

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Notice of Change in Water Right Ownership

RECEIVED
JUN 18 2015
DEPT OF WATER RESOURCES
SOUTHERN 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.

Not processed

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
37-12404	Yes ☐	Yes ☐		Yes ☐	Yes ☐
37-22473	Yes ☐	Yes ☐		Yes ☐	Yes ☐
37-22474	Yes ☒	Yes ☐		Yes ☐	Yes ☐
37-23143	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

Split #:

2. Previous Owner's Name: Leon Peck; Jonathan Stosich; Tiffany Stosich

Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): WLP Properties LLC.

New owner(s) as listed on the conveyance document

Name connector ☐ and ☐ or ☐ and/or

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: 11-13-14

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 # 37-12404

8. Signature: [Signature]

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 DMDate 6-18-2015Receipt No. 5034853Receipt 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

Processed by DMDate 11/20/2018

4-12-2019

Recording Requested by and
When recorded Return to:

Michael J. Kraynick, P.L.L.C.
Attorney at Law
113 E. Bullion Street, Ate A
Hailey, ID 83333

Instrument # 624471

HAILEY, BLAINE, IDAHO
2-12-2015 09:33:39 AM No. of Pages: 2
Recorded for : MICHAEL J KRAYNICK PLLC
JOLYNN DRAGE Fee: 13.00
Ex-Officio Recorder Deputy
Index to: GRANT DEED

913

Mail tax statements to:

WLP Properties, L.L.C.
P.O. Box 3828
Haley, ID 83333

GRANT DEED

FOR NO CONSDIERATION: THE ESTATE OF WALTER L. PECK,

hereinafter called GRANTOR,

HEREBY GRANTS, bargains, sells, conveys and warrants unto:

WLP, L.L.C., an Idaho Limited Liability Company,

hereinafter called GRANTEE,

THE FOLLOWING DESCRIBED PREMISES:

Lots 2 and 3 of MOUNTAIN AIR SUBDIVISION, Blaine County, Idaho, according to the official plat thereof, recorded December 14, 2010, as Instrument No. 583211, records Blaine County, State of Idaho

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, their heirs and assigns forever. And the said Grantor does hereby covenant to and with said Grantee, that it is the owner of the above described premises and has the power to so grant.

DATED this 11th day of February, 2015.

GRANTOR: THE ESTATE OF WALTER L. PECK

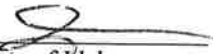

By: Marlon Peck, Personal Representative of the Estate of Walter L. Peck.

State of Idaho)
 : ss.
County of Blaine)

On this 11th day of February, 2015, before me, the undersigned, a Notary Public in and for the State of Idaho, personally appeared Marlon Peck, known to me, and/or identified to me on the basis of satisfactory evidence, to be the person whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same on behalf of the above named Estate of Walter L. Peck, and that he is the personal representative of the same and authorized to sign on behalf of said Estate.



WITNESS MY HAND AND SEAL


Notary Public for the State of Idaho
Residing: Hailey
Commission expires: 7.13.15

Recording Requested by and
When recorded Return to:

Michael J. Kraynick, P.L.L.C.
Attorney at Law
113 E. Bullion Street, Ate A
Hailey, ID 83333

Instrument # 624470

HAILEY, BLAINE, IDAHO
2-12-2015 09:31:52 AM No. of Pages: 3
Recorded for : MICHAEL J KRAYNICK PLLC
JOLYNN DRAGE Fee: 16.00
Ex-Officio Recorder Deputy
Index to: GRANT DEED

JB

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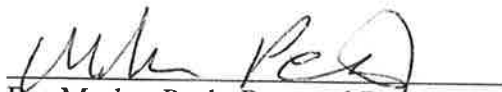
THE FOLLOWING DESCRIBED PREMISES:

See Exhibit A attached hereto and incorporated herein by reference

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, their heirs and assigns forever. And the said Grantor does hereby covenant to and with said Grantee, that it is the owner of the above described premises and has the power to so grant.

DATED this 11 day of February, 2015.

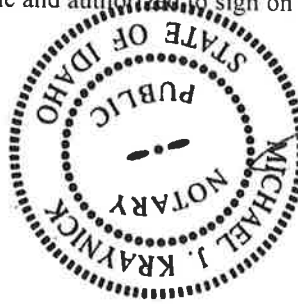
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By: Marlon Peck, Personal Representative of the Estate of Walter L. Peck.

State of Idaho)
County of Blaine)

SS.

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WITNESS MY HAND AND SEAL

Notary Public for the State of Idaho
Residing: Hailey
Commission expires: 7.13.15

EXHIBIT A

Part of the SW1/4NW1/4 of Section 17 of Township 1 South, Range 22 East of the Boise Meridian, Blaine County, State of Idaho.

