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Department of Water Resources
Southern Region

**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

Case No. 39576

) **AFFIDAVIT OF LEROY KLAMM**
) **IN SUPPORT OF SRBA CLAIMS**
) **45-02747, 45-02748, 45-02749, 45-02758,**
) **45-02763, AND 45-07137**

STATE OF IDAHO

COUNTY OF MINIDOKA

)
) ss:
)

I, Leroy Klamm, after first being duly sworn upon oath, depose and state that:

(1) My name is Leroy Klamm. From 1965 through my retirement at the end of 1994, I was the Boiler and Refrigeration Supervisor at the Burley, Idaho plants owned and operated by Ore-Ida Foods, a subsidiary of the H. J. Heinz Company. I actually began employment at the Burley plants in 1961 as a loading dock operator. Following military service which included engineering studies and training, I returned to the Ore-Ida plants in Burley and very shortly assumed the duties of Boiler and Refrigeration Supervisor.

(2) My duties included operation of all utilities for the Burley plants. During production, we required as much as ^{20,000} pounds of steam per hour. Due to the extensive use of water by the boiler and refrigeration systems, I was involved with operation of the wells at both plants.

(3) The wells operated 24 hours per day with production and also operated to support cleanup during production shutdown as well as boiler operation for heating during wintertime shutdown. The cold storage condensers and cooling of the compressors required water year-round, as did the restrooms.

ORIGINAL

(4) Ore-Ida Foods purchased a new boiler in the 1970s as a result of which production increased substantially at the Burley facility. In the 1980s, there were years that production would follow a repeating cycle of 14 days on (24 hours per day) and 24 hours off (for cleanup). At such times, the facility could be in production as many as 340 days in a year. Production was never less than 280 days per year. The wells always operated 24 hours per day to support production.

(5) In order to avoid any potential contamination of the plants' primary production for food service, there was no reuse of water, not even of the water used for cooling.

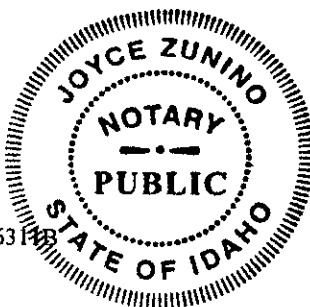
(6) I am aware that the Idaho Department of Water Resources, based on field exams at the Burley plant in 1982, found that the plants operated five days per week (260 days per year) and that the well pumps ran 12 hours each day the plants were operated. From my personal knowledge, I know the wells operated 24 hours each day during production and that production ranged from 280 to 340 days per year during my employment with Ore-Ida Foods. During the 1980s, the days of production were at the higher end of that range. In addition, as I have stated above, the wells also supported year-round uses and other specific uses during production shutdown.

FURTHER YOUR AFFIANT SAYETH NAUGHT.

Dated this 10th day of August 2004.

Leroy Klamm
LEROY KLAMM

SUBSCRIBED AND SWORN before me on this 10th day of August 2004.



Joyce Zunino
Notary Public for Idaho
Residing at Paul, Idaho
Commission Expires: 05-15-07