

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

APR 29 2024

DEPT. OF WATER RESOURCES
SOUTHERN REGION

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. If the water right is leased to the Water Supply Bank, check "Yes". If you are not sure if the water right is leased to the Water Supply Bank, see #7 of the instructions.

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
41-0020B	Yes ☐	Yes ☐		Yes ☐	Yes ☐
41-04007	Yes ☐	Yes ☐		Yes ☐	Yes ☐
41-10248	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Charles Barnard, Linda Lee Barnard
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Marlon LaRon Barnard, Robert LaDean Barnard
New owner(s) as listed on the conveyance document

P.O. Box 305	Rockland	ID	83271
Mailing address	City	State	Zip
208-479-8403	barnard.ml83@gmail.com		
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: _____
6. Do you own the land identified as the water right place of use? Yes ☒ No ☐
- o If no, attach evidence that written notice of the change of water right ownership has been delivered to the landowner of record.
7. 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):
- o \$25 per *undivided* water right.
 - o \$100 per *split* water right.
 - o No fee is required for pending adjudication claims.
- ☐ If water right(s) are leased to the Water Supply Bank AND there are multiple owners, a Lessor Designation form is required.
- ☐ If water right(s) are leased to the Water Supply Bank, the individual owner or designated lessor must complete, sign and submit an IRS Form W-9.

SUPPORT DATA
IN FILE # 41-20B

8. Signature: Robert LaDean Barnard NA April 25, 2024
Signature of new owner/claimant Title, if applicable Date

Signature: Marlon L Barnard NA 04/26/2024
Signature of new owner/claimant Title, if applicable Date

Print name: Marlon L Barnard

Received by SiG Date 4/29/2024 For IDWR Office Use Only: Receipt No. 5040191 Receipt Amt. \$75-

Active in the Water Supply Bank? Yes ☐ No ☐ If yes, forward to the State Office for processing W-9 received? Yes ☐ No ☐

Name on W-9 _____ Approved by _____ Processed by JA Date 5-7-2024

Jason Brown
MAY, RAMMELL & WELLS, CHTD
P.O. Box 370/216 West Whitman
Pocatello, Idaho 83204
Telephone: (208) 233-0132
Facsimile: (208) 234-2961
Idaho State Bar No. 8758
jason@mrwlaw.net

Filed: 12/21/2023 15:12:19
Sixth Judicial District, Power County
Sharee L. Sprague, Clerk of the Court
By: Deputy Clerk - Nye, Emma

Attorneys for Personal Representatives

IN THE DISTRICT COURT FOR THE SIXTH JUDICIAL DISTRICT
FOR THE STATE OF IDAHO, IN AND FOR THE COUNTY OF POWER
MAGISTRATE DIVISION

IN THE MATTER OF THE ESTATE OF

LINDA LEE BARNARD,

Deceased.

CASE NO.: CV39-23-0159

ORDER CLOSING ESTATE

Upon consideration of the *Final Accounting* filed by Marlon LaRon Barnard and Robert LaDean Barnard, the Personal Representatives of the estate of the above-named Decedent, the Court determines and finds that:

1. The Personal Representatives have fully administered the Estate of the decedent by collecting and managing the assets of the Estate, preparing an inventory of property owned by the decedent at the date of death, making payment, settlement, or other disposition of all lawful claims against the Estate, and performing all other acts required of them by the laws of the State of Idaho pertaining to estates of decedents.
2. The Personal Representatives have filed the Final Accounting.
3. Testacy status: The decedent died testate. The Personal Representatives affirm the statements set forth in the *Application for Informal Probate* filed in this matter. No determination of heirs was requested.

A. No federal estate tax is due or owing as its value is well below the federal taxable level of \$11,700,000. No Idaho estate tax is due or owing under the *Estate and Transfer Tax Reform Act of 1988, I.C. 14-401 et seq.*

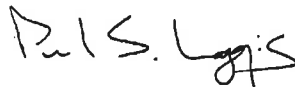
4. The Personal Representatives have filed a *Final Accounting* setting forth all distributions. No distributions remain to be made. As final settlement and distribution have been completed, it is appropriate that the administration of this Estate be closed.
5. All of the allegations and statements in the *Final Accounting* are true.
6. All required notices have been provided or waived.
7. The Estate has been administered according to the laws of the State of Idaho and the orders of this Court, and closure is appropriate at this time.

NOW, THEREFORE, IT IS HEREBY ORDERED AND DECREED THAT:

1. The testate Estate of the decedent informally probated by the Court is hereby probated.
2. The Devisees of the decedent and their respective interests in the decedent's estate are as set forth in the *Final Accounting*.
3. The *Final Accounting* of the Personal Representatives is hereby approved and all Estate assets shall be distributed to Marlon LaRon Barnard and Robert LaDean Barnard in equal shares as stated therein.
4. The Personal Representatives are hereby authorized and directed to deliver and distribute title and possession of the assets of the Estate to the distributees in the amount and the manner set forth in the *Final Accounting*, and all prior distributions shown in the *Final Accounting* are hereby approved.
5. The administration of this Estate is closed.
- 6.

DATED: _____.

12/15/2023 11:44:52 AM



HONORABLE PAUL LAGGIS

CERTIFICATE OF SERVICE

I certify that on this date a copy of the foregoing was served on the following named person at the address shown and in the matter indicated.

Marlon LaRon Barnard
and Robert LaDean Barnard %
Jason Brown
May, Rammell & Wells
P.O. Box 370
Pocatello, ID 83204
jason@mrwlaw.net

- ☐ U.S. Mail
- ☐ Facsimile:
- ☐ Hand Delivered
- ☒ Email

DATED 12/21/2023.

12/21/2023 3:12:24 PM

Emma Rye

DEPUTY CLERK OF THE COURT



Jason Brown
MAY, RAMMELL & WELLS, CHTD
P.O. Box 370/216 West Whitman
Pocatello, Idaho 83204
Telephone: (208) 233-0132
Facsimile: (208) 234-2961
Idaho State Bar No. 8758
jason@mrwlaw.net

Attorneys for Personal Representatives

IN THE DISTRICT COURT FOR THE SIXTH JUDICIAL DISTRICT
FOR THE STATE OF IDAHO, IN AND FOR THE COUNTY OF POWER
MAGISTRATE DIVISION

IN THE MATTER OF THE ESTATE OF

LINDA LEE BARNARD,

Deceased.

CASE NO.: CV39-23-0159

**FINAL ACCOUNTING AND
PROPOSED DISTRIBUTION
AND CLOSING OF THE
ESTATE**

COME NOW the undersigned Personal Representatives of the Estate of Linda Lee Barnard and hereby provide this *Final Accounting and Proposed Distribution and Closing of the Estate of Linda Lee Barnard* and the proposed distribution of the Estate as follows:

Distribution:

The Will of Linda Lee Barnard provided that, in the event her spouse predeceased her, her sons, Marlon LaRon Barnard and Robert LaDean Barnard would receive the entirety of her separate property and her half of the community property. Linda's husband predeceased her, thus the entirety of Linda Lee Barnard's property will be distributed to them in equal shares. The following are the assets known to exist in the Estate at this time that will be distributed to, divided equally among, Marlon LaRon Barnard and Robert LaDean Barnard:

Assets

Schedule A - Real Estate	\$
Schedule B - Stocks and Bonds	\$

Schedule C - Mortgages, Notes and Cash	\$
Schedule D - Other Miscellaneous Property	\$
<u>Schedule E - Encumbrances</u>	<u>\$</u>
TOTAL NET VALUE	\$

Real Estate

Item No.	Description	Separate Property
1.	1977 Brick Home with basement and backyard metal shed Parcel RPB0082-03	\$
2.	Part of the Cedars for summer cattle grazing Parcel RPD2149-03	\$
3.	Home Place: Parcel RPD 2082-00 with 41-10248 Water Right - Rock Creek, East Fork 41-20B Water Right - Rock Creek, East Fork	\$
4.	Lynn White: Place Parcel RPD2150-01	\$
5.	Cedars and CRP Ground: Parcel RPD2149-01	\$
6.	Cedars and CRP Ground by Kings Lane: Parcel RPD215-00	\$
7.	School Section with House and Corrals: Parcel RPD2149-00 41-4007 Water Right - Spring - Tributary of Sinks	\$
8.	The 80: Parcel 2147-00	\$
9.	Mickelson Field- Sand Hollow: Parcel RPD2170-00	<u>\$</u>

