

COPY

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MAR 18 1996

Department of Water Resources
Adjudication Bureau

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	)	STANDARD FORM NO. 3
	)	
Case No. 35976	)	SUBCASE NO. <u>36-00047</u>
	)	(ONE NUMBER ONLY)
	)	
	)	CONSENT TO SUBSTITUTION OF
	)	PARTY

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 interest 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 36-00047
(insert each water right number)

My name is See attached Addendum "A"

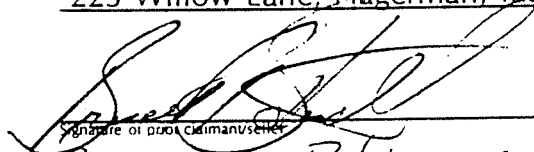
My address is _____

My phone number is: Work _____ Home _____

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

Bruce and Mary Bothwell

223 Willow Lane, Hagerman, Idaho 83332


Mary L. Bothwell

See attached Addendum "A"
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 Patrick D. Brown

Attorney of record for See attached Addendum "A"
(Identify party/claimant)

Attorney address and phone number: 133 Shoshone St. N., P. O. Box 389

Twin Falls, Idaho 83303 (208) 734-7510

I have filed a *Notice of Appearance* for the party on whose behalf I am filing this form.

X 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 Juin Falls

~~David Cropper~~ Suzanne McIntosh 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 March 15, 1996
(Insert Date)

Selma L. McMillan
Notary Public for Idaho
Residing at: Jerome
My Commission expires: 8/24/2001

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 14, 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, ID 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):

Bruce and Marv Bothwell
223 Willow Lane
Hagerman, ID 83332

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

- United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, MSC 033
Boise, Idaho 83724

Some months

Signature of person or attorney mailing the form

ADDENDUM "A"
Subcase No. 36-00047
CONSENT TO SUBSTITUTION OF PARTY

New claimants/purchasers of 36-00047

William E. Norris
David L. Cropper
Linda C. Cropper
Blain Richard Cropper
Vivian Cropper
Dave Anderson
Nancy Anderson

I am the new claimant/purchaser of 36-00047

(insert each water right number)

My name is William E. Norris

My address is P.O. Box 146 Sun Valley, ID 83353

My phone number is: Work 208-726-5300 Home 788 3739

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

Bruce and Mary Bothwell

223 Willow Lane, Hagerman, Idaho 83332

See page 3 of SF3

Signature of prior claimant/seller

Signature of new claimant/purchaser

VERIFICATION

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

State of Idaho

County of Blaine

William E. Norris, being first duly sworn, upon oath, deposes and says:

(insert name of party/claimant filing form)

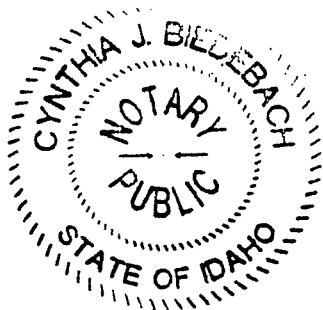
That I am the person or entity filing this form, that I am a water right claimant or party or their successor in interest, defined by I.C. §§ 42-1401A(1), (7) or (10) (1986); that the water right number I am asking the court to substitute a party on is a water right in a director's report filed with 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.

William E. Norris

Signature of person filing form

Subscribed and sworn to before me on 2/21/96

(insert Date)



Cynthia J. Biedebach

Notary Public for Idaho

Residing at: 103 Clear Creek, Ketchum, ID

My Commission expires: 1/11/2002

I am the new claimant/purchaser of 36-00047
(insert each water right number)

My name is David L. Cropper

My address is P. O. Box 669, Hailey, Idaho 83333

My phone number is: Work (208)788-4903 Home (208)788-4498

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

Bruce and Mary Bothwell

223 Willow Lane, Hagerman, Idaho 83332

See page 3 of SF3
Signature of prior claimant/seller

Signature of new claimant/purchaser

VERIFICATION

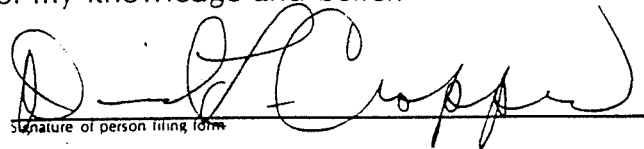
(To be completed for either a *Notice of Change in Address* or for *Consent for Substitution of Party*)

State of Idaho

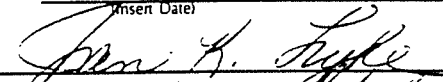
County of Blaine

David L. Cropper, 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

Subscribed and sworn to before me on 2-23-96
(insert Date)


Notary Public for Idaho
Residing at: Hailey, Id
My Commission expires: 01-16-98

I am the new claimant/purchaser of 36-00047
(insert each water right number)

My name is Linda C. Cropper

My address is P. O. Box 669, Hailey, Idaho 83333

My phone number is: Work _____ Home (208)788-4498

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

Bruce and Mary Bothwell

223 Willow Lane, Hagerman, Idaho 83332

See page 3 of SF3
Signature of prior claimant/seller

Signature of new claimant/purchaser

VERIFICATION

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

State of Idaho

County of Blaine

Linda C. Cropper, 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 C. Cropper
Signature of person filing form

