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DEPARTMENT OF
WATER RESOURCES

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Attorneys for Riverside Irrigation District, Ltd.

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. 63-33252

**MOTION TO FILE LATE NOTICE OF
CLAIM**

COMES NOW the claimant, RIVERSIDE IRRIGATION DISTRICT, by and through its counsel Albert P. Barker, of the firm Barker, Rosholt & Simpson, LLP, and moves this Court pursuant to Idaho Rules of Civil Procedure 7(b)(1) and 55(c) for an order allowing RIVERSIDE IRRIGATION DISTRICT ("RIVERSIDE") to file a late notice of claim to 6 CFS from the Arena Drain with a point of diversion at NE Quarter of the SE Quarter, Section 13, Township 4N in Range R6W.

The boundary encompassing the place of use for this water right is described with a digital boundary as defined by I.C. Section 42-202B (2) and authorized pursuant to I.C. Section 42-1411 (2)(h). The data comprising the digital boundary are incorporated herein by reference and are stored on a CD-ROM disk issued in duplicate originals on file with the SRBA District Court and the Idaho Department of Water Resources. A map depicting the place of use is attached hereto to illustrate the place of use described by the digital boundary.

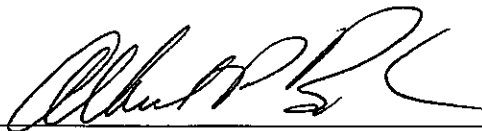
This right, when combined with Right Nos. 63-226, 63-227, 63-228, 63-229, 63-299, 63-300, 63-2374, 63-2389, 63-4007, 63-4008 and 63-4010 can be used to irrigate up to 10, 158 acres within the boundary of the Riverside Irrigation District. Place of use includes the irrigation of 4252 acres within the State of Oregon.

Pursuant to this Court's Administrative Order 1, Rule 4, this Court will review a motion to allow the filing of a late claim pursuant to the good cause standard set forth at Idaho Rule of Civil Procedure 55(c).

In support of this claim and in compliance with AO1, Rule 4, Riverside has attached its SF4 Motion to File Late Notice of Claim and Notice of Claim to a Water Right.

Dated this 25 day of August, 2009.

BARKER ROSHOLT & SIMPSON LLP



Albert P. Barker
Attorney for Riverside

CERTIFICATE OF MAILING

I certify that on August ~~27~~²⁸, 2009, I mailed the original and copies of this Motion to File a Late Claim including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

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. Copies to:

IDWR Document
Depository PO Box
83720 Boise, ID
83720-0098

Chief, Natural Resources
Division Office of the
Attorney General State of
Idaho
PO Box 44449
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Attorney for Riverside