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APR 23 2010

WATER RESOURCES  
WESTERN REGION

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<br>Right No(s) | Adjudication<br>Claim No(s) | Split(s) | Water<br>Right No(s) | Adjudication<br>Claim No(s) | Split(s) |
|----------------------|-----------------------------|----------|----------------------|-----------------------------|----------|
| PD 63-7256           |                             |          |                      |                             |          |
| PD 63-7257           |                             |          |                      |                             |          |
|                      |                             |          |                      |                             |          |
|                      |                             |          |                      |                             |          |
|                      |                             |          |                      |                             |          |
|                      |                             |          |                      |                             |          |

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- 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)

Nita M. Baker  
1010 E. 9th North  
Min Home, ID 83647

4. New Owner/Claimant(s)

John McCoy and/or Marlene J. McCoy  
Name Connector (Check one): ☐ and, ☐ or, ☒ and/or

New Mailing Address

600 N. 9th East

City, State and ZIP Code

Min Home, ID 83647

New Telephone Number

(208) 587-8517 Email: \_\_\_\_\_

5. Date you acquired the property

7-26-05

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

*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)

*John M. McCoy*  
*Marlene J. McCoy*

(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 SB  
 Received by Jan  
 Processed by Jan AJ

Date 4-23-10  
 Date 4-26-10  
 Date \_\_\_\_\_

Receipt Amt. 50  
 Receipt No. W038290  
 WR Jan Date 6-3-10

Instrument # 413907  
ELMORE COUNTY  
3:49:17 pm  
For: MARLENE MCCOY  
No. of Pages: 9  
MARSA PLUMMER, Recorder  
DELLIS, Deputy

Apr 22, 2010

Fee: \$ 27.00

## **CORRECTION DEED OF GIFT**

**(Community Estate Created)**

THIS CORRECTION DEED OF GIFT is made the \_\_\_ day of April, 2010, by and between MARLENE J. McCOY, wife of JOHN W. McCOY, Grantor, and JOHN W. McCOY, husband of MARLENE J. McCOY, Grantee, whose address is 600 N. 9<sup>th</sup> East, Mountain Home, ID 83647.

WHEREAS, this Correction Deed of Gift is intended to correct the description of TRACTS 11 and 12 as described in the Deed of Gift between the parties which was recorded July 28, 2005, as Instrument No. 368102, records of the Elmore County Recorder, Elmore County, Idaho, and is also intended to confirm that the parties have by that certain Quitclaim Deed dated May 9, 2006, and recorded as Instrument No. 375815, records of the Elmore County Recorder, Elmore County, Idaho, conveyed all of their right, title and interest in TRACT 15 as described in Instrument No. 368102 to Donna J. Bower, a married woman dealing in her sole and separate property, which TRACT 15 is, therefore, not included in this Correction Deed of Gift.

The Grantor, for and in consideration of the love, affection and duty which the Grantee has and bears unto the Grantor and also for the better maintenance, support, protection and livelihood of the Grantee, does by these presents give, grant, convey and confirm unto the Grantee and to her heirs and assigns forever a community property interest with the Grantor in the following described real property located in the County of Elmore, State of Idaho:

### TRACT 1.

All of the Grantors' right, title and interest in and to U.S. Government Lot 4, Section 10, T.3N., R.10E., B.M., Elmore County, Idaho, which consists of all of U.S.

Government Lot 4 north of the North boundary of the original townsite of Featherville.

TRACT 2.

That portion of U.S. Government Lot 4, Section 10, T.3N., R.10E., B.M., Elmore County, Idaho, lying southerly of a line drawn parallel to and 10 feet northerly from the northerly bank of the South Fork of the Boise River.

TRACT 3.

That portion of the SE $\frac{1}{4}$ NW $\frac{1}{4}$  of Section 3, T.3N., R.10E., B.M., Elmore County, Idaho, lying east of the thread of the Feather River.

TRACT 4.

