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Attorney for Respondent

RECEIVED
DEC 06 2007
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**

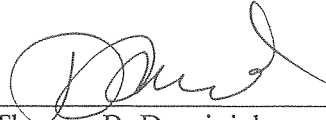
In Re SRBA	)	Subcase 47-2337
	)	
Case No. 39576	)	
	)	MOTION TO FILE LATE RESPONSE
	)	TO OBJECTION
_____	)	

COMES NOW Respondent William S. Root and Circle S. West, LLC by and through his undersigned attorney, Thomas B. Dominick of Dominick Law Offices, PLLC, and respectfully requests leave of the Court to file their response to the objection of the Twin Falls Canal Company in this matter. The reason the response was filed late is that the Respondent contacted a Twin Falls attorney who referred him to Mr. Dominick. Unfortunately, the communication between the Twin Falls attorney and the client was lost in transmission and the Respondent was not able to communicate with Mr. Dominick and did not retain him until November 28, 2007.

The delay in filing this Response was not done to harass or delay the prosecution of the claim in this case. In fact, the claimant is Circle S West and Mr. Root.

This Motion is made in good faith and given the short delay between the time for filing a response, November 21, 2007 and the actual filing of the response, the Motion should be granted and the response allowed.

DATED this 3 day of Dec, 2007.



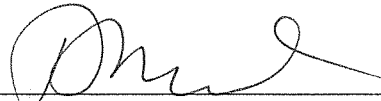
Thomas B. Dominick

VERIFICATION

State of Idaho)
) ss.
County of Ada)

Thomas B. Dominick, duly sworn, upon oath, deposes and says:

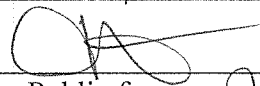
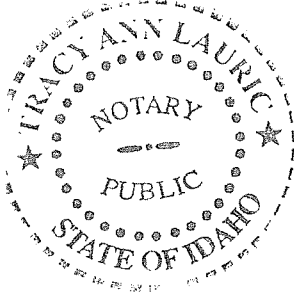
That I am the attorney for the party responding and that I have read this response, know its contents and believe that the statements are true to the best of my knowledge.



Thomas B. Dominick

Subscribed and sworn on before me on:

Dec. 3, 2007



Notary Public for: Idaho
Residing at: UMH Dome
My Commission Expires: 11-20-09

CERTIFICATE OF MAILING

I HEREBY CERTIFY that on the 4 day of December, 2007, I served the foregoing document by having a true and complete copy personally delivered or by facsimile and/or by depositing the same in the United States Mail, postage prepaid thereon, and addressed to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, Idaho 83303-2707

United States Department of Justice
Environment & Natural Resource
Division
550 West Fort Street, MSC 033
Boise, Idaho 83724

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P.O. Box 44449
Boise, Idaho 83711-4449

Twin Falls Canal Company
C/O Barker Rosholt & Simpson, LLP
P.O. Box 485
Twin Falls, Idaho 83303-0485

IDWR Document Depository
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Boise, Idaho 83720-0098

Idaho Ground Water Appropriators
C/O Randall Budge, Esq.
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Thomas B. Dominick