

COPY

Don J. Mc Grath

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MAR 03 2008

**DEPARTMENT OF
WATER RESOURCES**

February 27, 2008

IDWR State Office
P.O. Box 83720
Boise, Idaho 83720-0098

Dear Sir/Madam:

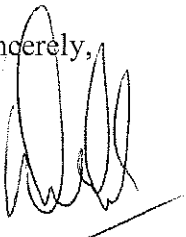
Attached you will find my request to transfer Mr. W. Clinton Stennett's ownership of water rights to The McGrath 1998 Trust. These rights will continue to be held jointly with Roy Crawford, et al with The McGrath 1998 Trust substituted for W. Clinton Stennett.

I have enclosed a copy of Mr. Stennett's Quitclaim Deeds on the property and a copy of an aerial survey showing the property denoted as "Broadie Parcels".

Also enclosed is a check in the amount of \$150.00 for filing fees.

Please do not hesitate to contact me with any questions regarding this process.

Sincerely,



DJM:mw

Cell: 510.693.5600
Home: 510.549.0883

Enclosures

COPY

RE

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DEP/
WATER

Form 42-248/42-1409(6) 10/07

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. the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in w IDWR will produce new water right number(s) for the split(s).

Water Right No(s)	Adjudication Claim No(s)	Split(s)	Water Right No(s)	Adjudication Claim No(s)	Split(s)
PD 37-511			PD 37-11893		
" 37-512			" 37-11894		
" 37-513			" 37-11896		
" 37-1067A					
" 37-1213					
disallowed 37-2321 recommended as right # 37-1213					

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 indicat ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTIC**
- 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 your water right(s) and/or adjudication claim(s) (these are on file with the county Planning and Zoning or Re 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 USE Service Agency or equivalent **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion 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)	Clint Stennett
	PO Box 475
	Ketchum, ID 83340
4. New Owner/Claimant(s)	Don J. McGrath
	Name Connector (Check one): [] and, [] or, [] and/or
New Mailing Address	180 Montgomery St., 25th Floor
City, State and ZIP Code	San Francisco, CA 94104
New Telephone Number	(415) 765-4823 Email: don.mcgrath@ban



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

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

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

7. Signature(s) of New Owner(s) or Claimant(s) _____
 _____ (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 _____
 Receipted by CR
 Processed by 20 AJ

Date _____
 Date 3/3/08
 Date 3-19-08

Receipt Amt. \$150.00
 Receipt No. 0096135
 WR _____ Date _____

COPY

AFTER RECORDING MAIL TO:

The McGrath 1998 Trust
Bank of the West, 180 Montgomery Street
San Francisco, CA 94104

QUITCLAIM DEED

Date: October 02, 2006

File No.: 137046-K (sn)

For Value Received, **W. Clinton Stennett**, a married man as his sole and separate property, do hereby convey, release, remise, and forever quit claim unto **Don J. McGrath, Trustee of The McGrath 1998 Trust**, whose address is **Bank of the West, 180 Montgomery Street, San Francisco, CA 94104**, herein after called the Grantee, the following described premises situated in **Blaine County, Idaho**, to-wit:

See attached legal description

together with its appurtenances.

Dated: Nov 16, 2006

W. Clinton Stennett
W. Clinton Stennett

COPY

APN: 015200262090

Quitclaim Deed - continued

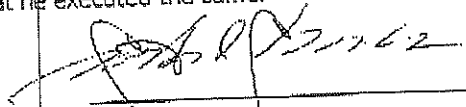
File No.: 137046-K (sn)
Date: 10/02/2006

STATE OF Idaho)

ss.

COUNTY OF Blaine)

On this 11-8-06 ~~10/30/2006~~, before me, a Notary Public in and for said State, personally appeared **W. Clinton Stennett**, known or identified to me to be the person(s) whose name(s) is subscribed to the within instrument, and acknowledged to me that he executed the same.



