

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

RECEIVED

AUG 22 2018

DEPT OF WATER RESOURCES  
SOUTHERN REGION

## 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? |
|-----------------------|------------------------------|------------------------------|-----------------------|------------------------------|------------------------------|
| 36-14785              | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |
| 36-14787              | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |
| 36-14788              | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |
|                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |
|                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |

2. Previous Owner's Name: Marilyn L. Phillips  
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Frank John Suchan or Helen Joyce Suchan  
New owner(s) as listed on the conveyance document
- 282 N. 750 W. Paul ID 83347  
Mailing address City State ZIP
- 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: July 30, 2018
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.

SUPPORT DATA

IN FILE # 36-14785

8. Signature: Frank John Suchan owner 8-3-2018  
Signature of new owner/claimant Title, if applicable Date
- Signature: Helen Joyce Suchan owner 8-3-2018  
Signature of new owner/claimant Title, if applicable Date

### For IDWR Office Use Only:

Received by DM Date 8-22-2018 Receipt No. 5036925 Receipt Amt. \$75-

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 \_\_\_\_\_ Date \_\_\_\_\_

**RECORDING REQUESTED BY**  
First American Title Company

**AND WHEN RECORDED MAIL TO:**  
First American Title Company  
417 N. Overland Ave.  
Burley, ID 83318

ELECTRONICALLY RECORDED  
DO NOT REMOVE  
THE COUNTY SEAL  
FIRST PAGE AS PART OF  
INCORPORATED AS PART OF  
THE ORIGINAL DOCUMENT

**Instrument # 546298**  
MINIDOKA COUNTY, RUPERT, IDAHO  
08-06-2018 11:32:31 AM No. of Pages: 3  
Recorded for: FIRST AMERICAN TITLE - BURLEY  
TONYA PAGE Fee: \$16.00  
Ex-Officio Recorder Deputy Susan Aston  
Electronically Recorded by Simplifile

Space Above This Line for Recorder's Use Only

**PERSONAL REPRESENTATIVE DEED**

File No.: **689018RU (tm)**

Date: **July 26, 2018**

For Value Received, **Sherri Denise Anderson, as Personal Representative of the Estate of Marilyn Lucille Phillips, also known as Marilyn L. Phillips, deceased**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **Frank John Suchan and Helen Joyce Suchan, husband and wife as community property with right of survivorship**, hereinafter called the Grantee, whose current address is **282 North 750 West, Paul, ID 83347**, the following described premises, situated in **Minidoka County, Idaho**, to-wit: **Legal Description attached hereto as Exhibit A, and by this referenced incorporated herein.**

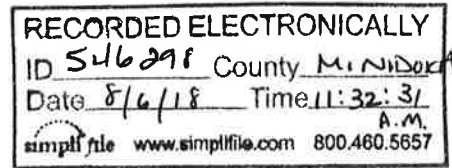
SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

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.

This deed is executed pursuant to Letters Testamentary dated January 13, 2017 recorded <sup>7/24/18</sup>~~8/6/18~~ as Instrument No. 546140, records of Minidoka County, Idaho.

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First American Title Company

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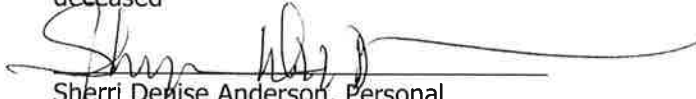
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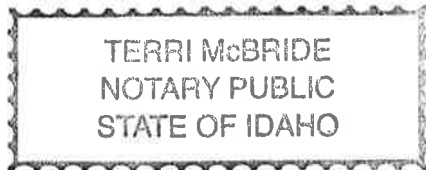
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Sherri Denise Anderson, as Personal  
Representative of the Estate of Marilyn Lucille  
Phillips, also known as Marilyn L. Phillips,  
deceased

  
\_\_\_\_\_  
Sherri Denise Anderson, Personal  
Representative

STATE OF Idaho )  
COUNTY OF Minidoka )  
SS.

