

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 45-13739
Date Received: 4/28/2004
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

KARL U BEDKE Phone: (208) 862-3641
1876 S 600 W
OAKLEY ID 83346

PATRICIA BEDKE Phone: (208) 862-3641
1876 S 600 W
OAKLEY ID 83346

SCOTT BEDKE Phone: (208) 862-3619
450 N CENTER AVE
OAKLEY ID 83346

MICHAEL A POULTON Phone: (208) 862-3340
605 W 2200 S
OAKLEY ID 83346

2. Date of Priority: 06/11/1905

3. Source: SECTION 9 SPRING Trib. to: SINKS

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot			County	Type
16S	21E	9	NE	SE	NW	CASSIA	

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
STOCKWATER	05/01	11/30	0.02	

7. Total Quantity Appropriated is:
0.02 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	9	SE	NW	STOCKWATER	

11. Place of use in counties: CASSIA

12. Do you own the property listed above as place of use? No

13. Other Water Rights Used:

14. Remarks:

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP SUBMITTED 4-15-2004 IS LOCATED IN
FILE 45-13713.

ALL ELEMENTS OF THIS CLAIM, WHICH IS A PORTION OF THE ORIGINAL SPLIT BY
OWNERSHIP, MAY NOT CONFORM TO THE ORIGINAL. SEE CLAIM RECORD
45-10331 FOR THE SIGNED NOTICE OF CLAIM AS FILED.

15. Basis of Claim: Beneficial Use

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 45-13701
Date Received: 3/31/2004
Receipt No:
Received By:

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

1. Name of Claimant(s)

GARY R POULTON Phone: (208)862-3340

605 W 2200 S
OAKLEY ID USA 83346

BRUCE BEDKE Phone: (208)862-3697

42 E BASIN RD
OAKLEY ID USA 83346

RAY C BEDKE Phone:

42 E 1975 S
OAKLEY ID USA 83346

WINSLOW B WHITELEY Phone: (208)862-3252

BASIN RD
42 E 1975 S
OAKLEY ID USA 83346

2. Date of Priority: 04/01/1872

3. Source: SECTION 9 SPRING Trib. to: SINKS

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
16S	21E	9	NE SE NW	CASSIA	

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
STOCKWATER	05/01	11/30	0.04	

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

OC Spill

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	9	SE	NW	STOCKWATER	

11. Place of use in counties: CASSIA

12. Do you own the property listed above as place of use? No

13. Other Water Rights Used:

14. Remarks:

CLAIM 45-13701 IS A PORTION OF 45-10331 SPLIT BY BLM, USFS & PRIVATE BOUNDARIES. SECTION 9 SPRING IS LOCATED ON USFS LAND.

FOR ADDITIONAL REMARKS SEE 45-10331

15. Basis of Claim: Beneficial Use .

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: XXXXXXXXXX
Date Received: 5/ 2/1989
Receipt No: S006989
Received By: _____

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: WINSLOW B WHITELEY
Address: PO BOX 283
OAKLEY ID 83346 208-862-3252
OR
Name: RAY C BEDKE
Address: OAKLEY ID 83346
OR
Name: GARY RUSSEL POULTON
Address: OAKLEY ID 83346
OR
Name: BRUCE BEDKE
Address: 42 E 1975 SOUTH (BASIN RD)
OAKLEY ID 83346
2. Date of Priority: APR 1, 1872
3. Source: HORSESHOE SPRING
SPRING, SECTION 9
EMERY SPRING
BEAVER DAM SPRING
GOOSE CREEK
BEAVER DAM CREEK
Trib. to: SINKS
SINKS
SINKS
SINKS
GOOSE CREEK RESERVOIR
GOOSE CREEK
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
16S	21E	9	NE	SE	NW		CASSIA
		17	NW	SE	NE		CASSIA
		27	SW	NW	SW		CASSIA
			NW	NE	NW		CASSIA
Beginning Point of Instream Flow							
16S	21E	13	NE	NW	NW		CASSIA
16S	21E	29	SW	NW	SE		CASSIA

4. Point of Diversion: Continued

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County
Ending Point of Instream Flow					
16S	21E	12	SE	SW	CASSIA
16S	21E	34	SW	NW	CASSIA

