

**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 45-13738
(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.

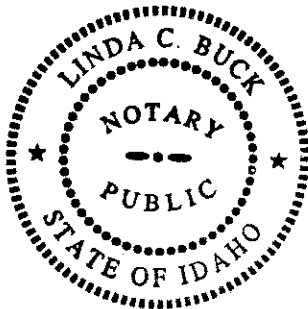
Fredric W. Price
(Signature of person filing objection)

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:

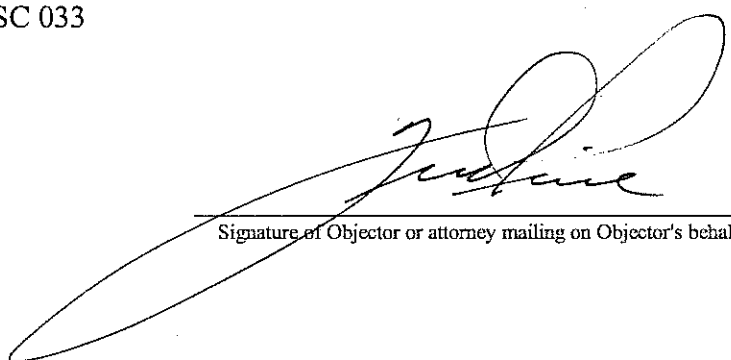
Name:
Address:

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: 45-13738

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: BEAVERDAM CREEK
SPRING

TRIBUTARY: GOOSE CREEK
TRIBUTARY: SINKS

QUANTITY: 0.020 CFS

THIS RIGHT AND OTHER RIGHTS COMMON TO THE SAME GRAZING
ALLOTMENT SHALL BE LIMITED TO THE QUANTITY OF WATER
BENEFICIALLY USED BY THE NUMBER OF STOCK WITHIN THE
ALLOTMENT.

PRIORITY DATE: 04/01/1872

POINT OF
DIVERSION:

T16S R21E S17 NWSENE Within CASSIA County BLM
T16S R21E S17 SWNWSW Within CASSIA County BLM
T16S R21E S29 NWSWSE Begin of Stream Flow Within CASSIA County BLM
T16S R21E S33 NESWNE End of Stream Flow Within CASSIA County BLM

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	05/01 11/30	0.020 CFS

PLACE OF USE: STOCKWATER Within CASSIA County

T16S R21E S17	SENE <u>BLM</u>	T16S R21E S17	NWSW <u>BLM</u>
T16S R21E S28	SWSW <u>BLM</u>	T16S R21E S29	SWSE <u>BLM</u>
T16S R21E S29	SESE <u>BLM</u>	T16S R21E S33	NWNE <u>BLM</u>
T16S R21E S33	NENW <u>BLM</u>	T16S R21E S33	NWNW <u>BLM</u>

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 45-10331.

