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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 2-4000A  
(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: Idaho Power Company  
Address: P.O. Box 70  
Boise, Idaho 83707

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: 6/11/2013

## 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:

Name: Idaho Power Company  
Address: P.O. Box 70  
Boise, Idaho 83707

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

Name: John K. Simpson  
Shelley M. Davis  
Address: Barker Rosholt & Simpson  
P.O. Box 2139  
Boise, Idaho 83701-2139

James S. Lochhead  
Michael A. Gheleta  
Brownstein Hyatt Farber Schreck  
410 17<sup>th</sup> Street, Suite 2200  
Denver, CO 80202

4. Copies to:

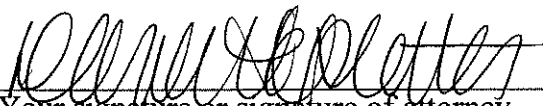
IDWR Document Depository  
P. O. Box 83720  
Boise, ID 83720-0098

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