

COPY

2004 OCT -8 PM 2: 41
DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

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	)	Subcase No. 45-2810, 45-2810A,
	)	45-2810B
Case No. 39576	)	
	)	NOTICE OF COMPLETED
_____	)	ADMINISTRATIVE PROCEEDING

IDWR has completed the following Administrative proceeding: **SUBSTITUTION OF PARTY***

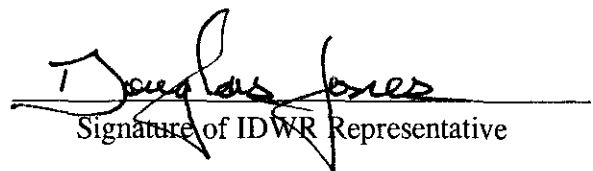
Does the change in "ownership" result in a splitting of the water right claimed? ☒Yes ☐No

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Reports* for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

*See attachment 1 for explanation.

Dated: 10/7/04


Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 10/8, 2004, I mailed the original and copies of this form to the following persons, postage prepaid and addressed as follows:

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:
Claimant/Seller for Substitution of Party or attorney of record:
Bureau of Land Management
Idaho State Office
1387 S Vinnell Way
Boise ID 83709
3. One Copy to:
Claimant/Purchaser for Substitution of Party or attorney of record:
State of Idaho
Department of Lands
PO Box 83720
Boise ID 83720-0050
4. One Copy to:
Each party in the subcase or attorney of record:
Bruce Bedke
42 E Basin Rd
Oakley ID 83346
5. One Copy to:
Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449
6. One Copy to:
United States Dept Of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724



Signature of person or attorney mailing the form

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

700 OCT -8 PM 2:44
DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

9/29/04

RIGHT NUMBER: 45-2810

SPLIT RIGHT: SEE RIGHT NOS. 45-2810A and 45-2810B.

IDAHO DEPARTMENT OF WATER RESOURCES
CLAIMS / RIGHTS NOT RECOMMENDED

09/29/2004

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W.R. NUMBER NAME AND ADDRESS
45-2810A UNITED STATES OF AMERICA
ACTING THROUGH
USDI BUREAU OF LAND
MANAGEMENT
IDAHO STATE OFFICE
1387 S VINNELL WAY
BOISE ID 83709-1657

CLAIM DISPOSITION REASON
Disallowed

CLAIM INCOMPLETE

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED

09/29/2004

IDAHO DEPARTMENT OF WATER RESOURCES
CLAIMS / RIGHTS NOT RECOMMENDED

2004 OCT -8 PM 2:44

W.R. NUMBER NAME AND ADDRESS

CLAIM DISPOSITION REASON

45-2810B STATE OF IDAHO
DEPT OF LANDS
954 W JEFFERSON
PO BOX 83720
BOISE ID 83720-0050

Disallowed

CLAIM INCOMPLETE

SRBA
TWIN FALLS CO., IDAHO
FILED

Attachment 1

This Notice of Completed Administrative Proceeding (NCAP) splits the ownership of former licensed water right number 45-2810 between the Bureau of Land Management and the State of Idaho Department of Lands pursuant to a Change of Ownership filed with IDWR on or about September 13, 1993. Although this Change of Ownership was filed prior to the time IDWR filed its Director's Report for Small Domestic and Stock Water Rights in Basin 45, on March 2, 1998, through clerical oversight the changes were not incorporated into IDWR's records, and water right number 45-2810 was recommended for disallowal without the changes made by the Change of Ownership. This NCAP makes the ownership change by splitting the right into water right number 45-2810A, owned by the BLM, and water right number 45-2810B, owned by the State of Idaho Department of Lands. Because questions remain regarding the accuracy of the claimed place of use description, both rights 45-2810A and 45-2810B are still being disallowed.

At the time the original recommendation for water right number 45-2810 was filed with the SRBA Court, it contained an additional clerical error: Mr. Bruce Bedke was incorrectly listed as a co-owner, along with the BLM, of the water right. The water right is a licensed water right with a 1963 priority date. It was licensed by IDWR in the name of the BLM alone. IDWR has no information in its records indicating that at any time the BLM conveyed any portion of the license to Mr. Bedke.

Rather, IDWR's records indicate that Mr. Bruce Bedke has filed with IDWR water right claim number 45-10491. While this claim is to the same water source as the BLM's licensed right number 45-2810, it is a claim for a beneficial use right with an 1872 priority date. It is a claim for a different water right than licensed water right number 45-2810. Mr. Bedke's name as a co-owner of water right number 45-2810 was added erroneously to IDWR's recommendation of that water right. Therefore, this NCAP corrects that clerical error by removing Mr. Bedke's name from the water right as split.

Mr. Bedke's claim for beneficial use water right number 45-10491 was recently recommended by IDWR in the Director's Report for Irrigation and Other Water Rights in Basin 45, which was filed with the SRBA Court on September 7, 2004.