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SEP 11 2006
JUDICIAL CLERK
TWIN FALLS, IDAHO

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. 01-00214B
	)	
Case No. 39576	)	STANDARD FORM 2
	)	<u>RESPONSE TO OBJECTION</u>
	)	
_____	)	

Please **print or type** the following information:

B. NAME AND ADDRESS OF PERSON RESPONDING

Name: Burley Irrigation District
Address: 246 East 1000 South
Burley, Idaho 83318
Daytime Phone: (208) 678-2511

Name & Address of Attorney, if any:
Attorney Name: Roger D. Ling
Ling, Robinson & Walker
Address: 615 H Street
P. O. Box 396
Rupert, Idaho 83350
Phone Number: (208) 436-4717
Facsimile Number: (208) 436-6804

C. NAME AND ADDRESS OF PERSON WHO FILED THE OBJECTION TO WHICH YOU ARE RESPONDING

Name: Mud Lake Water Users, Inc.
Address: c/o Gerald Messerli
1400 East 1500 North
P. O. Box 68
Terreton, Idaho 83450

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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 parties listed below in the Certificate of Mailing.

F. CERTIFICATE OF MAILING

I hereby certify that on December 7th, 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
P. O. Box 2707
Twin Falls, Idaho 83303-2707

← [✓] [✓] Addendum: I certify that the
original was hand-delivered to
the SRBA clerk on Dec. 8, 2006
Andy Barnes

2. One copy to the claimant of the water right at the following address:

Name: Burley Irrigation District
Address: 246 East 100 South
Burley, Idaho 83318

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

Name: Mud Lake Water Users, Inc.
Address: c/o Gerald Messerli
1400 East 1500 North, P. O. Box 68
Terreton, Idaho 83450

4. Copies to:

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

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

United States Department of Justice
Environment & Natural Resource Division
550 West Fort Street, Box 033
Boise, Idaho 83724

Robert L. Harris
Holden, Kidwell, Hahn & Crapo
P. O. Box 50130
Idaho Falls, Idaho 83405-0130

Robert L. Harris
Your signature or signature of attorney mailing on your behalf

**ATTACHMENT TO RESPONSE
OF
BURLEY IRRIGATION DISTRICT**

Explanation:

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. The source, as recommended, is binding on the objector and is *res judicata* pursuant to the Eagle decrees.