

RECEIVED

MAR 03 2014

DEPT. OF WATER RESOURCES  
SOUTHERN REGIONSTATE 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): 37-13215, 37-21488, 37-490, 37-55, 37-56, 37-257, 37-258, 37-492, 37-2224, 37-4096, 37-487, 37-488, 37-489, 37-309, 37-13217, 37-13221, 37-13222, 37-13223, 37-13224, 37-13225, 37-13226, 37-13227, 37-13228, 37-4050, 37-2190

Adjudication Claim No(s): \_\_\_\_\_

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

D. L. Evans BankP.O. Box 87Twin Falls, ID 83303

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

Royal Fork Restaurant Corporation

5. Expiration Date of Notification Period 12/15/2035

6. Is this a Renewal of Request for Notification? ☒ YES ☐ NO

7. Signature(s) (and title if applicable)

Loan Processor**For Office Use Only**

|                        |                      |                            |
|------------------------|----------------------|----------------------------|
| Received by _____      | Date _____           | Fee <u>\$625-</u>          |
| Receipted by <u>DM</u> | Date <u>3-4-2014</u> | Receipt No. <u>5033848</u> |
| Processed by _____     | Date _____           | WR _____ Date _____        |

SUPPORT DATA

IN FILE # 37-55

## RECORDATION REQUESTED BY:

D. L. Evans Bank  
Boise Downtown Branch  
213 N 9th Street  
Boise, ID 83702

## WHEN RECORDED MAIL TO:

D. L. Evans Bank  
Boise Downtown Branch  
213 N 9th Street  
Boise, ID 83702

THIS INSTRUMENT FILED FOR  
RECORD BY FIRST AMERICAN TITLE  
CO. AS AN ACCOMMODATION ONLY. IT  
HAS NOT BEEN EXAMINED AS TO ITS  
EXECUTION OR AS TO ITS EFFECT  
UPON THE TITLE.

## SEND TAX NOTICES TO:

Royal Fork Restaurant Corporation  
6874 East Fairview Ave.  
Boise, ID 83704

SPACE ABOVE THIS LINE IS FOR RECORDER'S USE ONLY

## MODIFICATION OF MORTGAGE

THIS MODIFICATION OF MORTGAGE dated January 27, 2014, is made and executed between Royal Fork Restaurant Corporation; an Idaho Corporation (referred to below as "Grantor") and D. L. Evans Bank, whose address is 213 N 9th Street, Boise, ID 83702 (referred to below as "Lender").

MORTGAGE. Lender and Grantor have entered into a Mortgage dated December 15, 2010 (the "Mortgage") which has been recorded in Camas County, State of Idaho, as follows:

Mortgage recorded December 17, 2010 as Instrument No. 2010-083449 and Modified December 15, 2011, recorded December 27, 2011 as Instrument No. 2011-084201.

REAL PROPERTY DESCRIPTION. The Mortgage covers the following described real property located in Camas County, State of Idaho:

SEE LEGAL DESCRIPTION ATTACHED HERETO AND MADE A PART HERE OF.

