

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Notice of Change in Water Right Ownership

1. List the numbers of all water rights and/or adjudication claim records to be changed. If you only acquired a portion of the water right or adjudication claim, check "Yes" in the "Split?" column.

Water Right/Claim No.	Split?	Water Right/Claim No.	Split?	Water Right/Claim No.	Split?
33-7153 OK	Yes ☒		Yes ☐		Yes ☐
33-7025 OK	Yes ☒		Yes ☐		Yes ☐
33-7013 OK	Yes ☒		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐

2. Previous Owner's Name:

Bulon J. Callister

SUPPORT DATA

3. New Owner(s)/Claimant(s):

Name of current water right holder/claimant

Don O. Callister

IN FILE # 33-7013

Name of each new owner as listed on the conveyance document

Kristine Callister

New owner continued

Name connector

☐ and

☐ or

☒ and/or

1496 W 3200 N

Mailing address

Howe

City

State

ZIP

208-767-3117

Telephone

Email

4. If the water rights and/or adjudication claims were split, how did the division occur?

- ☐ The water rights or claims were divided as specifically identified in a deed, contract, or other conveyance document.
☐ The water rights or claims were divided proportionately based on the portion of their place(s) of use acquired by the new owner.

5. Date you acquired the water rights and/or claims listed above: September 27th, 2010

6. This form must be signed and submitted with the following **REQUIRED** items:

- A copy of the conveyance document – warranty deed, quitclaim deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property or description of the water right(s) if no land is conveyed.
- Plat map, survey map or aerial photograph which clearly shows the place of use and point of diversion for each water right and/or claim listed above (if necessary to clarify division of water rights or complex property descriptions).
- Filing fee (see instructions for further explanation):
 - \$25 per *undivided* water right.
 - \$100 per *split* water right.
 - No fee is required for pending adjudication claims.

7. Signature:

Don O. Callister

Signature of new owner/claimant

Title, if applicable

Date

Signature:

Signature of new owner/claimant

Title, if applicable

Date

For IDWR Office Use Only:

Received by

Date

1-14-11

Receipt No.

E0363100

Receipt Amt.

\$75

Approved by

Processed by

Date

3/3/2011

RECEIVED

JAN 14 2011

WARRANTY DEED

For Value Received MERLE H. HOFFMAN and ILETA HOFFMAN, husband and wife, and ROY M. HOFFMAN, a bachelor, all of the County of Lemhi, State of Idaho, the grantors, do hereby grant, bargain, sell, and convey unto RULON J. CALLISTER and MARGARET S. CALLISTER, husband and wife, of the County of Bingham, State of Idaho, the grantees, the following described premises, to-wit:

The NW $\frac{1}{4}$, the W $\frac{1}{2}$ of the SE $\frac{1}{4}$ of Section 21, and the NE $\frac{1}{4}$ of Section 28, all in Township 6 North, Range 29 East of the Boise Meridian, in Butte County, Idaho, together with the tenements, hereditaments and appurtenances thereunto belonging and appertaining, including all water rights and ditch rights of way used for the irrigation thereof, and particularly the following:

240 shares of the capital stock of Blaine County Canal Company, a corporation; 175.25 shares of Dry Creek Development Company, a corporation, and the ground water right and license for 2.74 c.f.s. from an irrigation well located on the above-described premises with priority of November 26, 1948.

Also, one 50 h.p. electric motor and turbine pump installed in the said irrigation well upon said premises.

Subject to reservations contained in State and Government Deeds and Patents, rights of way for existing public roads, irrigation ditches and canals over and across said premises and all existing regulations of use.

Subject, also, to taxes, dues and assessments for the year 1972, which the grantees assume and agree to pay.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees, that they are the owners in fee simple of said premises; that said premises are free from all incumbrances except as hereinabove set forth and that they will warrant and defend the same from all lawful claims whatsoever.
Dated: April 21, 1972

Merle H. Hoffman
Ileta Hoffman

Roy M. Hoffman

STATE OF IDAHO, COUNTY OF Bingham
On this 21st day of April, 1972, before me, a notary public in and for said State, personally appeared MERLE H. HOFFMAN and ILETA HOFFMAN, husband and wife, and ROY M. HOFFMAN, a bachelor,

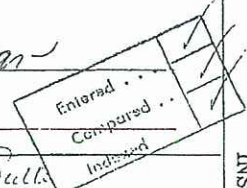
known to me to be the persons whose names are subscribed within instrument, and acknowledged to me that they executed the same.

William F. ...
Notary Public
Residing at Blackfoot, Idaho
Comm. Expires 31, 1974

STATE OF IDAHO, COUNTY OF Bingham
I hereby certify that this instrument was filed for record at the request of *David Boyer*
at 30 minutes past 1 o'clock P. m., this 18th day of May, 1972, in my office, and duly recorded in Volume of the Official Records.

Nigel Johnson
Ex-Officio Recorder

By _____
Fees \$ 1.00
Mail to: *David Boyer*



RECEIVED
JAN 11 1971
Deputy

INSTRUMENT No. 771-1898

Department of Water Resources
Eastern Region

STATE OF IDAHO

CERTIFICATION OF VITAL RECORD

STATE OF IDAHO

DEPARTMENT OF HEALTH AND WELFARE

BUREAU OF VITAL RECORDS AND HEALTH STATISTICS

State of Idaho

CERTIFICATE OF DEATH

ONLY A COPY OF THIS DOCUMENT, CERTIFIED BY THE STATE REGISTRAR WITH THE DEPARTMENT OF HEALTH AND WELFARE, BASED ON A TRUE AND CORRECT REPRODUCTION OF THE ORIGINAL, SHALL BE USED AS PROOF OF DEATH FOR ANY PURPOSE.

