

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED
SEP 08 2016

Department of Water Resources
Eastern Region

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): 22-7680B *OK*
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):

MOODY CREEK RANCH LLC, an Idaho Limited Liability Company
and JEPPESEN BROTHERS RANCH, an Idaho General Partnership
5. Expiration Date of Notification Period: June 1, 2025
6. Is this a Renewal of Request for Notification () YES (X) NO

The Bank of Commerce
By: Western AgCredit, FLCA, Servicing Agent
7. Signature(s) (and title if applicable): By: *David G. Brown*
David G. Brown
Chief Operating Officer

For Office Use Only

Received by *JB*
Receipted by *JB*
Processed by _____

Date 9/14/16
Date 9/14/16
Date _____

Fee \$25.00
Receipt No. E042436
WR *JB* Date 9/16/2016

601238RX

Microfile No. 404466
31 DAY Aug 2016
At 02 O'Clock 12 PM
KIM H. MUIR
MADISON CO RECORDER
Fee \$16.00
Deputy
Recorded at Request of
FIRST AMERICAN TITLE - REXBURG

Recording Requested by:

WHEN RECORDED MAIL TO:

The Bank of Commerce
1730 West Broadway
PO Box 1887
Idaho Falls, Idaho 83403

Space Above This Line For Recorder's Use

Loan Number: 4100878851

SUPPLEMENTAL MORTGAGE

THIS MORTGAGE, made August 30, 2016, between MOODY CREEK RANCH LLC, an Idaho Limited Liability Company as Mortgagor, and The Bank of Commerce as Mortgagee.

WITNESSETH: That said Mortgagor, hereby grants, conveys, and confirms unto said Mortgagee, with power of sale, the following described real property situated in the County of Madison, State of Idaho.

FOR DESCRIPTION OF REAL PROPERTY SEE EXHIBIT "A" ATTACHED HERETO

This mortgage is supplemental to that certain mortgage dated May 26, 2010 in favor of The Bank of Commerce, recorded June 3, 2010, as Entry No. 361502, in the official records of the County of Madison, State of Idaho, and is given as additional security for the indebtedness secured by said mortgage, including all past, present, and future advances of money made by the Mortgagee either to the Mortgagor, or to his successors, or any of them.

The terms, stipulations, conditions, and covenants of the mortgage hereinabove referred to are hereby adopted as part of this mortgage and are by this reference incorporated herein and made a part hereof as if set forth at length herein. Mortgagor agrees that any default under any of said mortgage shall constitute a default under all.

Request is hereby made that a copy of any notice of default and a copy of any notice of sale hereunder be mailed to the undersigned at their respective addresses hereinafter set forth.

IN WITNESS WHEREOF, the Mortgagor(s) executed this mortgage the date and year first hereinabove written.

Signature(s):

MOODY CREEK RANCH LLC, an Idaho Limited Liability
Company

By: Leroy E. Jeppesen
LERROY E. JEPPESEN, Manager

By: Brett H. Jeppesen
BRETT H. JEPPESEN, Manager

601238RX

Recording Requested by:

WHEN RECORDED MAIL TO:

The Bank of Commerce
1730 West Broadway
PO Box 1887
Idaho Falls, Idaho 83403

E-RECORDED simplifile

ID: 404466
County: Madison
Date: 8-31-16 Time: 2:12

Space Above This Line For Recorder's Use

Loan Number: 4100878851

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MOODY CREEK RANCH LLC, an Idaho Limited Liability
Company

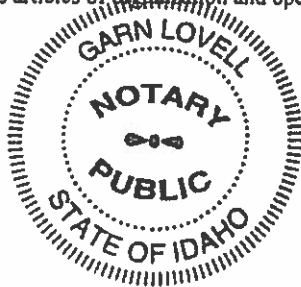
By: Leroy E. Jeppesen
LEROY E. JEPPESEN, Manager

By: Brett H. Jeppesen
BRETT H. JEPPESEN, Manager

Notary Acknowledgment(s):

STATE OF Idaho)
COUNTY OF Madison ^{SS.}

On this 31 day of August, 2016, before me, the undersigned Notary Public in and for said County and State, personally appeared LEROY E. JEPPESEN [☒ personally known to me] [() proved to me on the basis of satisfactory evidence] to be the person(s) who executed the within instrument as MANAGER, or on behalf of the Limited Liability Company therein named, and acknowledged to me that the Limited Liability Company executed the within instrument pursuant to its articles of organization and operating agreement.



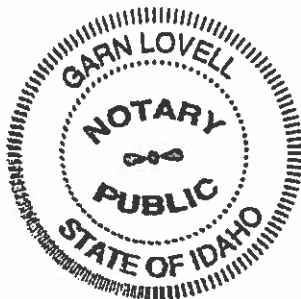
WITNESS my hand and official seal

Garn A Lovell
Notary Public in and for said County and State

Commission Expires 1-19-2017

STATE OF Idaho)
COUNTY OF Madison ^{SS.}

On this 31 day of August, 2016, before me, the undersigned Notary Public in and for said County and State, personally appeared BRETT H. JEPPESEN [☒ personally known to me] [() proved to me on the basis of satisfactory evidence] to be the person(s) who executed the within instrument as MANAGER, or on behalf of the Limited Liability Company therein named, and acknowledged to me that the Limited Liability Company executed the within instrument pursuant to its articles of organization and operating agreement.



WITNESS my hand and official seal

Garn A Lovell
Notary Public in and for said County and State

Commission Expires 1-19-2017

EXHIBIT "A"

PARCEL 3:

TOWNSHIP 5 NORTH, RANGE 41 E.B.M., MADISON COUNTY, IDAHO

SECTION 18: THE SOUTH 406 FEET OF THE N $\frac{1}{2}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$

SECTION 19: N $\frac{1}{2}$ NE $\frac{1}{4}$

TOGETHER WITH the following water rights registered with the State of Idaho Department of Water Resources: Water Right Number(s): 22-7680B.



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N Skyline Dr., Ste A, Idaho Falls, Idaho 83402-1718

Phone: (208) 525-7161 FAX: (208) 525-7177 www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

September 20, 2016

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

RE: Notice of Security Interest in a Water Right 22-7680B

Dear Water Right Holder(s):

The department acknowledges receipt of correspondence adding a security interest to the above referenced water right(s) to you. The department has modified its records to reflect the security interest and has enclosed a computer-generated report for your records.

Updating the security interest record for a water right does not reconfirm the validity of the right. When processing an security interest notice, the department does not review the history of water use to determine if the right has been deliberately abandoned or 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 feel free to contact this office if you have any questions regarding this matter.

Sincerely,

Jonie Barg
Technical Records Specialist

Enclosure

cc: Jeppesen Brothers Ranch