

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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number 45-13626
Date Received: 11/25/2003
Receipt No:
Received By: *X* 5026502

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name of Claimant(s)

BEDKE FAMILY LIMITED PARTNERSHIP
1876 S 600 W
OAKLEY ID USA 83346

Phone: (208)862-3641

2. Date of Priority: 04/01/1954

3. Source: BEAVERDAM CREEK Trib. to: GOOSE CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
16S	21E	30	NE SE NW	CASSIA	

5. Description of diverting works:

dam & ditches

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/15	11/15	0.3	

7. Total Quantity Appropriated is:
0.3 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
16S	21E	29	NE SW	IRRIGATION	7
				Section Acres	7
16S	21E	30	NE NE	IRRIGATION	30
				Section Acres	30

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9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
16S	21E	30	NE NE	IRRIGATION	30
		29	NE SW	IRRIGATION	7
				Section Acres	37

11. Place of use in counties: CASSIA

12. Do you own the property listed above as place of use? Yes

13. Other Water Rights Used:

14. Remarks:

15. Basis of Claim: Beneficial Use

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do do not / wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments:

For Organizations:

I do solemnly swear or affirm that I am GP of

Sedke Family Ltd Pts, that I have signed the foregoing
Organization
document in the space below as GP of

Sedke Family Ltd Pts and that the statements contained in the
Organization
foregoing document are true and correct.

Paul Sedke GP
Signature of Authorized Agent

GP Sedke Family Ltd Pts
Title and Organization

2-25-04
Date

State of Idaho)
County of Twin Falls) SS.

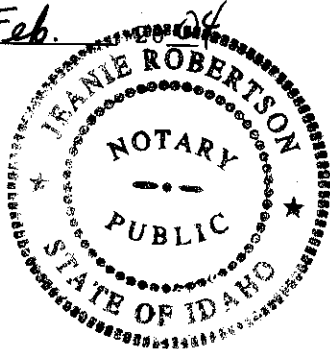
Subscribed and sworn (or affirmed) before me this 25th.

