



10980 S. Jordan Gateway
P.O. Box 95850
South Jordan, Utah 84095
801.571.9200
800.824.9198
801.576.0600 Credit Fax
801.571.1641 Administrative Fax

December 9, 2020

RECEIVED

DEC 18 2020

DEPARTMENT OF
WATER RESOURCES

Released
4/20/21

STATE OF IDAHO
Department of Water Resources
PO Box 83720
Boise, Idaho 83720

RE: NOTICE OF RELEASE for ADAM LADD CARTER

Dear State Engineer:

Please be advised that The Bank of Commerce **no longer has a security interest in the water rights** described on the attached Notice of Pledge.

Please file this notice with your records as evidence of such. Your assistance in this matter is appreciated.

Sincerely,

The Bank of Commerce
By: Western AgCredit, FLCA Servicing Agent

Barbara J. Blahnik
VP Loan Documentation Manager



State of Idaho

DEPARTMENT OF WATER RESOURCES

Eastern Region • 900 N SKYLINE DR STE A • IDAHO FALLS, ID 83402-1718

Phone: (208)525-7161 • Fax: (208)525-7177 • Website: www.idwr.idaho.gov

Brad Little
Governor

Gary Spackman
Director

January 07, 2019

A LADD & JANE CARTER
1775 W 950 S
PINGREE ID 83262

Re: Change in Ownership for Water Right No(s): 35-7947

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.

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) 525-7161.

Sincerely,

Cher Ramos
Technical Records Specialist 1

Enclosure(s)

cc: The Bank of Commerce
Idaho AgCredit PCA
Bingham Ground Water District
Water District 120

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

1/7/2019

Water Right 35-7947

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	A LADD & JANE CARTER 1775 W 950 S PINGREE, ID 83262 (208) 785-3116
Security Interest	THE BANK OF COMMERCE C/O WESTERN AGCREDIT PO BOX 95850 SOUTH JORDAN, UT 84095-0850
Security Interest	IDAHO AGCREDIT PCA PO BOX 985 BLACKFOOT, ID 83221-0985 (800) 686-8910

Priority Date: 2/5/1981

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	4/01	11/01	2.050 CFS	452.0 AF
	<u>Total Diversion</u>		2.050 CFS	452.0 AF

Source and Point(s) of Diversion

GROUND WATER	SESWNW	Sec. 36, Twp 03S, Rge 33E, BINGHAM County
--------------	--------	---

Place Of Use

IRRIGATION within BINGHAM County

T03S R33E S36	NENW	36.0
T03S R33E S36	NWNW	39.0
T03S R33E S36	SWNW	38.0
POU Total Acres:		113.0

Conditions of Approval:

1. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
2. E10 USE OF THIS RIGHT IS COMBINED WITH WATER FROM PEOPLES CANAL & IRRIGATION CO.
3. RIGHT NO. 35-07113B IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.



State of Idaho

DEPARTMENT OF WATER RESOURCES

Eastern Region • 900 N SKYLINE DR STE A • IDAHO FALLS, ID 83402-1718

Phone: (208)525-7161 • Fax: (208)525-7177 • Website: www.idwr.idaho.gov

C.L. "Butch" Otter
Governor

Gary Spackman
Director

May 18, 2018

THE BANK OF COMMERCE
C/O WESTERN AG CREDIT FLCA
PO BOX 95850
SOUTH JORDAN UT 84095-0850

RE: Notice of Security Interest for Water Right/Permit No(s): 35-7113B, 35-7947, 35-8741B & 35-10917

Dear Security Interest Holder:

The Department of Water Resources (Department) acknowledges receipt of correspondence adding security interest of the above referenced water right(s) to you. 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 Security Interest, 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.

If you have any questions concerning the enclosed information, please contact me at (208) 525-7161.

