

1996 JUL -1 PM 3:15

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED _____

ALAN G. LANCE
Attorney General

CLIVE J. STRONG
Deputy Attorney General
Chief, Natural Resources Division

BRENT KING
CHARLES L. HONSINGER
Deputy Attorneys General
Department of Water Resources
P.O. Box 83720
Boise, ID 83720-0098
Telephone: (208)327-5458
Fax: (208)327-5400

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 HELEN HARRINGTON-
	)	THORNTON REGARDING THE
	)	INVESTIGATION OF CLAIMS IN THE
_____	)	HAGERMAN AREA

STATE OF IDAHO	)
	) ss.
County of Ada	)

36-3E
ad al

Helen Harrington-Thornton, being first duly sworn, deposes and states as follows:

1. My name is Helen Harrington-Thornton. I am employed in the groundwater protection section of the Idaho Department of Water Resources (IDWR).

COPY

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

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

3. My educational background includes a Bachelor of Science degree in geology from Boise State University awarded in 1983.

4. I have been registered as a professional geologist in Idaho since 1995. To become registered, a person with a bachelor's degree in geology must have at least five years of work experience and pass a two-day exam.

5. After graduating from college, I volunteered at the Hagerman fossil beds for the U.S. National Park Service during the summer of 1984. My duties included, but were not limited to: survey and sediment mapping, resource restoration, and evaluating the cumulative use of the site.

6. I performed seasonal work for the U.S. National Park Service in 1985, 1987, and 1988. My duties included, but were not limited to, resource management, interpretation, and restoration.

7. From 1984 to 1987 I worked for the American Cave Conservation Association in Virginia and Kentucky. My duties there included, but were not limited to, editing the association magazine.

8. I worked for the IDWR Adjudication Bureau as a Senior Water Resource Agent from 1988 to 1990 and from 1992 to 1993. My duties included, but were not limited to: conducting field and desk exams to measure rate of water diversion and determine location,

method, purpose and frequency of appropriation to establish extent of beneficial use; interpreting legal descriptions, aerial photography, and maps to locate points of diversion and places of use; evaluating applications and adjudication claims; conducting stream flow measurements and storage capacity measurements; calculating pump system efficiencies; checking water appropriations for compliance with state laws and department policy; and providing technical assistance to the public. A copy of the position description for a senior water resource agent is attached as Exhibit 1.

During this time, I was also designated as the Southern Regional Office Liaison. The Regional Office Liaison position is held by a senior water agent who has demonstrated a good knowledge of department policy and procedure and competence in water right investigations. My responsibilities as liaison included working with the Southern Regional Office to track issues and to report and distribute information between the Southern Office, State Office, and other regional offices.

9. From 1990 to 1992 I worked in the groundwater protection section at IDWR as a hydrogeologist in a "public outreach" program. I re-joined the groundwater protection section in 1993 and have continued in my employment as a hydrogeologist from that time to the present.

10. My additional education/training since college has included, but is not limited to:

- a. A four day course on basic hydrology by U.S. Soil Conservation Service in 1992.
- b. Training in the polysonic flowmeter by Jeff Peppersack in 1990.
- c. A course on river mechanics sponsored by IDWR, the Idaho Fish and Game department, and the U.S. Soil Conservation Service in 1989.

11. During my employment with the Idaho Department of Water Resources, I have

gained a good working knowledge (or become more practiced where I already had a familiarity) with the following:

- a. Water flow measurement methods through the use of flow meters, various types of weirs, bucket and stopwatch, and other measurement devices and methods;
- b. The interpretation of aerial photography;
- c. The calculation of acreage off of aerial photographs, orthophotoquads, and other photographs and maps using grids, planimeters and other devices and techniques;
- d. Reading and interpreting legal descriptions in order to locate that area described on maps or aerial photographs;
- e. The public land survey system;
- f. Global positioning equipment;
- g. All types of irrigation systems and methods;
- h. Different types of wells and pumps and the calculation of pump outputs;
- i. IDWR's electronic databases;
- j. The various diversion systems in the Hagerman Valley, including locations of points of diversion and places of use of all the various water right claims.
- k. Farming practices and techniques, including historic cropping patterns and irrigation practices in the Hagerman Valley.

