

AFFIDAVIT

STATE OF IDAHO)
 : ss.
COUNTY OF FREMONT)

ROBERT G. ARNOLD, being duly sworn upon his oath, deposes and says as follows:

1. I am making this affidavit in support of the North Fork Club, Inc.'s claim for beneficial use of water from the Snake River Basin including Water Right No. 21-10934.

2. Except where specifically indicated otherwise herein, the factual statements set forth in this affidavit are based upon my own personal knowledge.

3. My name is Robert George Arnold. I was born on August 7, 1916 in Salt Lake City, Utah. Except while attending Stanford University and service in the US Army during World War II, I have been a resident of Salt Lake City my entire life.

4. When I was approximately 2 years old, I became acquainted with a boy who lived in the same neighborhood with me, Robert Strange. In 1923, Bob Strange's father became a member of the North Fork Club, Inc., a Utah corporation. The North Fork Club (the "Club") owns approximately 160 acres in Island Park, Idaho. That land is located along and on the North side of the Henry's Fork of the Snake River, beginning approximately .7 mile East of Mack's Inn on Highway 20.

5. Commencing in the summer of 1926 and continuing each summer until the summer of 1935, I was invited to spend several weeks with the Stranges at their cabin. Between 1935 and 1938, I believe I visited the Stranges once or twice. In 1939 to 1944, I spent some time each summer as the guest of the Stranges. Commencing in 1947 (following my service in the US Army), my wife and I visited each summer as guests of either Bob Strange or Pat Gibbons (a childhood friend and Club member also). In 1959, I became an approved applicant for membership in the Club and during this period my family and I stayed in the Club lodge. In 1963, I became a member of the Club and purchased one of the cabins. I have continued my membership in the Club and, following my retirement, have spent approximately three months at the Club each year. My family and I spent 12 Christmas holidays at the Club. From 1966 until 1987, I was a member of the Club's board of directors serving as vice president from 1970 to 1979 and as president from 1979 to 1983. As a consequence of my extensive contact with the Club over almost eighty years, I am thoroughly familiar with the Club's land ownership, its water use and its management.

6. At the time of my first visit to the Club in 1926 there were, to the best of my recollection, 14 individual cabins, a small caretaker cabin (located where the present pantry is), a dining room,

Affidavit of Robert G. Arnold, Page 1 of 3

Affiant's Initials: RG A

and a lodge with six bedrooms and a large common room. A caretaker cabin was built in 1970 and the kitchen/dining room was extensively remodeled in 1962. The lodge was rebuilt in its exact footprint after it burned in 1938. In 1926, all of the Club buildings and the private cabins received water through a common system. The water system consisted of a pump located near the present location of the pump house, near to the power transmission line. The pump drew the water from a spring located along the river and pumped to a water tank located approximately in the middle of the private cabins. I believe this tank was 2000 to 3000 gallons. (I have attached a picture to this Affidavit showing Bob Strange standing on the top of the water tank. I believe he was about 11 or 12 years old which would make the year 1928.) From the tank the water was distributed by gravity to the individual cabins, to the Club lodge, kitchen and related buildings and to the hydrants by which the Club irrigated a portion of its grounds around the cabins and other facilities. The Club continued to draw its water in this manner until a new well was drilled between 1938 and 1940 just to the North of the pump house. At that time, the use of the water tank was discontinued. However, the same uses of the water continued as when the water was drawn from the spring, and the water was distributed through the same water delivery system.

7. Commencing in approximately 1975, Club members who owned cabins began drilling individual wells to service their cabins and as these wells were drilled, they were cross connected to the Club water system. After 1987, those cross connections were discontinued in order to maintain the culinary integrity of the Club water system. As of 1987, there were approximately 9 individual wells serving individual cabins. However, the Club facilities continued to use the well discussed in Paragraph 6 for Club use and irrigation of the grounds. At the present time, all of the 25 Club members (the maximum membership allowed by the Club's articles) have cabins and all of these cabins are serviced by individual wells which are not connected to the Club system.

