

# GIVENS PURSLEY<sup>LLP</sup>

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May 28, 2014

Via Email

Linda Werner  
Idaho Department of Water Resources,  
Northern Region  
7600 N. Mineral Drive, Suite 100  
Coeur d'Alene, ID 83815-2819

Re: Evidence of Priority - Potlatch

Dear Linda:

On behalf of Potlatch Corporation and its affiliated entities (collectively, "Potlatch") who have filed claims in the Coeur d'Alene – Spokane River Basin Adjudication, I am enclosing with this letter seven affidavits in response to your March 25, 2014 letter requesting evidence of priority dates. Per our telephone conversation on April 17, the submission date set forth in that letter was extended to May 28, 2014.

The enclosed affidavits are submitted in support of the following water right claims: 92-10876; 92-10879; 92-10880; 92-10881; 92-10882; 92-10883; and 92-10885.

Potlatch still is compiling evidence of priority for the other claims listed in your March 25 letter: 92-10877; 92-10878; 92-10884; 92-10886; 91-7724; 91-7725; and 91-7726. It is expected that such evidence will be similar in nature to the evidence enclosed with this letter. However, gathering such evidence has been complicated because the Potlatch employee who took the lead on developing the claims has retired and many of Potlatch's historical records are no longer in its possession because they recently were donated to the University of Idaho. Potlatch will submit evidence of priority for these other claims once it has been compiled.

Please feel free to contact me if you have any questions.

Sincerely,



Michael P. Lawrence

MPL:la 2091253\_2  
Enclosures

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*Attorneys for Potlatch Corporation,  
Potlatch Forest Holdings, Inc.,  
Potlatch Land and Lumber, LLC, and  
Potlatch TRS Idaho, LLC*

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

In Re CSRBA

Case No. 49576

Subcase No. 92-10879

**AFFIDAVIT OF  
BRANT STEIGERS**

STATE OF IDAHO     )  
                                  ss.  
County of Latah     )

BRANT STEIGERS, being first duly sworn upon oath, deposes and says as follows:

1.) I am a Land Use Forester for Potlatch Corporation, and its subsidiary companies Potlatch Forest Holdings, Inc., Potlatch Land and Lumber, LLC, and Potlatch TRS Idaho, LLC (collectively, "Potlatch"), the claimants of water rights in the Coeur d'Alene-Spokane River Basin Adjudication.

2.) I have personal knowledge of the facts herein and make this affidavit based on such personal knowledge and the records in my possession of which I am the custodian and which are made, kept, and used in the regular course of the business and practice of Potlatch. All

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exhibits attached to this affidavit are true, correct and complete copies of the documents represented to be contained therein.

3.) Attached to this affidavit as Exhibit A is a copy of an aerial photograph located in Potlatch's records showing a portion of Potlatch's lands in Township 43 North, Range 2 East, B.M. During my employment with Potlatch, I have visited some or all of the lands shown in this photograph and attest that this photograph accurately depicts lands owned by Potlatch. This photograph is one of many in Potlatch's records of aerial photography that are regularly made, kept, and used to document the condition of Potlatch's lands. Such photographs, including the one in Exhibit A, are regularly produced in the ordinary course of Potlatch's business and not in anticipation of trial. I located the original of the photograph in Exhibit A in good condition where I expected to find it in Potlatch's photograph repository in the basement of the Potlatch office building at 301 D Street, Suite A, Lewiston, ID 83535.

4.) The photograph in Exhibit A shows, among other things, roads on Potlatch lands used to access Potlatch's forest lands for logging purposes. Two recently harvested clear-cuts are visible near the upper-center of the photograph.

5.) The photograph in Exhibit A contains a date stamp of "9-9-70", which corresponds to the September 9, 1970 date the photograph was taken. This method of date-stamping each photo is consistent with the procedures I have witnessed in the 20 years of working with aerial photographs with Potlatch. The photograph also contains an identifying code "PFI-70 309-A2-3", which corresponds to the project name, flight path, and photo number of the flight path. "PFI" stands for Potlatch Forests, Inc., the name of the corporation before a name change to Potlatch Corporation. "-70" corresponds to the year of the photo collection project. The identifying code on the photograph corresponds to markings and information contained in a

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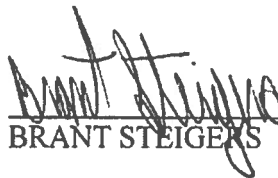
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document entitled "Index to 1970 Aerial Photos" which is included in Potlatch's files with the photograph.

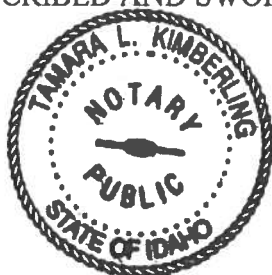
6.) I have marked with an arrow on the photograph in Exhibit A the location of the point of diversion claimed for water right no. 92-10879. Water diversions are made where the logging road crosses the stream, allowing a water truck to access the stream with a suction hose. (The red circle in the center of the photograph is a standard marking on all of the original photographs in this collection.)

7.) Potlatch's normal operating practices requiring the use of water for industrial and fire protection uses associated with logging roads and logging activities including, without limitation, truck washing, dust abatement, chemical application, and fire suppression. Based on the roads and logging activities shown in the photograph in Exhibit A, it is reasonable to infer that water was diverted from the claimed point of diversion for industrial and fire protection purposes at least as early as the date of the photograph (September 9, 1970).

DATED this 28 day of May, 2014.

  
BRANT STEIGERS

SUBSCRIBED AND SWORN to before me this 28 day of May, 2014.



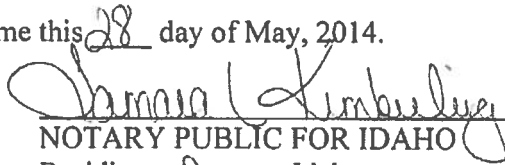
  
NOTARY PUBLIC FOR IDAHO  
Residing at Danby, Idaho  
Commission expires: 12/10/2015

Exhibit A

PFI-70 203-A2-3

9-9-70



92-10879  
Diversion Point

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