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*Attorneys for A&B Irrigation District, Burley  
Irrigation District, Milner Irrigation District,  
North Side Canal Company, Twin Falls Canal  
Company*

**IN THE SUPREME COURT OF THE STATE OF IDAHO**

**CITY OF BLACKFOOT;**

Petitioner-Appellant,

vs.

**GARY SPACKMAN**, in his official capacity  
as Director of the Idaho Department of Water  
Resources, and **THE IDAHO DEPARTMENT  
OF WATER RESOURCES;**

Respondents-Respondents,

and

**A&B IRRIGATION DISTRICT, BURLEY  
IRRIGATION DISTRICT, MILNER  
IRRIGATION DISTRICT, NORTH SIDE  
CANAL COMPANY, TWIN FALLS CANAL  
COMPANY, AMERICAN FALLS  
RESERVOIR DISTRICT #2, and  
MINIDOKA IRRIGATION DISTRICT,**

Intervenors-Respondents.

**Supreme Court Docket No. 44207-  
2016**

**(Bingham County Case No. CV-2015-  
1687)**

**AFFIDAVIT OF TRAVIS L.  
THOMPSON IN SUPPORT OF  
MEMORANDUM OF COSTS AND  
ATTORNEY FEES**

**IN THE MATTER OF APPLICATION FOR  
PERMIT NO. 27-12261 IN THE NAME OF  
THE CITY OF BLACKFOOT.**

STATE OF IDAHO            )  
  ) ss.  
County of Twin Falls        )

I, TRAVIS L. THOMPSON, being first duly sworn, depose and say:

1. I am an attorney with Barker Rosholt & Simpson LLP representing A&B Irrigation District, Burley Irrigation District, Milner Irrigation District, North Side Canal Company, and Twin Falls Canal Company in this matter. I am a competent adult over the age of eighteen years, and make the following statements based upon my personal knowledge and familiarity with this matter.

2. Attorneys John K. Simpson and Paul L. Arrington in the firm served as co-counsel with me in this matter at the time.

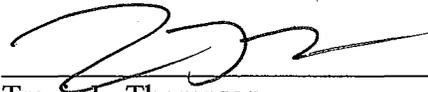
3. An itemization of attorney fees, including the date that the services were rendered, the personnel providing the services, the type of service, the time expended, and the total dollar charge, is attached as Exhibit A to this Affidavit. Based upon the review and information detailed below, to the best of my knowledge and belief, Exhibit A accurately summarizes the work that our firm performed and the time expended in participating and responding in this case.

4. The hourly rates set forth in Exhibit A is consistent with the southern Idaho market rate (including for Boise and Twin Falls, Idaho) for attorneys with equal experience and awards in recent cases. John K. Simpson has practiced law for over 26 years. Paul Arrington has practiced law for over 12 years. I have practiced law for over 16 years.

//

Further you affiant sayeth naught.

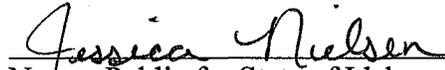
DATED this 22<sup>nd</sup> day of June, 2017.



Travis L. Thompson

SUBSCRIBED AND SWORN to before me this 22 day of June, 2017.



  
Notary Public for State of Idaho  
Residing at Twin Falls, Idaho.  
Commission Expires: 4/3/18

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on the 22<sup>nd</sup> day of June, 2016, I served true and correct copies of the foregoing upon the following by the method indicated:

Idaho Supreme Court  
Clerk of the Court of Appeals  
P.O. Box 83720  
Boise, ID 83720-0101

- U.S. Mail, Postage Prepaid
- Hand Delivery
- Overnight Mail
- Facsimile
- Email

Snake River Basin Adjudication  
Clerk of the Court  
P.O. Box 2707  
Twin Falls, Idaho 83303-2707

- U.S. Mail, Postage Prepaid
- Hand Delivery
- Overnight Mail
- Facsimile
- Email

Garrick Baxter  
Idaho Department of Water Resources  
PO Box 83720  
Boise, ID 83720-0098

- U.S. Mail, Postage Prepaid
- Hand Delivery
- Overnight Mail
- Facsimile
- Email

