

Water Right Claim: 75-14160 (formerly 75-4368)

10 Aug 05

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AUG 15 2005
DEPARTMENT OF
WATER RESOURCES

Enclosed are copies of two affidavits detailing personal knowledge of water from Hull Creek being beneficially used to irrigate land that is now my property, Lot 1 of Becker Estates in North Fork, ID. Please include this information with documents I've already provided as further proof of priority date of my water rights claim. Thank you.

A handwritten signature in cursive script, appearing to read "Kelly Jost", written in dark ink.

Kelly Jost

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AUG 17 2005

DEPARTMENT OF
WATER RESOURCES

- COPY -

AFFIDAVIT

STATE OF IDAHO)

Ada County)

AdaRuth Colwell, being first duly sworn, on her oath does depose and say:

I am over the age of eighteen years and make this affidavit based on my own personal knowledge.

I am the daughter of Charles and Nellie Motichka, and am 86 years of age, having been born 10/27/18. I was raised on the below described property and can testify, based on my personal knowledge, about the application of irrigation water from Hull Creek and Hughes Creek on the below described property from the time that I was at least ten years old, which would have been approximately 1929. The water from Hull Creek and Hughes Creek was applied to the below described property for the purposes of irrigating crops and watering of livestock.

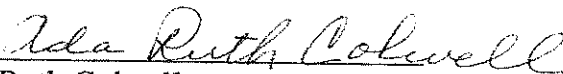
From the time I can remember, it was obvious that the irrigation system had been in place for a long time based on the condition of the ditches and other components of the irrigation system. In addition, from comments of my parents, it was also clear that the irrigation system had been in place for many years prior to their acquiring the property.

Based on this personal knowledge from at least 1929 and undoubtedly before that time, I declare that water from Hull Creek in Lemhi County, Idaho, was diverted from Hull Creek in the Southeast Quarter of the Northeast Quarter (SE1/4 NE1/4), Section 29, Township 25 North, Range 21, EBM, in Lemhi County, Idaho, and used for irrigation on the

Southwest Quarter of the Northwest Quarter (SW1/4 NW1/4) of Section 28, Township 25 North, Range 21, EBM, for irrigation of 19 acres; and for the irrigation of 12 acres in the Southeast Quarter of the Northeast Quarter (SE1/4 NE1/4), Section 29, Township 25 North, Range 21, EBM, Lemhi County, Idaho.

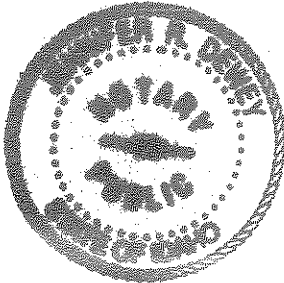
I further declare that water was diverted from Hughes Creek in the Northeast Quarter of the Southwest Quarter (NE1/4 SW1/4), Section 21, Township 25 North, Range 21, EBM, for the irrigation of 15 acres in the Northeast Quarter of the Southwest Quarter (NE1/4 SW1/4) of Section 21, Township 25 North, Range 21, EBM, one acre in the Southwest Quarter of the Southwest Quarter (SW1/4 SW1/4), Section 21, Township 25 North, Range 21, EBM, and 11 acres in the Southeast Quarter of the Southwest Quarter (SE1/4 SW1/4), Section 21, Township 25 North, Range 21, EBM. This Hughes Creek water was also used for irrigation of one acre in the Northeast Quarter of the Northwest Quarter (NE1/4 NW1/4), Section 28, Township 25 North, Range 21, EBM, and for irrigation of three acres in the Northwest Quarter of the Northwest Quarter (NW1/4 NW1/4), Section 28, Township 25 North, Range 21, EBM.

Dated this 20 day of July, 2005.


AdaRuth Colwell

SUBSCRIBED AND SWORN TO before me July 30, 2005.

(seal)



Jennifer R. Dewey
Notary Public for Idaho
Residing at: Borco, Idaho
My commission expires: 11/22/10

-COPY-
AFFIDAVIT

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DEPARTMENT OF
WATER RESOURCES

STATE OF IDAHO)
)
Ada County)

Sue Meeks, being first duly sworn, on her oath does depose and say:

I am over the age of eighteen years and make this affidavit based on my own personal knowledge.

I am the daughter of Daryl and Virginia Becker, and am 52 years of age, having been born 3/21, 1947. I was raised on the below described property and can testify, based on my personal knowledge, about the application of irrigation water from Hull Creek and Hughes Creek on the below described property from the time that I was at least ten years old, which would have been approximately 1958. The water from Hull Creek and Hughes Creek was applied to the below described property for the purposes of irrigating crops and watering of livestock.

From the time I can remember, it was obvious that the irrigation system had been in place for a long time based on the condition of the ditches and other components of the irrigation system. In addition, from comments of my parents, it was also clear that the irrigation system had been in place for many years prior to their acquiring the property.

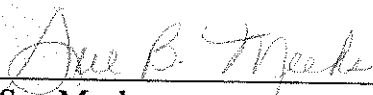
Based on this personal knowledge from at least 1958 and undoubtedly before that time, I declare that water from Hull Creek in Lemhi County, Idaho, was diverted from Hull Creek in the Southeast Quarter of the Northeast Quarter (SE1/4 NE1/4), Section 29, Township 25 North, Range 21, EBM, in Lemhi County, Idaho, and used for irrigation on the

Southwest Quarter of the Northwest Quarter (SW1/4 NW1/4) of Section 28, Township 25 North, Range 21, EBM, for irrigation of 19 acres; and for the irrigation of 12 acres in the Southeast Quarter of the Northeast Quarter (SE1/4 NE1/4), Section 29, Township 25 North, Range 21, EBM, Lemhi County, Idaho.

I further declare that water was diverted from Hughes Creek in the Northeast Quarter of the Southwest Quarter (NE1/4 SW1/4), Section 21, Township 25 North, Range 21, EBM, for the irrigation of 15 acres in the Northeast Quarter of the Southwest Quarter (NE1/4 SW1/4) of Section 21, Township 25 North, Range 21, EBM, one acre in the Southwest Quarter of the Southwest Quarter (SW1/4 SW1/4), Section 21, Township 25 North, Range 21, EBM, and 11 acres in the Southeast Quarter of the Southwest Quarter (SE1/4 SW1/4), Section 21, Township 25 North, Range 21, EBM. This Hughes Creek water was also used for irrigation of one acre in the Northeast Quarter of the Northwest Quarter (NE1/4 NW1/4), Section 28, Township 25 North, Range 21, EBM, and for irrigation of three acres in the Northwest Quarter

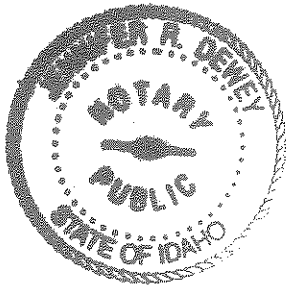
I can verify of my personal knowledge that the property has continued to be irrigated from these creeks by virtue of the irrigation system to the present time. I still own a portion of the above property and visit it a number of times each year and in the course of those visits, observe the ongoing activity on the remainder of the property.

Dated this 30th day of July, 2005.


Sue Meeks

SUBSCRIBED AND SWORN TO before me July 30, 2005.

(seal)



Jennifer R. Dewey

Notary Public for Idaho

Residing at: Boise, ID

My commission expires: 11/22/10