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May 29, 2012

Idaho Department of Water Resources
Attn: Adjudication Bureau, Carter Fritschle
P.O. Box 83720
Boise, ID 83720-0098

Re: Case 39576 / Subcase 2-4021

Dear Mr. Fritschle:

Enclosed is an original and one copy of an *Affidavit of Walter Trail in Support of Amended Notice of Claim*. The *Motion to File Amended Notice of Claim* was filed with the SRBA Court.

Please file the original, conform the copy, and return the copy to this office in the pre-addressed stamped envelope provided. Thank you.

Sincerely,

Mary Taddicken

MARY TADDICKEN
Legal Assistant

Enclosures

N:\CMM\9000.41668 Trail Ranches\Correspondence\IDWR Trans Form 4.doc

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DEPARTMENT OF
WATER RESOURCES

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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 WALTER TRAIL
IN SUPPORT OF AMENDED
NOTICE OF CLAIM**

STATE OF IDAHO)
) ss.
COUNTY OF ELMORE)

WALTER TRAIL, being fully sworn upon oath, deposes and states as follows:

1. I am a claimant for water right number 02-4021 located in Township 6S, Range 11 East, Section 9, Lot 6 in Elmore County.
2. I am president of Trail Ranches, Inc., an Idaho Corporation, and am familiar with the operations of the ranch including the irrigation of the property to which water right number 02-4021 is appurtenant. The irrigation system was constructed and put into operation in 1965 by my predecessor.
3. I purchased the property in 1987 and filed an adjudication claim with the Idaho Department of Water Resources.

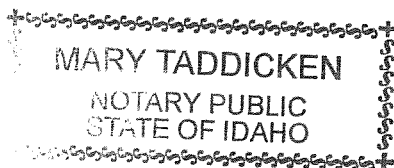
4. I recently discovered the claimed quantity for the SRBA claim was not accurate and filed a late objection to the claim which was granted on March 29, 2012.
5. I rented the property starting 1982, I raised alfalfa and sugar beets and used 1 inch per acre on the full 600 acres. When I purchased the property in 1987 the sale included two, 600 horsepower pumps that were located at the river. This provided me with enough capacity to pump 12 cfs for my farm which I used. There were also seven, 600 horsepower pumps and motors at the river and I understood these to be controlled by BLM. I used the original 46 inch penstock to divert water from the river to my farm. There were also two booster pumps (one 250 horsepower pump and one 150 horsepower pump) in place and used until approximately 1987 or 1988. I still own these booster pumps. The system also had nine 400 horsepower re-lift pumps in place until approximately 1997 in case we needed them.
6. The claimed quantity for SRBA claim number 2-4021 should be amended to one inch per acre on my 600 acres (600 inches equals 12 cfs) as that is what I used on the farm since 1982 and the irrigation system had more than that capacity at that time and when I filed my claim in the SRBA.

FURTHER YOU AFFIANT SAYETH NAUGHT.

DATED this 29 day of May, 2012.

By Walter Trail
WALTER TRAIL

SUBSCRIBED AND SWORN to before me this 29th day of May, 2012.



Mary Taddicken
Notary Public
Residing at: Boise
Commission Expires: 9-12-13