

**Petruzzelli, Kenneth@Waterboards**

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**From:** Petruzzelli, Kenneth@Waterboards  
**Sent:** Tuesday, November 15, 2016 9:48 AM  
**To:** Barbara Brenner  
**Cc:** Kerry Fuller  
**Subject:** RE: Douglas and Heide Cole, Marble Mountain Ranch  
**Attachments:** ATP Business Request Form.pdf; ATP Individual Request Form.pdf

Barbara –

Please see the attached ability to pay forms. I attached two forms – one for businesses and one for individuals. I included both, because one may work better than the other depending on how the Coles operate, manage, and structure their business. We use the same forms for Regional Board enforcement. You may recognize them. In addition to providing information requested in the forms, the Coles may provide supporting documentation such as papers, books, records, or other documents.

As for my questions -

1. Please provide corporate formation documents for Marble Mountain Ranch, Inc.
2. Please provide all title documents for the Marble Mountain Ranch property.
3. Please provide the most recent Statement of Information filed with the California Secretary of State.
4. How did the diesel generator operating hours this year compare to operating hours in previous years? If the Coles have kept records of diesel generator operation, please provide them back to January 1, 1995.
5. How much did the diesel generator operation cost each month this summer? How did those expenses compare to earlier summers? If the Coles have kept records of operating costs for the diesel generator, please provide them. Again, if they have records back to 1995, please provide them back to January 1, 1995.
6. How many non-fire crew guests have the Coles had each month since January 1, 1995? If they have records, please provide them.
7. How many fire crew guests have the Coles had each month since January 1, 1995? If they have records, please provide them.
8. Have the Coles had any project proposals or estimates for installing a diversion control structure? What have those proposals and estimates been? Please provide any written proposals or estimates.
9. Have the Coles had any project proposals or estimates for piping the diversion ditch? What have those proposals and estimates been? Please provide any written proposals or estimates.
10. Have the Coles had any project proposals or estimates for monitoring their diversion? What have those proposals and estimates been? Please provide any written proposals or estimates.
11. Have the Coles had any project proposals or estimates for monitoring bypass flows? What have those proposals and estimates been? Please provide any written proposals or estimates.

12. What are the Coles' electricity demands? Do they measure or keep records? If they have kept records, please provide the records. If the Coles still have records back to January 1, 1995, please provide them.
13. Have the Coles had any project proposals or estimates for alternative electricity production? What have those proposals and estimates been? Please provide any written proposals or estimates.
14. Have the Coles had any project proposals or estimates for eliminating the discharges to Irving Creek? What have those proposals and estimates been? Please provide any written proposals or estimates.
15. Please provide any written plans, proposals, or project estimates for any alternative or alternatives to the project proposed on March 24, 2016.
16. Please provide any alternative or alternatives to the project proposed on March 24, 2016 will eliminate and prevent the misuse of water, protect public trust resources, and prevent the discharge of pollutants and provide equal or greater protection. This will be important for the meeting. Staff will need to be able to evaluate whether the Coles' "alternative" will adequately address the issues with their diversion and use of water.
17. How many days of maintenance has the diversion ditch required since January 1, 1995? Do the Coles have records? If they do, please provide them.
18. How many times has the diversion ditch failed in January 1, 1995? When did those failures occur? What was the cause of each failure? What was the result of each failure? What was the time and cost to repair each failure?
19. Please provide invoices for the cost of repairing the water tanks after January 1, 2015.
20. Please provide invoices for the cost of purchasing new water tanks after January 1, 2015.
21. Please provide any and all contracts for hosting fire crews since January 1, 1995.
22. Please provide any copies of applications for grants or other funding the Coles made since January 1, 1995 for improving energy, water, or similar infrastructure or for mitigating or remediating the impacts of their diversion and use of water.
23. Please provide any copies of grants or other funding the Coles have received since January 1, 1995 for improving energy, water, or similar infrastructure or for mitigating or remediating the impacts of their diversion and use of water.
24. Please provide any records of diversion measurements the Coles have made since March 20, 2010.

Ken Petruzzelli, Attorney III  
State Water Resources Control Board  
Office of Enforcement  
801 K Street, 23rd Floor  
Sacramento, CA 95814  
tel: (916) 319-8577  
fax: (916) 341-5896  
[kenneth.petruzzelli@waterboards.ca.gov](mailto:kenneth.petruzzelli@waterboards.ca.gov)

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**From:** Barbara Brenner [<mailto:Barbara@churchwellwhite.com>]  
**Sent:** Monday, November 14, 2016 3:12 PM  
**To:** Petruzzelli, Kenneth@Waterboards

**Cc:** Kerry Fuller  
**Subject:** RE: Douglas and Heide Cole, Marble Mountain Ranch

Ken-

Please send the ability to pay form and your list of questions. That will help us prepare for the meeting and we can provide an update on our other current efforts as well.

Thanks for your assistance.

Barbara

**Churchwell White** .LP

**Barbara A. Brenner** | Partner  
916.468.0625 | [barbara@churchwellwhite.com](mailto:barbara@churchwellwhite.com)

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**From:** Petruzzelli, Kenneth@Waterboards [<mailto:Kenneth.Petruzzelli@Waterboards.ca.gov>]  
**Sent:** Monday, November 14, 2016 3:02 PM  
**To:** Barbara Brenner <[Barbara@churchwellwhite.com](mailto:Barbara@churchwellwhite.com)>  
**Cc:** Kerry Fuller <[kerry@churchwellwhite.com](mailto:kerry@churchwellwhite.com)>  
**Subject:** RE: Douglas and Heide Cole, Marble Mountain Ranch

Barbara,

I have us for 9-11 am. I didn't want to schedule it any later, since you said you had a "hard stop" at 11:30.

