

JUN 12 2018

DEPARTMENT OF WATER RESOURCES

JOSEPH F. JAMES
JAMES LAW OFFICE, PLLC
125 Fifth Avenue West
Gooding, Idaho 83330
Telephone: (208) 934-4429
Facsimile: (208) 934-4420
Idaho State Bar No. 5771
jose@jamesmvlaw.com

Attorneys for Petitioners

BEFORE THE DEPARTMENT OF WATER RESOURCE
OF THE STATE OF IDAHO

IN THE MATTER OF PERMIT NO.) AFFIDAVIT OF WILLIAM ARKOOSH
37-07842 IN THE NAME OF THE)
IDAHO WATER RESOURCES)
BOARD)
_____)

STATE OF IDAHO)
 :SS
County of Gooding)

WILLIAM ARKOOSH, BEING FIRST DULY SWORN AND UPON HIS OATH,
DEPOSES AND STATES:

1. That I am one of the Petitioners that caused the Petition for Hearing, and Petition for Declaratory Ruling to be filed before the Director on September 23, 2010.
2. That I am one of the Petitioners that caused the Petition for Hearing, and Petition for Declaratory Ruling to be filed before the Director on August 1, 2017.
3. That I am one of the Petitioners that caused the First Amended Petition for Hearing, and Petition for Declaratory Ruling to be filed before the Director on September 8, 2017.
4. That I have read the First Amended Petition for Hearing, and Petition for Declaratory Ruling filed on September 8, 2017, I know and understand the contents thereof, and that the same are true to the best of my knowledge and belief.
5. That as stated in the First Amended Petition for Hearing, and Petition for Declaratory Ruling, the Petitioners are holders of Permits and Water Rights for hydropower

purposes on the Little Wood River or Malad River downstream from the point of diversion for WR No. 37-07842.

6. That the diversion of water pursuant to WR No. 37-07842 upstream from the points of use for Petitioners' water permits and rights will result in less water being available to Petitioners for the generation of power.

7. The hydropower facilities owned or operated by the Petitioners generate income for the Petitioners.

8. That the reduction of water being available to Petitioners for the generation of power will result in a significant loss of income to Petitioners.

9. I believe the holders of Permit No. 37-07842 failed to provide proof of application of the water to beneficial use in the prescribed period and that the law concerning the establishment of a water right has not been fully complied with.

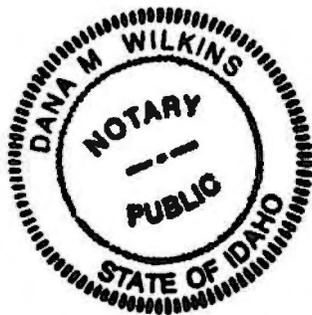
10. That the Notice of Issuance of License No. 37-7842, without having a hearing and determination that that the law concerning the establishment of a water right has not been fully complied with will cause significant financial injury upon the Petitioners, and will directly affect Petitioner's pecuniary interests and Petitioner's water rights.

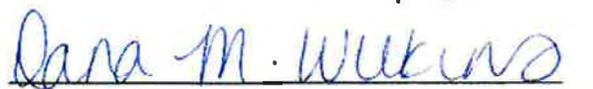
FURTHER YOUR AFFIANT SAYETH NAUGHT.

DATED this 12 day of June, 2018.


William Arkoosh

SUBSCRIBED AND SWORN to before me this 12 day of June, 2018.




Notary Public
My commission expires: 3/10/2020

CERTIFICATE OF SERVICE

I hereby certify that on the 12th day of June, 2018, I served a true and correct copy of the foregoing document upon the following persons in the manner indicated:

Ann Y. Vonde
Deputy Attorney General
P.O. Box 83720
Boise, ID 83720-0010
Ann.vonde@ag.idaho.gov

United States Mail, Postage Prepaid
 Express overnight delivery
 Hand delivered
 Via facsimile transmission
 Via E-Mail