

**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

Case 39576

A. Subcase 63-12
(Insert water right number)

**STANDARD FORM 1
OBJECTION**

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: Edwards Family LLC
Address: 4106 Sand Creek Street
Boise, Idaho 83703
Daytime Phone: 208-342-7548

Name & Address of Attorney, if any:

Dana Hofstetter
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: The Terteling Co. Inc
Address: 3823 N. 36th Street
Boise, Idaho 83703

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

■ **General Provisions Basin 63, Part II**
(General Provisions 1 and 2) Separate Sources Administration

1. ☐ **Name and Address**
Should be: _____
2. ☒ **Source**
Should be: See Section E
3. ☒ **Quantity**
Should be: See Section E
4. ☐ **Priority Date**
Should be: _____
5. ☒ **Point of Diversion**
Should be: See Section E
6. ☐ **Instream Flow Beginning and Ending Point**
Should be: _____
7. ☒ **Purpose(s) of Use**
Should be: See Section E
8. ☒ **Period of Year**
Should be: See Section E
9. ☒ **Place of Use**
Should be: See Section E
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.

E. **REASONS SUPPORTING OBJECTION(S):** The Stewart Gulch Geothermal Aquifer should be managed as a separate source pursuant to *Silkey v. Tiegs*. Heating is not a year round use. The provisions listed under "Explanatory Material" (except for "Basis of Claim") should be listed under "Other Provisions." The reference to "Water District 63-S in the 2nd, 5th, and 8th provisions under "Explanatory Material" should read "Water District 63-S or successor regulatory entity." The reference to "geothermal water" in the 10th provision under "Explanatory Material" should read "low-temperature geothermal water." A statement that this right is no longer diverted under artesian conditions without pumping should be included in "Other Provisions." Duplicate 63-31054 should be corrected.

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)

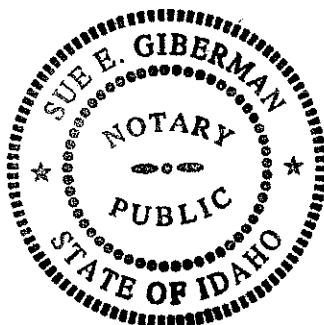
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

Signature of person filing objection

Dana Hofstetter

Attorney signing in representative capacity

Subscribed and sworn to before me on: April 20, 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.

G. CERTIFICATE OF MAILING

I certify that on April 21, 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. Copies to the claimant of the water right at the following addresses:

Name: The Terteling Co. Inc
Address: 3823 N 36th Street
Boise, Idaho 83703

Charles Honsinger
Ringert Clark Chartered
P.O. Box 2773
Boise, Idaho 83701-22773

3. Copies to:

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

Chief, Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise, ID 83711-4449

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



Signature of Objector or attorney
mailing on Objector's behalf