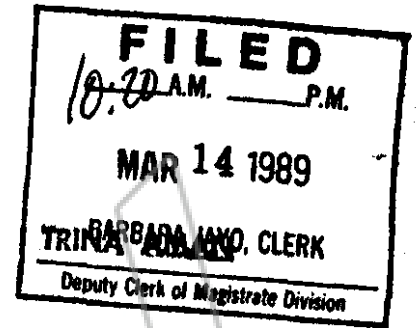


WILLIAM R. HOLLIFIELD  
DECKER AND HOLLIFIELD, P.A.  
249 Third Avenue East  
P.O. Box 66  
Twin Falls, ID 83303-0066  
Telephone: (208) 734-5610



Attorneys for the Surviving Spouse

132054

IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF OWYHEE

\* \* \* \* \*  
MAGISTRATE DIVISION  
\* \* \* \* \*

IN THE MATTER OF THE ESTATE OF) Probate Case No. 6-037  
CHARLES F. JANACEK, )  
Deceased. ) AMENDED ORDER VESTING  
ESTATE IN SURVIVING  
SPOUSE

\* \* \* \* \*

Upon consideration of the Petition for Summary Administration of Estate in Which Surviving Spouse is Sole Beneficiary filed by MAE B. JANACEK on November 7, 1988, the Court finds that:

1. The facts set forth in the petition are true.
2. The required notice has been given or waived.
3. The decedent, CHARLES F. JANACEK, died testate on September 4, 1988, domiciled in Owyhee County, Idaho.
4. Venue is proper.
5. The decedent and MAE B. JANACEK were duly married at Reno, Nevada, on July 31, 1959, and remained married until the date of decedent's death.

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6. The surviving spouse, MAE B. JANACEK, is the sole heir and devisee of the decedent.

7. The decedent died testate, leaving a Will dated May 15, 1986. The will was validly executed and is the last Will of the decedent and accompanies the Surviving Spouse's Petition and is duly filed herein.

8. The schedule of property attached to this Decree is a full and complete inventory of the property owned by the decedent known or discovered by the surviving spouse, and properly characterizes the property as community or separate property.

THEREFORE, it is adjudged and decreed as follows:

1. MAE B. JANACEK is the surviving spouse of the decedent and is the sole heir and devisee of the decedent.

2. The property of the decedent described on the schedule attached to this Decree is hereby vested in and distributed to MAE B. JANACEK free and clear of all right, title, claim or demand of any person or persons claiming or attempting to claim under the estate of the decedent as heir, devisee, or otherwise, except as a proper creditor.

3. The surviving spouse shall assume and be liable for any and all indebtedness that might be claimed against the estate of the decedent.

4. It is further decreed that any property not now known or discovered which may belong to said estate or

in which said estate may have any interest, be, and the same  
is hereby, distributed to MAE B. JANACEK.

DATED This 14 day of March, 1989.

DANIEL T. EISMANN

DANIEL T. EISMANN  
Magistrate

EXHIBIT A

SCHEDULE OF PROPERTY OF THE ESTATE OF

CHARLES F. JANACEK, DECEASED

DATE OF DEATH: SEPTEMBER 4, 1988

(ALL COMMUNITY PROPERTY)

REAL PROPERTY - IDAHO

The real property situated in Owyhee County, State of Idaho, described as follows:

Parcel No. 1

Lots 25, 26, 28, and 29, Block 7, MURPHY HOT SPRINGS  
SUBDIVISION NO. 2.

Parcel No. 2

A parcel of land in the NW1/2 Section 24, Township 16  
South, Range 9 East, Boise Meridian, Owyhee County,  
Idaho, described as follows:

Beginning at the Northeast corner of Lot 28, Block 7,  
MURPHY HOT SPRINGS SUBDIVISION NO. 2, Owyhee County  
Idaho;

THENCE North 34°13'00" West 37.5 feet to a point;  
THENCE South 55°47'00" West 85 feet, more or less, to  
the East Bank of Jarbidge River;  
THENCE in a Southeasterly direction 37.5 feet, more or  
less, to the Northwest corner of Lot 29, Block 7 of  
MURPHY HOT SPRINGS SUBDIVISION NO. 2;  
THENCE North 55°47'00" East 80.8 feet to the point of  
beginning.