That portion of the NE $\frac{1}{4}$ SW $\frac{1}{4}$  of Section 3, T.3N., R.10E., B.M., Elmore County, Idaho, lying east of the thread of the Feather River.

TRACT 5.

The NW $\frac{1}{4}$ SE $\frac{1}{4}$  of Section 3, T.3N., R.10E., B.M., Elmore County, Idaho.

TRACT 6.

That portion of the SE $\frac{1}{4}$ SW $\frac{1}{4}$  of Section 3, T.3N., R.10E., B.M., Elmore County, Idaho, lying east of the thread of the Feather River.

TRACT 7.

The W $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$  of Section 3, T.3N., R.10E., B.M., Elmore County, Idaho.

TRACT 8.

That portion of the NE $\frac{1}{4}$ NW $\frac{1}{4}$  of Section 10, T.3N., R.10E., B.M., Elmore County, Idaho, lying east of the thread of the Feather River and north of a line which has been used to describe the location of the stations of the survey for the right-of-way of a road owned and maintained by Mountain Home Highway District, an Idaho quasi-municipal corporation, which proceeds easterly from Featherville toward Baumgartner Hot Springs, a/k/a Ketchum-Featherville Road, which line is called the "Road Station Line" and is more particularly described below:

The Road Station Line is situated in the north one-half of Section 10, T.3N., R.10E., B.M., Elmore County, Idaho, and is more particularly described as follows:

Beginning at Station 0+00 in the centerline of the Dixie-Atlanta Road No. 10256, said point lies N. 59°55'38" E., 1783.92 feet from the west 1/4 corner of said Section 10 and S.34°21'24" E., 477.28 feet from the NW 1/16 corner of said Section 10;

Thence leaving the centerline of the Dixie-Atlanta Road and proceeding on the Ketchum-Featherville Road N.21°00'43" E., 34.83 feet to Station 0+34.83, a point of curvature; thence 115.17 feet on a curve to the right to Station 1+50, said curve having a central angle of 9°30'04", a radius of 694.49 feet and a chord bearing N.25°45'06" E., 115.03 feet to a point on said curve;

Thence 1,095.15 feet on the same curve to the right to Station 12+45.13, a point of tangency, said curve having a central angle of 90°21', a radius of 694.49 feet and the chord bearing N.75°41'17" E., 985.15 feet;

Thence S.59°08'13" E., 632.55 feet to Station 18+77.70, a point of curvature; thence 181.35 feet on a curve to the left to Station 20+59.05, a point of tangency, said curve having a central angle of 7°34'59", a radius of 1370.26 feet and a chord bearing S.62°55'42" E., 181.22 feet;

Thence continuing from Centerline Station 20+59.05, S.66°43'12" E., 687.85 feet to Station 27+46.90, a point of curvature; thence 771.02 feet on a curve to the left to Station 35+17.92, a point of tangency, said curve having a central angle of 28°54'48", a radius of 1,527.89 feet and a chord bearing S.81°10'36" E., 762.87 feet;

Thence N.84°22'00" E., 537.55 feet to the end of the Road Station Line at Station 40+55.47 on the east line of said Section 10, said point being S.0°09'38" E., 712.10 feet from the N 1/16 corner and N.0°09'38" W., 140.29 feet from the witness corner for the meander corner of the north bank of the South Fork of the Boise River of said Section 10.

#### TRACT 9.

The W½NW¼NE¼ of Section 10, T.3N., R.10E., B.M., Elmore County, Idaho, excepting therefrom Parcels 1, 2, 3, 4, 5, 6, 7 and 8 as described below:

##### Parcel 1:

A parcel of land lying in the W½NW¼NE¼ of Section 10, T.3N., R.10E., B.M., Elmore County, Idaho, and being more particularly described as follows:

Commencing at a point situated N.38°10' W., a distance of 3,203.1 feet from the east quarter corner of Section 10;  
thence N.0°04' W., 158.9 feet to a point;  
thence S.88°42' W., 7.0 feet to a point;  
thence S.54°15' W., 377.7 feet to a point;

thence S.10°49' E., 195.7 feet to a point from which the west quarter corner of Section 10 bears S.53°27' W., a distance of 3,648.0 feet; thence N.47°29' E., 375.8 feet to a point, which point is the Real Point of Beginning and containing 1.3 acres, more or less.

