

BEFORE THE IDAHO DEPARTMENT OF WATER RESOURCES

In Re: Water Right Claim Nos. 25-13094, A25-4283, A25-4277, A25-4276

State of Idaho)
County of Bonneville) ss.

AFFIDAVIT OF WOODROW BUTLER

WOODROW BUTLER, being first duly sworn on his oath, deposes and says as follows:

1. That I am over the age of 21, and I am competent to make this Affidavit.
2. That I am currently residing at my ranch located near Bone, Idaho, and have resided at this address since 1919.
3. That I have personal knowledge of the ranch known as "Deer Creek Land & Cattle Company" located in Bingham County, Idaho, and owned by Ralph Steele and his partners, based upon having resided on my ranch, which is situated directly adjacent to the Deer Creek Land & Cattle Company ranch, since 1919.
4. That I also have personal knowledge of the Deer Creek Land & Cattle Company ranch because I was a member of the Board of Directors for the Eastern Idaho Grazing Association for many years, and I was responsible for riding on horseback through the neighboring ranches to ensure that all fences were properly constructed and maintained.

5. That Ralph Steele, a partner in Deer Creek Land & Cattle Company, and I frequently shared farm equipment in order to more efficiently harvest the crops we grew on the properties identified above.

6. That beginning in 1954 and continuing each year thereafter, I personally observed that Ralph Steele grew and harvested barley on large sections of his ranch, including those areas near Willow Creek on the easterly side of the ranch.

7. That in 1962 and 1963, I personally observed that Ralph Steele grew and harvested potatoes on that section of his ranch near Willow Creek on the easterly side of the ranch.

8. That beginning in 1962 and continuing each year thereafter, I personally observed that Ralph Steele grew and harvested barley and alfalfa on large sections of his ranch, including those areas on the west side of the road, which runs through the ranch, and irrigated such areas from water held in the pond that is fed by the Steele Springs.

9. That beginning in 1964 and continuing each year thereafter, I personally observed that Ralph Steele grew and harvested barley and alfalfa on large sections of his ranch, including those areas near his cabin on the easterly side of the ranch, and irrigated such areas from water out of Deer Creek.

10. That beginning in 1966 and continuing each year thereafter, I personally observed that Ralph Steele grew and harvested barley and alfalfa on large

sections of his ranch, including those areas on the south end of the ranch near the cattle guard, and irrigated such areas from water out of a pond which flows into Deer Creek.

FURTHER, AFFIANT SAYETH NAUGHT.

Woodrow Butler
WOODROW BUTLER

SUBSCRIBED AND SWORN TO before me this 10th day of February,
2004.



Katherine Stule Moriarty

Notary Public for Idaho

Residing at: Idaho Falls

My commission expires: 1/22/2010

Per Ralph statement
#10 in affidavit
pertains to this
claim.