

Marshall, Aaron

To: Terry Scanlan

Subject: RE: Joy Lynn - Water Bank Lease 63-11995, 63-11996, and 63-12450

Terry,
I think you are correct that condition no. 11 of the lease acceptance does not apply. I will reissue the lease acceptance documents without that condition and send copies to you along with a cover letter explaining the reason for not including that condition. Thanks

Aaron Marshall
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-----Original Message-----

From: Terry Scanlan [mailto:TScanlan@spfwater.com]

Sent: Thursday, January 03, 2008 3:37 PM

To: Marshall, Aaron

Subject: Joy Lynn - Water Bank Lease 63-11995, 63-11996, and 63-12450

Aaron –

Thanks for the copy of the lease agreements for Joy Lynn. I noticed that condition No. 11 of each says "This right may only be rented for use as a supplemental right in conjunction with a primary surface water right." I don't think the condition applies. There was a beneficial use claim (63-28380) from Willow Creek for these lands, but I believe that it was withdrawn in 1999. Therefore, these water rights have been developed as primary water rights for the appurtenant lands.

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