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Attorneys for Objectors

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

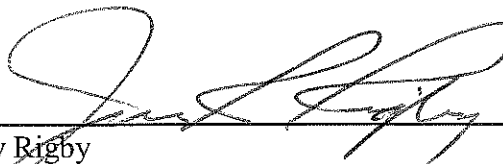
)
) Subcase Nos.: 27-07095
)
) MOTION TO FILE A LATE OBJECTION
)
)

Comes now, W. SHERMAN WHITTEN, ("Objector") by and through
their counsel, Jerry R. Rigby of RIGBY, THATCHER, ANDRUS, RIGBY & MOELLER,
CHARTERED, and hereby move the above entitled Court to grant their respective Motions to
File Late Objection to the above entitled water rights which objection was originally due prior to
the date of this Motion.

This Motion to File A Late Objection is supported by the affidavit of Objector, attached
hereto.

No one would be prejudiced by Objector's objection as the irrigation company which
supplies the water being claimed as an additional right to the above entitled water right is now or
will shortly be filing its own objection to this right and its canal company's right based upon
identical or similar issues.

Dated this 5th day of October, 2006.



Jerry Rigby
of RIGBY, THATCHER, ANDRUS,
RIGBY, KAM & MOELLER, Chartered

CERTIFICATE OF SERVICE

I HEREBY CERTIFY That on this 6th day of October, 2006, a true and accurate copy of the foregoing was sent by facsimile transmission and/or U.S. Mail, postage prepaid to the following:

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. One copy to the claimant of the water right
at the following address:

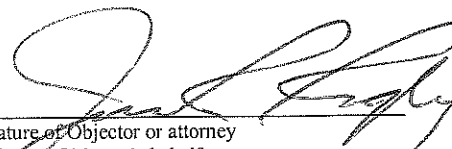
Name: Claimant, C/O Jerry Rigby
Address: P.O. Box, Rexburg, ID 83440

3. Copies to:

IDWR Document Depository
P.O. Box 83720
Boise, ID 83720-0098

United States Department of Justice
Environment & Nat'l Resources Div.
550 W Fort Street, MSC 033
Boise, ID 83724

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



Signature of Objector or attorney
Mailing on Objector's behalf