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MAR 13 2006

DEPARTMENT OF
WATER RESOURCES

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 37-737B
) (Insert water right number)
Case No. 39576)
)
) **STANDARD FORM 1**
) **OBJECTION**
_____)

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: C. E. Molyneux
Address: 080 Laidlaw Park Road
Carey, Idaho 83220
Daytime Phone: (208) 823-4573

Name & Address of Attorney, if any:
Dana L. Hofstetter, ISB # 3867
Hofstetter Law Office, LLC
608 West Franklin Street
Boise, Idaho 83702
(208) 424-7800

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

Name: C. E. Molyneux
Address: 080 Laidlaw Park Road
Carey, Idaho 83320

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

General Provisions Basin 37, Part 1 Surface Water for Irrigation and Other (1) Separate Streams Administration - Attachment A

1.	☐	Name and Address	Should be:	
2.	☐	Source	Should be:	
3.	☒	Quantity	Should be:	The combined acre foot limitation should be 280 AF or more and the combined diversion rate should be increased to at least 1.8 cfs. It should be noted that a portion of the diversion rate of this right is attributed to the Hot Springs Canal conveyance and that quantity measurements are to be taken at the field.
4.	☐	Priority Date	Should be:	
5.	☐	Point(s) of Diversion	Should be:	
6.	☐	Instream Flow Description	Should be:	
7.	☐	Purposes(s) of Use	Should be:	
8.	☒	Period of Year	Should be:	4/1 to 10/31
9.	☐	Place of Use	Should be:	
10.	☒	Other Provisions	Should be:	The explanatory material provision regarding administration of this right in times of shortage should be moved to the "Other Provisions" section and the combined quantity figures in the explanatory material should be corrected to 1.8 cfs or more and 280 acre feet or more.

11. I object because:
☐ This water right should not exist.
☐ This water right was not recommended, but should be recommended with the elements described above.

E. REASONS SUPPORTING OBJECTION(S): This water right should be listed in General Provisions, Attachment A since the source is tributary to the Little Wood River. The combined diverted volume is incorrect and should be increased. The combined diversion rate does not account for the quantity attributed to conveyance loss and the remaining portion of 37-780. Irrigation in this area can begin as early as 4/1. The explanatory material provision relating to administration in times of shortage is necessary for administration of this right.

F. VERIFICATION (Must be Completed)

State of Idaho)
)ss.
County of Ada)

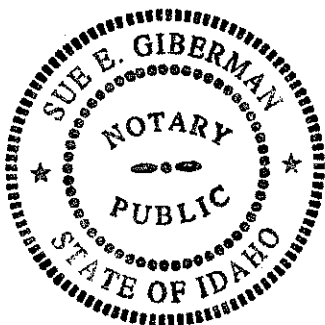
Dana L. Hofstetter, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

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)

Dana L. Hofstetter
(Attorney signing in representative capacity)

Subscribed and sworn to before me on: March 10, 2006



Sue E. Giberman
Notary Public for the State of Idaho
Residing at: Boise Idaho
My Commission Expires: 2-25-09

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 March 10, 2006, I filed the original with the SRBA Court and mailed copies of this Objection, including all attachments, to the following persons:

1. Original to:

Clerk of the District Court (via Hand Delivery)
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

2.

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

C. E. Molyneux
080 Laidlaw Park Road
Carey, Idaho 83320

3.

Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

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

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

Signature of Objector or attorney
mailing on Objector's behalf

