

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re the General Adjudication)
of the Rights to the Use of Water)
from the Snake River Basin)
Water System)
_____)

Case No. 36-07487 -0001

The State of Idaho, ex rel.)
R. Keith Higginson in his)
official capacity as Director)
of the Idaho Department of)
Water Resources,)

RESPONSE TO OBJECTION

Petitioner,)

36-07487 -0001/
93-08-0375

vs.)

The United States; the State)
of Idaho; and all Claimants to)
the use of water from the Snake)
River Basin Water System,)

Respondents.)
_____)

I. GENERAL INFORMATION

1. Person responding to objection:

Name: R. KEITH HIGGINSON, DIRECTOR

Address: IDAHO DEPARTMENT OF WATER RESOURCES
P.O. BOX 44449
BOISE, ID 83711-4449

Briefly describe your interest in this water right:

IDWR is required to file a response to an objection to part
I of the director's report pursuant to I.C. section 42-1412(2).

(Over)

2. Person who filed objection:

Name: IDAHO POWER CO
Address: PO BOX 70
BOISE ID 83707-0070

3. If this response is filed by an attorney:

Attorney Name(s): NICHOLAS B. SPENCER
Attorney Address: DEPUTY ATTORNEY GENERAL(S)
IDAHO DEPARTMENT OF WATER RESOURCES
P.O. BOX 44449
BOISE, ID 83711-4449
Attorney Phone No.: (208) 327-7900

II. STATEMENT OF THE RESPONSE

14. ☒ Other: I respond to the objection concerning:

INCLUSION OF THE GENERAL PROVISIONS IN THE
DIRECTOR'S REPORT

REASONS SUPPORTING EACH BOX CHECKED

In response to Statement of the Objection item 14 and all allegations of the objection regarding this item, IDWR responds as follows.

IDWR denies the objection.

CHANGES TO THE DIRECTOR'S REPORT

The director proposes no changes to the description of this claim in the Director's Report.

☒ Check here if you are submitting documents. Please list each document by the title and number of pages. You may use additional pages if necessary:

No. of
Pages

Notice of Claim No. A36-07487

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NOTICE OF CLAIM NO. A36-07487
RECEIVED
JAN 10 1974

(Over)

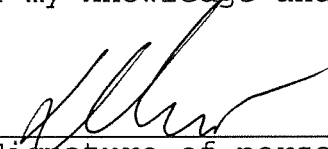
VERIFICATION (Must be Completed)

State of IDAHO

County of ADA

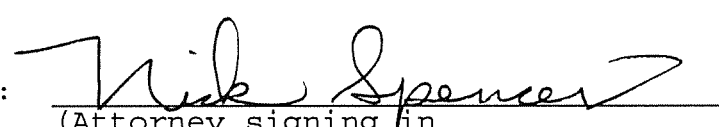
David B. Shaw, being first duly sworn, upon oath, deposes and says:

That R. Keith Higginson, in his official capacity as director of the Idaho Department of Water Resources, is a party to this proceeding, as defined by I.C. 42-1401A(1) and (7); that I am the Adjudication Bureau Chief for IDWR and am authorized by R. Keith Higginson, in his official capacity as director of IDWR, to verify this response; and that I have read the foregoing response, know its contents and that the statements contained therein are true to the best of my knowledge and belief.



Signature of person filing response

By:



(Attorney signing in
representative capacity)

Subscribed and sworn to before me this 16th day of August,
1993.



Notary Public for Idaho

Residing at: _____

My Commission expires: _____

Danni Smith, Notary Public
Residing at Boise, Idaho
My Commission Expires December 5, 1994

CERTIFICATE OF MAILING

I hereby certify that on the 16th day of AUGUST, 1993, I mailed the original and copies of the foregoing response, including all attachments, to the following persons, by mailing the original and/or true and correct copies, postage prepared and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, Idaho 83303-2707

2. One copy to the owner of the water right, and you must fill in the following information:

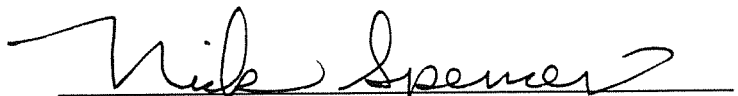
See No. 3

3. One copy to the party who filed the objection, or if represented by an attorney, to their attorney; and you must fill in the following information:

Name: JAMES C TUCKER
Address: PO BOX 2139
BOISE ID 83701-2139

4. One copy to:

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, Box 33
Boise, Idaho 83734



Signature of Respondent or attorney
mailing on Respondent's behalf

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A36-07487

Date Received: 6/4/91

Receipt No: C-020687

Received By: J. Jackson

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED
JUN 03 1991

Department of Water Resources

1. Name: IDAHO POWER CO.
Address: P.O. BOX 70
BOISE, ID

83707

2. Date of Priority: JUN 28, 1974

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07S	17E	12	SW	NW			JEROME

5. Description of diverting works:
WELL, 326' DEEP, 6" CASING, 1.5 HP SUBMERSIBLE PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.010		1.80

7. Total Quantity Appropriated is:
0.010 C.F.S. (and/or) 1.80 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC, WAREHOUSE AND 3 TRAILERS

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07S	17E	12	SW	NW		DOMEST	

11. Place of use in counties: JEROME

A36-07487

Page

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Date: 05/10/91

MICROFILMED

FEB 04 1993

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
NONE

14. Remarks:
MIDPOINT SUBSTATION

15. Basis of Claim: LICENSE

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

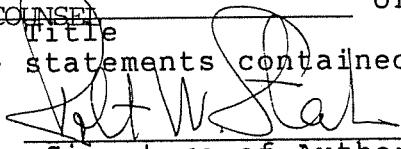
Number of attachments: _____

For Organizations:

I do solemnly swear or affirm that I am VICE PRESIDENT, SECRETARY
AND GENERAL COUNSEL of
_____ Title

IDAHO POWER COMPANY, that I have signed the foregoing
Organization
document in the space below as VICE PRESIDENT, SECRETARY
AND GENERAL COUNSEL of
_____ Title

IDAHO POWER COMPANY and that the statements contained in the
Organization
foregoing document are true and correct.



Signature of Authorized Agent
VICE PRESIDENT, SECRETARY AND
GENERAL COUNSEL -- IDAHO POWER CO.
Title and Organization

May 14, 1991

Date

State of Idaho)
County of ADA) SS.

Subscribed and sworn (or affirmed) before me this 14th day

of MAY 19 91

Mary Brstrom
Notary Public

Seal

Residing at Boise, ID

My Commission Expires 7-17-92

17. Notice of Appearance:

Notice is hereby given that I, NATHAN GARDINER will be
Print Name

acting as attorney at law on behalf of the claimant signing above, and that
all notices required by law to be mailed by the director to the claimant
signing above should be mailed to me at the address listed below.

Signature Nathan Gardiner

Address P.O. Box 70, Boise, Idaho 83707

Date May 14, 1991