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DEPARTMENT OF
WATER RESOURCES

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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) Subcase No. 22-4096
)
)
) AFFIDAVIT OF YOUNG HARVEY
) WALKER IN SUPPORT OF MOTION
) TO FILE LATE OBJECTION
)

STATE OF IDAHO)
)
COUNTY OF _____) ss.

Young Harvey Walker, having been duly sworn upon oath, deposes and states as follows:

1. I am a water consultant hired to assist Blackfoot Farms LLC with its water rights.
2. Accordingly, I have Limited Power of Attorney to handle all of the matters pertaining to water rights owned by Blackfoot Farms LLC, including the signing of documents.
3. I have personal knowledge of the facts in this matter and I make this affidavit based upon personal knowledge.
4. I make this affidavit in support of Blackfoot Farms LLC's Motion to File Late Objection.
5. In conjunction with the Snake River Basin Adjudication (SRBA), I met on various occasions with Idaho Department of Water Resources Agent, Trent Galbraith, at the

IDWR Eastern Regional Office concerning water right number 22-7096. Mr. Galbraith and I
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discussed the adjudication claim of water right number 22-7096, including the deadlines that were set for filing the Director's Report recommendation in Basin 22, Part 2.

6. It was my understanding, based on my discussions with Mr. Galbraith, that the Director's Report of water right number 22-7096 would be submitted to the SRBA Court as it was claimed.

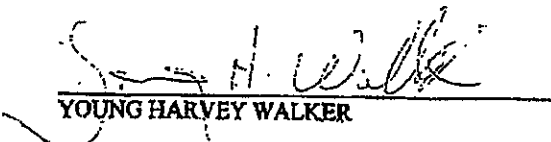
7. The Director's Report of water right number 22-7096 reflected a place of use of 44.2 acres which is 35.8 acres less than the 80 acres claimed. Further, the Director's Report for this water right recommended a priority date of April 15, 1904 rather than the claimed priority date of March 1, 1904. I did not immediately discover this discrepancy as a result of my reliance upon the representation of Trent Galbraith that the Director's Report would recommend the elements of this water right as claimed.

8. The discrepancy between the claim and the Director's Report recommendation first came to my attention on or about May 27, 2008 when I reviewed 22-7096 in conjunction with a transfer application to be submitted by Blackfoot Farms LLC for a transfer on a well.

9. Blackfoot Farms LLC can show that the elements of its water right number 22-7096 should be decreed differently than how it was recommended by IDWR.

10. For the foregoing reasons, Blackfoot Farms LLC respectfully requests that this court grant its Motion to File Late Objection.

Further your affiant saith naught.


YOUNG HARVEY WALKER

SUBSCRIBED AND SWORN to before me this 20 day of June, 2008.

TEENA LORD
NOTARY PUBLIC
STATE OF IDAHO


NOTARY PUBLIC FOR IDAHO

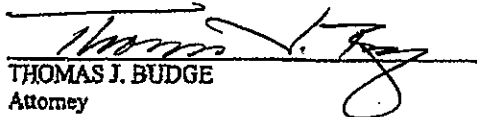
Residing at Blackfoot, Idaho
My Commission Expires: 07/01/2012

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CERTIFICATE OF MAILING

I certify that a true and correct copy of the above **AFFIDAVIT OF YOUNG HARVEY WALKER IN SUPPORT OF MOTION TO FILE LATE OBJECTION** was served this *23rd* day of June, 2008, via United States mail with sufficient first-class postage to the following:

Clerk of the SRBA Court 253 Third Avenue North PO Box 2707 Twin Falls, ID 83302-2707	Original	
Natural Resources Division Chief State of Idaho Attorney General's Office PO Box 44449 Boise, ID 83711-4449		IDWR Repository PO Box 83720 Boise, ID 83720-0098
United States Department of Justice Environment & Natural Resources Div 550 West Fort Street MSC 033 Boise, ID 83724		Blackfoot Farms LLC 500 Huntsman Way Salt Lake City, UT 84108
Blackfoot Farms LLC c/o Harvey Walker 2338 North 2930 West Arco, ID 83213		


THOMAS J. BUDGE
Attorney