

DEPARTMENT OF
WATER RESOURCES

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AFFIDAVIT OF DANA L. HOFSTETTER

STATE OF IDAHO)
) ss.
COUNTY OF ADA)

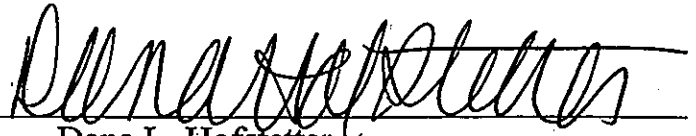
AFFIDAVIT OF DANA L. HOFSTETTER -- 1

(2) Attached hereto as Exhibit A is a true and correct copy of SRBA Claim No. 63-2655 from my files that Lord Ranch filed for this water right. There is an apparent discrepancy between the place of use description on the claim map and the place of use described on the claim itself. I only just recently learned of this apparent discrepancy as Lord Ranch prepared this SRBA claim.

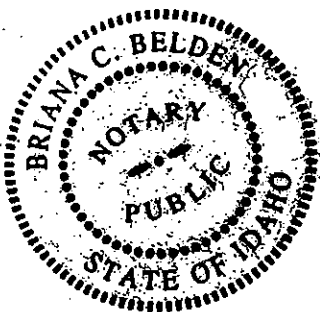
(3) Based on my review of the SRBA Claim file for this right on the Idaho Department of Water Resources' ("IDWR") Internet database after the July 7, 2009 Status Conference in this Subcase, I determined that the IDWR Director's Report Recommendation for this water right may have been affected by this discrepancy and the IDWR agent's apparent confusion caused by the difference between the place of use description on the claim map and the claim form. Had I learned of this discrepancy and the resulting confusion earlier I may have caused a timely Objection to have been filed.

FURTHER YOUR AFFIANT SAYETH NAUGHT.

DATED this 31st day of August, 2009.


Dana L. Hofstetter

SUBSCRIBED AND SWORN to before me this 31st day of August, 2009.




Notary Public in and for the State of Idaho
Residing at: Meridian
My Commission Expires: 01.16.13

CERTIFICATE OF SERVICE

I hereby certify that I caused to be served a copy of the foregoing document (including attachment) this 31st day of August, 2009, by U.S. Mail postage pre-paid to:

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P. O. Box 44449
Boise, ID 83711-4449

United States Department of Justice
Environment and Natural Resources Division
550 West Fort Street, MSC 033
Boise, ID 83724

IDWR Director
P.O. Box 83720
Boise, ID 83720-0098

Lord Ranch
1171 Mayfield Road
Boise, Idaho 83716-3401


Dana L. Hofstetter

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLSIN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number _____

Date Received _____

Receipt Number _____

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

OCT 30 2006

WATER RESOURCES
WESTERN REGION

Please type or print clearly

1. Name of Claimant (s) LORD RANCH an IDAHO PARTNERSHIP Phone (208) 343-8938Mailing Address 1171 Mayfield Road, BOISE IDAHO Zip 83716-34012. Date of Priority (Only one (1) per claim) 12/27/19963. Source of water supply (a) GROUND WATER
which is tributary to (b) _____4. a. Location of existing point of diversion is: Township 1N Range 4E Section 23,
NE 1/4 of NE 1/4 of _____ 1/4, Govt. Lot, _____ B.M., County of ELMORE

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. WELL & PUMP

6. Water is claimed for the following purposes:

(both dates are inclusive) (cfs) (acre feet)

For IRRIGATION purposes from 3/15 to 11/15 amount 1.0 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 1.0 cfs (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is _____ acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) _____

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
<u>1N</u>	<u>4E</u>	<u>23</u>	<u>10</u>																
<u>1N</u>	<u>4E</u>	<u>23</u>		<u>12</u>															
<u>1N</u>	<u>4E</u>	<u>23</u>				<u>18</u>													

Total number of acres irrigated

40 acres

11. In which county (ies) are lands listed above as place of use located? ELMORE

12. Do you own the property listed above as place of use? Yes X No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.

or None (X)

