



State of Idaho

DEPARTMENT OF WATER RESOURCES

Eastern Region, 900 North Skyline Drive, Suite A • Idaho Falls, Idaho 83402-1718
Phone: (208) 525-7161 • Fax: (208) 525-7177 • Web Site: www.idwr.idaho.gov

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

August 3, 2010

AXA Equitable Life Insurance Co
C/O Rabo Agrifinance Inc
PO Box 411995
St Louis MO 63141

RE: Notice of Security Interest in a Water Right 13-733, 13-2197, 13-7010, 13-7161, 29-8240 & 29-8241

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.

The department cannot add your Security Interest to water right number 13-7010 at this time, for the following reasons:

- The water right is in the name of Keith and Terry Jorgensen, not Jorgensen Farms Limited Partnership.
- According to the taxlot data the property covered by the place of use of the water is owned by Jorgensen Cattle, not Jorgensen Farms.
- The place of use of the water right is not covered by the legal description provided.
 - The place of use of water right 13-7010 is approximately 35 acres within the west half of the SE quarter of Section 5, Township 10 South Range 40 East. The property for Section 5 Township 10 South Range 40 East covered by the security interest according to the mortgage received by our department is the North half and a portion of the SW quarter.

Because the department cannot add your security interest at this time you are entitled to a \$25.00 refund for receipt number E035726, a request has been sent to the state office, please find a copy of the email sent attached.

If you believe you do have the right to a security interest in water right 13-7010, please resubmit a Notice of Security Interest along with additional information indicating your interest and proper fees. Please note additional information would be required from the water right holder or a mortgage listing the place of use of the water right. I have attached a copy of the proof report for your review.

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: Jorgensen Farms
Jorgensen Brothers
Carl B Jorgensen
Patricia Jorgensen
Keith Jorgensen
Terry Jorgensen