

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: 21-02037

Case No. 39576

MOTION TO FILE A LATE OBJECTION

I am an attorney representing: Clyde White

My name is: Ray W. Rigby

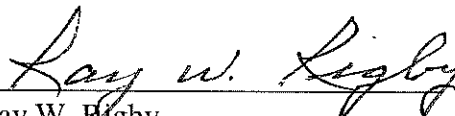
My address is: P.O. Box 250 Rexburg, ID 83440

My phone number is: (208) 356-3633

An objection to water right No. 21-02037 was not filed because:

Attached to this motion is a Standard Form 1 Objection Document outlining our objections to the recommendation of Water Right No. 21-02037. The reasons for which this objection is late are contained in the attached affidavit of Clyde White.

Respectfully submitted this 27 day of July, 2007.


Ray W. Rigby
Rigby, Andrus & Moeller, Chtd.

VERIFICATION (must be completed)

STATE OF IDAHO,)
 SS
County of Madison.)

Clyde White, duly sworn, upon oath, deposes and says:

(Name of person filing objection)

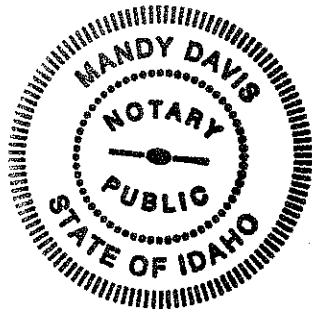
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objections, know its contents and believe that the statements are true to the best of my knowledge.

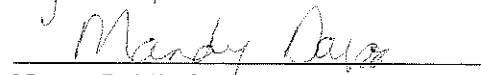


(Signature of person filing objection)

(Attorney signing in representative capacity)

Subscribed and sworn before me on: July 24, 2007





Notary Public for Idaho
Residing at: St. Anthony
My Commission Expires: 6-24-2011

CERTIFICATE OF MAILING

I certify that on July 25th, 2007, I mailed the original and copies of this objection, including all attachments, to the following persons:

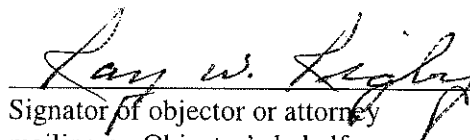
1. Original to:
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707
2. One copy to the claimant of the water right at the following address:

Name: Conant Creek Canal Company
Address: PO Box 344
Ashton, ID 83420

3. Copies to:
IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

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

Chief, Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise, ID 83711-4449


Signator of objector or attorney
mailing on Objector's behalf

AFFIDAVIT

STATE OF IDAHO,) ss
County of Madison)

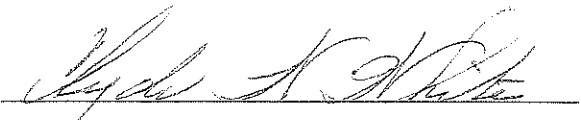
RE: Water Rights #

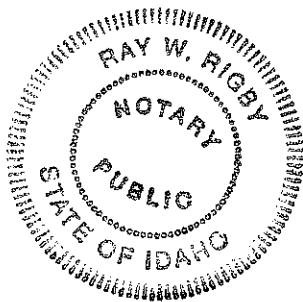
21-00141
21-02035
21-02037

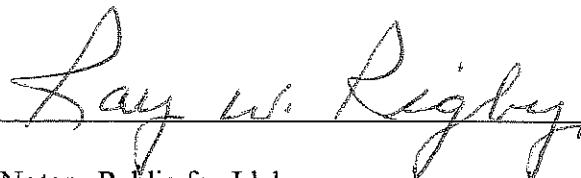
CLYDE WHITE, being first duly sworn, deposes and says:

- 1) That he resides at 851 Highway 32, Ashton Idaho, 83420, and is a stockholder of Conant Creek Canal Company.
- 2) That he farms 483 acres, 333 acres of which is in the service area of said Conant Creek Canal Company.
- 3) That in the process of preparing the water right claims and digital boundary lines of the lands irrigated by said canal company, for the Snake River Adjudication, the officers of said canal company advised the stockholders (irrigators) to review said claims and maps with the Secretary of said company.
- 4) That you affiant reviewed the same with Mamie Jorgensen secretary of said company and his lands entitled to be irrigated were all included as part of the "place of use" of said company's water rights.
- 5) Recently it came to your affiant's attention that a 40 acre tract (SWSW of S 20, T5N, R43, Fremont County, Idaho) had been removed as a part of the "place of use" of said company's water rights.
- 6) No notice of any kind had been given to your affiant and any notice of matters concerning said water right would go to said canal company and not to your affiant.
- 7) The time for filing a protest has expired.
- 8) Your affiant requests that a motion for filing a "late protest" be granted.

SUBSCRIBED AND SWORN TO before me this 10th day of July, 2007.


CLYDE WHITE




Notary Public for Idaho
Residing at: Rexburg, Idaho
My Commission Expires: 3-12-2011

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