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MAY 19 2005

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

Case No. 39576

) A. Subcase No. 31-11845
)
)
)
)
)

STANDARD FORM 1

OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: Ben D. Jernberg

Address: P. O. Box 1442
Billings, Montana 59103

Daytime Phone (406) 252-6072

Name & Address of Attorney, if any:

ROGER D. LING

LING, ROBINSON & WALKER

615 H Street, P. O. Box 396

Rupert, Idaho 83350

ISB No. 1018

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

Name: Ben D. Jernberg

Address: P. O. Box 1442
Billings, Montana 59103

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. ☐ **Source**
Should be: _____
3. ☒ **Quantity**
Should be: 8.83 cfs. Water Right Nos. 31-2395 and 31-11845 are limited to a total combined diversion rate of 12.48 cfs
4. ☐ **Priority Date**
Should be: _____
5. ☐ **Point(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: 658 acres, to-wit:**

TWP	RNG	SEC	NE 1/4				NW 1/4				SE 1/4				SW 1/4				Total			
			NE 1/4	NW 1/4	SE 1/4	SW 1/4	NE 1/4	NW 1/4	SE 1/4	SW 1/4	NE 1/4	NW 1/4	SE 1/4	SW 1/4	NE 1/4	NW 1/4	SE 1/4	SW 1/4	NE 1/4	NW 1/4	SE 1/4	SW 1/4
07N	34E	15						34	39	40	39	40	40	40			39	24	33	40	232	
07N	34E	16			40																176	
07N	34E	21	40	27	23	40															130	
07N	34E	22					40	40	40												120	
																					658	

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 right should be for the diversion of 8.83 cfs, and would be used with Water Right No. 31-02395 with a right to divert 3.65 cfs, for a total of 12.48 cfs. Water Right Nos. 31-02357 and 31-07311 have a combined diversion rate of 9.22 cfs, making a total from the 2 wells of 21.7 cfs diverted under the 4 rights. The place of use would include 348.9 acres that are not irrigated under Water Right No. 31-02395, and a supplemental right for the 324 acres irrigated under 31-02395.

VERIFICATION (Must be Completed)

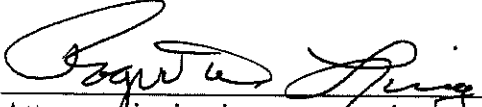
State of Idaho)

County of Minidoka)

Roger D. Ling, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

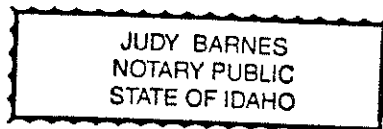
That I am the party/claimant filing this objection, as defined by I.C. § 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

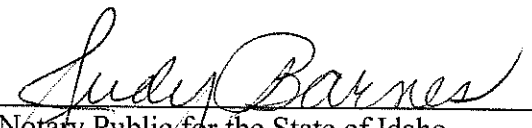
Signature of person filing objection



Attorney signing in representative capacity

Subscribed and sworn to before me on May 18, 2005





Notary Public for the State of Idaho
Residing at Rupert, Idaho
My Commission expires: 02/12/2011

INSTRUCTION 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 May 18, 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
P.O. Box 2707
Twin Falls, Idaho 83303-2707

2. One copy to the claimant of the water right at the following address:

Name: Ben D. Jernberg
Address: P. O. Box 1442
Billings, MT 59103

3. Copies to:

IDWR Document Depository
P. O. Box 83720
Boise, Idaho 83720-0098

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P. O. Box 44449
Boise, Idaho 83711-4449

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, Box 033
Boise, Idaho 83734

Signature of Objector
or attorney mailing on Objector's behalf