Also, if the Coles are raising an issue of their ability to pay for corrective actions I can send an ability to pay claim form. In addition, I have about two dozen questions. Most involve the Cole's "alternatives" to the previous proposal, any estimates he's had for alternative energy use, number of guests, cost and hours of generator operation, etc. I can send you the list. Regardless, I wanted to meet and confer first and the information will be helpful for the meeting if you have it available by then.

Ken Petruzzelli, Attorney III  
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[kenneth.petruzzelli@waterboards.ca.gov](mailto:kenneth.petruzzelli@waterboards.ca.gov)

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**From:** Barbara Brenner [<mailto:Barbara@churchwellwhite.com>]  
**Sent:** Friday, November 11, 2016 1:42 PM  
**To:** Petruzzelli, Kenneth@Waterboards  
**Cc:** Kerry Fuller  
**Subject:** Re: Douglas and Heide Cole, Marble Mountain Ranch

For what time?

Barbara A. Brenner  
Churchwell White

On Fri, Nov 11, 2016 at 1:28 PM -0800, "Petruzzelli, Kenneth@Waterboards"  
<[Kenneth.Petruzzelli@Waterboards.ca.gov](mailto:Kenneth.Petruzzelli@Waterboards.ca.gov)> wrote:

Yes, it is

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From: Barbara Brenner [Barbara@churchwellwhite.com]  
Sent: Friday, November 11, 2016 10:51 AM  
To: Petruzzelli, Kenneth@Waterboards  
Cc: Kerry Fuller  
Subject: Re: Douglas and Heide Cole, Marble Mountain Ranch

Ken-  
Please let me know if this meeting is confirmed.  
Thanks

Barbara A. Brenner | Partner  
T 916.468.0625 | [barbara@churchwellwhite.com](mailto:barbara@churchwellwhite.com)<<mailto:barbara@churchwellwhite.com>>

Churchwell White LLP  
1414 K Street, 3rd Floor, Sacramento, CA 95814  
M 916.995.7314 | F 916.468.0951  
[churchwellwhite.com](http://churchwellwhite.com)<<http://churchwellwhite.com>>

On Nov 4, 2016, at 8:22 AM, Petruzzelli, Kenneth@Waterboards  
<[Kenneth.Petruzzelli@Waterboards.ca.gov](mailto:Kenneth.Petruzzelli@Waterboards.ca.gov)<<mailto:Kenneth.Petruzzelli@Waterboards.ca.gov>>> wrote:

Thank you Barbara. I will confirm.

Ken Petruzzelli, Attorney III  
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Sacramento, CA 95814  
tel: (916) 319-8577  
fax: (916) 341-5896  
[kenneth.petruzzelli@waterboards.ca.gov](mailto:kenneth.petruzzelli@waterboards.ca.gov)<<mailto:kenneth.petruzzelli@waterboards.ca.gov>>

From: Barbara Brenner [<mailto:Barbara@churchwellwhite.com>]  
Sent: Thursday, November 03, 2016 5:03 PM  
To: Petruzzelli, Kenneth@Waterboards  
Cc: Kerry Fuller  
Subject: RE: Douglas and Heide Cole, Marble Mountain Ranch

Hi Ken-

Friday the 16th in the morning works on our end. I have a hard stop of 11:30 that day for a court appearance that afternoon.

This will include Doug Cole and a new consultant.

Thanks-  
Barbara

<image001.png><<file:///E:/updated-sigs/churchwellwhite.com>>  
Barbara A. Brenner | Partner

916.468.0625 | [barbara@churchwellwhite.com](mailto:barbara@churchwellwhite.com)<<mailto:barbara@churchwellwhite.com>>

From: Petruzzelli, Kenneth@Waterboards [<mailto:Kenneth.Petruzzelli@Waterboards.ca.gov>]  
 Sent: Monday, October 31, 2016 4:27 PM  
 To: Barbara Brenner <[Barbara@churchwellwhite.com](mailto:Barbara@churchwellwhite.com)<<mailto:Barbara@churchwellwhite.com>>>  
 Cc: Kerry Fuller <[kerry@churchwellwhite.com](mailto:kerry@churchwellwhite.com)<<mailto:kerry@churchwellwhite.com>>>  
 Subject: RE: Douglas and Heide Cole, Marble Mountain Ranch

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Barbara – November 10 will not work. I have some additional dates going into December that will work for everyone from the Water Boards who must attend –

December

- Thurs 12/1 – 10:00 to noon
- Mon 12/12 – 11:00 to noon or 1:00 to 4:00
- Tue 12/13 – 1:00 -3:00
- Fri 12/16 – All day is open
- Mon 12/19 – 1:00 to 5:00
- Thurs 12/22 – 9:00 to noon and 3:00 to 5:00

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From: Barbara Brenner [<mailto:Barbara@churchwellwhite.com>]  
 Sent: Friday, October 28, 2016 3:49 PM  
 To: Petruzzelli, Kenneth@Waterboards  
 Cc: Kerry Fuller  
 Subject: Re: Douglas and Heide Cole, Marble Mountain Ranch

Ken-

My preference is that my client, Doug Cole attend the meeting in person. The only date and time he can come to Sacramento if on 11/10 for a meeting at 2:00 or 3:00 pm. Please confirm 11/10 will work and what time is preferred.

