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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

Case No. 39576

**MOTION TO PERMIT LATE FILING OF
 OBJECTIONS**

SUBCASE NOS: 22-00265E, 22-00594, 22-
 13479, 22-13987, & 22-13988

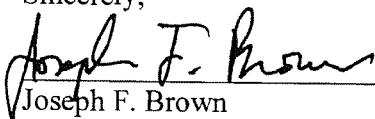
COMES NOW Joseph F. Brown, the counsel of record for George R. Brown, requests that the Court permit the late filing of *Objections* in Subcase Numbers: 22-00265E, 22-00594, 22-13479, 22-13987, & 22-13988.

Due to my lack of experience with this Court's procedures, I misread and misinterpreted this Court's requirements that I refile new *Objections* following the IDWR's *Amended Director's Reports*. I incorrectly read the Court's statement, "It is expected that the Trial scheduled for October 26-27, 2011 will cover all issues raised by the George Brown *Objections*, but will most likely cover the "Recovered Water" issues raised by other *Objections* and *Responses*." *Trial Scheduling Order*, 1, Feb. 4, 2011. I incorrectly interpreted this statement to mean that the George Brown *Objections* were still before the Court and new *Objections* were not required. I take full responsibility for my error.

In its decision whether to grant or deny this Motion, I ask the Court to consider that all parties have acted in good faith to resolve this dispute. Upon my advice and counsel, George Brown has agreed without contention to two delays in trial dates resulting in almost a two year delay in order to permit IDWR and Mr. Rigby time to obtain permission for transfer of the disputed Moody Creek water rights to a deep water well as well as time for IDWR to file the *Amended Director's Reports*. Further, the opposing parties should not be harmed if this Motion is granted since the new *Objections* are the same as those previously filed with this Court. While these arguments do not excuse my error, I request that the Court consider them in its determination if granting this Motion serves the interest of justice.

Dated this 1st day of September, 2011.

Sincerely,

A handwritten signature in cursive script, appearing to read "Joseph F. Brown", is written over a horizontal line.

Joseph F. Brown

Attorney for Objector George R. Brown