

RECEIVED

APR 24 2019

WATER RESOURCES
WESTERN REGIONSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Notice of Change in Water Right Ownership

DE 208 983
2742
IDA CNTY
ASSESSOR

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?
50% use → 79-14108	Yes ☒	Yes ☐		Yes ☐	Yes ☐
↓	Yes ☐	Yes ☐		Yes ☐	Yes ☐
Split into	Yes ☐	Yes ☐		Yes ☐	Yes ☐
79-14271	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Peggy J. Marek 4-19-2019
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Nick & Mary Troche
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☒ and/or
- 9400 Esterbrook Boise ID 83714
Mailing address City State ZIP
- 208-853-1590
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: 4-19-19
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: Nick V Troche 4-24-19
Signature of new owner/claimant Title, if applicable Date
- Signature: Mary E Troche April 24, 2019
Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

Received by KT Date 4/24/19 Receipt No. W047347 Receipt Amt. 100.00

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 X Approved by dj Processed by dj Date 05/30/19

TitleOne Corporation
5660 E. Franklin Rd., Ste 101
Nampa, ID 83687
(208) 475-1155
Order No.: 13219200
Marek / 23549

Instrument # 489177
IDAHO COUNTY, IDAHO
06-06-2013 10:38:46 AM No. of Pages: 4
Recorded for: TITLEONE BOISE
Kathy M Ackerman Fee: \$19.00
Ex-Officio Recorder Deputy: DST

11

TRUSTEE'S DEED

TitleOne Corporation, an Idaho corporation (herein called Trustee) as Successor Trustee under the Deed of Trust hereinafter particularly described, does hereby Bargain, Sell and Convey, without warranty, to Nick V. Troche and Mary Marlene Troche, husband and wife whose address is 9400 Esterbrook, Boise, ID 83714, (herein called Grantee), all of the real property situated in the County of Idaho County, State of Idaho, described as follows:

See attached exhibit A

By reason of the automatic stay provisions of U.S. Bankruptcy Code 11 U.S.C. 362, the sale was discontinued, and pursuant to provisions of Idaho Code 45-1506(A) the sale was rescheduled and conducted following expiration or termination of the effect of the stay in the manner provided by that section. The Affidavit of Compliance with I.C. 45-1506A(2)(3), together with copies of the required Affidavit of Affidavits which are attached hereto and incorporated herein.

This conveyance is made pursuant to the powers conferred upon Trustee by the Deed of Trust between James P. Marek and Carrie Marek, husband and wife, as original grantor(s) for the benefit and security of Nick V. Troche and Mary Marlene Troche, as beneficiary, recorded July 29, 2008, as Instrument No. 462424, Mortgage Records of Idaho County, Idaho and after the fulfillment of the conditions specified in said Deed of Trust authorizing this conveyance as follows:

1. Default occurred in the obligations for which said Deed of Trust was given as security and the beneficiary made demand upon the said trustee to sell said property pursuant to the terms of said Deed of Trust. Notice of Default was recorded as Instrument No. 479086, Mortgage Records of Idaho County, Idaho and in the office of the Recorder of each county in which the property described in said deed of trust or any part thereof, is situated, the nature of such default being as set forth in said Notice of Default. Such default still existed at the time of sale.
2. After recordation of said Notice of Default, trustee gave notice of the time and place of the sale of said property by registered/certified mail, return receipt requested, by personal service upon the occupants of said real property and/or by posting in a conspicuous place on said premises and by publishing in a newspaper of general circulation in each of the counties in which the property is situated as more fully appears in affidavits recorded as least 20 days prior to date of sale as Instrument No(s). 479943, 479944, and 479945, Mortgage Records of Idaho County, Idaho.
3. The provisions, recitals and contents of the Notice of Default referred to in paragraph (1) supra and of the Affidavits referred to in paragraph (2) supra shall be and they are hereby incorporated herein and made an integral part hereof for all purposes as though set forth therein at length.
4. All requirements of law regarding the mailing, personal service, posting, publication and recording of Notice of Default, and Notice of Sale and all other notices have been complied with.
5. Not less than 120 days elapsed between the giving of Notice of Sale by registered or certified mail and the sale of said property.
6. Trustee, at the time and place of sale fixed by said notice, at public auction, in one parcel, struck off to Grantee, being the highest bidder therefore, the property herein described, for the sum of \$266,611.79, subject however to all prior liens and encumbrances. No person or corporation offered to take any part of said property less than the whole thereof for the amount of principal, interest, advances and costs.

