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Attorneys for Claimants Eddie E. Baker and Eddie Baker Jr.

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 72-16778
	)	
	)	
Case 38576	)	AFFIDAVIT OF RICHARD L. BAKER IN SUPPORT OF
	)	MOTION TO FILE LATE NOTICE OF CLAIM
_____	)	
STATE OF IDAHO	)	
	) ss	
COUNTY OF CUSTER	)	

RICHARD L. BAKER, being first duly sworn upon his oath, deposes and says that:

1. My name is Richard ("Dick") L. Baker. I make this affidavit based upon my own personal knowledge and belief of the facts contained herein.
2. I was born in 1922. I have lived along the East Fork of the Salmon River ("East Fork") all my life. I lived on the ranch now owned by my brother Edwin ("Eddie") E. Baker Sr. and his son Edwin ("Eddie") Baker Jr. from 1922 to 1946. I lived downstream on a ranch known as the Carmen Place from 1946 to 1968. In 1968 my wife and I purchased the Marco Creek Ranch, and we have lived there ever since.

4. Beginning in 1948, my brother, Eddie Baker Sr., began irrigating a field on federal land for pasture with water diverted from Big Boulder Creek, a tributary to the East Fork. The water is diverted at a diversion that is now called "BBC-1." An aerial photograph of this field is attached hereto as **Exhibit A**. As shown in the photograph, the field is bounded by the East Fork Road to the east, and the ditch that carries water from BBC-1 to the north and west. Today, as in the past, water is diverted from this ditch through cutouts and canvass dams at various locations to flood irrigated the field.

Richard L Baker
RICHARD L. BAKER

STATE OF IDAHO)
County of Custer)ss.

On this 25th day of August, 2008, before me, the undersigned, a notary public in and for said state, personally appeared RICHARD L. BAKER, known to me to be the individual that executed the foregoing affidavit, 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.

Notary Public for Idaho
Residing at Clayton Idaho
My Commission Expires: 12-12-09

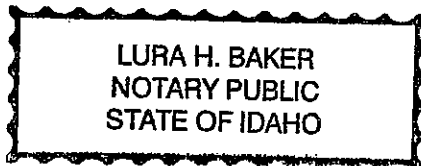


Exhibit A
Eddie Baker Jr., Land Use Permit
IDI-25476
B.M., T, 9 N., R. 17 E., sec. 10, lot 6



This map represents.... agricultural harvest, vicinity
Boulder Creek within the Challis Field Office,
Idaho BLM.

Legend

-  PRIVATE
-  BLM
-  USFS
-  STATE

The sources of the data are from Idaho-
BLM Corporate Data, and the USGS.

No warranty is made by the Bureau of Land
Management (BLM). The accuracy, reliability,
or completeness of these data for individual
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