

**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	)	Subcase No. 92-00002 GP
	)	(General Provisions in Basin 02)
Case No. 39576	)	
	)	
	)	STANDARD FORM 2
	)	RESPONSE TO OBJECTION
_____	)	

NAME AND ADDRESS OF PERSON RESPONDING

Name: City of Pocatello
P. O. Box 4169
Pocatello, ID
(208) 234-6149

Name & Address of Attorney, if any:

Josephine P. Beeman, ISB # 1806
409 W. Jefferson St.
Boise, Idaho 83702
208-331-0950
Fax: 208-331-0954

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

Idaho Ground Water Appropriators (and the ground water districts listed
in IGWA's Exhibit A attached to its Objection dated Dec 4, 2007)

c/o Lynn Tominaga
P. O. Box 2624
Boise, ID 83701-2624
(208) 381-0294

(Attorney)
Randall C. Budge
Candice McHugh
Racine Olson Nye Budge & Bailey
P. O. Box 1391
Pocatello, ID 83204-1391
(208) 232-6101

I am responding to the objections to the following elements.

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 be included in the Director's Report and in any decree.

BRIEF EXPLANATION FOR RESPONSE:

The City of Pocatello responds to support IGWA's general provision objection and to state Pocatello understands that the geographic scope of the requested general provision is "all water rights in the Snake River drainage above the Murphy Gauge." The language of IGWA's objection is included below. Pocatello's understanding of the geographic scope is based on IGWA's reference to the Swan Falls settlement and the State Water Plan.

IGWA's objection:

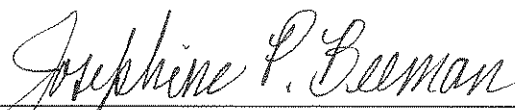
"For the purposes of administering all water rights above the Murphy Gauge, a general provision is required to implement the comprehensive management plan established by the Swan Falls settlement as reflected in the 1986 State Water Plan adopted by the Idaho Water Resource Board (IWRB) and approved by the legislature."

VERIFICATION

State of Idaho) ss:
County of Ada)

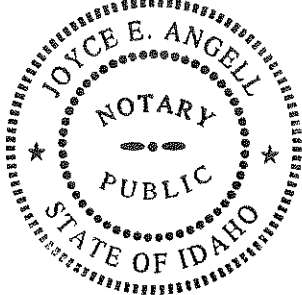
Josephine P. Beeman, duly sworn, upon oath, deposes and says:

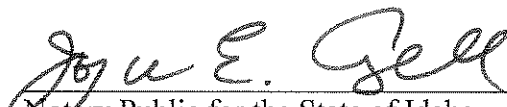
That I am the attorney for the party filing this response as defined by I.C. § 42-1401A(1) and (6) and that I have read this response, know its contents and believe that the statements are true to the best of my knowledge.



Josephine P. Beeman
Attorney for City of Pocatello

Subscribed and sworn to before me on February 5, 2008





Notary Public for the State of Idaho
Residing at: Boise, Idaho
My Commission Expires: July 29, 2008

CERTIFICATE OF MAILING

I certify that on February 5, 2008 the original and the copies of the foregoing Response were mailed to the following:

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
Water Resource Board
P. O. Box 83720
Boise, ID 83720-0098

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

Randall C. Budge
Candice McHugh
Racine Olson Nye Budge & Bailey
P. O. Box 1391
Pocatello, ID 83204-1391

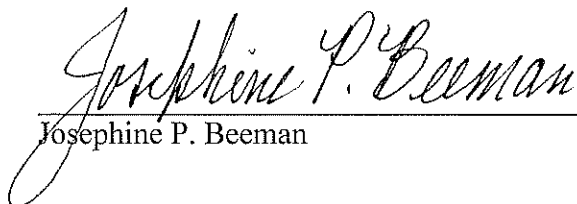
4. Copies to:

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

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

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

Jerry Rigby
P. O. Box 250
Rexburg, ID 83440-0250



Josephine P. Beeman