Notary Public of Idaho

Residing at: Bellevue, ID HAYLOT, ID

Commission Expires: 4-12-11 5.8.10

COPY

As to an undivided $\frac{1}{2}$ interest in and to the following described property:

Parcel I

A parcel of land lying within portions of Sections 26 and 35, Township 1 South, Range 20 East, Boise Meridian, Blaine County, Idaho; being more particularly described as follows:

Commencing at an Aluminum Cap marking the Northwest Corner of said Section 35, proceed S $0^{\circ}17'38''$ E 2656.03 feet to a $\frac{5}{8}$ " rebar marking the West $\frac{1}{4}$ Corner of said Section 35; Thence S $89^{\circ}32'10''$ E, 1340.90 feet to the Southwest Corner of the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of said Section 35, Thence N $00^{\circ}21'27''$ W, 1330.74 feet to a $\frac{5}{8}$ " rebar by PLS 7048 marking the Southwest Corner of the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of said Section 35, which point is the TRUE POINT OF BEGINNING;

Thence continuing N $0^{\circ}21'25''$ W, 1301.09 feet along the Line between the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ and the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of said Section 35 to a $\frac{5}{8}$ " rebar by PLS 7048 marking the Southwest Corner of the Picabo Cemetery;

Thence N $89^{\circ}39'41''$ E, 263.86 feet along the Southerly Boundary of the Picabo Cemetery to a $\frac{5}{8}$ " rebar by PLS 7048 at a fencepost marking the Southeast Corner of said Cemetery;

Thence N $0^{\circ}50'54''$ E, 257.36 feet along the fence line marking the Easterly Boundary of said Cemetery to a $\frac{5}{8}$ " rebar by PLS 7048 on the Southerly Boundary of the former Railroad Right-of-Way;

Thence S $70^{\circ}40'26''$ E, 2279.85 feet along the Southerly Boundary of said former Railroad Right-of-Way to a $\frac{5}{8}$ " rebar by PLS 7048;

Thence 272.59 feet along a Curve to the Right with a Radius of 1804.19 feet, a Central Angle of $8^{\circ}39'24''$, a Tangent of 136.56 feet and Chord of 272.34 feet that bears S $66^{\circ}21'23''$ E, to a $\frac{1}{2}$ " rebar by PFP;

Thence S $0^{\circ}16'38''$ E, 712.41 feet along the line between the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ and the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of said Section 35 to a $\frac{1}{2}$ rebar with illegible cap;

Thence N $89^{\circ}39'07''$ W, 2663.90 feet along the line between the N $\frac{1}{2}$ of the N $\frac{1}{2}$ and the S $\frac{1}{2}$ of the N $\frac{1}{2}$ of said Section 35 to the TRUE POINT OF BEGINNING; containing 3,099,080 square feet, (71.145 acres), more or less.

The described Parcel appears to be subject to a Prescriptive Use Easement by the Public of undetermined width along Cutoff Road and Cutoff Road Cutoff.

Parcel II

A parcel of land lying within a portion of Section 35, Township 1 South, Range 20 East, Boise Meridian, Blaine County, Idaho; being more particularly described as follows: Commencing at an Aluminum Cap marking the Northwest Corner of said Section 35, proceed S $0^{\circ}17'38''$ E, 2656.03 feet to a $\frac{5}{8}$ " rebar marking the West $\frac{1}{4}$ Corner of said Section 35; Thence S $89^{\circ}32'10''$ E, 1340.90 feet to a $\frac{5}{8}$ " rebar by PLS 7048 marking

the Southwest Corner of the SE ¼ of the NW ¼ of said Section 35, which point is the TRUE POINT OF BEGINNING;

Thence N 0°21'27" W, 1330.74 feet along the line between the SW ¼ of the NW ¼ and the SE ¼ of the NW ¼ of said Section 35 to a 5/8" rebar by PLS 7048 marking the Northwest Corner of the SE ¼ of the NW ¼ of said Section 35;

Thence S 89°39'07" E, 2663.90 along the line between the N 1/2 of the N 1/2 and the S 1/2 of the N 1/2 of said Section 35 to a 1/2" rebar with illegible cap;