Sincerely,


Jonie Barg
Technical Records Spec I

Enclosure(s)

cc: A LADD CARTER
JANE CARTER

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

5/16/2018

Water Right 35-7113B

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	A LADD CARTER 1775 W 950 S PINGREE, ID 83262 (208) 397-2297
Security Interest	IDAHO AGCREDIT PCA PO BOX 985 BLACKFOOT, ID 83221-0985 (800) 686-8910
Security Interest	THE BANK OF COMMERCE C/O WESTERN AG CREDIT FLCA PO BOX 95850 SOUTH JORDAN, UT 84095-0850

Priority Date: 1/26/1970

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	4/01	10/31	0.500 CFS	120.0 AF
	<u>Total Diversion</u>		0.500 CFS	120.0 AF

Source and Point(s) of Diversion

GROUND WATER SESWNW Sec. 36, Twp 03S, Rge 33E, BINGHAM County

Place Of Use

IRRIGATION within BINGHAM County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03S	33E	36								30.0									30.0

POU Total Acres: 30.0

Conditions of Approval:

1. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
2. RIGHT NO. 35-07947 IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

5/16/2018

Water Right 35-7947

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	EARL MILLER 350 W 5TH ST STE 201B SAN BERNARDINO, CA 92401
Current Owner	JANE CARTER 1775 W 950 S PINGREE, ID 83262 (208) 785-3116
Current Owner	A LADD CARTER 1775 W 950 S PINGREE, ID 83262 (208) 397-2297
Security Interest	THE BANK OF COMMERCE C/O WESTERN AG CREDIT FLCA PO BOX 95850 SOUTH JORDAN, UT 84095-0850
Security Interest	IDAHO AGCREDIT PCA PO BOX 985 BLACKFOOT, ID 83221-0985 (800) 686-8910

Priority Date: 2/5/1981

Basis: Decreed

Status: Active

Source

GROUND WATER

Tributary

Beneficial Use

IRRIGATION

From

4/01

To

11/01

Diversion Rate

2.050 CFS

Volume

452.0 AF

Total Diversion

2.050 CFS

452.0 AF

Source and Point(s) of Diversion

GROUND WATER

SESWNW

Sec. 36, Twp 03S, Rge 33E, BINGHAM County

Place Of Use

IRRIGATION within BINGHAM County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03S	33E	36					36.0	39.0	38.0										113.0

POU Total Acres: 113.0

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

5/16/2018

Conditions of Approval:

1. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY
OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
2. E10 USE OF THIS RIGHT IS COMBINED WITH WATER FROM PEOPLES CANAL &
IRRIGATION CO.
3. RIGHT NO. 35-07113B IS ALSO DIVERTED THROUGH POINT OF DIVERSION
DESCRIBED ABOVE.

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

5/16/2018

Water Right 35-8741B

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	A LADD CARTER 1775 W 950 S PINGREE, ID 83262 (208) 397-2297
Security Interest	THE BANK OF COMMERCE C/O WESTERN AG CREDIT FLCA PO BOX 95850 SOUTH JORDAN, UT 84095-0850
Security Interest	IDAHO AGCREDIT PCA PO BOX 985 BLACKFOOT, ID 83221-0985 (800) 686-8910

Priority Date: 4/17/1989

Basis: License

Status: Active

Source
GROUND WATER

Tributary

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	4/01	10/31	0.130 CFS	40.0 AF
	<u>Total Diversion</u>		0.130 CFS	40.0 AF

Source and Point(s) of Diversion

GROUND WATER SWNW Sec. 36, Twp 03S, Rge 33E, BINGHAM County

Place Of Use

IRRIGATION within BINGHAM County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03S	33E	36								10.0									10.0

POU Total Acres: 10.0

Conditions of Approval:

1. The total combined rate of diversion under this right and Right 35-07113B shall not exceed 2.05 cfs.
2. 048 The use of water under this right shall not give rise to any claim against the holder of a senior water right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.
3. 049 The Director retains jurisdiction of the right to incorporate the use into a water district, require streamflow augmentation or other action needed to protect prior surface water and groundwater rights.
4. R31 This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for irrigation of the lands above.

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

5/16/2018

Water Right 35-10917

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	A LADD CARTER 1775 W 950 S PINGREE, ID 83262 (208) 397-2297
Current Owner	JANE CARTER 1775 W 950 S PINGREE, ID 83262 (208) 785-3116
Security Interest	THE BANK OF COMMERCE C/O WESTERN AG CREDIT FLCA PO BOX 95850 SOUTH JORDAN, UT 84095-0850

Priority Date: 5/1/1972

Basis: Decreed

Status: Active

Source
GROUND WATER

Tributary

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
STOCKWATER	10/01	12/30	0.020 CFS	
DOMESTIC	1/01	12/31	0.040 CFS	
	<u>Total Diversion</u>		0.040 CFS	