5. Description of diverting works:

PONDS, COLLECTOR BOXES, PIPELINES, TROUGHS, & INSTREAM USES.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
STOCKWATER	05/01	11/30	0.500		

7. Total Quantity Appropriated is:
0.500 C.F.S. (and/or)

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:
S/2000 RANGE

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
16S	21E	9	SE	NW	STOCK	
		12	SW	SW	STOCK	
		13	NW	NW	STOCK	
		17	SE	NE	STOCK	
			NW	SW	STOCK	
		27	NE	NW ✓	STOCK	
		28	SW	SW	STOCK	
		29	NW	SE	STOCK	
			SW	SE	STOCK	
			SE	SE	STOCK	
		33	NW	NE	STOCK	
			SE	NE ✓	STOCK	
			NE	NW	STOCK	
			NW	NW	STOCK	
		34	SW	NW ✓	STOCK	

11. Place of use in counties: CASSIA

12. Do you own the property listed above as place of use? NO

13. Other Water Rights Used:
NONE

14. Remarks:

USED UNDER GRAZING ALLOTMENT FROM B.L.M.
AKA GOOSE CREEK CATTLE & HORSE ASSOC.

***FILE E: SOUTH SPRING UNIT

SEE FILE FOR ABOVE DESCRIBED ATTACHMENT, THIS EXPLAINS SOURCES
MATCHED TO THEIR P/D'S.
ALL SPRINGS AND STREAMS ARE WITHIN ONE GRAZING UNIT AND CAN BE
ACCESSED BY CATTLE WITHOUT CROSSING FENCES.

NOTE ON P/D

--GOOSE CREEK--INSTREAM USE

BEG. NE,NW,NW, SEC. 13--END. SE,SW,SW, SEC. 12, T16S. R21E.

--BEAVER DAM CREEK--INSTREAM USE

BEG. SW,NW,SE, SEC. 29--END. SW,SW,NW, SEC. 34, T16S. R21E.
ADDED GRID ADDRESS.

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 Co - owner of
_____ Title
_____, that I have signed the foregoing
Organization
document in the space below as _____ of
_____ Title
_____ and that the statements contained in the
Organization
foregoing document are true and correct. x Ray C. Berke
Signature of Authorized Agent

Title and Organization
March 12, 1998
Date

State of Idaho

County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 12th day
of March 19 98

Seal

Janice Robertson
Notary Public

Residing at Twin Falls, Id.
My Commission Expires 9-23-2000

FILE E SOUTH SPRING UNIT--BLM USE: STOCKWATER. PRIORITY DATE:
APRIL 1879.

Horseshoe Spring
Section 9 Spring
Emery Spring
Beaver Dam Spring

NW NE NW SEC 27 T16S R21E
NE SE NW SEC 9 T16S R21E
NW SE NE SEC 17 T16S R21E
SW NW SW SEC 17 T16S R21E

Goose Creek - a tributary of Goose Creek Reservoir
Beginning
Ending

NE NW NW SEC 13 T16S R21E
SE SW SW SEC 12 T16S R21E

Beaver Dam Creek - a tributary of Goose Creek
Beginning
Running

SW NW SE SEC 29 T16S R21E

SW SE SEC 29

SE SE SEC 29

SW SW SEC 28

NW NW SEC 33

NE NW SEC 33

NW NE SEC 33

SE NE SEC 33

Ending

SW SW NW SEC 34 T16S R21E

FILE F PINEY-TROUT CREEK RIM TO GOOSE CREEK. USE: STOCKWATER
PRIORITY DATE: APRIL 1879.

Permission Spring
Thoroughbred Spring
Humphrey Pond
WPA Spring

NW NE SE SEC 3 T16S R19E
SE NE NW SEC 10 T16S R19E
SE NE SE SEC 5 T16S R19E
NW NW SE SEC 26 T16S R19E

A45-10331

FILED 09 1993

04/19/2004

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

RIGHT NUMBER: 45-13739
NAME AND ADDRESS: SCOTT BEDKE
450 N CENTER AVE
OAKLEY ID 83346

KARL U BEDKE
1876 S 600 W
OAKLEY ID 83346

PATRICIA BEDKE
1876 S 600 W
OAKLEY ID 83346

MICHAEL A POULTON
605 W 2200 S
OAKLEY ID 83346

SOURCE: SECTION 9 SPRING
QUANTITY: 0.020 CFS

TRIBUTARY: SINKS

The quantity of water under rights 45-13735, 45-13736, 45-13737, 45-13738, 45-13739, 45-13740, 45-13741, 45-13742 shall not exceed a combined total of 13,000 gallons per day

