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STATE 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

RECEIVED
OCT 13 2009
Department of Water Resources
Eastern Region

Please print or type. Attach pages with additional information. Instructions are on the back of this page
Incomplete forms will be returned

- WR OK WR
1. Water Right No(s): 21-13059 and 21-7128
 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.

SUPPORT DATA
IN FILE # 21-7128

4. Name of Water Right Owner/Claimant(s):
WALTER R. SCAFE and SHIRLEY E. SCAFE
5. Expiration Date of Notification Period: August 1, 2039
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
Vice President - Credit Services

For Office Use Only

Received by BMA
Receipted by _____
Processed by _____

Date 10/24/09 Fee \$50
Date _____ Receipt No. 2035425
Date _____ WR _____ Date _____

Recording Requested by:

WHEN RECORDED MAIL TO:

The Bank of Commerce
1730 West Broadway
P.O. Box 1887
Idaho Falls, Idaho 83403

This document has been recorded electronically. Please see the attached copy to view the County Recorder's stamp as it now appears in the public record.

Book: _____ Page: _____
Entry: 524789 Date: 9/29/09

Submitted by: Western AgCredit

Space Above This Line For Recorder's Use

Loan Number: 4100866-851

SUPPLEMENTAL MORTGAGE

THIS MORTGAGE, made September 24, 2009, between WALTER R. SCAFE and SHIRLEY E. SCAFE, husband and wife 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 Fremont, State of Idaho.

FOR DESCRIPTION OF REAL PROPERTY SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

This mortgage is supplemental to that certain mortgage dated July 21, 2009 in favor of The Bank of Commerce, recorded August 4, 2009, as Entry No. 523998, in the official records of the County of Fremont, 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):

Walter R Scaf
WALTER R. SCAFE

Shirley E. Scaf
SHIRLEY E. SCAFE

Instrument No. 524789
29 DAY SEP 2009
At 08 O'Clock 49 M
ABBIE MACE
FREMONT CO RECORDER
Fee \$9.00
JFlores Deputy
Recorded at Request of
WESTERN AGCREDIT

Recording Requested by:

WHEN RECORDED MAIL TO:

The Bank of Commerce
1730 West Broadway
P.O. Box 1887
Idaho Falls, Idaho 83403

Space Above This Line For Recorder's Use

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Signature(s):

Walter R. Scafe
WALTER R. SCAFE
Shirley E. Scafe
SHIRLEY E. SCAFE

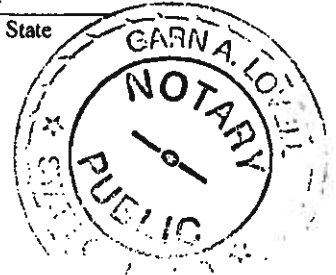
Notary Acknowledgment(s):

STATE OF Idaho)
COUNTY OF Bingham)^{ss.}

On this 28 day of September, 2009, before me, the undersigned Notary Public in and for said County and State, personally appeared WALTER R. SCAFE [(X) personally known to me] [() proved to me on the basis of satisfactory evidence] to be the person(s) whose name(s) is/are subscribed to this instrument and acknowledged to me that he executed it.

WITNESS my hand and official seal

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



STATE OF Idaho)
COUNTY OF Bingham)^{ss.}

On this 28 day of September, 2009, before me, the undersigned Notary Public in and for said County and State, personally appeared SHIRLEY E. SCAFE [(X) personally known to me] [() proved to me on the basis of satisfactory evidence] to be the person(s) whose name(s) is/are subscribed to this instrument and acknowledged to me that she executed it.

WITNESS my hand and official seal

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

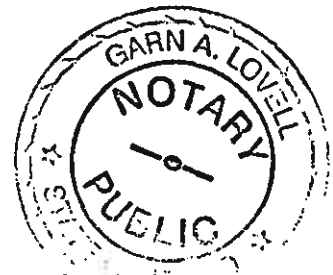


Exhibit "A"

PARCEL 1:

A PARCEL OF LAND SITUATED IN FREMONT COUNTY, STATE OF IDAHO, TOWNSHIP 8 NORTH, RANGE 43 EAST, BOISE MERIDIAN, SECTIONS 4, 8 AND 9, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SW CORNER OF SECTION 4, TOWNSHIP 8 NORTH, RANGE 43 EAST, BOISE MERIDIAN, SAID POINT BEING THE TRUE POINT OF BEGINNING; THENCE N. 00°41'15" E. ALONG THE WEST LINE OF SECTION 4 FOR A DISTANCE OF 1076.26 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF THE BRIDGE PROJECT, F.A.P. NO. BR-2200-(6); THENCE N. 89°43'27" E. (REC. = S. 89°39'16" W.) FOR A DISTANCE OF 6.00 FEET TO AN EXISTING RIGHT-OF-WAY MARKER ON THE EASTERLY RIGHT-OF-WAY LINE; THENCE N. 02°03'04" E. (REC. = S. 01°58'52" W.) FOR A DISTANCE OF 240.85 FEET TO AN EXISTING RIGHT-OF-WAY MARKER; THENCE N. 05°54'06" E. (REC. = S. 05°49'55" W.) ALONG SAID EASTERLY RIGHT-OF-WAY LINE FOR A DISTANCE OF 3.43 FEET TO A POINT ON THE NORTH LINE OF THE S½SW¼ OF SECTION 4; THENCE S. 89°31'46" E. FOR A DISTANCE OF 2629.34 FEET TO THE NE CORNER OF THE S½SW¼ OF SAID SECTION 4; THENCE S. 00°40'05" W. FOR A DISTANCE OF 1319.78 FEET TO THE N¼ CORNER OF SECTION 9; THENCE S. 00°25'22" W. FOR A DISTANCE OF 1337.31 FEET TO THE SE CORNER OF THE N½NW¼ OF SAID SECTION 9; THENCE N. 89°20'51" W. FOR A DISTANCE OF 2635.98 FEET TO THE SE CORNER OF THE N½NE¼ OF SECTION 8; THENCE N. 89°50'28" W. ALONG THE SOUTH LINE OF SAID N½ FOR A DISTANCE OF 55.00 FEET TO THE CENTERLINE OF 3800 EAST; THENCE N. 09°17'12" W. ALONG THE CENTERLINE OF 3800 EAST FOR A DISTANCE OF 38.49 FEET; THENCE N. 00°05'00" W. ALONG THE CENTERLINE OF 3800 EAST FOR A DISTANCE OF 173.00 FEET; THENCE N. 03°39'00" E. ALONG THE CENTERLINE OF 3800 EAST FOR A DISTANCE OF 575.00 FEET; THENCE N. 03°02'00" E. ALONG THE CENTERLINE OF 3800 EAST FOR A DISTANCE OF 544.00 FEET TO THE TRUE POINT OF BEGINNING.

PARCEL 2:

**TOWNSHIP 8 NORTH, RANGE 43 EAST, BOISE MERIDIAN, FREMONT COUNTY, IDAHO.
SECTION 4: NE¼SE¼**

PARCEL 3:

**TOWNSHIP 8 NORTH, RANGE 43 EAST, BOISE MERIDIAN, FREMONT COUNTY, IDAHO.
SECTION 10: NE¼NE¼; S½NE¼; SE¼NW¼ LESS RAILROAD RIGHT-OF-WAY ALSO LESS
THE SE¼NW¼ LYING SOUTH AND WEST OF THE RAILROAD RIGHT-OF-WAY**

**TOGETHER WITH the following described water right registered
with the State of Idaho Department of Water Resources: Water
Right No. 21-7128**