

**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 45-13677
(Insert water right number)

**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 Department of Interior,
Bureau of Land Management, Idaho State Office

Address: 1387 South Vinnell Way
Boise, Idaho 83709-1657

Daytime Phone: see below

Name & Address of Attorney, if any:

Larry A. Brown (202) 305-0435 phone, (202) 305-0274 fax
United States Department of Justice
Environment and Natural Resource Division
General Litigation Section
550 West Fort Street, MSC 033
Boise, Idaho 83724

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

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

Name:

Address:

Name:

Address:

Name:

Address:

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:
2. ☐ **Source**
Should be:
3. ☐ **Quantity**
Should be:
4. ☒ **Priority Date**
Should be: See attached.
5. ☒ **Point(s) of Diversion**
Should be: See attached.
6. ☐ **Instream Flow Description**
Should be:
7. ☐ **Purpose(s) of Use**
Should be:
8. ☐ **Period of Year**
Should be:
9. ☒ **Place of Use**
Should be: See attached.
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):

There is no evidence that the claimant, or his predecessors, satisfied the test for a valid appropriation of water, where point(s) of diversion and/or place(s) of use are designated on federal public land. The claimant does not have a valid water right with the elements claimed.

F.

VERIFICATION (Must be Completed)

State of Idaho

)
) ss.

County of ADA

Fredric W. Price, Water Rights Specialist, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

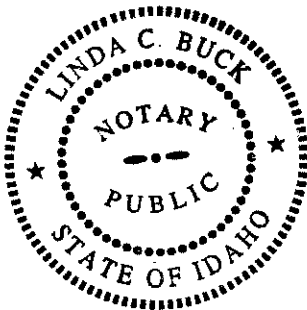
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

Fredric W. Price
(Signature of person filing objection)

Lang G. Brown
(Attorney signing in representative capacity)

Subscribed and sworn to before me on: 12/30/04

Linda C. Buck
Linda C. Buck



Notary Public for Idaho
Residing at: Mountain Home
My Commission Expires: 12-21-2005

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 Jan. 5⁵, 2004, 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
P.O. 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

Name:
Address:

Name:
Address:

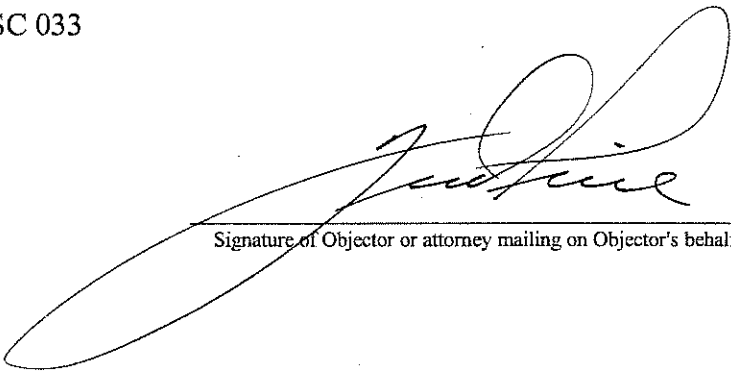
Name:
Address:

3. Copies to:

IDWR Document Depository
P.O. Box 83720
Boise, ID 83720-0098

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P.O. Box 44449
Boise, ID 83711-4449

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



Signature of Objector or attorney mailing on Objector's behalf

08/24/2004

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

RIGHT NUMBER: 45-13677
 NAME AND ADDRESS: BRUCE BEDKE
 42 E BASIN RD
 OAKLEY ID 83346

-PODs on BLM
 -POUs on BLM
 -Priority Date

SOURCE: BIRCH CREEK
 GRANITE CREEK

TRIBUTARY: GOOSE CREEK
 TRIBUTARY: BIRCH CREEK

QUANTITY: 0.020 CFS
 THE QUANTITY OF WATER UNDER RIGHTS 45-13676, 45-13677 &
 45-13678 COMBINED SHALL NOT EXCEED 13,000 GALLONS PER DAY.

PRIORITY DATE: 04/01/1872

POINT OF
 DIVERSION: T16S R21E S25 NESWSE End of Stream Flow Within CASSIA County BLM
 T16S R21E S26 NWNWNE End of Stream Flow Within CASSIA County BLM
 T16S R22E S31 SWNWNE Begin of Stream Flow Within CASSIA County BLM
 T16S R22E S33 SENWNE Begin of Stream Flow Within CASSIA County BLM

PURPOSE AND
 PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
STOCKWATER	01/01 12/31	0.020 CFS

PLACE OF USE: STOCKWATER Within CASSIA County

T16S R21E S25	SENE BLM	T16S R21E S25	NESW BLM
T16S R21E S25	NWSW BLM	T16S R21E S25	SESW BLM
T16S R21E S25	NESE BLM	T16S R21E S25	NWSE BLM
T16S R21E S25	SWSE BLM	T16S R21E S25	SESE BLM
T16S R21E S26	NWNE BLM	T16S R21E S26	SENE BLM
T16S R22E S28	NWSW BLM	T16S R22E S28	SWSW BLM
T16S R22E S28	SESW BLM	T16S R22E S29	SWNW BLM
T16S R22E S29	SENE BLM	T16S R22E S29	NESW BLM
T16S R22E S29	NESE STATE	T16S R22E S29	NWSE BLM
T16S R22E S30	NWNE BLM	T16S R22E S30	SENE BLM
T16S R22E S30	NENW BLM	T16S R22E S30 Lot 2	SWNW BLM
T16S R22E S30 Lot 4	SWSW BLM	T16S R22E S31	NWNE BLM
T16S R22E S31	NENW BLM	T16S R22E S33	NWNE BLM
T16S R22E S33	NENW STATE		

PODs and POU's on BLM

- Portion of this claim describes federal public land
- Remove federal public land from claim
- Priority Date is not valid

08/24/2004

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

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: BASIS OF CLAIM - Beneficial Use

THIS RIGHT IS A SPLIT FROM FORMER RIGHT 45-10492.

45-13677

Bruce Bedke

