

# WATER SUPPLY BANK LEASE CONTRACT

RECEIVED  
NOV 12 2015  
DEPARTMENT OF  
WATER RESOURCES

This Lease Contract ("Lease") is between the Idaho Water Resource Board ("Board"), and

**LESSOR: BRIAN HOWELL**  
60 STONE RIDGE DR  
HURRICANE WV 25526  
(304) 620-2763

## RECITALS

1. The Board is authorized under chapter 17, title 42, Idaho Code to operate a water supply bank and to contract with lessors to act as an intermediary in facilitating the rental of water.
2. On September 29, 2015, the Lessor filed an application to lease the water right(s) described below into the Water Supply Bank.
3. The Director of the Idaho Department of Water Resources has reviewed the application for compliance with the Water Supply Bank rules and has approved the Lease subject to the conditions listed below.

NOW, THEREFORE, in consideration of the mutual covenants and contracts herein contained, and other good and valuable consideration, the receipt of which is hereby acknowledged, the parties hereto agree as follows:

1. **WATER RIGHTS:** The Lessor shall lease and the Board shall accept into the Bank the Applicant's water rights described as follows:

### Summary of Water Rights or Portions Leased to the Bank

| Water Right                | Priority Date | Source       | Tributary | Leased Rate    | Annual Leased Volume | Total Leased Acres |
|----------------------------|---------------|--------------|-----------|----------------|----------------------|--------------------|
| 25-14315                   | 8/10/1966     | GROUND WATER | NA        | 0.02cfs        | 3.5 af               | 1.0 ac             |
| <b>Annual Lease Totals</b> |               |              |           | <b>0.02cfs</b> | <b>3.5 af</b>        | <b>1.0 ac</b>      |

2. **COMPENSATION:** The Lessor shall accept and the Board shall pay compensation determined by the amount of water rented under the following rental rate during such times as the water is rented from the Bank over the term of this Lease.

**Minimum Payment Acceptable:** Current Rental Rate

3. **TERM OF LEASE:** This Lease shall take effect when both parties have signed it and shall continue in effect until December 31, 2019.
4. **WATER SUPPLY BANK CONDITIONS OF ACCEPTANCE:** The Lessor shall abide by all terms and conditions contained in the Water Supply Bank Conditions of Acceptance, attached hereto as "Attachment A" and incorporated herein by this reference.
5. **DUPLICATE ORIGINAL:** This Lease is executed in duplicate. Each of the documents with an original signature of each party shall be an original.

SCANNED  
NOV 18 2015

# WATER SUPPLY BANK LEASE CONTRACT

IN WITNESS WHEREOF, the parties have executed this Contract on the date following their respective signatures.

**BRIAN HOWELL**  
60 STONE RIDGE DR  
HURRICANE WV 25526

By 

Printed Name Brian Howell

Date 11/5/15

Title Owner

**IDAHO WATER RESOURCE BOARD**  
322 EAST FRONT ST  
PO BOX 83720  
BOISE ID 83720-0098

By 

Brian Patton, Acting Administrator  
Idaho Water Resource Board

Date November 12, 2015

Lease approved by IDWR 

Date 11/12/15

**ATTACHMENT A**  
**WATER RIGHT NO. 25-14315**  
**WATER SUPPLY BANK CONDITIONS OF ACCEPTANCE**

The water right or portion thereof leased to the bank is described as follows:

**Lessor:**       **BRIAN HOWELL**  
60 STONE RIDGE DR  
HURRICANE WV 25526  
(304) 620-2763

**Location of Point(s) of Diversion**

GROUND WATER

SENE

Sec. 30, Twp 02N, Rge 39E, BONNEVILLE County

| <u>Water Right</u> | <u>Beneficial Use</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> |
|--------------------|-----------------------|-------------|-----------|-----------------------|---------------|
| 25-14315           | Irrigation            | 04/01       | to 11/01  | 0.02 cfs              | 3.8 af        |
| <b>Total:</b>      |                       |             |           | <b>0.02 cfs</b>       | <b>3.8 af</b> |

**Place of Use to be Idled Under This Lease:**    IRRIGATION

|     |     |     | NE |    |     |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|----|----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
| Twp | Rng | Sec | NE | NW | SW  | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 02N | 39E | 30  |    |    | 1.0 |    |    |    |    |    |    |    |    |    |    |    |    |    | 1.0    |

**Total Acres: 1.0**

**Conditions Applicable to All Leased Water Rights**

1. The water rights referenced above will be rented from the bank at the current rental rate.
2. There is no rental payment to the lessor of the water right if the right or a part thereof is not rented from the bank.
3. While a right is in the bank, the lessor may not use the right without approval of the Department, even if the right is not rented from the bank. Any violation of the terms of this lease may result in enforcement procedures pursuant to Idaho Code § 42-351 for illegal diversion and use of water and may include civil penalties pursuant to Idaho Code § 42-1701B.
4. A right accepted into the bank stays in the bank until the Board releases it, or the lease term expires. A right may be released from the bank upon request, provided the Board approves the release. Unless approved by the Department, leased rights may not be immediately available for release.
5. While a water right is in the bank, forfeiture provisions are stayed pursuant to Idaho Code § 42-223(5).
6. Rental of water under this right is subject to the limitations and conditions of approval of the water right.
7. Failure of the right holder to comply with the conditions of acceptance is cause for the Director to rescind acceptance of the lease.
8. Acceptance of a right into the bank does not, in itself, confirm the validity of the right or any elements of the water right, nor does it improve the status of the right or accomplish the resumption of use. It does not preclude the opportunity for review of the validity of this water right in any other Department application process.

9. In accordance with Idaho Code §§ 42-248 and 42-1409(6), all owners of water rights are required to notify the Department of any changes in mailing address or change in ownership of all or part of a water right. Notice must be provided within 120 days of the change.
10. If a water right leased into the Water Supply Bank is sold or conveyed during the lease term, and if the leased right was rented, the rental proceeds will be disbursed in the following manner regardless of any arrangements between the buyer(s) and seller(s) to the contrary:
  - a. Rental payments will go to the lessor(s) of record at the beginning of the rental season, even if the Department processes a Notice of Change in Water Right Ownership during the rental season.
  - b. New lessor(s) of record will receive payment after the following rental season.
11. The water right leased to the bank is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

RECEIVED  
OCT 05 2015  
DEPARTMENT OF  
WATER RESOURCES

RECEIVED  
SEP 30 2015  
Department of Water Resources  
Eastern Region

## APPLICATION TO SELL OR LEASE A WATER RIGHT TO THE WATER SUPPLY BANK

An application to lease or sell a water right into the Water Supply Bank must be prepared in accordance with the minimum requirements listed below to be acceptable for processing by the Department. Use this checklist to ensure all necessary documentation has been provided. This checklist is part of the lease application and must be included with the lease application. Incomplete applications will be returned to applicants for completion.

