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ATTORNEYS FOR IDAHO GROUND WATER  
APPROPRIATORS

**BEFORE DEPARTMENT OF WATER RESOURCES**

**STATE OF IDAHO**

IN THE MATTER OF DISTRIBUTION  
OF WATER TO VARIOUS WATER  
RIGHTS HELD BY OR FOR THE  
BENEFIT OF A&B IRRIGATION  
DISTRICT, AMERICAN FALLS  
RESERVOIR DISTRICT #2, BURLEY  
IRRIGATION DISTRICT, MILNER  
IRRIGATION DISTRICT, MINIDOKA  
IRRIGATION DISTRICT, NORTH SIDE  
CANAL COMPANY, AND TWIN FALLS  
CANAL COMPANY

Docket No.: CM-DC-2010-001

**AFFIDAVIT OF TIMOTHY DEEG  
IN SUPPORT OF 2013 NOTICE OF  
SECURED WATER**

STATE OF IDAHO            )  
  ss:  
County of Bannock        )

The undersigned, Timothy P. Deeg, having been first duly sworn upon oath does hereby depose and state as follows:

1. I am the past Chairman and a Board Member of the Aberdeen-American Falls Ground Water District and the current Chairman of the Idaho Ground Water Appropriators, Inc. ("IGWA"). I am also a farmer and have been farming since 1974. I am familiar with IGWA it's member ground water districts and the ground water users each represents.

3. I am familiar with the *Final Order Regarding April 2013 Forecast Supply (Methodology Steps 1 and 4)* ("2013 As-Applied Order") and am generally familiar with the

information contained therein, including the calculated mitigation obligations of junior groundwater users.

4. I understand that the Director has ordered the junior groundwater users to provide evidence that they have secured 14,200 acre-feet in storage water to mitigate for the predicted shortage to Twin Falls Canal Company; and, to show that they have an additional 14,605 acre-feet of storage water to satisfy the 2012 reasonable carryover storage to American Falls Reservoir District No. 2.

6. I have reviewed *IGWA's 2013 Notice of Secured Water* and the information and contents contained therein is true to the best of my knowledge, information and belief.

7. Attached hereto as **Exhibit A** is a true and correct **Summary of the Leases** IGWA has in place for the upcoming 2013 year.

8. True and correct copies of each of the leases identified in Exhibit A are on file with the Department and can be confirmed with Lyle Swank.

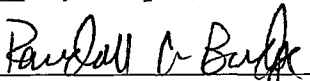
9. IGWA's leases are sufficient to satisfy the predicted in-season demand shortfall to Twin Falls Canal Company and any remaining obligation to American Falls Reservoir District No. 2 in the event that American Falls Reservoir does not fill as predicted.

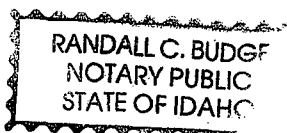
Further, your Affiant saith not.

DATED this 22<sup>nd</sup> day of April, 2013.

  
TIMOTHY P. DEEG

Subscribed and sworn to before me, a Notary Public, this 22<sup>nd</sup> day of April, 2013.

  
Notary Public for Idaho  
Residing at Pocatello, ID.  
My commission expires 10/11/16



### CERTIFICATE OF SERVICE

I hereby certify that on this 22<sup>nd</sup> day of April, 2013, I served a true and correct copy of the foregoing by delivering it to the following individuals by the method indicated below, addressed as stated:

<p>Gary Spackman, Interim Director          Idaho Department of Water Resources          P.O. Box 83720          Boise, Idaho 83720-0098          Fax: 208-287-6700  <a href="mailto:gary.spackman@idwr.idaho.gov">gary.spackman@idwr.idaho.gov</a>  <a href="mailto:garrick.baxter@idwr.idaho.gov">garrick.baxter@idwr.idaho.gov</a>  <a href="mailto:chris.bromley@idwr.idaho.gov">chris.bromley@idwr.idaho.gov</a></p>	<p><input checked="" type="checkbox"/> U.S. Mail  <input type="checkbox"/> Facsimile  <input type="checkbox"/> Overnight Mail  <input type="checkbox"/> Hand Delivery  <input checked="" type="checkbox"/> Email</p>
<p>C. Tom Arkoosh          Arkoosh Law Offices, Chtd.          301 Main Street; P.O. Box 32          Gooding, ID 83330  <a href="mailto:tarkoosh@capitollawgroup.net">tarkoosh@capitollawgroup.net</a></p>	<p><input type="checkbox"/> U.S. Mail  <input type="checkbox"/> Facsimile  <input type="checkbox"/> Overnight Mail  <input type="checkbox"/> Hand Delivery  <input checked="" type="checkbox"/> Email</p>
<p>W. Kent Fletcher          Fletcher Law Office          P.O. Box 248          Burley, Idaho 83318-0248  <a href="mailto:wkf@pmt.org">wkf@pmt.org</a></p>	<p><input type="checkbox"/> U.S. Mail  <input type="checkbox"/> Facsimile  <input type="checkbox"/> Overnight Mail  <input type="checkbox"/> Hand Delivery  <input checked="" type="checkbox"/> Email</p>
<p>John A. Rosholt          John K. Simpson          Travis L. Thompson          Barker, Rosholt &amp; Simpson          113 Main Avenue W., Ste 303          Twin Falls, ID 83301-6167  <a href="mailto:jar@idahowaters.com">jar@idahowaters.com</a>  <a href="mailto:jks@idahowaters.com">jks@idahowaters.com</a>  <a href="mailto:tlt@idahowaters.com">tlt@idahowaters.com</a></p>	<p><input type="checkbox"/> U.S. Mail  <input type="checkbox"/> Facsimile  <input type="checkbox"/> Overnight Mail  <input type="checkbox"/> Hand Delivery  <input checked="" type="checkbox"/> Email</p>
<p>Kathleen Marion Carr          U.S. Department of the Interior          960 Broadway, Ste 400          Boise, Idaho 83706  <a href="mailto:kathleenmarion.carr@sol.joi.gov">kathleenmarion.carr@sol.joi.gov</a></p>	<p><input type="checkbox"/> U.S. Mail  <input type="checkbox"/> Facsimile  <input type="checkbox"/> Overnight Mail  <input type="checkbox"/> Hand Delivery  <input checked="" type="checkbox"/> Email</p>