Beginning at the Southeast corner of SW1/4NW1/4 of Section 17 of T.1S., R.22E., B.M., said corner marked by a 5/8 rebar which shall be the Point of Beginning.

Thence North 89 degrees 58 minutes 05 seconds West along the South line of the SW1/4NW1/4 for a distance of 688.19 feet to the south right of way of State Highway 20, 26, and 93;

Thence North 60 degrees 35 minutes 53 seconds East along said right of way for a distance of 790.77 feet to a 1/2:" rebar on the east line of the SW1/4NW1/4;

Thence South 00 degrees 06 minutes 28 seconds West along said line for a distance of 388.60 feet to the Point of Beginning.

Said property contains 3.070 acres more or less and is subject to a county road right of way along the south side (Laidlaw Park Road) and subject to any other easements or rights of way of record use.

Also known as Tax Lot 8051.

Recording Requested by and
When recorded Return to:

Michael J. Kraynick, P.L.L.C.
Attorney at Law
113 E. Bullion Street, Ate A
Hailey, ID 83333

Instrument # 624472

HAILEY, BLAINE, IDAHO
2-12-2015 09:35:09 AM No. of Pages: 3
Recorded for : MICHAEL J KRAYNICK PLLC
JOLYNN DRAGE Fee: 16.00
Ex-Officio Recorder Deputy
Index to: GRANT DEED

9B

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DATED this 11 day of February, 2015.

GRANTOR: THE ESTATE OF WALTER L. PECK


By: Marlon Peck, Personal Representative of the Estate of Walter L. Peck.

State of Idaho)
 : ss.
County of Blaine)

On this 7th day of February, 2015, before me, the undersigned, a Notary Public in and for the State of Idaho, personally appeared Marlon Peck, known to me, and/or identified to me on the basis of satisfactory evidence, to be the person whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same on behalf of the above named Estate of Walter L. Peck, and that he is the personal representative of the same and authorized to sign on behalf of said Estate.

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Notary Public for the State of Idaho
Residing: Hailey
Commission expires: 7.13.15

EXHIBIT A

Township 1 South, Range 22 East, Boise Meridian, Blaine County, Idaho.

Section 8: E1/2SW, SWNE, NWSE

No. W 146898		Due no later than Jan 31, 2018 Annual Report Form		2. Registered Agent and Address (NO PO BOX)	
Return to: SECRETARY OF STATE 700 WEST JEFFERSON PO BOX 83720 BOISE, ID 83720-0080 NO FILING FEE IF RECEIVED BY DUE DATE		1. Mailing Address: Correct in this box if needed. WLP PROPERTIES, LLC MARLON J PECK PO BOX 3828 HAILEY ID 83333		MARLON PECK 770 EASTRIDGE HAILEY ID 83333	
				3. <u>New</u> Registered Agent Signature:*	
4. Limited Liability Companies: Enter Names and Addresses of at least one Member or Manager.					
Office Held	Name	Street or PO Address	City	State	Country Postal Code
MEMBER	ADRIENNE PECK BAISCH	11020 JANIE RD.	BOISE	ID	USA 83714
5. Organized Under the Laws of: ID W 146898		6. Annual Report must be signed.* Signature: Marlon Peck Name (type or print): Marlon Peck Date: 11/28/2017 Title: President			
Processed 11/28/2017		* Electronically provided signatures are accepted as original signatures.			



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

Brad Little
Governor

Gary Spackman
Director

September 18, 2019

WLP PROPERTIES LLC
PO BOX 3828
HAILEY ID 83333-3828

Re: Change in Water Right Ownership: 37-22474 (Split into 37-22474 (Stosich) and
37-23143 (WLP Properties LLC)

Dear Water Right Holder(s):

The Department of Water Resources (Department) acknowledges the receipt of correspondence changing ownership of a portion of the above referenced water right(s) to you. The Department has modified its records based on the information received and has enclosed a computer-generated report for you.

Your portion of each water right(s) has a specified point of diversion, nature of use and place of use. If you plan to change the authorized point of diversion, nature of use, or place of use, including adding a new point of diversion, you must file an Application for Transfer of Water Right. If you do not plan to change any elements of your water right, then no further action is required at this time.

The portion of the water right retained by the original right holder retains the original water right number. The Department is sending the original right holder a copy of this letter and a computer-generated report showing the changes to the original water right.

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.

Thank you for your patience and cooperation in this process. I apologize for the delay in finalizing this process and getting the notification sent out to you.

If you have any questions concerning the enclosed information, please contact me at (208) 293-9908.

