

RECEIVED

JUN 08 2015

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCESDEPT OF WATER RESOURCES  
SOUTHERN 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): 36-15480 and 36-7308 \_\_\_\_\_  
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 Bank \_\_\_\_\_  
P.O. Box 87 \_\_\_\_\_  
Twin Falls, ID 83303 \_\_\_\_\_
4. Name of Water Right Owner/Claimant(s)  
Randy Newton and Dennis Newton \_\_\_\_\_
5. Expiration Date of Notification Period April 22, 2025 \_\_\_\_\_
6. Is this a Renewal of Request for Notification? ☐ YES ☒ NO
7. Signature(s) (and title if applicable) Julia Hanna \_\_\_\_\_  
\_\_\_\_\_

**For Office Use Only**

|                       |                      |                            |
|-----------------------|----------------------|----------------------------|
| Received by <u>DM</u> | Date <u>6-8-2015</u> | Fee <u>\$50-</u>           |
| Received by <u>DM</u> | Date <u>6-8-2015</u> | Receipt No. <u>3034830</u> |
| Processed by _____ AJ | Date _____           | WR _____ Date _____        |

**SUPPORT DATA****IN FILE #** 36-7308

**RECORDATION REQUESTED BY:**

D. L. Evans Bank  
North Burley Branch  
P.O. Box 1188  
397 North Overland Ave.  
Burley, ID 83318

**Instrument # 531468**

MINIDOKA COUNTY, RUPERT, IDAHO  
05-07-2016 04:00:28 PM No. of Pages: 6  
Recorded for: FIRST AMERICAN TITLE - BURLEY  
PATTY TEMPLE Fee: \$25.00  
Ex-Officio Recorder Deputy Diana Wheeler  
Electronically Recorded by Simplifile

**WHEN RECORDED MAIL TO:**

D. L. Evans Bank  
North Burley Branch  
P.O. Box 1188  
397 North Overland Ave.  
Burley, ID 83318

ELECTRONICALLY RECORDED  
DO NOT REMOVE  
THE COUNTY STAMPED  
FIRST PAGE AS IT IS NOW  
INCORPORATED AS PART OF  
THE ORIGINAL DOCUMENT

**SEND TAX NOTICES TO:**

Randy W. Newton, Connie C. Newton and Dennis L. Newton  
1250 North 400 West  
Paul, ID 83347

SPACE ABOVE THIS LINE IS FOR RECORDER'S USE ONLY

543647 Bu

**MORTGAGE**

THIS MORTGAGE dated April 27, 2015, is made and executed between Randy W. Newton and Connie C. Newton, husband and wife, an undivided one-half interest, and Dennis L. Newton, a single man, an undivided one-half interest (referred to below as "Grantor") and D. L. Evans Bank, whose address is P.O. Box 1188, 397 North Overland Ave., Burley, ID 83318 (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 Minidoka County, State of Idaho:

**PARCEL NO. 1:**

TOWNSHIP 7 SOUTH, RANGE 23 EAST OF THE BOISE MERIDIAN,  
MINIDOKA COUNTY, IDAHO

SECTION 14: THAT PART OF SAID SECTION 14, LYING SOUTH OF THE UNION PACIFIC RAILROAD RIGHT OF WAY.

**PARCEL NO. 2:**

TOWNSHIP 7 SOUTH, RANGE 23 EAST OF THE BOISE MERIDIAN,  
MINIDOKA COUNTY, IDAHO

SECTION 23: N½, SAVE AND EXCEPT THE FOLLOWING DESCRIBED TRACTS:

**TRACT NO. 1:**

BEGINNING AT THE NORTHEAST CORNER OF SAID SECTION 23, THENCE SOUTH 0°19' EAST ALONG THE EAST SECTION LINE OF SAID SECTION 23 FOR 260.00 FEET TO A POINT ON THE RIGHT OF WAY LINE OF IDAHO STATE HIGHWAY NO. 24, AND WHICH POINT SHALL BE KNOWN AS THE TRUE POINT OF BEGINNING;

THENCE NORTH 73°21' WEST ALONG SAID RIGHT OF WAY LINE FOR 520.39 FEET;

THENCE SOUTH 0°19' EAST FOR 1152.65 FEET;

THENCE NORTH 89°41' EAST FOR 497.50 FEET TO A POINT ON THE EAST SECTION LINE OF SAID SECTION 23;

THENCE NORTH 0°19' WEST ALONG SAID EAST SECTION LINE FOR 1000.75 FEET TO THE TRUE POINT OF BEGINNING.

