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DEPARTMENT OF
WATER RESOURCES

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9 Attorneys for LU Ranching

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

12 In Re SRBA

13
14 Case No. 39576

Subcase Numbers 55-10288B, 55-10289B, 55-
10290B, 55-10292B, 55-10293B, 55-10295,
55-10296, 55-10297B, 55-10298, 55-10299B,
55-10300, 55-10301B, 55-10303B, and 55-
13451

15 **SUPPLEMENTAL DECLARATION OF**
16 **TIMOTHY LOWRY IN SUPPORT OF LU**
17 **RANCHING CO.'S APPLICATION FOR**
18 **ATTORNEYS FEES AND EXPENSES**
19 **UNDER I.R.C.P. 54 AND THE EQUAL**
20 **ACCESS TO JUSTICE ACT (28 U.S.C.**
21 **2412(d))**

DECLARATION OF TIMOTHY LOWRY

I, Timothy Lowry, declare:

1. I have personal knowledge of the matters stated herein and am competent to testify thereto.

2. I am an Idaho state citizen and reside in Owyhee, United States of America.

3. I am the Vice-President of LU Ranching Company ("LU Ranching") and am authorized to represent LU Ranching's interests in the above-captioned action.

4. The attorneys' fees generated in the above-captioned action, and which are sought in the application for Attorneys' Fees and Expenses of which this Declaration is made a part, were necessarily incurred by LU Ranching and me.

5. I am an individual and my net worth did not exceed Two Million Dollars (\$2,000,000) at the time the above-captioned civil action was filed.

6. On behalf of LU Ranching, I declare that the net worth of LU Ranching did not exceed Seven Million Dollars (\$7,000,000), nor did LU Ranching employ more than 500 employees at the time the above-captioned civil action was filed.

I declare under penalty of perjury under the laws of the State of Idaho that the foregoing is true and correct and that this declaration was executed on January ^{31st} 2005 at

Owyhee County, Idaho.

Dated: January 31, 2005.

Timothy Lowry
Timothy Lowry

CERTIFICATE OF SERVICE

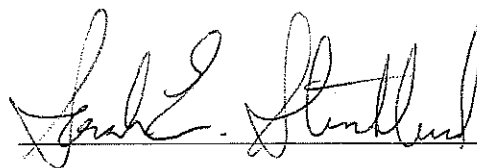
I certify that on January 31, 2005, I served a true and correct copy of foregoing
**SUPPLEMENTAL DECLARATION OF TIMOTHY LOWRY IN SUPPORT OF LU
RANCHING CO.'S APPLICATION FOR ATTORNEYS FEES AND EXPENSES UNDER
I.R.C.P. 54 AND THE EQUAL ACCESS TO JUSTICE ACT (28 U.S.C. 2412(d))** upon the
following individuals by placing the document in the United States Mail, postage paid, and
addressed as follows:

U.S. Department of Justice
General Litigation Section
Environment and Natural Resources Division
550 West Fort Street, MSC 033
Boise, ID 83724

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Sarah Strickland

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