Form 42-248/42-1409(6) Rev. 1/15

RECEIVED
FEB 28 2020
Department of Water Resources
Eastern Region

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

# 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. 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? |
|---|---|---|---|---|---|
| 31-122B OK | Yes ☐ | Yes ☐ | | Yes ☐ | Yes ☐ |
| 31-123B OK | Yes ☐ | Yes ☐ | | Yes ☐ | Yes ☐ |
| 31-7045 OK | Yes ☐ | Yes ☐ | | Yes ☐ | Yes ☐ |
| | Yes ☐ | Yes ☐ | | Yes ☐ | Yes ☐ |
| | Yes ☐ | Yes ☐ | | Yes ☐ | Yes ☐ |

2. Previous Owner's Name: Golden Eagle Ranch
Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): Ken a Forgerson Mary Renay Forgerson
New owner(s) as listed on the conveyance document — Name connector ☒ and ☐ or ☐ and/or

2127 N Old Butte Highway — Mailing address
Hamer — City
ID — State
83425 — ZIP
(208)243-0209 — Telephone
kentorg66@mudlake.net — 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: June 27, 2000.

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.

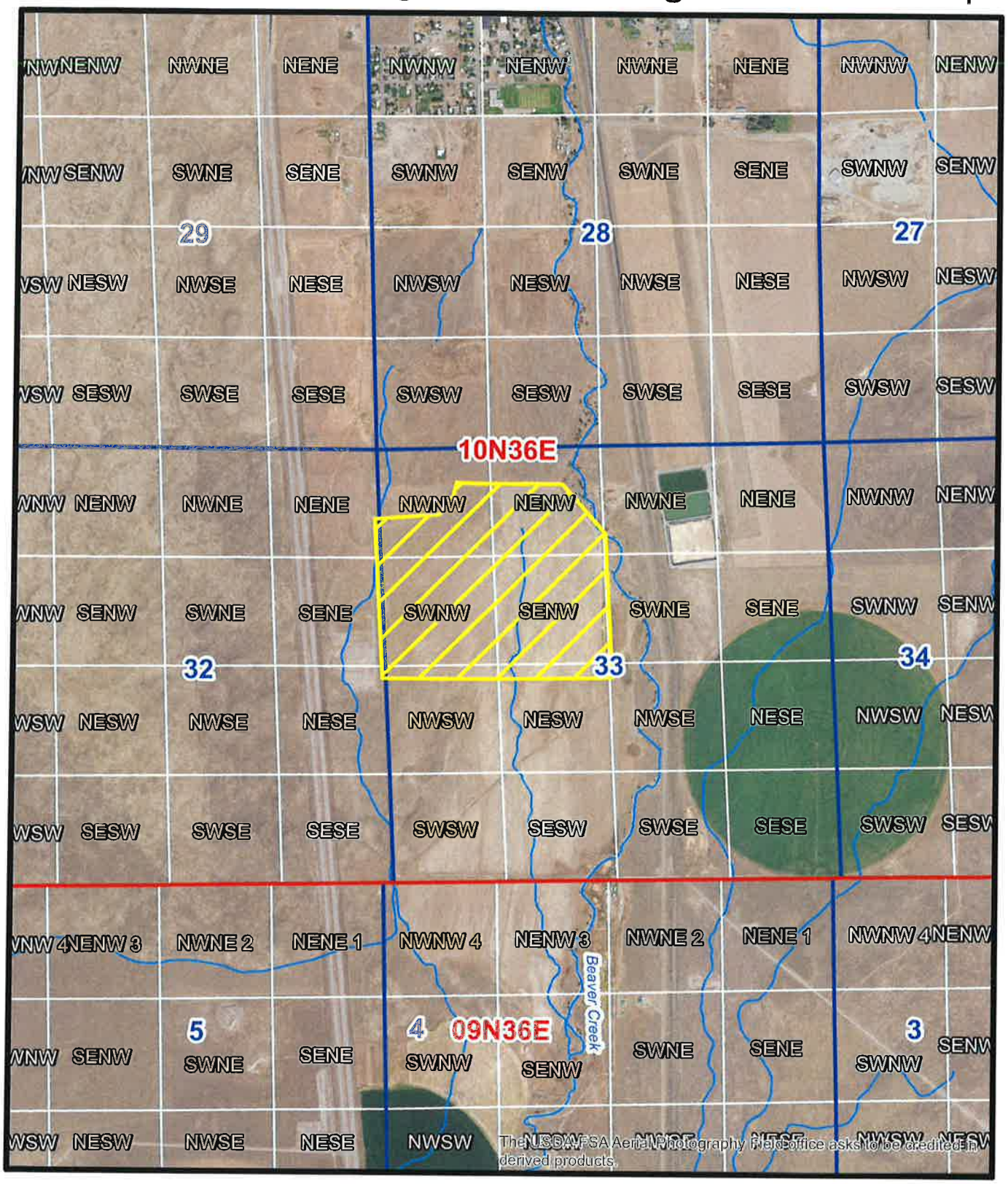
SUPPORT DATA
IN FILE # 31-122B

8. Signature: Ken a. Forgerson — Signature of new owner/claimant — Title, if applicable — Date 2-28 2020
   Signature: Mary Renay Forgerson — Signature of new owner/claimant — Title, if applicable — Date 2-28-2020

***For IDWR Office Use Only:***

Receipted by CH — Date 2/28/2020 — Receipt No. E045687 — Receipt Amt. $75.00
Active in the Water Supply Bank? Yes ☐ No ☐ — If yes, forward to the State Office for processing — W-9 received? Yes ☐ No ☐
Name on W-9 _____ — Approved by JC — Processed by JB — Date 3/5/2020

# Ken and Mary Torgerson: Change of Ownership




0 650 1,300 2,600 3,900 5,200 Feet

1 inch = 1,660 feet

## Legend

- POU: 31-122B, 31-123B, and 31-7045
- Township/Range
- Sections
