

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Notice of Change in Water Right Ownership

RECEIVED
MAR 15 2019
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.

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
36-15461	Yes ☐	Yes ☐		Yes ☐	Yes ☐
36-10671	Yes ☐	Yes ☐		Yes ☐	Yes ☐
36-15157	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Barbara Hoskovec and Stanley E. Hoskovec
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Marmot Rockpile LLC
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- P O Box 9160 Ketchum ID 83340
Mailing address City State ZIP
- peter@merlone.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: March 12, 2019
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 # 36-10671

8. Signature: R J M Sole Member 3/6/19
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 AI Date 3/15/19 Receipt No. 5037208 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 DM Date 6-10-2019

RECORDING REQUESTED BY
First American Title Company

AND WHEN RECORDED MAIL TO:
First American Title Company
199 Country Lane
Jerome, ID 83338

Instrument # 264286
GOODING COUNTY, GOODING, IDAHO
03-12-2019 13:46:09 No. of Pages: 4
Recorded for: FIRST AMERICAN TITLE - JEROME
DENISE GILL Fee: \$15.00
Ex-Officio Recorder Deputy: JM
Electronically Recorded by Simplifile

Space Above This Line for Recorder's Use Only

WARRANTY DEED

File No.: **714714-J (tc)**

Date: **February 21, 2019**

For Value Received, **Stanley E. Hoskovec and Barbara J. Hoskovec, husband and wife**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **Marmot Rockpile, LLC, an Idaho limited liability company**, hereinafter called the Grantee, whose current address is **PO Box 160, Ketchum, ID 83340**, the following described premises, situated in **Gooding County, Idaho**, to-wit:

SEE LEGAL DESCRIPTION ATTACHED

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 **02/21/2019**

Warranty Deed
- continued

File No.: **714714-J (tc)**

Stanley E. Hoskovec
Stanley E. Hoskovec

Barbara J. Hoskovec
Barbara J. Hoskovec

STATE OF Idaho)
COUNTY OF Jerome)
SS.

On this **Twelfth day of March, 2019**, before me, a Notary Public in and for said State, personally appeared **Stanley E. Hoskovec and Barbara J. Hoskovec**, 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.



Tracy Cox
Notary Public for the State of Idaho
Residing at: Buhl, ID
My Commission Expires: 09-06-2024

**LEGAL DESCRIPTION
FOR
QUITCLAIM DEED**

**MARMOT ROCKPILE, LLC
TO
MARMOT ROCKPILE, LLC**

Parcels of land located in the SW1/4NW1/4 and NW1/4SW1/4 of Section 26, Township 7 South, Range 13 East, Boise Meridian, Gooding County, Idaho and being more particularly described as follows:

**TOWNSHIP 7 SOUTH
RANGE 13 EAST
SECTION 26:**

PARCEL 1: (78.040 ACRES)

COMMENCING at the West One Quarter (W1/4) corner of said Section 26, from which the Northwest corner of Section 26 bears North 00°24'21" West-2641.68 feet, said West One Quarter corner being the **TRUE POINT OF BEGINNING**:

THENCE North 00°24'21" West along the West boundary of the NW1/4 of Section 26 for a distance of 1320.84 feet to the Northwest corner of the SW1/4NW1/4 of Section 26;

THENCE South 89°28'53" East along the North boundary of the SW1/4NW1/4 of Section 26 for a distance of 1331.62 feet to the Northeast corner of the SW1/4NW1/4 of Section 26;

THENCE South 00°15'30" East along the East boundary of the SW1/4NW1/4 of Section 26 for a distance of 1323.20 feet to the Southeast corner of the SW1/4NW1/4 of Section 26;

THENCE South 00°15'45" East along the East boundary of the NW1/4SW1/4 of Section 26 for a distance of 1319.63 feet to the Southeast corner of the NW1/4SW1/4 of Section 26;

THENCE North 89°25'23" West along the South boundary of the NW1/4SW1/4 of Section 26 for a distance of 1324.76 feet to the Southwest corner of the NW1/4SW1/4 of Section 26;

THENCE North 00°24'49" West along the West boundary of the NW1/4SW1/4 of Section 26 for a distance of 1320.75 feet to the **TRUE POINT OF BEGINNING**.

