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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: _45-13718_
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

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):**

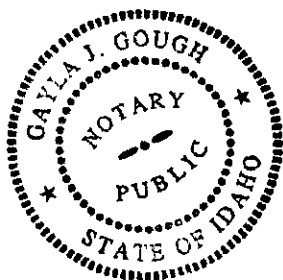
This water use is on National Forest System land. The United States has filed claim(s) for water rights in the grazing allotment where this water use occurs.

State of Idaho)
County of Ada) ss.

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.

David Negri
(Attorney signing in representative capacity)

Subscribed and sworn before me on: October 15, 2004



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

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 45-13718
Date Received: 4/19/2004
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: 04/01/1872

3. Source: LONE CEDAR CREEK , LONE CEDAR CREEK , LONE CEDAR CREEK , SPRING , SPRING
, OWENS CORRAL CREEK , LONE CEDAR SPRING , SPRING , SPRING , SAGE HEN SPRING , OWENS
CORRAL CREEK , SPRING , LONE CEDAR CREEK Trib. to: GOOSE CREEK , GOOSE CREEK ,
GOOSE CREEK , SINKS , LONE CEDAR CREEK , CAVE GULCH CREEK , LONE CEDAR CREEK , LONE
CEDAR CREEK , LONE CEDAR CREEK , SINKS , CAVE GULCH CREEK , CAVE GULCH CREEK , GOOSE
CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot			County	Type
15S	21E	18	SW	NW	SW	CASSIA	Beginning Point
15S	21E	9	NE	SE	NE	CASSIA	Ending Point
15S	21E	3	SW	SE	SW	CASSIA	Beginning Point
15S	21E	8	NW	NE	SW	CASSIA	
15S	21E	9	SW	SW	NE	CASSIA	
15S	21E	16	NE	SE	SE	CASSIA	Ending Point
15S	21E	17	SE	NE	SW	CASSIA	
15S	21E	18	SW	NW	SW	CASSIA	
15S	21E	18	SW	SW	SW	CASSIA	
15S	21E	19	SE	NW	SW	CASSIA	
15S	21E	20	SW	NW	SW	CASSIA	Beginning Point
15S	21E	28	NE	SE	NE	CASSIA	

15S 21E 3 NE SE SW CASSIA Ending Point

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
15S	21E	3	SE SW		STOCKWATER	
15S	21E	8	NE SW		STOCKWATER	
15S	21E	9	SW NE		STOCKWATER	
			SE NE		STOCKWATER	
			SE SW		STOCKWATER	
			NW SE		STOCKWATER	
15S	21E	16	NE NW		STOCKWATER	
			SW NW		STOCKWATER	
			SW SW		STOCKWATER	
			SE SE		STOCKWATER	
15S	21E	17	SE NE		STOCKWATER	
			NE SW		STOCKWATER	
			NW SW		STOCKWATER	
			NE SE		STOCKWATER	
			NW SE		STOCKWATER	
15S	21E	18	NE SW		STOCKWATER	
			NW SW		STOCKWATER	
			SW SW		STOCKWATER	
			NE SE		STOCKWATER	
			NW SE		STOCKWATER	
15S	21E	19	NW SW		STOCKWATER	
15S	21E	20	NE NE		STOCKWATER	
			SE NE		STOCKWATER	
			NE SW		STOCKWATER	
			NW SW		STOCKWATER	
			NW SE		STOCKWATER	
15S	21E	21	NW NE		STOCKWATER	

			NE	NW	STOCKWATER
			NW	NW	STOCKWATER
15S	21E	28	SE	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:

THIS RIGHT IS A PORTION OF 45-10325. THIS RIGHT WAS ALSO REPORTED IN THE PRELIMINARY DIRECTORS REPORT AS 45-13698 BUT WAS SUBSEQUENTLY SPLIT BY OWNERSHIP. ALSO SEE 45-13717. SEE 45-10325 FOR ORIGINAL 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 45-10325 FOR THE SIGNED NOTICE OF CLAIM AS FILED.

