

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

JUL 06 2020

Department of Water Resources
Eastern 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?
34-7081 <i>complete in transfer</i>	Yes ☒	Yes ☐		Yes ☐	Yes ☐
34-10175 <i>OK</i>	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Arnold E. Marz
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): 3 Weight LLC
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- PO Box 6776 Ketchum ID 83340-6776
Mailing address City State ZIP
512-423-0849 kvzaustin@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: June 1, 2020
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: [Signature] Manager of 3 Weight LLC 6/15/2020
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 7/16/20 Receipt No. E046079 Receipt Amt. \$50.-
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 34-10175 JB Processed by 34-10175 JB Date 11/18/20

RECORDING REQUESTED BY
First American Title Company

AND WHEN RECORDED MAIL TO:
First American Title Company
120 2nd Avenue Suite 101, PO Box 7999
Ketchum, ID 83340

Instrument # 258101

CHALLIS, CUSTER, IDAHO
06-01-2020 09:06:48 No. of Pages: 4
Recorded for: FIRST AMERICAN TITLE - KETCHUM
Lura H. Baker Fee: \$15.00
Ex-Officio Recorder Deputy: TV

Space Above This Line for Recorder's Use Only

WARRANTY DEED

File No.: **880335K (smw)**

Date: **April 14, 2020**

For Value Received, **Arnold E. Marz, an unmarried man**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **3 Weight LLC, an Idaho limited liability company**, hereinafter called the Grantee, whose current address is **PO Box 6776, Ketchum, Id 83340**, the following described premises, situated in **Custer County, Idaho**, to-wit:

PARCEL 1: (Section 27)

A PARCEL OF LAND GENERALLY DESCRIBED AS A PORTION OF THE SW $\frac{1}{4}$ SW $\frac{1}{4}$ OF SECTION 27, TOWNSHIP 7 NORTH, RANGE 24 EAST, BOISE MERIDIAN, CUSTER COUNTY, IDAHO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SW CORNER OF SAID SECTION 27, THENCE N. 00°38'52" W. ALONG THE WEST BOUNDARY OF SAID SECTION 27 A DISTANCE OF 631.67 FEET; THENCE N. 47°22'32" E. ALONG AN EXISTING FENCE LINE A DISTANCE OF 526.98 FEET TO THE WESTERLY RIGHT-OF-WAY OF U.S. HIGHWAY 93A; THENCE S. 43°04'24" E. ALONG THE WESTERLY RIGHT-OF-WAY OF SAID U.S. HIGHWAY 93A A DISTANCE OF 1088.23 FEET; THENCE CONTINUING ALONG THE WESTERLY RIGHT-OF-WAY OF SAID U.S. HIGHWAY 93A ALONG A CONCAVE CURVE SOUTHEASTERLY, HAVING A RADIUS OF 1943.00 FEET, A DELTA ANGLE OF 7°39'13", AN ARC LENGTH OF 259.55 FEET TO THE SOUTH BOUNDARY OF THE SW $\frac{1}{4}$ SW $\frac{1}{4}$ OF SAID SECTION 27; THENCE LEAVING THE WESTERLY RIGHT-OF-WAY OF U.S. HIGHWAY 93A S. 89°17'13" W. ALONG SOUTH BOUNDARY OF THE SW $\frac{1}{4}$ SW $\frac{1}{4}$ OF SAID SECTION 27 A DISTANCE OF 1315.11 FEET TO THE SW CORNER OF SAID SECTION 27 AND THE POINT OF BEGINNING.

