

APR 09 2010

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. See Attachment A
	)	
Case No. 39576	)	STANDARD FORM 2
	)	RESPONSE TO OBJECTION
_____	)	

B. NAME AND ADDRESS OF PERSON RESPONDING:

Albert & Alvera Fols, P.O. Box 56, Carmen, ID 83462
 Charles & Mary Harling, P.O. Box 283, Carmen, ID 83462
 A.C. & Luella Pilkerton, P.O. Box 23, Carmen, ID 83462
 Lloyd & Sheryl Tutor, HC 60 Box 52E12, Round Mountain, NV 89045
 James Edgren & Jennifer Brady, P.O. Box 266, Carmen, ID 83462
 Tracy Mascia, P.O. Box 80, Carmen, ID 83462

Name and Address of Attorney:

Travis L. Thompson & Paul L. Arrington
 Barker Rosholt & Simpson, LLP
 113 Main Ave. W., Suite 303
 P.O. Box 485
 Twin Falls, Idaho 83303-0485
 (208) 733-0700

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

John E. & Ruth C. Burns, P.O. Box 264, Carmen, ID 83462
 George Matejko, P.O. Box 129, Carmen, ID 83462
 Rick & Linda Rice, P.O. Box 285, Carmen, ID 83462
 Robert & Jacqueline Ernest, P.O. Box 132, Carmen, ID 83462
 William W. Clementz, P.O. Box 255, Carmen, ID 83462
 James & Rowena Quinn, P.O. Box 1473, Carmen, ID 83462

Name and Address of Objector's Attorney:

Robert L. Harris
Holden, Kidwell, Hahn & Crapo, PLLC
P.O. Box 50130
Idaho Falls, ID 83405

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. ☐ Other Conditions:

11. Recommendation:

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

E. REASONS SUPPORTING RESPONSE: These water rights, including their diversion rates, were properly recommended. The recommended diversion rates are the result of the Department's review and analysis in the *Supplemental Director's Report Regarding SRBA Subcase Nos. 75-69A, et al.*, dated January 11, 2010.

VERIFICATION

State of IDAHO)
) ss.
County of Twin Falls)

PAUL L. ARRINGTON, duly sworn, upon oath, deposes and says:

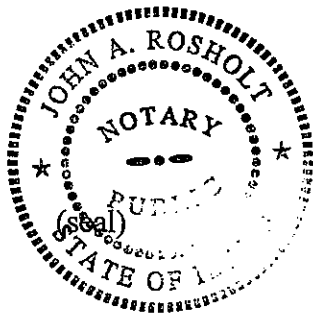
That I am the party/claimant filing this response, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant responding, and that I have read this response, know its contents and believe that the statements are true to the best of my knowledge.



Paul L. Arrington
Barker Rosholt & Simpson LLP
Attorneys for Respondent

Subscribed and sworn to before me on: 4/7/2010

John A. Rosholt



Notary Public for: Idaho
Residing at: Twin Falls
My Commission Expires: 2011

CERTIFICATE OF MAILING

I certify that on April 7, 2010, 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. Copies to:

Robert L. Harris
Holden, Kidwell, Hahn & Crapo, PLLC
P.O. Box 50130
Idaho Falls, Idaho 83405

Attorneys for Objectors

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State of Idaho Attorney General's
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Boise, Idaho 83711-4449

United States Department of Justice
Environment & Natural Resources Division
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IDWR Depository
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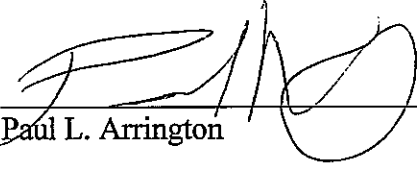
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Paul L. Arrington

Attachment A

75-10061AA
75-10061B
75-10061C
75-10061J
75-10061T
75-10061Z
75-10061AC
75-10061AM
75-10062C
75-10062H
75-10062R
75-10062X
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75-14388