

**CANDICE MCHUGH**  
IDAHO STATE BAR NO. 5908  
**CHRIS M. BROMLEY**  
IDAHO STATE BAR NO. 6530  
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*Attorneys for Double C & J Land Co., Inc.*

RECEIVED  
JUN 03 2020  
DEPARTMENT OF  
WATER RESOURCES

**ORIGINAL**

**BEFORE THE DEPARTMENT OF WATER RESOURCES  
OF THE STATE OF IDAHO**

IN THE MATTER OF APPLICATION FOR  
PERMIT NO. 67-15333 IN THE NAME OF  
DOUBLE C&J LAND CO.

**DECLARATION OF CHRIS M.  
BROMLEY**

CHRIS M. BROMLEY under penalty of perjury states as follows:

1. I am over the age of eighteen and state the following based upon my own personal knowledge.
2. I am an attorney in good standing with the Idaho State Bar and counsel for Double C & J Land Co., Inc. ("Double C&J").
3. Attached hereto as Exhibit 1 is a true and correct copy of a 1928 letter from the United States, Department of Interior, General Land Office, produced by the Bureau of Land Management ("BLM") in response to discovery propounded upon BLM by Double C&J that pertains to the Intermountain Institute ("Institute") and Monroe Reservoir.
4. Attached hereto as Exhibit 2 is a true and correct copy of a document to the Secretary of the Interior, dated February 26, 1913, discussing the submittal of a map of the

Monroe Reservoir project from the Institute, produced by the BLM in response to discovery propounded upon BLM by Double C&J.

5. Attached hereto as Exhibit 3 is a true and correct copy of a document from the Department of Interior, General Land Office, approving the Monroe Reservoir project on March 8, 1913, produced by the BLM in response to discovery propounded upon BLM by Double C&J.

6. Attached hereto as Exhibit 4 is a true and correct copy of the map referenced in Exhibit 3, produced by the BLM in response to discovery propounded upon BLM by Double C&J. The paper map produced by BLM to Double C&J measures approximately 18 inches in width by 69 inches in length.

7. Attached hereto as Exhibit 5 is a true and correct copy of the “Right-of-Way IDI-09162,” produced by the BLM in response to discovery propounded upon BLM by Double C&J, recognizing “John and Christy Hoff and Double C and J Land Company” as “Successors in Interest” to the “Institute.”

8. Attached hereto as Exhibit 6 are true and correct copies of patents issued by the United States in 1920, 1927, and 1927 for lands in Township 12N, Range 5W, Section 6, produced by Eckhardt Family LLLP (“Eckhardt”) in response to discovery propounded upon Eckhardt by Double C&J.

9. Attached hereto as Exhibit 7 is a true and correct copy of the Declaration of Dave Maddox stating Maddox Bar Ex Ranch Limited Partnership (“Maddox”) did not file a protest to the above-captioned application because Maddox does not oppose the application, that Monroe Reservoir is used and operated by Double C&J, stores water from Jenkins Creek, and that Double C&J can access Monroe Reservoir across Maddox property.

10. Attached hereto as Exhibit 8 is a true and correct copy of the Declaration of John Hoff stating Monroe Reservoir is built on Jenkins Creek and stores water from Jenkins Creek and Monroe Creek.

11. I certify under penalty of perjury pursuant to the law of the State of Idaho that the foregoing is true and correct.

DATED this 3<sup>rd</sup> day of June, 2020.



CHRIS M. BROMLEY

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 3<sup>rd</sup> day of June, 2020, I served a true and correct copy of the foregoing document on the person(s) whose names and addresses appear below by the method indicated:

SHELLEY W. KEEN  
IDWR STATE OFFICE  
PO BOX 83720  
BOISE, ID 83720-0098  
[shelley.keen@idwr.idaho.gov](mailto:shelley.keen@idwr.idaho.gov)

- U.S. Mail/Postage Prepaid
- Facsimile
- Overnight Mail
- Hand Delivery
- E-Mail

UNITED STATES DEPT. OF INT.  
BUREAU OF LAND MANAGEMENT  
c/o FRED PRICE  
1387 S. VINNELL WY.  
BOISE, ID 83709-1657  
[fwprice@blm.gov](mailto:fwprice@blm.gov)