**TRACT NO. 2:**

BEGINNING AT THE EAST QUARTER SECTION CORNER OF SECTION 23, SAID CORNER MARKED BY A 1/2 INCH REBAR; THENCE NORTH 00°01'33" EAST ALONG THE EAST LINE OF THE SE¼/NE¼ FOR A DISTANCE OF 50.00 FEET TO THE POINT OF BEGINNING;

THENCE SOUTH 89°46'45" WEST FOR A DISTANCE OF 26.93 FEET TO A 1/2 INCH REBAR;

THENCE SOUTH 89°46'45" WEST FOR A DISTANCE OF 286.07 FEET TO A 1/2 INCH REBAR;

THENCE NORTH 00°01'33" EAST FOR A DISTANCE OF 139.17 FEET TO A 1/2 INCH REBAR;

THENCE NORTH 89°46'45" EAST FOR A DISTANCE OF 285.46 FEET TO A 1/2 INCH REBAR;

THENCE NORTH 89°46'45" EAST FOR A DISTANCE OF 27.54 FEET TO THE EAST LINE OF THE SE¼/NE¼;

THENCE SOUTH 00°01'33" WEST ALONG SAID LINE FOR A DISTANCE OF 139.17 FEET TO THE POINT OF BEGINNING.

**TRACT NO. 3:**

BEGINNING AT THE WEST QUARTER CORNER OF SECTION 23, SAID CORNER MARKED BY A 5/8 INCH REBAR WHICH SHALL BE THE POINT OF BEGINNING;

THENCE NORTH 00°01'43" EAST ALONG THE WEST LINE OF SECTION 23 FOR A DISTANCE OF 863.83 FEET;

THENCE SOUTH 89°58'17" EAST FOR A DISTANCE OF 23.22 FEET TO A 1/2 INCH REBAR;

THENCE SOUTH 89°58'17" EAST FOR A DISTANCE OF 41.89 FEET;

THENCE ALONG A NON-TANGENT CURVE TO THE LEFT FOR A DISTANCE OF 1176.32 FEET, SAID CURVE HAVING A RADIUS OF 1339.85 FEET, A DELTA ANGLE OF 50°18'10", AND A LONG CHORD BEARING OF SOUTH 44°35'40" EAST, FOR A DISTANCE OF 1138.90 FEET;

THENCE SOUTH 00°13'15" EAST FOR A DISTANCE OF 38.50 FEET TO A 1/2 INCH REBAR;

THENCE SOUTH 00°13'15" EAST FOR A DISTANCE OF 10.96 FEET TO THE SOUTH LINE OF THE SW¼/NW¼;

THENCE SOUTH 89°46'45" WEST ALONG THE SOUTH LINE OF THE SW¼/NW¼ FOR A DISTANCE OF 865.34 FEET TO THE POINT OF BEGINNING.

TOGETHER WITH THE WATER RIGHTS REPRESENTED BY IDAHO STATE DEPARTMENT OF WATER RESOURCES WATER RIGHT NO. 36-15480 WITH A CLAIMED PRIORITY OF APRIL 1, 1958 TO 4.56 CFS OF IRRIGATION WATER FROM GROUNDWATER AND WATER RIGHT NO. 36-7308 WITH A CLAIMED PRIORITY OF MARCH 2, 1973 TO 1.62 CFS OF IRRIGATION WATER FROM GROUND WATER TOGETHER WITH ANY AND ALL OTHER WATER RIGHTS AND DITCH RIGHTS APPURTENANT TO THE ABOVE DESCRIBED PREMISES.

TOGETHER WITH ALL IRRIGATION EQUIPMENT AND ADDITIONS THERETO AND REPLACEMENTS THEREOF NOW OWNED OR HEREAFTER ACQUIRED BY THE BORROWERS AND USED IN THE IRRIGATION OF THE ABOVE PREMISES.

The Real Property or its address is commonly known as 1250 North 400 West, Paul, ID 83347. The Real

*[Handwritten signatures]*