

2006 MAR 31 PM 2 54

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 45-155
	) (Bedke)
Case No. 39576	)
	) SPECIAL MASTER REPORT
_____	)

Findings of Fact

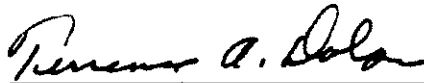
The Director of the Idaho Department of Water Resources filed his *Director's Report for Irrigation and Other, Reporting Area 10, IDWR Basin 45* on September 7, 2004. The Director recommended claim 45-155 to Ray C. Bedke, P.O. Box 283, Oakley, Idaho, 83346, for .3 cfs from Goose Creek for domestic and stockwater uses and to irrigate 68 acres in Cassia County from April 15 to July 20 with a priority date of February 21, 1925, based on a decree.

Claim 45-155 was not contested but was identified by IDWR as overlapping contested claims 45-77AA, *et al.* (Birch Creek Water Users Association). Those contested claims were reported and recommended by the Special Master on March 22, 2006, for adjudication.

Conclusions of Law

Ray C. Bedke is entitled to a partial decree adjudicating a water right as recommended by IDWR and as described in the attached *Special Master Recommendation for Partial Decree for Water Right 45-155*.

DATED March 31, 2006.


TERRENCE A. DOLAN
Special Master
Snake River Basin Adjudication

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED

2006 MAR 31 PM 2 55

In Re SRBA)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 45-00155

NAME AND ADDRESS: RAY C BEDKE
PO BOX 283
OAKLEY, ID 83346

SOURCE: GOOSE CREEK TRIBUTARY: SNAKE RIVER

QUANTITY: 0.30 CFS

The quantity of water under this right for domestic and
stockwater uses shall not exceed 13,000 gallons per day.

PRIORITY DATE: 02/21/1925

POINT OF DIVERSION: T16S R21E S23 NWSNW Within Cassia County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
Irrigation	04-15 TO 07-20	0.30 CFS
Stockwater	04-15 TO 07-20	0.02 CFS
Domestic	04-15 TO 07-20	0.04 CFS

PLACE OF USE: Irrigation Within Cassia County
T16S R21E S22 SENE 4.0
S23 NENW 11.0 SWNW 23.0
SENW 30.0
68.0 Acres Total

Stockwater Within Cassia County
T16S R21E S22 SENE
S23 NENW SWNW
SENW

Domestic Within Cassia County
T16S R21E S23 SWNW

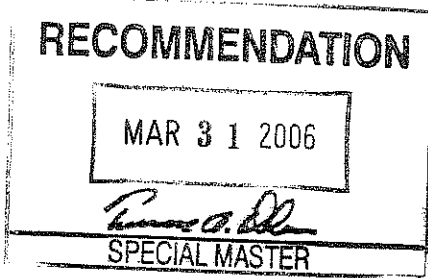
USE OF THIS RIGHT WITH RIGHT NO. 45-156 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 68 ACRES IN A SINGLE
IRRIGATION SEASON.

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. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.



John M. Melanson
Presiding Judge of the
Snake River Basin Adjudication

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED _____

2006 MAR 31 PM 2 55

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)

CERTIFICATE OF MAILING

Case No. 39576)

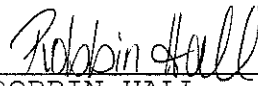
Water Right(s): 45-00155

CERTIFICATE OF MAILING

I certify that a true and correct copy of the SPECIAL MASTER'S REPORT, SPECIAL MASTER'S RECOMMENDATION FOR PARTIAL DECREE and NOTICE OF ISSUANCE OF SPECIAL MASTER'S REPORT AND RECOMMENDATION were mailed on March 31, 2006, with sufficient first-class postage prepaid to the following:

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

RAY C BEDKE
PO BOX 283
OAKLEY, ID 83346
Phone: 208-862-3252



ROBBIN HALL
Deputy Clerk

CERTIFICATE OF MAILING

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DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED _____

2006 MAR 31 PM 2 55

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)
_____)

NOTICE OF ISSUANCE OF
SPECIAL MASTER'S
RECOMMENDATION

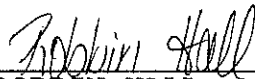
Water Right(s): 45-00155

On March 31, 2006, Special Master TERRENCE A. DOLAN issued a SPECIAL MASTER'S RECOMMENDATION for the above subcase(s) pursuant to SRBA Administrative Order 1 (AO1), Section 13a.

Pursuant to SRBA Administrative Order 1, Section 13a, any party to the adjudication including parties to the subcase, may file a Motion to Alter or Amend on or before the 28th day of the next month.

Failure of any party in the adjudication to pursue or participate in a Motion to Alter or Amend the SPECIAL MASTER'S RECOMMENDATION shall constitute a waiver of the right to challenge it before the Presiding Judge.

DATED March 31, 2006.



ROBBIN HALL
Deputy Clerk