

AFFIDAVIT

STATE OF NEVADA)

County of Clark)

ss.

24-10686

Alden Stewart, being first duly sworn upon his oath, states as follows:

1. That I was formerly one of the co-owners and officers of Nevada Rock & Sand Co. Subsequent to 1965 I gave all of my ownership interest in that company to family members.

2. This affidavit is made in connection with the filing of a "Notice of Claim to a Water Right" in Civil Case No. 39576, Fifth Judicial District, Twin Falls, County, Idaho. Specifically, this affidavit is made in support of the filing of a claim pertaining to a diversion of one cfs and used to irrigate 203.4 acres in Section 22, Township 10 South, Range 45 E.B.M.

3. The diversion of water under the foregoing claim is by means of a collection box in the stream to a twelve inch (12") pipeline serving a gravity pressurized sprinkler irrigation system and stock watering facility.

4. ~~That Nevada Rock & Sand Co.~~ ALL STEWART BRO. CO. obtained title to this property in 1962. Subsequent to acquisition the construction of the diversion works was commenced and water would have first been diverted in the early summer of 1965. Therefore, the claim priority date for diversion of the foregoing water is June 1, 1965.

5. In connection with my former responsibilities as an owner and officer of Nevada Rock & Sand Co. I am familiar with the construction of the diversion works and had some supervisory responsibility pertaining to the construction of such works and diversion of water as claimed at that time.

6. Therefore, this affidavit is made upon my own personal knowledge concerning the construction date of such works and diversion of water.

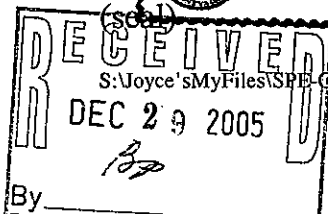
Date: November 21, 2005

Alden L. Stewart
ALDEN STEWART

SUBSCRIBED AND SWORN TO before me this 21 day of November, 2005.



Barbara Clark
Notary Public for Nevada
Residing at: Clark County Nevada
My Commission Expires: _____



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ORIGINAL