

COPY

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OCT 27 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)
)
Case No. 39576)
)

)

A. Subcase No.: 01-0006

STANDARD FORM 2
RESPONSE TO OBJECTION

Please **print or type** the following information:

B. NAME AND ADDRESS OF PERSON RESPONDING

Name: State of Idaho
Address: c/o Office of the Attorney General
 JRW Building, 2nd Floor
 700 West State Street
 P.O. Box 44449
 Boise, Idaho 83711-4449
Phone: (208) 334-2400

Name and Address of Attorney, if any:

Attorney Name: LAWRENCE G. WASDEN
 Attorney General
 CLIVE J. STRONG
 Deputy Attorney General
 Chief, Natural Resources Division
 MICHAEL C. ORR (ISB # 6720)
 Deputy Attorney General
Attorney Address: Office of the Attorney General
 Natural Resources Division
 JRW Building, Second Floor
 700 West State Street
 P.O. Box 44449
 Boise, Idaho 83711-4449
Attorney Phone No. (208) 334-2400

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

Name: Fremont-Madison Irrigation District
P.O. Box 15
St. Anthony, Idaho 83445
(208) 624-3381

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**
10. ☒ **Other** (See "E. Reasons Supporting Objection(s)" in Fremont-Madison Irrigation District's objection)
11. **Recommendation**
 - ☐ This water right should not exist.
 - ☐ This water right was not recommended, but should be recommended with the elements described above.

E.

VERIFICATION (Must be Completed)

State of Idaho)
) ss.
County of Ada)

MICHAEL C. ORR, Deputy Attorney General, being first duly sworn, upon oath, deposes and says:

That the State of Idaho is the party/claimant filing this response as defined by I.C. §§ 42-1401A(1) and (6), that I am a Deputy Attorney General authorized to represent the State of Idaho and that I have read this response, know its contents and that the statements are true to the best of my knowledge and belief.

LAWRENCE G. WASDEN
Attorney General

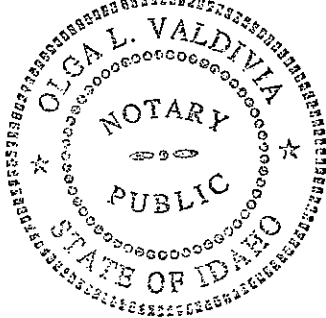
CLIVE J. STRONG
Deputy Attorney General
Chief, Natural Resources Division

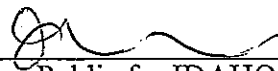
MICHAEL C. ORR
Deputy Attorney General



By Attorney signing in representative capacity

Subscribed and sworn to before me on this 10-26-10
(Insert Date)




Notary Public for IDAHO
Residing at: BOISE, ID
My commission expires: 2/5/2012

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.

G. CERTIFICATE OF MAILING

I certify that on this 26TH day of OCTOBER 2010, I caused to be served the original and copies of this response to the following persons by the indicated methods:

1. Original to: Clerk of the District Court U.S. MAIL
Snake River Basin Adjudication
P.O. Box 2707
253 Third Avenue North
Twin Falls, Idaho 83303-2707
2. One copy to the claimant of the water right at the following addresses:

Name: American Falls Reservoir District No. 2 U. S. MAIL
Address: 409 N. Apple Street
Shoshone, Idaho 83352
3. One copy to the party who filed the objection at the following addresses:

Name: Fremont-Madison Irrigation District U.S. MAIL
Address: P.O. Box 15
St. Anthony, Idaho 83445
4. Copies to: IDWR Document Depository STATEHOUSE
PO Box 83720 MAIL
Boise, ID 83720-0098

United States Department of Justice U. S. MAIL
Environment and Natural Resource Division
550 West Fort Street, MSC 033
Boise, Idaho 83724

Fremont-Madison Irrigation District U.S. MAIL
United Canal Company
Blackfoot Irrigation Company
c/o Jerry R. Rigby
P.O. Box 250
Rexburg, Idaho 83440

American Falls Reservoir District No. 2 U.S. MAIL

c/o C. Thomas Arkoosh
Capitol Law Group
P.O. Box 32
Gooding, Idaho 83330

American Falls Reservoir District No. 2
c/o Craig Hobdey
P.O. Box 176
Gooding, Idaho 83330

U.S. MAIL

Aberdeen-American Falls Ground Water District
Bingham Ground Water District
Bonneville-Jefferson Ground Water District
Carey-Valley Ground Water District
Jefferson Clark Ground Water District
Madison Ground Water District
Magic Valley Ground Water District
North Snake Ground Water District
c/o Randall C. Budge
Candice M. McHugh
T.J. Budge
Racine Olson Nye Budge & Bailey, Chtd.
101 South Capitol Boulevard, Suite 208
Boise, Idaho 83702

U.S. MAIL

Palisades Water Users, Inc.
Independent Water Users of Mud Lake
Mud Lake Water Users, Inc.
Jefferson Irrigation District
Monteview Canal Company
Mud Lake Water Users, Inc.
Producers Irrigation Company
c/o Robert L. Harris
Holden, Kidwell, Hahn & Crapo, P.L.L.C.
P.O. Box 50130
Idaho Falls, Idaho 83405-0130

U.S. MAIL

City of Pocatello
Attn: Dean Tranmer
City Attorney
P.O. Box 4169
Pocatello, Idaho 83205-4169

U.S. MAIL

City of Pocatello
c/o Josephine P. Beeman
Beeman & Associates, P.C.

U.S. MAIL

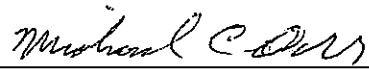
409 West Jefferson Street
Boise, Idaho 83702

City of Pocatello
c/o Sarah Klahn
White & Jankowski, L.L.P.
Kittredge Building
511 Sixteenth Street, Suite 500
Denver, Colorado 80202

U.S. MAIL

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

(not applicable)



Deputy Attorney General