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DEPARTMENT OF
WATER RESOURCES

CHRIS M. BROMLEY
IDAHO STATE BAR NO. 6530
CANDICE MCHUGH
IDAHO STATE BAR NO. 5908
MCHUGH BROMLEY, PLLC
Attorneys at Law
380 S. 4th St., Ste. 103
Boise, ID 83702
Telephone: (208) 287-0991
Facsimile: (208) 287-0864
cbromley@mchughbromley.com
cmchugh@mchughbromley.com

Attorneys for Crooked River Ranches, LLC

**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

Subcase Nos. 69-4103A, 69-4103B, 69-4104A, 69-4104B, and 69-4112

Case No. 39576

**DECLARATION OF DENNIS R.
WHITE**

Dennis R. White, being 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 Governor of Crooked River Ranches, LLC ("CRR"), a corporation in good standing with the Idaho Secretary of State.
3. CRR is a successor-in-interest to Harold A. Powers and Evea H. Powers ("Powers"), who were partially decreed water right nos. 69-4103A and 69-4103B in the Snake River Basin Adjudication ("SRBA"). The SRBA also partially decreed water right nos. 69-

4104A and 69-4104B to Moonshine Ventures, LLC (“Moonshine Ventures”), and water right no. 69-4112 to Jack Rubelt and Ava E. Rubelt (“Rubelts”). The partial decrees for water right nos. 69-4103A, 69-4103B, 69-4104A, 69-4104B, and 69-4112 are of record with the Court.

4. Prior to issuance of the SRBA partial decrees for the above-captioned water rights, Powers, Moonshine Ventures, and Rubelts filed a *Motion in Support of Settlement Agreement* with the SRBA district court, which was also recorded in Adams County as Instrument No. 115466. The *Motion in Support of Settlement Agreement* is of record with the Court.

5. According to the SRBA partial decrees and *Settlement Agreement*, which are of record with the Court, CRR is senior to Moonshine Ventures and Rubelts.

6. On September 9, 2022, I had an email conversation with Steve Visosky, an employee with the Idaho Department of Water Resources (“IDWR”), about administration of CRR’s senior water rights as against the Junior Users and how that could happen. I was told by Mr. Visosky that the above-captioned water rights are not within an organized water district, without an IDWR-appointed watermaster, meaning that the above-captioned water rights cannot be administered by IDWR.

7. CRR has traditionally accessed its headgate through a road that is on land owned by Moonshine Ventures. The road through Moonshine Ventures’ property is gated and has not historically been locked.

8. On August 1, 2023, the gate through Moonshine Ventures’ property was locked, preventing CRR from accessing the headgates.

9. Since IDWR cannot administer the above-captioned water rights, sometime between August 11, 2023 and August 18, 2023, I spoke with the Adams County sheriff’s office

about CRR's lack of water and the need for assistance with keeping the peace so that I could address the padlock on the gate and the padlocks on the headgates.

10. Despite my explanation about the SRBA partial decrees and *Settlement Agreement*, I was told by the Adams County sheriff's office that without a court order it would be illegal for them to assist me.

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 23 day of March, 2024.

A handwritten signature in black ink, appearing to read "Dennis R. White", written over a horizontal line.

DENNIS R. WHITE
Governor, Crooked River Ranches, LLC