

MEMORANDUM

DATE: October 27, 2011

TO: Transfer 66569 (5147) File

FROM: Jeff Cooper

RE: Request for Consent from Lien Holder

The lien holder and security interest for the water rights proposed to be changed in this transfer is Wells Fargo Bank. The initial individual that was contacted was Dan Gammon of the Wells Fargo Office in Burley, whom the applicant and I contacted in August, 2011. After not receiving any information from him, I made an effort to contact him only to find that he was no longer employed by that office. I then contacted his supervisor, Jerry Olson of the Twin Falls office, to let him know of the pending application and seek his comments on the proposed changes. It should be noted that the applicant has made considerable effort, including phone calls and visits to the Wells Fargo office in an attempt to obtain some form of consent and that I have also made a consistent effort in the form of e-mails and regular phone calls and have offered to answer any questions and/or assist their legal team in evaluating the proposed changes. From these communications, I have neither received any indication that they consent or do not approve of the proposed changes and have provided them with any information they have requested. It should also be noted that the proposed changes in this transfer do not diminish the rights from how they are decreed; are not changing the nature of use; and are only moving to adjacent grounds primarily owned by the applicant. The changes outlined in the transfer are to align the water rights as they are currently being used on the property, which is outside of its original place of use. The changes will help avoid problems with forfeiture and also a notice of violation.