

RECEIVED**OCT 18 2006**

DEPARTMENT OF WATER RESOURCES

Law Offices of
MARTIN & ESKELSON, PLLCStephen E. Martin, Email: stephen@martineskelson.com
Scott P. Eskelson, Email: scott@martineskelson.comP.O. BOX 3189
IDAHO FALLS, ID 83403-3189
PHONE: (208) 523-6644
FAX: (208) 522-0791OFFICES:
425 S. HOLMES
IDAHO FALLS, ID 83401

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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SEP. 29. 2005 12:07PM

FIRST AMERICAN TITLE ISL. PRK

NO. 3927 P. 2

THIS INDENTURE, made this 31 day of March, 1980,
between LYLE D. TAYLOR and LOIS TAYLOR, his wife,
of Lewistown, County of Jefferson, State of Idaho
the party of the first part and GALE W. CLEMENT & ELLEN C. CLEMENT, his wife, Lewistown,
and T. ROSS CLEMENT & LOUISE CLEMENT, his wife, of Idaho Falls
County of Bonneville, State of Idaho the party of the second part,
WITNESSETH that the party of the first part, for and in consideration of the sum of
ONE (\$1.00) AND NO/100 Dollars
lawful money of the United States of America,
to party of the first part in hand paid by the party of the second part, the receipt whereof is hereby acknowledged,
do hereby present, release and forever QUITCLAIM, unto the said party of the second part, and to
party of the second part's heirs and assigns, forever, all the following described real estate, situated in
Island Park, County of Fremont, State of Idaho, to-wit:

Tract 1,
Township 13 North, Range 44, East of the Boise Meridian, Fremont County, Idaho
Section 17: SE1/4
Section 4: SW1/4NW1/4
Section 5: SW1/4; S1/2NE1/4; SE1/4NW1/4
Section 7: E1/2; NE1/4NW1/4
Section 8: W1/2
Section 9: S1/2SE1/4; NE1/4SE1/4

HES #137, located in Sections 8 and 9, described as follows:

SEE ATTACHED SHEETS FOR FURTHER DESCRIPTION

TOGETHER, with all and singular the tenements, hereditaments and appurtenances therunto belonging or
in anywise appertaining, and the reversion and reversions, remainder and remainders, and rents, issues and profits
thereof;

TO HAVE AND TO HOLD, all and singular, the said premises, together with the appurtenances, unto the
said party of the second part, and to party of second part's heirs and assigns forever.

In construing this deed and where the context so requires, the singular includes the plural.

IN WITNESS WHEREOF, the said party of the first part has hereunto set his hand and seal the day and
year first above written.

Lyle D. Taylor
Lois Taylor

STATE OF IDAHO,

County of Bonneville

On this 30 day of June, 1980, in the year 19 80, before me
Notary Public in and for said State, personally appeared
LYLE D. TAYLOR and LOIS TAYLOR, his wife,

known to me to be the person whose name is subscribed to the within instru-
ment, and acknowledged to me that they executed the same.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official
seal the day and year in this certificate first above written.

Janet K. Tuckman
Notary Public for the State of Idaho,
Residing at Idaho Falls, Idaho.

No. 365861

QUITCLAIM DEED

(Form No. 101)

Dated

STATE OF IDAHO,

County of Fremont

I hereby certify that this instrument

was filed for record at

Idaho Falls, Idaho, on

at 1:19 minutes past

o'clock P.M., this 21st day of

June, 1980, in my

office, and duly entered in Book

at page

By *Janet K. Tuckman*

Notary Public

For \$4.00

Mail to

AFTER RECORDING RETURN TO

SEP. 29. 2005 12:07PM

FIRST AMERICAN TITLE ISL. PRK

NO. 3927 P. 3

Homestead Entry Survey #137 embracing a portion of the unsurveyed public domain in Idaho, more particularly bounded and described as follows:
Beginning at Corner #1, from which the South Corner of Section 32 and 33, in Township 13 North, Range 44, E.B.M., bears North 7° 3' East 75.67 chains distant; thence North 89° 52' East 55 chains to Corner #2; thence South 0° 8' East 20 chains to Corner #3; thence South 89° 52' West 35 chains to Corner #4; thence South 0° 8' East 10 chains to Corner #5; thence South 89° 52' West 30 chains to Corner #6; thence North 0° 8' West 28.88 chains to Corner #1, place of beginning.

