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NOV 01 2016

DEPT OF WATER RESOURCES
SOUTHERN REGIONSTATE 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.RECEIVED
NOV 04 2016
WATER RESOURCES
WESTERN REGION1. Water Right No(s): 65-8882; 65-8883; 65-8884

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.

SUPPORT DATA**IN FILE #** 65-8882

3. Name and Mailing Address of Person or Company holding Security Interest

D. L. Evans BankP.O. Box 87Twin Falls, ID 833034. Name of Water Right Owner/Claimant(s) Joseph M. WattersonJill Marie Watterson5. Expiration Date of Notification Period 9/10/20366. Is this a Renewal of Request for Notification? ☐ YES ☒ NO7. Signature(s) (and title if applicable) *David E. Sluiter*Loan Officer**For Office Use Only**Received by DMDate 11/1/16Fee \$150 - \$75 =Received by AMDate 11-1-2016Receipt No. 5035791Processed by CSDate 11/21/16

WR _____ Date _____

RECORDATION REQUESTED BY:

D. L. Evans Bank
Boise Downtown Branch
890 West Main Street
Boise, ID 83702

Instrument # 400858

VALLEY COUNTY, CASCADE, IDAHO

09-09-2016 16:04:47 No. of Pages: 6

Recorded for: AMERITITLE CASCADE

DOUGLAS A. MILLER Fee: \$26.00

Ex-Officio Recorder Deputy: TP

Electronically Recorded by Simplifile

WHEN RECORDED MAIL TO:

D. L. Evans Bank
Boise Downtown Branch
890 West Main Street
Boise, ID 83702

#3312100405

SEND TAX NOTICES TO:

Joseph M. Watterson
Jill M. Watterson
6725 W. Dry Creek Road
Boise, ID 83714

SPACE ABOVE THIS LINE IS FOR RECORDER'S USE ONLY

MORTGAGE

THIS MORTGAGE dated September 8, 2016, is made and executed between Joseph M. Watterson and Jill M. Watterson husband and wife (referred to below as "Grantor") and D. L. Evans Bank, whose address is 890 West Main Street, Boise, ID 83702 (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 Valley County, State of Idaho:

PARCEL 1:

A parcel of land situate in the S1/2 of the NW1/4 of Section 24, T.16N, R. 3E., B.M., Valley County, Idaho, more particularly described as follows:

Commencing at the 1/4 Corner common to Sections 23 and 24, T. 16N., R. 3E., B.M., Valley County, Idaho, the **REAL POINT OF BEGINNING**:

Thence, N. 00°04'01" W., 982.06 feet along the boundary common to said Sections 23 and 24,

Thence, S. 89°43'06" E., 346.70 feet to a 1/2 inch rebar,

Thence, N. 00°05'04" W., 338.05 feet to a 1/2 inch rebar on the north boundary of the S1/2 of the NW1/4 of said Section 24,

Thence, S. 89°42'03" E., 2,273.66 feet along said north boundary to a 5/8

inch rebar marking the CN1/16 Corner of said Section 24,

Thence, S. 00°14'40" E., 1,318.38 feet to a 1/2 inch rebar marking the C1/4 Corner of said Section 24,

Thence, N. 89°44'15" W., 2,624.33 feet to the Point of Beginning.

PARCEL 2:

A parcel of land situate in the S1/2 of the NW1/4 of Section 24, T.16N., R. 3E., B.M., Valley County, Idaho, more particularly described as follows:

Commencing at the 1/4 Corner common to Sections 23 and 24, T. 16N., R. 3E., B.M., Valley County, Idaho:

Thence, N. 00°04'01" W., 982.06 feet along the boundary common to said Sections 23 and 24, to the **REAL POINT OF BEGINNING**:

Thence, continuing N. 00°04'01" W., 338.16 feet to the N1/16 Corner common to said Sections 23 and 24,

Thence, S. 89°42'03" E., 346.60 feet along the north boundary of the S1/2 of the NW1/4 of said Section 24 to a 1/2 inch rebar,

Thence, S. 00°05'04" E., 338.05 feet to a 1/2 inch rebar,

Thence, N. 89°43'06" W., 346.70 feet to the Point of Beginning.

★ Together with the water rights represented by Idaho State Department of Water Resources Water Right No. 65-8883 with a claimed priority of June 1, 1930 to 0.04 cfs of domestic water from groundwater and Water Right No. 65-8884 with a claimed priority of June 1, 1930 to 0.03 cfs of stock water from groundwater and Water Right No. 65-8882 with a claimed priority of June 1, 1930 to 0.02 cfs of stockwaters of the springs, a tributary of the Gold Fork Creek together with any and all other water rights and ditch rights appurtenant to the above described premises.

The Real Property or its address is commonly known as 13006 & 13010 Farm to Market Road, Donnelly, ID 83615. The Real Property tax identification number is RP16N03E244206; RP16N03E243765.

Grantor presently assigns to Lender all of Grantor's right, title, and interest in and to all present and future leases of the Property and all Rents from the Property. In addition, Grantor grants to Lender a Uniform Commercial Code security interest in the Personal Property and Rents.

THIS MORTGAGE, INCLUDING THE ASSIGNMENT OF RENTS AND THE SECURITY INTEREST IN THE RENTS AND PERSONAL PROPERTY, IS GIVEN TO SECURE (A) PAYMENT OF THE INDEBTEDNESS AND (B) PERFORMANCE OF ANY AND ALL OBLIGATIONS UNDER THE NOTE, THE RELATED DOCUMENTS, AND THIS MORTGAGE. THIS MORTGAGE IS GIVEN AND ACCEPTED ON THE FOLLOWING TERMS:

GRANTOR'S WAIVERS. Grantor waives all rights or defenses arising by reason of any "one action" or "anti-deficiency" law, or any other law which may prevent Lender from bringing any action against Grantor, including a claim for deficiency to the extent Lender is otherwise entitled to a claim for deficiency, before or after Lender's commencement or completion of any foreclosure action, either judicially or by exercise of a power of sale.

GRANTOR'S REPRESENTATIONS AND WARRANTIES. Grantor warrants that: (a) this Mortgage is executed at Borrower's request and not at the request of Lender; (b) Grantor has the full power, right, and authority to enter into this Mortgage and to hypothecate the Property; (c) the execution of this Mortgage does not conflict with, or result in a default under any agreement or other instrument binding upon Grantor and do not



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region • 2735 Airport Way • Boise, Idaho 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

November 21, 2016

DL EVANS BANK
PO BOX 87
TWIN FALLS ID 83303

RE: Notice of Security Interest for Water Right No's: 65-8882, 65-8883 & 65-8884

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 for the water rights, and has enclosed computer-generated reports 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 Sections 42-222 and 42-223, Idaho Code.

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 at www.idwr.idaho.gov.

Please feel free to contact this office at 208-334-2190 if you have any questions regarding this matter.

Sincerely,

Chad Jones
Office Specialist II
Western Regional Office

Enclosures

Cc: JOSEPH M & JILL MARIE WATTERSON
16725 W DRY CREEK RD
BOISE ID 83702