



**State of Idaho**

**DEPARTMENT OF WATER RESOURCES**

900 N. Skyline Dr., Suite A • Idaho Falls, Idaho 83402-1718

Phone: (208) 525-7161 • Fax: (208) 525-7177 • Web Site: [www.idwr.idaho.gov](http://www.idwr.idaho.gov)

**EASTERN REGION**

April 28, 2009

**C. L. "BUTCH" OTTER**  
Governor

**DAVID R. TUTHILL, JR.**  
Director

THE NATURE CONSERVANCY  
116 1ST AVE N  
HAILEY ID 83333-8411

RE: Change of Ownership for Water Right      74-1581, 74-1582, 74-1588, 74-1594,  
74-1595, 74-1660, 74-2266, 74-1661, 74-1662, 74-1663, 74-1664, 74-1665,  
74-2025A, 74-2263 & 74-10166

Dear Water Right Holder(s):

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.

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,

Bobby Kern  
Office Specialist II

cc Lemhi Water District #74

DEN 74

## STATE OF IDAHO DEPARTMENT OF WATER RESOURCES NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are included at the end of this form. Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case IDWR will produce new water right number(s) for the split(s).

| Water Right No(s) | Adjudication Claim No(s) | Split(s) | Water Right No(s) | Adjudication Claim No(s) | Split(s) |
|-------------------|--------------------------|----------|-------------------|--------------------------|----------|
| 74-1581           | PD WR                    |          | 74-1661           | PD WR                    |          |
| 74-1582           | PD WR                    |          | 74-1662           | PD WR                    |          |
| 74-1588           | PD WR                    |          | 74-1663           | PD WR                    |          |
| 74-1594           | PD WR                    |          | 74-1664           | PD WR                    |          |
| 74-1595           | PD WR                    |          | 74-1665           | PD WR                    |          |
| 74-1660           | PD WR                    |          | 74-2025A          | PD Partial Dever         |          |
| 74-2266           | PD WR                    |          | 74-2263           | PD WR                    |          |
|                   |                          |          | 74-10166          | PD WR                    |          |

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):  
**PLAT OF PROPERTY** or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are on file with the county Planning and Zoning or Recorder's Office).
- OR**
- D. If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency or equivalent **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s)

Adrian Rand Robison

Dorothy H Robison

503 N 4000 E, Rigby, ID 83442

4. New Owner/Claimant(s)

The Nature Conservancy

Name Connector (Check one): [ ] and, [ ] or, [ ] and/or

New Mailing Address

116 1st Ave. North

City, State and ZIP Code

Hailey, ID 83333

New Telephone Number

(208) 788-8988 Email:

August 12, 2008

5. Date you acquired the property \_\_\_\_\_
6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in line 1, then skip this line and go to line 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (you may copy this page, if necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

| DESCRIPTION OF YOUR PORTION OF WATER RIGHT<br>(If the right will not be split, skip this area and proceed to line 7) |                                                                            |                                                              |
|----------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------|--------------------------------------------------------------|
| Water Use                                                                                                            | Diversion Rate or Volume<br>(cubic feet per second or acre-feet per annum) | Description<br>(acres, number and type of stock, homes, etc) |
| <b>Water Right and/or Adjudication Claim Number</b>                                                                  |                                                                            |                                                              |
| Irrigation                                                                                                           |                                                                            |                                                              |
| Stock                                                                                                                |                                                                            |                                                              |
| Domestic                                                                                                             |                                                                            |                                                              |
| Other                                                                                                                |                                                                            |                                                              |
| <b>Totals</b>                                                                                                        |                                                                            |                                                              |
| <b>Water Right and/or Adjudication Claim Number</b>                                                                  |                                                                            |                                                              |
| Irrigation                                                                                                           |                                                                            |                                                              |
| Stock                                                                                                                |                                                                            |                                                              |
| Domestic                                                                                                             |                                                                            |                                                              |
| Other                                                                                                                |                                                                            |                                                              |
| <b>Totals</b>                                                                                                        |                                                                            |                                                              |
| <b>Water Right and/or Adjudication Claim Number</b>                                                                  |                                                                            |                                                              |
| Irrigation                                                                                                           |                                                                            |                                                              |
| Stock                                                                                                                |                                                                            |                                                              |
| Domestic                                                                                                             |                                                                            |                                                              |
| Other                                                                                                                |                                                                            |                                                              |
| <b>Totals</b>                                                                                                        |                                                                            |                                                              |

