

**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 45-13681
(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)

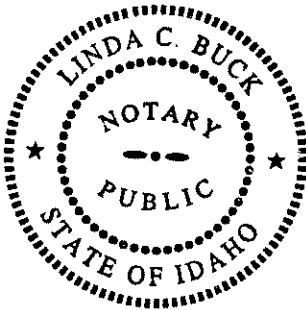
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

Fredric W. Price
(Signature of person filing objection)

Law 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. 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:

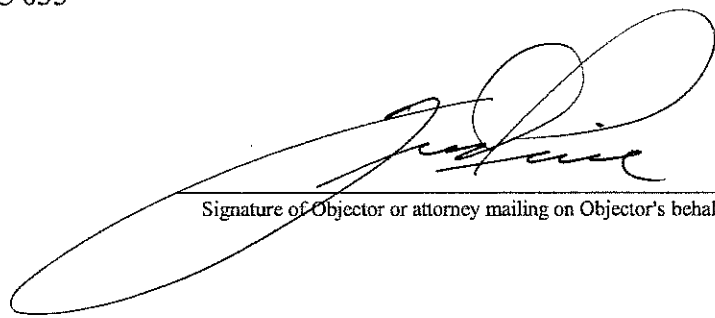
Name:
Address:

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: 45-13681
NAME AND ADDRESS: BRUCE BEDKE
42 E BASIN RD
OAKLEY ID 83346

-POD on BLM
-POU on BLM
-Priority Date
-Claim should not exist

SOURCE: SPRING

TRIBUTARY: SINKS

QUANTITY: 0.020 CFS

THE QUANTITY OF WATER UNDER THE FOLLOWING RIGHTS SHALL NOT
EXCEED A COMBINED TOTAL OF 13,000 GALLONS PER DAY. COMBINED
RIGHT NOS: 45-13679, 45-13680, 45-13681, 45-13682, 45-13683,
45-13684, 45-13685, 45-13686, 45-13687.

PRIORITY DATE: 04/01/1872

POINT OF
DIVERSION: T15S R22E S28 SESENE Within CASSIA County **BLM**

PURPOSE AND
PERIOD OF USE:

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

PLACE OF USE: STOCKWATER Within CASSIA County
T15S R22E S28 SENE **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 45-10500.

POD and POU on BLM

- Entirety of this claim describes federal public land
- Priority Date is not valid
- This claim should be dismissed

SRBA Claim Number: A45-13681

Surface Ownership

	BLM
	BIA
	LU_DOI
	LU_USDA
	MIL
	NPS
	USFWS
	PRIVATE
	STATE
	US Forest Service



BLM Administered land
claimed by private claimant.



No warranty is made by the Bureau
of Land Management for the use of the
data for purposes not intended by BLM.

