

DEV

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are included at the end of this form. Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case IDWR will produce new water right number(s) for the split(s).

Water Right No(s)	Adjudication Claim No(s)	Split(s)	Water Right No(s)	Adjudication Claim No(s)	Split(s)
WR 15-4194	OK DC				

RECEIVED

NOV 18 2009

Department of Water Resources
Eastern Region

2. The following **REQUIRED** information must be submitted with this form:
- A. The appropriate **FILING FEE**. See instructions for fee amounts. \$25⁰⁰
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are on file with the county Planning and Zoning or Recorder's Office).
- OR**
- D. If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency or equivalent **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3.	Name and Address of Former Owner/Claimant(s)	<u>Devon & Ina Daniels</u>
		<u>3095 N. 100 E.</u>
		<u>Ogden, UT 84414</u>
4.	New Owner/Claimant(s)	<u>Brett & Gaylynn Daniels</u>
		Name Connector (Check one): ☒ and, ☐ or, ☐ and/or
	New Mailing Address	<u>1487 E. 2700 N.</u>
	City, State and ZIP Code	<u>N. Logan, UT 84341</u>
	New Telephone Number	<u>(435) 757-4485</u> Email: <u>bdaniels@digis.net</u>

5. Date you acquired the property May 22, 2002 ; October 26 2009 See Dords

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in line 1, then skip this line and go to line 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (you may copy this page, if necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right will not be split, skip this area and proceed to line 7)		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Water Right and/or Adjudication Claim Number		
Irrigation		
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number		
Irrigation		
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number		
Irrigation		
Stock		
Domestic		
Other		
Totals		

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

7. Signature(s) of New Owner(s) or Claimant(s) *Don Paul & Gaylyn Danick*
 (title if applicable)

 (title if applicable)

IT IS IMPORTANT TO FILE THIS COMPLETED FORM AT THE APPROPRIATE IDWR OFFICE, WITH PAYMENT OF THE FILING FEE AND THE OWNERSHIP DOCUMENT(S), AS REFERRED TO IN LINE 2.

For IDWR Office Use Only:

Received by Bm Date 11/18/09
 Received by Bm Date _____
 Processed by _____ AJ Date _____

Receipt Amt. \$25
 Receipt No. E035403
 WR _____ Date _____

NTO-52797
Brett Craig Daniels
1487 East 2700 North
North Logan, UT 84341

Microfilm No **145018**
27 Day October 2009
At 1:30 O'clock P M
Daniel A. Daniels
Oneida Co. Recorder
Fee \$ 6.00 Recorded at Request of Northwest Title Company

WARRANTY DEED

Kevin Gary Daniels, and Sandra Daniels, now know as Sandra Foxley,

Grantor(s) of Malad City, County of Oneida, State of ID
hereby **CONVEY AND WARRANT** to

Brett Craig Daniels and GayLynn Daniels, Husband and Wife as Community Property with Right of Survivorship,

Grantee(s) of North Logan, County of Cache, State of UT for the sum of TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION, the following described tract of land in Oneida County, State of ID:

See attached "Exhibit A"

Subject to easements, declarations of covenants and restrictions, rights of way of record, and taxes for the current year and thereafter.

Witness, the hand(s) of said Grantor(s), this October 23, 2009

Kevin Gary Daniels
Kevin Gary Daniels

Alexis A. Daniels
Alexis A. Daniels (Spouse)

Sandra Daniels Foxley
Sandra Daniels
nka Sandra Foxley

Robert D. Foxley
(Spouse)

State of ID)
County of Oneida)

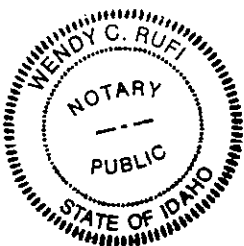
On October 23, 2009, personally appeared before me Kevin Gary Daniels and Alexis A. Daniels (his spouse) the signer(s) of the within instrument, who duly acknowledged to me that they executed the same.

Wendy C. Ruff
Notary Public
Residing: Malad City ID
Expiration: 2-28-2011

State of ID)
County of Oneida)

On October 23, 2009, personally appeared before me Sandra Daniels, now known as Sandra Foxley and Robert Foxley (her spouse) the signer(s) of the within instrument, who duly acknowledged to me that they executed the same.

