

DE ✓

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCESRECEIVED  
JUL 12 2011  
DEPT. OF WATER RESOURCES  
SOUTHERN REGION

## Notice of Change in Water Right Ownership

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.

| Water Right/Claim No. | Split?                       | Water Right/Claim No. | Split?                       | Water Right/Claim No. | Split?                       |
|-----------------------|------------------------------|-----------------------|------------------------------|-----------------------|------------------------------|
| 47-120R               | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> |
| <del>36-10557</del>   | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> |
| 47-151R               | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> |
|                       | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> |

2. Previous Owner's Name: Robin A. Harding

Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): Robert M. Rainey and Nancy L. Cluss

Name of each new owner as listed on the conveyance document

New owner continued Name connector ☐ and ☐ or ☐ and/or

2620 N. 3800 E., Hansen, ID 83334

Mailing address

City

State

ZIP

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: 7-11-2011

6. 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):
  - \$25 per *undivided* water right.
  - \$100 per *split* water right.
  - No fee is required for pending adjudication claims.

7. Signature: [Signature]

Signature of new owner/claimant

Title, if applicable

Date

Signature: [Signature]

Signature of new owner/claimant

Title, if applicable

Date

For IDWR Office Use Only:

Received by [Signature]

Date

7/13/11

Receipt No.

5032026

Receipt Amt.

\$ 50.00

Approved by

Processed by

Date

# WARRANTY DEED

#2992

For Value Received

**Robin A Harding, an unmarried man,**

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

**Robert M Rainey and Nancy L Cluss, husband and wife as community property  
with right of survivorship**

**Address: 2620 N. 3800 E., Hansen, ID 83334**

Hereinafter called the Grantee, the following described premises situated in Twin Falls County, Idaho, to-wit:

PARCEL R-34 OF UPPER ROCK CREEK RANCHES, Twin Falls County, Idaho, according to the map of survey recorded in Book 28 of Miscellaneous, page 2002, in the Office of the County Recorder of said County, being more particularly described as follows:

TOWNSHIP 12 SOUTH, RANGE 18 EAST OF THE BOISE MERIDIAN, TWIN FALLS COUNTY, IDAHO

Section 13: That part of the Northwest Quarter of the Southwest Quarter, more particularly described as follows:

Beginning at the West quarter corner of said Section ;  
Thence South 0°59'07" West 156.08 feet to the TRUE POINT OF BEGINNING;  
Thence North 89°33'17" East 1,295.16 feet;  
Thence South 1°50'19" West 173.64 feet;  
Thence South 89°33'17" West 1,292.58 feet;  
Thence North 0°59'07" East 173.60 feet to the TRUE POINT OF BEGINNING.

## SUBJECT TO:

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

Taxes for 2011 and subsequent years, a lien, but not yet due or payable.

Liens, levies, and assessments of the Twin Falls Canal Company, and the rights, powers, and easements of said Company as by law provided.

Rights-of-way for ditches, tunnels and telephone and transmission lines constructed by authority of the United States, as granted to the United States under provisions of Section 58-604, Idaho Code.

Easements, notes, recitals, reservations, restriction and dedications, if any, as shown on the official plat of said subdivision.

Declaration of Covenants, Conditions and Restrictions of Upper Rock Creek Ranches, recorded December 11, 1978 as Instrument No. 749352, records of Twin Falls County, Idaho, but omitting any covenant, condition or restriction based on race, color, religion, sex, handicap, familial status, or national origin to the extent that such covenants, conditions or restrictions violate 42 USC 3604(c).

Revised Description of Access and Public Utility Easements of Upper Rock Creek Ranches, recorded October 10, 1979 as Instrument Number 769158, records of Twin Falls County, Idaho.

County road right of way evidenced in Warranty Deed dated March 26, 1993, recorded March 29, 1993 as Instrument Number 1993-004113, records of Twin Falls County, Idaho.

RECEIVED  
JUL 12 2011  
DEPT. OF WATER RESOURCES  
SOUTHERN REGION

TWIN FALLS COUNTY  
RECORDED FOR:  
LAND TITLE AND ESCROW - TWIN  
02:58:23 PM 07-11-2011  
2011012855  
NO. PAGES 2 FEE: \$13.00  
KRISTINA GLASCOCK  
COUNTY CLERK  
DEPUTY: DJW  
Electronically Recorded by Simplifile

Road Maintenance Agreement dated February 12, 2006, recorded February 13, 2006 as Instrument Number 2006-003444, records of Twin Falls County, Idaho.

