

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

APR 28 2021 Notice of Change in Water Right Ownership

1. List ^{IDWR/NORTH} 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?
86-10651	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐

2. Previous Owner's Name: Nicholas K. Ogle
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
- 1000 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: 4/5/2021
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.
- \$25 enclosed

8. Signature: Mary Jane Butters Trustee 4/23/21
Signature of new owner/claimant Title, if applicable Date
- Signature: _____
Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

Received by NS Date 4-28-21 Receipt No. N030930 Receipt Amt. \$2500

Approved by _____ Processed by _____ Date _____

**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.

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

Nicholas Keith Ogle
NICHOLAS KEITH OGLE

Mary Jane Butters
MARYJANE BUTTERS

STATE OF IDAHO)
) ss.
County of Latah)

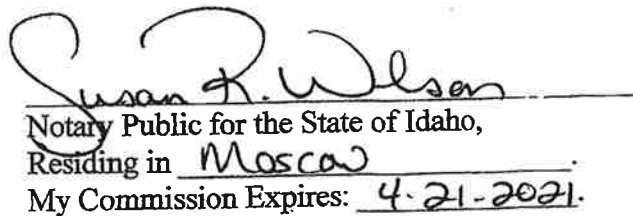
TRUSTEES:

Nicholas Keith Ogle
NICHOLAS KEITH OGLE

Mary Jane Butters
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.



603159

RECORDING REQUESTED BY AND
WHEN RECORDED RETURN TO:

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

NO. _____
AT THE REQUEST OF
Susan R. Wilson
DATE & HOUR
12-27-19 4:23
HENRIANNE K. WESTERLING
LATAH COUNTY RECORDER
FEE \$ 15.00 BY: [Signature]

(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.

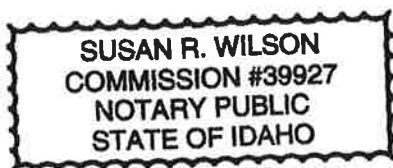
GRANTOR:

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, Range 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.

Google Maps 1068 Wild Iris Ln

*Can't changed road
no more this was formerly
3391 Glen Rd.*



Imagery ©2021 Maxar Technologies, USDA Farm Service Agency, Map data ©2021 50 ft



EXHIBIT C-7



RP39N05W346040 – The S1/2SW1/4 of Section 34, Township 39 North, Range 5, West B.M., County of Latah, State of Idaho



State of Idaho

DEPARTMENT OF WATER RESOURCES

Northern Region • 7600 N MINERAL DR STE 100 • COEUR D'ALENE, ID 83815-7763

Phone: (208)762-2800 • Fax: (208)769-2819 • Website: www.idwr.idaho.gov

Brad Little
Governor

Gary Spackman
Director

April 29, 2021

BUTTERS OGLE REVOCABLE LIVING TRUST
1000 WILD IRIS LN
MOSCOW ID 83843-8489

Re: Change in Ownership for Water Right No(s): 86-10651

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.

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) 762-2813.

Sincerely,

Natalie Steading
Natalie Steading
Tech Records Specialist 1

Enclosure(s)