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DEPARTMENT OF
WATER RESOURCES

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Attorneys for Objectors/Claimants,
 Ben D. Jernberg and Idaho Properties, LLC

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

Subcase No. 31-11845

Case No. 39576

WRITTEN STATEMENT REGARDING
NEW EXPERT OPINIONS

COME NOW the Objectors/Claimants, Ben Jernberg and Idaho Properties, LLC (hereinafter "Jernberg") in the above-entitled action by and through their attorneys, Roger D. Ling and Michael P. Tribe of the firm Ling, Robinson & Walker, and submit to the Court, pursuant to the *Fourth Amended Trial Scheduling Order* of January 4, 2007, their *Written Statement Concerning New Expert Opinions*.

The Court requested that the *Written Statement* should address whether the new expert would adopt the existing export report. In addition, the Court requested that the *Written Statement* address the amendments or interlineations made to the export report during the deposition of Dale Stukenholtz.

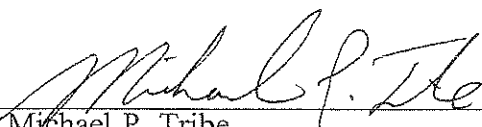
Jernberg has decided to use Paul Stukenholtz as his expert witness with regards to soils and all issues falling within that subject matter. After consulting with Paul Stukenholtz, the son of the late Dr. Dale Stukenholtz, Paul Stukenholtz will adopt the findings of the export report of Dr. Stukenholtz. Such adoption includes the amendments to the expert report during the deposition of Dr. Stukenholtz. Paul Stukenholtz will rely on the field data collected by Dr.

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3 Stukenholtz, the deposition taken by the State and other material in Dr. Stukenholtz's file with
4 regard to this subcase for the basis of his testimony at trial.
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7 DATED this 31st day of January, 2007.

8 LING, ROBINSON & WALKER
9

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11 By: 
12 Michael P. Tribe
13 Attorneys for Claimants/Objectors
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28 WRITTEN STATEMENT REGARDING
NEW EXPERT OPINIONS.

CERTIFICATE OF SERVICE

I certify that on January 31, 2007, I served the original and copies of this Statement to the following:

1. Original mailed and copy faxed to: Facsimile: (208) 736-2121

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, Idaho 83303-2707

2. Copies mailed to:

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P. O. Box 83720
Boise, Idaho 83720-0098

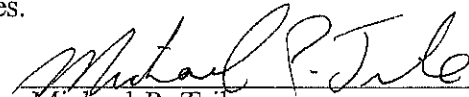
The United States Department of Justice
Environment and Natural Resources Division
550 West Fort Street, MSC 033
Boise, Idaho 83724

2. Copies mailed and faxed to:

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

Facsimile: (208) 334-2690

by depositing said copies in the United States mail with first-class postage prepaid, in envelopes addressed to said parties at the foregoing addresses.


Michael P. Tribe

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NEW EXPERT OPINIONS