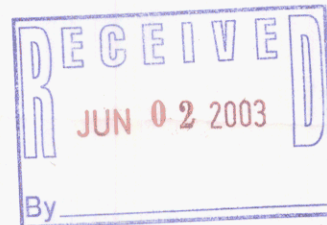


Tominaga Farms, Incorporated

1448 WEST, 100 SOUTH
BLACKFOOT, IDAHO 83221
(208) 684-4624

May 28, 2003

Cindy E. Bird
Department of Water Resources
15 West Center Street
Soda Springs, Idaho 83276



Re: Priority date

Claim No. A27-10151

Dear Cindy,

This is a written affidavit stating in March of 1983 an agreement was reached to rent the entire farm of Woodrow Petersen for potatoes. This agreement included the particular piece in question on claim No. A27-10151. There was an end gun on the pivot and it was used the entire year. Irrigation began in April of 1983 and ended in October of 1983.

Please note for your records we purchased the farm from Woodrow Petersen in 1996 and the ownership name should be change on water right number 27-10151. Paper work was submitted to show change of ownership in 1996 and I was led to believe it was all taken care of.

Please call if you have any questions.

Sincerely,

Ray Tominaga
Ray Tominaga *TREASURER*

State of Idaho

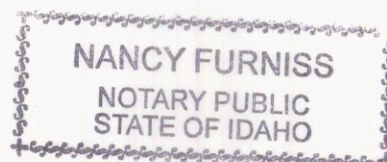
County of Bergham

Subscribed and sworn before me this 28th day of May

19 2003

Nancy Furniss

My Commission Expires: 8/13/04





State of Idaho

DEPARTMENT OF WATER RESOURCES

15 West Center Street, Soda Springs, ID 83276

Phone: (208) 547-3993 Fax: (208) 547-3939 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

Woodrow Petersen
691 East 600 North
Firth, Idaho 83236

May 14, 2003

Re: Evidence of Priority

Claim No.(s) A27-10151

Dear Claimant (s):

The Idaho Department of Water Resources has begun its water right review in Basin 27. The Notice(s) of Claim identified with the number shown above, has been filed in the Snake River Basin Adjudication (SRBA). The Notice indicates water usage is based on "Beneficial Use". Water rights of this type are established by the historical use of water, dating back to when water was first used for the purpose claimed, at or on the place of use identified on the Notice. The date the water was first put to use, known as the priority date, has not been confirmed by a license, Decree, or Permit. For this reason, proof must be provided supporting the priority date. **As the claimant, you are responsible for submitting the necessary proof to support the priority date.**

It is important that each element of the Notice be substantiated. For instance, regarding claims for irrigation, the evidence should tend to show that diversion works were in place, that they were capable of diverting the claimed diversion rate, and that the diverted water was beneficially used on the entire claimed place of use on or before the claimed priority date.

For your reference, I have enclosed the pamphlet entitled "Evidence of Priority". The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement. While I encourage you to read the entire pamphlet, I direct your attention to the two sections entitled "What Kind of Evidence is Required" and "Some examples of Documents Which May Be Evidence of the Priority Date".

It is our goal to recommend historical water rights within the Snake River Basin as accurately as possible.

.....
The Department cannot recommend the court decree the Notice if no evidence of a priority date is submitted.
.....

Please submit the documentation supporting the priority date by June 30, 2003, referencing all documents with the corresponding Notice number. If you have any questions not covered by this letter, please feel free to contact me at 547-3993.

Respectfully,

Cindy E. Bird
Adjudication Bureau

Enclosure: Brochure on "Evidence of Priority"
Adjudication Claim Report