VALUE

\$ 45,000.00

Parcel No. 3

Lots 31 and 34 of Block 2, MURPHY HOT SPRINGS SUBDIVISION NO. 2, Owyhee County, Idaho, according to the official plat thereof on file and of record in the office of the recorder for Owyhee County, Idaho.

VALUE \$ 4,000.00

TOTAL IDAHO REAL PROPERTY \$49,000.00

REAL PROPERTY - NEVADA

The real property situated in Eureka County, State of Nevada, described as follows:

Parcel No. 1

An undivided one-half interest in the real property situated in Eureka County, State of Nevada, described as:

Township 31 North, Range 49 East, Mount Diablo Base and Meridian

Section 33: All

Excepting all rights to petroleum, oil, natural gas and products derived therefrom heretofore reserved in the Southern Pacific Company to Martin T. Magnuson, et al., recorded April 23, 1959, in Book 25, page 290 of Deeds records of said County and State;

TOGETHER WITH all rights, privileges and appurtenances thereunto or in any wise appertaining.

VALUE \$ 7,280.00

Parcel No. 2

TOWNSHIP 30 NORTH, RANGE 48 EAST, M.D.B&M.

Section 29: NE1/4NW1/4

Together with all buildings and improvements thereon.

VALUE \$ 2,670.00

Parcel No. 3

Lots No. 57, 58, 59 and 60, all situated in Unit No. 1, El Cortez Rancho, a portion of Section 9, T 29 N, R 48 E, M.D.B.M. Crescent Valley, Eureka County, Nevada.

VALUE \$ 10,400.00

Parcel No. 4

NE1/4 NW1/4 Section 25 Township 31 North Range 48 East  
M.D.B. & M., Eureka County, Nevada.

VALUE \$ 5,030.00

Parcel No. 5

SW1/4 SW1/4 Section 9 Township 30 North Range 48 East  
MDB&M, Eureka County, Nevada.

VALUE \$ 5,030.00

Parcel No. 6

An undivided 1/8th interest of the following  
unpatented mining claims in Bullion Mining District,  
Lander County, Nevada:

<u>Claim Name</u>	<u>Section</u>	<u>Township</u>	<u>Range</u>	<u>Subdivision</u>
Kathy 3	36	30 North	47 East	NE1/4
Kathy 4	36	30 North	47 East	NW1/4

VALUE (Estimated) \$ 200.00

Parcel No. 7

An undivided 1/8th interest of the following unpatented  
mining claims in Bullion Mining District, Eureka  
County, Nevada:

<u>Claim Name</u>	<u>Section</u>	<u>Township</u>	<u>Range</u>	<u>Subdivision</u>
Betty No. 1	16	30 North	48 East	NW1/4
Betty No. 2	16	30 North	48 East	NE1/4
Betty No. 3	16	30 North	48 East	SW1/4
Betty No. 4	16	30 North	48 East	SE1/4
Sally No. 1	10	30 North	48 East	NW1/4
Sally No. 2	10	30 North	48 East	NE1/4
Sally No. 3	10	30 North	48 East	SW1/4
Sally No. 4	10	30 North	48 East	SE1/4
June No. 1	8	30 North	48 East	NW1/4
June No. 2	8	30 North	48 East	NE1/4
June No. 3	8	30 North	48 East	SW1/4
June No. 4	8	30 North	48 East	SE1/4

Shelly No. 1	20	30 North	48 East	NW1/4
Shelly No. 2	20	30 North	48 East	NE1/4
Shelly No. 3	20	30 North	48 East	SW1/4
Shelly No. 4	20	30 North	48 East	SE1/4
Misty No. 1	20	29 North	48 East	NW1/4
Misty No. 2	20	29 North	48 East	NE1/4
Misty No. 3	20	29 North	48 East	SW1/4
Misty No. 4	20	29 North	48 East	SE1/4

VALUE (Estimated) \$ 500.00

TOTAL NEVADA REAL PROPERTY \$ 31,110.00

TOTAL REAL PROPERTY \$ 80,110.00

PERSONAL PROPERTY

UNRECORDED REAL ESTATE SALES CONTRACTS RECEIVABLE - IDAHO

No. 1 Unrecorded Contract Receivable from Linda J. Otero on the following described real property:

Lot 10 in Block 5 of MURPHY HOT SPRINGS SUBDIVISION NO. 2, Owyhee County, Idaho, according to the official plat thereof on file in the office of the County Recorder of Owyhee County, Idaho.

