

**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

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)
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)

A. Subcase: 22-13723
(Insert Water Right Number)

**STANDARD FORM 1
OBJECTION**

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: Kerry Gee

Address: 2364 E HWY 33

SUGAR CITY, ID 83448

Daytime Phone: (208)356-3783

Name and Address of Attorney, if any:

RAY W. RIGBY

P.O. BOX 250

REXBURG, IDAHO 83440

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

Name: BC PROPERTIES LLC

Address: PO BOX 28

DRIGGS, ID 83422

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:
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:
9. ☐ **Place of Use**
Should be:
10. ☐ **Other Conditions of Approval**
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 right from which this right was split, (22-7105), use to cover the full SE1/4, the SESW, and the W1/2 of the SW1/4 of Section 5, Township 5N, Range 45E. However, the W1/2 of the SW1/4 has recently been sold, with all water rights reserved to Kerry Gee and Gerald Gee. However, the Department erroneously split the right and assigned a portion of the right to the W1/2 of the SW1/4. The full 2.26 cfs should remain on the SE1/4 and the SESW of Section 5.

F.

VERIFICATION (must be completed)

STATE OF IDAHO,)
 SS
County of Madison.)

Kerry Gee, duly sworn, upon oath, deposes and says:

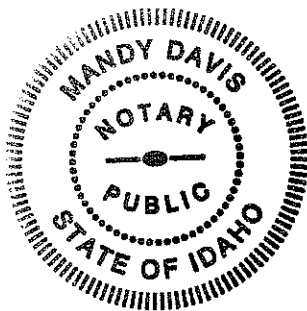
(Name of person filing objection)

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 objections, know its contents and believe that the statements are true to the best of my knowledge.

Kerry Gee
(Signature of person filing objection)

(Attorney signing in representative capacity)

Subscribed and sworn before me on: July 25, 2017



Mandy Davis
Notary Public for Idaho
Residing at: St. Anthony
My Commission Expires: 6-24-2011

INSTRUCTIONS FOR MAILING

You must mail the objection, to the Clerk of the court. **FAX filing 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 July 25, 2007, 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: BC PROPERTIES LLC
Address: PO BOX 28
DRIGGS, ID 83422
3. Copies to:
IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

United States Department of Justice
Environment and Nat'l Resources Div
550 W. Fort Street, MSC 033
Boise, ID 83724

Chief, Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise, ID 83711-4449



Signator of objector or attorney
mailing on Objector's behalf