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DEPARTMENT OF
WATER RESOURCES

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Counsel for the State of Idaho

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

)
) Subcase Nos. 01-02017, 01-02032,
) 01-02046, 01-10382, 01-10383, 01-10531,
) and 01-10532
)

) **MOTION TO AMEND OBJECTIONS**
)
)

The State of Idaho, by and through the undersigned deputy attorney general, hereby moves the Court for an order allowing the State of Idaho to amend its objections submitted in the above-entitled subcases and to file the amended objections attached hereto as Exhibits A-H.

The grounds for this motion are as follows:

1. On or about April 20, 2007, the State of Idaho filed its objections in the above-entitled subcases, objecting to the following water right elements:

- a. Quantity¹;
- b. Priority Date;
- c. Purpose of Use; and
- d. Other Provisions Necessary.

2. After further investigation into the 80-plus-year history of the American Falls project, the State of Idaho has discovered evidence that further informs the State's objections and that provides additional bases for objections in the above-entitled subcases.

3. No party will be prejudiced by this amendment.

4. Complete identification, development, and resolution of all issues related to the largest storage right on the Upper Snake River is best served by amendment of the State's objections.

Amended objections are attached hereto as Exhibits A–H.

A memorandum in support of this motion may follow in accordance with the Idaho Rules of Civil Procedure.

Oral argument is requested on this motion.

PRAYER FOR RELIEF

1. That the Court grant the State of Idaho's motion to amend objections;
2. That the Court allow the filing of the amended objections attached hereto as Exhibits A–H; and
3. That the Court grant such other or further relief as it deems proper.

¹ Specifically, the State objected to the quantity element of 01-02017, 01-02032, 01-010382, and 01-10383. The State did not object to the quantity element of 01-02046, 01-10531, and 01-10532.

RESPECTFULLY SUBMITTED this 27th day of October, 2009.

LAWRENCE G. WASDEN
Attorney General

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

A handwritten signature in black ink, appearing to read 'DS', with a horizontal line extending to the right.

DAVID I. STANISH
Deputy Attorney General

CERTIFICATE OF SERVICE

I certify that on this 27th day of October, 2009, I caused to be served the original and copies of the **MOTION TO AMEND OBJECTIONS** 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:

IDAHO POWER COMPANY
Represented by:
JAMES C TUCKER
IDAHO POWER CO
PO BOX 70
BOISE, ID 83707

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

IDAHO POWER COMPANY
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MICHAEL A GHELETA
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410 17TH STREET, SUITE 2200
DENVER, CO 80202

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CAREY VALLEY GWD
IGWA INC
JEFFERSON CLARK GWD
MADISON GWD
MAGIC VALLEY GWD
NORTH SNAKE GWD
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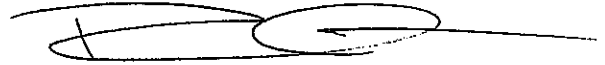
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USDI BUREAU OF RECLAMATION
Represented by:
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724

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

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DAVID I. STANISH
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