

RECEIVED

MAR 29 2021

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

IDWR/NORTH

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?
87-10314	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐

2. Previous Owner's Name:

Nicholas K. Ogle to
Name of current water right holder/claimant

3. New Owner(s)/Claimant(s):

Butters-Ogle Revocable Living Trust
New owner(s) as listed on the conveyance document Name connector ☐ and ☒ or ☐ and/or

1060 Wild Iris Lane Moscow ID 83843
Mailing address City State ZIP

208-882-2718 maryjane@maryjanesfarm.org
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: May 14, 2019

6. If the water right described herein has been rented from the Water Supply Bank, rental proceeds will be disbursed in the following manner regardless of any arrangements between the buyer(s) and seller(s) to the contrary:

- Rental payments will go to the lessor(s) of record at the beginning of the rental season.
- If a change in ownership is processed by the Department during a rental season, rental payment will be made to the person or entity who is the lessor of record at the beginning of that rental season.
- New lessor(s) of record will receive payment after the following rental season.

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

8. Signature:

Nicholas K. Ogle
Signature of new owner/claimant

Trustee
Title, if applicable

3/23/2021
Date

Signature:

Signature of new owner/claimant

Title, if applicable

Date

For IDWR Office Use Only:

Received by NIA Date NIA Receipt No. NIA Receipt Amt. NIA
Approved by JD Processed by JD Date 3-31-2021

**CERTIFICATE OF TRUST
EXISTENCE AND AUTHORITY**

For the Butters-Ogle Revocable Living Trust
dated December 27, 2019

STATE OF IDAHO)
)
COUNTY OF Latah)

We, NICHOLAS KEITH OGLE and MARYJANE BUTTERS, having been first duly sworn, say that:

- A. On December 27, 2019, we established the BUTTERS-OGLE REVOCABLE LIVING TRUST (the "Trust"), for our benefit.
- B. We are the Trustees of the Trust and we can act jointly or independent of one another based upon the terms of the Trust. In the event we are both unable, unwilling, or refuse to serve as Trustees, then the successor Trustees are Megan Butters Rae as to property listed on Exhibits A and B, and Brian Grant Ogle as to property listed on Exhibits A and C.
- C. Our address is 1000 Wild Iris Lane, Moscow, ID 83843.
- D. The ownership designation to be used on assets transferred to this Trust is:

Nicholas Keith Ogle and MaryJane Butters, Trustees or any successor Trustee of the Butters-Ogle Revocable Living Trust, dated December 27, 2019, and any amendments thereto.

- E. The beneficiary designation for assets and benefits payable to the Trust at the death of the last of us to die is:

The Trustees of the Butters-Ogle Revocable Living Trust, dated December 27, 2019, and any amendments thereto.

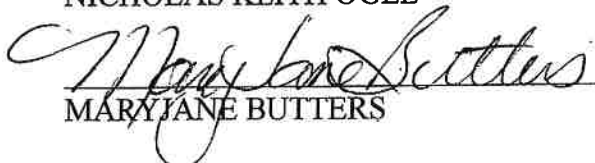
- F. Pursuant to the Trust Agreement, the Trustee shall be vested with all the powers and authority as set forth in the *Uniform Trustees Power Act, being Chapter 1 of Title 68, Idaho Code*, as now in effect and as it may hereafter be amended, as well as the specific powers provided for in the Trust.
- G. Trustee shall be entitled to reasonable compensation from time to time for Trustee's services.

- H. Trustee shall have the right to resign at any time by giving written notice to all income beneficiaries and the Successor Trustee named herein. Successor Trustee shall have all rights, powers, privileges and discretion conferred herein. If no Trustee is named herein to succeed a named Trustee, the Trustee then acting shall have the authority to appoint a Successor Trustee. No bond or other security shall be required of Trustee.
- I. Reproduction of this executed original (with reproduced signatures) shall be deemed to be original counterparts of this Certificate.
- J. In confirmation and affirmation of the foregoing, I certify that the Trust Agreement remains in full force and effect and that it has not been revoked, modified, or amended in any manner that would cause the representations contained in this Certificate to be incorrect.

IN WITNESS WHEREOF, the Trustors and Trustees have caused this Agreement to be executed this 27th day of December, 2019.

TRUSTORS:


NICHOLAS KEITH OGLE


MARYJANE BUTTERS

STATE OF IDAHO)

) ss.

County of Latah)

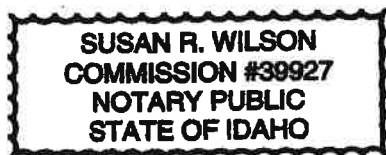
TRUSTEES:


NICHOLAS KEITH OGLE


MARYJANE BUTTERS

I certify that I know or have satisfactory evidence that NICHOLAS KEITH OGLE and MARYJANE BUTTERS signed this instrument as Trustors and Trustees and acknowledged it to be their free and voluntary act for the uses and purposes mentioned in the instrument.

