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DEPARTMENT OF
WATER RESOURCES

Candice M. McHugh (ISB #5908)
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Attorneys for claimants, Terrie Trail and Walter Trail

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. 02-4021

Case No. 39576

**AFFIDAVIT OF CANDICE M.
MCHUGH IN SUPPORT OF MOTION
FOR LATE OBJECTION**

STATE OF IDAHO)
) ss.
COUNTY OF ADA)

Candice M. McHugh, being fully sworn upon oath, deposes and states as follows:

1. I am an attorney representing the claimants, Terrie Trail and Walter Trail, in the above-referenced subcase and make the following Affidavit upon my personal knowledge of the facts and circumstances set forth herein.

2. I spoke with Garrick Baxter, Deputy Attorney General with the Idaho Department of Water Resources regarding the above listed claim. He indicated that the Department is considering whether the combined use remark that is on water right 2-4021 is correct in another active subcase.

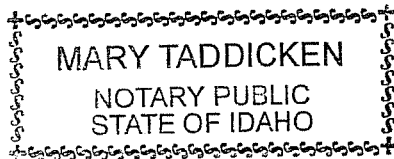
3. I spoke with Mike Creamer, attorney for Black Mesa Farm, who is the claimant on water right 2-103 that overlaps with the above listed water right and he indicated that he has no objection to the Motion for Late Objection.

FURTHER YOU AFFIANT SAYETH NAUGHT.

DATED this 16th day of February, 2012.

By: *Candice M. McHugh*
CANDICE M. McHUGH

SUBSCRIBED AND SWORN to before me by Candice M. McHugh this 16th day of February, 2012.

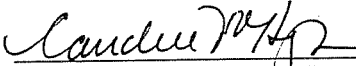


Mary Taddicken
Notary Public
Commission Expires: 9-12-13

CERTIFICATE OF MAILING

I hereby certify that on this 16th day of February, 2012, a true and correct copy of the foregoing was served by email to those with email addresses and U.S. Mail, postage pre-paid and addressed to the following:

Clerk of SRBA Court 253 3 rd Ave North Twin Falls ID 83303-2707 Phone 208-736-3011 Fax: 208-736-2121	Original	Ralph and Alma Crowley 3361 S 1300 E Wendell, ID 83355	<i>courtesy copy</i>
Natural Resources Division Chief State of Idaho Attorney General's Office PO Box 44449 Boise, ID 83711-4449		IDWR Repository PO Box 83720 Boise, ID 83720-0098	
United States Department of Justice Environment & Natural Resources Div 550 West Fort Street MSC 033 Boise, ID 83724		Michael Creamer Givens Pursley LLP 601 West Bannock Street PO Box 2720 Boise, ID 83701-2720	<i>courtesy copy</i>


CANDICE M. MCHUGH
Attorney