ALL LESS AND EXCEPTING: Road rights-of-way, if any.

Tract II.

Township 13 North, Range 43, East of the Boise Meridian, Fremont County, Idaho

Section 23: Lots 1 and 2

Section 24: S1/2SW1/4SW1/4; LESS AND EXCEPTING Railroad right-of-way

Section 25: SW1/4; W1/2NW1/4; S1/2SE1/4; NW1/4SE1/4

Section 26: SE1/4; NE1/4

ALL LESS AND EXCEPTING: Road rights-of-way, if any.

Section 25: LESS AND EXCEPTING Railroad Right-of-way, more particularly described as follows:

By Instrument recorded November 8, 1898, at 2:40 P.M. Recorded in Book T, page 251, records of Fremont County, Idaho, George L. Wall and Mary A. Wall, his wife, to the Yellowstone Park Railroad Company.

A triangular piece of land situated in the Southwest Quarter of the Southeast Quarter of Section Twenty-five (25), Township Thirteen (13) North, Range Forty-three (43), East Boise Meridian, Fremont County, Idaho, said triangular piece of land being all that part of said forty (40) acre tract which lies Southwesterly of a line which is fifty (50) feet Northwesterly of and parallel to the center line of the main track of the Yellowstone Park Railroad, and bounded as follows:

Beginning at the South Quarter-Section Corner of said Section Twenty-five (25); thence East one hundred fifty-four (154) feet on the South line of said Section; thence North eighteen degrees (18°) twenty-six minutes (26') West, four hundred eighty-three (483) feet to a point in the North and South center line of said Section and four hundred fifty-eight (458) feet North of aforesaid South Quarter Section Corner; thence South four hundred fifty-eight (458) feet to the point of beginning.

By Instrument recorded November 8, 1906 at 4:00 P.M. Recorded in Book T page 284, records of Fremont County, Idaho, C.F. Hilliard and Laura B. Hilliard, his wife, to the Yellowstone Park Railroad Company.

A strip of land one hundred (100) feet, being fifty (50) feet wide, on each side of the center line of the Main Track of the Yellowstone Park Railroad across the Southwest Quarter of Section twenty-five (25), Township Thirteen (13) North, Range Forty-three (43), East of the Boise Meridian, Fremont County, Idaho, the course of said center line of track being more fully described as follows:

Beginning at a point in the North and South center line of said Section Twenty-five (25) and three hundred and four and seven-tenths (304.7) feet North of the South Quarter Section Corner of said Section; thence North eighteen degrees (18°) and twenty-six minutes (26') West to only-five hundred and eighteen and seven tenths (518.7) feet to a point in the East and West center line of said Section 25, and eighteen hundred and ninety and five-tenths (1890.5) feet East of the West Quarter Section Corner of said Section Twenty-five (25).

SEE ATTACHED SHEET FOR FURTHER DESCRIPTION

By Instrument recorded November 8, 1908 at 4:00 P.M. recorded in Book T page 267-9, records of Fremont County, Idaho, C. F. Hilliard and Laura B. Hilliard, his wife, to the Yellowstone Park Railroad Company.

A strip of land 50 feet wide, lying Westerly of and adjacent to the right-of-way previously conveyed by grantor to the Yellowstone Park Railroad Company, situate in the Southwest Quarter of Section 28, Township 13 North, Range 43, East of the Boise Meridian, Fremont County, Idaho, said strip being bounded as follows:

Beginning at the Southeast Corner of said Southwest Quarter of Section 28; thence North 151.5 feet on the North and South Half-Section line of said Section; thence North 18° 28' West 1353.5 feet on the Westerly line of aforesaid right-of-way; thence South 71° 34' West 50 feet; thence South 18° 28' East 1498.2 feet parallel to main track of said railroad to a point in the South line of said Section 28; thence East on said South line 5 feet to the point of beginning.

