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APR 26 2018

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

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MAR 28 2018

IDWR / NORTH

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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. 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?
9210048	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name:

Aleksandr Sushinskiy and Zola I. Sushinskiy
Name of current water right holder/claimant

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

Daniel Malch

New owner(s) as listed on the conveyance document

Name connector ☐ and ☐ or ☐ and/or

9310 E. Montgomery Ave Apt #93 City Spokane Valley State WA ZIP 99206

Telephone 509-655-5857 Email strider.malch@gmail.com

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: November 16, 2017

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):
 o \$25 per *undivided* water right.
 o \$100 per *split* water right.
 o 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:

Dan Malch
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 3-28-18 Receipt No. N033262 Receipt Amt. \$25⁰⁰

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 _____ Processed by NS Date 2-25-19

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 92-10048

Priority: April 16, 2009

Maximum Diversion Rate: 0.20 CFS
Maximum Diversion Volume: 1.2 AF

It is hereby certified that EUGENE FLAMAND And/Or
NANCY FLAMAND
5002 INDUSTRIAL WAY #2
COEUR D ALENE ID 83815 has complied with the terms and conditions of
the permit, issued pursuant to Application for Permit dated April 16, 2009; and has submitted Proof of
Beneficial Use on November 12, 2009.

SOURCE

SANTA CREEK

Tributary: ST MARIES RIVER

and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL DIVERSION VOLUME</u>
FIRE PROTECTION	01/01 to 12/31	0.20 CFS	
DOMESTIC	01/01 to 12/31	0.04 CFS	1.2 AF

LOCATION OF POINT(S) OF DIVERSION:

SANTA CREEK SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 8, Twp 44N, Rge 01W, B.M., BENEWAH County

PLACE OF USE: FIRE PROTECTION, DOMESTIC

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
44N 01W 8												X					

CONDITIONS OF APPROVAL

1. Domestic use is for 1 RV/ home site.
2. Water shall not be diverted under this right when flows in the St Maries River are below established minimum flow amounts as per water right 92-7200.
3. This right does not grant any right-of-way or easement across the land of another.
4. Water shall not be diverted for fire protection use under this right except to fight or repel an existing fire.
5. The irrigation occurring under this domestic use shall not exceed 1/2 acre.
6. A fish screen of 0.25 inch or smaller mesh shall be installed and maintained at the point of diversion.
7. The approach velocity at the point of diversion shall not exceed 0.5 feet per second.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be used in accordance with Idaho law and applicable rules of the Department of Water Resources.

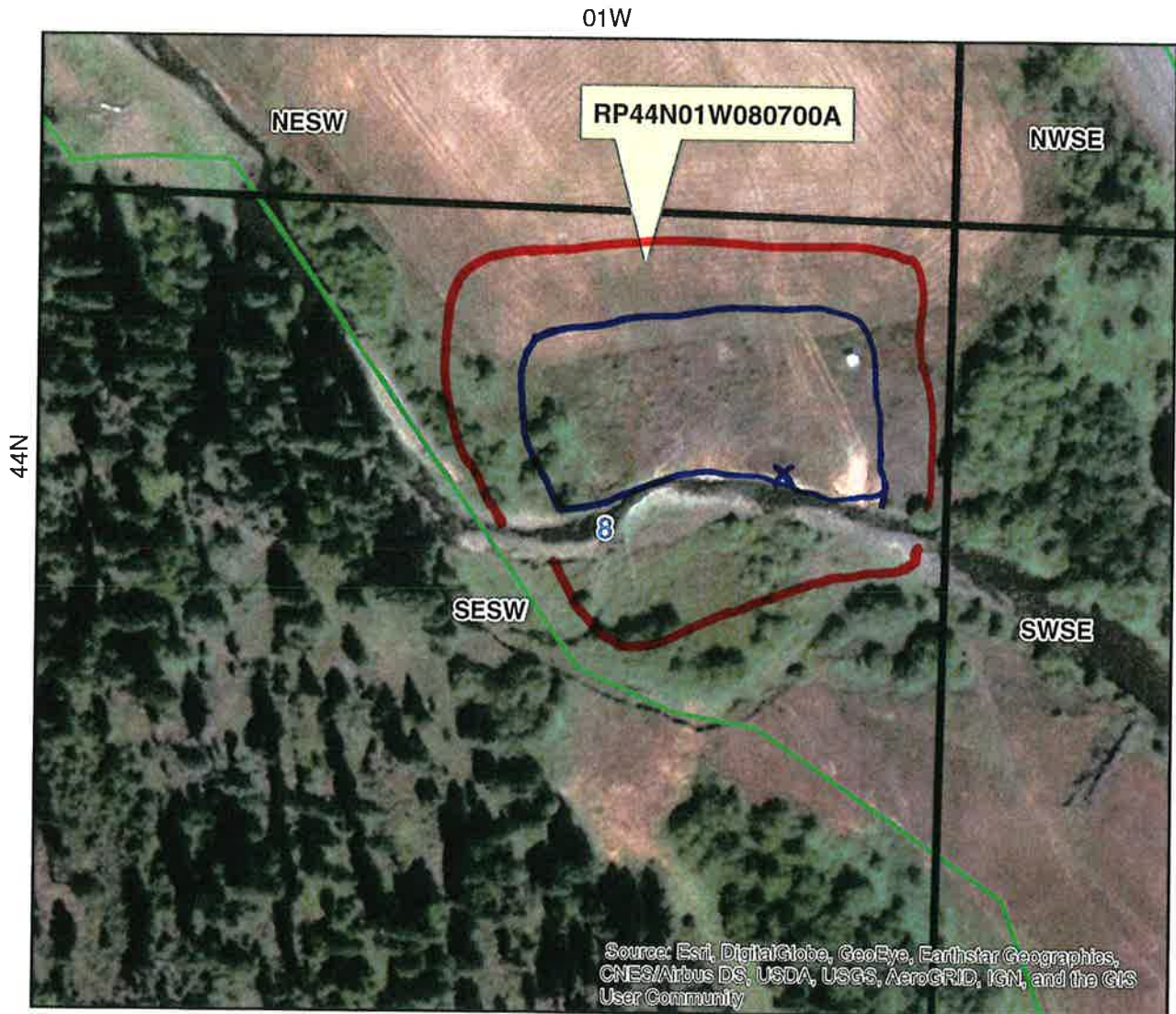
Signed this 25 day of September, 2012.


