

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Notice of Change in Water Right Ownership

RECEIVED

JAN 20 2021

Department of Water Resources
Eastern Region

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. If the water right is leased to the Water Supply Bank, check "Yes". If you are not sure if the water right is leased to the Water Supply Bank, [see #6](#) of the instructions.

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
23-2080 <i>OK</i>	Yes ☐	Yes ☐		Yes ☐	Yes ☐
23-11258 <i>OK</i>	Yes ☐	Yes ☐		Yes ☐	Yes ☐
23-11260 <i>OK</i>	Yes ☐	Yes ☐		Yes ☐	Yes ☐
23-11262 <i>OK</i>	Yes ☐	Yes ☐		Yes ☐	Yes ☐
23-11264 <i>OK</i>	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: TOM WALSH
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): FULTON - ROGERS COMMUNITY PROPERTY TRUST
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- 956 RAINEY CREEK RD. P.O. 112 SWAN VALLEY ID.
Mailing address City State ZIP
- 310-993-5768 JOHN CAMDEN ROGERS @MAC.COM
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: AUG 3, 2020

6. If the water right is leased to the Water Supply Bank changing ownership of a water right will reassign to the new owner any Water Supply Bank leases associated with the water right. Payment of revenue generated from any rental of a leased water right requires a completed [IRS Form W-9](#) for payment to be issued to an owner. A new owner for a water right under lease shall supply a W-9. Water rights with multiple owners must specify a designated lessor, using a completed [Lessor Designation](#) form. Beginning in the calendar year following an acknowledged change in water right ownership, compensation for any rental will go to the new owner(s).

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.
- ☐ If water right(s) are leased to the Water Supply Bank AND there are multiple owners, a Lessor Designation form is required.
- ☐ If water right(s) are leased to the Water Supply Bank, the individual owner or designated lessor must complete, sign and submit an IRS Form W-9

8. Signature: John C. Rogers TRUSTEE 1/20/2021
Signature of new owner/claimant Title, if applicable Date

Signature: _____ Title, if applicable _____ Date _____
Signature of new owner/claimant

For IDWR Office Use Only:

Received by JB Date 1/20/2021 Receipt No. E046575 Receipt Amt. \$125. -

Active in the Water Supply Bank? Yes ☐ No ☐ If yes, forward to the State Office for processing W-9 received? Yes ☐ No ☐

Time on W-9 _____ Approved by JB Processed by JB Date 2/8/2021

RECORDING REQUESTED BY AND
WHEN RECORDED RETURN TO:

Frank Hess
P. O. Box 449
Jackson, WY 83001

Instrument # 1656964
Bonneville County, Idaho Falls, Idaho
09/25/2020 10:27:51 AM No. of Pages: 3
Recorded for: 1031 EXCHANGE INC
Penny Manning Fee: \$15.00
Ex-Officio Recorder Deputy
Index to: DEED, WARRANTY

RU

(Space Above For Recorder's Use)

SPECIAL WARRANTY DEED

For value received, Ridgecrest 1031 Reverse, LLC, a Wyoming limited liability company ("Grantor") grants, bargains, conveys, and warrants to John C. Rogers and Nancy Fulton Rogers, Trustees of the Fulton-Rogers Community Property Trust ("Grantee"), whose address is 2400 N. Moose Wilson Road, Wilson, WY 83014 and their, heirs, successors and assigns forever, the following described real property located in Bonneville County, Idaho:

See legal description attached hereto.

SUBJECT TO taxes and assessments for the current and all subsequent years, together with any and all existing easements, rights-of-way, reservations, restrictions and encumbrances of record, to any existing tenancies, to all zoning laws and ordinances, and to any state of facts an accurate survey or inspection of the property would show.

This conveyance shall include any and all estate, right, title, interest, appurtenances, tenements, hereditaments, reversions, remainders, 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.

The Grantor covenants to the Grantee that Grantor is the owner in fee simple of said property; that the property is free from all encumbrances, excepting those as may be herein set forth, and excepting those of record, and that Grantor will warrant and defend the same from all lawful claims.

Grantor shall and will specially warrant that the title to the aforesaid property is free from defects or encumbrances created or suffered by Grantor and will forever defend the property conveyed by the within deed, and every part thereof, against every person lawfully claiming the same, or any part thereof, by, through, or under Grantor, and no other.

WITNESS my hand this 23rd day of September, 2020.

Ridgecrest 1031 Reverse, LLC, a
Wyoming limited liability company:

Frank Hess
Frank Hess, President of
1031 Exchange, Inc., a Wyoming
corporation, Manager

STATE OF WYOMING)
) ss.
COUNTY OF TETON)

On this 23 day of September, 2020, before me a Notary Public, personally appeared Frank Hess, President of 1031 Exchange, Inc. the Manager of Ridgecrest 1031 Reverse, LLC, known or identified to me to be the person whose names is subscribed to the within instrument, and acknowledged to me that he executed the same by authority of said LLC and corporation.

