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Department of Water Resources
Adjudication BureauIN 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 35-2019
 Case No. 39576,) (Stieglitz)
)
) **AFFIDAVIT OF THANE NELSON**
 _____)

STATE OF IDAHO)
)ss
 County of Bingham)

Thane Nelson, being first duly sworn on oath deposes and says:

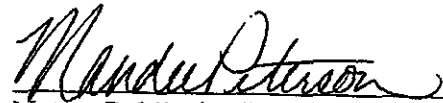
1. That I was born in 1954, a citizen of the United States and make this affidavit of my own personal knowledge.
2. I am the son of Merland and Donnetta Nelson and was born and raised on their farm. I am personally acquainted with their cattle operation and the watering of their property located in Bingham County, Idaho, known as the "Pond Place" and legally described as:
 T4N. R32E., Sec. 20: NE ¼ NW ¼, W ½ NE ¼ and NW ¼ SE ¼
3. That I was married in 1976 and lived at 2295 W. 900 S., Sterling, Idaho, in my grandmother's house very close to the Pond Place.
4. I ranched with my parents, Merland and Donnetta Nelson, while employed by Bingham County until 1997. From 1976 to 1997, I worked with my father on the Pond Place in his cattle operation.
5. The cattle operation consisted of approximately 140 mother cows plus calves and bulls. We raise our own grass hay and alfalfa on the Pond Place and other parts of our operation.
6. Every year, calving took place on the north end of the Pond Place. A portion of those cows would remain at the Pond Place most of every month all year.

7. The Pond Place was an excellent pasture for all our cattle and was an integral part of our cattle operation.
8. I was involved in watering the Pond Place and in farming a good portion of the property from 1976 to 1997. We would use the creek as the water source and then use a pump and motor to irrigate the place. We installed hand lines and at one point, there was a wheel line on the southern part of the property. I personally moved the hand lines and wheel lines. I was personally involved in the maintenance and operation of the pumps and motor.
9. When I left the farming operation in 1997, I know my father rented the property to Inskeeps for the 1998 and 1999 crop year. Thereafter, he continued to run his cattle operation as had been done when I was there. That included the watering and farming the Pond Place up to the point of his death in 2003.
10. I know that he had beneficially used water on the Pond Place for many, many years.
11. Further Affiant saith not.

DATED this 28 day of January, 2009.


THANE NELSON

SUBSCRIBED AND SWORN to before me this 28th day of January, 2009.


Notary Public for State of Idaho
Residing at: Shelley, ID

My comn exps: 4-22-13