- QQ

N
W E
S

048749

# WARRANTY DEED

ROGER N. FERGUSON and SYBIL R. FERGUSON, husband and wife, whose address is 1900 North 6000 West, Rexburg, Madison County, Idaho, as GRANTORS, for a good and valuable consideration, the receipt of which is hereby acknowledged, do hereby grant, bargain, sell, and covey unto KEN A. TORGERSON and MARY RENAY TORGERSON, husband and wife, whose address is HC 69 Box 1900, Hamer, Jefferson County, Idaho, as GRANTEES, and to Grantees' successors and assigns forever, all the following described real estate located in Clark County, Idaho:

> The SW1/4NW1/4 and commencing at the NW corner of the S1/2NW1/4; thence north on the section line 987 feet; thence east 3111 feet to intersect the public roadway; thence in a southeasterly direction along the west line of said public roadway to intersect the south line of the NW1/4NE1/4; thence west 3224 feet to the place of beginning. Section 33, Township 10 north, Range 36 east, of the Boise Meridian.

TOGETHER with all improvements, easements, hereditaments, and appurtenances thereto.

Grantors, for themselves, their beneficiaries, and assigns do hereby by covenant, warrant, and shall defend the quiet and peaceable possession of said premises by the Grantees their successors, and assigns forever against the lawful claims of all person.

Microfilm No. 048749
27 Day June 2000
At 2:35 O'Clock P M
CONNI S. OWEN
Clark Co. Recorder
Fee $ 6.00
Jackie Whitmill Deputy
Recorded at Request of
Mary + Ken Torgerson

In construing this deed, and where the context so requires, the singular includes the plural and the masculine, the feminine and, and the neuter.

IN WITNESS WHEREOF, Grantors have hereunto subscribed their names to this instrument this 5th day of ~~March,~~ April 1991.

