

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

TRAVIS L. THOMPSON, being duly sworn upon oath, deposes and states as follows:

1. I am one of the attorneys of record representing Clear Springs Foods, Inc. in this matter and the following is based upon my personal knowledge.

2. Attached hereto as **Exhibit A** is a true and correct copy of water delivery records for the Districts' conversion acres in 2009. I copied the description of the columns from page one onto page two as well. The information was provided to me by Tim Luke at the Idaho Department of Water Resources. The record identifies those District members that received surface water through the North Side Canal Company canal system in 2009 and shows that a total of 17,833.1 acre-feet was delivered.

3. Attached hereto as **Exhibit B** is a true and correct copy of the *Stipulation and Agreement Regarding Certain Dairy Ground Water Use* entered into between IDWR, the Idaho Dairymen's Association, and Clear Springs on January 11, 2008. Attached to the Stipulation as Exhibit A is a copy of the Mitigation Agreement entered into between IDA, Clear Springs, and others (without exhibits).

4. Attached hereto as **Exhibit C** is a true and correct copy of excerpts of the Hearing Officer's *Responses to Petitions for Reconsideration and Clarification and Dairymens' Stipulated Agreement* entered in the Spring Users' delivery call proceeding on February 29, 2008.

5. Attached hereto as **Exhibit D** is a true and correct copy of excerpts of the Director's *Final Order Regarding Blue Lakes and Clear Springs Delivery Calls* entered in the Spring Users' delivery all proceeding on July 11, 2008.

6. Attached hereto as **Exhibit E** is a true and correct copy of records in the Idaho Department of Water Resources' file for water right permit #37-7372. The documents identify the "Water Rights Sublease Agreement" entered into between Sawtooth Sheep Co. and IGWA and the fact that surface water delivered through NSCC in 2009 was for mitigation of the new ground water permit, not a conversion project on behalf of the Ground Water Districts.

7. Attached hereto as **Exhibit F** is a true and correct copy of a January 25, 2010 email from counsel for the Ground Water Districts, Candice McHugh, with the attached *Water Rights Sublease Agreement* entered into between IGWA and Sawtooth Sheep Co.

8. Attached hereto as **Exhibit G** are true and correct copies of the *Water Rights Lease and Conversion Agreements* referenced as the "920 acres for OTR conversion acres" in the January 25, 2010 email from Candice McHugh.

Dated this 27th day of January, 2010.



Travis L. Thompson

SUBSCRIBED & SWORN to before me this 27th day of January, 2010.





Notary Public in and for the State of Idaho
My Commission Expires: 4/3/12

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 27th day of January, 2010, I served true and correct copies of the *Second Affidavit of Travis L. Thompson* upon the following by the method indicated:

Deputy Clerk
Gooding County District Court
624 Main St.
P.O. Box 27
Gooding, ID 83330

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

Courtesy Copy to Judge's Chambers:
Snake River Basin Adjudication
253 3rd Ave. N.
P.O. Box 2707
Twin Falls, ID 83303-2707

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

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Chris Bromley
Deputy Attorneys General
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- Facsimile
- Email



Travis L. Thompson