

RECEIVED

AUG 27 2009

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

75-14531

(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:

Patrick Murphy

Address:

14 Blaze Tree Trail

North Fork, Idaho 83466

Daytime Phone:

(208) 756-6022

Name & Address of Attorney, if any:

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

Name:

Ann M. Heltsley Living Trust

Address:

P.O. Box 83

Idaho City, Idaho 83631

Attorney

Jerry R. Righy

P.O. Box 250

Rexburg, Idaho 83440

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.

There is no historical documentation supporting a water right claim from this spring tributary.

There is only one point of diversion which is located on Forest Service Property, SESWSW T25N, R21E, Sec 15, as recommended by the Idaho Department of Water Resources.

E. VERIFICATION (Must be Completed)

State of Idaho)

County of Lemhi)ss.

Patrick Murphy, 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.

Patrick Murphy
(Signature of person filing response)

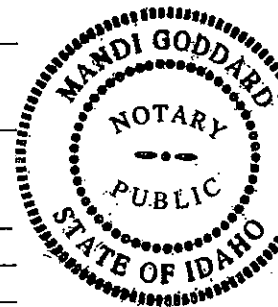
(Attorney signing in representative capacity)

Subscribed and sworn to before me on: August 25th, 2009

Mandi Goddard
Notary Public for Idaho

Residing at: Lemhi County

My Commission Expires: Oct 30, 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 8/25, ²⁰⁰⁹~~199~~, 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: Ann M. Heltsley Living Trust
Address: P.O. Box 83
Idaho City, ID 83631

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

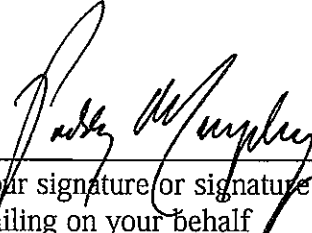
Name: Attorney Jerry R. Rigby
Address: P.O. Box 250
Rexburg, Idaho 83440

4. Copies to:

IDWR Document Depository
PO 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
PO Box 44449
Boise, ID 83711-4449


Your signature or signature of attorney
mailing on your behalf