Wendy C. Ruff
Notary Public
Residing: Malad City ID
Expiration: 2-28-2011



"EXHIBIT A"**Parcel 1**

Township 11 South, Range 35 East, Boise Meridian, Oneida County, Idaho
 Section 33: Northwest Quarter of the Southwest Quarter;
 North Half of the South Half of the Southwest Quarter;
 Southeast Quarter of the Southeast Quarter of the Southwest Quarter;
 Northeast Quarter of the Southeast Quarter;
 North Half of the Southwest Quarter of the Southeast Quarter;
 Southeast Quarter of the Southwest Quarter of the Southeast Quarter.
 Excepting therefrom the following described tracts of land (1-5):

(1) Beginning at a point South 89°45'26" West 1820.44 feet and South 945.11 feet of the East Quarter Corner of Section 33, Township 11 South, Range 35 East, Boise Meridian, Oneida County, Idaho; and running thence South 32°57'29" East 94.45 feet along a fence line to a fence corner; thence North 40°53'56" East 179.87 feet along a fence line; thence South 28°39'55" East 426.05 feet; thence South 46°22'59" West 464.37 feet; thence North 22°04'25" West 99.50 feet; thence North 25°42'58" West 467.04 feet to a fence corner; thence North 57°31'13" East 257.47 feet along a fence line to the point of beginning. (A portion of this description lies in T-3995)

Subject to a 20 foot wide access easement with the centerline described as follows: Beginning at a point South 89°45'26" West 1518.97 feet and South 1108.99 feet of the East Quarter Corner of Section 33, Township 11 South, Range 35 East, Boise Meridian, Oneida County, Idaho; and running thence South 37°02'35" West 125.87 feet; thence Westerly 233.85 feet along a curve to the right; thence North 37°07'43" West 95.74 feet; thence North 28°16'07" West 137.13 feet to the North property line.

(2) Beginning at a point South 89°45'26" West 1820.44 feet and South 945.11 feet of the East Quarter Corner of Section 33, Township 11 South, Range 35 East of the Boise Meridian, Oneida County, Idaho; and running thence South 57°31'13" West 257.47 feet along a fence line; thence North 38°19'07" West 127.29 feet; thence North 34°32'36" West 120.62 feet; thence North 16°58'26" West 98.52 feet; thence North 9°37'29" West 163.64 feet; thence North 31°23'20" East 155.78 feet; thence North 4°57'56" West 95.90 feet; thence North 20°04'01" West 218.37 feet; thence North 6°17'47" West 80.02 feet; thence North 0°37'01" West 69.37 feet to a fence corner; thence South 75°21'24" East 128.61 feet to a fence corner; thence South 18°37'00" East 739.13 feet along a fence line; thence South 19°49'15" East 88.12 feet along said fence line; thence South 26°46'34" East 93.19 feet along said fence line to a fence corner and the point of beginning. (Daniels Subdivision)

(3) Beginning at a point South 89°45'26" West 382.08 feet of the East Quarter Corner of Section 33, Township 11 South, Range 35 East of the Boise Meridian, Oneida County, Idaho; and running thence South 31°20'33" West 49.21 feet along a fence line; thence South 27°46'35" East 75.13 feet along said fence line; thence South 14°35'30" West 54.89 feet along said fence line; thence South 24°48'07" West 114.87 feet along said fence line; thence South 39°01'48" West 671.58 feet along said fence line; thence North 2°33'59" East 760.18 feet to a fence line; thence North 51°01'12" East 42.03 feet along said fence line; thence North 89°45'26" East 408.81 feet to a fence line and to the point of beginning. (T-4069)

(4) Commencing at the East Quarter Corner of Section 33, Township 11 South, Range 35 East, Boise Meridian, Oneida County, Idaho; and running South 513.57 feet along the East line of the Southeast Quarter of Section 33; thence West 1318.85 feet to the true point of beginning; thence North 41°00'55" East 347.39 feet; thence South 7°41'57" East 717.85 feet; thence South 38°14'13" West 84.14 feet; thence South 48°44'15" West 138.49 feet; thence North 15°28'33" West 629.51 feet to the true point of beginning. (T-5279)

(5) All of the Southeast Quarter of the Southeast Quarter and the Northeast Quarter of the Southeast Quarter and the Southwest Quarter of the Southeast Quarter lying and being South and East of the County Road all in Section 33, Township 11 South, Range 35 East, Boise Meridian, Oneida County, Idaho.

Parcel 2

Township 12 South, Range 35 East, Boise Meridian, Oneida County, Idaho
 Section 4: Lot 3.

Excepting therefrom the following described tracts of land:

(1) Commencing at the Northeast Corner of Section 4; thence West 160 rods to the Northeast Corner of Lot 3, Section 4, Township 12 South, Range 35 East, Boise Meridian, Oneida County, Idaho; thence South 25 rods, more or less, to the center of Wrights Creek for the point of beginning; thence South 58 rods, more or less, to the Southeast Corner of said Lot 3; thence West 80 rods, more or less, to center of Wrights Creek; thence Northeasterly following the meandering course of Wrights Creek approximately 100 rods, more or less, to the point of beginning.