Total:

Mortgages, Notes, and Cash

Item No.	Description	Account Numbers	Separate Property
1.	Keybank Certificate of Deposition (CD)	1210580090034	\$
2.	Keybank Silver MM Saving Account	121053001727	\$
3.	Keybank (Personal) Checking Account	50222224	\$
4.	Keybank (Farm) Checking Account	121050278963	\$
5.	Keybank (Estate) Checking Account	122852113358	\$

Other Miscellaneous Property

1. 1960 Cinder Block Barn on Parcel RPD2149-00
2. Wooden Loafing Shed with Metal Roof on Parcel RPD2149-00
3. 2001 Metal Building- Machine Shed on Parcel RPD2082-00
4. 2003 25' Metal Pod for feed storage
5. 1972 Chevrolet K10 4x4 Pickup with flatbed
6. 2010 Dodge Ram 2500HD Pickup
7. 2009 Saturn Aura
8. 1996 Charmac Stock Trailer
9. 2012 Suzuki KingQuad 400 4WD FSI
10. 1953 Allis Chalmers WD45
11. 1960 Allis Chalmers D14
12. 1973 Massey Ferguson MF124 Small baler
13. 1996 Great Plains Grass Mower
14. 1950's John Deere Van Brundt 12 ft Drill
15. 1970 John Deere Harrow
16. 1980 Allis Chalmers Harrow
17. 1960 Allis Chalmers 2 bottom plow
18. 1950s 8 foot corrugator
19. 1960's John Deere 8 foot disc
20. 1940's McCormick-Deering hay dump rake
21. 1960's Ideal Hay Rake
22. 1960's calf chute/table
23. 2003 Post Hole Digger 9"
24. 300 gallon steel gasoline tank with filter and hose
25. Various 3" treated coned fence posts
26. Various sizes of aluminum and PVC siphon tubes
27. 1996 Air compressor
28. 2003 Craftsman 8600W Generator

29. 2011 Stihl Chainsaw 290 Farm Boss with case
30. Craftsman Tools and Toolbox
31. 1995 Craftsman 26" roto-tiller
32. 2013 Troybilt Gas Weedeater
33. 2013 Troybilt 21" Lawn Mower
34. 2003 Maytag Range/Oven
35. 2012 Kenmore 18 Cu Ft Refrigerator
36. 2010 Kenmore Elite Range Hood/Fan
37. Small Oak round table and 4 chairs
38. 2015 DirectTV Satellite Receiver
39. 2017 LG 20" Color TV
40. 1990 Walnut Bedroom set (Queen bed, dresser, night stand)
41. 1950's Blonde Bedroom set (Bed, dresser, desk and mirror)
42. 1940's Painted Rod Iron Bed
43. Antique Walnut dresser
44. 1980 Kenmore Dryer
45. 1991 Kenmore Direct Drive Washer
46. 2021 Rheem 50-gallon water heater
47. 2007 Culligan Gold Series Water Softener with salt tank
48. 1985 Kenmore Chest Freezer
49. 1988 Kenmore Upright Freezer
50. 1980's steel office desk and chair
51. 2003 Kenmore 1200W Microwave
52. 2008 Panasonic 43" TV
53. 2005 Panasonic DVD Player
54. 2017 DirectTV Satellite Receiver
55. 1997 Sony VCR Player
56. 2012 Blaze King Wood Stove with Catalytic converter
57. 1950's couch

58. Two (2) 1990's Lazy-boy Recliners

\$

59. 2003 Electric Lift Chair

\$

Total:\$

Expenses of the Estate

1. Funeral Expenses

\$

Total:

\$

Dated this 12 day of December, 2023.



MARLON LARON BARNARD

Personal Representative

Dated this 12 day of December, 2023.



ROBERT LADEAN BARNARD

Personal Representative

Jason Brown
MAY, RAMMELL & WELLS, CHTD
P.O. Box 370/216 West Whitman
Pocatello, Idaho 83204
Telephone: (208) 233-0132
Facsimile: (208) 234-2961
Idaho State Bar No. 8758
jason@mrwlaw.net

Attorneys for Personal Representatives

IN THE DISTRICT COURT FOR THE SIXTH JUDICIAL DISTRICT
FOR THE STATE OF IDAHO, IN AND FOR THE COUNTY OF POWER
MAGISTRATE DIVISION

IN THE MATTER OF THE ESTATE OF

CASE NO.: CV39-20-0396

ERNEST CHARLES BARNARD,

ORDER CLOSING ESTATE

Deceased.

Upon consideration of the *Final Accounting* filed by Marlon LaRon Barnard and Robert LaDean Barnard, the Personal Representatives of the estate of the above-named decedent, on October 5, 2022, the Court determines and finds that:

1. The Personal Representatives have fully administered the Estate of the decedent by collecting and managing the assets of the Estate, preparing an inventory of property owned by the decedent at the date of death, making payment, settlement, or other disposition of all lawful claims against the Estate, and performing all other acts required of them by the laws of the State of Idaho pertaining to estates of decedents.
2. The Personal Representatives have filed the Final Accounting.
3. Testacy status: The decedent died testate. The Personal Representatives affirm the statements set forth in the *Application for Informal Probate* filed in this matter. No determination of heirs was requested.

A. No federal estate tax is due or owing as its value is well below the federal taxable level of \$11,700,000. No Idaho estate tax is due or owing under the *Estate and Transfer Tax Reform Act of 1988, I.C. 14-401 et seq.*

4. The Personal Representatives have filed a *Final Accounting* setting forth all distributions. No distributions remain to be made. As final settlement and distribution have been completed, it is appropriate that the administration of this Estate be closed.
5. All of the allegations and statements in the *Final Accounting* are true.
6. All required notices have been provided or waived.
7. The Estate has been administered according to the laws of the State of Idaho and the orders of this Court, and closure is appropriate at this time.

NOW, THEREFORE, IT IS HEREBY ORDERED AND DECREED THAT:

1. The testate Estate of the decedent informally probated by the Court is hereby probated. The Devisees of the decedent and their respective interests in the decedent's estate are as set forth in the *Final Accounting*.
2. The *Final Accounting* of the Personal Representatives is hereby approved and all Estate assets shall be distributed to Linda Barnard as stated therein.
3. The Personal Representatives are hereby authorized and directed to deliver and distribute title and possession of the assets of the Estate to the distributees in the amount and the manner set forth in the *Final Accounting*, and all prior distributions shown in the *Final Accounting* are hereby approved.
4. The administration of this Estate is closed.
- 5.

10/7/2022 1:55:39 PM

DATED: _____.


HONORABLE PAUL L. LADD

CERTIFICATE OF SERVICE

I certify that on this date a copy of the foregoing was served on the following named person at the address shown and in the matter indicated.

Marlon LaRon Barnard
and Robert LaDean Barnard %
Jason Brown
May, Rammell & Wells
P.O. Box 370
Pocatello, ID 83204
jason@mrwlaw.net

- ☐ U.S. Mail
- ☐ Facsimile:
- ☐ Hand Delivered
- ☐ Email

DATED 10/7/2022 2:44:25 PM

Emma Nye

DEPUTY CLERK OF THE COURT



Jason Brown
MAY, RAMMELL & WELLS, CHTD
P.O. Box 370/216 West Whitman
Pocatello, Idaho 83204
Telephone: (208) 233-0132
Facsimile: (208) 234-2961
Idaho State Bar No. 8758
jason@mrwlaw.net

Attorneys for Personal Representatives

IN THE DISTRICT COURT FOR THE SIXTH JUDICIAL DISTRICT
FOR THE STATE OF IDAHO, IN AND FOR THE COUNTY OF POWER
MAGISTRATE DIVISION

IN THE MATTER OF THE ESTATE OF

ERNEST CHARLES BARNARD,

Deceased.

