

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED
APR 02 2007
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

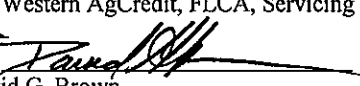
Please print or type. Attach pages with additional information. Instructions are on the back of this page
Incomplete forms will be returned

RECEIVED
APR 04 2007
DEPT. OF WATER RESOURCES
SOUTHERN REGION

1. Water Right No(s): 47-7136, 47-2345B, 47-2346B, 47-2347B, and 47-14153
Adjudication Claim No(s): 47-7136B, 47-2345A, 47-2346A, 47-2347A
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:

Ireland Bank
386 North Main
P.O. Box 835
Aberdeen, Idaho 83210
4. Name of Water Right Owner/Claimant(s):

FLYING D, L.L.C., an Idaho Limited Liability Company
5. Expiration Date of Notification Period: October 01, 2026
6. Is this a Renewal of Request for Notification ☐ YES ☒ NO

Ireland Bank
By: Western AgCredit, FLCA, Servicing Agent
7. Signature(s) (and title if applicable): By: 
David G. Brown
Vice President -- Credit Services

For Office Use Only

Received by <u>JS</u>	Date <u>4/5/07</u>	Fees <u>\$125</u>
Receipted by <u>OCW</u>	Date <u>4/10/07</u>	Receipt No. <u>8029397</u>
Processed by <u>AJ</u>	Date _____	WR _____ Date _____

SUPPORT DATA

IN FILE # 47-2345B

SCANNED
MAR 09 2007

Ireland Bank
386 North Main
P.O. Box 835
Aberdeen, Idaho 83210

Loan Number: 4100542851

COPY

THIS MORTGAGE, made this 7th day of March, 2007, between FLYING D, L.L.C., an Idaho Limited Liability Company as Mortgagor, and Ireland Bank 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 Twin Falls, State of Idaho:

This mortgage is supplemental to that certain mortgage dated September 19, 2006 in favor of Ireland Bank, recorded September 28, 2006, as Entry No. 2006-024582, of official records of the County of Twin Falls, 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 first 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 mortgages 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.

Portgagor(s):

FLYING D, L.L.C., an Idaho Limited Liability Company

By: _____
DOUGLAS D. DRISCOLL, Member

STATE OF)
)
) ss.
COUNTY OF)

On this ____ day of _____, 20____, before me, the undersigned Notary Public in and for said County and State, personally appeared DOUGLAS D. DRISCOLL [() personally known to me] [() proved to me on the basis of satisfactory evidence] to be the person(s) who executed the within instrument as MEMBER, 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

Notary Public in and for said County and State

SCANNED
MAR 09 2009

EXHIBIT "A"

PARCEL 2:

SOUTH TRACT:

TOWNSHIP 9 SOUTH, RANGE 13, EAST OF THE BOISE MERIDIAN, TWIN FALLS COUNTY, IDAHO

SECTION 22: THE SOUTH ONE-THIRD OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER; THE SOUTH ONE-HALF OF THE NORTHEAST QUARTER; THE SOUTH ONE-HALF OF THE NORTHWEST QUARTER; THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER; THE NORTH ONE-HALF OF THE SOUTHEAST QUARTER; AND THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER.

SECTION 23: THE SOUTH ONE-THIRD OF THE NORTH ONE-HALF OF THE NORTHWEST QUARTER; THE SOUTH ONE-HALF OF THE NORTHWEST QUARTER; AND THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER.

SECTION 27: THE WEST ONE-HALF.

ALSO THE FOLLOWING DESCRIBED RIGHT OF WAY;

STRIPS OF LAND IN SECTION 26, 23, 22, 15 AND 16, ALL BEING IN TOWNSHIP 9 SOUTH, RANGE 13 EAST OF THE BOISE MERIDIAN, BEING 100 FEET WIDE LYING 50 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINES:

BEGINNING AT A POINT ON THE EAST BANK OF SALMON FALLS CREEK, WHICH POINT BEING 546.4 FEET DUE SOUTH 2,115.4 FEET DUE EAST OF THE NORTHWEST CORNER OF SECTION 26, TOWNSHIP 9 SOUTH, RANGE 13, E.B.M.;

THENCE NORTH 62°35' WEST 1,088.2 FEET;

THENCE NORTH 22°33' WEST 49.0 FEET, WHICH POINT BEING 1,130.6 FEET DUE EAST OF THE NORTHWEST CORNER OF SAID SECTION 26;

THENCE NORTH 22°33' WEST 1,032.4 FEET;

THENCE NORTH 35°34' WEST 617.8 FEET;

THENCE NORTH 13°06' EAST 163.9 FEET;

THENCE NORTH 51°05' WEST 243.8 FEET;

THENCE NORTH 80°15' WEST 196.7 FEET, WHICH POINT BEING THE BEGINNING OF LATERAL "A";