Local Reg. No. 118-e

DECEDENT	*1. DECEDENT'S LEGAL NAME (Include AKA's if any) (First, Middle, Last, Suffix) RULON JONES CALLISTER		2. SEX MALE	3. SOCIAL SECURITY NUMBER 518-14-2786
	4a. AGE-Last Birthday 91 (Years)	4b. UNDER 1 YEAR Months 08 Days 29 Minutes 18	4c. UNDER 1 DAY Hours 08 Minutes 29 Seconds 18	5. DATE OF BIRTH (Mo/Day/Yr) 08/29/1918
MORTICIAN: Complete/Verify and File Within 5 Days of Death	7a. RESIDENCE - STATE OR FOREIGN COUNTRY IDAHO		7b. COUNTY BUTTE	
	7c. CITY OR TOWN HOWE		7d. STREET AND NUMBER 1546 W. 3800 N.	
PARENTS	8. MARITAL STATUS AT TIME OF DEATH ☐ Married ☐ Married, but separated ☒ Widowed ☐ Divorced ☐ Never married ☐ Unknown		9. SURVIVING SPOUSE'S NAME (If wife, give maiden name)	
	10. EVER IN U.S. ARMED FORCES? ☒ Yes ☐ No		11. BIRTHPLACE (State, Territory, or Foreign Country) UTAH	
INFORMANT	11a. FATHER'S NAME (First, Middle, Last, Suffix) ORSON P. CALLISTER		11b. BIRTHPLACE (State, Territory, or Foreign Country) UTAH	
	12a. MOTHER'S MAIDEN NAME (First, Middle, Last, Suffix) ANNIE F. JONES		12b. BIRTHPLACE (State, Territory, or Foreign Country) UTAH	
DISPOSITION	13a. INFORMANT'S NAME (Type or print) SETH CALLISTER		13b. RELATIONSHIP TO DECEDENT SON	
	13c. MAILING ADDRESS (Street and Number, City, State, Zip Code) 6961 NORTH 5TH EAST IDAHO FALLS, ID 83401		14. METHOD OF DISPOSITION ☒ Burial ☐ Cremation ☐ Donation ☐ Removal from Idaho ☐ Other (Specify) _____	
PLACE OF DEATH	15. PLACE OF DISPOSITION (Name and address of cemetery, crematory, other place) GROVELAND CEMETERY		16. NAME AND COMPLETE ADDRESS OF FUNERAL FACILITY HAWKER FUNERAL HOME 132 SOUTH SHILLING AVENUE BLACKFOOT, IDAHO 83221	
	17a. SIGNATURE OF FUNERAL SERVICE LICENSEE OR PERSON ACTING AS SUCH ELECTRONICALLY FILED: KEVIN T. DIETRICH		17b. LICENSE NUMBER (Of licensee) M0748	
DATE OF DEATH	19a. IF DEATH OCCURRED IN A HOSPITAL: ☐ Inpatient ☐ ER/Outpatient ☐ OOA ☐ Hospice facility ☒ Nursing home/Long term care facility ☐ Decedent's home ☐ Other (Specify) _____		19b. IF DEATH OCCURRED SOMEWHERE OTHER THAN A HOSPITAL: ☐ Inpatient ☐ ER/Outpatient ☐ OOA ☐ Hospice facility ☒ Nursing home/Long term care facility ☐ Decedent's home ☐ Other (Specify) _____	
	20. FACILITY NAME (If not facility, give street and number) TURTLE AND CRANE		21. CITY, TOWN, OR LOCATION OF DEATH, AND ZIP CODE IDAHO FALLS, ID 83401	
CAUSE OF DEATH	22. COUNTY OF DEATH BONNEVILLE		23. DATE OF DEATH (Mo/Day/Yr) (Spell month) June 30, 2010	
	24. TIME OF DEATH (24hr) 23:50		25. DATE PRONOUNCED DEAD (Mo/Day/Yr) (Spell month) June 30, 2010	
CAUSE OF DEATH	26. TIME PRONOUNCED DEAD (24hr) 23:50		27. CAUSE OF DEATH	
	PART I. Enter the chain of events - diseases, injuries, or complications - that directly caused the death. DO NOT enter terminal events such as cardiac arrest, respiratory arrest, or ventricular fibrillation without showing the etiology. DO NOT ABBREVIATE. Enter only one cause on a line. IMMEDIATE CAUSE (Final disease or condition resulting in death) a. CONGESTIVE HEART FAILURE DUE TO ISCHEMIC HEART DISEASE		Approximate Interval: Onset to Death 10 YEARS	
CAUSE OF DEATH	b. TYPE 2 DIABETES		Approximate Interval: Onset to Death 23 YEARS	
	c. _____		Approximate Interval: Onset to Death _____	
CAUSE OF DEATH	d. _____		Approximate Interval: Onset to Death _____	
	PART II. Enter other significant conditions contributing to death but not resulting in the underlying cause given in Part I N/A		28a. WAS AN AUTOPSY PERFORMED? ☐ Yes ☒ No	
CAUSE OF DEATH	29. DID TOBACCO USE CONTRIBUTE TO DEATH? ☐ Yes ☐ Probably ☒ No ☐ Unknown		29b. IF FEMALE (Aged 10-54): ☐ Not pregnant within past year ☐ Not pregnant, but pregnant 43 days to 1 year before death ☐ Pregnant at time of death ☐ Not pregnant, but pregnant within 42 days of death ☐ Unknown if pregnant within the past year	
	30. DATE OF INJURY (Mo/Day/Yr) (Spell month) June 30, 2010		31. MANNER OF DEATH ☒ Natural ☐ Homicide ☐ Accident ☐ Pending Investigation ☐ Suicide ☐ Could not be determined	
CAUSE OF DEATH	32. TIME OF INJURY (24hr) 23:50		33. PLACE OF INJURY (Decedent's home, farm, street, construction site, nursing home, restaurant, forest, etc.) _____	
	34. INJURY AT WORK? ☐ Yes ☐ No		35. INJURY AT WORK? ☐ Yes ☐ No	
CAUSE OF DEATH	36. LOCATION OF INJURY: State _____ City/Town or County _____ Zip Code _____		37. DESCRIBE HOW INJURY OCCURRED, IF TRANSPORTATION INJURY, STATE THE TYPE(S) OF VEHICLE(S) INVOLVED (Automobile, pickup, motorcycle, ATV, bicycle, etc.) SPECIFY WHICH VEHICLE DECEDENT OCCUPIED, IF APPLICABLE	
	38a. WAS DECEDENT: ☐ Driver/Operator ☐ Passenger ☐ Pedestrian ☐ Other (Specify) _____		38b. WHAT SAFETY DEVICES(S) DID DECEDENT USE/EMPLOY? ☐ Seat belt ☐ Child safety seat ☐ Helmet ☐ Air bag ☐ None ☐ Unknown	
CAUSE OF DEATH	39a. CERTIFIER (Check only one, based on official capacity for this certificate) ☒ PHYSICIAN ☐ PHYSICIAN ASSISTANT ☐ ADVANCED PRACTICE PROFESSIONAL NURSE ☐ CORONER		39b. LICENSE NUMBER M-07763	
	39c. DATE SIGNED 7 / 5 / 2010		39d. NAME, ADDRESS, AND ZIP CODE OF CERTIFIER (Type or print) CARL D. VANCE, 3910 WASHINGTON PARKWAY IDAHO FALLS, ID 83404	
CAUSE OF DEATH	40a. REGISTRAR'S SIGNATURE Jane S. Smith		40b. DATE SIGNED 7 / 6 / 2010	
	40c. _____		40d. _____	

TYPE OR PRINT IN PERMANENT BLACK INK DO NOT USE FELT TIP PEN

FOR INSTRUCTIONS SEE HANDBOOKS

PARENTS

INFORMANT

DISPOSITION

PLACE OF DEATH

DATE OF DEATH

CAUSE OF DEATH

ITEMS 32-38 TO BE USED FOR EXTERNAL CAUSES ONLY (CORONER)

CERTIFIER

IF DEATH WAS DUE TO OTHER THAN NATURAL CAUSES, THE CORONER MUST COMPLETE AND SIGN THE CERTIFICATE

REGISTRAR



This is a true and correct reproduction of the document officially registered and placed on file with the IDAHO BUREAU OF VITAL RECORDS AND HEALTH STATISTICS.

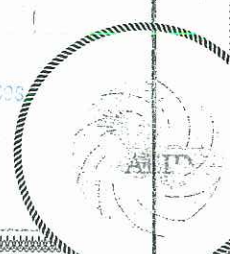
DATE ISSUED: July 6, 2010
This copy is not valid unless prepared on engraved border displaying state seal and signature of the Registrar.