Thence S 89°16'39" E, 729.95 along the line between the N 1/2 of the N 1/2 and the S 1/2 of the N 1/2 of said Section 35 to a 1/2" rebar by PFP marking a point on the Southwesterly Boundary of the former Railroad Right-of-Way;

Thence 96.77 feet along a Non-Tangential Curve to the Right with a Radius of 1804.19 feet, a Central Angle of 3°04'23", a Tangent of 48.39 feet and a Chord of 96.75 feet that bears S 27°21'33" E, being the Southwesterly Boundary of said Railroad Right-of-Way, to a 5/8" rebar by PLS 7048;

Thence S 25°49'21" E, 1289.87 feet along the Southwesterly Boundary of said Railroad Right-of-Way to its intersection with the East Boundary of said Section 35, which point is witnessed by a 5/8" rebar by JUB lying S°01'32"E, 11.29 feet distant;

Thence S 0°22'43" E, 86.70 feet along the East Line of said Section 35 to a 5/8" rebar marking the East ¼ Corner of said Section 35;

Thence S 0°21'44" E, 2725.56 feet along the Easterly Line of said Section 35 to a 5/8" rebar by JUB marking the Southeast Corner of said Section 35;

Thence N 89°13'51" W, 2666.14 feet along the South Line of said Section 35 to a 5/8" rebar by LS907 marking the South ¼ Corner of said Section 35;

Thence N 0°14'21" W, 1351.49 feet to a 5/8" rebar by PLS 7048 marking the Northwest Corner of the SW ¼ of the SE ¼ of said Section 35;

Thence S 89°28'25" E, 1332.09 feet to a 5/8" rebar by PLS 7048 marking the Southwest Corner of the NE ¼ of the SE ¼ of said Section 35; Thence N 0°16'36" W, 985.48 feet along the Westerly Boundary of the NE ¼ of the SE ¼ of said Section 35 to the Southwest Corner of an Idaho Power Substation, which point is witnessed by a copper/iron rod by Idaho Power that lies N 88°01'47" E, 6.38 feet distant;

Thence N 88°45'00" E, 251.38 feet along the Southerly Boundary of said Idaho Power Substation to a 5/8" rebar by PLS 7048 at a fence brace;

Thence N 35°49'00" W, 432.39 feet along the Northeasterly Boundary of said Idaho Power Substation, to its intersection with the Westerly Boundary of the NE ¼ of the SE ¼ of said Section 35, which point is witnessed by a copper/iron rod by Idaho Power in a fence line that lies S 35°49'00" E, 0.57 feet distant;

Thence N 0°16'36" W, 15.69 feet along the line between the NW ¼ of the SE ¼ and the NE ¼ of the SE ¼ of said Section 35 to a 5/8" rebar with no cap marking the NW Corner of said NE ¼ of the SE ¼;

Thence N 89°32'10" W, 2663.58 feet along the line between the N 1/2 and the S 1/2 of said Section 35 to the TRUE POINT OF BEGINNING; containing 10,330,450 square feet, (237.15 acres), more or less.

The described Parcel appears to be subject to a prescriptive use easement by the public of undetermined width along Cutoff Road and an unnamed Road running East-West through the Parcel connecting Cutoff Road with US Highway No. 20.

COPY

Parcel III

A parcel of land lying within portions of Section 36, Township 1 South, Range 20 East, and Sections 1 and 2, Township 2 South, Range 20 East, Boise Meridian, Blaine County, Idaho; being more particularly described as follows:

Commencing at a 5/8" rebar by JUB marking the Corner Common to Sections 35, 36, 1 and 2, which point is the TRUE POINT OF BEGINNING;

Thence N 0°21'44" W, 1362.83 feet along the West Line of said Section 36 to the Northwest Corner of the SW 1/4 of the SW 1/4 of said Section 36;

Thence N 89°58'01" E, 691.99 feet along the North Boundary of said SW 1/4 of the SW 1/4 of Section 36 to a 5/8" rebar by JUB at the Southwesterly Boundary of the former Railroad Right-of-Way;

