

# The Owyhee Avalanche

P.O. Box 97 • HOMEDALE, IDAHO 83628

208 / 337-4681  
EMAIL: OFFICE@OWYHEE.COM

RECEIVED

MAR 28 2025

WATER RESOURCES  
WESTERN REGION

## AFFIDAVIT OF PUBLICATION

STATE OF IDAHO                    )  
                                          ) ss  
COUNTY OF OWYHEE            )

I, Joe E. Aman, being first duly sworn, depose and say:

1. That I am a citizen of the United States of America, and at all times hereinafter mentioned was and now over the age of twenty-one years, not a party to nor interested in the proceedings hereinafter mentioned.

2. That during the time of publication of the notice hereinafter mentioned, I was and now am the publisher of The Owyhee Avalanche, a newspaper of general circulation printed and published weekly, on Wednesday of each and every week, in the City of Homedale, County of Owyhee and State of Idaho.

3. That the said The Owyhee Avalanche has been printed and published continuously and uninterruptedly in said County during a period of more than seventy-eight weeks prior to the first publication of the attached notice.

4. That said notice of which a copy of said newspaper, is hereto affixed, was published in the regular issue thereof, and not a supplement thereto, in said newspaper

in Two

(consecutive) calendar weekly issue(s) of said newspaper, in the following date(s):

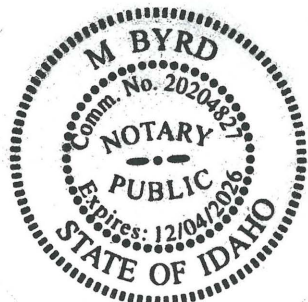
March 19 and 26, 2025

SIGNED: \_\_\_\_\_

[Signature]

STATE OF IDAHO            }  
COUNTY OF OWYHEE        }

On this 26th day of March in the year 2025, before me, a Notary Public, personally appeared JOE E. AMAN, known or identified to me to be the person whose name subscribed to the within instrument, and being by me duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.



[Signature]  
Notary Public of Idaho  
Residing at Garden City, ID  
My commission expires: 12, 04, 2026

## ✓ Housing: Some Homedale lots will be large; Marsing OKs small lot

From Page 1

The proposed development is just the latest as Homedale continues to grow.

During last week's meeting, Homedale Rural Fire District commissioner Jared Asumendi attended with hopes of getting the council's blessing to established development impact fees.

Although the impact fee advisory committee has

recommended fees and City Attorney Paul J. Fitzer has reviewed the capital improvement plan and impact fee study, no agreement between the city and district has been finalized.

The council could adopt the agreement during its April 9 meeting.

"We'd like to get this resolved at the next meeting because there is a significant amount

of development planned, and this would lessen the burden on the city taxpayers," Asumendi said.

### Marsing makes ordinance amendment

The full Marsing City Council changed the town's subdivision ordinance ahead of allowing a square-footage variance on a residential lot at 924 Moler Lane.

The petitioner wants to build on a lot smaller than the allowable minimum 7,000 square feet.

The plan is to build a 750-square-foot rental property on a 6,795-square-foot lot.

No public comment was given during the hearing.

The council also updated its dog ordinance (A-239), creating the option of a temporary animal license as

an owner works on getting updated dog vaccinations.

Annual license renewals are due by each Feb. 1, and a dog owner is considered late in compliance by Feb. 15. City Clerk and Treasurer Jolyn Thompson pointed out that dog tags can be bought as early as the October preceding the year in question.

—JPB

# Public notices

### LIEN SALE

Unit O-4, Justin or Tiffany Sandifer, 2409 S. Indiana Ave., Caldwell, ID 83605. TVs, home décor, furniture, safe.

Date of sale: March 29, 2025. Sealed bids accepted between 9 a.m. and 1 p.m., on March 29, 2025. Sale closes at 1 p.m., on March 29, 2025.

Sale will be conducted at Highway 95 Self Storage, 3625 U.S. Hwy. 95, Homedale, ID 83628.

