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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 63-04037

(Insert water right number)

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: Bluegrass, LLC and David Hendrickson

Address: 4705 N. 36th Street

Boise, ID 83703

Daytime Phone: 208-344-7807

Name & Address of Attorney, if any:

Scott L. Campbell and Andrew J. Waldera

Moffatt Thomas Barrett Rock & Fields

PO Box 829, Boise, Idaho 83701

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

Name: Bluegrass, LLC

Address: 4705 N. 36th Street

Boise, ID 83703

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

1. ☐ **Name and Address**
Should be: _____
2. ☐ **Source**
Should be: _____
3. ☒ **Quantity**
Should be: Remove annual diversion volume limitation of 497 acre feet.
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: _____
8. ☒ **Period of Year**
Should be: Removal quantity limitation of 231.75 afy.
9. ☒ **Place of Use**
Should be: Please see Attachment A attached hereto.

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):

Concerning quantity, there is no legal basis for inclusion of the annual diversion volume limitation.

Concerning period of year, there is no legal basis for inclusion of the quantity limitation.

Concerning place of use, claimant has claimed a total of 110.2 irrigable acres, including an additional 58.7 irrigated acres to increase the permissible place of use from 51.5 acres to 110.2 acres, as such 110.2 acre place of use is set forth in Attachment A and on the map set forth as Attachment B. This increase in the number of irrigated acres is made pursuant to Idaho Code § 42-1425. The irrigation system that is used on this property began irrigating the place of use identified in Attachments A and B in 1982, prior to the accomplished transfer deadline of November 19, 1987.

F.

VERIFICATION (Must be Completed)

State of Idaho)
) ss.
County of Ada)

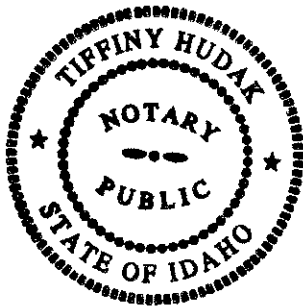
Andrew J. Waldera, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

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)

(Attorney signing in representative capacity)

Subscribed and sworn to before me on: 2-27-07



Notary Public for Idaho

Residing at: Boise

My Commission Expires: 9/16/09

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 February 27, 2007, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

Clerk of the District Court
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:

Name: Bluegrass, LLC
Address: 4705 N. 36th Street
Boise, ID 83703

3. Copies to:

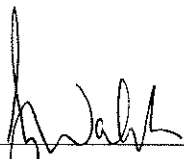
IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

Charles L. Honsinger
Ringert Clark Chtd.
PO Box 2773
Boise, Idaho 83701

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

Dana Hofstetter
Hofstetter Law Office, LLC
608 W. Franklin Street
Boise, Idaho 83702

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



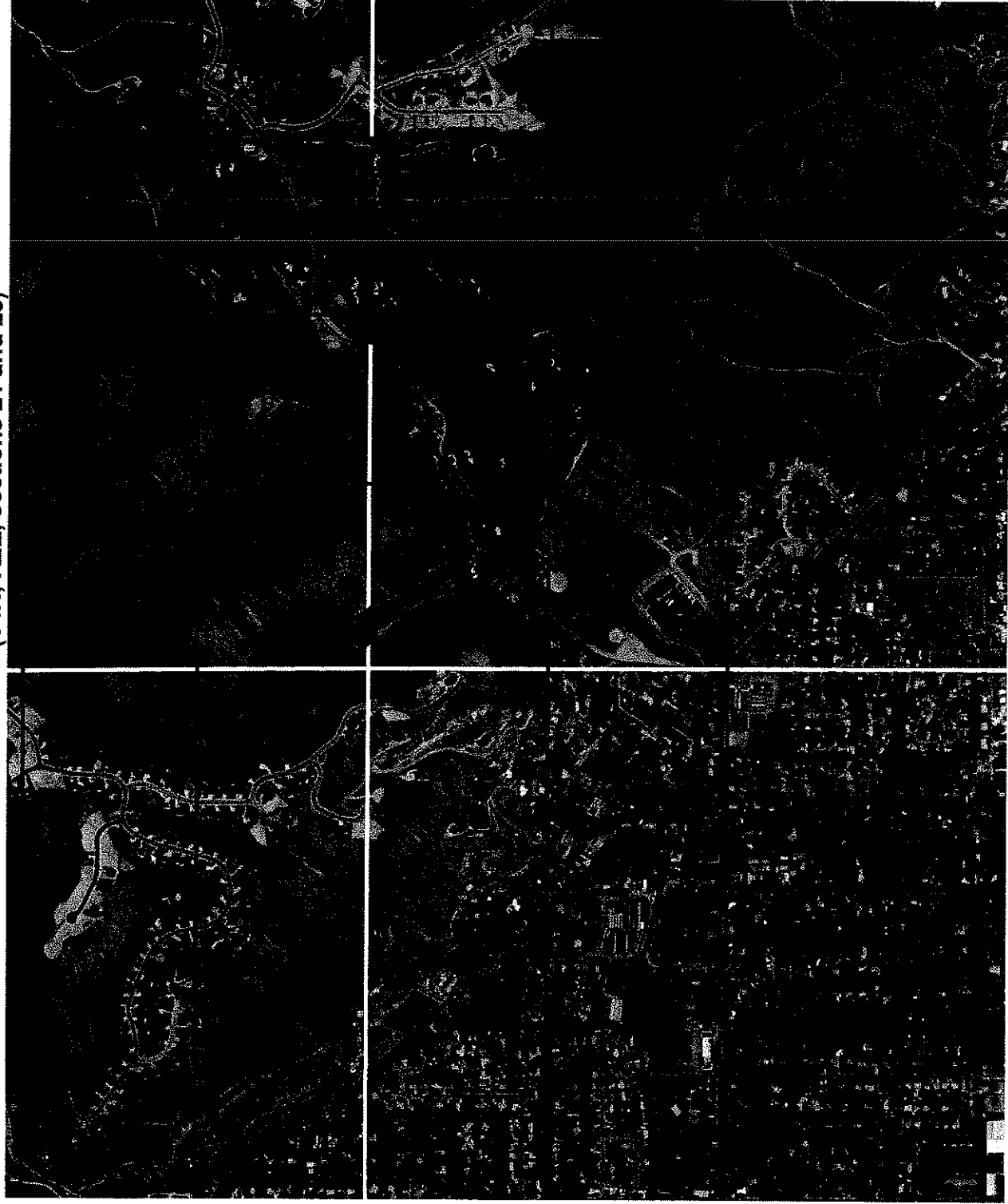
Andrew J. Waldera

**ATTACHMENT A TO
STANDARD FORM 1 – OBJECTION FOR SUBCASE 63-04037**

Claimants are objecting to the place of use of 82.7 irrigated acres for the reasons set forth in the Objection. The correct permissible place of use is:

TWP	RNG	SEC	1/4 of	1/4	Lot	Acres
4N	2E	21	SW	SE		34.9
			NW	SE		5.1
			SW	SW		0.7
			SE	SW		1.5
4N	2E	28	NW	NE		20.5
			NE	NW		28.7
			NW	NW		11.4
			SW	NW		0.3
			SE	NW		7.1
Total Acres						110.2

Quail Hollow Golf Course
Place of Use for 63-4037
(T4N, R2E, sections 21 and 28)



Well #1
Irrigation
Sections



1 Miles

0.5

0

0.5

ATTACHMENT B