

Josephine P. Beeman, # 1806
Beeman & Associates, P.C.
409 West Jefferson Street
Boise, Idaho 83702
(208) 331-0950
FAX (208) 331-0954
jo.beeman@beemanlaw.com

Attorneys for City of Weiser

**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. 03-10010
	)	
	)	
Case No. 39576	)	AFFIDAVIT OF JOSEPHINE P. BEEMAN IN
	)	SUPPORT OF THE CITY OF WEISER'S MOTION
	)	TO VACATE MAY 3, 2007 INITIAL HEARING
_____	)	

STATE OF IDAHO	)
	) ss:
COUNTY OF ADA	)

I, Josephine P. Beeman, after first being duly sworn upon oath, depose and state that:

1. I am the attorney of record for the City of Weiser in the above-captioned action.
2. The initial hearing for 03-10010 is currently scheduled for May 3, 2007 at 10:45 a.m. before Special Master Dolan.
3. I also am counsel of record in a pending matter at the SRBA court affecting 29 SRBA claims in Basin 37, which is scheduled for a mandatory SRBA settlement conference in Gooding, Idaho on May 3, 2007 from 10:00 a.m. to 1:00 p.m. I cannot obtain phone reception from that location in order to attend the Initial Hearing by phone.
4. The City of Weiser seeks to vacate the May 3 Initial Hearing to allow counsel to participate in the mandatory settlement conference in Gooding.

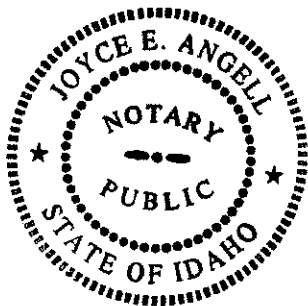
5. Counsel has spoken with counsel for the Idaho Department of Water Resources (IDWR) about vacating the May 3, 2007 initial hearing and rescheduling it for a later date. Counsel for IDWR does not oppose the City of Weiser's Motion to Vacate May 3, 2007 Initial Hearing.

FURTHER YOUR AFFIANT SAYETH NAUGHT.

DATED this 3rd day of May 2007.

Josephine P. Beeman
Josephine P. Beeman

SUBSCRIBED AND SWORN to before me this 3 day of May 2007.



Joyce E. Angell
Notary Public in and for the State of Idaho
Residing in: Boise Idaho
My Commission Expires: 7-29-08

CERTIFICATE OF SERVICE

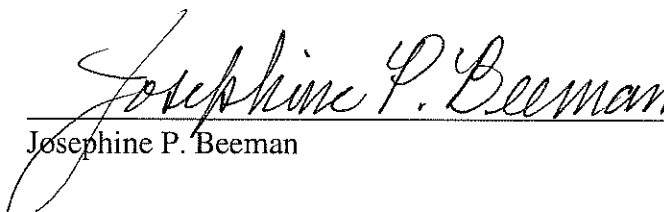
I HEREBY CERTIFY that on this 15th day of May 2007, I caused a true copy of the foregoing **AFFIDAVIT OF JOSEPHINE P. BEEMAN IN SUPPORT OF CITY OF WEISER'S MOTION TO VACATE MAY 3, 2007 INITIAL HEARING** to be served on the following by U.S. First Class Mail:

UNITED STATES OF AMERICA
REPRESENTED BY:
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NAT'L RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724

STATE OF IDAHO
REPRESENTED BY:
NATURAL RESOURCES DIV CHIEF
STATE OF IDAHO
ATTORNEY GENERAL'S OFFICE
PO BOX 44449
BOISE, ID 83711-4449

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

GARRICK BAXTER
DEPUTY ATTORNEY GENERAL
IDAHO DEPARTMENT OF WATER
RESOURCES
322 EAST FRONT STREET
PO BOX 83720
BOISE, IDAHO 83720-0098



Josephine P. Beeman

Z:\2088\7766