

07/2008

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

NOTICE OF PROTEST

RECEIVED
FEB 08 2013
DEPT. OF WATER RESOURCES
SOUTHERN REGION

This form may be used to file a protest with the department under sections 42-108B, 42-203A, 42-203C, 42-211, and 42-222, Idaho Code. The department will also accept a timely protest not completed on this form if it contains the same information.

1. Matter being protested Transfer #78359

2. Name of protestant Big Wood Canal Company

3. Protestant's Representative for service (If different than protestant)

Craig Hobdey

4. Service mailing address PO Box 176; Gooding ID 83330

5. Service telephone no. 208.934.4429 Email Address: hobdeycraig@gmail.com

6. Basis of protest (including statement of facts and law upon which the protest is based)

It appears the Applicant is seeking to add points of diversion to water rights not owned by Applicant. The water rights are held by Big Wood Canal Company. In 2008 Big Wood Canal Company agreed to allow the Applicant to change the point of diversion for the delivery of his Big Wood shares but this application seems to do more than that.

(additional pages may be attached to describe nature of the protest)

7. What would resolve your protest? Substitute Big Wood Canal Company as Applicant in order to

avoid confusion as to the ownership of water rights.

I hereby, acknowledge that if I, or my designated representative, fails to appear at any regularly scheduled conference or hearing in the matter of which I have been notified at the address above, the department may issue a notice of proposed default against me in this matter for failure to appear. I also verify that I have served a copy of this protest upon the applicant.

Signed this 7th day of February, 2013.

Big Wood Canal
Protestant

Craig Hobdey
Protestant's Representative

NOTE:

A protestant is required to timely file a protest with the department together with a \$25.00 protest fee for each application being protested in order for the protestant to be considered a full party by the department. In addition, the department's Rule of Procedure, IDAPA 37.01.01203, requires a protestant to send a copy of a protest to the applicant.

INSTRUCTIONS

1. The matter being protested must be clearly identified. A typical matter is identified by the application number such as "Application for Permit No. _____ in the name of _____" or "Application for Transfer No. _____ in the name of _____."
 2. Show the name of the protestant. Only one (1) protestant may be shown per protest form. If this protest form is signed by more than one person, the hearing officer will consider the first signer as the official protestant and the representative for service of documents.
 3. If the protestant is represented by an attorney or other authorized representative, show the representative's name. The department then will serve documents on the representative and upon the protestant if specifically requested.
 4. Show the address where the department is to serve the documents. This should be the address of the authorized representative unless the protestant does not designate a representative.
 5. Show the telephone number of the authorized representative unless the protestant does not designate a service representative.
 6. Specifically describe the nature of the protest.
 7. Describe the relief being sought by the protestant.
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FOR DEPARTMENT USE ONLY

Received by DM Date 2-8-2013 Time 11:30 AM
\$25.00 fee Received by DM # 5033040 Date 2-8-2013

HOBDEY LAW OFFICE, PLLC

125 Fifth Avenue West

P.O. Box 176

Gooding, Idaho 83330-0176

Craig D. Hobdey
(208) 934-4429

Facsimile
(208) 934-4420

RECEIVED

February 7, 2013

FEB 08 2013

DEPT. OF WATER RESOURCES
SOUTHERN REGION

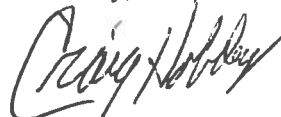
IDWR - Southern Region
1341 Fillmore Street, Suite 200
Twin Falls ID 83301-3380

Dear Sir or Madam:

Enclosed please find a Notice of Protest to Transfer No. 78359. We also enclose our check for \$25.00 for this. Please provide a receipt to this office.

Thanking you in advance for your anticipated cooperation and assistance.

Sincerely,



Craig D. Hobdey

CDH:dm
Enclosures