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AUG 20 2007

DEPARTMENT OF
WATER RESOURCES

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 63-00179C

(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:

JOHN J McEvoy

Address:

1703 N KCTD RD

CALDWELL ID 83605

Daytime Phone:

208-899-7264

Name & Address of Attorney, if any:

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

Name:

PIONEER IRRIGATION DISTRICT

Address:

PO Box 426

Caldwell, Idaho 83606

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

- True Claimant
1. ☒ Name and Address MASON CREEK DITCH CO.
 2. ☒ Source BOISE RIVER
 3. ☒ Quantity STEWART DECREE 37.20 ^{CFS} = 1800 inches
 4. ☒ Priority Date 6-1-1869 #46
 5. ☒ Point(s) of Diversion TWP 4N RANGE 1W SECTION 24
 6. ☐ Instream Flow Description
 7. ☒ Purpose(s) of Use IRRIGATION OF LANDS OF MCD STOCKHOLDERS
 8. ☒ Period of Year APR 1 TO NOV 1
 9. ☒ Place of Use MASON CREEK DITCH CO. BOUNDARIES
 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 CANYON)

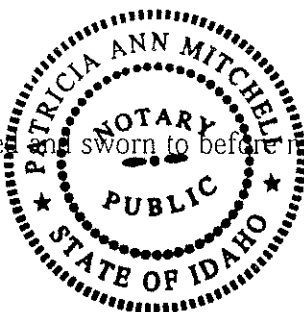
John J. McEvoy, duly sworn, upon oath, deposes and says:
(Name of person filing response)

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.

John J. McEvoy
(Signature of person filing response)

(Attorney signing in representative capacity)

Subscribed and sworn to before me on:



August 18, 2007
Patricia Ann Mitchel
Notary Public for Idaho
Residing at: Nampa, Idaho
My Commission Expires: 01-09-09

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 8-18-07, ~~199~~, 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:

Name: MASON CREEK Ditch Co.
Address: PO Richard Biscardi
1905 MASON, Caldwell, Id. 83606

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

Name: PIONEER IRRIGATION DISTRICT
Address: PO BOX 426 Caldwell, Idaho 83606

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

Martin C. Solim MCD Stock Holder
Your signature or signature of attorney
mailing on your behalf