- U.S. Mail/Postage Prepaid
- Facsimile
- Overnight Mail
- Hand Delivery
- E-Mail

NORMAN M. SEMANKO  
AARON M. WORTHEN  
PARSONS BEHLE & LATIMER  
800 W MAIN ST. STE 1300  
BOISE, ID 83701  
[nsemanko@parsonsbehle.com](mailto:nsemanko@parsonsbehle.com)  
[aworthen@parsonsbehle.com](mailto:aworthen@parsonsbehle.com)

- U.S. Mail/Postage Prepaid
- Facsimile
- Overnight Mail
- Hand Delivery
- E-Mail



Chris M. Bromley

# EXHIBIT 1

UNITED STATES  
DEPARTMENT OF THE INTERIOR

Blackfoot 041429 GENERAL LAND OFFICE  
"F" JKR  
Right of Way  
Intermountain Institute for  
reservoir and canal  
Favorable report  
A.D.Ryan, Inspector

Salt Lake City, Utah  
February 10, 1928

Honorable Commissioner  
General Land Office  
Washington, D.C.

APPROVED: 2-21-28

*John H. Moore*  
Division Inspector

7

Sir:

By your above briefed letter dated January 28, 1928,  
you call attention to your letter of December 31, 1926, in  
which this office was directed to make a field investigation  
and a report in connection with above briefed case, and in  
reply, the Division Inspector advised your office that a  
report on this case could be expected on or before March 1,  
1928.

1928  
report

This case was assigned to me, examined and investi-  
gated in the field during the perior from September 28th to  
October 1st, both dates inclusive, and I herewith submit the

RECEIVED  
FEB 28 1928  
G.L.O.

following report:-

STATUS: On May 21, 1910, the Intermountain Institute,  
formerly the Idaho Industrial Institute, by E. A. Paddock,  
President, of Weiser, Idaho, filed Boise serial 09162 for  
a right-of-way for a reservoir and canals in Tps. 11, 12 and  
13 N., Rgs. 5 and 6 W., B.M. On March 8, 1913, this right-of-way  
application was approved in accordance with the act of Congress

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approved February 15, 1901 (31 Stat., 790), and on April 21, 1923, your letter "F" suspended action on proof of completion until the project is completed, and by your letter Boise 09162 "F" COP you requested report.

LOCATION: The right-of-way applied for is located in Tps. 11 to 13 N., Rgs. 5 and 6, adjacent to Monroe and Jenkins creeks, located almost directly north of Weiser, Washington County, Idaho.

HISTORY: Before reporting on the physical features of this project, I wish to first include a brief history of the Intermountain Institute.

In the early part of the period from 1890 to 1895, E. A. Paddock, a graduate of Oberlin College, Ohio, and a home missionary in Idaho, together with Prof. Thomas H. Maryatt, a graduate of Dartmouth College, a lawyer and a civil engineer, and Miss Jane M. Slocum, a graduate of the State University of Ann Arbor, Michigan, the work of all three having drawn them into close association and friendship, realizing the inadequate opportunities for the young people in the then remote farming communities in and adjacent to Weiser to obtain an adequate education, principally through the lack of funds, conceived the idea of establishing a school where the only requirements for attendance were willingness to work. They founded the Intermountain Institute. They had no money nor financial backing of any sort. Their entire resources consisted of a great faith and

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-2-

the ability to work. By contributions they were able to erect a board shack 18 by 24 feet, followed shortly by some other very modest frame buildings. The furnishings were almost entirely home-made, and then the word was sent out to the young people in the vicinity that if they wanted to study earnestly enough, they were welcome to come to the Institute to do housework, grub sagebrush and any of the other kinds of work which had to be done, and that the three founders would do all in their power to see that they received an education. The response was immediate and enthusiastic, the school started at full capacity from the beginning. All the students studied every forenoon and worked every afternoon.