**TOGETHER WITH all water and water rights, ditches and ditch rights used thereon or appurtenant thereto.**

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: July 1, 2011

Robin A Harding  
Robin A Harding

STATE OF IDAHO                    )  
                                              ) ss.  
COUNTY OF TWIN FALLS

On this 1<sup>st</sup> day of July, 2011, before me, the undersigned, a Notary Public in and for said State, personally appeared Robin A Harding known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

[Signature]  
Notary Public  
Residing at: Twin Falls, ID  
My Commission expires: 8-15-2011





**TWIN FALLS COUNTY,  
IDAHO**

### LEGEND

TOWNSHIP LINE 3 -----  
SECTION LINE 5 -----  
SECTION CORNER +-----+  
QUARTER CORNER +-----+  
PARCEL BOUNDARY -----  
SUBDIVISION BOUNDARY -----  
ARBITRARY SUBDIVISION NO. 3  
ARBITRARY BLOCK NO. 2  
ARBITRARY PARCEL NO. 30  
ADJACENT PARCEL TIE LINE -----  
RAILROADS -----  
U.S. HIGHWAYS { 6 } 42  
STATE HIGHWAYS  
INTERSTATE HIGHWAYS ( 5 )  
COUNTY ROADS ( 4 )

OWNERSHIP PARCEL NO  
(LAST THREE DIGITS)  
BLOCK ME  
10th & 11th DIGITS  
SUBDIVISION ME  
(8th & 9th DIGITS)  
QUARTER SECTION A3  
(7th DIGIT)  
SECTION 42  
(5th & 6th DIGITS)  
TOWNSHIP ME  
(1st & 4 DIGITS)



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November 21, 2011

NANCY L CLUSS AND ROBERT M RAINEY  
2620 N 3800 E  
HANSEN ID 83334

RE: Change of Ownership for Water Right 47-120R, 47-151R

Dear Water Right Holders:

The department acknowledges receipt of correspondence changing ownership of the above referenced water right to you. The department has modified its records to reflect the change in ownership and has enclosed a computer-generated report for your records.

Updating the ownership record for a water right does not reconfirm the validity of the right. When processing an ownership change notice, the department does not review the history of water use to determine if the right has been forfeited 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 Sections 42-222 and 42-223, Idaho Code.

Please note that as of July 1, 1996, water right owners are required to report any change of water right ownership and any change of mailing address of the owner of a water right to the department. Notice of the change must be provided to the department within 120 days of the change. Change reporting forms are available from any office of the department.

Please feel free to contact this office if you have any questions regarding this matter.

Sincerely,



Carrie Hahn  
Clerk

Enclosure



## Land Title and Escrow, Inc.

*Focused on Service, Positioned for the Future*

#2992

Twin Falls

July 11, 2011

Idaho Dept. of Water Resources  
1341 Fillmore Street, Ste. 200  
Twin Falls, ID 83301

Re: 47-120R - Robin Harding  
36-10556 - Robin Harding

RECEIVED  
JUL 12 2011  
DEPT. OF WATER RESOURCES  
SOUTHERN REGION

Dear Sir or Madame:

Enclosed please find a Notice of Change of Water Right Ownership to be filed with your office in connection with the above-referred water rights. Also enclosed is a copy of the recorded Warranty Deed along with our check in the amount of \$50.00.

If you have any questions, please do not hesitate to contact our office at (208) 933-2650.

Sincerely,

LAND TITLE AND ESCROW, INC.

DeNene M. Dixon  
Escrow Assistant

Box 177 • Burley, Idaho • 83318  
Ph: 208.878.3524  
Fx: 208.878.4435  
lteb@pmt.org

Box 5375 • Twin Falls, Idaho • 83303-5375  
Ph: 208.933.2650  
Fx: 208.933.2655  
ltetf@pmt.org

Box 473 • Gooding, Idaho • 83330  
Ph: 208.934.8477  
Fx: 208.934.5890  
lteg@pmt.org

Box 111 • Rupert, Idaho • 83350  
Ph: 208.436.0606  
Fx: 208.436.1199  
lter@pmt.org

Box 349 • Jerome, Idaho • 83338  
Ph: 208.324.3357  
Fx: 208.324.8961  
ltej@pmt.org