Designated Applicant Brian Howell  
(Select one owner – see item 1A on the application)

Water Right No. 25-14315  
(One water right per application)

All Items must be checked as either *Attached (Yes)* or *Not Applicable (N/A)*

YES

- ☒ Completed *Water Supply Bank Lease or Sale Application Checklist* (this form).
- ☒ Completed *Application to Sell or Lease a Water Right to the Water Supply Bank* (pages 2-3).
- ☒ Application filing fee of \$250.00 per water right. If you are submitting more than one lease application and the water rights have an overlapping, common place of use, or a common diversion rate or volume, the total fee for all water rights is \$500.00. For places of use, multiple water rights must be used to irrigate the same lands in order to qualify for the joint filing fee. Individual filing fees are required for water rights that share a common permissible place of use but which cover separate acres within the permissible place of use.

Attachment N/A YES

- |    |                                     |                                     |                                                                                                                                                                                                                                                                                                                                                        |
|----|-------------------------------------|-------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1A | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | Contact information for <i>all owners</i> of the water right that is being leased or sold on this application.                                                                                                                                                                                                                                         |
| 1B |                                     | <input checked="" type="checkbox"/> | An <u>Internal Revenue Service (IRS) Form W-9</u> for the Designated Applicant.                                                                                                                                                                                                                                                                        |
| 1C | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <i>Notice of Change in Water Right Ownership</i> form (accessible from <a href="http://www.idwr.idaho.gov">www.idwr.idaho.gov</a> ).                                                                                                                                                                                                                   |
| 1D | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | Written consent from irrigation district or water delivery company.                                                                                                                                                                                                                                                                                    |
| 1E | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Contact information for an authorized representative and documentary proof they are authorized to represent the Designated Applicant on this application. If the Designated Applicant is a business, partnership, municipality, organization or association, include documents identifying officers authorized to sign or act on behalf of the entity. |
| 2  | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | Description of a water right portion offered to the Water Supply Bank.                                                                                                                                                                                                                                                                                 |
| 3E | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | Evidence demonstrating that a water right has not been lost through abandonment or forfeiture pursuant to <u>Section 42-222(2), Idaho Code</u> .                                                                                                                                                                                                       |
| 4  |                                     | <input checked="" type="checkbox"/> | A map that clearly outlines the specific location where irrigated acres will be dried up, or where a beneficial use of water will be suspended. You have the option of printing a map using the map tool on IDWR's website at: <a href="http://www.idwr.idaho.gov">www.idwr.idaho.gov</a> .                                                            |

### Department Use Only

|                                                                                              |                                 |                                        |                          |
|----------------------------------------------------------------------------------------------|---------------------------------|----------------------------------------|--------------------------|
| Fee Amount \$ <u>250.00</u>                                                                  | Received By: <u>[Signature]</u> | Date Received: <u>9/30/2015</u>        | Receipt # <u>E041505</u> |
| W-9 received? Yes <input type="checkbox"/> No <input type="checkbox"/> (Route W-9 to Fiscal) |                                 | Name on W-9: <u>Brian James Howell</u> |                          |

# APPLICATION TO SELL OR LEASE A WATER RIGHT TO THE WATER SUPPLY BANK

## 1. CONTACT INFORMATION

- A. An application to sell or lease a water right to the Water Supply Bank must be completed by a Designated Applicant who is a recognized owner of the water right being sold or leased to the Water Supply Bank. If there are additional owners recorded for the property to which the water right is appurtenant, those individuals must authorize the Designated Applicant to represent them on this application by completing and signing Attachment 1A of this application package.

Designated Applicant Brian Howell Email Address bkhowell7@gmail.com  
Mailing Address 60 Stone Ridge Dr., Hurricane, WV 25526 Phone Number (304)620-2763

☐ The Designated Applicant is the sole owner of the water right being sold or leased to the Water Supply Bank.

OR

☒ The Designated Applicant is representing additional water right holders who have completed Attachment 1A.

- B. Has the designated applicant completed an IRS Form W-9 (Attachment 1B)? Yes ☒ No ☐
- C. Are all applicants on this form listed in IDWR's records as the current owners of the water right? Yes ☒ No ☐  
If no, attach a *Notice of Change in Water Right Ownership* form along with the required documentation and fee (Attachment 1C).
- D. Is the diversion works or system owned or managed by an irrigation district or water delivery company? Yes ☐ No ☒  
If yes, provide written consent from the company, corporation or irrigation district authorizing the proposed sale or lease (Attachment 1D).
- E. Is this application being completed by an authorized representative of the Designated Applicant? Yes ☒ No ☐  
If yes, representatives (includes employees of Designated Applicant companies) must complete this section and submit documentary proof of their authority to represent the Designated Applicant (Attachment 1E).

Name of Representative Kristopher Meek Organization \_\_\_\_\_  
Professional Title Attorney Email Address meeklaw@gmail.com  
Mailing Address 3896 Imperial LN Idaho Falls, ID 83401 Phone Number (208)520-8106

☐ Send all correspondence for this application to the representative and not to the Designated Applicant.

OR

☒ Send original correspondence to the Designated Applicant and copies to the representative.

## 2. DESCRIPTION OF WATER RIGHT OFFERED TO THE BANK

Water Right Number 25-14315 ☒ The full water right is being offered to the Bank.

OR

☐ A part of the water right is being offered to the Bank.  
(If a portion of a water right is being offered, complete Attachment 2)

## 3. GENERAL INFORMATION

- A. Please provide a description of the current water diversion system.

Water diversion system in not in existence. Irrigation system was removed once the Quail Ridge Subdivision was developed.

- B. Describe any other water rights used for the same purpose at the same place of use as the water right being offered to the Bank.  
City of Ammon Municipal water rights

- C. Are any of the water rights identified in question 3B stacked with the water right proposed for lease? Yes ☐ No ☒  
Stacked water rights are water rights that are utilized together to achieve a common beneficial use, such as irrigation of the same lands. Stacked water rights cannot be separated and must be jointly leased to the Water Supply Bank. Stacked water rights qualify for the multiple fee payment of \$500.