On this 27<sup>th</sup> day of July, 2018, before me, a Notary Public in and for said State, personally appeared **Sherri Denise Anderson**, known or identified to me to be the person(s) whose name(s) **is** subscribed to the within instrument as Personal Representative of the Estate of **Marilyn Lucille Phillips, also known as Marilyn L. Phillips, deceased**, and acknowledged to me that she executed the same as such Personal Representative.



  
\_\_\_\_\_  
Notary Public of Idaho  
Residing at: Reper  
Commission Expires: 2-5-20

## **EXHIBIT A**

**Township 9 South, Range 23 East of the Boise Meridian, Minidoka County, State of Idaho.**

**Section 7: Part of Tract F, more particularly described as follows:**

**Beginning at the Southwest corner of the Northwest quarter Northwest quarter of said Section 7;**

**Thence North 55°54' East for 1093.78 feet;**

**Thence South 0°28' East for 613.40 feet to a point on the South line of the N½N½ of said Section 7;**

**Thence South 89°55' West along said South line for 918.46 feet to the TRUE POINT OF BEGINNING.**

**EXCEPTING THEREFROM Part of Tract F located in Section 7 in Township 9 South, Range 23 East of the Boise Meridian, Minidoka County, State of Idaho:**

**Beginning at Corner No. 5 of Tract F in Section 7 in T.9 S., R.23 E., B.M. said corner marked by a 5/8" rebar which shall be the Point of Beginning;**

**THENCE North 55 degrees 50 minutes 06 seconds East (N 55°54' E, Rec.) along a line common to Tract F and Tract H for a distance of 44.57 feet to the centerline of 275 North Road;**

**THENCE North 89 degrees 57 minutes 17 seconds East along said line for a distance of 883.99 feet;**

**THENCE South 01 degrees 25 minutes 39 seconds East (S 0°28' E, Rec.) for a distance of 25.01 feet to the south line of Tract F;**

**THENCE South 89 degrees 57 minutes 17 seconds West (S 89°55' W, Rec.) along said line for a distance of 921.49 feet (918.46', Rec.) to the Point of Beginning.**

Located In  
 A Portion of  
 Twp 9 S, Range 23 E  
 Boise Meridian  
 Minidoka County, Idaho  
 2016

SCALE IN FEET  
 0 50 100 200

Legend

- SURVEY BOUNDARY LINE
- SECTION LINE
- SECTION BOUNDARY LINE
- COUNTY BOUNDARY EXISTING LINE
- ADJACENT PROPERTY LINE
- EXISTING FENCE LINE
- FOUND BRASS CAP
- FOUND 5/8" REBAR (AS NOTED)
- FOUND 1/2" REBAR (AS NOTED)
- ◆ SET ALUMINUM CAP (P.L.S. 10110)
- ◆ SET 1/2" x 24" REBAR & CAP - L.S. 10110

Survey References

- (1) ADDRESS
- (2) PROPERTY
- (3) PROPERTY SURVEY FOR
- WATNE ADDENDUM, PREPARED BY SOUTHERN
- LAND AND SURVEYS, DATED JANUARY 1970
- (4) BLM PLAT FOR TOWNSHIP 9 SOUTH,
- RANGE 23 EAST, BOISE MERIDIAN,
- MINIDOKA COUNTY, IDAHO, DATED
- APRIL 1, 1962, PLATS 1,
- 2, 3, 4, 5, 6 AND 7, DATED OCTOBER 1, 1962.

Deed References

- #00825
- #00874

Instrument # 538144

MINIDOKA COUNTY, RUPERT, IDAHO

10-21-2016 01:28:08 PM No. of Pages: 1

Recorded for: EHM ENGINEERS, INC.

