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DEPARTMENT OF WATER RESOURCES

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October 17, 2006

VIA FACSIMILE (208) 287-6700Kara A. Alder
Dept. of Water Resources
State of Idaho
P.O. Box 83720
Boise, ID 834720-0098

Re: Water Rights No. 21-10416, 21-10417, and 21-10419

Dear Ms. Alder:

I am writing pursuant to our telephone conference of Monday, October 9, 2006. As you recall, I represent the families of Gale and Ellen Clement and Ross and Louise Clement. Gale W. Clement, Ellen C. Clement and T. Ross Clement are all deceased. I am writing to now give you a history of the land relating to which the captioned water rights are appurtenant.

1. **Water Right No. 21-10416.** This water right is appurtenant to land located in Section 8, Township 12 North, Range 44, East of the Boise Meridian, Fremont County, Idaho. This land no longer belongs to any of the Clement families or any entity controlled by them. It was sold before 1993.

2. **Water Right No. 21-10417.** This water right is located in Section 24, Township 13 North, Range 43, East of the Boise Meridian, Fremont County, Idaho. Your records show that this water right is owned by Gale W. Clement, T. Ross Clement, and Lyle D. Taylor.

(a) Lyle D. Taylor and his wife, Lois, conveyed their interest in this property to T. Ross Clement, Louise Clement, Gale W. Clement and Ellen C. Clement on

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the 30th day of April, 1980, pursuant to a deed recorded as Instrument No. 365861 in the records of Fremont County, Idaho, a copy of which is attached.

(b) In May 8, 2000, Gale W. Clement and Ellen C. Clement, husband and wife, transferred an undivided 49% interest in this property to The Gale W. and Ellen C. Clement Family Limited Partnership pursuant to deed recorded as Instrument No. 462935 in the records of Fremont County, Idaho, a copy of which is also attached hereto.

(c) On May 8, 2000, Gale W. Clement and Ellen C. Clement transferred an undivided 1% interest in this property to Gale W. Clement Enterprises, LLC, an Idaho limited liability company, pursuant to a Quitclaim Deed recorded as Instrument No. 462934 in the records of Fremont County, Idaho, a copy of which is attached.

(d) On May 10, 2000, Gale W. Clement Enterprises, LLC transferred the 1% interest it had previously received to The Gale W. and Ellen C. Clement Family Limited Partnership pursuant to a Quitclaim Deed recorded as Instrument No. 465205 in the records of Fremont County, Idaho, a copy of which is attached.

After all of these transfers, a one-half (1/2) interest in this property belonged to the Gale W. and Ellen C. Clement Family Limited Partnership. Gale W. Clement died on August 23, 2001, and Ellen C. Clement died on October 4, 2005.

(e) T. Ross Clement died on September 30, 1993. His estate has been probated in the courts of the Seventh Judicial District in and for the County of Bonneville and his interest in the property in question was transferred from his estate to the Marital Legacy Trust created by the Last Will and Testament of T. Ross Clement pursuant to a Deed of Distribution records in the records of Fremont County as Instrument No. 498973, a copy of which is attached hereto. Louise Clement, his surviving spouse, is the trustee of this trust. Louise Clement is still alive.

Therefore, this property belongs one-quarter (1/4) to the Marital Legacy Trust created by the Last Will and Testament of T. Ross Clement, one-quarter (1/4) to Louise Clement, an individual, and one-half (1/2) to The Gale W. and Ellen C. Clement Family Limited Partnership.

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3. **Water Right No. 21-10419.** This water right is located in Section 36, Township 16 North, Range 43, East of the Boise Meridian, Fremont County, Idaho. Please call me concerning this water right.

Sincerely yours,


Stephen E. Martin

Enclosures

cc: G. Ray Clement
Ryan C. Clement
Louise Clement

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