D. Will the present place of use continue to receive water from any other source?

Yes ☒ No ☐

If yes, describe. The City of Ammon

E. Has any portion of this water right undergone a period of five or more consecutive years of non-use?

Yes ☒ No ☐

If yes, describe and attach Watermaster records or other evidence to demonstrate that the water right has not been lost through abandonment or forfeiture pursuant to Section 42-222(2), Idaho Code. IDWR approval of Application for Extension of Time to Avoid Forfeiture.

F. Is this water right involved in any other IDWR process such as an application for transfer or a mitigation plan? Yes ☐ No ☒

If yes, describe. \_\_\_\_\_

#### 4. MAP

Plat map, survey map, or aerial photograph clearly showing the specific acres proposed to be idled by this lease application.

#### 5. SALE/LEASE AGREEMENT

A. Is the water right, or portion thereof, offered to the Idaho Water Resource Board (IWRB) for sale ☐ or lease ☒?

If lease, specify the years when the use of water will be suspended: 2015 to 2020 (maximum lease period 5 years).  
(Year) (Year)

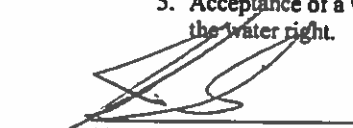
B. Show the minimum payment acceptable to the seller/lessor. The minimum payment may be shown as the "current rental rate" as established by the IWRB. Include the method of determining the minimum payment if other than the current rental rate.

Current rental rate.

I hereby assert that the information contained in this application is true to the best of my knowledge, and that I have the authorities necessary to offer this water right for sale or lease to the Idaho Water Resource Board.

The Designated Applicant acknowledges the following:

1. Payment to the Designated Applicant is contingent upon the sale or rental of the water right from the Bank.
2. While a water right is in the Bank, the seller/lessor of the water right may not use the water right even if the water right is not rented from the Bank.
3. A water right accepted into the Bank stays in the Bank until the Designated Applicant receives written confirmation from the Board or Water Supply Bank that the water right has been released from the Bank.
4. While a water right is in the Bank, forfeiture provisions are stayed.
5. Acceptance of a water right into the Bank does not, in itself, confirm the validity of the water right or any elements of the water right.

  
Signature of Designated Applicant  
AS POA FOR BRIAN HOWEN  
KAREN HODGEN

KRISTOPHER D. MEEK  
Printed Name

9/30/15  
Date

Signature of Authorized Representative

Printed Name

Date

Mail to:  
Idaho Department of Water Resources  
P.O. Box 83720  
Boise, ID 83720-0098

**STATE OF IDAHO  
WATER RESOURCE BOARD**

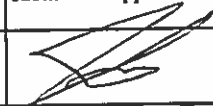
**ATTACHMENT 1A**

**Additional Water Right Holders Party to the Lease Application**

List all individuals or business entities that are owners of the property to which the water right on this application is appurtenant. All water right holders must be signatories to a Water Supply Bank Lease Application however only the Designated Applicant needs to provide a completed IRS Form W-9 (Attachment 1B). All correspondence and any financial payment associated with the rental of this water right will be directed to the Designated Applicant. If additional space is needed to list any other water right holders, attach a second copy of Attachment 1A.

If submitting multiple applications, it is only necessary to complete one Attachment 1A for the group of applications. List each water right below.

Water Right No(s). 25-14315

|                       | Designated Applicant                                                                                 | Applicant #2                                                                        | Applicant #3                                                                  |
|-----------------------|------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------|-------------------------------------------------------------------------------|
| Name                  | Brian Howell                                                                                         | Kalene Howell                                                                       |                                                                               |
| Mailing Address       | 60 Stone Ridge Drive<br>Hurricane, WV 25526                                                          | 60 Stone Ridge Drive<br>Hurricane, WV 25526                                         |                                                                               |
| Phone Number          | (304) 620-2763                                                                                       | (208) 403-3115                                                                      |                                                                               |
| Email Address         | bkhowell7@gmail.com                                                                                  | bkhowellfam@gmail.com                                                               |                                                                               |
| Applicant Declaration | As Designated Applicant, I submit this lease application on behalf of all other water right holders. | I authorize the Designated Applicant to submit this application on my behalf.       | I authorize the Designated Applicant to submit this application on my behalf. |
| Signature             |                   |  |                                                                               |

AS POA FOR  
BRIAN HOWELL

AS POA FOR  
KALENE HOWELL

|                       | Applicant #4                                                                  | Applicant #5                                                                  | Applicant #6                                                                  |
|-----------------------|-------------------------------------------------------------------------------|-------------------------------------------------------------------------------|-------------------------------------------------------------------------------|
| Name                  |                                                                               |                                                                               |                                                                               |
| Mailing Address       |                                                                               |                                                                               |                                                                               |
| Phone Number          |                                                                               |                                                                               |                                                                               |
| Email Address         |                                                                               |                                                                               |                                                                               |
| Applicant Declaration | I authorize the Designated Applicant to submit this application on my behalf. | I authorize the Designated Applicant to submit this application on my behalf. | I authorize the Designated Applicant to submit this application on my behalf. |
| Signature             |                                                                               |                                                                               |                                                                               |

## **DURABLE GENERAL POWER OF ATTORNEY**

I, BRIAN JAMES HOWELL, hereby appoint KRISTOPHER D. MEEK of 3896 Imperial Lane, Idaho Falls, Idaho (208) 520-8106, as my attorney-in-fact and agent to act in my name and for my benefit, according to the terms of this instrument. He is referred to as my "agent" throughout this instrument. He is empowered to act in all matters.

### **1. GENERAL GRANT OF POWERS.**

I authorize my agent to act in my name in connection with all business and financial transactions that involve me or my property. That includes any and all real or personal property that I own at this time, or that I may own in the future. It also includes all business and financial transactions of all kinds, whether they are commercial or personal in nature. My agent shall have all power and authority over my property, business and personal affairs that I myself might exercise. My agent will have the authority to deal with my affairs as completely as I myself might deal with them, and must do so exclusively for my benefit and in my best interest. Any action by my agent which necessitates an out-of-pocket expense shall be at my expense.

This grant of authority is intended to be coextensive with the general authority of agents set forth in the Uniform Power of Attorney Act (the "Act"), Idaho Code Sections 15-12-201(3), and 15-12-204 through 15-12-217; provided, however, that this grant of authority excludes those powers described in Section 15-12-201(1) unless expressly granted herein (other than by reference to the Act).