CASE NO.: CV39-20-0396

**FINAL ACCOUNTING AND
PROPOSED DISTRIBUTION
AND CLOSING OF THE
ESTATE**

COME NOW the undersigned Personal Representatives of the Estate of Ernest Charles Barnard and hereby provide this *Final Accounting and Proposed Distribution and Closing of the Estate of Ernest Charles Barnard* and the proposed distribution of the Estate as follows:

Distribution:

The Will of Ernest Charles Barnard provided that his wife Linda, if she survived him, would receive the entirety of his separate property and his half of their community property. Linda survived him and the entirety of Ernest Charles Barnard's property will be distributed to her. The following are the assets known to exist in the Estate at this time that will be distributed to Linda Barnard:

Assets

Schedule A - Real Estate	\$
Schedule B - Stocks and Bonds	\$
Schedule C - Mortgages, Notes and Cash	\$

Schedule D - Other Miscellaneous Property \$

Schedule E - Encumbrances \$

TOTAL NET VALUE \$

Real Estate

Item No.	Description	Separate Property
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3.	Home Place: Parcel RPD 2082-00 with 41-10248 Water Right - Rock Creek, East Fork 41-20B Water Right - Rock Creek, East Fork	\$
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5.	Cedars and CRP Ground: Parcel RPD2149-01	\$
6.	Cedars and CRP Ground by Kings Lane: Parcel RPD215-00	\$
7.	School Section with House and Corrals: Parcel RPD2149-00 41-4007 Water Right - Spring - Tributary of Sinks	\$
8.*	The 80: Parcel 2147-00	\$
9.	Mickelson Field- Sand Hollow: Parcel RPD2170-00	\$

Total:

Mortgages, Notes, and Cash

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4.	Keybank (Farm) Checking Account	121050278963	\$

Total: \$

Other Miscellaneous Property

- | | | |
|----|--|----|
| 1. | 1960 Cinder Block Barn on Parcel RPD2149-00 | \$ |
| 2. | Wooden Loafing Shed with Metal Roof on Parcel RPD2149-00 | \$ |
| 3. | 2001 Metal Building- Machine Shed on Parcel RPD2082-00 | \$ |

4. 2003 25' Metal Pod for feed storage
5. 1972 Chevrolet K10 4x4 Pickup with flatbed
6. 2010 Dodge Ram 2500HD Pickup
7. 2009 Saturn Aura
8. 1996 Charmac Stock Trailer
9. 2012 Suzuki KingQuad 400 4WD FSI
10. 1953 Allis Chalmers WD45
11. 1960 Allis Chalmers D14
12. 1973 Massey Ferguson MF124 Small baler
13. 1996 Great Plains Grass Mower
14. 1950's John Deere Van Brundt 12 ft Drill
15. 1970 John Deere Harrow
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17. 1960 Allis Chalmers 2 bottom plow
18. 1950s 8 foot corrugator
19. 1960's John Deere 8 foot disc
20. 1940's McCormick-Deering hay dump rake
21. 1960's Ideal Hay Rake
22. 1960's calf chute/table
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24. 300 gallon steel gasoline tank with filter and hose
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26. Various sizes of aluminum and PVC siphon tubes
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29. 2011 Stihl Chainsaw 290 Farm Boss with case
30. Craftsman Tools and Toolbox
31. 1995 Craftsman 26" roto-tiller
32. 2013 Troybilt Gas Weedeater

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56. 2012 Blaze King Wood Stove with Catalytic converter
57. 1950's couch
58. Two (2) 1990's Lazy-boy Recliners
59. 2003 Electric Lift Chair

Expenses of the Estate

1. Funeral Expenses

\$

Total:

\$

Dated this 4 day of October, 2022.



MARLON LARON BARNARD
Personal Representative

Dated this 4 day of October, 2022.



ROBERT LADEAN BARNARD
Personal Representative

LAST WILL AND TESTAMENT
of
LINDA LEE BARNARD

I, Linda Lee Barnard, of the City of Rockland, County of Power, State of Idaho, being of sound and disposing mind and memory, make my Last Will and Testament.

1. REVOCATION: I revoke any and all prior Wills and Codicils made by me.
2. MARRIAGE AND FAMILY:
 - A. At the time of the making of this Last Will and Testament, I am married to Ernest Charles Barnard.
 - B. We have two children whose names dates of birth and are:
Marlon LaRon Barnard Date of Birth: December 20, 1964
Robert LaDean Barnard Date of Birth: February 18, 1971
3. REFERENCES:
 - A. Any references in this Will to "my spouse" or "my husband" are to Ernest Charles Barnard.
 - B. Any references in this Will to "my children" or "my child" are those children set forth specifically in the second paragraph of this Will, and shall include any children born of or adopted into our marriage.
 - C. Any references in this Will to my children's Children or my Grandchildren, shall be construed to include any child adopted by my children during my lifetime.
4. PERSONAL REPRESENTATIVE: I appoint Ernest Charles Barnard as the Personal Representative of my estate. Should he fail to perform or be unable to do so, I appoint Marlon LaRon Barnard and Robert LaDean Barnard to act as Joint Personal Representatives. No Personal Representative named herein shall be required to give any bond or other security for the faithful performance of her or his duties. My Personal Representative shall have all powers now granted by the laws of the State of

Idaho, and in addition thereto, any other powers which may hereafter be granted by the State of Idaho.

5. OWNERSHIP OF PROPERTY: All of the property that I own in my name or that of my spouse is either my separate property or my community property. It is my intent, by this Will, to dispose of only my half of our community property, and all of my separate property. In the event that my spouse survives me, he shall retain any separate property I may have, and all of my half of the community property. My spouse's half of our community property shall not pass under, nor be affected by this Will.
6. GIFTS: I give, devise and bequeath all of my estate and effects, whatsoever, to my spouse. This gift includes, but is not limited to:
- (a) the real, personal and mixed property to which I am entitled;
 - (b) that real, personal and mixed property to which I may be entitled; and,
 - (c) that real, personal and mixed property which I have power to dispose of at my decease.

In the event my Spouse predeceases me, or dies within 30 days after my death, then I devise and bequeath the rest, residue and remainder of my estate as follows:

- (1) I give, devise and bequeath certain items of tangible personal property to persons to be designated, which items and persons will be in a list in my own handwriting, or a list signed by me, as provided in the Idaho Uniform Probate Code, §15-2-513. Any property distributed according to the list shall not be included in determining how much any person is to receive under any provision of this my Last Will and Testament. Rather, it shall be in addition thereto. Further, in the event said list is not found or for any reason is determined invalid, or the person named to take under the list has predeceased me, then that property which does not pass pursuant to the list shall be distributed with the rest of my estate.
- (2) The Personal Representative shall distribute those items of personal property having sentimental value for my heirs, excepting those items, if any, that I have devised on the list signed by me as provided in the Idaho Uniform Probate Code, §15-2-513.
- (3) The Personal Representative shall divide my estate into as many equal shares as there are children of mine living when my estate is distributed and an equal share for each group composed of the

children of a deceased child of mine. One such equal share shall be distributed to each living child and one such equal share shall be distributed to each group composed of the living children of my deceased child, which the members of the group shall share and share alike.

7. SURVIVORSHIP AND SIMULTANEOUS DEATH: If any beneficiary or beneficiaries under this Will fail to survive me by 30 days, or any beneficiaries under this Will and I should die in a common accident or disaster, or under such circumstances that it is doubtful which of us died first, then they shall be conclusively presumed to have predeceased me. If either of the foregoing events occurs, then all of the provisions of this Will shall take effect in like manner as if such beneficiary or beneficiaries had predeceased me. This paragraph shall not apply in any case where its application would cause any provision of this Will to be void under the applicable rule against perpetuities, rules limiting suspension of power of alienation, or any other rule or law.
8. ADEPTION: If I have made a gift of any item of property under this Will and I do not own that property at the time of my death, then the gift of that property shall fail unless I expressly provide otherwise in this Will.
9. DEBTS AND EXPENSES: I direct that all my just debts, funeral expenses and expenses of my last illness be paid as soon after my death as conveniently can be done.
10. TAXES: I direct that all expenses of administering my estate, including reasonable compensation to the Personal Representative, and all estate, inheritance, transfer, legacy, succession and other death taxes and duties of any nature payable by reason of my death which may be assessed or imposed upon or with respect to property passing under this Will or property not passing under this Will shall be paid out of my estate as an expense of administration and no part of said taxes shall be apportioned or prorated to any beneficiary under this Will or any person owning or receiving any property including life insurance, not passing under this Will.
11. CONSTRUCTION: The validity of this instrument and the construction of its provisions shall be governed by the laws of the State of Idaho, from time to time existing.
12. OMISSION: I am intentionally and with full knowledge omitting to provide for any person not mentioned in this Will, whether claiming to be an heir or mine or not. I

discourage any contest of this Will and direct that the facts be construed most strongly against any person contesting.

