

2/2

Case No. 39576

STANDARD FORM 3

(Check Appropriate Box)

☐ NOTICE OF CHANGE IN ADDRESS

OR

☒ **CONSENT TO SUBSTITUTION OF PARTY**

36-14299

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.

CHANGE IN ADDRESS

You must use this form to advise the court and parties of any change in your address during the pendency of the SRBA.

You must provide a copy of the completed form to each party or if the party is represented by an attorney you must serve the attorney in every subcase in which you are a party.

No hearing will be held and no further order will issue from this court.

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 _____

(Go to Page 4)

CONSENT TO SUBSTITUTION OF PARTY

This form may only be used if a water right number is included as a "recommendation" in a director's report. *This form cannot be used for water rights that are not in a director's report or when portions of a water right are involved (i.e. where a water right is split).* You must use this form to substitute a new party into the SRBA.

You are to provide a copy of the completed form to every party in each subcase in which the new party is to be substituted. If the party is represented by an attorney you must serve the attorney. Because this is a "consent" form, it is a stipulation that there is no disagreement between the prior claimant/seller and the new claimant/purchaser that the prior claimant/seller has transferred all interests in the water right. No hearing will be held and no further order will issue.

"Prior claimant/seller" means any person who, pursuant to I.C. §§ 42-1409(2), (3) and (6) (1986), 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 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 36-14299
(Insert each water right number)

My name is Randy Turnbow

My address is 285 B. So. 400 W. Jerome Id. 83338

My phone number is: Work 208-324-6927 Home 208-324-6927

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

Esther Campbell

address unknown (see attached)

Signature of prior claimant/seller

Randy Turnbow
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.

VERIFICATION

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

State of _____

County of _____

_____, 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) (1986); that the water right number I am asking the court to substitute a party on is a water right in a director's report filed with the court and that I have read this form and know its contents and that the statements are true to the best of my knowledge and belief.

Signature of person filing form

BY: _____
Attorney signing in representative capacity

Subscribed and sworn to before me on _____
(Insert Date)

Notary Public for _____

Residing at: _____

My Commission expires: _____

INSTRUCTIONS FOR MAILING

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 Feb 8, 1996, 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* was served on each party, or if they are represented by an attorney you must serve the attorney, in each subcase in which you are a party, at the following address(es):

3. A *Consent to Substitution of Party* was served on the prior claimant/seller, or if they are represented by an attorney you must serve the attorney, at the following address(es):

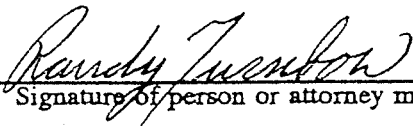
4. A *Consent to Substitution of Party* was served on each party to each subcase, or if they are represented by an attorney you must serve the attorney, in which the prior claimant/seller is a party at the following address(es):

5. One copy to:

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

6. One copy to:

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, Box 33
Boise, Idaho 83724



Signature of person or attorney mailing the form

RECEIVED

FEB 13 1996

Department of Water Resources
Adjudication Bureau

Your Honor

On September 4, 1992 I purchased the property of Mr + Mrs Campbell, Mr Campbell had passed away so I bought the property from Mrs Campbell and I have no idea where she is living now, for she was in bad health at the time she sold the property.

Randy Turnbow
Feb 2, 1996

WARRANTY DEED

For Value Received

ESTHER J. CAMPBELL, an unmarried woman,

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto
RANDY TURNBOW and RENE'L. TURNBOW, Husband and Wife

Whose address is: 285B South 400 West, Jerome, Idaho 83338

Hereinafter called the Grantee, the following described premises situated in Jerome County, Idaho,
to-wit:

See Exhibit "A" Attached

RECEIVED

FEB 13 1996

Department of Water Resources
Adjudication Bureau

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee and to the successors heirs and assigns of the Grantee forever. 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: August 26, 1992

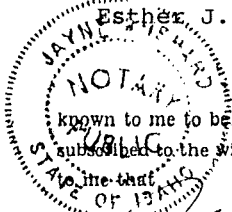
Esther J. Campbell
ESTHER J. CAMPBELL

STATE OF IDAHO, COUNTY OF JEROME

On this 26th day of August, 1992
before me, a notary public in and for said State, personally appeared

Esther J. Campbell

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



Notary Public
Jerome, Idaho.

Residing at
Commission expires:

8-21-93

RECORD REQUEST
OF Land Title & Escrow, Inc.
Aug 26 4 11 PM '92
JEROME COUNTY, IDAHO
FEES \$98.00 DEP *JS*

922890

EXHIBIT A

PARCEL NO. 1:

TOWNSHIP 8 SOUTH, RANGE 16, EAST OF THE BOISE MERIDIAN,
JEROME COUNTY, IDAHO

Section 32: A parcel of land located in the N $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$, described as follows:

Commencing at the Southeast corner of Section 32;
Thence North 0°04' West, 661.52 feet along Section
line to the Southeast corner of the N $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$;
Thence North 89°42'09" West, 968.10 feet along the
South boundary of the N $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ to the Easterly
bank of a certain canal, said point being THE
TRUE POINT OF BEGINNING;
Thence along said Easterly bank of the canal the
following courses and distances:
Thence North 43°59' West, 91.06 feet;
Thence North 61°07'30" West, 124.39 feet;
Thence North 36°58' West, 169.65 feet;
Thence North 72°48' West, 82.91 feet to a point on
the West boundary of the N $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$;
Thence North 0°04' West, 377.26 feet along the West
boundary of the N $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ to the Northwest corner
of the N $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$;
Thence South 89°43'29" East, 231.10 feet along the
North boundary of the N $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$;
Thence South 42°01'35" East, 456.93 feet;
Thence South 29°36'20" West, 370.79 feet to THE
TRUE POINT OF BEGINNING.