DRAFT

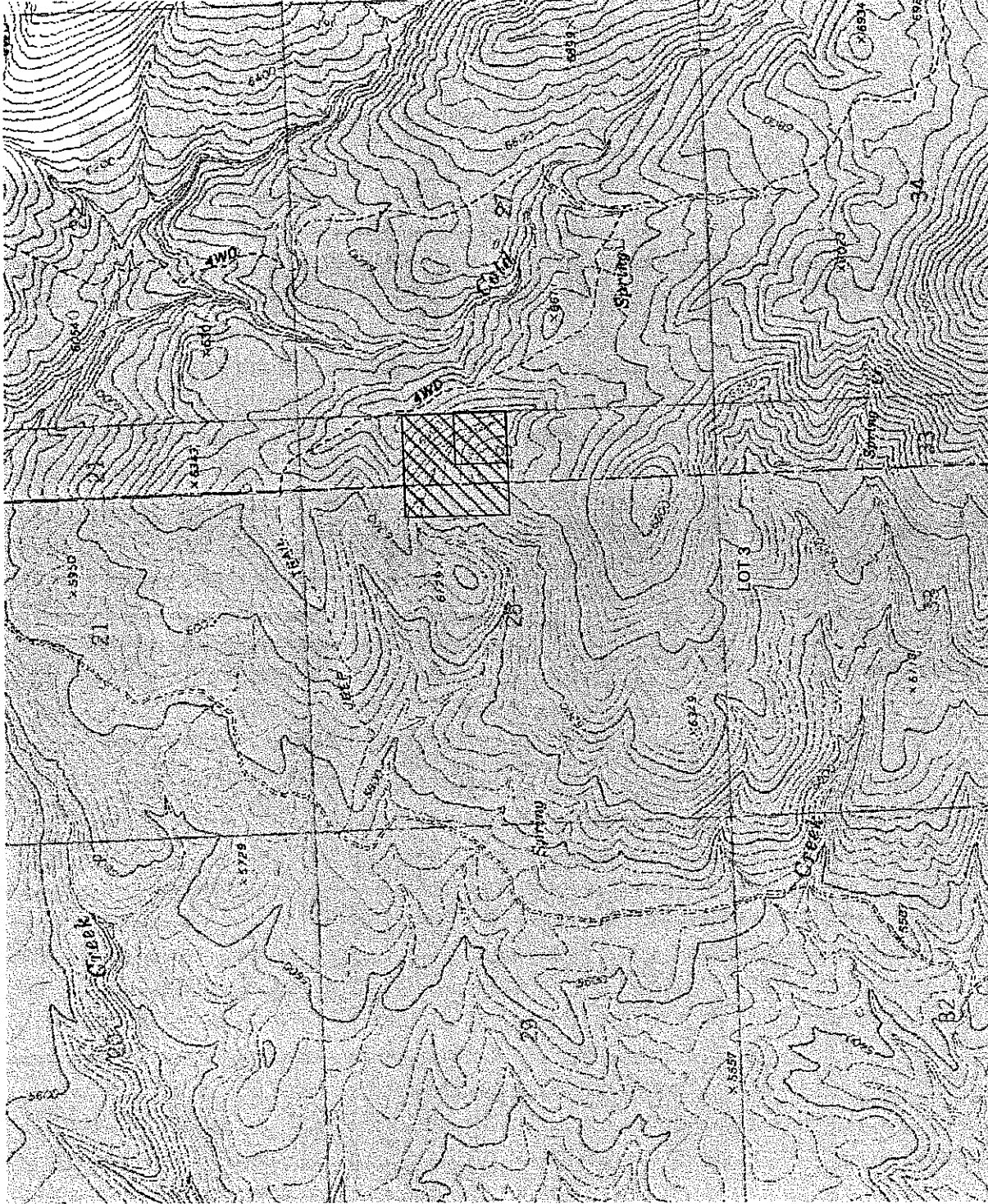


Quad Map Names:
Blue Hill & Lyman Pass



1:24000

d041108t



R. 22 E



Note: Depicted 40 acre tracts are POUs and 10 acre tracts are PODs unless otherwise noted.

