



2. My educational and professional experience is set forth in the *Affidavit of Charles M. Brendecke* filed with the Department in this matter on March 23, 2005, and in Exhibit A thereof, and incorporated herein by this reference.

3. I have reviewed the historical diversions of the Twin Falls Canal Company as contained in the annual reports of Water District 01 and their predecessor reports for District 36. Based on these documents, the Twin Falls Canal Company first reported an irrigated area of 202,650 acres in 1930, and in that year diverted more than one million acre-feet for the first time. The average diversion of the Twin Falls Canal Company for the period 1930-2004 is 1,055,163 acre-feet. The minimum full supply criterion adopted in the Director's Order of May 2 for Twin Falls is 1,075,900 acre-feet.

4. The Director's Order of May 2 determined that the 1995 diversion of the Twin Falls Canal Company met the criterion of "minimum supply recently diverted for full head-gate deliveries" and used that criterion to predict the extent of material injury in 2005. Based on information submitted in this matter by the Twin Falls Canal Company, a head-gate delivery of 5/8 inch per acre represents a full water supply for Company shareholders. The delivery information submitted by Twin Falls reveals that head-gate deliveries of 5/8 inch occurred in 1994, 2002 and 2003. Thus the Director's criterion is not met by their 1995 diversion but by their 2002 diversion of 1,009,100 acre-feet. This is 66,800 acre-feet less than the injury threshold used by the Director in his May 2 Order.

5. I have reviewed monthly evapo-transpiration (ET) and precipitation data reflecting the 2005 irrigation requirements of the Surface Water Coalition entities (SWC entities). The ET data were obtained from the U.S. Bureau of Reclamation's on-line AgriMet system. The precipitation data were obtained from the Natural Resources Conservation Service

(NRCS) on-line National Water and Climate Center (NWCC). These data are reflective of climatic conditions in the vicinity of Twin Falls, Idaho and are summarized in Exhibit A.

6. The NWCC data show that April precipitation near Twin Falls was 328% of average, that May precipitation was 270% of average, and that June precipitation was 126% of average. The AgriMet data show that reference ET for each of those three months was below average. Because of the large amounts of precipitation available to satisfy below-average crop water needs, irrigation requirements in the first three months of the 2005 irrigation season were substantially below average. It is likely that crops in some locations served by the SWC entities did not require irrigation at all in April and most of May.

7. I have reviewed the daily 2005 diversions of the SWC entities. These diversions were obtained from the preliminary Water District 01 accounting of natural flow and storage water use prepared by the Idaho Department of Water Resources for the period from November 1, 2004, through September 1, 2005. Exhibits B through G show graphically the natural flow and storage diversions of the SWC entities over this time period. Note that the diversions of the Minidoka and Burley Irrigation Districts have been combined in Exhibit B because the precise division of natural flow and storage supplies between the two is not known until the end of the irrigation season.

8. The preliminary accounting shows that many of the SWC entities did not begin diversions until late April or May. Although the Minidoka and Burley Irrigation Districts began diverting in mid-April, their diversion rate until late May was very low. Most of the SWC entities were able to operate on a natural-flow-only basis for the first several months. Storage water use for most of the SWC entities did not begin until late June or July.

9. The Second Supplemental Order found the 2005 diversions of the SWC members to be 2,837,000 acre-feet. This is essentially equal to the dry-year delivery to the SWC members predicted by planning studies done in 1946 for the Palisades Project. (see March 23, 2005, Affidavit at 47.) Thus the 2005 water supply of the SWC members is comparable to that which they anticipated under similar climatic conditions well before any substantial ground water development on the eastern Snake River Plain.

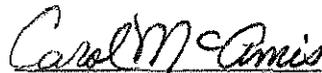
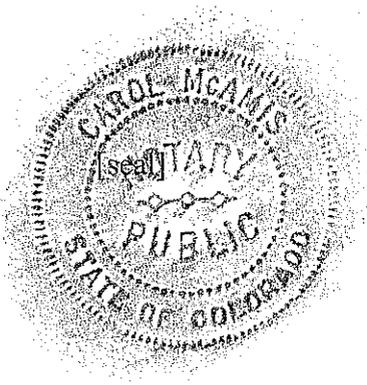
10. I have obtained spatial data from the IDWR reflecting the current SRBA claims and permitted places-of-use for ground water irrigation rights within the service area boundary of the Twin Falls Canal Company. An analysis of this data shows that 12,838 acres of land claimed as surface water irrigated by the Company in the SRBA also have associated with them ground water irrigation rights.