PRIORITY DATE: 06/11/1905

POINT OF DIVERSION:

T16S R21E S9 NESENW Within CASSIA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
STOCKWATER

PERIOD OF USE
05/01 11/30

QUANTITY
0.020 CFS

PLACE OF USE: STOCKWATER Within CASSIA County
T16S R21E S09 SENW

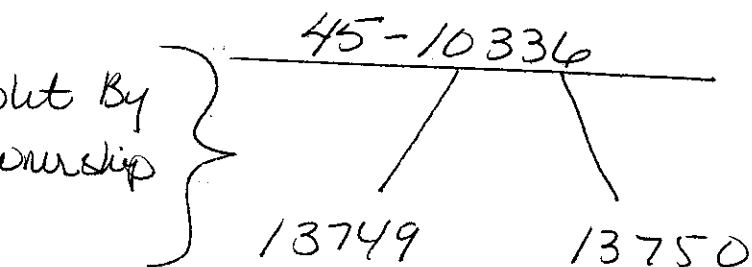
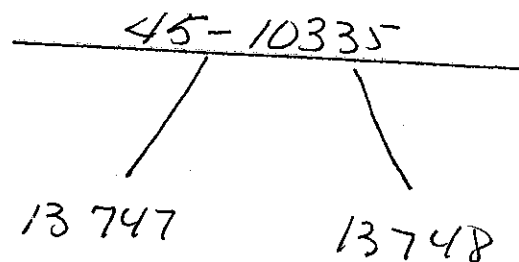
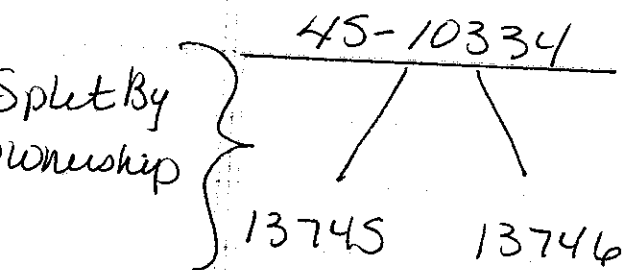
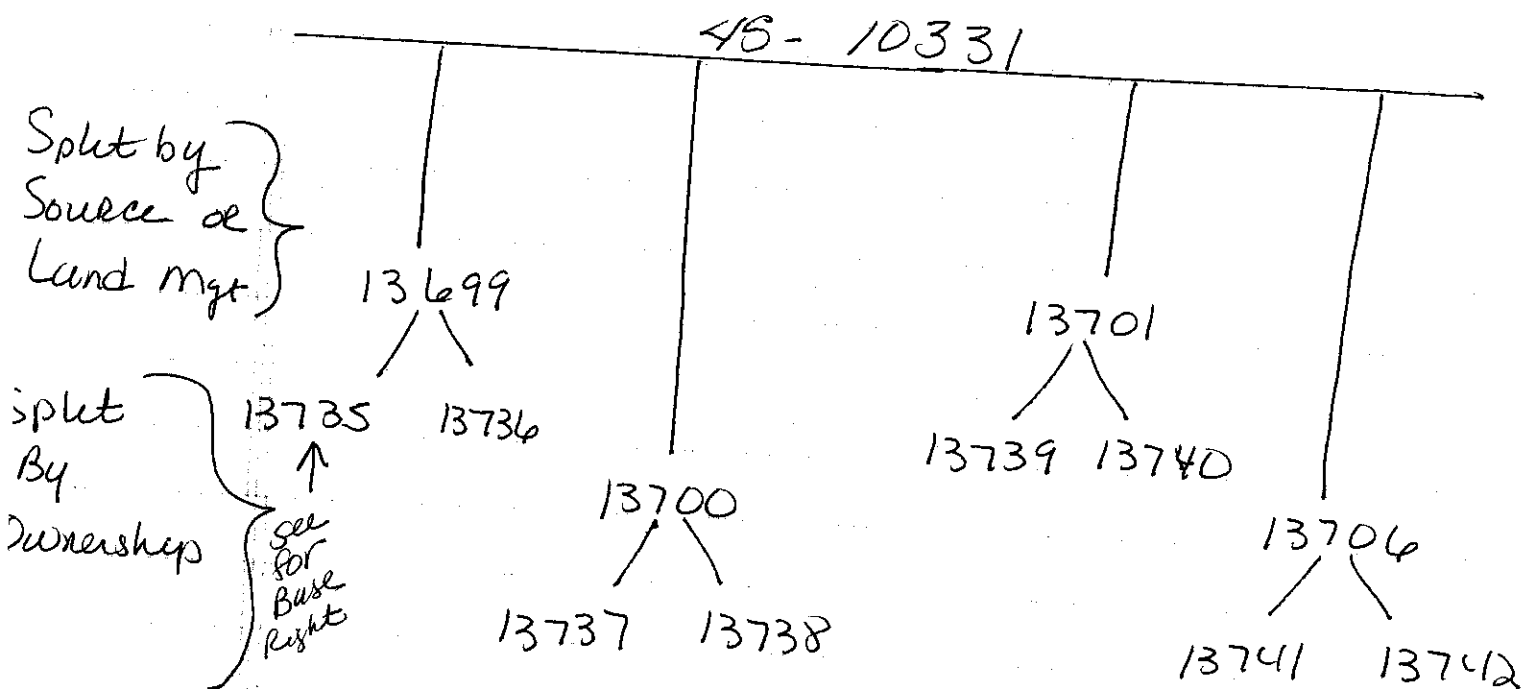
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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.