THENCE NORTH 80°15' WEST 34.0 FEET,

THENCE NORTH 84°18' WEST 540.8 FEET;

THENCE NORTH 54°10' WEST 333.7 FEET,

THENCE NORTH 60°13' WEST 791.6 FEET,

THENCE NORTH 49°32' WEST 80.0 FEET, WHICH POINT BEING THE BEGINNING OF LATERAL "B";

THENCE NORTH 49°32' WEST 501.1 FEET,

THENCE NORTH 12°30' WEST 287.0 FEET;

THENCE NORTH 24°10' EAST 296.8 FEET,

THENCE NORTH 46°46' EAST 334.0 FEET,

THENCE NORTH 23°20' EAST 739.8 FEET;

THENCE NORTH 13°16' WEST 417.2 FEET, WHICH POINT BEING THE BEGINNING OF LATERAL "C";

THENCE NORTH 38°03' WEST 199.4 FEET;

THENCE SOUTH 73°20' WEST 143.3 FEET;

THENCE SOUTH 16°08' WEST 240.2 FEET;

THENCE SOUTH 48°00' WEST 255.8 FEET;

THENCE SOUTH 19°15' WEST 299.8 FEET;

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MAR 09 2003

THENCE SOUTH 84° WEST 197.2 FEET;
THENCE NORTH 68°18' WEST 161.3 FEET;
THENCE NORTH 52°04' WEST 720.1 FEET;
THENCE NORTH 70°45' WEST 262.5 FEET;
THENCE NORTH 56°28' WEST 248.2 FEET;
THENCE NORTH 64°18' WEST 436.4 FEET;
THENCE NORTH 38°30' WEST 409.0 FEET;
THENCE NORTH 23°01' EAST 323.4 FEET;
THENCE NORTH 24°21' WEST 125.6 FEET;
THENCE NORTH 57°11' WEST 307.8 FEET;
THENCE NORTH 17°41' WEST 166.0 FEET;
THENCE NORTH 87°16' WEST 554.8 FEET;
THENCE NORTH 55°58' WEST 137.7 FEET;
THENCE NORTH 10°50' WEST 263.2 FEET;
THENCE NORTH 26°39' WEST 268.1 FEET;
THENCE NORTH 49°59' WEST 175.4 FEET;
THENCE NORTH 23°58' WEST 151.7 FEET;
THENCE NORTH 55°07' WEST 327.4 FEET;
THENCE SOUTH 85°46' WEST 245.1 FEET;
THENCE NORTH 6°39' WEST 122.3 FEET;
THENCE NORTH 59°23' EAST 930.2 FEET;
THENCE NORTH 44°40' EAST 324.7 FEET TO A POINT ON THE NORTH BOUNDARY
BEING 472.8 FEET EAST OF THE NORTHWEST CORNER OF SAID SOUTHWEST
QUARTER;

ALSO BEGINNING AT AFOREDESCRIBED POINT OF BEGINNING OF LATERAL "A";
THENCE DUE NORTH 841.4 FEET;
ALSO BEGINNING AT AFOREDESCRIBED POINT OF BEGINNING OF LATERAL "B";
THENCE NORTH 40°28' EAST 111.5 FEET;
THENCE NORTH 65°25' EAST 216.0 FEET;
ALSO BEGINNING AT AFOREDESCRIBED POINT OF BEGINNING OF LATERAL "C";
THENCE NORTH 20°23' EAST 94.7 FEET;
THENCE NORTH 71°46' EAST 140.0 FEET.

ALSO THE FOLLOWING DESCRIBED RIGHT OF WAY:

A RIGHT OF WAY 25 FEET IN WIDTH FOR IRRIGATION PIPELINE ACROSS THE
SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER AND THE SOUTHWEST
QUARTER OF THE SOUTHEAST QUARTER OF SECTION 22, TOWNSHIP 9 SOUTH,
RANGE 13, E.B.M., TWIN FALLS COUNTY, IDAHO THE CENTERLINE OF WHICH IS
DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE SOUTH LINE OF SAID SECTION 22, 24.70 FEET WEST
OF THE SOUTH QUARTER CORNER THEREOF;
THENCE NORTH 59°10'47" EAST 1,566.00 FEET TO A POINT ON THE EAST BOUNDARY
OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 22.

