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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

Case No. 39576

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

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 1<sup>st</sup> Amended Director's Report filed with the SRBA Court on 02-28-2011 recommended the 2<sup>nd</sup> 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 2<sup>nd</sup> Amended Notice of Claim. The 1<sup>st</sup> and 2<sup>nd</sup> 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 2<sup>nd</sup> 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 2<sup>nd</sup> 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 2<sup>nd</sup> 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).

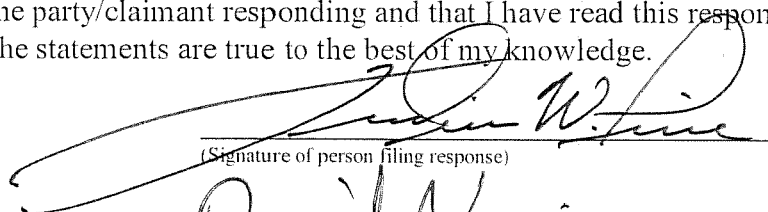
E.

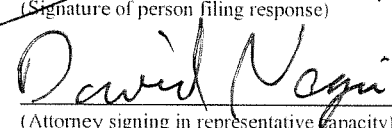
**VERIFICATION** (Must be Completed)

State of Idaho )  
 ) ss.  
County of ADA )

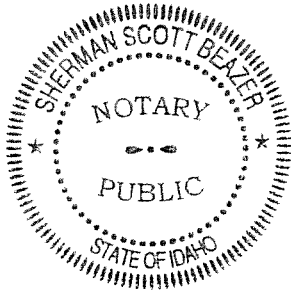
Fredric W. Price, Water Rights Specialist, duly sworn, upon oath, deposes and says:  
(Name of person filing response)

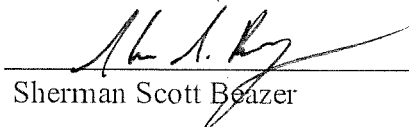
That I am the party/claimant filing this response, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant responding and that I have read this response, know its contents and believe that the statements are true to the best of my knowledge.

  
(Signature of person filing response)

  
(Attorney signing in representative capacity)

Subscribed and sworn to before me on: November 8<sup>th</sup> 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 11/8, 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



Your signature or signature of attorney mailing on your behalf