03/19/26/2025

### NOTICE OF TRUSTEE'S SALE

To be sold for cash at a Trustee's Sale on July 3, 2025, 9:00 AM in the Lobby, Owyhee County Courthouse, 20381 Highway 78, Murphy, ID 83650, the following described real property situated in Owyhee County, State of Idaho ("Real Property"): This parcel is a portion of the Southeast Quarter of the Southeast Quarter of Section 30, Township 3 North, Range 5 West of the Boise Meridian and is more particularly described as follows:

COMMENCING at the southeast corner of said Southeast Quarter of the Southeast Quarter; thence North 89°33'06" West along the south boundary of said Southeast Quarter of the Southeast Quarter a distance of 704.82 feet to the TRUE POINT OF BEGINNING; thence continuing North 89°33'06" West along said south boundary a distance of 467.49 feet; thence North 8°28'17" East a distance of 319.59 feet; thence North 9°16'38" East a distance of 887.25 feet; thence South 89°33'06" East parallel with said south boundary a distance of 265.87 feet; thence South 0°33'08" East a distance of 1193.38 feet to the TRUE POINT OF BEGINNING

Commonly known as: 2346 Thompson Rd, Homedale, ID 83628 Nicholas A. Green and Amanda N. Harpe, as Trustors conveyed Real Property via a Trust Deed dated December 8, 2020, in favor of Mortgage Electronic Registration Systems, Inc., as Beneficiary, as nominee for Primelending, a Plainscapital Company, its successors and assigns as Beneficiary, in which Pioneer Title Company was named as Trustee. The Trust Deed was recorded in Owyhee County, Idaho, on December 9, 2020, as Instrument No. 305759, of Official Records. The Deed of Trust was assigned for value as follows: Assignee: Marlin Mortgage Capital, LLC Assignment Dated: December 18, 2024 Assignment Recorded: December 24, 2024 Assignment Recording Information: Instrument No. 319161 Shelly M. Baur is the

Successor Trustee pursuant to a Substitution of Trustee recorded in the office of the Clerk and Recorder of Owyhee, State of Idaho on January 8, 2025 at Instrument No. 319277, of Official Records. The Beneficiary has declared a default in the terms of said Deed of Trust due to Trustor's failure to make monthly payments beginning August 1, 2024, and each month subsequent, which monthly installments would have been applied on the principal and interest due on said obligation and other charges against the property or loan. By reason of said default, the Beneficiary has declared all sums owing on the obligation secured by said Trust Deed immediately due and payable. The total amount due on this obligation is the principal sum of \$439,076.13, interest in the sum of \$9,560.95, escrow advances of \$2,566.82, other amounts due and payable in the amount of \$3,601.38, for a total amount owing of \$454,805.28, plus accruing interest, late charges, and other fees and costs that may be incurred or advanced. The Beneficiary anticipates and may disburse such amounts as may be required to preserve and protect the property and for real property taxes that may become due or delinquent, unless such amounts of taxes are paid by the Trustors. If such amounts are paid by the Beneficiary, the amounts or taxes will be added to the obligations secured by the Deed of Trust. Other expenses to be charged against the proceeds of this sale include the Trustee's fees and attorney's fees, costs and expenses of the sale, and late charges, if any. Beneficiary has elected, and has directed the Trustee to sell the above described property to satisfy the obligation. The sale is a public sale and any person, including the Beneficiary, may bid at the sale. The bid price must be paid immediately upon the close of bidding by certified funds (valid money orders, certified checks or cashier's checks). The conveyance will be made by Trustee's Deed, without any representation or warranty, including warranty of title, express or implied, as the sale is made strictly on an as-is, where-is basis, without limitation, the sale is being made subject to all existing conditions, if any, of lead paint, mold or other environmental or health hazards. The Trustors, successor in interest to the Trustors, or any other person having an interest in the property, or any person named in IRC § 45-1506, has the right, at any time prior to the Trustee's Sale, to pay to the Beneficiary, or the successor in interest to the Beneficiary, the

entire amount then due under the Deed of Trust and the obligation secured thereby (including costs and expenses actually incurred and attorney's fees) other than such portion of the principal as would not then be due had no default occurred and by curing any other default complained of herein that is capable of the performance required under the obligation or to cure the default, by paying all costs and expenses actually incurred in enforcing the obligation and Deed of Trust with Successor Trustee's and attorney's fees. In the event that all defaults are cured the foreclosure sale will be canceled. The scheduled Trustee's Sale may be postponed by public proclamation up to 30 days for any reason. If the Trustee is unable to convey title for any reason, the successful bidder's sole and exclusive remedy shall be the return of monies paid to the Successor Trustee and the successful bidder shall have no further recourse. The above Trustors are named to comply with IRC § 45-1506(4)(a). No representation is made that they are, or are not, presently responsible for this obligation. This is an attempt to collect a debt and any information obtained will be used for that purpose. Dated this 26th day of February, 2025.