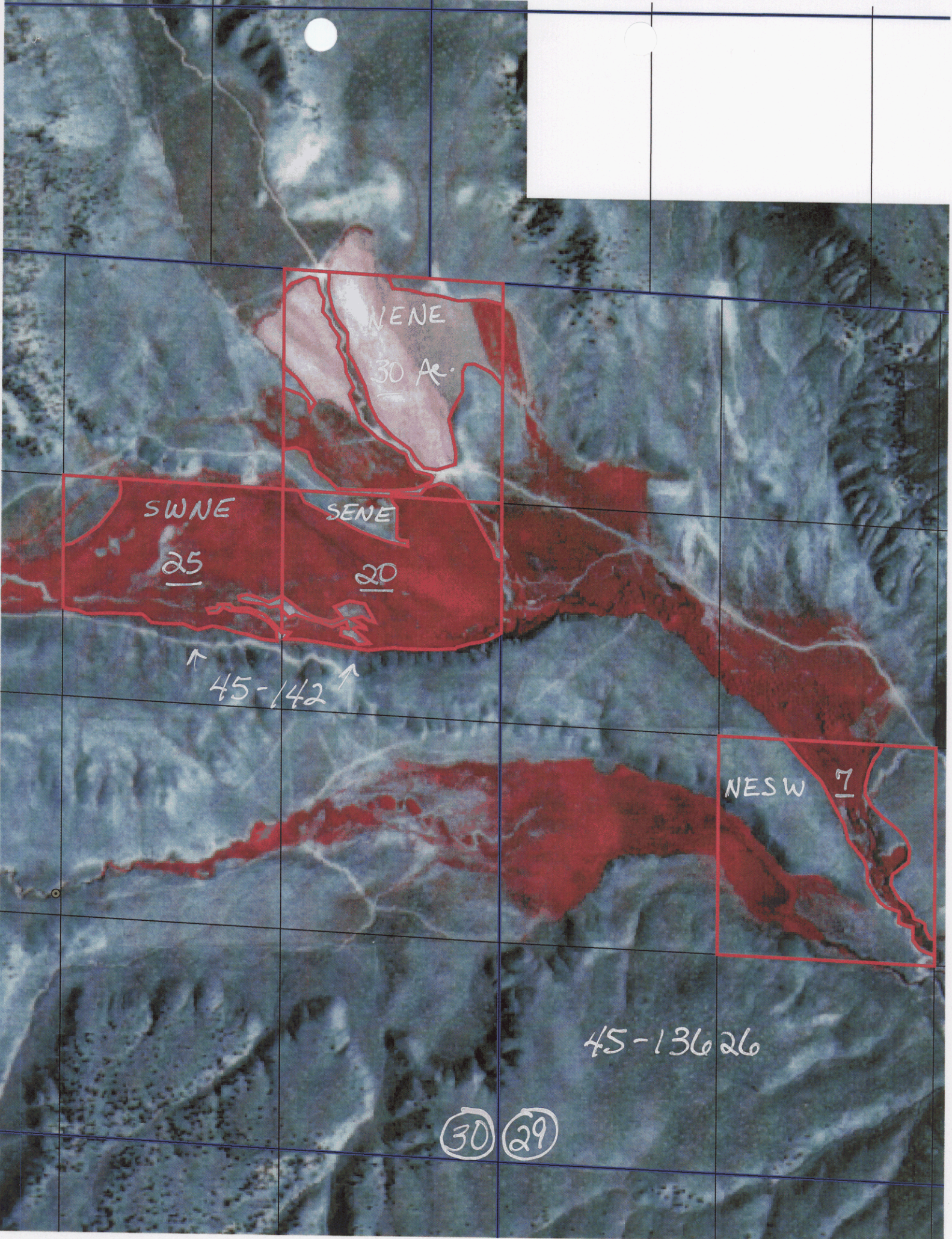
of Feb. 2004
Jeanie Robertson

Notary Public

Residing at Twin Falls, ID

My commission Expires 9-23-06





Idaho Department of Water Resources Receipt

Receipt ID S026502

Payment Amount \$265.00 Date Received 2/25/2004 5:03:40 PM Region Southern Status ☐
 Payment Type Check Check Number 4318

Payer BEDKE, KARL U

Comment

45-145 \$108.00 (filing fee plus 58 acres) in NESW
45-136A \$88.00 (Amended and added 88 additional acres)

COPY

Fee Detail

Amount	Description	Fund	FD	PCA	SO
\$265.00	ADJUDICATION FILING FEE	0337	44503	1155	


 Signature Line (Dept. Representative)

03/02/2004

NOTICE OF ERROR
REPLY

RECEIVED
APR 09 2004

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: See cover letter

Water right number: 45-13626

BEDKE FAMILY LIMITED PARTNERSHIP

1876 S 600 W

OAKLEY ID 83346

Telephone Number: (208)862-3641

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

2. Describe the changes you wish to make in the proposed recommendation:

3. Give a brief explanation as to why you disagree with these portions:

☒ I AGREE with this proposed recommendation. no changes need to be made.

DATE: 4-9-04

SIGNATURE:

Please print your name:

Tall Sedke LP
Sedke Family Ltd Pts

IDWR Regional Office, 1341 Fillmore St, Suite 200, Twin Falls, ID 83301, 2087363033

03/02/2004

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 45-13626

NAME AND ADDRESS: BEDKE FAMILY LIMITED PARTNERSHIP
1876 S 600 W
OAKLEY ID 83346

SOURCE: BEAVERDAM CREEK

TRIBUTARY: GOOSE CREEK

QUANTITY: 0.300 CFS

USE OF THIS RIGHT WITH RIGHT NO. 45-142 IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 0.8 CFS.

PRIORITY DATE: 04/01/1954

POINT OF DIVERSION:

T16S R21E S30 NWSNW Within CASSIA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	0.300 CFS

PLACE OF USE: IRRIGATION Within CASSIA County

T16S R21E S29	NESW	7.0	T16S R21E S30	NENE	30.0
T16S R21E S30	SWNE	23.0	T16S R21E S30	SENE	23.0

83 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 45-142 IS LIMITED TO THE IRRIGATION
OF A COMBINED TOTAL OF 83 ACRES IN A SINGLE IRRIGATION SEASON.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 37 ACRES WITHIN THE
PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