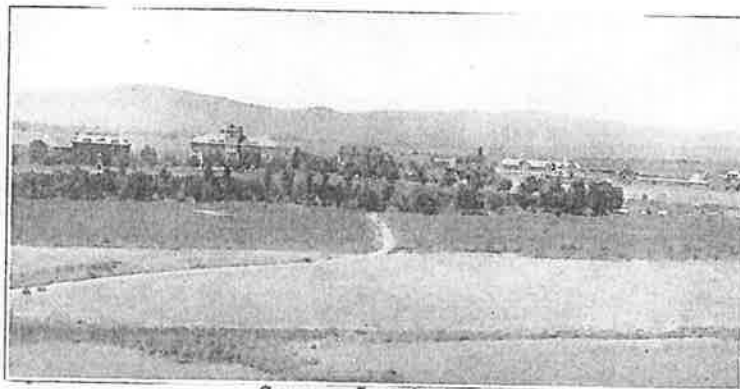
The Institute was incorporated in 1898 and open for students in 1900. Their motto at first was "An Education and a Trade for Every Boy and Girl who is Willing to Work for Them".

With this modest beginning, the Institute has grown until at the present time they own more than 2000 acres of land and have a score of splendid buildings. Some 1500 acres of the land now owned can be irrigated. The land, water rights, stock and tools of this Institution now have a conservative value of over half a million dollars, and about 2000 boys and girls have received an education that without the Institute, probably 90 per cent of them would have been unable to obtain. This has been a wonderfully successful school and has received the

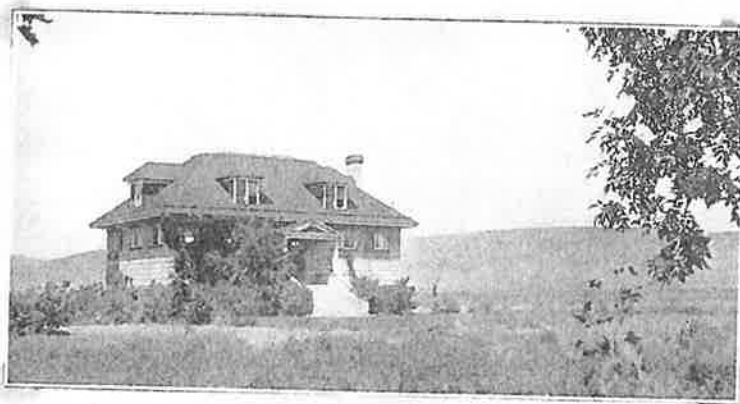
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endorsement of such men as Andrew Carnegie, who gave the school a public library, and Frank W. Gunzaulus, Bishop Samuel Fellows, Gifford Pénshot, Senator Gooding, and Senator Borah.

The following pictures show some of the improvements and buildings of the Intermountain Institute:-

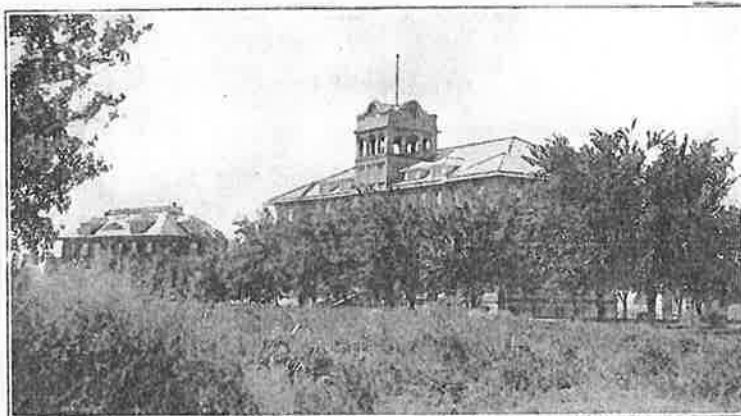


General View



Carnegie Library

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Hooker  
Memorial  
Hall



Slocum  
Hall

DESCRIPTION: The Intermountain Institute has a permit in good standing on Monroe Creek for 23.2 second feet of water. This water is diverted in the  $NE\frac{1}{4}NE\frac{1}{4}$  Sec. 25, T. 13 N., R. 6 W., B.M., as shown on the right-of-way map which accompanied the right-of-way application. This water is then conveyed through a ditch, conforming to the field notes and map, to a point in the  $SW\frac{1}{4}NW\frac{1}{4}$  of Sec. 31, T. 13 N., R. 5 W., where it discharges into the reservoir. This diversion ditch from Monroe Creek to the reservoir is completely built and

