

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

**Notice of Change in Water Right Ownership**

**RECEIVED**  
**APR 14 2017**  
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? |
|-----------------------|------------------------------|------------------------------|-----------------------|------------------------------|------------------------------|
| 74-1806               | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |
| 74-923                | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |
| 74-278                | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |
|                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |
|                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |

2. Previous Owner's Name: JAMES R MARTELL

Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): Scott Biggs / ASSURED Performance Network

New owner(s) as listed on the conveyance document

Name connector ☐ and ☐ or ☐ and/or

24422 Avenida De La Carlota Laguna Hills CA 92653

Mailing address Ste 490 City Financia State CA ZIP 92653

Telephone (949) 221-0010 Email Financia@assuredperformance.net

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: May 2013

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.

SUPPORT DATA

IN FILE # 74-278

8. Signature: [Signature] Title, if applicable \_\_\_\_\_ Date 4.11.17

Signature of new owner/claimant

Title, if applicable

Date

Signature: \_\_\_\_\_ Title, if applicable \_\_\_\_\_ Date \_\_\_\_\_

Signature of new owner/claimant

Title, if applicable

Date

**For IDWR Office Use Only:**

Received by VC Date 4/11/17 Receipt No. C103373 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 [Signature] Date 5-9-17

## WARRANTY DEED

Alliance Title & Escrow Corp. Order No.:189116

### FOR VALUE RECEIVED

**James R. Martell and Carmela M. Martell, Trustees, or their successors in trust, under the James R. Martell and Carmela M. Martell Living Trust, dated February 17, 2001, and any amendments thereto.**

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

**Assured Performance Network, Inc., a Minnesota Corporation**

whose current address is

8105 Ceder Dr. #80  
Irvine, CA 92618

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

**Tract #1: The West Half Southeast Quarter, East Half Southwest Quarter, of Section 28 and the West Half Northeast Quarter, East Half Northwest Quarter, of Section 33, Township 17 North, Range 24 East, Boise Meridian, Lemhi County, Idaho.**

**Tract#2: The West Half Southwest Quarter of Section 28, the Northeast Quarter, North Half Southeast Quarter and the Northeast Quarter Northwest Quarter of Section 32; The Southwest Quarter Southwest Quarter of Section 20; The Northwest Quarter, the North Half South Half, the Southwest Quarter Northeast Quarter, the South Half Southeast Quarter and the Southeast Quarter Southwest Quarter of Section 29, all in Township 17 North, Range 24 East, Boise Meridian, Lemhi County, Idaho.**

**Tract #3: The West Half Northwest Quarter, the North Half Southwest Quarter and the Northwest Quarter Southeast Quarter of Section 33, Township 17 North, Range 24 East, Boise Meridian, Lemhi County, Idaho.**

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 (s)he is/are 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: May 15, 2013

