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Attorneys for Petitioner

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT
OF THE STATE OF IDAHO IN AND FOR THE COUNTY OF TWIN FALLS

In Re the General Adjudication)
of the Rights to the Use of Water)
from the Snake River Drainage)
Basin Water System)

Case No. 39576

The State of Idaho, ex rel. R. Keith)
Higginson in his official capacity as)
director of the Idaho Department of)
Water Resources)

IDWR'S REPLY TO MOTION
TO FILE LATE CLAIMS TO
RIGHT NOS. 34-00352,
34-00351, 34-00344,
34-00735 AND 34-00734

Petitioner,)

vs.)

34-00344 -0001

United States; State of Idaho; and)
all unknown claimants to the use of)
water from the Snake River Drainage)
Basin Water System,)

34-00351 -0001

34-00352 -0001

34-00734 -0001

Respondents.)

34-00735 -0001/

93-10-0017

DESCRIPTIVE SUMMARY

This document is IDWR's response to Sally Johnson's motion to file late claims for water right numbers 34-00352, 34-00351, 34-00344, 34-00735 and 34-00734.

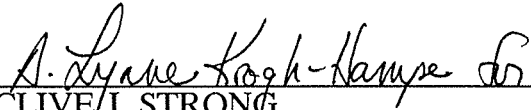
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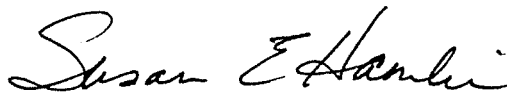
The Idaho Department of Water Resources (IDWR) requests the District Court to deny the motion to file late claims. The motion to file late claims was made over a year after the director's report was filed. No explanation has been provided for the failure to file the claims prior to filing the director's report. Pursuant to I.R.C.P. 60(b), excusable neglect or good cause must be shown to support the motion.

If the motion to file these late claims is granted, the claim filing fees and late claim fees total \$1023.50 which is due upon filing of the claims pursuant to I.C. § 42-1414 and 42-1408A(j).

Dated this 15th day of October, 1993.

LARRY ECHOHAWK
Attorney General


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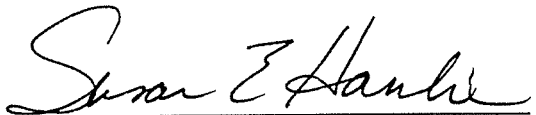

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Idaho Department of Water Resources

CERTIFICATE OF MAILING

I hereby certify that on the 15th day of October, 1993, I served a true and correct copy of the foregoing document on the following persons by mailing in the U.S. mail, first class postage affixed thereto.

U.S. Department of Justice
Environmental & Natural Resources Division
550 W. Fort Street, Box 33
Boise, Idaho 83724

Harry De Haan
317 6th Avenue North
Twin Falls, Idaho 83301



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