

**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. 45-13714 et al.	
	)	See Attachment A	45-13732
	)		
Case 39576	)	STANDARD FORM 5	
	)		
	)	STIPULATED ELEMENTS OF A	
	)	WATER RIGHT	

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 whether the facts, data, expert opinions and law support the issuance of a partial decree for the water right.

The parties agree that the Snake River Basin 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.

CLAIMANTS:

Martha J. Bedke 8/9/07
Martha J Bedke Date

Jared K. Bedke 8/9/07
Jared K Bedke Date

Bruce Bedke
Bruce Bedke Date
8/9/07

OBJECTOR:

USDA Forest Service

David L. Negri 8/9/07
David L. Negri Date
Attorney for the United States

IDWR Concurrence:

Douglas Jones 8/9/07
Douglas Jones Date

Nicholas B Spencer 8-9-07
Nicholas B Spencer Date
Deputy Attorney General

CERTIFICATE OF MAILING

I certify that on August 9, 2007, I mailed the original and copies of this form, including all attachments, postage prepaid and addressed as follows:

1. Original to:

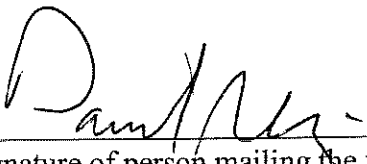
Clerk of the District Court
Snake River Basin Adjudication
PO Box 2707
Twin Falls, ID 83303-2707

2. Copies to:

Bruce Byron Bedke
Jared K. Bedke
Martha J. Bedke
42 East Basin Road
Oakley, Idaho 83346

IDWR Document Depository
P O Box 83720
Boise, ID 83720-0098

US Department of Justice
Environment and Natural Resources Section
550 West Fort Street, MSC 033
Boise, ID 83724



Signature of person mailing the form

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

Right Number: 45-13732

Name and Address: MARTHA J BEDKE
JARED K BEDKE
BRUCE BEDKE
42 E BASIN RD
OAKLEY, ID 83346

Source:	ELK BASIN CREEK	Tributary: TROUT CREEK
	SPRING	Tributary: SINKS
	SPRING	Tributary: TROUT CREEK
	SPRING	Tributary: WILLOW CREEK
	TROUT CREEK	Tributary: GOOSE CREEK
	WILLOW CREEK	Tributary: TROUT CREEK
	ELK BASIN SPRING	Tributary: ELK BASIN CREEK

Quantity: .02 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~~
01-01-1881

Diversion Point:	T16S R19E S01	SENWSW Within Cassia County
		NESESW
	S12	NWNWNE (InstreCassia
		NWSESW
		SENWSW
		SWSESW
	S13	NWSESW (InstreCassia
		NENWSE (InstreCassia
	S14	NESWSE
		NESWSE (InstreCassia
	S24	NESWNW
		NWNESW
		NWSESW
	S25	SENWNE
		NWNENW
		SESWNW
		SESWSW
	R20E S07	NESENE (InstreCassia
		SENWSE
	S18	SENWNW
	S19	NWNENW
	S31	SWNENW (InstreCassia

Purpose and Period of Use:	Purpose of Use	Period of Use	Quantity
	Stockwater	05-01 TO 11-30	.02 CFS

DN
NBS

BB
46

M4B
D

Place of Use:

Stockwater

Within Cassia County

T16S R19E S01
S12

NWSW
NWNE
SENE
SESW
SWSE

SESW
SWNE
NWSW
NWSE

S13

NWNE
SENE
SESW
SWSE

SWNE
SWSW
NWSE

S14

SWSE

SESE

S24

NENE

SENE

SWNW

NESW

SESW

NESE

SESE

S25

NENE

NWNE

NENW

SWNW

SWSW

R20E S07

NENE

SWNE

SENE

SENE

NESW

SWSW

NWSE

S18

NWNW

SENE

S19

NENW

S30

SWNW

NWSW

SWSW

S31

NENW

NWNW

DN
NBS
BB.
JB
NFB
DJ

Other Provisions Necessary for Definition / 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 45-10330.