

COPY

RECEIVED

MAY 29 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) A. Subcase Nos.: 35-2543 & 35-4246

Case No. 39576)

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
CLIVE J. STRONG
Deputy Attorney General
Chief, Natural Resources Division
DAVID J. BARBER (ISB # 2597)
Deputy Attorney General
Attorney Address: Office of the Attorney General
Natural Resources Division
JRW Building, Second Floor
700 West State Street
P.O. Box 44449
Boise, Idaho 83711-4449
Attorney Phone No. (208) 334-2400

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

Name: American Falls Reservoir District #2
112 S. Apple St.
Shoshone, ID 83352

Name & Address of Attorney, if any:

C. Tom Arkoosh
Capitol Law Group, PLLC
Post Office Box 32
Gooding, ID 83330
Attorney Phone: (208) 934-8872

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. ☒ Remarks
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)
County of Ada) ss.

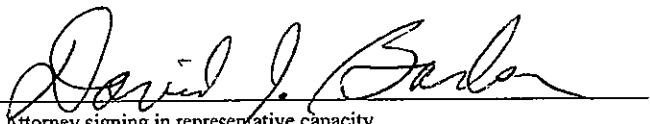
DAVID J. BARBER, Deputy Attorney General, being first duly sworn, upon oath, deposes and says:

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.

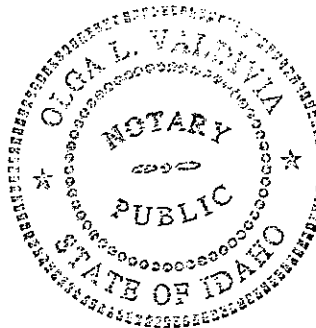
LAWRENCE G. WASDEN
Attorney General

CLIVE J. STRONG
Deputy Attorney General
Chief, Natural Resources Division

DAVID J. BARBER
Deputy Attorney General


By Attorney signing in representative capacity

Subscribed and sworn to before me on this 28th day of May 2008
(Insert Date)




Notary Public for IDAHO
Residing at: BOISE, ID
My commission expires: 2/6/2012

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.

G. CERTIFICATE OF MAILING

I certify that on this 28th day of May 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
P.O. Box 2707
253 Third Avenue North
Twin Falls, Idaho 83303-2707
HAND DELIVERY
2. One copy to the claimant of the water right and to its attorney at the following addresses:

Aberdeen Springfield Canal Company U. S. MAIL
P.O. Box 857
Aberdeen ID 83210

Randy Budge U.S. MAIL
Racine, Olson, Nye, Budge & Bailey, Chtd.
P.O. Box 1391
Pocatello, ID 83204-1391
3. One copy to each of the parties and their attorneys who filed the objection at the following addresses:

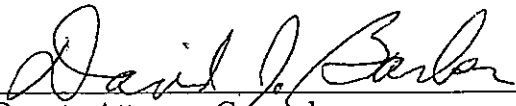
American Falls Reservoir District #2 U.S. MAIL
112 S. Apple St.
Shoshone, ID 83352

C. Tom Arkoosh U.S. MAIL
Capitol Law Group, PLLC
Post Office Box 32
Gooding, ID 83330

4. Copies to: IDWR Document Depository STATEHOUSE
PO Box 83720 MAIL
Boise, ID 83720-0098

United States Department of Justice U. S. MAIL
Environment and Natural Resource Division
550 West Fort Street, MSC 033
Boise, Idaho 83724

Chief of Natural Resource Division (not applicable)
Office of the Attorney General
State of Idaho
P.O. Box 44449
Boise, Idaho 83711-4449



Deputy Attorney General