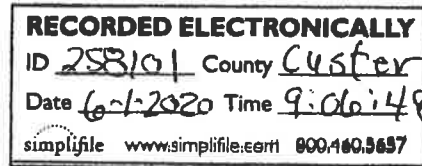
PARCEL 2: (Section 33)

SECTION 33, TOWNSHIP 7 NORTH, RANGE 24 EAST, BOISE MERIDIAN, CUSTER COUNTY, IDAHO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NE CORNER OF SAID SECTION 33, THENCE S. 00°01'48" W. ALONG THE EAST BOUNDARY OF SAID SECTION 33 A DISTANCE OF 2615.95 FEET TO THE E $\frac{1}{4}$ CORNER OF SAID SECTION 33; THENCE S. 00°12'51" W. ALONG THE EAST BOUNDARY OF THE SE $\frac{1}{4}$ OF SAID SECTION 33 A DISTANCE OF 1307.99 FEET TO THE SE CORNER OF THE NE $\frac{1}{4}$ SE $\frac{1}{4}$ OF SAID SECTION 33; THENCE S. 89°39'19" W. ALONG THE SOUTH BOUNDARY OF THE NE $\frac{1}{4}$ SE $\frac{1}{4}$ OF SAID SECTION 33 A DISTANCE OF 1135.93 FEET TO A POINT WHICH BEARS N. 89°39'19" E. 198.00 FEET FROM THE SW CORNER OF THE NE $\frac{1}{4}$ SE $\frac{1}{4}$ OF SAID SECTION 33; THENCE N. 00°05'47" E. A DISTANCE OF 2620.76 FEET TO THE SOUTH BOUNDARY OF THE NE $\frac{1}{4}$ NE $\frac{1}{4}$ OF SAID SECTION 33; THENCE S. 89°53'53" W. ALONG THE SOUTH BOUNDARY OF SAID NE $\frac{1}{4}$ NE $\frac{1}{4}$, SECTION 33, A DISTANCE OF 198.00 FEET TO THE SW CORNER OF SAID NE $\frac{1}{4}$ NE $\frac{1}{4}$ OF SECTION 33, THENCE N. 00°03'00" E. ALONG THE WEST BOUNDARY OF THE

RECORDING REQUESTED BY
First American Title Company

AND WHEN RECORDED MAIL TO:
First American Title Company
120 2nd Avenue Suite 101, PO Box 7999
Ketchum, ID 83340



Space Above This Line for Recorder's Use Only

WARRANTY DEED

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PARCEL 2: (Section 33)

SECTION 33, TOWNSHIP 7 NORTH, RANGE 24 EAST, BOISE MERIDIAN, CUSTER COUNTY, IDAHO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
BEGINNING AT THE NE CORNER OF SAID SECTION 33, THENCE S. 00°01'48" W. ALONG THE EAST BOUNDARY OF SAID SECTION 33 A DISTANCE OF 2615.95 FEET TO THE E $\frac{1}{4}$ CORNER OF SAID SECTION 33; THENCE S. 00°12'51" W. ALONG THE EAST BOUNDARY OF THE SE $\frac{1}{4}$ OF SAID SECTION 33 A DISTANCE OF 1307.99 FEET TO THE SE CORNER OF THE NE $\frac{1}{4}$ SE $\frac{1}{4}$ OF SAID SECTION 33; THENCE S. 89°39'19" W. ALONG THE SOUTH BOUNDARY OF THE NE $\frac{1}{4}$ SE $\frac{1}{4}$ OF SAID SECTION 33 A DISTANCE OF 1135.93 FEET TO A POINT WHICH BEARS N. 89°39'19" E. 198.00 FEET FROM THE SW CORNER OF THE NE $\frac{1}{4}$ SE $\frac{1}{4}$ OF SAID SECTION 33; THENCE N. 00°05'47" E. A DISTANCE OF 2620.76 FEET TO THE SOUTH BOUNDARY OF THE NE $\frac{1}{4}$ NE $\frac{1}{4}$ OF SAID SECTION 33; THENCE S. 89°53'53" W. ALONG THE SOUTH BOUNDARY OF SAID NE $\frac{1}{4}$ NE $\frac{1}{4}$, SECTION 33, A DISTANCE OF 198.00 FEET TO THE SW CORNER OF SAID NE $\frac{1}{4}$ NE $\frac{1}{4}$ OF SECTION 33, THENCE N. 00°03'00" E. ALONG THE WEST BOUNDARY OF THE