Shelly M. Baur  
Substitute Trustee  
376 East 400 South, Suite 300,  
Salt Lake City, UT 84111  
Telephone: 801-355-2886  
Office Hours: Mon.-Fri., 8AM-5PM (MST)  
File No. ID22048  
03/12/19/26/04/02/2025

### NOTICE OF HEARING ON NAME CHANGE

CASE NO. CV37-25-00093  
IN THE DISTRICT COURT  
FOR THE THIRD JUDICIAL  
DISTRICT OF THE STATE  
OF IDAHO, IN AND FOR  
THE COUNTY OF OWYHEE  
IN RE: VANCE  
LYSANDER DAYTON

A petition to change the name of Vance Lysander Dayton now residing in the City of Homedale, State of Idaho, County of Owyhee, has been filed in the District Court in Owyhee County, State of Idaho. The name change will be to Beaver L. Dayton. The reason for the change in name is: Name is the only one I use.

A hearing on the petition is scheduled for 9 o'clock a.m., on April 23, 2025, at the Owyhee County Courthouse located at 130 W. Idaho Ave., Homedale, ID 83628. Objections may be filed by any person who can show the court a good reason against the proposed name change.

Date: March 12, 2025  
s:/Catie Canaday, Deputy  
Clerk  
Angela Barkell, Clerk of the  
District Court  
03/19/26/04/02/09/2025

KRISTOFFER SPERRY,  
ISB# 8749  
KRISTOFFER SPERRY LAW,  
PLLC  
1960 S. MERIDIAN RD.  
MERIDIAN, ID 83642  
Telephone: (208) 609-9005  
Email: efilings@ksperrylaw.com  
Attorneys for Plaintiff

### SUMMONS BY PUBLICATION IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF OWYHEE

Case No. CV37-23-00034  
ACTION COLLECTION  
SERVICE INC.,  
An Idaho Corporation  
Plaintiff,

vs.  
RUBEN CORTINAS,  
Defendant(s)  
To: RUBEN CORTINAS,  
You have been sued by ACTION  
COLLECTION SERVICE, the  
Plaintiff, in the District Court in  
and for Owyhee County, Idaho,  
Case No. CV37-23-00034.

The nature of the claim against you is for Breach of Contract. Any time after 21 days following the last publication of this summons, the court may enter a judgment against you without further notice, unless prior to that time you have filed a written response in the proper form, including the Case No., and paid any required filing fee to the Clerk of the Court at 20381 Highway 78, Murphy, Idaho 83650 (208) 495-2806 and served a copy of your response on the Plaintiff's attorney at Kristoffer Sperry Law PLLC, 1960 S Meridian Rd. Meridian, Idaho 83642.

A copy of the Summons and Complaint can be obtained by contacting either the Clerk of the Court or the attorney for Plaintiff. If you wish legal assistance, you should immediately retain an attorney to advise you in this matter.

DATED: 2/24/2025

s:/Britt Gonzalez  
Deputy clerk

CLERK OF THE DISTRICT  
COURT  
Angela Barkell  
03/05/12/19/26/2025

**PUBLIC NOTICE**  
The following applications have been filed to appropriate the public waters of the State of Idaho:

2-10664  
KENNY UNRUH  
21674 RIVER RD  
GRAND VIEW, ID 83624-5100

Point of Diversion L2 (NENW)  
S27 T04S R02E OWYHEE  
County

Source SNAKE RIVER  
Tributary COLUMBIA RIVER  
Use: STOCKWATER  
01/01 to 12/31; 0.25 CFS  
Total Diversion: 0.25 CFS  
Date Filed: 08-24-2024  
Place Of Use:

STOCKWATER

T04S R02E S27 NENW, L2  
(NENW), NWNW, NESW,  
NWSW, SWSW, SESW, SWSE,  
T04S R02E S28 NENE, SENE,  
NESE  
T04S R02E S34 NENE,  
NWNW, NENW

The applicant asserts the application should be processed within the Amended Snake River Basin Moratorium because the use will be curtailed when the Minimum Stream Flows are not met at the Murphy Gage.

