

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

SEP 08 2015

Notice of Change in Water Right Ownership

DEPARTMENT OF
WATER RESOURCES

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?
W-29-7906	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: Dahl Jane Suttner and Gregory P. Suttner
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): DEG Enterprises-3 LLC
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☒ and/or
- 2201 N. Whitney Drive Paradise ID 83204
Mailing address City State ZIP
- 208-406-1171, 208-406-1076 emma@ss.idaho.com / dgebo@ss.idaho.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: August 28, 2014
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: David R. Sebo principal, DEG Enterprises 3 LLC 9/5/15
Signature of new owner/claimant Title, if applicable Date
- Signature: Emma M. Sebo principal, DEG Enterprises 3 LLC 9/5/2015
Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

Received by gmk Date 9-8-15 Receipt No. C100968 Receipt Amt. 25.00

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 _____ Processed by gmk Date 10-22-15

COPY

WARRANTY DEED

Alliance Title & Escrow Corp. Order No.:273254

FOR VALUE RECEIVED

Gregory P. Suttner and Dahrl Jane Suttner, husband and wife

the grantor(s), do(es) hereby grant, bargain, sell and convey unto

DEG Enterprises-3, LLC

whose current address is

**2201 N Whitney Drive
Pocatello, ID 83204**

the grantee(s), the following described premises, in Bannock County, Idaho, TO WIT:

A parcel of land located in the Southwest ¼ of Section 19 and the Northwest ¼ of Section 30, Township 7 South, Range 35 East, Boise Meridian, Bannock County, Idaho, more particularly described as follows:

**COMMENCING at the South 1/16 corner on the West line of said Section 19;
Thence East along the South 1/16 line of Section 19, 1056.00 feet;
Thence South 1005.00 feet to the POINT OF BEGINNING;
Thence South 4°46'53" West 600 feet;
Thence East 390 feet;
Thence North 4°46'53" East 600 feet;
Thence West 390 feet to the POINT OF BEGINNING.**

Also:

A parcel of land located in the Northwest ¼ of Section 30, Township 7 South, Range 35 East, Boise Meridian, more particularly described as follows:

**COMMENCING at the South 1/16 corner of the West line of Section 19, Township 7 South, Range 35 East, Boise Meridian;
Thence East along the South 1/16 line of Section 19, 1056.00 feet;
Thence South 1005.00 feet;
Thence South 4°46'53" West 600 feet to the POINT OF BEGINNING.
Thence East 390 feet;
Thence South 4°46'53" West 46 feet;
Thence North 83°13'49" West 388.88 feet to the TRUE POINT OF BEGINNING.**

Also:

A parcel of land located in the Northwest ¼ of Section 30, Township 7 South, Range 35 East, Boise Meridian, Bannock County, Idaho, which is more particularly described as follows:

COMMENCING at the Northwest corner of Section 30, a BLM Brass Cap;

Thence South 00°01'43" West along the West line of Section 30, a distance of 997.17 feet, to the POINT OF BEGINNING;

Thence North 54°51'13" East a distance of 1229.55 feet to the Southwest corner of Instrument No. 705695 and the West line of the Schiers property;

Thence South 04°50'49" West along the West line of the Schiers Property, a distance of 384.79 feet to the Southwest corner of the Schiers Property;

Thence North 79°14'14" East along the South line of the Schiers property, a distance of 408.77 feet to a Southerly projection of the centerline of Cinnamon Springs Road;

Thence South 04°42'26" West along said Southerly projection, a distance of 97.00 feet;

Thence South 58°00'19" West a distance of 1611.56 feet to an intersection with the West line of Section 30;

Thence North 00°01'43" East along the West line of Section 30 a distance of 549.79 feet to the TRUE POINT OF BEGINNING.

Also:

A parcel of land located in the Northwest ¼ of Section 30, Township 7 South, Range 35 East, Boise Meridian, Bannock County, Idaho. It is more particularly described as follows:

COMMENCING at the Northwest corner of said Section 30;

Thence North 89°48'46" East along the North line of Section 30, 1423.42 feet to an intersection with the centerline of Cinnamon Springs Road;

Thence South 4°42'17" West along the centerline and its Southerly projection 340.99 feet to the Southeast corner of Schiers property (Instrument No. 705695) and the TRUE POINT OF BEGINNING;

Thence continuing South 4°42'17" West 262.12 feet;

Thence South 79°14'14" West 408.77 feet to an intersection with a Southerly projection of the monumented West line of the Schiers property (See R.O.S. Instrument No. 705354);

Thence North 40°00'09" East along said line 384.78 feet to an intersection with a Westerly projection of the Southerly line of the Schiers property (Instrument No. 715335);

Thence South 83°18'25" East along said line 393.25 feet to the TRUE POINT OF BEGINNING.

