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AUG 15 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

Case No. 35976

A. Subcase No. 35-04246

STANDARD FORM 2

RESPONSE TO
AMENDED OBJECTION

Please print or type the following information:

B. NAME AND ADDRESS OF PERSON RESPONDING

Name: North Side Canal Company
Address: 921 North Lincoln
Jerome, Idaho 83333
Daytime Phone: (208) 324-2319

Name & Address of Attorney, if any:

JOHN K. SIMPSON
BARKER RSHOLT & SIMPSON LLP
P.O. BOX 2139
BOISE, IDAHO 83701-2139

**C. NAME AND ADDRESS OF PERSON WHO FILED THE OBJECTION TO
WHICH YOU ARE RESPONDING**

Name: Roger Ling
Attorney for Aberdeen Springfield Canal Company
Address: Ling & Robinson
P.O. Box 396
Rupert, Idaho 83350

D. I am responding to the objections to the following elements. (Please check the appropriate box(es)).

1. ☒ Name and Address:
2. ☒ Source:
3. ☒ Quantity:
4. ☒ Priority Date:
5. ☒ Point(s) of Diversion:
6. ☐ Instream Flow Description:
7. ☐ Purpose(s) of Use:
8. ☐ Period of Year:
9. ☐ Place of Use:

11. Recommendation:

- ☐ This water right should not exist.
- ☐ This water right not being recommended, but should be recommended with the elements described above.

E. REASONS SUPPORTING RESPONSES: See Attachment.

F. VERIFICATION (Must be Completed)

State of IDAHO)
)ss.
County of Ada)

John K. Simpson, duly sworn, upon oath, deposes and says:

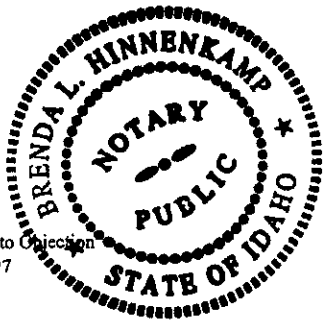
That I am the party/claimant filing this response as defined by I.C. § 42-1401A(1) and (6) or that I am the attorney for the party/claimant responding and that I have read this response, know its contents and believe that the statements are true to the best of my knowledge.

(Signature of person filing response)

[Signature]

(Attorney signing in representative capacity)

Subscribed and sworn to before me on: August 14, 2001.



SF. 2 - Response to Objection
Amended 10/16/97

Brenda L. Hinnenkamp

NOTARY PUBLIC FOR IDAHO

Residing at: Boise, Idaho

My commission expires: 9/2004

(over)

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INSTRUCTIONS FOR MAILING

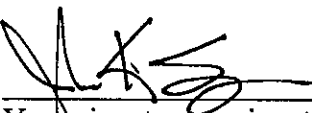
You must mail the response, including all attachments, to the Clerk of the Court. **FAX filings will not be accepted.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

G. CERTIFICATE OF MAILING

I hereby certify that on the 14th day of August, 2001, I mailed the original and copies of this response, including all attachments, to the following persons:

1. Original to:
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, Idaho 83303-2707
2. One copy to the claimant of the water right at the following address:
Name: Roger Ling
Attorney for Aberdeen Springfield Canal Company
Address: P.O. Box 396
Rupert, Idaho 83350
3. One copy to the party who filed the objection at the following address:
Name: Roger Ling
Attorney for Aberdeen Springfield Canal Company
Address: P.O. Box 396
Rupert, Idaho 83350
4. Copies to:

IDWR Document Depository PO Box 83720 Boise, Idaho 83720-0098 David Barber, Deputy Attorney General Office of the Attorney General P.O. Box 44449 Boise, Idaho 83711-4449 United States Department of Justice Environment and Natural Resource Division 550 West Fort Street, MSC 033 Boise, Idaho 83724	Jeffery C. Fereday, Esq. Givens Pursley, LLP P.O. Box 2720 Boise, Idaho 83701 Josephine P. Beeman Beeman & Associates 409 W. Jefferson Boise, Idaho 83701 James and Karen Lehman 2912 W 2000 S Aberdeen, Idaho 83210
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Your signature or signature of attorney
mailing on your behalf

ATTACHMENT

The respondents understand that additional parties, who have historically withdrawn groundwater within the project boundaries, have been joined in this subcase. How these parties' rights interface with the claimant's rights is unclear at this time. The respondents have a direct interest in the groundwater in the Eastern Snake Plain Aquifer, which is connected to the source of the respondents' water rights. The respondents seek to ensure that water withdrawn from the aquifer is based upon a valid water right pursuant to Idaho law. The claimant seeks to pump groundwater pursuant to the Canal Company project water right, which may impact the respondents' rights, if recognized in law. Therefore, the respondents are responding to the name, source, priority date, point of diversion, place of use and other matters boxes.