(2) Commencing at the Northwest Corner of Section 4, Township 12 South, Range 35 East, Boise Meridian, Oneida County, Idaho; thence East 1320 feet for a point of beginning; thence East 440 feet; thence South 58 rods, more or less, to the center of Wrights Creek; thence Southwesterly along the meandering course of the center of Wrights Creek 40 rods, more or less, to the Quarter Section line; thence West 2 rods, more or less, to the Southwest Corner of Lot 3; thence North 1320 feet to the point of beginning.

Smithfield RECREATION

315 East 600 South - Smithfield, Utah 84335

Phone: (435) 563-0048 Fax: (435) 563-0060

Web Page: smithfieldrecreation.com

Date: 1-4-10From: Brett DanielsTo: Bobby KearnsSubject: Change in Ownership for Water Right NO. 15-4194

Message:

Hi Bobby,
I have included a copy of the Deed that was granted
to my mother before she deeded it to me. I also included
a copy of the estate of Devon Daniels which was appointed
to Kevin Daniels & Sandra Foxley who I just purchased the property
from. Hopefully this is the information that you need.
If there is anything else please call me at (435) 757-4485.
thanks,

Brett DanielsTotal pages including this page 13

WARRANTY DEED

For Value Received DEVON DANIELS and INA DANIELS, husband and wife,
of 3095 N. 100 E., Ogden Utah 84404

the grantor s do hereby grant, bargain, sell and convey unto LINDA J. DANIELS, a
single person, of 59 W. 300 N., Mailed City, Idaho 83253

the grantee the following described premises, to-wit:

SEE ATTACHED SCHEDULE "A"

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee
her heirs and assigns forever. And the said Grantor s do hereby covenant to and with the said
Grantee, that they are the owners in fee simple of said premises; that said premises are free
from all encumbrances

and that they will warrant and defend the same from all lawful claims whatsoever.

Dated April 12, 1993

DEVON DANIELS

INA DANIELS

STATE OF IDAHO, COUNTY OF ONEIDA
On this 12th day of April, 1993,
before me, a Notary Public in and for said State, per-
sonally appeared

DEVON DANIELS
INA DANIELS
the persons whose name is
subscribed to the within instrument, and (to-wit) aged
of the legal age, executed the same.

Notary Public

Residing at Mailed City, Idaho
Comm. Expires 6/26/95

STATE OF IDAHO, COUNTY OF Oneida.
I hereby certify that this instrument was filed for
record at the request of *Devon & Ina Daniels*

At 10 minutes past 9 o'clock a.m.,
this 12th day of April,
1993. In my office, and duly recorded in Book
of deeds at page 119793

Ex-Officio Recorder

By

Post Office
Mail in

Deputy

119738
137 E. 30 N. Ogden
Mailed City, Idaho 84404
(208) 766-1111

DL EVANS, ESQ.
Attorney at Law

119738

111738

SCHEDULE "A"

1. Section 33, Township 11 South, Range 35 East, Boise Meridian:

S2NW, NESW, SWSWSE

2. Commencing at the North East Corner of Section 4 thence West 160 rods to the Northeast Corner of Lot 3, Section 4, Township 12 South, Range 35 East, Boise Meridian, thence South 25 rods more or less to the center of Wrights Creek for the point of beginning, thence South 58 rods more or less to the South East Corner of said Lot 3, thence West 80 rods more or less to center of Wrights Creek, thence Northeasterly following the meandering course of Wrights Creek approximately 100 rods more or less to the Point of Beginning.

The Seller (Grantor/Mortgagee) their heirs, administrators and assigns reserves an easement of ingress and egress on the established roadway traveling Northwesterly from the Southeast Corner of Lot 3, Section 4, Township 12 South, Range 35 East, Boise Meridian to the center of Wrights Creek on and into the property retained by the seller (Grantor/Mortgagee).

3. Section 4, Township 12 Range 35 East, Boise Meridian:

E2SW, W2SE

A right-of-way and easement of ingress and egress to the above described property across the premises retained by the Seller (Grantor/Mortgagee) along the established road or trail traveling through Lot 3, Section 4, Township 12 South, Range 35 East, Boise Meridian and SEW of Section 33, Township 11 South, Range 35 East, Boise Meridian.

Also a right-of-way and easement of ingress and egress across the premises retained by the Seller (Grantor/Mortgagee) along the established road or trail traveling from the gate adjacent to the County road in T. 33S. of the N2SE, and across the NWSE into the SWNE, all located in Section 33, Township 11 South, Range 35 East, Boise Meridian.

Also a right-of-way and easement of ingress and egress as necessary to the SWSWSE Section 33, Township 11 South, Range 33 East, Boise Meridian across the SWSE of Section 33, Township 11 South, Range 33 East, Boise Meridian.

