

Randall C. Budge (ISB #1949)
Candice M. McHugh (ISB #5908)
RACINE OLSON NYE BUDGE
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RECEIVED
JUN 30 2008
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	)	Subcase Nos. 63-198AJ, 63-199B,
	)	
Case No. 39576	)	63-200B, 63-2392B, 63-2968 and
	)	63-30181
	)	
	)	AFFIDAVIT OF CANDICE M MCHUGH
	)	IN SUPPORT OF MOTION TO FILE
	)	LATE RESPONSE(S)
_____	)	

STATE OF IDAHO	)	
	)	ss.
COUNTY OF ADA	)	

Candice M. McHugh, having been duly sworn upon oath, deposes and states as follows:

1. I am one of the attorneys providing legal services to Lindsey Lateral Association (hereinafter "LLA") for subcase number 63-32000.

2. I have knowledge of the facts in this matter and I make this affidavit based upon personal knowledge.

3. I make this affidavit in support of LLA's Motion to File Late Response(s).

4. On or about June 15, 2007, Lynn Tominaga, on behalf of LLA, filed an objection to subcase number 63-32000 since the water right claim had been recommended disallowed.

5. The objection period for Basin 63, Part 3 ended on June 20, 2007 and the response period ended on August 20, 2007.

6. On or about May 23, 2008, our firm was consulted by LLA to provide legal representation in the SRBA District Court.

7. I attended the initial hearing in Boise on May 30, 2008 along with Lynn Tominaga for subcase number 63-32000.

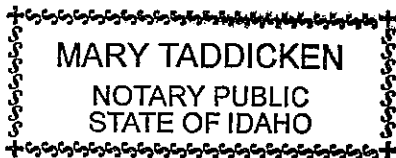
8. At the hearing, it was discussed, among other things, that it would be advantageous for LLA to be involved in Nampa & Meridian Irrigation District's subcases since the claimed place of use for LLA is overlapping with the irrigation district's boundary.

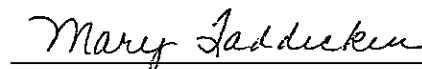
9. I understand that the Nampa & Meridian Irrigation District subcases, which are the subject of the Motion to File Late Response(s) are set for June 27, 2008.

Further your affiant sayeth naught.


CANDICE M. MCHUGH

SUBSCRIBED AND SWORN to before me this 27th day of June, 2008.




NOTARY PUBLIC FOR IDAHO
Residing at Boise, ID
My Commission Expires: 9-12-13

CERTIFICATE OF MAILING

I certify that a true and correct copy of the above **AFFIDAVIT OF CANDICE M. MCHUGH IN SUPPORT OF MOTION TO FILE LATE RESPONSE(S)** was served this day of June, 2008, via United States mail with sufficient first-class postage to the following:

Clerk of the SRBA Court 253 Third Avenue North PO Box 2707 Twin Falls, ID 83302-2707	Original	
Natural Resources Division Chief State of Idaho Attorney General's Office PO Box 44449 Boise, ID 83711-4449		IDWR Repository PO Box 83720 Boise, ID 83720-0098
United States Department of Justice Environment & Natural Resources Div 550 West Fort Street MSC 033 Boise, ID 83724		S. Bryce Farris Daniel V. Steenson 455 S Third St PO Box 2773 Boise, ID 83701-2773
Lynn Tominaga, President Lindsey Lateral Association PO Box 2624 Boise, ID 83701-2624	<i>courtesy copy</i>	


CANDICE M. MCHUGH
Attorney