

January 29, 2004

Idaho Department of Water Resources
900 N Skyline Dr. Suite A
Idaho Falls ID 83402-1718

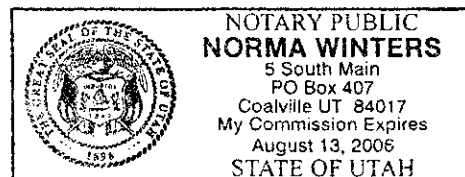
Idaho Department of Water Resources:

In 1982, our family purchased the Tingey Ranch which is now called the OW Ranch Inc. At that time I notified the Department of Water Resources and they confirmed that the ranch stated above was the only ranch that had irrigation rights out of Bridge Creek. OW Ranch has been the only one that irrigated out of Bridge Creek since that time. There is letters from landowners and previous owners on Bridge Creek confirming this in my file. I have shown on Aerial in fared Photo NAPP318123D Dated 1987 to I.D.W.R. clearly showing that the ranchers below O.W. Ranch got their water out of Eagle Creek.

I have never known of the Bird Refuge to ever irrigate anything up until 2003.

Sincerely,

 Pres.
Ken O'Brien
OW Ranch Inc





November 22, 2003

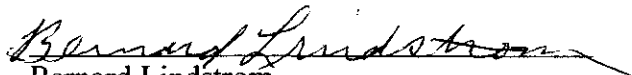
Idaho Department of Water Resources
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Idaho Department of Water Resources:

I have lived at Gray's Lake for 82 years. My father homesteaded here on a ranch east of the Tingey Ranch which is now the OW Ranch Inc.

The old Tingey ranch which is now the OW Ranch Inc. owned by the Ken O'Brien family was the only ranch that irrigated out of Bridge Creek. The only ranches that irrigated below there irrigated out of Eagle Creek.

I have lived here all my life and have never known of the Bird Refuge to ever irrigate anything up until 2003.

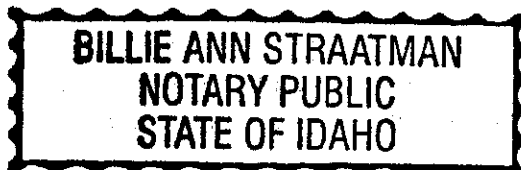

Bernard Lindstrom

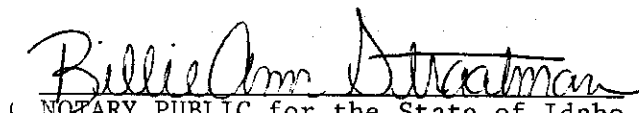
Notary Public

State of Idaho)
 : ss
County of Caribou)

On this 9th day of January, 2004, before me, the undersigned, a Notary Public in and for said State, personally appeared Bernard Lindstrom, a married man, know to me to be the person whose names is subscribed to the within instrument, and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.




NOTARY PUBLIC for the State of Idaho
Residing at : Grace, Idaho
Commission Expires: 8/25/09

November 22, 2003

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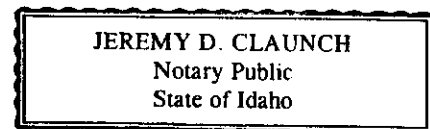
I have lived at Gray's Lake for 83 years. My grandfather James Sibbitt SR.
Homesteaded here.

The old Tingey ranch which is now the OW Ranch Inc. owned by the Ken
O'Brien family was the only ranch that irrigated out of Bridge Creek. The only ranches
that irrigated below there irrigated out of Eagle Creek. That ditch was built by my
grandfather James Sibbitt SR.

I have lived here all my life and have never known of the Bird Refuge to ever
irrigate anything up until 2003.


Glade Sibbitt


Notary Public my Commission Expires
February 13, 2009



November 22, 2003

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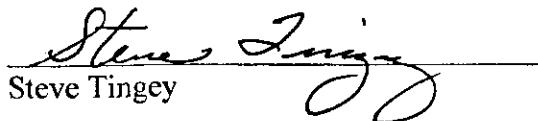
Idaho Department of Water Resources:

My family has been in the Gray's Lake Valley ever since ranches were homesteaded here.