NE $\frac{1}{4}$ NE $\frac{1}{4}$ OF SECTION 33 A DISTANCE OF 1310.38 FEET TO THE NW CORNER OF THE NE $\frac{1}{4}$ NE $\frac{1}{4}$ OF SECTION 33; THENCE S. 89°59'56" E. ALONG THE NORTH BOUNDARY OF THE NE $\frac{1}{4}$ NE $\frac{1}{4}$ OF SECTION 33 A DISTANCE OF 1334.62 FEET TO THE NE CORNER OF SAID SECTION 33 AND POINT OF BEGINNING.

PARCEL 3: (Section 34)

TOWNSHIP 7 NORTH, RANGE 24 EAST, BOISE MERIDIAN, CUSTER COUNTY, IDAHO SECTION 34: N $\frac{1}{2}$ NW $\frac{1}{4}$ LYING SOUTH AND WEST OF THE SOUTHERLY RIGHT-OF-WAY FOR THE STATE HIGHWAY. THE FOREGOING LEGAL DESCRIPTION IS ALSO DESCRIBED AS: A PARCEL OF LAND BEING MORE PARTICULARLY DESCRIBED AS: A PORTION OF THE N $\frac{1}{2}$ NW $\frac{1}{4}$ OF SECTION 34, TOWNSHIP 7 NORTH, RANGE 24 EAST, BOISE MERIDIAN, CUSTER COUNTY, IDAHO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE NW CORNER OF SAID SECTION 34, THENCE N. 89°17'13" E. ALONG THE NORTH BOUNDARY OF SAID SECTION 34 A DISTANCE OF 1315.11 FEET TO THE WESTERLY RIGHT-OF-WAY OF U.S. HIGHWAY 93A; THENCE ALONG THE WESTERLY RIGHT-OF-WAY OF SAID U.S. HIGHWAY 93A A DISTANCE OF 398.65 FEET ALONG A CONCAVE CURVE SOUTHEASTERLY, HAVING A RADIUS OF 1943.00 FEET, A DELTA ANGLE OF 11°45'20" TO THE POINT OF TANGENCY; THENCE CONTINUING ALONG SAID HIGHWAY RIGHT-OF-WAY S. 62°28'57" E. A DISTANCE OF 1120.15 FEET TO THE EAST BOUNDARY OF THE N $\frac{1}{2}$ NW $\frac{1}{4}$ OF SAID SECTION 34, THENCE S. 00°28'35" E. ALONG THE EAST BOUNDARY OF SAID N $\frac{1}{2}$ NW $\frac{1}{4}$ OF SAID SECTION 34 A DISTANCE OF 553.08 FEET TO THE SE CORNER OF THE N $\frac{1}{2}$ NW $\frac{1}{4}$ OF SAID SECTION 34; THENCE S. 89°14'54" W. ALONG THE SOUTH BOUNDARY OF THE N $\frac{1}{2}$ NW $\frac{1}{4}$ SECTION 34, A DISTANCE OF 2646.20 FEET TO THE SW CORNER OF THE N $\frac{1}{2}$ NW $\frac{1}{4}$ OF SAID SECTION 34; THENCE N. 00°01'48" E. ALONG THE WEST BOUNDARY OF THE N $\frac{1}{2}$ NW $\frac{1}{4}$ OF SAID SECTION 34 A DISTANCE OF 1307.98 FEET TO THE NW CORNER OF SAID SECTION 34 AND POINT OF BEGINNING.

