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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

)
) Consolidated Subcase No. 00-92023 (92-23)

)
) **FIFTH AFFIDAVIT OF**
) **MICHAEL C. ORR**
)
)

STATE OF IDAHO)
) ss.
COUNTY OF ADA)

MICHAEL C. ORR, being first duly sworn upon his oath, deposes and states that:

1. I am a Deputy Attorney General in the Idaho Office of the Attorney General and one of the attorneys of record for the State of Idaho in this consolidated subcase.

2. The following is based upon my own personal knowledge.
3. Attached hereto as **Exhibit 1** are true and correct copies of excerpted pages of Legacy of Light: A History of Idaho Power Company.
4. Attached hereto as **Exhibit 2** are true and correct copies of excerpted pages of Idaho Power Company's Second Supplemental Response to State of Idaho's Third Set of Discovery (Sept. 5, 2008).
5. Attached hereto as **Exhibit 3** are true and correct copies of excerpted pages of the 1982 Idaho State Water Plan, which can be accessed via the internet at http://www.idwr.idaho.gov/waterboard/Planning/State_Planning/Documents/StatePlans/SWP1982.pdf.
6. Attached hereto as **Exhibit 4** is a true and correct copy of the "Memorandum Decision and Order" entered in *Idaho Power Co. v. State*, Case No. 62237 (Fourth Jud. Dist., Ada County) on December 10, 1979.
7. Attached hereto as **Exhibit 5** are true and correct copies of excerpted pages of the 1986 Idaho State Water Plan, which can be accessed via the internet at http://www.idwr.idaho.gov/waterboard/Planning/State_Planning/Documents/StatePlans/SWP1986.pdf.
8. Attached hereto as **Exhibit 6** are true and correct copies of excerpted pages of the 1992 Idaho State Water Plan, which can be accessed via the internet at http://www.idwr.idaho.gov/waterboard/Planning/State_Planning/Documents/StatePlans/SWP1992.pdf.
9. Attached hereto as **Exhibit 7** is a true and correct copy of the complete set of minutes and attachments for the 1993 Idaho Legislative Council Interim Committee on

1
Aquifer Recharge.

10. Attached hereto as Exhibit 8 is a true and correct copy of Idaho Power Company's "Response to Questions 5 and 6 Completing Response to Request for Information Dated January 30, 1987. (FERC Docket No. EL85-38-000) (May 19, 1987).

Further your affiant sayeth naught.

DATED this 7th day of November 2008.

Michael C. Orr
MICHAEL C. ORR

SUBSCRIBED AND SWORN to before me this 7 day of November 2008.



Patricia Boehm
Notary Public for Idaho
Residing at: Boise, ID
My commission expires: 11/6/09

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 7th day of November 2008, I caused a true and correct copy of the foregoing FIFTH AFFIDAVIT OF MICHAEL C. ORR to be served on the following parties by the indicated methods:

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

- ☐ U.S. Mail
- ☒ Hand Delivery
- ☐ Certified Mail, Return Receipt Requested
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Idaho Power Company
Represented by:
James C. Tucker
P.O. Box 70
1221 W. Idaho
Boise, ID 83707

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IDWR Document Depository
P.O. Box 83720
Boise, ID 83720-0098

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Chief, Natural Resources Division
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- ☒ Not Applicable

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Division
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only, no exhibits)

Michael C. Orr

Attachments may be viewed in the repository
or legal file