TOWNSHIP 15 SOUTH RANGE 22 EAST OF THE BOISE MERIDIAN, IDAHO

CASSIA COUNTY Q31

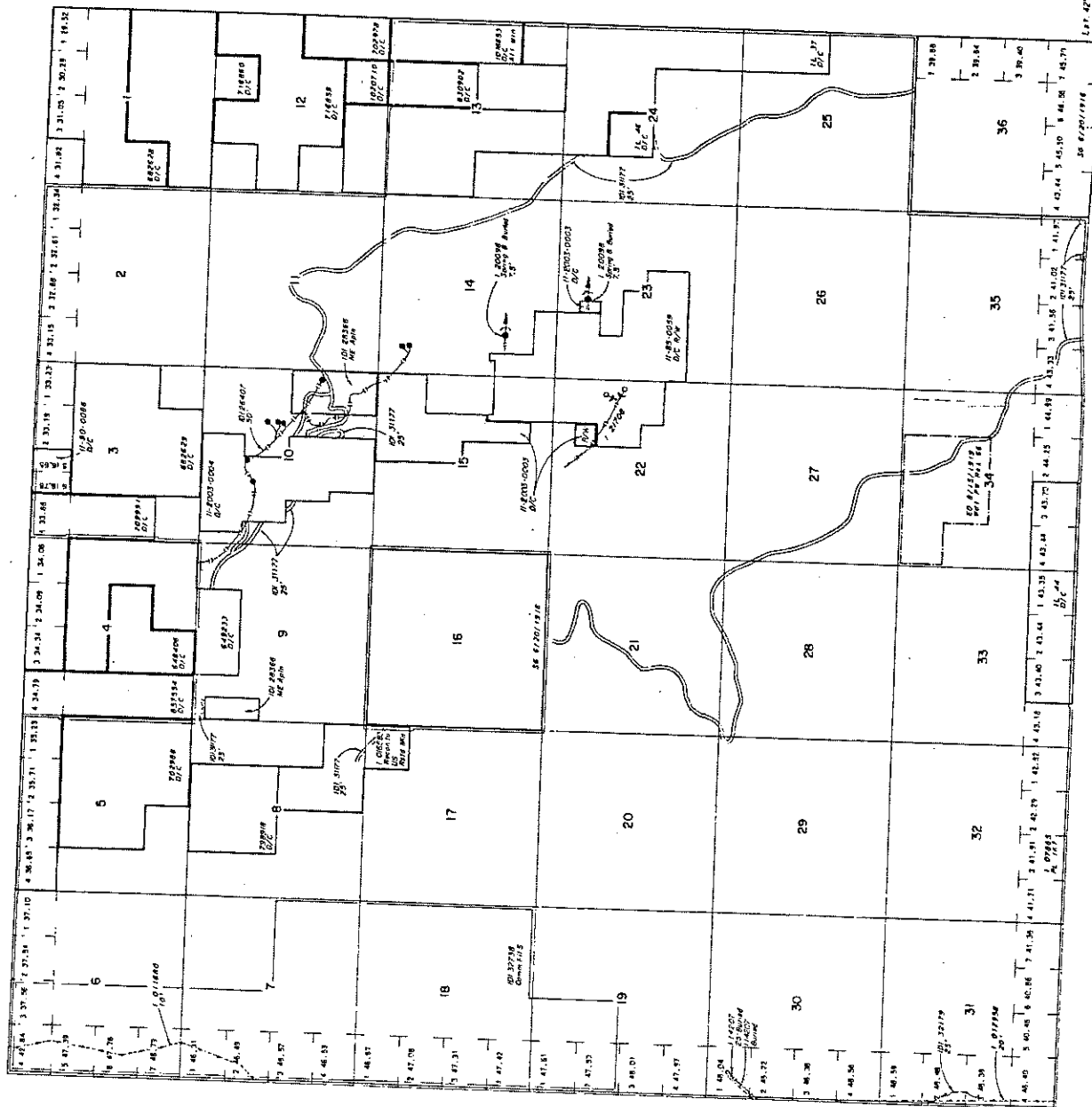
SURVEY DISTRICT SEC 3

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

MT PLAT

INDEX TO SEGREGATED TRACTS			
TRACT NO.	T	R	SEC.
1	22	15	3
2	22	15	3
3	22	15	3
4	22	15	3
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FOR ORDERS EFFECTING DISPOSAL OR USE OF
UNIDENTIFIED LANDS REFER TO INDEX OF
MISCELLANEOUS DOCUMENTS

U.S. PLATS

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 WITH-
DRAWAL

WARNING STATEMENT
This plat is a summary of the original survey and should be used
only as a guide. It is not a substitute for the original survey.
The original survey is the only authority for the location of the
boundaries of the land shown on this plat. The original survey
may be found in the office of the Surveyor General, Boise, Idaho.

SCALE in Chains
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U.S. PLATS

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