

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 No. 1-214A
	)	
Case No. 39576	)	STANDARD FORM 2
	)	RESPONSE TO OBJECTION
_____	)	

B. NAME AND ADDRESS OF PERSON RESPONDING:

Name: Minidoka Irrigation District
Address: 98 W. 50 S.
Rupert, ID 83350

Name and Address of Attorney:

Attorney Name: Kent Fletcher
Attorney Address: Fletcher Law Office
1200 Overland Avenue
P.O. Box 248
Burley, ID 83318
Attorney Phone: (208) 678-3250

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

Name: Montevue Canal Co.
Address: 648 E. 2600 N.
Montevue, ID 83435

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

1. ☐x 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

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.

1. **Name:**

The water right should be in the name of the Minidoka Irrigation District to the extent the water right is appurtenant to real property located in the Minidoka Irrigation District, or depending on the outcome of the case pending before the Idaho Supreme Court, should be in the names as recommended.

2. **Source:**

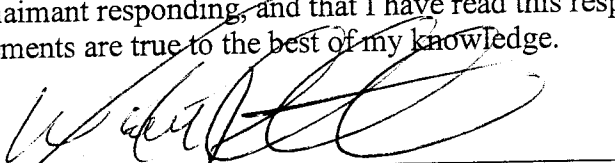
The source is the direct flow of the Snake River, waters of the state, as recommended and decreed, which includes the tributaries and springs flowing into the river, a natural water course, as well as flood or winter flows, when available.

VERIFICATION

State of IDAHO)
) ss.
County of Cassia)

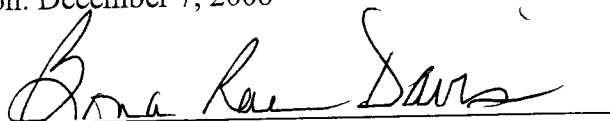
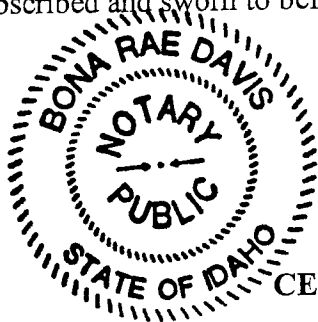
W. Kent Fletcher, duly sworn, upon oath, deposes and says:

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.



W. Kent Fletcher
Fletcher Law Office
Attorney for Respondents

Subscribed and sworn to before me on: December 7, 2006



Notary Public for: Idaho
Residing at: Burley
My Commission Expires: July 5, 2008

CERTIFICATE OF SERVICE

I certify that on December 8, 2006, I personally delivered the original to the Clerk of the District Court, Snake River Basin Adjudication, and mailed copies of this response, including all attachments, to the following persons:

1. Original by personal delivery to:

Clerk of the District Court
Snake River Basin Adjudication
P.O. Box 2707
Twin Falls, ID 83303-2707

2. One copy to the claimant and parties who filed the objections at the following address:

Name: Robert L. Harris
Address: P.O. Box 50130
Idaho Falls, ID 83405-0130
Attorney for Claimant/Objector

3. Copies to:

IDWR Document Depository
P.O. Box 83720
Boise, ID 83720-0098

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

United States Department of Justice
Environment & Natural Resources Division
550 West Fort Street, MSC 033
Boise, ID 83724


W. Kent Fletcher