

RECEIVED

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

U.S. 18-007  
DEPARTMENT OF  
WATER RESOURCES

In Re SRBA

Case No. 39576

A. Subcase 63-3226

(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 – 8<sup>th</sup> Floor  
Denver CO 80294

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

Name: BLACK CANYON IRRIGATION DISTRICT  
Address: PO Box 226  
Notus, ID 83656

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. 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 )

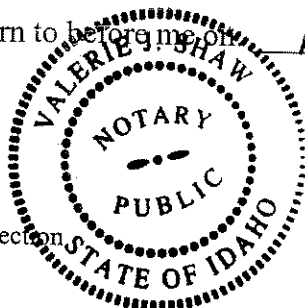
Brian Sauer, duly sworn, upon oath, deposes and says:  
(Name of person filing objection)

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.

Brian W Sauer  
(Signature of person filing response)

\_\_\_\_\_  
(Attorney signing in representative capacity)

Subscribed and sworn to before me on AUG 08 2007



Valerie J Shaw  
Notary Public for: Idaho  
Residing at: Meridian  
My Commission Expires: 6-2-2012

## 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.

### F. CERTIFICATE OF MAILING

I certify that on August 15, 2007, 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  
PO Box 2707  
Twin Falls, ID 83303-2707

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

Name: Karen Saleen  
Address: 8771 Purple Sage Rd.  
Middleton, ID 83644

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

Name: BLACK CANYON IRRIGATION DISTRICT  
Address: PO Box 226  
Notus, ID 83656

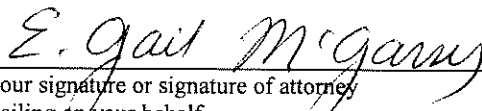
4. Copies to:

IDWR Document Depository  
PO Box 83720  
Boise ID 83720-0098

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

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

Chas F. McDevitt  
McDevitt & Miller LLP  
PO Box 2564  
Boise, ID 83702

  
Your signature or signature of attorney  
mailing on your behalf