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: A45-13738 Map Key

Legend

own polygon

OWNER_TYPE

	BLM
	PRIVATE
	STATE
	USFS

 BLM Administered Land
Claimed by Private Claimant

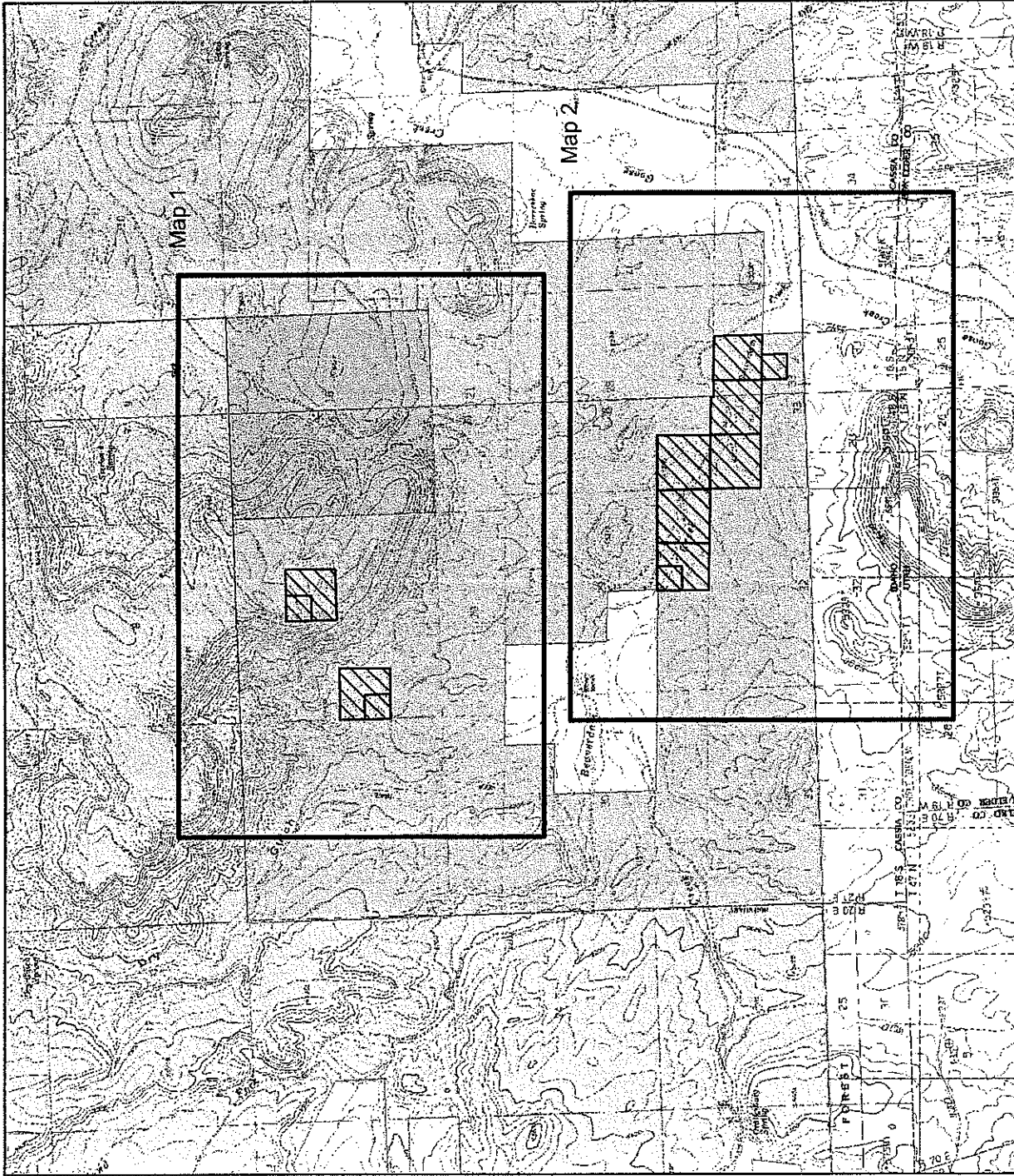
No warranty is made by the Bureau of Land Management for use of the data for purposes not intended by BLM.

