

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Notice of Change in Water Right Ownership

RECEIVED
NOV 23 2015
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?
29-13961 <i>OK</i>	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: Nicholas A & Tacia Tsakrius Revocable Trust Agreement
Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): Gregory P Suttner & Dahl Suttner
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☒ and/or

P.O. Box 4983 Pocatello ID 83205
Mailing address City State ZIP
208-221-5794 or 317-7888 dsuttner@gmail.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: 9/17/15

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: Dahl Suttner 11-14-15
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 JB Date 11/5/2015 Receipt No. E041605 Receipt Amt. \$25.-
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 JB Processed by JB Date 11/24/2015

10/09

RECEIVED

NOV 05 2015

Department of Water Resources
Eastern Region

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

ASSIGNMENT OF PERMIT

To change the ownership of a permit

\$25 fee per permit

For Office Use Only

Receipt Amt \$

Receipt No.

Date

25
E041605
11/5/2015

Nicholas A. &
I, Tacia Tsakrios Trust Agreement ^{Revocable} hereby assign to Greg & Dahrl Suttner
Current Owner(s) New Owner(s)
of, P.O. Box 4983 Pocatello Idaho 83205
Full address including city, state and ZIP Phone

All my right, title, and interest in and to Permit No(s). 29-13961 to appropriate the public waters of the State of Idaho.

OR (for partial assignments)

The following described portion of my right, title, and interest in and to Permit Number(s):
_____ to appropriate the public waters of the State of Idaho.

Describe in detail the portion of the permit assigned, listing the number of acres in each 40 acre subdivision, point of diversion location, and amount of the water in cubic feet per second.

Does the new permit holder own the property at the:

Point of Diversion? ☐ Yes ☐ No

Place of Use? ☒ Yes ☐ No

If no, describe the arrangement enabling the new owner to access the point of diversion and/or the place of use: _____

Made this 16th day of OCTOBER, 2015.

Tacia Tsakrios
Signature of Permit Holder

TRUSTEE
Title (if applicable)

Nicholas A. Tsakrios TRUSTEE
Signature of Permit Holder Title (if applicable)

State of Idaho)
County of Bannock)ss

On this 16th day of October, 2015, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he/she/they executed the same.

SEAL



Christi Axtell
Notary Public
My commission expires: 9-4-2020

First American Title - Pocatello

21513282

2015 Sep 17 PM 12:21:00

Electronically Recorded by Simplifile

RECORDING REQUESTED BY
First American Title Company

AND WHEN RECORDED MAIL TO:
First American Title Company
223 North 15th Avenue
Pocatello, ID 83201

RECEIVED

NOV 05 2015

Department of Water Resources
Eastern Region

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

Space Above This Line for Recorder's Use Only

WARRANTY DEED

File No.: 563106-P (sg)

Date: September 16, 2015

For Value Received, Nicholas A. Tsakrios and Tacia M. Tsakrios, Trustees of the Nicholas A. Tsakrios and Tacia M. Tsakrios Revocable Trust Agreement dated the 19th day of November, 2010, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto Gregory P. Suttner and Dahrl Jane Suttner, husband and wife, hereinafter called the Grantee, whose current address is PO Box 4983, Pocatello, ID 83205, the following described premises, situated in Bannock County, Idaho, to-wit:

DBS

Legal Description attached hereto as Exhibit A

Together with Water Right #29-13961

49 7/8 DBS

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.

Nicholas A. Tsakrios and Tacia M. Tsakrios,
Trustees of the Nicholas A. Tsakrios and
Tacia M. Tsakrios Revocable Trust
Agreement dated the 19th day of November,
2010

Nicholas A. Tsakrios
Nicholas A. Tsakrios, Trustee

Tacia M. Tsakrios
Tacia M. Tsakrios, Trustee

Recorded Electronically

ID 21513282
County BANNOCK
Date 09.17.15 Time 12:21
Simplifile.com 800.460.5657

RECORDING REQUESTED BY
First American Title Company

AND WHEN RECORDED MAIL TO:
First American Title Company
223 North 15th Avenue
Pocatello, ID 83201

