

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 29-7135 V1
(Insert water right number)

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: Kenneth R Degen
Address: 19748 50 Degen Rd
Downey Id 83234
Daytime Phone: 897-5792

Name & Address of Attorney, if any:

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

Name: Randy Bertagnole
Address: 2864 E Bowman Rd
Downey Id 83234

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: _____
4. ☒ **Priority Date**
Should be: 2005
5. ☐ **Point of Diversion**
Should be: _____
6. ☐ **Instream Flow Beginning and Ending Point**
Should be: _____
7. ☐ **Purpose(s) of Use**
Should be: _____
8. ☐ **Period of Year**
Should be: 2005
9. ☐ **Place of Use**
Should be: _____
10. ☐ **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 OBJECTIONS(S): has not used
on property since 1975

F.

VERIFICATION (must be completed)

State of Idaho)
)ss.

County of Bannock)

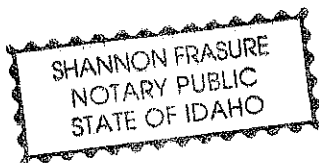
Kenneth L. Dyer, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

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.

Kenneth L. Dyer
(Signature of person filing objection)

Paul W. Larson
(Attorney signing in representative capacity)

Subscribed and sworn to before me on: May 31, 2005



Shannon Frasure
Notary Public for Idaho
Residing at: Pocatello
My Commission Expires: 5-16-09

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 May 31, 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:

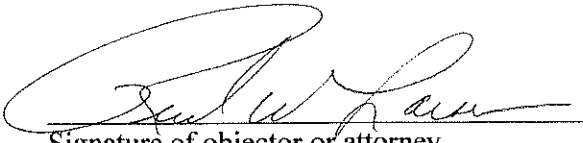
Name: Randy Bertagrock
Address: 2864 E. Bowman Rd
Dewey Id 83234

3. Copies to:

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

RECEIVED

JUN 02 2005

GARY L. COOPER
REED W. LARSEN

COOPER & LARSEN

151 NORTH 3rd AVE. - 2nd FLOOR
P.O. BOX 4229
POCATELLO, ID 83205-4229

RON KERL of Counsel

Department of Water Resources

TELEPHONE (208) 235-1145
FAX (208) 235-1182

M. ANTHONY SASSER
E. W. "SKIP" CARTER
JAMES D. RUCHTI
MARVIN K. SMITH

Attorneys at Law

May 31, 2005

Clerk of the District Court
Snake River Basin Adjudication
P.O. Box 2707
Twin Falls, ID 83303-2707

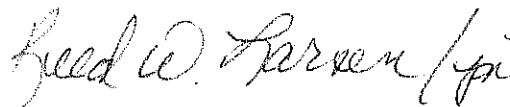
Re: In Re SRBA Case No. 39576

Dear Clerk:

Enclosed for filing with your office, please find a Standard Form 1 Objection.

Thank you for your assistance.

Sincerely,



REED W. LARSEN

RWL/ja

Enclosure

cc: Ken Degn
Randy Bertagnole
IDWR Document Depository
U.S. Department of Justice
Chief, Natural Resources Division