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DEPARTMENT OF
WATER RESOURCES

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Attorneys for Objector, Twin Falls Canal Company

**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	)	
	)	Subcase Nos.: 47-2111
	)	
	)	AFFIDAVIT OF BRIAN
Case No. 39576	)	OLMSTEAD
	)	
	)	
	)	

I, BRIAN OLMSTEAD, being first duly sworn upon oath, deposes and hereby states as follows:

1. I am the Manager for Twin Falls Canal Company. I am over the age of 18 and state the following based on my personal knowledge.

2. I have reviewed the water right claim for the above water right and am familiar with the water being diverted under this water right.

3. This water right diverts out of what is commonly referred to as the "F Coulee." The F Coulee is a substantial waste water stream that gathers waste and seep water from various other waste ways, seep tiles and drains throughout the Canal Company project area. These seep tiles, waste ways and drains were either constructed or are regularly maintained by TFCC for the express purpose of channeling TFCC waste water.

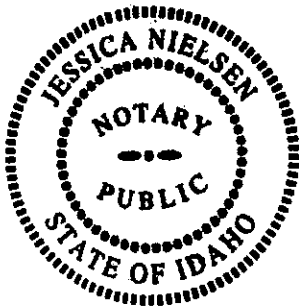
4. Since it diverts out of the F Coulee, water right 47-2111 is a waste water right.
5. The Canal Company has considered installing a pump back system on the F Coulee, upstream from the point of diversion for water right 47-2111.

DATED this 10th day of November, 2009

FURTHER YOUR AFFIANT SAYETH NAUGHT

Brian Olmstead
Brian Olmstead

SUBSCRIBED & SWORN to before me this 10 day of November, 2009.



Jessica Nielsen
Notary Public in and for the State of Idaho
My Commission Expires: 4/3/12

CERTIFICATE OF SERVICE

I hereby certify that on the 10th day of November, 2009, I served true and correct copies of the foregoing **AFFIDAVIT OF BRIAN OLMSTEAD** via U.S. mail, postage prepaid, and addressed to the following:

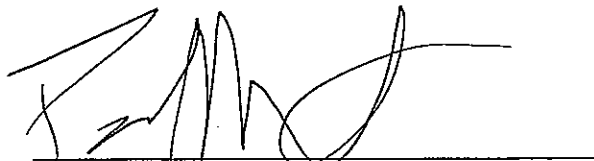
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