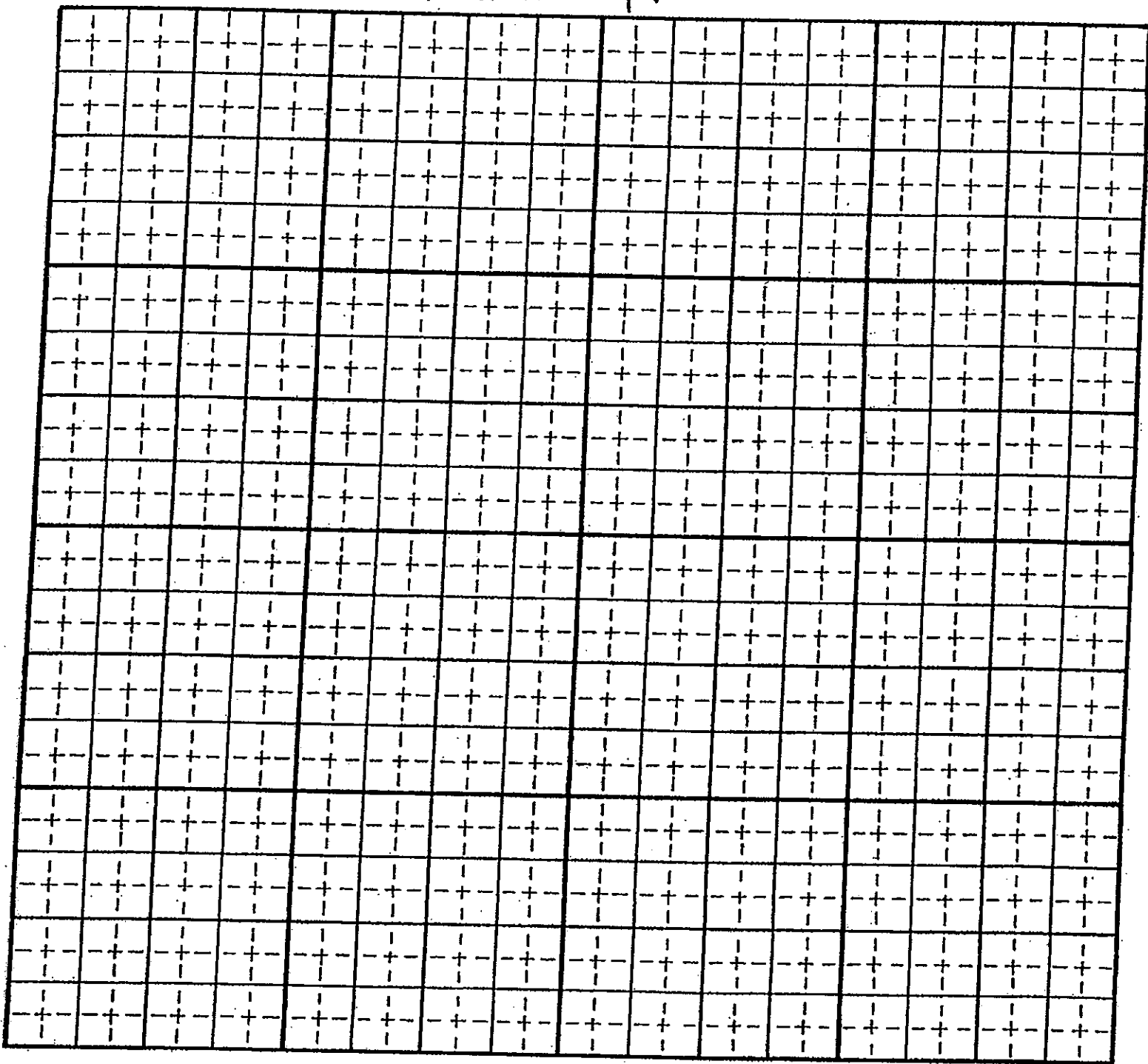
14. Remarks:

Last Name Lord Ranch Ident No. _____

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile

See Attached Map.



Last Name Lord Ranch Ident No. _____

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License ☒ Permit _____
Decree _____

If applicable provide IDWR Water Right Number 63-2655
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

16. Signature (s)

(a.) By signing below, I/We acknowledge that I/We have received, read, and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not ☒ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments 1

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) Jeffrey E Ford Date 10/30/2006

Date _____

For Organizations: I do solemnly swear or affirm that I am PARTNER Title _____

of Lord Ranch Organization _____ that I have signed the foregoing

document in the space below as PARTNER Title _____ of Lord Ranch Organization _____

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of Idaho/or _____)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day of _____ 19 _____