SUBJECT TO:

1-A 25.00 foot wide county road easement along the West boundary of the before described parcel.

2-A 24.00 foot wide access and utility easement, said easement being, on, over, under and across a 24.00 foot wide strip of land that is centered on the following described line:

COMMENCING at the West One Quarter (W1/4) corner of said Section 26, **THENCE** South 89°22'39" East along the North boundary of the NW1/4SW1/4 of Section 24 for a distance of 25.00 feet to a point on the East easement boundary of a county road, **THENCE** South 00°24'49" East along the East easement boundary of the county road for a distance of 189.39 feet to the **TRUE POINT OF BEGINNING**:

THENCE North 83°38'16" East for a distance of 308.57 feet to a point on the West boundary of the 2.515 acre exception described on page 2 of 2 and the terminus of the described easement. The sideline boundaries of the described easement shall be lengthened or shortened as necessary to intersect the East easement boundary of the county road and West boundary of the 2.515 acre exception.

EXCEPT: (2.515 ACRES)

A parcel of land located in the NW1/4SW1/4 of said Section 26 described as follows:

COMMENCING at the West One Quarter (W1/4) corner of said Section 26, from which the Southwest corner of

Section 26 bears South 00°24'49" East-2641.49 feet. **THENCE** from the West One Quarter (W1/4) corner of Section 26 on a bearing of South 89°22'39" East along the North boundary of the NW1/4SW1/4 of said Section 26 for a distance of 332.06 feet to the **TRUE POINT OF BEGINNING**:

THENCE continuing South 89°22'39" East along the North boundary of the NW1/4SW1/4 of said Section 26 for a distance of 332.06 feet:

THENCE South 00°20'17" East for a distance of 330.05 feet;

THENCE North 89°23'20" West for a distance of 331.85 feet;

THENCE North 00°22'33" West for a distance of 330.12 feet to the **TRUE POINT OF BEGINNING**.

AND

PARCEL 2: (2.515 ACRES)

A parcel of land being the NE1/4NW1/4NW1/4SW1/4 of Section 26 and being more particularly described as follows:

COMMENCING at the West One Quarter (W1/4) corner of said Section 26, from which the Southwest corner of Section 26 bears South 00°24'49" East-2641.49 feet. **THENCE** from the West One Quarter (W1/4) corner of said Section 26 on a bearing of South 89°22'39" East along the North boundary of the NW1/4SW1/4 of said Section 26 for a distance of 332.06 feet to the **TRUE POINT OF BEGINNING**:

THENCE continuing South 89°22'39" East along the North boundary of the NW1/4SW1/4 of said Section 26 for a distance of 332.06 feet:

THENCE South 00°20'17" East for a distance of 330.05 feet;

THENCE North 89°23'20" West for a distance of 331.85 feet;

THENCE North 00°22'33" West for a distance of 330.12 feet to the **TRUE POINT OF BEGINNING**.

TOGETHER WITH:

1-A 24.0 foot wide access and utility easement, said easement being on, over, under and across a 24.0 foot wide strip of land that is centered on the following described line:

COMMENCING at the West One Quarter (W1/4) corner of said Section 26. **THENCE** South 89°22'39" East along the North boundary of the NW1/4SW1/4 of Section 26 for a distance of 25.00 feet to a point on the East easement boundary of a county road. **THENCE** South 00°24'49" East along the East easement boundary of the county road for a distance of 189.39 feet to the **TRUE POINT OF BEGINNING**:

THENCE North 83°38'16" East for a distance of 308.57 feet to a point on the West boundary of the before described parcel, and the terminus of the described easement.