By Instrument recorded November 8, 1908 at 4:00 P.M. recorded in Book T page 270, records of Fremont County, Idaho, Anna Page Rich and S.J. Rich, her husband to the Yellowstone Park Railroad Company.

A strip of land one hundred (100) feet wide being fifty (50) feet on each side of the center line of the main track of the Yellowstone Park Railroad across the Northwest Quarter of Section Twenty-five (25), Township Thirteen (13) North, Range Forty-three (43), East of the Boise Meridian, Fremont County, Idaho. the course of said center line of track being more fully described as follows:

Beginning at a point in the East and West center line of said Section Twenty-five (25) and eighteen hundred and ninety and five-tenths (1890.5) feet East of the West Quarter Section Corner of said Section Twenty-five (25); thence North eighteen degrees (18°) twenty-six minutes (26') West twenty-eight hundred and thirty-nine and seven-tenths (2839.7) feet to a point in the North line of said Section Twenty-five (25), and nine hundred sixty-nine and one-tenth (969.1) feet East of the Northwest Corner of said Section Twenty-five (25).

Return to
Stephen E. Martin
P.O. Box 3189
Idaho Falls, ID 83403

Microfilm No. 462935
At 11:05 Day May 20 00
O'clock A M
MICKIE FUNKE
FREMONT CO. RECORDER
Fee \$ 9- JB Deputy
Recorded at Request of Stephen E. Martin

QUITCLAIM DEED
(WITH AFTER ACQUIRED PROVISION)

THIS INDENTURE is made this 8th day of May, 2000, between **GALE W. CLEMENT and ELLEN C. CLEMENT**, husband and wife, the Grantors, and **THE GALE W. AND ELLEN C. CLEMENT FAMILY LIMITED PARTNERSHIP**, an Idaho limited partnership, whose mailing address is 104 N. Lewisville Highway, Lewisville, Idaho 83431, the Grantee,

WITNESSETH, that the Grantors, for and in consideration of the sum of Ten and No/100 Dollars (\$10.00) lawful money of the United States of America and other good and valuable consideration to the Grantors in hand paid by the Grantee, the receipt whereof is hereby acknowledged, do by these presents remise, release and forever QUITCLAIM unto the Grantee, and to the Grantee's heirs and assigns forever, all right, title and interest now owned or hereafter acquired by the Grantors in all the following described real estate in the County of Fremont, State of Idaho, to-wit:

An undivided forty-nine percent (49%) interest owned by the Grantor in the following described real property:

Parcel 1:

E½SE¼ Section 36, Township 16 North, Range 43 E.B.M. Fremont County, Idaho.

E½NE¼; NE¼SE¼ Section 1, Township 15 North, Range 43 E.B.M., Fremont County, Idaho.

W½ Section 6, Township 15 North, Range 44 E.B.M. Fremont County, Idaho.

SW¼SW¼, Section 31, Township 16 North, Range 44 E.B.M., Fremont County, Idaho

EXCEPTING THEREFROM: the right-of-way of U.S. Highway #191, more particularly described as follows:

462935

A strip of land 120.0 feet wide, being 60.0 feet on each side of the following described center line of highway as surveyed and shown on the official plat of U.S. 191 - Project No. St. 6471(503) Highway Survey on file in the Office of Department of Transportation.

ALSO EXCEPTING THEREFROM: Beginning at a point that is N. 89°43'50" E. 220.08 feet along the section line from the SW corner of Section 6, Township 15 North, Range 44 E.B.M., said point being on the Easterly right-of-way line of U.S. Highway #191, and running thence N. 26°47'30" E. 1059.56 feet along said right-of-way line to a point of curve with a radius of 5789.58 feet; thence to the left along said curve 1165.64 feet; thence S. 47°00'00" E. 579.82 feet; thence N. 89°43'50" E. 871.07 feet; thence N. 0°02'30" E. 30.86 feet; thence S. 89°57'30" E. 230.00 feet to the center line through said Section 6, thence S. 0°02'30" W. 1660.00 feet along said center line to the S. 1/4 corner of said Section 16; thence S. 89°43'50" W. 2419.02 feet to the point of beginning containing 78.04 acres.

