

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Notice of Change in Water Right Ownership

RECEIVED
APR 10 2020
DEPT OF WATER RESOURCES
SOUTHERN REGION

1. List the numbers of all water rights and/or adjudication claim records to be changed. If you only acquired a portion of the water right or adjudication claim, check "Yes" in the "Split?" column. If the water right is leased to the Water Supply Bank, check "Yes". If you are not sure if the water right is leased to the Water Supply Bank, see #6 of the instructions.

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
A36-00080C	Yes <input type="checkbox"/>	Yes <input type="checkbox"/>		Yes <input type="checkbox"/>	Yes <input type="checkbox"/>
A36-00081C	Yes <input type="checkbox"/>	Yes <input type="checkbox"/>		Yes <input type="checkbox"/>	Yes <input type="checkbox"/>
A36-07271B	Yes <input type="checkbox"/>	Yes <input type="checkbox"/>		Yes <input type="checkbox"/>	Yes <input type="checkbox"/>
	Yes <input type="checkbox"/>	Yes <input type="checkbox"/>		Yes <input type="checkbox"/>	Yes <input type="checkbox"/>
Not Processed	Yes <input type="checkbox"/>	Yes <input type="checkbox"/>		Yes <input type="checkbox"/>	Yes <input type="checkbox"/>

2. Previous Owner's Name: Thomas E King
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Raven family Trust dated December 21, 2006
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- 408 Olive Hills Way Fallbrook CA 92028
Mailing address City State ZIP
- 919-889-9724 kelster2@att.net
Telephone Email

4. If the water rights and/or adjudication claims were split, how did the division occur?
☐ The water rights or claims were divided as specifically identified in a deed, contract, or other conveyance document.
☐ The water rights or claims were divided proportionately based on the portion of their place(s) of use acquired by the new owner.
5. Date you acquired the water rights and/or claims listed above: April 9, 2020
6. If the water right is leased to the Water Supply Bank changing ownership of a water right will reassign to the new owner any Water Supply Bank leases associated with the water right. Payment of revenue generated from any rental of a leased water right requires a completed IRS Form W-9 for payment to be issued to an owner. A new owner for a water right under lease shall supply a W-9. Water rights with multiple owners must specify a designated lessor, using a completed Lessor Designation form. Beginning in the calendar year following an acknowledged change in water right ownership, compensation for any rental will go to the new owner(s).

7. This form must be signed and submitted with the following **REQUIRED** items:
- ☐ A copy of the conveyance document – warranty deed, quitclaim deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property or description of the water right(s) if no land is conveyed.
 - ☐ Plat map, survey map or aerial photograph which clearly shows the place of use and point of diversion for each water right and/or claim listed above (if necessary to clarify division of water rights or complex property descriptions).
 - ☒ Filing fee (see instructions for further explanation):
 - o \$25 per *undivided* water right.
 - o \$100 per *split* water right.
 - o No fee is required for pending adjudication claims.
 - ☐ If water right(s) are leased to the Water Supply Bank AND there are multiple owners, a Lessor Designation form is required.
 - ☐ If water right(s) are leased to the Water Supply Bank, the individual owner or designated lessor must complete, sign and submit an IRS Form W-9.

SUPPORT DATA

IN FILE # 36-80C

8. Signature: Steven Michael Rauche Trustee 4-8-2020
Signature of Title, if applicable Date
- Signature: Kelly Hennessy Rauche Trustee 4-8-2020
Signature of Title, if applicable Date

For IDWR Office Use Only:

Received by DM Date 4-10-2020 Receipt No. 5037866 Receipt Amt. \$75-

Active in the Water Supply Bank? Yes ☐ No ☐ If yes, forward to the State Office for processing W-9 received? Yes ☐ No ☐

Name on W-9 _____ Approved by _____ Processed by DM Date 7/31/2020

ELECTRONICALLY RECORDED
STAMPED FIRST PAGE NOW
INCORPORATED AS PART OF
THE ORIGINAL DOCUMENT.



