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Attorneys for City of Rupert

**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. 36-04075

Case No. 39576

**AFFIDAVIT OF JOSEPHINE P.  
BEEMAN IN SUPPORT OF THE  
CITY OF RUPERT'S MOTION  
TO EXTEND TIME TO FILE  
STANDARD FORM 5**

Josephine Beeman, duly sworn on oath, states as follows:

1. I am the attorney for the City of Rupert, the Movant in this matter.
2. On February 21, 1995 the City of Rupert's attorney, Rick Bollar, telephoned me to request that I represent the City of Rupert with regard to the water right priority dates for its municipal water right claims in the Snake River Basin Adjudication (SRBA). During that telephone conversation, I recommended that the City have a factual review completed by a water right engineer, based upon which I could advise the City of the nature of document or documents that would need to be filed in the SRBA to correct the recommended priority dates for the City.
3. The City then contacted Brent Spronk of Spronk Water Engineers, who then met with the City council members on March 10, 1995, to review existing data for the City's municipal water rights and to advise the City regarding additional factual material to support historically accurate priority dates for the municipal system.
4. Subsequently, on April 20, 1995, Mr. Spronk and I met with the city council, the city

clerk, the city engineer, the public works director and the city attorney in Rupert for a presentation of the initial historic materials gathered by the City following their meeting with Mr. Spronk on March 10. The City's effort included research into county title records, utility records, city council minutes, old timers, old maps, and census data.

5. Following the April 20 meeting, the City also provided Mr. Spronk with 1988 and 1993 engineering reports on the City's wastewater treatment system master plan and the waste system master plan. In addition the City provided Mr. Spronk with a 1979 engineering report on improvements to the domestic water system for the City of Rupert..

6. In early June, Mr. Spronk and I both received copies of the historic documents from the City of Rupert, some of which had been reviewed during the April 20 meeting, and some of which were obtained and provided to us after the April 20 meeting.

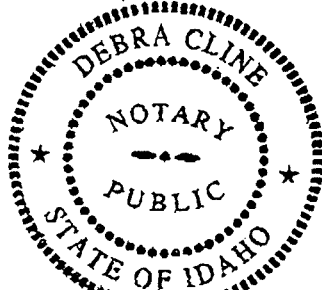
7. Mr. Spronk completed his analysis and recommendations to the City of Rupert in late August. At the time Mr. Spronk completed his analysis, I advised staff and counsel at the Idaho Department of Water Resources (IDWR) that we were prepared to meet with them. These meetings are scheduled to begin on September 8, 1995, to discuss the evidence and evaluate the nature of late objections, amendments, or late claims necessary to accomplish the necessary changes to the priority dates for the City's municipal system.

DATED: September 8, 1995

Josephine Beeman  
JOSEPHINE BEEMAN

STATE OF IDAHO )  
 ) ss  
County of Ada )

Subscribed and sworn before me on September 8, 1995.



*Laura Cline*  
Notary Public for Idaho  
Residing at Boise, Idaho  
Commission Expires: 7/21/01

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| Diana Delaney, SRBA Court            | Fax: (208) 736-2121 |
| Nick Spencer, IDWR                   | Fax: (208) 327-5400 |
| Rick Bollar, City of Rupert          | Fax: (208) 436-4837 |
| Brent Spronk, Spronk Water Engineers | Fax: (303) 861-9799 |

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