

*updated JRS
10/31/2023***RECEIVED**

October 24, 2023

OCT 31 2023

Department of Water Resources
Eastern RegionState Idaho
Department of Water Resources
Eastern Region
900 N Skyline Dr, Ste A
Idaho Falls, ID 83402-1718RE: FLF Diamond Peak Water Rights 35-4202 *35-4204*

To Whom It May Concern,

This is to inform you that Conterra Agricultural Capital, LLC no longer holds a Security Interest on Water Rights 35-4204 for the property held by Mickelsen Properties LLC. This loan was assigned by Conterra Agricultural Capital, LLC by way of an Assignment of Mortgage, recorded in Jefferson County, Idaho as Document #435687 to U.S. Bank National Association, as Custodian/Trustee for Federal Agricultural Mortgage Corporation programs. As the current lien holder on the property, we are requesting that the Security Interest be removed as the loan has been paid in full.

Enclosed is a copy of the Assignment of Mortgage, a copy of the Satisfaction of Mortgage, and a copy of the Notice of Security Interest for Water Rights/Permits No(s): 35-4204.

Please send a confirmation that the Security Interest has been removed to the following address:

Federal Agricultural Mortgage Corporation
Attn: Stephanie
9169 Northpark Dr
Johnston, IA 50131

If you should have any questions, please call 866-311-3292 or email servicing@farmermac.com.

Sincerely,

Heather Wright
Federal Agricultural Mortgage Corporation
Manager - Closing & Servicing

Encl.





State of Idaho

DEPARTMENT OF WATER RESOURCES

Eastern Region • 900 N SKYLINE DR STE A • IDAHO FALLS, ID 83402-1718

Phone: (208)525-7161 • Fax: (208)525-7177 • Website: www.idwr.idaho.gov

C.L. "Butch" Otter
Governor

Gary Spackman
Director

March 16, 2018

CONTERRA AGRICULTURAL CAPITAL LLC
7755 OFFICE PLAZA DR N STE 195
WDM IA 50266-2348

RE: Notice of Security Interest for Water Right/Permit No(s): 35-4204

Dear Security Interest Holder:

The Department of Water Resources (Department) acknowledges receipt of correspondence adding security interest of the above referenced water right(s) to you. The Department has modified its records to reflect the change in security interest and has enclosed a computer-generated report for you.

Please note according to the application filed on March 7, 2018 the current owner of the water right listed above should be FLF Diamond Peak LLC. According the records filed with the department the current owner is Mickelsen Properties LLC. In order for the department to update their records a Notice of Change in Water Right application, evidence of ownership and filing fee is required.

Updating the ownership record for a water right does not reconfirm the validity of the right. When processing a Notice of Security Interest, the Department does not review the history of water use to determine if the right has been forfeited or deliberately abandoned 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 Idaho Code, §42-222 and §42-223.

Please note, water right owners are required to report any change of water right ownership and any change of mailing address of the owner 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 online www.idwr.idaho.gov.

If you have any questions concerning the enclosed information, please contact me at (208) 525-7161.

Sincerely,


Jonie Barg
Technical Records Spec I

Enclosure(s)

cc: MICKELSEN PROPERTIES LLC

3/13/2018

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	MICKELSEN PROPERTIES LLC PO BOX 438 RIGBY, ID 83442-0438 (208) 745-6626
Security Interest	CONTERRA AGRICULTURAL CAPITAL LLC 7755 OFFICE PLAZA DR N STE 195 WDM, IA 50266-2348 (855) 381-3451

Status: Active

Tributary

<u>Source and Point(s) of Diversion</u>			
GROUND WATER	NESW	Sec. 25, Twp 04N, Rge 36E,	JEFFERSON County

IRRIGATION within JEFFERSON County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	36E	25					32.0	23.0	40.0	40.0	40.0	40.0	40.0	40.0					295.0

POU Total Acres: 295.0

1. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

Record and Return To:

Federal Agricultural Mortgage Corporation
9169 Northpark Dr.
Johnston, IA 50131

Instrument # 480996

RIGBY, JEFFERSON, IDAHO

8-11-2023 11:25:51 AM No. of Pages: 1

Recorded for : FEDERAL AGRICULTURAL MORTGAGE

COLLEEN C. POOLE

Fee: 15.00

Ex-Officio Recorder Deputy

Index to: SATISFACTION OF MORTGAGE

ER

Loan #: 21801094

SATISFACTION OF MORTGAGE

KNOW ALL MEN BY THESE PRESENTS, that the undersigned, U.S. Bank National Association, as Custodian/Trustee for Federal Agricultural Mortgage Corporation programs, 9169 Northpark Dr, Johnston, IA 50131, holder of a certain Mortgage, whos parties, dates and recording information are below, does hereby acknowledge full payment and satisfaction of the same, and in consideration thereof, does hereby cancel and discharge said Mortgage.

