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COPY

**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

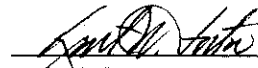
Case No. 35976

A. Subcase 23-10165

**MOTION TO FILE
LATE OBJECTION**

Claimant in the above entitled subcase hereby moves this court for leave to file a late objection to the Director's Recommendation that right number 23-10165 be disallowed. This motion is made upon the grounds and for the reason that claimant has substantial evidence of the diversion and application to beneficial use of water from Palisades Creek for ponds, commencing in 1947, to the present.

DATED this 15th day of January, 2005.



Kent W. Foster
Holden, Kidwell, Hahn & Crapo, PLLC

CERTIFICATE OF MAILING

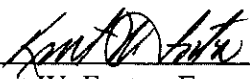
I hereby certify that on the 15th day of January, 2005, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, ID 83303-2707

2. Copies to:
IDWR Document Depository
P.O. Box 83720
Boise, ID 83720-0098

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P.O. Box 44449
Boise, ID 83711-4449

United States Department of Justice
Environmental and Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724



Kent W. Foster, Esq.

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