

RECEIVED

APR 23 2004

Department of Water Resources

UNITED STATES OF AMERICA

THOMAS L. SANSONETTI
Assistant Attorney General
United States Department of Justice
Environment and Natural Resources Division

DAVID L. NEGRI
United States Department of Justice
Environment and Natural Resources Division
General Litigation Section
550 W. Fort St. MSC033
Boise, ID 83724
Telephone: (208) 331-5943
Facsimile: (208) 387-0842
ISB # 6697

**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 Nos. 63-31031, 63-31459 and 63-
		)	31460
Case No:	39576	)	
		)	AMENDMENT TO OBJECTIONS
		)	
		)	

The United States of America, acting through the United States Department of Agriculture, Forest Service ("United States"), amends its objections in the above-captioned subcases as indicated on the attached Standard Forms. In support of these amendments, the United States presents the following:

1. I.R.C.P. 15(a) provides that a party may amend the party's pleadings once as a matter of course at any time before a responsive pleading is served unless the pleading is one to which no responsive pleading is permitted.

2. SRBA Administrative Order 1 ("AO 1") defines pleadings as including objections and responses to objections. AO 1 § 2(r). AO 1 supplements, but does not replace, the Idaho Rules of Civil Procedure. AO 1 § 1(b).

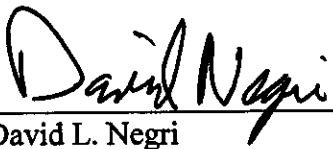
3. Pursuant to Rule 15(a), the United States may amend its objections once as a matter of course until a responsive pleading is filed. Because no response to the United States' objections has been filed, an amendment at this time is proper.

4. Although the United States believes that the objections already filed put at issue all elements of the claimed water rights in the event that the claimant is found to have perfected such water rights, the United States is amending its objections for purposes of clarification.

5. In the alternative, the United States requests leave to amend its objections pursuant to Rule 15(a). No party is prejudiced by these amendments, inasmuch as no discovery or judicial proceedings other than initial hearings and status conferences have yet occurred.

Dated this 22d day of April, 2004.

UNITED STATES OF AMERICA
USDA FOREST SERVICE



David L. Negri

CERTIFICATE OF MAILING

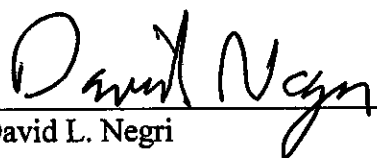
I certify that on April 22, 2004, I caused to be served a true and correct copy of the
AMENDMENT TO OBJECTIONS -- SUBCASE NOS. 63-31031, 63-31459, 63-31460 by U.S. mail, postage
prepaid to the following:

DANIEL V. STEENSON
CHARLES L. HONSINGER (FACSIMILE COPY ALSO: 208-342-4657)
RINGERT CLARK CHARTERED
455 S. Third Street, P.O. Box 2773
Boise, ID 83701-2773

United States Department of Justice
Environment and Natural Resources Division
General Litigation Section
550 W. Fort St. MSC033
Boise, ID 83724

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

IDWR Document Depository
P.O. Box 83720
Boise, ID 83720



David L. Negri