Thanks-  
 Barbara

Barbara A. Brenner  
 Churchwell White

From: Ken Petruzzelli <[Kenneth.Petruzzelli@Waterboards.ca.gov](mailto:Kenneth.Petruzzelli@Waterboards.ca.gov)<<mailto:Kenneth.Petruzzelli@Waterboards.ca.gov>>>  
 Date: Friday, October 28, 2016 at 9:20 AM  
 To: Barbara Brenner <[Barbara@churchwellwhite.com](mailto:Barbara@churchwellwhite.com)<<mailto:Barbara@churchwellwhite.com>>>

Subject: RE: Douglas and Heide Cole, Marble Mountain Ranch

Barbara,

I apologize for taking so long with prospective meeting dates. I am still trying to tie down potential dates for our person from the Regional Board. So far, however, this is what I have:

- Fr 11/4 – 1:00 to 5:00
- M 11/7 – 11:00 to noon and 1:00 to 4:00
- Tu 11/8 – All Day
- W 11/9 – 9:00 to noon and 1:00 to 4:00
- Th 11/10 – 9:00 to noon and 2:00 to 5:00

We can meet at the new OE office at 801 K Street.

Ken Petruzzelli, Attorney III  
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[kenneth.petruzzelli@waterboards.ca.gov](mailto:kenneth.petruzzelli@waterboards.ca.gov)<<mailto:kenneth.petruzzelli@waterboards.ca.gov>>

From: Barbara Brenner [<mailto:Barbara@churchwellwhite.com>]  
 Sent: Monday, October 24, 2016 10:06 AM  
 To: Petruzzelli, Kenneth@Waterboards  
 Cc: Murano, Taro@Waterboards; O'Hagan, John@Waterboards; Mrowka, Kathy@Waterboards; Anderson, Skyler@Waterboards; Feiler, Stormer@Waterboards; Henriouille, Diana@Waterboards; Lee, Shin-Roei@Waterboards; Kerry Fuller  
 Subject: RE: Douglas and Heide Cole, Marble Mountain Ranch

Hi Ken-

Thank you for the update. It is disappointing to hear that staff is now recommending the Board issue an order against the Coles. As you know, they have been doing what they can to address the various stake holder concerns with their limited resources.

It has been several weeks since the meeting request. Can you please provide some possible meeting dates and times at your earliest convenience .

Regards-  
 Barbara

<image002.png><<file:///E:/updated-sigs/churchwellwhite.com>>  
 Barbara A. Brenner | Partner  
 916.468.0625 | [barbara@churchwellwhite.com](mailto:barbara@churchwellwhite.com)<<mailto:barbara@churchwellwhite.com>>

From: Petruzzelli, Kenneth@Waterboards [<mailto:Kenneth.Petruzzelli@Waterboards.ca.gov>]  
 Sent: Tuesday, October 18, 2016 4:14 PM  
 To: Barbara Brenner <[Barbara@churchwellwhite.com](mailto:Barbara@churchwellwhite.com)<<mailto:Barbara@churchwellwhite.com>>>  
 Cc: Murano, Taro@Waterboards <[taro.murano@waterboards.ca.gov](mailto:taro.murano@waterboards.ca.gov)<<mailto:taro.murano@waterboards.ca.gov>>>; O'Hagan, John@Waterboards <[John.O'Hagan@waterboards.ca.gov](mailto:John.O'Hagan@waterboards.ca.gov)<<mailto:John.O'Hagan@waterboards.ca.gov>>>; Mrowka, Kathy@Waterboards <[Kathy.Mrowka@waterboards.ca.gov](mailto:Kathy.Mrowka@waterboards.ca.gov)<<mailto:Kathy.Mrowka@waterboards.ca.gov>>>; Anderson, Skyler@Waterboards <[Skyler.Anderson@waterboards.ca.gov](mailto:Skyler.Anderson@waterboards.ca.gov)<<mailto:Skyler.Anderson@waterboards.ca.gov>>>; Feiler, Stormer@Waterboards <[Stormer.Feiler@waterboards.ca.gov](mailto:Stormer.Feiler@waterboards.ca.gov)<<mailto:Stormer.Feiler@waterboards.ca.gov>>>; Henriouille, Diana@Waterboards <[Diana.Henriouille@waterboards.ca.gov](mailto:Diana.Henriouille@waterboards.ca.gov)<<mailto:Diana.Henriouille@waterboards.ca.gov>>>; Lee, Shin-Roei@Waterboards <[Shin-Roei.Lee@waterboards.ca.gov](mailto:Shin-Roei.Lee@waterboards.ca.gov)<<mailto:Shin-Roei.Lee@waterboards.ca.gov>>>

Subject: RE: Douglas and Heide Cole, Marble Mountain Ranch

Barbara –

I am working on setting up a meeting and getting available dates from people. This meeting would only involve Region 1 and the Division of Water Rights. The Region and the Division both want to see the violations identified in their respective reports corrected. For them to agree to any sort of settlement or “long-term solution” there would have to be some sort of time schedule for implementing corrective actions and there would need to be penalties for failing to meet that time schedule.

The NOV is for the Regional Board CAO. We have requested a hearing at the State Board for the water right violations. We have submitted a draft order. The State Board would have to adopt it for it to become a final order.

Ken Petruzzelli, Attorney III  
 State Water Resources Control Board  
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[kenneth.petruzzelli@waterboards.ca.gov](mailto:kenneth.petruzzelli@waterboards.ca.gov)<<mailto:kenneth.petruzzelli@waterboards.ca.gov>>

From: Barbara Brenner [<mailto:Barbara@churchwellwhite.com>]  
 Sent: Tuesday, October 18, 2016 3:39 PM  
 To: Petruzzelli, Kenneth@Waterboards  
 Subject: FW: Douglas and Heide Cole, Marble Mountain Ranch

Ken-

I am confused by this correspondence. Is there an effort to meet on both the Regional Board CAO and State Water Board draft CAO?

