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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 35-4037

**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 35-4037 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 groundwater for the irrigation of approximately 151.6 acres of land during each irrigation season, commencing with the irrigation season of 1959, to the present.

DATED this 7 day of April, 2005.


Richard D. Polatis

CERTIFICATE OF MAILING

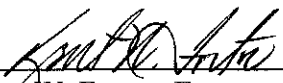
I hereby certify that on the 27th day of April, 2005, I mailed the original and copies of this objection, including all attachments, to the following persons:

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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