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*Attorneys for Defendants Idaho Water Resource Board, Idaho Department of Water Resources, Mathew Weaver in his official capacity as the Director of the Idaho Department of Water Resources, and Tony Olenichak in his capacity as Water District 01 Watermaster.*

**IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS**

CITY OF POCATELLO,

Plaintiff,

vs.

IDAHO WATER RESOURCES BOARD, IDAHO  
DEPARTMENT OF WATER RESOURCES,  
MATHEW WEAVER, in his capacity as Director of  
the Idaho Department of Water Resources, and TONY  
OLENICHAK, in his capacity as Water District 01  
Watermaster,

Defendants,

and

CITY OF BLISS, CITY OF BURLEY, CITY OF CAREY,  
CITY OF DECLO, CITY OF DIETRICH, CITY OF

**Case No. CV42-23-1668**

**AFFIDAVIT OF JEFF  
RAYBOULD IN SUPPORT OF  
STATE OF IDAHO'S CROSS  
MOTION FOR SUMMARY  
JUDGMENT AND REPLY TO  
PLAINTIFF'S RESPONSE**

**AFFIDAVIT OF JEFF RAYBOULD IN SUPPORT OF STATE OF IDAHO'S CROSS  
MOTION FOR SUMMARY JUDGMENT AND REPLY TO PLAINTIFF'S RESPONSE**

GOODING, CITY OF HAZELTON, CITY OF HEYBURN, CITY OF JEROME, CITY OF PAUL, CITY OF RICHFIELD, CITY OF RUPERT, CITY OF SHOSHONE, and CITY OF WENDELL, BURLEY IRRIGATION DISTRICT, FREMONT-MADISON IRRIGATION DISTRICT, and IDAHO IRRIGATION DISTRICT,

Intervenors.

STATE OF IDAHO            )  
  ) ss  
COUNTY OF ADA            )

JEFF RAYBOULD, being first duly sworn upon his oath, deposes and states that:

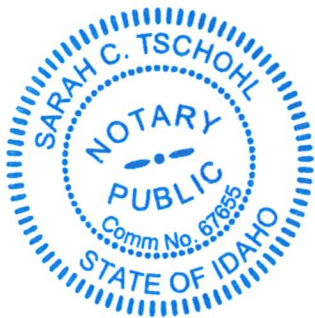
1. I am the Chairman of the Idaho Water Resource Board.
2. The following is based on my personal knowledge as the Chairman of the Idaho Water Resource Board and on my personal participation in and knowledge of the procedures associated with adoption of the Water District 01 Rental Pool Procedures.
3. The currently-appointed rental pool committee for Water District 01 is the Committee of Nine, an advisory committee to Water District 01 appointed under I.C. § 42-605(6).
4. A subcommittee of the Committee of Nine creates an initial draft and/or edits the Water District 01 Rental Pool Procedures.
5. The subcommittee submits the draft to the Committee of Nine.
6. A draft of the proposed procedures is provided to the Director of the Idaho Department of Water Resources prior to the Water District 01 annual meeting. The Director reviews the proposed procedures as required by IDAPA 37.02.03.040.03.
7. The Committee of Nine presents the proposed procedures at the Water District 01 annual meeting.

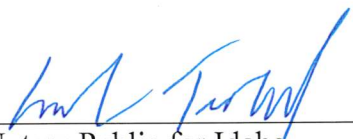
8. The Water District 01 water users vote to approve or disapprove the draft procedures.
9. If approved by Water District 01 the Director of IDWR, or an IDWR staff person acting on behalf of the Director, presents the Director's recommendations regarding proposed rental pool procedures to the IWRB at an IWRB public meeting held pursuant to I.C. §74-201-208.
10. The IWRB reviews the procedures for compliance with IDAPA 37.02.03.010.01 a.k, and if appropriate adopts the final Water District 01 Rental Pool Procedures by resolution.

DATED this 17<sup>th</sup> of November 2023.

  
\_\_\_\_\_  
Jeff Raybould, Chairman  
Idaho Water Resource Board

SUBSCRIBED AND SWORN to before me this 17<sup>th</sup> day of November 2023.



  
\_\_\_\_\_  
Notary Public for Idaho  
My commission expires: May 4, 2028

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 24th day of November 2023, I caused to be served a true and correct copy of the foregoing via iCourt E-File and Serve, upon the following:

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