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

4 In Re SRBA

Subcase Numbers 55-10135, 55-11061,
55-11385 and 55-12452

5 Case No. 39576

6 **DECLARATION OF W. ALAN**
7 **SCHROEDER IN SUPPORT OF JOYCE**
8 **LIVESTOCK'S MOTION FOR**
9 **ATTORNEYS' FEES**

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12 **DECLARATION OF W. ALAN SCHROEDER**

13 I, W. Alan Schroeder, declare:

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

16 2. I am an attorney-at-law duly admitted to practice before all the courts of the State
17 of Idaho.

18 3. I have significant experience as an attorney practicing in the area of natural
19 resource law and water rights adjudications.

20 4. I am currently a member of the law firm of Schroeder & Lezamiz Law Offices
21 LLP in Boise, Idaho and practice in the area of natural resource and water law.

22 5. The above-captioned litigation required distinctive knowledge and specialized
23 skill in the area of environmental law, specifically the enforcement, prosecution, and defense of
24 water rights under both federal and state law.

25 6. I am knowledgeable of and familiar with market rates for private attorneys working
26 in the specialized and complex area of natural resource and water law in Idaho.
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7. I declare that the market rate for legal services in the specialized and complex area of water rights enforcement, prosecution and defense in Boise, Idaho and the surrounding regions is around \$250.00 per hour.

8. Depending upon the complexity of the litigation and the particular and specialized expertise of the attorneys, a rate greater than \$250.00 per hour for legal fees for services in the area of water rights may be reasonable.

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 August 16, 2005 at Boise, Idaho.

W. A. Schach

W. Alan Schroeder