GARY SPACKMAN
Director

State of Idaho
Department of Water Resources

Notice Of Change In Water Right Ownership

92-10048



- PLS Sections
- Taxlots

0 0.015 0.03 0.06 Miles

Tax parcel information provided by Benewah County.

x Point of diversion

*Domestic
Place of
Use*

*Fire
Protection
Place of Use*



RECORDING REQUESTED BY
First American Title Company

AND WHEN RECORDED MAIL TO:
First American Title Company
831 Main Avenue
St. Maries, ID 83861

RECEIVED
2017 Nov 17 PM 12 12
BENEWAH COUNTY
DEANNA BRAMBLETT, CLERK
278918
FIRST AMERICAN TITLE - SAIN
FEES:\$ 15.00

Space Above This Line for Recorder's Use Only

WARRANTY DEED

File No.: **659779-SM (ps)**

Date: **November 09, 2017**

For Value Received, **Aleksandr Sushinskiy and Zoya I. Sushinskiy, husband and wife**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **Dan Malek, an unmarried man**, hereinafter called the Grantee, whose current address is **9310 E Montgomery Ave Apt 93, Spokane Valley, WA 99206**, the following described premises, situated in **Benewah County, Idaho**, to-wit: **Legal Description attached hereto as Exhibit A, and by this referenced incorporated herein.**

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.

RECORDING REQUESTED BY

First American Title Company

AND WHEN RECORDED MAIL TO:

First American Title Company
831 Main Avenue
St. Maries, ID 83861

ELECTRONICALLY RECORDED - DO NOT
REMOVE THE COUNTY STAMPED FIRST
PAGE AS IT IS NOW INCORPORATED AS
PART OF THE ORIGINAL DOCUMENT.

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Date: 11/09/2017

Warranty Deed
- continued

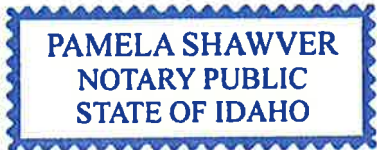
File No.: 659779-SM (ps)


Aleksandr Sushinskiy


Zoya I. Sushinskiy

STATE OF Idaho)
SS.
COUNTY OF Benewah)

On this 16th day of November 2017, before me, a Notary Public in and for said State, personally appeared **Aleksandr Sushinskiy and Zoya I Sushinskiy**, 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.





