

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 Harna _____

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>S034830</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 INCH REBAR; THENCE NORTH 00°01'33" EAST ALONG THE EAST LINE OF THE SE¼NE¼ 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 ½ INCH REBAR;

THENCE SOUTH 89°46'45" WEST FOR A DISTANCE OF 286.07 FEET TO A ½ INCH REBAR;

THENCE NORTH 00°01'33" EAST FOR A DISTANCE OF 139.17 FEET TO A ½ INCH REBAR;

THENCE NORTH 89°46'45" EAST FOR A DISTANCE OF 285.46 FEET TO A ½ INCH REBAR;

THENCE NORTH 89°46'45" EAST FOR A DISTANCE OF 27.54 FEET TO THE EAST LINE OF THE SE¼NE¼;

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 ½ 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 ½ INCH REBAR;

THENCE SOUTH 00°13'15" EAST FOR A DISTANCE OF 10.96 FEET TO THE SOUTH LINE OF THE SW¼NW¼;

THENCE SOUTH 89°46'45" WEST ALONG THE SOUTH LINE OF THE SW¼NW¼ 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

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State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region • 1341 Fillmore Street, Suite 200 • Twin Falls, Idaho 833301-3380
Phone: (208) 736-3033 • Fax: (208) 736-3037 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

June 10, 2015

D L EVANS BANK
PO BOX 87
TWIN FALLS ID 83303

Re: Notice of Security Interest in a Water Right for Water Right 36-7308 and 36-15480
Randy and Dennis Newton

Dear Party Holding Security Interest:

The Department of Water Resources acknowledges receipt of the Notice of Security Interest in a Water Right you recently submitted on the above water rights. The Department has modified its records to reflect the security interest and has enclosed a computer-generated report for your records.

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 owners 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 on the Department's website.

Please feel free to contact this office with any questions you may have.

Sincerely,

A handwritten signature in cursive script, reading "Trish Fawcett".

Trish Fawcett
Technical Records Specialist

Enclosures

Cc: Randy and Dennis Newton