JANE S. SMITH
STATE REGISTRAR

RECEIVED

JAN 14 2011

Department of Vital Resources
Eastern Division



CERTIFICATION OF VITAL RECORD

STATE OF IDAHO IDAHO DEPARTMENT OF HEALTH AND WELFARE CENTER FOR VITAL STATISTICS AND HEALTH POLICY State of Idaho CERTIFICATE OF DEATH

ONLY A COPY OF THIS DOCUMENT CERTIFIED BY THE STATE REGISTRAR WITH THE DEPT. OF HEALTH & WELFARE RAISED SEAL, SHALL BE USED AS PRIMA FACIE EVIDENCE OF THIS DEATH UNDER IDAHO CODE 33-2401 & 33-2402

State File No. 68-7
Local Reg. No. 68-7

DECEDENT	1. NAME Margaret Smith Callister		2. SEX Female	3. DATE OF DEATH (Month, Day, Year) February 3, 1999
	4. SOCIAL SECURITY NUMBER 519-01-5723		5. AGE - Last Birthday (Yrs) 80	6. DATE OF BIRTH (Month, Day, Year) January 23, 1919
	7. BIRTHPLACE (City and State or Foreign Country) Ogden, Utah			
	8. WAS DECEDENT EVER IN U.S. ARMED FORCES? ☐ Yes ☒ No			
CALLISTER	9. PLACE OF DEATH (Check only one) (1) ☒ Inpatient (2) ☐ ER/Outpatient (3) ☐ DOA (4) ☐ Long-Term Care Facility (5) ☐ Own Residence (6) ☐ Other Private Residence (7) ☐ Other (Specify)			
	10. FACILITY NAME AND ADDRESS (If not a hospital, enter name of place, street and number) Columbia Eastern Idaho Regional Med. Ctr.		11. CITY, TOWN OR LOCATION OF DEATH Idaho Falls	
	12. COUNTY OF DEATH Bonneville			
	13. MARITAL STATUS - Married, Never Married, Widowed, Divorced (Specify) Married			
PARENTS	14. SURVIVING SPOUSE (If wife, give maiden name) Rulon Jones Callister		15. DECEDENT'S USUAL OCCUPATION (Give kind of work done, during most of working life. Do not use retired.) Housewife	
	16. KIND OF BUSINESS / INDUSTRY Own home			
	17. RESIDENCE STATE Idaho		18. COUNTY Butte	
	19. CITY, TOWN OR LOCATION Howe		20. STREET AND NUMBER 1546 West 3800 North	
INFORMANT	21. ZIP CODE 83244			
	22. FATHER - NAME Charles Sherman Smith		23. BIRTHPLACE Nebraska	
	24. MOTHER - FULL MAIDEN NAME Grace Gordon		25. BIRTHPLACE Utah	
	26. INFORMANT'S NAME (Type/Print) Rulon J. Callister (husband)			
DISPOSITION	27. MAILING ADDRESS (Street and Number or Rural Route Number, City or Town, State, Zip Code) 1546 West 3800 North Howe, Idaho 83244			
	28. METHOD OF DISPOSITION ☒ Burial ☐ Cremation ☐ Removal from Idaho ☐ Donation ☐ Other (Specify)		29. PLACE OF DISPOSITION (Name of cemetery, crematory, or other place) Groveland Cemetery	
	30. LOCATION - City or Town, State Blackfoot, Idaho			
	31. SIGNATURE OF FUNERAL SERVICE LICENSEE OR PERSON ACTING AS SUCH (License Number of Licensee) Dean A. Packham M-601			
CAUSE OF DEATH	32. NAME AND ADDRESS OF FACILITY PACKHAM MORTUARY			
	33. TIME OF DEATH 1:20 A.M.		34. DATE PROMULGED DEAD (Month, Day, Year) February 3, 1999	
	35. WAS CASE REFERRED TO CORONER? ☐ Yes ☒ No		36. MANNER OF DEATH (Check One) ☒ Natural ☐ Homicide ☐ Suicide ☐ Accident ☐ Pending Investigation ☐ Could Not Be Determined	
	37. PART I. Enter the diseases, injuries, or complications that caused the death. Do not enter the mode of dying, such as cardiac or respiratory arrest, shock, or heart failure. List only one cause on each line. IMMEDIATE CAUSE (Final disease or condition resulting in death) a. <u>Brain Contusions</u> b. <u>Hydrocephalus</u> c. <u></u> d. <u></u> 27. PART II. Other Significant Conditions contributing to death but not resulting in the underlying cause given in Part I. <u></u>			
CERTIFIER	38. IMMEDIATE CAUSE (Final disease or condition resulting in death) a. <u>Brain Contusions</u> b. <u>Hydrocephalus</u> c. <u></u> d. <u></u>		39. APPROXIMATE INTERVAL BETWEEN ONSET AND DEATH <u>10 days</u> <u>2 days</u>	
	40. WERE AUTOPSY FINDINGS AVAILABLE PRIOR TO COMPLETION OF CAUSE OF DEATH? ☐ Yes ☒ No		41. WERE AUTOPSY FINDINGS AVAILABLE PRIOR TO COMPLETION OF CAUSE OF DEATH? ☐ Yes ☒ No	
	42. CERTIFIER (Check only one) ☒ PHYSICIAN - To the best of my knowledge, death occurred at the time, date, and place, and due to the cause(s) and manner as stated. ☐ CORONER - On the basis of examination and/or investigation, in my opinion, death occurred at the time, date, and place, and due to the cause(s) and manner as stated.			
	43. SIGNATURE AND TITLE OF CERTIFIER <u>Robert L. Cach</u>			
TO BE USED FOR EXTERNAL CAUSES ONLY	44. NAME AND ADDRESS OF CERTIFIER (Type/Print) Dr. Robert L. Cach, M.D.		45. LICENSE NUMBER M-7169	
	46. DATE SIGNED (Month, Day, Year) February 4, 1999			
	47. DATE OF INJURY (Mo. Day, Yr.) February 3, 1999		48. HOUR OF INJURY 1:20 A.M.	
	49. DESCRIBE HOW INJURY OCCURRED <u></u>			
CORONER'S REVIEW AREA	50. INJURY AT WORK? ☐ Yes ☒ No		51. IF TRANSPORTATION ACCIDENT, Specify ☐ Driver ☐ Passenger ☐ Pedestrian ☐ Other	
	52. PLACE OF INJURY - At home, farm, street, factory, office building, etc. (Specify) <u></u>		53. LOCATION (Street or Route Number, City/Town, or County, and State) <u></u>	
	54. CORONER'S ACTION (Check One) (1) ☐ Reviewed Only (2) ☐ Reviewed and/or Amended, and Certified		55. CORONER'S SIGNATURE <u></u>	
	56. DATE SIGNED (Month, Day, Year) <u></u>		57. DATE SIGNED (Month, Day, Year) <u></u>	
REGISTRAR	58. REGISTRAR'S SIGNATURE <u>Nickie Stusert - assistant</u>		59. DATE FILED (Month, Day, Year) <u>Feb 8, 1999</u>	

VITAL STATISTIC'S COPY

*At a minimum, complete items 1, 3; 9a, b, c, d; 21a, b, 22; and 29a for the 24 Hour Report & Authorization For Final Disposition

This is a true and correct reproduction of the document officially registered and placed on file with the IDAHO CENTER FOR VITAL STATISTICS AND HEALTH POLICY.

DATE ISSUED: February 8, 1999

This copy is not valid unless prepared on engraved border displaying state seal and signature of the Registrar.