Parcel 2:

A parcel of land lying in the W½NW¼NE¼ of Section 10, T.3N., R.10E., B.M., Elmore County, Idaho, and being more particularly described as follows:

Commencing at a point situated N.38°10' W., a distance of 3,203.1 feet from the east quarter corner of Section 10; thence S.47°29' W., 375.8 feet to a point from which the west quarter corner of Section 10 bears S.53°27' W., a distance of 3,648.0 feet; thence S.4°43' E., 179.5 feet to a point; thence N.65°39' E., 288.1 feet to a point; thence N.0°04' W., 314.1 feet to a point, which point is the Real Point of Beginning and containing 1.6 acres, more or less.

Parcel 3:

A parcel of land lying in the W½NW¼NE¼ of Section 10, T.3N., R.10E., B.M., Elmore County, Idaho, and being more particularly described as follows:

Commencing at a point situated N.41°55' W., a distance of 2,962.4 feet from the east quarter corner of Section 10; thence S.65°39' W., 288.1 feet to a point from which the west quarter corner of Section 10 bears S.55°54' W., a distance of 3,556.5 feet; thence S.1°23' E., 106.9 feet to a point; thence N.71°25' E., 274.3 feet to a point; thence N.0°04' W., 138.3 feet to a point, which point is the Real Point of Beginning and containing 0.7 acres, more or less.

Parcel 4:

A parcel of land lying in the W½NW¼NE¼ of Section 10, T.3N., R.10E., B.M., Elmore County, Idaho, and being more particularly described as follows:

Commencing at a point situated N.43°46' W., a distance of 2,860.9 feet from the east quarter corner of Section 10; thence S.71°25' W., 274.3 feet to a point from which the west quarter corner of Section 10 bears S.57°23' W., a distance of 3,500.0 feet; thence S.4°47' E., 140.6 feet to a point; thence N.64°41' E., 274.8 feet to a point;

thence N.0°04' W., 110.0 feet to a point, which point is the Real Point of Beginning and containing 0.7 acres, more or less.

Parcel 5:

A parcel of land lying in the W½NW¼NE¼ of Section 10, T.3N., R.10E., B.M., Elmore County, Idaho, and being more particularly described as follows:

Commencing at a point situated N.59°27' E., a distance of 3,436.5 feet from the west one quarter corner of the said Section 10;  
thence N.64°41' E., a distance of 274.8 feet to a point which bears N.45°21' W., a distance of 2,783.0 feet from the east one quarter corner of the said Section 10;  
thence S.1°05' W., a distance of 200.0 feet;  
thence N.87°40' W., a distance of 185.1 feet;  
thence N.38°37' W., a distance of 95.4 feet to the point of beginning, containing 0.72 acres, more or less.

Parcel 6:

A parcel of land lying in the W½NW¼NE¼ of Section 10, T.3N., R.10E., B.M., Elmore County, Idaho, and being more particularly described as follows:

Commencing at the one quarter corner common to Section 9 and the said Section 10;  
thence N.59°27'00" E., 3,436.50 feet to a point;  
thence S.38°32'28" E., 95.78 feet (formerly S.38°37' E. 95.4 feet) to a point, also said point being the REAL POINT OF BEGINNING;  
thence S.87°40'00" E., 185.10 feet to a point;  
thence S.1°05'00" W., 397.64 feet to a point;  
thence N.59°09'00" W., 170.24 feet to the Northeasterly corner of a Certain Tax Parcel described as Parcel No. 28 as described in the Elmore County Recorder's Office;  
thence continuing N.59°09'00" W., 265.00 feet along the Northerly boundary of the said Certain Tax Parcel No. 28 to the Northwesterly corner of the said Certain Tax Parcel No. 28;  
thence N.47°10'06" E., 267.58 feet to the point of beginning, comprising 2.13 acres, more or less.

