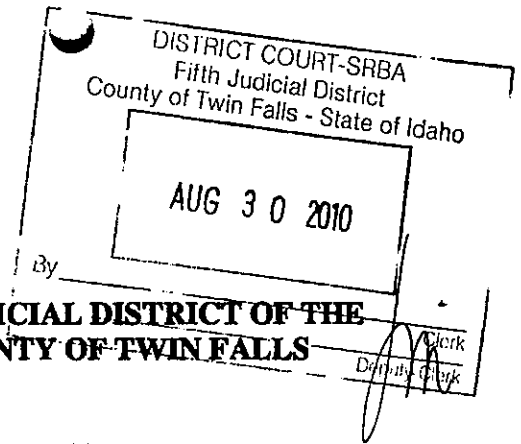




**IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS**

In Re SRBA)
)
Case No. 39576)
)
)
)

A. Subcase No. 75-14465

**STANDARD FORM 2
RESPONSE TO OBJECTION**

B. NAME AND ADDRESS OF PERSON RESPONDING:

Name: Arrowhead Water District
Address: 54 Oliver Dr.
Salmon, Idaho 83467

Name and Address of Attorneys:

Jerry R. Rigby, ISB #2470
RIGBY ANDRUS & Rigby Chtd.
P.O. Box 250
Rexburg, Idaho 83440
Telephone: (208) 356-3633
Facsimile: (208) 356-0768

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

Name: City of Salmon
Address: 200 Main Street
Salmon, ID 83467

- D. I am responding to the objection(s) to the following elements:
1. ☐ Name and Address
 2. X Source: Please see the attached document for reasons supporting this response.
 3. ☐ Quantity
 4. ☐ Priority Date
 5. X Point(s) of Diversion: Please see the attached document for reasons supporting this response.
 6. ☐ Instream Flow Description
 7. ☐ Purpose(s) of Use
 8. ☐ Period of Year
 9. ☐ Place of Use
 10. ☐ Claimant's Proposed General Provisions
 11. Recommendation:
 - ☐ This water right should not exist
 - ☐ This water right was not recommended, but should be recommended with the elements described above.

Remarks: Please see the attached document for reasons supporting this response.

VERIFICATION

State of IDAHO)
 ss.
County of Madison)

JERRY R. RIGBY, 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.



Travis L. Thompson
Barker, Rosholt & Simpson, LLP

For and on behalf of

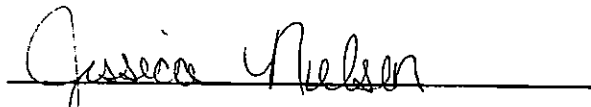
Jerry R. Rigby
Rigby Andrus & Rigby Chtd.

Attorneys for Respondents

Subscribed and sworn to before me on: August 30_, 2010.



(seal)



Notary Public for: Idaho
Residing at: Twin Falls
My Commission Expires: 4/3/12

CERTIFICATE OF MAILING

I certify that on August 30, 2008, 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 and parties who filed the objections at the following address:

Claimants: Arrowhead Water District
54 Oliver Dr.
Salmon, ID 83467

Objectors: City of Salmon
200 Main Street
Salmon, ID 83467

Attorney Josephine Beeman
409 W. Jefferson Street
Boise, ID 83702

3. 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

for Robert L. Rigby
Jerry R. Rigby

Subcase No. 75-14465

Response to Objection to Source and Point of Diversion

Arrowhead Reservoir was constructed in 1979 and filled in 1980. Before construction of the reservoir, Arrowhead Water District (or their predecessors) would, from time to time, divert up to 3 cfs for irrigation from Chipps Creek at the point of diversion located in S11, T21N, R21E, using water rights 75-5 and 75-22. Since the date of construction, up to 5 cfs have been diverted from Chipps Creek, at the same point of diversion, for storage in Arrowhead Reservoir, using water rights 75-5 and 75-22.

The sources of water used under water rights 75-5 and 75-22 have been correctly recommended by IDWR in its Amended Director's Report dated June 14, 2010. Water right claim 75-14465 has been correctly recommended by IDWR in its Amended Director's Report as an enlargement of both water right 75-5 and water right 75-22.