Thank you for any information you can provide.

Barbara

<image002.png><<file:///E:\updated-sigs\churchwellwhite.com>>  
 Barbara A. Brenner | Partner  
 916.468.0625 | [barbara@churchwellwhite.com](mailto:barbara@churchwellwhite.com)<<mailto:barbara@churchwellwhite.com>>

From: Franceschi, Elena@Waterboards [<mailto:Elena.Franceschi@waterboards.ca.gov>]  
 Sent: Tuesday, October 18, 2016 9:26 AM  
 To: Barbara Brenner <[Barbara@churchwellwhite.com](mailto:Barbara@churchwellwhite.com)<<mailto:Barbara@churchwellwhite.com>>>; k@omrl.org<<mailto:k@omrl.org>>; [bjennings@calsport.org](mailto:bjennings@calsport.org)<<mailto:bjennings@calsport.org>>; [gary.curtis@wildlife.ca.gov](mailto:gary.curtis@wildlife.ca.gov)<<mailto:gary.curtis@wildlife.ca.gov>>; Cobb, Donna@Wildlife <[Donna.Cobb@wildlife.ca.gov](mailto:Donna.Cobb@wildlife.ca.gov)<<mailto:Donna.Cobb@wildlife.ca.gov>>>; Scruggs, Janae@Wildlife <[Janae.Scruggs@wildlife.ca.gov](mailto:Janae.Scruggs@wildlife.ca.gov)<<mailto:Janae.Scruggs@wildlife.ca.gov>>>; [margaret.tauzer@noaa.gov](mailto:margaret.tauzer@noaa.gov)<<mailto:margaret.tauzer@noaa.gov>>; [bob.pagliuoco@noaa.gov](mailto:bob.pagliuoco@noaa.gov)<<mailto:bob.pagliuoco@noaa.gov>>; External, CTucker@DOT <[ctucker@karuk.us](mailto:ctucker@karuk.us)<<mailto:ctucker@karuk.us>>>; will@mkwc.org<<mailto:will@mkwc.org>>; [leyr@fs.fed.us](mailto:leyr@fs.fed.us)<<mailto:leyr@fs.fed.us>>; [joey@cascadestreamsolutions.com](mailto:joey@cascadestreamsolutions.com)<<mailto:joey@cascadestreamsolutions.com>>  
 Cc: Henriouille, Diana@Waterboards <[Diana.Henriouille@waterboards.ca.gov](mailto:Diana.Henriouille@waterboards.ca.gov)<<mailto:Diana.Henriouille@waterboards.ca.gov>>>; Feiler, Stormer@Waterboards <[Stormer.Feiler@waterboards.ca.gov](mailto:Stormer.Feiler@waterboards.ca.gov)<<mailto:Stormer.Feiler@waterboards.ca.gov>>>; Murano, Taro@Waterboards <[taro.murano@waterboards.ca.gov](mailto:taro.murano@waterboards.ca.gov)<<mailto:taro.murano@waterboards.ca.gov>>>; Petruzzelli, Kenneth@Waterboards <[Kenneth.Petruzzelli@Waterboards.ca.gov](mailto:Kenneth.Petruzzelli@Waterboards.ca.gov)<<mailto:Kenneth.Petruzzelli@Waterboards.ca.gov>>>  
 Subject: Douglas and Heide Cole, Marble Mountain Ranch

You have been designated to receive an electronic copy of the attached document.

Please direct any questions or comments to Stormer Feiler at (707) 543-7128 or [Stormer.Feiler@waterboards.ca.gov](mailto:Stormer.Feiler@waterboards.ca.gov)<<mailto:Stormer.Feiler@waterboards.ca.gov>>.

Thank you,

Elena Franceschi





**BUSINESS ORGANIZATION  
ABILITY TO PAY CLAIM**  
Financial Data Request Form

This form requests information regarding your financial status. The data will be used to evaluate your ability to pay for environmental clean-up or penalties. If there is not enough space for your answers, please use additional sheets of paper. Note that we may request further documentation of any of your responses. We welcome any other information you wish to provide supporting your case, particularly, if you feel your situation is not adequately described through the information requested here. If a particular question does not apply to your business, please indicate that it does not apply and give the reason. **Failure to answer all the questions clearly and completely may result in denial of your claim of inability to pay.**

**Certification**

Under penalties of perjury, I declare that this financial statement submitted by me as a responsible officer of the organization is a true, correct, and complete statement of all organization income and assets, real and personal, whether held in the company name or otherwise to the best of my knowledge and belief. I further understand that I will be subject to prosecution by the United States Government to the fullest extent possible under the law should I provide any information that is not true, correct, and complete to the best of my knowledge.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Name (printed or typed)

\_\_\_\_\_  
Corporate Position

1. Business Name: \_\_\_\_\_

2. For Profit \_\_\_ Not for Profit \_\_\_

3. Business Address: \_\_\_\_\_

Street

\_\_\_\_\_

City

State

Zip

**NOTE: Attach Schedule of all Business Addresses**

4. Foreign \_\_\_\_\_ Domestic \_\_\_\_\_

5. Legal Form of Business Organization during the last 5 years

\_\_\_ Corporation

\_\_\_ Subchapter S Corporation

\_\_\_ Partnership

\_\_\_ Proprietorship

\_\_\_ Trust

\_\_\_ Other: \_\_\_\_\_

6. State of Incorporation \_\_\_\_\_ Date of Incorporation \_\_\_\_\_

7. Name of Registered Agent: \_\_\_\_\_

8. Address of Registered Agent: \_\_\_\_\_

Street

\_\_\_\_\_

City

State

Zip

\_\_\_\_\_

Phone

Name and address of principal stockholders and number of shares owned by each. (If more than 8 shareholders, list only those with 5 percent or more stock ownership). If your business is a partnership, list all partners and ownership percentage.