DATED this 10<sup>th</sup> day of January, 2006.



Charles M. Bredecke

SUBSCRIBED AND SWORN TO before me this 10th day of January, 2006.



Notary Public for Colorado

Residing at 7988 Marshall St., Arvada, CO 80002

My commission expires 12/2/08

**CERTIFICATE OF SERVICE**

I hereby certify that on this 10<sup>th</sup> day of January 2006, 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.

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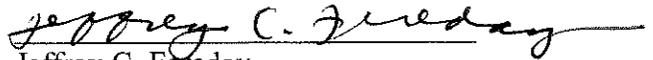
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Jeffrey C. Fereday

**2005 Precipitation near Twin Falls**

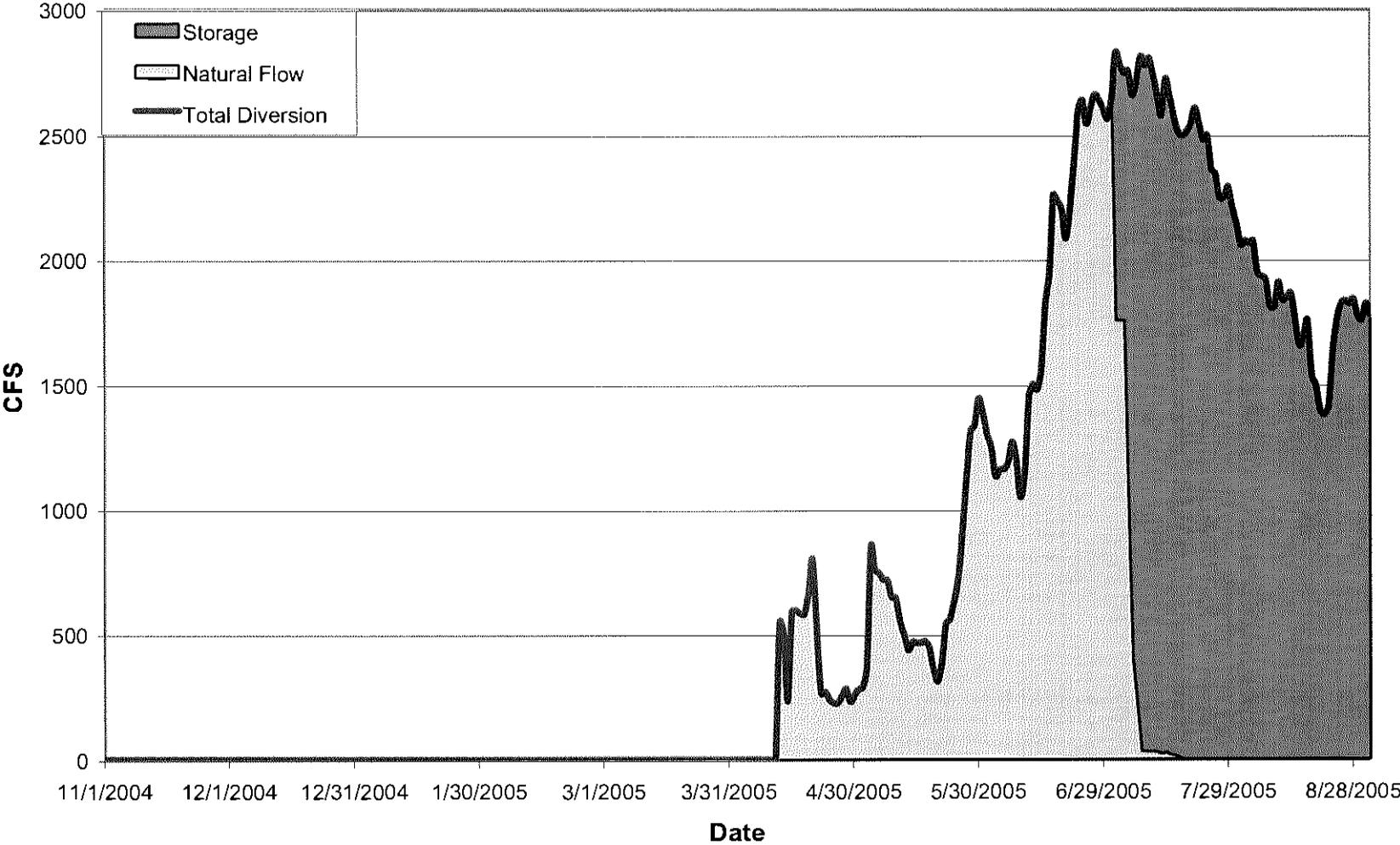
**2005 Reference ET near Twin Falls**

	<b>2005 Precip (in)</b>	<b>71-00 Average</b>	<b>% of Average</b>	<b>2005 Etr</b>	<b>Average Etr</b>	<b>% of Average</b>
<b>Apr-05</b>	3.12	0.95	328%	4.44	4.62	96%
<b>May-05</b>	3.78	1.4	270%	6.34	6.91	92%
<b>Jun-05</b>	1.06	0.84	126%	7.83	8.65	91%
<b>Jul-05</b>	0.03	0.27	11%	10.54	9.96	106%
<b>Aug-05</b>	0.3	0.38	79%	8.95	8.52	105%
<b>Sep-05</b>	0.15	0.65	23%	5.9	5.97	99%

