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RECEIVED

MAY 02 2014

DEPARTMENT OF
WATER RESOURCES

Attorneys for Bruce and Glenda McConnell

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

In Re SRBA

Case No. 39576

Subcase Nos. 74-361, -362, -363, -364, -
365, -367, -368

**AFFIDAVIT OF CHRIS M.
BROMLEY**

STATE OF IDAHO)
) ss.
County of Ada)

CHRIS M. BROMLEY, being first duly sworn upon oath, deposes and says:

1. I am an attorney representing Bruce and Glenda McConnell ("McConnells"). I am over the age of 18 and state the following based upon my own personal knowledge.

2. On April 30, 2014, McConnells brought to my attention that there were users on tributaries to Lee Creek that were not given actual notice of McConnells' SRBA filings in the above-captioned subcases.

3. Attached hereto as **Exhibit A** is a letter I sent to the five water users identified by McConnells as the current water users on Everson Creek and Stroud Creek, which are tributary

to Lee Creek. **Exhibit A** informs these users of the hearing set to take place on May 20, 2014, 1:30 p.m. The IDWR water right database identifies fewer private water users on Everson Creek and Stroud Creek. The IDWR water right database also identifies the United States of America as a water user on these tributaries to Lee Creek. The United States was previously given actual notice of these proceedings.

4. On May 1, 2014, I caused **Exhibit A** to be placed in the United States mail.

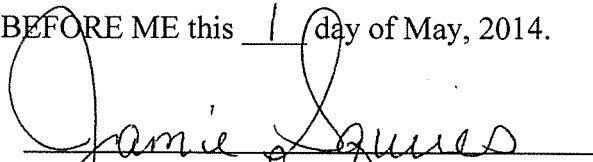
DATED this 1st day of May, 2014.



CHRIS M. BROMLEY

Attorneys for Bruce and Glenda McConnell

SUBSCRIBED AND SWORN TO BEFORE ME this 1 day of May, 2014.



NOTARY PUBLIC for Idaho

Residing at: Star

My Commission Expires: 9/20/18

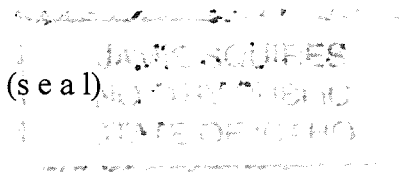


EXHIBIT A

M^cHUGH BROMLEY

ATTORNEYS AT LAW, PLLC

cbromley@mchughbromley.com
208-287-0991

380 S. 4th St., Ste. 103
Boise, ID 83702

May 1, 2014

NOTICE OF SRBA HEARING – MAY 20, 2014, 1:30 P.M.

To:

Calvin Whittaker
P.O. Box 10
Leadore, ID 83464

David Tomchak
305 Barlow Dr.
Idaho Falls, ID 83401

Shanna Foster
Leadore, ID 83464

James Whittaker
P.O. Box 240
Leadore, ID 83464

Steven Johnson
Leadore, ID 83464

Re: McConnell SRBA Claims to Lee Creek Water
Right Nos: 74-361, -362, -363, -364, -365, -367, -368

To Whom It May Concern:

I represent Bruce and Glenda McConnell. On April 29, 2014, McConnells filed the following documents in the Snake River Basin Adjudication (SRBA) district court:

- *Corrected Notice of Hearing*
- *Notice of Hearing*
- *Motion to Set Aside and Memorandum in Support*
- *Affidavit of Chris M. Bromley*
- *Affidavit of Glenda McConnell*
- *Affidavit of Timothy J. Luke*
- *Affidavit of Roxanne Brown*
- *Motions for Late Claims (7)*
- *Memorandum in Support of Motions for Late Claim*
- *Notices of Claim (7)*

On April 30, 2014, McConnells filed the *Affidavit of Carter Fritschle* with the SRBA court.

McHUGH BROMLEY

ATTORNEYS AT LAW, PLLC

The above-referenced documents were filed by McConnells because it recently come to their attention that their water rights from Lee Creek were not claimed in the SRBA. The water rights that are being claimed by McConnells in the SRBA are water rights that were decreed by the court in the Lemhi Adjudication.

The above-referenced documents can be found on the SRBA website, at the following link, by entering 74 in the "Basin" field and 361 in the "Subcase" field:

<http://www.srba.state.id.us/SREPT.HTM>

If you would like a copy of any of these documents, please let me know.

The other water users on Lee Creek have been notified of these proceedings, but it was only until yesterday that we were able to identify users on Everson and Stroud creeks, which are tributary to Lee Creek.

A hearing on McConnells' motions will be heard by the SRBA district court on **May 20, 2014, beginning at 1:30 p.m.** If you wish to participate, you may attend in person, at the SRBA court, which is located at the following address: 253 3rd Ave. N., Twin Falls, Idaho 83303. You may also participate by phone: 1-215-446-0193, then enter participation code 406128#.

If you have any questions about the proceeding, please do not hesitate to contact me.

Sincerely,



CHRIS M. BROMLEY

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 1st day of May 2014, I caused the foregoing document to be filed with the Court and true and correct copies served by the methods indicated:

CLERK OF THE DISTRICT COURT SNAKE RIVER BASIN ADJUDICATION 253 THIRD AVENUE NORTH PO BOX 2707 TWIN FALLS, ID 83303-2707	☒ U.S. MAIL, POSTAGE PREPAID
IDWR DOCUMENT DEPOSITORY P.O. BOX 83720 BOISE, ID 83720-0098	☒ U.S. Mail, Postage Prepaid
CHIEF NATURAL RESOURCES DIV. OFFICE OF THE ATTORNEY GENERAL STATE OF IDAHO P.O. BOX 44449 BOISE, ID 83711-0449	☒ U.S. Mail, Postage Prepaid
UNITED STATES DEPT. OF JUSTICE ENVIRONMENT & NATURAL RESOURCE 550 WEST FORT STREET, MSC 033 BOISE, ID 83724-0101	☒ U.S. Mail, Postage Prepaid



CHRIS M. BROMLEY
MCHUGH BROMLEY, PLLC