Parcel 7:

A parcel of land lying in the W½NW¼NE¼ and U.S. Government Lot 2 of Section 10, T.3N., R.10E., Elmore County, Idaho, and being more particularly described as follows:

Commencing at a point situated N.64°39' E., a distance of 2,920.2 feet from the west quarter corner of Section 10;  
thence S.59°09' E., 300.0 feet to a point from which the east quarter corner of Section 10 bears S.62°34' E., a distance of 2,580.5 feet;  
thence N.30°51' E., 300.0 feet to a point;  
thence N.59°09' W., 265.0 feet to a point;  
thence S.51°28' W., 99.4 feet to a point;  
thence S.30°51' W., 207.0 feet to a point, which point is the Real Point of Beginning and containing 2.03 acres, more or less.

Parcel 8:

That portion of the W½NW¼NE¼ of Section 10, T.3N., R.10E., B.M., Elmore County, Idaho, if any, lying south of the Road Station Line described above.

TRACT 10.

All of U.S. Government Lot 2, Section 10, T.3N., R.10E., B.M., Elmore County, Idaho, lying north of the Road Station Line as described above and also that strip of land lying south of the Road Station Line described above and north of the north boundary of FEATHERVILLE SUMMER HOME SITES SUBDIVISION according to the Plat thereof recorded as Instrument No. 130903, records of the Elmore County Recorder, Elmore County, Idaho, and also lying north of the northerly boundary of that parcel of land conveyed to the members of Featherville Homesites Mutual Water Users Association, Inc., dated August 25, 1981, and recorded as Instrument No. 204080, records of the Elmore County Recorder, Elmore County, Idaho.

EXCEPTING THEREFROM the following parcel:

A parcel of land lying in the W½NW¼NE¼ and U.S. Government Lot 2 of Section 10, T.3N., R.10E., Elmore County, Idaho, and being more particularly described as follows:

Commencing at a point situated N.64°39' E., a distance of 2,920.2 feet from the west quarter corner of Section 10;  
thence S.59°09' E., 300.0 feet to a point from which the east quarter corner of Section 10 bears S.62°34' E., a distance of 2,580.5 feet;  
thence N.30°51' E., 300.0 feet to a point;  
thence N.59°09' W., 265.0 feet to a point;  
thence S.51°28' W., 99.4 feet to a point;  
thence S.30°51' W., 207.0 feet to a point, which point is the Real Point of Beginning and containing 2.03 acres, more or less.

TRACT 11.

All of U.S. Government Lot 1, Section 10, T.3N., R.10E., B.M., Elmore County, Idaho, lying north of the north boundary of FEATHERVILLE SUMMER HOME SITES SUBDIVISION according to the Plat thereof recorded as Instrument No. 130903, records of the Elmore County Recorder, Elmore County, Idaho, and also lying north of the northerly boundary of that parcel of land conveyed to the members of Featherville Homesites Mutual Water Users Association, Inc., dated August 25, 1981, and recorded as Instrument No. 204080, records of the Elmore County Recorder, Elmore County, Idaho.

TRACT 12.

A parcel of land lying in the  $W\frac{1}{2}NW\frac{1}{4}NE\frac{1}{4}$  of Section 10, T.3N., R.10E., B.M., Elmore County, Idaho, and being more particularly described as follows:

Commencing at a point situated N.38°10' W., a distance of 3,203.1 feet from the east quarter corner of Section 10;  
thence S.47°29' W., 375.8 feet to a point from which the west quarter corner of Section 10 bears S.53°27' W., a distance of 3,648.0 feet;  
thence S.4°43' E., 179.5 feet to a point;  
thence N.65°39' E., 288.1 feet to a point;  
thence N.0°04' W., 314.1 feet to a point, which point is the Real Point of Beginning and containing 1.6 acres, more or less.

