

5-16
36-10773

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 3
	)	(Check Appropriate Box)
	)	☐ NOTICE OF CHANGE IN ADDRESS
Case No. 39576	)	OR
	)	☒ 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 N/A

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 # 36-10773
(Insert each water right number)

My name is MAUDELL SUE ANDERSON

My address is 2297 E. 3300 S. Jerome, ID

My phone number is: Work 800 526-3532 Home 324-4004

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

Michael Buklee

Signature of prior claimant/seller

Maudee Anderson
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 Idaho

County of Gooding

MARDELL 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.

Mardell Anderson

Signature of person filing form

BY: _____

Attorney signing in representative capacity

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

Brenda J. Evans
Notary Public for Chad - Will Anderson

Residing at: Gooding 83330

My Commission expires: 12-29-2000

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 3-8, 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

EXHIBIT "A"

PARCEL NO. 1:

TOWNSHIP 8 SOUTH, RANGE 15, EAST OF THE BOISE MERIDIAN,
GOODING COUNTY, IDAHO

Section 24: A parcel of land in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$, described as follows:

Commencing at the Northeast corner of Section 24, a distance of 30.00 feet on a bearing of North 89°54'00" West along the North boundary of said Section 24 to THE REAL POINT OF BEGINNING;
Thence from this REAL POINT OF BEGINNING and continuing along the said North boundary of Section 24 a distance of 300.52 feet on a bearing of North 89°54'00" West to the Northwest corner of the E $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$;
Thence a distance of 219.84 feet on a bearing of South 0°11'57" East along the West boundary of said E $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$;
Thence a distance of 300.52 feet on a bearing of South 89°54'26" East to a point 30.00 feet West of the East boundary of said Section 24;
Thence a distance of 219.80 feet on a bearing of North 0°12'06" West along the East boundary of said Section 24 to THE REAL POINT OF BEGINNING.

EXCEPTING THEREFROM the following described parcel of land:

Commencing at the Northeast corner of Section 24;
Thence North 89°54'00" West along the North boundary of said Section 24, 315.52 feet to THE TRUE POINT OF BEGINNING;
Thence continuing North 89°54'00" West along said North boundary, 15.00 feet to the Northwest corner of the E $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$;
Thence South 0°11'57" East along the West boundary of said E $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$, 219.84 feet;
Thence South 89°54'26" East, 15.00 feet;
Thence North 0°11'57" West, 219.84 feet to THE TRUE POINT OF BEGINNING.

PARCEL NO. 2:

TOWNSHIP 8 SOUTH, RANGE 15, EAST OF THE BOISE MERIDIAN,
GOODING COUNTY, IDAHO

Section 24: That part of the E $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$, described as follows:

Commencing at the Northeast corner of said Section 24;
Thence North 89°54'00" West along the North boundary of said Section 24, 30.00 feet;
Thence South 0°12'06" East, 219.80 feet to THE TRUE POINT OF BEGINNING;

Thence North 89°54'26" West, 300.52 feet to a point on the West boundary of said E $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$, said point lies South 0°11'57" East, 219.84 feet from the Northwest corner of said E $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$;
Thence South 0°11'57" East along the West boundary of said E $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$, 439.67 feet to the Southwest corner of said E $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$;
Thence South 89°55'18" East along the South boundary of said E $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$, 300.54 feet to a point 30.00 feet West of the Southeast corner of said E $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$;
Thence North 0°12'06" West, 439.59 feet to THE TRUE POINT OF BEGINNING.

Continued

EXHIBIT "A" continued

This property is conveyed dry and without water shares.

SUBJECT TO THE FOLLOWING:

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

Taxes for 1995 and subsequent years, a lien, but not yet due and payable.

Assessments levied or to be levied by the Gooding County Solid Waste Department.

Right of way for canals, laterals and waste ditches of the North Side Canal Company, Ltd.

Power Line Easement given by Carl Rudeen and Ezilda Rudeen, husband and wife, to Idaho Power Company, a corporation, dated January 2, 1940, recorded April 23, 1940 as Instrument Number 77066, Gooding County records, affecting a portion of the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 24, Township 8 South, Range 15, East Boise Meridian.

Power Line Easement given by Richard A. Heaton and Carolyn Joyce Lee Heaton, husband and wife, to Idaho Power Company, a corporation, dated December 17, 1969, recorded August 18, 1970 as Instrument Number 32800, Gooding County records, affecting the North 100 feet of the above described property.

Agreement by and between Richard A. Heaton and Carolyn Joyce Heaton, husband and wife, parties of the first part, and Noble O. Adfield and Bessie J. Adfield, husband and wife, parties of the second part, dated May 3, 1973, recorded May 7, 1973 as Instrument Number 45404, Gooding County records, affecting the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 24, Township 8 South, Range 15, East Boise Meridian.

WARRANTY DEED

For Value Received

MICHAEL A. BUHLER and NANCY L. BUHLER, husband and wife

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

MARDELL ANDERSON, an unmarried woman
Whose address is: 2297 East 3300 South, Jerome, ID 83338Hereinafter called the Grantee, the following described premises situated in
to-wit:

GOODING County, Idaho,

SEE ATTACHED EXHIBIT 'A'

161217

STATE OF IDAHO COUNTY OF GOODING
Land Title & Escrow Inc.

Filed for record at the request of

10 min. past 4 o'clock P.m. this 10
of May 1995 \$9.00

HELEN A. PAOLI, Recorder

By *Alberta Soter* Deputy

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: May , 1995

Michael A. Buhler
MICHAEL A. BUHLER*Nancy L. Buhler*
NANCY L. BUHLER

STATE OF IDAHO, COUNTY OF Jerome
On this 10th day of May 1995
before me, a notary public in and for said State, personally appeared
Michael A. Buhler and Nancy L. Buhler

known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

Sandra Moore
Residing at Jerome
Commission expires: 02-15-2000



SANDRA MOORE
NOTARY PUBLIC
STATE OF IDAHO

Notary Public
Jerome, Idaho

Jerome County, Idaho
Commission Expires 02-15-2000