8. These actions by the Club described above, have effectively transferred the point of diversion of the water used by the Club from the river to the spring and then to the ground water well. To my knowledge, no one has complained of any impact to their water rights from these transfers in points of diversion. The use of water by the Club as of 1987 was to deliver domestic water to the Club lodge, kitchen and related buildings, to the hydrants for fire protection and for irrigating the grounds. When the individual wells were drilled, the point of diversion of domestic water for these cabins was transferred from the Club well to the individual cabins.

9. In 1926 and in succeeding years, I had an opportunity to become acquainted with many of the older Club members including a Charles Reed who was one of the Club's founders in 1902 and who had been coming to the area since the 1890s. I remember discussing the water use with Mr. Reed in the context of the "river sickness" which seemed to be prevalent in the Club. Mr. Reed related that the Club had been taking its water from the river since it purchased the land from the individual who homesteaded it (a Mr. Kooch) and that river sickness was even worse before the pump and water tank were installed.

Affidavit of Robert G. Arnold, Page 2 of 3

Affiant's Initials: RG.A

10. I have read and examined the Notice of Claim to a Water Right, filed by the Club on March 20, 1989. I believe that the statements in that claim are correct. Based upon the number of cabins and club facilities in existence in 1926, I believe that at that time, the diversions and use was at least as much as shown on that Notice of Claim and perhaps higher. The additional points of diversion shown on the Notice of Claim appear to be the locations where the individual wells had been drilled. It is my understanding that each cabin owner has or will be claiming these wells in their own name as an amended or late Notice of Claim to a Water Right.

10. Based upon the foregoing, I know that the Club has appropriated to beneficial use water from the Henry's Fork of the Snake River since 1926 and I believe that the appropriation commenced on the date the Club acquired the property in 1904.

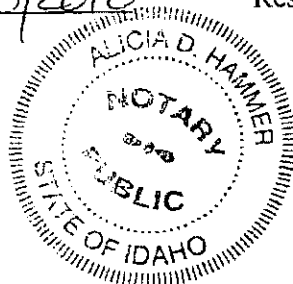
DATED this 9th day of September, 2005.

Robert G. Arnold
ROBERT G. ARNOLD

Subscribed and sworn to before me, a notary public on this 9 day of September, 2005.

My Commission expires: 12/30/2010

Alicia D. Hammer
Notary Public
Residing at: Idaho Park



Affidavit of Robert G. Arnold, Page 3 of 3

Affiant's Initials: RGH



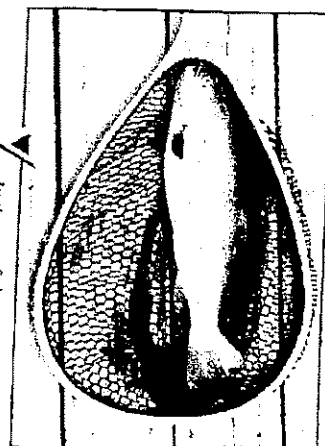
Left to Right:
Mary Strange,
Jane Hermy,
Betty Ann
Strange, Anne
Hermy, 1920's.



Bob Strange enjoying view
from old water tower.



Strange Cabin "in bloom."



Just one of the many great
fish caught by the family
members over the years.



