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Attorney for IDWR

1996 JUL -1 PM 3:14
DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED _____

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. See Attachment A
	)	
Case No. 39576	)	AFFIDAVIT OF
_____	)	DAVID R. TUTHILL, JR.
	)	

STATE OF IDAHO	)
	) ss.
County of Ada	)

*36-3A
et al*

David R. Tuthill, Jr., being first duly sworn, deposes and states as follows:

1. My name is David R. Tuthill, Jr.. I am the acting Adjudication Bureau Chief for the Idaho Department of Water Resources (IDWR).

2. My work address is Idaho Department of Water Resources (IDWR), 1301 North Orchard, Boise, Idaho 83706. I reside in Boise, Idaho.

1 - AFFIDAVIT OF DAVID R. TUTHILL, JR.

COPY

3. I make the following statements based upon by personal knowledge of the facts related therein.

4. My educational background includes a Bachelor of Science degree in agricultural engineering from Colorado State University at Fort Collins, Colorado, in 1974, and a Master of Science degree in civil engineering from the University of Colorado at Boulder, Colorado, in 1975. My course work included, but was not limited to: fluid mechanics, hydrology, hydraulics, statics and dynamics, thermodynamics, soil mechanics, chemistry, mathematics, materials, structures, sanitary engineering, electrical circuits, physics, computer programming, statistics, writing and report preparation.

5. I have been registered as a professional engineer in Idaho since 1979. To become registered, I spent four years as an engineer-in-training and passed an eight hour exam on engineering fundamentals.

6. After graduating from college, I worked from 1/1976 to 9/1976 for IDWR as the Adjudication Section Supervisor. My duties included, but were not limited to: assisting the public with filing of claims in the Snake River Basin Adjudication; review of applications for water permits; analysis of proposed transfers of water with beneficial use calculations; analysis of decreed rights as to location and amount; supervision of six people in the drafting and report writing sections; supervision of water distribution statewide and responding to watermaster/water district problems of water delivery; and supervision and monitoring of three ongoing water adjudications.

7. I worked for IDWR as the Payette Adjudication Supervisor from 9/1976 to 12/1978. My duties included, but were not limited to: responsibility for the Payette River Basin

adjudication which was a 10 year water rights adjudication involving some 10,000 water rights covering an area of 3,200 square miles; supervision of three professionals, a secretary, and two data entry staff; analysis of methods of computation of water rights to include comingling of rights, ditch losses, and exchanges; preparation of water rights reports; arrangement for public meetings, use of radio, newspapers, posters, and television to provide public information about the adjudication; and responsibility for the preparation of recommendations of state and federal water rights including federal reserved water rights.

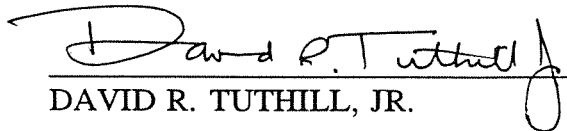
8. From 12/1978 to 5/1985 I worked as the IDWR Water Allocation Section Supervisor. My duties included, but were not limited to: supervision of four state office subsections; custodianship of a central filing system for all Idaho water rights including claims, permits, licenses, and decrees, including cross-referencing systems for water rights research; responsibility for water right processing including state office review for approval of water right permits, amendments, assignments, licenses, and transfers; central processing and guidance for water right adjudications which were handled in the regional offices; oversight of the state office drafting department; and responsibility for implementation of a state-wide mandatory water right claim filing program which included preparation of posters and brochures, radio and television advertisements, and public education programs.

9. From 6/1985 to 6/1996, I worked as the Regional Office Manager of IDWR's Western Regional Office. As engineer in charge of IDWR's Western Region, my duties included, but were not limited to: oversight of all aspects of Western Regional Office activities, including personnel and salary; oversight of water right application processing and beneficial use examinations; general oversight of the Western Regional Office's adjudication unit; oversight

of dam safety and stream channel alteration programs; implementation of IDWR policy and procedure; implementation and maintenance of IDWR data-bases and files used at the Western Regional Office; coordination of the various section activities in the Western Regional Office; water distribution and administration; serving as chairman of the GIS Utilization Task Force; supervision of the creation of the Southeast Boise Ground Water Management Area (SEBGWMA); and formation, operation, and technical liaison of the SEBGWMA Advisory Committee.

10. My additional education/training since college has included, but is not limited to participation in various seminars and symposia, and completion of various courses related to water management, such as open channel hydraulics and geohydrology.

11. Planimeters are a generally accepted tool of measurement in the field of civil engineering, and the measurements recorded by planimeters are relied upon by engineers and others who use maps. Planimeters are a common tool used in mapping and are used by many private and government entities. For instance, planimeters are taught as part of course-work in most civil engineering curriculums. My first experience with planimeters was as part of an undergraduate surveying course I took in the late 1960's. The planimeter works by relating the area under an arc to a scaled unit of distance.


DAVID R. TUTHILL, JR.

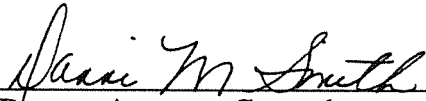
SUBSCRIBED AND SWORN to before me this 15th day of July, 1996.


Notary Public for the State of Idaho
Residing at: Boise ID
My commission expires: 11-14-1998

CERTIFICATE OF SERVICE

I hereby certify that on the 1st day of July, 1996, I caused to be served a true and correct copy of the foregoing AFFIDAVIT OF DAVID R. TUTHILL, JR. on the following persons by hand delivery, to the address or addresses listed below.

Patrick D. Brown, Esq.
HEPWORTH, LEZAMIZ & HOHNHORST
133 Shoshone Street North
Twin Falls, Idaho


~~Deputy Attorney General~~

ATTACHMENT A

36-00003A
36-00003C
36-00003E
36-00003F
36-00034B
36-00035J
36-00039C
36-00039E
36-00039J
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