GRANTORS:

Roger N. Ferguson Date

Sybil R. Ferguson Date

STATE OF ~~ARIZONA~~ Idaho )
:SS
COUNTY OF Madison )

On this 5th day of ~~March,~~ April in the year of 1991, before me, a Notary Public in and for said State, personally appeared ROGER R. FERGUSON and SYBIL N. FERGUSON, husband and wife, known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

Kelsie Smith
Notary Public
Residing In: Rexburg, Idaho
My Commission Expires: 1-17-96

**RECORDING REQUESTED BY**
First American Title Company

**AND WHEN RECORDED MAIL TO:**
First American Title Company
110 N. Clark Street/PO Box 405
Rigby, ID 83442

Recorded Electronically
ID 57704
County Clark
Date 2.10.2020 Time 11:21
Simplifile.com 800.460.5657

Space Above This Line for Recorder's Use Only

# WARRANTY DEED

File No.: **876281-RI (ss)**

Date: **February 05, 2020**

For Value Received, **Wade Ferguson, Lois C. Webb, and J. Xarissa Koenig as Co-Personal Representatives of the Estate of Sybil Ferguson, deceased, individually and as surviving spouse of Roger N. Ferguson**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **Ken A. Torgerson and Mary Renay Torgerson, husband and wife**, hereinafter called the Grantee, whose current address is **2127 N Old Butte Hwy, Hamer, ID 8.425**, the following described premises, situated in **Clark** County, **Idaho,** to-wit:

**Township 10 North, Range 36 East of the Boise Meridian, Clark County, Idaho.**
**Section 33: SE¼NW¼**

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.

**Wade Ferguson, Co-Personal Representative of the Estate of Sybil Ferguson, Deceased**

**Lois C. Webb, Co-Personal Representative of the Estate of Sybil Ferguson, Deceased**

**J. Xarissa Koenig, Co-Personl Representative of the Estate of Sybil Ferguson, Deceased**

**RECORDING REQUESTED BY**
First American Title Company

**AND WHEN RECORDED MAIL TO:**
First American Title Company
110 N. Clark Street/PO Box 405
Rigby, ID 83442

Microfile No. 57704
10 Day Feb 20
At 11 O'Clock 21 M
Clark Co. Recorder Judith Maldonado
Fee $15.00
AC Deputy
Recorded at Request of
First American Title - Rigby

Space Above This Line for Recorder's Use Only

# WARRANTY DEED

File No.: **876281-RI (ss)**

Date: **February 05, 2020**

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**Wade Ferguson, Co-Personal Representative of the Estate of Sybil Ferguson, Deceased**

**Lois C. Webb, Co-Personal Representative of the Estate of Sybil Ferguson, Deceased**

**J. Xarissa Koenig, Co-Personl Representative of the Estate of Sybil Ferguson, Deceased**

**RECORDING REQUESTED BY**
First American Title Company

**AND WHEN RECORDED MAIL TO:**
First American Title Company
110 N. Clark Street/PO Box 405
Rigby, ID 83442

Space Above This Line for Recorder's Use Only

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**Wade Ferguson, Co-Personal Representative of the Estate of Sybil Ferguson, Deceased**

Lois C Webb

**Lois C. Webb, Co-Personal Representative of the Estate of Sybil Ferguson, Deceased**

**J. Xarissa Koenig, Co-Personal Representative of the Estate of Sybil Ferguson, Deceased**

**RECORDING REQUESTED BY**
First American Title Company

**AND WHEN RECORDED MAIL TO:**
First American Title Company
110 N. Clark Street/PO Box 405
Rigby, ID 83442

Space Above This Line for Recorder's Use Only

File No.: **876281-RI (ss)**

# WARRANTY DEED

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**Township 10 North, Range 36 East of the Boise Meridian, Clark County, Idaho.**
**Section 33: SE¼NW¼**

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.

**Wade Ferguson, Co-Personal Representative of the Estate of Sybil Ferguson, Deceased**

**Lois C. Webb, Co-Personal Representative of the Estate of Sybil Ferguson, Deceased**

J. Xarissa Koenig

**J. Xarissa Koenig, Co-Personal Representative of the Estate of Sybil Ferguson, Deceased**

STATE OF Arizona )
ss.
COUNTY OF Maricopa )

On this 7 of February 2026, before me, a Notary Public in and for said State, personally appeared **Wade Ferguson**, known or identified to me to be the person(s) whose name(s) **is** subscribed to the within instrument as Co-Personal Representative of the Estate of **Sybil Ferguson**, and acknowledged to me that he executed the same as such Co-Personal Representative.