Using this knowledge and other methods and devices, I have conducted numerous water right claim field examinations over my period of employment with IDWR.

Helen L. Harrington-Thornton
HELEN L. HARRINGTON-THORNTON

SUBSCRIBED AND SWORN to before me this 1st day of July, 1996.

A. Skuman
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 HELEN HARRINGTON-THORNTON REGARDING INVESTIGATION OF CLAIMS IN THE HAGERMAN AREA on the person(s) listed below by hand delivery:

Patrick D. Brown, Esq.
HEPWORTH, LEZAMIZ & HOHNHORST
133 Shoshone Street North
Twin Falls, ID 83303-0389

Danni M. Smith
Deputy Attorney General

CLASS PURPOSE

To implement Idaho water laws; provide technical assistance to the public; perform related work.

PRINCIPAL ACCOUNTABILITIES

1. Field and office work. Typical responsibilities: conducts scientific field examinations to measure rate of water diversion and determine location, method, purpose and frequency of appropriation to establish extent of beneficial use; interprets legal descriptions, survey plats, aerial photographs and maps to locate points of diversion and places of use; evaluates new-use applications, amendments, transfers and adjudication claims pertaining to water appropriations and recommends appropriate action; reviews various department regulations for impact on natural resources, technical correctness, and compliance with state and federal laws and regulations and department policies; researches documents including county records, federal land patents, court decrees and water right licenses to process adjudication claims; measures ground water levels; investigates, mediates and recommends action on unauthorized water diversions and water right disputes; conducts stream flow measurements and calculates reservoir storage capacity; reviews water districts' water use and assessment reports for accuracy and compliance with rules and procedures; trains water masters in proper methods of water measurements, report preparation, and water distribution; calculates pumping system efficiencies; prepares petitions and orders; issues citations; inspects construction, operation, and maintenance of wells for compliance with construction and ground water contamination standards; initiates action for the reconstruction, repair, or abandonment of wells; collects water samples for laboratory testing; may be assigned to special projects to collect data and compile findings and prepare reports.
2. Technical assistance. Typical responsibilities: responds to technical questions from the public regarding regulations, and assists with compliance procedures; explains water laws and regulations to individuals and groups; trains or assists in training water resource agents and temporary staff; may act as team leader; testifies in court; may supervise water right field activities.

GENERAL INFORMATION

This job requires the physical ability to walk over rough and steep terrain for distances up to three miles; lift and carry objects such as water measuring equipment weighing up to 40 pounds. Incumbents must be willing to work in inclement weather, around noisy and dangerous equipment, and be around high electrical voltage and high pressure water systems.

MINIMUM QUALIFICATIONS

Some knowledge of: chemistry and biology as applied to environmental impact of waste water injection, water use, and water diversion facilities; well drilling equipment and construction procedures.

Good knowledge of: hydrology as it relates to surface and ground water; algebra, geometry and trigonometry to calculate water flow rates, land areas, pump efficiencies, and storage capacity.

Experience: determining a system's water diversion and conveyance capacity including pump systems; installing and operating water measurement devices; interpreting public land survey legal descriptions, aerial photos and topographic and property ownership maps; applying the "prior appropriation doctrine" in the area of water rights adjudication or new appropriation; applying federal and state regulations and laws pertaining to water appropriation and use in a work setting.

SPECIAL REQUIREMENTS

Possession of a valid driver's license.

REVISED: 9/89, 3/90, 6/28/95 L. Icenhower (MQ's only)

Pay Grade: K

Overtime code: P

ATTACHMENT A

36-00003E
36-00039C
36-00039J
36-00039N
36-00047
36-00061
36-00062
36-00063
36-00064B
36-00079
36-00092
36-00103F
36-00106
36-00108B
36-10283B