

RECEIVED

APR 25 2013

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESDepartment 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.

Water Right/Claim No.	Split?	Water Right/Claim No.	Split?	Water Right/Claim No.	Split?
34-12051	Yes ☐		Yes ☐		Yes ☐
34-7178	Yes ☒	Split not required			Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐

2. Previous Owner's Name:

Edward J. Defreze

Name of current water right holder/claimant

3. New Owner(s)/Claimant(s):

Donavan + Paula Hochstetler

Name of each new owner as listed on the conveyance document

New owner continued

Name connector

☐ and☐ or☐ and/or

210 Park Rd.

Mailing address

Arco

City

State

ZIP

(208) 716-2893

Telephone

whhrpd@ida.net

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: December ~~2010~~ 2010 + January 2011

6. 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.

7. Signature:

Donavan Hochstetler

Signature of new owner/claimant

Owner

Title, if applicable

4-25-13

Date

- Signature:

Paula Hochstetler

Signature of new owner/claimant

Owner

Title, if applicable

4-25-13

Date

For IDWR Office Use Only:

Received by

Date

4/25/2013

Receipt No.

E038633

E038632

Receipt Amt.

\$25.00

100.00

Approved by

Processed by

Date

5/15/2013

Form 42-248/42-1409(6) Rev. 07/10

Refund Request
sent 5/15/2013

SUPPORT DATA

IN FILE # 34-7178

AFTER RECORDING MAIL TO:

Donavan Hochstetler and Paula Hochstetler
210 Park Road
Arco, Idaho 83213

NO. 0050156
RECORDED

DEC 10 2012
10:59 AM
BUTTE COUNTY RECORDER
[Signature]

QUITCLAIM DEED

File No.: **303851-B (Id)**

Date: **December 05, 2012**

For Value Received, **Donavan Hochstetler and Paula Hochstetler, who took title as Peggy Hockstetler, husband and wife**, do(es) hereby convey, release, remise, and forever quit claim unto **Donavan Hochstetler and Paula Hockstetler, husband and wife**, whose address is **210 Park Road, Arco, Idaho 83213**, herein after called the Grantee, the following described premises situated in **Butte County, Idaho**, to-wit:

**TOWNSHIP 4 NORTH, RANGE 26 EAST, BOISE MERIDIAN, BUTTE COUNTY, IDAHO.
SECTION 36: COMMENCING AT THE S1/4 CORNER OF SAID SECTION; THENCE EAST 43 FEET;
THENCE NORTH 1335 FEET; THENCE EAST 630.3 FEET TO THE REAL POINT OF BEGINNING
(WHICH POINT IS THE SW CORNER OF LOT 11, BLOCK 9 FORMER SHERMAN SUBDIVISION,
ARCO, IDAHO); THENCE NORTH 420 FEET; THENCE WEST 97.3 FEET; THENCE NORTH 230
FEET; THENCE WEST 120.5 FEET; THENCE NORTH 393 FEET; THENCE WEST 154.5 FEET;
THENCE NORTH 264 FEET; THENCE EAST 234.4 FEET; THENCE SOUTH 264 FEET; THENCE
EAST 305 FEET; THENCE SOUTH 264 FEET; THENCE EAST 453 FEET; THENCE SOUTH 27 FEET;
THENCE WEST 325 FEET; THENCE SOUTH 750 FEET; THENCE WEST 275 FEET TO THE REAL
POINT OF BEGINNING.**

together with its appurtenances.

Dated: 12-10-12

By: *Donavan Hochstetler*
Donavan Hochstetler

By: *Paula Hochstetler*
Paula Hochstetler

APN:

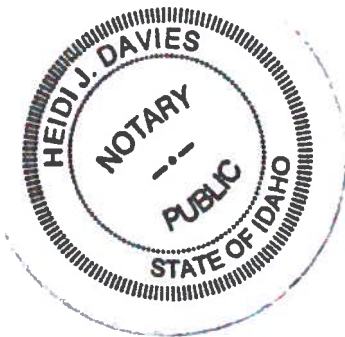
Quitclaim Deed - continued

File No.: **303851-B (Id)**

Date: **12/05/2012**

STATE OF Idaho)
SS.
COUNTY OF Butte)

On this 10 day of December, 2012, before me, a Notary Public in and for said State, personally appeared **Donovan Hochstetler and Paula Hockstetler**, known or identified to me to be the person(s) whose name(s) are subscribed to the within instrument, and acknowledged to me that they executed the same.



