

STATE OF IDAHO,)

: ss.

AFFIDAVIT OF USER

County of Bingham.)

William M. Hall, being first duly sworn on oath deposes and says that he is a resident of Blackfoot, Bingham County, Idaho, and a citizen of the United States of America over the age of twenty-one years, that he is the present watermaster of District No. 34 of the Blackfoot River and has been such watermaster continuously since the year 1944, that he is familiar with the decreed water rights under his management as watermaster and that two and five tenths (2.5) second feet of water (125 inches) decreed to George Heaton from the East Fork of Brush Creek with priority of May 1st, 1888 has been available for use to irrigate meadow land on what has been known for years as the old Brush Creek Ranch once owned by George W. Dunn and later owned by Ben D. Hansen and that such water has been so used during the time affiant has been watermaster and such water has to the knowledge of affiant been used and available for use on the Brush Creek Ranch for a period of upwards of fifty years.

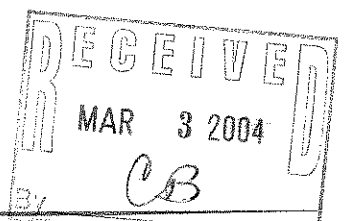
William M. Hall

Subscribed and sworn to before me this 9th day of October, 1958
at Blackfoot, Bingham County, Idaho.

(SEAL)

My commission expires
February 29, 1960

E. J. Denny
Notary Public for State of Idaho;
Residing at Blackfoot, Idaho



STATE OF IDAHO

AFFIDAVIT OF USER

COUNTY OF BINGHAM

Lorin Hansen, states he is a resident at 603 N. 900 E. Firth, Bingham County, Idaho, and a citizen of the United States of America and is eighty nine years of age. He also states that he leased the land known as the Brush Creek place from Frank L. Hansen during the years 1941 thru 1945 during which time he irrigated the meadow ground on said land. At that time he diverted water from two points on Brush Creek and also a point on Garden Creek. He also states that those points of diversion have been in use for as long as he can remember before and after his lease of that land. The legal description of the Brush Creek place is as follows, to-wit:

Township 3 South, Range 39 East, Boise Meridian, Bingham County, Idaho;

Section 26: S $\frac{1}{2}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$

Section 27: SE $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$

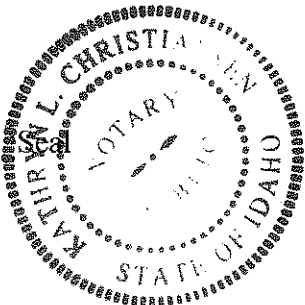
Section 34: NE $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$,
NE $\frac{1}{4}$ NE $\frac{1}{4}$

Section 35: W $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$

The Brush Creek place currently belongs to Gary Pratt and/ or Mark Pratt both residents of Blackfoot, Bingham County, Idaho.

Subscribed and sworn to before me this 2nd day of March, 2004 at Firth, Bingham
County, Idaho.

Lorin B. Hansen



Kathryn L. Christiansen
Notary Public for State of Idaho;
Residing at Blackfoot, Idaho

My commission expires
12/28/09