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-5-

finished. The diversion from Monroe Creek is of concrete consisting of a concrete box four feet high and eighteen feet long, one foot thick on top. The intake consists of an eighteen-inch pipe for the first 300 feet, thence by ditch with an average width of four feet, designed to carry approximately one foot of water, with a fall of approximately ten feet per mile. This is a very well constructed ditch, much of it in solid rock, concrete flumes and bridges over draws, and at the time of my examination was in excellent condition.

The reservoir located on the headwaters of Jenkins Creek has a total capacity of 3000 acre feet when completed. The height of the dam to utilize the reservoir site, as shown on the map which accompanied the application, is to be 80 feet high. This dam and reservoir utilization has only been partly made to date. The present dam has been constructed to a height of 40 feet, a top width, at the present time, of 33 feet. The down stream face consists of concrete 10 feet wide at the base with a batter of one inch to one foot. The up stream part of the dam is of earth with a slope of one and one-half to one. The total length of this dam on the top is 320 feet. It has a 3' x 3', concrete gate-well and an 18-inch concrete discharge pipe. The gate-well is equipped with substantial steel gates located 100 feet from the up stream toe of slope. Several years ago, during high water, the reservoir filled faster than the discharge gate would take care of the

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-6-

surplus and the water went over the top of the dam. This resulted in partially undermining the down stream concrete. This was then braced with a heavy buttress of concrete some three feet thick. This dam is fairly well constructed and the construction work on this entire project is completed, with the exception of the reservoir. The storage capacity at the present time is approximately 660 acre feet, and the present dam is just one-half the height that the finished structure will be. The water from this reservoir is then diverted into Jenkins Creek, as shown on the right-of-way map that accompanied the right of way application. It follows down the creek bed to a point in the NE $\frac{1}{4}$ NW $\frac{1}{4}$  of Sec. 7, T. 11 N., R. 5 W., and at this point a ditch is taken out with a concrete headgate and the water is then carried to approximately the quarter corner between Sections 18 and 19, T. 11 N., R. 5 W., and then diverted to the lands owned by the Intermountain Institute. The diversion ditch, above described, is completed and its location conforms to the field notes and the map which accompanied this right-of-way application. This last described ditch is of the same size as the Monroe diversion ditch, namely an average width of 4 feet, designed to carry one foot of water, with a grade of about ten feet per mile.

CONCLUSIONS AND RECOMMENDATIONS: In summarizing

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-7-

the facts concerning the construction and utilization of the right of way for reservoir and canals in this application, I find that all of the canal and ditch right-of-way has been completed and conforms substantially to the field notes and map.

.The full utilization has not been made of the reservoir right-of-way, although it is the intention of the Intermountain Institute to complete this reservoir just as rapidly as possible. The whole system is one of merit, and it has progressed as rapidly as possible, considering the fact that their funds have been extremely limited, to use in the construction of this dam, and it has taken them many years to do what has already been done.

I would, therefore, respectfully recommend that in view of the fact that there is no question as to the good faith of this applicant, that the ditches and canals have been built and completed, as shown on the map that accompanied this application, and that it is the intention of the applicant to complete the construction and utilization of this reservoir just as rapidly as their financial ability will permit, that action in this case be suspended for two years, unless the dam is completed before that time, and if this should be done, that then the applicant should be called upon to furnish proof of construction and completion.

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ADR:DH

Very respectfully,

*Archibald Ryan*

Inspector.

-8-

# **EXHIBIT 2**

Boise 09162 "F" LKS

5/3/13

*Literary approval*

*Original  
Accepted*

F

February 26, 1913.

Idaho Industrial Institute Submitting map for approval

The Secretary  
of the Interior

Sir:

The Idaho Industrial Institute, a corporation organized under the laws of the State of Idaho, has made application under the provisions of the Act of Congress of February 15, 1901 (31 Stat., 790) for reservoir and canal permits in Tps. 11, 12 and 13 N., Rgs. 5 and 6 W., Boise, Idaho, land district, as shown by the accompanying map. The company is duly authorized to construct the works proposed.

