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Attorneys for Pioneer Irrigation District
and Settlers Irrigation District

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

Subcase No. 63-3618
(Lucky Peak Reservoir)

**AFFIDAVIT OF SCOTT L. CAMPBELL IN
SUPPORT OF PIONEER'S AND SETTLERS'
MOTION FOR SUMMARY JUDGMENT**

State of Idaho)
) ss.
County of Ada)

SCOTT L. CAMPBELL, being first duly sworn upon oath, deposes and says:

1. I am an attorney duly licensed to practice law in the state of Idaho and I
am the attorney of record in the above-encaptioned matter for Pioneer Irrigation District
("Pioneer") and the Settlers Irrigation District ("Settlers") (hereinafter collectively referred to as
the "Districts").

2. All of the documents identified in this affidavit were acquired at my direction or obtained by me during the course of my representation of Pioneer and Settlers over the preceding 20 years.

3. I have knowledge of the files pertinent to this matter and I make this affidavit based upon personal knowledge, information and belief.

4. Appended hereto as Exhibit A is a true and correct copy of SRBA Claim Number 63-3618A, filed by Pioneer Irrigation District. This is the Second Amended Claim, dated February 7, 2000.

5. Appended hereto as Exhibit B is a true and correct copy of SRBA Claim Number 63-3618B, filed by Settlers Irrigation District. This is the Second Amended Claim, dated June 1, 2004.

6. Appended hereto as Exhibit C are true and correct copies of Pioneer's Objections and Amended Objection, filed with the SRBA on January 14, 2003 and January 31, 2003, respectively.

7. Appended hereto as Exhibit D are true and correct copies of Settlers Objections and Amended Objection, filed with the SRBA on January 14, 2003 and January 31, 2003, respectively.

8. Appended hereto as Exhibit E is a true and correct copy of a document entitled "Plans Adopted by the Board of Directors for the Irrigation of Pioneer District: General Plan." The plans were adopted on September 5, 1901.

9. Appended hereto as Exhibit F is a true and correct copy of excerpts of a document entitled *Economic and Ecological History Support Study: A Case Study of Federal*

Expenditures on a Water and Land Related Land Resources Project: Boise Project, Idaho and Oregon, authored by H.H. Caldwell and M. Wells, dated June 1974.

10. Appended hereto as Exhibit G is a true and correct copy of Definite Project Report on Lucky Peak Dam and Reservoir, Boise River, Idaho, prepared by Walla Walla District Corps of Engineers, dated October 3, 1949.

11. Appended hereto as Exhibit H is a true and correct copy of the Repayment Contract between the United States of America and the Pioneer Irrigation District, providing for Lucky Peak Reservoir Storage, dated September 8, 2005.

12. Appended hereto as Exhibit I is a true and correct copy of the Repayment Contract between the United States of America and the Settlers Irrigation District, providing for Lucky Peak Reservoir Storage, dated September 8, 2005.

13. Appended hereto as Exhibit J is a true and correct copy of United States Department of the Interior Memoranda, dated September 21, 1976.

14. Appended hereto as Exhibit K is a true and correct copy of a letter addressed to the Bureau of Reclamation sent by me, dated August 27, 2002.

15. Appended hereto as Exhibit L is a true and correct copy of an Application for Permit, submitted by the Bureau of Reclamation, dated March 20, 1964.

16. Appended hereto as Exhibit M is a true and correct copy of an Application for Amendment of a Permit, submitted by the Bureau of Reclamation, dated March 9, 1984.

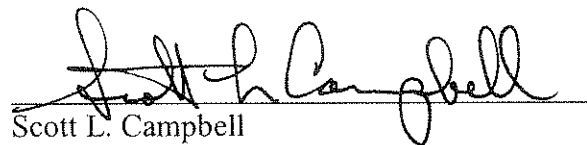
17. Appended hereto as Exhibit N is a true and correct copy of an Application for Amendment of a Permit, submitted by the Bureau of Reclamation, dated March 11, 1987.

18. Appended hereto as Exhibit O is a true and correct copy of an Application for Amendment of a Permit, submitted by the Bureau of Reclamation, dated July 11, 1990.

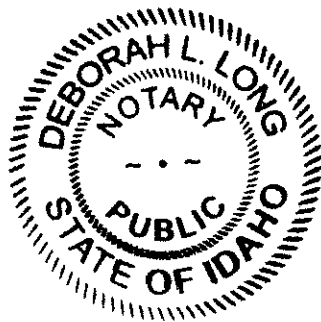
19. Appended hereto as Exhibit P is a true and correct copy of a Water Right License, issued by the Idaho Department of Water Resources to the Bureau of Reclamation on September 27, 2002.

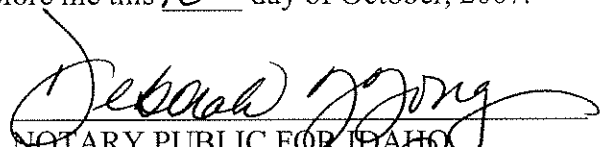
20. Appended hereto as Exhibit Q is a CD containing the Department of Water Resources file concerning Claim No. 63-03618, and true and correct hard copies of portions of said file.

Further your affiant sayeth naught.


Scott L. Campbell

SUBSCRIBED AND SWORN to before me this 10th day of October, 2007.




NOTARY PUBLIC FOR IDAHO
Residing at Boise, Idaho
My Commission Expires 10/10/13

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 12th day of October, 2007, I caused a true and correct copy of the foregoing **AFFIDAVIT OF SCOTT L. CAMPBELL IN SUPPORT OF PIONEER'S AND SETTLERS' MOTION FOR SUMMARY JUDGMENT** to be served by the method indicated below, and addressed to the following:

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Director
Idaho Department of Water Resources
322 E. Front Street, 6th Floor
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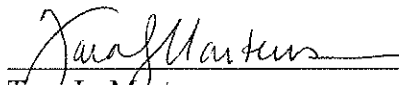
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Tara L. Martens