

grazing operations. Because of the property's close proximity to me I have observed the usage of the property by the prior owners, including their cultivation and irrigation practices.

4. I last leased the property for my use in the year 2005. During the time that I used the property, we grazed cattle on the property and we irrigated the property through flood irrigation. The flood irrigation was used to maintain the stands of crested wheat grass and pasture grass for the livestock.
5. The Wring property has been in irrigated crested wheat grass and pasture grass for the last 25-30 years. Prior to that, the property was cultivated by growing alfalfa for hay production when it was owned by the Wring family.
6. From my observation, prior to the time I leased the property, virtually all of the property was irrigated for alfalfa/hay production initially, and later for growing crested wheat grass and pasture grass, by flood irrigation means. A siphon was used in part to transport water from the stream above the Wring Ranch property, taking water out on the North side of the stream and transporting it to the South side of the stream and down to the Ranch property.
7. The Wring family sold to Dreyer and Brown. Dreyer and Brown, in some fashion, then transferred the property to the present owner, Robert Sullivan.
8. Based on my own experience and based on my observations of others' practices, it appears that all of the property was irrigated with flood irrigation except for the too steep side hills and the creek bottom, and approximately 34 acres in the bench area North of Big Creek. Other than the bench area, the steep side hills and the

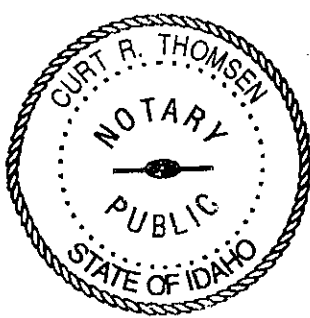
creek bottom, the entire acreage was irrigated. I am not certain as to the exact number of acres but I believe it is 230-290 acres of irrigated ground.

9. I understand that Dreyer and/or Brown have retained a portion of the old Wring Ranch in their ownership. I do not know their exact acreage but it is approximately 80-90 acres.
10. All of the Wring Ranch property that could be irrigated was flood irrigated prior to November 19, 1987, and has been irrigated since November 1987. I personally irrigated the property when it was under the ownership of Dreyer and Brown as a tenant. The agricultural use of the land has changed slightly in that the alfalfa has been replaced by crested wheat grass and pasture grass, but all of the irrigable land has been irrigated and used in conjunction with livestock grazing prior to November 1987 and since.

Leon Ziegler
Leon Ziegler

SUBSCRIBED AND SWORN to on oath before me this 8 day of OCTOBER,

2009.



Curt R. Thomsen
Notary Public for Idaho
Residing at: CHALLIS ID
My Commission Expires: 12-13-13

CERTIFICATE OF SERVICE

I hereby certify that I am a duly licensed attorney in the State of Idaho, resident of and with my office in Challis and Idaho Falls, Idaho; that on the 14 day of Oct., 2009, I caused a true and correct copy of the foregoing **AFFIDAVIT-LEON ZEIGLER** to be served upon the following persons at the addresses below their names either by depositing said document in the United States mail with the correct postage thereon or by hand delivering or by transmitting by facsimile as set forth below.

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By: 

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