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JUN 29 2005

DEPARTMENT OF
WATER RESOURCES

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

Subcases 55-02414, 55-07319, 55-07383,
55-07410, 55-07413, and 55-07420

Case No. 39576

**SUPPLEMENTAL AFFIDAVIT OF TIM
LOWRY IN SUPPORT OF LU
RANCHING'S OPPOSITION TO
UNITED STATES' MOTION FOR
SUMMARY JUDGMENT**

I, Tim Lowry, declare and affirm under penalty of perjury as follows:

1. On June 23, 2005, I signed under penalty of perjury a document captioned "Affidavit of Tim Lowry in Support of LU Ranching's Opposition to United States' Motion for Summary Judgment," a true and correct copy of which is attached hereto ("June 23, 2005 Affidavit").
2. In addition to affirming all statements contained in the June 23, 2005 Affidavit, I hereby declare and affirm that I am over the age of eighteen, and if called upon to do so can competently testify as to all facts and statements made in the June 23, 2005 Affidavit.

I do hereby affirm and declare under penalty of perjury that the contents of this affidavit are true and correct.

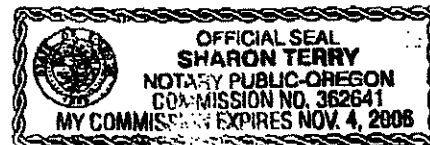
DATED: 6/24/05

Tim Lowry
Tim Lowry

Subscribed and sworn to before me

on 6.24.05

Notary Public for Malheur County
Residing at Jordan Valley, OR 97910
My Commission Expires 11.4.06



claimed by the United States. In all of that time, neither the United States nor the Bureau of Land Management ("BLM") have put any of the claimed waters to beneficial use or used the claimed waters for the watering of livestock.

6. My knowledge regarding the use of the water sources on the Cliffs Allotment actually pre-dates the 1980s and goes back to the mid-1960s when we were using a neighboring allotment. At no time have I heard of or witnessed the use of water within the Cliffs Allotment by the United States or the BLM for stockwatering. To the best of my information and belief, at no time has the United States or the BLM owned livestock or used the waters within the Cliffs Allotment for the watering of livestock.

7. My understanding is that the United States is basing its claims on licenses issued to it. At no time prior to this adjudication was I personally aware that the United States had applied for or had been issued licenses for the water sources that are now claimed by the United States in these subcases.

8. I received no notice of the United States' applications for licenses or of applications for the appropriation of these waters. Had I received such notice, I would have protested the applications.

9. To the best of my knowledge and belief, most if not all the United States' license applications were for the appropriation of water that had already been appropriated by L.U. Ranching, the Jeff Anderson Estate, Inc., Michael Stanford and their predecessors in interest prior to the dates of the applications.

I do hereby affirm and declare under penalty of perjury that the contents of this affidavit are true and correct.

DATED: 6/23/05

Tim Lowry
Tim Lowry

Subscribed and sworn to before me

on 6.23.05
Notary Public for Malheur County
Residing at Jordan Valley Or 97710
My Commission Expires 11.4.06



CERTIFICATE OF SERVICE

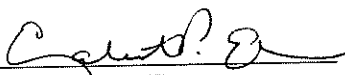
I certify that on June 24, 2005, I served a true and correct copy of foregoing
**SUPPLEMENTAL AFFIDAVIT OF TIM LOWRY IN SUPPORT OF LU RANCHING'S
OPPOSITION TO UNITED STATES' MOTION FOR SUMMARY JUDGMENT**
upon the following individuals by placing the document in the United States Mail, postage paid,
and 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

Larry Brown
Attorney, U.S. Dept. of Justice
General Litigation Section
Environment and Natural Resources Division
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(Courtesy copy sent via electronic mail)

Chief, Natural Resources Division
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