

Robert Maynard, Bar No. 5537
Rmaynard@perkinscoie.com
Erika E. Malmen, Bar No. 6185
Emalmen@perkinscoie.com
PERKINS COIE LLP
251 East Front Street, Suite 400
Boise, ID 83702-7310
Telephone: 208.343.3434
Facsimile: 208.343.3232

Attorneys for City of Boise and Ada County

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: 63-03618

AFFIDAVIT OF SELENA O'NEAL

STATE OF IDAHO)
 : ss.
County of Ada)

SELENA O'NEAL, being first duly sworn upon oath, deposes and says as follows:

1. That I am an Energy Specialist in the Operations Department at Ada County and have been employed in this position since April 2003.
2. That as an Energy Specialist, I have reviewed the payment information from Idaho Power to Fulcrum, Inc., a subsidiary of Enel North America, Inc. and have reviewed the provisions of Ada County's lease with Fulcrum, Inc.
3. That I make these statements based on personal knowledge.
4. Fulcrum, Inc. has a 35-year lease with Ada County for the Barber Project.
5. The lease will expire in 2024.

6. Should Ada County begin operation of the Barber Project, Ada County is expected to incur future revenue losses of approximately \$131,300 per year if Boise River flows are not sufficient to operate the Barber Project. This projected loss is based on a 10-year average annual winter generation (October-March) of 3,168,592 kWh with a 10-year average value of \$0.041438 per kWh.

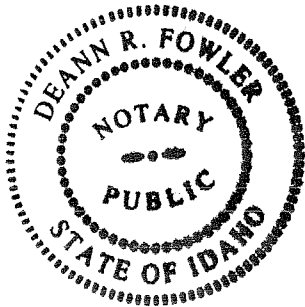
7. According to records made available to me, power has been generated every winter since 1995 from the Barber Project.

FURTHER YOUR AFFIANT SAYETH NAUGHT.

Selena O'Neal

Selena O'Neal
Energy Specialist, Ada County

SUBSCRIBED AND SWORN to before me this 12th day of October, 2007.



Deann R. Fowler
Notary Public for Idaho
Residing at Boise, Idaho
Commission Expires April 30, 2013

CERTIFICATE OF SERVICE

The undersigned hereby certifies under penalty of perjury under the laws of the State of Idaho that, on this 15th day of October, 2007, he/she/they caused to be served on the person(s) listed below in the manner shown:

AFFIDAVIT OF SELENA O'NEAL

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

Hand Delivery ☐
U.S. Mail ☒
Facsimile: (208) 736-2121 ☐
Overnight Mail ☐

State of Idaho
c/o Natural Resources Div. Chief
Attorney General's Office
P.O. Box 44449
Boise, Idaho 83711-4449

Hand Delivery ☐
U.S. Mail ☒
Facsimile: (208) 334-2690 ☐
Overnight Mail ☐

United States of America
US Department of Justice
Envir. & Nat. Resources
550 West Fort Street, MSC 033
Boise, Idaho 83724

Hand Delivery ☐
U.S. Mail ☒
Facsimile: _____ ☐
Overnight Mail ☐

Director
Idaho Dept. of Water Resources
P.O. Box 83720
Boise, Idaho 83720-0098

Hand Delivery ☐
U.S. Mail ☒
Facsimile: _____ ☐
Overnight Mail ☐

Scott L. Campbell
P.O. Box 829
Boise, Idaho 83701-0829

Hand Delivery ☐
U.S. Mail ☒
Facsimile: (208) 385-5384 ☐
Overnight Mail ☐

Albert P. Barker
Shelley M. Davis
P.O. Box 2139
Boise, Idaho 83701-2139

Hand Delivery ☐
U.S. Mail ☒
Facsimile: (208) 334-6034 ☐
Overnight Mail ☐

Jerry A. Kiser
620 West Hayes
Boise, Idaho 83702

Hand Delivery ☐
U.S. Mail ☒
Facsimile: (208) 336-1027 ☐
Overnight Mail ☐

Daniel V. Steenson
S. Bryce Farris
P.O. Box 2773
Boise, Idaho 83701-2773

Hand Delivery
U.S. Mail
Facsimile: (208) 342-4657
Overnight Mail

☐
☒
☐
☐



Erika E. Malmen