Notary Public for the State of Idaho

Residing at: St Maries ID

My Commission Expires: 1-20-2022

EXHIBIT A

A parcel of land located in Section 8, Township 44 North, Range 1 West, Boise Meridian, Benewah County Idaho, and further described as follows: (aka SRR#7)
Commencing at the South Quarter corner of said Section 8;
Thence S 89°57'57" E, along the South boundary of said Section 8, a distance of 695.70 feet to a meander corner on the East bank of Santa Creek and the Point of Beginning;
Thence Northwesterly along said East bank on the following courses;
Thence N 44°29'08" W, a distance of 250.34 feet;
Thence N 50°46'38" W, a distance of 464.66 feet;
Thence N 22°06'12" W, a distance of 383.05 feet;
Thence N 43°51'56" W, a distance of 250.04 feet;
Thence N 41°20'52" W, a distance of 202.91 feet;
Thence N 68°08'36" W, a distance of 91.87 feet;
Thence N 35°35'00" W, a distance of 156.32 feet;
Thence N 45°03'53" W, a distance of 125.96 feet;
Thence N 70°39'32" W, a distance of 108.01 feet;
Thence N 18°12'02" W, a distance of 157.42 feet;
Thence N 14°40'38" W, a distance of 138.51 feet;
Thence N 16°42'42" W, a distance of 241.54 feet;
Thence N 31°48' 02" W, a distance of 135.63 feet;
Thence N 8°16'18" E, a distance of 111.86 feet;
Thence N 31°48'10" W, a distance of 93.29 feet;
Thence N 38°31'24" W, a distance of 190.92 feet;
Thence N 34°50'58" W, a distance of 164.68 feet;
Thence N 42°35'30" W, a distance of 209.11 feet;
Thence N 52°05'18" W, a distance of 131.44 feet;
Thence N 65°54'32" W, a distance of 124.57 feet;
Thence N 45°04'55" W, a distance of 135.29 feet;
Thence N 15°32'52" W, a distance of 139.62 feet;
Thence S 84°54'05" E, a distance of 114.65 feet;
Thence N 24°10' 53" W, a distance of 58.24 feet to the thread of the St. Maries River;
Thence N 67°42' 46" E, along said river thread, a distance of 402.64 feet to the Southwesterly Right of Way Line of State Highway 3;
Thence along said Right of Way Line on the following courses:
Thence S 44°46' 40" E, a distance of 100.00 feet to a reference monument, witnessing the aforesaid point;
Thence continuing along said line, a distance of 755.96 feet to the point of a 400 foot spiral curve to the right, delta angle of 10°00' and "a" value of 1.25;
Thence S 41°29'38" E along the chord of said spiral, a distance of 389.38 feet to the point of curvature of a tangent curve, concave to the Southwest, having a radius of 1085.91 feet, a central angle of 4°51' 58", and chord of 92.20 feet bearing S 32°21' 26" E;
Thence Southeasterly along said curve, a distance of 92.23 feet to the point of a 400 foot spiral curve to the right, delta angle of 10°00' and "a" value of 1.25;
Thence S 23°12'53" E along the chord of said spiral curve, a distance of 388.61 feet to a point of tangency;
Thence S 19°55'26" E, a distance of 85.02 feet;

Thence S 16°35'38" E, a distance of 299.80 feet;
Thence S 36°47'13" E, a distance of 221.38 feet;
Thence S 39°53'32" E, a distance of 163.64 feet;
Thence S 89°02'52" E, a distance of 61.81 feet;
Thence S 52°33'45" E, a distance of 173.01 feet to the point of curvature of a simple curve, concave to the Southwest, having a radius of 1548.21 feet, a central angle of 16°37'21", and a chord of 447.59 feet bearing S 42°06'19" E;
Thence Southeasterly along said curve, a distance of 449.16 feet to a point of tangency;
Thence S 33°47'39" E, a distance of 267.92 feet to the point of curvature of a simple curve, concave to the Northeast, having a radius of 1049.20 feet, a central angle of 34°51'28", and a chord of 628.52 feet bearing S 51°13'23" E;
Thence Southeasterly along said curve, a distance of 638.31 feet to a point of tangency;
Thence S 68°39' 08" E, a distance of 209.78 feet to the point of curvature of a simple curve, concave to the Southwest, having a radius of 683.18 feet and a central angle of 20°28'26";
Thence Southeasterly along said curve, a distance of 244.13 feet to the aforesaid South boundary of Section 8;
Thence N 89°57'57" W, along said boundary, a distance of 1101.37 feet to the Point of Beginning, all more or less.



State of Idaho

DEPARTMENT OF WATER RESOURCES

Northern Region • 7600 N. Mineral Drive, Suite 100 • Coeur d'Alene, Idaho 83815-7763
Phone: (208) 762-2800 • Fax: (208) 762-2819 • Website: www.idwr.idaho.gov

BRAD LITTLE
Governor

GARY SPACKMAN
Director

February 25, 2019

DANIEL MALEK
9310 E MONTGOMERY AVE APT 93
SPOKANE VLY, WA 99206-4259

Re: Change of Ownership for Water Right/Permit No(s): 92-10048

Dear Water Right Holder(s):

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

Updating the ownership record for a water right does not reconfirm the validity of the right. When processing an ownership change notice, the department does not review the history of water use to determine if the right has been forfeited 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 § 42-222 and §42-223, Idaho Code.

Also note that as of July 1, 1996, water right owners are required to report any change of water right ownership and any change of mailing address of the owner of a water right, to the Department. Notice of the change must be provided to the Department within 120 days of the change. Water right forms are available from any office of the Department, or at www.idwr.idaho.gov.

If you have any questions concerning the enclosed information, please feel free to contact me at (208) 762-2800.

Sincerely,


Natalie Steading
Technical Records Specialist I

Enclosure(s)