Parcel 2:

Township 13 North, Range 43 East of the Boise Meridian

Section 23: Lots 1, 8 and 9

Section 24: Lots 10 and 13 and the S½SW¼SW¼ west of the railroad right-of-way.

Section 25: Lots 1, 2 and 3 and that part of the W½ lying west of the railroad right-of-way.

Section 26: Lot 1, S½NW¼, E½SW¼.

TOGETHER, with the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and any reversions, any remainders, and rents, issues and profits therefrom.

TO HAVE AND TO HOLD the premises and the appurtenances unto the Grantee, and to the Grantee's heirs and assigns forever.

Return to
Stephen E. Martin
P. O. Box 3199
Idaho Falls, ID 83403

Microfilm No. 462934
At 16 Day May 2000
At 11:04 O'clock A M
MICKIE FUNKE
FREMONT CO. RECORDER
Fee \$ 9 Deputy
Recorded at Request of Stephen E. Martin

QUITCLAIM DEED
(WITH AFTER ACQUIRED PROVISION)

THIS INDENTURE is made this 8th day of May, 2000, between GALE W. CLEMENT and ELLEN C. CLEMENT, husband and wife, the Grantors, and GALE W. CLEMENT ENTERPRISES, LLC, an Idaho limited liability company, whose mailing address is 104 N. Lewisville Highway, Lewisville, Idaho 83431, the Grantee,

WITNESSETH, that the Grantors, for and in consideration of the sum of Ten and No/100 Dollars (\$10.00) lawful money of the United States of America and other good and valuable consideration to the Grantors in hand paid by the Grantee, the receipt whereof is hereby acknowledged, do by these presents remise, release and forever QUITCLAIM unto the Grantee, and to the Grantee's heirs and assigns forever, all right, title and interest now owned or hereafter acquired by the Grantors in all the following described real estate in the County of Fremont, State of Idaho, to-wit:

An undivided one percent (1%) interest owned by the Grantors in the following described real property:

Parcel 1:

E $\frac{1}{4}$ SE $\frac{1}{4}$ Section 36, Township 16 North, Range 43 E.B.M. Fremont County, Idaho.

E $\frac{1}{4}$ NE $\frac{1}{4}$; NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 1, Township 15 North, Range 43 E.B.M., Fremont County, Idaho.

W $\frac{1}{2}$ Section 6, Township 15 North, Range 44 E.B.M. Fremont County, Idaho.

SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 31, Township 16 North, Range 44 E.B.M., Fremont County, Idaho

EXCEPTING THEREFROM: the right-of-way of U.S. Highway #191, more particularly described as follows:

A strip of land 120.0 feet wide, being 60.0 feet on each side of the following described center line of highway as surveyed and shown on the official plat of U.S. 191 - Project No. St. 6471(503) Highway Survey on file in the Office of Department of Transportation.

462934

ALSO EXCEPTING THEREFROM: Beginning at a point that is N. 89°43'50" E. 220.08 feet along the section line from the SW corner of Section 6, Township 15 North, Range 44 E.B.M., said point being on the Easterly right-of-way line of U.S. Highway #191, and running thence N. 26°47'30" E. 1059.56 feet along said right-of-way line to a point of curve with a radius of 5789.58 feet; thence to the left along said curve 1165.64 feet; thence S. 47°00'00" E. 579.82 feet; thence N. 89°43'50" E. 871.07 feet; thence N. 0°02'30" E. 30.86 feet; thence S. 89°57'30" E. 230.00 feet to the center line through said Section 6, thence S. 0°02'30" W. 1660.00 feet along said center line to the S. 1/4 corner of said Section 16; thence S. 89°43'50" W. 2419.02 feet to the point of beginning containing 78.04 acres.