An examination of the application shows that the same has been prepared in accordance with the regulations, and that the map conforms to the township plats. The lands affected do not lie within the limits of any Government reservation or withdrawal. Prima facie evidence of water

Boise 09162 "T" LKS

right accompanies the application.

The Director of the U. S. Reclamation Service, in reporting on this application, under date of March 3, 1911, states-

that after careful investigation by the engineers of the Reclamation Service it appears that the approval of the application will not interfere with any contemplated project under the Reclamation Act.

The Director of the Geological Survey in reporting on this application, under date of January 24, 1913, states-

The capacity of the reservoir as now proposed is 3,000 acre-feet, a reduction of more than 6,000 acre-feet from the reservoir capacity indicated in the original application filed by the Idaho Industrial Institute which was transmitted to the Survey with your letter of February 21, 1911.

As stated in my letter of September 9, 1912, I have no objection to recommending favorable action on an application for a reservoir at the proposed site up to 3,000 acre-feet capacity. It is therefore recommended that the application as now presented be approved.

No objection appearing on the records of this office, it is recommended that the permit desired be granted, subject to all valid existing rights, and that the form of approval written on the accompanying map be signed.

Very respectfully,

Commissioner.

(Signed) Lewis G. Laylin.

*Copy furnished*

*Map approved*

MAR - 8 1913

*by field the G.S.*

Assistant Secretary

1-30 HMC

-2-

413  
L  
R



# **EXHIBIT 3**

Boise 09162 "R" IKS

3 Inc.

DEPARTMENT OF THE INTERIOR

GENERAL LAND OFFICE

WASHINGTON

March 11, 1913.

Idaho Industrial Institute : Inclosing copy of approved map

Register and Receiver.

Boise Idaho.

Sir:

On March 8, 1913, the Assistant Secretary of the Interior granted permission to the Idaho Industrial Institute under the provisions of the act of March 3, 1891 (26-stat., 1895) to construct a reservoir and canal in Tps. 11, 12 and 13 N. Rcs. 5 and 6 W., your land district, as shown on the map filed by the company.

I herewith inclose copy of the map showing the location of the proposed reservoir and canal, with the Secretary's approval written thereon. I also inclose the field notes that accompanied the map.

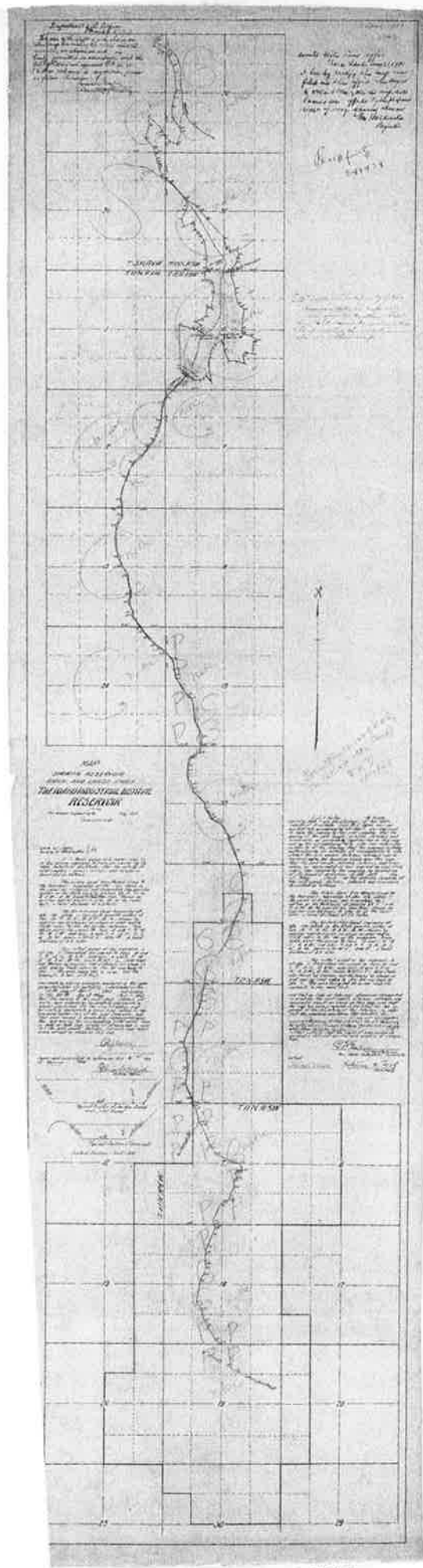
You will make proper notation on the records of your office, as required by Section 45, circular of June 6, 1902. File the map and field notes and notify the Idaho Industrial Institute hereof.