JANE S. SMITH
STATE REGISTRAR



DOUGLAS R. NELSON (1580)
NELSON HALL PARRY TUCKER, P.A.
490 Memorial Drive
P.O. Box 51630
Idaho Falls, ID 83405-1630
Telephone: (208) 522-3001
Facsimile: (208) 523-7254

2010-01-05 11:11:55

FILED BY DR

IN THE DISTRICT COURT OF THE SEVENTH JUDICIAL DISTRICT OF
THE STATE OF IDAHO, IN AND FOR THE COUNTY OF BUTTE

IN THE MATTER OF THE ESTATE OF)

RULON J. CALLISTER,
Deceased)

AND)

THE MARGARET S. CALLISTER
TESTAMENTARY TRUST AND
THE ESTATE OF MARGARET S.
CALLISTER.)

CASE NO. CV-10-99

APPLICATION FOR INFORMAL
PROBATE OF WILL AND
INFORMAL APPOINTMENT OF
PERSONAL REPRESENTATIVE
AND CONSOLIDATION WITH
CASE NO. SP-99-16

(I.C. 15-3-301)

APPLICANT, WAYNE J. LOTT, STATES AND REPRESENTS TO THE COURT THAT:

1. Applicant's interest in this matter is that of a person having priority for appointment as personal representative.
2. The person whose appointment as personal representative is sought has priority for appointment as the person nominated in, or pursuant to the exercise of a power conferred by, the decedent, Rulon J. Callister's First Codicil to the Last Will and Testament dated January 24, 2005. In addition the Applicant is a person named in the Last Will and Testament of Margaret S. Callister. In addition, the devisee's under the Margaret S. Callister Will and the beneficiaries of the Margaret S. Callister Testamentary Trust have requested and consented to the appointment of Wayne J. Lott as personal representative of the Margaret S. Callister Estate and as Trustee of the Margaret S. Callister Testamentary Trust.
3. The decedent, Rulon J. Callister died on June 30, 2010, at the age of 91 years. Margaret S. Callister died May 11, 1999 and Merrill C Smith who was named by Margaret S.

APPLICATION FOR INFORMAL PROBATE OF WILL AND INFORMAL APPOINTMENT OF PERSONAL REPRESENTATIVE AND CONSOLIDATION WITH CASE NO SP-99-16 - PAGE- 1

RECEIVED

JAN 14 2011

Department of Water Resources
Eastern Region

Callister to serve as her personal representative and trustee of the Margaret S. Callister Testamentary Trust as established by her Last Will and Testament dated December 11, 1998, is now deceased. The proper and full administration of the estate of Rulon J. Callister may require acts by the personal representative of the Estate of Margaret S. Callister and/or the trustee under the Margaret S. Callister Testamentary Trust as established by the Last Will and Testament of Margaret S. Callister dated December 11, 1998. A registration of said trust was previously made in SP-99-16, Seventh Judicial District, County of Butte, State of Idaho ("Trust").

4. Venue is proper because at the time of death the decedent was domiciled in this county.
5. The names and addresses of the children, heirs, and devisees of the decedent, and beneficiaries of the Trust so far as known or ascertainable with reasonable diligence by applicant are:

<u>NAME</u>	<u>ADDRESS</u>	<u>RELATIONSHIP</u>
Wayne J. Lott	524 West 1350 North Orem, Utah 84057	Son-in-Law
R. Jay Callister	P.O. Box 1014 Blackfoot, Idaho 83221	Son
Lee "S" Callister	1548 Maple St. Redwood, California 94069	Son
Anne C. Lott	524 West 1350 North Orem, Utah 84057	Daughter
Lois C. Lang	2330 Vineyard Santa Clara, Utah 84765	Daughter
Grace C. Bauer	1853 South 140 East Orem, Utah 84057	Daughter
Seth S. Callister	6961 North 5 th East Idaho Falls, Idaho 83401	Son
Don O. Callister	1496 West 3700 North Howe, Idaho 83244	Son

6. No personal representative has been appointed in this state or elsewhere for the estate of Rulon J. Callister. The former appointment of the personal representative in the estate of

RECEIVED

JAN 14 2011

Department of Water Resources
Eastern Region

Margaret S. Callister has been terminated by reason of the death of Merrill C Smith who was previously appointed as the personal representative of said estate. For the convenient administration of the estate and trust interests which are common and which are based upon reciprocal wills and trust provisions the two actions should be consolidated.

7. Applicant has neither received nor is aware of any demand for notice of any probate or appointment proceeding concerning the decedent that may have been filed in this state or elsewhere.
8. The time limit for informal probate or appointment has not expired because not more than three years have passed since the death of decedent Rulon J. Callister and he was married to Margaret S. Callister on the date of her death. The three year provision relative to probating estates applies only to the death of Rulon J. Callister and not to the death of Margaret S. Callister whose estate was previously admitted to probate.
9. The original of the decedent's will, dated December 11, 1998 is attached to this pleading. In addition, the original of the First Codicil to the Last Will and Testament of Rulon J. Callister dated January 24, 2005 is attached to this pleading. To the best of applicant's knowledge, neither the will or the first codicil nor any other will of the decedent has been the subject of a previous probate order.
10. Applicant believes that the will and codicil which are the subject of this application was validly executed.
11. Having exercised reasonable diligence, applicant is unaware of any instrument revoking the will or codicil which are the subject of this application and believes that such will or codicil reflect the decedent's last will.
12. To the best of applicant's knowledge, the will to which this application relates is not part of a known series of testamentary instruments (other than wills or codicils), the latest of which does not expressly revoke the former.
13. Bond is not required under I.C. 15-3-603.
14. Any required notice has been given or waived.

WHEREFORE, APPLICANT REQUESTS THAT:

1. The decedent's will, dated December 11, 1998 and the First Codicil to the decedent's Last Will and Testament dated January 24, 2005, be informally probated.
2. WAYNE J. LOTT be informally appointed personal representative of the estate of the decedent, to act without bond. That the estate proceedings of Rulon J. Callister be

consolidated with the estate and trust proceedings of the Margaret S. Callister estate and Testamentary Trust, SP-99-16.

3. Upon qualification and acceptance, letters testamentary be issued.
4. That the estates of both the decedent and Margaret S. Callister be joined for probate in a single proceeding pursuant this application and in accordance with Idaho Code Section I.C. 15-3-111.

DATED: July 23, 2010

Wayne J. Lott
WAYNE J. LOTT, Applicant

VERIFICATION

STATE OF UTAH)

COUNTY OF Utah)

: ss

Applicant, being sworn, says that the facts set forth in the foregoing application are true, accurate, and complete to the best of applicant's knowledge and belief.

Wayne J. Lott
WAYNE J. LOTT, Applicant

SUBSCRIBED AND SWORN to before me this 23rd day of July, 2010.

Darin R. Oviatt
NOTARY PUBLIC

Residing at: 682 WEST 1360 NORTH, OREM, UT.

My Commission Expires: 8/17/2011

L:\DRN\0711.3\application.wpd



DARIN R. OVIATT
NOTARY PUBLIC - STATE OF UTAH
682 WEST 1360 NORTH
OREM, UTAH 84057
COMM. EXP. 8-17-2011

APPLICATION FOR INFORMAL PROBATE OF WILL AND INFORMAL APPOINTMENT OF PERSONAL REPRESENTATIVE AND CONSOLIDATION WITH CASE NO SP-99-16 - PAGE 4

RECEIVED
JAN 14 2011

Department of Water Resources
Eastern Region

LAST WILL AND TESTAMENT
OF
RULON J. CALLISTER

I, RULON J. CALLISTER, of Howe, Idaho, being over the age of twenty-one (21) years, of sound and disposing mind and memory, and not acting under any duress, menace, fraud, or undue influence, do make, publish, and declare this to be my Last Will and Testament, hereby annulling, revoking, and cancelling any and all Wills and Codicils thereto heretofore made by me at any time.

