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DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

FILED _____

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)
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 OBJECTION
TO RIGHT NO. 34-10517

Petitioner,)
_____)

vs.)
_____)

39576
[34-10517]/
94-01-0040

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

Respondents.)
_____)

IDWR'S REPLY TO MOTION TO FILE LATE OBJECTION
TO RIGHT NO. 34-10517 --- PAGE 1

DESCRIPTIVE SUMMARY

This document replies to the G. David Nelson motion to enter a late objection to water right no. 34-10517.

REPLY TO MOTION

The Idaho Department of Water Resources (IDWR) requests the District Court to deny the motion to file a late objection. The objection was due March 1, 1993, and the claimant has failed to provide any explanation of why the objection was not filed timely. Pursuant to I.R.C.P. 60(b), excusable neglect or good cause must be shown to support the motion.

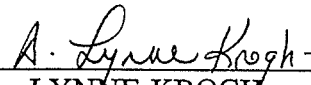
CONCLUSION

IDWR respectfully requests the District Court to deny the motion to file the late objection for lack of good cause.

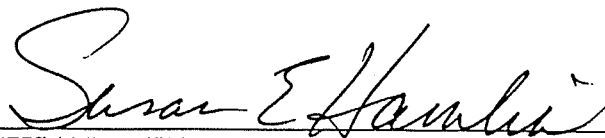
Dated this 14 day of January, 1994.

LARRY ECHOHAWK
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CLIVE J. STRONG
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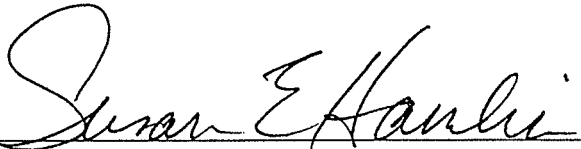
SUSAN E. HAMLIN
Deputy Attorney General
Idaho Department of Water Resources

CERTIFICATE OF SERVICE

I hereby certify that on the 14th day of January, 1994, I served true and correct copies of the foregoing document on the following persons by mailing in the U.S. mail, first class, with the correct postage affixed thereto.

U.S. Department of Justice
Environmental & Natural Resources Division
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