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DEPARTMENT OF
WATER RESOURCES

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IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF ADA

SUN VALLEY COMPANY, a Wyoming
corporation,

Petitioner,

vs.

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

Respondents,

and

CITY OF KETCHUM, CITY OF
FAIRFIELD, WATER DISTRICT 37-B
GROUNDWATER GROUP, BIG WOOD &
LITTLE WOOD WATER USERS
ASSOCIATION, SOUTH VALLEY
GROUND WATER DISTRICT, ANIMAL

Case No. CV-WA-2015-14500

AFFIDAVIT OF SCOTT L. CAMPBELL

SHELTER OF WOOD RIVER VALLEY,
DENNIS J. CARD and MAUREEN E.
MCCANTY, EDWARD A LAWSON,
FLYING HEART RANCH II SUBDIVISION
OWNERS ASSOCIATION, INC., HELIOS
DEVELOPMENT, LLC, SOUTHERN
COMFORT HOMEOWNER'S
ASSOCIATION, THE VILLAGE GREEN AT
THE VALLEY CLUB HOMEOWNERS
ASSOCIATION, INC., AIRPORT WEST
BUSINESS PARK OWNERS ASSN INC.,
ANNE L. WINGATE TRUST, AQUARIUS
SAW LLC, ASPEN HOLLOW
HOMEOWNERS, DON R. and JUDY H.
ATKINSON, BARRIE FAMILY
PARTNERS, BELLEVUE FARMS
LANDOWNERS ASSN, BLAINE COUNTY
RECREATION DISTRICT, BLAINE
COUNTY SCHOOL DISTRICT #61, HENRY
and JANNE BURDICK, LYNN H.
CAMPION, CLEAR CREEK LLC,
CLIFFSIDE HOMEOWNERS ASSN INC,
THE COMMUNITY SCHOOL INC,
JAMES P. and JOAN CONGER, DANIEL T.
MANOOGIAN REVOCABLE TRUST,
DONNA F. TUTTLE TRUST, DAN S.
FAIRMAN MD and MELYNDA KIM
STANDLEE FAIRMAN, JAMES K. and
SANDRA D. FIGGE, FLOWERS BENCH
LLC, ELIZABETH K. GRAY, R. THOMAS
GOODRICH and REBECCA LEA PATTON,
GREENHORN OWNERS ASSN INC,
GRIFFIN RANCH HOMEOWNERS ASSN
and GRIFFIN RANCH PUD SUBDIVISION
HOMEOWNERS ASSN INC, GULCH
TRUST, IDAHO RANCH LLC, THE JONES
TRUST, LOUISA JANE H. JUDGE,
RALPH R. LAPHAM, LAURA L. LUCERE,
CHARLES L. MATTHIESEN, MID
VALLEY WATER CO LCC, MARGO
PECK, PIONEER RESIDENTIAL &
RECREATIONAL PROPERTIES LLC,
RALPH W. & KANDI L. GIRTON 1999
REVOCABLE TRUST, RED CLIFFS
HOMEOWNERS ASSOCIATION,
F. ALFREDO REGO, RESTATED

MC MAHAN 1986 REVOCABLE TRUST,
RHYTHM RANCH HOMEOWNERS ASSN,
RIVER ROCK RANCH LP, ROBERT ROHE,
MARION R. and ROBERT M.
ROSENTHAL, SAGE WILLOW LLC,
SALIGAO LLC, KIRIL SOKOLOFF,
STONEGATE HOMEOWNERS ASSN INC,
SANDOR and TERI SZOMBATHY, THE
BARKER LIVING TRUST, CAROL
BURDZY THIELEN, TOBY B. LAMBERT
LIVING TRUST, VERNON IRREVOCABLE
TRUST, CHARLES & COLLEEN WEAVER,
THOMAS W. WEISEL, MATS and SONYA
WILANDER, MICHAEL E. WILLARD,
LINDA D. WOODCOCK, STARLITE
HOMEOWNERS ASSOCIATION, GOLDEN
EAGLE RANCH HOMEOWNERS ASSN
INC, TIMBERVIEW TERRACE
HOMEOWNERS ASSN, and
HEATHERLANDS HOMEOWNERS
ASSOCIATION INC.,

Intervenors.