TRACT 13.

A parcel of land lying in the  $W\frac{1}{2}NW\frac{1}{4}NE\frac{1}{4}$  of Section 10, T.3N., R.10E., B.M., Elmore County, Idaho, and being more particularly described as follows:

Commencing at a point situated N.41°55' W., a distance of 2,962.4 feet from the east quarter corner of Section 10;  
thence S.65°39' W., 288.1 feet to a point from which the west quarter corner of Section 10 bears S.55°54' W., a distance of 3,556.5 feet;  
thence S.1°23' E., 106.9 feet to a point;  
thence N.71°25' E., 274.3 feet to a point;  
thence N.0°04' W., 138.3 feet to a point, which point is the Real Point of Beginning and containing 0.7 acres, more or less.

TRACT 14.

A parcel of land lying in the  $W\frac{1}{2}NW\frac{1}{4}NE\frac{1}{4}$  of Section 10, T.3N., R.10E., B.M., Elmore County, Idaho, and being more particularly described as follows:

Commencing at a point situated N.43°46' W., a distance of 2,860.9 feet from the east quarter corner of Section 10;

thence S.71°25' W., 274.3 feet to a point from which the west quarter corner  
of Section 10 bears S.57°23' W., a distance of 3,500.0 feet;  
thence S.4°47' E., 140.6 feet to a point;  
thence N.64°41' E., 274.8 feet to a point;  
thence N.0°04' W., 110.0 feet to a point, which point is the Real Point of  
Beginning and containing 0.7 acres, more or less.

Tracts Nos. 1 through 14 are subject to taxes and assessments for the current year and thereafter which the Grantee assumes and agrees to pay and all easements, rights-of-way, covenants, restrictions and reservations apparent or of record.

TOGETHER, with a community property interest with the Grantor in all and singular, the tenements, hereditaments and appurtenances thereunto belonging or in any way appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof.

TO HAVE AND TO HOLD, all and singular the premises, together with the appurtenances, unto the Grantee and to her heirs and assigns forever as a community property of the Grantee and the Grantor.

It is the intent of the parties and the purposes of this Deed that the real property described above shall be and become community property and the title thereto which has heretofore been separately vested in the Grantor shall be jointly vested in the Grantor and the Grantee under the same incidences of ownership and control as if jointly earned or acquired originally as community property.

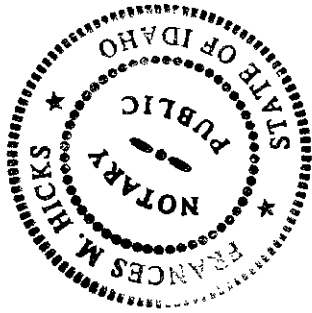
Dated this 22<sup>nd</sup> day of April, 2010.

