

OFFICE OF THE
ATTORNEY GENERAL

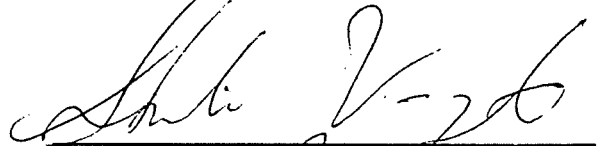
Department of Water Resources
Adjudication Bureau

4. When I took possession of the real property in February of 1991, I observed a pattern of ditches and corrugates on the real property. This was an obvious design for a gravity irrigation system to adequately water the real property. The ditches and corrugates were relatively open and free of cave-ins and other blockages. This indicated to me that the ditches and corrugates had been used regularly over the years. The ditches and corrugates did not show deterioration which I would expect if the system had been abandoned and not used for 15 or more years.

DATED this 28 day of June, 1995.


RONNIE D. SMITH

SUBSCRIBED AND SWORN to before me this 28 day of June, 1995.


NOTARY PUBLIC for Idaho
Residing at Lewiston, ID
Commission Expires: 3/9/01

CERTIFICATE OF MAILING

I hereby certify that a copy was mailed by the United States mail, postage prepaid thereon, to the persons addressed as follows:

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

Dated: June 29, 1995


ROBERT E. WILLIAMS III