Page 1

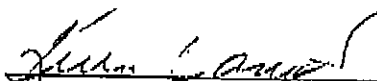
5. The estate is not required to file a federal estate tax return; that no Idaho estate tax is due and owing under the Estate and Transfer Tax Reform Act of 1988, I.C. 14-401 et seq.; and that the estate is not subject to the restrictions of I.C. 14-411(1).
6. Petitioner has filed herewith a Schedule of Distribution which sets forth prior distributions made and final distributions to be made. After making final settlement and distribution according to said annexed Schedule of Distribution, petitioner should be discharged as personal representative and the administration of the estate should be closed.
7. All interested parties have waived notice and hearing on this matter.

WHEREFORE, PETITIONERS REQUEST THAT:

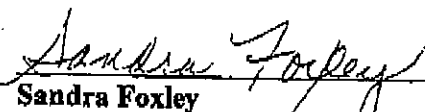
The Court enter an order:

1. Formally probating the last will of the decedent heretofore informally probated and determining the devisees of the decedent and their respective interests in the decedent's estate as set forth in the attached Determination of Devisees;
2. Approving the final account of petitioner filed herewith; and
3. Authorizing and directing petitioner to transfer title in the assets of the estate and distribute them to the distributees in the amount and manner set forth in the annexed Schedule of Distribution, approving all prior distributions set forth in the Schedule of Distribution, and after petitioner has made such final settlement and distribution and has filed petitioner's receipts herein, discharging petitioner and closing the administration of this estate.

DATED: 12-7-98


Kevin Daniels

DATED: 12-7-98


Sandra Foxley

VERIFICATION

STATE OF Idaho)
COUNTY OF Oneida)

Petitioner, Kevin Daniels, being sworn, says that the facts set forth in the foregoing petition are true, accurate, and complete to the best of petitioner's knowledge and belief.

Petitioner, Kevin Daniels

SUBSCRIBED & SWORN to before me this 7 day of December, 1998.

(SEAL)

Dandy J. Hall
NOTARY PUBLIC for Alabama
Residing at: Madison, AL
Commission Expires: 10-2-2013

STATE OF Idaho)
COUNTY OF Oneida) SS

Petitioner, Sandra Foxley, being sworn, says that the facts set forth in the foregoing petition are true, accurate, and complete to the best of petitioner's knowledge and belief.

Petitioner, Sandra Foxley

SUBSCRIBED & SWORN to before me this 7 day of December, 1998.

(SEAL)

 NOTARY PUBLIC for Idaho
 Residing at: Malad, ID
 Commission Expires: 10-2003

Exhibit B

Parcel 1:

Township 11 South, Range 35 East, Boise Meridian:

Section 33: S1/2SW1/4NE1/4; NW1/4SW1/4; N1/2S1/2SW1/4; SE1/2SE1/4SW1/4; N1/2SE1/4; SE1/4SE1/4; N1/2SW1/4SE1/4; SE1/4SW1/4SE1/4, EXCEPTING THEREFROM THE FOLLOWING DESCRIBED TRACTS OF LAND:

(1) Beginning at a point South 89°45'26" West 1820.44 feet and South 945.11 feet of the East Quarter Corner of Section 33, Township 11 South, Range 35 East, Boise Meridian; and running thence South 32°57'29" East 94.45 feet along a fence line to a fence corner; thence North 40°53'56" East 179.87 feet along a fence line; thence South 28°39'55" East 426.05 feet; thence South 46°22'59" West 464.37 feet; thence North 22°04'25" West 99.50 feet; thence North 25°42'58" West 467.04 feet to a fence corner; thence North 57°31'13" East 257.47 feet along a fence line to the point of beginning. (A portion of this description lies in T-3995)

SUBJECT TO a 20 foot wide access easement with the centerline described as follows: Beginning at a point South 89°45'26" West 1518.97 feet and South 1108.99 feet of the East Quarter Corner of Section 33, Township 11 South, Range 35 East, Boise Meridian; and running thence South 37°02'35" West 125.87 feet; thence Westerly 233.85 feet along a curve to the right; thence North 37°07'43" West 95.74 feet; thence North 28°16'07" West 137.13 feet to the North property line.