  
Marlene J. McCoy

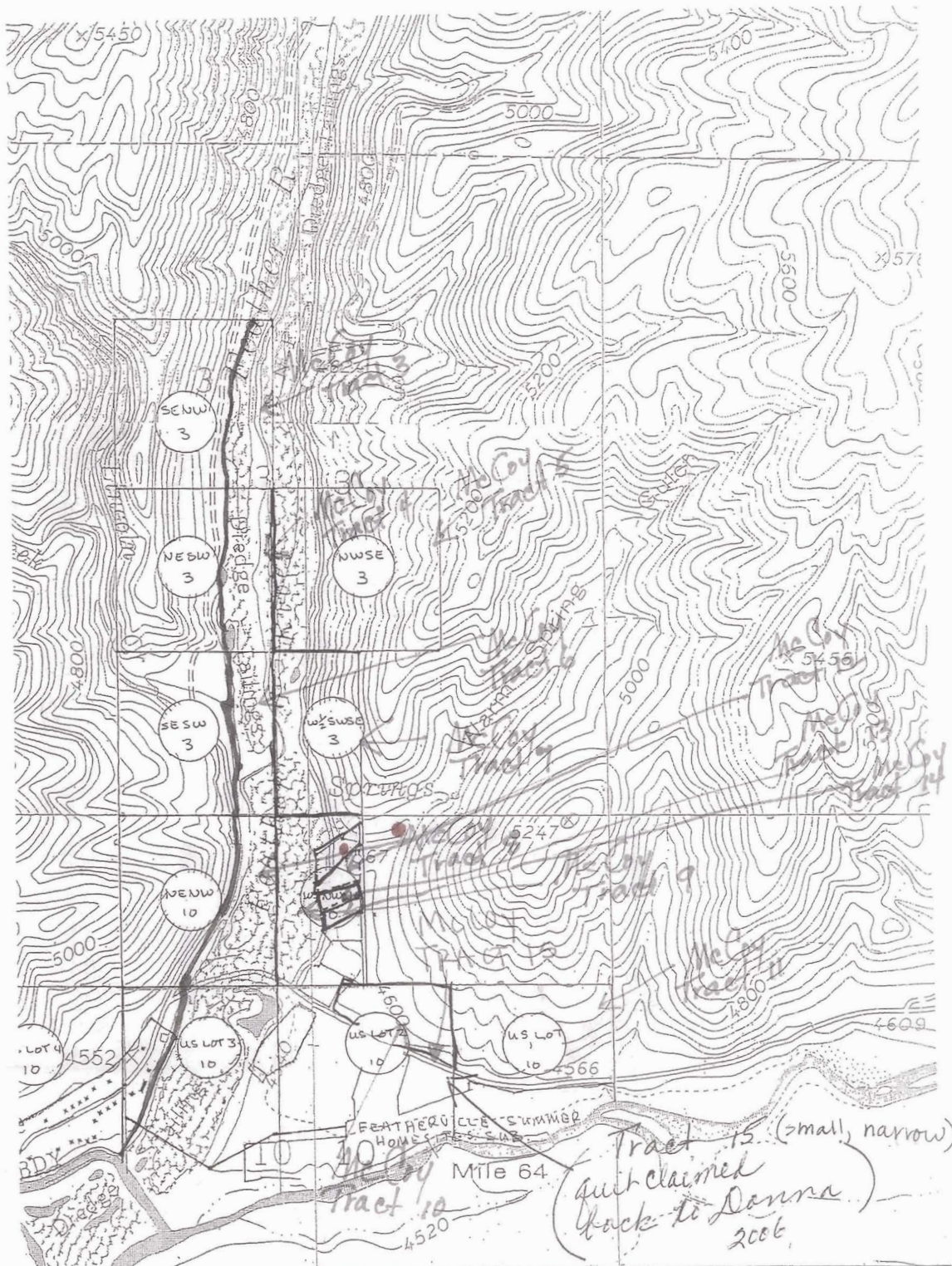
STATE OF IDAHO       )  
                                          : ss.  
County of Elmore

On this 22<sup>nd</sup> day of April, 2010, before me, the undersigned Notary Public in and for said State, personally appeared MARLENE J. McCOY, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.

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



Frances M. Hicks  
Notary Public for State of Idaho  
Residing at Mountain Home, Idaho  
My Commission Expires: 2-01-11

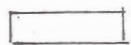


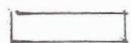
SE $\frac{1}{4}$ NW $\frac{1}{4}$ , NE $\frac{1}{4}$ SW $\frac{1}{4}$ , NW $\frac{1}{4}$ SE $\frac{1}{4}$ , SE $\frac{1}{4}$ SW $\frac{1}{4}$  and the  
W $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ , Section 3, T.3N., R.10E., B.M.,  
Elmore County, Idaho

and

U.S. Government Logs 1, 2, 3, and 4 and  
the NE $\frac{1}{4}$ NW $\frac{1}{4}$  and the W $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ , Section 10,  
T.3N., R.10E., B.M., Elmore County, Idaho

