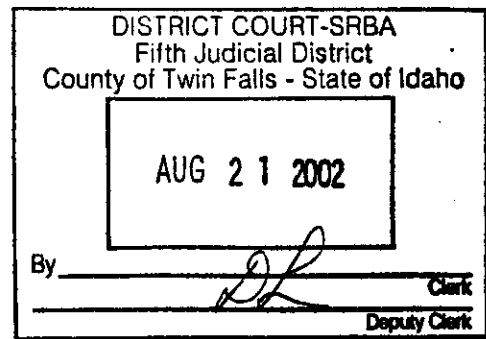




Names of Parties Filing Document:

UNITED STATES OF AMERICA

Attorneys' Names and Addresses:

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**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 Numbers: 21-12003 et. al.
) see attached list
Case No. 39576)
) **AFFIDAVIT OF FREDRIC W. PRICE**
)
_____)

State of Idaho)
) ss.
County of Ada)

I Fredric W. Price, being of lawful age, and having first been duly sworn, do depose and state:

//

- travel to remote fire locations with just a map;
- map the position and extent of fires for which I was responsible;
- locate, construct and maintain range improvements (including but not limited to: spring developments, pipelines and fences), and to supplement the range improvement project files.
- I taught several courses to new employees in interpreting maps and BLM Master Title Plats (hereinafter "MTP"), as well as, in the use of a compass.
- In my work with the BLM, I have been responsible for tasks requiring an ability to interpret: maps, legal land descriptions, and water claims, including the preparation, mapping and review of 5,500 SRBA water right claims for BLM.
- In my work with the BLM, I have reviewed hundreds of water right claim descriptions to determine how many claims were asserted to the same source of water.

b. As a Water Rights Specialist at the BLM State Office, it is my responsibility to provide guidance and direction to Idaho BLM offices in all matters relating to water rights, and make recommendations to the Department of Justice. My experience with water rights in my present position is as follows:

- I develop policy for BLM across several programs to deal with water issues, such as the range management and realty programs.
- I have compared tens of thousands of legal land descriptions represented in Points of Diversion (hereinafter "POD") and Places of Use (hereinafter "POU")

more than one claim to the same source of water.

- I routinely provide technical assistance, reports, recommendations and opinions to the Department of Justice concerning all the above matters.

4. Attachment 1 is a list of the scheduled subcases taken from the court's scheduling orders.

5. All of the subcases identified on Attachment 1 are "dual" claims based upon state and federal law, except as described below. The federal basis was claimed pursuant to an Executive Order dated April 17, 1926 and known as Public Water Reserve 107 (hereinafter "PWR 107").

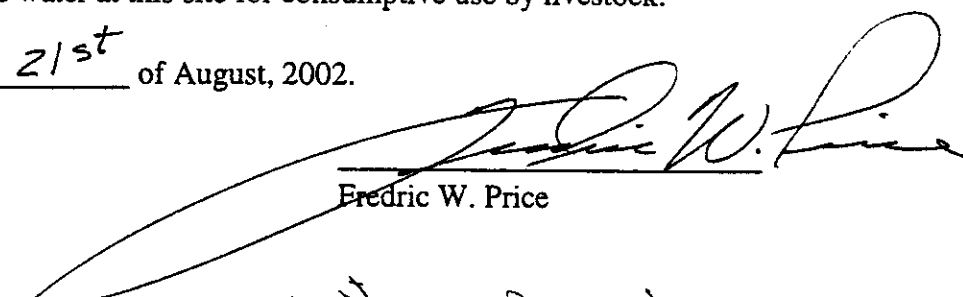
The source element for each of these subcases, except those described below, identifies a spring or water hole that has been declared tributary to something other than sinks. I verified claim basis and the source element by reviewing the BLM claim files and IDWR Director's Report recommendations for each subcase number. The dates for filing of documents with the court was determined from the SRBA Court's website by running an IWATRS Report for Subcase Summary.

a. Subcase numbers 25-13942, 31-11288, 51-12038, 51-12157, 51-12158, and 51-12418 describe "dual" claims where the source element is identified as a spring or waterhole that has been declared tributary to "sinks." For each of these subcases, an SF-5 has been fully executed by the parties and filed with the court. Affidavits were filed on July 11, 2000 and Evidentiary Hearing held the same day for subcase numbers 51-12038, 51-12157, and 51-12158.

b. Subcase numbers 31-10981, 31-10983, and 31-11000 describe state-based only claims for instream stockwater from creeks and streams. These subcases do not have a federal basis. In all three subcases an SF-5 has been filed with the court.

d. Based upon the field verification and my review of the field investigation documents, there is sufficient surface water at this site for consumptive use by livestock.

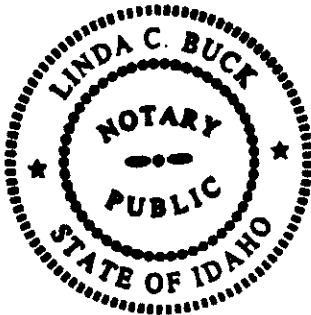
Dated this 21st of August, 2002.

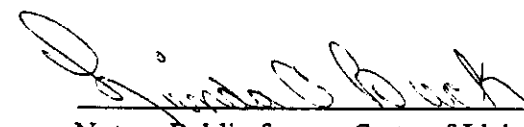

Fredric W. Price

Subscribed and sworn to before me this 21st day of August, 2002.

Witnessed by my hand and official seal.

seal




Notary Public for State of Idaho
Residing at: Mountain Home, ID
My Commission Expires: 12-21-2005

ATTACHMENT 1

21-12003	21-12131
21-12005	21-12133
21-12007	21-12135
21-12009	
21-12011	25-13639
21-12013	25-13641
21-12015	25-13643
21-12017	25-13645
21-12019	25-13647
21-12021	25-13649
21-12023	25-13651
21-12027	25-13655
21-12029	25-13657
21-12031	25-13674
21-12033	25-13682
21-12035	25-13684
21-12037	25-13686
21-12039	25-13688
21-12041	— 25-13942 -PWRsink -SF-5 filed -need SMR
21-12045	
21-12047	31-10981 -CreekNotPwr -SF-5 filed -need SMR ~
21-12049	31-10983 -CreekNotPwr -SF-5 filed -need SMR ~
21-12051	31-11000 -CreekNotPwr -SF-5 filed -need SMR ~
21-12053	31-11022
21-12055	31-11026
21-12057	31-11028
21-12059	31-11030
21-12061	31-11088
21-12063	31-11090
21-12065	31-11110
21-12067	31-11112
21-12069	31-11114
21-12071	31-11116
21-12073	31-11118
21-12075	31-11120
21-12077	31-11122
21-12079	31-11126
21-12081	31-11128
21-12083	31-11130
21-12085	31-11144
21-12087	31-11158
21-12089	31-11160
21-12091	31-11162
21-12093	31-11172
21-12095	31-11180
21-12099	31-11184
21-12105	31-11287
21-12107	— 31-11288 -PWRsink -SF-5 filed -need SMR
21-12109	
21-12113	— 51-12038 -PWRsink -SF-5/Aff filed -need SMR
21-12115	— 51-12157 -PWRsink -SF-5/Aff filed -need SMR
21-12117	— 51-12158 -PWRsink -SF-5/Aff filed -need SMR
21-12119	— 51-12418 -PWRsink -SF-5 filed -need SMR
21-12121	
21-12123	
21-12125	
21-12127	
21-12129	