

**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** 45-13683  
(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. If there is any part of this claim intended for private land, then this claim should be clarified such that it is clear only private land is intended.

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)

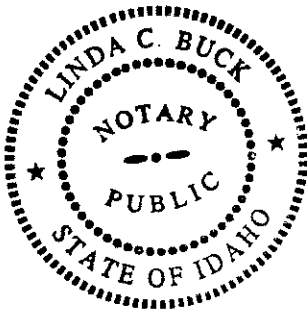
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

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:

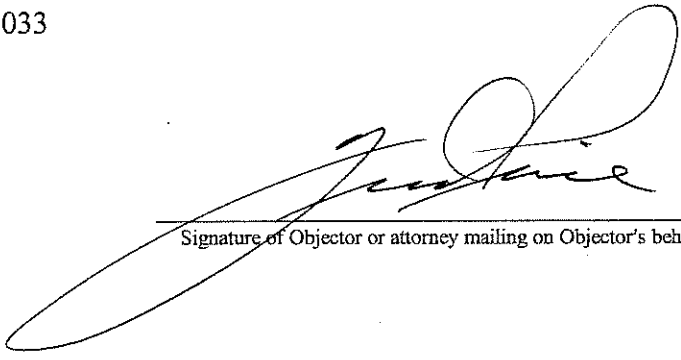
Name:  
Address:

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: 45-13683

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

Mixed POD

-The Point of Diversions identified below  
contains both private and public land.  
-Remove public land POD.

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

Mixed POU

-The Place of Use identified below  
contains both private and public land.  
-Clarify the POU such that it is clear  
that only private land is intended.

POINT OF  
DIVERSION:

T15S R22E S22 NENWNE Within CASSIA County BLM  
T15S R22E S22 SENWNE Within CASSIA County PVT

PURPOSE AND  
PERIOD OF USE:

PURPOSE OF USE  
STOCKWATER

PERIOD OF USE  
01/01 12/31

QUANTITY  
0.020 CFS

PLACE OF USE: STOCKWATER Within CASSIA County

T15S R22E S22 NWNE BLM / PVT

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.

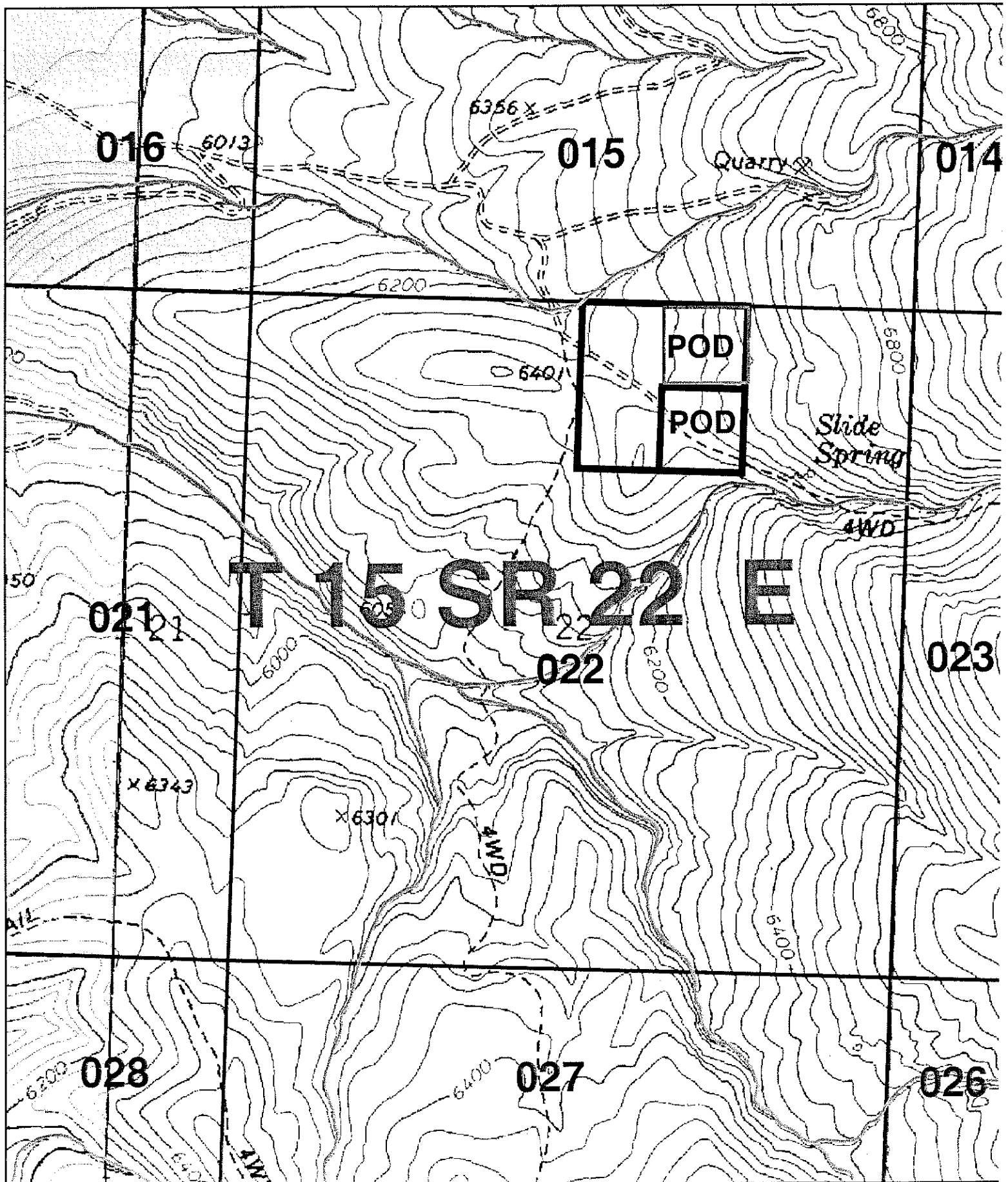
EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

