

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 45-13746
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: 06/07/1980

3. Source: HOLE IN THE WALL SPRING Trib. to: SINKS

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot			County	Type
15S	20E	26	SE	SE	NE	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	0.7

7. Total Quantity Appropriated is:
0.02 C.F.S. and/or 0.7 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
15S	20E	26	SE	NE	STOCKWATER	
15S	20E	35	SE	NE	STOCKWATER	
16S	20E	2	SE	NE	1 STOCKWATER	
16S	20E	12	NW	NW	1 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 45-13714.

ALL ELEMENTS OF THIS CLAIM, WHICH IS A PORTION OF THE ORIGINAL SPLIT BY OWNERSHIP, MAY NOT CONFORM TO THE ORIGINAL. SEE CLAIM RECORD 45-10334 FOR THE SIGNED NOTICE OF CLAIM AS FILED.

15. Basis of Claim: Beneficial Use

45-10331

Split by
Source of
Land Mgt

13699

13701

Split
By
Ownership

13735

13736

13739

13740

13700

13706

13737

13738

13741

13742

45-10334

Split By
Ownership

13745

13746

↑
See for
Base Right

45-10335

13747

13748

45-10336

Split By
Ownership

13749

13750

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 45-10334
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 of Claimant(s)

MICHAEL A POULTON
605 W 2200 S
OAKLEY ID USA 83346

Phone: (208) 862-3340

KARL (BUD) BEDKE
PATRICIA BEDKE
1876 S 600 W
OAKLEY ID USA 83346

Phone: (208) 862-3641

WINECUP INC
PO BOX 283
OAKLEY ID 83346

Phone: (208) 862-3252

BEDKE FAMILY LIMITED PARTNERSHIP
RT 1 BOX 96
OAKLEY ID 83346

Phone: (208) 862-3641

BRUCE BEDKE
42 E BASIN RD
OAKLEY ID USA 83346

Phone: (208) 862-3697

2. Date of Priority: 04/01/1872

3. Source: HOLE IN THE WALL SPRING

Trib. to: SINKS

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
15S	20E	26	SE SE NE	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	5/01	11/30	0.5	

7. Total Quantity Appropriated is: 0.5 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	20E	26	SE	NE	STOCKWATER	
15S	20E	36	SW	NW	STOCKWATER	
16S	20E	1	SW	SW	STOCKWATER	
16S	20E	2	SE	NE	STOCKWATER	

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:

USED UNDER GRAZING ALLOTMENT FROM USFS
AKA GOOSE CREEK CATTLE & HORSE ASSOC
***FILE J: HOLE-IN-THE-WALL PIPELINE SEE FILE FOR ABOVE DESCRIBED ATTACHMENT, THIS
EXPLAINS SOURCES MATCHED TO THEIR P/DS
ALL SPRINGS AND STREAMS ARE WITHIN ONE GRAZING UNIT AND CAN BE ACCESSED BY CATTLE
WITHOUT CROSSING FENCES
*****SEE ALSO A45-10325 FOR OTHER WR*****

CLAIM AMENDED TO CORRECT POD. 9/17/01 jr

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 Goose Creek Cattle + Horse ^{by Scott Bedke} of _____ Title

_____, that I have signed the foregoing document in the space below as Pres. of _____ Title

Goose Creek Cattle + Horse and that the statements contained in the foregoing document are true and correct. Scott Bedke Signature of Authorized Agent

Pres. Goose Creek Cattle + Horse Title and Organization

9-17-01

Date

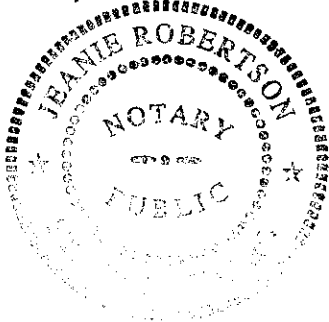
State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 17th day
of Sept. 2001

Jeanie Robertson
Notary Public

Residing at Twin Falls, Id.

My commission Expires 9-23-06



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: **A45-10334**
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 208-862-3252
Address: PO BOX 283
OAKLEY ID 83346
OR
Name: RAY C BEDKE
Address: OAKLEY ID 83346
OR
Name: GARY RUSSEL POULTON
Address: OAKLEY ID 83446
OR
Name: BRUCE BEDKE
Address: OAKLEY ID 83346

2. Date of Priority: APR 1, 1872

3. Source: HOLE-IN-THE-WALL SPRING Trib. to: SINKS

4. Point of Diversion:

Township	Range	Section	1/4	of	1/4	of	1/4	Lot	County
15S	20E	26	SE		SE		NE		CASSIA
		36	SW		SW		NW		CASSIA
16S	20E	1	SE		SW		SW		CASSIA
		2	SE		SE		NE		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
15S	20E	26	SE	NE		STOCK	
		36	SW	NW		STOCK	
16S	20E	1	SW	SW		STOCK	
		2	SE	NE		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 USFS.

