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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

) Subcase No: 27-11375

Case No. 39576

)
) RESPONSE RE: REMOVAL OF
) WATER RIGHT(S) FROM LIST OF
) PROTECTED RIGHTS

Please Print or Type the Following Information:

NAME AND ADDRESS OF PERSON RESPONDING:

Name: LAKE Family Ranches, Inc.
Address: 830 TABERN RD
BLACKFOOT, IDAHO 83221
Phone: 684-4967 604-1786c

Name and Address of Attorney, if any:

Water Right Number(s) for which I am filing this Response: 27-73

Please Check Applicable Box:

☒ I have reviewed the Committee of Nine's Response to the content of the State of Idaho's list of protected rights and accompanying Affidavit of David B. Shaw.

☒ I disagree that my water right(s) should be removed from the list of protected rights.

☒ The reason(s) I believe my water right(s) should remain on the list of protected rights are as follows: * See Attached

Signature: Dennis M Lake Dated: 5-9-11
Bms.

* Attach additional sheets of paper as necessary to provide complete explanation.

May 9, 2011

Lake Family Ranches, Inc.
830 Taber Rd.
Blackfoot, Idaho

Response to Committee of Nine request to remove Water right 27-73 from
protected rights. SRBA Case #39576, Subcase # 27-11375

1. This issue was or should have been resolved when, after investigation, IDWR issued a partial decree on November 9, 2005 for this water right, which reduced the available water from 3.2 C.F.S. to .68 C.F.S.
2. The assertions of the Committee of Nine in 2011 based on 1986-87 Landsat Satellite imagery is impossible to defend against since we did not own the property at that time and the then owners are gone. It would seem the work of IDWR in 2005 is a better representation of the activity on water right 27-73.

Lake Family Ranches, Inc.

Dennis M. Lake, President

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 9 day of May, 2011, a true and correct copy of the foregoing was mailed with sufficient first-class postage to the following:

DIRECTOR OF IDWR
P.O. Box 83720
Boise, Idaho 83720

SHOSHONE-BANNOCK TRIBES
Represented By:
Jeanette Wolfley, Special Counsel
202 N. Arthur
Pocatello, ID 83202

U.S. DEPARTMENT OF JUSTICE
Attn: Peter C. Monson
Indian Resources Section
999 18th Street
Denver, CO 80202

STATE OF IDAHO
Office of Attorney General
Attn: Clive Strong / Shasta Kilminster-Hadley
P.O. Box 83720
Boise, ID 83720

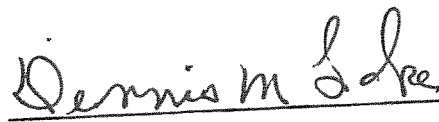
COMMITTEE OF NINE
Represented By:
Barker, Rosholt & Simpson, LLP
1010 W. Jefferson, Ste. 102
P.O. Box 2139
Boise, ID 83701

SRBA DISTRICT COURT
P.O. Box 2707
Twin Falls, Idaho 83303-2707

U.S.A.
Represented By:
United States Dept. of Justice
Environmental & Natural Resource
550 West Fort Street, MSC 033
Boise, ID 83724

FMC PRODUCTION LLC
Represented By:
William G. Myers III
101 S. Capital Blvd., Ste. 1400
P.O. Box 2527
Boise, ID 83701

STATE OF IDAHO
Represented by:
State of Idaho
P.O. Box 44449
Boise, ID 83711-4449



Signature