Order Number: 20352607

Instrument # 268217
GOODING COUNTY, GOODING, IDAHO
04-09-2020 09:48:54 No. of Pages: 3
Recorded for: TITLEONE - GOODING
DENISE GILL Fee: \$15.00
Ex-Officio Recorder Deputy: DAL
Electronically Recorded by Simplifile

Warranty Deed

For value received,

Thomas E. King, an unmarried man

the grantor, does hereby grant, bargain, sell, and convey unto

Steven Michael Rauch and Kelly Hennessy Rauch, Trustees of the Rauch Family Trust dated December 21, 2006

whose current address is 408 Olive Hills Way Fallbrook, CA 92028

the grantee, the following described premises, in Gooding County, Idaho, to wit:

TOWNSHIP 7 SOUTH, RANGE 13 EAST OF THE BOISE MERIDIAN, GOODING COUNTY, IDAHO

Section 11: A parcel of land located in the SE $\frac{1}{4}$ SW $\frac{1}{4}$, more particularly described as follows:

Commencing at the South quarter corner of said Section 11;
Thence North 89°33'04" West along the South boundary of the SW $\frac{1}{4}$ of Section 11 for a distance of 1327.02 feet to the Southwest corner of the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 11;
Thence North 0°13'36" East along the West boundary of the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 11 for a distance of 28 feet to THE TRUE POINT OF BEGINNING;
Thence continuing North 0°13'36" East along the West boundary of the SE $\frac{1}{4}$ SW $\frac{1}{4}$ for a distance of 585.92 feet;
Thence South 87°26'51" East for a distance of 941.32 feet to a point on the Easterly side of the sands ditch;
Thence South 3°46'44" East for a distance of 134.62 feet to a point on the Northerly boundary of a 50.0 foot wide access easement;

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Thence South 2°03'10" East for a distance of 161.44 feet to the center of the sands ditch;
Thence South 32°06'30" West for a distance of 94.95 feet;
Thence South 4°34'25" West for a distance of 190.37 feet;
Thence North 88°20'32" West for a distance of 855.83 feet to a point on the West boundary of the SE¼SW¼ and
being THE TRUE POINT OF BEGINNING.

SUBJECT TO the right to maintain the sands ditch.

To have and to hold the said premises, with their appurtenances unto the said Grantee, its heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that Grantor is the owner in fee simple of said premises; that they are free from all encumbrances except those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee; and subject to all existing patent reservations, easements, right(s) of way, protective covenants, zoning ordinances, and applicable building codes, laws and regulations, general taxes and assessments, including irrigation and utility assessments (if any) for the current year, which are not due and payable, and that Grantor will warrant and defend the same from all lawful claims whatsoever. Whenever the context so requires, the singular number includes the plural.

Remainder of page intentionally left blank.

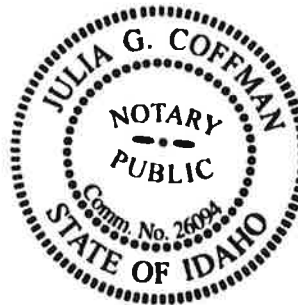
Dated: March 19, 2020

Thomas E. King
Thomas E. King

State of Idaho, County of Cassia, ss.

On this 20th day of March in the year of 2020, before me, the undersigned, a Notary Public in and for said State, personally appeared Thomas E. King, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same.

Julia D. Coffman
Notary Public
Residing In: Dupont, Ida.
My Commission Expires: 6-20-2020
(seal)



SUBJECT TO THE FOLLOWING:

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

Taxes subsequent to the year 1991, a lien, but not yet due and payable.

Assessments if any of a local irrigation district.

Decree in the case of F. M. Bell, etal, Plaintiff, vs. W. G. Holcomb, etal, Defendants, dated April 9, 1915, recorded April 9, 1915 in Book 1 Judg. Page 170, Gooding County records, pertaining to the flowage of the Colthorp-Leighton ditch.

Relinquishment of access and easement contained in Second Judgment and Decree of Condemnation in the case of The State of Idaho, ex rel, Wallace C. Burns, Ernest F. Gaffney and R. Doyle Symms, Idaho Board of Highway Directors, Plaintiff, vs. Bergie Crisp and Dorothy Crisp, his wife; etal, dated March 20, 1964, recorded March 20, 1964 as Instrument Number 10903, Gooding County records.

TOGETHER WITH all water and water rights, used thereon or appurtenant to Parcel I including but not limited to Department of Water Resources Claim No. A36-00080C for 0.380 CFS from Billingsley Creek, Priority Date April 1, 1885; Department of Water Resources Claim No. A36-00081C for 0.580 CFS from Billingsley Creek, Priority Date April 1, 1910; Department of Water Resources Claim No. A36-07271B for 0.600 CFS and 0.960 CFS from Billingsley Creek, Priority Date November 17, 1972.

Idaho Department of Water Resources Receipt

Receipt ID: S037866

Payment Amount	\$75.00	Date Received	4/10/2020	Region	SOUTHERN
Payment Type	Check	Check Number	63247		
Payer	TITLEONE				
Comments	CHANGE OF OWNERSHIP FROM THOMAS E KING TO RAUCH FAMILY TRUST: 36-80C, 36-81C, 36-7271B				

Fee Details

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$75.00	OWNERSHIP CHANGES/SECURITY INTERESTS	64140	0229	21		1155



Signature Line (Department Representative)

Ownership change for 36-80C, 36-81C & 36-7271.

