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SEP 21 2005

DEPARTMENT OF
WATER RESOURCES

September 14, 2005

State of Idaho
Department of Water Resources
322 East Front Street
P.O Box 83720
Boise ID 83720-0098

Re: Water Right Claims 67-14349 and 67-14350

Attn: Craig L. Saxton, Sr. Water Resources Agent

Dear Mr. Saxton:

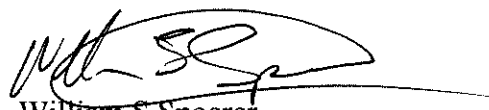
Enclosed in this correspondence is an Affidavit signed by Donald Harvey, which is direct supporting evidence of the priority date of the two above referenced Water Rights.

Mr. Harvey has lived on the referenced parcels on which these water rights are attached since 1948. And as stated in his Affidavit, he began irrigation of these parcels on or about June 1, 1952.

Mr. Harvey split off the two separate 20-acre parcels and sold one to Michael Kruger Water Claim # 67-14350 and the other to Robert Evans Water Claim #67-~~1439~~¹⁴³⁴⁹ #2. Subsequently, the Water Claim and parcel owned by Michael Kruger was sold to Loren L. Ferguson in 2003 and the Water Claim and parcel owned by Robert Evans was sold to William S. Spoerer in 2004. We the under signed completed the proper paperwork to transfer the Water Right claims to our respective names and ownership.

If you require further information regarding the evidence of priority date, do not hesitate to correspond with either of the undersigned.


Loren L. Ferguson
2335 Mill Creek Rd
Council ID 83612


William S. Spoerer
2199 Missman Rd
Council ID 83612

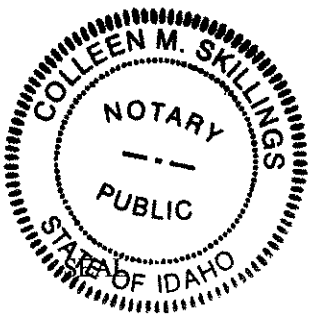
IN THE MATTER OF)
NOTICE OF CLAIM TO)
A WATER RIGHT NO..(S))
67-14350)
67-14349)

AFFIDAVIT

State of Idaho
County of ADAMS

Donald Harvey 2216 U S Hwy 2216 U S Hwy2216 U S Hwy 95 Council, Idaho 83612 being first
duly sworn,

deposes and says: That in 1948 my mother purchased the land on which these water rights are located. (120 acre parcel) That on or about June 1,1952 I started to use wastewater to irrigate the property, located at 2216 U S Hwy 95. Two separate parcels were split off from the 120 acre, 2335 Mill Creek Road, Council, Idaho (a 20 acre parcel) and 2199 Missman Rd, Council Idaho 83612. (a 20 acre parcel) I continued to irrigate the properties with wastewater until the parcels were sold to Michael Kruger and Robert Evans respectively. Loren L. Ferguson purchased the 2335 Mill Creek Rd property from Mr. Kruger in 2003 and William S. Spoerer purchased the 2199 Missman Rd property from Robert Evans in 2004 . To the best of my knowledge both individuals continue to irrigate the properties with wastewater.



Donald Harvey
Subscribed and sworn to before me this
day 14th of September, 192005.

Colleen M. Skillings
(Notary Public)
Residing at Indian Valley
My Commission Expires: 7/1/2010