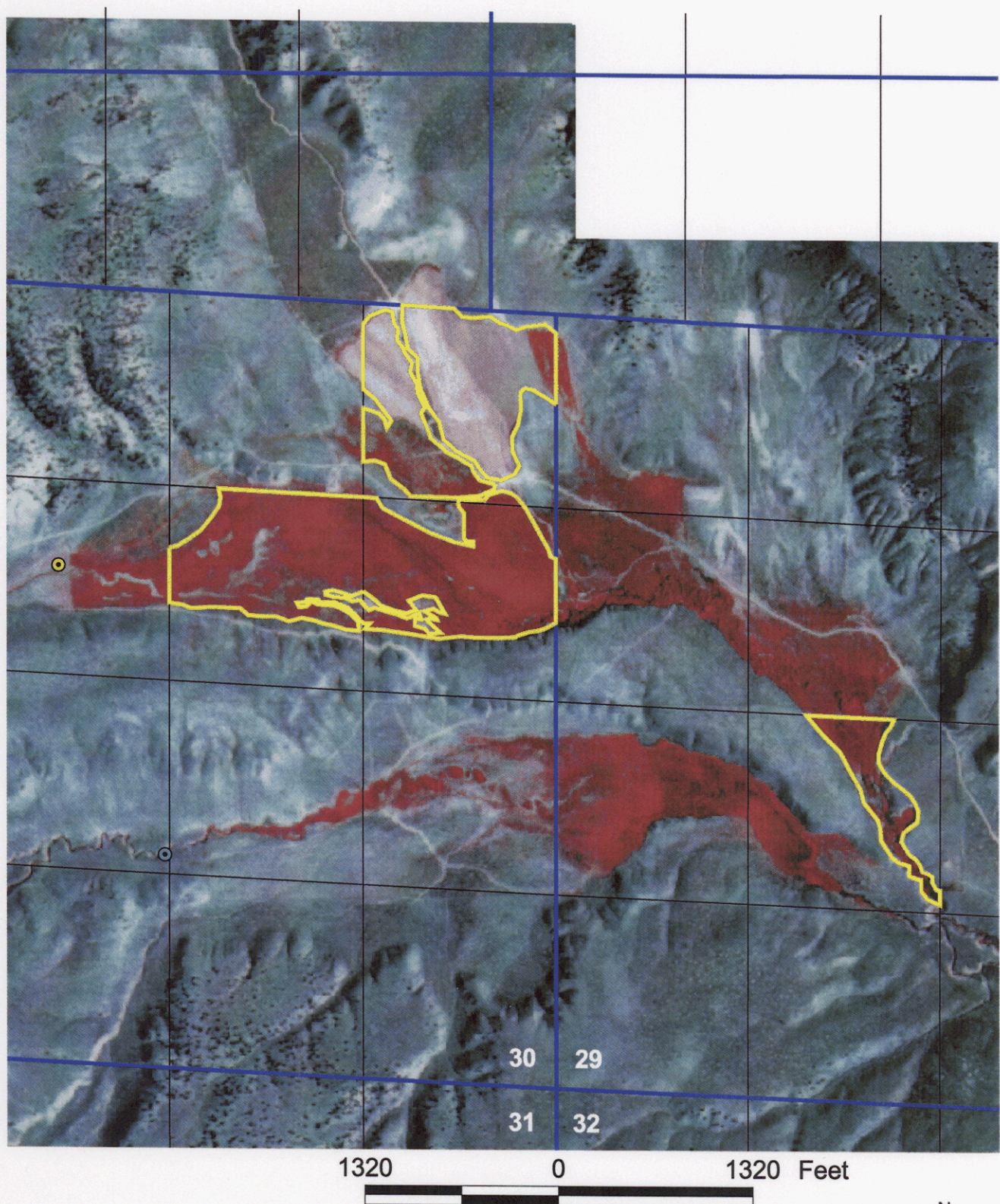
This right shall not be diverted as long as the natural flow of Beaverdam
Creek reaches Goose Creek.

This partial decree is subject to such general provisions necessary for
the definition of the rights or for the efficient administration of the water
rights as may be ultimately determined by the Court at a point in time no
later than the entry of a final unified decree. Section 42-1412(6), Idaho
Code.

EXPLANATORY MATERIAL: Beneficial Use

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT
TO SECTION 42-1425, IDAHO CODE.

