

**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 45-13678
(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.

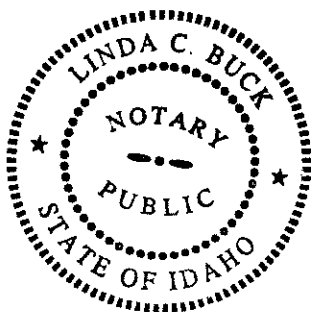
Fredric W. Price
(Signature of person filing objection)

Larry A. 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. 5, 2005, 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:

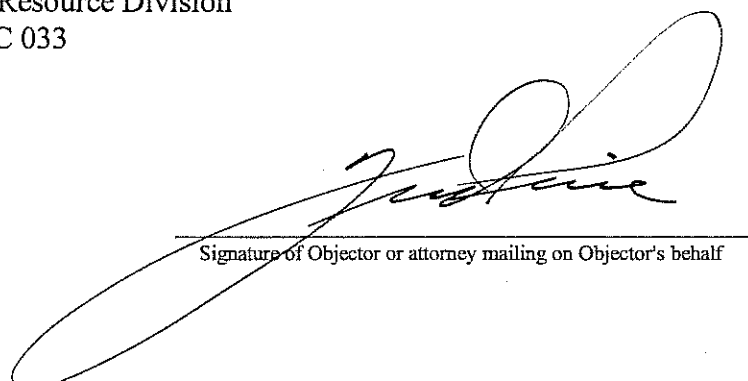
Name:
Address:

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: 45-13678
NAME AND ADDRESS: BRUCE BEDKE
42 E BASIN RD
OAKLEY ID 83346

-PODs on BLM
-POUs on BLM
-Priority Date

SOURCE: BLUE HILL CREEK
UNNAMED SPRING
UNNAMED STREAM

TRIBUTARY: GOOSE CREEK
TRIBUTARY: SINKS
TRIBUTARY: BLUE HILL CREEK

QUANTITY: 0.020 CFS

THE QUANTITY OF WATER UNDER RIGHTS 45-13676, 45-13677 AND
45-13678 SHALL NOT EXCEED A COMBINED TOTAL OF 13,000
GALLONS PER DAY.

PRIORITY DATE: 04/01/1872

POINT OF
DIVERSION:

T16S R21E S12 SWNWSE End of Stream Flow Within CASSIA County BLM
T16S R22E S15 SENENW Begin of Stream Flow Within CASSIA County STATE
T16S R22E S15 NENESE Begin of Stream Flow Within CASSIA County BLM
T16S R22E S17 SWSESW End of Stream Flow Within CASSIA County BLM
T16S R22E S17 NENWSW End of Stream Flow Within CASSIA County BLM
T16S R22E S20 SWNWNE End of Stream Flow Within CASSIA County BLM
T16S R22E S20 NESESE Begin of Stream Flow Within CASSIA County BLM
T16S R22E S21 NWSWNW Begin of Stream Flow Within CASSIA County PVT
T16S R22E S21 NWNWSE End of Stream Flow Within CASSIA County BLM
T16S R22E S27 SENENE Begin of Stream Flow Within CASSIA County STATE
T16S R22E S27 SESENE Begin of Stream Flow Within CASSIA County STATE
T16S R22E S27 NWNESW Within CASSIA County BLM
T16S R22E S27 SESESW Within CASSIA County BLM
T16S R22E S27 NENESE Within CASSIA County BLM
T16S R22E S28 NWNWNW End 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 S12	NESE BLM	T16S R21E S12	NWSE BLM
T16S R21E S12	SESE BLM	T16S R22E S07 Lot 4	SWSW BLM
T16S R22E S09	SWSW BLM	T16S R22E S09	SESW BLM
T16S R22E S09	SWSE BLM	T16S R22E S15	NENW STATE

