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DEPARTMENT OF  
WATER RESOURCES

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COPY

Attorneys for Petitioner

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

**SUPPLEMENTAL 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, and in further support of Sun Valley Company's Motion for Leave to (1) Present Additional Evidence; and (2) Conduct Limited Discovery, filed on December 7, 2015 (the "Motion to Present Additional Evidence").


2. As indicated in the Affidavit of Scott L. Campbell, filed December 7, 2015 (the "December 7, 2015 Affidavit"), when reviewing photographs in 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"), I identified Garrick Baxter, Deputy Attorney General for the Idaho Department of Water Resources (the "Department") and a person who appeared to be Gary Spackman, Director of the Department.

3. Since the resolution of the pictures from the record did not allow for quality viewing, my office requested that the Department make the original JPEG photographs available. However, the JPEG photographs were not yet available when Sun Valley Company filed its Motion to Present Additional Evidence. The Department has since made the original JPEG photographs available on the Department's website. Attached hereto as Exhibit D are the Explanatory Sheets included with the JPEG photographs made available by the Department.

4. Attached hereto as Exhibit E are a collection of prints from the original JPEG photographs that are included in the Appendices of the Luke Memorandum. The attached photographs are on the Department's website and in some instances, have been blown up for purposes of illustration. These photographs more clearly depict Garrick Baxter and relate to the collection of photographs from Exhibit A of the December 7, 2015 Affidavit.

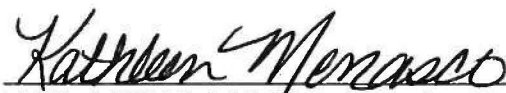
5. Attached hereto as Exhibit F are a collection of prints from the original JPEG photographs that are included in the Appendices of the Luke Memorandum. The attached photographs are on the Department's website and in some instances, have been blown up for purposes of illustration. These pictures more clearly depict Gary Spackman and relate to the collection of photographs from Exhibit B of the December 7, 2015 Affidavit.

Further your affiant sayeth naught.

  
\_\_\_\_\_  
Scott L. Campbell

SUBSCRIBED AND SWORN to before me this 10th day of December, 2015.



  
\_\_\_\_\_  
NOTARY PUBLIC FOR IDAHO  
Residing at Mendocino, Idaho  
My Commission Expires Oct. 9, 2019

## CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 10th day of December, 2015, I caused a true and correct copy of the foregoing **SUPPLEMENTAL AFFIDAVIT OF SCOTT L. CAMPBELL** to be served by the method indicated below, and addressed to the following:

Joseph F. James  
BROWN & JAMES  
130 Fourth Ave. W.  
Gooding, ID 83330  
Facsimile (208) 934-4101  
*Attorneys for Big Wood/Little Wood Water  
Users Association*

(x) U.S. Mail, Postage Prepaid  
( ) Hand Delivered  
( ) Overnight Mail  
( ) Facsimile

Garrick L. Baxter  
Emmi Blades  
Deputy Attorneys General  
IDAHO DEPARTMENT OF WATER RESOURCES  
P.O. Box 83720  
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Facsimile (208) 287-6700  
*Attorneys for Idaho Department of Water  
Resources*

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( ) Hand Delivered  
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*Attorneys for Water District 37-B Groundwater  
Group*

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( ) Overnight Mail  
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Cherese McLain  
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Fairfield*

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Heather E. O'Leary  
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*Attorneys for Intervenors Animal Shelter of  
Wood River, Dennis J. Card, Edward A Lawson  
and Maureen E. McCanty*

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☐ Overnight Mail  
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Paul L. Arrington  
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Facsimile (208) 344-6034  
*Attorneys for South Valley Ground Water  
District*

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Facsimile (208) 726-0752  
*Attorneys for Intervenors*

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☐ Hand Delivered  
☐ Overnight Mail  
☐ Facsimile

Director of the Idaho Department of Water  
Resources  
P.O. Box 83720  
Boise, ID 83720-0098

☐ U.S. Mail, Postage Prepaid  
☒ Hand Delivered  
☐ Overnight Mail  
☐ Facsimile

  
\_\_\_\_\_  
Scott L. Campbell

December 7, 2015

On December 1, 2015, the Department received a request from counsel for Sun Valley Company that the Department provide the .jpeg versions of the photographs contained in Appendix 1 and Appendix 2 to the August 31, 2015, Surface Water Delivery Systems and Staff Memo by Tim Luke posted to the Department's websites for the Big Wood River Delivery Call (<http://www.idwr.idaho.gov/legal-actions/delivery-call-actions/big-wood-river.html>) and the Little Wood River Delivery Call (<http://www.idwr.idaho.gov/legal-actions/delivery-call-actions/little-wood-river.html>).