45-142 & 45-13626



- Point of diversion
- Place of use
- Quarter-quarter lines
- Section lines

RECOMMENDED PLACE OF USE
DATA ENTRY ON MAR. 2, 2004
TWP 16S, RNG 21E, SEC. 29 & 30



Gis Place of Use Presentation
1987/1988 Napp Photography
Prepared by Jeanie Robertson

03/02/2004

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 45-13626

NAME AND ADDRESS: BEDKE FAMILY LIMITED PARTNERSHIP
1876 S 600 W
OAKLEY ID 83346

SOURCE: BEAVERDAM CREEK

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QUANTITY: 0.300 CFS

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COMBINED DIVERSION RATE OF 0.8 CFS.

PRIORITY DATE: 04/01/1954

POINT OF DIVERSION:

T16S R21E S30 NWSENW Within CASSIA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	0.300 CFS

PLACE OF USE: IRRIGATION Within CASSIA County

T16S R21E S29	NESW	7.0	T16S R21E S30	NENE	30.0
T16S R21E S30	SWNE	23.0	T16S R21E S30	SENE	23.0

83 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 45-142 IS LIMITED TO THE IRRIGATION
OF A COMBINED TOTAL OF 83 ACRES IN A SINGLE IRRIGATION SEASON.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 37 ACRES WITHIN THE
PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This right shall not be diverted as long as the natural flow of Beaverdam
Creek reaches Goose Creek.

This partial decree is subject to such general provisions necessary for
the definition of the rights or for the efficient administration of the water
rights as may be ultimately determined by the Court at a point in time no
later than the entry of a final unified decree. Section 42-1412(6), Idaho
Code.

EXPLANATORY MATERIAL: Beneficial Use

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT
TO SECTION 42-1425, IDAHO CODE.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 45-13626 V1

WATER RIGHT NUMBER: 45-13626 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	BEDKE FAMILY LIMITED PARTNERSHIP 1876 S 600 W OAKLEY, ID 83346 (208)862-3641

Priority Date: 04/01/1954

Basis: Beneficial Use

Status: Active

<u>Source</u>	<u>Tributary</u>
BEAVERDAM CREEK	GOOSE CREEK

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/01 to 10/31	0.300 CFS	
	<u>Total Diversion:</u>	0.300 CFS	

Location of Point(s) of Diversion

BEAVERDAM CREEK	NW1/4SE1/4NW1/4	Sec. 30, Twp 16S, Rge 21E, B.M.
CASSIA County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
16S	21E	29									7.0								7.0
16S	21E	30	30.0		23.0	23.0													76.0

Total Acres: 83

Conditions of Approval:

1. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
2. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

Remarks:

1. General This right shall not be diverted as long as the natural flow of Beaverdam Creek reaches Goose Creek.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 45-13626 V1

2. Quantity USE OF THIS RIGHT WITH RIGHT NO. 45-142 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 0.8 CFS.
3. Place of Use - Irrigation USE OF THIS RIGHT WITH RIGHT NO. 45-142 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 83 ACRES IN A SINGLE IRRIGATION SEASON.
4. Place of Use - Irrigation THIS RIGHT IS LIMITED TO THE IRRIGATION OF 37 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

Comments:

1. jroberts 3/2/2004 Basis of Recommendation

Comment: This claim was filed as an enlargement of decree 45-142. The priority date is 1954 so it does not need to be advertised so will be recommended as a beneficial use right with no additional diversion rate and limited to 37 acres within an 83 acre ppu. Season of use is 4/1 to 10/31 in this area. Diversion rate was calculated as .8 cfs divided by 83 acres X 37 acres = 0.3 cfs, limited to the decreed 0.8 cfs when combined with 45-142.

T16S
R21E
Sec. 30

45-142

FS or
BLM?

NWNE

NENE

FS
or
BLM?

5

15

SWNE

SENE

23

23

FS or
BLM?

30

needs enlargement
claim for about 20 Ac.
= total of 66 Ac.
(pd. for 75 Ac.)

cal. 20

[illegible][illegible][illegible][illegible]



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

February 26, 2004

BEDKE FAMILY LIMITED PARTNERSHIP
1876 S 600 W
OAKLEY ID 83346

RE: *****Ownership Change needed on 45-153 (formerly Shoulder 3 Ranches)*****
Copies of recent amendments (45-136A & 45-154A) & New Claims (45-145 & 45-13626)

Dear Mr. Bedke,

Enclosed is your receipt and copies of the filings you made yesterday.

