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

A&B IRRIGATION DISTRICT)
AMERICAN FALLS RESERVOIR)
DISTRICT #2, BURLEY IRRIGATION)
DISTRICT, MILNER IRRIGATION)
DISTRICT, MINIDOKA IRRIGATION)
DISTRICT, NORTH SIDE CANAL)
COMPANY and TWIN FALLS CANAL)
COMPANY,)

Case No CV 2008-0000551

UNITED STATES OF AMERICA,)
BUREAU OF RECLAMATION,)

Petitioners,)

**PETITIONER UNITED STATES'
OBJECTION TO AGENCY RECORD**

vs.)

DAVID K. TUTHILL, JR., in his capacity)
as Director of the Idaho Department of)
Water Resources, and the IDAHO)
DEPARTMENT OF WATER)
RESOURCES,)

Respondents.)

_____)

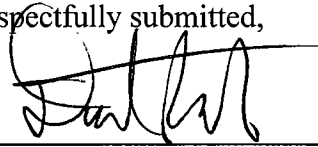
IN THE MATTER OF DISTRIBUTION)
 OF WATER TO VARIOUS WATER)
 RIGHTS HELD BY OR FOR THE)
 BENEFIT OF A&B IRRIGATION)
 DISTRICT, AMERICAN FALLS)
 RESERVOIR DISTRICT #2, BURLEY)
 IRRIGATION DISTRICT, MILNER)
 IRRIGATION DISTRICT, MINIDOKA)
 IRRIGATION DISTRICT, NORTH SIDE)
 CANAL COMPANY, AND TWIN FALLS)
 CANAL COMPANY)
 _____)

COMES NOW, Petitioner the United States of America (“United States”) on behalf of the U.S. Bureau of Reclamation, by and through the undersigned counsel, and hereby files this *Objection to Agency Record*, which was filed with this Court on January 7, 2009, pursuant to Civil Rule 84(j). The United States further joins in *IGWA’s Objection to the Agency Record*, filed January 20, 2009, with respect to the documents missing from the record listed on pages 2-7, and the listed exhibits, including, *inter alia*, Reclamation Exhibit nos. 7000, 7001, 7002, 7003, 7004, 7005, 7006. In addition, the following documents are missing from the record:

1. Prefiled Expert Testimony of Patrick C. McGrane, P.E.
2. Prefiled Expert Testimony of David A. Raff, Ph.D., P.E.

DATED this 23rd day of January, 2009.

Respectfully submitted,



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CERTIFICATE OF SERVICE

I certify that on this 23rd day of January 2009, I served a true and correct copy of the foregoing PETITIONER UNITED STATES' OBJECTION TO AGENCY RECORD as indicated below:

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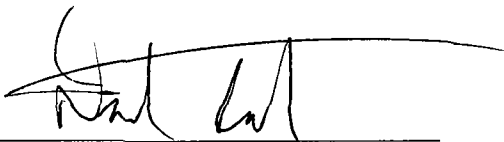
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A handwritten signature in black ink, appearing to read "David W. Gehlert", written over a horizontal line.

David W. Gehlert