THIS RIGHT IS A SPLIT FROM FORMER RIGHT 45-10500.

The Place of Use (POU) describes mixed ownership. The following limiting language inserted under  
POU would resolve BLM's objection.

"THE USE OF WATER UNDER THIS RIGHT WITHIN NWNE, S22, T15S, R22E, IS  
LIMITED TO THE SENWNE OF THAT PLACE OF USE."

45-13683  
Bruce Bedke



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

CASSIA COUNTY 031

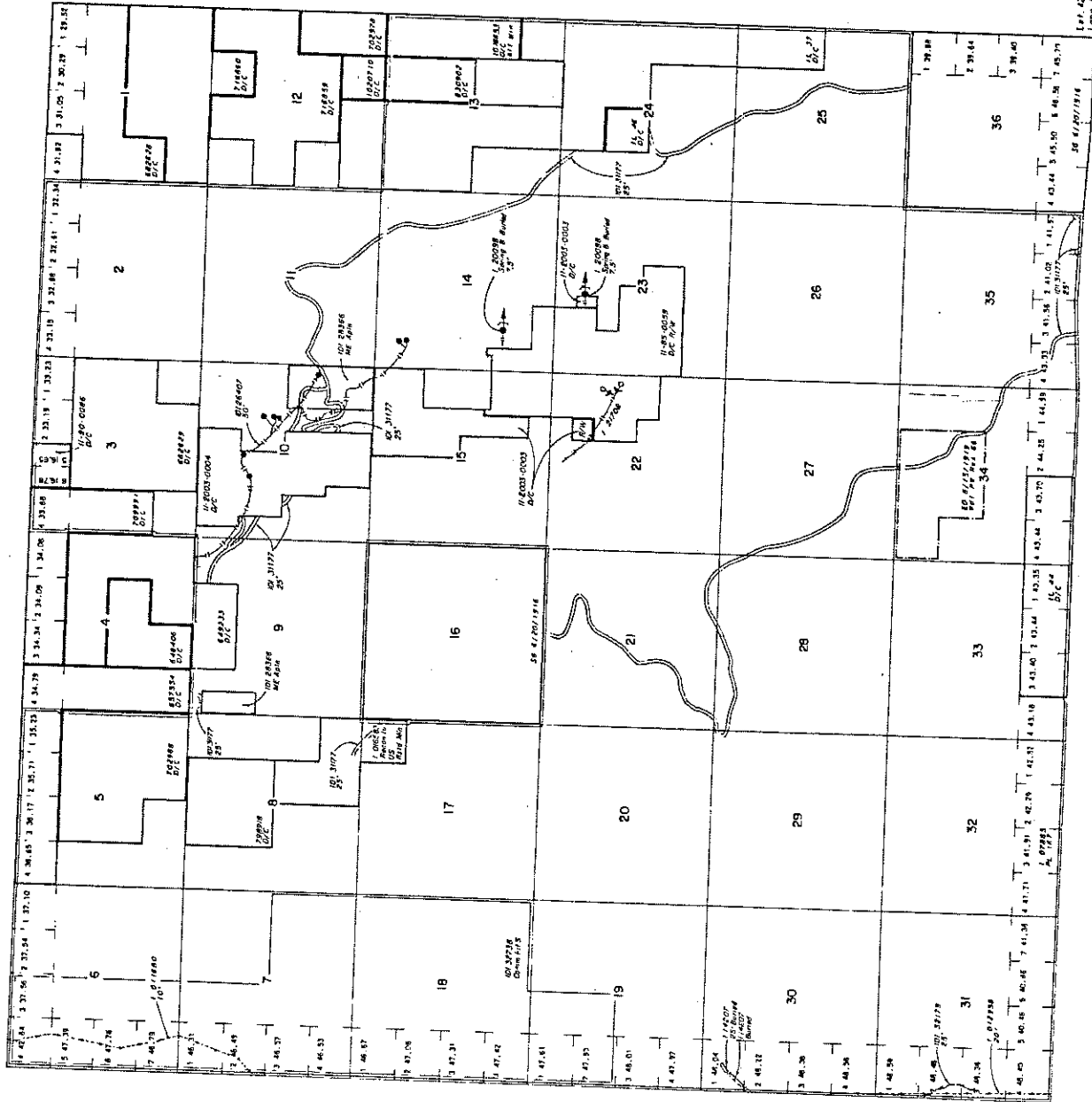
SURVEY DISTRICT SEC. 3

STATUS OF PUBLIC DOMAIN  
LAND AND MINERAL TITLES

MT PLAT

| INDEX TO SEGREGATED TRACTS |    |    |      |
|----------------------------|----|----|------|
| TRACT NO.                  | T. | R. | SEC. |
| 1                          | 15 | 22 | 3    |
| 2                          | 15 | 22 | 3    |
| 3                          | 15 | 22 | 3    |
| 4                          | 15 | 22 | 3    |
| 5                          | 15 | 22 | 3    |
| 6                          | 15 | 22 | 3    |
| 7                          | 15 | 22 | 3    |
| 8                          | 15 | 22 | 3    |
| 9                          | 15 | 22 | 3    |
| 10                         | 15 | 22 | 3    |
| 11                         | 15 | 22 | 3    |
| 12                         | 15 | 22 | 3    |
| 13                         | 15 | 22 | 3    |
| 14                         | 15 | 22 | 3    |
| 15                         | 15 | 22 | 3    |
| 16                         | 15 | 22 | 3    |
| 17                         | 15 | 22 | 3    |
| 18                         | 15 | 22 | 3    |
| 19                         | 15 | 22 | 3    |