We still need to do an Ownership Change on 45-153, originally filed by Shoulder 3 Ranches. Please complete the enclosed Ownership Change form and return it with a copy of the Warranty Deed and a map.

I have also tentatively prepared an Amended Version of 45-153, which would correct the Place of Use. It was originally claimed in the NWNW for 5 acres, which is BLM ground, and 25 acres in the SWNW, for a total of 30 acres. You also own the NWSW but no acres were claimed there. According to the map I am sending along, I think the Place of Use acres are more correctly described as 10 acres in the NWSW and 20 in the SWNW, still for a total of 30 acres.

There are no fees required for either the Ownership Change or the Amendment because the acres did not increase!

Please return the needed documents as soon as possible or stop by the office again, preferably calling ahead to make sure I am available. (I plan to be in Oakley at the Oakley Canal Company offices on Friday March 5 at 7:00 pm and again on Monday March 8 at 3:00 pm to attend water district meetings. Let me know if you would like to meet me there so I can bring my Notary Stamp.) Give me a call if you have any questions.

Sincerely,

Jeanie Robertson
Sr. Water Resource Agent



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

November 25, 2003

BEDKE FAMILY LIMITED PARTNERSHIP
1876 S 600 W
OAKLEY ID 83346

RE: 45-145 (New Claim)& 45-13626 (Enlargement Claim of 45-142)

Dear Mr. Bedke,

Hope you have been recovering well from your surgery. I thought I would send you these claims to either complete, sign, and return to me or at least be able to look them over and see if you have any questions before we get together to file them.

45-145 was previously unclaimed and you had indicated that you **did** want to file on it. I have prepared a claim based on the original water right 45-145. **You will need to indicate how many acres you irrigate per quarter-quarter, the location of the point of diversion, and the diversion rate you are claiming.** (The decree is for the entire flow of the South Fork of Beaverdam Creek on 160 acres, so perhaps a claimed diversion rate of 160 inches or 3.2 cfs is a reasonable suggestion). **The filing fee for this claim will be \$50.00 plus \$1.00 per claimed acre of irrigation.**

45-13626 is for the enlargement of 45-142. You had originally claimed 30 acres in the NENE of Section 30, T16S, R21E, but decree 45-142 did not apply to those acres. If you wish to continue to irrigate those extra acres, you will need to file this enlargement claim. **The filing fee for this claim will be \$50.00, with the acres having been previously paid for under 45-142.**

Please look the claims over and feel free to give me a call at the office if you have any questions. We can schedule an appointment for you to come in to the office or if you prefer, I can come to your place. Let's try to get this process completed by **December 19, 2003** so I will have time to get my recommendations done in time for the upcoming Director's Report.

Sincerely,

Jearie Robertson
Sr. Water Resource Agent



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

August 26, 2003

BEDKE FAMILY LIMITED PARTNERSHIP
1876 S 600 W
OAKLEY ID 83346

RE: Adjudication Claim 45-142, **45-145 (Not Claimed!)**

Dear Claimants,

I am in the process of reviewing your adjudication claims, filed in 1989 by Shoulder 3 Ranches and which you purchased in 1992, in order to make my recommendations to the court for eventual decree. This is the next phase in the adjudication process.

You have a claim against 45-142 for the waters of Beaver Dam Creek. This decree was only for the S $\frac{1}{2}$ of the NE $\frac{1}{4}$, but you also claimed usage in the NENE $\frac{1}{4}$. This usage must be claimed separately as an Enlargement Claim, per Idaho Code 42-1426, (copy enclosed) and will need to be advertised. If you wish to continue to irrigate these acres, please call for an appointment to file this claim by September 12, 2003. Keep in mind there will be a \$50.00 filing fee.

Your ownership change documents referred to 45-145 but a claim has never been filed against this old decree. If you are using these waters, you will need to file a claim, again a \$50.00 filing fee will be required and please plan to do so by Sept. 12.

Our records show your address to be **RT 1 BOX 96** but I see the records of the assessor's office list your address as **1876 S 600 W**. Please complete, sign, and return the enclosed change of address so we can update our official records.

Please feel free to call if you have any questions.

Sincerely,

Jeanie Robertson
Sr. Water Resource Agent