

1. I am over the age of 18 and make this affidavit based upon my personal knowledge. I am one of the attorneys representing A&B Irrigation District, Burley Irrigation District, Milner Irrigation District, North Side Canal Company, and Twin Falls Canal Company in this matter.

2. Plaintiffs in this case filed an action against the Idaho Department of Water Resources (“IDWR”) concerning the utilization of recovery wells pursuant to I.C. 42-228. Pursuant to its pleadings, Plaintiffs indicated it was a matter of first impression.

3. The Coalition holds various natural flow and storage water rights to the Snake River, a list of these water rights is included at **Exhibit A**. Coalition member A&B holds groundwater rights to the Eastern Snake Plain Aquifer, a list of these water rights is included at **Exhibit B**.

4. Counsel for IDWR has apprised counsel for the Coalition of the progress of this case. We were recently made aware of the Parties’ stipulation to move this case to the SRBA Court and Plaintiff Duffin’s application to the state water supply bank, which apparently resolved the issue of the preliminary injunction. The court has not substantively nor substantially litigated these issues or set any type of briefing schedule.

5. The Coalition’s interests in this case are not adequately protected by IDWR. IDWR is a state agency that has a particular duty and mandate to the citizens of the state of Idaho, not the Coalition’s particular real property right interests. Further, IDWR’s litigation position will not adequately protect the Coalition’s interests.

6. The Coalition has common questions of fact or law in common with this main action, and intervention will not delay or prejudice the adjudication or any parties thereto.

FURTHER YOUR AFFIANT SAYETH NAUGHT.

[Handwritten Signature]

TRAVIS L. THOMPSON

SUBSCRIBED AND SWORN to before me this 19 day of June 2014.



[Handwritten Signature]

Notary Public, in and for the
State of Idaho, residing at

Twin Falls, therein.

My Commission Expires: 4/3/18

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 14th day of June, 2014, I served true and correct copies of the foregoing upon the following by the method indicated:

Garrick Baxter
John Homan
Meghan Carter
Deputy Attorneys General
Idaho Department of Water Resources
P.O. Box 83720
Boise, Idaho 83720-0098

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

Randy Budge
Carol Tippi Volyn
Racine, Olson, Nye, Budge & Bailey,
Chartered
P.O. Box 1391
Pocatello, Idaho 83204-1391

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



Travis L. Thompson

EXHIBIT A

Surface Water Coalition Surface Water Rights List

A&B: 1-14, 1-10225, 1-10237, 1-10238, 1-10239, 1-10240, 1-10241

AFRD#2: 1-6

BID: 1-7, 1-211B, 1-214B

Milner: 1-9, 1-17, 1-2050

MID: 1-8, 1-211A, 1-214A

NSCC: 1-5, 1-16, 1-210, 1-212, 1-213

TFCC: 1-4, 1-10, 1-209

Storage Water Rights (U.S. Bureau of Reclamation / Coalition) (pending in SRBA) (list is not exhaustive of all pending claims)

Lake Walcott: 1-219

American Falls: 1-2064, 1-10042, 1-10053

Palisades: 1-2068, 1-10043

Jackson Lake: 1-4055, 1-10044, 1-10045

EXHIBIT B

Ground Water Rights Held by A&B Irrigation District

36-2080

36-15127A, B

36-15192

36-15193A, B

36-15194A, B

36-15195A, B

36-15196A, B

36-16749