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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)

A. Subcase 63-32695A
(Insert water right number)

Case No. 39576)

**STANDARD FORM 2
RESPONSE TO OBJECTION**

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

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: United States of America acting through the Department of Interior, Bureau
of Land Management, Idaho State Office

Address: 1387 South Vinnell Way
Boise, Idaho 83709-1657

Daytime Phone: (208) 373-3831 (Fred Price)

Name & Address of Attorney, if any:

David L. Negri (208) 334-1936 phone, (208) 334-1414 fax
United States Department of Justice
Environment and Natural Resource Division
General Litigation Section
550 West Fort Street, MSC 033
Boise, Idaho 83724

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: Nampa & Meridian Irrigation District

Address: c/o Ringert Clark Chtd
Attn: Dan Steenson, S. Bryce Farris
P.O. Box 2773
Boise, Idaho 83701-2773

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**

11. **Recommendation:**

- ☐ This water right should not exist.
- ☐ This water right was not recommended, but should be recommended with the elements described above.

REASONS SUPPORTING RESPONSE:

The 1st Amended Director's Report filed with the SRBA Court on 02-28-2011 recommended the 2nd Amended Notice of Claim as disallowed. The claimant filed an objection seeking to overcome IDWR's disallowance on 03-08-2011 and obtain elements consistent with the 2nd Amended Notice of Claim. The 1st and 2nd Amended Notices of Claim did not change the place of use defined in the original claim. The original claimed place of use describes some federal land and a digital boundary CD containing this problematic place of use was filed with the court on 06-10-2009. BLM objections in other Nampa & Meridian Irrigation District (NMID) subcases were resolved by SF-5 and a new digital boundary CD was filed with the SRBA Court on 02-10-2011 in subcases 63-00198AJ, 63-00199B, 63-00200B, 63-02392B, 63-02968 and 63-30181. The CD did not include 63-32695.

IDWR filed a 2nd Amended Director's Report with the court on 09-30-11 splitting 63-32695 into 63-32695A & 63-32695B, which now recommended elements under the splits instead of being disallowed. The Claimant is still not satisfied with IDWR's recommendation and filed objections to all three on 10-28-11, asserting that all elements should be recommended consistent with their 2nd Amended Notice of Claim (including place of use). BLM had objections to the place of use defined in the Notices of Claim. IDWR did not file a digital boundary CD with any of its Amended Director's Reports.

This 2nd Response is being filed to ensure that an updated digital boundary is provided to the SRBA Court by SF-5 (or other means) in subcase 63-32695 (and splits 63-32695A & 63-32695B) that is consistent with the digital boundary CD filed with the court in other NMID subcases (63-00198AJ et.al).

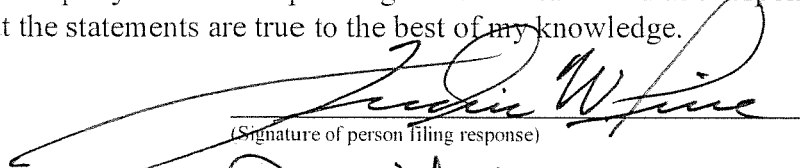
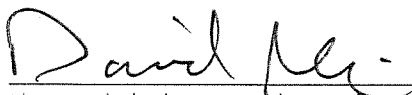
E.

VERIFICATION (Must be Completed)

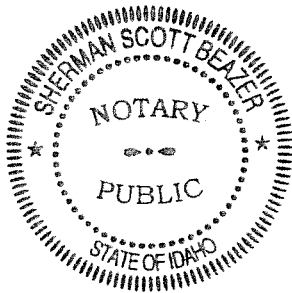
State of Idaho)
) ss.
County of ADA)

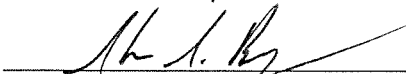
Fredric W. Price, Water Rights Specialist, duly sworn, upon oath, deposes and says:
(Name of person filing response)

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.


(Signature of person filing response)

(Attorney signing in representative capacity)

Subscribed and sworn to before me on: November 8th, 2011




Sherman Scott Beazer

Notary Public for State of Idaho
Residing at: Boise, ID.
My Commission Expires: 12-10-2015

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.

F.

CERTIFICATE OF MAILING

I certify that on 11/2, 2011, 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
253 Third Avenue North
P.O. Box 2707
Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right at the following address:

Nampa & Meridian Irrigation District
c/o Ringert Clark Chtd
Attn: Dan Steenson, S. Bryce Farris
P.O. Box 2773
Boise, Idaho 83701-2773

3. One copy to the party who filed the objection at the following address:

Nampa & Meridian Irrigation District
c/o Ringert Clark Chtd
Attn: Dan Steenson, S. Bryce Farris
P.O. Box 2773
Boise, Idaho 83701-2773

4. 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 and Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724

Brandon Anderson

Your signature or signature of attorney mailing on your behalf