### **2. EXAMPLES OF POWERS.**

The following is a list of some of the powers that I grant to my agent. By enumerating these particular powers, it is not my intent to limit the general powers that are granted to my agent by Section 1. Rather, these are listed to illustrate the powers that are included in my agent's authority, even though I have not listed all of my agent's powers in this Section.

I grant to my agent the following powers, among others:

A. Real Property, Tangible Personal Property, Stocks and Bonds, Commodities and Options. The power to buy, sell, trade, lease, or encumber as collateral

for a loan any property of mine, including both real and personal property, and both tangible and intangible property. Among other things, that includes real estate, water rights, personal effects, automobiles, securities, bank accounts, certificates of deposit, stocks and bonds, investments, commodities, options, accounts receivable, legal claims against other persons, insurance, retirement plans and accounts, business interests, and all rights and interests that accompany any of them. For the purpose of exercising those powers, and for any other purpose that may be to my benefit, my agent shall also have the power to take possession of and maintain any of my property, at my expense.

B. Banks and Other Financial Institutions. The power: (1) to endorse in my name any and all checks from whatever source, representing amounts of money payable to me for any reason whatsoever; (2) to withdraw funds from my bank accounts, and to sign checks and drafts against such accounts; (3) to authorize other persons to make deposits to or withdrawals from my accounts, for my benefit; (4) to close such accounts; and (5) to transact any other business pertinent to my bank accounts.

C. Operation of an Entity or Business. The power: (1) to conduct the operation of any entity or business in which I have an ownership interest; (2) to exercise any voting rights, management authority, or other control which I may have over any entity or business; and (3) to exercise the powers of an officer, director, manager, member, partner, trustee, or other fiduciary position which I may hold in any entity or business.

D. Insurance and annuities. The power to exercise all rights and privileges which I may have by virtue of any annuity contract or policy of insurance, excluding the power to create or change beneficiary designations.

E. Beneficial Interests in Estates, Trusts and other Funds. The power to exercise all rights and privileges I may have as an heir, devisee, beneficiary, distributee, payee, ward, or other party interested in any trust, estate or other fund.

F. Conduct of Claims and Litigation. The power to commence, carry on, defend, and settle all judicial and non-judicial legal or administrative actions and proceedings which involve my property or my affairs.

G. Personal and Family Maintenance. The power: (1) to make purchases at mercantile establishments and to pay for them with my funds, or to charge them to my credit, thereby making me financially responsible for them; (2) to borrow money in my name, and on my credit, for whatever purpose might be to my benefit, and

to mortgage or pledge any property of mine as collateral for any such loan; (3) to collect any money due to me from any person, and to utilize any lawful means to do so, including legal proceedings; (4) to hire other agents, employees, and independent contractors to perform any services for my benefit as may be necessary to conduct my affairs or to protect me or my property in a wise and prudent manner; (5) to hire medical, legal, and accounting professionals, among others, and the power to compensate any persons hired on my behalf, at my expense; (6) to perform all such acts not only for my own benefit but also for the benefit of any and all persons to whom I owe an obligation of support.

H. Government, Civil Service, or Military Service Benefits and Retirement Plans. The power to exercise all rights which I may hold, including but not limited to elections I may have under the tax laws, options I may hold under retirement plans and accounts, and rights I may have under the Social Security program or under any public entitlement or public assistance program, excluding the power to create or change beneficiary designations.

I. Taxes and Tax Returns. The power: (1) to prepare and file tax returns in my name, whenever required by law; (2) to pay any taxes, penalties or interest which may be lawfully payable to any taxing authority; and (3) to pursue any contest or appeal of any tax which my agent deems to have been unlawfully assessed to me.

J. Estate Planning. The power to transfer any of my assets to any revocable living trust which I may create at any time, or to make gifts to members of my family in amounts that qualify for the annual exclusion from gift and estate taxes, but only to those persons and in those amounts which are consistent with my personal objectives, and only if the making of such gifts does not affect my ability to provide for myself financially. Otherwise, this power of attorney will not authorize my agent: (1) to make any other decisions in regard to my estate planning; (2) to execute a will in my name; (3) to modify the terms of my existing will; (4) to name or change the beneficiaries of any life insurance policy, annuity policy, IRA, retirement plan, trust, pay-on-death account, or any other similar asset; (5) to amend, revoke or terminate a revocable living trust; nor (6) to create or change rights of survivorship.

K. Safe Deposit Boxes. The power to have access to any safe deposit box in my name, to remove items therefrom, and to place items therein.

L. Execution of Documents. The power to execute in my name all written instruments necessary for the accomplishment of any of the powers granted to

my agent by this instrument.

3. REVOCATION OF PRIOR POWERS OF ATTORNEY. I hereby revoke any powers of attorney that I have executed prior to the date of this instrument.

4. DISABILITY OF PRINCIPAL.

In conformity with the provisions of Idaho Code Section 15-12-104, this Power of Attorney shall not be affected by the subsequent disability or incapacity of the principal, BRIAN JAMES HOWELL.

5. DESIGNATION OF CONSERVATOR.

If a conservatorship or other proceeding for the protection of my property or estate is hereafter commenced, I nominate as the conservator of my property or estate the same person who is then serving, or entitled to serve, as my attorney-in-fact and agent pursuant to this Power of Attorney. If more than one person is entitled to serve in that capacity, then I nominate them separately in succession, in the order in which they are listed herein.

DATED this 29<sup>th</sup> day of September, 2015.

  
BRIAN JAMES HOWELL

STATE OF CALIFORNIA )

) ss.

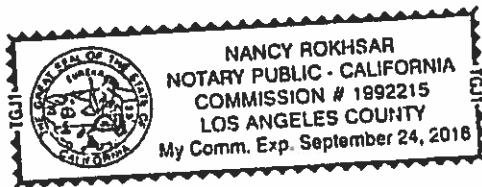
County of Los Angeles )

On this 29<sup>th</sup> day of September, 2015, before me, Nancy Rokhsar,  
a Notary Public in and for said State, personally appeared BRIAN JAMES HOWELL,  
known or identified to me to be the person whose name is subscribed to the within  
instrument and acknowledged to me that he executed the same.

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

S  
E  
A  
L

Notary Public for Los Angeles, California  
Notary Public for:  
Residing at: 423 N. Palm Dr., B.H., CA 90210  
My Commission Expires: 09 - 24 - 2016



## **DURABLE GENERAL POWER OF ATTORNEY**

I, KALENE FIFE HOWELL, hereby appoint KRISTOPHER D. MEEK of 3896 Imperial Lane, Idaho Falls, Idaho (208) 520-8106, as my attorney-in-fact and agent to act in my name and for my benefit, according to the terms of this instrument. He is referred to as my "agent" throughout this instrument. He is empowered to act in all matters.

