

**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 45-13685
(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)

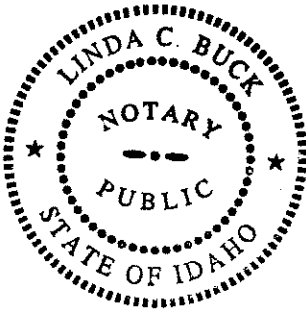
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

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, 200~~4~~⁵, 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:

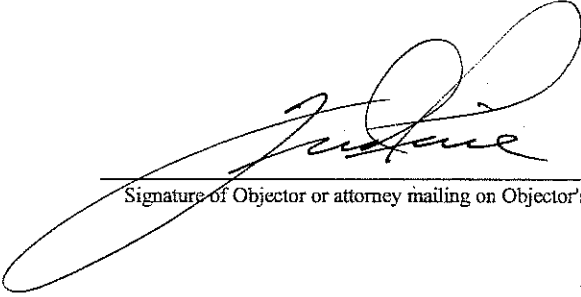
Name: Bruce Bedke
Address: 42 E Basin Rd Oakley, ID 83346
Name:
Address:
Name:
Address:
Name:
Address:

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: 45-13685
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: COYOTE CREEK
TRIBUTARY: GOOSE CREEK

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: T16S R22E S5 SWSESE Lot 12 Begin of Stream Flow Within CASSIA County BLM
T16S R22E S6 NWNSW Lot 8 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 R22E S05 Lot 9 SWSW BLM	T16S R22E S05 Lot 10 SESW BLM
T16S R22E S05 Lot 11 SWSE BLM	T16S R22E S05 Lot 12 SESE BLM
T16S R22E S06 Lot 7 NESW BLM	T16S R22E S06 Lot 8 NWSW BLM
T16S R22E S06 Lot 10 SESW BLM	T16S R22E S06 Lot 11 SWSE BLM
T16S R22E S06 Lot 12 SESE 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: A45-13685

Surface Ownership

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

BLM Administered land
claimed by private claim

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

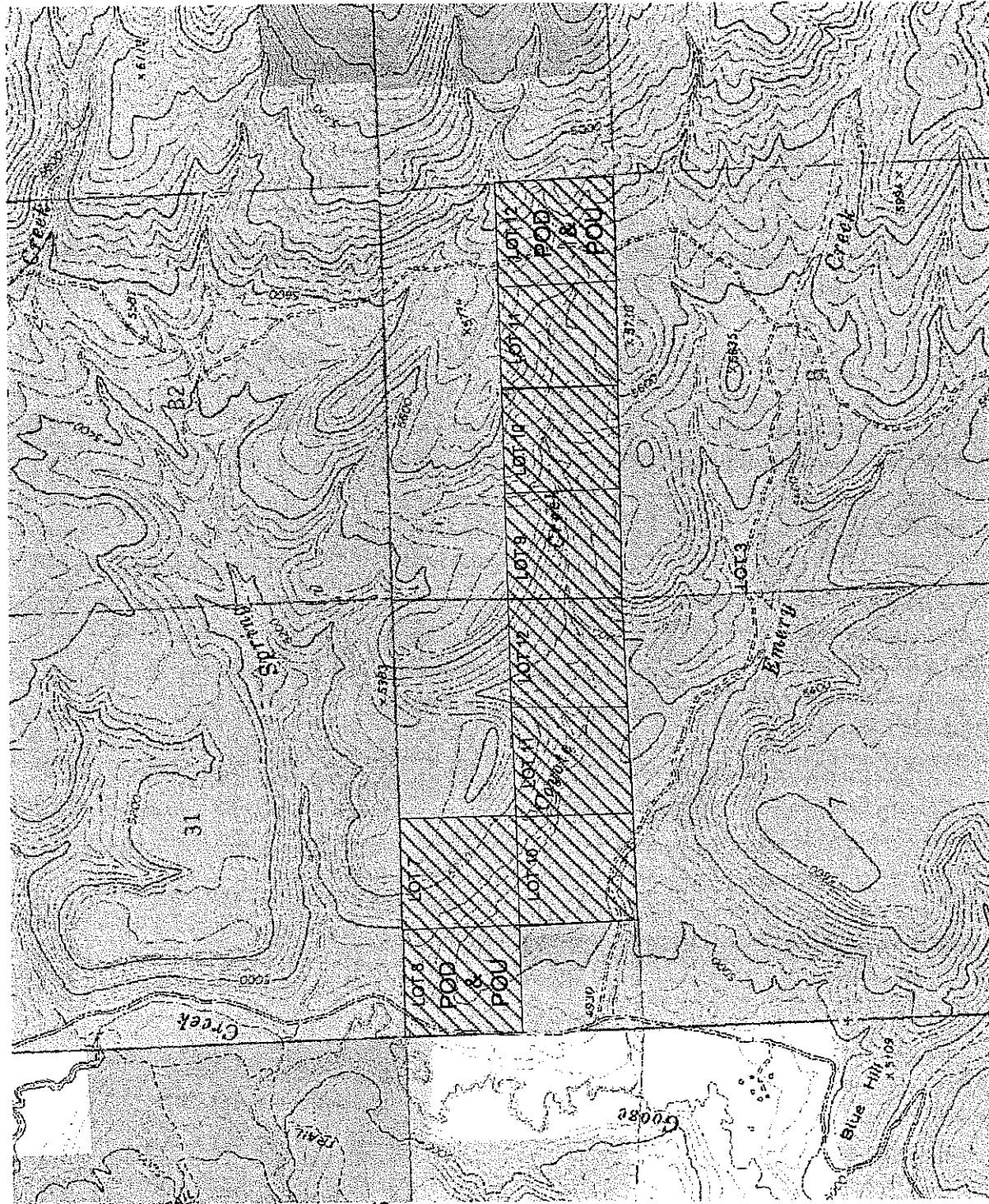
DRAFT

Quad Map Name: Blue F



1:24000

d041104t



Note: Depicted lots are POUs unless otherwise labeled as PODs.