ARTICLE 1: PLEDGES, SUBSCRIPTIONS, DEBTS, AND TAXES

I direct that all valid unexpired pledges and subscriptions made by me during my lifetime be paid by my personal representative hereinafter named, and that all such pledges and subscriptions and all debts, expenses, and liabilities of my estate, including all estate, inheritance, and succession taxes which may be payable upon or with respect to or on account of my estate or the passing of any property hereunder or otherwise by reason of my death, be paid and discharged by my personal representative out of the assets included in Article 3 hereunder. Provided, however, that any property which passes by reason of my death and which has thereon a specific lien shall be subject to the balance due on any such lien at the time of my death and the same shall not be exonerated therefrom by payment from any other asset or property.

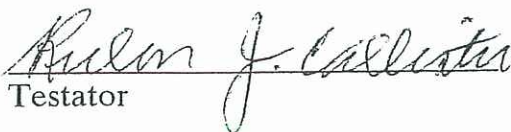
ARTICLE 2: FAMILY

2.01 My full name is RULON J. CALLISTER. I was born in Fillmore, Utah, on August 29, 1918.

2.02 My Social Security number is 518-14-2786.

2.03 My present residence is in Howe, Butte County, Idaho, and my mailing address is Howe, Idaho.

2.04 Family. I declare that I am married to MARGARET SMITH CALLISTER, also known as MARGARET S. CALLISTER, who resides with me at my home in Howe,


Testator

- 1 -

12-11-98

Date

RECEIVED

JAN 14 2011

Department of Water Resources
Eastern Region

Idaho. I have seven (7) children, all of whom are of legal age, who are:

Rulon Jay Callister, born April 3, 1941

Lee "S" Callister, born January 5, 1944

Anne Callister Lott, born June 25, 1947

Lois Callister Lang, born March 31, 1950

Grace Callister Bauer, born October 2, 1952

Seth Smith Callister, born February 12, 1954

Don Orson Callister, born February 8, 1958

I direct that my estate be settled in the manner provided in this Will and that any child or children of mine or their issue, who shall survive me, now living or hereafter born, shall take only as provided hereunder.

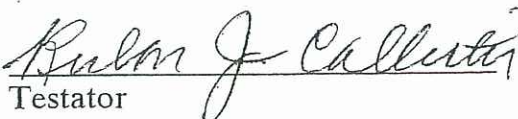
ARTICLE 3: DISPOSITION OF ESTATE

3.01 I confirm to my wife, MARGARET S. CALLISTER, her interest in our community property. It is my intention by this Will to dispose of all my separate property and of my one-half interest in our community property.

3.02 In the event I predecease my wife, Margaret, I give, devise, and bequeath:

(a) To my wife, Margaret, all of my interest in the property we are using as our principal residence and our vacation residence, if any, at the time of my death, together with any insurance on such property and together with all household furniture, furnishings, fixtures, and effects, all personal automotive vehicles, recreational vehicles, and other tangible articles of a personal nature, together with any and all insurance on such property and together with all household and personal banking accounts.

(b) All the rest, residue, and remainder of the property which I own at my death, real, personal, or mixed, and wheresoever situated, including therein all property to which I may then have any power of appointment or disposition with the exception of the property described in Section 3.02(a) of this Article 3, to my trustee hereinafter named, in trust nevertheless. My trustee shall receive, hold, invest, reinvest, divide, allocate, pay, and distribute the assets of my trust estate as set forth in this Article and in Article IV of this Will together with the income therefrom and shall administer the same upon the terms as


Testator

- 2 -

12-11-98
RECEIVED Date

JAN 14 2011

Department of Water Resources
Eastern Region

in this Will provided.

3.03 In the event that I survive my wife, Margaret, I then give, devise, and bequeath my estate and direct that it be distributed as follows:

(a) I give and bequeath the sum of \$25,000.00 to each of my children, RULON JAY CALLISTER, LEE "S" CALLISTER, ANNE CALLISTER LOTT, LOIS CALLISTER LANG, GRACE CALLISTER BAUER, and SETH SMITH CALLISTER, who shall survive me or to the issue of each of said children who shall have predeceased me but leave issue surviving them, to be distributed equally to such issue *per stirpes* by right of representation. I omit my son, Don, from this bequest as he is the recipient of other bequests hereinafter made. Such amounts shall be paid by allocating \$50,000.00 for the payment proportionately to the six (6) shares, or such cash as is available from my estate for distribution in the discretion of my personal representative, which shall be paid at the time of the closing of my estate or within six (6) months of the date of my death, whichever shall occur sooner. The balance shall bear interest at a rate to coincide with the AFR mid-term and shall be payable in annual installments of ten (10) equal annual installments, plus interest, which shall commence one (1) year after the date of the first payment. Should either or any of my children fail to survive me or shall not survive to receive all of the payments due under this provision, then any payment due or allocated to such child shall be distributed to the heirs of such child determined by the Will of such child, or if no Will, by the intestate laws of succession of the state of Idaho at the time of such child's death. The bequest herein made shall be a testamentary charge against the assets of my estate as described in paragraph (c) of this Section 3.03.

(b) I give and bequeath to my son, SETH SMITH CALLISTER, and my son-in-law, GARY BAUER, the sum of \$1,000.00 for each year SETH and GARY worked full-time with me in assisting to develop and maintain the farming property which we now own. Seth worked for eight (8) years, and therefore the sum bequeathed to him is \$8,000.00. Gary worked for seven (7) years, and therefore the sum bequeathed to him is \$7,000.00. The amounts bequeathed in this paragraph shall be distributed to the beneficiaries named, or in the event they shall predecease the distribution, to their heirs, *per stirpes* by right of

Rulon J Callister
Testator

- 3 -

12-11-95 Date

RECEIVED

JAN 14 2011

Department of Water Resources
Eastern Region

representation. Such bequests as herein specified shall be payable in ten (10) equal annual installments, interest to accrue thereon at the rate as provided in Section 3.03(a) of this Article 3, and shall be payable by the beneficiary and legatee of the real estate. The bequest herein made shall be a testamentary charge against the assets of my estate as described in paragraph (c) of this Section 3.03.

(c) I give, devise, and bequeath all of my farming land, fixtures, and appurtenances thereto and all of my interest in any farming or ranching equipment, utensils, and livestock to my son, DON ORSON CALLISTER, his heirs and assigns forever, subject to the testamentary charge in the next preceding paragraphs, Sections 3.03(a) and (b) of this Article 3.

(d) In the event that there are any life insurance proceeds upon my life which accrue to my estate, I direct that the amount of such proceeds shall be segregated and shall be utilized for the payment of expenses of last illness, burial, and administration. Following such utilization, I then direct that the balance of the net proceeds of the insurance be divided equally to my children above named, or their issue, per stirpes, by right of representation. In the event any such insurance is paid directly to my children as beneficiary, I then direct that the computation be made of the amount received by each beneficiary, and those that receive benefits shall have the distribution as herein set forth in Section 3.03 of this Article 3 reduced by the proportionate amount of one-seventh (1/7) of the expenses of last illness, burial, and administration which shall be attributable and payable through my estate.