This folder contains the photos in Appendix 1 to the August 31, 2015, Surface Water Delivery Systems and Staff Memo by Tim Luke in .jpeg format.

**EXHIBIT D**



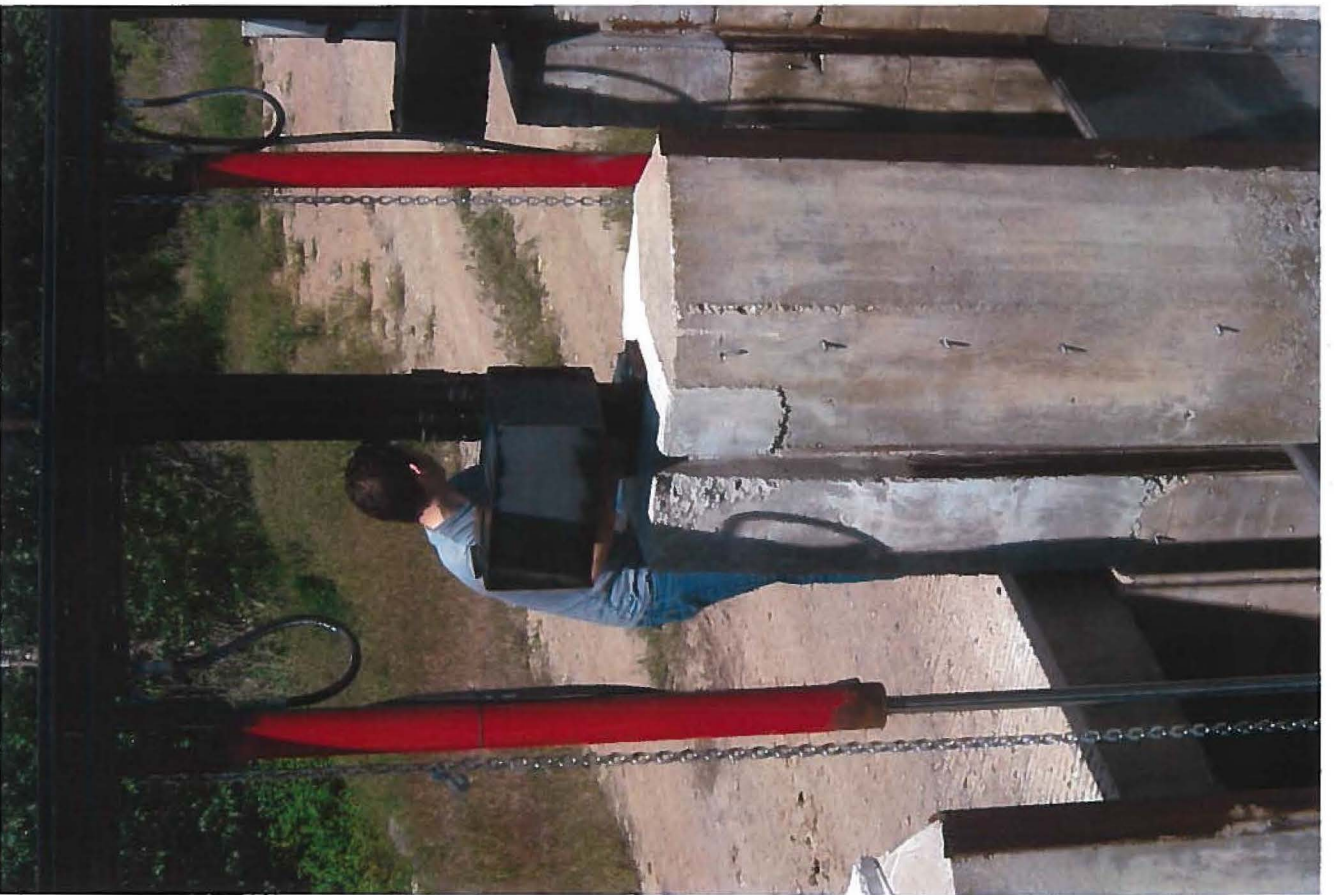
December 7, 2015

On December 1, 2015, the Department received a request from counsel for Sun Valley Company that the Department provide the .jpeg versions of the photographs contained in Appendix 1 and Appendix 2 to the August 31, 2015, Surface Water Delivery Systems and Staff Memo by Tim Luke posted to the Department's websites for the Big Wood River Delivery Call (<http://www.idwr.idaho.gov/legal-actions/delivery-call-actions/big-wood-river.html>) and the Little Wood River Delivery Call (<http://www.idwr.idaho.gov/legal-actions/delivery-call-actions/little-wood-river.html>).

