

RECEIVED

SEP 14 2010

DEPARTMENT OF
WATER RESOURCES

Attorneys for Claimant and Objector
Pioneer Irrigation District

Scott L. Campbell, ISB No. 2251
Andrew J. Waldera, ISB No. 6608
Dylan B. Lawrence, ISB No. 7136
MOFFATT, THOMAS, BARRETT, ROCK &
FIELDS, CHARTERED
101 S. Capitol Blvd., 10th Floor
Post Office Box 829
Boise, Idaho 83701
Telephone (208) 345-2000
Facsimile (208) 385-5384
18946.0137

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. 63-00166A 63-00166B
63-00167A 63-00167B
63-00179A 63-00179C
63-32580

**AFFIDAVIT OF SCOTT L. CAMPBELL
IN SUPPORT OF MOTION FOR PARTIAL
SUMMARY JUDGMENT AND MOTION
TO REMAND**

STATE OF IDAHO)
) ss.
County of Ada)

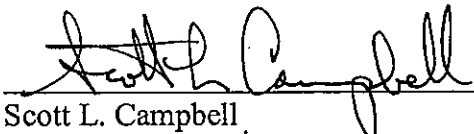
Scott L. Campbell, having been duly sworn upon oath, deposes and states as
follows:

1. I am an attorney duly licensed to practice law in the state of Idaho. I am one of the attorneys representing Pioneer Irrigation District in the above-referenced matter. I have been primary counsel of record for Pioneer throughout its participation in the SRBA, including in all of the above-referenced subcases. I have access to the client's files in this matter, and make this affidavit based upon my personal knowledge.

2. While Pioneer specifically objected to the recommended point of diversion for water rights 63-166B, 63-167B, and 63-179C, and while those recommendations indicate that the point of diversion was the subject of an accomplished transfer, I am not aware of any remand of these subcases back to IDWR, of any hearing conducted by IDWR to determine whether any injury or enlargement has occurred, or of any supplemental report issued by IDWR.

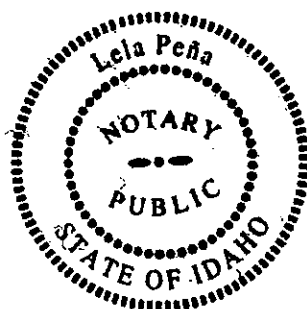
3. In addition, I am not aware of anyone ever having requested Pioneer's consent for, or of Pioneer's having consented to, these reputed accomplished transfers.

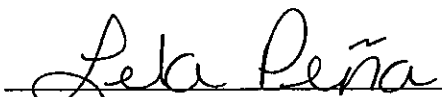
Further your affiant sayeth naught.



Scott L. Campbell

SUBSCRIBED AND SWORN to before me this 13th day of September, 2010.





NOTARY PUBLIC FOR IDAHO
Residing at Boise, Ada County
My Commission Expires 5-31-2012

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 13th day of September, 2010, I caused a true and correct copy of the foregoing **AFFIDAVIT OF SCOTT L. CAMPBELL IN SUPPORT OF MOTION FOR PARTIAL SUMMARY JUDGMENT AND MOTION TO REMAND** to be served by the method indicated below, and addressed to the following:

Mason Creek Ditch Company

Represented by:

Albert P Barker

BARKER RSHOLT & SIMPSON LLP

1010 W. Jefferson, STE 102

P.O. Box 2139

Boise, ID 83701-2139

☒ U.S. Mail, Postage Prepaid

☐ Hand Delivered

☐ Overnight Mail

☐ Facsimile

Franklin Ditch Co.

Represented by:

Jon C. Gould

Daniel V. Steenson

RINGERT CLARK CHARTERED

P.O. Box 2773

Boise, ID 83701

☒ U.S. Mail, Postage Prepaid

☐ Hand Delivered

☐ Overnight Mail

☐ Facsimile

Martin Galvin

P.O. Box 115

Middleton, ID 83644

☒ U.S. Mail, Postage Prepaid

☐ Hand Delivered

☐ Overnight Mail

☐ Facsimile

John J. McEvoy

1703 N. KCID Road

Caldwell, ID 83605

☒ U.S. Mail, Postage Prepaid

☐ Hand Delivered

☐ Overnight Mail

☐ Facsimile

Director

IDAHO DEPARTMENT OF WATER RESOURCES

322 E. Front Street, 6th Floor

P.O. Box 83720

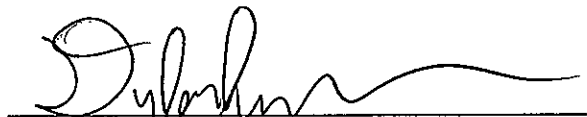
Boise, ID 83720

☒ U.S. Mail, Postage Prepaid

☐ Hand Delivered

☐ Overnight Mail

☐ Facsimile


Dylan B. Lawrence