

**AFFIDAVIT OF
H. BEN PETERSEN**

STATE OF IDAHO)
)ss.
County of Fremont)

H. Ben Petersen, of 403 N. 2700 E., St. Anthony, Idaho 83445, being first duly sworn, on his oath deposes and says:

1. Affiant is 55 years of age, a life long resident of Fremont County, Idaho, and makes this affidavit from his own personal knowledge.
2. Affiant's family has owned land near Strong Creek, a tributary to Henry's Fork on the North side, north of Ashton, Idaho, for many years.
3. Affiant graduated from South Fremont High School in 1969, and during the two or three years prior to that time, affiant became familiar with land owned by Mr. Ed Howell near that of affiant's family. Affiant also became aware that Howell had a dam and pond in Strong Creek, and pumped water from the pond up onto land owned by Howell adjacent to Strong Creek which he irrigated thereby. Affiant personally observed that irrigation of such land over several years. Although affiant never knew the exact number of acres so irrigated by Howell, he is confident it was more than 160 acres from the time he first became aware of this irrigation practice by Mr. Howell.


H. Ben Petersen

STATE OF IDAHO)

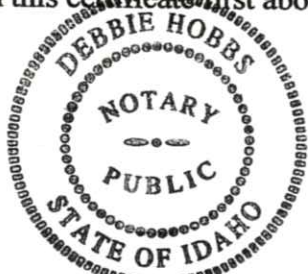
)ss.

County of Fremont)

On this 14th day of ^{February}~~December~~, 2007, before me a notary public in and for said State, personally appeared H. Ben Petersen known or identified to me (or proved to me on the oath of H. Ben Petersen) to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

(seal)



Debbie Hobbs
Notary Public for Idaho
Residing at: St. Anthony
My commission expires: 9-20-2012

G:\WPDATA\KWF\11692 Natural Guardian Ltd. Part V. Ben Petersen Affidavit.wpd:cdv