### **1. GENERAL GRANT OF POWERS.**

I authorize my agent to act in my name in connection with all business and financial transactions that involve me or my property. That includes any and all real or personal property that I own at this time, or that I may own in the future. It also includes all business and financial transactions of all kinds, whether they are commercial or personal in nature. My agent shall have all power and authority over my property, business and personal affairs that I myself might exercise. My agent will have the authority to deal with my affairs as completely as I myself might deal with them, and must do so exclusively for my benefit and in my best interest. Any action by my agent which necessitates an out-of-pocket expense shall be at my expense.

This grant of authority is intended to be coextensive with the general authority of agents set forth in the Uniform Power of Attorney Act (the "Act"), Idaho Code Sections 15-12-201(3), and 15-12-204 through 15-12-217; provided, however, that this grant of authority excludes those powers described in Section 15-12-201(1) unless expressly granted herein (other than by reference to the Act).

### **2. EXAMPLES OF POWERS.**

The following is a list of some of the powers that I grant to my agent. By enumerating these particular powers, it is not my intent to limit the general powers that are granted to my agent by Section 1. Rather, these are listed to illustrate the powers that are included in my agent's authority, even though I have not listed all of my agent's powers in this Section.

I grant to my agent the following powers, among others:

A. Real Property, Tangible Personal Property, Stocks and Bonds, Commodities and Options. The power to buy, sell, trade, lease, or encumber as collateral for a loan any property of mine, including both real and personal property, and

both tangible and intangible property. Among other things, that includes real estate, water rights, personal effects, automobiles, securities, bank accounts, certificates of deposit, stocks and bonds, investments, commodities, options, accounts receivable, legal claims against other persons, insurance, retirement plans and accounts, business interests, and all rights and interests that accompany any of them. For the purpose of exercising those powers, and for any other purpose that may be to my benefit, my agent shall also have the power to take possession of and maintain any of my property, at my expense.

B. Banks and Other Financial Institutions. The power: (1) to endorse in my name any and all checks from whatever source, representing amounts of money payable to me for any reason whatsoever; (2) to withdraw funds from my bank accounts, and to sign checks and drafts against such accounts; (3) to authorize other persons to make deposits to or withdrawals from my accounts, for my benefit; (4) to close such accounts; and (5) to transact any other business pertinent to my bank accounts.

C. Operation of an Entity or Business. The power: (1) to conduct the operation of any entity or business in which I have an ownership interest; (2) to exercise any voting rights, management authority, or other control which I may have over any entity or business; and (3) to exercise the powers of an officer, director, manager, member, partner, trustee, or other fiduciary position which I may hold in any entity or business.

D. Insurance and annuities. The power to exercise all rights and privileges which I may have by virtue of any annuity contract or policy of insurance, excluding the power to create or change beneficiary designations.

E. Beneficial Interests in Estates, Trusts and other Funds. The power to exercise all rights and privileges I may have as an heir, devisee, beneficiary, distributee, payee, ward, or other party interested in any trust, estate or other fund.

F. Conduct of Claims and Litigation. The power to commence, carry on, defend, and settle all judicial and non-judicial legal or administrative actions and proceedings which involve my property or my affairs.

G. Personal and Family Maintenance. The power: (1) to make purchases at mercantile establishments and to pay for them with my funds, or to charge them to my credit, thereby making me financially responsible for them; (2) to borrow money in my name, and on my credit, for whatever purpose might be to my benefit, and to mortgage or pledge any property of mine as collateral for any such loan; (3) to collect any money due to me from any person, and to utilize any lawful means to do so,

including legal proceedings; (4) to hire other agents, employees, and independent contractors to perform any services for my benefit as may be necessary to conduct my affairs or to protect me or my property in a wise and prudent manner; (5) to hire medical, legal, and accounting professionals, among others, and the power to compensate any persons hired on my behalf, at my expense; (6) to perform all such acts not only for my own benefit but also for the benefit of any and all persons to whom I owe an obligation of support.

H. Government, Civil Service, or Military Service Benefits and Retirement Plans. The power to exercise all rights which I may hold, including but not limited to elections I may have under the tax laws, options I may hold under retirement plans and accounts, and rights I may have under the Social Security program or under any public entitlement or public assistance program, excluding the power to create or change beneficiary designations.

I. Taxes and Tax Returns. The power: (1) to prepare and file tax returns in my name, whenever required by law; (2) to pay any taxes, penalties or interest which may be lawfully payable to any taxing authority; and (3) to pursue any contest or appeal of any tax which my agent deems to have been unlawfully assessed to me.

J. Estate Planning. The power to transfer any of my assets to any revocable living trust which I may create at any time, or to make gifts to members of my family in amounts that qualify for the annual exclusion from gift and estate taxes, but only to those persons and in those amounts which are consistent with my personal objectives, and only if the making of such gifts does not affect my ability to provide for myself financially. Otherwise, this power of attorney will not authorize my agent: (1) to make any other decisions in regard to my estate planning; (2) to execute a will in my name; (3) to modify the terms of my existing will; (4) to name or change the beneficiaries of any life insurance policy, annuity policy, IRA, retirement plan, trust, pay-on-death account, or any other similar asset; (5) to amend, revoke or terminate a revocable living trust; nor (6) to create or change rights of survivorship.

K. Safe Deposit Boxes. The power to have access to any safe deposit box in my name, to remove items therefrom, and to place items therein.

L. Execution of Documents. The power to execute in my name all written instruments necessary for the accomplishment of any of the powers granted to my agent by this instrument.

3. REVOCATION OF PRIOR POWERS OF ATTORNEY. I hereby revoke any powers of attorney that I have executed prior to the date of this instrument.

4. DISABILITY OF PRINCIPAL.

In conformity with the provisions of Idaho Code Section 15-12-104, this Power of Attorney shall not be affected by the subsequent disability or incapacity of the principal, KALENE FIFE HOWELL.

5. DESIGNATION OF CONSERVATOR.

If a conservatorship or other proceeding for the protection of my property or estate is hereafter commenced, I nominate as the conservator of my property or estate the same person who is then serving, or entitled to serve, as my attorney-in-fact and agent pursuant to this Power of Attorney. If more than one person is entitled to serve in that capacity, then I nominate them separately in succession, in the order in which they are listed herein.

DATED this 30<sup>th</sup> day of September, 2015.

  
KALENE FIFE HOWELL

STATE OF WEST VIRGINIA)

County of Putnam ) ss.