TOGETHER WITH a 40 foot permanent roadway and util-
ity easement being 20 feet on each side of the fol-
lowing described centerline:

Commencing at the Southeast corner of Section 32;
Thence North 0°04' West, 850.78 feet along Section
line to THE TRUE POINT OF BEGINNING;
Thence North 89°43'29" West, 350.00 feet;
Thence North 75°00' West, 460.40 feet to a point on
the Southeasterly boundary of the above
described property.

PARCEL NO. 2:

TOWNSHIP 8 SOUTH, RANGE 16, EAST OF THE BOISE MERIDIAN,
JEROME COUNTY, IDAHO

Section 32: A parcel of land located in the N $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$, described as follows:

Commencing at the Southeast corner of Section 32;
Thence North 0°04' West, 870.78 feet along Section
line;
Thence North 89°43'29" West, 350.00 feet to THE
TRUE POINT OF BEGINNING;
Thence North 0°04' West, 452.12 feet to a point on
the North boundary of the N $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$;
Thence North 89°43'29" West, 740.00 feet along the
North boundary of the N $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ to a point that
lies South 89°43'29" East, 231.10 feet from the
Northwest corner of the N $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$;
Thence South 42°01'35" East, 456.93 feet;
Thence South 75°00' East, 450.00 feet to THE TRUE
POINT OF BEGINNING.

TOGETHER WITH a 40 foot permanent roadway and util-
ity easement being 20 feet on each side of the fol-
lowing described centerline:

Commencing at the Southeast corner of Section 32;
Thence North 0°04' West, 850.78 feet along Section
line to THE TRUE POINT OF BEGINNING;
Thence North 89°43'29" West, 350.00 feet;
Thence North 75°00' West, 460.40 feet.

EXHIBIT "A" CONTINUED

Together with all water and water rights, ditches and ditch rights used thereon or appurtenant thereto including but not limited to 14.00 shares of capital stock of the North Side Canal Company Limited.

SUBJECT TO THE FOLLOWING:

All reservations in patents or deeds in the chain of title.

Taxes for 1992 and subsequent years, which are not yet due and payable.

Assessments of the American Falls Reservoir District and the rights and powers of said District as by law provided.

Assessments of the North Side Canal Company and the rights and powers of said Company as by law provided.

Right of way for roads, canals, laterals and waste ditches as contained in an Agreement by and between the State of Idaho, and the Twin Falls North Side Land and Water Company, dated August 21, 1907, recorded in Book 15 Page 589, Jerome County records.

Power Line Easement given by William N. Gilbert and Mary K. Gilbert, husband and wife, to Idaho Power Company, a corporation, dated May 7, 1973, recorded March 26, 1974 in Book 184 Page 831 as Instrument Number 204928, Jerome County records, affecting the N $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 32, Township 8 South, Range 16, East Boise Meridian.

Restriction as contained in Warranty Deed given by William R. Gilbert, whose wife's name is Mary K. Gilbert and William Gilbert, Jr., whose wife's name is Barbara H. Gilbert, to Gerald Campbell and Esther Campbell, husband and wife, dated December 16, 1977, recorded March 30, 1978 in Book 200 Page 638 as Instrument Number 232372, Jerome County records, wherein no trailer houses allowed except for recreational vehicles, pertaining to Parcel No. 1.

Power Line Easement given by Gerald L. Campbell and Esther J. Campbell, husband and wife, to Idaho Power Company, a corporation, dated May 16, 1978, recorded November 6, 1978 in Book 184 Misc. Page 1752 as Instrument Number 237220, Jerome County records, affecting the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 32, Township 8 South, Range 16, East Boise Meridian.

Restriction as contained in Warranty Deed given by William R. Gilbert and Mary K. Gilbert, husband and wife, and William Gilbert, Jr. and Barbara H. Gilbert, husband and wife, to Gerald Campbell and Esther Campbell, husband and wife, dated December 19, 1977, recorded January 3, 1979 in Book 200 Page 1602 as Instrument Number 238418, Jerome County records, wherein no trailer houses except for recreational vehicles, pertaining to Parcel No. 2.

Road Maintenance and Easement Agreement by and between Esther Campbell and Ids Schaap and Attie Schaap dated May 29, 1992, recorded June 5, 1992 as Instrument Number 921943, Jerome County records, covering Parcel No. 1 and No. 2 and other property.