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September 16, 2010

Via e-mail

Monica Van Bussum
Idaho Department of Water Resources
322 East Front Street
P.O. Box 83720
Boise, ID 83720-0098

Re: Double C/Lambert Produce Water Bank Applications

Dear Monica

This letter follows our meeting on September 9, 2010, where we discussed the pending water bank applications filed by Double C Farms and Lambert Produce. In our discussion we agreed the applicant needed to add an additional 29.7 acres to its lease/rental applications for the years 2005 to 2008. We also agreed the applicant needed to submit a lease application for 2009 and both rental and lease applications for 2010. Accordingly, by this letter, and under a power of attorney I hold from Lambert Produce and Double C, please recognize an amendment to the 2005 applications to include an additional 29.7 acres leased to and rented from the bank. You may use any of the three water rights identified in the subsequent year's applications to find these 29.7 acres. Also, please recognize this letter as a request to extend the lease application filed in 2007 through the end of 2010 (it currently has a December 31, 2008 termination date). Finally, I enclose a rental application for 2010, the substance of which is identical to the prior rental applications. If you need anything further to finalize the processing of the bank applications, please let me know.

On a separate but related note, please let me know anything you find out about the status of the adjudication review for claims 45-13973 and 13974.

Thank you,



John M. Marshall

Enclosure

01/03

Before the Idaho Water Resource Board

**APPLICATION TO RENT WATER
FROM THE WATER SUPPLY BANK**

Applicant Lambert Produce Co., Inc. / Double C Farms Phone 208-678-2668

Address 203 E 1100 S

City Burley State Idaho Zip Code 83318

A. DESCRIPTION OF WATER SOUGHT TO RENT

1. Source of water Groundwater
tributary to NA
2. Maximum volume of water 2748 AF.
3. Maximum rate of diversion 8.89 cfs cfs.

B. DESCRIPTION OF USE PROPOSED

1. Nature of intended use Irrigation
2. Location of point of diversion See attached $\frac{1}{4}$ $\frac{1}{4}$, Section ,
Township , Range , B.M. County.
3. Season of use: From 03/15 to 11/15
4. Description of diverting works: System of 16 interconnected wells
Pump HP Lift Pump type .
Canal name, if appropriate NA.
5. Place of use:
 - a. If water is for irrigation, describe the number of acres to be irrigated by
40-acre tract, section, township and range.

See attached

- b. If water is not for irrigation, describe the nature of the intended use and the place of use.

6. Describe any other water rights used for the same purposes as rental water sought under this application.

None.

7. Who owns the property at the point of diversion?

Applicant

8. Who own the property at the point of use?

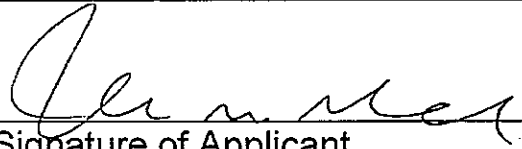
Applicant

9. Are you seeking a rental for more than one (1) year? No (yes or no)

If yes, for how many years? _____

10. Remarks: *See attached.*

9/16/2010
Date


Signature of Applicant

FOR DEPARTMENT USE ONLY

Received by _____ Date _____ Time _____

Published in _____ Pub. Dates _____

Protests filed by _____

Hearing held by _____

Action recommended _____

Attachment to Water Bank Application

List of Points of Diversion:

¼	¼	¼	Sec.	Twp.	Rge.	County	Local Name for diversion
SW	SW	NE	22	12S	23E	Cassia	Well # 1
SE	NW	SE	26	12S	23E	Cassia	Feedlot Well
SE	SW	SW	15	12S	23E	Cassia	Willow Creek Well
NW	NW	SW	21	12S	23E	Cassia	Well 13
SW	SW	NW	20	12S	23E	Cassia	Anderson # 1
SW	NW	NW	20	12S	23E	Cassia	Anderson # 2
SW	SW	SW	17	12S	23E	Cassia	Anderson # 3
SW	SE	NW	20	12S	23E	Cassia	Mathews Pond Well
NE	NE	NW	20	12S	23E	Cassia	Matthews Well
SW	SW	NE	25	12S	22E	Cassia	Olive Tree Well
NE	NE	NE	31	12S	23E	Cassia	Shenks Well
SW	SW	SW	26	12S	22E	Cassia	West Well
SW	SW	NW	35	12S	22E	Cassia	Far West Well
NW	SE	SW	4	13S	23E	Cassia	Goat Ranch
SE	SE	SW	8	13S	23E	Cassia	Big Well (Ehlquist)
SE	SE	SW	8	13S	23E	Cassia	Small Well (Ehlquist)

Place of Use:

TOWNSHIP	RANGE	SEC	QQ	ACRES	TOWNSHIP	RANGE	SEC	QQ	ACRES
12S	23E	14	SWNW	1.4	12S	23E	31	NESE	34.3
12S	23E	15	NENE	0.2	12S	23E	31	SESE	2.8
12S	23E	15	SENE	32.7	12S	23E	32	NENE	26.7
12S	23E	15	SENE	4.2	12S	23E	32	NWNE	29.3
12S	23E	15	SWSE	2.1	12S	23E	32	SENE	29.6
12S	23E	15	NESW	21.9	12S	23E	32	SWNE	32.6
12S	23E	15	SESW	37.2	12S	23E	32	NENW	30.1
12S	23E	16	SWNE	4.2	12S	23E	32	NWNW	29.0
12S	23E	16	NWSE	14.9	12S	23E	32	SENE	30.7
12S	23E	16	SWSE	18.7	12S	23E	32	SWNW	30.0
12S	23E	22	NENW	0.2	13S	23E	4	NWSW	25.6
12S	23E	22	SWNW	4.5	13S	23E	4	SWSW	27.6
12S	23E	28	NESE	1.2	13S	23E	5	SENE	0.3
12S	23E	28	NWSE	1.1	13S	23E	5	NESE	37.4
12S	23E	28	NESW	0.7	13S	23E	5	NWSE	4.9

12S	23E	28	NWSW	0.8	13S	23E	5	SESE	38.1
12S	23E	31	NENE	28.5	13S	23E	5	SWSE	5.2
12S	23E	31	NWNE	27.5	13S	23E	8	NENE	1.5
12S	23E	31	SENE	37.5	13S	23E	9	NWNW	0.3
12S	23E	31	SWNE	31.4					

Total Acres: 686.9

Remarks:

The intent of this Application to Rent is to provide coverage for 687 acres irrigated by the Applicant that are not currently included under the place of use of any water right. This Application to Rent Water is filed in conjunction with three Applications to Lease Water filed by the Applicant and Chris Drakos that seek to lease water right 45-2520 and a portion of water rights 45-2382 and 45-2254A to the Water Supply Bank. This series of applications is intended to provide water right coverage for the farm in the interim period while beneficial use claims are adjudicated and a transfer application is processed.