



State of Idaho

DEPARTMENT OF WATER RESOURCES

Eastern Region • 900 N Skyline Drive, Suite A • Idaho Falls ID 83402-1718

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BRAD LITTLE
Governor

GARY SPACKMAN
Director

October 10, 2019

The Bank of Commerce
C/O Western AgCredit
10980 S Jordan Gateway
PO Box 95850
South Jordan UT 84095

RE: Security Interest Water Right No. 25-4279 & 25-11059

Dear Sir/Madam:

The Department of Water Resources acknowledges receipt of your Notice of Security Interest.

Our review of your notice indicates that additional information is required before we can process the change. The information required is indicated below:

**** **Application:** The department has enough information to prove a security interest in water right 25-11059. However according to your application the current owner of the water rights listed above should be Michael and Kayla Smith and Tylor and Kylee Smith. According to the records filed with the department the current owner of the water rights listed above is Leslie Jephson, also note water right 29-4279 is not appurtenant to property owned by either party it is on BLM land. Because water right number 25-4279 is on property not listed on the legal description attached to the Real Estate Mortgage and Smith's are not the current owner of the water right an ownership change is required prior to the security interest being added because there is no evidence indicating the Smith's had the ability to take out a loan on that water right. Please submit an ownership change for water right 25-4279 & 25-11059 or request that the claimants file an application to update ownership of the water rights in order for the department to complete your security interest application.

Because the Department cannot process the security interest without proper documentation/fees, we will hold any action on your notice pending receipt of the necessary information/fees. If we do not receive the necessary information/fees within 30 days we will return your notice and all attachments and your notice will not be processed.

Please note that Section 42-248, Idaho Code, requires you or the owner of this water right to maintain current ownership and address records on file with the department. Forms to file a change of ownership of a water right and/or a change in the address of the water right owner are available from any department office, or at the department's website at: www.idwr.idaho.gov.

Please feel free to contact the Department if you have any questions.

Sincerely,

Jonie Barg
Technical Records Specialist

Enclosure(s)