IN THE MATTER OF DISTRIBUTION OF
WATER TO WATER RIGHTS HELD BY
MEMBERS OF THE BIG WOOD & LITTLE
WOOD WATER USERS ASSOCIATION
DIVERTING FROM THE BIG WOOD AND
LITTLE WOOD RIVERS

STATE OF IDAHO)
) ss.
County of Ada)

Scott L. Campbell, having been duly sworn upon oath, deposes and states as
follows:

1. I am over 18 years old and I am an attorney duly licensed to practice law
in the State of Idaho. I am one of the attorneys representing the Sun Valley Company in the

above-referenced matter. I have access to the client's files in this matter, and make this affidavit based upon my personal information and knowledge.

2. Attached hereto as Exhibit A are true and correct copies of a collection of photographs from the Appendices to the August 31, 2015 Staff Memorandum regarding Big Wood and Little Wood Water Users Association Delivery Calls from the Big Wood and Little Wood Rivers – Response to Director's Request for Memoranda Dated June 12, 2015, authored by Time Luke (the "Luke Memorandum"). The attached photographs occur in the Agency Record, Big Wood Delivery Call, IDWR Docket No. CM-DC-2015-001, Vol. VI-VII, pp. 1199, 1200, 1202, 1253, 1321 and 1322.

3. I have met Garrick Baxter, Deputy Attorney General of the Idaho Department of Water Resources, on numerous occasions. The above-referenced photographs in Exhibit A reflect that Mr. Baxter was present at site visits conducted by the Idaho Department of Water Resources in the contested case proceedings at issue in this appeal. In at least one of the photographs, it appears that Mr. Baxter is taking notes.

4. Attached hereto as Exhibit B are true and correct copies of a collection of photographs from the Luke Memorandum. The attached photographs occur in the Agency Record, Big Wood Delivery Call, IDWR Docket No. CM-DC-2015-001, Vol. VI-VII, pp. 1199, 1200, 1202, 1253 and 1321.

5. I have met Gary Spackman, Director of the Idaho Department of Water Resources, on numerous occasions. Although it is unclear in light of the quality of the photographs presented in Luke Memorandum, the above-referenced photographs in Exhibit B appear to show that Mr. Spackman was present at site visits conducted by the Idaho Department of Water Resources in the contested case proceedings at issue in this appeal.

6. Attached hereto as Exhibit C are true and correct copies of a collection of photographs from Tim Luke's Staff Memorandum Appendices. The attached photographs occur in the Agency Record, Big Wood Delivery Call, IDWR Docket No. CM-DC-2015-001, Vol. VI-VII, pp. 1243, 1260, 1274, 1301 and 1329.

7. These photographs appear to depict some individuals who are not staff of the Idaho Department of Water Resources.

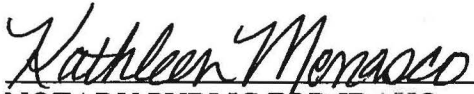
Further your affiant sayeth naught.



Scott L. Campbell

SUBSCRIBED AND SWORN to before me this 7th day of December, 2015.





NOTARY PUBLIC FOR IDAHO
Residing at Meridian, Idaho
My Commission Expires Oct. 9, 2019

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 7th day of December, 2015, I caused a true and correct copy of the foregoing **AFFIDAVIT OF SCOTT L. CAMPBELL** to be served by the method indicated below, and addressed to the following:

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Scott L. Campbell



4. Richfield Canal: Spillway gates located on canal downstream of main canal gates and river diversion dam about 365 yards. Water spills to the Big Wood River (located to the left of the photo). Check structure across canal to the right.



5. Richfield Canal: Spill gates in foreground, water spills to Big Wood River In background.



6. Richfield Canal hydraulic spillway slide gates.



7. View of Richfield Canal looking downstream from spill gates. Rated measurement section in canal at center of photo, about 150 yards downstream from spill gates.