Thence S 25°49'21" E, 1491.71 feet along the said Southerly Boundary of the former Railroad Right-of-Way to a 5/8" rebar by PLS 7048 marking its intersection with the line between the SW 1/4 of the SW 1/4 and the SE 1/4 of the SW 1/4 of said Section 36;

Thence S 0°29'18" E, 10.32 feet along the line between the SW 1/4 of the SW 1/4 and the SE 1/4 of the SW 1/4 of said Section 36 to its intersection with the Line between said Sections 1 and 36 to a 5/8" rebar by JUB;

Thence N 89°33'53" E, 4.89 feet along said line between Sections 1 and 36 to a 5/8" rebar by PLS 7048 on the Southwesterly Boundary of said former Railroad Right-of-Way;

Thence S 25°49'21" E, 2793.42 feet along said former Railroad Right-Way to a 5/8" rebar by PLS 7048;

Thence 137.70 feet along a Curve to the Right with a Radius of 1810.08 feet, a Central Angle of 4°21'31", a Tangent of 68.88 feet and a Chord of 137.66 feet that bears S 23°38'36" E, along said former Railroad Right-of-Way to a 5/8" rebar by PLS 7048 marking its intersection with the South Boundary of the SE 1/4 of the NW 1/4 said Section 1;

Thence S 89°35'33" W, 2604.04 feet to a 5/8" rebar by LS 1000 marking the Southwest Corner of said SW 1/4 of the NW 1/4 of said Section 1;

Thence S 0°01'25" W, 53.34 feet along the Line between said Sections 1 and 2 to an Aluminum Cap by PLS 7048 marking the Southeast Corner of US Govt. Lot 5 in said Section 2;

Thence N 89°44'58" W, 1421.51 feet to a 5/8" rebar by PLS 7048 marking the Southwest Corner of said US Govt. Lot 5;

Thence N 0°03'00" W, 2715.12 feet to a 5/8" rebar by PLS 7048 marking the Northwest Corner of US Govt. Lot 1 of said Section 2; Thence S 89°13'51" E, 1417.88 feet along the North Line of said Section 2 to the TRUE POINT OF BEGINNING; containing 10,455,165 square feet, (240.02 acres), more or less.

The described Parcel appears to be subject to a Prescriptive Use Easement by the Public of undetermined width along Cutoff Road.

COPY**Parcel IV**

A parcel of land lying within a portion of Section 36, Township 1 South, Range 20 East, Boise Meridian, Blaine County, Idaho; being more particularly described as follows:

Commencing at a 5/8" rebar by JUB marking the Southwest Corner of said Section 36, proceed N 0°21'44" W, 1362.85 feet along the West Line of said Section 36 to a 5/8" rebar by JUB marking the Northwest Corner of the SW 1/4 of the SW 1/4 of said Section 36, Thence N 89°58'01" E, 691.99 feet to a 5/8" rebar by JUB marking the intersection of the North Line of said SW 1/4 of the SW 1/4 and the Southwesterly Boundary of the former Railroad Right-of-Way, Thence continuing N 89°58'01" E, 222.12 feet along said North Line of the SW 1/4 of the SW 1/4 to a 5/8" rebar by JUB marking its intersection with the Northeasterly Boundary of said former Railroad Right-of-Way, which point is the TRUE POINT OF BEGINNING;

Thence continuing N 89°58'01" E, 416.20 feet along said North Line of the SW 1/4 of the SW 1/4 to a 5/8" rebar by JUB marking the Northeast Corner of said SW 1/4 of the SW 1/4; Thence S 0°29'18" E, 875.78 feet along the East Line of said SW 1/4 of the SW 1/4 to a 5/8" rebar by JUB marking its intersection with the Northeasterly Boundary of said former Railroad Right-of-Way;

Thence N 25°49'21" W, 972.63 feet along said Northeasterly Boundary of the former Railroad Right-of-Way to the TRUE POINT OF BEGINNING