(2) A part of the NW1/4SE1/4 of Section 33, Township 11 South, Range 35 East, Boise Meridian, Oneida County, State of Idaho: Beginning at a point 610 feet East from the Southwest Corner of said NW1/4SE1/4 of said Section 33; and running thence East 300 feet; thence North 291 feet; thence West 300 feet; thence South 291 feet to the point of beginning. TOGETHER WITH right of egress and ingress for all parties and owners located in Section 33, Township 11 South, Range 35 East, Boise Meridian

(3) Beginning at a point South 89°45'26" West 1820.44 feet and South 945.11 feet of the East Quarter Corner of Section 33, Township 11 South, Range 35 East of Boise Meridian; and running thence South 57°31'13" West 257.47 feet along a fence line; thence North 38°19'07" West 127.29 feet; thence North 34°32'36" West 120.62 feet; thence North 16°58'26" West 98.52 feet; thence North 9°37'29" West 163.64 feet; thence North 31°23'20" East 155.78 feet; thence North 4°57'56" West 95.90 feet; thence North 20°04'01" West 218.37 feet; thence North 6°17'47" West 80.02 feet; thence North 0°37'01" West 69.37 feet to a fence corner; thence South 75°21'24" East 128.61 feet to a fence corner; thence South 18°37'00" East 739.13 feet along a fence line; thence South 19°49'15" East 88.12 feet along said fence line; thence South 26°46'34" East 93.19 feet along said fence line to a fence corner and the point of beginning.

(4) Beginning at a point South 89°45'26" West 382.08 feet of the East Quarter Corner of Section 33, Township 11 South, Range 35 East of Boise Meridian; and running thence South 31°20'33" West 49.21 feet along a fence line; thence South 27°46'35" East 75.13 feet along said fence line; thence South 14°35'30" West 54.89 feet along said fence line; thence South 24°48'07" West 114.87 feet along said fence line; thence South 39°01'48" West 671.58 feet along said fence line; thence North 2°33'59" East 760.18 feet to a fence line; thence North 51°01'12" East 42.03 feet along said fence line; thence North 89°45'26" East 408.81 feet to a fence line and to the point of beginning.

(5) A parcel of land located in Section 33, Township 11 South, Range 35 East, Boise Meridian, Oneida County, Idaho, described as follows:

Beginning at the East Quarter Corner of said Section 33; thence South 00°02'00" East 633.93 feet along the East Section line to a 5/8" rebar with cap labeled "AAH LS 4735"; thence South 46°02'27" West 452.1003 feet; thence North 41°00'00" West 471.1738 feet; thence North 38°14'51" East 525.827 feet to a 5/8" rebar; thence North 07°11'28" East 109.26 feet to a 5/8" rebar; thence North 14°20'58" East 60.51 feet to a 5/8" rebar; thence North 30°59'30" East 12.71 feet to a 5/8" rebar; thence North 89°45'26" East 300.81 feet to the point of beginning.

(6) A parcel of land located in Section 33, Township 11 South, Range 35 East, Boise Meridian, Oneida County, Idaho, described as follows:

Beginning at a point which lies South 18°55'53" West 1001.95 feet from the East Quarter Corner of said Section 33; thence South 46°02'27" West 882.3897 feet to a 5/8" rebar; thence North 41°00'00" West 408 feet to a 5/8" rebar; thence North 49°24' East 297.44 feet to a 5/8" rebar; thence North 38°14'51" East 594.213 feet; thence South 41°00'00" East 471.1738 feet to the point of beginning.

(7) A parcel of land in the SE1/4 of Section 33, Township 11 South, Range 35 East, Boise Meridian:

Beginning at the East Quarter Corner of Section 33, the True Point of Beginning; thence in a Westerly direction along the latitudinal centerline of said Section 33 a distance of 330 feet; thence in a Southerly direction parallel with the East line of said Section 33 a distance of 660 feet; thence in a Easterly direction parallel with the latitudinal centerline of said Section 33 a distance of 330 feet to a point on the East line of said Section 33; thence in a Northerly direction along said East line of Section 33 a distance of 660 feet to the True Point of Beginning. (A portion of this description lies in T-3842)

(8) Commencing at the East Quarter Corner of Section 33, Township 11 South, Range 35 East, Boise Meridian; and running South 513.57 feet along the East line of the SE¼ of Section 33; thence West 1318.85 feet to the True Point of Beginning; thence North 41°00'55" East 347.39 feet; thence South 7°41'57" East 717.85 feet; thence South 38°14'13" West 84.14 feet; thence South 48°44'15" West 138.49 feet; thence North 15°28'33" West 629.51 feet to the True Point of Beginning.

Parcel 2:

Township 12 South, Range 35 East, Boise Meridian:

Section 4: Lot 3, EXCEPTING THEREFROM THE FOLLOWING DESCRIBED TRACTS OF LAND:

(1) Commencing at the Northeast Corner of Section 4; thence West 160 rods to the Northeast Corner of Lot 3, Section 4, Township 12 South, Range 35 East, Boise Meridian; thence South 25 rods, more or less, to the center of Wrights Creek for the Point of Beginning; thence South 58 rods, more or less, to the Southeast Corner of said Lot 3; thence West 80 rods, more or less, to center of Wrights Creek; thence Northeasterly following the meandering course of Wrights Creek approximately 100 rods, more or less, to the point of beginning.