David W. Gehlert Natural Resources Section Environment and Natural Resources Division U.S. Dept of Justice 1961 Stout St., 8 <sup>th</sup> Floor Denver, CO 80294 <a href="mailto:david.gehlert@usdoj.gov">david.gehlert@usdoj.gov</a>	<input type="checkbox"/> U.S. Mail <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Hand Delivery <input checked="" type="checkbox"/> Email
Matt J. Howard U.S. Bureau of Reclamation Pacific Northwest Region 1150 N. Curtis Road Boise, ID 83706-1234 <a href="mailto:mhoward@pn.usbr.gov">mhoward@pn.usbr.gov</a>	<input type="checkbox"/> U.S. Mail <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Hand Delivery <input checked="" type="checkbox"/> Email
Sarah H. Klahn Mitra Pemberton White & Jankowski 511 16 <sup>th</sup> Street, Ste 500 Denver, CO 80202 <a href="mailto:sarahk@white-jankowski.com">sarahk@white-jankowski.com</a>	<input type="checkbox"/> U.S. Mail <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Hand Delivery <input checked="" type="checkbox"/> Email
Michael C. Creamer Jeffrey C. Fereday Givens Pursley P.O. Box 2720 Boise, Idaho 83701-2720 <a href="mailto:mcc@givenspursley.com">mcc@givenspursley.com</a> <a href="mailto:jcf@givenspursley.com">jcf@givenspursley.com</a>	<input type="checkbox"/> U.S. Mail <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Hand Delivery <input checked="" type="checkbox"/> Email
Dean Tranmer City of Pocatello P.O. Box 4169 Pocatello, Idaho 83205 <a href="mailto:dtranmer@pocatello.us">dtranmer@pocatello.us</a>	<input type="checkbox"/> U.S. Mail <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Hand Delivery <input checked="" type="checkbox"/> Email
Brian Olmstead Twin Falls Canal Company P.O. Box 326 Twin Falls, Idaho 83303 (courtesy copy)	<input checked="" type="checkbox"/> U.S. Mail <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Email
Lynn Harmon, Manager AFRD2 409 N. Apple Street Shoshone, Idaho 83352 (courtesy copy)	<input checked="" type="checkbox"/> U.S. Mail <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Email

Lyle Swank, Water Master  
Water District 01  
900 N. Skyline Drive  
Idaho Falls, Idaho 83402  
(courtesy copy)

- U.S. Mail
- Facsimile
- Overnight Mail
- Hand Delivery
- Email

Fordall C. B. B. B.

SUMMARY OF IGWA WATER LEASES FOR 2013

2011

	Lessor	Lease Minimum (AF)	Actual Leased Quantity	Rent**	Total Rent	State Water Bank Fee (10%)	Rental Pool Fee (\$/.80/AF)	Total Fees	Total Rent + Fees
1	Aberdeen Springfield Canal Company	10,000							
	Enterprise Canal Company	3,000							
3	Idaho Irrigation District	3,000							
5	Snake River Valley Irrigation District	5,000							
	New Sweden	3,000							
8	Peoples Canal	3,000							
9	Palisades Water Users	500							
18	State of Wyoming	5,000		Rental* Pool plus adm fees	\$10,000 option pmt due before 2/15				
12	Mitigation, Inc.	none							
13	Fremont-Madison	none							
14	Progressive	none							
15	City of Pocatello	none						\$	
17	Rental Pool	none							
19	Totals	32,500.0			\$ -			\$0.00	\$ -
<p>*On or before February 15 each year, IGWA must pay Wyoming the option payment of \$10,000 for the right to lease 5000 AF at the rental pool price that year. All other leases are rental pool rate +\$1</p> <p>*Additionally, IGWA carried over the following 2012 Leased amounts committed to AFRD2 2012 "reasonable carryover" obligation to the extent that American Falls does not fill:</p> <p>3,750 AF -- Enterprise  3,750 AF -- Peoples  1,250 AF -- Palisades Water Users  8,639 AF -- Aberdeen-Springfield-Canal-Company  17,839 AF -- TOTAL</p>									