BALANCE DUE \$ 1,361.78

No. 2 Unrecorded Contract Receivable from Charles Ackerson and Rosalie Ackerson on the following described real property:

Lots 30 and 36 of Block 1 of Murphy Hot Springs Subdivision No. 2, Owyhee County, Idaho.

BALANCE DUE \$ 1,018.80

No. 3 Unrecorded Contract Receivable from Jerry L. and Ruth N. Thompson on the following described real property:

Lot 29 and Lot 35 of Block 1 of Murphy Hot Springs No. 2 Owyhee County, Idaho, according to the official plat thereof on file in the office of the County Recorder of Owyhee County, Idaho.

BALANCE DUE \$ 1,517.88

- No. 4 Unrecorded Contract Receivable from Dan and Shirley Lindauer on the following described real property:

Lot 31 in Block 2 of MURPHY HOT SPRINGS SUBDIVISION NO. 2, Owyhee County, Idaho, according to the official plat thereof on file and of record in the office of the recorder for Owyhee County, Idaho.

BALANCE DUE \$ 2,388.85

- No. 5 Unrecorded Contract Receivable from Verl Yergensen on the following described real property:

Lot 40 of Block 1 of MURPHY HOT SPRINGS SUBDIVISION NO. 2, Owyhee County, Idaho, according to the official plat thereof on file and of record in the office of the Recorder for Owyhee County, Idaho.

BALANCE DUE \$ 1,123.86

- No. 6 Unrecorded Contract Receivable from Fern A. Meyer on the following described real property:

Lot 4 of Block 3 of Murphy Hot Springs Subdivision No. 2, Owyhee County, Idaho, according to the official plat thereof on file in the office of the County Recorder for Owyhee County, Idaho.

BALANCE DUE \$ 835.02

TOTAL IDAHO UNRECORDED REAL ESTATE  
SALES CONTRACTS RECEIVABLE \$ 8,246.17

UNRECORDED REAL ESTATE SALES CONTRACTS RECEIVABLE - NEVADA

- No. 1 Unrecorded Contract Receivable from Martin E. Kientz on the following described real property:

Lots 51 and 52  
A portion of Section 9, Township 29 North, Range 48 East, M.D.B.&M., Crescent Valley, Nevada 89821

BALANCE DUE \$ 4,800.00



No. 2      Unrecorded Contract Receivable from E.W. Whiting  
on the following described real property:

N1/2 SW1/4 Section 19 Township 31 North Range 49  
East M.D.B.&M., Eureka County, Nevada.

BALANCE DUE                      \$ 7,848.58

No. 3      Unrecorded Contract Receivable from Don and  
Mildred Morton on the following described real  
property:

Lot 17 consisting of two acres.  
A portion of Section 9, Twonship 29 North, Range  
48 East M.D.B.&M., Crescent Valley, Nevada.

BALANCE DUE                      \$ 2,362.22

No. 4      Unrecorded Contract Receivable from William and  
Melba Fay Murray on the following described real  
property:

SW1/4 of the SE1/4 of Section 13, Township 31  
North, Range 48 East M.D.B.&M., Eureka County,  
Nevada.

BALANCE DUE                      \$ 3,748.17

No. 5      Unrecorded Contract Receivable from William and  
Melba Fay Murray on the following described real  
property:

E1/2 of the SW1/4, of the SE1/4 of Section 13,  
Township 31 North, Range 48 East, M.D.B.&M.,  
Eureka County, State of Nevada.

BALANCE DUE                      \$ 1,788.81

No. 6      Unrecorded Contract Receivable from Diane Kennedy  
on the following described real property:

Lots 14, 15 and 16  
A portion of Section 9, Township 29 North, Range  
48 East, M.D.B.&M., Crescent Valley, Nevada  
89821.