(2) Commencing at the Northwest Corner of Section 4, Township 12 South, Range 35 East, Boise Meridian; thence East 1320 feet for a point of beginning; thence East 440 feet; thence South 58 rods, more or less, to the center of Wrights Creek; thence Southwesterly along the meandering course of the center of Wrights Creek 40 rods, more or less, to the Quarter Section line; thence West 2 rods, more or less, to the Southwest Corner of Lot 3; thence North 1320 feet to the point of beginning.

Parcel 3:

Commencing at a point 5 rods North of the Southwest Corner of Lot 5 in Block 15 of the Townsite of Malad City, Idaho, as the same appears upon the plat thereof on file in the office of the County Recorder of Oneida County; thence running East 10 rods for the True Point of Beginning; thence running North 41 feet; thence East 10 rods; thence South 41 feet; thence West 10 rods to the point of beginning. TOGETHER WITH an easement and right-of-way over and across the South 12 feet of the following described premises: Commencing at a point 5 rods North of the Southwest Corner of Lot 5 in Block 15 of the Townsite of Malad City, Idaho, as the same appears upon the plat thereof on file in the office of the County Recorder of Oneida County; thence running North 41 feet; thence East 10 rods; thence South 41 feet; thence West 10 rods to the point of beginning.

Dave R. Gallafent
MERRILL & MERRILL, CHARTERED
 109 North Arthur - 5th Floor
 P.O. Box 991
 Pocatello, ID 83204-0991
 (208) 232-2286
 (208) 232-2499 Telefax
 Attorneys for Petitioner

State of Idaho }
 County of Oneida } ss.

I hereby certify that the foregoing is a full, true and correct copy of the original in the above entitled matter.

Witness my hand and affix the seal of said court, this 25 day of July, 1998.

Clerk of The District Court

Karen W. Hartman
 Deputy

IN THE DISTRICT COURT OF THE SIXTH JUDICIAL DISTRICT OF THE
 STATE OF IDAHO, IN AND FOR THE COUNTY OF ~~BENNETT~~ ONEIDA
 MAGISTRATES DIVISION

IN THE MATTER OF THE ESTATE OF
 DEVON DANIELS,

Deceased.

Case No. SP-98-34

LETTERS TESTAMENTARY

SANDRA FOXLEY and KEVIN GARY DANIELS are hereby appointed joint personal representatives of the Estate of Devon Daniels, deceased, with all authority pertaining thereto. Administration of the estate is unsupervised.

These Letters are issued to evidence the appointment, qualification, and authority of the personal representative.

WITNESS: D. L. Evans, Magistrate of the District Court, County of ~~Bennett~~ ^{Oneida} State of Idaho, with the seal of the Court affixed this 25 day of July, 1998.

[Signature]
 MAGISTRATE

STATE OF Id.)
 County of Oneida) ss.

The undersigned, hereby accept the appointment to the office of personal representative of the Estate of Devon Daniels, deceased, and do solemnly swear that I will perform, according to law, the duties of personal representative of said estate.

[Signature]
 Sandra Foxley
 3800 S. 1900 W. #214
 Roy, UT 84067

SUBSCRIBED AND SWORN to before me this 20 day of June, 1998.

(SEAL)

[Signature]
 NOTARY PUBLIC FOR Id.
 Residing at: 2211 1st St. S.
 My Commission Expires: 10-2-2003

STATE OF IDAHO

County of Oneida } ss.

The undersigned, hereby accept the appointment to the office of personal representative of the Estate of Devon Daniels, deceased, and do solemnly swear that I will perform, according to law, the duties of personal representative of said estate.

Kevin Gary Daniels
Kevin Gary Daniels
372 N. 100 W.
Malad, ID 83252

SUBSCRIBED AND SWORN to before me this 20 day of June, 1998.

(SEAL)

Dorothy J. Jareau
NOTARY PUBLIC FOR IDAHO

Residing at: Malad, Id.My Commission Expires: 10-2-2003

STATE OF IDAHO

County of Oneida) ss.

The undersigned, hereby accept the appointment to the office of personal representative of the Estate of Devon Daniels, deceased, and do solemnly swear that I will perform, according to law, the duties of personal representative of said estate.

Kevin Gary Daniels
Kevin Gary Daniels
372 N. 100 W.
Malad, ID 83252

SUBSCRIBED AND SWORN to before me this 20 day of June, 1998.