Source and Point(s) of Diversion

GROUND WATER SESWNW Sec. 36, Twp 03S, Rge 33E, BINGHAM County

Place Of Use

STOCKWATER within BINGHAM County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03S	33E	36							X										

DOMESTIC within BINGHAM County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03S	33E	36							X										

Conditions of Approval:

1. N13 THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.
2. N11 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
3. PARCEL NO. RP 0149600 STOCKWATER, 50 RANGE CATTLE.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

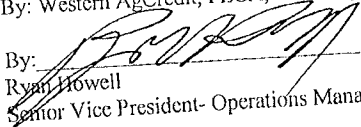
Notice of Security Interest in a Water Right

And Request for Notification of a Change in Ownership or Any Proposed
Or Final Action to Amend, Transfer, or Otherwise Modify a Water Right

Please print or type. Attach pages with additional information. Instructions are on the back of this page
Incomplete forms will be returned

1. Water Right No(s): 35-10917, 35-8741B, 35-7947 and 35-7113B
2. The following **REQUIRED** information must be submitted with this form:
 - A) Evidence of the security interest. This may be a copy of a **DEED of TRUST, MORTGAGE, CONTRACT OF SALE** or other legal document indicating your interest in the property and water rights or claims in question, **WITH ATTACHED LEGAL DESCRIPTION**.
 - B) A **FEE** of \$25.00 per water right or adjudication claim.
3. Name and Mailing Address of Person or Company holding Security Interest:

The Bank of Commerce
c/o Western AgCredit
10980 South Jordan Gateway
P.O. Box 95850
South Jordan, UT 84095-0850.
4. Name of Water Right Owner/Claimant(s):

ADAM LADD CARTER and JANE CARTER
5. Expiration Date of Notification Period: March 1, 2038
6. Is this a Renewal of Request for Notification () YES (X) NO
7. Signature(s) (and title if applicable): By: 

The Bank of Commerce
By: Western AgCredit, FLCA, Servicing Agent
Ryan Howell
Senior Vice President- Operations Manager

For Office Use Only

Received by _____
Received by _____
Processed by _____

Date _____
Date _____
Date _____

Fee _____
Receipt No. _____
WR _____ Date _____

INSTRUCTIONS

This form has been prepared to assist persons having a security interest in a water right to request notification from the Department of Water Resources (IDWR) regarding any change in ownership of the water rights or of any proposed or final action to amend, transfer or otherwise modify the water as provided in Section 42-248(6), **Idaho Code**. The filing of a request for notification is a voluntary action by the holder of the security interest and is not required by law.

1. Please enter the water right or adjudication claim number(s) at **Item 1**. If you believe there are water rights for the property but the numbers are unknown, you may wish to contact IDWR for assistance in identifying the water rights for the property in question. If claims for the rights are required, and have not been filed, IDWR will so advise you.
2. The information described at **Item 2** is required, since IDWR can not process the request without documentation of a security interest. Common types of documentation are shown.
3. The name, mailing address, and telephone number of the person or company desiring notification is entered at **Item 3**.
4. At **Item 4**, please provide the name of the owner/claimant of the water right(s) listed.
5. At **Item 5**, please enter expiration date of the security interest or other date defining the end of the period for which notification is requested. The notification period can be renewed by completing a new form with the appropriate fees as shown below. If the security interest is terminated prior to the expiration date requested, the holder must notify IDWR within 60 days of termination.
6. At **Item 6**, please indicate if this is a renewal of a prior notice.
7. The person(s) desiring notification must sign the form in the space(s) provided at Item 7. For corporations or other organizations, the person signing must be an officer of the corporation or otherwise have authority to sign for the organization and must include their title with the signature.
8. Include the appropriate filing fee. There is a fee of \$25.00 per water right or adjudication claim. Renewals, if necessary, are also \$25.00 per water right or adjudication claim.
9. When complete you should retain a copy and return the completed original form to the IDWR office nearest you:

IDWR Western Region
2735 Airport Way
Boise, ID 83705-5082
(208) 334-2190

IDWR Southern Region
1341 Fillmore Street, Suite 200
Twin Falls, ID 83301-3380
(208) 736-3033

IDWR Northern Region
1910 Northwest Blvd., Suite 210
Coeur d'Alene, ID 83814-2615
(208) 769-1450

IDWR Eastern Region
900 N. Skyline Drive, Suite A
Idaho Falls, ID 83402-1718
(208) 525-7161