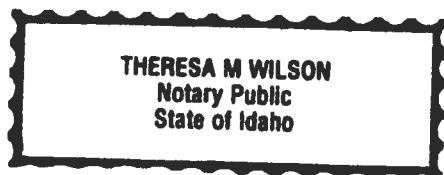
James R. Martell  
James R. Martell

Carmela M. Martell  
Carmela M. Martell

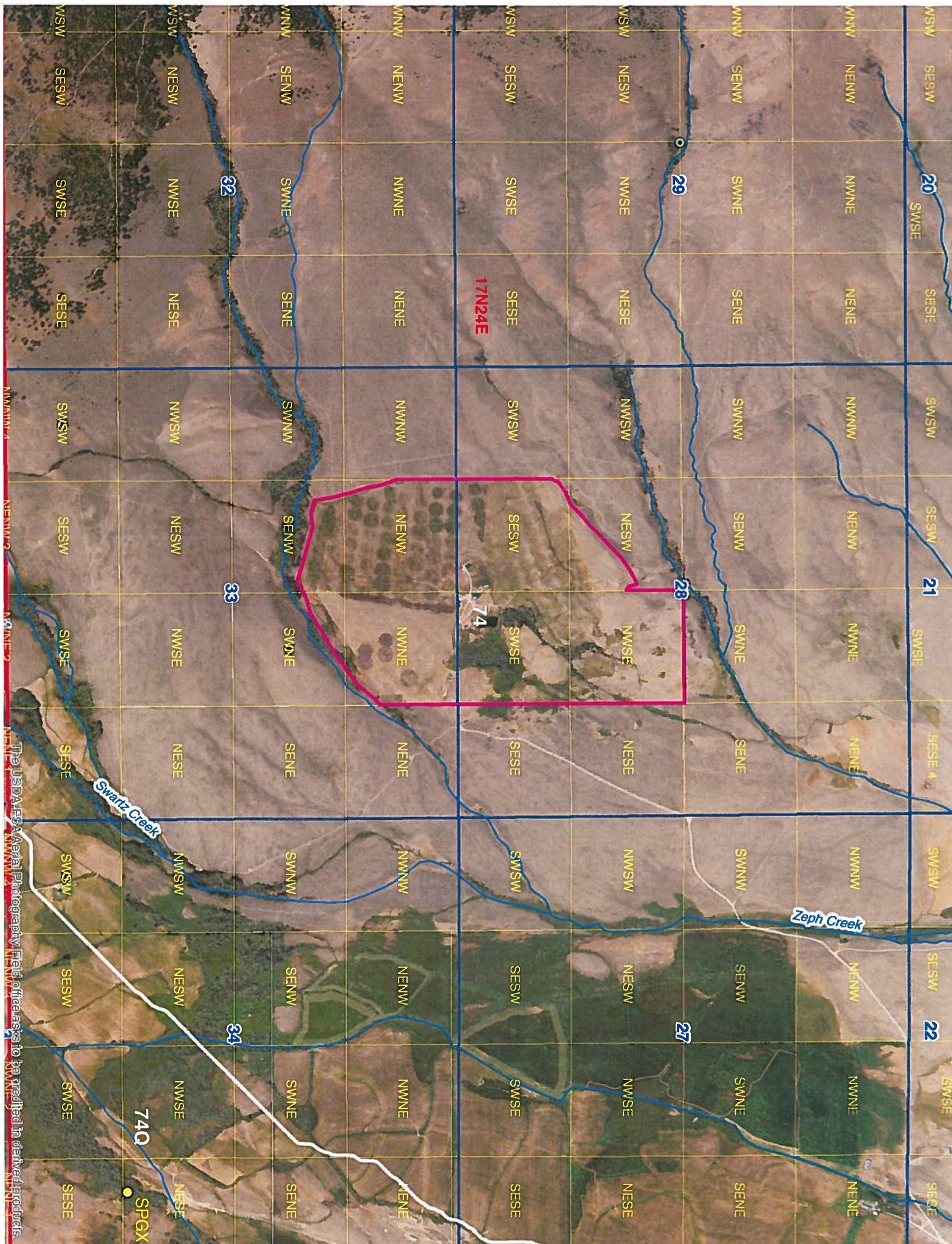
State of Idaho } ss.  
County of Elmore }

On this 15<sup>th</sup> day of May, before me, Theresa M. Wilson, a  
Notary Public in and for said state, personally appeared James E. Martell and Carmela M. Martell, known or  
identified to me to be the person whose name is subscribed to the foregoing instrument as trustee of the James R.  
Martell and Carmela M. Martell Living Trust, dated February 17, 2001, and acknowledged to me that they  
executed the same as Trustee.

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



Theresa M. Wilson  
Notary Public for the State of ID  
Residing at: Blaine Ferry Idaho  
Commission Expires: 7/28/16





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 • Web Site: [www.idwr.idaho.gov](http://www.idwr.idaho.gov)

GARY SPACKMAN  
Director

C.L. "BUTCH" OTTER  
Governor

May 9, 2017

ASSURED PERFORMANCE NETWORK  
ATTN: SCOTT BIGGS  
24422 AVENIDA DE LA CARLOTA STE 490  
LAGUNA HILLS, CA 92653

Re: Change of Ownership for Water Right/Permit No(s): 74-278, 74-923 and 74-1806

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 Code.

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. Water right forms are available from any office of the Department, or at [www.idwr.idaho.gov](http://www.idwr.idaho.gov).

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

Sincerely,

A handwritten signature in black ink that reads "Jean Hersley".

Jean Hersley  
Technical Records Specialist II

Enclosure(s)

c: Water District No. 74 and 74Q

## Hersley, Jean

---

**From:** Hersley, Jean  
**Sent:** Tuesday, May 09, 2017 12:21 PM  
**To:** 'RICK375@CENTURYTEL.NET'; 'goldnsilv@yahoo.com'  
**Subject:** Ownership change for Water rights 74-278, 74-923 and 74-1806  
**Attachments:** DOC011

For your information and files. If you have any questions, please contact me at (208) 287-4942. Thank you.

*Jean Hersley  
Idaho Dept Water Resources  
Technical Records Specialist II  
208-287-4942*

## Hersley, Jean

---

**From:** Lisa Roulund <lisa.roulund@assuredperformance.net>  
**Sent:** Tuesday, May 09, 2017 11:46 AM  
**To:** Hersley, Jean  
**Subject:** Re: 74-278, 74-923 74-1806  
**Attachments:** Grant Deed.pdf

Hi Jean,

Here you go.

Lisa Roulund  
**Controller**  
**Assured Performance Network**  
24422 Avenida De La Carlota  
Suite 490  
Laguna Hills CA 92653  
949.221.0010 x 235

On Tue, May 9, 2017 at 9:39 AM, Hersley, Jean <[Jean.Hersley@idwr.idaho.gov](mailto:Jean.Hersley@idwr.idaho.gov)> wrote:

Thank you for responding to my letter. However, the Department needs the deed that conveyed the property from the previous owners to Assured Performance Network. The paperwork you provided states the lien against the property was released.