AKA GOOSE CREEK CATTLE & HORSE ASSOC.

***FILE J: HOLE-IN-THE-WALL PIPELINE

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.

*****SEE ALSO A45-10325 FOR OTHER WR*****

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 Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): X *Ray C. Beake* Date: *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*

Janie Robertson
Notary Public

Seal

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

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:

DATE: March 13, 1998 7:31 am

WILD ROSE GRAZING ASSOCIATION

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 Bedke claims-3-98

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
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		

00155

00156

00591

00708

Bruce Bedke

A45-00536

00537

00538

00539

00540

00541

00542

00543

00672

00136B

10784 cor}

Bedke Family LTD PART

A45-00142

00136A

00154A

FILE F cont.

Little Piney Creek - a tributary of Goose Creek

Beginning
Running

NW SW SE SEC 32 T15S R19E
SE SW SEC 32
SW SW SEC 32
SE SE SEC 31
NE SW SE SEC 31 T15S R19E

Ending

FILE G PINEY PASTURE USE: STOCKWATER. PRIORITY DATE: APRIL 1879

Cabin Spring

NW NE NW SEC 11 T16S R19E

FILE H OWEN'S CORRAL PIPELINE. USE: STOCKWATER. PRIORITY DATE: APRIL 1879.

Owen's Corral Spring
Points of use:

SW SW SE SEC 19 T15S R21E
NE SE SE SEC 29 T15S R21E
SE SE NE SEC 32 T15S R21E
NW NE SW SEC 5 T16S R21E

FILE I CHALK SPRINGS PIPELINE. USE: STOCKWATER. PRIORITY DATE: APRIL 1879.

Chalk Spring
Points of use:

SW SE NE SEC 25 T15S R20E
SW SE SE SEC 25 T15S R20E
NW SE NE SEC 36 T15S R20E
SE NW SE SEC 36 T15S R20E
NW NE SE SEC 1 T16S R20E

FILE J HOLE-IN-THE-WALL PIPELINE. USE: STOCKWATER. PRIORITY DATE: APRIL 1879.

Hole-In-The-Wall Spring
Points of use:

SE SE NE SEC 26 T15S R20E
SW SW NW SEC 36 T15S R20E
SE SE NE SEC 2 T16S R20E
SE SW SW SEC 1 T16S R20E

FILE K AIRPORT PIPELINE. USE: STOCKWATER. PRIORITY DATE: APRIL 1879.

Airport Spring (Garbage Can)
Points of use:

SE NE SW SEC 21 T16S R20E
SW SW NE SEC 22 T16S R20E
SW NE SW SEC 23 T16S R20E
NW NE NE SEC 21 T16S R20E

(FILE G)

Piney Creek - ATR.B.
of Goose Creek.

Beginning
SW NE SE SEC 32
Running

SE SE SEC 3

NE NE SEC 10

NW NW SEC 11

Ending

SW NW SEC 11 T16S

A45-10334

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: A45-10334
Date Received: 5/02/1989
Receipt No: S006989
Received By: _____

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: WINSLOW B. WHITELEY 208-862-3252
Address: P.O. BOX 283
OAKLEY, ID 83346
OR
Name: RAY C. BEDKE
Address: OAKLEY, ID 83346
OR
Name: GARY RUSSEL POULTON
Address: OAKLEY, ID 83446
OR
Name: BRUCE BEDKE
Address: OAKLEY, ID 83346

2. Date of Priority: APR 01, 1879

3. Source: HOLE-IN-THE-WALL SPRING Trib. to: SINKS

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
15S	20E	26	SE	SE	NE		CASSIA
		36	SW	SW	NW		CASSIA
16S	20E	1	SE	SW	SW		CASSIA
		2	SE	SE	NE		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		

W. CHAPMAN

MAY 09 1993

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
15S	20E	26	SE	NE		STOCK	
		36	SW	NW		STOCK	
16S	20E	1	SW	SW		STOCK	
		2	SE	NE		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 USFS.

AKA GOOSE CREEK CATTLE & HORSE ASSOC.

***FILE J: HOLE-IN-THE-WALL PIPELINE

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.

