

Bruce Byron Bedke  
in care of: 42 East Basin Road  
UNITED STATES POST OFFICE  
Oakley, Idaho

RECEIVED

AUG 28 2003

Department of Water Resources

Jared K. Bedke  
in care of: 69 West Basin Road  
UNITED STATES POST OFFICE  
Oakley, Idaho

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT IN AND  
FOR THE STATE OF IDAHO COUNTY OF TWIN FALLS

|                       |   |                                           |
|-----------------------|---|-------------------------------------------|
| <b>In Re SRBA</b>     | ) | <b>Subcases 47-16433, <i>et al.</i></b>   |
|                       | ) | <b>(see list of 26 subcases attached)</b> |
|                       | ) | <b>(USDA/FS)</b>                          |
| <b>Case No. 39576</b> | ) |                                           |
|                       | ) | <b>MEMORANDUM OF CLARIFICATION</b>        |
|                       | ) | <b>re:</b>                                |
|                       | ) | <b>MOTION TO ALTER OR AMEND</b>           |
|                       | ) | <b>ORDER VACATING STAYS and</b>           |
|                       | ) | <b>ORDER DENYING MOTIONS</b>              |
| _____                 | ) | <b>TO FILE LATE OBJECTIONS</b>            |

Comes now, Jared K. Bedke and Bruce Byron Bedke, petitioners, Sui Juris, by special visitation, who are unschooled in law, in the above named subcases with the following MEMORANDUM OF CLARIFICATION (MEMORANDUM). It was recently brought to our attention that the Special Masters ORDER dated July 3, 2003 is an ORDER and not a RECOMMENDATION and therefore a MOTION TO ALTER OR AMEND (MOTION) does not apply. It was also recently brought to our attention that the MOTION TO ALTER OR AMEND submitted to this court, while substantively correct, should have been in the form of a MOTION TO RECONSIDER. While the form of the MOTION was that of a MOTION TO ALTER OR AMEND, the substance of the

MOTION was that of a MOTION TO RECONSIDER, and as requested in the MOTION TO ALTER OR AMEND petitioners once again ask the court look at the substance of the pleadings rather than the form. This MEMORANDUM is to clarify that the previously filed MOTION TO ALTER OR AMEND was really substantively a MOTION TO RECONSIDER the ORDER and should be treated and renamed as such. Petitioners hope this clears up any confusion.

Sincerely

A handwritten signature in black ink, appearing to read "Jared K. Bedke". The script is cursive and fluid.

Jared K. Bedke

A handwritten signature in black ink, appearing to read "Bruce Byron Bedke". The script is cursive and fluid.

Bruce Byron Bedke

## ATTACHMENT 1

### Subcase Nos:

47-16433  
47-16434  
47-16435  
47-16437  
47-16438  
47-16440  
47-16441  
47-16442  
47-16443  
47-16444  
47-16445  
47-16446  
47-16447  
47-16448  
47-16449  
47-16458  
47-16459  
47-16460  
47-16461  
47-16463  
47-16464  
47-16465  
47-16466  
47-16470  
47-16471  
47-16474

**CERTIFICATE OF SERVICE**

I hereby certify that on this 25th day of August, 2003 I served a true and correct copy of the foregoing MEMORANDUM OF CLARIFICATION re: MOTION TO ALTER OR AMEND ORDER VACATING STAYS and ORDER DENYING MOTIONS TO FILE LATE OBJECTIONS upon the following individuals by placing the document in the United States Mail, postage prepaid, addressed as follows:

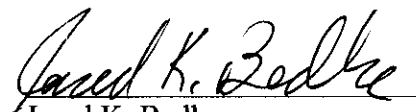
GARY R. POULTON  
MICHAEL A. POULTON  
SCOTT C. BEDKE

Represented by:  
TRAVIS L. THOMPSON  
233 – 2<sup>ND</sup> ST N, STE D  
TWIN FALLS, ID 83301  
Phone: 208-733-0700

USDA FOREST SERVICE  
Represented by:  
US DEPARTMENT OF JUSTICE  
ENVIRONMENT & NATL' RESOURCES  
550 WEST FORT STREET, MSC 033  
BOISE, ID 83724

DIRECTOR OF IDWR  
PO BOX 83720  
BOISE, ID 83720-0098

SRBA  
DISTRICT COURT  
253 3<sup>RD</sup> AVENUE NORTH  
TWIN FALLS, ID 83301

  
Jared K. Bedke