Strange Family in generational
color coded T-shirts.
Front row (l-r): Peter Matland,
Melissa Matland, Mopsy
Kennedy, Bob Strange, Nancy
Matland, Tracy Kennedy
Back row (l-r): Annabel Matland,
Allison Matland, Fiji Kennedy



RECEIVED

SEP 12 2005

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

Department of Water Resources

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number _____

Date Received _____

Receipt Number _____

AMENDED
**NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW**

Please type or print clearly

1. Name of Claimant (s) NORTH FORK CLUB Phone (208) 558-9771Mailing Address P. O. Box 108, Macks Inn, Idaho Zip 834332. Date of Priority (Only one (1) per claim) January 18, 19043. Source of water supply (a) Well
which is tributary to (b) _____4. a. Location of existing point of diversion is: Township 14N Range _____ Section _____,
_____ 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot, _____ B.M., County of FremontAdditional points of diversion if any: N/A

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. _____

SCANNED

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Domestic purposes from 01-01 to 12-31 amount .24 or _____

For Irrigation purposes from 4-15 to 10-15 amount _____ or 90

For Fire Protection purposes from 01-01 to 12-31 amount .10 or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) .34 (cfs) and/or (b) 90 (acre feet)

8. Total consumptive use claimed is _____ acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) domestic to Club Lodge, kitchens, and associated buildings, fire protection

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
14N	R43E	36	D																
14N	R44E	31		D															
14N	R43E	36	10 IR																10
14N	R44E		2 IR	18 IR															20

Total number of acres irrigated 30

11. In which county (ies) are lands listed above as place of use located? Fremont

12. Do you own the property listed above as place of use? Yes X No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
domestic wells at individual cabins or None ()

14. Remarks:

Last Name _____ Ident No. _____

15. Basis of Claim (check one) Beneficial Use X Posted Notice _____ License _____ Permit _____
Decree _____
If applicable provide IDWR Water Right Number _____
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

16. Signature (s)
(a.) By signing below, I/We acknowledge that I/We have received, read, and understand the form entitled
"How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____
wish to receive and pay a small annual fee for monthly copies of the docket sheet.
Number of attachments _____

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true
and correct.

Signature of Claimant (s) _____ Date _____
_____ Date _____

For Organizations: I do solemnly swear or affirm that I am _____ Title _____
of _____, that I have signed the foregoing
Organization
document in the space below as _____ of _____
Title Organization
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____
Title and Organization _____ Date _____

State of Idaho/or _____)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day of _____ 19 _____

SEAL

Notary Public _____

Residing at _____

My Commission Expires _____

Please Print Name

17. Notice of Appearance:
Notice is hereby given that I, Albert P. Barker will be acting as attorney at law on behalf
of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above
should be mailed to me at the address listed below.

Signature Albert P. Barker

Address _____

Date Sept 12, 2005

Last Name _____ Ident. Number _____

13. Basis of Claim (check one) Beneficial Use X Posted Notice _____ License _____ Permit _____
 Decree _____
 If applicable provide IDWR Water Right Number _____ Decree Date _____
 Court _____ Case Number _____
 Plaintiff vs Defendant _____

10. Signature (a)
 (a.) By signing below, I/We acknowledge that I/We have received, read, and understand the form entitled
 "I now you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ no not _____
 wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments _____
 For individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true
 and correct.

Signature of Claimant (c) _____

Date _____

Date _____

For Organizations: I do solemnly swear or affirm that I am PRESIDENT
 of NORTH FORK CLUB that I have signed the foregoing
 document in the space below as PRESIDENT of NORTH FORK CLUB
 and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent John F. Hoagland

Title and Organization PRESIDENT N. FORK CLUB

Date 9/12/05

State of Idaho _____) ss.

County of Fremont

Subscribed and sworn (or affirmed) before me this

Notary Public

Residing at

My Commission Expires

Please Print Name

17. Notice of Appearance
 Notice is hereby given that _____ will be acting as attorney at law on behalf
 of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above
 should be mailed to me at the address listed below.