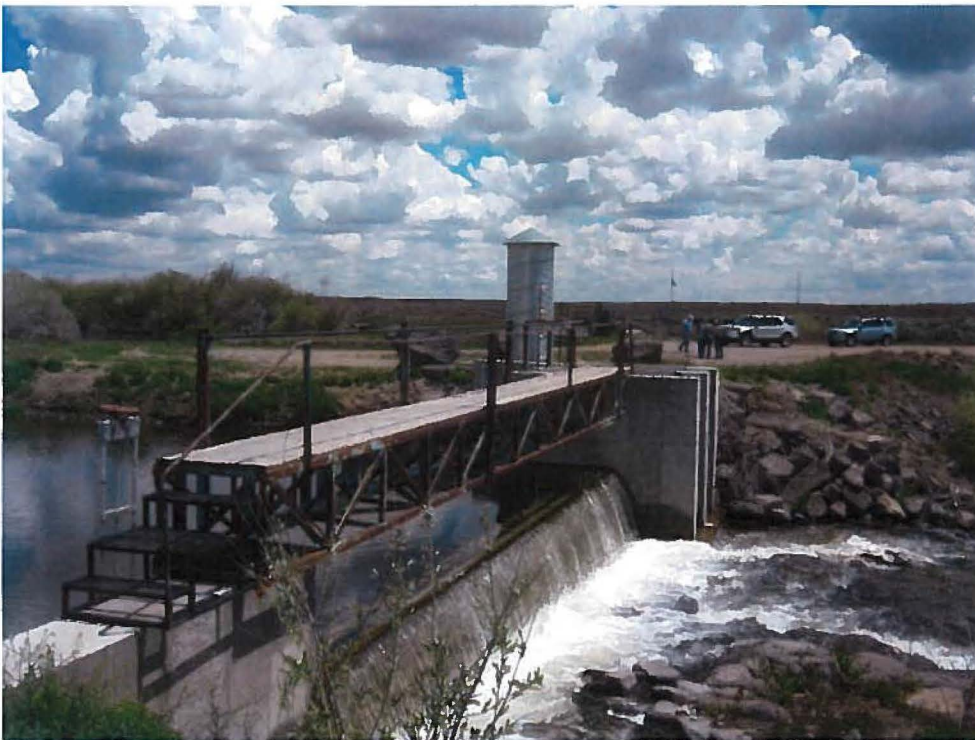
10. Big Wood River Gage Station #5 located in river below Richfield Canal spill gates; cable care in foreground and stilling well behind it.



11. Richfield Canal split BWCC East and West Main Canals (head gate control structure on right), and Jim Byrns Slough (head gate control structure on left side of photo).



1. Diversion dam across Little Wood River about 120 ft west of Dietrich Main Canal. Two head gates are on east end (left of photo) for river control; one gate on west end for BLM ditch.



2. Diversion/Control structure across Little Wood River just west of the Dietrich Main Canal (view of structure from west river bank by BLM Ditch. Stilling well shed in background.



2. Taber Pump 66-P (left): 1 of 2 vertical turbine pumps from open concrete vault connected to river intake pump. Turbine motor pumps water to mainline that connects to mainline from ground water well on right.



3. Taber 66-P: Pump on right (1 of 2 visible) with connected pipe that manifolds with pipe from ground water well (on left) to a common mainline that is buried to various irrigation sprinkler discharge points including a pivot, wheel lines and hand lines.



4. Taber 66-P: pump (left – 2 pumps visible from vault) and Taber ground water well (right) manifold into one common mainline to irrigation system discharge points. Note McCrometer meter in foreground on common mainline (measures both river and well water) and McCrometer meter in background on pipe from well.



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3. Taber 66-P: Pump on right (1 of 2 visible) with connected pipe that manifolds with pipe from ground water well (on left) to a common mainline that is buried to various irrigation sprinkler discharge points including a pivot, wheel lines and hand lines.

Owner: Big Wood Canal Company

Water Right Number(s): 37-13111 (12/24/1906, 75); 37-21401 (5/15/1885, 5.3); 37-21402 (4/6/1883, 3.55); 37-21403 (4/1/1887, 5.2); 37-21404 (7/1/1896, 15.3); 37-21405 (4/1/1884, 2.61)

Diversion Name: Carpenter Ditch 98

Field Visit Date: 08/18/2015

Diversion Location: Diversion for the Carpenter ditch is about 2 miles west of Gooding. The Carpenter ditch is diverted from the Little Wood River. Diversion and POU are located below Milner Gooding Canal.

