

September 4, 2014

Douglas and Darcy Mc Inturff
17786 E Canary Creek Rd
Cataldo, ID 83810

Re: Water Right 92-10502

Dear Doug and Darcy,

As you know, the Coeur d'Alene-Spokane River Basin Adjudication (CSRBA) process is underway. I assume you received a printout of IDWR's preliminary recommendation for reporting claims to the CSRBA District Court. I am in the process of filing a "Notice of Error Reply" in an effort to resolve errors before the report is finalized and filed with the CSRBA Court. This letter is to clarify the status of our letter of agreement dated September 9, 2008.

The letter of agreement states that the lease expires after the 2014 harvest. In terms of Idaho water law, with the expiration of the lease there will be no easement, actual or implied, to the point of diversion, place of use, nor beneficial use.

I believe that the "Sale of Wild Rice Harvesting Business Agreement" on file with IDWR does not properly transfer ownership of the water right appurtenant to our land. The intent of paragraph labeled "Water Rights" appears to exclude water rights on our land with the following: "The licenses pertaining to Jeff Bakers (sic) fields were given to him earlier."

I'm sorry we couldn't correct the record several years ago when the issue first came up. It would have simplified the adjudication process. Nevertheless, these are the points that I plan to use to clarify the record and include on my Notice of Error Reply.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jeff Baker', with a long horizontal stroke extending to the right.

Jeffrey P. Baker