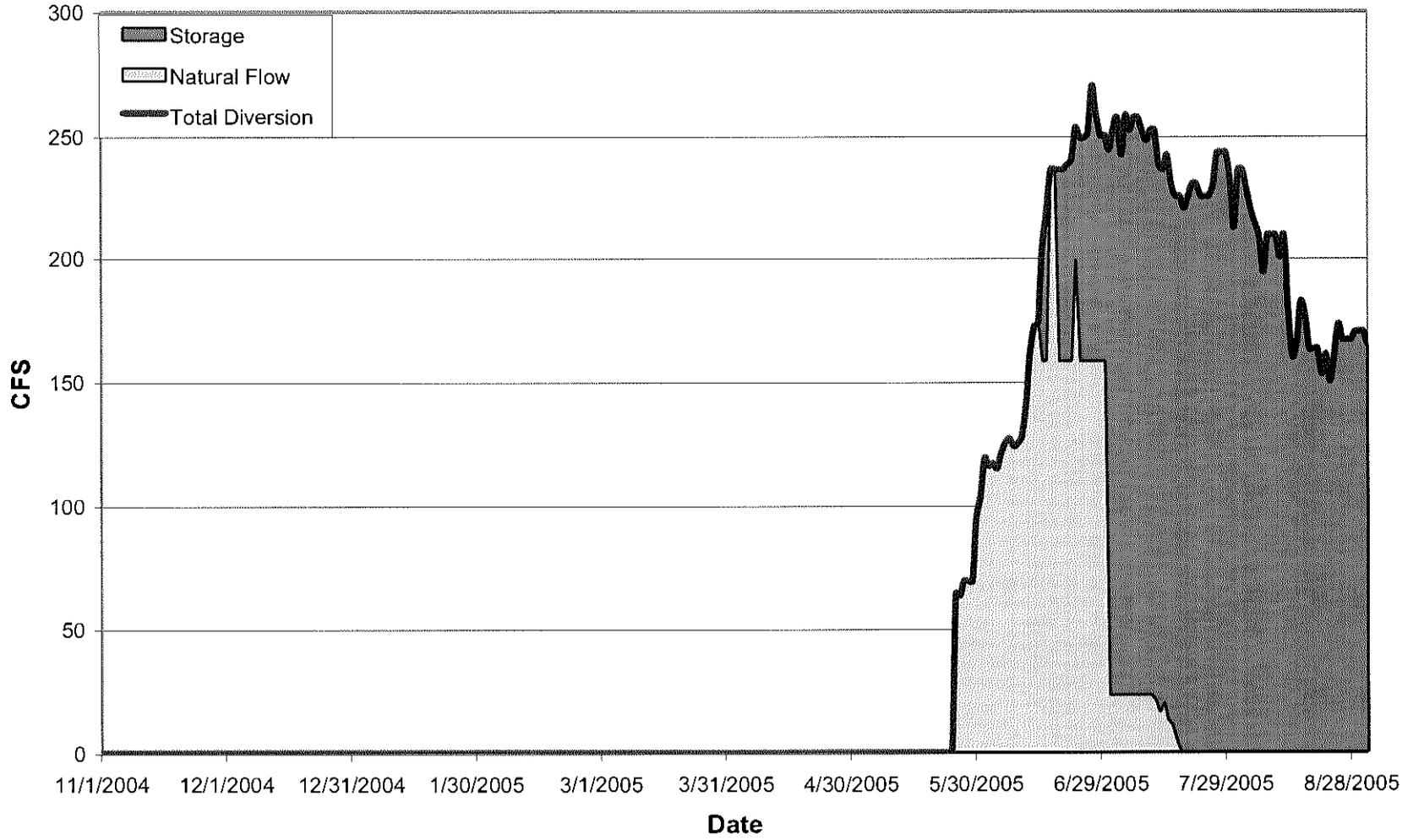
# **Exhibit A**

# Exhibit B