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

7. Signature(s) of New Owner(s) or Claimant(s)  Idaho State Director  
(title if applicable)  
(title if applicable)

IT IS IMPORTANT TO FILE THIS COMPLETED FORM AT THE APPROPRIATE IDWR OFFICE, WITH PAYMENT OF THE FILING FEE AND THE OWNERSHIP DOCUMENT(S), AS REFERRED TO IN LINE 2.

## For IDWR Office Use Only:

Received by BMK  
 Received by BMK  
 Processed by \_\_\_\_\_ AJ

Date 3/27/09  
 Date 3/27/09  
 Date \_\_\_\_\_

Receipt Amt. 400.00  
 Receipt No. ED34895  
 WR \_\_\_\_\_ Date \_\_\_\_\_

**RECORDING REQUESTED BY AND  
WHEN RECORDED MAIL TO:**

**The Nature Conservancy  
Legal Department  
559 East South Temple  
Salt Lake City, UT 84102**

State of Idaho ) SS No. 277136  
County of Lemhi )  
This instrument was filed for record at the request  
of Lemhi Title  
at 4:00 o'clock P.M. 8-12 2008  
and duly filed and indexed in the records of Lemhi  
County Tam J. Morton  
Ex-Officio Recorder  
By Elysa Cardin Deputy  
Fee 2.00  
Return to LT

(Space above line for Recorder's use)

**WARRANTY DEED**  
*(Upper Salmon-Lemhi (Robison) ID)*

FOR VALUE RECEIVED, ADRIAN RAND ROBISON and DOROTHY H. ROBISON, husband and wife (collectively, "Grantors") do hereby convey and warrant to THE NATURE CONSERVANCY, a District of Columbia nonprofit corporation ("Grantee"), whose address is 4245 N. Fairfax Dr., Arlington VA 22203, that certain real property located in Lemhi County, Idaho, and more particularly described on Exhibit A attached hereto and incorporated herein by reference ("the Property").

TO HAVE AND TO HOLD the Property with its hereditaments and appurtenances unto the Grantee and Grantee's successors and assigns forever;

SUBJECT TO taxes for the year 2008, and thereafter (a lien not yet due and payable), and all easements, restrictions and encumbrances listed on Exhibit B attached hereto and incorporated herein by reference.

Grantors covenant that Grantors are lawfully seized in fee simple of the Property and have a good and lawful right and power to sell and convey the same, that the same is free and clear of all encumbrances, except as stated above, and that Grantors will forever warrant and defend the title thereto and quiet possession and enjoyment thereof against the lawful claims and demands of all persons whatsoever.

12<sup>th</sup> IN WITNESS WHEREOF, the Grantors have executed this instrument on this  
day of AUGUST, 2008.

GRANTORS

Adrian Rand Robison  
ADRIAN RAND ROBISON

Dorothy H. Robison  
DOROTHY H. ROBISON

Exhibit A to Warranty Deed  
(Upper Salmon-Lemhi (Robison) ID)

Legal Description

All that certain real property situated in the County of Lemhi, State of Idaho, more particularly described as follows:

Lot Four (4) of Section Three (3); Lots One (1), Two (2), Three (3) and Lot (4); the Southeast Quarter of the Northwest Quarter (SE1/4NW1/4), the South Half of the Northeast Quarter (S1/2NE1/4), and the Southeast Quarter (SE1/4), the Northeast Quarter of the Southwest Quarter (NE1/4SW1/4), the South Half of the Southwest Quarter (S1/2SW1/4), the Southwest Quarter of the Northwest Quarter (SW1/4NW1/4), of Section Four (4); the West Half of the Northwest Quarter (W1/2NW1/4), the Northeast Quarter of the Northwest Quarter (NE1/4NW1/4) of Section Nine (9); Lot One (1) and the Southeast Quarter of the Northeast Quarter, (SE1/4NE1/4) of Section Five (5); all in Township 16 North, Range 25 East of the Boise Meridian.

The East Half of the Southeast Quarter (E1/2SE1/4), of Section Thirty Two (32); the South Half of the Northwest Quarter (S1/2NW1/4); the North Half of the Southwest Quarter (N1/2SW1/4); the Southwest Quarter of the Southwest Quarter (SW1/4SW1/4); the Southeast Quarter of the Southwest Quarter (SE1/4SW1/4), the Southeast Quarter (SE1/4), of Section Thirty Three (33); Lot Four (4) of Section Thirty Four (34); All that part of the Southwest Quarter of the Northeast Quarter of the Northeast Quarter (SW1/4NE1/4), of Section Thirty Three (33); Township Seventeen North, Range Twenty Five (25) East of Boise Meridian, situate in the County of Lemhi, State of Idaho and described as follows, to-wit:

Beginning at the Southeast Corner (SE) of the Southwest Quarter of the Northeast Quarter (SW1/4NE1/4); thence running West Eighty (80) rods to the Southwest Corner of the Southwest Quarter of the Northeast Quarter (SW1/4SW1/4NE1/4); thence running North Forty (40) rods; thence running Southeasterly to the point of beginning at the Southeast Corner of the Southwest Quarter of the Northeast Quarter (SE1/4SW1/4NE1/4), of Section Thirty Three (33); Township Seventeen (17) North, Range 25 East of the Boise Meridian.

**ALSO EXCEPTING THEREFROM:**

Tax #4031, more particularly described as follows:

An irregular parcel of land in Lot 2, Lot 1, SW1/4NE1/4 and SE1/4NE1/4 of Section 4, Township 16 North, Range 25 East, Boise Meridian, described as follows, to-wit:

Beginning at a point approximately 995.0 feet South 1302.0 feet West from the Northeast Corner of Section 4, Township 16 North, Range 25 East, Boise Meridian, Which point is also South 35° 49' 30" West -50.0 feet distant from Station 1982+ 85.2 in the center line of State Highway No. 28 -project No. S-6873 (1) Highway Survey; thence South 54° 10'

30" East, parallel with and 50.0 feet distant Southwesterly from said Highway Survey center line, for a distance of 1064.8 feet to a point opposite Station 1993+50 of said Highway Survey line; thence South 35° 49' 30" West, 240.0 feet; thence North 64° 10' 30" West-243.3 feet; thence South 85° 49' 30" West - 340.3 feet; thence North 74° 49' 30" West - 185.0 feet; thence North 29° 10' 30" West - 500.0 feet; thence North 45° 49' 30" East 358.8 feet to the point of beginning.

**ALSO EXCEPTING THEREFROM:**

Tax #4262, more particularly described as follows:

A parcel of land located in the NW1/4 Section 33, T. 17 N., R. 25 E., Boise Meridian, Lemhi County, Idaho more particularly described as follows:

Commencing at the N1/16 corner of Sections 32 and 33, from which the NW Corner of said Section 33 bears N. 01° 09' 00" W. a distance of 1343.10 ft., the basis of bearing of this description, run thence S. 67° 29' 13" E. a distance of 1329.53 ft. to the point of beginning;

Thence N. 06° 47' 48" W. a distance of 202.40 ft. to a point on the Southerly Right-of-Way of an existing county road;

