

Department of Water Resources
Adjudication Bureau

Scott L. Campbell, ISB No. 2251
Dylan B. Lawrence, ISB No. 7136
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AFFIDAVIT OF TOM L. GROSSEN

83632. I make this affidavit in support of a water right objection filed by Wallach IX, LLC
("Wallach IX") in the Snake River Basin Adjudication to the point of diversion recommended by

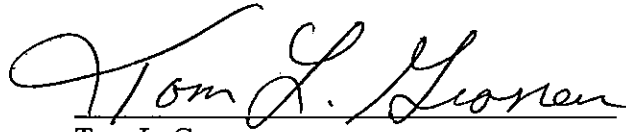
the Idaho Department of Water Resources ("IDWR") for water right 67-00461. I make this affidavit based upon my own personal knowledge.

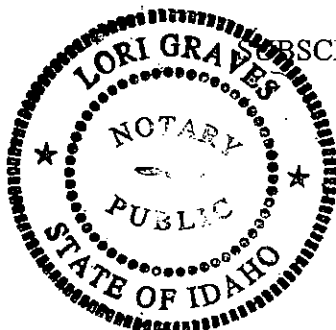
2. I have been farming in the Indian Valley area of Idaho since I moved back in the fall of 1976. Since that time, I have become familiar with the various diversions from the Little Weiser River. Currently, I not only farm my own land in the Indian Valley area, but I also farm land owned by Wallach IX in the area. This includes Wallach IX's land on the east side of the Little Weiser River, which is irrigated with water right 67-00461.

3. For as long as I can remember, and certainly prior to November 19, 1987, farms on the east side of the Little Weiser River, including Wallach IX's property, have shared a point of diversion located in the SESE, Section 15, T14N, R1W. Water diverted at this point is then delivered to the farms on the east side of the river, including Wallach IX's property, through the Steward Ditch.

4. I understand that IDWR recommended the point of diversion for water right 67-00461 as being located in the NWSE, Section 4, T14N, R1W. To my knowledge, that point of diversion is used only to divert and deliver water to Wallach IX's property on the west side of the Little Weiser River, which I also farm, under water right 67-00460.

Further your affiant sayeth naught.


Tom L. Grossen



SUBSCRIBED AND SWORN to before me this 31 day of October, 2008.

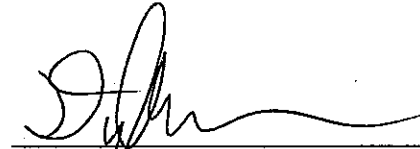

NOTARY PUBLIC FOR IDAHO
Residing at Boise
My Commission Expires 6/18/2010

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 20th day of November, 2008, I caused a true and correct copy of the foregoing **AFFIDAVIT OF TOM L. GROSSEN** to be served by the method indicated below, and addressed to the following:

Director
Idaho Department of Water Resources
322 E. Front St., 6th Floor
P.O. Box 83720
Boise, ID 83720-0098
Fax: (208) 287-6700

☒ U.S. Mail, Postage Prepaid
☐ Hand Delivered
☐ Overnight Mail
☐ Facsimile



Dylan B. Lawrence