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OCT 18 2004

DEPARTMENT OF
WATER RESOURCES

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

A. Subcase: _45-13722_
STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: United States of America, Acting through the USDA Forest Service
Address: 550 West Fort Street
MSC 033
Boise, Idaho 83724
Daytime Phone: (208) 331-5943

Name and Address of Attorney, if any:

David L. Negri
550 West Fort Street
MSC 033
Boise, Idaho 83724

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

Name: Bruce Bedke
Address: 42 E Basin Rd.
Oakley, ID 83346

SF.1 Objection

Subcase: _45-13722_

Page 1

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: See E Below

2. ☒ **Source**
Should be: See E Below

3. ☒ **Quantity**
Should be: See E Below

4. ☒ **Priority Date**
Should be: See E Below

5. ☒ **Point(s) of Diversion**
Should be: See E Below

6. ☒ **Instream Flow Description**
Should be: See E Below

7. ☒ **Purpose(s) of Use**
Should be: See E Below

8. ☒ **Period of Year**
Should be: See E Below

9. ☒ **Places of Use**
Should be: See E Below

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):**

This water use is on National Forest System land. The United States has filed claim(s) for water rights in the grazing allotment where this water use occurs.

F. VERIFICATION (Must be Completed)

State of Idaho)
County of Ada) ss.

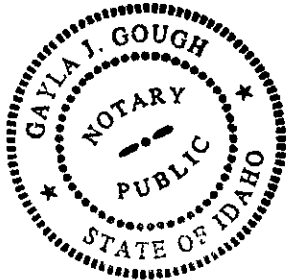
Michael Collette, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

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

Michael Collette
(Signature of person filing objections)

David Negri
(Attorney signing in representative capacity)

Subscribed and sworn before me on: October 15, 2007




Gayla J. Gough

Notary Public for: Idaho
Residing at: Kuna, Idaho
Commission Expires: 11/17/2004

INSTRUCTIONS FOR MAILING

You must mail the objection to the Clerk of the Court. FAX filings 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 10-15-04, 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: Bruce Bedke

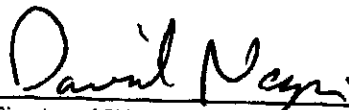
Address: 42 E Basin Rd.
Oakley, ID 83346

3. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

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

United States Department of Justice
Environment and Natural Resources Division
550 West Fort Street, MSC 033
Boise, ID 83724



Signature of Objector or attorney
mailing on Objector's behalf

04/19/2004

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

RIGHT NUMBER: 45-13722

NAME AND ADDRESS: BRUCE BEDKE
42 E BASIN RD
OAKLEY ID 83346

SOURCE: BEAVER DAM CREEK
DRY GULCH SPRING
N W SPRING
ORANGEBURG SPRING
RIGHT HAND FORK BEAVERDAM CREEK

TRIBUTARY: GOOSE CREEK
TRIBUTARY: DRY GULCH CREEK
TRIBUTARY: N E CREEK
TRIBUTARY: NE CREEK
TRIBUTARY: BEAVERDAM CREEK

QUANTITY: 0.020 CFS

The quantity of water under rights 45-13719, 45-13720, 45-13721, 45-13722, 45-13723, 45-13724 shall not exceed a combined total of 13,000 gallons per day.

PRIORITY DATE: 04/01/1872

POINT OF DIVERSION:

T16S R20E S1 SESESE Lot 3 Within CASSIA County
T16S R20E S11 NWNENE Lot 1 Begin of Stream Flow Within CASSIA County
T16S R20E S13 SENWSW Lot 2 Begin of Stream Flow Within CASSIA County
T16S R20E S13 SENWSW Lot 2 End of Stream Flow Within CASSIA County
T16S R20E S22 SWNWSE Within CASSIA County
T16S R20E S24 NENENE End of Stream Flow Within CASSIA County
T16S R20E S26 SWSENE Within CASSIA County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
STOCKWATER	05/01 11/30	0.020 CFS

PLACE OF USE: STOCKWATER Within CASSIA County

T16S R20E S01 Lot 3 SESE	T16S R20E S11 Lot 1 NENE
T16S R20E S12 Lot 2 SWNW	T16S R20E S12 Lot 3 NWSW
T16S R20E S13 NWNW	T16S R20E S13 Lot 1 SWNW
T16S R20E S13 SENW	T16S R20E S13 NESW
T16S R20E S13 Lot 2 NWSW	T16S R20E S13 SESW
T16S R20E S13 SWSE	T16S R20E S24 NENE

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 45-10327.

Water Right 45-13722

USFS

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 45-13722
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)

BRUCE BEDKE Phone: (208)862-3697
42 E BASIN RD
OAKLEY ID 83346

2. Date of Priority: 06/11/1905

3. Source: ORANGEBURG SPRING , N W SPRING , BEAVERDAM CREEK RIGHT HAND FORK, BEAVER
DAM CREEK , BEAVERDAM CREEK RIGHT HAND FORK, BEAVER DAM CREEK , DRY GULCH SPRING
Trib. to: NE CREEK , N E CREEK , BEAVERDAM CREEK , GOOSE CREEK , BEAVERDAM CREEK ,
GOOSE CREEK , DRY GULCH CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
16S	20E	26	SW SE NE	CASSIA	
16S	20E	22	SW NW SE	CASSIA	
16S	20E	24	NE NE NE	CASSIA	Ending Point
16S	20E	13	SE NW SW 2	CASSIA	Ending Point
16S	20E	11	NW NE NE 1	CASSIA	Beginning Point
16S	20E	13	SE NW SW 2	CASSIA	Beginning Point
16S	20E	1	SE SE SE 3	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.

45-13722

04/28/2004

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4		Lot	Use	Acres
16S	20E	1	SE	SE	3	STOCKWATER	
16S	20E	11	NE	NE	1	STOCKWATER	
16S	20E	12	SW	NW	2	STOCKWATER	
			NW	SW	3	STOCKWATER	
16S	20E	13	NW	NW	1	STOCKWATER	
			SW	NW		STOCKWATER	
			SE	NW		STOCKWATER	
			NE	SW		STOCKWATER	
			NW	SW	2	STOCKWATER	
			SE	SW		STOCKWATER	
			SW	SE		STOCKWATER	
16S	20E	24	NE	NE		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:

ALL ELEMENTS OF THIS CLAIM, WHICH IS A PORTION OF THE ORIGINAL SPLIT BY OWNERSHIP, MAY NOT CONFORM TO THE ORIGINAL. SEE CLAIM RECORD 45-10327 FOR THE SIGNED NOTICE OF CLAIM AS FILED.

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP LOCATED IN FILE 45-13714.

15. Basis of Claim: Beneficial Use

