

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.: 01-0006      |
|                | ) |                              |
| Case No. 39576 | ) | <b>STANDARD FORM 2</b>       |
|                | ) | <b>RESPONSE TO OBJECTION</b> |
|                | ) |                              |

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, 2<sup>nd</sup> 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: 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 (collectively "Ground Water Districts") acting for and on behalf of their members.

c/o Lynn Tominaga  
Executive Director of IGWA  
P.O. Box 2624  
Boise, Idaho 83701-2624  
(208) 381-0294

**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 "Other Conditions" and "E. Reasons Supporting Objection(s)" in the Ground Water Districts' 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

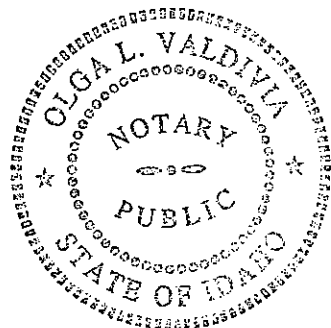
CLIVE J. STRONG  
Deputy Attorney General  
Chief, Natural Resources Division

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: 2/8/2012

## 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 26<sup>th</sup> 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: 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 (collectively "Ground Water Districts") acting for and on behalf of their members.  
Address: c/o Lynn Tominaga  
Executive Director of IGWA  
P.O. Box 2624  
Boise, Idaho 83701-2624
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  
c/o C. Thomas Arkoosh  
Capitol Law Group  
P.O. Box 32  
Gooding, Idaho 83330

U.S. MAIL

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  
c/o Josephine P. Beeman

U.S. MAIL

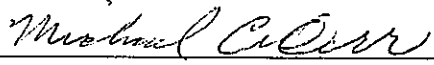
Beeman & Associates, P.C.  
409 West Jefferson Street  
Boise, Idaho 83702

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