13. CAPTIONS: Paragraph titles or captions contained herein are inserted as a matter of convenience and for reference, and in no way define, limit, extend or describe the scope of this Will or any provision hereof.
14. APPOINTMENT OF ATTORNEY: I request that Gregory C. May, Pocatello, Bannock County, Idaho, be employed as Attorney, not only in connection with the probate of my estate, but also in connection with any and all matters of a legal nature relating to the administration of my estate.
15. SEVERABILITY: Should any part, clause, provision or condition of this Will be held to be invalid, unenforceable or inoperative in any respect or for any reason, then I direct that such invalidity shall not affect any other clause, provision or condition hereof and that the remaining provision shall nevertheless be carried into effect.
16. NO CONTEST CLAUSE: If any beneficiary under this Will in any manner, directly or indirectly, contests or attacks this Will or any of its provisions, any share or interest in my estate given to that contesting beneficiary under this Will is revoked and shall be disposed of in the same manner provided herein as if that contesting beneficiary predeceased me.
17. SPENDTHRIFT CLAUSE: No beneficiary shall have any right, power, or authority to sell, assign, pledge, mortgage, or in any other manner to encumber, alienate, or impair all, or any part of the interest in the Trust, or in the principal, or income of the Trust. The beneficial and legal interest in the principal and income of the Trust and every part of it shall be free from interference or control of a beneficiary's creditors and shall not be subject to the claims of any beneficiary's creditors nor liable to attachment, execution, bankruptcy, or any other process of law. The income and the principal of this Trust shall be paid over to the Beneficiary in person, or in the event of a beneficiary's minority or incompetency, to the Guardian or Co-Guardian of the beneficiary's person or to his/her benefit in such manner as the Trustee's discretion seems most advisable at the time, and in the manner provided by the terms of this Trust, and not upon any written or oral order nor upon any assignment or transfer by a Beneficiary nor by operation of law.

IN WITNESS WHEREOF, I, LINDA LEE BARNARD, Testatrix, sign my name to this instrument, consisting of 5 pages, including this one, and being first duly sworn, do hereby declare to the undersigned authority that I sign and execute this instrument as my Last Will and Testament 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, on this 17th day of April, 1997.

Linda Lee Barnard
LINDA LEE BARNARD

WITNESSES:

We, Carol Underwood and Tempy Wessel witnesses, sign our names to the foregoing instrument consisting of 5 pages, including this one, being first duly sworn, and do hereby declare to the undersigned authority that the Testatrix signs and executes this instrument as her Last Will and Testament and that she signs it willingly, and that each of us, in the presence and hearing of the Testatrix hereby signs this Will as witness to the Testatrix signing, and that to the best of our knowledge the Testatrix is eighteen (18) years of age or older, of sound mind and under no constraint or undue influence.

Carol Underwood
CAROL UNDERWOOD, WITNESS

Tempy Wessel
TEMPY WESSEL, WITNESS

STATE OF IDAHO)
 : ss
County of Bannock)

SUBSCRIBED, SWORN TO AND ACKNOWLEDGED before me, the undersigned Notary Public, by LINDA LEE BARNARD, Testatrix, and subscribed and sworn to before me by Carol Underwood and Tempy Wessel, witnesses, this 17th day of April, 1997.

[SEAL]

[Signature]
NOTARY PUBLIC FOR IDAHO
My Commission Expires: 12/1/2002

FIRST CODICIL
TO WILL OF
LINDA LEE BARNARD

* *

I, LINDA LEE BARNARD, of the city of Rockland, Power County, Idaho, declare this to be the First Codicil to my Will dated April 17, 1997.

FIRST: I add to Paragraph 6 of my Last Will and Testament and substitute the following Paragraph 6 to my Will dated April 17, 1997:

GIFTS: I give, devise and bequeath all of my estate and effects, whatsoever, to my spouse. This gift includes, but is not limited to:

- (a) the real, personal and mixed property to which I am entitled;
- (b) that real, personal and mixed property to which I may be entitled; and,
- (c) that real, personal and mixed property which I have power to dispose of at my decease.

In the event my Spouse predeceases me, or dies within 30 days after my death, then I devise and bequeath the rest, residue and remainder of my estate as follows:

- (1) I give, devise and bequeath certain items of tangible personal property to persons to be designated, which items and persons will be in a list in my own handwriting, or a list signed by me, as provided in the Idaho Uniform Probate Code, §15-2-513. Any property distributed according to the list shall not be included in determining how much any person is to receive under any provision of this my Last Will and Testament. Rather, it shall be in addition thereto. Further, in the event said list is not found or for any reason is determined invalid, or the person named to take under the list has predeceased me, then that property which does not pass pursuant to the list shall be distributed with the rest of my estate.
- (2) The Personal Representative shall distribute those items of personal property having sentimental value for my heirs, excepting those items, if any, that I have devised on the list signed by me as provided in the Idaho Uniform Probate Code, §15-2-513.
- (3) The Personal Representative shall divide my estate into as many equal shares as there are children of mine living when my estate is distributed. Each Child shall receive an equal share of my Estate. Should one of my children predecease me, then their share of my Estate shall go to that Child's Children (if any) share and share alike. One such equal share shall be distributed to each living child and one such equal share shall be distributed to each group composed of the living children of my deceased child, which the members of the group shall share and share alike.

SECOND: Should any Children described in paragraph 6 of this Will be minors at the time of my death, then the funds shall be placed in to a Testamentary Trust and not be given to them until they are Twenty one(21) years old.

THIRD: TESTAMENTARY TRUST: In the event any of my estate is designated to be placed in trust, then it shall be held, administered and distributed as set out below:

APPOINTMENT OF TRUSTEE: The Trustee shall be Robert LaDean Barnard, and should the Trustee be unable to or fail to serve, then I nominate Marlon LaRon Barnard as the Trustee. The Trustee shall have all the powers that are now granted by the laws of the State of Idaho and, in addition, any other powers which may hereafter be granted by the State of Idaho. If an individual is serving as Trustee, the individual may delegate the investment duties of the Trustee, retaining only the discretionary functions or all of the duties of a Trustee. The delegation may be made only to a professional Trustee, and upon delegation the individual shall have no liability for those functions delegated. The duties delegated may be reassumed at anytime.

BENEFICIARIES: The beneficiaries of this Trust shall be the Child or Children of Marlon LaRon Barnard and Robert LaDean Barnard, who shall all take as provided herein.

TRUSTEE'S BOND: Unless requested by the beneficiary(ies) or the beneficiary's(ies') guardian, the Trustee shall not automatically be required to give any bond and the Trustee's discretionary powers are sole and absolute, but may be challenged for willful or intentional misconduct.

DISTRIBUTION OF TRUST PROPERTY OR INCOME: If a beneficiary has a guardian, the Trustee may, in exercising its discretionary authority, give consideration to the opinion of the guardian when making discretionary distributions of the Trust property or income.

ASSETS: The Trustee may hold or dispose of non income producing assets, and in doing so; the Trustee may consider sentimental values.

DISTRIBUTION OF INCOME AND PRINCIPAL: The Trustee shall pay or apply for a beneficiary's benefit, as much of the net income and principal of the Trust as the Trustee, in the Trustee's discretion, deems appropriate, for the maintenance, care, education, comfort, and support of such beneficiary, after taking into consideration, to the extent the Trustee deems advisable, any other income or resources of a beneficiary known to the Trustee. Any net income not distributed shall be accumulated and added to the principal. I specifically direct that my Trustee shall have the power to invade the principal of this Trust on an

emergency basis to secure funds necessary to meet existing conditions necessary to maintain the proper welfare of a beneficiary. My Trustee shall retain in Trust and invest the principal devised and bequeathed to such Trust.