Space Above This Line for Recorder's Use Only

WARRANTY DEED

File No.: **563106-P (sg)**

Date: **September 16, 2015**

For Value Received, **Nicholas A. Tsakrios and Tacia M. Tsakrios, Trustees of the Nicholas A. Tsakrios and Tacia M. Tsakrios Revocable Trust Agreement dated the 19th day of November, 2010**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **Gregory P. Suttner and Dahrl Jane Suttner, husband and wife**, hereinafter called the Grantee, whose current address is **PO Box 4983, Pocatello, ID 83205**, the following described premises, situated in **Bannock County, Idaho**, to-wit:

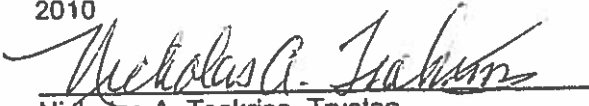
Legal Description attached hereto as Exhibit A

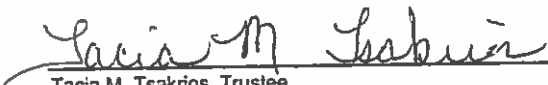
Together with Water Right #29-13961

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.

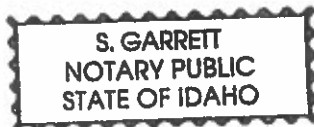
Nicholas A. Tsakrios and Tacia M. Tsakrios,
Trustees of the Nicholas A. Tsakrios and
Tacia M. Tsakrios Revocable Trust
Agreement dated the 19th day of November,
2010


Nicholas A. Tsakrios, Trustee


Tacia M. Tsakrios, Trustee

STATE OF Idaho)
ss.
COUNTY OF Bannock)

On this **Seventeenth day of September, 2015**, before me, a Notary Public in and for said State, personally appeared **Nicholas A. Tsakrios and Tacia M. Tsakrios**, known or identified to me to be the person(s) whose name(s) are subscribed to the within instrument as Trustees of the **Nicholas A. Tsakrios and Tacia M. Tsakrios Revocable Trust Agreement dated the 19th day of November, 2010** Trust, and acknowledged to me that they executed the same as such Trustees.



A handwritten signature in black ink, appearing to be "S. Garrett", written over a horizontal line.

Notary Public of Idaho
Residing at: Inkom, ID
Commission Expires: 9-30-17

EXHIBIT A

A PARCEL OF LAND BEING THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 29, AND A PORTION OF THE WEST HALF OF THE NORTHWEST QUARTER OF SECTION 28, TOWNSHIP 6 SOUTH, RANGE 36 EAST, BOISE MERIDIAN, BANNOCK COUNTY, IDAHO, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID SECTION 29, BEING MARKED BY A BLM BRASS CAP MONUMENT AS DESCRIBED IN CORNER PERPETUATION INSTRUMENT NO. 95012948; THENCE SOUTH $00^{\circ}08'54''$ WEST ALONG THE EAST LINE OF SAID SECTION 29 FOR A DISTANCE OF 1186.30 FEET; THENCE SOUTH $89^{\circ}51'06''$ EAST FOR A DISTANCE OF 70.00 FEET; THENCE SOUTH $00^{\circ}08'54''$ WEST FOR A DISTANCE OF 661.39 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF BUCKSKIN ROAD; THENCE ALONG SAID RIGHT-OF-WAY LINE NORTH $89^{\circ}40'37''$ WEST FOR A DISTANCE OF 27.94 FEET TO A POINT OF TANGENCY WITH A 453.36 FOOT RADIUS CURVE CONCAVE TO THE SOUTHEAST, WHO CENTER BEARS SOUTH $00^{\circ}19'23''$ WEST; THENCE ALONG SAID CURVE IN A SOUTHWESTERLY DIRECTION FOLLOWING SAID RIGHT-OF-WAY LINE, THROUGH A CENTRAL ANGLE OF $05^{\circ}19'23''$ AN ARC LENGTH OF 42.12 FEET, (CHORD BEARS SOUTH $87^{\circ}39'42''$ WEST FOR A DISTANCE OF 42.10 FEET) TO A POINT ON THE EAST LINE OF SAID SECTION 29; THENCE LEAVING SAID RIGHT-OF-WAY LINE, ALONG THE EAST LINE OF SAID SECTION 29, NORTH $00^{\circ}08'54''$ EAST, ALONG A NON-TANGENT LINE TO THE LAST DESCRIBED CURVE, FOR A DISTANCE OF 530.75 FEET TO THE EAST $1/16$ CORNER ON THE EAST LINE OF SAID SECTION 29; THENCE NORTH $89^{\circ}41'00''$ WEST, ALONG THE NORTH $1/16$ LINE OF SAID SECTION 29, FOR A DISTANCE OF 1313.41 FEET TO THE NORTHEAST $1/16$ CORNER OF SAID SECTION 29, BEING MARKED BY A $5/8$ INCH REBAR WITH A 2 INCH ALUMINUM CAP STAMPED PLS 5074; THENCE NORTH $01^{\circ}03'00''$ EAST, ALONG THE EAST $1/16$ LINE OF SAID SECTION 29, FOR A DISTANCE OF 1319.84 TO THE EAST $1/16$ CORNER OF THE NORTH LINE OF SAID SECTION 29, BEING MARKED BY A $5/8$ INCH REBAR WITH A 2 INCH ALUMINUM CAP STAMPED PLS 5074; THENCE SOUTH $89^{\circ}38'13''$ EAST, ALONG THE NORTH LINE OF SAID SECTION 29, FOR A DISTANCE OF 1292.64 FEET TO THE POINT OF BEGINNING.