Except:

A parcel of land located in the Northwest ¼ of Section 30, Township 7 South, Range 35 East, Boise Meridian, Bannock County, Idaho, more particularly described as follows:

COMMENCING at the Northwest corner of said Section 30;

Thence North 89°48'46" East along the North line of Section 30, a distance of 1423.42 feet to an intersection with the centerline of Cinnamon Springs Road;

Thence South 4°42'17" West along the centerline and its Southerly projection a distance of 340.99 feet to the Southeast corner of Schiers property (Instrument No. 705695);

Thence continuing South 04°42'17" West, a distance of 262.12 feet, to the POINT OF BEGINNING;

Thence South 79°14'14" West a distance of 408.77 feet to an intersection with a Southerly projection of the monumented West line of the Schiers property (See R.O.S. Instrument No. 705354);

Thence North 40°00'09" East along said line a distance of 20.00 feet;

Thence North 81°58'16" East a distance of 403.85 feet, to the POINT OF BEGINNING.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee(s), that he is the owner(s) in fee simple of said premises; that they are free

from all encumbrances Except: Current Year Taxes, conditions, covenants, restrictions, reservations, easements, rights and rights of way, apparent or of record.

And that (s)he will warrant and defend the same from all lawful claims whatsoever.

Dated: August 19, 2015

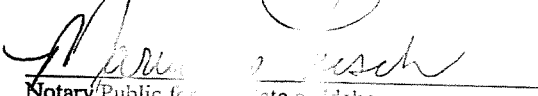

Gregory P. Suttner

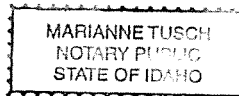

Dahl Jane Suttner

State of Idaho } ss
County of Bannock

On this 25th day of August, 2015, before me, the undersigned, a Notary Public in and for said state, personally appeared Greg P Suttner, 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 same.

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

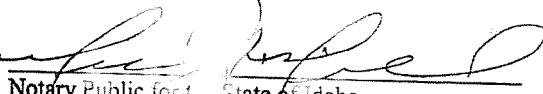

Notary Public for the State of Idaho
Residing at: Pocatello
Commission Expires: 12-16-17



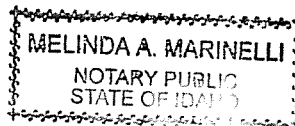
State of Idaho } ss
County of Bannock

On this 28th day of August, 2015, before me, the undersigned, a Notary Public in and for said state, personally appeared Dahl Jane Suttner, 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 same.

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


Notary Public for the State of Idaho
Residing at:
Commission Expires:

RESIDES IN POCATELLO
EXP 03-03-17





Close

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

7/14/2015

WATER RIGHT NO. 29-7906

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	DAHRL JANE SUTTNER
Current Owner	GREGORY P SUTTNER 9416 ANDEEK LN POCATELLO, ID 83204 (208)317-7888
Original Owner	THOMAS C SCHIERS 9416 W AUTUMN LN POCATELLO, ID 83204 (208)232-8551

Priority Date: 12/27/1989
Basis: License
Status: Active

~ 3.5 / AC / YR

1.2 AC · FT
YR

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	10/31	0.11 CFS	21.6 AFA
Total Diversion			0.11 CFS	

Location of Point(s) of Diversion:

GROUND WATER | NENWNW Lt 1 | Sec. 30 | Township 07S | Range 35E | BANNOCK County

Place(s) of use:

Place of Use Legal Description: IRRIGATION BANNOCK County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
07S	35E	19	4	SWSW	2.1		SESW	0.9						
		30		NENW	0.7	1	NWNW	1.7						

Total Acres: 5.4

Conditions of Approval:

1. R64 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
2. 048 The use of water under this right shall not give rise to any claim against the holder of a senior water right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.

Dates:

Licensed Date: 08/30/2001

Decreed Date:

Permit Proof Due Date: 7/1/1991

Permit Proof Made Date: 7/19/1990

Permit Approved Date: 6/28/1990

Permit Moratorium Expiration Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date: 12/27/1989

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal:

Owner Name Connector: AND

Water District Number:

Generic Max Rate per Acre: 0.02

Generic Max Volume per Acre: 4

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust: N

Swan Falls Dismissed:
DLE Act Number:
Cary Act Number:
Mitigation Plan: False

Close



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

October 22, 2015

DEG ENTERPRISES 3 LLC
2201 N WHITTNEY DR
POCATELLO ID 83204

Re: Change of Ownership for Water Right/Permit No(s): 29-7906

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.

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. Change reporting forms are available from any office of the Department, or at www.idwr.idaho.gov.

Thank you for your patience. If you have any questions concerning the enclosed information, please feel free to contact me at (208) 287-4942.

Sincerely,

Jean Hersley
Technical Records Specialist II

Enclosure(s)