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*Attorneys for Jeffrey and Chana Duffin and 3G AG LLC*

**IN THE SUPREME COURT OF THE STATE OF IDAHO**

JEFFREY AND CHANA DUFFIN, husband  
and wife,

Appellants-Petitioners,

v.

THE IDAHO DEPARTMENT OF WATER  
RESOURCES,

Respondent,

v.

A&B IRRIGATION DISTRICT, BURLEY  
IRRIGATION DISTRICT, MILNER  
IRRIGATION DISTRICT, AMERICAN  
FALLS RESERVOIR DISTRICT #2,  
MINIDOKA IRRIGATION DISTRICT,  
NORTH SIDE CANAL COMPANY AND  
TWIN FALLS CANAL COMPANY,

Intervenors.

**Supreme Court Case No. 48769-2021**

Bingham County District Court Case No.  
CV06-20-1467

**NOTICE OF  
SUBSTITUTION OF PARTY**

IN THE MATTER OF APPLICATION FOR  
TRANSFER NO. 83160 IN THE NAME OF  
JEFFREY AND CHANA DUFFIN

Notice is hereby provided that 3G AG LLC (“3G AG”), an Idaho limited liability company, shall be substituted in place of Jeffrey and Chana Duffin (collectively “Duffin”), the original appellants-petitioners in this appeal, pursuant to Rule 7 of the Idaho Appellate Rules. In February of 2022, 3G AG purchased from Duffin the property where Water Right No. 35-7667—the water right subject to Transfer No. 83160 which is the subject of this appeal—is located. The deed evidencing this transaction is in the process of being recorded. A copy of the *Certificate of Organization Limited Liability Company* filed with the Idaho Secretary of State on January 10, 2022, by 3G AG is attached hereto as **Exhibit A**.

Transfer of title to Water Right No. 35-7667 is a “transfer[] . . . to the interest” that is the subject of this appeal as provided under I.A.R. 7, and as a result, 3G AG must be substituted as the appellant-petitioner in this matter. 3G AG has retained Duffin’s counsel, Holden, Kidwell, Hahn & Crapo, P.L.L.C., to represent it in this appeal. Because of this substitution, 3G AG requests that the case caption be updated accordingly.

RESPECTFULLY SUBMITTED this 16<sup>th</sup> day of February, 2022.



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Robert L. Harris  
HOLDEN, KIDWELL, HAHN & CRAPO, P.L.L.C.  
*Attorneys for Jeffrey and Chana Duffin and 3G AG LLC*

**CERTIFICATE OF SERVICE**

I hereby certify that on this 16<sup>th</sup> day of FebruaryFebruary, 2022, 2022, I served a true and correct copy of the following described pleading or document on the attorneys and/or individuals listed below by the method indicated.

**Document Served:** NOTICE OF SUBSTITUTION OF PARTY

**Attorneys and/or Individuals Served:**

<p>Garrick L Baxter  Michael C. Orr  Deputy Attorney General  IDAHO DEPARTMENT OF WATER RESOURCES  P. O. Box 83720  Boise, ID 83720-0098  Email: <a href="mailto:Garrick.Baxter@idwr.idaho.gov">Garrick.Baxter@idwr.idaho.gov</a>  <a href="mailto:Michael.orr@ag.idaho.gov">Michael.orr@ag.idaho.gov</a></p>	<p><input type="checkbox"/> Mail  <input type="checkbox"/> Hand Delivery  <input type="checkbox"/> Facsimile  <input type="checkbox"/> FedEx Delivery  <input checked="" type="checkbox"/> iCourt</p>
<p>A&amp;B Irrigation District  Burley Irrigation District  Milner Irrigation District  North Side Canal Company  Twin Falls Canal Company</p> <p>Represented by:  John K. Simpson and Sarah W. Higer  BARKER ROSHOLT &amp; SIMPSON LLP  P. O. Box 2139  Boise, ID 83701-2139  Email: <a href="mailto:jks@idahowaters.com">jks@idahowaters.com</a>  <a href="mailto:swh@idahowaters.com">swh@idahowaters.com</a></p>	<p><input type="checkbox"/> Mail  <input type="checkbox"/> Hand Delivery  <input type="checkbox"/> Facsimile  <input type="checkbox"/> FedEx Delivery  <input checked="" type="checkbox"/> iCourt</p>
<p>A&amp;B Irrigation District  Burley Irrigation District  Milner Irrigation District  North Side Canal Company  Twin Falls Canal Company</p> <p>Represented by:  Travis L. Thompson  BARKER ROSHOLT &amp; SIMPSON LLP  P. O. Box 63  Twin Falls, ID 83303-0063  Email: <a href="mailto:flt@idahowaters.com">flt@idahowaters.com</a></p>	<p><input type="checkbox"/> Mail  <input type="checkbox"/> Hand Delivery  <input type="checkbox"/> Facsimile  <input type="checkbox"/> FedEx Delivery  <input checked="" type="checkbox"/> iCourt</p>

American Falls Reservoir Minidoka Irrigation District  Represented by: W. Kent Fletcher FLETCHER LAW OFFICE P. O. Box 248 Burley, ID 83318-0248 <a href="mailto:wkf@pmt.org">wkf@pmt.org</a>	<input type="checkbox"/> Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Facsimile <input type="checkbox"/> FedEx Delivery <input checked="" type="checkbox"/> iCourt
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*Attorneys for Jeffrey and Chana Duffin and 3G AG LLC*

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0004560509



**STATE OF IDAHO**  
*Office of the secretary of state, Lawrence Denney*  
**CERTIFICATE OF ORGANIZATION LIMITED LIABILITY COMPANY**

Idaho Secretary of State  
 PO Box 83720  
 Boise, ID 83720-0080  
 (208) 334-2301  
 Filing Fee: \$100.00

*For Office Use Only*  
**-FILED-**  
 File #: 0004560509  
 Date Filed: 1/10/2022 2:40:17 PM

Certificate of Organization Limited Liability Company	
Select one: Standard, Expedited or Same Day Service (see descriptions below)	Standard (filing fee \$100)
1. Limited Liability Company Name	
Type of Limited Liability Company	Limited Liability Company
Entity name	3G AG LLC
2. The complete street address of the principal office is:	
Principal Office Address	KENDELL FOSTER 2667 W 1400 S ABERDEEN, ID 83210
3. The mailing address of the principal office is:	
Mailing Address	KENDELL FOSTER 2667 W 1400 S ABERDEEN, ID 83210-1729
4. Registered Agent Name and Address	
Registered Agent	Registered Agent KENDELL FOSTER Physical Address: KENDELL FOSTER 2667 W 1400 S ABERDEEN, ID 83210 Mailing Address: KENDELL FOSTER 2667 W 1400 S ABERDEEN, ID 83210-1729
<input checked="" type="checkbox"/> I affirm that the registered agent appointed has consented to serve as registered agent for this entity.	
5. Governors	
Name	Address
KENDELL FOSTER	KENDELL FOSTER 2667 W 1400 S ABERDEEN, ID 83210
MARCUS FOSTER	MARCUS FOSTER 2667 W 1400 S ABERDEEN, ID 83210
Signature of Organizer:	
<i>KENDELL FOSTER</i>	<i>01/10/2022</i>
Sign Here	Date

B0675-1670 01/10/2022 2:41 PM Received by ID Secretary of State Lawrence Denney