GIVEN under my hand and official seal this 27th day of December, 2019.




Notary Public for the State of Idaho,
Residing in Moscow
My Commission Expires: 4-21-2021

EXHIBIT C
Separate Property of Nicholas Keith Ogle

REAL PROPERTY:

Latah County Assessor Parcel Nos. identified below and as illustrated on the attached maps.

RP 39N05W344800 A (Ogle Farms) – The N1/2SW1/4; NWSE, all of Section 34, Township 39 North, Range 5, West B.M., County of Latah, State of Idaho (See Exhibit C-1)

RP 38N05W113150 A (Ogle Farms) – The W1/2NW1/4; NWSW, all of Section 11, Township 38 North, Range 5, West B.M., County of Latah, State of Idaho (See Exhibit C-2)

RP39N05W339759 – The North 275 feet of the SE1/4SE1/4 and the East Half of the NE1/4SE1/4SE1/4 of Section 33, Township 39 North, Range 5, West B.M., County of Latah, State of Idaho; AND the NW1/4SW1/4SW1/4 of Section 34, Township 39 North, Range 5, West B.M., County of Latah, State of Idaho (Latah County Parcel No. RP39N05W346040 – partial) – to Megan Butters Rae; provided the property lines may be modified in order to ensure compliance with setbacks under the Latah County Land Use Ordinance in the event the Trustors elect to build on the property. (See Exhibit C-3)

RP39N05W339759 – The SE1/4SE1/4 of Section 33, Township 39 North, Range 5, West B.M., County of Latah, State of Idaho LESS the North 275 feet of said SE1/4SE1/4 and also LESS the East Half of the NE1/4SE1/4SE1/4; provided the property lines may be modified in order to ensure compliance with setbacks under the Latah County Land Use Ordinance in the event the Trustors elect to build on the property. (See Exhibit C-4)

RP 38N05W100189 A (Ogle Farms) – The NE Quarter of Section 10, Township 38 North, Range 5, West B.M., County of Latah, State of Idaho; LESS RP38N05W100759. (See Exhibit C-5) ✓

RP38N05W032552—Govt Lot 3, Govt Lot 4, and the SENW, all of Section 3, Township 38 North, Range 5, West B.M., County of Latah, State of Idaho (See Exhibit C-6)

RP39N05W346040 – The S1/2SW1/4 of Section 34, Township 39 North, Range 5, West B.M., County of Latah, State of Idaho LESS the NW1/4SW1/4SW1/4 of said Section 34 (See Exhibit C-7)

RP 39N05W337229 A – (Ogle Farms) The East 20 Acres of the NESE of Section 33, Township 39 North, Range 5 WBM, County of Latah, State of Idaho – to Megan Butters Rae (See Exhibit C-8)

And all improvements thereon.

State of Idaho
Department of Water Resources
Adjudication Claim
87-10314

DOMESTIC

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



○ Point of Diversion
- - - Place Of Use Boundary

▬ Townships
▬ PLS Sections
▬ Quarter Quarters

0 0.035 0.07 0.14 Miles



603159

NO. _____
 AT THE REQUEST OF
Susan R. Wilson
 DATE & HOUR
12-27-19 4:23
 HENRIANNE K. WESTBERG
 LATAH COUNTY RECORDER
 FEE \$ 150 BY: [Signature]

RECORDING REQUESTED BY AND
 WHEN RECORDED RETURN TO:

Susan R. Wilson, Attorney at Law, PLLC
 208 S. Main St. Ste 2
 Moscow, ID 83843

(Space Above For Recorder's Use)

QUITCLAIM DEED

This Quitclaim Deed is made this 27th day of December, 2019, from NICHOLAS K. OGLE, also known as NICHOLAS KEITH OGLE, a married man as his sole and separate property, ("Grantor") to NICHOLAS K. OGLE as a Trustee of the BUTTERS-OGLE REVOCABLE LIVING TRUST, dated December 27, 2019, and any subsequent amendments thereto ("Grantee"), whose address is 1000 Wild Iris Lane, Moscow, Idaho 83843.

Grantor, for good and valuable consideration, the receipt and sufficiency whereof is hereby acknowledged, does by these presents, remises, releases and forever quitclaims unto Grantee and to Grantee's successors and assigns, all right, title and interest now owned or hereafter acquired in the real property legally described on Exhibit A.

This conveyance shall include any and all estate, right, title, interest, appurtenances, tenements, hereditaments, reversions, remainders, reservations, easements, rents, issues, profits, rights-of-way and water rights in anywise appertaining to the property herein described as well in law as in equity.

IN WITNESS WHEREOF, Grantor has hereunto set his hand the day and year first above written.

