

**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.	47-17138
	)	See Attachment A	
	)		
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:

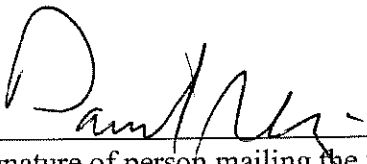
Clerk of the District Court
Snake River Basin Adjudication
PO Box 2707
Twin Falls, ID 83303-2707

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: 47-17138

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

Source: PINEY CREEK Tributary: GOOSE CREEK
CHERRY CREEK Tributary: PINEY CREEK

Quantity: .02 CFS

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

Priority Date: ~~04-01-1872~~
01-01-1881

Diversion Point:	T16S R19E S03	NESE	(InstreCassia
	S26	NWNWSE	(InstreCassia
	S27	NESE	(InstreCassia
	S34	NENW	(InstreCassia

Purpose and Period of Use:	Purpose of Use	Period of Use	Quantity
	Stockwater	04-01 TO 11-30	.02 CFS

Place of Use:	Stockwater	Within Cassia County	
T16S R19E	S03	NESE	SESE
	S10	NENE	
	S11	NENW	NWNW
		SENE	NESW
		SWSW	SESW
	S14	NENW	NWNW
		SWNW	SENE
		NWSW	SWSW
	S15	SESE	
	S22	NENE	SENE
		NESE	SESE
	S26	NESW	NWSW
		NWSE	
	S27	NENE	SWNE
	SENE	NESE	
S34	NWNE	NENW	
	SENE		

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

Handwritten:
NBS
BB
JB
mgf

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

STOCKWATER USE FOR UP TO 2000 CATTLE DISPERSED THROUGH GRAZING UNIT.

DN
H
NBS
BB
JB
MJB