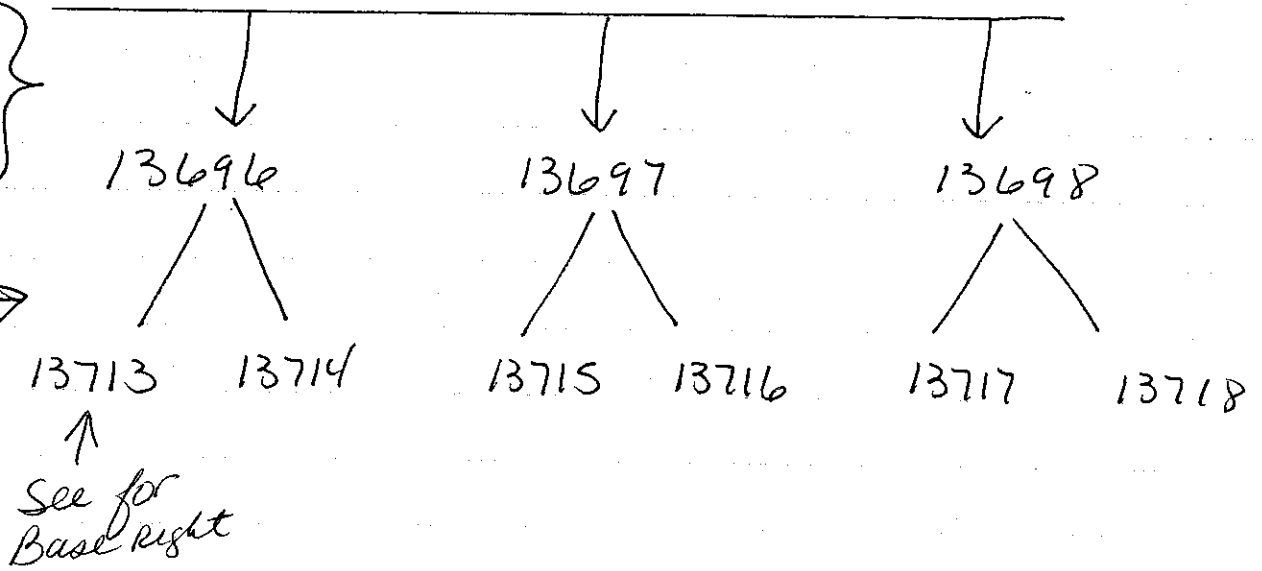
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP LOCATED IN CLAIM FILE 45-13714