This folder contains the photos in Appendix 2 to the August 31, 2015, Surface Water Delivery Systems and Staff Memo by Tim Luke in .jpeg format.



EXHIBIT E















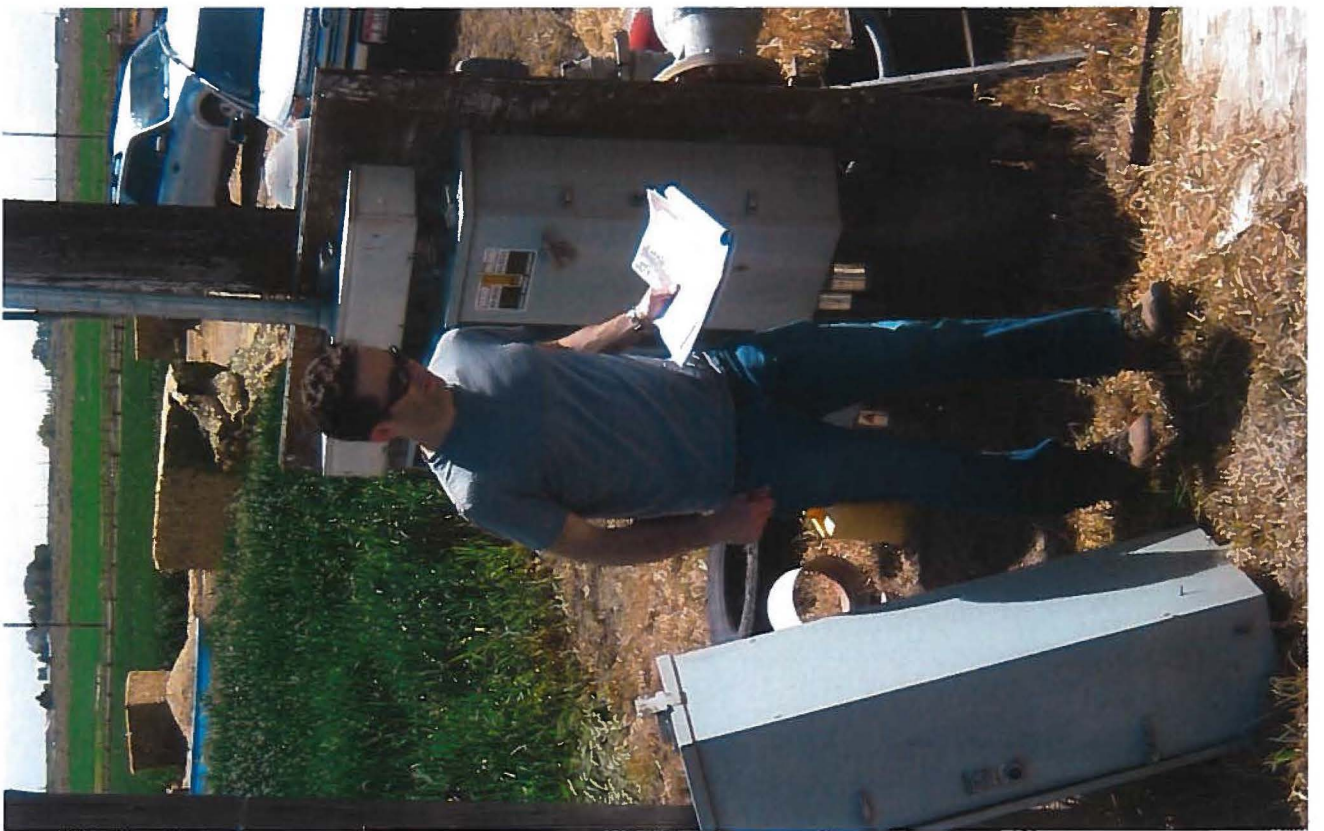








EXHIBIT F













