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FEB 05 2008

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

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)
)
)
)

A. Subcase No.: 02-4000A

Consolidated Subcase Number: 92-23

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
STEVEN L. OLSEN
Deputy Attorney General
Chief, Civil Litigation Division
KARL T. KLEIN (ISB # 5156)
Deputy Attorney General
Civil Litigation Division
MICHAEL C. ORR (ISB # 6720)
Deputy Attorney General
Natural Resources Division

Attorney Address: Office of the Attorney General
700 W. State – Second Floor
P.O. Box 44449
Boise, ID 83711-4449
Attorney Phone No. (208) 334-2400

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

Name: IDAHO POWER COMPANY
P.O. BOX 70
BOISE, IDAHO 83707
Daytime Phone: (208) 388-2112

Name & Address of Attorney, if any:

John K. Simpson
Shelley M. Davis
Barker Rosholt & Simpson LLP
P.O. Box 2139
Boise, Idaho 83702-2139
Telephone: (208) 336-0700

James S. Lochhead
Michael A. Gheleta
Brownstein, Hyatt, Farber, Shreck, P.C.
410 17th Street, Suite 2200
Denver, Colorado 80202
Telephone: (303) 223-1100

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 for Definition or Administration of this Water Right

11. **Recommendation**

☒ This water right should not exist.

☐ This water right was not recommended, but should be recommended with the elements described above.

☒ (objection explanation as drafted by Idaho Power Company)

E.

VERIFICATION (Must be Completed)

State of Idaho)
) ss.
County of Ada)

MICHAEL C. ORR, 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

STEVEN L. OLSEN
Deputy Attorney General
Chief, Civil Litigation Division

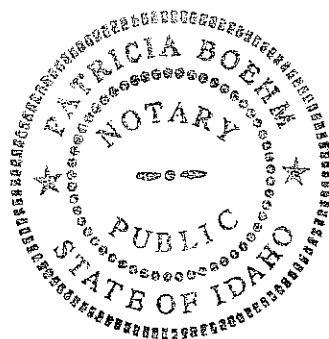
KARL T. KLEIN (ISB # 5156)
Deputy Attorney General
Civil Litigation Division

MICHAEL C. ORR (ISB # 6120)
Deputy Attorney General
Natural Resources Division

Michael C. Orr

By Attorney signing in representative capacity

Subscribed and sworn to before me on this 1st day of February 2008
(Insert Date)



Patricia Boehm
Notary Public for IDAHO
Residing at: BOISE, ID
My commission expires: 11/16/09

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.

G. CERTIFICATE OF MAILING

I certify that on this 1st ~~th~~ day of February 2008, 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
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, Idaho 83303-2707

U.S. MAIL

2. Copies to the claimants of the water right at the following addresses:

Legal Title:

STATE OF IDAHO
700 W. Jefferson, Room 210
P.O. Box 44449
Boise, Idaho 83711-4449

STATEHOUSE MAIL

Equitable Title:

IDAHO POWER CO.
P.O. Box 70
Boise, Idaho 83707

U.S. MAIL

3. Copies to the party who filed the objection at the following addresses:

IDAHO POWER CO.
P.O. Box 70
Boise, Idaho 83707

U.S. MAIL

James S. Lochhead
Michael A. Gheleta
Mark J. Mathews
Michelle C. Kales
Adam T. DeVoe
Brownstein Hyatt Farber Shreck, P.C.

U.S. MAIL

410 Seventeenth Street, Suite 220
Denver, Colorado 80202

John K. Simpson
Shelley M. Davis
Barker Rosholt & Simpson LLP
205 North Tenth Street, Suite 520
P.O. Box 2139
Boise, Idaho 83702-2139

U.S. MAIL

4. Copies to:

Randall C. Budge
Racine Olson Nye Budge Bailey, Chtd.
201 East Center Street
Suite 2A
P.O. Box 1391
Pocatello, Idaho 83204-1391

U.S. MAIL

Josephine Beeman
Beemand & Associates
409 West Jefferson
Boise, Idaho 83702

U.S. MAIL

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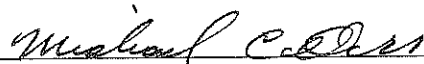
STATEHOUSE MAIL

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

U.S. MAIL

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

STATEHOUSE MAIL


Deputy Attorney General