PATTY TEMPLE Fee: \$4.00

Ex-Officio Recorder Deputy

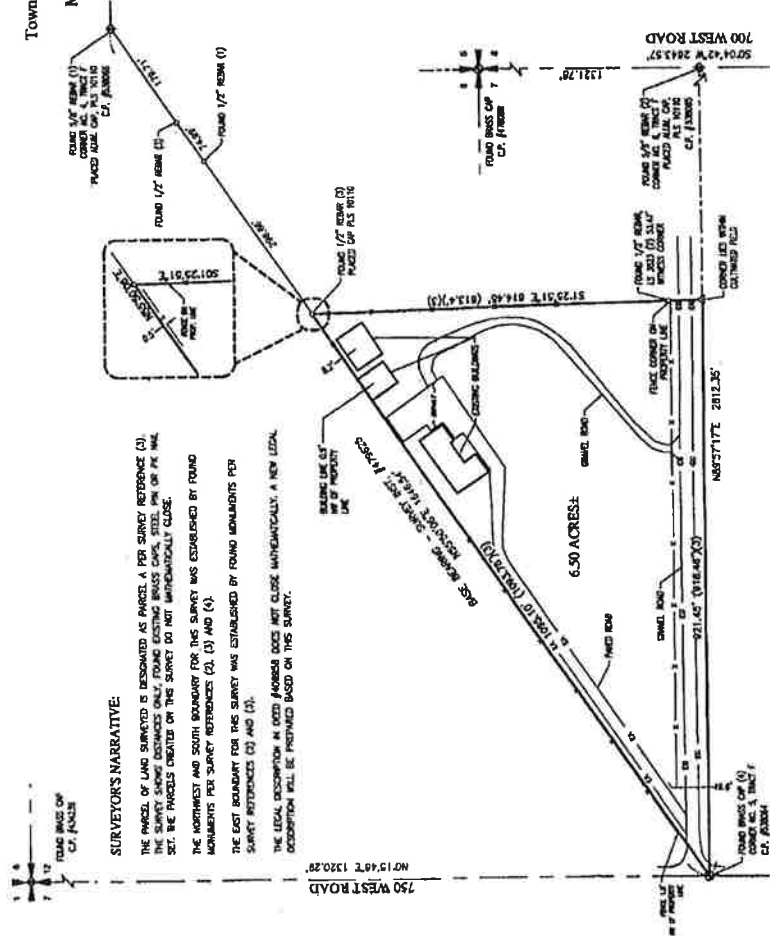
SURVEYOR'S NARRATIVE:

THE PARCEL OF LAND SURVEYED IS DESIGNATED AS PARCEL A FOR SURVEY REFERENCE (1). THE SURVEYED LAND IS BOUNDED BY THE 750 WEST ROAD TO THE WEST, THE 700 WEST ROAD TO THE SOUTH, THE 1321.76' ROAD TO THE EAST, AND THE 1321.76' ROAD TO THE NORTH. THE PARCELS BOUNDARY ON THIS SURVEY DO NOT MATHEMATICALLY CLOSE.

THE NORTHWEST AND SOUTH BOUNDARY FOR THIS SURVEY WAS ESTABLISHED BY FOUND MONUMENTS PER SURVEY REFERENCES (1), (3) AND (4).

THE EAST BOUNDARY FOR THIS SURVEY WAS ESTABLISHED BY FOUND MONUMENTS PER SURVEY REFERENCES (1) AND (3).

THE LEGAL DESCRIPTION IN DEED #00825 DOES NOT CLOSE MATHEMATICALLY. A NEW LEGAL DESCRIPTION WILL BE PROVIDED BASED ON THIS SURVEY.



I, CHRISTOPHER S. HARRISON, DO HEREBY CERTIFY THAT THIS PLAT IS A TRUE AND ACCURATE MAP OF THE LAND SURVEYED UNDER MY SUPERVISION AND DIRECTION, AND IN ACCORDANCE WITH THE REQUIREMENTS OF THE STATE OF IDAHO CODE TITLE 24, CHAPTER 18.



**State of Idaho**

**DEPARTMENT OF WATER RESOURCES**

Southern Region • 650 ADDISON AVE W STE 500 • TWIN FALLS, ID 83301-5858

Phone: (208)736-3033 • Fax: (208)736-3037 • Website: [www.idwr.idaho.gov](http://www.idwr.idaho.gov)

C.L. "Butch" Otter  
Governor

Gary Spackman  
Director

August 23, 2018

FRANK J SUCHAN  
HELEN JOYCE SUCHAN  
931 W 500 N  
PAUL ID 83347-8653

Re: Change in Ownership for Water Right No(s): 36-14785, 36-14787 and 36-14788

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) 736-3033.

Sincerely,

Trish Fawcett  
Technical Records Specialist

Enclosure(s)

c: First American Title Co. (689018RU)