TOGETHER WITH THE WATER RIGHTS REPRESENTED BY IDAHO STATE DEPARTMENT OF WATER RESOURCE WATER RIGHT NO. 37 -13215 WITH A CLAIMED PRIORITY OF JUNE 30, 1883 TO 1.60 CFS OF IRRIGATION WATER OF THE SOLDIER CREEK A TRIBUTARY OF CAMAS CREEK, WATER RIGHT NO. 37 -21488 WITH A CLAIMED PRIORITY OF MAY 14 1883 TO 3.10 CFS OF IRRIGATION WATER OF THE SOLDIER CREEK A TRIBUTARY OF CAMAS CREEK, WATER RIGHT NO. 37-490 WITH A CLAIMED PRIORITY OF MAY 14, 1883 TO 3.20 CFS OF IRRIGATION WATER OF THE SOLDIER CREEK A TRIBUTARY OF CAMAS CREEK, WATER RIGHT NO. 37-55 WITH A CLAIMED PRIORITY OF JUNE 1, 1888 TO 0.20 CFS OF IRRIGATION WATER OF THE SOLDIER CREEK A TRIBUTARY OF CAMAS CREEK, WATER RIGHT NO. 37-56 WITH A CLAIMED PRIORITY OF JUNE 1, 1888 TO 1.80 CFS OF IRRIGATION WATER OF THE SOLDIER CREEK A TRIBUTARY OF CAMAS CREEK WATER RIGHT NO. 37-257 WITH A CLAIMED PRIORITY OF JUNE 30, 1884 TO 0.50 CFS OF IRRIGATION WATER OF THE SOLDIER CREEK A TRIBUTARY OF CAMAS CREEK, WATER RIGHT NO. 37 -258 WITH A CLAIMED PRIORITY OF JUNE 8, 1901 TO 1.50 CFS OF IRRIGATION WATER OF THE SOLDIER CREEK A TRIBUTARY OF CAMAS CREEK, WATER RIGHT NO. 37-492 WITH A CLAIMED PRIORITY OF JUNE 30, 1883 TO 3.20 CFS OF IRRIGATION WATER OF THE SOLDIER CREEK A TRIBUTARY OF CAMAS CREEK, WATER RIGHT NO. 37-2224 WITH A CLAIMED PRIORITY OF NOVEMBER 23, 1911 TO 0.90 CFS OF IRRIGATION WATER OF THE LITTLE DEER CREEK A TRIBUTARY OF BIG DEER CREEK, WATER RIGHT NO. 37-4098 WITH A CLAIMED PRIORITY OF APRIL, 15, 1941 TO 1.44 CFS OF IRRIGATION WATER AND 0.05 CFS OF STOCK WATER OF THE LITTLE DEER CREEK A TRIBUTARY OF DEER CREEK WATER RIGHT NO. 37-487 WITH A CLAIMED PRIORITY OF SEPTEMBER 1, 1883 TO 1.00 CFS OF IRRIGATION WATER OF THE SOLDIER CREEK A TRIBUTARY OF CAMAS CREEK WATER RIGHT NO. 37-488 WITH A CLAIMED PRIORITY OF MAY, 15, 1884 TO 0.80 CFS OF IRRIGATION WATER OF THE SOLDIER CREEK A TRIBUTARY OF CAMAS CREEK, WATER RIGHT NO. 37-489 WITH A CLAIMED PRIORITY OF JUNE 1, 1898 TO 1.20 CFS OF IRRIGATION WATER OF THE SOLDIER CREEK A TRIBUTARY OF CAMAS CREEK, WATER OF THE SOLDIER CREEK A TRIBUTARY PRIORITY RIGHT NO 37-113217 IRRIGATION CLAIMED PRIORITY OF JUNE 2, 1883 TO 0.24 CFS OF STOCKWATER OF SPRINGS A TRIBUTARY OF SINKS, WATER RIGHT NO. 37-13221 WITH A CLAIMED PRIORITY OF JUNE 1, 1883 TO 0.24 CFS OF GROUNDWATER, WATER RIGHT NO. 37- 13222 WITH A CLAIMED PRIORITY OF JUNE 1, 1883 TO 0.24 CFS OF GROUNDWATER, WATER RIGHT NO. 37-13223 WITH A CLAIMED PRIORITY OF JUNE 1, 1883 TO 0.24 CFS OF GROUNDWATER, WATER RIGHT NO. 37-13224 WITH A CLAIMED PRIORITY OF JUNE 1, 1883 TO 0.24 CFS OF GROUNDWATER, WATER RIGHT NO. 37 -13225 WITH A CLAIMED PRIORITY OF JUNE 1, 1883 TO 0.24 CFS OF GROUNDWATER WATER RIGHT NO. 37-13226 WITH A CLAIMED PRIORITY OF JUNE 1, 1883 TO 0.24 CFS OF GROUNDWATER, WATER RIGHT NO. 37-13227 WITH A CLAIMED PRIORITY OF JUNE 1, 1883 TO 0.24 CFS OF GROUNDWATER WATER RIGHT NO. 37 -13228 WITH A CLAIMED PRIORITY OF JUNE 1, 1883 TO 0.24 CFS OF GROUNDWATER, WATER RIGHT NO. 37-4050 WITH A CLAIMED PRIORITY OF NOVEMBER 3 1965 TO 0.05 CFS OF GROUNDWATER WATER RIGHT NO. 37-2190 WITH A CLAIMED PRIORITY OF SEPTEMBER 6, 1910 TO 0.02 CFS OF STOCK WATER OF LUND SPRINGS A TRIBUTARY OF KNOWLTON CREEK TOGETHER WITH ANY AND ALL OTHER WATER RIGHTS AND DITCH RIGHTS APPURTENANT TO THE ABOVE DESCRIBED PROPERTY.

The Real Property or its address is commonly known as See Legal Description, Fairfield, ID 83327.

MODIFICATION. Lender and Grantor hereby modify the Mortgage as follows:

Note No. 3312100080 is being rewritten by new Note No. 3312100190 dated January 27, 2014, in the original principal amount of \$2,500,000.00 from Borrower to Lender, together with all renewals of, extensions of, modifications of, refinancings of, consolidations of, and substitutions for the promissory note or agreement.

NOTICE TO GRANTOR: THE NOTE CONTAINS A VARIABLE INTEREST RATE.

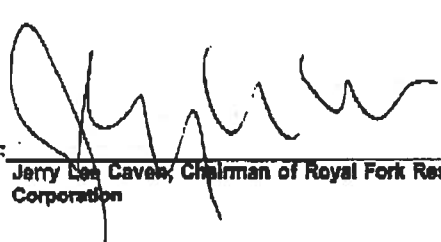
CONTINUING VALIDITY. Except as expressly modified above, the terms of the original Mortgage shall remain unchanged and in full force and effect and are legally valid, binding, and enforceable in accordance with their respective terms. Consent by Lender to this Modification does not waive Lender's right to require strict performance of the Mortgage as changed above nor obligate Lender to make any future modifications. Nothing in this Modification shall constitute a satisfaction of the promissory note or other credit agreement secured by the Mortgage (the "Note"). It is the intention of Lender to retain as liable all parties to the Mortgage and all parties, makers and endorsers to the Note, including accommodation parties, unless a party is expressly released by Lender in writing. Any maker or endorser, including accommodation makers, shall not be released by virtue of this Modification. If any person who signed the original Mortgage does not sign this Modification, then all persons signing below acknowledge that this Modification is given conditionally, based on the representation to Lender that the non-signing person consents to the changes and provisions of this Modification or otherwise will not be released by it. This waiver applies not only to any initial extension or modification, but also to all such subsequent actions.

GRANTOR ACKNOWLEDGES HAVING READ ALL THE PROVISIONS OF THIS MODIFICATION OF MORTGAGE AND GRANTOR AGREES TO ITS TERMS. THIS MODIFICATION OF MORTGAGE IS DATED JANUARY 27, 2014.

GRANTOR:

ROYAL FORK RESTAURANT CORPORATION

By:   
James Dale Chambers, Secretary of Royal Fork  
Restaurant Corporation

By:   
Jerry Lee Cave, Chairman of Royal Fork Restaurant  
Corporation