| 20                         | 15 | 22 | 3    |
| 21                         | 15 | 22 | 3    |
| 22                         | 15 | 22 | 3    |
| 23                         | 15 | 22 | 3    |
| 24                         | 15 | 22 | 3    |
| 25                         | 15 | 22 | 3    |
| 26                         | 15 | 22 | 3    |
| 27                         | 15 | 22 | 3    |
| 28                         | 15 | 22 | 3    |
| 29                         | 15 | 22 | 3    |
| 30                         | 15 | 22 | 3    |
| 31                         | 15 | 22 | 3    |
| 32                         | 15 | 22 | 3    |
| 33                         | 15 | 22 | 3    |
| 34                         | 15 | 22 | 3    |
| 35                         | 15 | 22 | 3    |
| 36                         | 15 | 22 | 3    |

1. 07865 Dat. Pl. 167 Act. of Cong. 1/23/1953  
Emphasized 1/20/1959. All PD surface Prop. by B.M.



SCALE in Chains  
0 10 20 30 40

WARNING STATEMENT  
This plat is the Bureau's record of title, and should be used only as a reference. It is not a warranty of title. The Bureau does not warrant the accuracy of the information contained herein, and is not responsible for any errors or omissions. The user is advised to consult the original records for a complete and accurate description of the land.

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.

NOTE: Mar. T. 155 R. 22E.

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

| CURRENT TO | CURRENT TO |
|------------|------------|
| USE PLATS  |            |