

RAÚL R. LABRADOR

Attorney General
State of Idaho

SCOTT L. CAMPBELL

Chief, Energy and Natural Resources Division

LACEY RAMMELL-O'BRIEN

Deputy Attorney General
Idaho Department of Water Resources
P.O. Box 83720
Boise, ID 83720-0098
Telephone: (208) 287-4812
Fax: (208) 287-6700
Idaho State Bar # 8201
Attorney for IDWR

COPY

**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

Case No. 39576

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)
)
**AFFIDAVIT OF SERVICE: DIRECTOR'S
REPORT OF DEFERRED *DE MINIMIS*
DOMESTIC AND/OR STOCK WATER
USE**

)
)
)
CLAIM NO. 63-11858

STATE OF IDAHO)
) ss.
County of Ada)

I, Craig Saxton, being first duly sworn on oath, depose and state as follows:

1. I am the Manager, Adjudication Section, for the Idaho Department of Water Resources (IDWR). I am authorized by the Director to make this affidavit pursuant to Idaho Code § 42-1701(3). I make this affidavit pursuant to the requirements of Idaho Code § 42-1411(7). The following actions were taken under my direction by IDWR.

2. A Director's Report of Deferred De Minimis Domestic and/or Stock Water Use in subcase no. 63-11858 was filed with the SRBA District Court on February 29, 2024.

3. A Notice of Filing Director's Report of Deferred *De Minimis* Domestic and/or Stock Water Use Claim Number 63-11858 (Notice), a copy of which is attached as Exhibit 1, was prepared by IDWR pursuant to Idaho Code § 42-1411(6) and orders of this Court.

4. The Notice and the Director's Report which contain the recommendation for the claimant's water right, was served on the claimants, Nicholas and Rebecca Drake, by and through their attorney of record, Albert P. Barker, Marten Law LLP, PO Box 2139, Boise, ID 83701-2139, by deposit into the U.S. Mail before 5:00 p.m. on February 27, 2024.

5. The Notice and the Director's Report were mailed to the Chief, Energy and Natural Resources Division, Office of the Attorney General, P.O. Box 83720, Boise, ID 83720-0010, by deposit into the U.S. Mail before 5:00 p.m. on February 27, 2024.

6. The Notice and the Director's Report were mailed to the U.S. Attorney's Office, 1290 West Myrtle Street, Suite 500, Boise, ID 83702, by deposit into the U.S. Mail before 5:00 p.m. on February 27, 2024.

7. The Notice and the Director's Report were mailed to the U.S. Department of Justice, 950 Pennsylvania Avenue, NW, Washington, D.C. 20530-0001, by deposit into the U.S. Mail before 5:00 p.m. on February 27, 2024.

8. The Notice and the Director's Report were mailed to the U.S. Department of Justice, Environment & Natural Resources Division, 550 West Fort Street, MSC 033, Boise, ID 83724, by deposit into the U.S. Mail before 5:00 p.m. on February 27, 2024.

9. The Notice and the Director's Report mailed to the Ada County Courthouse, 200 W. Front Street, Boise, ID 83702, by deposit into the U.S. Mail before 5:00 p.m. on February 27, 2024.

10. The Notice and the Director's Report was e-mailed to IDWR's Salmon Field Office, Preston Field Office, and Eastern, Western, Northern, and Southern Regional Offices on February 27, 2024.

DATED this 9th day of April, 2024.



CRAIG L. SAXTON
Manager, Adjudication Section
Idaho Department of Water Resources

SUBSCRIBED AND SWORN before me this ____ day of _____, 2024.

NOTARY PUBLIC FOR IDAHO
Residing at:
My commission expires:

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this ____ day of _____, 2024, I served a true and correct copy of this affidavit of service by the following method to:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, ID 83303-2707

☐ Overnight Mail
☐ Regular Mail
☐ Hand-Delivered
☐ Facsimile

2. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

☐ Overnight Mail
☐ Regular Mail
☐ Hand-Delivered
☐ Facsimile

U.S. Department of Justice
Environment and Natural Resources Division
550 West Fort Street Box 033
Boise, ID 83724

☐ Overnight Mail
☐ Regular Mail
☐ Hand-Delivered
☐ Facsimile

Chief, Energy & Natural Resources Division
Office of the Attorney General
State of Idaho
P.O. Box 83720
Boise, ID 83720-0010

☐ Overnight Mail
☐ Regular Mail
☐ Hand-Delivered
☐ Facsimile

Nicholas and Rebecca Drake
Represented by:
Albert P. Barker
Marten Law LLP
PO Box 2139
Boise, ID 83701-2139

☐ Overnight Mail
☐ Regular Mail
☐ Hand-Delivered
☐ Facsimile

Signature of person or attorney mailing the form

CERTIFICATE OF MAILING

I certify that on January 19, 2023, I delivered the original and copies of this form, including all attachments, to the following persons, postage prepaid if required and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 3rd Avenue North
P.O. Box 2707
Twin Falls, ID 83303-2707

☐ Overnight mail
☒ Regular mail
☐ Hand-delivered
☐ Facsimile

2. Copies to claimant:

Nicholas and Rebecca Drake
Represented by:
Albert P. Barker
Barker Rosholt & Simpson LLP
PO Box 2139
Boise, ID 83702-2139

☐ Overnight mail
☒ Regular mail
☐ Hand-delivered
☐ Facsimile

Director of IDWR
PO Box 83720
Boise, ID 83720-0098

☐ Overnight mail
☐ Regular mail
☒ Hand-delivered
☐ Facsimile

Zori Harris

Signature of person mailing this document