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FEB 06 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

Case No. 39576

A. Subcase 2-2032B

(Insert water right number
From the Objection Form)

Consolidated Subcase 92-23

STANDARD FORM 2
RESPONSE TO OBJECTION

Please print or type the following information:

B. NAME AND ADDRESS OF PERSON RESPONDING

Jeff C. and Jackie Harper
Basin and Range Resource Company, LLC
Interested Water Users
608 West Franklin Street
Boise, Idaho 83702
(208) 424-7800

Name & Address of Attorney, if any:
Dana L. Hofstetter, ISB # 3867
Hofstetter Law Office, LLC
608 West Franklin Street
Boise, Idaho 83702
(208) 424-7800

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

Name: State of Idaho
Address: 700 W. State - Second Floor
P.O. Box 44449
Boise, Idaho 83711-4449

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**
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)

Dana L. Hofstetter 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)

Dana L. Hofstetter
(Attorney signing in representative capacity)

Subscribed and sworn to before me on: February 4, 2008

CHRISTINE ROBINSON
Notary Public
State of Idaho

Christine Robinson
Notary Public for the State of Idaho
Residing at: Boise ID
My Commission Expires: 6/11/2012

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.

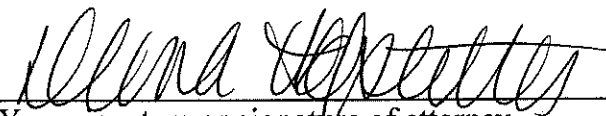
F. CERTIFICATE OF MAILING

I certify that on February 5, 2008, I caused to be hand delivered the original and caused to be mailed 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
P. O. Box 2707
Twin Falls, ID 83303-2707
2. One copy to the claimant of the water right at the following address:

State of Idaho 700 W. Jefferson, Room 210 P.O. Box 44449 Boise, Idaho 83711-4449	Idaho Power Company P.O. Box 70 Boise, Idaho 83707
John K. Simpson Shelley M. Davis Barker Rosholt & Simpson P.O. Box 2139 Boise, Idaho 83701-2139	James S. Lochhead Michael A. Gheleta Brownstein Hyatt Farber Schreck 410 17 th Street, Suite 2200 Denver, CO 80202
3. One copy to the party who filed the objection. at the following address:
Steven L. Olsen, Karl T. Klein and Michael C. Orr
Office of the Attorney General
State of Idaho
P. O. Box 44449
Boise, ID 83711-4449
4. Copies to:

IDWR Document Depository P. O. Box 83720 Boise, ID 83720-0098	United States Department of Justice Environment & Natural Resource Division 550 West Fort Street, MSC 033 Boise, ID 83724	
Chief, Natural Resources Division Office of the Attorney General State of Idaho P. O. Box 44449 Boise, ID 83711-4449	Randall C. Budge P.O. Box 1391 Pocatello, Idaho 83204-1391	Josephine Beeman 409 West Jefferson Boise, Idaho 93702



Your signature or signature of attorney
mailing on your behalf