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DEPARTMENT OF
WATER RESOURCES

Boise office since May 2003 working on a number of projects involving water rights in the State of Idaho, several of which relate to adjudication of claims in the Snake River Basin Adjudication ("SRBA").

2. Prior to employment at ERO, I worked for over 33 years for the State of Idaho, Department of Water Resources ("IDWR") and its predecessor agencies in various positions related to evaluation and management of water resources and water use facilities. During the period 1977 to 2003, as Administrator of the Water Management Division, I had responsibility for implementation and development of all of IDWR's permitting and regulatory programs, including those related to approval of new water rights and management of the use of existing water rights in accordance with the Prior Appropriation Doctrine. My duties in this position included the development of policies, drafting of rules and legislative proposals and the issuance of permits, licenses and other actions related to allocation and management of water resources. A true and correct copy of my resume is attached to this affidavit and incorporated herein by this reference.

3. One of the projects that I have worked on as an employee of ERO relates to the evaluation of claims filed in the SRBA on behalf of the Shoshone-Paiute tribe for the Duck Valley Reservation. I have personal knowledge that ERO staff made several trips to the reservation for the purpose of doing field studies to determine soil capability class. The fieldwork performed by ERO staff, which involved observation of surface features and subsurface soil profiles by means of excavating test pits, took more than two weeks.

4. During the period of my employment at IDWR and while I had responsibilities related to IDWR's evaluation of SRBA claims and preparation of Director's Reports for submittal to the SRBA court, IDWR contracted for preparation of a technical report detailing

procedures to be used in the evaluation of claims. The resulting report entitled "Guidelines for the Evaluation of Irrigation Diversion Rates," Hubble Engineering Inc. and Associated Earth Sciences, Inc., Boise, Idaho, October 1991, has been used by IDWR in the evaluation of claims. This guideline uses the following parameters in evaluating the water needs of a claimed irrigation use: crops, soils, irrigation methods, irrigation efficiency and conveyance losses. The evaluation requires knowledge of soil types to calculate the filed requirements for irrigation, and depths and types of materials through which open ditches are constructed to calculate the ditch conveyance losses. The information now available concerning soils and ditch materials is not adequate to evaluate the water use and needs for Claim No. 31-11845.

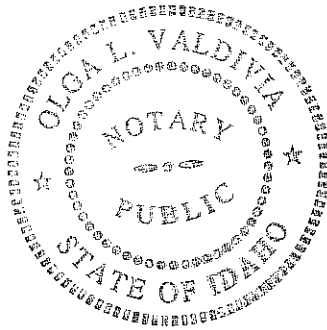
5. As an employee of ERO, I have recently been requested to evaluate the irrigation system used to divert and apply irrigation water under Claim No. 31-11845. I have reviewed the information available in the files, the land contour elevation maps and ditch bottom elevation data recently developed by IDWR, and have made a preliminary, cursory evaluation of the system in the field. I did not have direct access to the facilities located on property held by the claimant. An adequate understanding of the land areas capable of irrigation by the system requires further information concerning the irrigation facilities, particularly with respect to the height of the ditch banks at various locations throughout the system and the cross-sectional area and hydraulic heads available for delivery of water to various reaches of the ditch and the land areas adjacent to these reaches that are claimed to be irrigated.

6. Further your affiant sayeth naught.

DATED this 11th day of July, 2006.

Norman C. Young
NORMAN C. YOUNG

SUBSCRIBED AND SWORN to before me this 11th day of July, 2006.



Olga L. Valdivia
NOTARY PUBLIC FOR IDAHO
Residing at Boise, ID
My Commission expires 2/5/2012

NORMAN C. YOUNG
WATER RESOURCE ENGINEER

Summary:

Norm Young is an engineer specializing in water resource related matters with the firm of ERO Resources Corporation, a Denver-based natural resources consulting firm. His experience includes 33 years with the State of Idaho Department of Water Resources, serving over 25 years as the administrator of Idaho's programs allocating and protecting surface and ground water resources.

Areas of Expertise:

Norm specializes in resolving complex water rights and water supply problems by innovatively using water law, administrative policy and technical understanding of water availability and requirements to obtain the legal right to use surface and ground water needed for new projects and to firm up water rights for existing projects.

Education:

B.S., Agricultural Engineering
University of Idaho, 1964

M.S., Agricultural Engineering
University of Idaho, 1969

Water Resources Experience:

2003 to present Engineer

ERO Resources Corporation, Boise, Idaho.

Provide technical assistance to water right claimants or those objecting to water right claims in the Snake River Basin Adjudication.

Provide technical assistance to water users seeking to develop a new or additional water right or seeking to change the use of an existing water right.

Provide assistance to water users involved in administrative proceedings before state natural resource management agencies or judicial proceedings involving use of water resources.

1977 to 2003 Administrator, Water Management Division

Department of Water Resources, State of Idaho (including a temporary assignment as Acting Director of the Department).

