

**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 45-13686
(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)

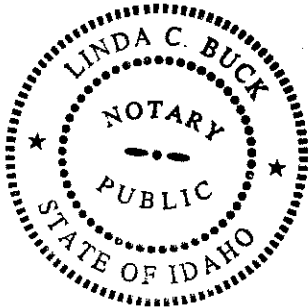
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

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:

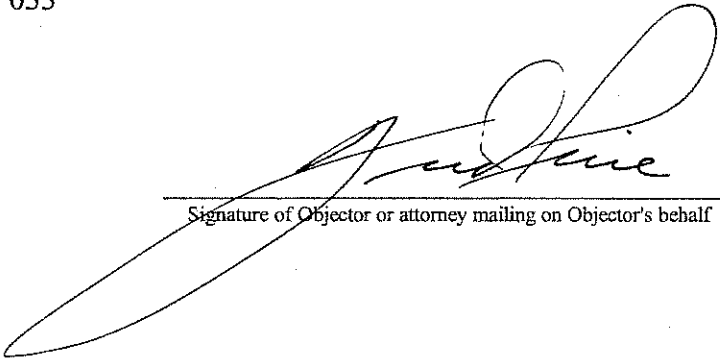
Name: Bruce Bedke
Address: 42 E Basin Rd Oakley, ID 83346
Name:
Address:
Name:
Address:
Name:
Address:

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: 45-13686

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

-POD on BLM
-POU on BLM
-Priority Date

SOURCE: SPRING CREEK
UNNAMED STREAM

TRIBUTARY: GOOSE CREEK
TRIBUTARY: SPRING 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:

T15S R22E S31 NWNWSW Lot 3 End of Stream Flow Within CASSIA County BLM
T15S R22E S32 NENWSW Begin of Stream Flow Within CASSIA County BLM
T15S R22E S34 SESWNW Begin of Stream Flow Within CASSIA County BLM
T16S R22E S3 NWSWSW Begin of Stream Flow Within CASSIA County STATE

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

T15S R22E S31 Lot 4 SWSW BLM	T15S R22E S32 NENE BLM
T15S R22E S32 NWNE BLM	T15S R22E S32 SWNE BLM
T15S R22E S32 SENW BLM	T15S R22E S32 NESW BLM
T15S R22E S32 NWSW BLM	T15S R22E S32 Lot 3 SESW BLM
T15S R22E S32 Lot 2 SWSE BLM	T15S R22E S33 SWNE BLM
T15S R22E S33 SENE BLM	T15S R22E S33 NWNW BLM
T15S R22E S33 SWNW BLM	T15S R22E S33 SENW BLM
T15S R22E S34 SWNW BLM	T16S R22E S03 LOT4 (SWSW) STATE
T16S R22E S04 Lot 5 NWSW BLM	T16S R22E S04 Lot 6 SWSW BLM
T16S R22E S04 LOT3 (SESW) STATE	T16S R22E S04 LOT2 (SWSE) STATE
T16S R22E S04 LOT1 (SESE) STATE	T16S R22E S05 Lot 5 NESE BLM
T16S R22E S05 Lot 6 NWSE BLM	

PODs and POUs 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.

