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DEPARTMENT OF
WATER RESOURCES

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IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

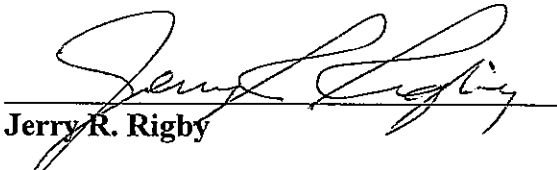
In Re SRBA	)	Subcase: 01-00131A; 01-00132A; 01-
	)	133A; 01-00263
	)	
Case 39576	)	MOTION TO CONTINUE I.C. 42-228
	)	OBJECTION AND RESPONSES
	)	
	)	
	)	

COMES NOW, New Lavaside Ditch Company, Limited, by and through counsel of record, Jerry R. Rigby, of Rigby, Andrus & Moeller, Chartered, and hereby moves the above entitled Court for an order deeming the following objection and responses as a continuing objection notwithstanding the filing of an Amended Director's Report in the above entitled water right: Claimant's original objection based upon a claimed right to recover project water through certain wells located within Claimant's boundary (hereinafter referred to as "228 Objection") filed October 10, 2006, together with all responses to the 228 Objection previously filed by all parties herein. This motion is deemed necessary by some parties in order to clarify that notwithstanding this 228 Objection is currently grouped with several other objections of other claimants under the common issue set forth in the 228 Objection, and further that those said

common issued objections are presently scheduled to be mediated on or about June 12, 2008, all pursuant to a mandatory settlement order by the above entitled Court, it is recognized that recently an Amended Director's Report has been issued on the above entitled water right and therefore would otherwise require a new objection and new responses by all current parties.

Therefore, in order to save all parties from re-filing the very same objections and responses as were originally filed, and because it is or should be clear to all parties involved that the 228 Objection has not been changed notwithstanding the modifications in the Amended Director's Report dealing with issues outside of the 228 Objection, it is appropriate and within the judicial economy discretion of the Court to grant this motion.

Respectfully Submitted this 24 day of May, 2008.


Jerry R. Rigby

CERTIFICATE OF SERVICE

I HEREBY CERTIFY That on this 29th day of May, 2008, a true and accurate

copy of the foregoing was sent by U.S. Mail postage pre-paid and addressed to the following:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
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Twin Falls, ID 83303-2707

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Environment and Natural Resources
Division
550 West Fort Street, MSC 033
Boise, ID 83724

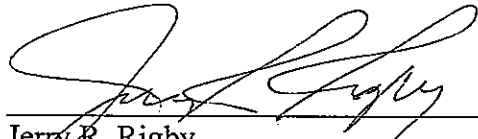
Milner Irrigation District
North Side Canal Company
Twin Falls Canal Company
C/O Barker, Rosholt & Simpson LLP
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Twin Falls, Idaho 83303

American Falls Reservoir
C/O C. Thomas Arkoosh
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Gooding, Idaho 83330

A&B Irrigation District
Burley Irrigation District
Falls Irrigation District
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