Please provide the requested information within 15 days or the Department will return your request unprocessed. You may provide the documents by responding to this email, faxing to: [\(208\) 287-6700](tel:2082876700), attn.: Jean or mail to IDWR, PO Box 83720, Boise, ID, 83720-0098.

If you have any questions, please contact me at the number below. Thank you.

*Jean Hersley*

*Idaho Dept Water Resources*

*Technical Records Specialist II*

[208-287-4942](tel:2082874942)

**From:** Lisa Roulund [mailto:[lisa.roulund@assuredperformance.net](mailto:lisa.roulund@assuredperformance.net)]  
**Sent:** Monday, May 08, 2017 4:25 PM

To: Hersley, Jean <[Jean.Hersley@idwr.idaho.gov](mailto:Jean.Hersley@idwr.idaho.gov)>

Subject: 74-278, 74-923 74-1806

Hi Jean,

My apologies, I sent you the paperwork for the wrong property. Attached is the correct deed with correct property address and description!

Lisa Roulund

***Controller***

***Assured Performance Network***

*24422 Avenida De La Carlota*

*Suite 490*

*Laguna Hills CA 92653*

[949.221.0010 x 235](#)

Instrument # 299331 # Pages: 2  
LEMHI COUNTY, Idaho  
May 28, 2015 2:33:30 pm Fee: \$ 13.00  
For: BILL ALLEN ESCROW  
TERRI J. MORTON, Recorder  
JEDWARDS, Deputy

## SATISFACTION OF MORTGAGE

Order No.:189116

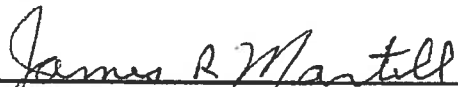
Know all men, that the undersigned hereby certifies that a certain Mortgage executed by Assured Performance Network, Inc., a Minnesota Corp. and James R. Martell and Carmela M. Martell, Trustees, or their successors in trust, under the James R. Martell and Carmela M. Martell Living Trust, dated February 17, 2001, and any amendments thereto. as Beneficiary recorded on 5-30-2013 as Instrument No. 293407 records of Lemhi County, ID, together with the debt thereby secured is fully paid, satisfied and discharged.  
The lien of the undersigned as to the following described property is hereby released.

Tract #1: The West Half Southeast Quarter, East Half Southwest Quarter, of Section 28 and the West Half Northeast Quarter, East Half Northwest Quarter, of Section 33, Township 17 North, Range 24 East, Boise Meridian, Lemhi County, Idaho.

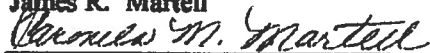
Tract#2: The West Half Southwest Quarter of Section 28, the Northeast Quarter, North Half Southeast Quarter and the Northeast Quarter Northwest Quarter of Section 32; The Southwest Quarter Southwest Quarter of Section 20; The Northwest Quarter, the North Half South Half, the Southwest Quarter Northeast Quarter, the South Half Southeast Quarter and the Southeast Quarter Southwest Quarter of Section 29, all in Township 17 North, Range 24 East, Boise Meridian, Lemhi County, Idaho.

Tract #3: The West Half Northwest Quarter, the North Half Southwest Quarter and the Northwest Quarter Southeast Quarter of Section 33, Township 17 North, Range 24 East, Boise Meridian, Lemhi County, Idaho.

May 15, 2013

  
\_\_\_\_\_

James R. Martell

  
\_\_\_\_\_

Carmela M. Martell



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 • Web Site: [www.idwr.idaho.gov](http://www.idwr.idaho.gov)

GARY SPACKMAN

Director

C.L. "BUTCH" OTTER

Governor

May 3, 2017

SCOTT BIGGS

ASSURED PERFORMANCE NETWORK

2422 AVE DE LA CARLOTA STE 490

LAGUNA HILLS CA 92653

RE: Notice of Change in Water Right Ownership No(s). 74-278, 74-923 and 74-1806

Dear Interested Party(s):

The Department of Water Resources received a Notice of Change in Water Right Ownership from you on April 14, 2017. During the review, it was discovered that additional information was needed to complete this request.

The additional information needed is a copy of the conveyance document- warranty deed, quitclaim deed, etc. The conveyance document must include a legal description of the property or description of the water right(s) if no land is conveyed.

Because the Department cannot process the ownership change without proper documentation, we will hold any action on your notice pending receipt of the necessary information. If we do not receive the necessary information within 30 days we will return your request unprocessed. Please send the documents to the address above or email to [jean.hersley@idwr.idaho.gov](mailto:jean.hersley@idwr.idaho.gov) or fax to (208) 287-6700, attn: Jean.

Please contact me at (208) 287-4942 if you have any questions regarding this matter.

Sincerely,

Jean Hersley

Technical Records Specialist II