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Department of Water Resources
Adjudication Bureau

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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

Case No. 39576

Sub Case No.: 27-4152

AFFIDAVIT OF SCOTT HAYS

State of Idaho)
) ss.
County of Bingham)

Scott Hays, being first duly sworn upon oath, deposes and states as follows:

1. I am the Parks and Recreation Department Supervisor for the City of Blackfoot, Idaho.
2. I have reviewed the records of the City of Blackfoot in connection with the City's claim for Water Right No. 27-4152.
3. The City is claiming Water Right No. 27-4152 on the basis of beneficial use of the original well for the front nine holes of the municipal golf course adjacent to the airport. The only records I have been able to locate identify the date of the Front Nine Well as constructed on

May 15, 1954. At the time of its construction, there were only nine holes and this well was the only irrigation well for the golf course.

4. The City subsequently expanded the golf course to add an additional nine holes (the "Back Nine"). An additional well was installed for the Back Nine. The City holds a license for the Back Nine Well (Water Right No. 27-7385).

5. In the early 1980s, the airport runway was moved, necessitating the relocation of the Front Nine Well.

6. Both the Front Nine Well and the Back Nine Well remain in use for golf course irrigation today.

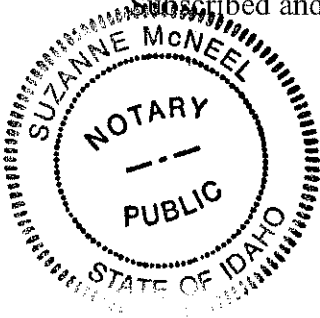
7. The Front Nine Well irrigates approximately 10 acres more than does the Back Nine Well.

8. I have reviewed the "theoretical" calculation of pumping capacity prepared by the Idaho Department of Water Resources, which determined that the pumping capacity of the Front Nine Well is 1.34 cfs. This is consistent with the City's license for the Back Nine Well (1.32 cfs). Based on my professional judgment and familiarity with both wells, I believe the estimate of pumping capacity of 1.34 cfs for the Front Nine well is accurate.

DATED this 22 day of August 2006.

Scott Hays
Scott Hays

Subscribed and sworn to, before me, this 22 day of August 2006.



Suzanne McNeel
Notary Public for the State of Idaho
Residing at Blackfoot
My Commission Expires 4-15-08

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 28th of August 2006, the foregoing was filed, served, or copied as follows:

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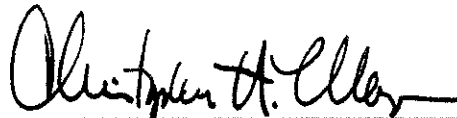
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