DRAFT

Quad Map Name: Blue Hill,
Ibex Peak

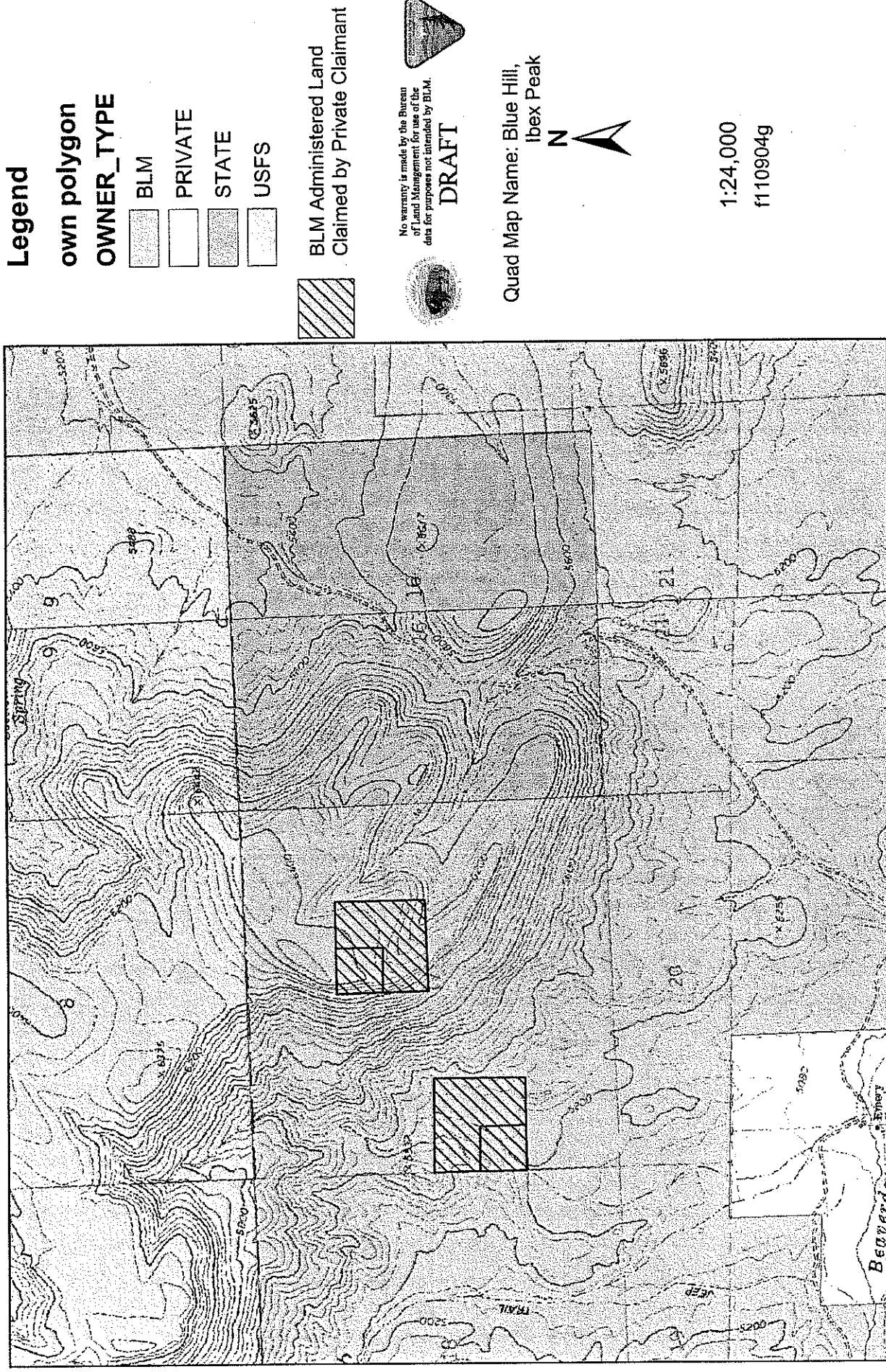
N 

1:49,904
f110904g



 Note: 40 acre tracts and Lots are POU's unless otherwise noted, 10 acre tracts are POD's

