

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

STANDARD FORM 2 RESPONSE TO OBJECTION

Name and Address of Attorney, if any:
 Attorney Name: LAWRENCE G. WARDEN
 Attorney General
 CLIVE J. STRONG
 Deputy Attorney General
 Chief, Natural Resources Division
 DAVID J. BARBER
 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
 Idaho State Bar # 2597

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

Name: 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, Idaho 83706-1234

Name & Address of Attorney, if any:

David W. Gehlert
Trial Attorney, General Litigation Section
Environment and Natural Resource Division
U.S. Department of Justice
1961 Stout Street – 8th Floor
Denver, CO 80294

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 Ada)

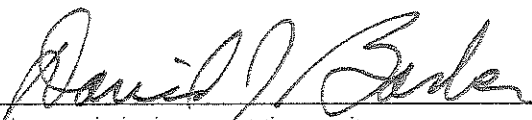
DAVID J. BARBER, Deputy Attorney General, being first duly sworn, upon oath, deposes and says:

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

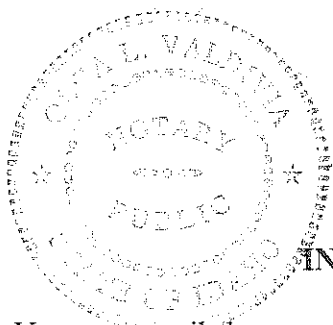
CLIVE J. STRONG
Deputy Attorney General
Chief, Natural Resources Division

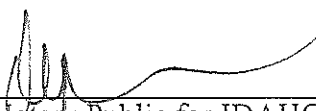
DAVID J. BARBER
Deputy Attorney General



By Attorney signing in representative capacity

Subscribed and sworn to before me on this 23rd day of June, 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 23rd day of June, 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
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, Idaho 83303-2707
HAND DELIVERY
2. One copy to the claimant of the water right at the following addresses:

Claimant Name: Boise Valley Irrigation Ditch Co. U. S. MAIL
Address: 8750 N Boagart LN
Boise, Idaho 83714
3. One copy to the party who filed the objection at the following address:

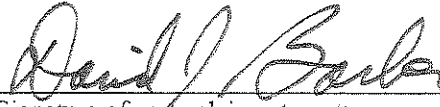
Name: David W. Gehlert U. S. MAIL
Trial Attorney, General Litigation Section
Address: Environment and Natural Resource Division
U.S. Department of Justice
1961 Stout Street – 8th Floor
Denver, CO 80294
4. Copies to: United States Department of Justice U. S. MAIL
Environment and Natural Resource Division
550 West Fort Street, MSC 033
Boise, Idaho 83724

Albert P. Barker U.S. MAIL
Paul L. Arrington
Barker Rosholt & Simpson
205 North 10th Street, Suite 520
P.O. Box 2139
Boise, ID 83701-2139

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

Chief of Natural Resource Division
Office of the Attorney General
State of Idaho
P.O. Box 44449
Boise, Idaho 83711-4449

(not applicable)

A handwritten signature in cursive script, appearing to read "David J. Barber", written over a horizontal line.

Signature of party claimant or attorney