The sideline boundaries of the described easement shall be lengthened or shortened as necessary to intersect the East easement boundary of the county road and West boundary of the before described parcel.





0003425589

**STATE OF IDAHO***Office of the secretary of state, Lawrence Denney***CERTIFICATE OF ORGANIZATION LIMITED LIABILITY COMPANY**

Idaho Secretary of State

PO Box 83720

Boise, ID 83720-0080

(208) 334-2301

Filing Fee: \$100.00 - Make Checks Payable to Secretary of State

*For Office Use Only***-FILED-**

File #: 0003425589

Date Filed: 2/8/2019 9:56:12 AM

1. Limited Liability Company Name Entity name		MARMOT ROCKPILE, LLC				
2. The complete street address of the principal office is: Principal Office Address		ATTN: PETER J. MERLONE 160 TELEMAR ROAD KETCHUM, ID 83340				
3. The mailing address of the principal office is: Mailing Address		ATTN: PETER J. MERLONE PO BOX 9160 KETCHUM, ID 83340-7140				
4. Registered Agent Name and Address Registered Agent		Registered Agent PETER J. MERLONE Physical Address: 160 TELEMAR ROAD KETCHUM, ID 83340 Mailing Address: PO BOX 9160 KETCHUM, ID 83340-7140				
5. Governors						
<table border="1"><thead><tr><th>Name</th><th>Address</th></tr></thead><tbody><tr><td>PETER J. MERLONE</td><td>PO BOX 9160 KETCHUM, ID 83340</td></tr></tbody></table>			Name	Address	PETER J. MERLONE	PO BOX 9160 KETCHUM, ID 83340
Name	Address					
PETER J. MERLONE	PO BOX 9160 KETCHUM, ID 83340					
Signature of Organizer: <i>Brian J. Barsotti</i> Sign Here <i>Brian J. Barsotti</i>						
Date 02/08/2019						
Print & Mail Enclosures						
☒ I understand the document can ONLY be filed if the following items are included: Payment in the amount of \$100.00 - checks payable to the Secretary of State, signed and recently dated. This filing form (submit within 30 days) with the required signature(s).						

B0079-5940 02/11/2019 1:13 PM Received by ID Secretary of State Lawrence Denney



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

June 11, 2019

MARMOT ROCKPILE LLC
PO BOX 9160
KETCHUM ID 83340-7140

Re: Change in Ownership and Notice of Security Interest for Water Right No(s): 36-10671, 36-15157,
and 36-15461

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.

The Department also acknowledges receipt of correspondence adding security interest of the above referenced water right(s) to Stanley E and Barbara Hoskovec. The Department has modified its records to reflect the change in security interest 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,

Denise Maline
Administrative Assistant 1

Enclosure(s)

c: Stanley E & Barbara Hoskovec
Patrick D Brown, attorney
First American Title Company, Jerome (File # 714714-J)
Water District 36A



First American Title Company
199 Country Lane, Jerome, ID 83338
Phone (208)324-6822 Fax (208)324-6823

RECEIVED
MAR 15 2019
DEPT. OF WATER RESOURCES
SOUTHERN REGION

IDWR
650 Addison Avenue West Suite 500
Twin Falls, ID 83301

March 13, 2019
File No.: 714714-J (tc)

Attn:

Re: **Transfer Water rights**
Property: **2856 South 900 East Hagerman, ID 83332**
Buyer: **Marmot Rockpile, LLC**
Seller: **Stanley E. Hoskovec and Barbara J. Hoskovec**

Enclosed is our check #4633 for Transfer of Water Rights in the amount of \$75.00, also provided are:

- 1 Notice of Change in Water Right Ownership
- 2 Copy of recorded Warranty Deed

If you should have any questions, please feel free to give our office a call.

Sincerely,

Pamela Beauchamp, Assistant for
Tracy Cox, Escrow Officer

pb/pb