

COPY

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.: 01-00219

Case No. 39576 )

STANDARD FORM 2  
RESPONSE TO OBJECTION

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

**B. NAME AND ADDRESS OF PERSON RESPONDING**

Name: STATE OF IDAHO  
Address: Office of the Attorney General  
JRW Building, Second Floor  
700 West State Street  
P.O. Box 44449  
Boise, Idaho 83711-4449  
Phone: (208) 334-2400

Name and Address of Attorney, if any:

Attorney Name: LAWRENCE G. WASDEN  
Attorney General  
CLIVE J. STRONG  
Deputy Attorney General  
Chief, Natural Resources Division  
DAVID I. STANISH (ISB # 7310)  
Deputy Attorney General  
Attorney Address: Office of the Attorney General  
Natural Resources Division  
JRW Building, Second Floor  
700 West State Street  
P.O. Box 44449  
Boise, Idaho 83711-4449  
Attorney Phone No. (208) 334-2400

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

Name: Mud Lake Water Users, Inc.  
c/o Gerald Messerli  
1400 E. 1500 N.  
Terreton, ID 83450

Name & Address of Attorney, if any:

Robert L. Harris  
Holden, Kidwell, Hahn & Crapo, PLLC  
PO Box 50130  
Idaho Falls, ID 83405-0130

**D.** I am responding to the objections to the following elements. (Please check the appropriate box(es)).

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. ☐ **Other Provisions Necessary**
11. ☒ **Explanatory Material**
12. **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)

DAVID I. STANISH, Deputy Attorney General, being first duly sworn, upon oath, deposes and says:

That the State of Idaho is the party/claimant filing this response as defined by I.C. §§ 42-1401A(1) and (6), that I am a Deputy Attorney General authorized to represent the State of Idaho and that I have read this response, know its contents and that the statements are true to the best of my knowledge and belief.

LAWRENCE G. WASDEN  
Attorney General

CLIVE J. STRONG  
Deputy Attorney General  
Chief, Natural Resources Division

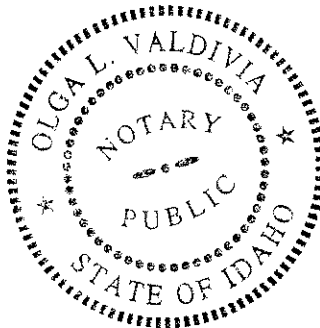
DAVID I. STANISH  
Deputy Attorney General

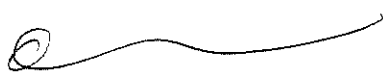


By Attorney signing in representative capacity

Subscribed and sworn to before me on this

6-4-07  
(Insert Date)



  
Notary Public for IDAHO

Residing at: BOISE, ID

My commission expires: 2/8/2012

## 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.

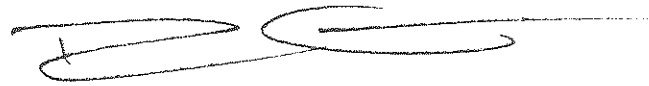
### G. CERTIFICATE OF MAILING

I certify that on this 8th day of June 2007, I caused to be served the original and copies of this response to the following persons by the indicated methods:

1. Original to: Clerk of the District Court U. S. MAIL  
Snake River Basin Adjudication  
253 Third Avenue North  
P.O. Box 2707  
Twin Falls, Idaho 83303-2707
2. One copy to the claimant of the water right at the following addresses:  
  
Claimant Name: United States of America U. S. MAIL  
Regional Director PN Region  
Bureau of Reclamation PN-3100  
Address: 1150 N Curtis Rd Ste 100  
Boise, ID 83706-1234
3. One copy to the party who filed the objection at the following address:  
  
Mud Lake Water Users, Inc. U. S. MAIL  
c/o Robert L. Harris  
Holden, Kidwell, Hahn & Crapo, PLLC  
PO Box 50130  
Idaho Falls, ID 83405-0130
4. Copies to: IDWR Document Depository STATEHOUSE  
PO Box 83720 MAIL  
Boise, ID 83720-0098  
  
E. Gail McGarry U. S. MAIL  
David W. Gehlert  
Natural Resources Section  
Environment and Natural Resource Division  
U.S. Department of Justice  
1961 Stout Street – 8<sup>th</sup> Floor  
Denver, CO 80294

United States Department of Justice U. S. MAIL  
Environment and Natural Resource Division  
550 West Fort Street, MSC 033  
Boise, Idaho 83724

Chief of Natural Resource Division (not applicable)  
Office of the Attorney General  
State of Idaho  
P.O. Box 44449  
Boise, Idaho 83711-4449



---

Deputy Attorney General