IN WITNESS WHEREOF, The Trustee, pursuant to a resolution of its Board of Directors has caused its Corporation name to be hereunto subscribed.

Dated: May 6, 2013

TITLEONE CORPORATION, Successor Trustee

By: Amy Wilcoxson
Its: Assistant Secretary

State of Idaho
County of Canyon

On this 6th day of May in the year 2013, before me, the undersigned, a notary public in and for said state personally appeared, Amy Wilcoxson, known to me to be the Assistant Secretary of the corporation that executed this instrument and the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the 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.

Sheri Coleman
Notary Public
Residing at: _____ RESIDING: NAMPA, ID
My commission expires 8/11/2015



Chain of
ownership
3

7/29/2008
462424

EXHIBIT A

Township 27 North, Range 1 East, Boise Meridian, Idaho County, Idaho
Section 25:

That portion of Government Lot 1 lying between the North and South Highway (Old State Highway No. 95) right-of-way as described in Right of Way Deed, recorded as Instrument No. 68452, Book 49 pages 406 and 407 and U.S. Highway No. 95 Project No. F-4113 (37) right-of-way as described in Second Judgment and Decree of Condemnation, recorded as Instrument No. 233808, book 110 pages 193 through 197. ✓

Section 26:

That portion of Government Lot 5 lying between the North and South Highway (Old State Highway No. 95) right-of-way as described in Right of Way Deed, recorded as Instrument No. 68452, book 49 pages 406 and 407 and U.S. Highway No. 95 Project No. F-4113 (37) right-of-way as described in Second Judgment and Decree of Condemnation, recorded as Instrument No. 233808, Book 110 pages 193 through 197 and lying southeasterly of said U.S. Highway No. 95 right-of-way being a line bearing N 40°39'16" E from Station 910+85.88. ✓

Section 36:

Beginning at the meander corner on the right bank of the Salmon River on the line between Sections 25 and 36, said Township and Range;
thence S 89°46'E on said line 507.86 feet to the center line of the North and South Highway (Old State Highway No. 95);
thence on said centerline, S 47°07'E, 173.7 feet to P.C. Station 637+33.7;
thence left on a 12° curve 188.1 feet to P.T. Station 639+21.8;
thence S 69°41'E, 92.2 feet to P.C. Station 640+14.0;
thence right on a 28°00' curve 46.0 feet to a point whence a stone with a chiseled cross bears S 85°44'E 102.0 feet;
thence leaving the centerline N 85°44'W, 578.0 feet to a 1" iron pipe 2 feet long;
thence N 54°57'W, 396.0 feet on a meander line to aforesaid meander corner, and the Place of Beginning. Sometimes know as Assessor's Tax No. 70.

Excepting the North and South Highway (Old State Highway No. 95), right of way as described in Right of Way Deed, recorded as Instrument No. 68454, Book 49 page 409. Also excepting U.S. Highway No. 95 Project No. F-4113(37) right of way as described in Second Judgment and Decree of Condemnation, recorded as Instrument No. 233808, Book 110 pages 193 through 197.



Order No.: 13219200
Marek / 23549

AFFIDAVIT OF COMPLIANCE

I, Amy Wilcoxson, the undersigned, being first duly sworn, deposes and says that I am a citizen of the United States, over eighteen (18) years of age, a resident of Ada County, State of Idaho, that I am an officer of TitleOne Corporation, our business address is 5660 E. Franklin Road, Ste 101, Nampa, ID 83687, and that we are Successor Trustee.