Total outstanding shares: \_\_\_\_\_

Name	Address	Shares
1.		
2.		
3.		
4.		
5.		
6.		
7.		
8.		

9.A. Name and address of current, (and for previous 5 years), officers and number of shares held by each. For partnerships, list all partners for last 5 years.

Name	Address	Shares	Term

9.B. Name and address of current, (and for previous five years), members of board of directors and number of shares held by each.

Name	Address	Shares	Term

10. Has this organization ever issued a prospectus for the sale of stock? Yes \_\_\_\_ No \_\_\_\_  
 If yes, list date, number and type of shares for each prospectus during the last five years.

Date	Number of Shares	Type of Shares

11.A. Registration on international, national or local stock exchange(s). Give details, including date of registration and/or de-listing.

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_

11.B. Total authorized shares for each type issued and present market value per share on each type of stock (or book value if not actively traded)

Types of Shares	Total Shares	Book Value	Market Value
1.			
2.			
3.			
4.			

C. Total outstanding shares of each type of stock currently being held as Treasury Stock.

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D. Total outstanding shares of each type of stock.

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E. Amount of bonded debt and principle bondholders.

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12. List states and municipalities to which taxes have been paid and/or are being paid. Describe nature and amount of such taxes, state most recent year of payments thereof and whether tax payments are current.

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13. Has this organization filed United States income tax returns during the last five years?  
Yes \_\_\_\_\_ No \_\_\_\_\_

To what I.R.S. Office(s)

What Years?

Are Federal Taxes current? Yes \_\_\_\_\_ No \_\_\_\_\_

Provide **SIGNED** Federal income tax returns and **ALL** associated schedules for the last five years.

14. Name and address of:

A. Organization=s Independent Certified Public Accountants

B. Organization=s Attorney(s) presently and during the past five years.

15. Has this organization filed Financial Forms with any organization or government entity?  
List name of organization or entity, date and type of Financial Form.

16. Does this organization have a Profit and Loss Statement and Balance Sheet for the most recent calendar or fiscal year and for specified past years? Past five years:

Submit one copy of each. (Audited documents are preferred.)

A. Assets

		<u>2015</u>	<u>2014</u>	<u>2013</u>	<u>2012</u>	<u>2011</u>
<u>Cash</u>	\$					
<u>Securities</u>	\$					
<u>Facilities</u>	\$					
<u>Depreciation</u>	\$					
<u>Equipment</u>	\$					
<u>Depreciation</u>	\$					
<u>Inventory</u>	\$					
<u>Accounts Receivable</u>	\$					
<u>Other</u>	\$					
<u>TOTAL ASSETS</u>	\$					

B. Liabilities and Stockholder's Equity

		<u>2015</u>	<u>2014</u>	<u>2013</u>	<u>2012</u>	<u>2011</u>
Loans Principle	\$					
Monthly Payment	\$					
Mortgages Principle	\$					
Monthly Payment	\$					
Accounts Payable	\$					
Deferred Taxes	\$					
Insurance Premiums	\$					
Other	\$					

C. Stockholder's Equity

		<u>2015</u>	<u>2014</u>	<u>2013</u>	<u>2012</u>	<u>2011</u>
Common Stock	\$					
Paid-in Capital	\$					
Retained Earnings	\$					

		<u>2015</u>	<u>2014</u>	<u>2013</u>	<u>2012</u>	<u>2011</u>
TOTAL LIABILITIES & EQUITY	\$					

17. Loans Payable:

A.

Owed to:	Purpose:
Term:	Interest Rate:
Collateral:	Cosigner:
Monthly Payments:	
Original Amount:	Date:
Present Balance	

B.

Owed to:	Purpose:
Term:	Interest Rate:
Collateral:	Cosigner:
Monthly Payments:	
Original Amount:	Date:
Present Balance	



C.

Owed to:	Purpose:
Term:	Interest Rate:
Collateral:	Cosigner:
Monthly Payments:	
Original Amount:	Date:
Present Balance	

D.

Owed to:	Purpose:
Term:	Interest Rate:
Collateral:	Cosigner:
Monthly Payments:	
Original Amount:	Date:
Present Balance	

18. Mortgages Payable:

A.

Owed To:	Address of Property:
Term:	Interest Rate:
Collateral:	Cosigner:
Monthly Payments:	
Original Amount:	Date:
Present Balance:	

B.

Owed To:	Address of Property:
Term:	Interest Rate:
Collateral:	Cosigner:
Monthly Payments:	
Original Amount:	Date:
Present Balance:	

C.

Owed To:	Address of Property:
Term:	Interest Rate:
Collateral:	Cosigner:
Monthly Payments:	
Original Amount:	Date:
Present Balance:	

D.

Owed To:	Address of Property:
Term:	Interest Rate:
Collateral:	Cosigner:
Monthly Payments:	
Original Amount:	Date:
Present Balance:	

19. Income/Expenses:

Gross Income		2015	2014	2013	2012	2011
Net Sales	\$					
Interest Income	\$					
Dividends	\$					
Other	\$					
<b>Operating Expenses</b>						
Wages	\$					
Overhead	\$					
Lease Payments	\$					
Interest Expense	\$					
Cost of Sales	\$					
Net Income	\$					

20. In addition, provide the following firm size information:

Number of Employees					
Size of Warehouse(s)					
Volume Shipped					
Other					

21. Does this organization maintain bank accounts? Give names and addresses of banks, savings and loan associations, and other such entities, within the United States or elsewhere.