The quantity of water decreed for this water right is not a determination of historical beneficial use.

EXPLANATORY MATERIAL: Beneficial Use

THIS RIGHT IS A SPLIT FROM FORMER RIGHT 45-10331.



04/01/2004

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

RIGHT NUMBER: 45-13701

NAME AND ADDRESS: GARY R POULTON
605 W 2200 S
OAKLEY ID 83346

BRUCE BEDKE
42 E BASIN RD
OAKLEY ID 83346

RAY C BEDKE
42 E 1975 S
OAKLEY ID 83346

WINSLOW B WHITELEY
BASIN RD
42 E 1975 S
OAKLEY ID 83346

SOURCE: SECTION 9 SPRING

QUANTITY: 0.020 CFS

TRIBUTARY: SINKS

The quantity of water under rights 45-13699, 45-13700, 45-13701 & 45-13706 shall not exceed a combined total of 13,000 gallons per day.

PRIORITY DATE: 06/11/1905

POINT OF DIVERSION:

T16S R21E S9 NESENW Within CASSIA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
STOCKWATER

PERIOD OF USE
05/01 11/30

QUANTITY
0.020 CFS

PLACE OF USE: STOCKWATER Within CASSIA County
T16S R21E S09 SENW

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

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.

The quantity of water decreed for this water right is not a determination of historical beneficial use.

EXPLANATORY MATERIAL: Beneficial Use

THIS RIGHT IS A SPLIT FROM FORMER RIGHT 45-10331.

IDAHO DEPARTMENT OF WATER RESOURCES
 Adjudication Recommendation Report 45-13701 V1

WATER RIGHT NUMBER: 45-13701 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	GARY R POULTON 605 W 2200 S OAKLEY, ID 83346 (208)862-3340
Current Owner	BRUCE BEDKE 42 E BASIN RD OAKLEY, ID 83346
Current Owner	RAY C BEDKE 42 E 1975 S OAKLEY, ID 83346
Current Owner	WINSLOW B WHITELEY BASIN RD 42 E 1975 S OAKLEY, ID 83346 (208)862-3252

Priority Date: 06/11/1905

Basis: Beneficial Use

Status: Active

Source

SECTION 9 SPRING

Tributary

SINKS

Beneficial Use

STOCKWATER

From To

05/01 to 11/30

Diversion Rate

0.020 CFS

Annual Volume

Total Diversion:

0.020 CFS

Location of Point(s) of Diversion

SECTION 9 SPRING

CASSIA County

NE1/4SE1/4NW1/4

Sec. 9, Twp 16S, Rge 21E, B.M.

