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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 92-00002GP#4
(Insert water right number)

**STANDARD FORM 2
RESPONSE TO OBJECTION**

Please **print or type** the following information:

B. NAME AND ADDRESS OF PERSON RESPONDING

Name: United States of America acting through the Department of Interior,
Bureau of Reclamation, Regional Director PN Code-3100
Address: 1150 N. Curtis Rd. Suite 100
Boise, Idaho 83706-1234
Daytime Phone: (208) 378-5306 E. Gail McGarry

Name & Address of Attorney, if any:

David W. Gehlert (303-844-1386), Trial Attorney
Natural Resources Section
Environment and Natural Resource Division
United States Department of Justice
1961 Stout Street - 8th Floor
Denver, CO 80294

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

Idaho Power Company
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

11. **Recommendation:**

- ☐ This water right should not exist.
- ☐ This water right was not recommended, but should be recommended with the elements described above.
- ☒ This General Provision should not be included in the Director's Report or in any decree.

E.

VERIFICATION (Must be Completed)

State of Idaho)

) ss.

County of ADA)

+ Celestino P. Tafoya, duly sworn, upon oath, deposes and says:
(Name of person filing response)

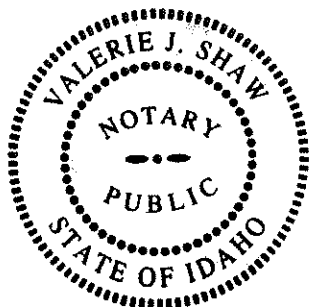
That I am the party/claimant filing this response, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant responding and that I have read this response, know its contents and believe that the statements are true to the best of my knowledge.

+ Celestino P. Tafoya
(Signature of person filing response)

(Attorney signing in representative capacity)

Subscribed and sworn to before me on:

2/4/2008



Valerie J Shaw

Notary Public for State of Idaho

Residing at: Meridian

My Commission Expires: 6/2/2012

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 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
P.O. Box 2707
Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right at the following address:

"Not applicable"

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

Idaho Power
P.O. Box 70
Boise, Idaho 83707

John K. Simpson and/or Shelley M. Davis
Barker, Rosholt & Simpson, LLP
P.O. Box 2139
Boise, Idaho 83701-2139

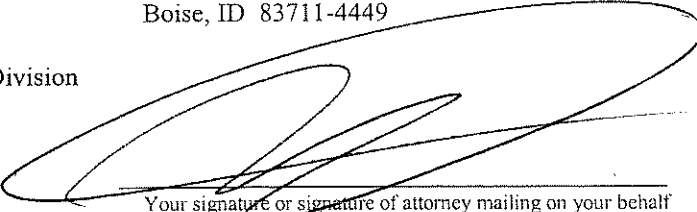
James S. Lochhead and/or Michael A. Gheleta
Brownstein, Hyatt, Farber & Schreck, P.C.
410 17th St., Suite 2200
Denver, CO 80202

4. Copies to:

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

United States Department of Justice
Environment and 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



Your signature or signature of attorney mailing on your behalf