On this 30 day of September, 2015, before me, Bethany Adkins  
a Notary Public in and for said State, personally appeared KALENE FIFE HOWELL,  
known or identified to me to be the person whose name is subscribed to the within  
instrument and acknowledged to me that he executed the same.

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

S  
E  
A  
L



Bethany Adkins  
Notary Public for: Putnam Co. Library  
Residing at: 4219 St. Rd. 34 Hurricane, WV 25626  
My Commission Expires: June 5, 2018

[Close](#)

# IDAHO DEPARTMENT OF WATER RESOURCES

## Water Right Report

9/30/2015

WATER RIGHT NO. 25-14315

| <u>Owner Type</u> | <u>Name and Address</u> |
|-------------------|-------------------------|
| Current Owner     | BRIAN HOWELL            |
| Current Owner     | KALENE HOWELL           |
|                   | 2342 QUAIL RIDGE DR     |
|                   | AMMON, ID 83401         |
|                   | (208)524-6313           |
| Original Owner    | ZEE M MC DANIEL         |
|                   | 1677 S FOOTHILL RD      |
|                   | IDAHO FALLS, ID 83401   |
|                   | (208)522-9148           |

Priority Date: 08/10/1966

Basis: Decreed

Status: Active

| <u>Source</u> | <u>Tributary</u> |
|---------------|------------------|
| GROUND WATER  |                  |

| <u>Beneficial Use</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> |
|-----------------------|-------------|-----------|-----------------------|---------------|
| IRRIGATION            | 04/01       | 11/01     | 0.02 CFS              | 3.5 AFA       |
| Total Diversion       |             |           | 0.02 CFS              |               |

Location of Point(s) of Diversion:

GROUND WATER|SENE|Sec. 30|Township 02N|Range 39E|BONNEVILLE County

Place(s) of use:

Place of Use Legal Description: IRRIGATION BONNEVILLE County

| <u>Township</u> | <u>Range</u> | <u>Section</u> | <u>Lot</u> | <u>Tract</u> | <u>Acres</u> | <u>Lot</u> | <u>Tract</u> | <u>Acres</u> | <u>Lot</u> | <u>Tract</u> | <u>Acres</u> | <u>Lot</u> | <u>Tract</u> | <u>Acres</u> |
|-----------------|--------------|----------------|------------|--------------|--------------|------------|--------------|--------------|------------|--------------|--------------|------------|--------------|--------------|
| 02N             | 39E          | 30             |            | SWNE         | 1            |            |              |              |            |              |              |            |              |              |

Total Acres: 1

Conditions of Approval:

1. T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

Dates:

Licensed Date:

Decreed Date: 09/30/2005

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector: And

Water District Number:

Generic Max Rate per Acre: 0.02

Generic Max Volume per Acre: 4

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

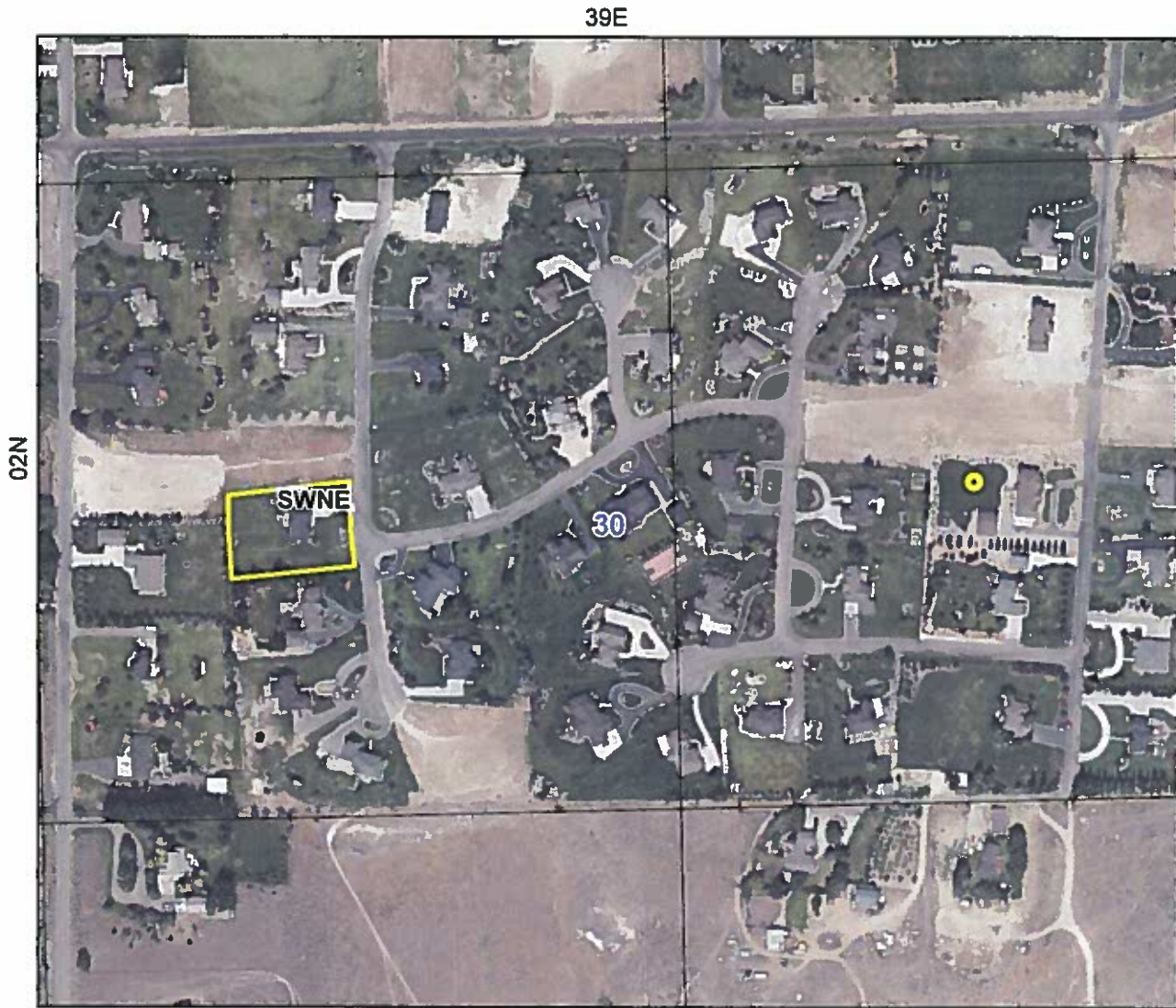
DLE Act Number:

