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APR 26 2006

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. 39576)

A. Subcase 27-04008

(Insert water right number
From the Objection Form)

STANDARD FORM 2
RESPONSE TO OBJECTION

Please **print or type** the following information:

B. NAME AND ADDRESS OF PERSON RESPONDING

Name: Ralph O. and Vauna Wheatley

Address: 10053 S. Marsh Creek Road

McCammon, ID 83250

Daytime Phone: 208-251-1243

Name & Address of Attorney, if any:

Randall C. Budge

P.O. Box 1391

Pocatello, ID 83204-1391

208-232-6101

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

Name: Shoshone-Bannock Tribes

Address: P.O. Box 306

Fort Hall, ID 83203

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 was not recommended, but should be recommended with the elements described above.

E.

VERIFICATION (Must be Completed)

State of Idaho)
)ss.
County of Bannock)

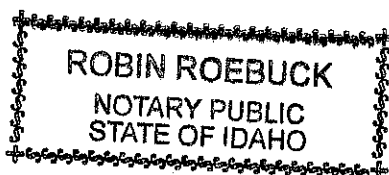
Randall C. Budge, duly sworn, upon oath, deposes and says:
(Name of person filing response)

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)

x Randall C. Budge
(Attorney signing in representative capacity)

Subscribed and sworn to before me on: 4/24/06



Robin Roebuck
Notary Public for Idaho

Residing at: Pocatello

My Commission Expires: 8/18/06

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.

F.

CERTIFICATE OF MAILING

I certify that on April 24, 2006 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
PO Box 2707
Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right at the following address:

Name: Ralph O. and Vauna Wheatley
Address: 10053 S. Marsh Creek, McCammon, ID 83250

3. One copy to the party who filed the objection at the following address:

Name: Shoshone-Bannock Tribes
Address: P.O. Box 306, Fort Hall, Idaho 83203

4. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

United States Department of Justice
Environment & Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724

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

Frederick C. Budge
Your signature or signature of attorney
mailing on your behalf