

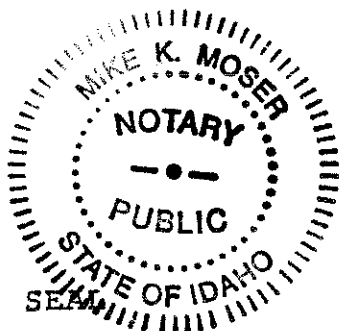
IN THE MATTER OF)
NOTICE OF CLAIM TO)
A WATER RIGHT NO. (S))

AFFIDAVIT

3-4005)
)
)
State of Idaho)
County of _____)

W. JAMES SMITH being first duly sworn,
deposes and says: _____

In 1947 I was a senior in High School when my father Marion W. Smith purchased and moved to an adjoining farm next to Sunday Side Orchard Tracts 78, 79, and 80. At that time a man by the name of Solders owned these tracts. The irrigation system for the three Orchard Tracts was a pump on the SE corner of Tract Number 80 established on the Snake River. Later my father Marion W. Smith purchased these three tracts. Following purchase he had the tracts leveled in such a way that he could use an established pump where it is today and discontinue using the pump that was purchased with the land. In 1947 I personally viewed the pump in the Snake River on the SE Corner of the property before my father purchased it.



[Signature]
(Signature)

Subscribed and sworn to before me this
day 15th of MAY, 192006.

[Signature]
(Notary Public)

Residing at Coeur d'Alene, ID

My Commission Expires 5/4/2011