



1REYNOLDS | SAM, PC
Daniel S. Sam, #5865
Attorneys for Petitioners
23 East Main Street
Vernal, Utah 84078
Telephone (435) 789-1301
Facsimile: (435) 921-7546
Email: dan@reynoldssam.com

**IN THE SECOND JUDICIAL DISTRICT COURT OF DAVIS COUNTY
STATE OF UTAH**

IN THE MATTER OF THE ESTATE
OF
BRUCE J. BOWEN,
Deceased.

**ORDER AND JUDGMENT REMOVING
PERSONAL REPRESENTATIVE,
APPOINTING SUCCESSOR CO-
PERSONAL REPRESENTATIVES,
ENTERING JUDGMENT, AND
AWARDING ATTORNEY FEES**

Probate Case No.: 023700302
Judge: Ronald Russell

Based upon the Court's Findings of Fact and Conclusions of Law entered concurrently herewith, following the evidentiary hearing held August 18, 2026, at which Petitioners Richard Alan Miller and Derek Verland Miller appeared in person and through counsel and Respondent Tonna Lee Bowen ("Tonna") failed to appear despite notice, and good cause appearing,

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED as follows:

1. REMOVAL OF PERSONAL REPRESENTATIVE

Tonna Lee Bowen is REMOVED, effective immediately, as Personal Representative of the Estate of Bruce J. Bowen, deceased, pursuant to Utah Code § 75-3-611. All authority previously held by Tonna to act on behalf of the Estate, including but not limited to authority to

execute leases, collect payments, or otherwise deal with Estate assets, is revoked. Tonna shall, within fourteen (14) days of the date of this Order, deliver to the successor Co-Personal Representatives appointed below all Estate records, funds, and property in her possession, custody, or control, including all records concerning the leases and payments identified in the Court's Findings of Fact.

2. APPOINTMENT OF SUCCESSOR CO-PERSONAL REPRESENTATIVES

Richard Alan Miller and Derek Verland Miller are APPOINTED as successor Co-Personal Representatives of the Estate of Bruce J. Bowen, deceased, with all powers and duties provided by the Decedent's Will and the Utah Uniform Probate Code, including without limitation the powers set forth in Utah Code §§ 75-3-704, -711, and -715. They shall serve without bond, as provided in Section 9.01 of the Decedent's Will. Upon each filing an Acceptance of Appointment with the Clerk of Court, Letters Testamentary shall issue to Richard Alan Miller and Derek Verland Miller as successor Co-Personal Representatives.

3. MONEY JUDGMENT AGAINST TONNA LEE BOWEN

Judgment is entered in favor of the Estate of Bruce J. Bowen, and in favor of Petitioners Richard Alan Miller and Derek Verland Miller as successor Co-Personal Representatives of the Estate, and against Tonna Lee Bowen, individually, in the principal amount of \$4,435.87, representing the lease bonus and royalty payments belonging to the Estate that Tonna received and retained for her own benefit, consisting of:

- a. \$1,184.99, received June 21, 2012 (Exhibit F);
- b. \$333.34, received February 2013 (Exhibit G);
- c. \$208.32, received January 26, 2021 (Exhibit H);

- d. \$1,112.00, received in connection with the lease dated November 21, 2022 (Exhibit I);
and
- e. \$1,597.22, received April 8, 2026 (Exhibit J).

Prejudgment interest shall accrue on each payment at the legal rate of ten percent (10%) per annum provided in Utah Code § 15-1-1, from the date each payment was received by Tonna through the date of this Judgment. Postjudgment interest shall accrue thereafter at the rate provided in Utah Code § 15-1-4 until the judgment is paid in full.

A constructive trust is imposed on any Estate proceeds, or property traceable thereto, remaining in Tonna's possession, custody, or control, to secure satisfaction of this Judgment.

4. ATTORNEY FEES AND COSTS

Petitioners are AWARDED their reasonable attorney fees and costs incurred in prosecuting the Petition and this proceeding, to be paid by Tonna Lee Bowen individually, pursuant to Utah Code § 75-3-719. The amount of the award shall be determined upon submission by Petitioners' counsel of an attorney fee affidavit in compliance with Utah R. Civ. P. 73, to be filed within fourteen (14) days of the date of this Order unless the time is extended by the Court. Upon review of the affidavit, and any response permitted under Rule 73, the Court will enter a supplemental order and judgment fixing the amount of the fee award, which shall be added to and become part of the Judgment entered in Paragraph 3 above.

5. RESERVATION OF JURISDICTION TO AUGMENT JUDGMENT

The Court finds that Tonna has never rendered an accounting of her actions as Personal Representative, and that the full extent of any conversion of Estate assets may not yet be known. The Court RESERVES jurisdiction, and Petitioners, in their capacity as successor Co-Personal Representatives, may move to amend or augment the Judgment entered in Paragraph 3 above

upon submission of proof of additional conversion, self-dealing, or unaccounted-for Estate assets discovered through the accounting to be conducted by the successor Co-Personal Representatives following their appointment.

6. ADDITIONAL PROVISIONS

This matter shall remain open for further proceedings consistent with this Order and Judgment, including entry of a supplemental judgment for attorney fees under Paragraph 4 and any motion to augment the Judgment under Paragraph 5. This Order and Judgment is entered as a final, appealable order on the claims resolved herein.

DATED and SIGNED as indicated by the official seal and electronic signature of the Court on the first page of this document.