#### APPROXIMATE ACREAGES

 179 Ac.

 169 Ac.

Instrument # 368102  
Elmore County, Idaho  
10:06am Jul. 28, 2005  
For: WESTBERG MCCABE & COLLINS (  
No. of Pages: 9 Fee: \$27.00  
GAIL L. BEST, Recorder  
Deputy: DLE

**DEED OF GIFT**  
(Community Estate Created)

THIS DEED OF GIFT is made the 26 day of July, 2005, by and between MARLENE J. McCOY, wife of JOHN W. McCOY, Grantor, and JOHN W. McCOY, husband of MARLENE J. McCOY, Grantee, whose address is 600 N. 9<sup>th</sup> East, Mountain Home, ID 83647.

The Grantor, for and in consideration of the love, affection and duty which the Grantee has and bears unto the Grantor and also for the better maintenance, support, protection and livelihood of the Grantee, does by these presents give, grant, convey and confirm unto the Grantee and to her heirs and assigns forever a community property interest with the Grantor in the following described real property located in the County of Elmore, State of Idaho:

TRACT 1.

All of the Grantors' right, title and interest in and to U.S. Government Lot 4, Section 10, T.3N., R.10E., B.M., Elmore County, Idaho, which consists of all of U.S. Government Lot 4 north of the North boundary of the original townsite of Featherville.

TRACT 2.

That portion of U.S. Government Lot 4, Section 10, T.3N., R.10E., B.M., Elmore County, Idaho, lying southerly of a line drawn parallel to and 10 feet northerly from the northerly bank of the South Fork of the Boise River.

TRACT 3.

That portion of the SE $\frac{1}{4}$ NW $\frac{1}{4}$  of Section 3, T.3N., R.10E., B.M., Elmore County, Idaho, lying east of the thread of the Feather River.

TRACT 4.

All of U.S. Government Lot 1, Section 10, T.3N., R.10E., B.M., Elmore County, Idaho, lying north of the north boundary of FEATHERVILLE SUMMER HOME SITES SUBDIVISION according to the Plat thereof recorded as Instrument No.

Commencing at a point situated N.38°10' W., a distance of 3,203.1 feet from the east quarter corner of Section 10;  
thence S.47°29' W., 375.8 feet to a point from which the west quarter corner of Section 10 bears S.53°27' W., a distance of 3,648.0 feet;  
thence S.4°43' E., 179.5 feet to a point;  
thence N.65°39' E., 288.1 feet to a point;  
thence N.0°04' W., 314.1 feet to a point, which point is the Real Point of Beginning and containing 1.6 acres, more or less.

TRACT 13.

A parcel of land lying in the W½NW¼NE¼ of Section 10, T.3N., R.10E., B.M., Elmore County, Idaho, and being more particularly described as follows:

Commencing at a point situated N.41°55' W., a distance of 2,962.4 feet from the east quarter corner of Section 10;  
thence S.65°39' W., 288.1 feet to a point from which the west quarter corner of Section 10 bears S.55°54' W., a distance of 3,556.5 feet;  
thence S.1°23' E., 106.9 feet to a point;  
thence N.71°25' E., 274.3 feet to a point;  
thence N.0°04' W., 138.3 feet to a point, which point is the Real Point of Beginning and containing 0.7 acres, more or less.

TRACT 14.

A parcel of land lying in the W½NW¼NE¼ of Section 10, T.3N., R.10E., B.M., Elmore County, Idaho, and being more particularly described as follows:

Commencing at a point situated N.43°46' W., a distance of 2,860.9 feet from the east quarter corner of Section 10;  
thence S.71°25' W., 274.3 feet to a point from which the west quarter corner of Section 10 bears S.57°23' W., a distance of 3,500.0 feet;  
thence S.4°47' E., 140.6 feet to a point;  
thence N.64°41' E., 274.8 feet to a point;  
thence N.0°04' W., 110.0 feet to a point, which point is the Real Point of Beginning and containing 0.7 acres, more or less.