BALANCE DUE                      \$ 7,343.38

No. 7      Unrecorded Contract Receivable from Jack and Betty  
Housel on the following described real property:

Lots 21, 22, and 23  
A portion of Section 9, Township 29 North, Range  
48 East M.D.B.&M., Crescent Valley, Nevada 89821

BALANCE DUE      \$ 7,298.90

No. 8      Unrecorded Contract Receivable from Don and Alice  
Hayes on the following described real property:

Lots 11, 12, 13  
A portion of Section 9, Township 29 North, Range  
48 East M.D.B.&M., Crescent Valley, Nevada 89821.

BALANCE DUE      \$ 7,375.28

No. 9      Unrecorded Contract Receivable from Scott Siler and Mike Prime on the following described real property:

Lots 27 and 28

A portion of Section 9, Township 29 North, Range 48 East M.D.B&M., Crescent Valley, Nevada.

BALANCE DUE      \$ 4,900.00

No. 10      Unrecorded Contract Receivable from Robert J. and Elaine Olsen on the following described real property:

NE1/4 of the SE1/4 of the NE1/4, and the S1/2 of the SENE1/4 of Section 33, Township 31 N. and Range 48 E., M.D.B.&M. 30 acres, more or less, subject to all matters of record, Eureka County, State of Nevada.

BALANCE DUE      \$ 2,871.04

No. 11      Unrecorded Contract Receivable from Conrad J. Kersch and Doris C. Kersch on the following described real property:

SW1/4 of the SW1/4 of Section 9, Township 30 North, Range 48 East, MDBN&M, 40 acres, more or less, subject to all matters of record, Eureka County, State of Nevada.

BALANCE DUE      \$ 2,953.95

TOTAL NEVADA UNRECORDED REAL ESTATE  
SALES CONTRACTS RECEIVABLE      \$ 53,290.33

TOTAL UNRECORDED REAL ESTATE  
SALES CONTRACTS RECEIVABLE      \$ 61,536.50

OTHER PERSONAL PROPERTY

Checking Account No. 09-000110-7, Idaho Bank & Trust	\$ 974.02
Checking Account No. 09-0204743, Idaho Bank & Trust	209.98
Savings Account No. 033009115, Idaho Bank & Trust	421.38
Time Certificate No. 00924009803350, Idaho Bank & Trust	2,100.00
1982 Subaru Stationwagon, Vehicle ID #JF2AM52BOCE409513	1,500.00
1950 Dodge, Vehicle ID # 85,506,363	200.00
1960 Roadliner house trailer, Serial # FJ361CKP10490	1,500.00
Case Tractor, ID #5607262SC	500.00
Shop Equipment	10,000.00
Coins	5,000.00
Guns	5,000.00
Jewelry	5,000.00
Stock Certificate No. 6999 - original Bullfrog Mines Syndicate - 500 shares	No value
Stock Certificate No. 4 - Alturas Lake Lodge, Inc., 22,500 shares	No value
Stock Certificate No. A13 - Alturas Lake Lodge, Inc., 4,500 shares	No value
Stock Certificate No. A18 - Alturas Lake Lodge, Inc., 2,000 shares	No value
Miscellaneous household goods and personal effects	<u>5,000.00</u>
<b>TOTAL PERSONAL PROPERTY</b>	<b><u>\$ 37,405.38</u></b>
<b>TOTAL ESTATE</b>	<b><u>\$179,051.88</u></b>

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STATE OF IDAHO }  
County of Owyhee } ss.

I hereby certify that the foregoing instrument is a true and correct copy of the original on file in this office.

Dated 3/15 19 89  
Barbara Jayo, Clerk of the District Court

*Barbara Jayo*  
Deputy Clerk of Magistrate Division

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COPY

OFFICIAL RECORDS  
RECORDED AT THE REQUEST OF  
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*Decker & Hollifield*  
90 APR -2 4:30

EUREKA COUNTY, NEVADA  
M.M. REBALEATI, RECORDER  
FILE NO. FEE \$ 17.00

132054

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