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Department of Water Resources
Adjudication Bureau

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OFFICE OF THE
ATTORNEY GENERAL

36108R

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re the General Adjudication of Rights
to the Use of Water From the Snake River
Basin Water System.

Case No. 39576

STANDARD FORM 3

The State of Idaho, ex rel. R. Keith
Higginson in his official capacity as
Director of the Idaho Department
of Water Resources,

STANDARD FORM FOR NOTICE
OF CHANGE IN ADDRESS

OR

Petitioner,

✓ CONSENT TO SUBSTITUTION OF
PARTY

vs.

The United States; the State of Idaho; and
all Claimants to the Use of Water From
the Snake River Basin Water System,

Respondents.

INSTRUCTIONS FOR USE

This form must be used to provide notice of change in address or to substitute a party whose water right recommendation is in a director's report which has been filed with the court. The filing of Standard Form 3 cannot result in a contested matter. A hearing will not be scheduled.

This form has been adopted by the court in *SRBA Administrative Order 1* (amended June 21, 1993), Section 4A, which may be consulted for further information.

Standard Form 3 shall not operate to excuse compliance with the statutory requirements of I.C. § 42-1409(7) where a water right recommendation is not before the court.

As used in this form, the term "prior claimant/seller" means any person who, pursuant to I.C. § 42-1409(2), (3) and (6), filed a notice of claim asserting the right to the use of water or on whose behalf the right to the use of water was asserted. "New claimant/purchaser" means any successor in interest of a "prior claimant/seller," whether the interest is acquired by purchase, gift, inheritance or other means.

A *Consent to Substitution of Party (Substitution)* must be signed by the prior claimant/seller and the new claimant/purchaser. The *Substitution* shall be filed by the new claimant/purchaser.

Check either the *Change in Address* or *Consent to Substitution of Party* box and fill in the requested information. A party may copy or reproduce the standard form. The text of the form must be on the front and back of each page, exactly as it appears here.

Follow the instructions on the form or the court will not accept it for filing. The Verification and the Certificate of Mailing must be completed.

The standard form may be obtained from the Idaho Department of Water Resources and the court. You must provide a copy of this form to each party, or to their legal counsel, in any subcase in which you are a party.

☐ CHANGE IN ADDRESS

My name is _____

I am the claimant of _____

(Insert each water right number)

I have filed an objection/response to the following water right(s) _____

(Insert each water right number)

My new mailing address is _____

My phone number is: Work _____ Home _____

☒ **CONSENT TO SUBSTITUTION OF PARTY**

My name is Armin Sutterlin & Carol Sutterlin, Trustees of the Armin & Carol Sutterlin Living Trust, dated 5-9-94

My address is P. O. Box #393
Hagerman, Idaho 83332

My phone number is: Work _____ Home 208-837-6392

The name and address of the party who I wish to be substituted for are:

Merl R. Harman and/or Barbara Harman

P. O. Box #548, Hagerman, Idaho 83332

I am the new claimant/purchaser of A36-00108R and
(Insert each water right number)

I am submitting proof of acquisition of the interest of the prior claimant/seller, *which is required by the court* to support my *Substitution*. Proof must contain a legal description of the property, including the water right numbers conveyed. You must describe the documents you are submitting.

Copy of the recorded Warranty Deed & copy of the Quitclaim Deed.

Barbara A. Harman
(Signature of prior claimant/seller)

Carol Sutterlin Trustee
(Signature of new claimant/purchaser)

☐ **ATTORNEY OF RECORD COMPLETING FORM**

My name is _____

I am the attorney of record for _____
(Identify party/claimant)

My address and phone number are _____

VERIFICATION

(Must be completed for either a *Notice of Change in Address* or for *Consent for Substitution of Party*)

State of IDAHO

County of Gooding

CAROL SUTTERLIN, being first duly sworn, upon oath, deposes and says:
(insert name of party/claimant filing form)

That I am the person or entity filing this form, that I am a water right claimant or party or their successor in interest, defined by I.C. §§ 42-1401A(1), (7) or (10); and that I have read this form, know its contents and that the statements are true to the best of my knowledge and belief.

Carol Sutterlin, Trustee
Signature of person filing form

By: _____
Attorney signing in representative capacity

Subscribed and sworn to before me on 11-1-95
(Insert Date)

Clifton Jensen
Notary Public for State of Idaho
Residing at: Residing at Hagerman, Idaho
My Commission expires: 5-10-97

INSTRUCTIONS FOR MAILING

You must mail the form, including all attachments, to the Clerk of the SRBA Court and to the parties identified in the Certificate of Mailing. FAX filings will not be accepted by the SRBA Clerk of the Court.