Garrett Sandow  
220 N. Meridian  
Blackfoot, ID 83221  
gsandowlaw@aol.com

- U.S. Mail, Postage Prepaid
- Hand Delivery
- Overnight Mail
- Facsimile
- Email

Robert L. Harris  
**HOLDEN, KIDWELL, HAHN & CRAPO,**  
**P.L.L.C.**  
P.O. Box 50130  
Idaho Falls, Idaho 83405

- U.S. Mail, Postage Prepaid
- Hand Delivery
- Overnight Mail
- Facsimile
- Email

  
Travis L. Thompson

**EXHIBIT A**  
**City of Blackfoot v. Spackman, et al.**  
**Supreme Court Docket No. 44207-2016**

**Attorney Fees Travis Thompson**

Date	Description	Time	Total
5/16/2016	Review notice of appeal.	0.20	\$40.00
5/17/2016	Review Blackfoot issues.	0.15	\$25.00
7/22/2016	Review objection to record in Blackfoot appeal; e-mail Jess.	0.60	\$120.00
8/11/2016	Review appeal; mayor meet with managers; discuss with PLA; e-mail.	0.35	\$70.00
10/27/2016	Review draft response in Blackfoot appeal.	0.40	\$80.00
10/28/2016	Review draft response in Blackfoot appeal.	0.75	\$150.00
10/31/2016	Review response to Blackfoot appeal; e-mail counsel.	1.65	\$330.00
11/1/2016	Review issues regarding Blackfoot appeal; recent cases.	1.0	\$200.00
11/2/2016	Review Blackfoot response brief; research new attorney fees case; e-mail PLA.	1.25	\$250.00
11/7/2016	Review IDWR response brief and motion in Blackfoot appeal.	0.75	\$150.00
1/12/2017	E-mails regarding Supreme Court Blackfoot appeal.	0.15	\$30.00
1/13/2017	Review Blackfoot order; discuss with counsel.	0.75	\$150.00
2/2/2017	E-mails regarding Blackfoot argument date.	0.35	\$70.00
5/8/2017	Review briefs in City of Blackfoot appeal.	1.90	\$380.00
5/11/2017	Prepare for Supreme Court argument.	3.60	\$720.00
5/12/2017	Prepare for Supreme Court argument in Blackfoot case; e-mail clients regarding summary.	1.25	\$250.00
5/12/2017	Oral argument before the Supreme Court in Blackfoot case.	1.65	\$330.00
6/20/2017	Review Supreme Court decision in City of Blackfoot Case, discuss with counsel	1.75	\$350.00
6/21/2017	Prepare Memo of Costs and Fees and Affidavit, calls with counsel, review time sheets	2.75	\$550.00
6/22/2017	Finalize Memo of Costs and Fees, instructions for filing with Court	.75	\$150.00
<b>Total Fees:</b>		<b>22.00</b>	<b>\$4,395.00</b>

**EXHIBIT A**  
**City of Blackfoot v. Spackman, et al.**  
**Supreme Court Docket No. 44207-2016**

**Attorney Fees Paul L. Arrington**

Date	Description	Time	Total
7/8/2016	Review appeal record on Blackfoot appeal to the Supreme Court.	1.50	\$262.50
10/24/2016	Read Blackfoot's brief on appeal to the Supreme Court; begin outlining response.	.50	\$87.50
10/26/2016	Further work on Blackfoot Supreme Court response brief.	5.80	\$1015.00
10/27/2016	Further drafting, legal research and revisions on Supreme Court brief (Blackfoot appeal); e-mail to counsel for review.	4.80	\$840.00
11/1/2016	Revise Supreme Court brief in Blackfoot appeal.	2.5	\$437.50
11/2/2016	Revise Supreme Court brief in Blackfoot appeal; read recent case law on attorney fees from the Supreme Court.	.70	\$122.50
11/3/2016	Read IDWR brief on Blackfoot appeal.	1.10	\$192.50
11/28/2016	Read City of Blackfoot's reply brief.	1.50	\$262.50
<b>Total Fees:</b>		<b>18.40</b>	<b>\$3,220.00</b>

**Attorney Fees John Simpson**

Date	Description	Time	Total
10/31/2016	Review Blackfoot appeal brief; comments to counsel.	1.30	\$260.00
<b>Total Fees:</b>		<b>1.30</b>	<b>\$ 260.00</b>