36-81C is decreed as *disallowed* and not a valid water right.

Please issue a \$25 refund to:

TitleOne
706 Main St
Gooding ID 83330
(208) 934-8477

DM
8/3/2020

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO

In Re SRBA

Subcase 36-00081C

Case No. 39576

ORDER RESCINDING PARTIAL DECREE
PURSUANT TO I.R.C.P 60(a); AND FINAL
ORDER DISALLOWING WATER RIGHT

On January 4, 2002, a *Special Master's Report and Recommendation* was filed for the above water right claim recommending that the water right not be confirmed in any partial or final decree and that the claim be dismissed with prejudice. No motions to alter or amend were filed regarding this *Recommendation*. On March 6, 2002, a *Partial Decree*, which decreed elements for this water right, was issued in error. Pursuant to I.R.C.P. 53(e)(2) and *SRBA Administrative Order 1*, Section 13f, this Court has reviewed the findings of fact and conclusions of law contained in the *Special Master's Report* and wholly adopts them as its own.


THEREFORE IT IS ORDERED AND ADJUDGED, pursuant to I.R.C.P. 60(a), the *Partial Decree* previously issued for water right 36-00081C is hereby **rescinded**.

IT IS FURTHER ORDERED AND ADJUDGED that water right claim 36-00081C is hereby **disallowed with prejudice** and shall not be confirmed in any partial decree or in any final unified decree entered in the SRBA, Case No. 39576, in whatever form that final decree may take or be styled.

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

DATED 3-23-02



ROGER S. BURDICK
Presiding Judge
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER RESCINDING PARTIAL DECREE PURSUANT TO I.R.C.P 60(a); AND FINAL ORDER DISALLOWING WATER RIGHT was mailed on March 25, 2002, with sufficient first-class postage to the following:

Jamie Martin
Represented by:
Roger D Ling
PO Box 396
Rupert, ID 83350

Thomas E King
Po Box 254
Burley, Id 83318

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

United States Department of Justice
Environment & Nat'l Resources Div
550 W Fort Street, MSC 033
Boise, ID 83724

Chief, Natural Resources Division
Office of Attorney General
PO Box 44449
Boise, ID 83711-4449


Deputy Clerk



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region • 650 ADDISON AVE W STE 500 • TWIN FALLS, ID 83301-5858

Phone: (208)736-3033 • Fax: (208)736-3037 • Website: www.idwr.idaho.gov

Brad Little
Governor

Gary Spackman
Director

July 31, 2020

RAUCH FAMILY TRUST
STEVEN MICHAEL RAUCH, TRUSTEE
KELLY HENNESSY RAUCH, TRUSTEE
408 OLIVE HILLS WAY
FALLBROOK CA 92028-8986

Re: Change in Ownership for Water Right No(s): 36-80C & 36-7271
Re: Change in Ownership for Water Right No(s): 36-81C (*not processed*)

Dear Water Right Holder(s):

The Department of Water Resources (Department) acknowledges the receipt of correspondence changing ownership of the above referenced water right(s) to you. The Department has modified its records and has enclosed a computer-generated report for you.

During the review of this Notice, it was discovered that water right no. 36-7271B was decreed by the SRBA Court as 36-7271. That record has been updated accordingly. It was also discovered that water right no. 36-81C was decreed as *Disallowed*, and is not a valid water right. Because 36-81C is not a valid water right and no changes were made, a refund request in the amount of \$25.00 has been submitted for processing and will be sent to TitleOne in Gooding upon approval.

Updating the ownership record for a water right does not reconfirm the validity of the right. When processing a Notice of Change in Water Right Ownership, the Department does not review the history of water use to determine if the right has been forfeited or deliberately abandoned through five years or more of non-use. To read more about water right forfeiture, including how to protect a water right from forfeiture, please see Idaho Code §§ 42-222 and 42-223.

Please note, water right owners are required to report any change of water right ownership and any change of mailing address to the Department within 120 days of the change. Reporting forms are available from any office of the Department, or from the Department's website.

If you have any questions concerning the enclosed information, please contact me at (208) 293-9908.

Sincerely,

Denise Maline

Denise Maline
Administrative Assistant 1

Enclosure(s)

c: Rudolf Charles Shokal
TitleOne, Gooding (File #20352607)
Water District 36A