*****SEE ALSO A45-10325 FOR OTHER WR*****

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 Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): Ray C. Berke Date: 6-6-89

Date: _____

State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 6 day
of June 19 89 Bruce A. Schulz
Notary Public

Seal

Residing at _____

My Commission Expires _____

BRUCE A. SCHULZ, NOTARY PUBLIC
RESIDING AT BOISE, IDAHO
MY COMMISSION EXPIRES APRIL 11, 1995

Received
MAR 10 1989

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: A45-10334
Date Received: 5/02/1989
Receipt No: S006989
Received By: SEC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: WILD ROSE GRAZING ASSOCIATION 208-862-3252
Address: P.O. BOX 283
OAKLEY, ID 83346

2. Date of Priority: APR 01, 1879

3. Source: HOLE-IN-THE-WALL SPRING Trib. to: SINKS

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
15S	20E	26	SE	SE	NE		CASSIA
		36	SW	SW	NW		CASSIA
16S	20E	1	SE	SW	SW		CASSIA
		2	SE	SE	NE		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
15S	20E	26	SE	NE		STOCK	
		36	SW	NW		STOCK	
16S	20E	1	SW	SW		STOCK	
		2	SE	NE		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 USFS.
AKA GOOSE CREEK CATTLE & HORSE ASSOC.

***FILE J: HOLE-IN-THE-WALL PIPELINE

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.

*****SEE ALSO A45-10325 FOR OTHER WR*****

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 President of Wild Rose Cattle Assoc., that I have signed the foregoing document in the space below as President of Wild Rose Cattle Assoc. and that the statements contained in the foregoing document are true and correct.

Ray C. Beck
Signature of Authorized Agent
President, Wild Rose Cattle Assoc.
Title and Organization
May 2, 1989
Date

State of Idaho)
County of Twin Falls) ss.

Subscribed and sworn (or affirmed) before me this 2ND day
of May 19 89

Steve Chell
Notary Public

Seal

Residing at Twin Falls
My Commission Expires Dec 7, 1994

RECEIVED

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: 45-13746
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.

F. VERIFICATION (Must be Completed)

State of Idaho)
) ss.
County of Ada)

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 Meyer
(Attorney signing in representative capacity)

Subscribed and sworn before me on: October 15, 2004



Gayla J. Gough
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:

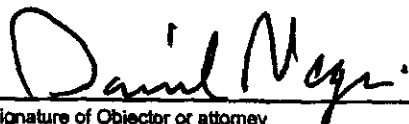
1. Original to:

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

07/02/2004

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

RIGHT NUMBER: 45-13746

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

SOURCE: HOLE IN THE WALL SPRING

TRIBUTARY: SINKS

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 R20E S26 SESENE 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

T15S R20E S26 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 45-10334.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 45-13746 V1

WATER RIGHT NUMBER: 45-13746 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: Disallowed

<u>Source</u>	<u>Tributary</u>
HOLE IN THE WALL 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

HOLE IN THE WALL SPRING	SE1/4SE1/4NE1/4	Sec. 26, Twp 15S, Rge 20E, B.M.
CASSIA County		

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
15S	20E	26				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.

Remarks:

1. Explanatory THIS RIGHT IS A SPLIT FROM FORMER RIGHT 45-10334.

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 45-13746 V1

Comments:

1. vhancock 4/19/2004 SPLIT RIGHT

Comment: THIS RIGHT IS A PORTION OF 45-10334 SPLIT BY OWNERSHIP.

2. vhancock 7/2/2004 RECOMMENDATION

Comment: THE PLACE OF USE OF THIS RIGHT INCLUDES ONLY THE LOCATION OF THE SPRING WHICH WOULD REPRESENT THE EXTENT OF USE IN 1872, THE CLAIMED PRIORITY DATE. SEE 45-7444 FOR EVIDENCE OF PIPELINE DEVELOPMENT DATE.

MEMO TO FILE

From: Vikie Hancock

7/2/04

RE: Recommendation of Claim No: **45-13746 - a portion of 45-10334**

Evidence of development of this pipeline – Hole in the Wall pipeline - exists in the form of USFS license 45-7444 which has a priority date of 6/6/1980. See copy of license and field exam in file.

Per a Stipulated Agreement signed by the other claimants of original claim 45-10334, Scott Bedke, Karl Bedke and Mike Poulten, their portion [45-13745] was recommended with a 1980 priority date.

Bruce Bedke continues to assert a priority date of 1872 for his claim 45-13746, and that date could only represent use by the cattle at the undeveloped spring. Since this claim listed a place of use at the source, that location has been recommended with the claimed priority date. All other places of use that identify the locations of toughs have been deleted from my recommendation.

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	BRUCE BEDKE 42 E BASIN RD OAKLEY, ID 83346

Current Owner WINSLOW B WHITELEY
BASIN RD
42 E 1975 S
OAKLEY, ID 83346
(208)862-3252

Current Owner GARY RUSSEL POULTON
42 E 1975 S
OAKLEY, ID 83346

Current Owner RAY C BEDKE
42 E 1975 S
OAKLEY, ID 83346

Status: Active

Tributary

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	0.70 AF
	<u>Total Diversion:</u>	0.020 CFS	0.70 AF

Sec. 26, Twp 15S, Rge 20E, B.M.

