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ISB # 2207

**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)
)
)
)
)
_____)

Subcase No. 92-00021-74

**AFFIDAVIT OF TIMOTHY J. LUKE
IN SUPPORT OF MOTION FOR ORDER
OF INTERIM ADMINISTRATION**

STATE OF IDAHO)
) ss.
County of Ada)

Timothy J. Luke, being first duly sworn upon oath deposes and states as follows:

1. My name is Timothy J. Luke. I am the Section Manager for the Water Distribution Section for the Idaho Department of Water Resources (IDWR). My work address is Idaho Department of Water Resources, 322 East Front Street, Boise, Idaho 83720-0098. I reside in Boise, Idaho.
2. My education background includes a Bachelor of Arts degree in Geography from West Virginia University in 1982 and a Master of Science degree in Geography and Natural Resource Management from the University of Idaho in 1992. My education/training

since college has included, but is not limited to, participation in seminars and courses related to water management such as Ground Water and Surface Water Relationships, Hydraulics, Field Hydrogeology, Irrigation System Design and several water law and water management workshops.

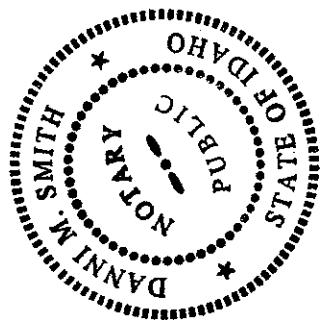
3. I worked from September 1988 to August 1991 for IDWR as a Senior Water Rights Agent. My duties included, but were not limited to the review, analysis, recommendation and processing of water right transfers, and the review and processing of applications to reallocate water held in trust under the Swan Falls agreement.
4. From September 1991 to February 1992, I worked for IDWR as a Hydrologist-in-Training, in the Water Permits Section. My duties included, but were not limited to water district assistance, field inventory and measurement of diversions, and water right analysis.
5. I worked from March 1992 to February 1997 for IDWR as a Hydrologist in the Water Permits and Water Distribution Sections. My duties included, but were not limited to, assisting in the implementation of the water measurement program, field inventory and measurement of diversions, water district assistance, water right analysis, reduction and analysis of hydrologic data and preparation of reports, and investigation of water distribution complaints and water right disputes.
6. From March 1997 to the present, I have served as the Section Manager for the Water Distribution Section. My primary responsibilities are the implementation and management of the water measurement program, provide assistance to water districts, periodic training of watermasters, and assistance or resolution of water distribution/water right disputes.

7. I have personal knowledge of the water supply conditions and water rights in Basin 74 through my work with IDWR's Water Distribution Section.
8. The general reasons for inclusion of water rights and water sources in a water district are:
 - Provide a mechanism for administration, regulation and enforcement of all water rights;
 - Provide a means for regular measurement and reporting of diversions, including ground water diversions;
 - Provide for improved management of water rights and keeping water rights current with respect to ownership and water use;
 - Provide a system whereby local watermasters or deputy watermasters can provide for local and timely response to general calls for water distribution; and
 - Water district administration and regulation can be accomplished by assessing water users directly through the districts.
9. The specific reasons for inclusion of additional water rights and water sources in water districts in Basin 74 are:
 - Existing water districts in this basin are limited to surface water sources and do not include ground water sources.
 - All of the water rights claimed in Basin 74 have been reported or partially decreed in the SRBA as required under I.C. § 42-1417.
 - Certain water rights and sources (primarily ground water) within the boundaries of existing water districts in Basin 74 have not been subject to administration or regulation by water districts.
 - Water districts will provide watermasters with the ability to administer water rights in accordance with the prior appropriation doctrine as established by Idaho law.
 - Water districts will provide protection of senior water rights.

FURTHER YOUR AFFIANT SAYETH NAUGHTI.

Timothy J. Luke
TIMOTHY J. LUKE

SUBSCRIBED AND SWORN to before me this 19th day of January, 2006.



Danni M. Smith
Notary Public for Idaho
Residing at: Boise, Idaho
My commission expires: 12/06/2006