EXCEPTING THEREFROM: A PARCEL OF LAND BEING GENERALLY DESCRIBED AS A PORTION OF THE NW $\frac{1}{4}$ NW $\frac{1}{4}$ OF SAID SECTION 34, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NW CORNER OF SAID SECTION 34, THENCE S. 00°01'48" W. ALONG THE WEST BOUNDARY OF SAID SECTION 34 A DISTANCE OF 799.57 FEET; THENCE N. 90°00'00" E. A DISTANCE OF 208.31 FEET TO THE POINT OF BEGINNING, THENCE ON OR ALONG AN EXISTING FENCE LINE S. 57°31'21" E. A DISTANCE OF 640.00 FEET; THENCE S. 87°03'51" W. A DISTANCE OF 296.07 FEET; THENCE ON OR ALONG AN EXISTING FENCE LINE THE FOLLOWING THREE (3) COURSES;

(1) N.66°00'04" W. 242.00 FEET;

(2) N. 27°34'57" W. 91.84 FEET;

(3) N. 03°35'57" W. 120.32 FEET;

THENCE LEAVING SAID EXISTING FENCE LINE N. 24°33'33" E. A DISTANCE OF 64.78 FEET TO THE POINT OF BEGINNING.

ALSO EXCEPTING THEREFROM:

A PARCEL OF LAND BEING GENERALLY DESCRIBED AS A PORTION OF THE NE $\frac{1}{4}$ NW $\frac{1}{4}$ OF SAID SECTION 34, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NW CORNER OF SAID SECTION 34, THENCE N. 89°17'13" E. ALONG THE NORTH BOUNDARY OF THE NW $\frac{1}{4}$ OF SAID SECTION 34 A DISTANCE OF 2634.63 FEET TO THE N $\frac{1}{4}$ CORNER OF SAID SECTION 34, THENCE S. 00°28'35" E. ALONG THE EAST BOUNDARY OF THE NW $\frac{1}{4}$ OF SAID SECTION 34 A DISTANCE OF 1246.11 FEET TO AN EXISTING CORRAL FENCE LINE AND THE POINT OF BEGINNING, THENCE CONTINUING

ALONG THE SAID EXISTING CORRAL FENCE LINE THE FOLLOWING TWO COURSES: (1) N. 74°06'47" W. 25.21 FEET AND (2) S. 35°12'52" W. 83.03 FEET TO THE SOUTH BOUNDARY OF THE NE¼NW¼ OF SAID SECTION 34; THENCE N. 89°14'54" E. ALONG THE SOUTH BOUNDARY OF THE NE¼NW¼ OF SECTION 34 A DISTANCE OF 72.63 FEET TO THE SE CORNER OF THE NE¼NW¼ OF SECTION 34; THENCE N. 00°28'35" W. ALONG THE EAST BOUNDARY OF NE¼NW¼ OF SAID SECTION 34 A DISTANCE OF 59.98 FEET TO THE POINT OF BEGINNING.

PARCEL 4: (Section 34)

A PARCEL OF LAND BEING GENERALLY DESCRIBED AS A PORTION OF THE NE¼NW¼ OF SAID SECTION 34, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NW CORNER OF SAID SECTION 34, THENCE N. 89°17'13" E. ALONG THE NORTH BOUNDARY OF THE NW¼ OF SAID SECTION 34 A DISTANCE OF 2634.63 FEET TO THE N¼ CORNER OF SAID SECTION 34, THENCE S. 00°28'35" E. ALONG THE EAST BOUNDARY OF THE NW¼ OF SAID SECTION 34 A DISTANCE OF 1246.11 FEET TO AN EXISTING CORRAL FENCE LINE AND THE POINT OF BEGINNING, THENCE CONTINUING ALONG THE SAID EXISTING CORRAL FENCE LINE THE FOLLOWING TWO COURSES: (1) N. 74°06'47" W. 25.21 FEET AND

(2) S. 35°12'52" W. 83.03 FEET TO THE SOUTH BOUNDARY OF THE NE¼NW¼ OF SAID SECTION 34; THENCE N. 89°14'54" E. ALONG THE SOUTH BOUNDARY OF THE NE¼NW¼ OF SECTION 34 A DISTANCE OF 72.63 FEET TO THE SE CORNER OF THE NE¼NW¼ OF SECTION 34; THENCE N. 00°28'35" W. ALONG THE EAST BOUNDARY OF NE¼NW¼ OF SAID SECTION 34 A DISTANCE OF 59.98 FEET TO THE POINT OF BEGINNING.