Thence S. 81° 28' 50" E. along said Right-of-Way a distance of 315.33 ft.;

Thence S. 25° 05' 15" W. a distance of 269.13 ft.;

Thence N. 62° 42' 14" W. a distance of 195.48 ft. to the point of beginning;

SUBJECT TO: *not plotted*

A 20 ft. wide water line easement 10 ft. on either side of the following described centerline;

Commencing at the SE corner of Lot 4 Section 4, T 16 N., R. 25 E., Boise Meridian, Lemhi County, Idaho run thence N. 25° 05' 15" E. along the Easterly boundary of said parcel a distance of 94.78 ft. to the Point of Beginning;

Thence S. 67° 22' 52" E. a distance of 104.19 ft.

A 20 ft. wide power line easement 10 ft. on either side of the following described centerline;

Commencing at the SE corner of Lot 4 Section 4, T 16 N., R. 25 E., Boise Meridian, Lemhi County, Idaho, run thence N. 25° 05' 15" E. along the Easterly boundary of said parcel a distance of 113.97 ft. to the point of beginning;

Thence the following courses and distances along the said centerline;

S. 52° 57' 36" E. 103.09 ft.; N. 65° 26' 18" E. 49.08 ft.;

N. 40° 22' 26" E. 201.70 ft. to a point on the Southerly Right-of-Way of a county road;

A 30 ft. wide easement for ingress and egress 15 ft. on either side of the following described centerline;

Commencing at the SE corner of Lot 4 Section 4, T 16 N., R. 25 E., Boise Meridian, Lemhi County, Idaho, run thence N. 25° 05' 15" E. along the Easterly

boundary of said parcel a distance of 249.88 ft. to the PC of a curve and the Point of Beginning;

Thence 36.15 ft. along said curve to the left having a central angle of  $60^{\circ} 57' 02''$ , a radius of 33.99 ft. and a tangent of 20.00 ft. to a point on the Southerly Right-of-Way of a County Road.

Also excepting therefrom a Right-of-Way for highway as disclosed in Deed recorded December 12, 1932 in Book 30 at Page 266 and Deed recorded November 30, 1950 in Book 44 at Pages 468-469.

Including the following water rights and all other water appurtenant to the above-described real property:

**IDWR Numbers:**

74-1581  
74-7582  
74-1588  
74-1594  
74-1595  
74-1660  
74-1661  
74-1662  
74-1663  
74-1664  
74-1665  
74-2025A  
74-2263  
74-2266  
74-10166  
74-7250B

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Exhibit B to Warranty Deed  
(Upper Salmon-Lemhi (Robison) ID)