My grandfather Perry Tingey owned the ranch that is now the OW Ranch Inc. (owned by the Ken O'Brien family). That ranch was the only one's that irrigated out of Bridge Creek. The only ranches that irrigated below there, irrigated out of ditch that James Sibbitt SR. hand dug to Eagle Creek.

I have stock water out of Bridge Creek, but the Bird Refugee put a head gate in the creek that is impossible to open and has diverted the water away from me and the natural flow.

I have never known of the Bird Refugee to ever irrigate anything up until 2003.


Steve Tingey


Notary Public

Luana Tingey Hood
122 West 3500 South, Bountiful, UT 84010
(801) 292-9015

Idaho Department of Water Resources
900 N. Skyline Dr., Suite A
Idaho Falls, ID 83402-1718

November 22, 2003

Re: Bridge Creek Tributary Water Rights

Dear Sirs;

I have the following important information in regards to the above referenced water rights for the property now owned by: **The Ken O'Brien family (The OW Ranch):**

In 1888, my grandfather, Perry G. Tingey (now deceased) acquired (from the persons who homesteaded it) **their home ranch/property in Gray, Idaho and used the Bridge Creek Tributary for Stockwater/Agricultural purposes.** My father, Charles H. Tingey (now deceased), purchased the ranch from his father Perry G. Tingey, and owned it until 1974. The property is now owned by: The Ken O'Brien family, also known as The OW Ranch. Our deeds/records show that the water rights to: Eagle Creek, and Bridge Creek, were included in all sales from that time to present.

It is well known that **from 1888 to 1974, we (Tingey Family) were the only user of irrigation water from Bridge Creek, and maintained all ditches, culverts, and head gates.** My brother Larry Tingey recollects doing much work on those irrigation ditches, "especially in the area of the Linstrom property". The only people who ever irrigated below us were on the old James Sibbett Ranch. They used water from Eagle Creek by way of a ditch hand dug by James Sibbett.

In all the years the Tingey families owned the ranch, **we were never aware of any irrigating related to the Bridge Creek nor Eagle Creek tributaries done by the Bird Refuge employees, nor was there ever a question of Water Rights ownership.**

Please feel free to contact me with any further questions regarding the property and/or Water Rights on the property formerly owned by the Perry G. Tingey and/or the Charles H. Tingey family.

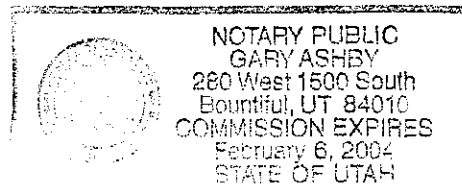
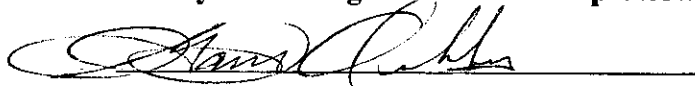
Sincerely,



Luana Tingey Hood, Representative
Charles Tingey Family Estate

Cc: Mr. Ken O'Brien, The OW Ranch
LHT/lhc

Notary Public Signature and stamp below:



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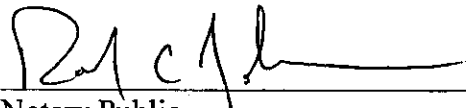
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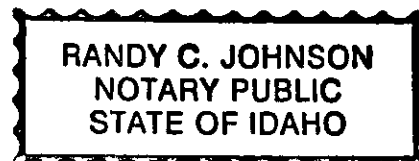
I have lived here all my life and have never known of the Bird Refuge to ever
irrigate anything up until 2003.



Russell Sibbitt



Notary Public



November 22, 2003

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900 N Skyline Dr. Suite A
Idaho Falls ID 83402-1718

Idaho Department of Water Resources:

My grandfather Homesteaded in the Grays Lake Valley. My father purchased his ranch, and I purchased part of my fathers ranch. We have stock water in Bridge Creek above and below the old Charlie Tingey ranch which is now the OW Ranch Inc. owned by the Ken O'Brien family. That ranch (OW ranch) is the only ranch that has irrigated out of Bridge Creek. The ranches below our place irrigated out of Eagle Creek. A ditch that James Sibbitt SR. hand dug to Eagle Creek.

I have lived here all my life and have never known of the Bird Refuge to ever irrigate anything up until 2003.

Brian Muir
Brian Muir

Denise Horsley
Notary Public

