

AFFIDAVIT

State of IDAHO)
 ss.
County of Teton)

RE: SRBA Water Right Claims 22-466, 220467, 22-468, 22-57

Jim H. Wilson, being first duly sworn, deposes and says:

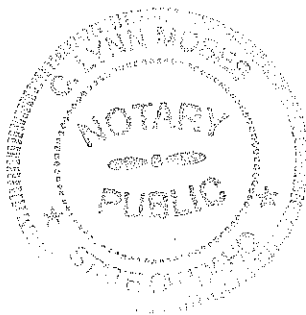
1. That he makes this affidavit in support of the above numbered claims to water rights.
2. That he resides with his wife, Harriet L. Wilson, at 537 W. Hwy 33, Tetonia, ID 83452, and his telephone number is (208) 456-2815.
3. On January 3, 2005, the Idaho Department of Water Resources submitted to Robert Wilson and Sharman Wilson the preliminary recommendations of the said Department to disallow each of the above numbered claims on the belief of the Department that all of said water rights had been forfeited/abandoned due to non-use from 1975 to present.
4. On or about November 25th, 1980, your affiant and his said wife acquired the real property to which all of the above water rights are appurtenant from Ralph W. Ure and Goldie L. Ure, husband and wife, and Shane W. Ure and Kaylin Ure, husband and wife. That Warranty Deed conveyed said land "together with all appurtenant water rights" and "together with five quarter-mile lines of irrigation laterals and the tractor pump used for irrigation", and a copy of said Deed is attached hereto as Exhibit A and by reference made a part hereof.
5. Your affiant and his said wife, on October 26, 1995, sold said land to Bob Wilson A Professional Law Corporation, Target Benefit Pension Plan. That Warranty Deed conveyed said land "together with all water rights applicable to said property" and a copy of said Deed is attached hereto as Exhibit B and by reference made a part hereof.
6. During the time that your affiant and his said wife owned the property, they irrigated the same and produced crops thereon, consisting of grain, hay and pasture, first by the use of said irrigation laterals and said tractor pump, pursuant to the water rights they acquired from the said Ures, identified above, for at least 10 years. During that time (In the month of February 1981) your affiant had Eugene Richards of St. Anthony Idaho drill a 16 inch well near the Northwest

corner of the premises which was used for domestic and stockwatering purposes (claim number 22-57) and water from said well also irrigated a portion of the premises. Your affiant used that said well for said purposes until shortly before he sold the premises to Bob Wilson, A Professional Law Corporation, Target Benefit Pension Plan on October 26, 1995.

7. There came a time when others claiming interests in the waters of Badger Creek and the lateral ditch leading from Badger Creek, suggested that it would be for the best interests of all concerned that your affiant use those peoples water in exchange for his water coming down the swale from Badger Creek. This seemed to be a workable program for all involved and your affiant continued to irrigate the premises in this manner. Because of his age and infirmities, Jim Wilson, in the last few years of his ownership of the premises irrigated what he could and used the well to pump water for his livestock, and that water also irrigated the low areas of the premises.
8. Your affiant and his said wife never intended in any way to forfeit or abandon any of the above listed water rights and sold the same with those water rights.


Jim H. Wilson

Subscribed and Sworn to before me this 11 day of March, 2005.




A Notary Public for Idaho

Residing At: Driggs

My Commission Expires: 9-3-08