Very respectfully

Commissioner *h*

3-17 HMC

# **EXHIBIT 4**



# **EXHIBIT 5**



United States Department of the Interior  
Bureau of Land Management

Lower Snake River District  
Boise Field Office  
3948 Development Avenue  
Boise, Idaho 83705-5389  
<http://www.id.blm.gov>

In Reply Refer To:

IDI-09162  
2800

JAN 9 2003

DECISION

John and Christy Hoff	:	
Double C and J Land Company	:	
990 Jenkins Creek Road	:	Right-of-Way IDI-09162
Weiser ID 83672	:	

Successor in Interest Recognized

On October 24, 2002, you submitted evidence showing that right-of-way IDI-09162 was transferred from Intermountain Institute to John and Christy Hoff and Double C and J Land Company.

John and Christy Hoff and Double C and J Land Company are hereby recognized as the successors in interest to right-of-way IDI-09162.

Daryl L. Albiston  
Four Rivers Field Manager

uc: CF RF  
Lschmit:ls:1/8/2003:i-09162.suc.asgn

**EXHIBIT 6**

4-1009-R.

Boise 018528.

# The United States of America,

To all to whom these presents shall come, Greeting:

WHEREAS, a Certificate of the Register of the Land Office at **Boise, Idaho,** has been deposited in the General Land Office, whereby it appears that, pursuant to the Act of Congress of May 20, 1862, "To Secure Homesteads to Actual Settlers on the Public Domain," and the acts supplemental thereto, the claim of **Edwin Hilliard** has been established and duly consummated, in conformity to law, for the **Lot seven of Section six, the Lot one, the east half of the northwest quarter, and the east half of the southwest quarter of Section seven and the northeast quarter of the northwest quarter and the northwest quarter of the northeast quarter of Section eighteen in Township twelve north of Range five west of the Boise Meridian, Idaho, containing three hundred fifteen and sixteen-hundredths acres,**

according to the Official Plat of the Survey of the said Land, returned to the GENERAL LAND OFFICE by the Surveyor-General

NOW KNOW YE, That there is, therefore, granted by the UNITED STATES unto the said claimant the tract of Land above described, TO HAVE AND TO HOLD the said tract of Land, with the appurtenances thereof, unto the said claimant and to the heirs and assigns of the said claimant forever; subject to any vested and accrued water rights for mining, agricultural, manufacturing, or other purposes, and rights to ditches and reservoirs used in connection with such water rights, as may be recognized and acknowledged by the local customs, laws, and decisions of courts; and there is reserved from the lands hereby granted a right of way thereon for ditches or canals constructed by the authority of the United States.

IN TESTIMONY WHEREOF, I, **Woodrow Wilson,**

President of the United States of America, have caused these letters to be made Patent, and the seal of the General Land Office to be hereunto affixed.

GIVEN under my hand, in the District of Columbia, the **TWENTY-SECOND**

(SEAL)

day of **OCTOBER** in the year of our Lord one thousand nine hundred and **TWENTY** and of the Independence of the United States the one hundred and **FORTY-FIFTH.**

By the President:

*Woodrow Wilson*

By

*M. O. LeRoy*, Secretary.

*John O'Connell*  
Acting Recorder of the General Land Office.

RECORD OF PATENTS: Patent Number... **778757**

Boise 026028

4-1007-R.

