

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 45-13747
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)

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: 04/01/1872

3. Source: AIRPORT SPRING , AIRPORT SPRING , AIRPORT SPRING , AIRPORT SPRING Trib.
to: SINKS , SINKS , SINKS , SINKS

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 Lot	County	Type
16S	20E	21	NW	NE	NE	CASSIA	
16S	20E	21	SE	NE	SW	CASSIA	
16S	20E	22	SW	SW	NE	CASSIA	
16S	20E	23	SW	NE	SW	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
16S	20E	21	NE	SW	STOCKWATER	
			NE	NE	STOCKWATER	
16S	20E	22	SW	NE	STOCKWATER	
16S	20E	23	NE	SW	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 45-10335 FOR THE SIGNED NOTICE OF CLAIM AS FILED.

15. Basis of Claim: Beneficial Use

COPY

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: **A45-10335**
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 83346
OR
Name: BRUCE BEDKE
Address: 42 E 1975 SOUTH (BASIN RD)
OAKLEY ID 83346

2. Date of Priority: APR 1, 1872

3. Source: AIRPORT SPRING (GARBAGE CAN Trib. to: SINKS

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
16S	20E	21	NW	NE	NE		CASSIA
			SE	NE	SW		CASSIA
		22	SW	SW	NE		CASSIA
		23	SW	NE	SW		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	20E	21	NE	NE		STOCK	
			NE	SW		STOCK	
		22	SW	NE		STOCK	
		23	NE	SW		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 K: AIRPORT 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*****
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: _____

SD-0410-2
MODIFY REMARK

Idaho Department of Water Resources
Adjudication Remarks Screen

Date: 10/16/97
Time: 09:40:26

Water Right Number: A45-10335

FIRST PAGE

13. Remarks Type : GEN

Remarks: USED UNDER GRAZING ALLOTMENT FROM USFS.
AKA GOOSE CREEK CATTLE & HORSE ASSOC.
***FILE K: AIRPORT 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*****
ADDED GRID ADDRESS.

(ENTER=Continue/Exit)

(GOLD2=Update) (GOLD4=Prev Scrn) (GOLD6=End of Data) (GOLD8=Cancel)
(GOLD3=Delete) (GOLD5=Next Scrn) (GOLD7=Copy to Cmts) (Gold9=Add Std Rmk)

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: A45-10335
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 83346
OR
Name: BRUCE BEDKE
Address: OAKLEY, ID 83346

2. Date of Priority: APR 01, 1879

3. Source: AIRPORT SPRING (GARBAGE CAN Trib. to: SINKS

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
16S	20E	21	NW	NE	NE		CASSIA
			SE	NE	SW		CASSIA
		22	SW	SW	NE		CASSIA
		23	SW	NE	SW		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		

A45-10335

Page 1

Date: 06/06/89

MICROFILMED

MAR 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
16S	20E	21	NE	NE		STOCK	
			NE	SW		STOCK	
		22	SW	NE		STOCK	
		23	NE	SW		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 K: AIRPORT 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

(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.

MICROFILMED
MAR 09 1993

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: A45-10335
Date Received: 5/02/1989
Receipt No: S006989
Received By: SCC

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: AIRPORT SPRING (GARBAGE CAN Trib. to: SINKS

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
16S	20E	21	NW	NE	NE		CASSIA
			SE	NE	SW		CASSIA
		22	SW	SW	NE		CASSIA
		23	SW	NE	SW		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	20E	21	NE	NE		STOCK	
			NE	SW		STOCK	
		22	SW	NE		STOCK	
		23	NE	SW		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 K: AIRPORT 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 _____ Title

Wild Rose Cattle Assoc. Organization, that I have signed the foregoing

document in the space below as President of _____ Title

Wild Rose Cattle Assoc. Organization and that the statements contained in the

foregoing document are true and correct.

Ray C. Bedke
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 Chilton
Notary Public

Seal

Residing at Twin Falls

My Commission Expires Dec 7, 1994

FILE F cont.

Little Piney Creek - a tributary of Goose Creek

Beginning

NW SW SE SEC 32 T15S R19E

Running

SE SW SEC 32

SW SW SEC 32

SE SE SEC 31

Ending

NE SW SE SEC 31 T15S R19E

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

SW SW SE SEC 19 T15S R21E

Points of use:

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

SW SE NE SEC 25 T15S R20E

Points of use:

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

SE SE NE SEC 26 T15S R20E

Points of use:

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)

SE NE SW SEC 21 T16S R20E

Points of use:

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 - ATRB.
at Goose Creek.

