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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** 37-00496F
(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: Newfoundland Partners, c/o Joseph D. Weinstein

Address: 2600 Century Square, 1901 4th Avenue
Seattle, WA 98101-1688

Daytime Phone: (206) 628-7791

Name & Address of Attorney, if any:
Scott L. Campbell & Andrew J. Waldera
Moffatt Thomas Barrett Rock & Fields
P.O. Box 829, Boise, ID 83701

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

Name: Tom O'Gara, John F. Stevenson, Bill Molyneux, Peter Van Der Meulen, Grace Eakin, Rocky Sherbine, Gerald Bashaw, and Pepin Corso-Harris

Address: c/o Concerned Water Users
P.O. Box 1200, Bellevue, ID 83313

Big Wood Canal Company
112 S. Apple St.
Shoshone, ID 83352

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**

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 Ada)

Andrew J. Waldera, 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.

(Signature of person filing response)

(Attorney signing in representative capacity)

Subscribed and sworn to before me on: January 11th 2008

Notary Public for Idaho
Residing at: Boise
My Commission Expires: 9/16/09

TIFFANY HUDAK NOTARY PUBLIC STATE OF IDAHO

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 January 11th, 2008, 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: Myer Berlow and Deborah Barr
   Address: 214 Willow Zinc Spur
   Hailey, ID 83333

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

   Name: Tom O'Gara, John F. Stevenson, Bill Molyneux, Peter Van Der Meulen, Grace Eakin, Rocky Sherbine, Gerald Bashaw, and Pepin Corso-Harris
   Address: c/o Concerned Water Users, P.O. Box 1200, Bellevue, ID 83313

   Big Wood Canal Company
   112 S. Apple St.
   Shoshone, ID 83352

4. Copies to:

   Director of IDWR
   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

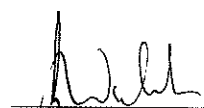
   Newfoundland Partners
   c/o Joseph D. Weinstein
   2600 Century Square, 1901 4th Avenue
   Seattle, WA 98101-1688

   United States Department of Justice
   Environment & Natural Resource Division
   550 W. Fort St., MSC 033, Boise, ID 83724

   Albert P. Barker / Barker, Rosholt & Simpson, LLP
   P.O. Box 2139, Boise, ID 83701

   Craig Hobdey / Hobdey & Hobdey
   P.O. Box 176, Gooding, ID 83330

   James P. Speck / Speck & Aanestad
   P.O. Box 987, Ketchum, ID 83340



Your signature or signature of attorney mailing on your behalf