

**BROCKWAY**  
ENGINEERING  
P.L.L.C.

Hydraulics

Hydrology

Water Resources

October 15, 2010

Monica Van Bussum  
Idaho Department of Water Resources  
322 E. Front St.  
P.O. Box 83720  
Boise, ID 83720

WA  
**RECEIVED**

**OCT 18 2010**

**DEPARTMENT OF  
WATER RESOURCES**

Re: Amended Water Supply Bank Applications for Jentzsch-Kearl Farms

Dear Monica,

Brockway Engineering, on behalf of Jentzsch-Kearl Farms, submitted applications to lease portions of several water rights to the Idaho Water Supply Bank in December of 2008 and in August of 2010. Response letters from the Idaho Water Supply Bank were received stating water right applications dealing with water rights 36-7216, 36-8595, 36-13065A, 36-15170A, 36-16553 and 37-793 could not be accepted by the WSB due to "stacking" of these water rights with other water rights or for other reasons. Portions of additional stacked water rights or alternative water rights were identified through conversations with you and Pam Skaggs; those portions of those rights as well as amended portions of the water rights listed above are included in this amended WSB submittal package.

Attached are twelve (12) water supply bank applications for property owned and or leased by Jentzsch-Kearl Farms. All applications seek to place excess irrigation water into the water supply bank for 5 years starting on October 15<sup>th</sup> 2010.

The water supply bank application for water right 37-793 was returned to the water right owner, Black Canyon Bliss. The return of this water right application to the applicant by IDWR was an error as agreed upon in a recent conversation with you. Because Brockway Engineering submitted the original application and that application was returned to the owner of the water right, the application for 37-793 is being re-submitted by our office.

WSB applications for water rights 36-196, 36-15536 and 36-16555 have been included; applications for these three water rights were not submitted earlier this year. A WSB application for 36-15536 identifying 11.6 acres for lease was submitted to your office in 2008. The attached lease application for water right 36-15536 is intended to supersede the 2008 application.

CHARLES E.  
BROCKWAY,  
PH.D., P.E.

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BROCKWAY,  
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Also included are applications for water rights 36-8624 (stacked with 36-16553), 36-2635 and 36-11328 (stacked with 36-7216), 36-2453A (stacked with 36-13065A), and 36-8205 (replaces previous 2010 WSB application submittal for permit 36-8595). We ask to withdraw the application submitted in 2010 for water right 36-16554 as the 17 acres associated with the water right have been enrolled in the CREP program and are not eligible to be leased to the WSB. Jentzsch-Kearl Farms expects to remove the leased water from the Idaho Water Supply Bank when lands become available for irrigation and or when the water can be transferred to the new location for permanent irrigation use.

Please contact me directly with any additional concerns you may have regarding any of the attached Jentzsch-Kearl water supply bank application. Thank you for your time and if you have questions or comments, please don't hesitate to call.

Regards,



Zach Latham, M.S., Hydrologist

Enc: (12) Water Supply Bank Lease Applications

Cc: Bryan Jentzsch- Jentzsch Kearl Farms

cc: Bryan Jentzsch- Jentzsch Kearl Farms expects to remove the

cc: Bryan Jentzsch- Jentzsch Kearl Farms expects to remove the

LIMITED POWER OF ATTORNEY

KNOWN ALL MEN BY THESE PRESENT:

We, Rodney A. and Shirley S. Jentzsch and Joseph and Melynda Kearn, hereby nominate and appoint Brockway Engineering PLLC (Zach Latham) as our attorney-in-fact with full authority to act for and on our behalf to undertake any and all acts or matters pertaining to water right transfers and claims before the Idaho Department of Water Resources for the following water right transactions:

All portions of all water rights transactions pertaining to property owned by Rodney A. and/or Shirley S. Jentzsch and/or Joseph and/or Melynda Kearn and/or Jentzsch-Kearn Farms.

in Minidoka, Blaine Counties, Idaho. Additionally, we hereby ratify and confirm any and all such acts on matters as contemplated herein.

Our agent is hereby authorized to sign, seal and deliver, as our act in deed, those said instruments of writing that may be necessary or proper to carry into execution and effect the applications, and transfers above-mentioned. Further, we hereby declare that each and every application, transfer, agreement, receipt, or payment which shall be by our said agent given, made or done for the afore said purposes shall be as good, valid, and effectual as if they had been signed, sealed, and delivered by us in our own proper person; and we hereby undertake at all times to ratify whatsoever our said agent shall lawfully do or cause to be done in or concerning the said premises by virtue of these present. This Limited Power of Attorney will become void upon approval, denial or withdrawal of the above referenced applications.

Dated this 12<sup>th</sup> day of October 2010.

Rodney A. Jentzsch

Shirley S. Jentzsch Signature

Joseph Kearn Signature

Melynda Kearn Signature

Melynda Kearn Signature

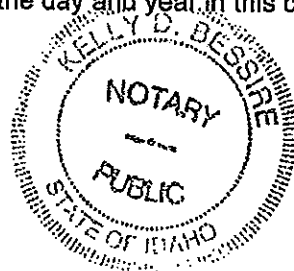
State of Idaho

County of Minidoka ) ss.

On this 12 Day of October, 2010, before me, a Notary Public in and for said County and State, personally appeared Rodney Jentzsch, Shirley Jentzsch, Joe Kearn, Melynda Kearn known or identified to me to be the individual whose name and subscription 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



Kelly D. Bessire  
Notary Public  
In and for said State and County

11-07-14  
My Commission Expires