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DEPARTMENT OF  
WATER RESOURCES

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

) Subcase No. 45-12920

Case No. 39576

) Standard Form 5

) STIPULATED ELEMENTS  
) OF A WATER RIGHT

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This form is used to report the stipulated elements of one water right acquired under state law and/or one federal reserved water right. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary to determine the facts, date, expert opinions and law supporting the issuance of a partial decree for the water right.

The parties agree that the Snake River Adjudication Court has jurisdiction of the parties and subject matter to enter a partial decree for this water right; that they have been served with sufficient process, according to the law; and that they have appeared, prosecuted, and defended their positions with regard to this water right dispute.

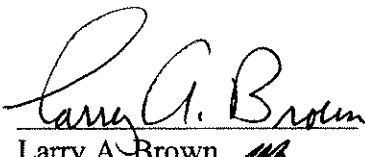
The parties and IDWR agree and stipulate that the elements of this water right should be described per the attached. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

**CLAIMANT:**

United States on behalf of the  
Bureau of Land Management

**OBJECTORS:**

Scott Bedke  
Karl U. Bedke  
Patricia Bedke  
Michael A. Poulton

  
Larry A. Brown *MB*  
Attorney, U.S. Department of Justice  
Environment and Natural Resources Div.

2/23/2006  
Date

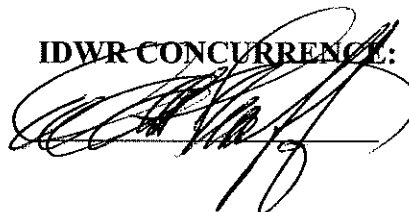
  
Travis L. Thompson  
of Attorneys for Objectors

2/15/06  
Date

**IDWR CONCURRENCE:**

\_\_\_\_\_  
Date

**IDWR CONCURRENCE:**



2-22-06  
Date

IDAHO DEPARTMENT OF WATER RESOURCES  
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 45-12920

NAME AND ADDRESS: UNITED STATES OF AMERICA ACTING THROUGH  
USDI BUREAU OF LAND MANAGEMENT  
IDAHO STATE OFFICE  
1387 S VINNELL WAY  
BOISE ID 83709-1657

SOURCE: UNNAMED STREAM TRIBUTARY: GOOSE CREEK

QUANTITY: 0.020 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE  
SHALL NOT EXCEED 13,000 GALLONS PER DAY.

PRIORITY DATE: 06/28/1934

POINT OF DIVERSION: Within CASSIA County  
T16S R21E S34 NWNENE End of Stream Flow  
T16S R21E S35 SESW Lot 3 Begin of Stream Flow

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 | R21E | S34 | NENE       |
| T16S | R21E | S35 | NWNW       |
| T16S | R21E | S35 | SWNW       |
| T16S | R21E | S35 | SENW       |
| T16S | R21E | S35 | NESW       |
| T16S | R21E | S35 | Lot 3 SESW |

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 FOR STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

THE OPERATION, USE, AND ADMINISTRATION OF THIS WATER RIGHT IS ALSO SUBJECT TO THE TERMS AND CONDITIONS OF THE STIPULATION AND JOINT MOTION FOR ORDER APPROVING STIPULATION ENTERED INTO ON AUGUST 29, 2002 BETWEEN THE UNITED STATES OF AMERICA AND WESTERN STOCKGROWERS ASSOCIATION ET AL., FILED IN THE OFFICE OF THE CASSIA COUNTY RECORDER AND RECORDED ON JUNE 6, 2003 AS INSTRUMENT NO. 289179; THE PROVISIONS OF SUCH STIPULATION TO APPLY FULLY TO THIS WATER RIGHT.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use  
BLM Record 4502480204

## CERTIFICATE OF MAILING

I certify that on Feb. 23, 2006, I mailed the original and copies of this form, including all attachments, postage prepaid and addressed as follows:

1. Original to:

Clerk of the District Court  
Snake River Basin Adjudication  
253 Third Avenue North  
P. O. Box 2707  
Twin Falls, Idaho 83303-2707

2. Copy to:

Chief, Natural Resources Division  
Office of the Attorney General  
State of Idaho  
P. O. Box 44449  
Boise, Idaho 83711-4449

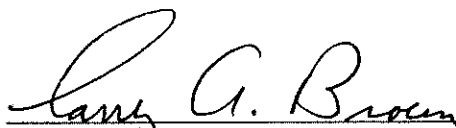
IDWR Document Depository  
P. O. Box 83720  
Boise, Idaho 83720-0098

3. Copies to all parties to the subcase (insert names and addresses):

U.S., Department of Justice  
Environment and Natural Resources Division  
General Litigation Section  
550 West Fort Street, MSC 033  
Boise, Idaho 83724

**Travis L. Thompson**  
**113 Main Avenue West, Suite 303**  
**Twin Falls, Idaho 83301-6167**

Attorney for: Scott Bedke  
Karl U. Bedke  
Patricia Bedke  
Michael A. Poulton



Signature of person or attorney mailing the form