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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	)	A. Subcase No. 31-11982
	)	
Case No. 39576	)	STANDARD FORM 2
	)	RESPONSE TO OBJECTION
_____	)	

B. NAME AND ADDRESS OF PERSON RESPONDING:

Name: United States of America, acting through the USDA Forest Service
Address: 550 W. Fort St. MSC 033
Boise, ID 83724

Name and Address of Attorney:

Attorney Name: David L. Negri
Attorney Address: United States Department of Justice
Environment and Natural Resources Division
General Litigation Section
550 W. Fort St. MSC 033
Boise, ID 83724
Attorney Phone: (208) 334-1936

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

Name: James F. Hagenbarth and David J. Hagenbarth
Address: PO Box 1128
Dillon, MT 89725

D. I am responding to the objection(s) to the following elements:

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. Recommendation:
 - ☐ This water right should not exist
 - ☐ This water right was not recommended, but should be recommended with the elements described above.

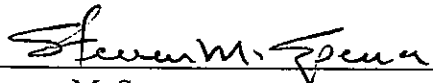
E.

VERIFICATION

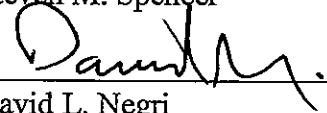
State of Idaho)
) ss.
County of Ada)

STEVEN M. SPENCER, duly sworn, upon oath, deposes and says:

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.

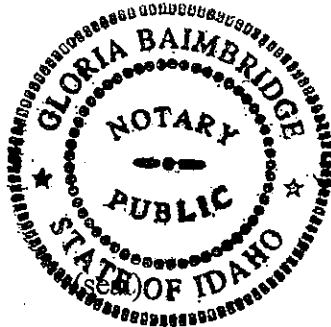


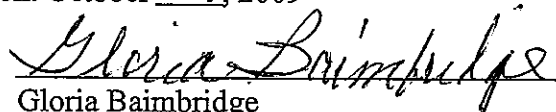
Steven M. Spencer



David L. Negri
United States Department of Justice

Subscribed and sworn to before me on: October 29, 2009





Gloria Baimbridge
Notary Public for: State of Idaho
Residing at: Boise, Ada County, Idaho
My Commission Expires: 10-07-2014

F.

CERTIFICATE OF MAILING

I certify that on October 30, 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
P.O. Box 2707
Twin Falls, ID 83303-2707

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

State of Idaho, Department of Lands
954 W. Jefferson
P.O. Box 83720
Boise, ID 83720-0050

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

James F. Hagenbarth
David J. Hagenbarth
PO Box 1128
Dillon, MT 89725

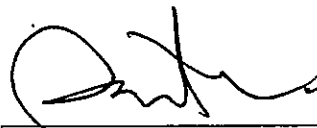
4. Copies to:

IDWR Document Depository
P.O. Box 83720
Boise, ID 83720-0098

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

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

John M. Marshall
Givens Pursley LLP
P.O. Box 2720
Boise, ID 83701



David L. Negri