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MAR 23 2007

DEPARTMENT OF
WATER RESOURCES

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

A. Subcase 35-2441

Case No. 39576

MOTION TO SET ASIDE PARTIAL DECREE

I am an attorney representing Neal D. Ward and 4W Farms

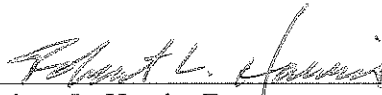
My name is Robert L. Harris

My address is 1000 Riverwalk Dr., Suite 200, PO Box 50130, Idaho Falls, ID, 83405

My phone number is (208) 523-0620

This motion is necessary because the claimants to the above water rights have recently discovered that certain acres were not covered under this water right that should have been, and, as a result, the claimants have filed a Motion to File Late Claim for an enlargement right on these acres. This claim has been assigned the number of 35-13601 by IDWR. Because of the filing of this enlargement claim, which is an enlargement of Water Right Nos. 35-2441 and 35-2314, it is necessary to amend the partial decree for the above-numbered water right to allow for the additional enlarged acreage. Because of the error of not including the acres identified in the enlargement claim (35-13601), the partial decree must be amended to include those additional acres to accurately represent the historical use of the water.

Respectfully submitted this 21st day of March, 2007.

A handwritten signature in cursive script, reading "Robert L. Harris", written over a horizontal line.

Robert L. Harris, Esq.
HOLDEN, KIDWELL, HAHN & CRAPO, P.L.L.C.

CERTIFICATE OF MAILING

I hereby certify that on March 21, 2007, I mailed the original and copies of this motion, 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. One copy to the claimant of the water right at the following address:

Name: 4W Farms
Address: c/o Neil Ward and Shelly Ward
673 N. 825 W.
Blackfoot, ID 83221

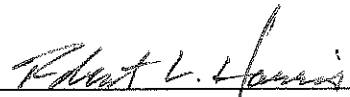
De Loy and Viola Ward
1305 S 2nd E.
Rexburg, ID 83440

3. 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



Signature of Objector or attorney mailing on
Objector's behalf