

**IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS**

In Re SRBA)
)
Case No. 39576)
_____)_____

A. Subcase 22-13725
 (Insert water right number)

AFFIDAVIT OF RICHARD LEE

Richard Lee, being first sworn, states:

1. I am competent to testify. All matters stated in this affidavit are based upon my personal knowledge or upon my information and belief following a reasonable investigation into the matters asserted.

2. I am one of the owners of water right no. 22-13725. In addition, I am one of the owners of the real property located in Teton County, Idaho, associated with water right no. 22-13725. The real property is described as follows (real property):

T5N R45 E Boise Meridian Teton County, Idaho:
Section 25, SE ¼ NW ¼

3. On July 19, 2007, Chan Underwood (another owner of the real property) and I irrigated the real property by pumping water from a well. We used a generator to pump the water. The well is located on the real property.

4. Mr. Underwood and I am irrigated the real property to grow alfalfa.

5. I have attached photographs showing the water on the real property on July 19, 2007. The photographs are attached as exhibit 1 to this affidavit.

6. I have also included a dvd showing the watering of the real property. The dvd is attached as exhibit 2.

7. I May 2007, I hired American Pump Co. located in Ucon, Idaho to fix the pump associated with the well. Attached as exhibits 3-4 are an invoice and statement from the pump company.

8. In May 1994, American Pump Co. also tested the pump and watered the real property. Attached as exhibit 5 is an invoice from the pump company.

9. My future plans are to continue to irrigate the real property each year.

Dated: July 19, 2007

Richard Lee

Richard Lee

Subscribed and sworn to before me this 20th day of July, 2007.

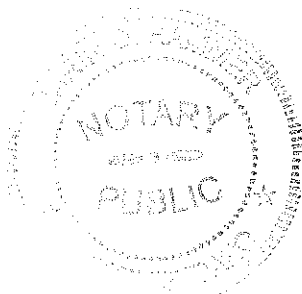
Samir D. Hammer

Notary Public for Idaho

Residing at: Evans Falls

My commission expires: 2/3/2011

SEAL



Certificate of Service

I certify I am a licensed attorney in the state of Idaho and on July 20, 2007, I served a true and correct copy of the foregoing document on the following by the method of delivery designated below:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

☐ U.S. Mail ☒ FedEx Overnight ☐ Facsimile

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

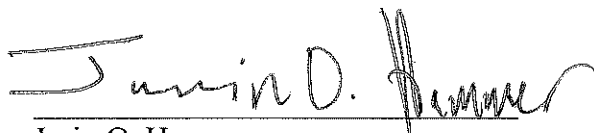
☒ U.S. Mail ☐ Hand-delivered ☐ Facsimile

United States Department of Justice
Environment & Nat'l Resources Div
550 W Fort Street, MSC 033
Boise, ID 83724

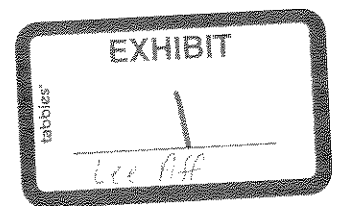
☒ U.S. Mail ☐ Hand-delivered ☐ Facsimile

Chief, Natural Resources Division
Office of Attorney General
PO Box 44449
Boise, ID 83711-4449

☒ U.S. Mail ☐ Hand-delivered ☐ Facsimile



Jarin O. Hammer
Of Beard St. Clair Gaffney PA
Attorney for Objector























DVD is being
kept in the
repository

EXHIBIT

2

tabbies

AMERICAN PUMP CO.
10758 N. YELLOWSTONE HWY
P.O. BOX 267
UCON, ID 83454-0267
208-529-4517
FAX 208-529-4587

*
* I N V O I C E *
*

Document Number: 015661

Document Date: 07/18/07

Page: 1

Sold L&U DEVELOPMENT, INC.
To: P.O. BOX 121
TETON VILLAGE, WY
83025

Ship L&U DEVELOPMENT, INC.
To: P.O. BOX 121
TETON VILLAGE, WY
83025

Ship Via.:
Ship Date: 07/18/07
Due Date: 08/02/07
Terms.....: NET 15

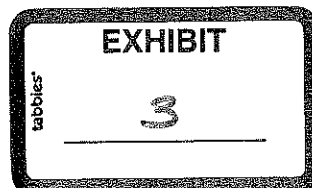
Cust I.D.....: L&UDEV
P.O. Number...:
P.O. Date.....: 07/18/07
Job/Order No.:
Salesperson...:

Item I.D./Desc.	Ordered	Shipped	Unit	Price	Net	TX

SPOKE TO MR LEE 5/7/07 ABOUT MOTOR REPAIR. SET APPOINTMENT TO GET IT PICKED UP AFTER 5/21/07						
SERVICE TRUCK + 1 MAN - PICK UP MOTOR IN DRIGGS 5/30/07	3.00	3.00	HR	65.0000	195.00	E
BUILD NEW HEADSHAFT FOR PUMP & MOTOR AT DRIGGS 1" x 36" 14THREAD SHAFT + (1) HOUR MACHINING 6/13/07	1.00	1.00		70.1200	70.12	E
BOOM TRUCK + 1 MAN SET MOTOR ON PUMP IN DRIGGS, TURN PUMP HEAD 7/6/07	3.00	3.00	HR	85.0000	255.00	E

PLEASE PAY FROM THIS INVOICE
1.5% SERVICE CHARGE AFTER 30 DAYS
WE NOW ACCEPT VISA & MASTERCARD
AUTHORIZED BY _____

Subtotal: 520.12
Tax.....: 0.00
Total....: 520.12



AMERICAN PUMP CO
10758 N. YELLOWSTONE HWY
UCON IDAHO 83454
208-529-4517

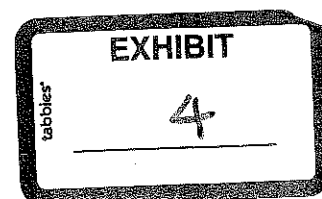
L & U DEVELOPMENT
BOX 121
TETON VILLAGE WYO 83205

WE HAVE SO FAR CHECKED EXISTING MOTOR. CLEANED HEAD SHAFT
COUPLER. SET 50 HP MOTOR ON EXISTING PUMP IN WELL, WITH NEW HEAD
SHAFT. SET UP PORTABLE MAINLINE TO DIRECT WATER TO EXISTING
DITCH

WE STARTED MOTOR AND PUMP WITH A GENERATOR. PUMP IS NOW
RUNNING AND WATERING FIELD.

Dan Ruff

208-390-5190



**AMERICAN PUMP CO.**

10758 N. Yellowstone Hwy.
P.O. Box 267 • Ucon, ID 83454
(208) 529-4517

5/16/99

Customer Richard Lee Location Driggs
Equipment Used Gen/Tester Crew Leader Nate

Rate Per Hour _____ X Hours _____

All time is chargeable. DESCRIBE WORK DONE:

COST

Set up test engine / Started
pumping 2:00
675.00
67.50

PARTS USED:

742.50

Extra test time 45.00
27.50
27.50

L+U Development Inc.
P.O. Box 121
Teton Village, WY.
83025

WORK YET TO DO:

TOTAL

742.50

EXHIBIT

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tabbles