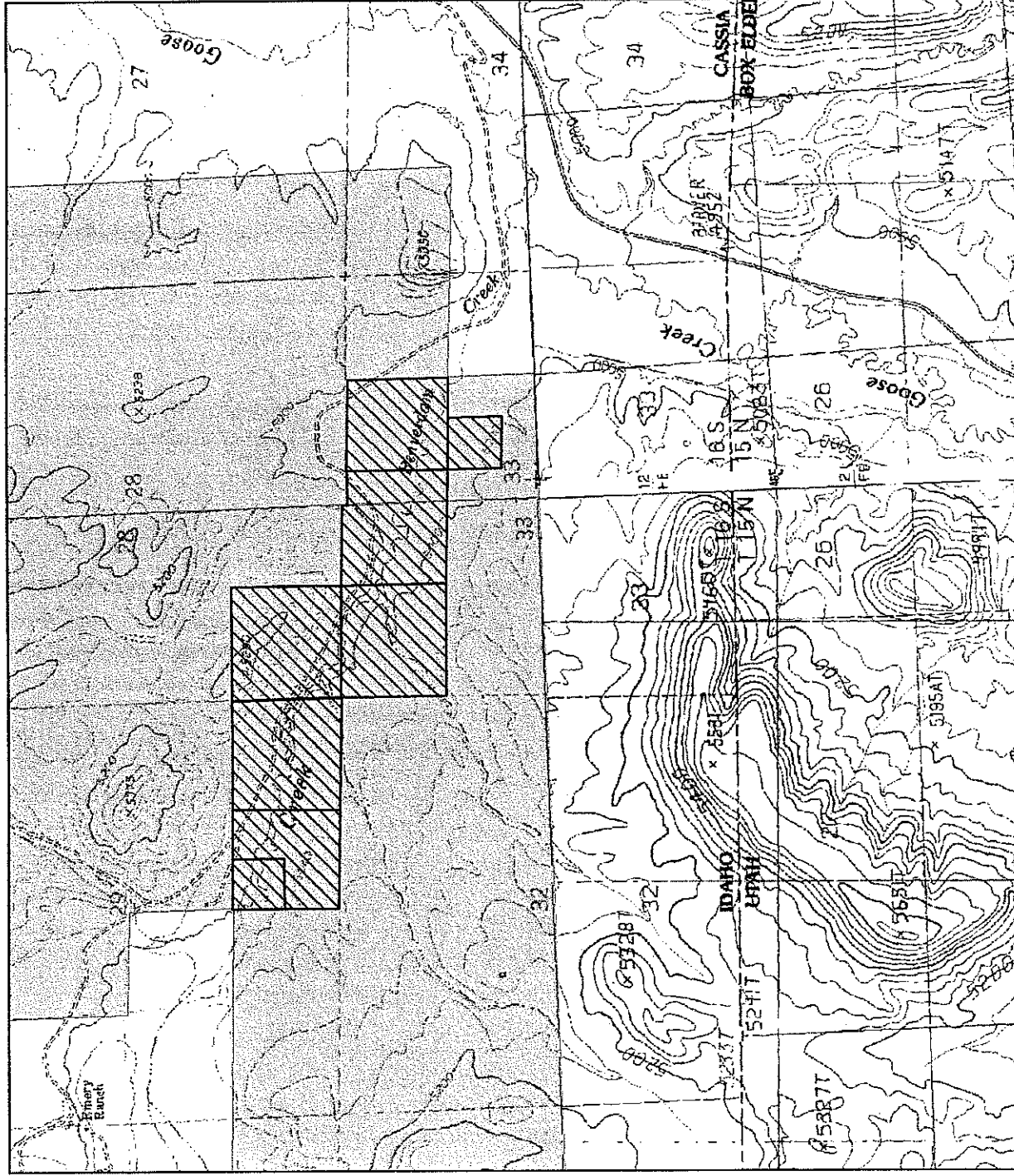
SRBA Claim Number: A45-13738 Map 1



Note: 40 acre tracts and Lots are POU's unless otherwise noted, 10 acre tracts are POD's

SRBA Claim Number: A45-13738 Map 2

R 21 E



Legend

own polygon

OWNER_TYPE

BLM

PRIVATE

STATE

USFS



BLM Administered Land
Claimed by Private Claimant

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 Hill,
Ibex Peak



1:24,000

f110904g



Note: 40 acre tracts and Lots are POU's unless otherwise noted, 10 acre tracts are POD's

CASSIA COUNTY 031
BURLEY DISTRICT SEC 3

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES[illegible]

NEVADA

SCALE in Chains

WARNING STATEMENT

This plot is the Bureau's Record of 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 movements of rivers or other bodies of water.

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

Boise Mer
T. 195
p. 218

[illegible]

0.00003 Cot Fl 167 (Act of Cong 1/23/1933)
101 2258 3D National Trail
Intersect information only, does not denote
public use(s)
101 27298 PX WD to BLW NOE Unitl Gdr Issues
SHE 231 SW 1/4 NW1/4, N1/2 SW 1/4, SE1/4 SW 1/4
SHE 261 SE 1/4
SHE 261 SE 1/4 NE 1/4
Survey Pending Group No. 1161
Parish, La.

Survey Pending Group No. 1161
Partial ID:

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

CURRENT TO	CURRENT TO
SEP 17 2001	

1970 01 19 49

WARNING STATEMENT

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