Heidi J. Davies
Notary Public of Idaho
Residing at: Arco, ID
Commission Expires: 10-13-15

AFTER RECORDING MAIL TO:

First American Title Company
168 West Pacific Street, PO Box 868
Blackfoot, Idaho 83221

NO. **0048232**
RECORDED

DEC 03 2010

A.M. 1:06 P.M.
BUTTE COUNTY RECORDER
[Signature]

SPECIAL WARRANTY DEED

File No.: **303851-B (Id)**

Date: **November 22, 2010**

For Value Received, **Nationstar Mortgage, LLC, f/k/a Centex Home Equity Company, LLC**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **Donavan Hochstetler & Peggy Hochstetler, husband and wife**, hereinafter called the Grantee, whose current address is **6978 South 2000 West, Rexburg, Idaho 83440**, the following described premises, situated in **Butte County, Idaho**, to-wit:

TOWNSHIP 4 NORTH, RANGE 26 EAST, BOISE MERIDIAN, BUTTE COUNTY, IDAHO.
SECTION 36: COMMENCING AT THE S1/4 CORNER OF SAID SECTION; THENCE EAST 43 FEET; THENCE NORTH 1335 FEET; THENCE EAST 630.3 FEET TO THE REAL POINT OF BEGINNING (WHICH POINT IS THE SW CORNER OF LOT 11, BLOCK 9 FORMER SHERMAN SUBDIVISION, ARCO, IDAHO); THENCE NORTH 420 FEET; THENCE WEST 97.3 FEET; THENCE NORTH 230 FEET; THENCE WEST 120.5 FEET; THENCE NORTH 393 FEET; THENCE WEST 154.5 FEET; THENCE NORTH 264 FEET; THENCE EAST 234.4 FEET; THENCE SOUTH 264 FEET; THENCE EAST 305 FEET; THENCE SOUTH 264 FEET; THENCE EAST 453 FEET; THENCE SOUTH 27 FEET; THENCE WEST 325 FEET; THENCE SOUTH 750 FEET; THENCE WEST 275 FEET TO THE REAL POINT OF BEGINNING.

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(s), their heirs and assigns forever. And the said Grantor(s) do hereby covenant to and with the said Grantee(s), that they are the owners in fee simple of said premises. The Grantor(s) warrants that said premises are free and clear of all encumbrances suffered or created by the Grantor(s), except such warranty does not apply to all taxes, assessments, and charges to be paid by the Grantee(s) and any lien or encumbrance revived or placed on said premises by, through or under the Grantee(s), his heirs and assigns.

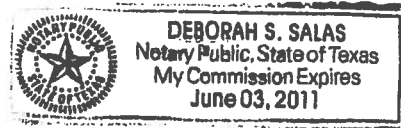
Date: 11/22/2010

Warranty Deed
- continued

File No.: 303851-B (ld)

Nationstar Mortgage, LLC, f/k/a Centex Home
Equity Company, LLC

By: Michelle Smith



STATE OF Texas)
COUNTY OF Denton)
SS.

On this 22 day of November, 2010, before me, a Notary Public in and for said State, personally appeared Michelle Smith, known or identified to me, to be the SEO Closing Manager of the Corporation that executed the instrument or the person who executed the instrument on behalf of said Corporation, and acknowledged to me that such Corporation executed the same.

Deborah S. Salas

Notary Public of Texas
Residing at: Dallas County
Commission Expires: 6/03/2011

280369

NO. 0046857
RECORDED

JUN 17 2009

11:30 AM
BUTTE COUNTY RECORDER
[Signature]

TRUSTEE'S DEED

JUST LAW, INC., herein called Successor Trustee under the Deed of Trust hereinafter particularly described, does hereby bargain, sell and convey, without warranty to Nationstar Mortgage LLC, whose business address is 350 Highland Drive, Lewisville, TX 75067, all of the real property situated in the County of Butte, State of Idaho, described as follows to-wit:

See Attached Exhibit "A"

This conveyance is made pursuant to the powers conferred upon the Successor Trustee by the Deed of Trust between Edward J. Defreze, an unmarried man, as Grantors, Just Law, Inc., as Successor Trustee, and Nationstar Mortgage LLC as the Beneficiary, under the Deed of Trust recorded March 26, 2007 as Instrument No. 44290, in the records of Butte County, Idaho; and after the fulfillment of the conditions specified in said Deed of Trust authorizing the conveyance as follows:

(a) Default occurred in the obligations for which such Deed of Trust was given as security and the Beneficiary made demand upon the Successor Trustee to sell said property pursuant to the terms of said Deed of Trust. The Notice of Default was recorded as Instrument No. 46269, records of said County, Idaho, the nature of such default being set forth in said Notice of Default. Such default still existed at the time of sale.