Original Mortgagor: FLF Diamond Peak, LLC a Delaware limited liability company

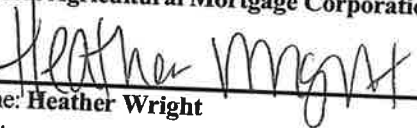
Original Mortgagee: Conterra Agricultural Capital, LLC

Dated: 03/02/2018 Recorded: 03/06/2018 Instrument #: 435686 in Jefferson County, Idaho

Assignment of Mortgage Dated: 03/02/2018 Recorded: 03/06/2018 as Instrument No.: 435687 Assignor: Conterra Agricultural Capital, LLC Assignee: U.S. Bank National Association, as Custodian Trustee for Federal Agricultural Mortgage Corporation programs Loan Amount: \$5,000,000.00

IN WITNESS WHEREOF, the instrument was executed and delivered by the undersigned effective 08/08/2023.

U.S. Bank National Association, as Custodian Trustee for
Federal Agricultural Mortgage Corporation programs

By: 

Name: Heather Wright

Title:

Manager - Closing & Servicing of Federal Agricultural
Mortgage Corporation Attorney-In-Fact for U.S. Bank,
National Association for Federal Agricultural Mortgage
Corporation programs, under Limited Power of Attorney
dated February 16, 2022

STATE OF Iowa } s.s.
COUNTY OF Polk

Instrument # 435687

RIGBY, JEFFERSON, IDAHO

03-06-2018 11:48:40 AM No. of Pages: 5

Recorded for: ALLIANCE TITLE - BOISE PRODUCTION CENTER

COLLEEN C POOLE Fee: \$22.00

Ex-Officio Recorder Deputy: LK

Index To: ASSIGNMENT

Electronically Recorded by Simplifile

Recording Requested By/Return To:

Conterra Agricultural Capital, LLC

Sarah Streeter

7755 Office Plaza Dr. North, Suite 195

West Des Moines, IA 50266

[Space Above This Line For Recording]

AT 384151

ASSIGNMENT OF MORTGAGE

Loan # 21801094

For Value Received, the undersigned holder of a Mortgage (herein "Assignor") whose address is 7755 Office Plaza Dr. North, Suite 195, West Des Moines, IA 50266, does hereby grant, sell, assign, transfer and convey, unto U.S. Bank National Association, as Custodian/Trustee for Federal Agricultural Mortgage Corporation programs, (herein "Assignee"), whose address is 1133 Rankin Street, Suite 100, St. Paul, MN 55116, all beneficial interest under a certain Mortgage dated March 2, 2018, made and executed by FLF Diamond Peak, LLC, a Delaware limited liability company, to and in favor of Conterra Agricultural Capital, LLC, upon the following described property situated in Jefferson County, State of ID:

See Exhibit "A" attached hereto and made a part hereof.

such Mortgage having been given to secure payment of \$5,000,000.00, which Mortgage
(Original Amount of Principal)

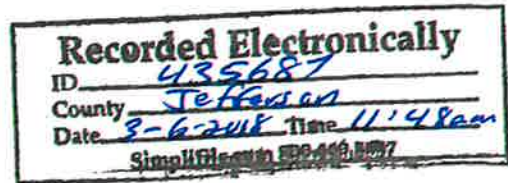
is of record in the Real Property Records of Jefferson County, State of ID, together with the note(s) and obligations therein described, the money due and to become due thereon with interest, and all rights accrued or to accrue under such Mortgage. 435686

TO HAVE AND TO HOLD the same unto Assignee, its successor and assigns, forever, subject only to the terms and conditions of the above-described Mortgage.

IN WITNESS WHEREOF, the undersigned Assignor has executed this Assignment of Mortgage on March 2, 2018.