EDUCATION DEFINED: Whenever provision is made in this Trust for the education of a beneficiary, it is my desire that the term, "education," be construed to include not only primary, secondary, college, and postgraduate training or study, but also shall include trade or technical education, vocational education, military schools or education, and any educational needs at an institution or location of the beneficiary's choice. It is my further desire that in considering the provision for education, the Trustee shall take into consideration all income, financial assistance, grants and scholarships the Beneficiary receives, the related living expenses commensurate with such education providing they are reasonable, as well as travel to and from school and other incidental expenses, and the Beneficiary's academic grades earned while in school.

PAYMENT: The Trustee, in the Trustee's discretion, may make payments to a beneficiary under disability by making the payments to the beneficiary's guardian, or the Trustee may apply the payments directly for the beneficiary's benefit or the Trustee may, in the Trustee's discretion, make payments directly to a beneficiary if in the Trustee's judgment, he or she is of sufficient age or maturity to spend the money properly. The judgment of the Trustee shall be conclusive and final. If there is more than one Beneficiary, then the Trustee may pay more to, or apply more for some beneficiaries than others and distributions may be made to one or more beneficiaries to the exclusion of others if the Trustee deems this necessary or appropriate in light of the circumstances, the size of the Trust estate, and the probable future needs of the beneficiaries. All such payments shall be charged against the share of the beneficiary receiving payment from the Trust Estate.

SPENDTHRIFT CLAUSE: No beneficiary shall have any right, power, or authority to sell, assign, pledge, mortgage, or in any other manner to encumber, alienate, or impair all, or any part of the interest in the Trust, or in the principal, or income of the Trust. The beneficial and legal interest in the principal and income of the Trust and every part of it shall be free from interference or control of a beneficiary's creditors and shall not be subject to the claims of any beneficiary's creditors nor liable to attachment, execution, bankruptcy, or any other process of law. The income and the principal of this Trust shall be paid over to the Beneficiary in person, or in the event of a beneficiary's minority or incompetency, to the Guardian or CoGuardian of the beneficiary's person or to his or her benefit in such manner as the Trustee's discretion seems most advisable at the time, and in the manner provided by the terms of this Trust, and not upon any written or oral order nor upon any assignment or transfer by a Beneficiary nor by operation of law.

TERMINATION: Notwithstanding any other provisions of this Will, if at any

time the Trustee determines that the Trust shall be uneconomical, then the Trustee may, in the Trustee's sole discretion, terminate the Trust and distribute the balance thereof, including any accrued or undistributed income, to the beneficiaries thereof, as provided for in the termination and distribution terms of the Trust. The term "beneficiary/ies" as used in this subparagraph, shall include any person or persons entitled, absolutely or in the sole discretion of the Trustee, to payments of income or principal, under the terms of the Trust at the time the Trustee elects to terminate the Trust.

DISTRIBUTION: This Trust shall continue in existence until such time as either the principal has been completely distributed or the Trustee determines that the Trust shall be uneconomical or until the youngest of the beneficiaries has reached the age of Twenty one (21) years. When the Trust terminates, the Trustee shall divide the Trust to the respective beneficiaries.

In all other respects I confirm and republish my Will dated April 17, 1997.

IN WITNESS WHEREOF, I, Linda Lee Barnard, the Testatrix, sign my name to this Codicil to my Will dated the 17 day of September, 2019. This Codicil consists of 5 pages, including this one. After being first duly sworn, I do hereby declare to the undersigned authority that I sign and execute this instrument as a Codicil to my Last Will and Testament, 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, on this 17 day of September, 2019.


LINDA LEE BARNARD

We, Regan Vorgensen and Sheridan Hapsic, witnesses, sign our names to this Codicil consisting of 5 pages, including this one, being first duly sworn, and do hereby declare to the undersigned authority that the Testatrix signs and executes this instrument as a Codicil to his Last Will and Testament and that she signs it willingly, and that each of us, in the presence and hearing of the Testatrix hereby signs this Codicil as witness to the Testatrix signing this Codicil, and that to the best of our knowledge the Testatrix is eighteen (18) years of age or older, of sound mind and under no constraint or undue influence.

Regan Vorgensen
WITNESS

Sheridan Hapsic
WITNESS

STATE OF IDAHO)

: SS

County of Bannock)

SUBSCRIBED, SWORN TO AND ACKNOWLEDGED before me, Notary Public, by Linda Lee Bannard, the Testatrix, and subscribed and sworn to before me by Regan Vorgensen and Sheridan Hapsic, witnesses, this 17 day of September, 2019.



Gregory C May
NOTARY PUBLIC FOR IDAHO
Residing at Pocatello
Commission Expires: 2-27-22

**LAST WILL AND TESTAMENT
of
ERNEST CHARLES BARNARD**

I, Ernest Charles Barnard, of the City of Rockland, County of Power, State of Idaho, being of sound and disposing mind and memory, make my Last Will and Testament.

1. REVOCATION: I revoke any and all prior Wills and Codicils made by me.
2. MARRIAGE AND FAMILY:
 - A. At the time of the making of this Last Will and Testament, I am married to Linda Lee Barnard.
 - B. We have two children whose names dates of birth and are:
Marlon LaRon Barnard Date of Birth: December 20, 1964
Robert LaDean Barnard Date of Birth: February 18, 1971
3. REFERENCES:
 - A. Any references in this Will to "my spouse" or "my wife" are to Linda Lee Barnard.
 - B. Any references in this Will to "my children" or "my child" are those children set forth specifically in the second paragraph of this Will, and shall include any children born of or adopted into our marriage.
 - C. Any references in this Will to my children's Children or my Grandchildren, shall be construed to include any child adopted by my children during my lifetime.
4. PERSONAL REPRESENTATIVE: I appoint Linda Lee Barnard as the Personal Representative of my estate. Should she fail to perform or be unable to do so, I appoint Marlon LaRon Barnard and Robert LaDean Barnard to act as Joint Personal Representatives. No Personal Representative named herein shall be required to give any bond or other security for the faithful performance of her or his duties. My Personal Representative shall have all powers now granted by the laws of the State of Idaho, and in addition thereto, any other powers which may hereafter be granted by the State of Idaho.

5. OWNERSHIP OF PROPERTY: All of the property that I own in my name or that of my spouse is either my separate property or my community property. It is my intent, by this Will, to dispose of only my half of our community property, and all of my separate property. In the event that my spouse survives me, she shall retain any separate property I may have, and all of my half of the community property. My spouse's half of our community property shall not pass under, nor be affected by this Will.
6. GIFTS: I give, devise and bequeath all of my estate and effects, whatsoever, to my spouse. This gift includes, but is not limited to:
- (a) the real, personal and mixed property to which I am entitled;
 - (b) that real, personal and mixed property to which I may be entitled; and,
 - (c) that real, personal and mixed property which I have power to dispose of at my decease.

In the event my Spouse predeceases me, or dies within 30 days after my death, then I devise and bequeath the rest, residue and remainder of my estate as follows:

- (1) I give, devise and bequeath certain items of tangible personal property to persons to be designated, which items and persons will be in a list in my own handwriting, or a list signed by me, as provided in the Idaho Uniform Probate Code, §15-2-513. Any property distributed according to the list shall not be included in determining how much any person is to receive under any provision of this my Last Will and Testament. Rather, it shall be in addition thereto. Further, in the event said list is not found or for any reason is determined invalid, or the person named to take under the list has predeceased me, then that property which does not pass pursuant to the list shall be distributed with the rest of my estate.
- (2) The Personal Representative shall distribute those items of personal property having sentimental value for my heirs, excepting those items, if any, that I have devised on the list signed by me as provided in the Idaho Uniform Probate Code, §15-2-513.
- (3) The Personal Representative shall divide my estate into as many equal shares as there are children of mine living when my estate is distributed and an equal share for each group composed of the children of a deceased child of mine. One such equal share shall be distributed to each living child and one such equal share shall be distributed to each group composed of the living children of my

deceased child, which the members of the group shall share and share alike.