(SEAL)

Dorothy J. J. J.
NOTARY PUBLIC FOR IDAHO

Residing at: Malad, Id.My Commission Expires: 10-2-2003

Dave R Gallafent
MERRILL & MERRILL, CHARTERED
 109 North Arthur - 5th Floor
 P.O. Box 991
 Pocatello, ID 83204-0991
 (208) 232-2286
 (208) 232-2499 Telefax
 Attorneys for Petitioner

State of Idaho }
 County of Oneida } ss.
 I hereby certify that the foregoing is a full, true and
 correct copy of the original in the above entitled
 matter.
 Witness my hand and affix the seal of said court
 this 28 day of July, 1998.

Clerk of The District Court

Karen S. Haxton
 Deputy

IN THE DISTRICT COURT OF THE SIXTH JUDICIAL DISTRICT OF THE
 STATE OF IDAHO, IN AND FOR THE COUNTY OF ~~BLAINE~~ ONEIDA
 MAGISTRATES DIVISION

IN THE MATTER OF THE ESTATE OF
 DEVON DANIELS,

Deceased.

Case No. SP-08-34

LETTERS TESTAMENTARY

SANDRA FOXLEY and KEVIN GARY DANIELS are hereby appointed joint personal representatives of
 the Estate of Devon Daniels, deceased, with all authority pertaining thereto. Administration of the estate is
 unsupervised.

These Letters are issued to evidence the appointment, qualification, and authority of the personal representative.

WITNESS: D. L. Evans, Magistrate of the District Court, County of Oneida, State of Idaho, with
 the seal of the Court affixed this 28 day of July, 1998.

[Signature]
 MAGISTRATE

STATE OF Id.)
 County of Oneida) ss.

The undersigned, hereby accept the appointment to the office of personal representative of the Estate
 of Devon Daniels, deceased, and do solemnly swear that I will perform, according to law, the duties of personal
 representative of said estate.

[Signature]
 Sandra Foxley
 3800 S. 1900 W. #214
 Roy, UT 84067

SUBSCRIBED AND SWORN to before me this 20 day of June, 1998.

(SEAL)

[Signature]
 NOTARY PUBLIC FOR Idaho
 Residing at: 2241 S. 1st St.
 My Commission Expires: 10-2003

32 May 7 2008
 2:55
 Patricia L. Knight
 4
 E. J. Knight

WARRANTY DEED

For Value Received, LINDA J. DANIELS, a single woman, the Grantor, does hereby grant, bargain, sell and convey unto BRETT CRAIG DANIELS and GAY LYNN DANIELS, husband and wife, the Grantees, whose current address is 39 West 300 North, Malad City, Idaho, the following described premises in Oneida County, Idaho, to-wit:

Township 11 South, Range 35 East, Boise Meridian:

Section 33: $N\frac{1}{2}SW\frac{1}{4}NE\frac{1}{4}$; $S\frac{1}{4}NW\frac{1}{4}$; $NE\frac{1}{4}SW\frac{1}{4}$; $SW\frac{1}{4}SW\frac{1}{4}SE\frac{1}{4}$

Township 12 South, Range 35 East, Boise Meridian:

Section 4: $E\frac{1}{2}SW\frac{1}{4}$; $W\frac{1}{2}SE\frac{1}{4}$; Commencing at the Northeast Corner of Section 4; thence West 160 rods to the Northeast Corner of Lot 3, above Township and Range; thence South 25 rods, more or less, to the center of Wrights Creek for the Point of Beginning; thence South 58 rods, more or less, to the Southeast Corner of said Lot 3; thence West 80 rods, more or less, to center of Wrights Creek; thence Northeasterly following the meandering course of Wrights Creek approximately 100 rods, more or less, to the Point of Beginning. T-3949.

TOGETHER WITH a right-of-way and easement of ingress and egress to the above described property across the premises retained by DeVon Daniels (the Seller) along the established road or trail traveling through Lot 3, Section 4, Township 12 South, Range 35 East, Boise Meridian and the $SE\frac{1}{4}SW\frac{1}{4}$ of Section 33, Township 11 South, Range 35 East, Boise Meridian and a right-of-way and easement of ingress and egress as necessary to the $SW\frac{1}{4}SW\frac{1}{4}SE\frac{1}{4}$ of Section 33, Township 11 South, Range 33 East, Boise Meridian, across the $SW\frac{1}{4}SE\frac{1}{4}$ of Section 33, Township 11 South, Range 33 East, Boise Meridian.

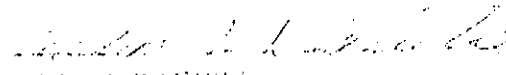
SUBJECT TO a right-of-way and easement of ingress across the premises retained by the Seller (DeVon Daniels) along the established road or trail traveling from the gate adjacent to the County Road in T-3680 of the $NE\frac{1}{4}SE\frac{1}{4}$ and across the $NW\frac{1}{4}SE\frac{1}{4}$ into the $SW\frac{1}{4}NE\frac{1}{4}$, all located in Section 33, Township 11 South, Range 35 East, Boise Meridian.