Beginning NW SW NE SE SEC 32 T16S R19E

Running

SE SE SEC 3

NE NE SEC 10

NW NW SEC 11

Ending

SW NW NW SEC 11 T16S R19E

A45-10335

07/02/2004

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

RIGHT NUMBER: 45-13747

NAME AND ADDRESS: MICHAEL A POULTON
605 W 2200 S
OAKLEY ID 83346

KARL U BEDKE
1876 S 600 W
OAKLEY ID 83346

SCOTT BEDKE
450 N CENTER AVE
OAKLEY ID 83346

PATRICIA BEDKE
1876 S 600 W
OAKLEY ID 83346

SOURCE: SPRING

TRIBUTARY: N E CREEK

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: 06/11/1905

POINT OF DIVERSION:

T16S R20E S21 SENESW 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

T16S R20E S21 NESW

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

SOURCE IS ALSO KNOWN AS AIRPORT SPRING.

THIS RIGHT IS A SPLIT FROM FORMER RIGHT 45-10335.

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 45-13747 V1

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 SOURCE IS ALSO KNOWN AS AIRPORT SPRING.
2. Explanatory THIS RIGHT IS A SPLIT FROM FORMER RIGHT 45-10335.

Comments:

1. vhancock 4/19/2004 RECOMMENDATION

Comment: CLAIMED PRIORITY DATE OF 1872 NOT APPROPRIATE FOR DEVELOPED PIPELINE. NO INFORMATION IN FILE REGARDING DIVERSION CAPACITY OR PROOF OF DEVELOPMENT DATE FOR PIPELINE. RECOMMENDED LOCATION OF SPRING ONLY FOR PLACE OF USE FOR NON-DIVERTED STOCKWATER.

2. vhancock 7/2/2004 PRIORITY DATE

Comment: RECOMMENDED PURSUANT TO STIPULATED AGREEMENT BETWEEN USA AND PERMITTEES SIGNED AUGUST 8, 2002. USE IS ON LAND MANAGED BY USFS AND NO FEDERAL WATER RIGHT FOUND FOR THIS DEVELOPED SYSTEM. THEREFORE, PRIORITY DATE RECOMMENDED AS 6/11/1905.

MEMO TO FILE

From: Vikie Hancock

7/2/04

**RE: Recommendation of Claim Nos: 45-13747 & 45-13748
both portions of 45-10335**

No evidence of priority exists for the "Airport Spring Pipeline" claimed under these rights. No licensed right, private or federal, was found to document the construction date of the developed system of troughs claimed. The spring and pipeline system is on land managed by the US Forest Service.

The claimed priority date for the above rights is 1872. The only place of use that could have existed on that date is at the spring source itself, as it is reasonable to assume no pipeline had been constructed in 1872. The claims list a place of use at the spring location, therefore, my recommendations for 45-13747 & 45-13748 include only one place of use, at the spring. The recommended diversion rate is .02 cfs for non-developed surface sources.

Per a Stipulated Agreement between the USA and claimants Scott Bedke, Karl Bedke and Mike Poulton signed 8/18/2002, their portion, 45-13747, was recommended with a priority date of 6/11/1905.

As Bruce Bedke did not sign the above mentioned stipulated agreement, I recommended a priority date of 1872 for his portion, 45-13748.

06/24/2004

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

RIGHT NUMBER: 45-13747 **DISALLOWED**

NAME AND ADDRESS: MICHAEL A POULTON
605 W 2200 S
OAKLEY ID 83346

KARL U BEDKE
1876 S 600 W
OAKLEY ID 83346

SCOTT BEDKE
450 N CENTER AVE
OAKLEY ID 83346

PATRICIA BEDKE
1876 S 600 W
OAKLEY ID 83346

SOURCE: AIRPORT SPRING TRIBUTARY: SINKS

QUANTITY: 0.380 CFS

PRIORITY DATE: 04/01/1872

POINT OF DIVERSION:

T16S R20E S21 NWNENE Within CASSIA County

T16S R20E S21 SENESW Within CASSIA County

T16S R20E S22 SWSWNE Within CASSIA County

T16S R20E S23 SWNESW Within CASSIA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

STOCKWATER

05/01 11/30

0.380 CFS

PLACE OF USE: STOCKWATER Within CASSIA County

T16S R20E S21

NENE

T16S R20E S21

NESW

T16S R20E S22

SWNE

T16S R20E S23

NESW

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

NO LAWFUL APPROPRIATION SHOWN: There are a number of circumstances in which a claim is proposed to be disallowed on this basis. This is most commonly included for a claim based on beneficial use or posted notice that is PROPOSED to be disallowed because the right claimed is not within an exception to the mandatory permit statute, and beneficial use of water prior to the mandatory permit statute was not confirmed. This is also included where a claim is PROPOSED to be disallowed because the claim is to water that is not public water subject to appropriation. This is also included where a right was determined not to exist in a prior adjudication.