JY.

WJ

DS

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 29-13961

RECEIVED
NOV 05 2015
Department of Water Resources
Eastern Region

Priority: August 03, 2010

Maximum Diversion Rate: 0.04 CFS

This is to certify, that TACIA TSAKRIOS
225 S 18TH AVE
POCATELLO ID 83201

has applied for a permit to appropriate water from:

Source: MOONLIGHT CREEK Tributary: NORTH FORK RAPID CREEK

and a permit is APPROVED for development of water as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
DOMESTIC	01/01 to 12/31	0.04 CFS

LOCATION OF POINT(S) OF DIVERSION:

MOONLIGHT CREEK NE $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 29 Twp 06S Rge 36E, B.M. BANNOCK County

PLACE OF USE: DOMESTIC

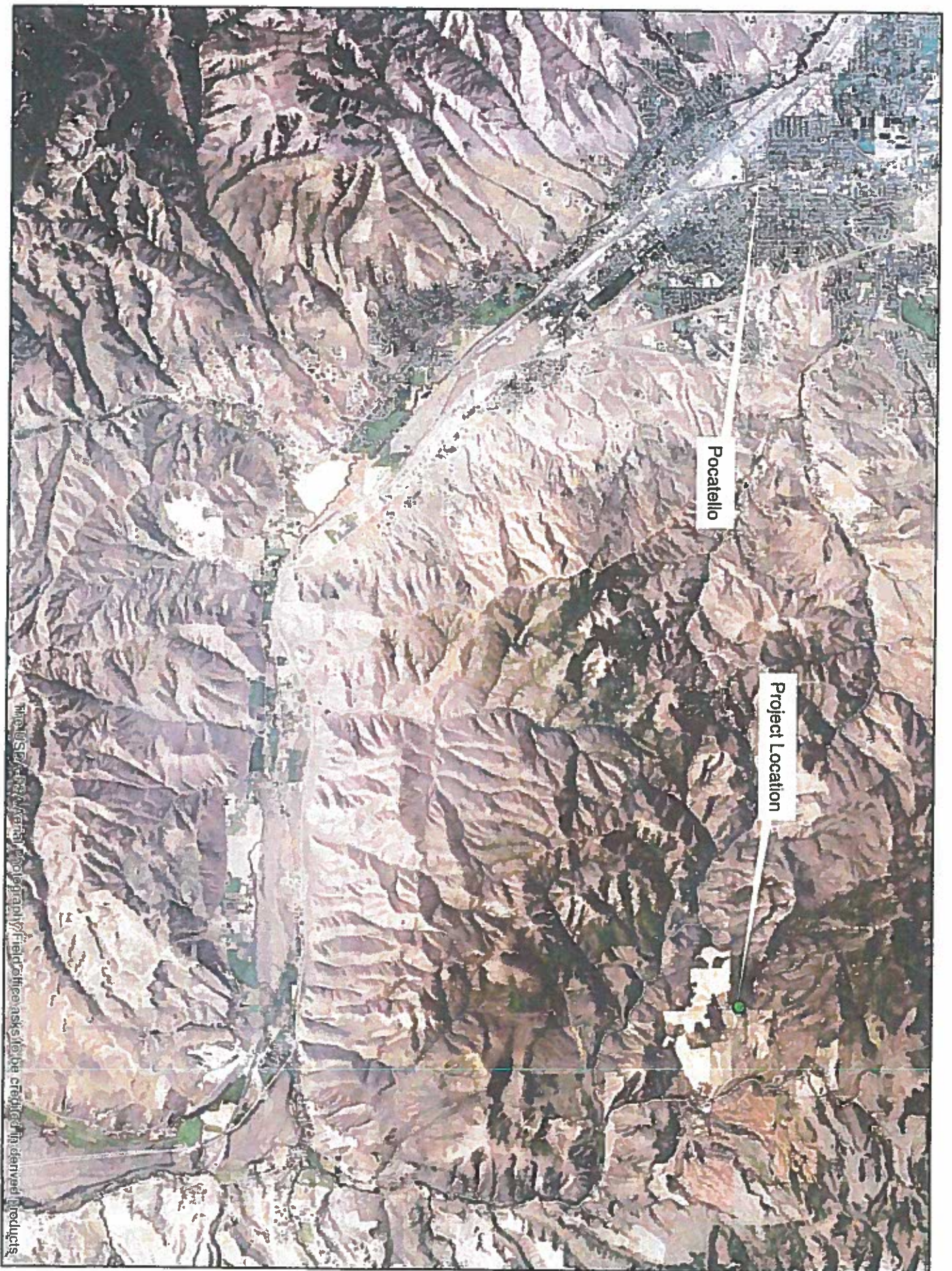
Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06S	36E	29	X																

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **November 01, 2015**.
2. Subject to all prior water rights.
3. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 29D.
4. Upon specific notification by the Department, the right holder shall install a lockable device of a type acceptable to the Department in a manner that will provide the watermaster suitable control of the diversion.
5. Domestic use is for irrigation up to 1/2 acre of lawn, garden and landscaping.
6. The domestic use authorized under this right shall not exceed 13,000 gallons per day per home.
7. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which the permit holder had no control.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 8th day of October, 2010.


for GARY SPACKMAN, Interim Director



Midwest National Photography Field Office asks to be credited in derived products.



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N Skyline Dr., Ste A, Idaho Falls, Idaho 83402-1718

Phone: (208) 525-7161 FAX: (208) 525-7177 www.idwr.idaho.gov

November 25, 2015

C.L. "BUTCH" OTTER
Governor

Gregory Suttner
Dahrl Suttner
PO Box 4983
Pocatello ID 83205

GARY SPACKMAN
Director

RE: Change of Ownership for Water Right No(s). 29-13961

Dear Water Right Holder(s):

The department acknowledges receipt of correspondence changing ownership of the above referenced water right(s) to you. The department has modified its records to reflect the change in ownership and has enclosed computer-generated reports 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 deliberately abandoned or 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 Sections 42-222 and 42-223, Idaho Code.

Also, please note that Section 42-248, Idaho Code, requires you or the owner of this water right to maintain current ownership and address records on file with the department. Forms to file a change of ownership of a water right and/or a change in the address of the water right owner are available from any department office, or at the department's website at: www.idwr.idaho.gov.

Please feel free to contact this office if you have any questions regarding this matter.

Sincerely,

Jonie Barg
Technical Records Specialist

Enclosure(s)

cc: Water District 29D