7. SURVIVORSHIP AND SIMULTANEOUS DEATH: If any beneficiary or beneficiaries under this Will fail to survive me by 30 days, or any beneficiaries under this Will and I should die in a common accident or disaster, or under such circumstances that it is doubtful which of us died first, then they shall be conclusively presumed to have predeceased me. If either of the foregoing events occurs, then all of the provisions of this Will shall take effect in like manner as if such beneficiary or beneficiaries had predeceased me. This paragraph shall not apply in any case where its application would cause any provision of this Will to be void under the applicable rule against perpetuities, rules limiting suspension of power of alienation, or any other rule or law.
8. ADEMPITION: If I have made a gift of any item of property under this Will and I do not own that property at the time of my death, then the gift of that property shall fail unless I expressly provide otherwise in this Will.
9. DEBTS AND EXPENSES: I direct that all my just debts, funeral expenses and expenses of my last illness be paid as soon after my death as conveniently can be done.
10. TAXES: I direct that all expenses of administering my estate, including reasonable compensation to the Personal Representative, and all estate, inheritance, transfer, legacy, succession and other death taxes and duties of any nature payable by reason of my death which may be assessed or imposed upon or with respect to property passing under this Will or property not passing under this Will shall be paid out of my estate as an expense of administration and no part of said taxes shall be apportioned or prorated to any beneficiary under this Will or any person owning or receiving any property including life insurance, not passing under this Will.
11. CONSTRUCTION: The validity of this instrument and the construction of its provisions shall be governed by the laws of the State of Idaho, from time to time existing.
12. OMISSION: I am intentionally and with full knowledge omitting to provide for any person not mentioned in this Will, whether claiming to be an heir or mine or not. I discourage any contest of this Will and direct that the facts be construed most strongly against any person contesting.

13. CAPTIONS: Paragraph titles or captions contained herein are inserted as a matter of convenience and for reference, and in no way define, limit, extend or describe the scope of this Will or any provision hereof.
14. APPOINTMENT OF ATTORNEY: I request that Gregory C. May, Pocatello, Bannock County, Idaho, be employed as Attorney, not only in connection with the probate of my estate, but also in connection with any and all matters of a legal nature relating to the administration of my estate.
15. SEVERABILITY: Should any part, clause, provision or condition of this Will be held to be invalid, unenforceable or inoperative in any respect or for any reason, then I direct that such invalidity shall not affect any other clause, provision or condition hereof and that the remaining provision shall nevertheless be carried into effect.
16. NO CONTEST CLAUSE: If any beneficiary under this Will in any manner, directly or indirectly, contests or attacks this Will or any of its provisions, any share or interest in my estate given to that contesting beneficiary under this Will is revoked and shall be disposed of in the same manner provided herein as if that contesting beneficiary predeceased me.
17. SPENDTHRIFT CLAUSE: No beneficiary shall have any right, power, or authority to sell, assign, pledge, mortgage, or in any other manner to encumber, alienate, or impair all, or any part of the interest in the Trust, or in the principal, or income of the Trust. The beneficial and legal interest in the principal and income of the Trust and every part of it shall be free from interference or control of a beneficiary's creditors and shall not be subject to the claims of any beneficiary's creditors nor liable to attachment, execution, bankruptcy, or any other process of law. The income and the principal of this Trust shall be paid over to the Beneficiary in person, or in the event of a beneficiary's minority or incompetency, to the Guardian or Co-Guardian of the beneficiary's person or to his/her benefit in such manner as the Trustee's discretion seems most advisable at the time, and in the manner provided by the terms of this Trust, and not upon any written or oral order nor upon any assignment or transfer by a Beneficiary nor by operation of law.

IN WITNESS WHEREOF, I, ERNEST CHARLES BARNARD, Testator, sign my name to this instrument, consisting of 5 pages, including this one, and being first duly sworn, do hereby declare to the undersigned authority that I sign and execute this instrument as my Last Will and Testament 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, on this 17th day of April, 1997.

Ernest Charles Barnard
ERNEST CHARLES BARNARD

WITNESSES:

We, Carol Underwood and Tempy Wessel witnesses, sign our names to the foregoing instrument consisting of 5 pages, including this one, being first duly sworn, and do hereby declare to the undersigned authority that the Testator signs and executes this instrument as his/her Last Will and Testament and that he signs it willingly, and that each of us, in the presence and hearing of the Testator hereby signs this Will as witness to the Testator signing, and that to the best of our knowledge the Testator is eighteen (18) years of age or older, of sound mind and under no constraint or undue influence.

Carol Underwood
CAROL UNDERWOOD, WITNESS

Tempy Wessel
TEMPY WESSEL, WITNESS

STATE OF IDAHO)
 : ss
County of Bannock)

SUBSCRIBED, SWORN TO AND ACKNOWLEDGED before me, the undersigned Notary Public, by ERNEST CHARLES BARNARD, Testator, and subscribed and sworn to before me by Carol Underwood and Tempy Wessel, witnesses, this 17th day of April, 1997.

[SEAL]

Notary Public
NOTARY PUBLIC FOR IDAHO

My Commission Expires:

6-21-2002

FIRST CODICIL
TO WILL OF
ERNEST CHARLES BARNARD

* *

I, ERNEST CHARLES BARNARD, of the city of Rockland, Power County, Idaho, declare this to be the First Codicil to my Will dated April 17, 1997.

FIRST: I add to Paragraph 6 of my Last Will and Testament and substitute the following Paragraph 6 to my Will dated April 17, 1997:

GIFTS: I give, devise and bequeath all of my estate and effects, whatsoever, to my spouse. This gift includes, but is not limited to:

- (a) the real, personal and mixed property to which I am entitled;
- (b) that real, personal and mixed property to which I may be entitled; and,
- (c) that real, personal and mixed property which I have power to dispose of at my decease.

In the event my Spouse predeceases me, or dies within 30 days after my death, then I devise and bequeath the rest, residue and remainder of my estate as follows:

- (1) I give, devise and bequeath certain items of tangible personal property to persons to be designated, which items and persons will be in a list in my own handwriting, or a list signed by me, as provided in the Idaho Uniform Probate Code, §15-2-513. Any property distributed according to the list shall not be included in determining how much any person is to receive under any provision of this my Last Will and Testament. Rather, it shall be in addition thereto. Further, in the event said list is not found or for any reason is determined invalid, or the person named to take under the list has predeceased me, then that property which does not pass pursuant to the list shall be distributed with the rest of my estate.
- (2) The Personal Representative shall distribute those items of personal property having sentimental value for my heirs, excepting those items, if any, that I have devised on the list signed by me as provided in the Idaho Uniform Probate Code, §15-2-513.
- (3) The Personal Representative shall divide my estate into as many equal shares as there are children of mine living when my estate is distributed. Each Child shall receive an equal share of my Estate. Should one of my children predecease me, then their share of my Estate shall go to that Child's Children (if any) share and share alike. One such equal share shall be distributed to each living child and one such equal share shall be distributed to each group composed of the living children of my deceased child, which the members of the group shall share and share alike.

SECOND: Should any Children described in paragraph 6 of this Will be minors at the time of my death, then the funds shall be placed in to a Testamentary Trust and not be given to them until they are Twenty one(21) years old.

THIRD: TESTAMENTARY TRUST: In the event any of my estate is designated to be placed in trust, then it shall be held, administered and distributed as set out below:

APPOINTMENT OF TRUSTEE: The Trustee shall be Robert LaDean Barnard, and should the Trustee be unable to or fail to serve, then I nominate Marlon LaRon Barnard as the Trustee. The Trustee shall have all the powers that are now granted by the laws of the State of Idaho and, in addition, any other powers which may hereafter be granted by the State of Idaho. If an individual is serving as Trustee, the individual may delegate the investment duties of the Trustee, retaining only the discretionary functions or all of the duties of a Trustee. The delegation may be made only to a professional Trustee, and upon delegation the individual shall have no liability for those functions delegated. The duties delegated may be reassumed at anytime.

