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 1-148
(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

United Canal Company
c/o Jerry Rigby
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. X **Source**
3. ☐ **Quantity**
4. X **Priority Date**
5. ☐ **Point(s) of Diversion**
6. ☐ **Instream Flow Description**
7. ☐ **Purpose(s) of Use**
8. ☐ **Period of Year**
9. X **Place of Use**
10. ☐ **Other Provisions**
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)

Celestino P. Tafoya, 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.

Celestino P. Tafoya
(Signature of person filing response)

(Attorney signing in representative capacity)

Subscribed and sworn to before me on: 12-6-06

KATY LOOMIS NOTARY PUBLIC STATE OF IDAHO

Katy Loomis

Notary Public for: Idaho
Residing at: Boise
My Commission Expires: 10-17-2009

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 December 7, 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:

   United Canal Company
   74 N. 600 W.
   Blackfoot, ID 83221

3. One copy to the party who filed the objection at the following address:

   United Canal Company
   c/o Jerry Rigby
   P.O. Box 250
   Rexburg, ID 83440

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

E. Gail McGarry
Your signature or signature of attorney