(e) All the rest, residue, and remainder of the property which I own at my death, real, personal, and mixed, wheresoever situated, including therein all property to which I may then have any power of appointment or disposition. I give, devise, and bequeath to my children above named, or their issue, in equal shares, share and share alike, to be distributed per stirpes by representation in the event either or any of my children shall have predeceased me.

(f) If I should leave any directions, by letter or otherwise, concerning the disposition of certain personal effects, articles, and family heirlooms, I request that my heirs

Bulmer J. Callister
Testator

- 4 -

12-11-68
Date

RECEIVED

JAN 14 2011

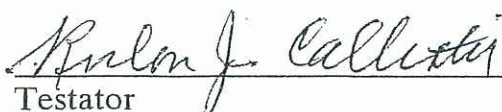
Department of Water Resources
Eastern Region

and my personal representative give effect to such directions and distribute such articles as requested therein. Should I leave no such direction or request as pertaining to certain items or property, I then direct that my seven (7) children shall draw lots in the number of one to seven and shall be entitled to choose what item of property they desire in the order of preference according to the number drawn, starting with number one (1). After all seven (7) have chosen, then the order shall be reversed and number seven (7) shall have first choice on the second round and proceed through the numbers to number (1). This order shall be continued until the items of personal property have been disposed of, and any such items not chosen or divided in any such manner shall be distributed among my heirs as my personal representative shall deem desirable.

3.04 I hereby declare that my estate may consist of savings accounts, stocks, bonds, securities, or annuities which may be held in my name and that of another as a joint tenant. I further declare that it is my intent that such jointly held assets shall be included in my estate as to all my interest therein and shall not be construed as a gift by reason of the joint tenancy ownership. Should such joint tenant neglect or refuse to return such jointly held property to my estate upon the request of my personal representative, then any other bequest or devise I make herein to such person shall lapse, and such joint tenant shall take nothing further as provided under this Will.

3.05 If any beneficiary or beneficiaries, other than my wife, Margaret, under this Will and I should die in a common accident or disaster, or should any such beneficiary or beneficiaries fail to survive me for more than thirty (30) days, then it shall be presumed for the purposes of this Will that such beneficiary or beneficiaries predeceased me and all of the provisions of this Will shall take effect in like manner as if such beneficiary or beneficiaries had predeceased me.

Should my wife and I die in a common accident or disaster, or if she fails to survive me for more than thirty (30) days, then the provisions herein shall be construed, and each of our estates administered and distributed, as if each of us had survived.


Testator

- 5 -

12-11-95

Date

RECEIVED

JAN 14 2011

Department of Water Resources
Eastern Region

ARTICLE 4: TRUST

4.01 Trust for Margaret S. Callister.

(a) Should I predecease my wife, Margaret, all of the assets hereinabove described to become the assets of my trust estate shall be held by my trustee for the benefit of my wife, Margaret, and shall be administered and distributed in accordance with the provisions herein.

(b) **Credit Shelter Trust.** The trust shall be administered as a Credit Shelter Trust, and my trustee shall be authorized to pay from such trust the costs of or such proportion thereof as my trustee deems necessary of the debts and expenses of last illness, funeral, and burial expenses, costs of administration of my estate, and estate and inheritance taxes chargeable to my estate and may pay any bequest made in this Last Will and Testament that has not been paid in full from other sources.

(c) My trustee shall pay the income from my trust estate to my wife, Margaret, in convenient installments, but not less often than annually, in such proportion as my trustee shall determine reasonable and desirable for the health, maintenance, support, and welfare of my wife, Margaret, and to enable her to live in a manner to which she has been accustomed. My trustee shall take into account other sources of income to my wife, Margaret, in determining the amount desirable to distribute to her from the income of such trust. My trustee shall further consider the tax impact of distribution or retention of income in making such decision.

(d) **Invasion of Principal.** My trustee shall be authorized to invade the principal of the trust estate for the necessary expenditures for my wife, Margaret, or in the support and expenditures necessary for any of our issue who are dependent upon her and which expenditures are necessary and desirable for the furtherance of their support, education, and welfare.

(e) **Distribution of Trust.** Upon the death of my wife, Margaret, I direct my trustee:

(1) To distribute all assets of my trust consisting of farming land, fixtures and appurtenances thereto and all of the interest in any farming or ranching


Testator

- 6 -

RECEIVED

JAN 14 2011

Department of Water Resources
Eastern Region

12-11-99

Date

equipment, utensils and livestock to be distributed to my son, DON ORSON CALLISTER, which shall be subject to the testamentary charge in Sections 3.03(a) and (b) of Article 3.

(2) To determine if the bequests made in Margaret's Will which are similar to the bequests made in Section 3 of Article 3 of this Will have been fully funded, and if not, that assets from my trust estate be utilized to complete the funding of such bequests. This is to the effect that the one bequest from either myself or Margaret shall be made and such bequest shall not be duplicated in each of our Wills. Upon such bequest having been fulfilled, the trustee is authorized to pay any costs and expenses of Margaret or her estate necessary to complete the administration thereof. Thereafter, all of such remainder of the trust assets shall be distributed equally to my children hereinabove named or their issue who shall survive me, to be distributed per stirpes by right of representation.

4.02 Duties of Trustee.

(a) My trustee shall pay out of my trust estate all taxes, assessments, and governmental charges, and all other proper costs, expenses, and charges against this trust, or the estate thereof.

(b) Neither the principal nor the income of my trust estate or any portion thereof, shall be liable for the debts of any beneficiary hereunder. My trustee shall not recognize any assignment of, or any form of encumbrance upon, any of the payments of income or principal to be paid in accordance with the provisions herein, and all such payments and distributions shall be made free from anticipation, alienation, assignment, garnishment, or pledge and from control by the creditors of any beneficiary hereunder by any proceeding at law or in equity.

(c) My trustee shall furnish the beneficiaries, at least annually, with a statement showing how the trust assets are invested and all transactions relating thereto for the preceding year.

(d) In acquiring, investing, reinvesting, exchanging, and selling and managing the assets of my trust estate and the portions thereof, my trustee shall exercise the judgment and care under the circumstances then prevailing which men of prudence, discretion, and intelligence exercise in the management of their own affairs, not in regard

Don J Callister
Testator

- 7 -

RECEIVED

JAN 14 2011

Department of Water Resources
Eastern Region

12-11-98

Date

to speculation, but in regard to the permanent disposition of their funds, considering the probable income and the probable safety of their capital.

4.03 Powers of Trustee.

(a) In administering my trust estate and the portions thereof, my trustee shall have the powers to perform every act which a prudent man would perform for the purposes of the trust, including, but not limited to, the powers specified in the Uniform Trustees Powers Act in Chapter 1 of Title 68 of the Idaho Code. Any division or distribution made by the trustee during the continuance of the trust or upon termination thereof may be made by the trustee in kind. That is to say, by a division or distribution of the properties forming a part of said trust estate without converting the same into cash.

(b) In administering my trust estate and the portions thereof, my trustee shall, subject only to the provisions of this Article, have and exercise all of the power, discretion, authority which the absolute owner of the assets of such trust estate and the portions thereof could have and exercise.

