

a
RECEIVED

FEB 28 2007

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 39576

) A. Subcase 63-4037
)
) (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: Bluegrass LLC
Address: 4705 North 36th
Boise, Idaho 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: See Section E
2. ☒ **Source**
Should be: See Section E
3. ☒ **Quantity**
Should be: See Section E
4. ☒ **Priority Date**
Should be: See Section E
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):** To the extent that this water right authorizes the diversion of water from the Stewart Gulch Geothermal Aquifer it should not exist pursuant to *Silkey v. Tiegs*. Otherwise, the following provision should be listed under "Other Provisions Necessary for Definition or Administration of this Water Right:" The diversion and use of geothermal water is not authorized under this right. Also, the basis for removal of the remark under "Purpose and Period of Use" in the Amended Director's Report appears questionable.

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)

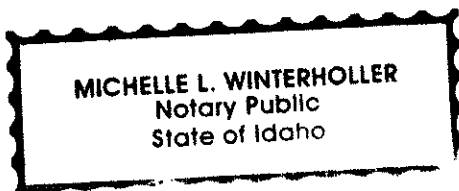
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

Signature of person filing objection

Dana Hofstetter

Attorney signing in representative capacity

Subscribed and sworn to before me on: February 27, 2007



Notary Public for the State of Idaho
Residing at: Kuna, Idaho
My Commission expires: 3-05-13

My Commission Expires 3-05-13

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 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:

Name: Bluegrass LLC
Address: 4705 North 36th Street
Boise, Idaho 83703

Andrew Waldera
Moffatt Thomas
P.O. Box 829
Boise, Idaho 83701-0829

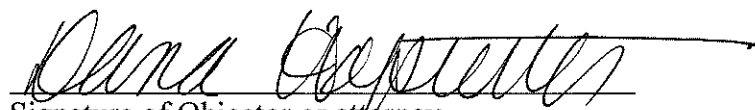
3. Copies to:

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

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

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