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DEPARTMENT OF
WATER RESOURCES

FRITZ X. HAEMMERLE
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ISB # 3862

Attorney for the Claimants

**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 No. 37-892A and 37-894B

Case No. 39576

) AFFIDAVIT OF FRITZ X. HAEMMERLE

STATE OF IDAHO,

)

) ss.

County of Blaine.

)

FRITZ X. HAEMMERLE, being sworn upon oath, deposes and states as follows:

1. I am an attorney duly licensed to practice law in the State of Idaho. I represent the aforementioned Claimant, Big Wood Golf Course, LLC ("Big Wood"), in the aforementioned subcases. I am over the age of eighteen (18) years, and I make the averments contained herein of my own personal knowledge and would testify to the facts as presented herein if called upon to do so.

2. Water right 37-892A was originally claimed by the Big Wood. In the Director's Report for 37-892A, the claim was disallowed because the right was

recommended under 37-894B. It appears, however, that there was not a Director's Report originally filed in 37-894B with the SRBA Court.

3. Thereafter, Big Wood filed an Amended Claim under 37-894B, and there was an Amended Director's Report filed under the same water right number. Because 37-892A is being recognized under 37-894B, Big Wood intends to pursue its claim under 37-894B. No claim is being pursued under 37-892A.

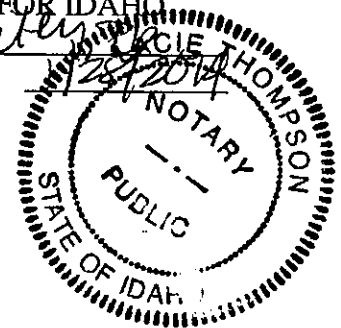
FURTHER YOUR AFFIANT SAYETH NOT.

DATED this 13 day of July 2010.


FRITZ X. HAEMMERLE

SUBSCRIBED AND SWORN to before me this 13th day of July 2010.


NOTARY PUBLIC FOR IDAHO
Residing at: Hailey, ID
Commission expires: 12/28/2014



CERTIFICATE OF MAILING

I certify that on 13 day of July, 2010, I mailed the original and copies of this response, including all attachments, postage prepaid, to the following persons:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

2. Copies to:

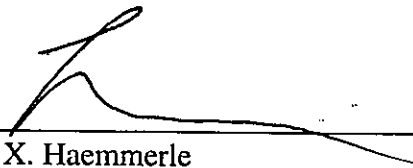
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Fritz X. Haemmerle