Together with Idaho Water Rights Nos. 34-07081 and 34-10175 .

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.

Date: 04/14/2020

Warranty Deed
- continued

File No.: 880335K (www)

Arnold E. Marz

BUYER:

3 Weight, LLC, an Idaho limited liability company

By:

Name: Kenny Van Zant
Title: Managing Partner

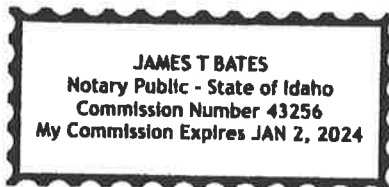
STATE OF Idaho

)
ss.

COUNTY OF Blaine

)

On this 28th day of May, 2020, before me, a Notary Public in and for said State, personally appeared **Arnold E. Marz**, 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
Residing at: Ketchum, ID
My Commission Expires: 01.02.2024

STATE OF

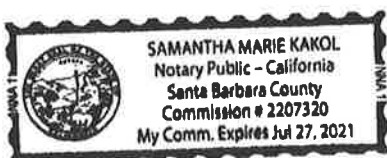
California

)
ss.

COUNTY OF

Santa Barbara

On this 26 day of May, 2020, before me, a Notary Public in and for said State, personally appeared **Kenny Van Zant**, known or identified to me to be the person whose name is subscribed to the within Instrument as one of the Managers/Members of the **3 Weight, LLC**, which is known or identified to me to be the entity whose name is subscribed to the within instrument and acknowledged to me that he executed the same in said Limited Liability Company's name.



Notary Public of California
Residing at: 3905 State St. St. 7
Commission Expires: 07/27/2021



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

November 18, 2020

3 WEIGHT LLC
PO BOX 6776
KETCHUM ID 83340-6776

Re: Change in Ownership for Water Right No(s): 34-10175

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.

Please note water right 34-7081 was also listed on this ownership change application, however a transfer is being filed for that water right and the ownership will be updated in that process. You will receive notification regarding the update for that water right at a later date.

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: Speck & Aanestad
Big Lost River Ground Water District
Water District 34

JAMES P. SPECK
jim@speckandaanestad.com

DOUGLAS J. AANESTAD
(retired)

SPECK & AANESTAD
A PROFESSIONAL CORPORATION
ATTORNEYS

120 EAST AVENUE NORTH
P. O. BOX 987
KETCHUM, IDAHO 83340

RECEIVED
JUL 06 2020
Department of Water Resources
Eastern Region
TELEPHONE
(208)726-4421
FACSIMILE
(208)726-0752

July 1, 2020

Joanie Barg
Idaho Department of Water Resources
Eastern Regional Office
900 N. Skyline Drive, No. A
Idaho Falls, ID 83402

**Re: Notice of Change of Water Right Ownership
Nos. 34-7081 and 34- 10175**

Dear Joanie:

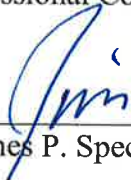
Enclosed you will find an *original* and one copy of the **Notice of Change of Water Right Ownership** accompanied by our firm check in the amount of \$50.00 in payment of the Application fee.

Please return the receipt date-stamped copy to me in the postage prepaid self-addressed envelope I have included for that purpose. Please call me if you have any questions, comments or concerns.

Thank you.

Sincerely yours,

SPECK & AANESTAD
A Professional Corporation

By: 
James P. Speck

Enclosures

cc: Kenny Van Zant (w/enclosure - via email)