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DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED _____

2007 APR 20 PM 12 28

**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 No. <u>1-10384</u> |
| |) | |
| Case No. 39576 |) | STANDARD FORM 1 |
| |) | OBJECTION |
| |) | |

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING:

Name: IDAHO POWER COMPANY
Address: P. O. BOX 70
BOISE, IDAHO 83707
Daytime Phone: (208) 388-2112

Name and Address of Attorney, if any:

John K. Simpson
Barker, Rosholt & Simpson, LLP
P.O. Box 2139
Boise, ID 83701
Telephone: (208) 336-0700

James S. Lochhead
Michael A. Gheleta
Adam T. DeVoe
Brownstein Hyatt Farber Schreck, P.C.
410 17th St., Suite 2200
Denver, CO 80202
Telephone: (303) 223-1100

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

Name: IDAHO POWER COMPANY
Address: P. O. BOX 70
BOISE, IDAHO 83707

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate boxes):

1. ☒ **Name and Address**

Should be: IDAHO POWER COMPANY
P.O. BOX 70
BOISE, IDAHO 83707

2. ☒ **Source**

Should be: SNAKE RIVER

3. ☒ **Quantity**

Should be: 136 CFS

4. ☒ **Priority Date**

Should be: 01/01/1929

5. ☒ **Point(s) of Diversion**

Should be: 7S, 31E, SEC.30, SWSE

6. **Instream Flow Beginning and Ending Point**

Should be:

7. ☒ **Purpose(s) of Use**

Should be: POWER

8. ☒ **Period of Year**

Should be: 1/1 – 12/31

9. ☒ **Place of Use**

Should be: 7S, 31E, SEC.30, SWSE

10. ☒ **I object because:**

☐ This water right should not exist

☒ This water right was not recommended, but should be recommended with the elements described above and in the Notice of Claim.

E. REASONS SUPPORTING OBJECTION(S):

The IDWR list of claims/rights not recommended states that water right number 1-10384 was “[r]ecommended as Right Nos. 1-10531 and 1-10532.” This IDWR recommendation is legally improper as set forth in Idaho Power Company’s objections to these purported new water right numbers.

This objection is filed in the Snake River Basin Adjudication pursuant to applicable deadlines, and is done without prejudice to Idaho Power Company’s rights to pursue the issues encompassed herein and related issues in other appropriate forums, state or federal.

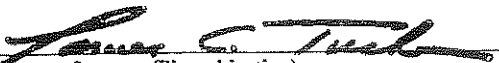
F.

VERIFICATION

State of IDAHO)
) ss.
County of Gooding)

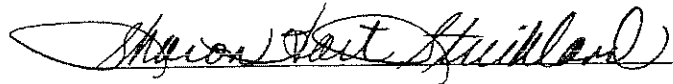
James C. Tucker, duly sworn, upon oath, deposes and says:

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


(Signature of person filing objection)
James C. Tucker, Senior Attorney
Idaho Power Company

(Attorney signing in representative capacity)

Subscribed and sworn to before me on: April 19, 2007



Notary Public for: Idaho
Residing at: Gooding
My Commission Expires: 12-22-09



INSTRUCTIONS FOR MAILING

You must mail the objection 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.

CERTIFICATE OF MAILING

I certify that on April 20, 2007, I hand-delivered and mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original hand delivered to:

Clerk of the District Court
Snake River Basin Adjudication
P.O. Box 2707
Twin Falls, ID 83303-2707

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

Name: Idaho Power Company
Address: P.O.Box 70
Boise, Idaho 83707

3. Copies mailed to:

IDWR Document Depository
P.O. Box 83720
Boise, ID 83720-0098

United States Department of Justice
Environment & Natural Resources Division
550 West Fort Street, MSC 033
Boise, ID 83724

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P.O. Box 44449
Boise, ID 83711-4449