SEAL

Notary Public _____

Residing at _____

My Commission Expires _____

Please Print Name

17. Notice of Appearance:

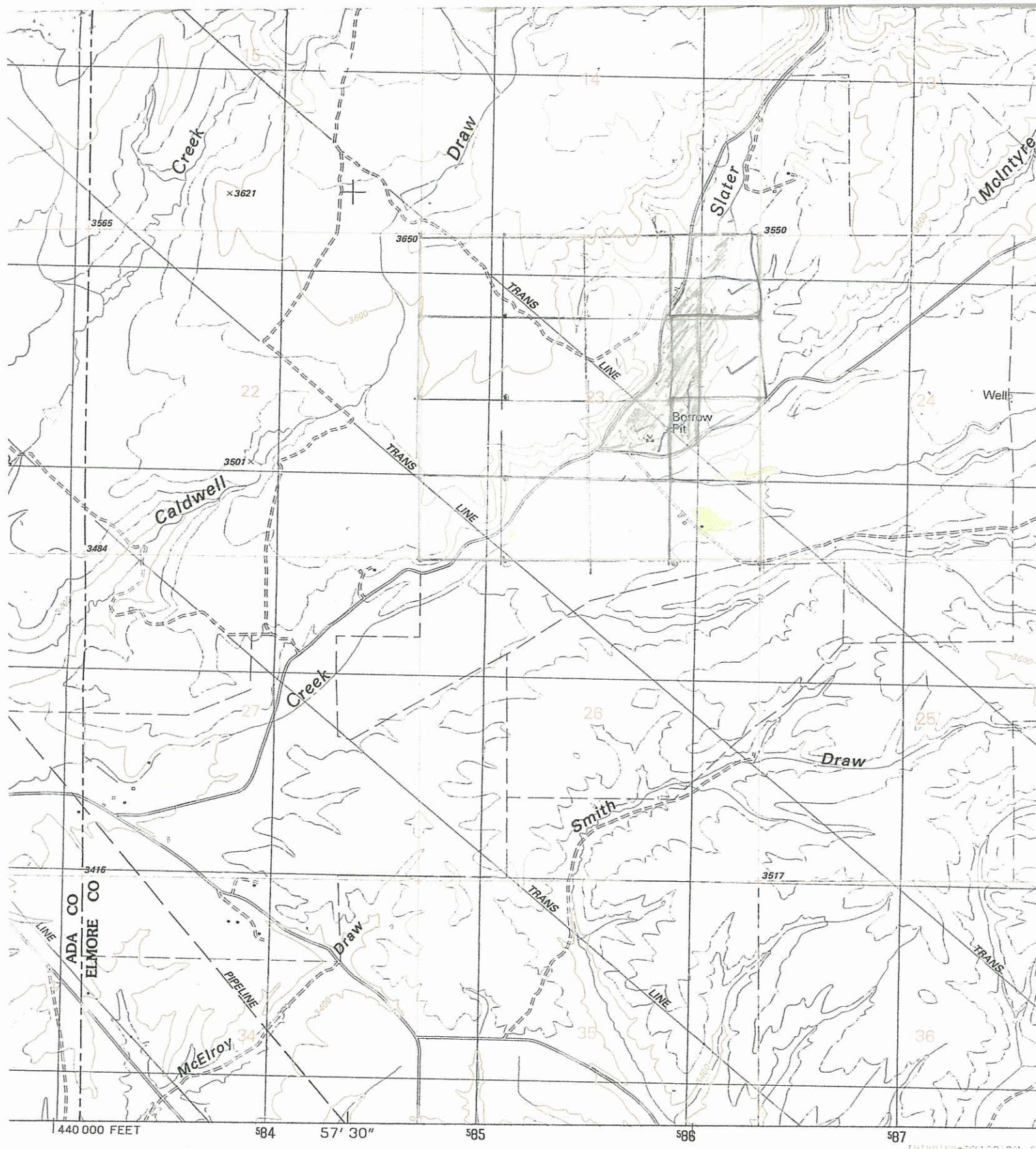
Notice is hereby given that I, Dana Hofstetter will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature Dana Hofstetter

Address 608 West Franklin St. Boise 83702

Date 10/30/2006

Last Name Lord Ranch Ident. Number _____



RVEY
 VNOAA
 .. 1958
 .. 1960
 .. 1967
 .. 1990
 CATOR
 ONE II
 ' ZONE
 ' EAST
 ' EAST
 OF 1929
 WATUM
 1983.



SCALE 1:24 000



PROVISIONAL MAP
 Produced from original

CONTOUR INTERVAL 40 FEET

To convert feet to meters multiply by .3048
 To convert meters to feet multiply by 3.2808