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DEPARTMENT OF
WATER RESOURCES

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COPY

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 No.: 22-11776

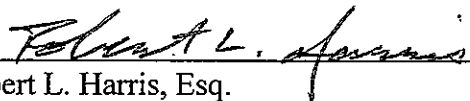
**MOTION TO FILE
LATE OBJECTION**

Sundown Property LLC, by and through counsel of record, Robert L. Harris, of the law firm Holden, Kidwell, Hahn & Crapo, PLLC, hereby moves the Court to file the attached late objection to the above numbered water right. The water right is currently held in the name of Sundown River Ranch, LLC, however, Sundown Property LLC purchased the property in 2005. A Notice of Change of Water Right Ownership has not been completed as of the date of this motion, but will be filed shortly.

Sundown Property LLC has discovered an error with the recommendation of Water Right No. 22-11776 in the context of trying to resolve objections to Water Right No. 22-11779, in which both water rights share the same place of use. Because the issues surrounding Water Right No. 22-11776 are the same surrounding Water Right No. 22-11779, granting this motion will not cause an undue burden on IDWR and the claimants in resolving the place of use and related matters.

A status conference for Water Right No. 22-11779 is set for June 9, 2009, at 11:00 a.m. We request this Motion to File Late Objection also be heard at that time.

DATED this 5th day of June, 2009.


Robert L. Harris, Esq.
HOLDEN, KIDWELL, HAHN & CRAPO, PLLC

CERTIFICATE OF SERVICE

I hereby certify that on this 5th day of June, 2009, I mailed the original and copies of this Motion to File Late Objection, 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

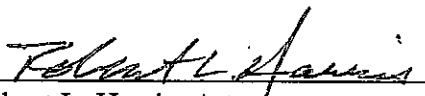
2. Copies to:

Sundown River Ranch, LLC
1025 S. Cook St.
Denver, CO 80209

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


Robert L. Harris, Attorney