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DEPARTMENT OF
WATER RESOURCES

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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

Subcase No. 63-3618

Case No. 39576

**AFFIDAVIT OF JENNIFER A. STEVENS IN
SUPPORT OF PIONEER AND SETTLERS
IRRIGATION DISTRICTS' MOTION FOR
SUMMARY JUDGMENT**

State of Idaho)
) ss.
County of Ada)

JENNIFER A. STEVENS, being first duly sworn upon oath, deposes and says:

1. I am a Historian, M.A., A.B.D., and I have been retained as an expert witness in this matter by counsel to Pioneer Irrigation District and Settlers Irrigation District to perform historical research and abstraction and render expert testimony regarding the historical aspects of this matter.

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

3. Exhibit A, attached hereto, consists of three documents; the first is a true and correct copy of correspondence from Lieutenant General R. A. Wheeler, Chief of Engineers, War Department to the Chairman of the United States Senate Committee on Commerce, dated May 13, 1946. The correspondence encloses a letter from S.E. Nortner, Colonel, Corps of Engineers to the Chief of Engineers, U.S. Army, dated January 2, 1946, and a report dated April 30, 1946, regarding the Boise River, Idaho; true and correct copies of each are also appended.

4. Appended hereto as Exhibit B is a true and correct copy of the Supplemental Contract by and between Pioneer Irrigation District and the United States of America, acting through W.A. Dexheimer, Commissioner of Reclamation for the Secretary of the Interior, dated August 3, 1954.

5. Appended hereto as Exhibit C is a true and correct copy of the Supplemental Contract by and between Settlers Irrigation District and [the United States of America, acting through W.A. Dexheimer, Commissioner of Reclamation for the Secretary of the Interior], dated June 18, 1954.

6. Appended hereto as Exhibit D is a true and correct copy of the Water Service Contract Between the United States of America and Pioneer Irrigation District Providing for the Conservation Use of Lucky Peak Dam and Reservoir, dated August 24, 1966.

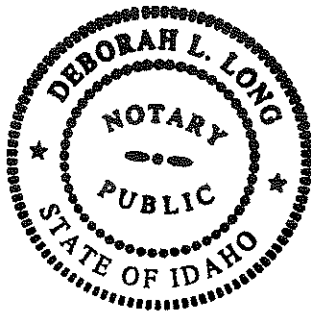
7. Appended hereto as Exhibit E is a true and correct copy of the [Water Service Contract Between the United States of America and Settlers Irrigation District Providing for the Conservation Use of Lucky Peak Dam and Reservoir], dated May 5, 1966.

8. Appended hereto as Exhibit F is a true and correct copy of my *curriculum vitae*.

RESPECTFULLY SUBMITTED this 11 day of October, 2007.

By Jennifer A. Stevens
Jennifer A. Stevens

SUBSCRIBED AND SWORN to before me this 11th day of October, 2007.



Deborah L. Long
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 JENNIFER A. STEVENS IN SUPPORT OF PIONEER AND SETTLERS IRRIGATION DISTRICTS' MOTION FOR SUMMARY JUDGMENT** to be served by the method indicated below, and addressed to the following:

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Tara L. Martens