This application was originally advertised as water right application no. 57-12103.

57-12112  
DERUYTER DAIRY LLC  
PO BOX 580  
MARSING, ID 83639-0580

Point of Diversion SESE S24  
T03N R05W OWYHEE County  
Source GROUND WATER

Use: DOMESTIC  
01/01 to 12/31; 0.11 CFS  
Use: IRRIGATION  
03/01 to 11/15; 0.06 CFS  
Total Diversion: 0.17 CFS  
Date Filed: 02-26-2025  
Place Of Use: DOMESTIC,  
IRRIGATION

T03N R05W S24 SESE  
Total Acres: 2

Permits will be subject to all prior water rights. For additional information concerning the property location, contact the Western Region office at (208)334-2190; or for a full description of the rights, please see <https://idwr.idaho.gov/apps/ExtSearch/WRApplicationResults/>. Protests may be submitted based on the criteria of Idaho Code § 42-203A. Any protest against the approval of this application must be filed with the Director, Dept. of Water Resources, Western Region, 2735 W AIRPORT WAY, BOISE ID 83705-5082 together with a protest fee of \$25.00 for each application on or before 4/7/2025. The protestant must also send a copy of the protest to the applicant.

MATHEW WEAVER,  
Director  
03/19/26/2025

OK  
LE 4/6/25

# Marsing council to protect rights-of-way from damage

Days after contractors working on fiber optics punctured a city water main, the Marsing City Council set a special meeting to discuss amending an ordinance governing such work.

The proposed addition to Ordinance A-240 would punish companies for any damage caused to city property while performing work in the right-of-way.

If a company performs work without obtaining a permit, the city could charge the firm with a misdemeanor.

The council will convene at 5:30

p.m., on Thursday inside City Hall, 18 Sandbar Ave., to add a section to Ordinance A-240.

Ziply Fiber has been seeking a fiber optic project within the city limits, but has been barred from doing so because of a lack of a right-of-way agreement.

On two occasions last week (March 18 and Thursday), a crew contracted by Syringa Networks struck a city water main while burying fiber optic on 8th Avenue West as part of a broadband project. The Syringa contractor was

allowed to work because the street is actually Idaho Transportation Department right-of-way.

The first accident left the Marsing School District campus and Marsing labor camp without water. Labor camp manager Luke Ankeny said buildings were without water for about four hours.

The labor camp was without water briefly on Thursday after another pipe was struck, Ankeny said.

In an unrelated incident, a fire

hydrant at the corner Sandbar Avenue and 1st Street North was sheared off its underground pipe by a semi-trailer on March 18.

The city council had discussed the vulnerability of the hydrant during its March 12 meeting with Councilman Chris Even pointing out that protective measures were supposed to be taken previously. The council also discussed moving the hydrant farther away from the right-of-way six days before the accident.

## Public notices

### NOTICE OF HEARING ON NAME CHANGE

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IN THE DISTRICT COURT  
FOR THE THIRD JUDICIAL  
DISTRICT OF THE STATE  
OF IDAHO, IN AND FOR  
THE COUNTY OF OWYHEE  
IN RE: VANCE  
LYSANDER DAYTON

A petition to change the name of Vance Lysander Dayton now residing in the City of Homedale, State of Idaho, County of Owyhee, has been filed in the District Court in Owyhee County, State of Idaho. The name change will be to Beaver L. Dayton. The reason for the change in name is: Name is the only one I use.

A hearing on the petition is scheduled for 9 o'clock a.m., on April 23, 2025, at the Owyhee County Courthouse located at 130 W. Idaho Ave., Homedale, ID 83628. Objections may be filed by any person who can show the court a good reason against the proposed name change.