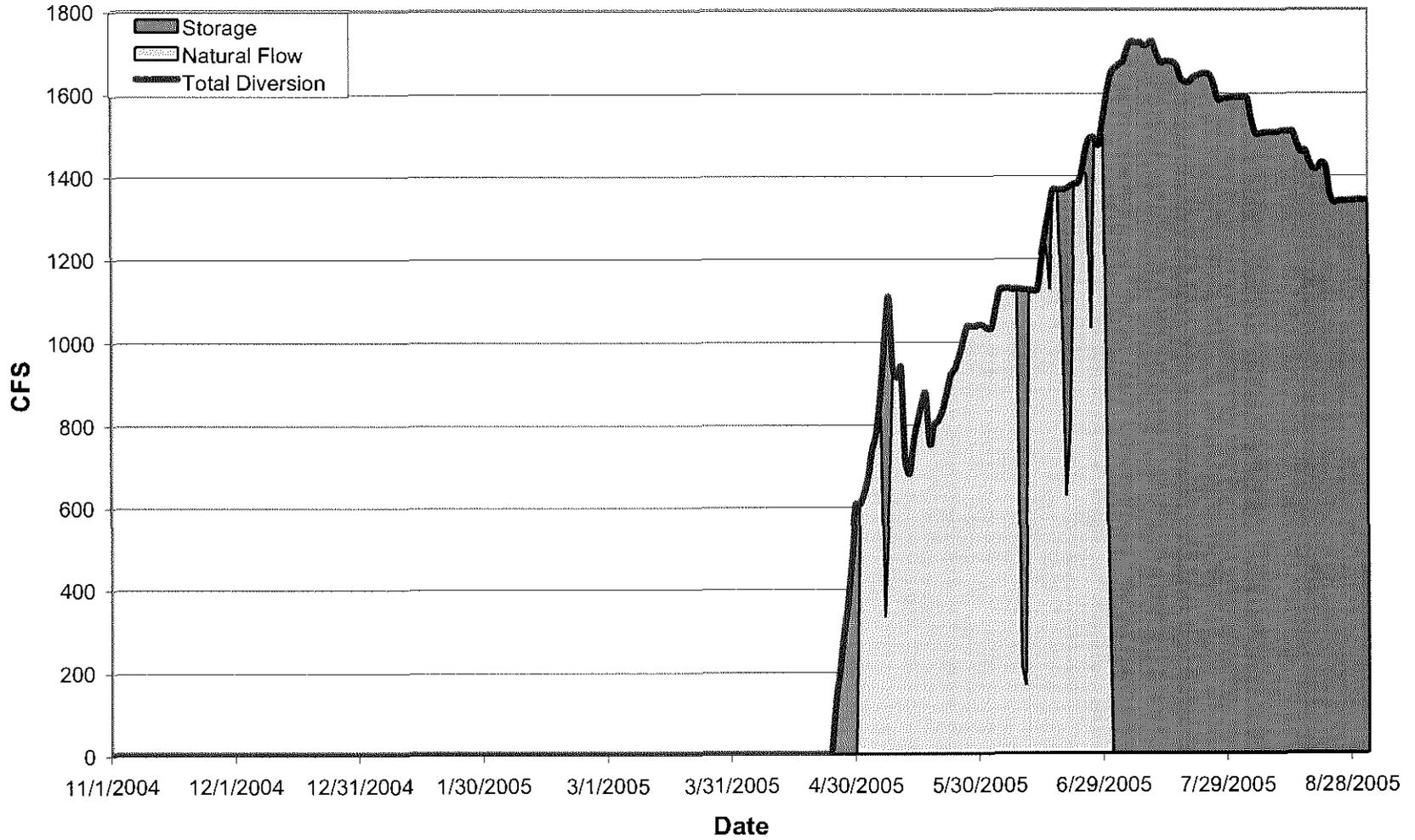
### Minidoka North Side and South Side Canals



