

HOBDEY LAW OFFICE, PLLC

125 Fifth Avenue West

P.O. Box 176

Gooding, Idaho 83330-0176

Craig D. Hobdey
(208) 934-4429

Facsimile
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April 9, 2009

RECEIVED
MAY 10 2009
DEPT. OF WATER RESOURCES
SOUTHERN REGION

Allen Merritt
Department of Water Resources
1341 Fillmore Street Suite 200
Twin Falls ID 83301-3380

Re: Application for Transfer No. 74712 (McStay)

Dear Allen:

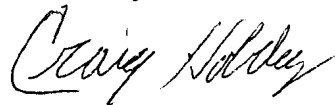
Enclosed please find the following:

1. Original and copy of Notice of Protest re: Transfer #74712;
2. Our firm check in the amount of \$25.00.

Please file the same per the usual procedure and return a receipt and conformed copy to this firm.

Thanking you in advance for your anticipated cooperation and assistance.

Sincerely,



Craig D. Hobdey

CDH:dm

11/07

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

NOTICE OF PROTEST

RECEIVED
MAY 18 2009
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, 42-222 and 42-224, 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 Water Right Transfer #74712

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@hotmail.com

6. Basis of protest (including statement of facts and law upon which the protest is based) 1. It appears to be an enlargement of the use of the water right. 2. There is no recognizable authority or method to regulate the number of acres. 3. The points of diversion do not appear to have regulated measuring devices. 4. There is nothing to indicate where the water in excess of .02 cfs per acre might go. 5. Other basis which have not yet been discovered, but which may be discovered upon further investigation.
(additional pages may be attached to describe nature of the protest)

7. What would resolve your protest? 1. To have the points of diversion approved and regulated by the Water Master of 3737M. 2. To have annual determinations made available to Protestants and DWR. 3. These matters may resolve the protest as other problems with this Transfer are discovered after review of the back-files and physical inspection of the property

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 14 day of MAY, 202009.

Big Wood Canal Company
Protestant

Craig Hobdey
Protestant's Representative

FOR OFFICE USE ONLY

Fee: \$25.00

Receipt No. 5030894

Receipt by: CH

Date Received: 5/18/09