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JUL 16 2007

DEPARTMENT OF
WATER RESOURCES

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Jeremy G. Ladle	W. Hugh O'Riordan, LL.M.	
Michael P. Lawrence	Angela M. Reed	
Franklin G. Lee	Scott A. Tschirgi, LL.M.	

Via Federal Express

July 13, 2007

Clerk of the Court
Snake River Basin Adjudication
253 3rd Avenue North
Twin Falls, ID 83303-2707

Re: Basin 69 Objections

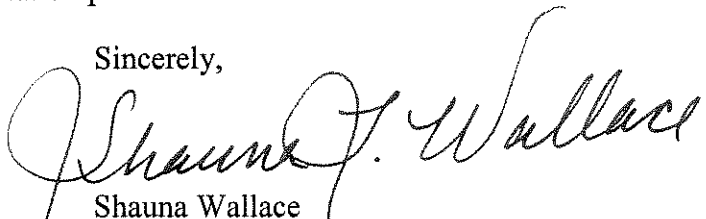
Dear Clerk:

Enclosed for filing with the Court please find the original and one copy of each of the following documents:

1. Amended Standard Form 1 Objection for Water Right No. 69-4103A;
2. Amended Motion to File A Late Objection for Water Right No. 69-4103A;
3. Amended Standard Form 1 Objection for Water Right No. 69-4104A;
4. Amended Motion to File A Late Objection for Water Right No. 69-4104A;

Please conform the copy of each document and return them to our office in the enclosed self-addressed, stamped envelope. Thank you for your assistance with this matter. If you have any questions or require any additional information please call.

Sincerely,


Shauna Wallace
Assistant

Enclosures

cc: Service List

KDT:sw1

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DEPARTMENT OF
WATER RESOURCES

MICHAEL P. LAWRENCE ISB No. 7288
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Attorneys for Douglas M. and Charleta A. Scism

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

A. Subcase 69-4103A

(Insert water right number
from the Objection Form)

**AMENDED
MOTION TO FILE A LATE
OBJECTION**

Douglas M. and Charleta A. Scism, through their attorneys, Givens Pursley LLP,
hereby move this Court for leave to file a late objection in the above-entitled matter in the
form attached hereto and for good cause shown herein.

A motion to file a late objection may be granted upon a showing of good cause
pursuant to Idaho Rule of Civil Procedure 55(c). *Order on Motion to Set Aside Partial
Decrees and File Late Objections*, Subcases 65-7267 *et al.* (January 31, 2001). Rule
55(c)'s good cause standard takes into account (1) whether the failure to object was
willful, (2) whether granting the motion for late objection would prejudice the opponent,
and (3) whether a meritorious position is presented. The Scisms aver the following good
cause shown to support this Amended Motion.

First, the Scisms were not represented by counsel and were unaware of certain facts and, consequently, their rights until after the objection period stated in the Director's Report for Basin 69 had ended. This does not constitute a willful failure to object on the part of the Scisms. *See Memorandum Decision and Order on Challenge, Order of Recommitment*, Subcase 47-16433, *et al.* (Mar. 22, 2005) (Melanson, J.) ("A person may act 'carelessly, thoughtlessly or inadvertently' but his or her behavior is not necessarily 'willful.'").

Second, an order granting this Amended Motion will not disrupt this proceeding or prejudice the parties. The original Motion for Late Objection was filed by the Scisms on August 2, 2006—merely two months after the May 26, 2006 deadline for filing objections and well in advance of the November 2, 2006 initial hearing for this and other related subcases. The Scisms' late objection thus has not disrupted or delayed the proceedings or prejudiced the other parties.

Finally, as stated in the attached Amended Standard Form 1 Objection form, the Scisms believe the water right in the above-entitled matter should not exist as recommended.

For the foregoing reasons, this Court should grant this Amended Motion to File a Late Objection.

DATED this 13TH day of July, 2007.

Respectfully submitted,

GIVENS PURSLEY LLP

By:


Michael P. Lawrence

CERTIFICATE OF MAILING

I HEREBY CERTIFY that on this 13th of July 2007, the foregoing was filed,

served, or copied as follows:

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Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
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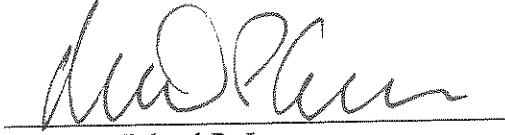
United States Department of Justice
Environment & Natural Resource Division
550 West Fort Street, MSC 033
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A handwritten signature in black ink, appearing to read "Michael P. Lawrence", written over a horizontal line.

Michael P. Lawrence