(b) After recordation of said Notice of Default, Successor Trustee gave notice of the time and place of the sale of said property by registered or certified mail, by personal service upon the occupants of said real property, or by posting in a conspicuous place on said premises and by publishing in a newspaper of general circulation in the county in which the property is situated as more fully appears in affidavits recorded at least 20 days prior to the date of sale as Instrument Nos. 0046439, 0046440, and 0046441, records of said County, Idaho.

(c) The provisions, recitals and contents of the Notice of Default referred to in paragraph (a) and of the Affidavits referred to in paragraph (b) shall be and they are hereby incorporated herein and made an integral part hereof for all purposes as though set forth herein at length.

(d) All requirements of law regarding the mailing, personal service, posting, publication and recording of the Notice of Default and Notice of Sale and of all other notices have been complied with.

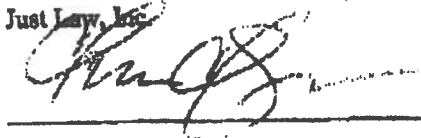
(e) Not less than 120 days elapsed between the giving of notice of sale by certified mail and the sale of said property.

(f) Successor Trustee, at the time and place of sale fixed by said notices, at public auction, in one parcel, struck off to Nationstar Mortgage LLC, being the highest bidder, the property herein

described for the sum of \$83,886.82, 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 Successor Trustee, Just Law, Inc., has caused his name to be hereunto subscribed this 12 day of June, 2009.

Just Law, Inc.



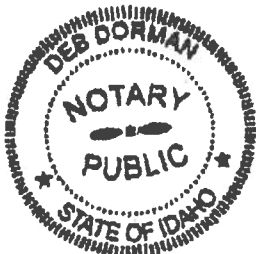
STATE OF IDAHO)

) ss.

County of Bonneville)

On this 11th day of June, 2009, before me, the undersigned, a Notary Public in and for the State of Idaho, personally appeared Charles C. Just, known to me to be the President of the corporation that executed this instrument or the person who executed the instrument on behalf of said corporation, whose name is subscribed to the within instrument and acknowledged to me that such corporation executed the same as such Trustee.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal this 11th day of June, 2009.



Deb Dorman
Notary Public for Idaho
Residing at Idaho Falls
Commission expires: 4.17.12

EXHIBIT "A"

Township 4 North, Range 26 East of the Boise Meridian, Butte County, Idaho.

Section 36: Commencing at the S1/4 corner of said Section; thence East 43 feet; thence North 1335 feet; thence East 630.3 feet to the Real Point of Beginning (which point is the SW corner of Lot 11, Block 9 former Sherman Subdivision, Arco, Idaho); thence North 420 feet; thence West 97.3 feet; thence North 230 feet; thence West 120.5 feet; thence North 393 feet; thence West 154.5 feet; thence North 264 feet; thence East 234.3 feet; thence South 264 feet; thence East 305 feet; thence South 264 feet; thence East 453 feet; thence South 29 feet; thence West 325 feet; thence South 750 feet; thence West 275 feet to the Real Point of Beginning.



RECORDING REQUESTED BY
First American Title Company

AND WHEN RECORDED MAIL TO:
First American Title Company
168 West Pacific/P.O. Box 868
Blackfoot, ID 83221

NO. 0048317
RECORDED

JAN 11 2011

11:20 A.M. 11:20 P.M.
BUTTE COUNTY RECORDER
[Signature]

Space Above This Line for Recorder's Use Only

WARRANTY DEED

File No.: 363192-B (Id)

Date: December 30, 2010

For Value Received, Edward J. DeFreze, an unmarried person, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto Donavan Hochstetler and Paula Hochstetler, husband and wife, hereinafter called the Grantee, whose current address is 6978 South 2000 West, Rexburg, ID 83440, the following described premises, situated in Butte County, Idaho, to-wit:

PARCEL 2:

THAT PORTION OF JOAN STREET AND PORTION OF LOTS 1, 2, AND 3 OF BLOCK 13, FORMERLY SHERMAN SUBDIVISION DESCRIBED AS FOLLOWS:
COMMENCING AT THE S $\frac{1}{4}$ CORNER OF SECTION 36, TOWNSHIP 4 NORTH, RANGE 26 E.B.M., BUTTE COUNTY, IDAHO, THENCE EAST 43 FEET; THENCE NORTH 1335 FEET; THENCE EAST 258 FEET; THENCE NORTH 420 FEET; THENCE EAST 275 FEET TO TRUE POINT OF BEGINNING (WHICH POINT IS THE SOUTHEAST CORNER OF LOT 3, BLOCK 13, FORMERLY SHERMAN SUBDIVISION TO ARCO, IDAHO); THENCE NORTH 230 FEET; THENCE WEST 120.5 FEET; THENCE SOUTH 230 FEET; THENCE EAST 120.5 FEET TO THE POINT OF BEGINNING.

PARCEL 3:

TOWNSHIP 4 NORTH, RANGE 26 E.B.M., BUTTE COUNTY, IDAHO
SECTION 36: PORTION OF THE NW $\frac{1}{4}$ SE $\frac{1}{4}$, MORE PARTICULARLY DESCRIBED AS FOLLOWS:
BEGINNING 183 FEET SOUTH OF THE NORTHEAST CORNER OF SAID NW $\frac{1}{4}$ SE $\frac{1}{4}$; THENCE CONTINUING SOUTH 345 FEET; THENCE WEST 450.6 FEET; THENCE NORTH 345 FEET; THENCE EAST 450.6 FEET TO THE POINT OF BEGINNING.

PARCEL 3A:

TOGETHER WITH A RIGHT-OF-WAY EASEMENT AS DESCRIBED IN WARRANTY DEED RECORDED JULY 14, 1975, AS INSTRUMENT NO. M-4167.

PARCEL 4:

TOWNSHIP 4 NORTH, RANGE 26 E.B.M., BUTTE COUNTY, IDAHO
SECTION 36: COMMENCING AT THE S $\frac{1}{4}$ CORNER OF SAID SECTION 36; THENCE EAST 43 FEET; THENCE NORTH 1335 FEET; THENCE EAST 258 FEET TO THE REAL POINT OF BEGINNING (WHICH POINT IS THE SOUTHWEST CORNER OF LOT 11, BLOCK 13 OF THE VACATED PORTION OF THE SHERMAN SUBDIVISION, ARCO, IDAHO); THENCE NORTH 420 FEET, MORE OR LESS, TO THE NORTHWEST CORNER OF LOT 17, BLOCK 13 OF SAID VACATED SHERMAN SUBDIVISION; THENCE EAST 372.3 FEET TO THE NORTHWEST CORNER OF LOT 17, BLOCK 9 SHERMAN SUBDIVISION; THENCE SOUTH 420 FEET; THENCE WEST 372.3 FEET TO THE POINT OF BEGINNING.

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.

Date: 12/30/2010

Warranty Deed
- continued

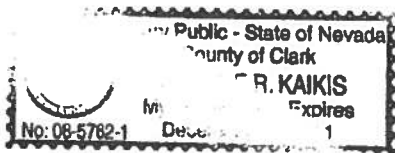
File No.: 363192-8 (ld)

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.

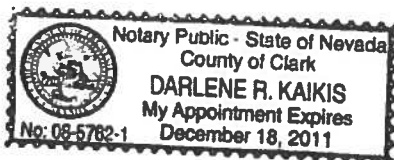
Edward J. DeFreze by Dean James DeFreze, as Attorney In fact,
Edward J. DeFreze by Dean James DeFreze
as Attorney In Fact

Notar me
STATE OF Nevada)
COUNTY OF Clark) ss.

On this , before me, a Notary Public in and for said State, personally appeared Dean James DeFreze, known or identified to me to be the person(s) whose name(s) is subscribed to the within Instrument as the attorney in fact of Edward J DeFreze, and acknowledged to me that he subscribed the name of Edward J DeFreze thereto as principal, and his own name as attorney in fact.



[Signature]
Notary Public of Nevada
Residing at: *Newlinism, Nevada*
Commission Expires: *12/18/11*



Idaho Department of Water Resources



Legend

- Township/Range
- Sections
- QQ

Layout Created By:
Jonie Barg
Date:
May 7, 2013