08/24/2004

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

T16S R22E S15	SWNW STATE	T16S R22E S15	SENW STATE
T16S R22E S15	NESW BLM	T16S R22E S15	NWSW BLM
T16S R22E S15	NESE BLM	T16S R22E S15	NWSE BLM
T16S R22E S16	NENE STATE	T16S R22E S16	NWNE STATE
T16S R22E S16	SWNE STATE	T16S R22E S16	SENE STATE
T16S R22E S16	NENW STATE	T16S R22E S16	NWNW STATE
T16S R22E S16	SWNW STATE	T16S R22E S16	SENW STATE
T16S R22E S17	NENE BLM	T16S R22E S17	SWNE BLM
T16S R22E S17	SENE STATE	T16S R22E S17	SWNW BLM
T16S R22E S17	SENW BLM	T16S R22E S17	NESW BLM
T16S R22E S17	NWSW BLM	T16S R22E S17	SESW BLM
T16S R22E S17	SWSE BLM	T16S R22E S18	SWNE BLM
T16S R22E S18	SENE BLM	T16S R22E S18	NENW BLM
T16S R22E S20	NWNE BLM	T16S R22E S20	SWNE STATE
T16S R22E S20	SENE STATE	T16S R22E S20	NESE BLM
T16S R22E S20	NWSE BLM	T16S R22E S20	SESE BLM
T16S R22E S21	NESE BLM	T16S R22E S21	NWSE BLM
T16S R22E S21	SESE BLM	T16S R22E S22	SWSW BLM
T16S R22E S22	SESW BLM	T16S R22E S22	SWSE BLM
T16S R22E S22	SESE BLM	T16S R22E S27	NENE STATE
T16S R22E S27	NWNE STATE	T16S R22E S27	SWNE BLM
T16S R22E S27	SENE STATE	T16S R22E S27	SWNW STATE
T16S R22E S27	SESW BLM	T16S R22E S27	NESE BLM
T16S R22E S28	SWNE STATE	T16S R22E S28	SENE STATE
T16S R22E S28	NWNW BLM	T16S R22E S28	SENW BLM
T16S R22E S28	NWSW BLM		

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.

PODs and POUs on BLM

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

This is a topographic map of a region in Colorado, centered around the town of Emery. The map is divided into a grid of sections, numbered 001 through 036. The grid is labeled with Township 15 South (T 15 SR 21 E) and Township 16 South (T 16 SR 21 E) on the left, and Township 15 South (T 15 SR 22 E) and Township 16 South (T 16 SR 22 E) on the right. The map shows contour lines indicating elevation, with peaks reaching up to 12,000 feet. Water features include Emery Creek, Emery Canyon, and several smaller creeks and springs. Land parcels are marked with letters 'E' and 'B', likely indicating different land ownership or survey status. A large blacked-out area is present at the bottom right of the map, obscuring the bottom right corner of the grid.

CASSIA COUNTY Q31
BUTLEY DISTRICT SEC J

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES[illegible][illegible]

