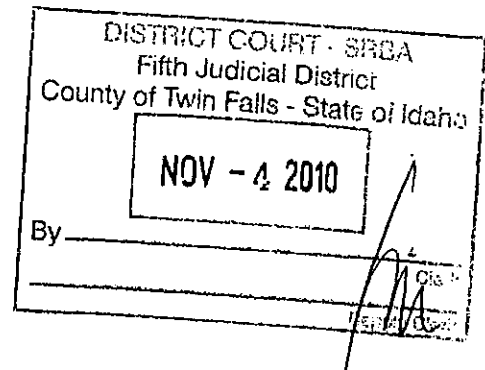


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IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

Case No. 39576

Subcase Nos.: 34-2459, 34-2460, 34-2461,
34-2462, and 34-10925

**SECOND AFFIDAVIT OF ATTORNEY
ROBERT L. HARRIS**

STATE OF IDAHO)
) ss.
County of Bonneville)

I, Robert L. Harris, do solemnly swear (or affirm) that the testimony given in this sworn statement is the truth, the whole truth, and nothing but the truth, that it is made on my personal knowledge, and that I would so testify in open court if called upon to do so.

And being so sworn I depose and say:

1. I am an attorney licensed to practice law in the state of Idaho. I am a member of the firm of
HOLDEN, KIDWELL, HAHN & CRAPO, P.L.L.C..

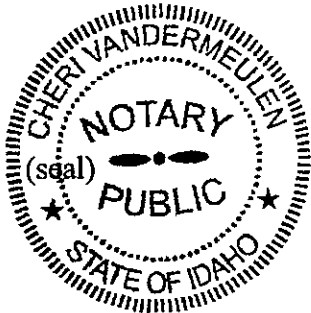
2. Attached hereto are true and correct copies of the following documents referenced in the Memorandum in Support of Motion for Summary Judgment:

- a. Exhibit A: Amended Claim for Water Right No. 34-2459 obtained by Affiant from microfiche stored and maintained at the Eastern Region Office of IDWR. The reference numbers for these documents are on the top of each page, listing numbers 208 to 212.
- b. Exhibit B: Order Amending Irrigation Period of Use Element in Partial Decree and Incorporating Into Partial Decree an Express Statement Regarding General Provisions, *Nunc Pro Tunc*, for Water Right No. 34-02459, dated December 14, 2001.
- c. Exhibit C: Well Driller's Report for one of the Island Wells, as contained in the water rights backfile obtained from the IDWR website for Water Right No. 34-7037.
- d. Exhibit D: Water Right License for Water Right No. 34-7037 obtained from the IDWR website.
- e. Exhibit E: Amended Director's Report for Water Right No. 34-2459.
- f. Exhibit F: Water Right License for Water Right No. 34-7138, dated July 15, 1994.
- g. Exhibit G: Water Pumping and Transport Agreement between Crater Farms and Willard Bell, dated December 5, 1995.
- h. Exhibit H: *Order Granting Motion to Withdraw and Order Denying Motion for Hearing* in Subcase Nos. 75-10061A, et al., dated July 30, 2010.
- i. Exhibit I: GIS Map prepared by Robert L. Harris.

DATED this 3rd day of November, 2010.

Robert L. Harris
Robert L. Harris, Esq.
HOLDEN, KIDWELL, HAHN & CRAPO, P.L.L.C.

SUBSCRIBED AND SWORN TO before me this 3rd day of November, 2010.



Cheri Vandermeulen
Notary Public for Idaho
Residing at Idaho Falls, Idaho
My Commission Expires: July 7, 2015

CERTIFICATE OF MAILING

I certify that on this 3rd day of November, 2010, I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to:

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

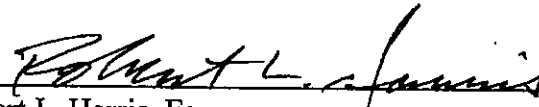
2. Copies to:

Paul L. Arrington
Barker, Rosholt & Simpson, LLP
PO Box 485
Twin Falls, ID 83303

(☒) First Class Mail
(☐) Hand Delivery
(☐) Facsimile
(☐) Overnight Mail
(☒) Email

W. Kent Fletcher
Fletcher Law Office
PO Box 248
Burley, ID 83318

(☒) First Class Mail
(☐) Hand Delivery
(☐) Facsimile
(☐) Overnight Mail
(☒) Email


Robert L. Harris, Esq.

HOLDEN, KIDWELL, HAHN & CRAPO, PLLC

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EXHIBITS TO AFFIDAVIT ON FILE WITH THE COURT

To request a copy, (\$1.00 per page) please contact
Clerk of the Court at 208-736-3011.