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Department of Water Resources
Adjudication Bureau

12-22

Movants' Names:

Magic Valley Underground Pumpers
Association, Inc. and Its Individual Members

Attorneys' Names and Addresses:

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OFFICE OF THE
ATTORNEY GENERAL

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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) Subcase No. 36-02080
))
Case No. 39576) AFFIDAVIT OF
) LAYNE R. HARPER
_____)

DESCRIPTIVE SUMMARY

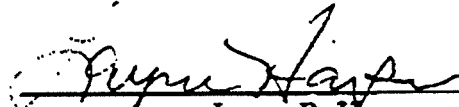
This is the Affidavit of Layne R. Harper in support of the
Motion for Leave to File Late Objection by the Magic Valley
Underground Pumpers Association, Inc. and its members in the
above-referenced subcase.

AFFIDAVIT

LAYNE R. HARPER, being first duly sworn, on his oath, states as follows:

1. My name is Layne R. Harper.
2. My address is P.O. Box 598, 102 Highland Dr., Paul, Idaho 83347.
3. I am the holder of water right numbers 36-02288, 36-02204, 36-02401, 36-02201, which entitles me to pump groundwater from the Eastern Snake Plain Aquifer for irrigation purposes.
4. I am a member of the Magic Valley Underground Pumpers Association, Inc.
5. I am familiar with the Petition for Delivery Call filed by A & B Irrigation District on July 27, 1994.
6. I was not aware until sometime after receiving the Petition of the history of the issuance of Water License No. 20736, including the fact that the State Reclamation Engineer ruled in 1956 that the wells drilled under Permit 20736 were not entitled to a uniform priority date of September 9, 1948.

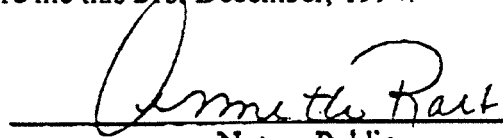
DATED this 21st Day of December, 1994.



 Layne R. Harper

STATE OF IDAHO)
 :
 COUNTY OF MINIDOKA)

SUBSCRIBED AND SWORN to before me this 21st December, 1994.



 Notary Public
 Residing at Rupert, Idaho
 my Commission Expires 8-4-99

CERTIFICATE OF SERVICE

I hereby certify that on this 21st day of December, 1994, I caused to be served a true and correct copy of the foregoing Affidavit of Layne R. Harper by the method indicated below, and addressed to the following:

K. Jack Haugrud
Daria J. Zane
U.S. Department of Justice
General Litigation Section
Environment and Natural
Resources Division
P.O. Box 663
Washington, DC 20044-0663

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FOR HOLLAND & HART

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