

AUG 26 2008

DEPARTMENT OF
WATER RESOURCES

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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 Nos. **Attachment 1**
)

) **AFFIDAVIT OF TRAVIS L.**
) **THOMPSON IN SUPPORT OF**
) **JOINT MOTION FOR**
) **SUMMARY JUDGMENT**
)
)
)

STATE OF IDAHO)
) ss.
County of Twin Falls)

**AFFIDAVIT OF TRAVIS L. THOMPSON IN SUPPORT OF CLAIMANTS'
JOINT MOTION FOR SUMMARY JUDGMENT**

TRAVIS L. THOMPSON, being first duly sworn upon oath, deposes and hereby states as follows:

1. I am an attorney representing A&B, BID, Milner, NSCC, and TFCC in the above-captioned matter. I am over the age of 18 and state the following based upon my own personal knowledge.

2. Attached hereto as Exhibit A is a true and correct copy of the *Supplemental Decree* (without exhibits) entered by the Twin Falls County District Court on July 10, 1968 in the *Burley Irrigation District, et al. v. Henry Eagle* proceeding.

3. Attached hereto as Exhibit B is a true and correct copy of water right license no. 15134 issued by the Idaho Department of Water Resources on July 9, 1942.

4. Attached hereto as Exhibit C is a true and correct copy of water right license no. 66 issued by the Idaho Department of Water Resources on December 20, 1912.

5. Attached hereto as Exhibit D is a true and correct copy of the *Decree* entered by the Twin Falls County District Court on June 20, 1913 in the *Twin Falls Canal Company v. Charles N. Foster, et al.* proceeding.

6. Attached hereto as Exhibit E is a true and correct copy of water right license no. 1-2061 issued by the Idaho Department of Water Resources on March 31, 1982.

7. Attached hereto as Exhibit F is a true and correct copy of the *Decree* entered by the Twin Falls County District Court on April 29, 1931 in the *Milner Low Lift Irrigation District v. Lynn Crandall* proceeding.

8. Attached hereto as Exhibit G is a true and correct copy of water right license no. 18919 issued by the Idaho Department of Water Resources on July 15, 1950.

9. Attached hereto as Exhibit H is a true and correct copy of the *Decree* entered by the United States District Court District of Idaho Eastern Division on June 25, 1929 in the *Woodville Canal Company v. Clark & Edwards Canal & Irrigation Company et al.* proceeding.

10. Attached hereto as Exhibit I is a true and correct copy of excerpts of the Idaho Department of Water Resources' *Instruction for Filing Notice of Claim to a Water Right Acquired Under State Law in the General Adjudication of Rights to the Use of Water From the Snake River Basin Water System.*

11. Attached hereto as Exhibit J is a true and correct copy of the "Milner, Idaho" USGS quadrangle survey map.

12. Attached hereto as Exhibit K is a true and correct copy of the "Burley SW, Idaho" USGS quadrangle survey map.

13. Attached hereto as Exhibit L is a true and correct copy of the "Lake Walcott, West, Idaho" USGS quadrangle survey map.

14. Attached hereto as Exhibit M is a true and correct copy of the "American Falls, Idaho" USGS quadrangle survey map.

15. Attached hereto as Exhibit N is a true and correct copy of excerpts of the Watermaster Handbook issued by the Idaho Department of Water Resources.

16. Attached hereto as Exhibit O is a true and correct copy of excerpts of the Enhanced Snake Plain Aquifer Model Final Report issued July, 2006 by D.M. Cosgrove, B.A. Contor, G.S. Johnson (Idaho Water Resources Research Institute, University of Idaho).

17. Attached hereto as Exhibit P is a true and correct copy of the *Settlement Agreement and Stipulation for Entry of Agreed Findings of Fact, Conclusions of Law, and*

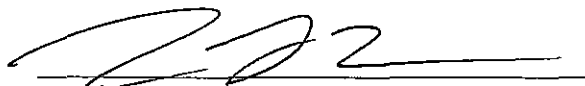
Partial Judgment on Basin-Wide Issue 5 (Connected Sources General Provision) filed in Subcase No. 91-00005 on August 27, 2001.

18. Attached hereto as Exhibit Q is a true and correct copy of the SRBA District Court's *Memorandum Decision and Order of Partial Decree* in Subcase No. 91-00005 issued on February 27, 2002 (copy obtained from SRBA website www.srba.state.id.us on August 21, 2008).

19. Attached hereto as Exhibit R is a true and correct copy of the *Stipulation* signed by the parties in the *Burley Irrigation District, et al. v. Henry Eagle* proceeding (without exhibits).

Further you affiant sayeth nought.

DATED this 21st day of August, 2008.


Travis L. Thompson

SUBSCRIBED AND SWORN to before me this ____ day of August, 2008.

Notary Public for State of Idaho
Residing at Twin Falls, Idaho.
Commission Expires: _____

CERTIFICATE OF SERVICE

I hereby certify that on this 22nd day of August, 2008, I served a true and correct copy of the foregoing *Affidavit of Travis L. Thompson in Support of Claimants' Joint Motion for Summary Judgment* on the following by the method indicated:

Clerk of the SRBA Court
253 Third Ave. North
P.O. Box 2707
Twin Falls, Idaho 83303-2707

☐ U.S. Mail, Postage Prepaid
☒ Hand Delivery
☐ Overnight Mail
☐ Facsimile
☐ Email

Natural Resources Division Chief
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Attorney General's Office
P.O. Box 44449
Boise, Idaho 83711-4449

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Travis L. Thompson

Attachment 1

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Attachments may be viewed in the repository
or legal file