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Department of Water Resources
Adjudication Bureau

36-2338
36-10842

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 Aqua Life, Inc.

My address is Route 5, Box 5053, Buhl, ID 83316

My phone number is: Work (208) 733-4250 Home (208) 543-4312

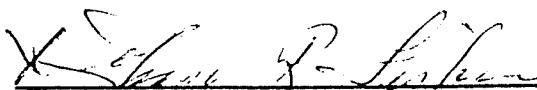
The name and address of the party who I wish to be substituted for are:

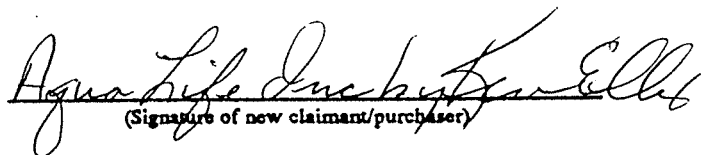
Vardis Fisher and Grant Fisher, Special Administrator of the
Estate of Opal Laurel Holmes Fisher

I am the new claimant/purchaser of A36-02338 and A36-10842 *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.

See Attached Deed.


(Signature of prior claimant/seller)


(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

KEN ELLIS, 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.

AguaLife Corp. by
[Signature]
Signature of person filing form

By: _____
Attorney signing in representative capacity

Subscribed and sworn to before me on 10-25-95
(Insert Date)

[Signature]
Notary Public for State of Idaho
Residing at: Hagerman, Id.
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 11-13, 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:

Grant Fisher, c/o Elam & Burke, P.A.
702 W. Idaho, 10th Floor
P.O. Box 1539 Boise, ID 83701-1539

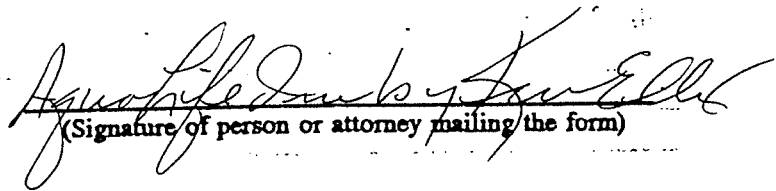
4. A *Consent to Substitution of Party* must be served on each party, or their attorney, to each subcase in which the prior claimant/seller is a party at the following address(es):

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)

SPECIAL ADMINISTRATOR'S DEED

THIS DEED, made by Grant R. Fisher, as Special Administrator of the estate of Opal Laurel Holmes Fisher, deceased, Grantor, to Aqua Life, Inc., Grantee, whose current address is Route 5, Box 5053, Buhl, Idaho 83316.

WHEREAS, Grantor is the qualified Special Administrator of said estate, filed as Case No. 3P-16852, in Ada County, Idaho;

THEREFORE, for valuable consideration received, Grantor grants, transfers, and conveys to Grantee the real property in Gooding County, Idaho, described on Exhibit A hereto and by this reference made a part hereof, together with all appurtenant water rights, easements and other appurtenances.

EXECUTED this 24 day of October, 1995.


Special Administrator of the Estate of
Opal Laurel Holmes Fisher, Deceased

STATE OF CALIFORNIA)
) ss.
County of _____)

On this ____ day October, 1995, before me, _____, the undersigned, a notary public in and for said state, personally appeared, Grant R. Fisher, known or identified to me to be the person whose name is subscribed to the within instrument, as Special Administrator of the Estate of Opal Laurel Holmes Fisher, deceased, and acknowledged to me that he executed the same as such Personal Representative.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.

See attached Acknowledgment
Notary Public for California
Residing at _____
My commission expires: _____

40

A PARCEL OF LAND LOCATED IN GOV'T LOTS 3 AND 4 AND A PORTION OF THE E1/2SW1/4 OF SECTION 18, TOWNSHIP 7 SOUTH, RANGE 14 EAST, BOISE MERIDIAN, GOODING COUNTY, IDAHO AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 18, THENCE N00°06'27"E ALONG THE WEST BOUNDARY OF GOV'T LOT 4 OF SECTION 18 FOR A DISTANCE OF 1316.78 FEET TO THE SOUTHWEST CORNER OF GOV'T LOT 3 AND BEING THE TRUE POINT OF BEGINNING:

