

**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 <u>45-02810A</u>
	)	
Case No. 39576	)	STANDARD FORM 1
	)	OBJECTION
	)	
_____	)	

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: Jared Bedke
Address: c/o 42 East Basin Road
Oakley, Idaho (83346)

Daytime Phone: (208) 862-9288

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

Name: UNITED STATES OF AMERICA ACTING THROUGH USDI
BUREAU OF LAND MANAGEMENT
IDAHO STATE OFFICE
1387 S VINNELL WAY
BOISE, ID 83709-1657

D. I object to the following elements as recommended in the Director's Report.

1. Name and Address

Should be: _____

2. Source

Should be: _____

3. Quantity

Should be: _____

4. Priority Date

Should be: _____

5. Points(s) of Diversion

Should be: _____

6. Instream Flow Description

Should be: _____

7. Purpose(s) of Use

Should be: _____

8. Period of Year

Should be: _____

9. Place of Use

Should be: _____

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):

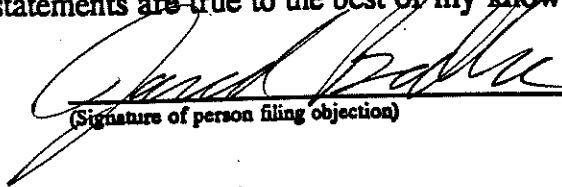
This water right should not exist. This water right is filed on the basis of IC 42-501 which provides that the BLM may appropriate for the purposes of watering livestock and water not otherwise appropriated on the public domain. The diversion is capturing a live stream that is fully appropriated water. Furthermore this location of the water claim does not lie within the public domain (Bardon v Northern Pacific Railroad Company 145 U.S. 535 holding that land to which any claims or rights of others have attached does not fall within the designation of public land).

VERIFICATION (Must be Completed)

State of Idaho)
)ss.
County of Cassia)

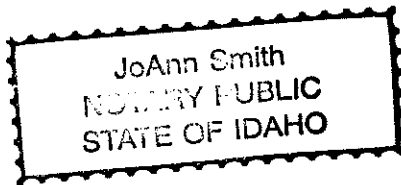
Jared Bedke, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

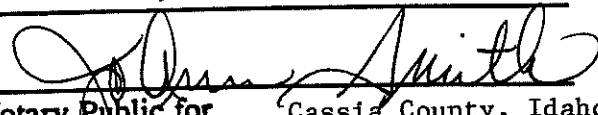
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.


(Signature of person filing objection)

(Attorney signing in representative capacity)

Subscribed and sworn to before me on: January 7, 2005




Notary Public for Cassia County, Idaho
Residing at: Rupert, Idaho
My Commission Expires: 11/03/2006

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.



CERTIFICATE OF MAILING

I certify that on January 7th, 2005, 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:

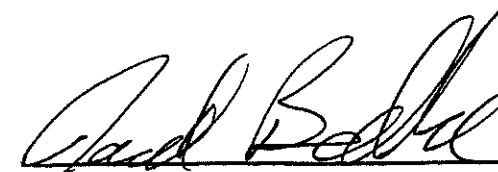
United States of America acting through USDI
Name: Bureau of Land Management
Address: Idaho State Office
1387 S Vinnell Way
Boise, ID 83709-1657

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
PO 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