Sincerely,

Denise Maline
Administrative Assistant 1

Enclosure(s)

c: Jonathan & Tiffany Stosich
Water District 37U

MEMORANDUM

Date: January 3, 2019

Subj: Change in ownership explanation

Timeline of conversations with Marlon Peck / WLP Properties:

November 20, 2018 – IDWR sent letter to WLP Properties regarding 2015 Change in Ownership. (3) water right numbers were listed on the O/C form. After review it was determined that we may need additional information as follows:

37-12404 not covered by the deeds submitted (a.k.a. Lot 1 Mountain Air Sub). Tax lots indicate this property is in the name of Ron Anderson Trust.

37-22473 covered by the deeds submitted. Processed this change & mailed out 11/20/2018.

37-22474 needs to be split, or we need additional deeds: All property in S-8 & S-17 is covered on the deeds submitted.

There is 4.5 acres in S-18 that is NOT covered on deeds submitted and needs to be split off. This 4.5 acres (a.k.a. Lot 4 Mountain Air Sub) will remain in the name of Jonathan & Tiffany Stosich, unless additional deeds are provided by WLP Properties.

Approx. November 27, 2018 – Marlon Peck of WLP Properties called with questions regarding the Nov. 20, 2018 letter. He thought someone had recently filed to change the ownership out of his company's name. I explained that this was not the case, and the letter was related to the ownership change he filed in 2015. Due to Trish's recent retirement, it was discovered that the Change in Ownership had not been completed. He understandably voiced frustration, explaining that he had visited Southern Region in 2015 to straighten this out and spent 4+ hours with Trish filing paperwork, etc. He was told that the Change in Ownership would be completed within a week or so from that time.

He further indicated that this ownership change was filed because his father, Leon Peck, had taken back the property that was previously deeded to Stosich. According to Marlon, Stosich stopped making payments on the property some years ago, and after a lengthy battle between the parties, Leon Peck took the property back. Furthermore, in order to settle the disputes, Leon Peck "gave Stosich 4.5 acres of ground without water rights". This is the property that would need to be split off 37-22474 (Lot 4 Mountain Air Sub). However, Marlon would need to locate the deeds &/or conveyance documents that backed this up (....4.5 acres without water...).

December 6, 2018 – Marlon called again to follow up. He would like to avoid splitting this water right, if at all possible. I explained what we would need (legal documentation, etc.) in order to avoid splitting the right. He is unsure if he has the deed that covers Lot 4 (Stosich 4.5 acres), but will contact the attorney that did the paperwork & deeds in 2015 and let me know.

December 19, 2018 – Marlon called indicating he is having trouble finding any deeds or paperwork related to Lot 4 (Stosich 4.5 acres). He is hesitant to send the money to split this water right; but realized that he needs to get this taken care of.

December 26, 2018 – IDWR received \$50.00 (additional fees) to move forward with splitting 37-22474. The right will be split accordingly (with water), per the documentation already provided. At this time, Stosich will retain 4.5 acres in S-18 (with water); until further documentation is provided indicating otherwise.

** Final clarification & details were completed on 9/17/2019. Acknowledgement letters, etc. sent 9/17/2019 also.



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

C.L. "Butch" Otter
Governor

Gary Spackman
Director

November 20, 2018

WLP PROPERTIES LLC
PO BOX 3828
HAILEY ID 83333-3828

Re: Change in Ownership for Water Right No(s): 37-22473
Change in Ownership for Water Right No(s): 37-12404 & 22474 (*not processed*)

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 for water right 37-22473 and has enclosed a computer-generated report for you.

Please note, the department was not able to update ownership on water right numbers 37-12404 and 37-22474 for the following reasons:

- Water Right No. 37-12404 is appurtenant to Lot 1 of Mountain Air Subdivision; however the deeds provided do not cover Lot 1 (see attached computer report).
- The Place of Use for Water Right No. 37-22474 includes 4.5 acres appurtenant to Lot 4 of Mountain Air Subdivision in the SENE of Section 18 (see attached computer report and map). However, the deeds provided do not cover Lot 4. In order to update the ownership of the water right to reflect the portion that you own, the water right will need to be split. The filing fee to split a water right is \$100. The Department can apply the \$25 already paid as well as the \$25 already paid for water right 37-12404, leaving a balance due of \$50. Please submit the additional \$50.00 to this office within 30 days of the date of this letter.

If we do not receive a response from you within 30 days, we will refund the \$25.00 already paid for 37-12404 and the \$25.00 paid for 37-22474, and they will be returned to you as unprocessed.

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.

If you have any questions concerning the enclosed information, please contact me at (208) 736-3033.

Sincerely,

Denise Maline
Administrative Assistant I

Enclosure(s)