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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 37-12873

(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,

Address: Gerald Bashaw, and Pepin Corso-Harris  
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 )

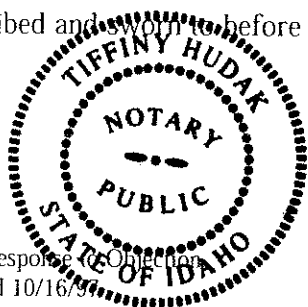
Andrew J. Waldera, duly sworn, upon oath, deposes and says:  
(Name of person filing response)

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 14<sup>th</sup>, 2008



Tiffany Hudak  
Notary Public for Idaho

Residing at: Boise

My Commission Expires: 9/16/09

## 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 January 11<sup>th</sup>, 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: Barker Living Trust, Four Seasons Residences  
Address: 765 Market St., PH2G, San Francisco, CA 94103

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

|          |                                                              |                        |
|----------|--------------------------------------------------------------|------------------------|
| Name:    | Tom O'Gara, John F. Stevenson, Bill Molyneux,                | Big Wood Canal Company |
|          | Peter Van Der Meulen, Grace Eakin, Rocky Sherbine,           | 112 S. Apple St.       |
| Address: | Gerald Bashaw, and Pepin Corso-Harris                        | Shoshone, ID 83352     |
|          | c/o Concerned Water Users, P.O. Box 1200, Bellevue, ID 83313 |                        |

4. Copies to:

Director of IDWR  
P.O. Box 83720, Boise, ID 83720-0098

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

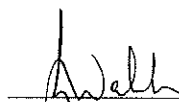
Chief, Natural Resources Division  
Office of the Attorney General  
State of Idaho  
P.O. Box 44449, Boise, ID 83711-4449

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

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

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



Your signature or signature of attorney  
mailing on your behalf