

RECEIVED

JAN 22 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 RightPlease 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): 29-4083, 29-10343, 29-10344, 29-12891, 29-12892, 29-12893, 29-12894
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

Lewiston State Bank
17 East Center
P.O. Box 32
Lewiston, UT 843204. Name of Water Right Owner/Claimant(s) Ivan Bingham and/or Marti E Bingham5. Expiration Date of Notification Period 1-2-20286. Is this a Renewal of Request for Notification? ☐ YES ☒ NO

SUPPORT DATA

IN FILE # 29-40837. Signature(s) of Security Interest holder(s) Lewiston State Bank
(and title if applicable) By: Shaun Smith
Loan Processor

For Office Use Only

Received by TEDate 1-22-2018Fec 175.00Received by TEDate 1-22-2018Receipt No. C104556

Processed by _____

AJ

Date _____

WR dfDate 1-22-18

CERTIFICATE OF BORROWER

This Certificate of Borrower is made as of the 2nd day of January, 2018, by Ivan E. Bingham ("Borrower"), and Guarantor") (collectively, "Debtor"), for reliance upon by Lewiston State Bank ("Bank") as a condition of settlement of a loan in the original principal amount of \$ 401,547.84 secured by certain water rights (the "Loan"). In connection with the Loan, the debtor hereby certifies to the Bank for its reliance, the trust, accuracy and completeness of the following matters:

1. Each person executing any of the Loan Documents (i) has been duly authorized to execute each such document on behalf of the entity for which such person purports to sign, and (ii) is legally competent to execute such documents.
2. Each of the Loan Documents has been duly executed and delivered to the Bank.
3. The execution, delivery and performance of the Loan Documents, the Water Rights Trust Deed, the Note, and the documents, instruments and agreements provided for therein will not (a) result in a breach of or default under (i) any other document, instrument or agreement to which Debtor is a party or by which Debtor or any of Debtor's property is bound, (ii) any judgment, order, writ, injunction, or decree of any court, administrative agency or other governmental authority, or any determination or award of any arbitrator by which Debtor or any of Debtor's property is bound or (iii) the operating agreement or articles of Borrower.
4. There are no suits, actions, proceedings or investigations pending or threatened against or involving Debtor before any court, arbitrator or administrative or governmental body which might reasonably result in any material adverse change in the contemplated business, condition or operating of Debtor.
5. The terms and conditions of the Loan as reflected in the Loan Documents have not been amended, modified or supplemented,

directly or indirectly, by any other agreement or understanding of the parties or waiver of any of the material provisions of the Loan Document, which documents embody all of the material terms of the agreement between the Debtor and the Bank.

6. Borrower is the fee simple owner of Water Right Nos.

29-4083, 29-10343, 29-10344, 29-12891, 29-12892, 29-12893,
(the "water Rights"), and neither the Water Rights nor any security 29-12894
interest therein have heretofore been conveyed or granted to any other person or entity. And the Water Rights Trust Deed grants a senior security interest in the Water Rights to Bank. The Water Rights have been fully used for a beneficial use within the last _____ years and have not been forfeit by non-use, either in whole or in part.

7. The above Water Rights are appurtenant to the same real property as is described in the Deed of Trust/Mortgage that secures the above loan.

IN WITNESS WHEREOF, the Debtor has executed this Certificate of Borrower effective as of the date set forth above.

INDIVIDUAL DEBTOR:

x

Ivan F. Bringham
Ivan F. Bringham

BUSINESS DEBTOR:

By _____
Name: _____
Title: _____



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

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

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

January 23, 2018

LEWISTON STATE BANK
PO BOX 32
LEWISTON UT 84320

RE: Notice of Security Interest for Water Right Nos: 29-4083, 29-10343, 29-10344,, 29-12891, 29-12892, 29-12893, and 29-12894

Dear Party Holding Security Interest:

The Department of Water Resources 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 your records.

Updating the ownership record for a water right does not reconfirm the validity of the right. When processing an ownership change notice, the department does not review the history of water use to determine if the right has been forfeited 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 that as of July 1, 1996, water right owners are required to report any change of water right ownership and any change of mailing address of the owner of a water right to the department. Notice of the change must be provided to the department within 120 days of the change. Change reporting forms are available from any office of the department or online www.idwr.idaho.gov.

Please feel free to contact this office if you have any questions regarding this matter.

Sincerely,

Debbi Judd
Technical Records Specialist

Enclosures

c: Ivan and Marti Bingham