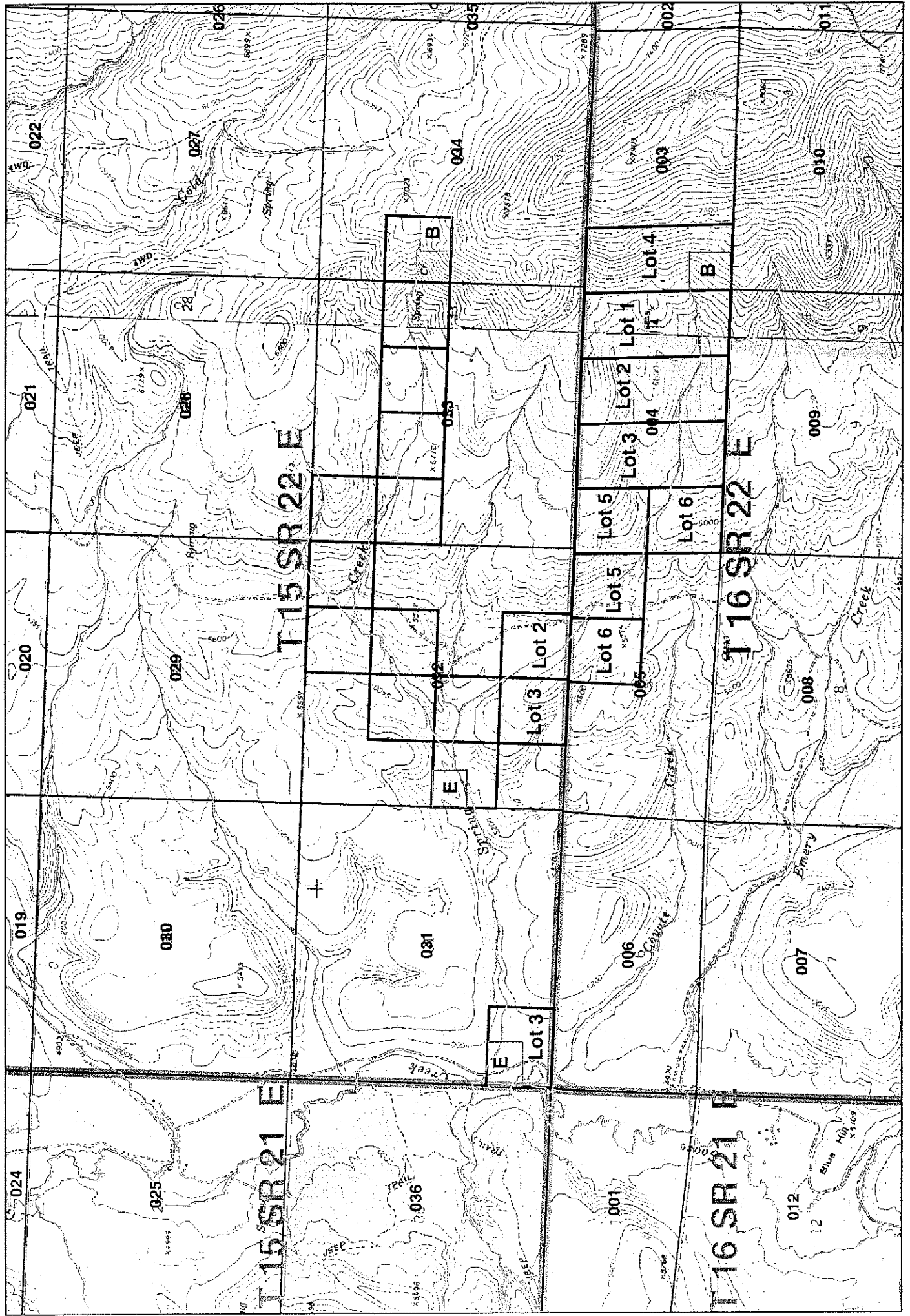
THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

