

RECEIVEDSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

MAR 29 2021

Notice of Change in Water Right Ownership**IDWR/NORTH**

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?
08 86-10651	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐

2. Previous Owner's Name: Ivan J. Ogle/Ruth E. Ogle to 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
- 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: Dec. 29, 2000

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

8. Signature: Nicholas K. Ogle Trustee 3/23/2021
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 3-29-21 Receipt No. N0830840 Receipt Amt. \$2500
Approved by _____ Processed by NS Date 4-5-21

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

In Re SRBA)
Case No. 39576)
PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 86-10651

NAME AND ADDRESS: IVAN J OGLE
RUTH E OGLE
3391 BLAINE ROAD
MOSCOW, ID 83843

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE: 05/01/1974

POINT OF DIVERSION: T39N R05W S34 SESESW Within Latah County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Domestic 1 HOME	01-01 TO 12-31	0.04 CFS

PLACE OF USE: Domestic Within Latah County
T39N R05W S34 SESW

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

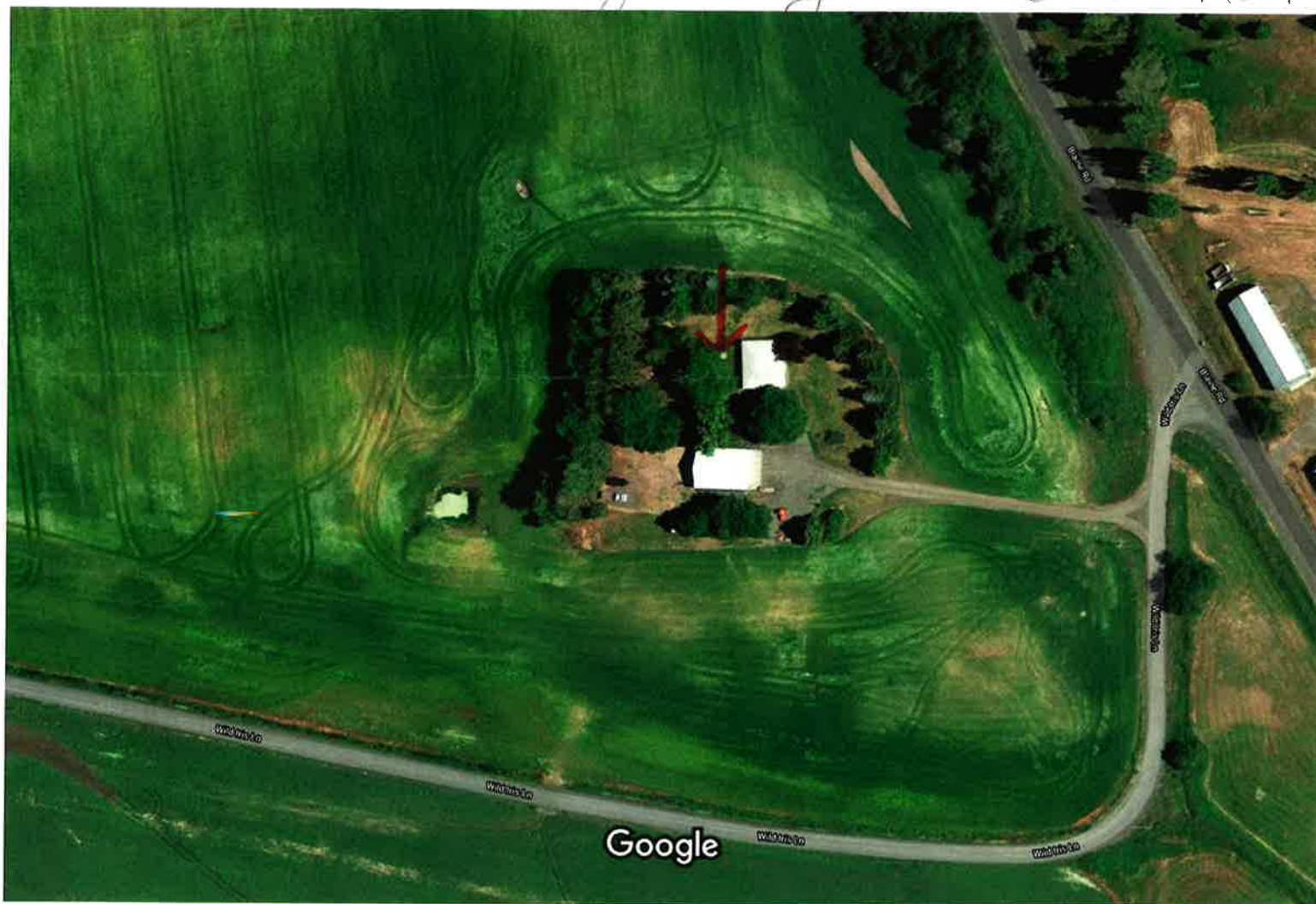
With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment 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.


Roger Burdick
Presiding Judge of the
Snake River Basin Adjudication

Google Maps

1068 Wild Iris Ln

County changed road names - this was formerly 3391 Blaine Rd.



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



ORIGINAL

PERSONAL REPRESENTATIVE'S DEED

No. 531919
AT THE REQUEST OF:
John H. Norton
DATE & HOUR:
8-18-09 2:01
SUSAN PETERSEN
LATAH COUNTY RECORDER
Fee \$ 6.00 BY [Signature]
m/1275 WASHINGTON
moscow ID 83843

KNOW ALL PERSONS BY THESE PRESENTS:

THAT THIS DEED is made by Richard Alan Ogle, as personal representative of the estate of Ivan James Ogle, deceased, as Grantor, and does convey and transfer to Nicholas K. Ogle, an individual dealing with his sole and separate property, of 2200 Blaine Road, Moscow, ID 83843, as Grantee, the real property described below.

