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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 35-2019
Case No. 39576,) (Stieglitz)
)
) **AFFIDAVIT OF JEFFREY B. TROSPER**
)
_____)

STATE OF IDAHO)
) ss
County of Bonneville)

Jeffrey B. Trospen being first duly sworn on oath, deposes and says:

1. That I was born in the year 1976, a citizen of the United States, and make this affidavit of my own personal knowledge.
2. That I make this affidavit in support of Donnetta Nelson's water rights on property she sold to Jeff Stieglitz located in Bingham County, Idaho consisting of 160 acres and described as:

T4N. R32E., Sec. 20: NE ¼ NW ¼, W ½ NE ¼ and NW ¼ SE ¼

This property is presently involved in the above case before the Idaho Water Board.

3. This property was generally referred to as the "Pond Place," and was an integral part of Merland and Donnetta Nelson's cattle operation.
4. I am the grandson of Merland and Donnetta Nelson and lived with them in Springfield, Idaho near this property during my summer breaks during my teenage years from 1990 through 1995. During that time I helped my grandfather with watering the property and was familiar with his equipment.
5. Later, I continued to help my grandparents water their property and was familiar with their cattle operation until my grandfather's death in the year 2003.
6. Watering was done by irrigation and using a pump in the pond next to the creek running through the property. I personally moved the hand lines irrigating the property and was involved with starting and stopping the pump as well as maintenance on the pump and

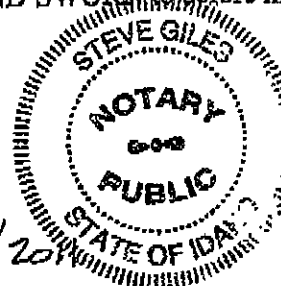
motors. I helped do all things that would normally be done in caring for and watering this property. The water source that was used to irrigate the property came from the creek running through the property.

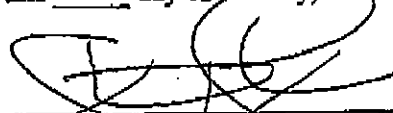
7. My grandparents raised hay and watered pasture on the property in question.
8. My grandparents had a cattle operation which consisted of about 140 mother cows plus calves and bulls.
9. Some calving always took place on this property during the spring, and there were at least some cows on the property year-round.
10. I and many of my friends who helped me move the hand lines on this property, have hunted for ducks and geese in the fall there and know the terrain and water coverage in detail.
11. Many of the people who helped move hand lines on the property with me include Kenny Billman, Steven Billman and Ryan Park.
12. My brothers Greg Trosper and Dan Trosper also helped irrigate this property.
13. That in or around 1998 and 1999 my grandfather rented the property to the Inskips who grew barley on the property and used our irrigation system from the creek as well.
14. My grandfather continued to water in 2002 to the best of his ability, and then died in the year 2003. However, in the year 2002, I did help him irrigate the property in question using the pump and hand lines.
15. I make this affidavit in support of the above matter to counteract the conclusion that water was not used beneficially on the property due to non-use from 2002 to 2006. I know for fact that the water was beneficially used through the years including 2002 and prior.
16. Further, Affiant saith not.

DATED this 28 day of January, 2009.


JEFFREY B. TROSPER

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




Notary Public for State of Idaho
Residing at:

Bonneville County, Idaho

My com expires: 12/09/2010