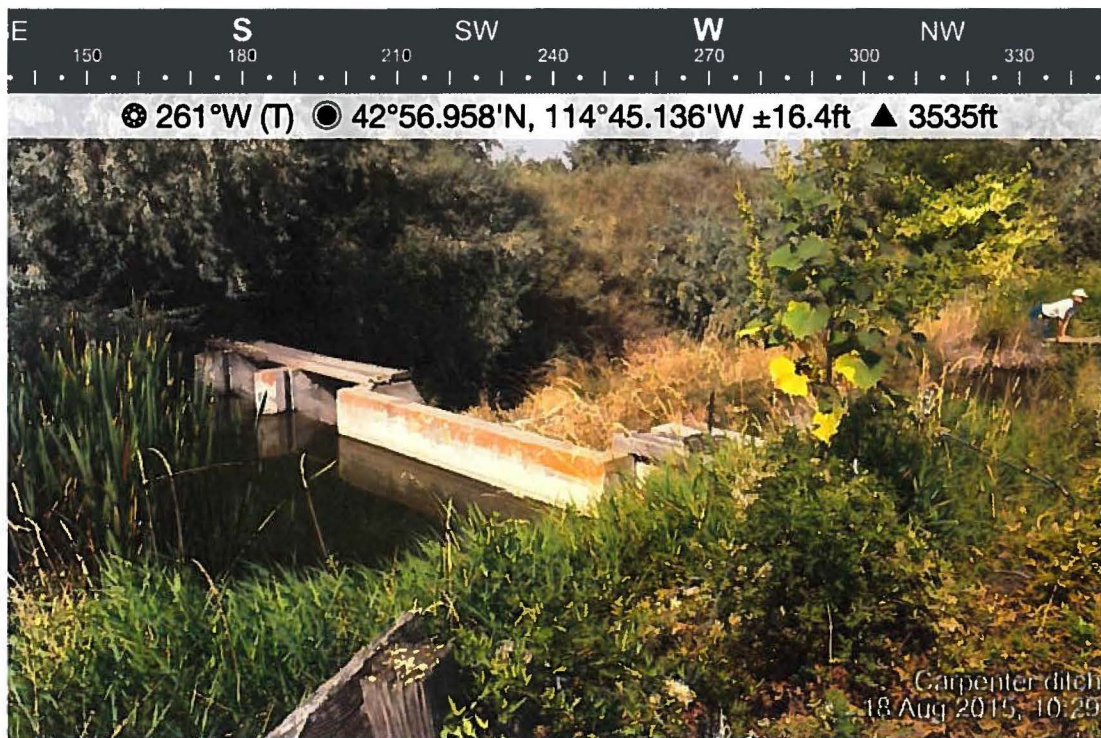
Combined/Other Water Rights & Sources: Carpenter 98 Ditch is a diversion or re-diversion for BWCC-AFRD2 rights and water supplies. Only one private water right was found that lists this same location as a point of diversion; the right is a 1960 priority right that was not in the BWLWWUA delivery call. The Water District 37 watermaster reported that the Big Wood Canal Company Little Wood River irrigation rights are only delivered to this canal during periods of high flow. The winter stockwater right (37-13111) may be delivered at the Carpenter during the winter season of use.

Diversion Description: Concrete box with 57" metal screw top head gate.

Measuring Device: No measuring device installed. There is an unused location below the diversion for a submerged orifice.

Conveyance & Irrigation System: Open ditch to ditch laterals and re-diversion head gates.

Additional Comments:



1. The Little Wood River flows over the check boards on the left, the Carpenter ditch diversion is on the right.

Appendix 2

Big Wood Canal Company

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EXHIBIT C



1. Hughes 63P -64P pumps, river in background.



2. Hughes 63P - 64P pumps, CMP intake from river to two (2) centrifugal pumps. Pivot and grain crop in background.



3. Kuntz 98 P2W: view of 30 HP motor/pump, mainline and dragon filter.



3. Ritter 66 Pump: dragon filter in foreground, 10" mainline and mag meter in background to pivots and hand lines.



1. Turner 61: diversion dam across side channel of river, to open orifice-control box.



2. Turner 61: orifice-head gate control box, buried mainline connected to head gate.