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

45-13686

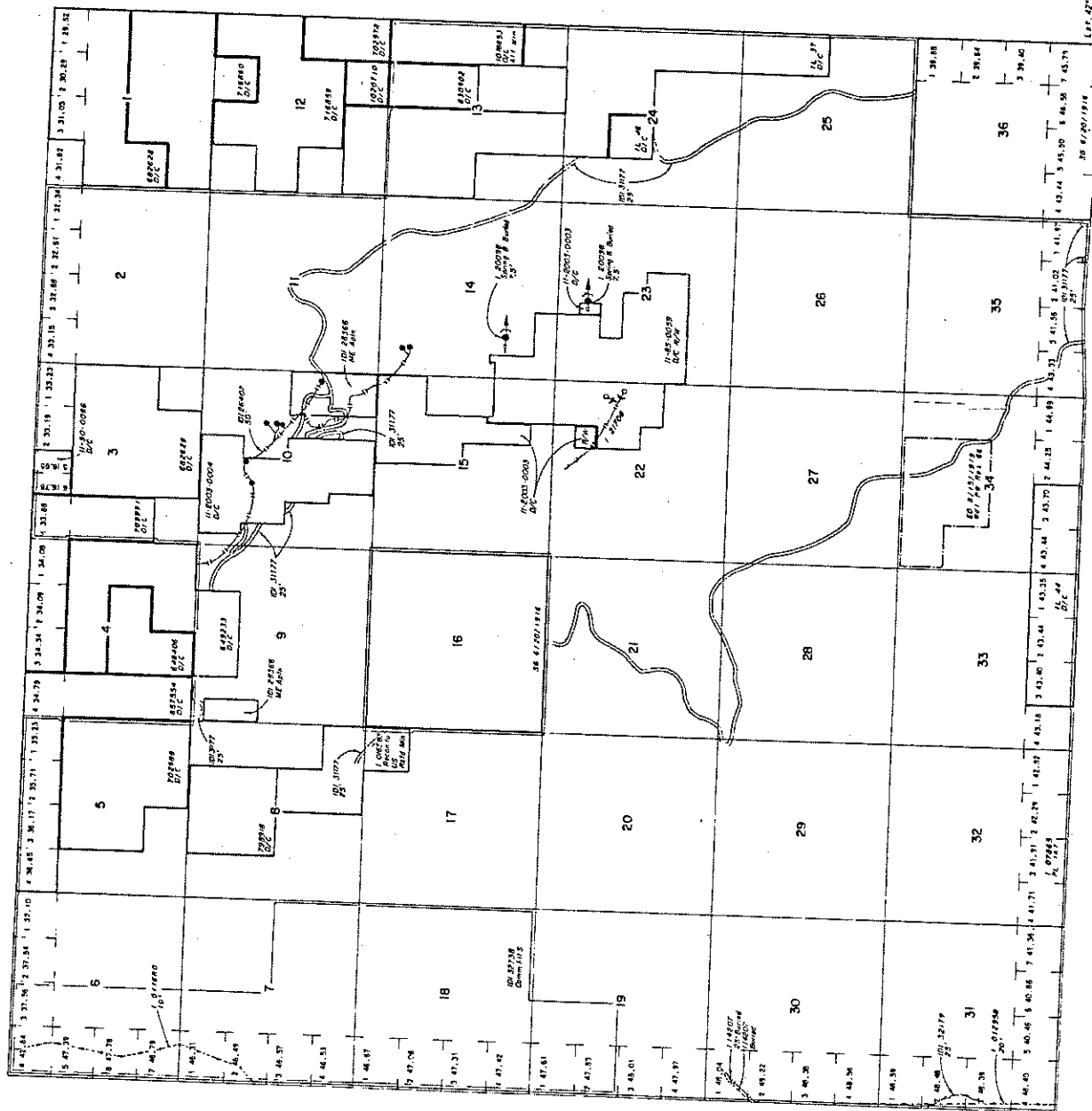
Bruce Bedke



BUSLEY DISTRICT SEC 3

MT PLAT[illegible]

1 07865 Det PL 167 (Act of Cong 7/23/1955)
completed 1/30/1959. All PD surface Mgmt by ALV



WALSH STATION

WARNING STATEMENT

This plot is the Bureau's *Bestest* at title, and should be used only as a graphic display of the township survey data. Records herein do not reflect title changes which may have been effected by lateral encroachments of cover or other facilities of water. Refer to the undated survey for official survey information.

SCALE in Chains

SCALE in Chains

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

Boiss Mer	T. 155	N. 22 F
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CASSIA COUNTY 031
BULLET DISTRICT SEC J

STATUS OF PUBLIC DOMAIN LAND AND MINERAL TITLES

[illegible]

101665 Det PL 167 (act of Cong 7/23/1935)
Completed 1/30/1950. All PD surfaces. Mgmt by BLM.

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$\mathcal{A} = \{A_1, A_2, \dots, A_n\}$ is a family of sets, then $\mathcal{A}$ is a σ -algebra if and only if $\mathcal{A}$ is closed under countable unions and complements.

1. The first step is to identify the variables involved in the problem. In this case, the variables are the number of hours worked (H) and the number of hours of leisure (L). The total number of hours available is 24 hours per day.

2. The second step is to write down the objective function, which is the function that we want to maximize or minimize. In this case, the objective function is the total utility (U), which is a function of the number of hours worked (H) and the number of hours of leisure (L).

3. The third step is to write down the constraints, which are the conditions that must be satisfied. In this case, the constraints are:

- The total number of hours worked (H) must be less than or equal to 24 hours per day.
- The total number of hours of leisure (L) must be less than or equal to 24 hours per day.
- The total number of hours worked (H) plus the total number of hours of leisure (L) must be equal to 24 hours per day.

4. The fourth step is to solve the problem using the method of Lagrange multipliers. This involves writing down the Lagrangian function, which is a function of the variables H and L, and the Lagrange multipliers λ_1 and λ_2 . The Lagrangian function is then differentiated with respect to H and L, and the resulting equations are solved to find the optimal values of H and L.

