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Department of Water Resources
Adjudication Bureau

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 NO: 36-02160A
	)	
	)	SECOND AFFIDAVIT OF RALEIGH STEVENS
	)	A/K/A R.W. STEVENS
Case No. 39576	)	
	)	
	)	
STATE OF IDAHO	)	
	ss:	
County of <u>Twin Falls</u>	)	

RALEIGH STEVENS, also known as R.W. STEVENS, first being duly sworn,
deposes and says:

1. I am the same affiant who previously submitted an Affidavit in this matter dated June 28, 1995, a copy of which is attached hereto as Exhibit A. I make this Affidavit in furtherance of the statements made by me in my previous Affidavit.

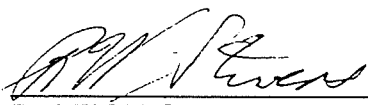
2. I purposely did not connect the pump and motor in question to electrical power when I had irrigation water pumped on to my property as described in

Paragraph 3 of my previous Affidavit. My purpose as previously stated was to irrigate the property on a temporary basis and thus avoid forfeiture or abandonment of the water right. It would have been prohibitively expensive to connect the pump and motor back to the electricity, pay the deposit and then only use the system for two or three days at a time.

3. During each of the times I used the portable generator to produce irrigation water, I personally viewed the water flow from the system on to my property. A friend of mine, Joan Luce, has recently informed me that she personally viewed the irrigation water being used during each of the times I previously testified to in my Affidavit.

4. I did not measure the volume of the water pumped with the use of the portable generator. However, sufficient water was pumped to adequately irrigate portions of the real property which could be irrigated at the time. This was substantially all of the property which I sold to the Smiths in 1991.

DATED this 24th day of October, 1995.



RALEIGH STEVENS, aka
R.W. STEVENS

SUBSCRIBED AND SWORN to before me this 24th day of October, 1995.



NOTARY PUBLIC
Residing at: Buhl
Commission Expires: 10/12/99

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: 10/31/95

A handwritten signature in black ink, appearing to read 'R. Williams III', written over a horizontal line.

ROBERT E. WILLIAMS III