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DEPARTMENT OF  
WATER RESOURCES

COPY

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. 1-6    |
|                | ) |                       |
| Case No. 39576 | ) | STANDARD FORM 2       |
|                | ) | RESPONSE TO OBJECTION |
| _____          | ) |                       |

B. NAME AND ADDRESS OF PERSON RESPONDING:

Name: American Falls Reservoir District #2  
Address: 409 N. Apple St.  
Shoshone, ID 83352

Name and Address of Attorney:

Attorney Name: C. Tom Arkoosh; Isaac Keppler  
Attorney Address: Capitol Law Group, PLLC  
301 Main St.  
Post Office Box 32  
Gooding, ID 83330  
Attorney Phone: (208) 934-8872

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

Name: City of Pocatello

Address: c/o Josephine Beeman  
409 W. Jefferson St.  
Boise, Idaho 83702

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

1. ☐ Name and Address
2. ☐ Source
3. ☒ Quantity: The quantity is defined by prior license and decree. See comment below.
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.

**D. REASONS SUPPORTING RESPONSE.**

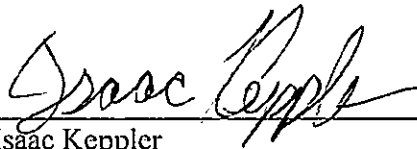
Water right 01-06 should be decreed, interpreted and administered as it is set forth in the Eagle Decree. There is no basis in fact or law which supports the objection.

**VERIFICATION**

State of IDAHO       )  
                                  ) ss.  
County of Ada        )

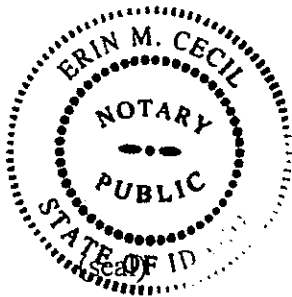
ISAAC KEPPLER, duly sworn, upon oath, deposes and says:

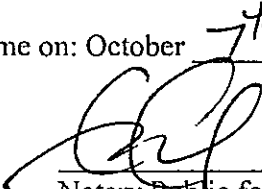
That I am the party/claimant filing this response, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant responding, and that I have read this response, know its contents and believe that the statements are true to the best of my knowledge.

  
\_\_\_\_\_  
Isaac Keppler  
Capitol Law Group, PLLC

Attorneys for American Falls Reservoir District #2

Subscribed and sworn to before me on: October <sup>7<sup>th</sup></sup>, 2010



  
\_\_\_\_\_  
Notary Public for: Idaho  
Residing at: **BOISE, IDAHO**  
My Commission Expires: **AUGUST 8, 2014**

### **CERTIFICATE OF MAILING**

I certify that on October 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. One copy to the party who filed the objections at the following address:

Name: Josephine Beeman  
Address: 409 W. Jefferson St.  
Boise, Idaho 83702

Attorneys for City of Pocatello

3. Copies to:

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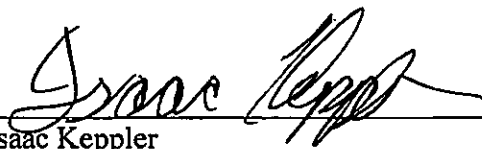
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