SUBJECT TO an easement of ingress and egress on the established roadway traveling Northwesterly from the Southeast Corner of Lot 3, Section 4, Township 12 South, Range 35 East, Boise Meridian, to the center of Wrights Creek on and into the property retained by the Seller (DeVon Daniels).

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said

Grantee, then heirs and assigns forever, and the said Grantor does hereby covenant to and with the said Grantees that she is the owner in fee simple of said premises, that they are free from all encumbrances and that she will Warrant and Defend the same from all lawful claims.

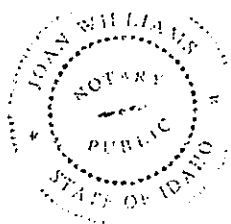
Dated May 22 2002

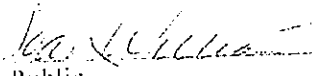

LINDA J. DANIELS

STATE OF IDAHO
COUNTY OF ONEIDA.

ss

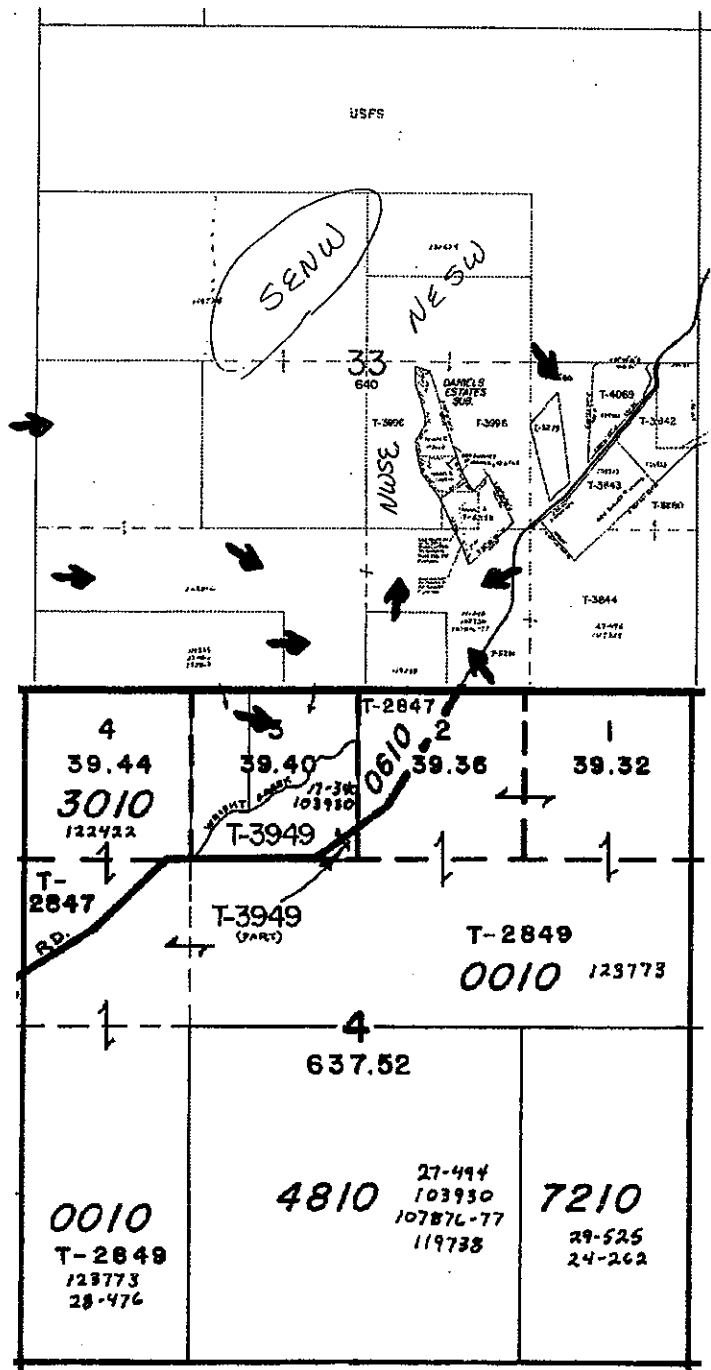
On this 22nd day of May, 2002, before me, a Notary Public in and for said State, personally appeared LINDA J. DANIELS, known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same




Notary Public
Residing at Malad City, Idaho
My Commission Expires 5-6-2003

Section 33 Township 14
South, Range 35 East

Section 4, Township 14
South, Range 35 East



This plat is provided as
an accommodation only and
does not constitute an actual
survey of the premises.