

**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

RECEIVED)

JUL 28 2006)

DEPARTMENT OF
WATER RESOURCES)

A. Subcase 21-10921

(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 – 8th Floor
Denver, CO 80294

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

Fremont Madison Irrig. Dist.
c/o Jerry R. Rigby
P. O. Box 250
Rexburg, ID 83440

North Fremont Canal Systems,
Inc.
c/o Lon Atchley
P. O. Box 241
Ashton, ID 83420

North Fremont County
Cemetery Maint.
P. O. Box 670
Ashton, ID 83420

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)

) ss.

County of Ada)

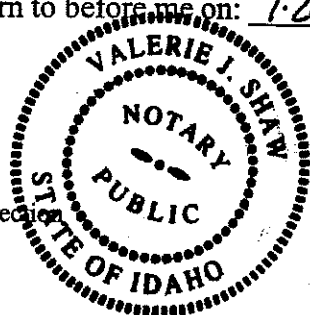
Jerrold D. Gregg, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

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: 7-26-06



Valerie J Shaw
Notary Public for: Idaho
Residing at: Meridian
My Commission Expires: 6-2-2012

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.

F. CERTIFICATE OF MAILING

I certify that on July 27, 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:

North Fremont County
Cemetery Maint.
P. O. Box 670
Ashton, ID 83420
3. One copy to the party who filed the objection at the following address:

Fremont Madison Irrig. Dist. c/o Jerry R. Rigby P. O. Box 250 Rexburg, ID 83440	North Fremont Canal Systems, Inc. c/o Lon Atchley P. O. Box 241 Ashton, ID 83420	North Fremont County Cemetery Maint. P. O. Box 670 Ashton, ID 83420
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4. Copies to:

IDWR Document Depository PO Box 83720 Boise, ID 83720-0098 Chief, Natural Resources Division Office of the Attorney General State of Idaho PO Box 4449 Boise, ID 83711-4449	United States Department of Justice Environment & Natural Resource Division 550 West Fort Street, MSC 033 Boise, ID 83724
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Your signature or signature of attorney
mailing on your behalf