

STATE OF INDIANA)

) ss:

COUNTY OF _____)

AFFIDAVIT OF REUBEN SCOTT

I, Reuben Scott, being over the age of 18 and having been first duly sworn upon my oath, do hereby swear and affirm that the following statements are correct and accurate to the best of my knowledge:

1. This affidavit is based on my personal knowledge of the following information.
2. Mr. Merlin Martin hired me to perform work on a parcel of his land that is near Anglin Road. I have been informed that this land is now subject to an investigation by the United States Army Corps of Engineers.
3. I did work in the northern part of the property, in the area that the Army Corps has identified as containing "Tributary A," in the summertime about seven or eight years ago (about 2007 or 2008).
4. I used an excavator in this area to install tile outlet for the fields to the west of this parcel and install 12" tile in the northern part of the property. This work took me a few days to complete.
5. I laid out the tiles following an erosional feature from the western property line to the eastern property line. The tile was laid at a depth of about 2 1/2 feet on the western edge to about 3 feet on the eastern end. The feature I followed to lay out the tile was shallow in places and more cut out in others. There were weeds on the ground and growing within the erosional feature.
6. At the time I was doing this work, the ground was dry. The erosional feature did not have any water in it. It appeared to be the type of feature that only had water in it when it rained.
7. The property had been logged a few years before I did this work. Small and medium-sized trees were left after the logging, and these trees were generally tall and thin. The log skidder tracks ran throughout the area. By the time I came in to do the tiling work, there were tall weeds on the ground and saplings had grown up. I only had to do minor tree removal to install the tile.
8. In the summer of 2013, I was hired to do some more work in the area identified by the Army Corps as containing "Tributary A". I used an excavator and a dozer to clear trees. I also installed about 230 feet of 12" tile along the eastern property line. I started this tile at the outlet pipe for the tile I'd installed in 2007-08 timeframe, but

installed a new outlet pipe for the new tile. The tile I laid in 2013 was put in about 3 feet deep.

- 9. At the time I did this work, the ground was dry. I did not observe any standing water on the ground or any flowing water. The erosional feature looked about the same as it did the last time I was there. It did not look like it carried water on a regular basis.
- 10. This work took me about a month to complete. I worked on it as I had time.
- 11. In 2014, I did more work for Mr. Martin on that parcel of land. This work was done in the southern part of the property, in the area identified by the Army Corps as containing "Tributary B." I worked on this project for about 3 months, from late summertime into the fall, as I had time.
- 12. For this work, I used an excavator and a dozer to take out stumps from the early 2000's logging operation and also take out shrubs and bushes. As with the other area, the logging company left small to medium-sized trees standing within this area, and these trees were generally tall and thin.
- 13. The ground was dry during the timeframe when I did this work. I did not observe any identifiable erosional feature or stream or any feature that looked like it would have water flowing through it. There were deer trails and log skidder tracks from previous logging activities. I also saw old clay tiles in the ground.

This concludes my affidavit.

Reuben Scott

Reuben Scott

Subscribed and sworn to before me this ___ day of September, 2015 by Reuben Scott.

Witness my hand and official seal.

[S E A L]



Julie K. Peters
Notary Public

My Commission Expires: November 18, 2016