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Department of Water Resources
Adjudication Bureau

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OFFICE OF THE
ATTORNEY GENERAL

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)

Case No. 39576)

STANDARD FORM 3

(Check Appropriate Box)

☐ NOTICE OF CHANGE IN ADDRESS

OR

☒ CONSENT TO SUBSTITUTION OF
PARTY

36-8065

INSTRUCTIONS FOR USE

This form is to be used to provide notice of a change in address of a party or to substitute a party whose water right was recommended in a director's report. *The filing of Standard Form 3 cannot result in a contested matter and a hearing will not be scheduled.* If completed as directed, the form will be accepted by the court and no further orders will issue. Standard Form 3 shall not operate to excuse compliance with the statutory requirements of I.C. § 42-1409(7) (1986) where a water right recommendation is not before the court.

This form has been adopted by the court in Re SRBA, Twin Falls County Case 39576, *SRBA Administrative Order 1 Rules of Procedure* (amended 6/21/93), Section 4Ac(3), which may be consulted for further 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 it will not be accepted for filing. The Verification and the Certificate of Mailing must be completed.

Standard forms may be obtained from the Idaho Department of Water Resources or the SRBA Court.

right to the use of water was asserted. "New claimant/purchaser" means any successor in interest of the "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.

I am the new claimant/purchaser of # 36-08065
(Insert each water right number)

My name is Duke and/or Dani Bonawitz

My address is 3290 South 11600 East Wendell, ID 83355

My phone number is: Work ⁽²⁰⁸⁾ 543-8816 Home ⁽²⁰⁸⁾ 536-5635

The name and address of the prior claimant/seller who I wish to be substituted for are:

Laurence and Jessie Madsen

3292 S. 11600 E. Wendell, ID 83355

see enclosed letter
Signature of prior claimant/seller

Duke Bonawitz Dani Bonawitz
Signature of new claimant/purchaser

If an attorney is filing this form on behalf of a water right claimant or party in the SRBA, the attorney must complete the following information, in addition to the information required above.

Attorney name _____

Attorney of record for _____
(Identify party/claimant)

Attorney address and phone number: _____

- ☐ I have filed a *Notice of Appearance* for the party on whose behalf I am filing this form.
- ☐ A *Notice of Appearance* accompanies this form indicating which party and water rights I represent.

5 Whom it may concern:

Laurence Madsen was the prior claimant / Seller. We purchased the water rights along with some property. Laurence had a life state. He passed away over 2 years ago. Jessie Madsen had passed away several years before we purchased the water rights and property. They have no children and the only relative Laurence had was a sister who lives in another state. We do not know her whereabouts or if she is still living. Therefore, I have enclosed the warranty deed signed by Laurence Madsen on May 28, 1991 giving us the water rights. I did this under advisement of the SRBA court.

Thank-you,
Dani Bonawitz

WARRANTY DEED

For value received LAURENCE MADSEN, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto DUKE BONAWITZ, hereinafter called the Grantee, the following described premises situated in Gooding County, Idaho, to wit:

STATE OF IDAHO, COUNTY OF GOODING

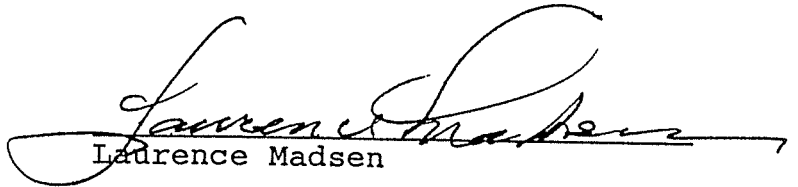
Township 8 South, Range 14 East of the Boise Meridian
Section 13: A parcel of land in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ lying northwest of Northside Canal Company lateral canal W-9 and south of Northside Canal Company lateral canal W-56..

TOGETHER WITH a 1972 Manorwood 12'x46' mobile home located thereon and all water rights appurtenant thereto.

SUBJECT TO A LIFE ESTATE RESERVED TO LAURENCE MADSEN IN THE ABOVE DESCRIBED PROPERTY.

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all incumbrances except as above described and that Grantor will warrant and defend the same from all lawful claims whatsoever.

DATED: May 28, 1991.


Laurence Madsen

SEND TAX NOTICE TO:
Laurence Madsen
3292 South 1600 East