Place of Use

STOCKWATER

Twp	Rge	Sec	NE				NW				SW				SE				
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
16S	21E	9								X									

Conditions of Approval:

1. 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.
2. N11 The quantity of water decreed for this water right is not a determination of historical beneficial use.

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 45-13701 V1

3. N13 The quantity of water under rights 45-13699, 45-13700, 45-13701 & 45-13706 shall not exceed a combined total of 13,000 gallons per day.

Remarks:

1. Explanatory THIS RIGHT IS A SPLIT FROM FORMER RIGHT 45-10331.

Comments:

1. vhancock 4/1/2004 PRIORITY DATE

Comment: THIS CLAIM IS SUBJECT TO THE STIPULATION BETWEEN BLM, USFS AND GRAZING PERMITTEES ON PUBLIC LAND SIGNED 8/28/2002. USE IS ON USFS MANAGED LANDS. PRIORITY DATE IS ACCORDING TO STIPULATION - ONE DAY SENIOR TO USFS.

2. vhancock 4/1/2004 SPLIT RIGHT

Comment: THIS CLAIM IS A PORTION OF 45-10331 SPLIT BY OWNERSHIP AND DRAINAGE BASIN. ORIGINAL CLAIM 45-10331 FILED IN 1989 WAS FOR .5 CFS AND 2000 HEAD OF RANGE CATTLE.

3. vhancock 4/1/2004 DIV RATE

Comment: RECOMMENDED STANDARD .02 CFS FOR NON-DIVERTED STOCKWATER.

6/9/94

COMMUNICATION DOCUMENTATION

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent Kelly K Christensen

CUSTOMER:

WILD ROSE GRAZING ASSOCIATION

DATE: March 13, 1998 7:31 am

SCOTT, RAY, BRUCE, AND JASON BEDKE, AND GARY POULTON

SUBJECT: AMENDMENT TO: A45-10325, A45-10327, A45-10329, A45-10330, A45-10331, A45-10332, A45-10333, A45-10334, A45-10335, & A45-10336.
AMENDMENT TO: A47-14924, & A47-14923.

phone () walk-in(X)

The grazing association amended the priority date on the above claims to 4-1-1872.

We discussed the issues concerning claiming stockwater uses as falling into three general categories. 1. In-stream use; 2. A developed spring at the source; and 3. A developed spring/stream with a significant delivery system, primarily a pipeline stocktank system. I indicated that many of their claims may have to be revisited, maybe even additional claims filed.

We reviewed the rights sent to the court and they took objection forms home to complete and send out.

We also discussed the federal filings for stockwater and I showed them the USFS maps that were provided for department review. They indicated that they may wish to object to many of those rights. I suggested that they contact the court to determine the procedure required to file multiple objections. I generated a selection file BEDKE-BLM-CHECK for claims in TNS 15S & 16S; RNG 21E; and parts of 14S. I then deleted F records and decreed rights that appeared to be irrigation rights. I used that selection file to generate a number list for his review. Jeanie Robertson assisted me in this process.

~~Bruce Be Pa claims-3-98~~
~~2-2-98~~

Bruce Bedke

3	A45-04050 {95}	.02	Stock/don
3	A45-02810 {63}	.01	Stock
R	10328 {79}	.5	Stock
R	10327 "	"	"
R	10329 "	"	"
R	10330 "	"	"
R	10331 "	"	"
R	10332 "	See 45-7446	" cattle here
R	10333 "	"	"
R	10334 "	"	"
R	10335 "	"	"
R	10336 "	"	"
	10488 {95}	.02	Stock
R	10491 {72}	.23	"
R	10492 {72}	(see also 45-02810) .23	Stock
R	10500 {72}	.23	"
	10505 "	.02	St IS
	10506 "	.02	St IS
R	10507 "	.23	St
R	10508 "	.23	St

RAY

B	10407 {46}	.14	Stock
B	10412 (1982)	.04	don

X

X

X

X

X

X

X

X

X

X

00155

00156

00591

00708

Bruce Bedke

A45-00536

00537

00538

00539

00540

00541

00542

00543

00672

00136B

10784 car}

Bedke Family LTD PART

A45-00142

00136A

00154A