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MAR 14 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 No. 39576)
_____)

A. Subcase

37-4436

(Insert water right number)

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name:

GREGORY BLOOMFIELD - MANAGING MEMBER
FOR 6M LLC

Address:

Box 757
HAILEY ID 83333

Daytime Phone:

208-788-4300

Name & Address of Attorney, if any:

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

Name:

6M LLC

Address:

Box 757
HAILEY ID 83333

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: _____
4. ☐ **Priority Date**
Should be: _____
5. ☐ **Point of Diversion**
Should be: _____
6. ☐ **Instream Flow Beginning and Ending Point**
Should be: _____
7. ☐ **Purpose(s) of Use**
Should be: _____
8. ☐ **Period of Year**
Should be: _____
9. ☐ **Place of Use**
Should be: _____
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. *SEE ATTACHED*

E. REASONS SUPPORTING OBJECTIONS(S):

PLEASE SEE CONTENTS OF CERTIFIED MAIL SENT TO TWIN FARMS ISWR OFFICE ON 1/17/2007, CONTAINING STATEMENTS AND OBSERVATIONS AS TO "PROOF" OF USE AND PRE-EXISTENCE OF THIS RIGHT PRIOR TO THE STATUTORY CUT OFF IN 1972. ALSO REVIEW EMAIL FROM ISWR TO ME DATED APRIL 20

F.

VERIFICATION (must be completed)

State of ID)
)ss.

County of BLAINE)

GRACE BLOOMFIELD
BM LLC - MARTHA M. MURPHY
(Name of person filing objection)

duly sworn, upon oath, deposes and says:

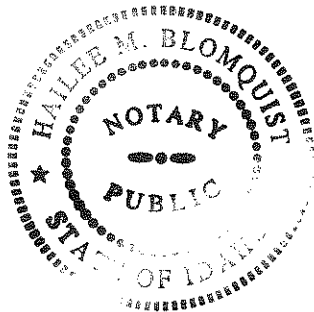
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

[Signature]
(Signature of person filing objection)

(Attorney signing in representative capacity)

Subscribed and sworn to before me on: March 12, 2007 (HK)

Hailey Blomquist
Notary Public for State of Idaho
Residing at: Hailey ID
My Commission Expires: 9/13/2012



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 _____, 200__, 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: _____
Address: _____

3. Copies to:

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

United States Department of Justice
Environment & Nat'l Resources Div
550 W Fort Street, MSC 033
Boise, ID 83724

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

Signature of objector or attorney
mailing on Objector's behalf

HAILEY IDWR 1/19/07

01/11/2007

NOTICE OF ERROR
REPLY

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: January 19, 2007

Water right number: 37-4436

GM LLC

PO BOX 757

HAILEY ID 83333

Telephone Number: (208) 788-1100

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

PLEASE SEE ATTACHED, IF YOU REQUIRE

2. Describe the changes you wish to make in the proposed recommendation:

FURTHER "PROOF" I WILL ATTEMPT TO

3. Give a brief explanation as to why you disagree with these portions:

ACQUIRE IT FROM OWEN'S GRANSON,

PATRICK SIMPSON, AND THE EXCAVATOR
WHO INSTALLED THE CULVERT IN 1968.

I AGREE with this proposed recommendation: no changes need to be made.

DATE: 4/19/07

SIGNATURE:

[Signature]

Please print your name:

ELBERT SLOANFIELD

IDWR Regional Office, 1341 Fillmore St, Suite 200, Twin Falls, ID 83301, 2087363033

IF THERE ARE OTHER ISSUES,
SUCH AS ~~THE~~ CONFUSION OVER WHO
OWNS THIS RIGHT DUE TO IT
BEING APPURTENANT TO 4 LOTS,
PLEASE ADVISE SO WE ARE AWARE
OF THE INTENT OF YOUR RECOMMENDATION.

SCANNED

MAR 15 2007

Greg Bloomfield

From: Greg Bloomfield [greg@wri.to]
Sent: Wednesday, April 20, 2005 4:36 PM
To: 'pjnl72@aol.com'
Subject: FW: 37-4436 evidence of priority- 445 Broadway Blvd.

Hi Penny, Here is the email I received after discussing IDWR's April 15th letter with Kelley Christensen of their Twin Falls office earlier today. The letter requested "evidence of priority" dating or proof that the water right applied for and issued had actually been constructed. From the content of his comments below and our phone call, it appears that no response is required to their April 15th letter indicating a reply by date of June 17, 2005, as the "proof" is already in their file. In our conversation, Kelley indicated the letter was sent to all similar rights holders without regard to the contents of IDWR's file. Please pass this on to Paul Kenney for transmission to his client. Thanks,

Greg Bloomfield
Wood River Insurance, Inc
410 N. Main St.
Hailey ID, 83333
208-788-1100 Ph
208-788-4988 Fax

CONFIDENTIALITY NOTICE: The information contained in this e-mail and attached document(s) may contain confidential information that is intended only for the addressee(s). If you are not the intended recipient, you are hereby advised that any disclosure, copying, distribution or the taking of any action in reliance upon the information is prohibited. If you have received this e-mail in error, please immediately notify the sender and delete it from your system.

