

COPY

RECEIVED

SEP 29 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) A. Subcase: 22-07324
) (Insert water right number
Case No. 39576) 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
 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: Fremont Madison Irrigation District
Address: 250 N., 6th W.
St. Anthony, ID 83445

Name & Address of Attorney, if any:

Jerry R. Rigby
RIGBY, THATCHER, ANDRUS,
RIGBY & MOELLER, Chtd.
P.O. Box 250
Rexburg, ID 83440

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.

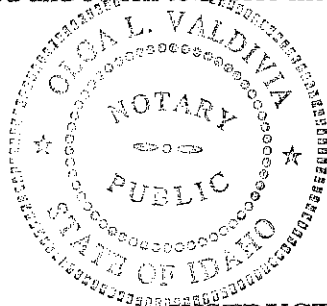
LAWRENCE G. WASDEN
Attorney General

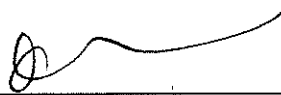
CLIVE J. STRONG
Deputy Attorney General
Chief, Natural Resources Division

DAVID J. BARBER
Deputy Attorney General


By Attorney signing in representative capacity

Subscribed and sworn to before me on this 28th day of September 2006
(Insert Date)




Notary Public for IDAHO
Residing at: BOISE, ID
My commission expires: 2/5/2012

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 28th day of September 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 US 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: Madison School District #321 U.S. MAIL
Address: C/O Jerry R. Rigby
RIGBY, THATCHER, ANDRUS,
RIGBY & MOELLER, Chtd.
P.O. Box 250
Rexburg, ID 83440
3. One copy to the party who filed the objection at the following address:

Name: Fremont Madison Irrigation District U.S. MAIL
Address: C/O Jerry R. Rigby
RIGBY, THATCHER, ANDRUS,
RIGBY & MOELLER, Chtd.
P.O. Box 250
Rexburg, ID 83440
4. Copies to: IDWR Document Depository STATEHOUSE
PO Box 83720 MAIL
Boise, ID 83720-0098

Minidoka Irrigation District US MAIL
C/O W. Kent Fletcher
P.O. Box 248
Burley, ID 83318

Island Ward Canal Company US MAIL
C/O R. Marvin Jones
1620 North 300 West
Rexburg, ID 83440

American Falls Reservoir Dist. #2
C/O C. Tom Arkoosh
Arkoosh Law Offices, Chtd.
P.O. Box 32
Gooding, ID 83330

US MAIL

A&B Irrigation
Burley Irrigation District
C/O Roger D. Ling
Michael P. Tribe
Ling, Robinson, & Walker
P.O. Box 396
Rupert, ID 83350

US MAIL

Twin Falls Canal Company
Milner Irrigation District
North Side Canal Company
C/O John K. Simpson
Travis L. Thompson
P.O. Box 485
Twin Falls, ID 83303-0485

US MAIL

David W. Gehlert, Trial Attorney
Natural Resources Section
Environment and Natural Resource Division
United States Department of Justice
1961 Stout Street – 8th Floor
Denver, CO 80294

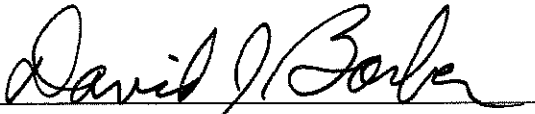
US MAIL

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

U.S. MAIL

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

(not applicable)


Signature of party claimant or attorney