CASSIA County

STOCKWATER

[illegible]

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 45-10334 V1

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. Quantity USE OF THIS RIGHT WITH RIGHT NO. 45-7444 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF .02 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 0.70 AF.

Comments:

1. RMCCARTH 3/14/1995 COPIED FROM REMARKS
Comment: USED UNDER GRAZING ALLOTMENT FROM USFS. AKA GOOSE CREEK CATTLE & HORSE ASSOC. ***FILE J: HOLE-IN-THE-WALL PIPELINE SEE FILE FOR ABOVE DESCRIBED ATTACHMENT, THIS EXPLAINS SOURCES MATCHED TO THEIR P/DS. ALL SPRINGS AND STREAMS ARE WITHIN ONE GRAZING UNIT AND CAN BE ACCESSED BY CATTLE WITHOUT CROSSING FENCES. *****SEE ALSO A45-10325 FOR OTHER WR***** REASON FOR DISALLOWAL THIS RIGHT IS COVERED BY 45-07444 IN THE NAME OF THE U.S. FOREST SERVICE.

2. vhancock 3/29/2004 BASIS OF CLAIM
Comment: THE BASIS OF CLAIM 45-10334 FILED BY GRAZING PERMITTEES ON PUBLIC LAND HAS BEEN CHANGED TO LICENSE AS THE DEVELOPMENT OF THE DESCRIBED PIPELINE WAS CONDUCTED UNDER LICENSE 45-7444 IN THE NAME OF USFS.

3. vhancock 3/29/2004 PRIORITY DATE
Comment: CLAIM 45-10334 IS SUBJECT TO THE STIPULATION BETWEEN USFS, BLM AND PERMITTEES AND SIGNED 8/28/2002. PER THE STIPULATION THE PRIORITY DATE IS ONE DAY JUNIOR TO THAT OF THE USFS.

4. vhancock 3/29/2004 DIVERSION RATE
Comment: THIS RIGHT WAS DEVELOPED UNDER PERMIT 45-7444 IN THE NAME OF USFS FOR .02 CFS AND .7 AFA. THEREFORE THE RECOMMENDED DIVERSION RATE IS LIMITED TO .02 CFS AND .7 AFA WHEN COMBINED WITH 45-7444.

5. vhancock 3/29/2004 POU
Comment: AN ADDITIONAL THREE TROUGHS ADDED SUBSEQUENT TO THE ISSUING OF LICENSE 45-7444 REPRESENT AN ACCOMPLISHED TRANSFER OF POU ALSO ALLOWED UNDER 45-7444.

WATER RIGHT LICENSE

THIS IS TO CERTIFY, that U.S. Dept. of Agri., Forest Service

Total number of acres irrigated _____

Acting for the Director

ACCEPTED

State of Idaho
DEPARTMENT OF WATER RESOURCES
FIELD REPORT

45-7444

Permit No.

CONTACT WITH PERMIT HOLDER

	DATE	INITIALS	REMARKS
☐ Appointment letter mailed:			
☒ Telephone call made: (List Telephone No. used)	1-20-82	TGB	734-5490
☒ Appointment scheduled for: (Date, time, location)	1-20-82	TGB	@ ID Dist office

EXAMINATION

Date 1-21-82 Accompanied by Paula Thompson Total Q measured estimated allow 0.02 cfs-per permit
If source is surface water, estimate total flow of source _____
Methods of measurement _____ Meets Permit requirements? yes

Measurement calculations:

Livestock Volume: $\frac{100 \text{ hd} \times 12 \frac{1}{4} \text{ gal/hd/d} \times 184 \text{ days}}{325,900 \text{ gal/af}} = 0.68 \text{ OK}$

Allow: 0.02 cfs ✓ $V = 0.02 \times 1.9835 \times 184 = 7.3$

WELL/DIVERSION* NO.	HP	MOTOR MAKE	MOTOR SERIAL NO.	PUMP MAKE	PUMP SERIAL NO.	MEASURING DEVICE TYPE	CONDITION OF MEAS. DEV.	REMARKS

System Description 18" dia concrete headbox with 100' 1 1/4" plastic pipe to 10x3,300 gal trough.

*Code with map on reverse side. Disregard code if only one.

RECOMMENDED AMOUNTS

USE	Irrigation requirement =		AFA/Acre	
	Q (cfs)	V (afa)	FROM	TO
Stock water ✓	0.02 ✓	0.7 ✓	May 1 ✓	Oct 1 ✓
Total	0.02 ✓	0.7 ✓		

Remarks

Approx 100 head Range cattle
Office verification of Beneficial use (See 2-26-81 memo)

MICROFILMED

