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LARRY ECHOHAWK
Attorney General
State of Idaho

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

A. LYNNE KROGH
Deputy Attorney(s) General
Department of Water Resources
P.O. Box 44449
Boise, Idaho 83711-4449
Telephone: (208) 327-7900

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. 34-04182 -0002
	)	
Case No. 39576	)	RESPONSE TO OBJECTION
	)	

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)

8. |☒| Period of Year: I respond to the objection concerning the period of year when water is used or is necessary for the purpose stated.
9. |☒| Place of Use: I respond to the objection concerning:
- 9a. |☒| The legal description of the place of use.
10. |☒| Consumptive Use: I respond to the objection concerning the annual volume of consumptive use.
11. |☒| Remarks: I respond to the objection concerning the "remarks" listed with the water right.
12. |☒| Water Right Recommendation: I respond to the objection concerning:
- 12a. |☒| This water right being recommended at all.

REASONS SUPPORTING EACH BOX CHECKED

In response to Statement of the Objection items 1, 2, 4, 7, 8, 10, 11, 12 and 12.a and all allegations of the objection regarding these items, IDWR responds as follows.

IDWR admits that the director's report recommends right no. 34-02253 to water from Jensen Springs and Crows Nest Spring to Lynette B. and Reed Z. Asay. IDWR denies the remaining allegations of the objection regarding these items.

In response to Statement of the Objection items 3, 3.a, 5, 6, 9, and 9.a, and all allegations of the objection regarding these items, IDWR responds as follows.

There are errors in the description of the point of diversion, the place of use, and the quantity of water of this instream stockwater right in the director's report. The recommendation should be corrected as shown in the attachment entitled "Recommended Water Rights Acquired under State Law."

CHANGES TO THE DIRECTOR'S REPORT

See attached List of Recommended Water Rights Acquired under State Law.

(Over)

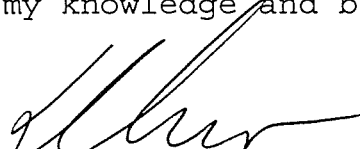
VERIFICATION (Must be Completed)

State of IDAHO

County of ADA

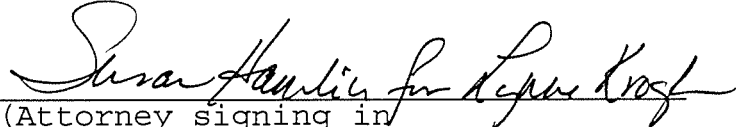
David B. Shaw, being first duly sworn, upon oath, deposes and says:

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.



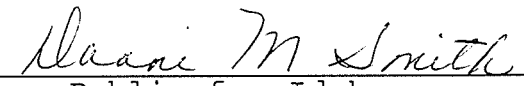
Signature of person filing response

By:



(Attorney signing in
representative capacity)

Subscribed and sworn to before me this 23rd day of December, 1994.



Notary Public for Idaho
Residing at: Danni M. Smith, Notary Public
My Commission expires Residing at Boise, Idaho
My Commission Expires December 5, 2000

(Over)

RIGHT NUMBER	NAME & ADDRESS	PRIORITY DATE	PURPOSE OF USE	PERIOD OF USE FROM TO	MAXIMUM QUANTITY	BASIS OF CLAIM
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34-04182	US DEPT OF INTERIOR BUREAU OF LAND MANAGEMENT IDAHO STATE OFFICE 3380 AMERICANA TERRACE BOISE ID 83706	06/28/1934	STOCKWATER	01-01 12-31	$\frac{.02}{176}$ CFS	BENEFICIAL USE
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SOURCE: UNNAMED STREAM

TRIBUTARY: SINKS

TOTAL QUANTITY: $\frac{.02}{176}$ CFS

NON-IRRIGATION USES:
STOCKWATER, 668 RANGE CATTLE; WILDLIFE, VARIABLE AMOUNT

POINT OF DIVERSION:

T07N R25E S22

NENW (B)
NWSW (E)
~~SWSW 1/4~~

PLACE OF USE: STOCKWATER

T07N R25E S22

NENW
 $\frac{1}{4}$ / $\frac{3}{4}$ (SESW)

SESW

NESW

NWSW

$\frac{1}{4}$ / $\frac{3}{4}$ (SESW)

REMARKS: THIS RIGHT AND OTHER RIGHTS COMMON TO THE SAME GRAZING
ALLOTMENT SHALL BE LIMITED TO THE QUANTITY OF WATER BENEFICIALLY
USED BY THE NUMBER OF STOCK WITHIN THE ALLOTMENT.
BLM RECORD ID = 3403488147