That by reason of the expiration or termination of the effect of the automatic stay provisions of the U.S. Bankruptcy Code 11 U.S.C. 362 and by that reason of Idaho Code 45-1506(A) Rescheduled Sale, the Successor Trustee rescheduled the sale for May 2, 2013.

That Notice of the Rescheduled Sale was given at least thirty (30) days before the day of the rescheduled sale by registered or certified mail to the last known address of all persons who were entitled to notice by mail of the original sale and to any person who shall have recorded a request for notice of sale at least forty-five (45) days prior to the rescheduled sale date in the form and manner required by section 45-1511, Idaho Code.

That Notice of the Rescheduled Sale was published in the newspaper of original publication once a week for three (3) successive weeks, making three (3) publications in all, with the last publication at least ten (10) days prior to the day of sale.

That the Successor Trustee makes this Affidavit, stating compliance with sub-section (2) and (3) of Section 45-1506A, Idaho Code, as more further required in sub-section (4) of said Section.

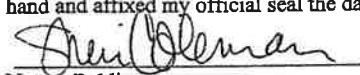
Dated: 05/06/2013

TITLEONE CORPORATION,
Successor Trustee


By: Amy Wilcoxson
Its: Assistant Secretary

State of Idaho
County of Canyon.

On this 6th day of May in the year 2013, before me, the undersigned, a notary public in and for said state personally appeared, Amy Wilcoxson, known to me to be the Assistant Secretary of the corporation that executed this instrument and the person who executed the instrument on behalf of said corporation as trustee, and acknowledged to me that such corporation executed the 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
Residing at: _____ RESIDING: NAMPA, ID
My commission expires on: _____ COMMISSION EXPIRES: 8/11/2015



TitleOne Corporation
868 E. Riverside Drive, Ste 100
Eagle, Idaho 83616
(208) 424-8511
Order No.: 13219200
Marek / 23549

**RESCHEDULED NOTICE OF
TRUSTEE'S SALE**

On May 2, 2013, at the hour of 10:00 a.m. of this day (recognized local time), in the office of Idaho County Title, 319 West Main Street, Grangeville, Idaho 83530, in the County of Idaho County, State of Idaho, TitleOne Corporation, an Idaho corporation, as Successor Trustee, will sell at public auction to the highest bidder, for cash or cashier's check (cash equivalent), in lawful money of the United States, all payable at the time of sale in compliance with Section 45-1506(9) Idaho Code, the following described real property, situated in Idaho County, State of Idaho, and described as follows to wit:

See Attached Exhibit A

By reason of the automatic stay provisions of U.S. Bankruptcy Code 11 U.S.C. 362, the original sale was discontinued, and pursuant to provisions of Idaho Code 45-1506(A) this sale is rescheduled and will be conducted as allowed by the expiration or termination of the effect of the stay in the manner provided by that section.

The Trustee has no knowledge of a more particular description of the above referenced real property, but for purposes of compliance with Section 60-113, Idaho Code, the Trustee has been informed that according to the County Assessor's office, the address of 259 Slate Creek, White Bird, ID 83554, is sometimes associated with said real property.

Said sale will be made without covenant or warranty regarding title, possession, or encumbrances to satisfy the obligation secured by and pursuant to the power of sale conferred in the Deed of Trust executed by James P. Marek and Carrie Marek, husband and wife, as Grantor(s), to TitleOne Corporation, an Idaho corporation, as Successor Trustee, and Nick V. Troche and Mary Marlene Troche, as Beneficiary, recorded July 29, 2008, as Instrument No. 462424, in the records of Idaho County, Idaho.

THE ABOVE GRANTORS ARE NAMED TO COMPLY WITH SECTION (45-1506)(4)(A), IDAHO CODE. NO REPRESENTATION IS MADE THAT THEY ARE, OR ARE NOT, PRESENTLY RESPONSIBLE FOR THIS OBLIGATION.

