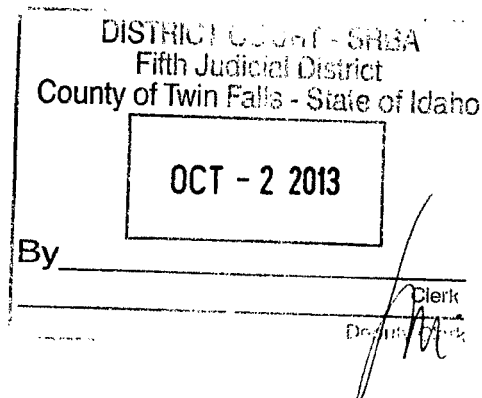


Bruce M. Smith, ISB#3425
MOORE SMITH BUXTON & TURCKE, CHTD.
950 West Bannock Street, Suite 520
Boise, ID 83702
Telephone: 208-331-1800
Facsimile: 208-331-1202
Email: bms@msbtlaw.com



Attorney for J. R. ALLEN/ALLEN RANCH LLP

**IN THE DISTRICT COURT FOR THE FIFTH JUDICIAL DISTRICT OF
THE STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS**

In Re Snake River Basin Adjudication
Case No. 39576

Subcase No: 65-3111X

AFFIDAVIT OF BRUCE M. SMITH

STATE OF IDAHO)
) ss.
County of Ada)

COMES NOW, BRUCE M. SMITH and declares as follows:

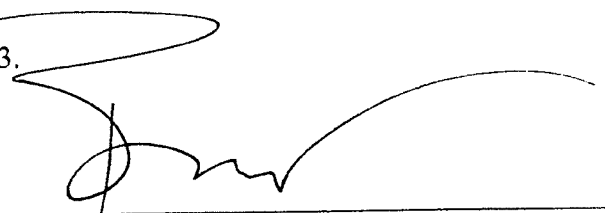
1. I am over the age of eighteen and make the following statements based on my own personal knowledge.
2. I am counsel for J.R. Allen and Allen Ranch LLP in the above matter.
3. Attached hereto as Exhibit "A" is a true and correct copy of the Partial Decree issued by this Court in the above referenced matter on October 31, 2000.
4. Attached hereto as Exhibit "B" is a true and correct copy of the SRBA Subcase Summary Report for Water Right No. 65-3111X.

ORIGINAL

5. Attached hereto as Exhibit "C" is a true and correct copy of the SRBA Director's Report for Water Right No. 65-3111X.

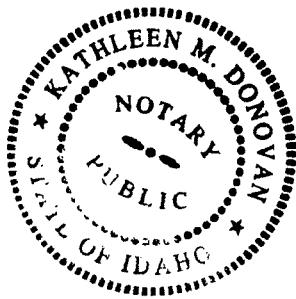
FURTHER YOUR AFFIANT SAYETH NOT.

DATED this 30th day of September, 2013.



BRUCE M. SMITH

SUBSCRIBED AND SWORN to before me this 30th day of September, 2013.



NOTARY PUBLIC FOR IDAHO
Residing at: Boise, Idaho
My Commission Expires: 08/08/2018

2000 OCT 31 PM 02:00
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED

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)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
) Water Right 65-03111X

NAME AND ADDRESS: E K ALLEN RANCHES INC
11217 HWY 55
CASCADE, ID 83611

SOURCE: UNNAMED STREAM TRIBUTARY: CASCADE RESERVOIR
QUANTITY: 2.70 CFS

THIS RIGHT SHALL PROVIDE NO MORE THAN .02 CFS PER ACRE WHEN
MEASURED AT FIELD HEADGATE.

PRIORITY DATE: 06/01/1894

POINT OF DIVERSION: T13N ROSE S03 NWSE Within Valley County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-15 TO 10-15	2.70 CFS

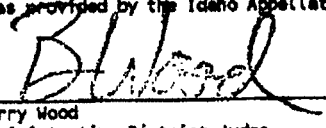
PLACE OF USE:	Irrigation	Within Valley County
	T13N ROSE S03 LOT 08 (NWNE)23.0	LOT 07 (NWNE)21.0
	SWNE 8.0	SENE 31.0
	83.0 Acres Total	

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.


Barry Wood
Administrative District Judge
Presiding Judge of the
Snake River Basin Adjudication

SRBA PARTIAL DECREE PURSUANT TO I.R.C.P. 54(b)
Water Right 65-03111X

PAGE 1
Oct-30-2000

EXHIBIT "A"

SRBA

SUBCASE SUMMARY REPORT 65-03111X

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SRBA
09-27-2013

SUBCASE SUMMARY REPORT

HTML12

SUBCASE: 65-03111X FILE#: 01040
CLAIMANT: E K ALLEN RANCHES INC
11217 HWY 55

CASCADE ID 83611
STATUS: PD ISSUED SPECIAL MASTER:
WATER SOURCE: UNNAMED STREAM TRIBUTARY: CASCADE RESERVOIR

**** PARTIES INVOLVED ****

E K ALLEN RANCHES INC C PRO SE

**** ROA ENTRIES ****

10-31-2000 PARTIAL DECREE FILED

10-31-2000

[Return to SRBA Home Page](#)

EXHIBIT "B"

SRBA
09-27-2013

HTML12

SRBA

DIRECTORS REPORT 65-03111X

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IWT072

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

Right Number: 65-03111X

Name and Address: E K ALLEN RANCHES INC
11217 HWY 55
CASCADE, ID 83611

Source: UNNAMED STREAM Tributary: CASCADE RESERVOIR

Quantity: 2.70 CFS

THIS RIGHT SHALL PROVIDE NO MORE THAN .02 CFS PER ACRE WHEN
MEASURED AT FIELD HEADGATE.

Priority Date: 06-01-1894

Diversion Point: T13N R03E S03 NWSE Within Valley County

Purpose and Period of Use:	Purpose of Use	Period of Use	Quantity
	Irrigation	04-15 TO 10-15	2.70 CFS

Place of Use:	Irrigation	Within Valley County
	T13N R03E S03 LOT 8 (NENE) 23	LOT 7 (NWNE) 21
	SWNE 8	SENE 31
	83 Acres Total	

Other Provisions Necessary for Definition / Administration of this Water Right:

Explanatory Material: Basis of Claim - Decreed

SOURCE IS ALSO KNOWN AS RICHARD CREEK.
SOURCE IS ALSO KNOWN AS ROCK CREEK.

[Return to SRBA Home Page](#)

EXHIBIT "C"