15. Basis of Claim: Beneficial Use

45-10325

Split By
Source or
Land mgt

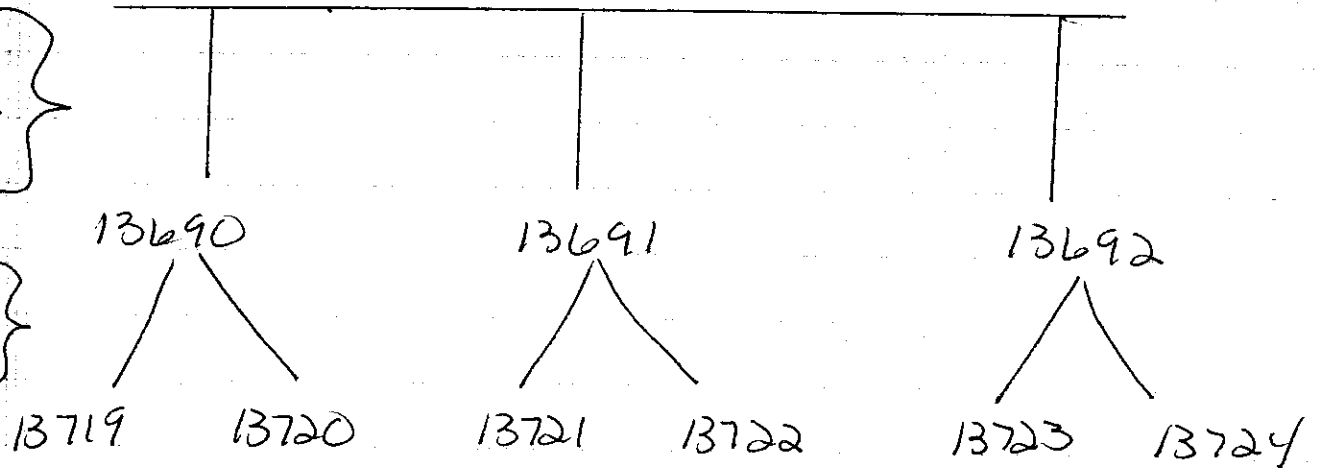
Split by
ownership



45-10327

Split by
Source or
Land mgt

Split By
Ownership



06/29/2004

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

RIGHT NUMBER: 45-13718

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

SOURCE:	LONE CEDAR CREEK LONE CEDAR SPRING OWENS CORRAL CREEK SAGE HEN SPRING SPRING SPRING SPRING	TRIBUTARY: GOOSE CREEK TRIBUTARY: LONE CEDAR CREEK TRIBUTARY: CAVE GULCH CREEK TRIBUTARY: SINKS TRIBUTARY: CAVE GULCH CREEK TRIBUTARY: LONE CEDAR CREEK TRIBUTARY: SINKS
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QUANTITY: 0.020 CFS

THIS RIGHT AND OTHER RIGHTS COMMON TO THE SAME GRAZING
ALLOTMENT SHALL BE LIMITED TO THE QUANTITY OF WATER BENEFICIALLY
USED BY THE NUMBER OF STOCK WITHIN THE ALLOTMENT.

PRIORITY DATE: 04/01/1872

POINT OF DIVERSION:

T15S R21E S3 NESESW End of Stream Flow Within CASSIA County
T15S R21E S3 SWSESW Begin of Stream Flow Within CASSIA County
T15S R21E S8 NWNESW Within CASSIA County
T15S R21E S9 SWSWNE Within CASSIA County
T15S R21E S9 NESENE End of Stream Flow Within CASSIA County
T15S R21E S16 NESESE End of Stream Flow Within CASSIA County
T15S R21E S17 SENESW Within CASSIA County
T15S R21E S18 SWNWSW Within CASSIA County
T15S R21E S18 SWNWSW Begin of Stream Flow Within CASSIA County
T15S R21E S18 SWSWSW Within CASSIA County
T15S R21E S19 SENWSW Within CASSIA County
T15S R21E S20 SWNWSW Begin of Stream Flow Within CASSIA County
T15S R21E S28 NESENE Within CASSIA County

PURPOSE AND
PERIOD OF USE:

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

PLACE OF USE: STOCKWATER Within CASSIA County

T15S R21E S03	SESW	T15S R21E S08	NESW
T15S R21E S09	SWNE	T15S R21E S09	SENE
T15S R21E S09	SESW	T15S R21E S09	NWSE
T15S R21E S16	NENW	T15S R21E S16	SWNW
T15S R21E S16	SWSW	T15S R21E S16	SESE
T15S R21E S17	SENE	T15S R21E S17	NESW
T15S R21E S17	NWSW	T15S R21E S17	NESE
T15S R21E S17	NWSE	T15S R21E S18	NESW
T15S R21E S18	NWSW	T15S R21E S18	SWSW
T15S R21E S18	NESE	T15S R21E S18	NWSE
T15S R21E S19	NWSW	T15S R21E S20	NENE
T15S R21E S20	SENE	T15S R21E S20	NESW

06/29/2004

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

T15S R21E S20	NWSW	T15S R21E S20	NWSE
T15S R21E S21	NWNE	T15S R21E S21	NENW
T15S R21E S21	NWNW	T15S R21E S28	SENE

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 45-10325.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 45-13718 V1

WATER RIGHT NUMBER: 45-13718 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	BRUCE BEDKE 42 E BASIN RD OAKLEY, ID 83346 (208)862-3697

Priority Date: 04/01/1872
Basis: Beneficial Use
Status: Active

<u>Source</u>	<u>Tributary</u>
LONE CEDAR CREEK	GOOSE CREEK
LONE CEDAR SPRING	LONE CEDAR CREEK
OWENS CORRAL CREEK	CAVE GULCH CREEK
SAGE HEN SPRING	SINKS
SPRING	CAVE GULCH CREEK
SPRING	LONE CEDAR CREEK
SPRING	SINKS

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
STOCKWATER	05/01 to 11/30	0.020 CFS	
	<u>Total Diversion:</u>	0.020 CFS	

