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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)
)
Case No. 39576)
)

)

A. Subcase No. 1-147

STANDARD FORM 2
RESPONSE TO OBJECTION

B. NAME AND ADDRESS OF PERSON RESPONDING:

Name: Twin Falls Canal Company Milner Irrigation District
Address: P.O. Box 326 5294 E 3610 N
 Twin Falls, Idaho 83303-0326 Murtaugh, Idaho 83344

North Side Canal Company
921 N. Lincoln Ave.
Jerome, Idaho 83338

Name and Address of Attorney:

Attorney Name: John K. Simpson / Travis L. Thompson
Attorney Address Barker Rosholt & Simpson LLP
 113 Main Ave W., Suite 303
 P.O. Box 485
 Twin Falls, Idaho 83303-0485
Attorney Phone: (208) 733-0700

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

Name: Peoples Canal & Irrigation Company
Address: 1050 W. Hwy. 39
 Blackfoot, Idaho 83221

D. I am responding to the objection(s) to the following elements:

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. ☒ Claimant's Proposed General Provisions
Although the Objections do not request any general provisions, to the extent the Objectors' seek to have any of the references in their Objections incorporated into the partial decree as "general provisions". Respondents disagree for the reasons identified below.
11. Recommendation:
☐ This water right should not exist
☐ This water right was not recommended, but should be recommended with the elements described above.

BRIEF EXPLANATION FOR RESPONSE.

The water right should be decreed as previously decreed and recommended. With respect to the source, there is no basis in fact or law to add the language requested by the Objector that would purportedly bifurcate and somehow change the source designation of individual groundwater rights held by "shareholders or interest holders" of the Objector. Licensed and decreed groundwater rights held by individuals that may be located within the Objector's service area and that identify a specific source, i.e. groundwater, cannot be changed by an objection to the above-referenced surface water right held by the Objector.