STATE OF COLORADO  )
ss:
County of Boulder  )

Charles M. Brendecke, being first duly sworn on oath, deposes and hereby states as follows:

1. I am President of Hydrosphere Resource Consultants, 1002 Walnut, Suite 200, Boulder, Colorado 80302. I am a licensed professional engineer in Idaho, Colorado, Wyoming and Oklahoma. I have a Bachelor of Science degree in civil engineering from the University of Colorado and Master of Science and Doctor of Philosophy degrees in civil engineering from Stanford University.
2. My educational and professional experience is set forth in the Affidavit of Charles M. Erendecke filed with the Department in this matter on March 23, 2005, and in Exhibit A thereto, and incorporated herein by this reference.

3. I have been retained to provide expert analysis on behalf of Idaho Ground Water Appropriateators with respect to relevant issues of hydrology and water use on the Eastern Snake River Plain related to the Delivery Call made in January of 2005 by the Surface Water Coalition.

4. Attached hereto as Exhibit A is a true and correct copy of my report dated December 30, 2005, which I prepared on behalf of the Idaho Ground Water Appropriateators in the matter of distribution of water to various rights held by or for the benefit of the Surface Water Coalition. The information contained in this report contains certain of my professional opinions about the water supply and material injury issues relating to the Twin Falls Canal Company and other Surface Water Coalition entities. In particular they address the issue of what constitutes a full in-season diversion requirement for the Twin Falls Canal Company.

5. The May 2, 2005, Order issued by the Department of Water Resources adopted a definition of full water supply as the “minimum amount recently diverted for full head-gate delivery.” If this is the appropriate standard, then my report shows that a “full water supply” for the Twin Falls Canal Company, based on a headgate delivery of 5/8 inch per acre, would be 1,099,100 acre-feet. Accordingly, a mitigation plan that insured this water supply would eliminate alleged material injury to Twin Falls Canal Company consistent with the May 2, 2005, Order.
FURTHER YOUR AFFIANT SAITH NOT.

DATED this __ day of May, 2007.

CHARLES M. BRENECKE, PhD, PE

Subscribed and sworn to before me this __ day of __, 2007.

Notary Public for Colorado
Residing at __________, CO
My commission expires ____________

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CERTIFICATE OF SERVICE

I hereby certify that on this ____ day of April, 2007, 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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Idaho Department of Water Resources
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AFFIDAVIT OF CHARLES M. BRENDECKE IN SUPPORT OF GROUND WATER DISTRICTS' JOINT REPLACEMENT WATER PLAN FOR 2007
THE EXPERT REPORT OF CHARLES M. BRENDECKE, PH.D., P.E., WAS ATTACHED TO THE AFFIDAVIT OF CHARLES M. BRENDECKE IN SUPPORT OF THE GROUND WATER DISTRICTS’ JOINT REPLACEMENT WATER PLAN FOR 2007 FOR THOSE RECEIVING SERVICE ELECTRONICALLY PER THE CERTIFICATE OF MAILING.

FOR THOSE RECEIVING HARD COPIES BY MAIL, THE REPORT AND ATTACHED EXHIBITS ARE NOT PROVIDED BECAUSE OF THEIR VOLUMINOUS NATURE. THE FOLLOWING MAY BE CONTACTED TO OBTAIN AN ELECTRONIC COPY:

Robin Roebuck: rhr@racinelaw.net
Pam Mottishaw: pam@racinelaw.net

Phone: 208-232-6101