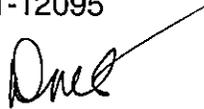


Memorandum

To: Water Right 61-12095

From: Danni Smith



Date: November 15, 2010

Subject: Telephone Conversations with Cleveland Corder (LLC)

At 8:00 am Shelley Keen asked me to contact Cleveland Corder LLC to inquire about his intent to participate in this matter. Cleveland Corder LLC is an original applicant, and the file contains no assignment of his interest in the application.

Called Cleveland Corder LLC at 830-8037 and left message to contact me regarding this matter. Shortly thereafter Mr. Corder returned my call. I explained Elk Creek had filed an Assignment to Nevid and Roxanne Brown from SPF Water Engineering had confirmed he was no longer involved in this matter and data entry reflect he was deleted from the application and had not been served documents and process regarding the protests filed against the application. He stated he was still interested because he was "owed a lot of money for his work in the development of the property". I told him I would review with Shelley Keen and call him back promptly. He offered his cell phone number of 860-2559.

After reviewing the file with Shelley documents were copied (these are listed in the letter prepared later in the day). I called Mr. Corder again telling him I would e-mail documents shortly, but IDWR would also prepare a letter then serve him with a hard copy sent certified mail just to inform owners and protestants that he was served and contacted by the department. He gave me his new address to send the documents. He also mentioned he would be contacting his attorney and would call me later. He stated "he had no problem with water being developed on the property, just wanted to protect his interest. He had been patient for two (2) years but wants the co-applicant to be aware he was still owed money".

About 9:30 he called and had talked with his attorney who would be unable to attend the status conference on Wednesday at IDWR as he was having eye surgery. He had not taken all of the documents e-mailed to him and was going to get them and meet with his attorney later in the day.

Mr. Corder called me again about noon stating he would be attending the status conference on Wednesday and knew where IDWR was located, he had been here several times. I then asked if he would share his attorney's information with the department. His attorney is Tony Bohner at 376-5595 and he would share my name and phone number with Mr. Bohner incase he had other questions. He stated Mr.

Bohner would be contacting Nevid's attorney and see if the conference could be postponed.

Early afternoon Mr. Bohner called and stated he had talked to Mr. Erickson, attorney for Nevid, and was told the conference was to be postponed by a Norm and it was too late to Motion the hearing office to postpone the conference. I then spoke with Shelley Keen, Debbie Gibson, and Denise Buffington to find anything requesting a postponement from Norm Semanko or any other party. No one had anything pending in this matter. I called Mr. Bohner and told him the conference was still scheduled for Wednesday at 9:30 am.

By 3:00 pm a letter to serve to all participants was prepared and e-mailed to all participants and Mr. Corder. Mr. Corder was headed back to talk to Mr. Bohner and would take the letter. I e-mailed the letter to all participants, then scanned and profiled to the water right file along with the "Corder attachments".

On Tuesday, November 16, 2010 I mailed the letter with a certificate of Service to all participants. I also sent Mr. Corder the letter and all attachments certified mail to 622 Zone Lane, Garden City ID 83714.