CALLIE PARSONS
Notary Public - Arizona
Maricopa County
Commission # 573625
My Commission Expires October 22, 2023

Callie Parsons
Notary Public of Arizona
Residing at: 24875 Gilbert 85296
Commission Expires: 10/22/2023

STATE OF Idaho )
ss.
COUNTY OF _____ )

On this _____, before me, a Notary Public in and for said State, personally appeared **Lois C. Webb**, known or identified to me to be the person(s) whose name(s) **is** subscribed to the within instrument as Co-Personal Representative of the Estate of **Sybil Ferguson**, and acknowledged to me that she executed the same as such Co-Personal Representative.

Notary Public of Idaho
Residing at: _____
Commission Expires: _____

STATE OF Utah )
ss.
COUNTY OF _____ )

On this _____, before me, a Notary Public in and for said State, personally appeared **J. Xarissa Koenig**, known or identified to me to be the person(s) whose name(s) **is** subscribed to the within instrument as Co-Personal Representative of the Estate of **Sybil Ferguson**, and acknowledged to me that she executed the same as such Co-Personal Representative.

Notary Public of Utah
Residing at: _____
Commission Expires: _____

STATE OF Arizona )
ss.
COUNTY OF _____ )

On this _____, before me, a Notary Public in and for said State, personally appeared **Wade Ferguson**, known or identified to me to be the person(s) whose name(s) **is** subscribed to the within instrument as Co-Personal Representative of the Estate of **Sybil Ferguson**, and acknowledged to me that he executed the same as such Co-Personal Representative.

_____
Notary Public of Arizona
Residing at: _____
Commission Expires: _____

STATE OF Idaho )
ss.
COUNTY OF _____ )

On this _____, before me, a Notary Public in and for said State, personally appeared **Lois C. Webb**, known or identified to me to be the person(s) whose name(s) **is** subscribed to the within instrument as Co-Personal Representative of the Estate of **Sybil Ferguson**, and acknowledged to me that she executed the same as such Co-Personal Representative.

_____
Notary Public of Idaho
Residing at: _____
Commission Expires: _____

STATE OF Utah )
ss.
COUNTY OF Utah )

On this Feb, 5th, 2020, before me, a Notary Public in and for said State, personally appeared **J. Xarissa Koenig**, known or identified to me to be the person(s) whose name(s) **is** subscribed to the within instrument as Co-Personal Representative of the Estate of **Sybil Ferguson**, and acknowledged to me that she executed the same as such Co-Personal Representative.

NOTARY PUBLIC
CAMERON OWEN MCGARY
Commission No. 696198
Commission Expires
SEPTEMBER 18, 2021
STATE OF UTAH

Cameron McGary
Notary Public of Utah
Residing at: Zions Park
Commission Expires: Sept. 18, 2021

Date: 02/05/2020

Warranty Deed
- continued

File No.: 876281-RI (ss)

STATE OF Arizona )
ss.
COUNTY OF _____ )

On this _____, before me, a Notary Public in and for said State, personally appeared **Wade Ferguson**, known or identified to me to be the person(s) whose name(s) is subscribed to the within instrument as Co-Personal Representative of the Estate of **Sybil Ferguson**, and acknowledged to me that he executed the same as such Co-Personal Representative.

_____
Notary Public of Arizona
Residing at: _____
Commission Expires: _____

STATE OF Idaho )
ss.
COUNTY OF Bonneville )

On this February 6, 2020, before me, a Notary Public in and for said State, personally appeared **Lois C. Webb**, known or identified to me to be the person(s) whose name(s) is subscribed to the within instrument as Co-Personal Representative of the Estate of **Sybil Ferguson**, and acknowledged to me that she executed the same as such Co-Personal Representative.

Jennifer M. Olsen
Notary Public of Idaho
Residing at: Idaho Falls ID
Commission Expires: 2/25/23

JENNIFER M. OLSEN
NOTARY PUBLIC
MY COMMISSION
EXPIRES 2-25-2023
STATE OF IDAHO
COMMISSION NUMBER 20190383

STATE OF Utah )
ss.
COUNTY OF _____ )

On this _____, before me, a Notary Public in and for said State, personally appeared **J. Xarissa Koenig**, known or identified to me to be the person(s) whose name(s) is subscribed to the within instrument as Co-Personal Representative of the Estate of **Sybil Ferguson**, and acknowledged to me that she executed the same as such Co-Personal Representative.