Date: March 12, 2025  
s/ Catie Canaday, Deputy Clerk  
Angela Barkell, Clerk of the District Court  
03/19/26:04/02/09/2025

### NOTICE TO CREDITORS IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF OWYHEE

CASE NO. CV37-25-00086  
IN THE MATTER OF THE ESTATE OF  
ROSE M. KING, Deceased.

NOTICE IS HEREBY GIVEN that the undersigned has been appointed Personal Representative of the above-named Decedent. All persons having claims against the Decedent or the estate are required to present their claims within four months after the date of the first publication of this Notice or said claims will be forever barred.

Claims must be presented to the undersigned at the address indicated and filed with the Clerk of the Court.  
DATED this 18th day of March, 2025.  
s/ Gregory Glen King, Personal Representative  
c/o Jenny Lorraine Smith, Attorney  
Eberle, Berlin, Kading, Turnbow & McKlveen, Chtd.  
Post Office Box 1368, Boise, Idaho 83701

Telephone: (208) 344-8535  
03/26:04/02/09/2025

### NOTICE TO CREDITORS IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF OWYHEE

CASE NO. CV37-25-00099  
(Idaho Code § 15-3-801)  
IN THE MATTER OF THE ESTATE OF  
BRENDA S. STUART,  
Deceased.

NOTICE IS HEREBY GIVEN that the undersigned has been appointed Personal Representative of the above-named decedent. All persons having claims against the decedent or the Estate are required to present their claims within four (4) months after the date of the first publication of this Notice or said claims will be forever barred.

Claims must be presented to the undersigned at the address indicated and filed with the Clerk of the Court.

DATED this 19th day of March, 2025.  
JORDAN L. STUART  
c/o Sandra L. Clapp & Associates, P.A.  
P.O. Box 2660  
Eagle, Idaho 83616  
(208) 938-2660  
03/26:04/02/09/2025

ANDREW V. HERBERT, ISB No. 12521  
SEAN H. COSTELLO, ISB No. 8743  
SKINNER FAWCETT LLP  
Attorneys at Law  
206 W. Jefferson St., Boise, Idaho 83702  
P.O. Box 700 Boise, ID 83701-0700  
Telephone: (208) 345-2663  
aherbert@skinnerfawcett.com  
scostello@skinnerfawcett.com  
Attorneys for Plaintiff

### SUMMONS FOR PUBLICATION IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF OWYHEE

CASE NO. CV37-25-00081  
IDAHO HOUSING AND FINANCE ASSOCIATION, Plaintiff,  
v.  
ESTATE OF BRUCE BERUBE aka BRUCE ROBERT BERUBE; HEIRS

AND DEVICES OF BRUCE BERUBE aka BRUCE ROBERT BERUBE; SPOUSE OF BRUCE BERUBE aka BRUCE ROBERT BERUBE; and JOHN DOE and JANE DOE, Defendants.

TO: ESTATE OF BRUCE BERUBE aka BRUCE ROBERT BERUBE; HEIRS AND DEVICES OF BRUCE BERUBE aka BRUCE ROBERT BERUBE; SPOUSE OF BRUCE BERUBE aka BRUCE ROBERT BERUBE.

You have been sued by Idaho Housing and Finance Association, Plaintiff, in the District Court of the THIRD JUDICIAL DISTRICT in and for the COUNTY OF OWYHEE, State of Idaho, in Case No. CV37-25-00081.

The nature of the claim against you is an action for the judicial foreclosure of a Deed of Trust encumbering the property located at 214 S. 2nd Street W., Homedale, ID 83628, due to non-payment of the required monthly payments.

Any time after 21 days following the last publication of this Summons, the Court may enter a judgment against you without further notice, unless prior to that time you have filed a written response in the proper form, including the Case No., and paid any required filing fee to the Clerk of the Court at 20381 State Highway 78, PO Box 128, Murphy, ID 83650, (208) 495-2421, and served a copy of your response on the Plaintiff's attorney, Andrew V. Herbert of Skinner Fawcett LLP at 206 W. Jefferson St., Boise, Idaho 83702, (208) 345-2663.

A copy of the Summons and Complaint can be obtained by contacting either the Clerk of the Court or the attorney for Plaintiff. If you wish legal assistance, you should immediately retain an attorney to advise you in this matter.

