

APR - 2 2003

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

RESPONSE TO OBJECTION

JOHN K. SIMPSON
BARKER ROSHOLT & SIMPSON LLP
205 North 10th Street, Suite 520
P.O. BOX 2139
BOISE, IDAHO 83701-2139

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

Name: Albert Barker
Attorney for Boise Project Board of Control
Address: Barker Rosholt & Simpson
P.O. Box 2139
Boise, Idaho 83701-2139

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: The respondents herein support the position asserted by the objector in that the Director's Report recommendation does not adequately recognize the ownership interest the beneficial users have in this water right.

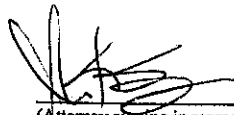
F. VERIFICATION (Must be Completed)

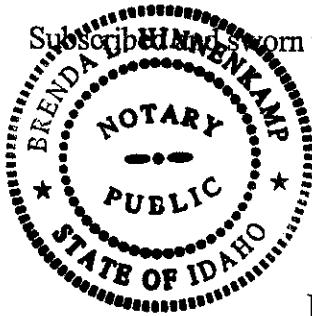
State of IDAHO)
)ss.
County of Ada)

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)


(Attorney signing in representative capacity)



Subscribed and sworn to before me on: April 1, 2003.

Brenda J. Herrenkamp
NOTARY PUBLIC FOR IDAHO
Residing at: Boise, Idaho
My commission expires: 9/2004

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

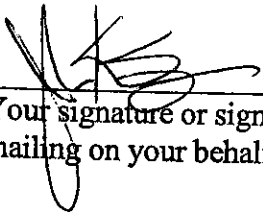
I hereby certify that on the 1 day of April, 2003, I mailed the original and copies of this response, including all attachments, to the following persons:

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: United States of America acting through
Regional Director PN Region
Bureau of Reclamation
Address: 1150 North Curtis Road, Suite 100
Boise, Idaho 83706-1234
3. One copy to the party who filed the objection at the following address:
Name: Albert Barker
Attorney for Boise Project Board of Control
Address: 205 North 10th Street, Ste 520
Boise, Idaho 83701
4. Copies to:
IDWR Document Depository
PO Box 83720
Boise, Idaho 83720-0098

Chief, Natural Resources Division
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



Your signature or signature of attorney
mailing on your behalf

