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Department of Water Resources
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DEC 22 1995
DISTRICT COURT
TWIN FALLS COUNTY
FILED

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

In Re SRBA

Subcase No. 57-02240

Case No. 39576

ORDER SUBSTITUTING PARTY

On December 19, 1995 at 10:00 a.m., a hearing to substitute party was held before Fritz X. Haemmerle, Special Master for Basin 57. William F. Ringert, Esq. appeared on behalf of the Kenneth and Susan Torrey (Movants). The Estate of Charles C. Young was notified of the hearing, but did not appear. There being no objection to the *Motion to Substitute Party* and based on the verified motion acknowledged by Susan V. Torrey, the Court finds as follows:

1. Certain property (Property) described in Exhibit A attached to the *Motion to Substitute Party* was transferred by Michael C. Young, Personal Representative for the Estate of Charles C. Young, to the Movants;

2. Water right number A57-02240 was appurtenant to the Property and not exempted in the conveyance. As evidenced by the Personal Representative's Deed, the Movants own water right number A57-02240;

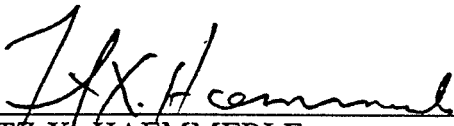
3. The Movants attempted to execute a Standard Form 3 to substitute the party named on water right A57-02240. The Personal Representative refused to execute a Standard Form 3.

Pursuant to I.R.C.P. 25(c), the *Motion to Substitute Party* is **granted**. The Court orders that Kenneth and Susan Torrey be substituted in as the owner of water right number 57-02240.

The IDWR is directed to substitute the parties pursuant to this *Order*. No further action on behalf of the movants will be necessary to substitute the parties.

IT IS SO ORDERED.

DATED December 20, 1995.



FRITZ X. HAEMMERLE
Special Master, Reporting Area 2
Snake River Basin Adjudication

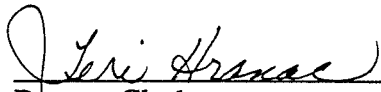
CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER SUBSTITUTING PARTY was mailed on December 20, 1995, with sufficient first-class postage to the following:

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Deputy Clerk