

AFFIDAVIT

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NOV 01 2005

Department of Water Resources

STATE OF IDAHO)
) ss.
County of Payette)

Peter J. McCabe, being first duly sworn upon oath,
deposes and says:

1. Paul E. McCabe and I are the owners of the property
Associated with the Water Right Number 3-10197 and have owned the
property since 1944.

2. We have been diverting the water since before 1944
And using it to irrigate the property.

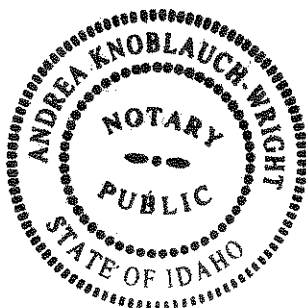
3. I have lived in Payette Couty , Idaho for 69 years.

4. I am personallly acquainted with the property and have
PERSONAL knowledge that water has been diverted for irrigation purposes
Since June 1, 1947 as set forth in the map attached hereto.

Peter J. McCabe

PETER J. MCCABE

SUBSCRIBED AND SWORN to before me this 28th day of
October, 2005



Andrea Knoblauch-Wright

Notary Public for Idaho
Residing at Fruitland, Idaho
My Comm. Expires 05-10-11