Multistate Mortgage Assignment - Single Family

11/02



Recording Requested By/Return To:

Conterra Agricultural Capital, LLC
Sarah Streater
7755 Office Plaza Dr. North, Suite 195
West Des Moines, IA 50266

[Space Above This Line For Recording]

AT 384151

ASSIGNMENT OF MORTGAGE

Loan # 21801094

For Value Received, the undersigned holder of a Mortgage (herein "Assignor") whose address is 7755 Office Plaza Dr. North, Suite 195, West Des Moines, IA 50266, does hereby grant, sell, assign, transfer and convey, unto U.S. Bank National Association, as Custodian/Trustee for Federal Agricultural Mortgage Corporation programs, (herein "Assignee"), whose address is 1133 Rankin Street, Suite 100, St. Paul, MN 55116, all beneficial interest under a certain Mortgage dated March 2, 2018, made and executed by FLF Diamond Peak, LLC, a Delaware limited liability company, to and in favor of Conterra Agricultural Capital, LLC, upon the following described property situated in Jefferson County, State of ID:

See Exhibit "A" attached hereto and made a part hereof.

such Mortgage having been given to secure payment of \$5,000,000.00, which Mortgage
(Original Amount of Principal)

is of record in the Real Property Records of Jefferson County, State of ID, together with the note(s) and obligations therein described, the money due and to become due thereon with interest, and all rights accrued or to accrue under such Mortgage.

TO HAVE AND TO HOLD the same unto Assignee, its successor and assigns, forever, subject only to the terms and conditions of the above-described Mortgage.

IN WITNESS WHEREOF, the undersigned Assignor has executed this Assignment of Mortgage on March 2, 2018.

Conterra Agricultural Capital, LLC

Paul Erickson

Signature

Date

Paul Erickson, President

Mary Spalding

Witness

STATE OF IOWA
COUNTY OF DALLAS

Before me, the undersigned authority, on this day personally appeared Paul Erickson, President, known or proved to me according to law to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he/she/they voluntarily executed the same for the purposes of consideration therein expressed, and in the capacity stated.

Given under my hand and seal this 2nd day of March, 2018.

Sarah Streeter

Notary, State of Iowa

Printed Name: Sarah Streeter

My Commission Expires: 2/14/2020



This Instrument Prepared By:
PeirsonPatterson, LLP

Exhibit 'A'

North Farm

Part of the following: the West Half of Section 25, Section 26, the East Half of Section 27, the Northeast Quarter of Section 34 and the North Half of Section 35, Township 4 North, Range 36 East of the Boise Meridian, Jefferson County, Idaho described as follows:

Beginning at the Southeast corner of Section 26, Township 4 North, Range 36 East of the Boise Meridian, Jefferson County, Idaho and running thence S.00°38'25"W. 1380.00 feet along the east line of Section 35, Township 4 North, Range 36 East of the Boise Meridian to the centerline of an existing field road extended; thence along said centerline the following seven (7) courses: (1) N.89°54'02"W. 1648.20 feet; thence (2) N.89°55'30"W. 1135.43 feet; thence (3) S.89°22'47"W. 820.39 feet; thence (4) S.89°58'32"W. 850.66 feet; thence (5) S.89°30'21"W. 830.62 feet to the east line of Section 34, Township 4 North, Range 36 East of the Boise Meridian; thence continuing along said centerline of a field road (6) N.89°29'19"W. 608.29 feet; thence (7) S.89°39'03"W. 2033.02 feet to the north-south centerline through said Section 34; thence N.00°08'22"E. 1385.89 feet along said north-south centerline to the South Quarter corner of Section 27, Township 4 North, Range 36 East of the Boise Meridian; thence N.00°02'34"E. 4069.23 feet along the north-south centerline of said Section 27 to the centerline of an existing County Road (200 North); thence N.89°54'37"E. 1896.34 feet; thence S.00°00'00"W. 184.27 feet; thence N.90°00'00"E. 236.16 feet; thence N.00°00'00"W. 184.64 feet to the centerline of an existing County Road (200 North); thence along said centerline the following five (5) courses: (1) N.89°54'37"E. 128.63 feet to a point of curve; thence (2) 286.55 feet along said curve to the right, Curve Data: Delta = 28°33'13", Radius = 575.00 feet, Chord bearing = S.75°48'47"E. 283.60 feet; thence (3) S.61°32'10"E. 130.50 feet to the west line of Section 26, Township 4 North, Range 36 East of the Boise Meridian; thence (4) S.61°32'10"E. 149.54 feet to a point of curve; thence (5) 124.51 feet along said curve to the left, Curve Data: Delta = 3°57'48", Radius = 1800.00 feet, Chord bearing = S.63°31'04"E. 124.49 feet to the north line of the property as described in Special Warranty Deed, Instrument No. 305064; thence along the boundary of said property the following three (3) courses; (1) S.73°27'30"E. 943.61 feet; thence (2) N.89°02'28"E. 444.00 feet; thence (3) S.79°57'32"E. 50.01 feet; thence S.16°51'31"W. 348.69 feet; thence N.77°11'42"E. 247.52 feet; thence N.22°50'22"E. 196.19 feet to the centerline of an existing County Road (200 North); thence along said centerline the following twelve (12) courses: (1) S.69°34'24"E. 115.94 feet to a point of curve; thence (2) 112.05 feet along said curve to the right, Curve Data: Delta = 4°16'48", Radius = 1500.00 feet, Chord bearing = S.67°26'00"E. 112.03 feet; thence (3) S.65°17'36"E. 490.03 feet to a point of curve; thence (4) 276.73 feet along said curve to the left, Curve Data: Delta = 13°12'47", Radius = 1200.00 feet, Chord bearing = S.71°53'59"E. 276.12 feet; thence (5) S.78°30'23"E. 423.78 feet to a point of curve; thence (6) 271.38 feet along said curve to the left, Curve Data: Delta = 47°50'35", Radius = 325.00 feet, Chord bearing = N.77°34'19"E. 263.57 feet; thence (7) N.53°39'02"E. 1194.71 feet to a point of curve; thence (8) 242.33 feet along said curve to the right, Curve Data: Delta = 5°33'14", Radius = 2500.00 feet, Chord bearing = N.56°25'39"E. 242.24 feet; thence (9) N.59°12'15"E. 644.01 feet to a point of curve; thence (10) 133.50 feet along said curve to the left, Curve Data: Delta = 5°27'48", Radius 1400.00 feet, Chord bearing = N.56°28'21"E. 133.44 feet to the west line of Section 25, Township 4 North, Range 36 East of the Boise Meridian; thence continuing along a curve in said Section 25 and along the centerline of an existing County Road (200 North) (11) 284.22 feet along said curve to the left, Curve Data: Delta = 11°37'55", Radius = 1400.00 feet, Chord bearing = N.47°55'30"E. 283.73 feet; thence (12) N.42°06'32"E. 254.27 feet; thence

