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DEPT. OF WATER RESOURCES

LAWRENCE G. WASDEN  
Attorney General

CLIVE J. STRONG  
Deputy Attorney General  
Chief, Natural Resources Division

HARRIET A. HENSLEY (ISB No. 5235)  
Deputy Attorney General  
P.O. Box 44449  
Boise, Idaho 83711-4449  
Telephone: (208) 334-2400  
Facsimile: (208) 854-8072

*Attorneys for the State of Idaho,  
Department of Fish and Game*

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

Case No. 39576

)  
) Subcase Nos. 21-02039 and 21-02170  
)

) **AFFIDAVIT OF THOMAS BASSISTA IN**  
) **SUPPORT OF MOTIONS TO FILE LATE**  
) **NOTICES OF CLAIMS**  
)  
)

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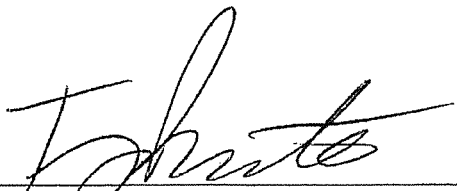
THOMAS BASSISTA, under oath, deposes and states as follows:

1. I am over the age of 18 and I make this affidavit based upon personal knowledge.
2. I am employed by the Idaho Department of Fish and Game ("IDFG").
3. Included in my duties as an Environmental Staff Biologist is assisting IDFG staff in matters pertaining to water rights.

4. I have reviewed the IDFG files and other information pertaining to water right claims 21-02039 and 21-02170. Both claims are based upon licenses issued by the Idaho Department of Water Resources. The licenses are appurtenant to lands conveyed to IDFG after the licenses were issued.
5. Water has been diverted under these rights for the purpose of recreation and wildlife habitat since the lands to which they are appurtenant were conveyed to the IDFG. These water rights are essential to the management of the Sand Creek Wildlife Management Area.
6. The failure to file claims for water rights 21-02039 and 21-02170 was inadvertent and upon learning of the oversight, the IDFG sought assistance from the Idaho Attorney General's Office in filing these late notices of claim.

Further your affiant sayeth naught.

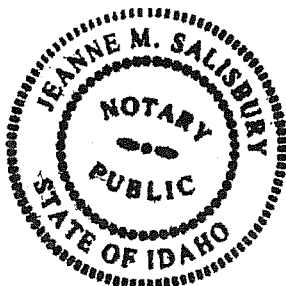
DATED this 27 day of March 2012.

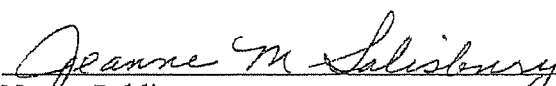
  
\_\_\_\_\_  
THOMAS BASSISTA

State of Idaho       )  
                              ) S.S.  
County of Ada        )

Subscribed and sworn to before me this 27 day of March 2012.

S  
E  
A  
L



  
\_\_\_\_\_  
Notary Public  
I reside at: 4279 Commerce Circle Idaho Falls, ID  
My Commission Expires on: May 13, 2014