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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 37-20348

(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: Olsen Livestock Consultants, Inc.

Address: P.O. Box 1145

Bellevue, ID 83313

Daytime Phone: (208) 788-4149

Name & Address of Attorney, if any:

Dylan B. Lawrence

Moffatt Thomas Barrett Rock & Fields, Chtd.

101 S. Capitol Blvd., 10th Floor

P.O. Box 829

Boise, ID 83701-0829

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

Name: Jerry Turco, Jr.

Address: 525 Riverside Ave.

Lyndhurst, NJ 07071

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 for explanation.)

E. VERIFICATION (Must be Completed)

State of Idaho)
) ss.
County of Ada)

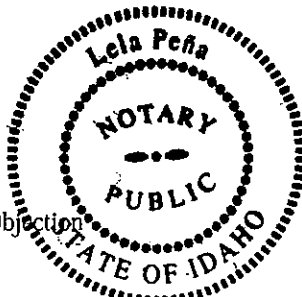
Dylan Lawrence, duly sworn, upon oath, deposes and says:
(Name of person filing response)

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: November 13, 2009
Lela Peña
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 November 13, 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: Jerry Turco, Jr., c/o Timothy W. Tyree
Address: 877 Main St. #1000, Boise, ID 83702

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

Name: Jerry Turco, Jr., c/o Timothy W. Tyree
Address: 877 Main St. #1000, Boise, ID 83702

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

On August 31, 2009, IDWR circulated proposed Amended Director's Report recommendations for the Dean Ranch Subdivision water rights. Those revised recommendations are acceptable to Olsen. Since that time, Mr. Turco's motion to file a late objection to his own water right was granted by the Court. Presumably, Mr. Turco will be attempting to increase his own water right recommendations, which would potentially reduce the water right recommendations of other Dean Ranch claimants. Olsen is entitled to the full amount of its water right as represented in IDWR's revised recommendations. Therefore, to the extent Mr. Turco successfully obtains additional water, such water should not come at the expense of Olsen's water right.