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August 4, 2008

**Idaho Department of Water Resources
Western Region – Adjudication Section
2735 Airport Way
Boise, ID 83705-5082
Attention Liberty Gagnon, Office Specialist 1**

AUG 06 2008

**WATER RESOURCES
WESTERN REGION**

**RE: Water Right 63-4256A, Western Idaho Development
Water Right 63-4256C, Priscilla Armenta**

Dear Office Specialist

I represent both Western Idaho Development and Priscilla Armenta, whose respective Water Rights are referenced above. I have enclosed herewith an affidavit of Edna M. Britton, a copy of which I am requesting be filed in both matters.

Western Idaho Development requests that you review the file in its matter and update the recommendation regarding the priority date to reflect the fact that Mrs. Britton and her husband were irrigating the parcel now owned by Western Idaho Development at least as of 1950. Western Idaho Development's predecessor in title, the Batts were not able to locate Tobias Bender who filed the original material in the adjudication for documentation supporting his original priority date of 1949. We were only informed as of June 25, 2008 by Mrs. Britton that Mr. Bender and his wife were killed in a car accident closely after they sold the property and never filed any supporting documentation. Mrs. Britton's affidavit supplies the missing information allowing for a correction of the priority date.

I have also included a copy of my Notice of Appearance on behalf of Mrs. Armenta for your records. Please telephone with any questions.

Very truly yours,

Susan Wildwood

Susan Wildwood

cc: File; clients

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STATE OF IDAHO

WATER RESOURCES
WESTERN REGION

COUNTY OF CANYON

AFFIDAVIT OF Edna M. Britton
REGARDING PROPERTY HISTORY

I, Edna M. Britton being first duly sworn, deposes and states

that:

In approximately 1942, my husband Richard and I purchased 80 acres Allright of Elsie and Fred Lane. We lived on the property. The West Canyon Elementary School is located on the property now.

There was a pump in the lower embankment drain for irrigation when we bought it. We pumped from the drain into an upper pond and gravity irrigated.

We bought a second adjacent 80, now owned by ~~Peter~~ ^{Richard} ~~it is~~ west of what would be Boot Road. We bought in 1950.

We added another pump from the drain to get more water to the pond for the second 80.

We had to clean sagebrush from the second 80 and irrigated it from 1950 on.

We bought 30 acres in 1958. We irrigated it from the same system.

We sold all the property to Jorgasons in about 1965. He sold to Tobias Bender.

© Western Idaho Development

DATED this 25th day of June 2008.

Edna M. Britton
(Signature)

SUBSCRIBED AND SWORN to before me this 25th day of June 2008.



Susan Wildwood
NOTARY PUBLIC FOR THE STATE OF IDAHO
Residing at Boise, ID, Idaho
My Commission expires: 01-31-13