A. Checking

Name of Bank	Address of Bank	Account #	Balance

B. Savings/Certificate of Deposit

Name of Bank	Address of Bank	Account #	Balance

C. Other Accounts

Name of Institution	Address of Institution	Account #	Balance

D. Savings & Loan Associations or other such entities

Name of Institution	Address of Institution	Account #	Balance

E. Trust Account(s)

Name of Institution	Address of Institution	Account #	Balance

F. Other Account(s)

Name of Institution	Address of Institution	Account #	Balance

22. List all commercial paper, negotiable or non-negotiable, in which the organization has any interest whatsoever, presently in transit or in the possession of any banking institution. Describe such paper and the organization's interest therein, and state its present location. List all loans receivable in excess of \$10,000.00 and specify if due from an officer, stockholder, or director.

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23. Has this organization engaged in any Joint Loan Agreements, including Letters of Credits, with any other organization(s)? If yes, describe all such agreements.

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24. Does this organization have any debt coinsured by another organization? If yes, describe such arrangements.

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25. List all equity participation in other organizations, both domestic and foreign, in which this organization has an interest, including the type, amount and terms of such interest.

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26. List all debt participation in other organizations, both domestic and foreign, in which this organization has an interest, including the type, amount and terms of such interest.

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27. Is this organization presently:

A. Active

(Answer No for inactive, but still in existence) Yes \_\_\_\_\_ No \_\_\_\_\_

B. Void and/or terminated by State authority. Yes \_\_\_\_\_ No \_\_\_\_\_

C. Otherwise dissolved Yes \_\_\_\_\_ No \_\_\_\_\_

1. Date \_\_\_\_\_

2. By Whom \_\_\_\_\_

3. Reason \_\_\_\_\_

28. A. List corporate salaries, bonuses to and/or drawings of the following personnel for the last five taxable years:

Position	Name	2015	2014	2013	2012	2011
President						
Vice President						
Chairman						
Secretary						
Treasurer						

B. List the five most highly compensated employees or officers other than the above, describe position and list annual salary and/or bonus for the last five taxable years:

Name	Position/Title	2015	2014	2013	2012	2011

C. Describe the nature of the compensation paid to the persons listed in (A) and (B) above and set forth any stock options, pensions, profit sharing, royalties, or other deferred compensation rights of said persons.

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29. List the organizations commercial activity, (fields of activity resulting in income), and SIC Code.

	<u>Commercial Activity</u>	<u>SIC Code</u>
Primary	_____	_____
Other 1.	_____	_____
Other 2.	_____	_____
Other 3.	_____	_____

30. List all other supplementary fields of activity in which this organization is engaged, either directly, through it affiliates, stating the name(s) and states(s) of incorporation of such subsidiaries or affiliates:

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31. Has this organization at any time been the subject of any proceeding under the provisions of any State Insolvency Law, or the federal Bankruptcy Act, as amended? If so, supply the following information as to each such proceeding:

A. Date (Commencement) \_\_\_\_\_

B. Date (Termination) \_\_\_\_\_

C. Discharge or other disposition, if any, and operative effect thereof:

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D. State Court \_\_\_\_\_ Docket No. \_\_\_\_\_  
County

E. Federal Court \_\_\_\_\_ Docket No. \_\_\_\_\_  
County

32. A. List all real estate, and personal property of an estimated value in excess of \$ 10,000 owned or under contract to be purchased by this organization with names and addresses of seller and contract price and where located:

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33. List and describe all judgments, recorded and unrecorded, this organization is a party of:

A. Against the organization

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B. In favor of the organization

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34. List and describe all other encumbrances (including but not limited to security interest, whether perfected or not) against any such personal property owned by the organization as is listed in 30 (A) above.

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35. List all life insurance, now in force on any or all officers, directors, and/or Akey@ employees, setting forth face amounts, names of life insurance companies and policy numbers where this organization has an Ainsurable interest@ and/or paying the premium or part of same. Where applicable, indicate under which policy(s) this organization is beneficiary, type of policy(s) this organization is a beneficiary, yearly premium, and location of policy(s). In addition, state the cash value if any and the conditions of any borrowing options available under each policy.

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36. For the following types of policies, list all primary and excess insurance policies, the deductible amount, per occurrence and aggregate coverage limit for each policy.

A. Comprehensive General Liability

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B. Environmental Impairment Liability

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C. Other policies for which coverage might apply including participation in risk retention pools.

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37. List all transfers of assets (real) and/or (personal) (over \$10,000.00) made by this organization, OTHER THAN IN THE ORDINARY COURSE OF BUSINESS, during the last three calendar years and state to whom transfer was made. Describe compensation paid by recipient and to whom.

Date	Value	Property Transferred	To Whom	Compensation Paid

38. Is this business organization a party in any law suit now pending?

Yes (Give details below) \_\_\_\_\_ No \_\_\_\_\_

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39. List names and addresses of any persons or other business entity, holding funds in escrow or in trust for this organization, or any of its subsidiaries or affiliates.

