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DEC 05 2006

DEPARTMENT OF

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 1-6
	)	
Case No. 39576	)	STANDARD FORM 2
	)	RESPONSE TO OBJECTION
_____	)	

B. NAME AND ADDRESS OF PERSON RESPONDING

Name: American Falls Reservoir District No. 2
Address: 112 S. Apple St.
Shoshone, ID 83352

Name & Address of Attorney:

C. Tom Arkoosh, ISB # 2253
ARKOOSH LAW OFFICES, CHTD.
301 Main Street
Post Office Box 32
Gooding, ID 83330
Telephone: (208) 934-8872
Facsimile: (208) 934-8873

C. NAME AND ADDRESS OF PERSON(S) WHO FILED OBJECTION TO WHICH YOU ARE RESPONDING:

See Exhibit A-Objectors represented by:

Name: Jerry R. Rigby
Address: P.O. Box 250
Rexburg, Idaho 83440

D. I am responding to the objections to the following elements.

1. Name and Address
Should be: N/A

2. Source
Should be: See recommendation

3. Quantity

Should be: N/A

4. Priority Date

Should be: N/A

5. Point of Diversion

Should be: N/A

6. Instream Flow Beginning and Ending Point

Should be: N/A

7. Purpose(s) of Use

Should be: N/A

8. Period of Year

Should be: N/A

9. Place of Use

Should be: N/A

10. Claimant's Proposed General Provisions

Should be: See recommendation

11. Recommendation on Response.

The Directors' Recommendation properly identifies the source element as the Snake River. The source is the direct flow of the Snake River, waters of the state, as recommended and decreed, which includes tributaries and springs flowing into the river, a natural water course, as well as flood or winter flows, when available. The Eagle Decree is res judicata as to the source element.

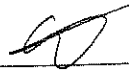
American Falls Reservoir District No. 2 concurs with objection to #10, however, the provisions of the "Eagle Decrees" should be incorporated by reference in the same manner that provisions of the "Foster", "Woodville", and "Rexburg" Decrees were incorporated by reference.

E. . VERIFICATION

State of Idaho)
)ss.
County of Gooding)

C. Tom Arkoosh, duly sworn, upon oath, deposes and says:

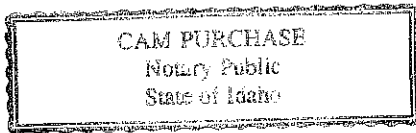
That I am the party/respondent filing this response, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/respondent responding and that I have read this response, know its contents and believe that the statements are true to the best of my knowledge.



C. Tom Arkoosh
Attorney for American Falls Reservoir No. 2

Subscribed and sworn to before me on:

December 4, 2006





Cam Purchase

Notary Public for IDAHO

Residing at: BLISS

My Commission Expires: 7/16/10

CERTIFICATE OF MAILING

I certify that on December 4, 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:

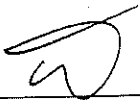
Jerry R. Rigby
P.O. Box 250
Rexburg, Idaho 83440

3. Copies to:

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

United States Department of Justice
Environment & Nat'l Resources Div
550 W Fort Street, MSC 033
Boise, ID 83724

Chief, Natural Resources Division
Office of Attorney General
PO Box 44449
Boise, ID 83711-4449



C. Tom Arkoosh

EXHIBIT A

Objectors:

Fremont-Madison Irrigation District
350 N., 6th W.
St. Anthony, Idaho 83445

Blackfoot Irrigation Company
108 E. 200 N.
Blackfoot, Idaho 83221

United Canal Company
762 W Hwy 39
Blackfoot, Idaho 83221