(c) The trustee may continue to hold any properties received herein even though the same be either productive or unproductive of income.

(d) The trustee shall have the power to vote any and all shares of corporate stock held by the trustee as part of the trust, and to issue proxies therefor in the usual form, authorizing such person or persons as the trustee may designate to vote such shares of stock from time to time.

(e) The trustee shall have full power and authority to collect and receive the income from the trust and all increases of the corpus and in its sole discretion to determine what is principal and what is income, and in this respect to add all capital gains, if it so desires, to the corpus of the trust and shall have full power to determine what expenses or charges are against corpus and what charges are against income.

(f) The trustee shall have the power to cause the securities or other trust properties to be held in the name of the trustee or in the name of a nominee without disclosing the trust or to take properties or securities and keep the same unregistered so that such properties may pass by delivery, but in no way shall such manner of holding properties

Barton J. Callister
Testator

- 8 -

12-11-05 Date

RECEIVED

JAN 14 2011

Department of Water Resources

relieve the trustee of the responsibility for the safe custody and proper disposition of such trust properties in accordance with the terms and provisions thereof.

(g) Any division or distribution made by the trustee during the continuance of the trust or upon termination thereof may be made by the trustee in its discretion, in kind; that is to say, by a division or distribution of the property forming a part of said trust estate without converting the same into cash.

(h) The trustee shall be entitled to receive compensation for its services hereunder in accordance with its schedule of compensation established from time to time by the trustee's Trust Department for the administration of trusts of a character similar to this trust, and such compensation may be collected annually by the trustee, out of the income or principal, or both, and shall be shown in its annual accounting.

4.04 Trustee. I nominate and appoint my wife's brother, MERRELL C. SMITH, of Idaho Falls, Idaho, to act as trustee of my trust estate. In the event such nominated trustee shall fail, refuse, or neglect to serve, I then nominate and appoint my brother, LOVELL J. CALLISTER, of Blackfoot, Idaho, to act as trustee in his stead. Any trustee may resign upon giving thirty (30) days written notice to the then beneficiaries of the trust and a successor trustee shall be nominated by the unanimous consent of all of the then beneficiaries. In the event such consent is not obtained or is not unanimous, then upon application of any of the beneficiaries, a court of competent jurisdiction shall appoint a successor trustee, who shall succeed to all of the powers, duties, and obligations as herein granted. The nominated trustees hereunder shall not be required to post bond.

ARTICLE 5: IRREVOCABILITY

I hereby declare that my wife, Margaret, and I have executed these Wills as joint reciprocal Wills, the mutual consideration of which each of us adopted the provisions as contained herein. It is therefore my intention that upon the death of either of us that the survivor cannot then alter and revoke said Will so as to change the distributive provisions as contained in the Will.

ARTICLE 6: PERSONAL REPRESENTATIVE

I hereby nominate and appoint my wife's brother, MERRELL C. SMITH, of Idaho

Lowell J. Callister
Testator

- 9 -

12-11-08 Date

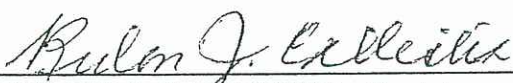
RECEIVED

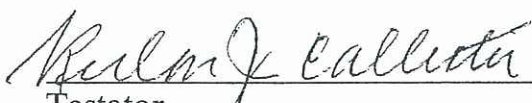
JAN 14 2011

Department of Water Resources
Eastern Region

Falls, Idaho, to act as personal representative of this my Last Will and Testament. In the event that my wife's brother, MERRELL C. SMITH, shall fail, refuse, or be unable to act in such capacity, I then nominate and appoint my brother, LOVELL J. CALLISTER of Blackfoot, Idaho, to serve as personal representative hereunder. I direct that no bond be required of my personal representative hereunder, and that my estate be settled in the manner provided in this Will without the intervention of any court or courts insofar as may be conformable to law; provided, that my personal representative may submit in the court proceedings for the probate of my estate a final accounting of the administration. Without limiting the foregoing, my personal representative shall, in carrying out the provisions of this Will and otherwise in administering my estate, have full and plenary power, authority, and discretion without court authorization, confirmation, or intervention, to do all that may seem necessary or desirable in managing, conserving, and distributing the assets of my estate during the administration thereof.

IN WITNESS WHEREOF, I, RULON J. CALLISTER, the Testator, sign my name to the foregoing instrument consisting of ten (10) pages this 11th day of December, 1998, and being first duly sworn, do hereby declare to the undersigned authority that I sign and execute this instrument as my last will and that I sign it willingly, that I execute it as my free and voluntary act for the purposes therein expressed, and that I am eighteen (18) years of age or older, of sound mind, and under no constraint or undue influence.


RULON J. CALLISTER, Testator


Testator

- 10 -

12-11-98

Date

RECEIVED

JAN 14 2011

Department of Water Resources
Eastern Region

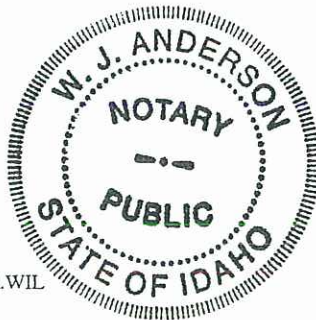
We, Barbara J. Privett and Colleen C. Poole, the witnesses, sign our names to this instrument, being first duly sworn, and do hereby declare to the undersigned authority that the Testator signs and executes this instrument in our presence as his last will and that he signs it willingly, and that he executes it as his free and voluntary act for the purposes therein expressed, and that each of us, in the presence and hearing of the Testator hereby signs this will as witness to the Testator's signing, and that to the best of the knowledge of each witness the Testator is eighteen (18) years of age or older, of sound mind, and under no constraint or undue influence.

Barbara J. Privett
Witness
Residing at Rigby ID

Colleen C. Poole
Witness
Residing at Moran, Idaho

STATE OF IDAHO)
: ss.
County of Bonneville)

Subscribed and sworn to and acknowledged before me by RULON J. CALLISTER, the Testator, and subscribed and sworn to before me by Barbara J. Privett and Colleen C. Poole, witnesses, this 11th day of December, 1998.



L:\WJA\0711\CALLISTR.WIL

Rulon J. Callister
Testator

W. J. Anderson
Notary Public for the State of Idaho
Residing at: Idaho Falls
My Commission Expires: 11-11-04

- 11 -

12-11-98 Date

RECEIVED
JAN 14 2011
Department of Water Resources
Eastern Region

**FIRST CODICIL
TO THE
LAST WILL AND TESTAMENT
OF
RULON J. CALLISTER**

I, RULON J. CALLISTER, of Butte County, Idaho, hereby make, publish, and declare this to be the First Codicil to my Last Will and Testament, which was executed by me on December 11, 1998.

FIRST: I hereby amend Article 3, Section 3.03(a) by adding thereto the following additional language:

In the event that I have made lifetime gifts to Rulon Jay Callister, Lee "S" Callister, Anne Callister Lott, Lois Callister Lange, Grace Callister Bauer, and Seth Smith Callister I declare that such lifetime gifts were given as an advance on the inheritance of such person and shall be reduced from the cash devise to which they or their descendants would otherwise be entitled under this Article 3, Section 3.03(a). At the time of the execution of this Codicil I confirm that Rulon Jay Callister has received the sum of \$13,500.00 and Lee "S" Callister has received the sum of \$16,700.00 which shall be credited as an advance against their portion of the bequest stated in this Article 3, Section 3.03(a).