THENCE CONTINUING N00°06'27"E ALONG THE WEST BOUNDARY OF GOV'T LOT 3 OF SECTION 18 FOR A DISTANCE OF 546.78 FEET TO A POINT THAT IS S00°06'27"W-770.00 FEET FROM THE NORTHWEST CORNER OF GOV'T LOT 3 OF SECTION 18;

THENCE N89°41'57"E PARALLEL WITH AND 770.0 FEET SOUTH OF THE NORTH BOUNDARY OF GOV'T LOT 3 OF SECTION 18 FOR A DISTANCE OF 1038.38 FEET TO A POINT ON THE EAST BOUNDARY OF GOV'T LOT 3 OF SECTION 18;

THENCE N00°44'00"W ALONG THE EAST BOUNDARY OF GOV'T LOT 3 OF SECTION 18 FOR A DISTANCE OF 85.66 FEET;

THENCE S15°25'38"E FOR A DISTANCE OF 299.56 FEET TO A FOUND STEEL PIN;

THENCE S34°34'01"E FOR A DISTANCE OF 449.40 FEET TO A FOUND STEEL PIN;

THENCE S23°08'01"E FOR A DISTANCE OF 251.77 FEET TO A FOUND STEEL PIN;

THENCE S31°09'01"E FOR A DISTANCE OF 307.86 FEET TO A FOUND STEEL PIN;

THENCE S69°03'42"W FOR A DISTANCE OF 860.54 FEET TO A FOUND STEEL PIN;

THENCE S86°54'11"W FOR A DISTANCE OF 150.07 FEET TO A SPECIAL ADMINISTRATOR'S DEED - 2 EXHIBIT "A"

FOUND STEEL PIN;

THENCE S11° 19' 47"E FOR A DISTANCE OF 49.68 FEET TO A
FOUND STEEL PIN;

THENCE S80° 25' 28"W FOR A DISTANCE OF 20.78 FEET TO A
FOUND STEEL PIN;

THENCE N38° 50' 32"W FOR A DISTANCE OF 189.28 FEET TO A
FOUND STEEL PIN;

THENCE N66° 02' 51"E FOR A DISTANCE OF 32.74 FEET TO A
FOUND STEEL PIN;

THENCE N59° 50' 18"W FOR A DISTANCE OF 50.00 FEET;

THENCE N23° 50' 18"W FOR A DISTANCE OF 125.00 FEET;

THENCE N15° 41' 18"W FOR A DISTANCE OF 220.00 FEET;

THENCE N25° 48' 18"W FOR A DISTANCE OF 45.00 FEET;

THENCE N67° 58' 18"W FOR A DISTANCE OF 190.00 FEET TO A
POINT IN THE APPROXIMATE CENTER OF BILLINGSLEY CREEK;

THENCE N42° 58' 18"W ALONG THE APPROXIMATE CENTER OF
BILLINGSLEY CREEK FOR A DISTANCE OF 130.00 FEET;

THENCE N14° 24' 32"W ACROSS A LAKE CREATED BY BILLINGSLEY
CREEK FOR A DISTANCE OF 170.65 FEET TO A POINT ON THE NORTH
BOUNDARY OF GOV'T LOT 4 OF SECTION 18;

THENCE S89° 45' 27"W ALONG THE NORTH BOUNDARY OF GOV'T LOT
4 OF SECTION 18 FOR A DISTANCE OF 98.00 FEET TO THE TRUE
POINT OF BEGINNING.

CONTAINING 34.34 ACRES, MORE OR LESS

STATE OF CALIFORNIA }
County of Santa Clara } ss.

On October 24, 1995, before me, Christine L. Freeman, Notary Public
(Name of Notary/Title)

personally appeared Grant R. Fisher, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person ~~(X)~~ whose name ~~(X)~~ is ~~(X)~~ subscribed to the within instrument and acknowledged to me that he ~~(X)~~ she ~~(X)~~ they executed the same in his ~~(X)~~ her ~~(X)~~ their authorized capacity ~~(ies)~~ and that by ~~(X)~~ his ~~(X)~~ her ~~(X)~~ their signature ~~(s)~~ on the instrument the person ~~(X)~~, or the entity upon behalf of which the person ~~(X)~~ acted, executed the instrument.

WITNESS my hand and official seal.

Christine Freeman
(Signature)



(Seal)

163166

STATE OF IDAHO COUNTY OF GOODING
Filed for record at the request of FIRST AMERICAN TITLE
10 min. past 4 o'clock P m. this 27th
of October, 19 95 12:00
By Penny Watson Deputy