Cary Act Number:

Mitigation Plan: False

Close

State of Idaho  
Department of Water Resources  
**Water Right License**  
25-14315



-  Point of Diversion
-  Place Of Use Boundary
-  Townships
-  PLS Sections
-  Quarter Quarters

0 0.045 0.09 0.18 Miles





State of Idaho

## DEPARTMENT OF WATER RESOURCES

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

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Website: [www.idwr.idaho.gov](http://www.idwr.idaho.gov)

C.L. "BUTCH" OTTER  
Governor

GARY SPACKMAN  
Director

November 18, 2015

BRIAN HOWELL  
60 STONE RIDGE DR  
HURRICANE WV 25526

### RE: WATER SUPPLY BANK LEASE CONTRACT FOR WATER RIGHT 25-14315

Dear Lessor:

Water right 25-14315 was leased into the Water Supply Bank (Bank) as of September 29, 2015, in accordance with the enclosed executed lease contract. **Your water right, as described on the lease contract, is considered leased into the Bank and should remain unused until it is formally released from the Bank.** More information and further restrictions placed on your water right while leased can be found in conditions of acceptance of the lease contract. Read the conditions of acceptance carefully.

The right will automatically be released from the Bank on **December 31, 2019**, unless the right is released earlier by the Water Resource Board (Board). On behalf of the Board, the Department of Water Resources (Department) can evaluate an early release of the lease contract upon your request. To release the water right from the Bank prior to the release date, submit a written request on the *Request to Release a Water Right from the Bank* form. This form is available on our public website at [www.idwr.idaho.gov](http://www.idwr.idaho.gov). **Please note your water right may not be available for immediate release if it has been rented or is being considered for a future rental. Furthermore, it is at the discretion of the Department whether or not a water right can be released early from a lease contract.**

Lastly, our review of your water right file revealed that you were supposed to resume use of your water right by September 30, 2015, in connection with an approved *Extension of Time to Avoid Forfeiture* (extension) application. Leasing your water right, in lieu of resuming use of your water right, extends the protection from forfeiture. However, this approach has not been challenged in court as of the date of this letter and the validity of your water right could come into question since according to Idaho Code §42-222 a resumption appears to be a requirement in the process of filing an extension to avoid forfeiture.

If you have questions regarding this matter, please contact me at 287-4910.

Sincerely,

Clay Webster  
Water Resource Agent  
WSB Process Point of Contact

Enclosure: Executed Lease Contract

c: Kristopher Meek - Attorney  
James Cefalo - IDWR Easter Region



State of Idaho

## DEPARTMENT OF WATER RESOURCES

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

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Website: [www.idwr.idaho.gov](http://www.idwr.idaho.gov)

C.L. "BUTCH" OTTER  
Governor

GARY SPACKMAN  
Director

October 29, 2015

BRIAN HOWELL  
60 STONE RIDGE DR  
HURRICAN WV 25526

**RE: APPLICATION TO LEASE WATER RIGHT 25-14315 TO THE WATER SUPPLY BANK**

**\*\*\*\*TIME SENSITIVE RESPONSE REQUIRED\*\*\*\***

Dear Applicant:

The Department of Water Resources has completed its review of your application to lease the above-mentioned water right(s) to the Water Supply Bank. **I have enclosed two original Water Supply Bank Lease Contracts for your review and signature. Please sign and return ALL Lease Contracts within 14 days.** Upon signature and return of the contracts, the Department will also sign the original contracts and return an executed copy to you. The Lease Contract is not considered final until you and the Department have both signed.

The rights will automatically be released from the Bank on **December 31, 2019**, unless the rights are released earlier by the Board, or upon your request. To release the right from the Bank prior to the release date, submit a written request on the Request to Release a Water Right from the Bank form. To propose a new lease period, submit a new Application to Sell or Lease a Water Right to the Water Supply Bank form along with applicable fees to the Department. These forms are available from any IDWR office or from our public website at <http://www.idwr.idaho.gov>. Please note your rights may not be available for immediate release if they have been rented.

Please review the conditions of acceptance listed on the Lease Contract, including #3 which says:

"While a right is in the bank, **the lessor may not use the right** without approval of the department even if the right is not rented from the bank. Any violation of the terms of this lease may result in enforcement procedures pursuant to Idaho Code § 42-351 for illegal diversion and use of water and may include civil penalties pursuant to Idaho Code § 42-1701B."

If you have questions regarding this matter, please contact me at 287-4910.

Sincerely,

 Clay Webster  
Water Resource Agent  
WSB Process Point of Contact

Enclosure: Proposed Lease Contracts  
Receipt # E041505

c. Kristopher Meek - Attorney

**WATER SUPPLY BANK**
**Agent Lease Review Checklist**
**Applicant(s) Name:** Brian Howell

**Memo Date:** 10/28/2015

**Water Right Number(s):** 25-14315

**Reviewers Name** Clay Webster

**Quick Tools**

| Decreed Year | Forfeiture Tolloed Thru |
|--------------|-------------------------|
| 2009         | 2015                    |
| 2010         | 2016                    |
| 2011         | 2017                    |
| 2012         | 2018                    |
| 2013         | 2019                    |

|                                                                                                                                                                         | Check box | COMMENTS/CONCERNS:                    |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|---------------------------------------|
| 1 Fill out WSB Data Entry Checklist for Leases                                                                                                                          | x         |                                       |
| 2 Reason for lease of water rights (Brief discription of lease proposal in narrative)                                                                                   |           | Forfeiture Protection                 |
| Portion of right                                                                                                                                                        |           |                                       |
| All of right                                                                                                                                                            | x         |                                       |
| Rentable? If No explain in comments                                                                                                                                     | x         | City of Ammon use for irrigation      |
| 3 Check GWMA/CGWA/ADC and basin 63 areas of concern (note area in comments)                                                                                             | x         | within ESPA Grid Shape                |
| 4 Authority to file                                                                                                                                                     | Yes No    |                                       |
| Current owner or designated applicant                                                                                                                                   | X         |                                       |
| SOS Web site checked for business entity                                                                                                                                |           | x                                     |
| Other (explain in comments)                                                                                                                                             |           | x                                     |
| 5 Water Right validity                                                                                                                                                  |           |                                       |
| Decreed/Licensed/Statutory claim date (write in comments section)                                                                                                       |           | 9/30/2005                             |
| Past irrigation to ensure forfeiture is not an issue if decreed or licensed over 7 years ago (consider transfers that changed the POU etc)                              |           | Extension of Time to avoid forfeiture |
| Has this right been leased to the bank?                                                                                                                                 | x         |                                       |
| 6 Injury to other water rights                                                                                                                                          |           |                                       |
| If the POD is through a delivery entity, was consent provided?                                                                                                          | x         | NA                                    |
| If the POD is through a delivery entity, was holdback required? (percentage in comments)                                                                                | x         | %                                     |
| 7 Enlargement concerns                                                                                                                                                  | Check box |                                       |
| Complete a POU comparison overlap analysis                                                                                                                              | x         |                                       |
| Complete a combined limits review                                                                                                                                       |           | NA                                    |
| Are there overlapping rights that need to be placed in the bank also?                                                                                                   | Yes No    |                                       |
| Will the place of use continue to receive water?                                                                                                                        | x         | City of Ammon                         |
| 8 Have you contacted regional office and watermaster for comment/concerns?                                                                                              |           |                                       |
| Send the watermaster/regional comment request form.                                                                                                                     | x         |                                       |
| 9 Is water right involved in any other department action? Pull file and check database ( ) Ownership Change ( ) Transfer ( ) Mitigation ( ) Other - Explain in comments |           | x                                     |
| 10 Narrative                                                                                                                                                            |           |                                       |