leaving said centerline N.72°16'45"E. 246.17 feet; thence N.43°37'38"E. 204.47 feet; thence S.88°57'57"E. 1739.90 feet; thence S.08°26'54"E. 208.84 feet; thence S.39°58'48"E. 199.43 feet to the north-south centerline through Section 25, Township 4 North, Range 36 East of the Boise Meridian; thence S.00°01'26"W. 4502.42 feet to the South Quarter corner of said Section 25; thence N.89°41'07"W. 2646.52 feet to the point of beginning.

TOGETHER WITH:

(ACCESS EASEMENT TO PUMP HOUSE)

Beginning at the north end of a centerline of a 30 foot easement described in Book of Deeds, Page 303 that is S.89°58'28"W. 2974.76 feet and S.00°01'32"E. 260.28 feet from the Northeast corner of Section 26, Township 4 North, Range 36 East of the Boise Meridian, Jefferson County, Idaho and running thence S.64°35'00"E. 68.08 feet to an existing power line; thence S.26°41'34"W. 1365.08 feet along said existing power line; thence S.17°42'30"W. 200.03 feet; thence S.29°12'41"E. 101.22 feet to a point on a non-tangent curve on the northerly right-of-way line of an existing County Road (200 North) thence 157.47 feet along said curve to the left, Curve Data: Delta = 7°21'55", Radius = 1225.00 feet, Chord bearing = N.79°30'35"W. 157.36 feet; thence N.25°25'00"E. 1662.09 feet; thence S.64°35'00"E. 5.00 feet to the point of beginning.

Roberts Farm:

Government Lot 1, the East Half of the Northwest Quarter (E 1/2 NW 1/4) and part of Government Lot 2 and part of the Northeast Quarter of Section 7, Township 4 North, Range 37 East of the Boise Meridian, Jefferson County, Idaho described as follows:

Beginning at the Northeast corner of said Section 7 and running thence S.00°15'16"W. 2624.35 feet to the East Quarter corner of said Section 7; thence N.89°44'04"W. 4625.61 feet along the east-west centerline through the section; thence N.45°25'06"W. 900.40 feet to the west line of said Section 7; thence N.00°07'15"E. 2009.90 feet to the Northwest corner of said Section 7; thence S.89°20'03"E. 2629.14 feet to the North Quarter corner of said Section 7; thence S.89°48'59"E. 1623.86 feet along the section line; thence S.07°49'26"W. 354.60 feet; thence S.47°24'56"E. 272.80 feet; thence S.65°06'47"E. 76.47 feet; thence N.34°34'56"E. 288.02 feet; thence N.00°11'01"E. 329.71 feet to the north line of said Section 7; thence S.89°48'59"E. 635.01 feet to the point of beginning.