SECOND: I hereby amend Article 3, Section 3.03(b) as follows:

I hereby confirm that I have made an advance of \$8,000.00 to Seth Smith Callister which advance shall satisfy the bequest to Seth Smith Callister under this Article 3, Section 3.03(b). I reaffirm my intended gift to Gary Bauer in accordance with said provision as he has not received any lifetime gift or advance on this bequest.

THIRD: Subsequent to the execution of my Will on December 11, 1998 and the death of my spouse, I have acquired an additional red colored Yamaha four wheel recreational vehicle which I give, devise and bequeath, if I own it at the time of my death, to my grandson David R. Callister. I reaffirm that my green Honda four


RULON J. CALLISTER

1-24-05

RECEIVED

JAN 14 2011

Department of Water Resources
Eastern Region

wheeler is considered to be part of my farm equipment which I give, devise and bequeath to my son, Don O. Callister.

FOURTH: I hereby amend Article 6 entitled Personal Representative by removing therefrom the appointment of Merrell C. Smith as the personal representative of my Last Will and Testament and in his place I hereby nominate and appoint my son-in-law, Wayne J. Lott to serve as said personal representative. In the event that Wayne J. Lott shall fail, refuse, or be unable to act in such capacity I then nominate and appoint my brother, Lovell J. Callister, of Blackfoot, Idaho, to serve as personal representative hereunder. I hereby republish and affirm all other language of said Article 6 as contained in my Last Will and Testament dated December 11, 1998.

FIVE: I hereby add an additional Article 7 to my Last Will and Testament as follows:

ARTICLE 7: NO CONTEST PROVISION

If any heir challenges or contests any dispositive provision of my Last Will and Testament dated December 11, 1998 or this Codicil I then revoke any bequest to such heir and direct that my estate be administered and the property distributed as though such challenging or contesting heir had predeceased me.

IN WITNESS WHEREOF, I, RULON J. CALLISTER, the Testator, sign my name to this instrument this 24 day of January, 2005, and being first duly sworn, do hereby declare to the undersigned authority that I sign and execute this instrument as my First Codicil to my Last Will and Testament dated December 11, 1998, and that I sign it willingly, that I execute it as my free and voluntary act for the purposes therein expressed, and that I am 18 years of age or older, of sound mind, and under no constraint or undue influence.

Rulon J. Callister
RULON J. CALLISTER

We, Tamra Phippen and Colleen C. Packer, the witnesses, sign our names to this instrument, being first duly sworn, and do hereby declare to the undersigned authority that the Testator signs and executes this instrument in our presence as his

Rulon J. Callister
RULON J. CALLISTER

1-24-05

codicil to his Last Will and Testament and that he signs it willingly, and that he executes it as his free and voluntary act for the purposes therein expressed, and that each of us, in the presence and hearing of the Testator hereby signs this First Codicil as witness to the Testator's signing; and that to the best of the knowledge of each witness the Testator is 18 years of age or older, of sound mind, and under no constraint or undue influence.

Tamra Phipps

Witness

Residing at Idaho Falls, Idaho

Colleen C. Poole

Witness

Residing at Meridian, Idaho

STATE OF IDAHO)

:SS

County of Bonneville)

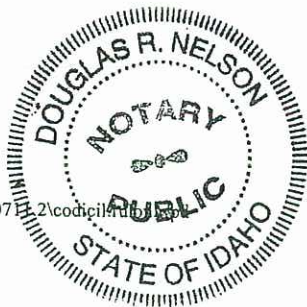
Subscribed and sworn to and acknowledged before me by RULON J. CALLISTER the Testator, and subscribed and sworn to before me by Tamra Phipps and Colleen C. Poole, witnesses, this 24th day of January, 2005.

Douglas R. Nelson

Notary Public for the State of Idaho

Residing at Idaho Falls, Idaho

My Commission Expires: 4-29-2005



L:\Dm\0712\codicil\idb1201

Rulon J. Callister
RULON J. CALLISTER

1-24-05

RECEIVED

JAN 14 2005

Department of W...
E...

Don O. Callister
1496 West 3700 North
Howe, Idaho 83244

RECORDED

NOV 03 2010

A.M.

1:50

BUTTE COUNTY RECORDER

Don J. Smith

PERSONAL REPRESENTATIVE'S DEED

THIS DEED is made by Wayne J. Lott, as personal representative of the estate of Rulon J. Callister, deceased and Margaret S. Callister, deceased and as successor trustee of the Margaret S. Callister Testamentary Trust, as Grantor, to Don O. Callister, a married man as his sole and separate property, Grantee, whose current address is 1496 West 3700 North, Howe, Idaho 83244.

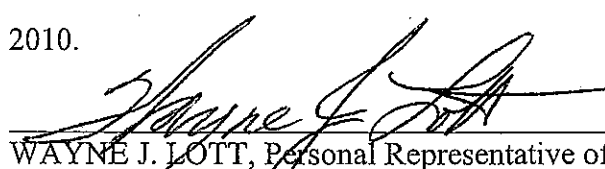
WHEREAS, Grantor is the qualified personal representative of said estate, filed as Case No. CV-10-99 in Butte County, Idaho;

THEREFORE, for valuable consideration received, Grantor quitclaims, transfers, and conveys to Grantee the following described real property in Butte County, Idaho

See Attached Exhibit "A"

This conveyance shall include any and all appurtenances, tenements, hereditaments, reversions, remainders, easements, rights-of-way, and water rights anywise appertaining to the property herein described.

EXECUTED this 27th day of September, 2010.


WAYNE J. LOTT, Personal Representative of the estate of
Rulon J. Callister deceased.

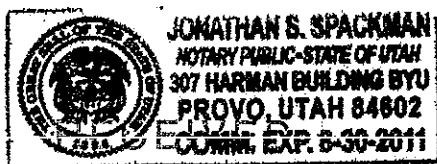
STATE OF UTAH)
)ss.
County of Utah)

RECEIVED

JAN 14 2011

On this 27th day of September, 2010, before me the undersigned, a Notary Public in and for said state, personally appeared, WAYNE J. LOTT, known or identified to me to be the person whose name is subscribed to the within instrument, as Personal Representative of the Estate of Rulon J. Callister, deceased, and acknowledged to me that he executed the same as such Personal Representative.

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




Notary Public for Utah

Residing at: 307 Harman Building BYU Provo UT 84602
My Commission Expires: 8/30/2011

EXHIBIT "A"

The NW1/4, the W 1/2 of the SE 1/4 of Section 21 and the NE 1/4 of Section 28, all in Township 6 North, Range 29 East of the Boise Meridian, in Butte County, Idaho, together with the tenements, hereditaments and appurtenances thereunto belonging and appertaining, including all water rights and ditch rights however evidenced, and including all canal or water company rights associated therewith.

Together with all irrigation equipment and well rights and all motors and pumps installed in the said irrigation well upon said premises.

Subject to reservations contained in State and Government Deeds and Patents, rights of way for existing public roads, irrigation ditches and canals over and across said premises and all existing regulations of use.

Subject, also, to taxes and assessments which the grantee assumes and agrees to pay.

RECEIVED

JAN 14 2011

Department of Water Resources
Eastern Region