TOWNSHIP 16 SOUTH RANGE 22 EAST OF THE BOISE MERIDIAN, IDAHO

CASSIA COUNTY 031
BUNLEY DISTRICT SEC 3

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

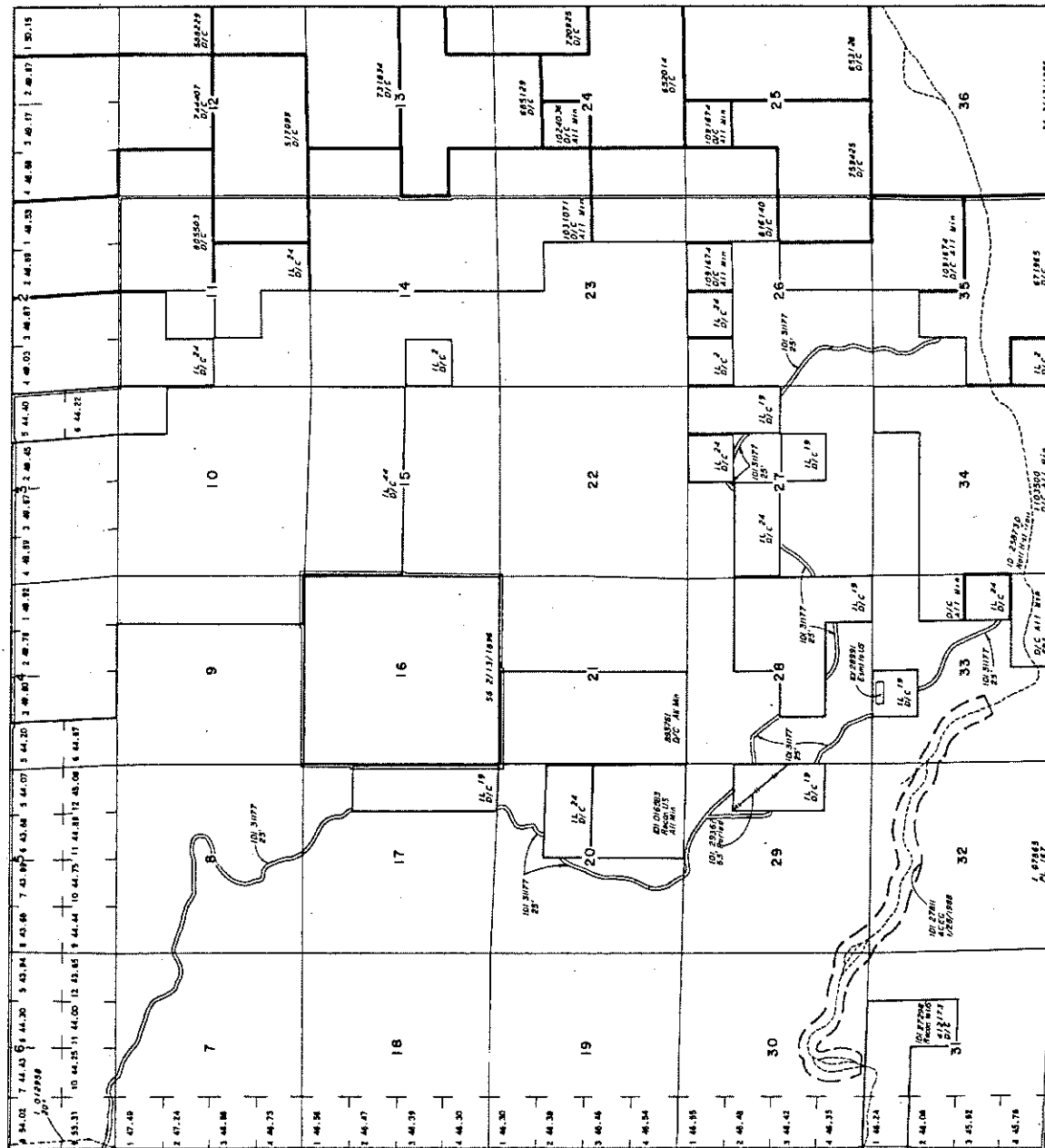
MT PLAT

[illegible]

07865 Det PL 167 (Act of Cong 7/23/1953)
completed 1/30/1959. All PD surface mount by BLM

101 258730 Mortal list Tqpt
Historical information only, does not denote
public access

NOI 27298 PX WD 10 BLM NOE Util Order Issue
Sec 31: Lot 1, E/V2 NEV4, NEV4 NW1/4



Lat. 42°00' N
Long. 113°49' W

CURRENT TO	CURRENT TO
------------	------------

USE PLATE 1

Boies Mer
T. 165
R. 22E

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.

WARNING STATEMENT

This plot is the Bureau's Record of Title, and is only as a graphic display of the township records between do not reflect title changes which are reflected by lateral movements of rivers or other factors to the cadastral surveys for official use.