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FEB 11 2009
DEPT. OF WATER RESOURCES
SOUTHERN REGION

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

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): ^{PD} 43-10824 and ^{PD} 43-10116

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:

Western AgCredit, FLCA
10980 South Jordan Gateway
P.O. Box 95850
South Jordan, UT 84095-0850.

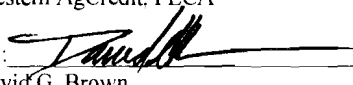
4. Name of Water Right Owner/Claimant(s):

ROUND MOUNTAIN RANCH, LLC., a Utah Limited Liability Company

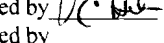
5. Expiration Date of Notification Period: July 1, 2038

6. Is this a Renewal of Request for Notification () YES (X) NO

Western AgCredit, FLCA

7. Signature(s) (and title if applicable): By: 
David G. Brown
Vice President – Credit Services

For Office Use Only

Received by 
Receipted by 
Processed by _____

Date 2/10/09
Date 2/10/09
Date _____

Fee \$50
Receipt No. 5030080
WR _____ Date _____

SUPPORT DATA

IN FILE # 43-10116

WHEN RECORDED MAIL TO:

Western AgCredit, FLCA
P.O. Box 95850
South Jordan, Utah 84095-0850

CASSIA COUNTY
RECORDED FOR:
WESTERN AGCREDIT
2:55:48 pm 01-28-2009
2009-000375
NO. PAGES: 4 FEE: \$12.00
LARRY A. NICKELSEN
COUNTY CLERK
DEPUTY: VIKI

Space Above This Line For Recorder's Use

Loan Number: 4300158502

SUPPLEMENTAL MORTGAGE

THIS MORTGAGE, made this 12th day of January, 2009, between ROUND MOUNTAIN RANCH, LLC., a Utah Limited Liability Company as Mortgagor, and Western AgCredit, FLCA 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 Cassia, 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 March 24, 2008 in favor of Western AgCredit, FLCA, recorded April 14, 2008, as Entry No. 2008-002396, of official records of the County of Cassia, 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.

Mortgagor(s):

ROUND MOUNTAIN RANCH, LLC., a Utah Limited Liability Company

By: [Signature]
JEFF SESSIONS, Member

By: [Signature]
JENIFER SESSIONS, Member

By: MARK HIGLEY, INC., a Utah Corporation, Member

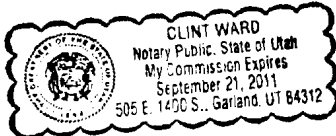
By: [Signature]
MARK L. HIGLEY, President

Notary Acknowledgment(s):

STATE OF UTAH)
COUNTY OF BOX ELDER) ss.

On this 15 day of JANUARY, 2009, before me, the undersigned Notary Public in and for said County and State, personally appeared JEFF SESSIONS [☒ 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

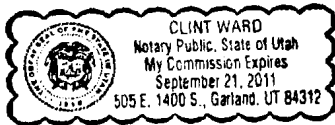


CLINT WARD
Notary Public in and for said County and State

STATE OF UTAH)
COUNTY OF BOX ELDER) ss.

On this 15 day of JANUARY, 2009, before me, the undersigned Notary Public in and for said County and State, personally appeared JENIFER SESSIONS [☒ 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

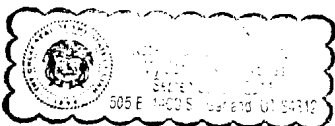


CLINT WARD
Notary Public in and for said County and State

STATE OF UTAH)
COUNTY OF BOX ELDER) ss.

On this 13 day of JANUARY, 2009, before me, the undersigned Notary Public in and for said County and State, personally appeared MARK L. HIGLEY [☒ personally known to me] [☐ proved to me on the basis of satisfactory evidence] to be the person(s) who executed the within instrument as PRESIDENT of MARK HIGLEY, INC., a Utah Corporation, which is a MEMBER 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



CLINT WARD
Notary Public in and for said County and State

EXHIBIT "A"

PARCEL NO. 1:

TOWNSHIP 15 SOUTH, RANGE 27 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 34: SW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$ (RP15S27E344800A)

TOWNSHIP 16 SOUTH, RANGE 27 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 3: Lots 1 and 2, S $\frac{1}{2}$ NE $\frac{1}{4}$ (RP16S27E030000A)
Section 26: W $\frac{1}{2}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$ (RP16S27E263000A)
Section 27: NE $\frac{1}{4}$, S $\frac{1}{2}$ (RP16S27E270000A)

PARCEL NO. 2:

TOWNSHIP 16 SOUTH, RANGE 27 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 2: W $\frac{1}{2}$ NW $\frac{1}{4}$ and NW $\frac{1}{4}$ SW $\frac{1}{4}$ (RP16S27E023000A)

Section 3: NE $\frac{1}{4}$ SE $\frac{1}{4}$ (RP16S27E037200A)

PARCEL NO. 3:

TOWNSHIP 16 SOUTH, RANGE 27 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 13: SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$ (RP16S27E131200A)

Section 24: SW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$ (RP16S27E240600A)

TOWNSHIP 16 SOUTH, RANGE 28 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 19: Lots 1 and 2, SE $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$, and
SW $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ (RP16S28E193000A)

PARCEL NO. 4:

TOWNSHIP 16 SOUTH, RANGE 27 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 12: SE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$ (RP16S27E126600A)

Section 13: NW $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ (RP16S27E130001A)

LESS: Part of the E $\frac{1}{2}$ SE $\frac{1}{4}$ described as follows;

Beginning at the Northeast corner of said Section 13;
Thence South along Section line for 3,505.00 feet to
the True Point of Beginning;

Thence South along Section line for 455.00 feet to a point;
Thence West parallel with the South Section line of said Section 13
for a distance of 111.00 feet to a point;
Thence North parallel with the East Section line of said
Section 13 for 455.00 feet to a point;
Thence East parallel with the South Section line of said Section 13
for a distance of 111.00 feet to the True Point of Beginning.

