

AFFIDAVIT OF WATER USAGE

I, Edgar Rainey, President of the Brundage Water User's Association, Inc. hereby verifies, attests, and certifies the following:

(i) Pursuant to that certain water right 78-12299 issued by the Idaho Department of Water Resources, attached and incorporated herein as Exhibit A, waste water entered SWNE 40 acres and SENE 37 acres, both located in Basin 78, which was used for beneficial use in May 15, 1936 and such use is ongoing; and

(ii) Pursuant to that certain water right 78-12297 issued by the Idaho Department of Water Resources, attached and incorporated herein as Exhibit B, waste water entered SWNE 40 acres and SENE 37 acres, both located in Basin 78, which was used for beneficial use in May 1, 1936 and such use is ongoing; and

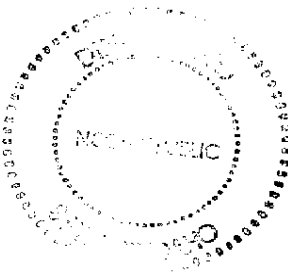
Further your affiant sayeth naught.

Dated this 20 day of Dec, 2006

Edgar Rainey
Edgar Rainey, President
Brundage Water User's Association, Inc.

State of Idaho)
) ss.
County of Adams)

On this 20 day of December, 2006, before me, a Notary Public, personally appeared Edgar Rainey, President of the Brundage Water User's Association, Inc., known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.



Dirak Boto
Notary Public
Residing at 1364 W 2nd Weiser, ID 83672
My Commission Expires 03-11-2010

AFFIDAVIT - 1

Attn:
Carter