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MAR 12 1996

Department of Water Resources
Adjudication Bureau

3-11

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

36-11784

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.

"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

issue.

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

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

CONSENT TO SUBSTITUTION OF PARTY

(Go to Page 4)

My phone number is: _____ Work _____ Home _____

My new mailing address is _____

(Insert each water right number)

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

(Insert each water right number)

I am the claimant of _____

My name is _____

No hearing will be held and no further order will issue from this court. 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. during the pendency of the SRBA. You must use this form to advise the court and parties of any change in your address

CHANGE IN ADDRESS

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 36-11784
(Insert each water right number)

My name is Leon McGuire or Linda L. Capps McGuire

My address is 174 W. 234 N. Jerome Id 83338

My phone number is: Work 208-733-0931 Home 208-324-3940

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

Harold M^cRoberts
1304 Spruce St Alturas, CA 96101

Harold M^cRoberts
Signature of prior claimant/seller

Leon McGuire or
Signature of new claimant/purchaser
Linda Capps McGuire

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 Idaho

County of Jerome

Linda Capps McGuire, 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.

Linda Capps McGuire
Signature of person filing form

BY: _____
Attorney signing in representative capacity

Subscribed and sworn to before me on March 8, 1998
(Insert Date)

Sherri L Martinat
Notary Public for Idaho
Residing at: Jun Falls
My Commission expires: 01/22/1998

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 March 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):

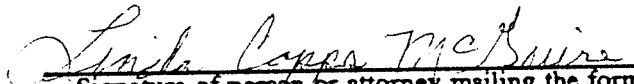
4. A *Consent to Substitution of Party* was served on each party to each subcase, or if they are represented by an attorney you must serve the attorney, in which the prior claimant/seller is a party at the following address(es):

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



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

RECEIVED February 8, 1996

MAR 12 1996

NEW PROPERTY OWNER
174 W 234 N
JEROME ID 83338

Department of Water Resources
Adjudication Bureau

RECEIVED

MAR 11 1996

OFFICE OF THE
ATTORNEY GENERAL

RE: Snake River Basin Adjudication (SRBA)
Notice of Claim #36-11784

Dear New Property Owner:

A legal notice mailed recently by IDWR was returned to us by the Post Office. The notice was mailed to an apparent former owner at your address who has or had this property or others in the area.

SRBA Judge Hurlbutt issued an Amended Order March 22, 1995, requiring claimants such as yourself acquiring property and associated water right(s) identified in a Director's Report to use Standard Form 3 for change in address or ownership of the water right(s) referenced above or any others. We have enclosed this form for your use.

The Court's form must be submitted according to the instructions to complete the change of address or ownership in the Court's records.

Please contact this office (800/451-4129) or the SRBA Court at 208/736-3011 if you have any questions.

Sincerely,

Idaho Department of Water Resources
Adjudication Bureau

SO:ss:region

Enclosure:

Standard Form 3