

**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

45-12529

**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. X **Name and Address**

Should be: See E below

2. X **Source**

Should be: See E below

3. X **Quantity**

Should be: See E below

4. X **Priority Date**

Should be: See E below

5. X **Points(s) of Diversion**

Should be: See E below

6. X **Instream Flow Description**

Should be: See E below

7. X **Purpose(s) of Use**

Should be: See E below

8. X **Period of Year**

Should be: See E below

9. X **Place of Use**

Should be: See E below

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):

The United States has not appropriated its own stockwater right with its own livestock, purchased or otherwise negotiated for a stockwater right, adversely possessed a stockwater right, or obtained it through the efforts of an agent. Therefore the court should not grant the water rights at issue to the United States simply because it manages the public domain. See *Order on Motion and Cross Motion for Summary Judgment BLM Stockwater Claims in Basin 72* (issued on 2/6/98)

F

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.

Jared Bedke
(Signature of person filing objection)

(Attorney signing in representative capacity)

Subscribed and sworn to before me on: 28th day of Jan. 2005

Linda J. Hoxsey
Notary Public for Idaho

Residing at: Burley, Id.

My Commission Expires: December 11, 2008

LINDA J. HOXSEY
Notary Public
State of Idaho

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 January 28, 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:

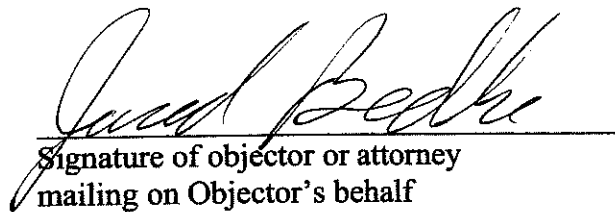
Name: UNITED STATES OF AMERICA ACTING THROUGH USDI
Address: BUREAU OF LAND MANAGEMENT
IDAHO STATE OFFICE
1387 S VINNELL WAY

3. Copies to BOISE, ID 83709-1657

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