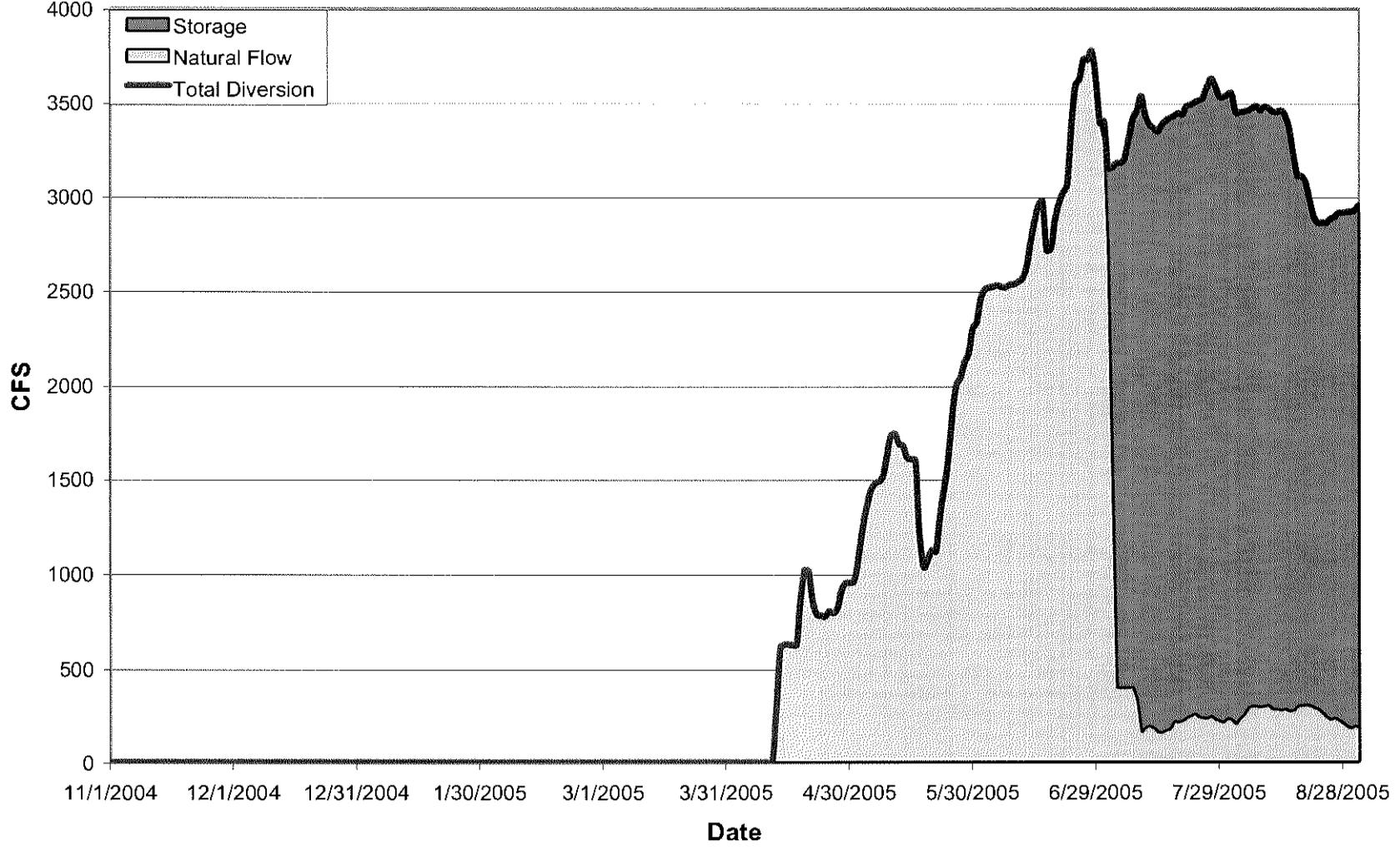
## Milner Irrigation District



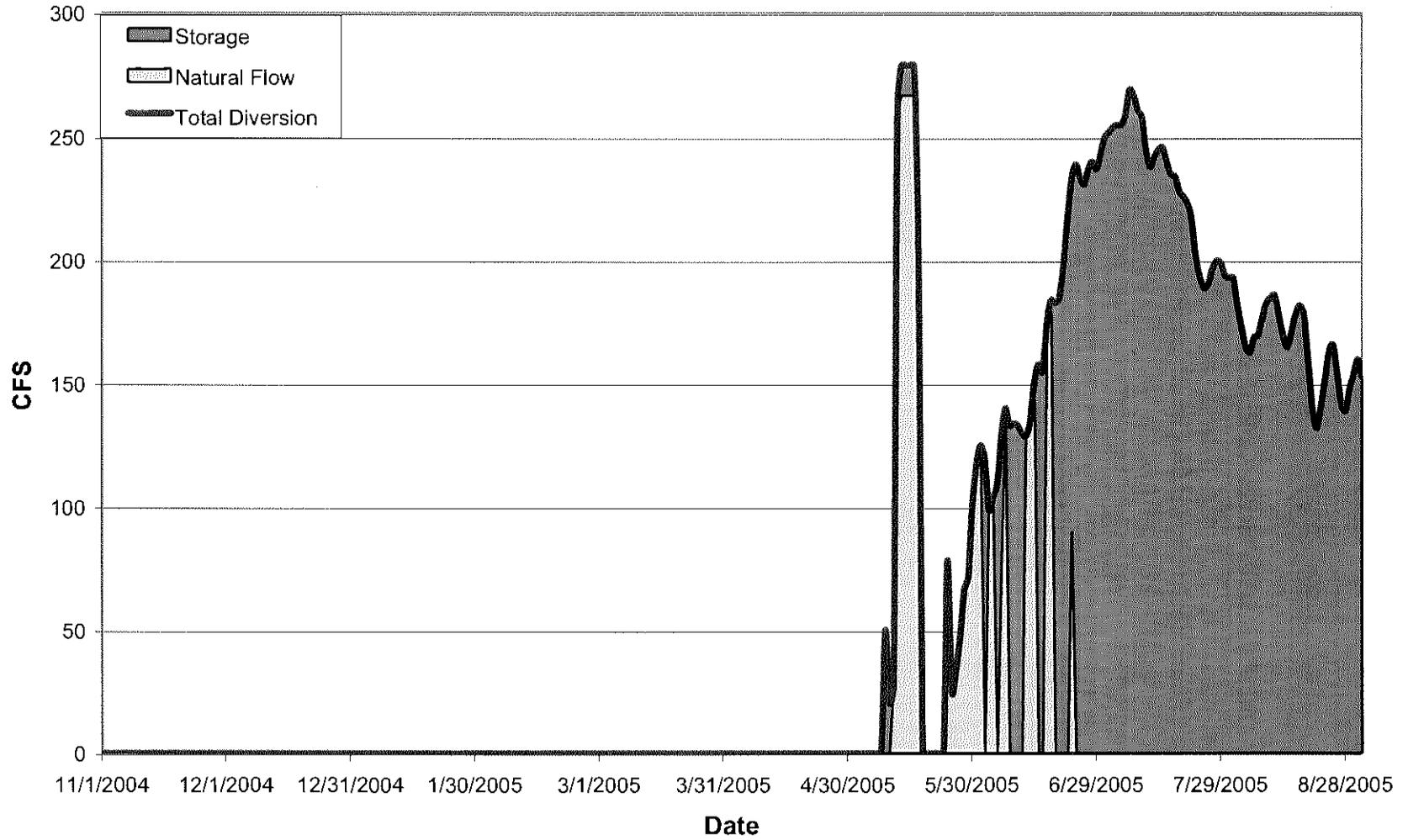
### American Falls Reservoir District #2



North Side Twin Falls Canal



## A & B Irrigation District



Twin Falls South Side Canal

