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DEPARTMENT OF
WATER RESOURCES

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Attorneys for the State of Idaho

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

In Re CSRBA
Case No. 49576

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Federal Reserved Water Right 91-07624
(St. Joe Wild and Scenic River)

**STATE OF IDAHO'S RESPONSE
TO AFFIDAVIT OF ERIC JOHNSTON
IN SUPPORT OF STIPULATION AND
JOINT MOTION FOR ORDER
APPROVING STIPULATION**

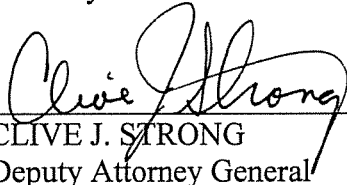
The State of Idaho (the "State") by and through its counsel of record, hereby responds to the Affidavit of Eric Johnston (the "Affidavit") filed by the United States of America, Forest Service (the "Forest Service") in the above captioned matter for the purpose of establishing a prima facie case for approval of the federal reserved water rights set forth in the Stipulation and Joint Motion for Order Approving Stipulation (the "Stipulation") filed February 26, 2016. While the State of Idaho supports approval of the water rights set forth in the Stipulation, the State expressly reserves its objections to the quantification methodologies outlined in the Affidavit for the quantification of federal reserved water rights created under the Wild and Scenic Rivers Act.

**STATE OF IDAHO'S RESPONSE TO AFFIDAVIT OF ERIC JOHNSTON IN SUPPORT OF
STIPULATION AND JOINT MOTION FOR ORDER APPROVING STIPULATION—1**

The State requests that any order approving the Stipulation expressly state that the methodologies outlined in the Affidavit are solely for the purpose of resolving the current legal dispute and approving the Stipulation and are not an admission by the State of the propriety or use of the quantification methodologies outlined in the Affidavit for the purpose quantifying any other federal reserved water rights.

Respectfully submitted this 6th day of June, 2016.

LAWRENCE WASDEN
Attorney General


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

CERTIFICATE OF SERVICE

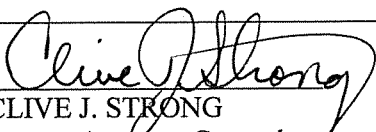
I HEREBY CERTIFY that on this 6th day of June 2016, I caused the foregoing document to be filed with the Court and true and correct copies served on the following parties by the methods indicated:

1. Original to:

CLERK OF THE DISTRICT COURT COEUR D' ALENE-SPOKANE RIVER BASIN ADJUDICATION 253 THIRD AVENUE NORTH PO BOX 2707 TWIN FALLS, ID 83303-2707	☐ U.S. Mail, postage prepaid ☐ Hand Delivery ☐ Federal Express ☒ Facsimile: (208) 736-2121
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2. Copies to:

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