Parcel 2:

Township 13 North, Range 43 East of the Boise Meridian

Section 23: Lots 1, 8 and 9

Section 24: Lots 10 and 13 and the S½SW¼SW¼ west of the railroad right-of-way.

Section 25: Lots 1, 2 and 3 and that part of the W½ lying west of the railroad right-of-way.

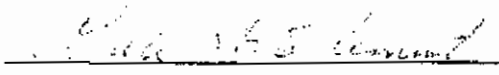
Section 26: Lot 1, S½NW¼, E½SW¼.

TOGETHER, with the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and any reversions, any remainders, and rents, issues and profits therefrom.

TO HAVE AND TO HOLD the premises and the appurtenances unto the Grantee, and to the Grantee's heirs and assigns forever.

In construing this Quitclaim Deed and where the context so requires, the singular includes the plural.

IN WITNESS WHEREOF, the Grantors have executed the within instrument the day and year first above written.


Gale W. Clement

Return to
Stephen E. Martin
P.O. Box 3188
Idaho Falls, ID 83403

Microfilm No. **465205**
At 21 Day Sept 20 00
At 11:17 Clock A M
ABBE MACE
FEE \$ 9- FREMONT CO. RECORDER
Recorded at Request of Stephen E. Martin Deputy

QUITCLAIM DEED
(WITH AFTER ACQUIRED PROVISION)

THIS INDENTURE is made this 12 day of May, 2000, between **GALE W. CLEMENT ENTERPRISES, LLC**, an Idaho limited liability company, the Grantor, and **THE GALE W. AND ELLEN C. CLEMENT FAMILY LIMITED PARTNERSHIP**, an Idaho limited partnership, whose mailing address is 104 N. Lewisville Highway, Lewisville, Idaho 83431, the Grantee,

WITNESSETH, that the Grantor, for and in consideration of the sum of Ten and No/100 Dollars (\$10.00) lawful money of the United States of America and other good and valuable consideration to the Grantor in hand paid by the Grantee, the receipt whereof is hereby acknowledged, does by these presents remise, release and forever QUITCLAIM unto the Grantee, and to the Grantee's heirs and assigns forever, all right, title and interest now owned or hereafter acquired by the Grantor in all the following described real estate in the County of Fremont, State of Idaho, to-wit:

An undivided one percent (1%) interest owned by the Grantor in the following described real property:

Parcel 1:

E½SE¼ Section 36, Township 16 North, Range 43 E.B.M. Fremont County, Idaho.

E½NE¼; NE¼SE¼ Section 1, Township 15 North, Range 43 E.B.M., Fremont County, Idaho.

W½ Section 6, Township 15 North, Range 44 E.B.M. Fremont County, Idaho.

SW¼SW¼, Section 31, Township 16 North, Range 44 E.B.M., Fremont County, Idaho

EXCEPTING THEREFROM: the right-of-way of U.S. Highway #191, more particularly described as follows:

465205

A strip of land 120.0 feet wide, being 60.0 feet on each side of the following described center line of highway as surveyed and shown on the official plat of U.S. 191 - Project No. St. 6471(503) Highway Survey on file in the Office of Department of Transportation.

ALSO EXCEPTING THEREFROM: Beginning at a point that is N. 89°43'50" E. 220.08 feet along the section line from the SW corner of Section 6, Township 15 North, Range 44 E.B.M., said point being on the Easterly right-of-way line of U.S. Highway #191, and running thence N. 26°47'30" E. 1059.56 feet along said right-of-way line to a point of curve with a radius of 5789.58 feet; thence to the left along said curve 1165.64 feet; thence S. 47°00'00" E. 579.82 feet; thence N. 89°43'50" E. 871.07 feet; thence N. 0°02'30" E. 30.86 feet; thence S. 89°57'30" E. 230.00 feet to the center line through said Section 6, thence S. 0°02'30" W. 1660.00 feet along said center line to the S. 1/4 corner of said Section 16; thence S. 89°43'50" W. 2419.02 feet to the point of beginning containing 78.04 acres.