-----Original Message-----

From: Christensen, Kelly [mailto:Kelly.Christensen@idwr.idaho.gov]
Sent: Wednesday, April 20, 2005 4:11 PM
To: 'greg@wri.to'
Subject: 37-4436 evidence of priority

I have partially reviewed the claim file and have noted that there is evidence of priority submitted by Randall T Cox indicating that the pond was first filled in October or November of 1968. Based upon initial review it appears that the affidavit satisfies the evidence of priority request.

Kelly K Christensen
Sr Water Resource Agent
IDWR

SCANNED

MAR 15 2007

Apr. 21, 2005 8:31AM

IDAHO DEPT OF WATER RESOURCES

No. 0980 P. 1

4/21 - PENNY - UPON RECEIPT
OF MR MORRISON'S 4/20 LETTER,
I AGAIN TALKED TO IDWR'S KENNY
CHRISTENSON AND HE FAXED ME
THIS PROOF FROM THEIR FILE -
SEE MY EMAIL OF YESTERDAY AS WELL

RECEIVED

OCT 19 1998

Department of Water Resources

Claimants Name:

Ms. Felicitas Funke-Riehle

P.O. Box 2881

Ketchum ID 83340

AND THE ATTACHED BROCHURE
WHICH CAME W/ THE ORIGINAL
IDWR LETTER (APRIL 15)

RECEIVED

OCT 23 1998

Department of Water Resources
Southern Region

Attorney Name & Address:

James P. Speck

Speck & Aanstad

A Professional Corporation

120 East Avenue

P. O. Box 987

Ketchum, Idaho 93340

(208) 726-4421

FAX: (208) 726-0752

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

AFFIDAVIT OF RANDALL T. COX

DESCRIPTIVE SUMMARY

This is an affidavit in support of the elements of Claim [REDACTED] based upon beneficial
use.

AFFIDAVIT OF RANDALL T. COX - 1

SCANNED

MAR 15 2007

\\IDWR\DATA\UD\DrFunkeRiehle\coxa\Affidavit.wpd
9/14/98

AFFIDAVIT

STATE OF IDAHO)
)
COUNTY OF BLAINE) SS.

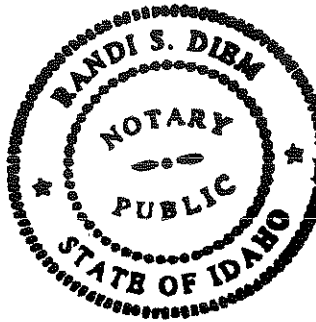
I, RANDALL T. COX, being duly sworn, under oath, depose and state as follows:

1. I am over the age of eighteen (18) years, and have been a resident of Blaine County, Idaho for 26 years.
2. In 1972, I spoke to Owen Simpson who owned all of the lands which now forms Sun Valley Subdivision, First Addition, Revised, in the City of Ketchum, Idaho. He was planning to subdivide the property at the time and I was interested in acquiring a lot. Owen told me he had installed a culvert in October or November, 1968 to divert water from Warm Springs Creek into a depression separated from the Creek by a spit of land to form a pond. He estimated the flow into the pond at approximately 10 cfs. This pond covered most of what is now Lot 7A of the Subdivision.
3. My wife, Glenda, and I purchased Lots 6 and 7 in the Subdivision in 1974 and acquired replatted Lot 7A in 1991. In September, 1987, we filed with the Idaho Department of Water Resources pursuant to I.C. § 42-243, a Claim to a Water Right No. 37-04436 for the aesthetic use of the pond on the basis of the beneficial use commenced by Owen Simpson as described above. In January, 1989, we filed Claim A37-04436 in the SRBA for the aesthetic use of the pond.
4. The amount of water diverted into the pond from Warm Springs Creek and the size of the pond have remained approximately the same since 1968.

DATED this 14 day of September, 1998.

Randall T. Cox
RANDALL T. COX

SUBSCRIBED AND SWORN to before me this 14th day of September, 1998.



Randi S. Diem
Notary Public for Idaho
Residing at Blaine, ID
Comm. Expires: 8/29/03

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

JDWR
1341 FILMORE STREET
TWIN FALLS, ID
83301

2. Article Number (Copy from service label)

7099 3400 0016 9822 0206

PS Form 3811, July 1999

Domestic Return Receipt

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly) B. Date of Delivery

M. Baldwin 1-22-50

C. Signature

X M. Baldwin

☐ Agent

☐ Addressee

D. Is delivery address different from item 1? If YES, enter delivery address below:

☐ Yes

☐ No

3. Service Type

☒ Certified Mail

☐ Express Mail

☐ Registered

☒ Return Receipt for Merchandise

☐ Insured Mail

☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

SCANNED

MAR 15 2007

102595-99-M-1789