BENEFICIARIES: The beneficiaries of this Trust shall be the Child or Children of Marlon LaRon Barnard and Robert LaDean Barnard, who shall all take as provided herein.

TRUSTEE'S BOND: Unless requested by the beneficiary(ies) or the beneficiary's(ies') guardian, the Trustee shall not automatically be required to give any bond and the Trustee's discretionary powers are sole and absolute, but may be challenged for willful or intentional misconduct.

DISTRIBUTION OF TRUST PROPERTY OR INCOME: If a beneficiary has a guardian, the Trustee may, in exercising its discretionary authority, give consideration to the opinion of the guardian when making discretionary distributions of the Trust property or income.

ASSETS: The Trustee may hold or dispose of non income producing assets, and in doing so; the Trustee may consider sentimental values.

DISTRIBUTION OF INCOME AND PRINCIPAL: The Trustee shall pay or apply for a beneficiary's benefit, as much of the net income and principal of the Trust as the Trustee, in the Trustee's discretion, deems appropriate, for the maintenance, care, education, comfort, and support of such beneficiary, after taking into consideration, to the extent the Trustee deems advisable, any other income or resources of a beneficiary known to the Trustee. Any net income not distributed shall be accumulated and added to the principal. I specifically direct that my Trustee shall have the power to invade the principal of this Trust on an

emergency basis to secure funds necessary to meet existing conditions necessary to maintain the proper welfare of a beneficiary. My Trustee shall retain in Trust and invest the principal devised and bequeathed to such Trust.

EDUCATION DEFINED: Whenever provision is made in this Trust for the education of a beneficiary, it is my desire that the term, "education," be construed to include not only primary, secondary, college, and postgraduate training or study, but also shall include trade or technical education, vocational education, military schools or education, and any educational needs at an institution or location of the beneficiary's choice. It is my further desire that in considering the provision for education, the Trustee shall take into consideration all income, financial assistance, grants and scholarships the Beneficiary receives, the related living expenses commensurate with such education providing they are reasonable, as well as travel to and from school and other incidental expenses, and the Beneficiary's academic grades earned while in school.

PAYMENT: The Trustee, in the Trustee's discretion, may make payments to a beneficiary under disability by making the payments to the beneficiary's guardian, or the Trustee may apply the payments directly for the beneficiary's benefit or the Trustee may, in the Trustee's discretion, make payments directly to a beneficiary if in the Trustee's judgment, he or she is of sufficient age or maturity to spend the money properly. The judgment of the Trustee shall be conclusive and final. If there is more than one Beneficiary, then the Trustee may pay more to, or apply more for some beneficiaries than others and distributions may be made to one or more beneficiaries to the exclusion of others if the Trustee deems this necessary or appropriate in light of the circumstances, the size of the Trust estate, and the probable future needs of the beneficiaries. All such payments shall be charged against the share of the beneficiary receiving payment from the Trust Estate.

SPENDTHRIFT CLAUSE: No beneficiary shall have any right, power, or authority to sell, assign, pledge, mortgage, or in any other manner to encumber, alienate, or impair all, or any part of the interest in the Trust, or in the principal, or income of the Trust. The beneficial and legal interest in the principal and income of the Trust and every part of it shall be free from interference or control of a beneficiary's creditors and shall not be subject to the claims of any beneficiary's creditors nor liable to attachment, execution, bankruptcy, or any other process of law. The income and the principal of this Trust shall be paid over to the Beneficiary in person, or in the event of a beneficiary's minority or incompetency, to the Guardian or CoGuardian of the beneficiary's person or to his or her benefit in such manner as the Trustee's discretion seems most advisable at the time, and in the manner provided by the terms of this Trust, and not upon any written or oral order nor upon any assignment or transfer by a Beneficiary nor by operation of law.

TERMINATION: Notwithstanding any other provisions of this Will, if at any

time the Trustee determines that the Trust shall be uneconomical, then the Trustee may, in the Trustee's sole discretion, terminate the Trust and distribute the balance thereof, including any accrued or undistributed income, to the beneficiaries thereof, as provided for in the termination and distribution terms of the Trust. The term "beneficiary/ies" as used in this subparagraph, shall include any person or persons entitled, absolutely or in the sole discretion of the Trustee, to payments of income or principal, under the terms of the Trust at the time the Trustee elects to terminate the Trust.

DISTRIBUTION: This Trust shall continue in existence until such time as either the principal has been completely distributed or the Trustee determines that the Trust shall be uneconomical or until the youngest of the beneficiaries has reached the age of Twenty one (21) years. When the Trust terminates, the Trustee shall divide the Trust to the respective beneficiaries.

In all other respects I confirm and republish my Will dated April 17, 1997.

IN WITNESS WHEREOF, I, Ernest Charles Barnard, the Testator, sign my name to this Codicil to my Will dated the 17 day of September, 2019. This Codicil consists of 5 pages, including this one. After being first duly sworn, I do hereby declare to the undersigned authority that I sign and execute this instrument as a Codicil to my Last Will and Testament, 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, on this 17 day of September, 2019.

Ernest Charles Barnard
ERNEST CHARLES BARNARD

We, Regan Jorgensen and Sheridan Hapsic, witnesses, sign our names to this Codicil consisting of 5 pages, including this one, being first duly sworn, and do hereby declare to the undersigned authority that the Testator signs and executes this instrument as a Codicil to his Last Will and Testament and that he signs it willingly, and that each of us, in the presence and hearing of the Testator hereby signs this Codicil as witness to the Testator signing this Codicil, and that to the best of our knowledge the Testator is eighteen (18) years of age or older, of sound mind and under no constraint or undue influence.

Regan Jorgensen
WITNESS

Sheridan Hapsic
WITNESS

STATE OF IDAHO)

: SS

County of Bannock)

SUBSCRIBED, SWORN TO AND ACKNOWLEDGED before me, Notary Public, by Ernest Charles Burman, the Testator, and subscribed and sworn to before me by Regan Jorgensen and Sheridan Hapsic, witnesses, this 17 day of September, 2019.



[Signature]
NOTARY PUBLIC FOR IDAHO
Residing at Pocatello
Commission Expires: 2-27-22

STATE OF IDAHO

CERTIFICATION OF VITAL RECORD

STATE OF IDAHO

IDAHO DEPARTMENT OF HEALTH AND WELFARE
BUREAU OF VITAL RECORDS AND HEALTH STATISTICS

DATE FILED BY STATE REGISTRAR:

State of Idaho CERTIFICATE OF DEATH

STATE FILE NO. 2023-01536

02/10/2023

ONLY A COPY OF THIS DOCUMENT, CREATING BY THE STATE REGISTRAR WITH THE DEPARTMENT OF HEALTH AND WELFARE, SHALL BE USED AS PROOF OF DEATH FOR THE PURPOSES OF THIS DEATH UNDER §10-111 AND §10-211, R.S., IDAHO.

Local Reg. No.