_____
Notary Public of Utah
Residing at: _____
Commission Expires: _____

**EXHIBIT 'A'**

**LEGAL DESCRIPTION:**

**Parcel 1:**
**Township 10 North, Range 36 East of the Boise Meridian, Clark County, Idaho.**
**Section 33: SW¼NW¼**

**ALSO: Commencing at the NW corner of the S½NW¼; thence North on the Section line 987 feet; thence East 3111 feet to intersect the public roadway; thence in a Southeasterly direction along the West line of said public roadway to intersect the South line of the NW¼NE¼; thence West 3224 feet to the place of beginning.**

**ALSO: W½SW¼NE¼ West of the railroad right-of-way**
**W½SE¼ West of the railroad right-of-way**

**Parcel 2:**
**Township 10 North, Range 36 East of the Boise Meridian, Clark County, Idaho.**
**Section 33: SE¼NW¼**

227

**FILED EFFECTIVE**

# CERTIFICATE OF ASSUMED BUSINESS NAME

Pursuant to Section 53-504, Idaho Code, the undersigned submits for filing a certificate of Assumed Business Name.

10 SEP 27 AM 9:21

SECRETARY OF STATE
STATE OF IDAHO

**Please type or print legibly.**
**Instructions are included on back of application.**

1. The assumed business name which the undersigned use(s) in the transaction of business is:

   GOLDEN EAGLE RANCH

2. The true name(s) and business address(es) of the entity or individual(s) doing business under the assumed business name:

| Name | Complete Address |
|---|---|
| ROGER FERGUSON | PO BOX 519, REXBURG, ID 83440 |
| | |
| | |

3. The general type of business transacted under the assumed business name is:

- ☐ Retail Trade
- ☐ Wholesale Trade
- ☐ Services
- ☐ Manufacturing
- ☐ Finance, Insurance, and Real Estate
- ☐ Transportation and Public Utilities
- ☐ Construction
- ☑ Agriculture
- ☐ Mining

4. The name and address to which future correspondence should be addressed:

   GOLDEN EAGLE RANCH
   PO BOX 519
   REXBURG, ID 83440

5. Name and address for this acknowledgment copy is (if other than # 4 above):

Submit Certificate of Assumed Business Name and **$25.00** fee to:

Secretary of State
450 North 4th Street
PO Box 83720
Boise ID 83720-0080
208 334-2301

Signature: Roger Ferguson
Printed Name: ROGER FERGUSON
Capacity/Title: OWNER
Signature:
Printed Name:
Capacity/Title:

Secretary of State use only

IDAHO SECRETARY OF STATE
09/27/2010 05:00
CK: 6148 CT: 158010 BH: 1248475
1 @ 25.00 = 25.00 ASSUM NAME # 2

D 142411

sbn.pmd Rev. 07/2010

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

March 05, 2020

KEN TORGERSON
MARY RENAY TORGERSON
2127 N OLD BUTTE HWY
HAMER ID 83425-5113

Re: Change in Ownership for Water Right No(s): 31-122B, 31-123B, 31-7045

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 31

## Ken Torgerson

**From:** Mandi Foster <mfoster@gofirstam.com>
**Sent:** Friday, February 14, 2020 10:46 AM
**To:** kentorg66@mudlake.net
**Subject:** Legal Description
**Attachments:** TorgersonLegalDescription.pdf

To Whom it may concern,

Please use the attached Legal Description in all matters concerning the Torgerson property in Clark County, Idaho. If there are any questions, or concerns, please feel free to call me.

Regards,

Mandi Foster

--

Mandi Foster | Escrow / Title Officer
Office State License #: Clark 5617 | Jefferson 5624
PO Box 405 | 110 N Clark Street | Rigby ID 83442
Phone 208.745.8715
mfoster@gofirstam.com | www.gofirstam.com

**We will be closed February 17th in observance of Presidents' Day. Have a happy and safe holiday!**