This position has responsibility for administration of the State of Idaho's programs allocating and protecting the water resources of Idaho (including the development and adoption of rules, regulations, written policies and draft legislation) implementing the following programs:

Water Right Permitting Procedures

Conjunctive Management of Surface and Ground Water Resources

Water Management (rules drafted, but not adopted)

Policy Guideline for Transfer of Rights to the Use of Ground Water, Eastern Snake Plain Aquifer

Water Banking, including rules applicable statewide and procedures applicable to Upper Snake Basin, Boise Basin, Payette Basin, and Bear River Basin (drafted, but not adopted)

Beneficial Use Examinations for Water Right Permits

Acquisition of Federal Desert Lands under the Carey Act

Safety of Dams

Safety of Mine Tailings Impoundments

Well Driller Licensing

Water Well Construction

Protection and Use of Geothermal Resources

Stream Channel Protection

Construction and Use of Waste Disposal and Injection Wells

1974 to 1979 Chief, Engineering Bureau

Department of Water Resources, State of Idaho.

This position had responsibility for the safety of dams and ground water quality protection programs and the Carey Act program, which included evaluating the feasibility and acceptability of proposals seeking to develop more than 500,000 acres of federal desert land into irrigated family farms.

1971 to 1974 Manager, Eastern Region

Department of Water Resources, State of Idaho.

Norm opened the regional office implementing the State's water management programs in Eastern Idaho.

1969 to 1971 Hydrologist/Engineer

Department of Water Resources, State of Idaho.

As a member of a multidisciplinary team, evaluated the availability of surface and ground water resources in specific hydrologic basins in Idaho, including the Twins Falls Tract in Southwestern Idaho and the Curlew Basin in Southeastern Idaho. He evaluated ground water availability and effect of its diversion and use to assist local ground water boards resolve water right disputes. He also developed a procedure for the Department of Water Resources to determine reasonable ground water pumping lifts in accordance with state law.

Related Experience

1969 (2 months) Design Engineer

Oppel Harvester, Incorporated, Boise, Idaho.

1967 to 1969 Instructor, Department of Agricultural Engineering

University of Idaho, Moscow, Idaho.

1964 to 1966 Test engineer for product development.

Hyster Company, Portland, Oregon.

Licenses and Certificates:

1969 to present Licensed Professional Engineer and Land Surveyor in Idaho.

2004 to present Certified Water Rights Examiner.

CERTIFICATE OF MAILING

I certify that on this 11th day of July, 2006, I caused to be served the original and copies of this EXHIBIT 23: AFFIDAVIT OF NORMAN C. YOUNG DATED JULY 11, 2006 on the following persons by the indicated methods:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

- ☐ U.S. Mail, postage prepaid
- ☐ Hand Delivery
- ☐ Federal Express
- ☒ Facsimile: (208) 736-2121
- ☐ Statehouse Mail

2. Copies to

Special Master Brigitte Bilyeu
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

- ☒ U.S. Mail, postage prepaid
- ☐ Hand Delivery
- ☐ Federal Express
- ☐ Facsimile: _____
- ☐ Statehouse Mail

United States Department of Justice
Environment and Natural Resource
Division
550 West Fort Street, MSC 033
Boise, ID 83724

- ☒ U.S. Mail, postage prepaid
- ☐ Hand Delivery
- ☐ Federal Express
- ☐ Facsimile: _____
- ☐ Statehouse Mail

Ben D. Jernberg
Represented by:
ROGER D. LING
615 H St.
PO Box 396
Rupert, ID 83350-0396

- ☐ U.S. Mail, postage prepaid
- ☐ Hand Delivery
- ☐ Federal Express
- ☒ Facsimile: (208) 436-6804
- ☐ Statehouse Mail

IDAHO PROPERTIES, LLC
Represented by:
ROGER D. ING
615 H St.
PO Box 396
Rupert ID 83350-0396

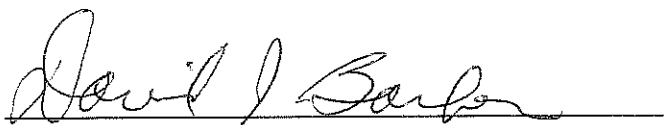
- ☐ U.S. Mail, postage prepaid
- ☐ Hand Delivery
- ☐ Federal Express
- ☒ Facsimile: (208) 436-6804
- ☐ Statehouse Mail

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

- ☐ U.S. Mail, postage prepaid
- ☐ Hand Delivery
- ☐ Federal Express
- ☐ Facsimile: _____
- ☒ Statehouse Mail

Chief of Natural Resource Division
Office of the Attorney General
State of Idaho
P.O. Box 44449
Boise, Idaho 83711-4449

Not Applicable

A handwritten signature in cursive script, reading "David J. Barber", written over a horizontal line.

DAVID J. BARBER
Deputy Attorney General