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



Karin M. Larson
Notary Public
Residing at Jackson, Wyoming
My Commission Expires 8.22.2024

TRACT I:

Parcel No. A, Block 2, Rainey Creek Meadows, Division No. 2, City of Swan Valley, Bonneville County, Idaho, according to the official plat recorded April 27, 1998 as Recorder's Number 966764 and Affidavit of Affirmation recorded May 6, 1998 as Recorder's Number 967535 and Affidavit of Correction recorded May 6, 1998 as Recorder's Number 967536 and Affidavit of Affirmation recorded May 21, 1998 as Recorder's Number 968682

TRACT II:

Beginning at a point that is N80°30'37"W along the Lot line 185.83 feet from the Southeast Corner of Lot 1, Block 2, Rainey Creek Meadows, Division No. 1, in the City of Swan Valley, Bonneville County, Idaho; running thence along the boundary of said Lot 1 the following four (4) courses: N80°30'37"W 204.54 feet; thence N20°24'09"W 41.77 feet; thence N00°25'05"E 99.74 feet; thence N37°49'44"E 5.43 feet; thence N77°00'12"E 177.18, feet; thence S08°09'22"E 86.45 feet; thence S12°37'24"E 67.34 feet; thence S10°54'54"E 66.67 feet to the point of beginning.

RECORDING REQUESTED BY
First American Title Company

AND WHEN RECORDED MAIL TO:
First American Title Company
670 South Woodruff
Idaho Falls, ID 83401

Instrument # 1650238
Bonneville County, Idaho Falls, Idaho
08/03/2020 01:02:20 PM No. of Pages: 3
Recorded for: FIRST AMERICAN TITLE - IDAHO FALLS
Penny Manning Fee: \$15.00
Ex-Officio Recorder Deputy Kmaughan
Index to: DEED, WARRANTY

First American Title Co.

Space Above This Line for Recorder's Use Only

WARRANTY DEED

File No.: **908589-IF (dp)**

Date: **July 27, 2020**

For Value Received, **Tom Walsh and Ann Walsh, husband and wife and Camp Magical Moments, Cancer camp for kids, Inc., an Idaho corporation**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **Ridgecrest 1031 Reverse, LLC, a Wyoming limited liability company**, hereinafter called the Grantee, whose current address is **2400 N Moose Wilson Road, Wilson, WY 83014**, the following described premises, situated in **Bonneville County, Idaho**, to-wit:

TRACT I:

Parcel No. A, Block 2, Rainey Creek Meadows, Division No. 2, City of Swan Valley, Bonneville County, Idaho, according to the official plat recorded April 27, 1998 as Recorder's Number 966764 and Affidavit of Affirmation recorded May 6, 1998 as Recorder's Number 967535 and Affidavit of Correction recorded May 6, 1998 as Recorder's Number 967536 and Affidavit of Affirmation recorded May 21, 1998 as Recorder's Number 968682

TRACT II:

Beginning at a point that is N80°30'37"W along the Lot line 185.83 feet from the Southeast Corner of Lot 1, Block 2, Rainey Creek Meadows, Division No. 1, in the City of Swan Valley, Bonneville County, Idaho; running thence along the boundary of said Lot 1 the following four (4) courses: N80°30'37"W 204.54 feet; thence N20°24'09"W 41.77 feet; thence N00°25'05"E 99.74 feet; thence N37°49'44"E 5.43 feet; thence N77°00'12"E 177.18, feet; thence S08°09'22"E 86.45 feet; thence S12°37'24"E 67.34 feet; thence S10°54'54"E 66.67 feet to the point of beginning.

SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

TO HAVE AND TO HOLD the said premises, with its appurtenances, unto the said Grantee, and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U.S. Patent reservations, restrictions, easements of record and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

Date: **07/27/2020**

Warranty Deed
- continued

File No.: **908589-IF (dp)**

Unofficial Document

Date: 07/27/2020

Warranty Deed
- continued

File No.: 908589-IF (dp)

Thomas Walsh
Tom Walsh

Ann Walsh
Ann Walsh

Camp Magical Moments, Cancer camp for kids,
Inc., an Idaho corporation

By: Janice Duncan
Name: Janice Duncan
Title: Treasurer

STATE OF Idaho)
COUNTY OF Bonneville)
29th

On this 29th July, 2020, before me, a Notary Public in and for said State, personally appeared **Tom Walsh and Ann Walsh**, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.

DEBBIE A. PURCELL
COMMISSION NO. 40523
NOTARY PUBLIC
STATE OF IDAHO

Debbie A. Purcell
Notary Public for the State of Idaho
Residing at:

My Commission Expires: Residing in Idaho
Commission expires 3-25-2023

STATE OF Idaho)
COUNTY OF Bonneville)
30th

On this 30th July, 2020, before me, a Notary Public in and for said State, personally appeared **Janice Duncan**, known or identified to me, to be the **Treasurer** of the Corporation that executed the instrument or the person who executed the instrument on behalf of said Corporation, and acknowledged to me that such Corporation executed the same.

Brandon Taggart
Notary Public of Idaho
Residing at: Idaho Falls, ID
Commission Expires: 9/5/2023



State of Idaho

DEPARTMENT OF WATER RESOURCES

Eastern Region • 900 N SKYLINE DR STE A • IDAHO FALLS, ID 83402-1718

Phone: (208)525-7161 • Fax: (208)525-7177 • Website: www.idwr.idaho.gov

Brad Little
Governor

Gary Spackman
Director

February 08, 2021

FULTON ROGERS COMMUNITY PROPERTY TRUST
PO BOX 112
SWAN VALLEY ID 83449-0112

Re: Change in Ownership for Water Right No(s): 23-2080, 23-11258, 23-11260, 23-11262 & 23-11264

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) 497-3787.

Sincerely,

Jonie Barg
Technical Records Specialist 1

Enclosure(s)

cc: WATER DISTRICT 01