Title Exceptions

1. Agreement dated August 20, 1946, between Taylor Mahaffey and Jessie B. Mahaffey, husband and wife, and Idaho Power Company, a Corporation, recorded March 24, 1947, in file of Agreements in Book C of Agreements at Page 630, records of Lemhi County, Idaho.
2. Agreement dated August 18, 1946, between John S McKinney and Laura McKinney, husband and wife, and Idaho Power Company, a Corporation, recorded March 24, 1947, in file of Agreements in Book C of Agreements at Page 635, records of Lemhi County, Idaho.
3. Agreement dated January 17, 1947, between Taylor Mahaffey and Jessie B. Mahaffey, husband and wife, and Idaho Power Company, a Corporation, recorded April 27, 1948, in file of Agreements in Book D of Agreements at Page 38, records of Lemhi County, Idaho.
4. Agreement dated April 13, 1958, between Taylor Mahaffey and Jessie B. Mahaffey, husband and wife, and the State of Idaho, Department of Fish and Game, recorded August 21, 1958, in file of Agreements in Book D of Agreements at Page 630, records of Lemhi County, Idaho.
5. Agreement dated April 3, 1958, between Taylor Mahaffey and Jessie B. Mahaffey, husband and wife, and State of Idaho, Department of Fish and Game, recorded September 11, 1958, in Book E of Agreements at Pages 23-24, records of Lemhi County, Idaho.
6. Agreement dated September 17, 1958, between T.L. McFarland and Lenna McFarland, husband and wife, and State of Idaho, Department of Fish and Game, recorded February 20, 1959, in Book E of Agreements at Pages 86-87, records of Lemhi County, Idaho.
7. Agreement dated October 10, 1958, between Laura McKinney, a widow, Sam P. McKinney and Barbara McKinney, husband and wife, and State of Idaho, Department of Fish and Game, recorded February 20, 1959, in Book E of Agreements at Page 110, records of Lemhi County, Idaho.
8. Agreement dated September 17, 1958, between Taylor Mahaffey and Jessie B. Mahaffey, husband and wife, and State of Idaho, Department of Fish and Game, recorded June 12, 1959, in Book E of Agreements at Page 169, records of Lemhi County, Idaho.
9. Agreement dated September 17, 1958, between Taylor Mahaffey and Jessie B. Mahaffey, husband and wife, and State of Idaho, Department of Fish and Game, recorded June 12, 1959, in Book E of Agreements at Page 170, records of Lemhi County, Idaho.
10. Agreement dated April 3, 1958, between Taylor Mahaffey and Jessie B. Mahaffey, husband and wife, and State of Idaho, Department of Fish and Game, recorded August 14, 1959, in Book E of Agreements at Pages 270 & 271, records of Lemhi County, Idaho.
11. Agreement dated October 9, 1959, between Taylor Mahaffey and Jessie B. Mahaffey, husband and wife, and State of Idaho, Department of Fish and Game, recorded February 12, 1960, in Book E of Agreements at Pages 329-330, records of Lemhi County, Idaho.

12. Agreement dated October 9, 1959, between Taylor Mahaffey and Jessie B. Mahaffey, husband and wife, and State of Idaho, Department of Fish and Game, recorded February 12, 1960, in Book E of Agreements at Pages 330-331, records of Lemhi County, Idaho.
  13. Agreement dated July 31, 1961, between Sam P. McKinney and Barbara McKinney, husband and wife, and State of Idaho, Department of Fish and Game, recorded August 31, 1961, in Book E of Agreements at Pages 497-498, records of Lemhi County, Idaho.
  14. Agreement dated July 31, 1961, between Sam P. McKinney and Barbara McKinney, husband and wife, and State of Idaho, Department of Fish and Game, recorded August 31, 1961, in Book E of Agreements at Page 499, records of Lemhi County, Idaho.
  15. Agreement dated September 4, 1968, between Taylor Mahaffey and Jessie B. Mahaffey, husband and wife, and Lemhi Telephone Company, a Corporation, recorded March 6, 1969, in file of Agreements under Instrument No. 110765, records of Lemhi County, Idaho.
  16. Power Line Easement dated January 11, 1971 and recorded February 26, 1971 as Instrument No. 116831, records of Lemhi County, Idaho.
  17. Quitclaim Deed granting easement, upon the terms, covenants and conditions contained therein, from Robert L. Thomas and Reba Thomas, husband and wife and Kelly J. Thomas and Lenice Thomas, husband and wife, to Lemhi County, a municipal corporation, for road right-of-way, recorded May 23, 1990, under Instrument No. 206630, records of Lemhi County, Idaho.
  18. Reservation(s) contained in United States Patents.
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STATE OF IDAHO )  
County of Lemhi ) : ss.

On this 12<sup>th</sup> day of AUGUST, 2008, before me, the undersigned, a notary public in and for said state, personally appeared ADRIAN RAND ROBISON and DOROTHY H. ROBISON, known or identified to me to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto affixed by official seal the day and year in this certificate first above written.



Daniela Slavin  
Notary Public  
Address: 401 Main St., Suite B, Salmon, ID  
My commission expires: 11-15-2011 83967

# RAND ROBISON RANCH WATER RIGHTS

