

10-15

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OCT 19 2010

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) A. Subcase 37-21412
) (Insert water right number)
Case No. 39576)
)
)
)
)
)
)
)

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: Dana L. Hofstetter
Address: 1098 Los Luceros Drive
Eagle, Idaho 83616
Daytime Phone: (208) 939-6164

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: Indian Creek Ranch Owners Association, Inc.
Address: P.O. Box 3411
Hailey, Idaho 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. X **Source**
Should be: also Indian Springs
3. X **Quantity**
Should be: as claimed
4. X **Priority Date**
Should be: enlargement of 37-296B; remark should be revised to reflect subordination of power rights.
5. X **Point(s) of Diversion**
Should be: also, instream flow should be described, as claimed
6. X **Instream Flow Description**
Should be: also, instream flow should be described, as claimed
7. X **Purpose(s) of Use**
Should be: as claimed; not just storage
8. X **Period of Year**
Should be: as claimed
9. X **Place of Use**
Should be: as claimed; places of use for purposes other than storage should be added.
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):** Amended Claim is based on documented instream and storage uses for aesthetic, wildlife, recreation and fire protection purposes associated with subdivision development. Other provision is incorrect and should be deleted.

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 L. Hofstetter
(Attorney signing in representative capacity)

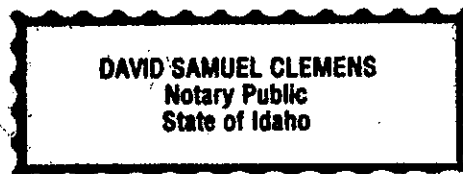
Subscribed and sworn to before me on: October 15, 2010

David Samuel Clemens

Notary Public for the State of Idaho

Residing at: Boise, ID

My Commission Expires: 7/18/2014



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 October 15th, 2010, 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
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:

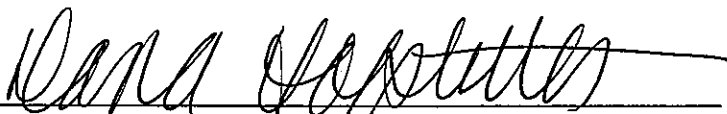
Indian Creek Ranch Owners Association, Inc.	Randall C. Budge
P.O. Box 3411	P.O. Box 1391
Hailey, Idaho 83333	Pocatello, Idaho 83204-1391

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