Location of Point(s) of Diversion

LONE CEDAR CREEK	NE1/4SE1/4SW1/4	Sec. 3, Twp 15S, Rge 21E, B.M.
CASSIA County	(Ending of Reach)	
LONE CEDAR CREEK	SW1/4NW1/4SW1/4	Sec. 18, Twp 15S, Rge 21E, B.M.
CASSIA County	(Beginning of Reach)	
LONE CEDAR CREEK	NE1/4SE1/4NE1/4	Sec. 9, Twp 15S, Rge 21E, B.M.
CASSIA County	(Ending of Reach)	
LONE CEDAR CREEK	SW1/4SE1/4SW1/4	Sec. 3, Twp 15S, Rge 21E, B.M.
CASSIA County	(Beginning of Reach)	
1 SPRING	NW1/4NE1/4SW1/4	Sec. 8, Twp 15S, Rge 21E, B.M.
CASSIA County		
2 SPRING	SW1/4SW1/4NE1/4	Sec. 9, Twp 15S, Rge 21E, B.M.
CASSIA County		
OWENS CORRAL CREEK	NE1/4SE1/4SE1/4	Sec. 16, Twp 15S, Rge 21E, B.M.
CASSIA County	(Ending of Reach)	
3 LONE CEDAR SPRING	SE1/4NE1/4SW1/4	Sec. 17, Twp 15S, Rge 21E, B.M.
CASSIA County		
4 SPRING	SW1/4NW1/4SW1/4	Sec. 18, Twp 15S, Rge 21E, B.M.
CASSIA County		
6 SPRING	SW1/4SW1/4SW1/4	Sec. 18, Twp 15S, Rge 21E, B.M.
CASSIA County		

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 45-13718 V1

6	SAGE HEN SPRING	SE1/4NW1/4SW1/4	Sec. 19, Twp 15S, Rge 21E, B.M.
	CASSIA County		
	OWENS CORRAL CREEK	SW1/4NW1/4SW1/4	Sec. 20, Twp 15S, Rge 21E, B.M.
	CASSIA County	(Beginning of Reach)	
1	SPRING	NE1/4SE1/4NE1/4	Sec. 28, Twp 15S, Rge 21E, B.M.
	CASSIA County		

Place of Use

STOCKWATER

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
15S	21E	3												X					
15S	21E	8									X								
15S	21E	9			X	X							X			X			
15S	21E	16					X		X				X					X	
15S	21E	17				X					X	X			X	X			
15S	21E	18									X	X	X		X	X			
15S	21E	19										X							
15S	21E	20	X			X					X	X				X			
15S	21E	21		X			X	X											
15S	21E	28				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. L12 THIS RIGHT AND OTHER RIGHTS COMMON TO THE SAME GRAZING ALLOTMENT SHALL BE LIMITED TO THE QUANTITY OF WATER BENEFICIALLY USED BY THE NUMBER OF STOCK WITHIN THE ALLOTMENT.
3. 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 45-13718 V1

Remarks:

1. Explanatory THIS RIGHT IS A SPLIT FROM FORMER RIGHT 45-10325.

Comments:

1. vhancock 4/19/2004 RECOMMENDATION

Comment: THIS RIGHT IS A PORTION OF 45-10325. THIS RIGHT WAS ALSO REPORTED IN THE PRELIMINARY DIRECTORS REPORT AS 45-13696 BUT WAS SUBSEQUENTLY SPLIT BY OWNERSHIP. ALSO SEE 45-13714 BRUCE BEDKE. SEE 45-10325 FOR ORIGINAL REMARKS AND 45-13696 FOR COMMENTS EXPLAINING RECOMMENDATION OF THIS RIGHT.

PRIORITY DATE RECOMMENDED AS CLAIMED. CLAIMANT NOT A PARTY TO STIPULATED AGREEMENT BETWEEN PERMITEES AND FEDERAL LAND MANAGERS.

2. vhancock 6/24/2004 QUANTITY

Comment: NO 13K LIMIT AS ORIG CLAIM NOT FILED AS DEMINIMUS

3. vhancock 6/29/2004 USE

Comment: THIS RIGHT REPRESENTS USE OF UNDEVELOPED SPRINGS.