The default for which this sale is to be made is the failure to pay when due, under Deed of Trust Note, the interest only payments of principal, interest, late charges and any miscellaneous fees thereafter. The Principal balance is \$149,999.99, the current interest rate is 10% per annum, as of May 10, 2011. All amounts are now due, together with unpaid and accruing taxes, assessments, trustee's

fees, attorney's fees, costs and advances made to protect the security associated with this foreclosure and all are accruing until the date of sale, full satisfaction, or reinstatement of the obligation.

Dated: 03/18/2013

TITLEONE CORPORATION

By: Amy Wilcoxson
Trust Officer

EXHIBIT A

Township 27 North, Range 1 East,
Boise Meridian, Idaho County,
Idaho

Section 25:

That portion of Government Lot 1 lying between the North and South Highway (Old State Highway No. 95) right-of-way as described in Right of Way Deed, recorded as Instrument No. 68452, Book 49 pages 406 and 407 and U.S. Highway No. 95 Project No. F-4113

(37) right-of-way as described in Second Judgment and Decree of Condemnation, recorded as Instrument No. 233808, book 110 pages 193 through 197.

Section 26:

That portion of Government Lot 5 lying between the North and South Highway (Old State Highway No. 95) right-of-way as described in Right of Way Deed, recorded as Instrument No. 68452, book 49 pages 406 and 407 and U.S. Highway No. 95 Project No. F-4113

(37) right-of-way as described in Second Judgment and Decree of Condemnation, recorded as Instrument No. 233808, Book 110 pages 193 through 197 and lying southeasterly of said U.S. Highway No. 95 right-of-way being a line bearing N 40°39'16" E from Station 910+85.88.

Section 36:

Beginning at the meander corner on the right bank of the Salmon River on the line between Sections 25 and 36, said Township and Range;

thence S 89°46'E on said line 507.86 feet to the center line of the North and South Highway (Old State Highway No. 95);

thence on said centerline, S 47°07'E, 173.7 feet to P.C. Station 637+33.7;

thence left on a 12° curve 188.1 feet to P.T. Station 639+21.8;

thence S 69°41'E, 92.2 feet to P.C. Station 640+14.0;

thence right on a 28°00' curve 46.0 feet to a point whence a stone with a chiseled cross bears S 85°44'E 102.0 feet;

thence leaving the centerline N 85°44'W, 578.0 feet to a 1" iron pipe 2 feet long;

thence N 54°57'W, 396.0 feet on a meander line to aforesaid meander corner, and the Place of Beginning.

Sometimes known as Assessor's Tax No. 70.

Excepting the North and South Highway (Old State Highway No. 95), right of way as described in Right of Way Deed, recorded as Instrument No. 68454, Book 49 page 409. Also excepting U.S. Highway No. 95 Project No. F-4113(37) right of way as described in Second Judgment and Decree of Condemnation, recorded as Instrument No. 233808, Book 110 pages 193 through 197.

M27-A10

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO
County of Idaho - ss.

Andrew J. McNab, being first duly sworn, says he is the Publisher of the IDAHO COUNTY FREE PRESS, a weekly newspaper published and issued weekly at Grangeville, Idaho County, State of Idaho, and is of general circulation in said county and state, that the said legal notice, of which the one hereto attached is a true copy, was published in said paper for three weeks, being published three times, the first publication being on the 27th day of March, 2013; and the last publication on the 10th day of April, 2013; and that the said legal notice was published in the newspaper proper and not a supplement; that said newspaper has been continuously and uninterruptedly published in said county during a period of seventy-eight consecutive weeks prior to the publication of said legal notice of advertisement.

STATE OF IDAHO)
COUNTY OF IDAHO)

On this 10th day of April in the year of 2013, before me a Notary Public personally appeared Andrew J. McNab, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.



