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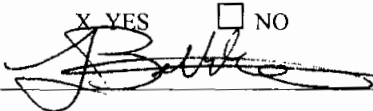
STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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

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): 29-7446
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 Bank
P.O. Box 87
Twin Falls, ID 83303
4. Name of Water Right Owner/Claimant(s) Philip J. Yost & Lisa J. Yost
5. Expiration Date of Notification Period 12/5/2026
6. Is this a Renewal of Request for Notification? ☒ YES ☐ NO
7. Signature(s) (and title if applicable) 
Lance Bethke / AVP & Senior Commercial Loan Officer

For Office Use Only

Received by <u>AMB</u>	Date <u>12-28-06</u>	Fee <u>25.00</u>
Received by <u>AMB</u>	Date <u>12-28-06</u>	Receipt No. <u>0082917</u>
Processed by _____ AJ	Date _____	WR _____ Date _____

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

MODIFICATION AGREEMENT

2641000118

This Agreement, entered into this 7th day of December 2006, by and between **PHILIP J. YOST AND LISA J. YOST**, as Grantors, **D. L. EVANS BANK**, as Mortgagee, as pertains to that certain Real Estate Mortgage recorded 30th day of November, 2005 as Instrument No. 174641 and modified 7th day of March, 2006, recorded 24th day of March, 2006 as instrument No. 175354 records of Caribou County, Idaho.

WITNESSETH:

WHEREAS, on the 28th day of November 2005, **P & L FARMS, INC.** executed a Promissory Note in the principal amount of ****FIVE HUNDRED ONE THOUSAND FOUR HUNDRED DOLLARS AND NO/100**** (\$501,400.00), bearing interest at the rate of 7.75% percent (The Published Wall Street Journal Prime Rate Plus .75% with a floor of 6.00 and ceiling of 18.00 and due the 5th day of December, 2006, and renewed 7th day of March 2006 in the principal amount of **FIVE HUNDRED SEVENTY SIX THOUSAND FIVE HUNDRED FIFTY NINE DOLLARS AND NO/100** (\$576,559.00) bearing interest at the rate of 8.25% percent (The Published Wall Street Journal Prime Rate plus .75% and due the 5th day of December, 2006, which said note was secured by a Real Estate Mortgage upon the following described real estate located in Caribou, County, Idaho

To-wit:

177078

STATE OF IDAHO

County of Caribou

} ss

I hereby certify that this instrument was filed at the request of Alliance Title

at 1:05 o'clock p m this 12 day of December, 2006 in my office and duly

recorded official Records

Recorder Edie Bush

Signature James R. Aubrey \$13.00 AT Deputy

**TOWNSHIP 8 SOUTH, RANGE 39 EAST, SW1/4 OF SECTION 22;
NW1/4 OF NW1/4 OF SECTION 27**

**TOGETHER WITH THE WATER RIGHTS REPRESENTED BY IDAHO STATE
DEPARTMENT OF WATER RESOURCES WATER RIGHT NO. 29-7446 WITH
1.89 CFS GROUNDWATER TOGETHER WITH ANY AND ALL OTHER
WATER RIGHTS AND DITCH RIGHTS APPURTENANT TO THE ABOVE
DESCRIBED PREMISES.**

WHEREAS, D.L. EVANS BANK is the owner of said Promissory Note and Real Estate Mortgage, and the parties hereto desire to modify said Note and Real Estate Mortgage.

NOW THEREFORE, for a good and valuable consideration, it is hereby agreed said Promissory Note and Real Estate Mortgage are modified as follows:

- 1) Promissory Note # 2641000118 is being replaced with Note # 314100013 dated December 7, 2006 in the principal amount of Five Hundred Seventy One Thousand Five Hundred Six Dollars and No/100 (\$571,506.00) bearing the interest rate of 9.0% (The Published Wall Street Journal Prime Rate Plus .75%) with a floor of 6.00% and ceiling of 18.00% and due December 5, 2007.

IT IS FURTHER AGREED that the Promissory Note and Real Estate securing said note shall in all other respects remain as there in specified, changed only as herein set forth.

IN WITNESS WHEREOF, The Grantors have caused these presents to be executed and D.L. Evans Bank has caused these presents to be executed by the officer, the day of year first above written.

177078

D. L. EVANS BANK

BY: [Signature]

P & L Farms, Inc.

By: [Signature] Philip J. Yost, President

By: [Signature] Lisa Yost, Secretary

By: [Signature] Philip J. Yost, Individually

By: [Signature] Lisa J. Yost, Individually

STATE OF IDAHO)

) ss

COUNTY OF)

On this 8th day of December, 2006, before me, the undersigned, A Notary Public in and for said State, personally appeared Philip J. Yost and Lisa J. Yost, husband and wife known to me to be the persons whose names are subscribed to the foregoing instrument, and acknowledged to me that they executed the same.

IN WITNESS THEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



[Signature]
NOTARY PUBLIC FOR IDAHO

RESIDING AT Pocatello

MY COMMISSION EXPIRES

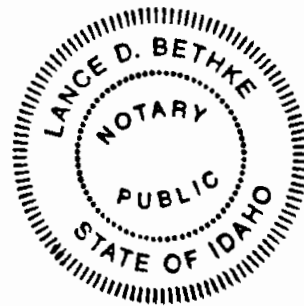
11/9/10

STATE OF IDAHO)
) ss
 COUNTY OF)

On this 7th day of December, 2006, Lance Bethke, a Notary Public, personally appeared Philip J. Yost and Lisa Yost, known or identified to me (or proved to me on the oath of _____), to be the President and Secretary of the corporation that executed the instrument or the persons who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

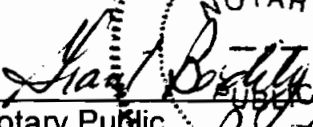
IN WITNESS THEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.


 NOTARY PUBLIC FOR IDAHO
 RESIDING AT 11770 Pocahontas
 MY COMMISSION EXPIRES 11/9/10



STATE OF IDAHO)
) ss
 COUNTY OF)

On this 8th day of December, 2006, before me, the undersigned, a Notary Public in and for said State, personally appeared Lance Bethke, known or identified to me to be the A.V.P. of the corporation that executed the instrument or the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.


 Notary Public
 Residing at: Pocatello
 My Commission Expires 1/12/2012