Parcel 2:

Township 13 North, Range 43 East of the Boise Meridian

Section 23: Lots 1, 8 and 9

Section 24: Lots 10 and 13 and the S½SW¼SW¼ west of the railroad right-of-way.

Section 25: Lots 1, 2 and 3 and that part of the W½ lying west of the railroad right-of-way.

Section 26: Lot 1, S½NW¼, E½SW¼.

TOGETHER, with the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and any reversions, any remainders, and rents, issues and profits therefrom.

TO HAVE AND TO HOLD the premises and the appurtenances unto the Grantee, and to the Grantee's heirs and assigns forever.

Microfilm No. 498973
 At 10:45 Day Nov 2005
 O'Clock 4 M
 ABBIE MACE
 FREMONT CO RECORDER
 Fee \$ 6.00 Deputy
 Recorded at Request of
Stephen E. Martin
Doc # 3189
IFI 83403-3189

DEED OF DISTRIBUTION
 (Buffalo River Ranch)

THIS DEED, made this 4th day of November, 2005, between Louise Clement, not individually, but as personal representative of the **ESTATE OF T. ROSS CLEMENT**, deceased, "Grantor," and Louise Clement, not individually, but as trustee of **THE MARITAL LEGACY TRUST CREATED BY THE LAST WILL AND TESTAMENT OF T. ROSS CLEMENT**, deceased, whose mailing address is 1002 W. Elva, Idaho Falls, Idaho 83402, "Grantee."

WHEREAS, Louise Clement, Grantor, is the duly appointed and acting personal representative of the Estate of T. Ross Clement, deceased; and

WHEREAS, The Marital Legacy Trust, Grantee, is entitled to receive distribution of the property hereafter described in this deed under the terms of the Last Will and Testament of the decedent and pursuant to the provisions of the Idaho Uniform Probate Code;

NOW, THEREFORE, WITNESSETH, that Grantor, for a valuable consideration, and for the purpose of distributing certain real property from the Estate of T. Ross Clement, deceased, does by these presents hereby distribute, grant, bargain, sell, convey, and confirm unto Grantee, and to Grantee's successors and assigns forever, the Estate's **undivided twenty-five percent (25%) interest** in all that certain parcel of land, situate, lying and being in Fremont County, Idaho and more particularly described as follows:

Township 13 North, Range 43, East of the Boise Meridian, Fremont County, Idaho:

Section 23: Lots 1, 8 and 9
 Section 24: Lots 10 and 13 and the S1/2SW1/4SW1/4 west of the railroad right-of-way
 Section 25: Lots 1, 2 and 3 and that part of the W1/2 lying west of the railroad right-of-way
 Section 26: Lot 1, S1/2NW1/4; E1/2SW1/4; W1/2SW1/4; E1/2

TOGETHER with all and singular the tenements, hereditaments, and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof;

498973

TO HAVE AND TO HOLD, all and singular the said premises, together with the appurtenances, unto Grantee, and to Grantee's successors and assigns forever.

IN WITNESS WHEREOF, Grantor has hereunto set her hand and seal the day and year first above written.

ESTATE OF T. ROSS CLEMENT

By: Louise Clement
Louise Clement, Personal Representative

STATE OF IDAHO)
) ss.
County of Bonneville)

On the 4 day of November, 2005, before me, the undersigned, a notary public, in and for said State, personally appeared **LOUISE CLEMENT**, known or identified to me to be the person whose name is subscribed to the within instrument, as personal representative of the **Estate of T. Ross Clement** and acknowledged to me that she executed the same as such personal representative.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.



Stephen E. Martin
Notary Public for Idaho
Residing at: Swan Valley
My Commission Expires: 1/18/07

S:\Cheryl\My Files\SEM-Clients\3778\Estate Distribution\Marital Legacy Trust\Deed-Buffalo River Ranch.wpd