5. The fifth step is to check the second-order conditions to ensure that the solution is a maximum. This involves checking the Hessian matrix of the Lagrangian function at the optimal values of H and L.

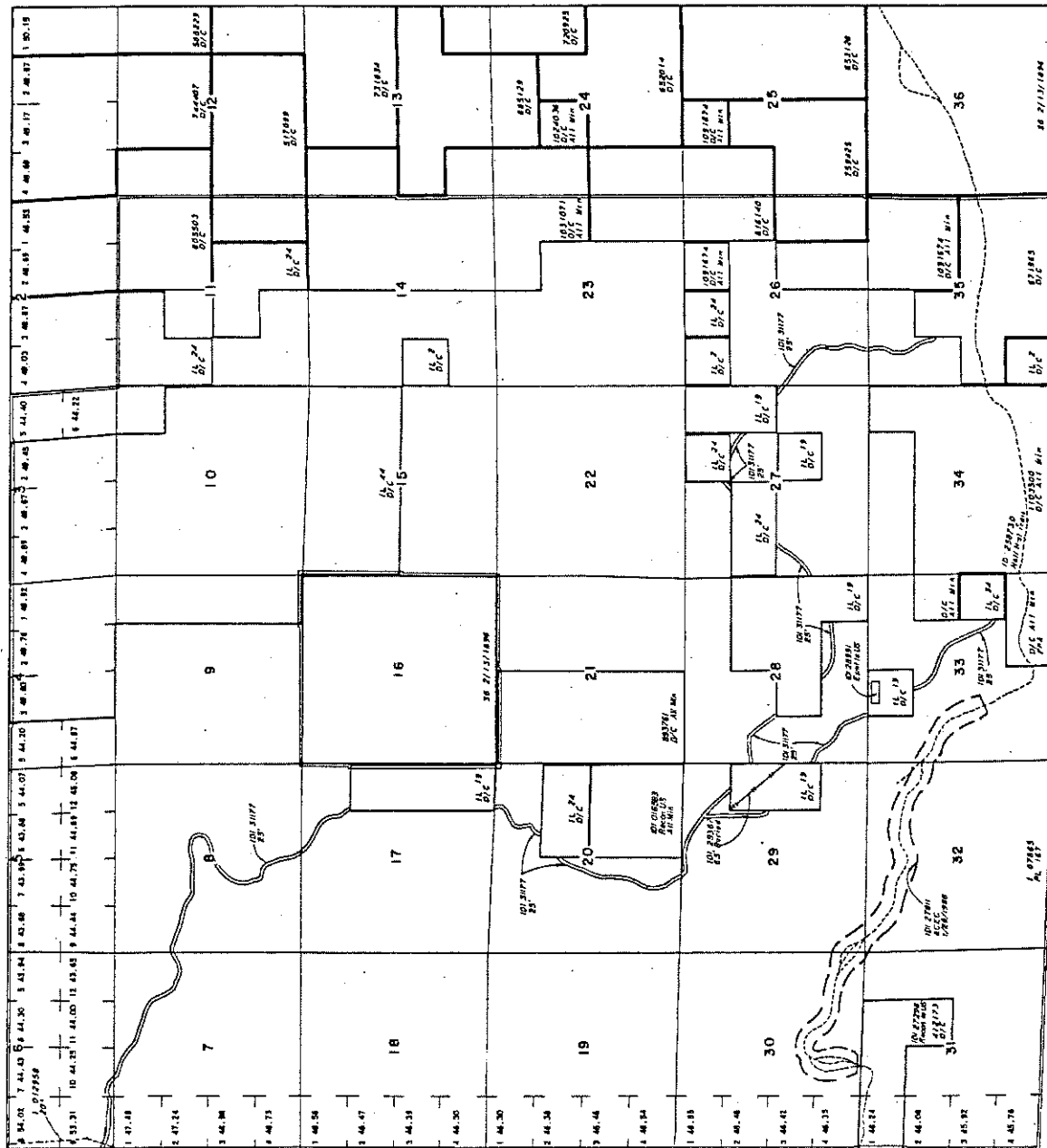
6. The final step is to interpret the results of the solution. In this case, the optimal values of H and L are found to be 16 hours and 8 hours, respectively. This means that the individual should work 16 hours per day and have 8 hours of leisure per day to maximize their utility.

[illegible]

USE FONT.

REPRESENT THE LAST
EFFECTIVE DATE. SEE
OF THE ORIGINAL WITH-

RECEIVED
T.
R.

[illegible]

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