



State of Idaho

**DEPARTMENT OF WATER RESOURCES**

322 East Front Street, P.O. Box 83720, Boise, ID 83720-0098

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December 22, 2006

JAMES E. RISCH  
Governor

KARL J. DREHER  
Director

SCOTT P ESKELSON  
MARTIN & ESKELSON PLLC  
PO BOX 3189  
IDAHO FALLS, ID 83403-3189

Re: Notice of Change in Water Right Ownership – Water Right Nos. 21-10417 and 21-10419

Dear Mr. Eskelson:

I have received your letter of December 14, 2006 regarding the water rights referenced above. The Recorded Document Guarantee and chain sheet were very helpful in confirming ownership for the water rights.

Water Right 21-10417

From the chain sheet it is clear that Instrument no. 356861 is not the deed confirming ownership of the right. That deed does not list the NWSW of Sec. 24. The chain sheet does indicate a US Patent Instrument no. 400459 in the name of Gale/Ellen and T.Ross/Louise Clement. The remarks show Sec. 24, Govt. Lot 10, which is the same as NWSW. This patent and the resultant chain confirm ownership in the name of the Marital Legacy Trust (25%), Louise Clement (25%), and the Gale W. and Ellen C. Clement Family Limited Partnership (50%). Although we don't have the patent in hand, we will accept the documentation based on the Title Company Guarantee.

Water Right 21-10419

The chain sheet indicates Instrument no. 343939 is a warranty deed confirming ownership of the NESE of Sec. 36 in the name of Gale/Ellen Clement, T.Ross/Louise Clement, and Lyle/Lois Taylor DBA Clement Brother Livestock. This warranty deed validates the subsequent quit claim deeds that we have on file showing ownership in the name of the Louise Clement Limited Partnership (50%) and the Gale W. and Ellen C. Clement Family Limited Partnership (50%).

We have updated the ownership for the water right records as noted and enclosed computer-generated reports for your reference. If you have questions regarding this matter, please feel free to contact me at 208-287-4948.

Sincerely,

Jeff Peppersack, Manager  
Water Right Permits Section