

RECEIVED

DEC 26 2018

DEPARTMENT OF
WATER RESOURCESSTATE 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): 22-13988, 22-13987, 22-13965, 22-13479, 22-4195

Adjudication Claim No(s): _____

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

D. L. Evans BankP.O. Box 87Twin Falls, ID 83303

4. Name of Water Right Owner/Claimant(s)

DK Farms, LLC

5. Expiration Date of Notification Period 02/05/2029

6. Is this a Renewal of Request for Notification?

☐

YES

☒

NO

7. Signature(s) (and title if applicable)

Grant W BoehmeLoan Officer –

Grant W Boehme

Senior Vice President

SUPPORT DATA

IN FILE # 22-4195**For Office Use Only**Received by AWReceived by AWProcessed by df

Date

Date

Date

12-26-18
12-26-18
1-22-19

Fee

Receipt No.

WR

Date

125
6106051

COPY

RECORDATION REQUESTED BY:

D. L. Evans Bank
North Pocatello Branch
4080 Yellowstone Ave.
Pocatello, ID 83202

WHEN RECORDED MAIL TO:

D. L. Evans Bank
North Pocatello Branch
4080 Yellowstone Ave.
Pocatello, ID 83202

SEND TAX NOTICES TO:

DKJ Farms, LLC
665 Centennial Loop
Rexburg, ID 83440

Microfile No. 420143
20 DAY Nov 2018
At 04 O'Clock 46 PM
KIM H. MUIR
MADISON CO RECORDER
Fee \$45.00
Deputy
Recorded at Request of
ALLIANCE TITLE - REXBURG OFFICE

416699
ALLIANCE TITLE & ESCROW CORP

SPACE ABOVE THIS LINE IS FOR RECORDER'S USE ONLY



310003555/200000000000G03

Burton Farm

MORTGAGE

THIS MORTGAGE dated November 19, 2018, is made and executed between DKJ Farms, LLC, an Idaho limited liability company (referred to below as "Grantor") and D. L. Evans Bank, whose address is 4080 Yellowstone Ave., Pocatello, ID 83202 (referred to below as "Lender").

GRANT OF MORTGAGE. For valuable consideration, Grantor mortgages, grants, bargains, sells and conveys to Lender all of Grantor's right, title, and interest in and to the following described real property, together with all existing or subsequently erected or affixed buildings, improvements and fixtures; all easements, rights of way, and appurtenances; all water, water rights, watercourses and ditch rights (including stock in utilities with ditch or irrigation rights); and all other rights, royalties, and profits relating to the real property, including without limitation all minerals, oil, gas, geothermal and similar matters, (the "Real Property") located in Madison County, State of Idaho:

Tract 1:
The North 1/4 of the Southwest 1/4 of Section 17, Township 5 North, Range 39 East, Boise Meridian,
Madison County, Idaho.

Tract 2:
COMMENCING at the Northwest corner of the Northeast 1/4 of Section 20, Township 5 North, Range 39
East, Boise Meridian, Madison County, Idaho, and running;

Thence South 990 feet;
Thence East 660 feet;
Thence North 660 feet;
Thence East 10 feet;
Thence North 330 feet to the North Section line;
Thence West 670 feet to the POINT OF BEGINNING.

Tract 3:
COMMENCING at a point South 89°55'26" West 649.93 feet of the Northeast corner of the Northwest
1/4 of the Northeast 1/4, Section 20, Township 5 North, Range 39 East, Boise Meridian, Madison County,
Idaho and running;

Thence South 00°04'56" East 322.57 feet;
Thence South 89°55'23" West 10.00 feet;
Thence South 00°04'56" East 645.12 feet;
Thence South 89°55'12" West 659.45 feet to the 1/4 Section line;
Thence South 00°06'30" East 19.40 feet to a new fence line projected;
Thence North 89°10'17" East 684.70 feet along said fence line to the fence corner;
Thence continuing along said fence line North 00°24'02" East 978.18 feet;
Thence South 89°55'26" West 23.45 feet to the POINT OF BEGINNING.

Tract 4:
COMMENCING at a point 1805 feet West of the Southeast corner of Section 17, Township 5 North,
Range 39 East, Boise Meridian, Madison County, Idaho, and running;

Thence North 1320 feet;
Thence West 835 feet, more or less, to the 1/4 Section line;
Thence South 1320 feet;
Thence East 835 feet to the POINT OF BEGINNING.

Excepting therefrom:
COMMENCING at a point 215 feet South of the Northwest corner of the Southwest 1/4 of the Southeast 1/4
of said Section 17, and running;

Thence South 615 feet to the North right of way of a County Road;
Thence Southeasterly along the North right of way of said County Road 320 feet;
Thence North 615 feet;
Thence Northwesterly parallel with the North line of the County Road right of way 320 feet to the POINT
OF BEGINNING.

Excepting therefrom:
A parcel of land COMMENCING at the Northeast corner of the Northwest 1/4 of the Northeast 1/4 of
Section 20, Township 5 North, Range 39 East, Boise Meridian, Madison County, Idaho, and running;
Thence South 00°03'22" East 322.55 feet;
Thence South 89°55'21" West 629.01 feet to a new fence line;
Thence North 00°24'02" East 322.57 feet along said fence line to the North line of Section 20;
Thence continuing along the fence line North 00°24'02" East 335.72 feet to the South right of way line of
the County Road;
Thence South 80°00'00" East 141.93 feet along said right of way to a point that is South 00°09'59" West
63.23 feet from the Southwest corner of the Dan J. McRae House Property;
Thence continuing along said right of way South 79°55'52" East 493.33 feet;
Thence South 00°21'00" West 224.00 feet to the POINT OF BEGINNING.