TRACT 15.

That portion of U.S. Government Lot 2, Section 10, T.3N., R.10E., B.M., Elmore County, Idaho, lying south of the Road Station Line and north of the most northerly boundary of FEATHERVILLE SUMMER HOME SITES SUBDIVISION according

Instrument # 368101  
Elmore County, Idaho  
10:05am Jul. 28, 2005  
For: WESTBERG MCCABE & COLLINS  
No. of Pages: 10 Fee: \$30.00  
GAIL L. BEST, Recorder  
Deputy: DLE

## DEED OF DISTRIBUTION

THIS DEED OF DISTRIBUTION is made this 26 day of July, 2005, between MARLENE JOYCE BAKER McCOY, a/k/a MARLENE McCOY and MARLENE J. McCOY, Trustee of the Estate of Charles E. Baker, a/k/a Trustee of the Testamentary Trust of Charles E. Baker dated March 27, 1974, and DONNA J. BROWER, personal representative of the Estate of Nita M. Baker and successor personal representative of the Estate of Charles E. Baker (collectively Grantors), and MARLENE J. McCOY, whose husband is John W. McCoy, as her sole and separate property, and whose address is 600 N. 9<sup>th</sup> East, Mountain Home, Idaho 83647 (Grantee).

WHEREAS, Charles E. Baker died July 8, 1981. His Death Certificate is recorded as Instrument No. 353061, records of the Elmore County Recorder, Elmore County, Idaho. Nita M. Baker was appointed as Personal Representative of the Estate of Charles E. Baker. The appointment was made in Case No. 3P-7638 in the District Court of the Fourth Judicial District of the State of Idaho, in and for the County of Elmore. Under the Last Will and Testament of Charles E. Baker dated March 27, 1974, Nita M. Baker, as personal representative of his estate conveyed to Marlene Joyce Baker McCoy, a/k/a Marlene McCoy and Marlene J. McCoy as Trustee of the Estate of Charles E. Baker, a/k/a Trustee of the Testamentary Trust of Charles E. Baker dated November 27, 1974, all of the right, title and interest of Charles E. Baker in and to the real property described below which is being conveyed to Grantee.

WHEREAS, Nita M. Baker died November 17, 2003. On December 12, 2003, Donna J. Brower was appointed as Personal Representative of the Estate of Nita M. Baker. The appointment was made in Case No. CV2003-1699 in the District Court of the Fourth Judicial District of the State of Idaho, in and for the County of Elmore. The Death Certificate and Letters Testamentary were recorded as Instrument Nos. 353061 and 353062, respectively.

WHEREAS, Nita M. Baker was the duly appointed Personal Representative of the Estate of Charles E. Baker until her death. Following the death of Nita M. Baker, Donna J. Brower was appointed as successor personal representative. Copies of the Letters Testamentary were recorded as Instrument No. 354346 records of the Elmore County Recorder, Elmore County, Idaho.

NOW, THEREFORE, WITNESSETH, the Grantors for a valuable consideration and for the purposes of distributing certain real property from the Testamentary Trust of Charles E. Baker and from the Estate of Nita M. Baker and to the extent that the estate of Charles E. Baker may have an interest therein from the estate of Charles E. Baker do, by these presents hereby distribute, grant, convey and confirm unto the Grantee as Grantee's sole and separate property together with the income therefrom and to Grantee's successors, heirs and assigns forever, all of the Grantors' right, title and interest in and to those certain parcels of land, situate, lying and being in the County of Elmore, State of Idaho, as more particularly described below:

### TRACT 1.

All of the Grantors' right, title and interest in and to U.S. Government Lot 4, Section 10, T.3N., R.10E., B.M., Elmore County, Idaho, which consists of all of U.S. Government Lot 4 north of the North boundary of the original townsite of