BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF DISTRIBUTION OF
WATER TO VARIOUS WATER RIGHTS
HELD BY OR FOR THE BENEFIT OF A&B
IRRIGATION DISTRICT, AMERICAN FALLS
RESERVOIR DISTRICT #2, BURLEY
IRRIGATION DISTRICT, MILNER
IRRIGATION DISTRICT, MINIDOKA
IRRIGATION DISTRICT, NORTH SIDE
CANAL COMPANY, AND TWIN FALLS
CANAL COMPANY

HEARING ON DIRECTOR’S MAY 2, 2005
AMENDED ORDER

CHARLES E. BROCKWAY, being first duly sworn on oath, deposes and hereby states as follows.

1. I am over the age of 18. I am of sound mind, and make the following statement based on my personal knowledge.

2. I am a registered Professional Engineer in the states of Idaho and Colorado. I am a Senior Member at Brockway Engineering, PLLC and have been a member of both the National Society of Professional Engineers and Idaho Society of Professional Engineers since 1967. I received a Master’s degree in Civil Engineering from the California Institute of Technology in 1960 and a Ph.D. in Water Resources Engineering from the University of Utah in 1977 and have written numerous articles pertaining to hydrology and water use in southern Idaho. I represent and have represented numerous private and public entities, including canal companies and other water users, as a consultant on hydrology and water use matters.

3. Attached hereto is a true and correct copy of “Chapter 8: Surface Water Coalition Water Use” from the Surface Water Coalition Expert Report that I helped prepare for the above captioned administrative proceeding.

DATED THIS 12th day of July, 2006.

[Signature]

Charles E. Brockway
STATE OF IDAHO 

County of Pocatello

On this 12th day of July, 2006, before me, a Notary Public for said County and State, personally appeared CHARLES E. BROCKWAY, known or identified to me, to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

[Signature]

NOTARY PUBLIC FOR IDAHO
Residing at: Pocatello
My commission expires: 8-7-10
CERTIFICATE OF SERVICE

I hereby certify that on this 12th day of July, 2006, I served a true and correct copy of the foregoing AFFIDAVIT OF CHARLES E. BROCKWAY IN SUPPORT OF SURFACE WATER COALITION'S PETITION FOR RECONSIDERATION OF THIRD SUPPLEMENTAL ORDER AMENDING REPLACEMENT WATER REQUIREMENTS FINAL 2005 & ESTIMATED 2006 on the following by the method indicated:

Via Email and U.S. Mail

Director Karl Dreher
Idaho Department of Water Resources
322 E. Front St.
Boise, Idaho 83720-0098
victoria.wigle@idwr.idaho.gov

Jeffrey C. Fereday
Michael C. Creamer
Givens Pursley LLP
601 Bannock St., Suite 200
P.O. Box 2720
Boise, Idaho 83701-2720

James C. Tucker
Idaho Power Company
1221 West Idaho St.
Boise, Idaho 83702

James S. Lochhead
Adam T. DeVoe
Brownstein, Hyatt & Farber P.C.
410 17th St., 22nd Floor
Denver, Colorado 80202

Scott L. Campbell
Moffatt Thomas Chtd.
101 S. Capitol Blvd., 10th Floor
P.O. Box 829
Boise, Idaho 83701

Terry Uhling
J.R. Simplot Company
999 Main St.
Boise, Idaho 83702

IDWR – Eastern Region
900 N. Skyline Dr., Suite A
Idaho Falls, Idaho 83402-1718

IDWR – Southern Region
1341 Fillmore St., Suite 200
Twin Falls, Idaho 83301-3380

Kathleen Marion Carr
U.S. Department of Interior
550 West Fort St., MSC-020
Boise, Idaho 83724

Jo Beeman
Beeman & Assoc.
409 W. Jefferson St.
Boise, Idaho 83702

Michael Gilmore
Attorney General’s Office
P.O. Box 83720
Boise, Idaho 83720-0010

Sarah Klahn
White & Jankowski
Kittredge Building
511 16th St., Suite 500
Denver, Colorado 80202

Travis L. Thompson

AFFIDAVIT OF CHARLES E. BROCKWAY IN SUPPORT OF SURFACE WATER COALITION’S PETITION FOR RECONSIDERATION