The place of use is serviced by the municipal rights of the City of Ammon and the Progressive Irrigation District. The application states that the POU will continue to be irrigated from the City of Ammon. By looking at aerial photography, it appears that approximately 1/2 acre is being irrigated at this location.

This right falls outside of the ESPA Common GW area, but within the Model Grid boundary shape.

This right was decreed in 2005. The applicant filed an extension of time to avoid forfeiture in 2010. The evaluation of this extension found that the last beneficial use was 9/30/2005. Resumption of use was due on September 30, 2015. This application was received on September 29, 2015. Forfeiture is not an issue. However, the applicant will need to resume use immediately upon release from the bank to avoid forfeiture.

| Process     | Basin Sequence | Draft | Owner                                         | Source       | POD/ POU | SWNE | Total Acres |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|-------------|----------------|-------|-----------------------------------------------|--------------|----------|------|-------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Water Right | 25-14255       | N     | DAW, ADELE S;<br>DAW, TERRELL B               | GROUND WATER | POU      | 1.2  | 1.2         | RPO4750001003O                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| Water Right | 25-14257       | N     | SCHAAT,<br>BETTY M;<br>SCHAAT,                | GROUND WATER | POU      | 1.2  | 1.2         | RPO4750001002O                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| Water Right | 25-14259       | N     | HAMILTON,<br>DARRYL;<br>HAMILTON,             | GROUND WATER | POU      | 1.2  | 1.4         | RPO4750001001O                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| Water Right | 25-14260       | N     | WELLS, EDWIN G;<br>WELLS,<br>JENNIFER B       | GROUND WATER | POU      | 1.4  | 1.4         | RPO4750001005O                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| Water Right | 25-14265       | N     | MERLIN HOLDINGS LLC                           | GROUND WATER | POU      | 1.3  | 1.3         | RPO4750001004O                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| Water Right | 25-14299       | N     | MC DANIEL,<br>WENDY M                         | GROUND WATER | POU      | 1.5  | 1.5         | RPO4750001006O                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| Water Right | 25-14303       | N     | NELSON,<br>JANALEE;<br>NELSON,<br>WILLIAM KIP | GROUND WATER | POU      | 0.9  | 0.9         | RPB4753005008O                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| Water Right | 25-14308       | N     | PYPER, DARLA J;<br>PYPER, LON                 | GROUND WATER | POU      | 1.0  | 1           | RPB4753005011O                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| Water Right | 25-14309       | N     | WARD,<br>DELORA;                              | GROUND WATER | POU      | 1.0  | 1           | RPB4753005016O                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| Water Right | 25-14310       | N     | SUMMIT TRUSTEES                               | GROUND WATER | POU      | 0.9  | 0.9         | RPB4753005013A                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| Water Right | 25-14312       | N     | SPEIRS, ERIKA;<br>SPEIRS,<br>SHAWN D          | GROUND WATER | POU      | 1.1  | 1.1         | RPB4753005017O                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| Water Right | 25-14314       | N     | ELLIOT, DAVID S;<br>ELLIOT,<br>JANICE         | GROUND WATER | POU      | 0.8  | 1           | RPB4753002016O                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| Water Right | 25-14315       | N     | HOWELL,<br>BRIAN;<br>HOWELL,                  | GROUND WATER | POU      | 1.0  | 1           | RPB4753005005O                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| Water Right | 25-14317       | N     | RIDDLE,<br>CATHERINE;<br>RIDDLE, GLEN         | GROUND WATER | POU      | 0.7  | 1           | RPB4753005018O                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| Water Right | 25-14319       | N     | MARLOWE,<br>MARK;<br>MARLOWE,<br>MICHELLE     | GROUND WATER | POU      | 0.1  | 1           | RPB4753005014O                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| Water Right | 25-14330       | N     | MC DANIEL,<br>ZEE M                           | GROUND WATER | POU      | 5.7  | 30.4        | Covers several lots not including the one for this right RPB4751002005O, RPO4751002002O, RPB4751002001O, RPB4753002011O, RPB4753002017O, RPB4753002018O, RPB4753005003O, RPB4753005004O, RPB4753005001O, RPO4750001007O, RPB4753005007O, RPB4755008004O, RPB4755008005O, RPB4755008006O, RPB4755008007O, RPB4752004006O, RPB4752004003O, RPB4752004002O, RP02N39E206419, RPB4752004004O, RPB4755010001O, RPB4755010002O, RPB4757010014O, RPB4757010013O, RPB4755010004O, RPB4755010005O, RPB4757010012O, RPB4757010010O, RPB4757010009O, RPB4757010008O, RPB4757010007O, RPB4757007013O, RPO4471002009C |

## Webster, Clay

---

**From:** Cefalo, James  
**Sent:** Friday, October 23, 2015 11:31 AM  
**To:** Webster, Clay  
**Cc:** Palmer, Cherie  
**Subject:** Quail Ridge WSB Leases

Clay,

I know you have a pile of these on your desk, so I'll go ahead and address them all in one email. I don't have any concerns or comments on any of the WSB lease applications filed by the Quail Ridge subdivision owners (Basin 25). They made it in the door prior to the resumption date, so I don't think forfeiture is an issue.

James Cefalo  
Water Resources Program Manager  
IDWR Eastern Region  
(208) 525-7161