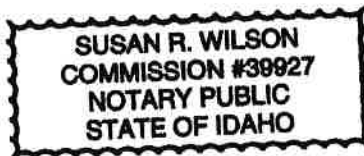
GRANTOR:

Nicholas Keith Ogle
 NICHOLAS KEITH OGLE

STATE OF IDAHO)
) ss.
 County of Latah)

On this 27th day of December, 2019, before me Susan R. Wilson, personally appeared NICHOLAS KEITH OGLE, 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.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this instrument first above written.



Susan R. Wilson
 NOTARY PUBLIC for the State of Idaho
 My Commission Expires: 4-21-2021

EXHIBIT A **LEGAL DESCRIPTION**

Parcels of land situated in the County of Latah, State of Idaho and more particularly described as follows:

Parcel 1:

NE1/4 of Section 10, Township 38 North, Range 5 WBM; SAVE AND EXCEPT One (1) acre out of the NW1/4NE1/4 of said Section 10 heretofore deeded to School District No. 21, as shown by deed recorded in Book 7 of Deeds at Page 468; ALSO EXCEPTING 0.9 acres in the same 40 acre subdivision deeded to A.F. Anderson by deed of record in Book 67 of Deeds at Page 359, records of Latah County, Idaho. Known as Latah County Assessor's Parcel No. RP38N05W100189.

Parcel 2:

W1/2NW1/4; NW1/4SW1/4, Section 11, Township 38 North, Range 5 WBM, Latah County, Idaho. Known as Latah County Assessor's Parcel No. RP38N05W113150.

Parcel 3:

E1/2NE1/4SE1/4, Section 33, Township 39 North, Range 5 WBM, Latah County, Idaho. Known as Latah County Assessor's Parcel No. RP39N05W337229.

Parcel 4:

N1/2SW1/4, NW1/4SE1/4, Section 34, Township 39 North, 5 WBM, Latah County, Idaho. Known as Latah County Assessor's Parcel No. RP39N05W344800.

Parcel 5:

Government Lot 3; Government Lot 4; SE1/4NW1/4 of Section 3, Township 38 North, Range 5 WBM, Latah County, Idaho. Known as Latah County Assessor's Parcel No. RP38N05W032552.

Parcel 6:

SE1/4SE1/4 of Section 33, Township 39 North, Range 5 WBM, Latah County, Idaho. Known as Latah County Assessor's Parcel No. RP39N05W339759.

Parcel 7:

S1/2SW1/4 of Section 34, Township 39 North, Range 5 WBM, Latah County, Idaho. Known as Latah County Assessor's Parcel No. RP39N05W346040.

Parcel 8:

The S 1/2 of the NE 1/4 of Section 33, Township 39 North, Range 5 West, B.M.

The above parcel is being conveyed SUBJECT TO AND TOGETHER WITH the ability for the development of one residential homesite only on Parcel 1. Grantee shall not build or otherwise develop more than one residential homesite on the above described Parcel 1.

This restriction shall run with the land. The above parcel is being conveyed with the

eligibility for one land division which can result in two building permits, one or both of which may be transferred to another parcel.

Parcel 9:

ALSO INCLUDING a parcel of land located in the NE 1/4 of the SE 1/4 of Section 33, Township 39 North, Range 5 West, B.M., and described as follows: Beginning at the Northwest corner of the W 1/2 of the NE 1/4 of the SE 1/4 of Section 33; thence South 330 feet (20 rods); thence East 660 feet (40 rods); thence North 330 feet (20 rods); thence West 660 feet (40 rods) to the Point of Beginning.

Parcel 10:

AND ALSO INCLUDING a parcel located in the S 1/2 of the NW 1/4 of Section 34, Township 39 North, Range 5 West, B.M. and described as follows: Beginning at the Southwest corner of the NW 1/4 of Section 34; thence East to the intersection of the County Road, 2095.50 feet (127 rods), more or less; thence North 20 feet; thence West to a point 20 feet North of the Place of Beginning; thence South to the Place of Beginning (being for the purpose of a private road).

Parcel 11:

A parcel of land located in the NW1/4SE1/4 of Section 33, Township 39 North, Range 5 West, B.M., described as follows:

BEGINNING at the Northwest corner of the NW1/4SE1/4 of said Section 33; thence running East on the North boundary line of NW1/4SE1/4 of said Section 33 to the Northeast corner of the NW1/4SE1/4 of said Section 33; thence South along the East boundary line of the NW1/4SE1/4 to the Southeast corner of said NW1/4SE1/4; thence in a Northwesterly direction to the Northwest corner of the NW1/4SE1/4 and the POINT OF BEGINNING.

ALSO, the S1/2NW1/4NE1/4SE1/4 and the SW1/4NE1/4SE1/4 of Section 33, Township 39 North, Range 5 West, B.M.

EXCEPTING THEREFROM all that portion of the W1/2NE1/4SE1/4, as more fully described in that certain Warranty Deed recorded under Recorder's Fee No. 344554.

COPY