Subscribed and sworn to before me on 2-23-96
(insert Date)

Jim H. Lytle
Notary Public for Idaho
Residing at: Harley, Id
My Commission expires: 01-16-98

I am the new claimant/purchaser of 36-00047

(Insert each water right number)

My name is Blaine Richard Cropper

My address is 3216 AMERICAN SADDLER PARK CITY, UT. 84060

My phone number is: Work 801-649-2923 Home 801-649-8799

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

Bruce and Mary Bothwell

223 Willow Lane, Hagerman, Idaho 83332

See page 3 of SF3

Signature of prior claimant/seller

Signature of new claimant/purchaser

VERIFICATION

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

State of Utah

County of Summit

Blaine Richard Cropper, being first duly sworn, upon oath, deposes and says:

(Insert name of party/claimant filing form)

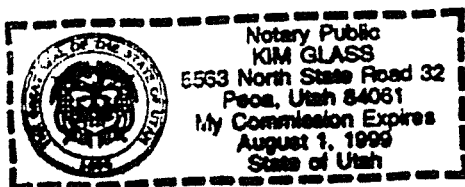
That I am the person or entity filing this form, that I am a water right claimant or party or their successor in interest, defined by I.C. §§ 42-1401A(1), (7) or (10) (1986); that the water right number I am asking the court to substitute a party on is a water right in a director's report filed with 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.

Blaine Richard Cropper

Signature of person filing form

Subscribed and sworn to before me on March 6, 1996

(Insert Date)



Kim Glass
Notary Public for State of Utah
Residing at: Poca, UT
My Commission expires: 8-1-99

I am the new claimant/purchaser of 36-00047
(insert each water right number.)

My name is Vivian Cropper

My address is 3216 American Saddle Park City, Ut. 84060

My phone number is: Work _____ Home 801-649-8799

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

Bruce and Mary Bothwell

223 Willow Lane, Hagerman, Idaho 83332

See page 3 of SF3
Signature of prior claimant/seller

Signature of new claimant/purchaser

VERIFICATION

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

State of Utah

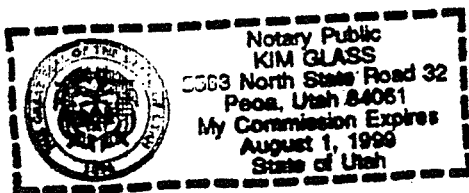
County of Summit

Vivian Cropper, 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.

Vivian Cropper
Signature of person filing form

Subscribed and sworn to before me on March 6, 1996
(insert Date)



Kim Glass
Notary Public for State of Utah
Residing at: Peoa, UT

I am the new claimant/purchaser of 36-00047
(insert each water right number)

My name is Dave Anderson

My address is P.O. Box 449

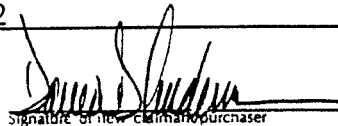
My phone number is: Work 726-4595 Home 788-2452

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

Bruce and Mary Bothwell

223 Willow Lane, Hagerman, Idaho 83332

See page 3 of SF3
Signature of prior claimant/seller


Signature of new claimant/purchaser

VERIFICATION

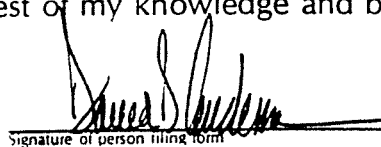
(To be completed for either a *Notice of Change in Address* or for *Consent for Substitution of Party*)

State of Idaho

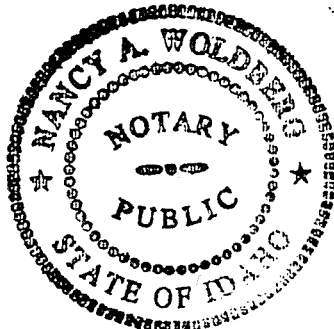
County of BLAINE

Dave Anderson, 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

Subscribed and sworn to before me on 2-23-96
(insert Date)



Nancy A. Woldberg
Notary Public for Idaho
Residing at: Bozeman
My Commission expires: 9-7-99

I am the new claimant/purchaser of 36-00047
(insert each water right number)

My name is Nancy Anderson

My address is P.O. Box 449

My phone number is: Work _____ Home 788-2452

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

Bruce and Mary Bothwell

223 Willow Lane, Hagerman, Idaho 83332

See page 3 of SF3
Signature of prior claimant/seller:

X Nancy J. Anderson
Signature of new claimant/purchaser

VERIFICATION

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

State of Idaho

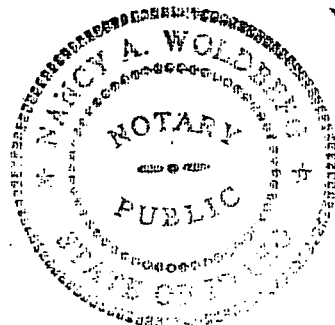
County of BLAINE

Nancy Anderson, 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.

X Nancy J. Anderson
Signature of person filing form

Subscribed and sworn to before me on 2-23-96
(insert Date)



Nancy A. Woldenberg
Notary Public for Idaho
Residing at: Richfield
My Commission expires: 9-7-99