Section 24: NE $\frac{1}{4}$ NE $\frac{1}{4}$ (RP16S27E240000A)

ALL IN CASSIA COUNTY, STATE OF IDAHO

TOGETHER WITH the following water rights registered with the State of Idaho
Department of Water Resources: Water Right Number(s): 43-10824 and 43-10116.

WHEN RECORDED MAIL TO:

Western AgCredit, FLCA
P.O. Box 95850
South Jordan, Utah 84095-0850

CASSIA COUNTY
RECORDED FOR:
WESTERN AGCREDIT
2:55:47 pm 01-28-2009
2009-000374
NO. PAGES: 4 FEE: \$12.00
LARRY A. MICKELSEN
COUNTY CLERK
DEPUTY: U/KI

Space Above This Line For Recorder's Use

Loan Number: 4300158501

SUPPLEMENTAL MORTGAGE

THIS MORTGAGE, made this 12th day of January, 2009, between ROUND MOUNTAIN RANCH, LLC., a Utah Limited Liability Company as Mortgagor, and Western AgCredit, FLCA 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 Cassia, 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 April 13, 2005 in favor of Western AgCredit, FLCA, recorded May 02, 2005, as Entry No. 301874, of official records of the County of Cassia, 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.

Mortgagor(s):

ROUND MOUNTAIN RANCH, LLC., a Utah Limited Liability Company

By: [Signature]
JEFF SESSIONS, Member

By: [Signature]
JENIFER SESSIONS, Member

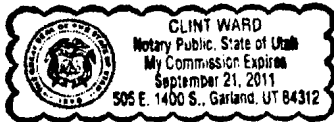
By: MARK HIGLEY, INC., a Utah Corporation, Member

By: [Signature]
MARK L. HIGLEY, President

Notary Acknowledgment(s):

STATE OF UTAH)
COUNTY OF BOX ELDER)
SS.

On this 15 day of JANUARY, 2009, before me, the undersigned Notary Public in and for said County and State, personally appeared JEFF SESSIONS [(X) 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.

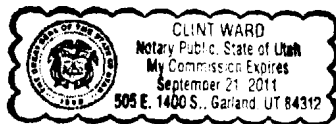


WITNESS my hand and official seal

Clint Ward
Notary Public in and for said County and State

STATE OF UTAH)
COUNTY OF BOX ELDER)
SS.

On this 15 day of JANUARY, 2009, before me, the undersigned Notary Public in and for said County and State, personally appeared JENIFER SESSIONS [(X) 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.

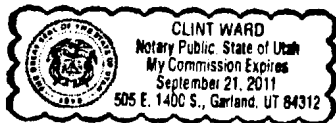


WITNESS my hand and official seal

Clint Ward
Notary Public in and for said County and State

STATE OF UTAH)
COUNTY OF BOX ELDER)
SS.

On this 13 day of JANUARY, 2009, before me, the undersigned Notary Public in and for said County and State, personally appeared MARK L. HIGLEY [(X) personally known to me] [() proved to me on the basis of satisfactory evidence] to be the person(s) who executed the within instrument as PRESIDENT of MARK HIGLEY, INC., a Utah Corporation, which is a MEMBER 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

Clint Ward
Notary Public in and for said County and State

EXHIBIT "A"

PARCEL NO. 1:

TOWNSHIP 15 SOUTH, RANGE 27 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 34: SW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$

TOWNSHIP 16 SOUTH, RANGE 27 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 3: Lots 1 and 2, S $\frac{1}{2}$ NE $\frac{1}{4}$

Section 26: W $\frac{1}{2}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$

Section 27: NE $\frac{1}{4}$, S $\frac{1}{2}$

PARCEL NO. 2:

TOWNSHIP 16 SOUTH, RANGE 27 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 2: W $\frac{1}{2}$ NW $\frac{1}{4}$ and NW $\frac{1}{4}$ SW $\frac{1}{4}$

Section 3: NE $\frac{1}{4}$ SE $\frac{1}{4}$

PARCEL NO. 3:

TOWNSHIP 16 SOUTH, RANGE 27 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 13: SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$

Section 24: SW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$

TOWNSHIP 16 SOUTH, RANGE 28 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 19: Lots 1 and 2, SE $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$, and
SW $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$

(Continued)

LEGAL DESCRIPTION-Continued:

PARCEL NO. 4:

TOWNSHIP 16 SOUTH, RANGE 27 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 12: SE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$

Section 13: NW $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$

LESS: Part of the E $\frac{1}{2}$ SE $\frac{1}{4}$ described as follows;

Beginning at the Northeast corner of said Section 13;
Thence South along Section line for 3,505.00 feet to
the True Point of Beginning;

Thence South along Section line for 455.00 feet to a point;
Thence West parallel with the South Section line of said Section 13
for a distance of 111.00 feet to a point;
Thence North parallel with the East Section line of said
Section 13 for 455.00 feet to a point;
Thence East parallel with the South Section line of said Section 13
for a distance of 111.00 feet to the True Point of Beginning.

Section 24: NE $\frac{1}{4}$ NE $\frac{1}{4}$

PARCEL NO. 5:

TOWNSHIP 16 SOUTH, RANGE 28 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 19: W $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$

ALL IN CASSIA COUNTY, STATE OF IDAHO

TOGETHER WITH the following water rights registered with the State of Idaho
Department of Water Resources: Water Right Number(s): 43-10824 and 43-10116.