

**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 **63-17246A**

(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: E. Gail McGarry  
United States of America acting through the Department of Interior,  
Bureau of Reclamation, Regional Director PN Code-3100  
Address: 1150 N. Curtis Rd. Suite 100  
Boise, ID 83706 -1234  
Daytime Phone: (208) 378-5306

Name & Address of Attorney, if any:  
David W. Gehlert (303) 844-1386 Trial Attorney,  
Natural Resources Section  
Environment and Natural Resource Division  
U.S. Department of Justice  
1961 Stout Street – 8<sup>th</sup> Floor  
Denver, CO 80294

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

Name: New York Irrigation District  
C/O Chas F. McDevitt  
McDevitt & Miller LLP  
Address: 420 W. Bannock  
P.O. Box 2564-83701  
Boise, ID 83702

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.

E. VERIFICATION (Must be Completed)

State of Idaho )  
County of Ada ) ss.  
)

Jerrold D. Gregg, duly sworn, upon oath, deposes and says:  
(Name of person filing objection)

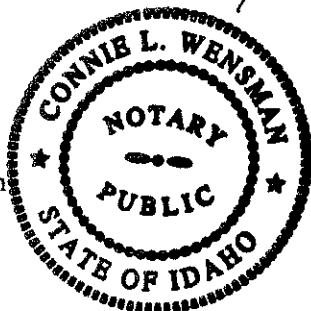
That I am the party/claimant filing this response as defined by I.C. §§ 42-1401A (1) and (6) or that I am the attorney for the party/claimant responding and that I have read this response, know its contents and believe that the statements are true to the best of my knowledge.

[Signature]  
(Signature of person filing response)

[Signature]  
(Attorney signing in representative capacity)

Subscribed and sworn to before me on: 6/23/06

Connie L. Wensman  
Notary Public for: Idaho  
Residing at: Meridian  
My Commission Expires: 10/06/10



## 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 6-23, 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: Brighton Corp.  
Address: c/o Pat Hurley  
12426 W. Explorer Dr., Ste 220  
Boise, ID 83713

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

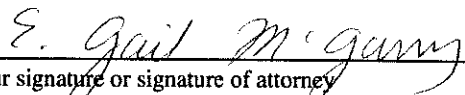
Name: Name: New York Irrigation District  
C/O Chas F. McDevitt, McDevitt & Miller LLP  
Address: P.O. Box 2564-83701, Boise, ID 83702

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 4449  
Boise, ID 83711-4449

  
Your signature or signature of attorney  
mailing on your behalf