ALSO:

Government Lots 1 and 2, the South Half of the Northeast Quarter (S 1/2 NE 1/4) and the Southeast Quarter Section 6, and part of the Southwest Quarter and West Half of the Southeast Quarter (W 1/2 SE 1/4) of Section 5, Township 4 North, Range 37 East of the Boise Meridian, Jefferson County, Idaho described as follows:

Beginning at the Southeast corner of said Section 6 and running thence N.89°48'59"W. 2645.35 feet to the South Quarter corner of said Section 6; thence N.00°21'12"E. 5269.80 feet along the north-south centerline through the section to the North Quarter corner of said Section 6; thence S.89°40'46"E. 2626.82 feet to the Northeast corner of said Section 6; thence S.00°09'06"W. 2639.62 feet to the Quarter corner common to Sections 5 and 6; thence S.89°51'37"E. 1938.89 feet along the north line of the Southwest Quarter of Section 5 to the Northwest corner of the property as described in Warranty Deed, Instrument No. 382731; thence along the boundary of said property the following six (6) courses: (1) S.45°06'35"E. 455.34 feet; thence (2)

S.62°42'03"E. 163.68 feet; thence (3) N.10°47'41"E. 17.56 feet; thence (4) N.21°44'16"E. 108.59 feet; thence (5) N.27°54'34"E. 104.58 feet; thence (6) N.14°29'43"E. 190.47 feet to the north line of the Southwest Quarter of said Section 5; thence S.89°51'39"E. 66.08 feet along said north line to the westerly top of bank of the Market Lake Canal; thence along said westerly top of bank the following twenty-four (24) courses: (1) S.07°12'41"W. 120.08 feet; thence (2) S.23°49'47"W. 72.99 feet; thence (3) S.30°29'45"W. 173.37 feet; thence (4) S.16°04'26"W. 137.83 feet; thence (5) S.00°00'00"W. 59.33 feet; thence (6) S.13°09'50"E. 167.57 feet; thence (7) S.26°44'04"E. 106.19 feet; thence (8) S.31°26'50"E. 211.52 feet; thence (9) S.15°30'26"E. 97.13 feet; thence (10) S.12°11'15"E. 207.20 feet; thence (11) S.09°59'51"E. 161.31 feet; thence (12) S.20°23'42"E. 50.03 feet; thence (13) S.36°53'53"E. 153.66 feet; thence (14) S.40°30'08"E. 104.53 feet; thence (15) S.45°51'46"E. 102.62 feet; thence (16) S.58°32'01"E. 101.62 feet; thence (17) S.72°16'36"E. 214.40 feet; thence (18) S.62°53'14"E. 154.85 feet; thence (19) S.55°54'16"E. 101.30 feet; thence (20) S.34°24'52"E. 102.47 feet; thence (21) S.16°54'11"E. 102.16 feet; thence (22) S.04°27'17"E. 102.32 feet; thence (23) S.07°18'40"E. 100.82 feet; thence (24) S.17°00'40"E. 203.25 feet; thence (25) S.06°34'30"E. 64.92 feet to the south line of said Section 5; thence N.89°48'01"W. 1041.40 feet along said south line to the South Quarter corner of said Section 5; thence N.89°48'24"W. 2641.12 feet to the point of beginning.

ALSO:

Part of the East Half of the Northeast Quarter of the Southwest Quarter (E 1/2 NE 1/4 SW 1/4) of Section 5, Township 4 North, Range 37 East of the Boise Meridian, Jefferson County, Idaho lying east of the Market Lake Canal described as follows:

Beginning at a point that is S.89°48'24"E. 2641.12 feet along the section line to the South Quarter corner of said Section 5 and N.00°09'24"E. 1758.29 feet along the north-south centerline from the Southwest corner of said Section 5 and running thence along the easterly top of bank of the Market Lake Canal the following six (6) courses: (1) N.28°30'24"W. 233.05 feet; thence (2) N.12°07'59"W. 82.12 feet; thence (3) N.05°53'39"W. 137.49 feet; thence (4) N.24°41'16"E. 162.03 feet; thence (5) N.35°47'40"E. 90.75 feet; thence (6) N.26°23'12"E. 53.42 feet to the north-south centerline through the section; thence S.00°09'24"W. 690.53 feet to the point of beginning.