NO LAWFUL APPROPRIATION SHOWN.

EXPLANATORY MATERIAL: Beneficial Use

THIS RIGHT IS A SPLIT FROM FORMER RIGHT 45-10335.

Water Right 45-13747

1

Proposed

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

45-10335 .545

13747

13748

↑
see for
Base Right

(.125)

(.375)

45-10336

Split By
ownership

13749

13750

ALL claims for .5 cfs
 Claims filed listing 2000 Range cattle

45-10325	Split to 6 portions
- 10327	Split to 6 portions
- 10329	Split to 6 portions
- 10330	Split to 4 portions
- 10331	Split to 8 portions
- 10333	Split to 2 portions
- 10334	Split to 2 portions
- 10335	Split to 2 portions
- 10336	Split to 2 portions

Per information in file:

GRAZING Leases

Winecup
 Karl U Bedke
 Poulton
 Bruce Bedke

YR INFO

1994
 1998
 1997
 1955

COWS

484
 508
 221
 350

1213
 1563

$\frac{350}{1563} = 22\%$
 Bruce Bedke
 (.25% = .125 cfs)

$\frac{1213}{1563} = 77\%$

$\frac{75\% = .375}{1563 = 2745}$

Winecup
 Poulton
 Karl Bedke

03/29/2004

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

RIGHT NUMBER: 45-10335

NAME AND ADDRESS: WINSLOW B WHITELEY
BASIN RD
42 E 1975 S
OAKLEY ID 83346

DISALLOWED

BRUCE BEDKE
42 E BASIN RD
OAKLEY ID 83346

RAY C BEDKE
42 E 1975 S
OAKLEY ID 83346

GARY R POULTON
605 W 2200 S
OAKLEY ID 83346

SOURCE: SPRING

TRIBUTARY: SINKS

QUANTITY: 0.500 CFS

PRIORITY DATE: 04/01/1879

POINT OF DIVERSION:

T16S R20E S21 SENESW Within CASSIA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
STOCKWATER

PERIOD OF USE
5/01 11/30

QUANTITY
0.500 CFS

PLACE OF USE: STOCKWATER Within CASSIA County

T16S R20E S21 NENE
T16S R20E S22 SWNE

T16S R20E S21 NESW
T16S R20E S23 NESW

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

NO BENEFICIAL USE FOUND: This is included for a claim based on
beneficial use that is PROPOSED to be disallowed because beneficial use
of water was not confirmed by IDWRs field examination or by other
evidence submitted by the claimant.

NO BENEFICIAL USE FOUND.

EXPLANATORY MATERIAL: Beneficial Use

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 45-10335 V1

Conditions of Approval:

1. P03 NO BENEFICIAL USE FOUND: This is included for a claim based on beneficial use that is PROPOSED to be disallowed because beneficial use of water was not confirmed by IDWRs field examination or by other evidence submitted by the claimant.

Remarks:

1. General NO BENEFICIAL USE FOUND.

Comments:

1. SSHERMAN 10/16/1997 COPIED FROM REMARKS

Comment: USED UNDER GRAZING ALLOTMENT FROM USFS. AKA GOOSE CREEK CATTLE & HORSE ASSOC. ***FILE K: AIRPORT 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***** ADDED GRID ADDRESS.

2. vhancock 3/29/2004 DISALLOWED

Comment: CLAIM 45-10335 WAS DISALLOWED BECAUSE OF LACK OF INFORMATION AND BECAUSE THE CLAIMED PRIORITY DATE IS NOT APPROPRIATE FOR A PIPELINE DEVELOPMENT. AT THIS TIME THERE IS NO INFORMATION IN FILE CONCERNING THE DIVERSION CAPACITY OF THE PIPELINE OR WHEN THE PIPELINE WAS CONSTRUCTED AND BENEFICIAL USE BEGAN UNDER THIS RIGHT.

