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DEPARTMENT OF
WATER RESOURCES

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Attorneys for the 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	)	Subcase Nos. 21-00014, 21-00015,
	)	21-2153, 21-2159, 21-4006, 21-4007,
	)	21-4008, 21-7151
	)	
Case No. 39576	)	AFFIDAVIT OF CARTER FRITSCHLE
	)	IN SUPPORT OF SUPPLEMENTAL
	)	MEMORANDUM OF AUTHORITY
	)	IN SUPPORT OF MOTION TO
	)	SET ASIDE PARTIAL DECREES
	)	
	)	

STATE OF IDAHO)
) ss.
County of Ada)

I, CARTER FRITSCHLE, being duly sworn upon oath, depose and hereby state as follows:

1. My name is Carter Fritschle and my work address is Idaho Department of Water Resources 322 E. Front St., Boise, ID 83720. My telephone number is 208-287-4917.
2. I am employed by the Idaho Department of Water Resources ("Department" or "IDWR") and have been so employed for approximately 26 years. I was over the age of eighteen years at the time I was first employed.
3. I am the Manager, Adjudication Section, for the Department. My principal duties include supervising a staff of technical water right professionals and records support personnel. I have been employed in this position since January of 2006.
4. I make the following statements based upon my review of the Department's records and personal knowledge.
5. The Idaho Department of Fish and Game ("IDFG") filed claims with the Department for water rights 21-00014, 21-00015, 21-2153, 21-2159, 21-4006, 21-4007, 21-4008, and 21-7151 in 1989-1990.
6. The Department issued recommendations for water right claims 21-00014, 21-00015, 21-2153, 21-2159, 21-4006, 21-4007, 21-4008, and 21-7151 that were different in several respects from the way the water rights were claimed by IDFG.
7. Water rights 21-00014, 21-00015, 21-2153, 21-2159, 21-4006, 21-4007, 21-4008, and 21-7151 were decreed as recommended by the Department.
8. After reviewing the recommendations and partial decrees for water rights 21-00014, 21-00015, 21-2153, 21-2159, 21-4006, 21-4007, 21-4008, and 21-7151 the Department has determined they contain significant errors that do not accurately

reflect water usage on-the-ground, and which could lead to difficulties with administration. Some of these difficulties would result from some of the decreed rights having points of diversion that are not located on the decreed source.

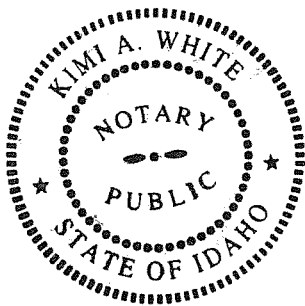
9. The Department has an interest in assuring water rights are accurately decreed. Therefore, it supports IDFG's Motion to Set Aside Partial Decrees 21-00014, 21-00015, 21-2153, 21-2159, 21-4006, 21-4007, 21-4008, and 21-7151.

DATED and SIGNED this 21st day of October, 2013.

CARTER FRITSCHLE
Manager, Adjudication Section

[illegible]

SUBSCRIBED AND SWORN TO before me this 21st day of October, 2013.



NOTARY PUBLIC FOR IDAHO

Residing at: Baise, Idaho

My Commission Expires: 04/01/16

CERTIFICATE OF SERVICE

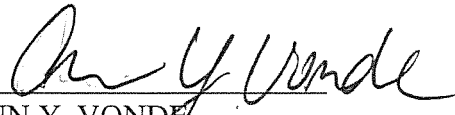
I HEREBY CERTIFY that on this 21st day of October 2013, I caused this AFFIDAVIT OF CARTER FRITSCHLE IN SUPPORT OF SUPPLEMENTAL MEMORANDUM OF AUTHORITY IN SUPPORT OF MOTION TO SET ASIDE PARTIAL DECREES to be filed with the Court and true and correct copies served on the following parties by the methods indicated:

1. Original to:

Clerk Of The District Court Snake River Basin Adjudication 253 Third Avenue North PO Box 2707 Twin Falls, ID 83303-2707	☒ U.S. Mail, postage prepaid ☐ Hand Delivery ☐ Federal Express ☐ Facsimile: (208) 736-2121
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2. Copies to:

IDWR Document Depository P.O. Box 83720 Boise, ID 83720-0098	☒ U.S. Mail, Postage Prepaid ☐ Hand Delivery ☐ Federal Express ☐ Statehouse Mail
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Deputy Attorney General