DATED: 3/5/2025  
Angela Barkell  
Clerk of the Court

s/ By: B. Gonzalez  
Deputy Clerk  
03/19/26:04/02/09/2025

KRISTOFFER SPERRY,  
ISB# 8749  
KRISTOFFER SPERRY LAW,  
PLLC  
1960 S. MERIDIAN RD.

MERIDIAN, ID 83642  
Telephone: (208) 609-9005  
Email: efilings@ksperrylaw.com  
Attorneys for Plaintiff

### SUMMONS BY PUBLICATION IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF OWYHEE

Case No. CV37-23-00034  
ACTION COLLECTION SERVICE INC., An Idaho Corporation Plaintiff,  
vs.  
RUBEN CORTINAS, Defendant(s)  
To: RUBEN CORTINAS,  
You have been sued by ACTION COLLECTION SERVICE, the Plaintiff, in the District Court in and for Owyhee County, Idaho, Case No. CV37-23-00034.

The nature of the claim against you is for Breach of Contract. Any time after 21 days following the last publication of this summons, the court may enter a judgment against you without further notice, unless prior to that time you have filed a written response in the proper form, including the Case No., and paid any required filing fee to the Clerk of the Court at 20381 Highway 78, Murphy, Idaho 83650 (208) 495-2806 and served a copy of your response on the Plaintiff's attorney at Kristoffer Sperry Law PLLC, 1960 S Meridian Rd. Meridian, Idaho 83642.

A copy of the Summons and Complaint can be obtained by contacting either the Clerk of the Court or the attorney for Plaintiff. If you wish legal assistance, you should immediately retain an attorney to advise you in this matter.

DATED: 2/24/2025

s/ Britt Gonzalez  
Deputy clerk

CLERK OF THE DISTRICT COURT  
Angela Barkell  
03/05/12/19/26/2025

### PUBLIC NOTICE

The following applications have been filed to appropriate the public waters of the State of Idaho:

2-10664  
KENNY UNRUH  
21674 RIVER RD  
GRAND VIEW, ID 83624-5100

Point of Diversion L2 (NENW)  
S27 T04S R02E OWYHEE County

Source SNAKE RIVER  
Tributary COLUMBIA RIVER  
Use: STOCKWATER  
01/01 to 12/31; 0.25 CFS  
Total Diversion: 0.25 CFS  
Date Filed: 08-24-2024  
Place Of Use:

STOCKWATER  
T04S R02E S27 NENW, L2 (NENW), NWNW, NESW, NWSW, SWSW, SESW, SWE  
T04S R02E S28 NENE, SENE, NESE  
T04S R02E S34 NENE, NWNE, NENW

The applicant asserts the application should be processed within the Amended Snake River Basin Moratorium because the use will be curtailed when the Minimum Stream Flows are not met at the Murphy Gage.

This application was originally advertised as water right application no. 57-12103.

57-12112  
DERUYTER DAIRY LLC  
PO BOX 580  
MARSING, ID 83639-0580  
Point of Diversion SESE S24 T03N R05W OWYHEE County  
Source GROUND WATER  
Use: DOMESTIC  
01/01 to 12/31; 0.11 CFS  
Use: IRRIGATION  
03/01 to 11/15; 0.06 CFS  
Total Diversion: 0.17 CFS  
Date Filed: 02-26-2025  
Place Of Use: DOMESTIC, IRRIGATION  
T03N R05W S24 SESE  
Total Acres: 2

Permits will be subject to all prior water rights. For additional information concerning the property location, contact the Western Region office at (208) 334-2190, or for a full description of the rights, please see <https://idwr.idaho.gov/apps/ExtSearch/WRAApplicationResults/>. Protests may be submitted based on the criteria of Idaho Code § 42-203A. Any protest against the approval of this application must be filed with the Director, Dept. of Water Resources, Western Region, 2735 W AIRPORT WAY, BOISE ID 83705-5082 together with a protest fee of \$25.00 for each application on or before 4/7/2025. The protest must also send a copy of the protest to the applicant.

MATHEW WEAVER,  
Director  
03/19/26/2025

*Sell it, trade it, find it in the classifieds: 337-4681*