Jolene Rupp
Notary Public for Idaho
Residing at Grangeville, ID

My commission expires: 1-28-19

1/04/19

PMO100 - PARCEL MASTER INQUIRY

70

11:25:39

PARCEL: RP 27N01E363050 A F1=SL

F9=MS

F17=DD

F23=AG

LEGAL DESCRIPTION

TROCHE, NICK V (H & W) *TREND T27N R1E SEC 36 3.41 AC

& TROCHE, MARY MARLENE

TAX # 70

LESS RD

+

ProVal Area Number 1

9400 ESTERBROOK

CODE AREA 138-0000 OWNER CD

PARC TYPE LOC CODE

BOISE ID 83714

EFFDATE 12021980 EXPDATE

PREV PARCEL

X for parcel comments

CAT/ST#	RY	QUANTITY	UN	VALUE	HO MRKT	HO EXMP	CB MRKT	OTHER
5 1	2016	3410	AC	133				

TOTALS 3410 133

ENTER NEXT PARCEL NUMBER RP A

FKeys: F2=TX F3=Exit F5=SS F6=NM F7=LG
F8=CT F13=TM F18=HS F20=SrcH F22=EU

1/04/19

PMO100 - PARCEL MASTER INQUIRY

11:27:34

PARCEL: RP 27N01E256400 A F1=SL

F9=MS

WELL

LEGAL DESCRIPTION

TROCHE, NICK V (H & W) *TREN

T27N R1E SEC 25 3.51 AC

& TROCHE, MARY MARELENE

LOT 1 W OF OLD HWY 95 &

E OF NEW HWY 95

~~OTHER PTNS: 27N01E269250 &~~

9400 ESTERBROOK

~~27N01E363050~~

BOISE ID 83714

F3=Exit F5=Refresh F12=Cancel

X for parcel comments

CAT/ST#	RY	QUANTITY	UN	VALUE	HO MRKT	HO EXMP	CB MRKT	OTHER
5 1	2016	3510	AC	113				

TOTALS 3510 113

ENTER NEXT PARCEL NUMBER RP A

FKeys: F2=TX F3=Exit F5=SS F6=NM F7=LG
F8=CT F13=TM F18=HS F20=SrcH F22=EU

1/04/19

PMO100 - PARCEL MASTER INQUIRY

11:37:54

PARCEL: RP 27N01E269250 A F1=SL

F9=MS

F17=DD

F23=AG

LEGAL DESCRIPTION

TROCHE, NICK V (H & W) *TREND T27N R1E SEC 26 3.15 AC
& TROCHE, MARY MARELENELOT 5 W OF OLD HWY 95 ROW &
E OF NEW HWY 95 ROW +

ProVal Area Number 1

9400 ESTERBROOK

CODE AREA 15-0000 OWNER CD

PARC TYPE LOC CODE

BOISE ID 83714

EFFDATE 5152007 EXPDATE

PREV PARCEL RP27N01E260001T

X for parcel comments

CAT/ST#	RY	QUANTITY	UN	VALUE	HO MRKT	HO EXMP	CB MRKT	OTHER
5	1	2016	3150	AC	103			

TOTALS 3150 103

ENTER NEXT PARCEL NUMBER RP A

FKeys: F2=TX F3=Exit F5=SS F6=NM F7=LG
F8=CT F13=TM F18=HS F20=SrcH F22=EU



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region • 2735 W AIRPORT WAY • BOISE, ID 83705-5082

Phone: (208)334-2190 • Fax: (208)334-2348 • Website: www.idwr.idaho.gov

Brad Little
Governor

Gary Spackman
Director

May 30, 2019

NICK V TROCHE
MARY TROCHE
9400 W ESTERBROOK PL
BOISE ID 83714-9741

Re: Change in Water Right Ownership: 79-14108 (Split into 79-14108 and **79-14271**),

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.

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) 334-2190.

Sincerely,

Chad Jones
Technical Records Specialist 1

Enclosure(s)

c: PEGGY J MAREK
GRANT BAKER SERVICE CORP