

## Affidavit

In 1966 when Clair Hatch was farming the property, he decided to dig an irrigation well. Since he was short of funding he asked if I would contribute to the cost, with the understanding that if the project were successful, I would share in the use of the water. I gave him the requested funding and when the drilling was complete and it was determined that sufficient water was available, I also gave permission for the power company to bring a line across my property without charge.

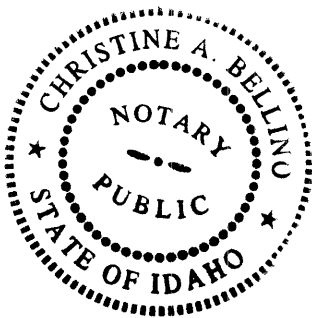
I began using the water as soon as pump and pipe installation was completed and have used the water ever since.

Unfortunately Mr. Hatch was killed in a farm accident a short time later and the paper work formalizing the agreement was never finished.

Since I now own the property where the well is, as well as the adjoining property where the water use described above continues, it seems only logical that the right of usage on both properties be formalized.

Date: Oct 23, 2001

Signature: Alan Smith



Christine A. Bellino  
October 23, 2001  
Boise, Id. 83703  
Expiration: Feb, 1, 2006