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FROM: Jim Stanton

DATE: 12-23-09

TO: Aaron Marshall

SUBJECT: Applications To Put Water Rights Into The Water Bank (Southfield Properties)

I just received these application to put all 3 of the groundwater rights for this farm into the Bank. I have been reviewing App. For Transfer 75870, which proposes to move a portion of these rights to another farm to cover illegal acres and curtailment acres that they wish to continue to irrigate. During my review, I have detemined that only 65.5 of the 123 allowed acres have been irrigated during the last 5 years. So I am recommending that all of Rights 36-7377F & 7547F, plus a portion of 36-2297, be declared forfeited in the transfer approval. Hopefully this will be completed long before you are able to consider these rights for admission to the Bank. This is just like the Double A Dairy situation, where a pending transfer has caused a recommendation for forfeiture.