Tract 5:
EASEMENT: A non-exclusive easement for ingress, egress and utilities more particularly described as
follows:

BEGINNING at the Northeast corner of the South 1/2 of the Southwest 1/4 of Section 17, Township 5
North, Range 39 East, Boise Meridian, Madison County, Idaho, and running;

Thence South 215 feet;
Thence West 30 feet;
Thence North 215 feet;
Thence East 30 feet to the POINT OF BEGINNING.

Tract 6:
Situated in the State of Idaho, County of Madison, being part of Section 17, Township 5 North, Range 39

420143

COPY

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Pocatello, ID 83202

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DKJ Farms, LLC
665 Centennial Loop
Rexburg, ID 83440

Microfile No. 420144

20 DAY Nov 2018

At 04 O'Clock 46 PM

KIM H. MUIR

MADISON CO RECORDER

Fee \$45.00

Deputy

Recorded at Request of

ALLIANCE TITLE - REXBURG OFFICE

416703
ALLIANCE TITLE & ESCROW CORP

SPACE ABOVE THIS LINE IS FOR RECORDER'S USE ONLY



310003555/200000000000G03

Rexburg Bench

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Tract 1:
Township 5 North, Range 41 East of the Boise Meridian, Madison County, Idaho.
Section 16: Southeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$.

Tract 2:
Township 5 North, Range 41 East of the Boise Meridian, Madison County, Idaho.
Section 20: Northeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$.

Tract 3:
Township 5 North, Range 41 East of the Boise Meridian, Madison County, Idaho.
Section 20: Northwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$.

Tract 4:
Township 5 North, Range 41 East of the Boise Meridian, Madison County, Idaho.
Section 20: Southwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$.

Tract 5:
Township 5 North, Range 41 East of the Boise Meridian, Madison County, Idaho.
Section 20: Southeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$.

Tract 6:
Township 5 North, Range 41 East of the Boise Meridian, Madison County, Idaho.
Section 20: Southwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$.

Excepting therefrom:
BEGINNING at the Northwest Corner of the Southwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ and running;
Thence South 500 feet along the Section line;
Thence East 225 feet;
Thence North 500 feet;
Thence West 225 feet to the POINT OF BEGINNING.

Tract 7:
Township 5 North, Range 41 East of the Boise Meridian, Madison County, Idaho.
Section 20: Southeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$.

Tract 8:
Township 5 North, Range 41 East of the Boise Meridian, Madison County, Idaho.
Section 20: Northeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$.

Tract 9:
Township 5 North, Range 41 East of the Boise Meridian, Madison County, Idaho.
Section 20: Northwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$.

Tract 10:
Township 5 North, Range 41 East of the Boise Meridian, Madison County, Idaho.
Section 20: Northeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$.

Tract 11:
Township 5 North, Range 41 East of the Boise Meridian, Madison County, Idaho.
Section 20: Northwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$.

Tract 12:
Township 5 North, Range 41 East of the Boise Meridian, Madison County, Idaho.
Section 21: East $\frac{1}{2}$ of the Northwest $\frac{1}{4}$.

Tract 13:
Township 5 North, Range 41 East of the Boise Meridian, Madison County, Idaho.
Section 21: Northwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$.

Tract 14:
Township 5 North, Range 41 East of the Boise Meridian, Madison County, Idaho.
Section 21: Southwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$.

Tract 15:
Township 5 North, Range 41 East of the Boise Meridian, Madison County, Idaho.
Section 21: Northwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$.

Tracts 16 through 20

Tract 16:
COMMENCING at a point that is approximately 785 feet West of the Northeast corner of Section 6, Township 5 North, Range 39 East, Boise Meridian, Madison County, Idaho, which point is also 15 feet East of the Southeast corner of the Southwest $\frac{1}{4}$ of Section 31, Township 6 North, Range 39 East, Boise Meridian, Madison County, Idaho, and going;
Thence South 0°02' East 676 feet;
Thence North 88°02' West 1101.75 feet;
Thence South 1°58' West 728 feet;
Thence North 88°02' West 459 feet;
Thence North 63°13'30" West 151 feet;

420144



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 E FRONT ST STE 648 PO BOX 83720 • BOISE, ID 83720-0098

Phone: (208)287-4800 • Fax: (208)287-6700 • Website: www.idwr.idaho.gov

Brad Little
Governor

Gary Spackman
Director

January 22, 2019

D L EVANS BANK
PO BOX 87
TWIN FALLS ID 83303-0087

RE: Notice of Security Interest for Water Right Nos: 22-4195, 22-13479, 22-13987, and 22-13988

Dear Security Interest Holder:

The Department of Water Resources (Department) acknowledges receipt of correspondence adding security interest of the above referenced water rights to you. The Department has modified its records to reflect the change in security interest and has enclosed a computer-generated report for you. Water right 22-13965 was not updated as it is not a valid water right. A refund has been requested and will arrive under separate cover from the State Controller's Office.

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) 287-4920.

Sincerely,

Debbi Judd
Technical Records Specialist

Enclosures

c: DKJ FARMS LLC

Judd, Debbi

From: Judd, Debbi
Sent: Tuesday, January 22, 2019 10:25 AM
To: Financial
Subject: Refund request

TO: Sascha Marston
FROM: Debbi Judd
DATE: January 22, 2019
RE: **Refund: Security Interest**

Please refund \$25. Security interest for one water right was not processed.

NAME: D L EVANS BANK
ADDRESS: PO BOX 87
TWIN FALLS ID 83303

RECEIPT #: C106051

Thank you.

Debbi

Debbi Judd
Technical Records Specialist
debbi.judd@idwr.idaho.gov

Idaho Department of Water Resources
322 E Front St
PO Box 83720
Boise, ID 83720-0098
208-287-4920
www.idwr.idaho.gov