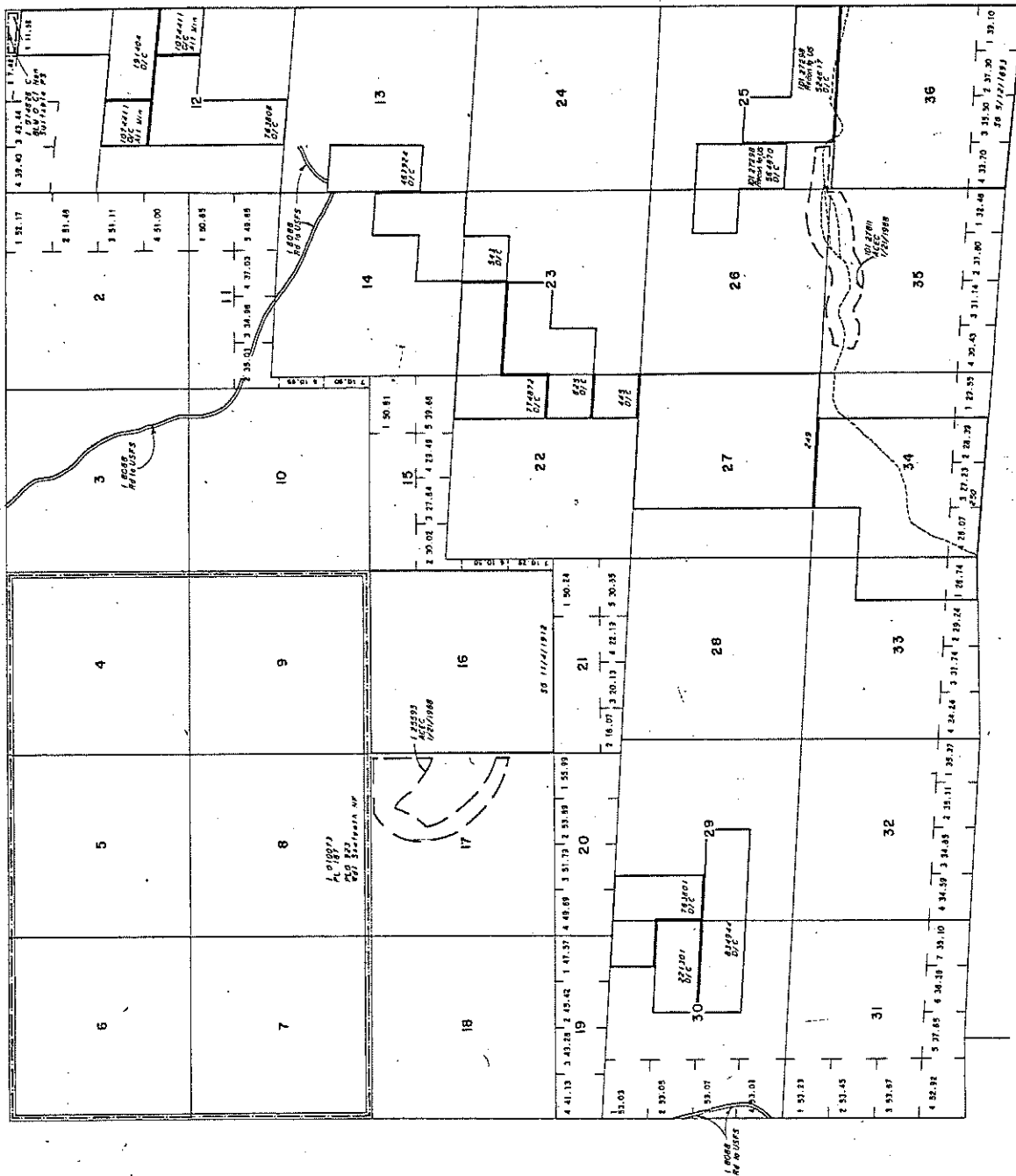
Way Pending Group No. 1151
Partial Tp.

FOR ORDERS EFFECTING DISPOSAL OR USE OF
UNIDENTIFIED LANDS, REFER TO INDEX OF
MISCELLANEOUS DOCUMENTS.

CURRENT TO	CURRENT TO
SEP 17 2008	

USE PLAYS:

Boise Mer
T. 18S
R. 21E



REVISED

WARRANT STATEMENT

WARNING STATEMENT

This plan is the Bureau's Record of Title, and should be used only as a guide to display of the township survey data. Plans have been developed which may have been corrected by lateral movements of rivers or other bodies of water. The Bureau is not responsible for errors in the official survey information.

THE NOTATION SHOWN ON WITHDRAWALS REPRESENT THE LAST ACTION TAKEN BUT MAY NOT BE THE EFFECTIVE DATE. SEE THE HISTORICAL INDEX FOR THE DATE OF THE ORIGINAL WITHDRAWAL ORDER

SCALE IN CHAINS