Signature _____

Address _____

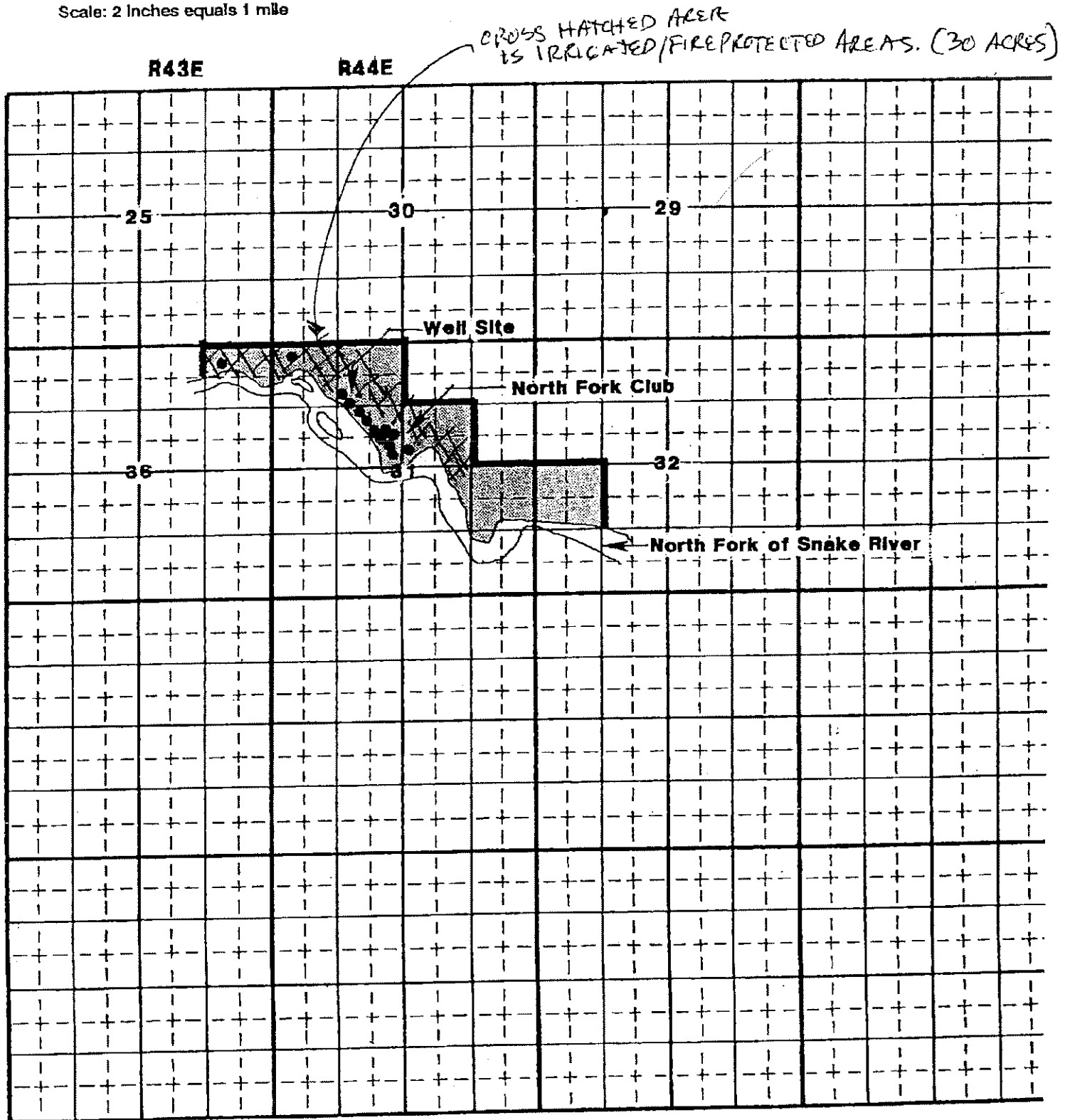
Date _____

Last Name _____

Ident. Number _____

Map of Project: show clearly the place of diversion, place of use, section number, township, and range number.

Scale: 2 Inches equals 1 mile



Last Name North Fork Club, a Utah Corporation

Ident No. _____

Copies: White-State, Yellow-Claimant

MICROFILME

OCT 22 1997