DECEDENT	1. DECEDENT'S LEGAL NAME (Include AKA's if any) (First, Middle, Last, Suffix) LINDA LEE BARNARD				2. SEX FEMALE		3. SOCIAL SECURITY NUMBER	
	4a. AGE-Last Birthday 82 (Years)				4b. UNDER 1 YEAR Months Days Hours Minutes		5. DATE OF BIRTH (Mo/Day/Yr) 06/17/1940	
TYPE OR PRINT IN PERMANENT BLACK INK DO NOT USE FELT TIP PEN	7a. RESIDENCE - STATE OR FOREIGN COUNTRY IDAHO				7b. COUNTY POWER		8. BIRTHPLACE (City and State, Territory, or Foreign Country) BATON ROUGE, LOUISIANA	
	7c. CITY OR TOWN ROCKLAND				7d. APT. NO., FL., ZIP CODE 83271		7e. INSIDE CITY LIMITS? ☒ Yes ☐ No	
FOR INSTRUCTIONS SEE HANDBOOKS	7f. STREET AND NUMBER 175 E. SHOSHONE AVENUE				9. SURVIVING SPOUSE'S NAME (If wife, give maiden name)			
	8. MARITAL STATUS AT TIME OF DEATH ☐ Married ☐ Married, but separated ☒ Widowed ☐ Divorced ☐ Never married ☐ Unknown							
PARENTS	10. EVER IN U.S. ARMED FORCES? ☒ Yes ☐ No				11a. BIRTHPLACE (State, Territory, or Foreign Country) LOUISIANA			
	11b. BIRTHPLACE (State, Territory, or Foreign Country) LOUISIANA				12a. MOTHER'S MAIDEN NAME (First, Middle, Last, Suffix) ALMA BELLE ROWLAND			
INFORMANT	13a. INFORMANT'S NAME (Type or print) LARON BARNARD				13b. RELATIONSHIP TO DECEDENT SON		13c. MAILING ADDRESS (Street and Number, City, State, Zip Code) PO BOX 300 ROCKLAND, ID 83271	
	14. METHOD OF DISPOSITION ☒ Burial ☐ Cremation ☐ Donation ☐ Entombment ☐ Removal from Idaho ☐ Other (Specify)				15. PLACE OF DISPOSITION (Name and address of cemetery, crematory, other place) VALLEY VIEW CEMETERY, ROCKLAND, IDAHO 83271			
DISPOSITION	16. NAME AND COMPLETE ADDRESS OF FUNERAL FACILITY DAVIS-ROSE MORTUARY, 170 IDAHO ST., P.O. BOX 413, AMERICAN FALLS, IDAHO 83211-0413				17a. SIGNATURE OF FUNERAL SERVICE LICENSEE OR PERSON ACTING AS SUCH ELECTRONICALLY FILED: MATTHEW J. ROSE			
	17b. LICENSE NUMBER (Of licensee) M1026				18. WAS CORNER CONTACTED DUE TO CAUSE OF DEATH? ☐ Yes ☒ No			
PLACE OF DEATH	19a. IF DEATH OCCURRED IN A HOSPITAL: ☐ Inpatient ☐ Outpatient ☐ DDA ☐ Hospice facility ☐ Nursing home, long term care facility ☐ Decedent's home ☐ Other (Specify)				19b. IF DEATH OCCURRED SOMEWHERE OTHER THAN A HOSPITAL: ☐ Inpatient ☐ Outpatient ☐ DDA ☐ Hospice facility ☐ Nursing home, long term care facility ☐ Decedent's home ☐ Other (Specify)			
	20. FACILITY NAME (If not facility, give street and number) 175 E SHOSHONE AVENUE				21. CITY, TOWN, OR LOCATION OF DEATH AND ZIP CODE ROCKLAND, ID 83271			
DATE OF DEATH	22. DATE OF DEATH (Mo/Day/Yr) (Spell month) February 6, 2023				23. TIME OF DEATH (24hr) 10:03			
	24. DATE PRONOUNCED DEAD (Mo/Day/Yr) (Spell month) February 6, 2023				25. TIME PRONOUNCED DEAD (24hr) 10:03			
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 ventilator dislodgement without showing the etiology. DO NOT ABBREVIATE. Enter only one cause on a line. IMMEDIATE CAUSE (Final disease or condition resulting in death) ALZHEIMER'S DEMENTIA DUE TO (or as a consequence of) DUE TO (or as a consequence of) DUE TO (or as a consequence of)				Approximate Time Interval: Onset to Death YEARS			
	PART II. Enter other significant conditions contributing to death, but not resulting in the underlying cause given in Part I. HYPOTHYROIDISM; FREQUENT URINARY TRACT INFECTIONS				26a. WAS AN AUTOPSY PERFORMED? ☐ Yes ☒ No			
ITEMS 22-28 TO BE USED FOR EXTERNAL CAUSES ONLY (CORONER)	27. DID TOBACCO USE CONTRIBUTE TO DEATH? ☐ Yes ☐ Probably ☒ No ☐ Unknown				28. IF FEMALE (Aged 15-44): ☐ 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			
	29. DATE OF INJURY (Mo/Day/Yr) (Spell month) February 6, 2023				30. TIME OF INJURY (24hr) 10:03			
CERTIFIER	31. LOCATION OF INJURY: State _____ City/Town or County _____ Zip Code _____ Street and Number or Location _____ Apartment Number _____				32. INJURY AT WORK? ☐ Yes ☒ No			
	33. DESCRIBE HOW INJURY OCCURRED, IF TRANSPORTATION INJURY, STATE THE TYPE(S) OF VEHICLE(S) INVOLVED (If automobile, pickup, motorcycle, ATV, bicycle, etc.) SPECIFY WHICH VEHICLE DECEDENT OCCUPIED, if applicable				34. PLACE OF INJURY (Decedent's home, farm, school, construction site, nursing home, restaurant, forest, etc.)			
REGISTRAR	TRANSPORTATION INJURY ONLY ☐ Pedestrian ☐ Other (Specify)				35a. WAS DECEDENT: ☐ Driver/Operator ☐ Passenger ☐ What safety device(s) did decedent use/employ? ☐ Seat belt ☐ Child safety seat ☐ Helmet ☐ Air bag ☐ None ☐ Unknown			
	36a. CERTIFIER (Check only one, based on official capacity for this type of role) ☒ PHYSICIAN ☐ PHYSICIAN ASSISTANT ☐ ADVANCED PRACTICE REGISTERED NURSE To the best of my knowledge, death occurred at the time, date, and place, and due to the natural cause(s)/manner 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 stated. Signature and Title of Certifier ELECTRONICALLY SIGNED: JOHN A. FENSTERMAKER, D.O. 36b. NAME, ADDRESS, AND ZIP CODE OF CERTIFIER (Type or print) JOHN A. FENSTERMAKER, 465 MEMORIAL DRIVE POCATELLO, ID 83201				37b. LICENSE NUMBER O-00623 37c. DATE SIGNED 2 / 7 / 2023 MM DD YYYY			
REGISTRAR	40a. REGISTRAR'S SIGNATURE James B. Aydelotte				40b. DATE SIGNED 2 / 10 / 2023 MM DD YYYY			

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.

FEBRUARY 13, 2023

DATE ISSUED:

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

Rev. 07/28/20

JAMES B. AYDELOTTE
STATE REGISTRAR

ANY ALTERATION OR ERASURE VOIDS THIS CERTIFICATE

IDAHO DEPARTMENT OF HEALTH AND WELFARE
BUREAU OF VITAL RECORDS AND HEALTH STATISTICS

STATE FILE NO. 2020-12267

THIS IS A COPY OF THE DOCUMENT, CERTIFIED BY THE STATE REGISTRAR WITH THE DEPARTMENT OF HEALTH AND WELFARE
RAISED SEAL, SHALL BE USED AS PROOF OF THIS DEATH UNDER (28-3111) AND (28-274) (BAND CODE)

Local Reg. No.

JAMES B. AYDELOTTE
STATE REGISTRAR





IDAHO DEPARTMENT OF
WATER RESOURCES

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, ID 83301-5858

Phone: 208-736-3033 • Fax: 208-736-3037 • Email: southerninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Mathew Weaver

May 07, 2024

MARLON LA RON BARNARD
PO BOX 305
ROCKLAND ID 83271-0305

ROBERT LA DEAN BARNARD
PO BOX 305
ROCKLAND ID 83271-0305

Re: Change in Ownership for Water Right Nos: 41-20B, 41-4007 & 41-10248

Dear Water Right Holders:

The Department of Water Resources (Department) acknowledges the receipt of correspondence changing ownership of the above referenced water rights to you. The Department has modified its records and has enclosed a computer-generated report for you.

Updating the ownership record for a water right does not reconfirm the validity of the right. When processing a Notice of Change in Water Right Ownership, the Department does not review the history of water use to determine if the right has been forfeited or deliberately abandoned through five years or more of non-use. To read more about water right forfeiture, including how to protect a water right from forfeiture, please see Idaho Code §§ 42-222 and 42-223.

Please note, water right owners are required to report any change of water right ownership and any change of mailing address to the Department within 120 days of the change. Reporting forms are available from any office of the Department, or from the Department's website.

If you have any questions concerning the enclosed information, please contact me at (208) 736-3033.

Sincerely,

Bill Mills
Water Resource Agent, Senior

Enclosures

C: May, Rammell & Wells, Chartered; Water District 41