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40. Other information requested:

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**INDIVIDUAL ABILITY TO PAY CLAIM**  
Financial Data Request Form

This form requests information regarding your financial status. The data will be used to evaluate your ability to pay for environmental clean-up or penalties. If there is not enough space for your answers, please use additional sheets of paper. Note that we may request further documentation of any of your responses. We welcome any other information you wish to provide supporting your case, particularly, if you feel your situation is not adequately described through the information requested here. **Failure to answer all the questions clearly and completely may result in denial of your claim of inability to pay.**

**Certification**

Under penalties of perjury, I declare that this statement of assets, liabilities, and other information is true, correct, and complete to the best of my knowledge and belief. I further understand that I will be subject to prosecution by the United States Government to the fullest extent possible under the law should I provide any information that is not true, correct, and complete to the best of my knowledge.

**Signature**

**Date**

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**Name:**

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**Spouse's Name:**

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**Address:**

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**County of Residence:**

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**PART I. BACKGROUND INFORMATION**

1. **MEMBERS OF HOUSEHOLD** (List the head of the household and all persons living with you)

Name	Age	Relationship to Head of Household	Currently Employed?
1.			
2.			
3.			
4.			
5.			
6.			
7.			

2. **Employment** (List all jobs held by persons in the household)

Name	Employer	Length of Employment	Annual Salary
1.			
2.			
3.			
4.			
5.			
6.			
7.			

2a. If you have other employment, state the name and address of your employer, the position held by you, the date(s) you began this employment, period of payment and salary.

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2b. Are you self-employed or do you own all or any part of a business as sole owner, partner, or stockholder?

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2c. If your answer to the previous question is in the affirmative, state the name and address of the business, the type of business conducted, the form of business organization, (e.g. corporation, partnership, sole proprietorship), the date you acquired your interest in the business, the nature of your ownership interest, the present value of your interest, how and when you draw from it, your office or position in the business, the name and address of each officer, director, or partner of the business, and the name and address of each location at which the business is conducted.

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2d. Were any articles of incorporation, partnership or certificates of doing business under a fictitious name filed with any governmental agency by the enterprises mentioned in the preceding question?

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2e. If so, for each such filing, state: (i) the nature of the document filed, (ii) the location where filed; and (iii) the date of filing.

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3. **INCOME** (List all income earned by persons in the household. If members of the household other than the applicant and spouse earn income, please itemize on a separate page.

Source	Gross (Pre-Tax)		Period of Payment (Check One)			
	Applicant	Spouse	Weekly	Monthly	Quarterly	Yearly
Wages/Salaries						
Sales Commissions						
Investment Income (interest, dividends, capital gains, etc.)						
Net business Income						
Rental income						
Retirement income (Pension, Social Security, etc.)						
Child Support						
Alimony						
Other income. (please itemize)						

3a. If your spouse or any dependent claimed by you is self-employed or owns all or any part of a business, state the name and address of the business, the nature of his or her ownership interest therein, and the amount of the income derived there from.

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3b. Give an accurate account of the financial condition of this business for the last three years, including a statement of assets, inventories, liabilities, gross and net income, and the amount of any undistributed profits in the business.

(PLEASE ATTACH)

3c. State the source and amount of any income received by (1) you, (2) your spouse, and (3) your dependents, other than that stated above.

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## PART II. CURRENT LIVING EXPENSES

In the table below, please list personal living expenses which were typical during the last year and indicate if any of these values is likely to change significantly in the current year. Please do not include business expenses. If you are the owner of an operating business, please attach any available financial statements.

Provide the Current Living Expenses in the timeframe most convenient to you. Thus, you may use Amount per week, or Amount per month, or Amount per quarter, or Amount per year.

Expense	Amount per week	Amount per month	Amount per quarter	Amount per year	For Agency Use ONLY
A. Living Expense					
1. Rent or Mortgage Payment					
2. Home Maintenance					
3. Auto fuel maintenance / other transportation					
4. Utilities					
a. Fuel (gas, oil, propane)					
b. Electric					
c. Water/sewer					
d. Telephone					
5. Food					
6. Clothing, personal care					
7. Medical costs					
B. Debt Payments					
1. Car payments					
2. Credit card payments					
3. Other loan payments					
4. Other loan payments					
C. Insurance					
1. Household Insurance					
2. Life Insurance					
3. Automobile Insurance					
4. Medical Insurance					
D. Taxes					
1. Property Taxes					
2. Federal income taxes					
3. State income taxes					

Expense	Amount per week	Amount per month	Amount per quarter	Amount per year	For Agency Use ONLY
4. FICA					
E. Other Expenses					
1. Childcare					
2. Current School tuition					
3. Legal or Prof Services					
4. Other (itemize on separate sheet)					
<b>Total Current Expenses</b>					

### PART III. NET WORTH

Please provide the following information to the best of your ability. Data should be as current as possible. Estimates are acceptable; please note all estimates with an "estimated."

If you are the sole proprietor of a business, please list business assets and liabilities in addition to personal assets and liabilities. Please list the business assets and liabilities on a separate form.

#### 1. BANK ACCOUNTS (Checking, NOW, Savings, Money Market, CDs etc.)

Describe and state ownership and value of any account or shares held by (1) you, (2) your spouse, (3) your dependents, or (4) anyone on your behalf in any bank, building and loan association, saving institution, cooperative, or credit union.

Name and Address of Bank or Institution	Type of Account	Current Balance
1.		
2.		
3.		
4.		
5.		
6.		
For Agency Use only- Total Current Balance in Bank Accounts		

**2. INVESTMENTS (Stock, Bonds, Mutual Funds, Options, Futures, Real Estate Investment trusts, etc.)**

Name and Address of Bank or Institution	Number of Shares or Units	Current Market Value
1.		
2.		
3.		
4.		
5.		
6.		
For Agency Use Only- Total Estimated Market Value of Investments		

**3. RETIREMENT FUNDS AND ACCOUNTS (IRA, 401K, Keogh, vested interest in company retirement.)**

Description of Account	Estimated Market Value
1.	
2.	
3.	
4.	

