

COPY

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MAY 10 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: 37-2471
(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: State of Idaho
Address: 700 W. Jefferson, Room 210
P.O. Box 44449
Boise, Idaho 83711-4449
Phone: Work: (208) 334-2400 Home: N/A

Name and Address of Attorney, if any:

Attorney Name: LAWRENCE G. WASDEN
Attorney General

DAVID G. HIGH
Deputy Attorney General
Chief, Civil Litigation Division

KARL T. KLEIN (ISB # 5156)
Deputy Attorney General

MICHAEL C. ORR (ISB # 6720)
Deputy Attorney General

Attorney Address: Office of the Attorney General
700 W. Jefferson, Room 210
P.O. Box 44449
Boise, ID 83711-4449

Attorney Phone No. (208) 334-2400

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

Name: Idaho Power Company
Address: P.O. Box 70
Boise, ID 83707

Name & Address of Attorney, if any:
James S. Lochhead
Adam T. DeVoe
Brownstein Hyatt & Farber, P.C.
410 17th St., 22nd Floor
Denver, Colorado 80202

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**
- 10. **Recommendation**

- ☐ This water right should not exist.
- ☐ This water right was not recommended, but should be recommended with the elements described above.
- ☒ “‘Other Provisions Necessary for Definition or Administration of this Water Right’ should not be included in the decree.” (Idaho Power Company added this statement to its Standard Form 1 Objection in this subcase.)

E.

VERIFICATION (Must be Completed)

State of Idaho)
) ss.
County of Ada)

MICHAEL C. ORR, Deputy Attorney General, being first duly sworn, upon oath, deposes and says:

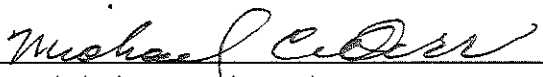
That the State of Idaho is the party/claimant filing this response as defined by I.C. §§ 42-1401A(1) and (6), that I am a Deputy Attorney General authorized to represent the State of Idaho and that I have read this response, know its contents and that the statements are true to the best of my knowledge and belief.

LAWRENCE G. WASDEN
Attorney General

DAVID G. HIGH
Deputy Attorney General
Chief, Civil Litigation Division

KARL T. KLEIN
Deputy Attorney General

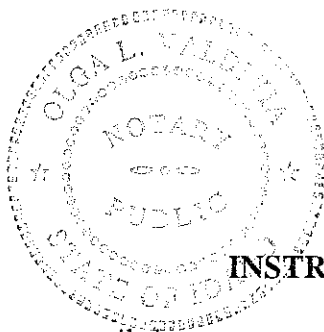
MICHAEL C. ORR
Deputy Attorney General

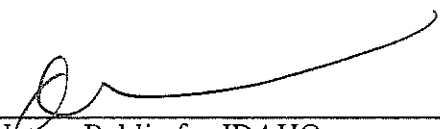


By Attorney signing in representative capacity

Subscribed and sworn to before me on this 9th day of May, 2006

(Insert Date)





Notary Public for IDAHO
Residing at: BOISE, ID
My commission expires: 2/8/2012

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 certify that on this 9th day of May, 2006, I caused to be served the original and copies of this response to the following persons by the indicated methods:

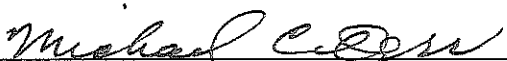
1. Original to: Clerk of the District Court U. S. MAIL
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, Idaho 83303-2707
2. One copy to the claimant of the water right at the following addresses:

Claimant Name: Idaho Power Company U. S. MAIL
Address: P. O. Box 70
Boise, ID 83707
3. One copy to the party who filed the objection at the following address:

Name: James S. Lochhead U. S. MAIL
Adam T. DeVoe
Brownstein Hyatt & Farber, P.C.
Address: 410 17th St., 22nd Floor
Denver, Colorado 80202
4. Copies to: IDWR Document Depository STATEHOUSE
PO Box 83720 MAIL
Boise, ID 83720-0098

United States Department of Justice U. S. MAIL
Environment and Natural Resource Division
550 West Fort Street, MSC 033
Boise, Idaho 83724

Chief of Natural Resource Division (not applicable)
Office of the Attorney General
State of Idaho
P.O. Box 44449
Boise, Idaho 83711-4449


Signature of party claimant or attorney