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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)
Case No. 39576)
A. Subcase 63-14
(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
Boise, Idaho 83703
Daytime Phone: (208) 424-7800 (Hofstetter Law Office, LLC)

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

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

Name: Edwards Family LLC
Address: 4106 Sand Creek
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: The source should be described as a low-temperature geothermal resource diverted using artesian pressure in "Other Provisions" Section.
3. **✗ Quantity**
Should be: See Section E below.
4. ☐ **Priority Date**
Should be: _____
5. ☐ **Point(s) of Diversion**
Should be: _____
6. ☐ **Instream Flow Description**
Should be: _____
7. **✗ Purpose(s) of Use**
Should be: The description of "Commercial Use" in the "Purpose of Use" Section should be the same as in the "Other Provisions" Section. However, "watering of plants" should be substituted for "irrigation of plants" to avoid confusion about this aspect of the "Commercial Use."
8. **✗ Period of Year**
Should be: 3/1 to 11/15 for irrigation. See IDWR's Irrigation Season map.
9. **✗ Place of Use**
Should be: It should be clarified that "irrigation" does not refer to the watering of plants inside greenhouses
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*. The artesian pressure under which this right continues to be diverted without the use of pumping is protected under *Silkey v. Tiegs*. The annual volume limitation only should appear in the "Other Provisions" section in reference to private agreement. The combined diversion limitation with 63-5067 is in error.

F. VERIFICATION (Must be Completed)

State of Idaho)
)ss.
County of Ada)

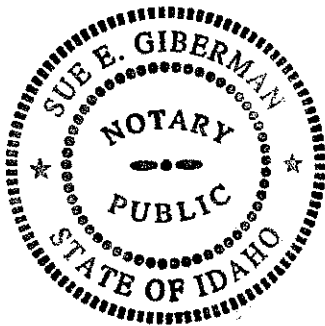
Dana L. Hofstetter, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

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

Edwards Family LLC
4106 Sand Creek
Boise, Idaho 83703

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