SUSAN E. HAMLIN
Deputy Attorney General
Idaho Department of Water Resources
P.O. Box 83720
Boise, Idaho 83720-0098
Telephone: (208) 327-7900
FAX: (208) 327-5400
ISB # 4615

Attorney for IDWR

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT

OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA	)	No. 91-00005
	)	
	)	
	)	**AFFIDAVIT OF**
Case No. 39576	)	**KARL J. DREHER**
	)	

STATE OF IDAHO)
) ss.
County of Ada)

Karl J. Dreher, being first duly sworn, deposes and states as follows:

1. My name is Karl J. Dreher. I am the Director of the Idaho Department of Water Resources (IDWR).

2. My work address is Idaho Department of Water Resources (IDWR), 1301 North Orchard Street, Boise, Idaho 83706. I reside in Garden City, Idaho.

3. My education includes receiving a Bachelor of Science degree in Civil Engineering from Colorado State University in 1971. In December of 1973, I received a Master

of Science degree in Civil Engineering, also from Colorado State University. My academic work included, but was not limited to, courses in mathematics, computer programming, hydraulics, fluid mechanics, hydrology, water resources engineering, and structural engineering. I also performed research in structural aerodynamics.

4. I have received additional post-graduate instruction through short courses and symposia in specialized areas involving rock mechanics, seismology, earthquake engineering, water resources engineering, numerical modeling, surface water hydrology, ground water hydrology, and water law.

5. I am a registered professional engineer in both Idaho and Colorado.

6. After receiving my Master of Science degree in December of 1973, and until July of 1986, I was employed by the Denver Water Department, the U. S. Bureau of Reclamation, and Stone & Webster Engineering Corporation, while living in Denver, Colorado. I also served as a consultant to the California Department of Water Resources Division of Dam Safety; the United Nations at the Central Water and Power Research Station in Pune, India; and the Southern Company Services in Birmingham, Alabama.

7. While employed by the Denver Water Department from 1973 into 1975, I performed water supply planning studies and prepared final designs and construction specifications for treated water conveyance and storage facilities. While employed by the U. S. Bureau of Reclamation and Stone & Webster Engineering Corporation from 1975 into 1986, I performed or directed various levels of design, analysis, and evaluation for 10 major concrete dams and their foundations. These dams ranged in height from 140 ft to 690 ft and consisted of arch, gravity-arch, gravity, roller-compacted gravity, and buttress type dams, including a 500-ft high concrete arch dam in the Peoples Republic of China. The analyses of

these dams were based in part on numerical modeling methods I developed or refined during my employment with the U. S. Bureau of Reclamation.

8. From July of 1986 into May of 1995, I was employed by the Northern Colorado Water Conservancy District in Loveland, Colorado as Head of the Engineering Services Branch (Engineering Manager). I directed the activities of engineering staff performing water resource planning and feasibility studies (including studies for dams and reservoirs and including economic and financial analyses), coordination on endangered species issues, water rights evaluations, water rights litigation, expert testimony, operations planning, negotiation and management of design and construction contracts, and agricultural engineering assistance to area farmers. In this capacity, I served as case manager for water rights litigation involving reserved, instream water rights claimed by the U. S. Forest Service in Colorado's Cache la Poudre River. I also served as case manager for litigation involving the transfer of a portfolio of water rights from irrigation in the Cache la Poudre River Basin to municipal use outside of the basin. Additionally, the staff I directed performed accounting and reporting of water provided by the Ground Water Appropriators of the South Platte (GASP) for augmenting flows in the South Platte River to offset depletions in river flows resulting from ground water withdrawals and use. This water accounting was provided for Colorado's District 1 Water Court located in Greeley, Colorado.

9. Since May of 1995, I have served as the Director of the Idaho Department of Water Resources (IDWR). I was first appointed by Governor Batt and subsequently re-appointed by Governor Kempthorne in January of 1999. In this capacity, I am the senior executive responsible for all aspects of the Department's multi-office based services to the people of Idaho.

The Department employs approximately 200 people organized into four divisions: Energy, Planning and Policy, Water Management, and Support Services.

10. The Energy Division implements energy conservation programs and promotes the utilization of cost-effective renewable energy resources with funding from the U. S. Department of Energy and the Northwest Energy Efficiency Alliance. The Energy Division provides energy efficiency training and technical assistance throughout Idaho and, in some instances, throughout the Pacific Northwest; assists local governments, school districts, and public institutions in obtaining funds to improve energy management; provides low-interest loans from court-awarded damages for petroleum pricing violations to individuals and institutions desiring to implement energy efficient technologies and practices; assists farmers in implementing advanced water management and other practices; develops residential and commercial energy codes and standards; and conducts cooperative research programs in the development of alternative fuels such as diesel blends using rapeseed and used vegetable oils.

11. The Planning and Policy Division provides staff support for the Idaho Water Resource Board, the members of which are also appointed by the Governor. The Idaho Water Resource Board formulates, implements, and maintains the State Water Plan; underwrites revenue bonds and provides loans and grants for water development and conservation projects; appropriates water for minimum stream flows; and represents Idaho in negotiations with Indian tribes and the federal government regarding water rights. The Planning and Policy Division also collects and maintains hydrologic data from throughout Idaho, performs hydrologic and hydrogeologic assessments and modeling studies, monitors the quality of ground water statewide, monitors development and changes to the state's geothermal aquifers, and provides assistance to

public organizations throughout Idaho in developing and implementing geographic information systems and remote sensing technology.

12. The Water Management Division administers appropriations of water and water right transfers and serves as the technical expert to district courts adjudicating water rights decrees. The Division also supervises the diversion and use of water under established water rights, licenses well drillers and regulates the drilling and use of wells, regulates the modification of natural stream channels (in corroboration with the U. S. Army Corps of Engineers), and administers Idaho's participation in the National Flood Insurance Program. Additionally, the Water Management Division is responsible for ensuring that dams constructed for water storage or impoundment of mine tailings are properly designed, constructed, operated, and maintained.

13. In addition to the above, as the Director of IDWR I oversee and direct agency actions for implementing IDWR's statutory duties in the Snake River Basin Adjudication (SRBA). Because of my responsibilities and involvement in the SRBA, I am familiar with and have personal knowledge of the general provisions IDWR recommended to the SRBA District Court for conjunctive management in the Snake River Basin.

14. The explanation for IDWR's general provision recommendations for conjunctive management is set forth in *the 1999 Supplemental Director's Report to the SRBA District Court on Conjunctive Management for Basin Wide Issue 5*, attached to this Affidavit. I have personal knowledge of the substance contained in this attached Supplemental Director's Report on conjunctive management and directed its preparation.

15. Pursuant to the *Amended Order Setting Deadline for IDWR to File Direct Testimony and Setting Initial Hearing on Basin-Wide Issue 5 On Remand - Conjunctive Management Snake River Basin-Wide* issued by the SRBA District Court on December 17, 1999,

I adopt as my testimony the attached *1999 Supplemental Director's Report to the SRBA District Court on Conjunctive Management for Basin Wide Issue 5.*

Dated this 30th day of December, 1999.

KARL J. DREHER

SUBSCRIBED AND SWORN to before me this 30th day of December, 1999.

Notary Public for the State of Idaho
Residing at: Boise ID
My commission expires: 12/5/2000