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OCT 14 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) A. Subcase No.: 31-11982

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 Department of Lands
Address: 300 N. 6th St, Suite 104
P.O. Box 44449
Boise, Idaho 83702-5956
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 I. STANISH (ISB # 7310)
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: Mud Lake Water Users, Inc
Address: P.O. Box 68
Terreton, ID 83450

Name & Address of Attorney, if any:

Robert L. Harris
Luke H. Marchant
Holden, Kidwell, Hahn & Crapo, PLLC
P.O. Box 50130
Idaho Falls, ID 83405-0130

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. ☐ Other Provisions Necessary
11. ☐ Explanatory Material

12. 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)
) ss.
County of Ada)

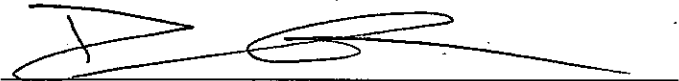
DAVID I. STANISH, Deputy Attorney General, being first duly sworn, upon oath, deposes and says:

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

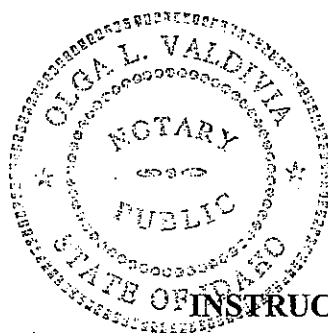
DAVID I. STANISH
Deputy Attorney General

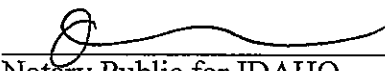


By Attorney signing in representative capacity

Subscribed and sworn to before me on this

Oct. 13, 2009
(Insert Date)




Notary Public for IDAHO
Residing at: BOISE, ID
My commission expires: 2/8/2012

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 13th day of October 2009, I caused to be served the original and copies of this response on the following persons by the methods indicated:

1. Original to:

CLERK OF THE DISTRICT COURT
SNAKE RIVER BASIN ADJUDICATION
253 THIRD AVENUE NORTH
PO BOX 2707
TWIN FALLS, ID 83303-2707

- ☒ U.S. Mail, postage prepaid
☐ Hand Delivery
☐ Federal Express
☐ Facsimile: (208) 736-2121
☐ Statehouse Mail

2. Copies to:

MLWU, Inc.
Represented by:
ROBERT L HARRIS
1000 RIVERWALK DR, STE 200
PO BOX 50130
IDAHO FALLS, ID 83405

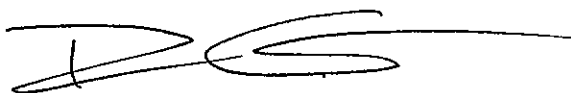
- ☒ U.S. Mail, postage prepaid
☐ Hand Delivery
☐ Federal Express
☐ Facsimile:
☐ Statehouse Mail

US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724

- ☒ U.S. Mail, postage prepaid
☐ Hand Delivery
☐ Federal Express
☐ Facsimile:
☐ Statehouse Mail

IDWR DOCUMENT DEPOSITORY
PO BOX 83720
BOISE, ID 83720-0098

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☐ Hand Delivery
☐ Federal Express
☐ Facsimile:
☒ Statehouse Mail



DAVID I. STANISH