WHEREAS the Grantor is the qualified personal representative of that estate filed in the District Court for the State of Idaho in and for the County of Latah, under Case No. CV-2009-00077, as is evidenced by the Letters Testamentary issued on the 26th day of January, 2009, an original of which is attached to this Deed as Exhibit A. 2007.

THEREFORE, for valuable consideration received, the Grantor conveys and transfers to the Grantee, the following described real property in Latah County, State of Idaho, to-wit:

Located in Township 39 North, Range 5 West Boise Meridian:

Section 34: The South Half of the Southwest Quarter (S1/2 SW1/4), and
Section 33: The Southeast Quarter of the Southeast Quarter (SE1/4
SE1/4)

Located in Township 38 North, Range 5 West Boise Meridian:

Located in Section 3: The Southeast Quarter of the Northwest Quarter
(SE1/4 NW1/4), and the Northwest Quarter of the Northwest Quarter
(NW1/4 NW1/4) and Government Lot No. Three (3).

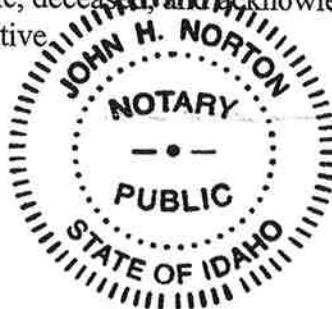
TOGETHER WITH ALL and singular the tenements, hereditaments, and
appurtenances thereunto belonging or in anywise appertaining.

EXECUTED this 6 day of August, 2009.

[Signature]
Richard Alan Ogle, Personal Representative
of the Estate of Ivan James Ogle, deceased

STATE OF IDAHO)
COUNTY OF LATAH)

On this 6th day of August, 2009, before me, a Notary Public,
personally appeared Richard Alan Ogle, known to me to be the person whose name is
subscribed to the foregoing instrument as personal representative of the estate of Ivan
James Ogle, deceased, and acknowledged to me that he executed the same as personal
representative



[Signature]
NOTARY PUBLIC in and for
the State of IDAHO,

residing at MOSCOW therein.

My Commission expires: 11/05/11

C:Prob.Ogle Estate to Nicholas.Ogle.prd.latah.prd

JOHN H. NORTON, ISBA#2520
Attorney at Law
Kenworthy Plaza 5
109 South Washington
Moscow, ID 83843
(208) 882-5169

CASE NO. CV 2009-00077

2009 JAN 26 PM 4:05

CLERK OF DISTRICT COURT
LATAH COUNTY

BY AP DEPUTY

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

In the Matter of the Estate of:

Case No. CV 2009-00077

IVAN JAMES OGLE,

Deceased.

LETTERS TESTAMENTARY

Richard Alan Ogle, duly appointed and qualified as general personal representative of the estate of the above-named decedent on the 26th day of January, 2009, by the above-entitled Court, with all authority pertaining thereto. The administration of this estate is unsupervised.

These Letters are issued to evidence the appointment, qualification, and authority of said personal representative.

WITNESS my signature and seal of this Court this 26th day of January, 2009.

John C. Judge
Magistrate John Judge

LETTERS TESTAMENTARY

CERTIFIED COPY

I certify that I have legal custody of the original of the above record, that the above is a true and correct copy of that record and that I have a seal of office and that seal is affixed hereto.

Date

JAN 26 2009

Susan R. Petersen
Clerk of District Court
Latah County, Idaho

Deputy

**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:

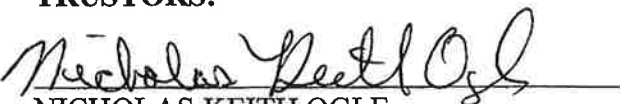
The Trustees of the Butters-Ogle Revocable Living Trust, dated December 27, 2019, and any amendments thereto.

- 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:

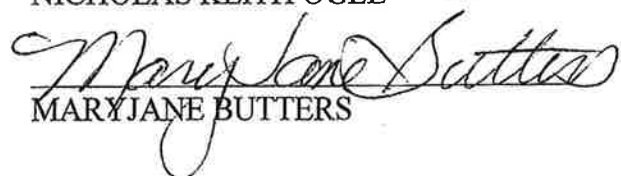

NICHOLAS KEITH OGLE


MARYJANE BUTTERS

STATE OF IDAHO)
) ss.
County of Latah)

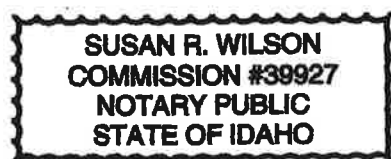
TRUSTEES:


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



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 05, 2021

NICHOLAS K OGLE
1000 WILD IRIS LN
MOSCOW ID 83843-8489

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

Dear Water Right Holder(s):

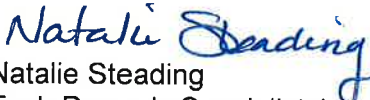
The Department of Water Resources (Department) acknowledges the receipt of correspondence changing ownership of the above referenced water right(s) to you. The Department has modified its records and has enclosed a computer-generated report for you.

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
Tech Records Specialist 1

Enclosure(s)