# The United States of America,

To all to whom these presents shall come, Greeting:

WHEREAS, a Certificate of the Register of the Land Office at **Boise, Idaho,**

has been deposited in the General Land Office, whereby it appears that, pursuant to the Act of Congress of May 20, 1862, "To Secure Homesteads to Actual Settlers on the Public Domain," and the acts supplemental thereto, the claim of **E. Viola Montgomery, formerly E. Viola Temple,**

has been established and duly consummated, in conformity to law, for the **southwest quarter of the northwest quarter and the Lot four of Section five, the Lots one, two, three, four and five, the south half of the northeast quarter and the east half of the southeast quarter of Section six and the northeast quarter of the northeast quarter of Section seven in Township twelve north of Range five west of the Boise Meridian, Idaho, containing four hundred seventy-three acres and seven hundredths of an acre,**

According to the Official Plat of the Survey of the said Land, on file in the GENERAL LAND OFFICE:

NOW KNOW YE, That there is, therefore, granted by the UNITED STATES unto the said claimant the tract of Land above described; TO HAVE AND TO HOLD the said tract of Land, with the appurtenances thereof, unto the said claimant and to the heirs and assigns of the said claimant forever; subject to any vested and accrued water rights for mining, agricultural, manufacturing, or other purposes, and rights to ditches and reservoirs used in connection with such water rights, as may be recognized and acknowledged by the local customs, laws, and decisions of courts; and there is reserved from the lands hereby granted, a right of way thereon for ditches or canals constructed by the authority of the United States. Excepting and reserving, however, to the United States all the coal and other minerals in the lands so entered and patented, together with the right to prospect for, mine, and remove the same pursuant to the provisions and limitations of the Act of December 29, 1916 (39 Stat., 862).

IN TESTIMONY WHEREOF, I, **Calvin Coolidge,**

President of the United States of America, have caused these letters to be made

Patent, and the seal of the General Land Office to be hereunto affixed.

GIVEN under my hand, at the City of Washington, the **TWENTIETH**

(SEAL.)

day of **APRIL** In the year of our Lord one thousand

nine hundred and **TWENTY-SEVEN** and of the Independence of the

United States the one hundred and **FIFTY-FIRST**

By the President:

*Calvin Coolidge*  
*Viola B. Pugh*, Secretary.

By

*M. P. LeRoy*  
 Recorder of the General Land Office.

RECORD OF PATENTS: Patent Number **1000472**

REPRODUCTION PROHIBITED 0-3117

Eckhardt\_001438

Boise 025445

4-1007-R.

# The United States of America,

To all to whom these presents shall come, Greeting:

WHEREAS, a Certificate of the Register of the Land Office at **Boise, Idaho,** has been deposited in the General Land Office, whereby it appears that, pursuant to the Act of Congress of May 20, 1862, "To Secure Homesteads to Actual Settlers on the Public Domain," and the acts supplemental thereto, the claim of **Thomas E. Hilliard**

has been established and duly consummated, in conformity to law, for the **Lot six and the northeast quarter of the southwest quarter of Section six and the Lots two, three and four and the northwest quarter of the northeast quarter of Section seven in Township twelve north of Range five west and the east half of the southeast quarter of Section twelve in Township twelve north of Range six west of the Boise Meridian, Idaho, containing three hundred nine acres and sixty-one hundredths of an acre,**

according to the Official Plat of the Survey of the said Land, on file in the GENERAL LAND OFFICE:

NOW KNOW YE, That there is, therefore, granted by the UNITED STATES unto the said claimant the tract of Land above described; TO HAVE AND TO HOLD the said tract of Land, with the appurtenances thereof, unto the said claimant and to the heirs and assigns of the said claimant forever; subject to any vested and accrued water rights for mining, agricultural, manufacturing, or other purposes, and rights to ditches and reservoirs used in connection with such water rights, as may be recognized and acknowledged by the local customs, laws, and decisions of courts; and there is reserved from the lands hereby granted, a right of way thereon for ditches or canals constructed by the authority of the United States. Excepting and reserving, however, to the United States all the coal and other minerals in the lands so entered and patented, together with the right to prospect for, mine, and remove the same pursuant to the provisions and limitations of the Act of December 29, 1916 (39 Stat., 862).

IN TESTIMONY WHEREOF, I, **Calvin Coolidge,**

President of the United States of America, have caused these letters to be made Patent and the seal of the General Land Office to be hereunto affixed.