SUBJECT TO AN UNRECORDED RIGHT OF WAY AGREEMENT WITH MAGIC WATER
COMPANY

NORTH TRACT:

TOWNSHIP 9 SOUTH, RANGE 13 EAST, BOISE MERIDIAN, TWIN FALLS COUNTY,
IDAHO

SECTION 10: S½SE¼; THAT PORTION OF THE SE¼SW¼ DESCRIBED AS FOLLOWS:
BEGINNING AT A POINT ON THE WESTERLY BOUNDARY LINE OF SAID SE¼SW¼;
THENCE FROM SAID POINT OF BEGINNING SOUTH ALONG THE WESTERN BOUNDARY
LINE OF SAID PROPERTY A DISTANCE OF 350 FEET TO THE SOUTHWEST CORNER OF
SAID PROPERTY;

THENCE EAST ALONG THE SOUTHERN BOUNDARY LINE OF SAID PROPERTY A
DISTANCE OF 1320 FEET TO A POINT WHICH IS THE SOUTHEAST CORNER OF SAID
PROPERTY;
THENCE NORTH ALONG THE EASTERN BOUNDARY LINE OF SAID PROPERTY A
DISTANCE OF 450 FEET TO A POINT;
THENCE SOUTHWESTERLY ON A STRAIGHT LINE TO THE POINT OF BEGINNING.
AND

THAT PORTION OF THE NE $\frac{1}{4}$ SE $\frac{1}{4}$ DESCRIBED AS FOLLOWS:
BEGINNING AT THE SOUTHEAST CORNER OF SAID NE $\frac{1}{4}$ SE $\frac{1}{4}$;
THENCE NORTH ALONG THE EAST BOUNDARY LINE OF SAID PROPERTY A DISTANCE
OR 302.5 FEET TO A POINT;
THENCE WEST ON A STRAIGHT LINE A DISTANCE OF 302.5 FEET TO A POINT;
THENCE SOUTH ON A STRAIGHT LINE A DISTANCE OF 302.5 FEET TO A POINT ON
THE SOUTHERN BOUNDARY OF SAID PROPERTY;
THENCE EAST ALONG THE SOUTHERN BOUNDARY LINE OF SAID PROPERTY A
DISTANCE OF 302.5 FEET TO THE POINT OF BEGINNING.

AND

SECTION 14: W $\frac{1}{2}$.

SECTION 15: W $\frac{1}{2}$ NE $\frac{1}{4}$; NE $\frac{1}{4}$ NE $\frac{1}{4}$; SE $\frac{1}{4}$ SE $\frac{1}{4}$, NW $\frac{1}{4}$.

SECTION 22: N $\frac{2}{3}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$.

SECTION 23: N $\frac{2}{3}$ N $\frac{1}{2}$ NW $\frac{1}{4}$

ALSO THE FOLLOWING DESCRIBED RIGHT OF WAY

STRIPS OF LAND IN SECTION 26, 23, 22, 15 AND 16, ALL BEING IN TOWNSHIP 9
SOUTH, RANGE 13 EAST OF THE BOISE MERIDIAN, BEING 100 FEET WIDE LYING 50
FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINES:

BEGINNING AT A POINT ON THE EAST BANK OF SALMON FALLS CREEK, WHICH
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CORNER OF SECTION 26, TOWNSHIP 9 SOUTH, RANGE 13, E.B.M.;
THENCE NORTH 62°35' WEST 1,088.2 FEET;
THENCE NORTH 22°33' WEST 49.0 FEET, WHICH POINT BEING 1,130.6 FEET DUE
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THENCE NORTH 13°06' EAST 163.9 FEET;
THENCE NORTH 51°05' WEST 243.8 FEET;
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LATERAL "A";
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THENCE NORTH 84°18' WEST 540.8 FEET;
THENCE NORTH 54°10' WEST 333.7 FEET,
THENCE NORTH 60°13' WEST 791.6 FEET,
THENCE NORTH 49°32' WEST 80.0 FEET, WHICH POINT BEING THE BEGINNING OF
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THENCE NORTH 12°30' WEST 287.0 FEET;
THENCE NORTH 24°10' EAST 296.8 FEET,
THENCE NORTH 46°46' EAST 334.0 FEET,
THENCE NORTH 23°20' EAST 739.8 FEET;
THENCE NORTH 13°16' WEST 417.2 FEET, WHICH POINT BEING THE BEGINNING OF
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THENCE NORTH 38°03' WEST 199.4 FEET;
THENCE SOUTH 73°20' WEST 143.3 FEET;
THENCE SOUTH 16°08' WEST 240.2 FEET;
THENCE SOUTH 48°00' WEST 255.8 FEET;

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THENCE NORTH 64°18' WEST 436.4 FEET;
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THENCE NORTH 40°28' EAST 111.5 FEET;
THENCE NORTH 65°25' EAST 216.0 FEET;
ALSO BEGINNING AT AFOREDESCIBED POINT OF BEGINNING OF LATERAL "C";
THENCE NORTH 20°23' EAST 94.7 FEET;
THENCE NORTH 71°46' EAST 140.0 FEET.

TOGETHER WITH the following water rights registered with the State of Idaho
Department of Water Resources: Water Right No(s). 47-7136, 47-2345B, 47-2346B, 47-
2347B, and 47-14153.