You must sign the Certificate of Mailing to show that you followed these steps

CERTIFICATE OF MAILING

I certify that on Nov. 1, 1995, I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P. O. Box 2707
Twin Falls, Idaho 83303-2707

2. A *Change of Address* must be served on each party, or their attorney, in each subcase in which you are a party at the following address(es):

3. A *Consent to Substitution of Party* must be served on the prior claimant/seller or their attorney at the following address:

Barbara Harman
P. O. Box #548
Hagerman, Idaho 83332

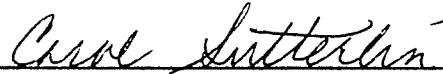
4. A *Consent to Substitution of Party* must be served on each party, or their attorney, to each subcase in which the prior claimant/seller is a party at the following address(es):

4. One copy to:

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P. O. Box 44449
Boise, Idaho 83711-4449

5. One copy to:

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, Box 33
Boise, Idaho 83734



(Signature of person or attorney mailing the form)

Order No. G-003637

WARRANTY DEED

For Value Received

**Barbara R. Harman,
A Single Woman.**

the grantor(s), do(es) hereby grant, bargain, sell, and convey unto

Armin Sutterlin, Trustee And Carol Sutterlin, Trustee, or their successor in Trust,
under the Armin & Carol Sutterlin Living Trust dated 5-9-94

the grantee(s), whose current address is

P.O. Box 393, Hagerman, ID 83332

the following described premises, to-wit:

**Lots 1, 2, 15 and 16 in Block 20 of HAGERMAN TOWNSITE,
Gooding County, Idaho, according to the plat thereof,
recorded in the Office of the County Recorder of said County**

**AND the North 30 feet of vacated Lake Street lying adjacent
to Lots 15 and 16**

162939

STATE OF IDAHO COUNTY OF GOODING

Filed for record at the request of **FIRST AMERICAN TITLE**

59 min. past 4 o'clock P.m. this 5th
of October, 19 95. 3⁰⁰

By Penny Watson Deputy

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), his/her/their heirs and assigns forever. And the said Grantor(s) do(es) hereby covenant to and with the said Grantee(s), that he/she/they are the owner(s) in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U. S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that he/she/they will warrant and defend the same from all claims whatsoever.

Dated: October 4, 1995

Barbara R. Harman
Barbara R. Harman

STATE OF IDAHO

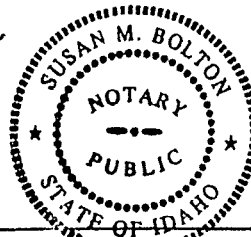
: ss

COUNTY OF GOODING

On This 5th day of October, in the year 1995, before me, a Notary Public in and for said State, personally appeared **Barbara R. Harman**, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within Instrument, and acknowledged to me that he/she/they executed the same.

WITNESS my hand and official seal.

Susan M. Bolton
Notary Public of Idaho
Residing at Gooding, Idaho
Commission Expires: 10/16/98



First American Title Company of Idaho

QUITCLAIM DEED

For Value Received BARBARA R. HARMAN, a single woman

does (do) hereby convey, release, remise and forever quit claim

unto ARMIN SUTTERLIN and CAROL SUTTERLIN, Trustees, or their successor in Trust, under the Armin & Carol Sutterlin Living Trust dated 5-9-94

whose address is; 310 W. Spring St., Hagerman, ID 83332

the following described premises, to-wit:

1 Share of Buckeye Ditch Water and Idaho Department of Water Resources water right #A36-00108R, attached to property described as follows:

Lots 1, 2, 15 and 16 in Block 20 of HAGERMAN TOWNSITE, Gooding County, Idaho, according to the plat thereof recorded in the Office of the County Recorder of said County

AND the North 30 feet of vacated Lake Street lying adjacent to Lots 15 and 16.

together with their appurtenances.

Dated: October 5, 1995

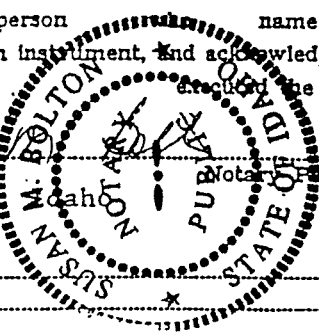
Barbara R. Harman
Barbara R. Harman

STATE OF IDAHO, COUNTY OF GOODING
On this 5th day of October, 1995,
before me, a notary public in and for said State, personally appeared

BARBARA R. HARMAN

known to me to be the person name is
subscribed to the within instrument, and acknowledged to
me that she acknowledged the same.

Residing at Gooding, Idaho
MAIL DEED TO:



STATE OF IDAHO, COUNTY OF

I hereby certify that this instrument was filed for record at the request of FIRST AMERICAN TITLE
at 00 minutes past 5 o'clock P. m.,
this 5th day of October, 1995 in my office, and duly recorded in Book 162940
of Deeds at page

HELEN P. EDWARDS

Ex-Officio Recorder

By Penny Watson Deputy.

Fees \$ 3.00

MAIL TAX NOTICE TO:

Name _____
Address _____
City and State _____ Zip _____

Commission Expires: 10-16-98