GIVEN under my hand, at the City of Washington, the **EIGHTEENTH**

(SEAL.)

day of **MAY** In the year of our Lord one thousand

nine hundred and **TWENTY-SEVEN** and of the Independence of the

United States the one hundred and **FIFTY-FIRST**

By the President:

*Calvin Coolidge*  
*Viola B. Engle*, Secretary

By

*M. P. LeRoy*  
Recorder of the General Land Office.

RECORD OF PATENTS: Patent Number **1001828**

REGISTERED PATENTING 6-2117

# **EXHIBIT 7**

**BEFORE THE DEPARTMENT OF WATER RESOURCES  
OF THE STATE OF IDAHO**

**IN THE MATTER OF APPLICATION FOR  
PERMIT NO. 67-15333 IN THE NAME OF  
DOUBLE C&J LAND CO.**

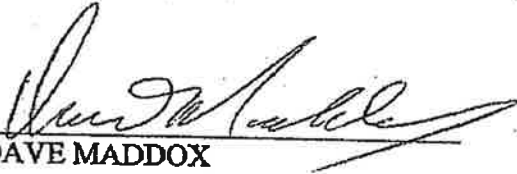
**DECLARATION OF DAVE MADDOX**

DAVE MADDOX under penalty of perjury states as follows:

1. I am over the age of eighteen and state the following based upon my own personal knowledge.
2. I am a general partner in Maddox Bar Ex Ranch, Limited Partnership ("Maddox"), an entity in good standing with the State of Idaho.
3. Maddox owns property near and around Monroe Reservoir in Washington County, Idaho.
4. Maddox did not file a protest against and does not oppose Application for Permit No. 67-15333 in the name of Double C&J Land Co.
5. Monroe Reservoir has been used and operated by Double C&J Land Co. by John and Christy Hoff or the predecessors and has stored Jenkins Creek water as long as I can remember.
6. They can access Monroe Reservoir across my property as the reservoir has always been used for such purposes.

7. I certify under penalty of perjury pursuant to the law of the State of Idaho that the foregoing is true and correct.

DATED this 27 day of May, 2020.

  
DAVE MADDOX

**EXHIBIT 8**

**BEFORE THE DEPARTMENT OF WATER RESOURCES  
OF THE STATE OF IDAHO**

IN THE MATTER OF APPLICATION FOR  
PERMIT NO. 67-15333 IN THE NAME OF  
DOUBLE C&J LAND CO.

**DECLARATION OF JOHN HOFF**

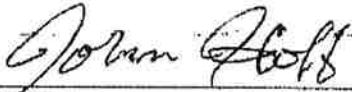
JOHN HOFF under penalty of perjury states as follows:

1. I am over the age of eighteen and state the following based upon my own personal knowledge.
2. I am the president of Double C & J Land Company, Inc. ("Double C&J"), an entity in good standing with the State of Idaho.
3. Double C&J owns water rights of record with the Idaho Department of Water Resources ("IDWR").
4. Double C&J owns and operates Jenkins Creek Reservoir and Monroe Reservoir.
5. The land, the water rights, and the reservoirs were purchased by Double C&J in 1999. The water rights allow Double C&J to irrigate 453 acres.
6. Jenkins Creek Reservoir and Monroe Reservoir are built in Jenkins Creek and are overseen by the dam safety bureau of IDWR.
7. Monroe Reservoir was built on Jenkins Creek in the early 1900s for irrigation of the lands Double C&J purchased.
8. Since Double C&J bought the property, Monroe Reservoir has filled with water from Jenkins Creek and Monroe Creek. Jenkins Creek Reservoir only fills with water from Jenkins Creek.

9. Because of the way Monroe Reservoir was built in Jenkins Creek, it does not pass water from Jenkins Creek. Water is stored in Monroe Reservoir year-round. This includes water from Jenkins Creek and Monroe Creek. Because Monroe Reservoir is built in Jenkins Creek, it diverts water from Jenkins Creek year-round.

10. I certify under penalty of perjury pursuant to the law of the State of Idaho that the foregoing is true and correct.

DATED this 29 day of May, 2020.

  
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JOHN HOFF