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 45-12117

WATER RIGHT NUMBER: 45-12117

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	UNITED STATES OF AMERICA ACTING THROUGH USDA FOREST SERVICE 550 W FORT ST MSC 033 BOISE, ID 83724 (208)387-0835

Priority Date: 05/01/1879

Basis: Decreed

Status: Active

*Possible Same
Source
Undeveloped
Spring*

<u>Source</u>	<u>Tributary</u>
N E CREEK SPRING	SINKS

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
STOCKWATER	5/01 to 11/30	0.020 CFS	
	<u>Total Diversion:</u>	0.020 CFS	

Location of Point(s) of Diversion

N E CREEK SPRING	SE1/4SW1/4	Sec. 21, Twp 16S, 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
16S	20E	21												X					

Conditions of Approval:

1. N11 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
2. N13 THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

Remarks:

1. Explanatory FOREST SERVICE RECORD ID = 0414 17040211 15 0048

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report 45-12117

Comments:

1. VHANCOCK 1/28/1998 COPIED FROM REMARKS
Comment: 1849 CATTLE
2. RBROWN 4/22/1999 REVISION
Comment: CHANGED TO UNDEVELOPED SPRING

SubCase:

SubCase Number: 45-12117
Class: 1
SF5 Filed Date: 4/26/1999
Special Master Recom Signed Date: 5/20/1999
Attorney Assigned: NICHOLAS B SPENCER
Adjudication Agent:
Basis of Claim:
Date Filed: 7/7/1998 Objection Status: Active

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 02/03/98

PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	GARY RUSSEL POULTON	04/01/1879	STOCKWATER	05-01 11-30	0.50 CFS	
C	BRUCE BEDKE					
C	WINSLOW B WHITELEY					
C	RAY C BEDKE					
TOTAL DIVERSION:					0.50 CFS	

Water Source: AIRPORT SPRING (GARBAGE CAN)

Tributary to: SINKS

Stage: BENEFICIAL USE

Point(s) of Diversion:

T16S R20E S21

S22

S23

NWNENE

SWSWNE

SWNESW

SENESW

*ACTUAL
PID per
attachment to
claim
DA*

CASSIA County

CASSIA County

CASSIA County

Place of use Legal Description for: STOCKWATER

NE				NW				SW				SE			
NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE
T	R	S	: Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	: Lt Ac	Lt Ac	Lt Ac	Lt Ac	: Lt Ac	Lt Ac	Lt Ac	Lt Ac
16S	20E	21	:	S	:	:	:	S	:	:	:	:	:	:	:
16S	20E	22	:	:	:	S	:	:	:	:	:	:	:	:	:
16S	20E	23	:	:	:	:	:	S	:	:	:	:	:	:	:

POU County: CASSIA

Other Rights: NONE

Conditions of Approval:

N11 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
- DETERMINATION OF HISTORICAL BENEFICIAL USE.

Remarks: EXP STOCKWATER, 2000 RANGE CATTLE.

Dates: Exam Made Date: Verified Date: 10/17/1997 Objection Filed Date:

Misc: Water District Number: Field Inspection Flag:
Presumption Flag:

Heel

AJ5856NP

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

DATE: AUG-20-1997
PAGE: A-92

RIGHT NUMBER: 45-10335

NAME & ADDRESS: RAY C BEDKE
GARY RUSSEL POULTON
BRUCE BEDKE
OAKLEY ID 83346

WINSLOW B WHITELEY
PO BOX 283
OAKLEY ID 83346

*U.S.
Rec'd 8/26/98
\$150.00*

SOURCE: AIRPORT SPRING (GARBAGE CAN) TRIBUTARY: SINKS

QUANTITY: 0.5 CFS

PRIORITY DATE: 04/01/1879

POINT OF DIVERSION: T16S R20E S21 *US* NWNENE Within CASSIA County
S22 SENESW
S23 SWSWNE
SWNESW

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	STOCKWATER S/2000 RANGE	05-01 11-30	0.5 CFS

PLACE OF USE: STOCKWATER *US* Within CASSIA County
T16S R20E S21 NENE NESW
S22 SWNE
S23 NESW

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

USED UNDER GRAZING ALLOTMENT FROM USFS.
AKA GOOSE CREEK CATTLE & HORSE ASSOC.
***FILE K: AIRPORT 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*****

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE

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

B	A45-04050 {95}	.02	Stock/dam
B	A45-02810 {63}	.01	Stock
R	10325 {79}	.5	Stock
R	10327 "	"	"
R	10329 "	"	"
R	10330 "	"	"
R	10331 "	"	"
R	10332 "	See 45-7446	" cattle house
R	10333 "	"	"
R	10334 "	"	"
R	10335 "	"	"
R	10336 "	"	"
B	10488 {95}	.02	Stock
R	10491 {72}	.23	"
R	10492 {72}	(see also 45-02810)	.23 Stock
R	10500 {72}	.23	"
B	10505 "	.02	St IS
R	10506 "	.02	St IS
R	10507 "	.23	St
R	10508 "	.23	St

RAY

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

Bedke Family LTD PART

A45-00142

00136A

00154A