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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 37-353G

(Insert water right number
From the Objection Form)

STANDARD FORM 2
RESPONSE TO OBJECTION

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

B. NAME AND ADDRESS OF PERSON RESPONDING

Name: Annette Goicoechea and Tom Goicoechea

Address: P.O. Box 193

Hailey, ID 83333

Daytime Phone: (888) 788-2013

Name & Address of Attorney, if any:

Scott L. Campbell/Dylan B. Lawrence

Moffatt Thomas Barrett Rock & Fields, Chtd.

P.O. Box 829

Boise, Idaho 83701-0829

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

Name: Barbara Barry

Address: P.O. Box 1197

Bellevue, ID 83313

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. Please see Exhibit A.

E.

VERIFICATION (Must be Completed)

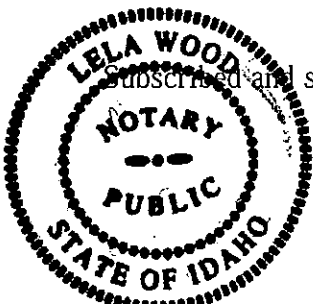
State of Idaho)
)ss.
County of Ada)

Dylan B. Lawrence, 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)

(Attorney signing in representative capacity)



Subscribed and sworn to before me on:

July 31, 2009

Lela Wood
Notary Public for Idaho

Residing at: Boise

My Commission Expires: 5-31-2012

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 July 31, 2009, 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
PO Box 2707
Twin Falls, ID 83303-2707

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

Name: Barbara Barry, c/o Paul Arrington, Barker Rosholt & Simpson LLP
Address: 113 Main Avenue West, Suite 303, P.O. Box 485, Twin Falls, ID 83303-0485

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

Name: Same as above
Address: Same as above

4. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

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

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



Your signature or signature of attorney
mailing on your behalf

EXHIBIT A

This claim has been disallowed by IDWR, and the Claimant has objected on the basis that the right should have been recommended. The Claimant has filed an objection to the Goicoecheas' water right 37-353L, seeking to reduce the recommended quantity for that water right, or have it disallowed altogether, in order to "free up" water to augment Claimant's claim to 37-353G. Therefore, the Goicoecheas have a critical interest in the objection that Claimant has filed in this subcase, 37-353G.