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**IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS**

In Re SRBA	)	Subcase No. 29-00604A
	)	
Case No. 39576	)	AFFIDAVIT OF R. SCOTT WELLS
_____	)	

STATE OF IDAHO)
COUNTY OF ADA) ss:

I, R. Scott Wells, after first being duly sworn upon oath, depose and state that:

(1) My name is R. Scott Wells, and I am competent to testify to the matters set forth herein.

(2) My spouse, Brandy Wells, and I are the owners of water right no. 29-00604A.

(3) On December 15, 2000, my spouse and I purchased the land upon which water right 29-00604A is appurtenant and subsequently filed a notice of ownership change with the Idaho Department of Water Resources (IDWR).

(4) In 2002, I retained Josephine P. Beeman, and an engineer, Terry M. Scanlan, P.E., to assist me with various issues relating to my water rights, which had been raised as a result of the field examination conducted by an IDWR agent during August 2002. Resolution of some of the issues involved preparing and filing a separate beneficial use claim for a storage water right (now recommended by IDWR as 29-13471). I had also employed Associated Earth Sciences,

Inc., to perform a Hubble Analysis to answer questions I had concerning the quantity elements of my water rights. The Hubble Analysis was completed on June 11, 2003.

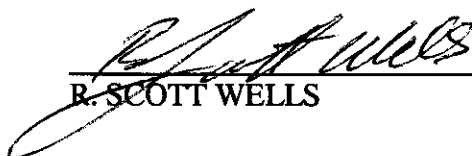
(5) After I obtained the Hubble Analysis, I contacted Ms. Beeman to discuss the remaining work that needed to be performed with respect to my water rights, including 29-00604A. I was informed that Ms. Beeman's father had passed away and that she would be out of state.

(6) Following Ms. Beeman's return, I discussed with her the director's report issued for 29-00604A and determined that there were errors with respect to the priority date, purpose of use, and period of use elements. On my behalf, Ms. Beeman filed an objection to those elements. I have also noticed that the name and address element of the water right should be corrected to include my wife, Brandy Wells.

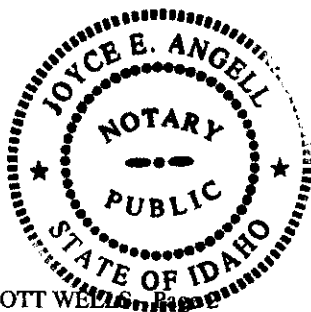
(7) Our water right, 29-00604A, has historically been used year-round for livestock since I have owned the place of use. Specifically, I have leased and continue to lease out a portion of my pasture for livestock uses. Also, when I looked at the property a year before I purchased it, I observed livestock on the property.

FURTHER YOUR AFFIANT SAYETH NAUGHT.

Dated this 19th day of April 2004.


R. SCOTT WELLS

SUBSCRIBED AND SWORN before me on this 19th day of April 2004.




Notary Public for Idaho
Residing at Boise, Idaho
Commission Expires: 7-29-08

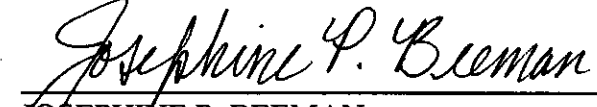
CERTIFICATE OF SERVICE

The undersigned certifies that on the 20 day of April 2004, a true and correct copy of the within document was sent to the following person(s) by U. S. Mail:

IDWR Document Depository
P. O. Box 83720
Boise, ID 83720-0098

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P. O. Box 44449
Boise, ID 83711-4449

United States Department of Justice
Environment and Natural Resources Division
550 W. Fort Street, MSC 033
Boise, ID 83724



JOSEPHINE P. BEEMAN

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