**4. LIFE INSURANCE POLICIES (Whole Life, Universal Life, etc.)**

State the names and address of all insurers with whom you have policies of life or accident insurance; give the date, face value, and cash surrender value of each policy, and specify which policies are payable to your estate.

Policy Holder	Issuing Company	Policy Value	Cash Value
1.			
2.			
3.			
4.			
5.			
For Agency Use Only- Total Value of Life Insurance Policies			

**5. VEHICLES**

## 5a. VEHICLES USED FOR COMMUTING PURPOSES ONLY

Brand and Model	Year	Estimated Market Value
1.		
2.		
3.		
For Agency Use Only- Total Estimated Market Value of Vehicles		

## 5b. OTHER VEHICLES (Cars, Trucks, Motorcycles, Motor Homes, Travel Trailers, Boats, Airplanes, etc.)

Brand and Model	Year	Estimated Market Value
1.		
2.		
3.		
For Agency Use Only- Total Estimated Market Value of Vehicles		

**6. Personal Property**

Describe the Household Goods and Furniture, Jewelry, Art, Antiques, Collections, Precious Metals, etc. valued at \$1000 or more per item or \$5000 or more in the aggregate owned by (1) you, (2) your spouse, or (3) your dependents.

Type of Property	Estimated Market Value
1.	
2.	
3.	
4.	
5.	
6.	
For Agency Use Only - Total Estimated Market Value of Personal Property	

**7. REAL ESTATE**

## 7a. PRIMARY RESIDENCE (Home - List only one such residence)

Location	Legal Description of Property	Estimated Market Value

7b. OTHER REAL ESTATE ( Land, Buildings, Land with Buildings, Mineral Rights)

Location	Legal Description of Property	Estimated Market Value
1.		
2.		
3.		
For Agency Use Only- Total Estimated Market Value of Real Estate		

**8. OTHER ASSETS**

8a. Have you made or do you hold or own, or have a lien upon, any claim by suit or otherwise against the United States or any other party?

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8b. Vested or contingent future interests

i. Do you have any vested or contingent future interest in any property, or to the payment of any money, for any reason whatsoever?

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ii. If so, state the nature and source of such interest, the location of the property, the identity and address of any person or institution that may be involved, the circumstances that will cause the property or money to inure to your benefit, and the probable value or amount thereof.

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8c. Property held in trust

i. Is any money or property held in trust for (1) you, (2) your spouse, or (3) your dependents?

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- ii. If so, state the name and address of the trustee or other fiduciary, identify the trust, state what monies or property are held in trust, the value thereof, and the date upon which the trust is to terminate.

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- 8d. If any monies or property are held in trust for (1) you, (2) your spouse, or (3) your dependents, state the amount of income which is or may be received therefrom, the timing of such payments, give the value of the corpus of trust which may be distributed to (1) you, (2) your spouse, or (3) your dependents, and the expected date of distribution.

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- 8e. What other sources of income or property, actual or potential do (1) you, (2) your spouse, or (3) your dependents have which you have not disclosed in answer to previous questions and what is the value thereof?

Type of Asset	Estimated Market Value
1.	
2.	
3.	
4.	
5.	
For Agency Use Only- Total Other Assets	

**9. CREDIT CARDS AND LINES OF CREDIT**

Credit Card/Line of Credit (Type)	Owed To	Balance Due
1.		
2.		
3.		
4.		
5.		
6.		
For Agency Use Only - Total Balance Due on Credit cards and Lines of Credit		

**10. VEHICLE LOANS (Cars, Trucks, Motorcycles, Motor Homes, Travel Trailers, Airplanes, etc)**

Vehicle (Model and Year)	Owed To	Balance Due	Start Date	End Date
1.				
2.				
3.				
4.				
For Agency Use Only - Total Balance Due on Vehicle Loans				

**11. FURNITURE AND HOUSEHOLD GOODS LOANS:**

Type of Loan	Owed To	Balance Due	Start Date	End Date
1.				
2.				
3.				
4.				
For Agency Use Only- Total Balance Due- Furniture & HHG Loans				

**12. MORTGAGES AND REAL ESTATE LOANS:**

Type of Loan	Owed To	Property Secured Against	Balance Due	Start Date	End Date
1.					
2.					
3.					
4.					
For Agency Use Only- Total Balance Due- Mortgages and Real Estate loans					

**13. OTHER DEBT (Amounts due to individuals, Fixed Obligations, Taxes Owed, Overdue Alimony Child Support, etc.**

13a. Are any suits or judgments pending against you?

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13b. If so, state the full details, including the dates and amounts of recent payments thereon made for you and whether your salary has been garnished and by whom.

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Type of Debt	Owed To	Balance Due	Start Date	End Date
1.				
2.				
3.				
4.				
5.				
For Agency use only- Total Balance Due on Other Debt				

#### PART IV. ADDITIONAL INFORMATION

Please respond to the following questions. For any question that you answer "Yes" please provide additional information on separate pages or at the bottom of this page.

QUESTION	YES	NO
1. Do you have any reason to believe that your financial situation will change during the next year?		
2. Are you currently selling or purchasing any real estate?		
3. Is anyone (or any entity) holding any real or personal property on your behalf, (trust)?		
4. Are you the party in any pending lawsuit?		
5. Have any of your belongings been repossessed in the last three years?		
6. Are you a Trustee, Executor, or Administrator?		
7. Are you a participant or beneficiary of an estate or profit sharing plan?		
8. Have you declared bankruptcy in the last seven years?		
9. Do you receive any type of federal aid or public assistance?		