

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)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 45-13718

2007 OCT 18 PM 1:16

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

NAME AND ADDRESS: BRUCE BEDKE
JARED K BEDKE
MARTHA J BEDKE
42 E BASIN RD
OAKLEY, ID 83346

SOURCE: LONE CEDAR CREEK TRIBUTARY: GOOSE CREEK
LONE CEDAR SPRING TRIBUTARY: LONE CEDAR CREEK
OWENS CORRAL CREEK TRIBUTARY: CAVE GULCH CREEK
SAGE HEN SPRING TRIBUTARY: SINKS
SPRING TRIBUTARY: CAVE GULCH CREEK
SPRING TRIBUTARY: LONE CEDAR CREEK
SPRING TRIBUTARY: SINKS

QUANTITY: 0.02 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: 01/01/1861

POINT OF DIVERSION: T15S R21E S03 NESESW (Instream Ending Point) Within Cassia County
SWSESW (Instream Beginning Point)
S08 NWNESW
S09 SWSWNE
NESENE (Instream Ending Point)
S16 NESESE (Instream Ending Point)
S17 SENESW
S18 SWNWSW (Instream Beginning Point)
SWNWSW
SWSWSW
S19 SENWSW
S20 SWNWSW (Instream Beginning Point)
S28 NESENE

PURPOSE AND
PERIOD OF USE: PURPOSE OF USE PERIOD OF USE QUANTITY
Stockwater 05-01 TO 11-30 0.02 CFS

PLACE OF USE: Stockwater Within Cassia County
T15S R21E S03 SESW
S08 NESW
S09 SWNE SENE
SESW NWSE
S16 NENW SWNW
SWSW SESE
S17 SENE NESW
NWSW NESE
NWSE
S18 NESW NWSW
SWSW NESE
NWSE
S19 NWSW
S20 NENE SENE
NESW NWSW
NWSE
S21 NWNE NENW

SRBA Partial Decree Pursuant to I.R.C.P. 54(b) (continued)

PLACE OF USE (continued)

S28 NWNW
 SENE

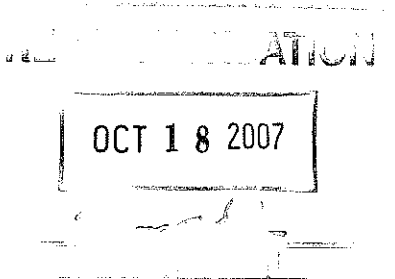
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

The quantity of water decreed for this water right is not a determination of historical beneficial use.

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

RECEIVED

OCT 18 2007

DEPARTMENT OF
WATER RESOURCES

2007 OCT 18 PM 1:16

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

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) Subcases 45-13714, *et al.* (see list of 12
Case No. 39576) subcases attached)
) (Bedke)
)
) 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 the above claims to Bruce Bedke, 42 E. Basin Road, Oakley, Idaho, 83346 for .02 cfs from various springs and creeks for stockwater use year-round or from April 1 or May 1 to November 30 in Cassia County with a priority date of April 1, 1872, based on beneficial use.

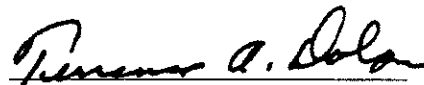
The United States of America, Department of Agriculture, Forest Service filed *Objections* on October 18, 2004, objecting to all elements and alleging the water rights should not exist. Bruce and Jared Bedke filed *Objections* on January 7, 2005, objecting to quantity and period of year.

On August 9, 2007, Bruce, Martha and Jared Bedke and the United States, with IDWR's concurrence, filed *Standard Forms 5* agreeing to amend the claim to the names of Bruce, Martha and Jared Bedke and with a priority date of January 1, 1881.

Conclusions of Law

The Bedkes are entitled to partial decrees adjudicating water rights for the above claims as described in the *SF-5's* and the attached *Special Master Recommendations for Partial Decrees for Water Rights*.

DATED October 18, 2007.



TERRENCE A. DOLAN
Special Master
Snake River Basin Adjudication

ATTACHMENT

Subcase Nos:

45-13714
45-13716
45-13718
45-13722
45-13726
45-13728
45-13730
45-13732
45-13734
45-13740
45-13746
45-13748

(Subcase list: BEDKE FS)
10/18/07

2007 OCT 18 PM 1:16

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

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): 45-13714
(SEE ATTACHED EXHIBIT A)

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 October 18, 2007, with sufficient first-class postage prepaid to the following:

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

USDA FOREST SERVICE
Represented by:
DAVID NEGRI
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATURAL RESOURCE
550 WEST FORT STREET, MSC 033
BOISE, ID 83724

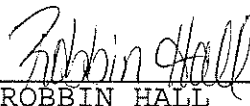
CERTIFICATE OF MAILING

PAGE 1
10/18/07

BRUCE BEDKE
JARED BEDKE
C/O 42 EAST BASIN RD
OAKLEY, ID 83346
Phone: 208-862-9288

BRUCE BEDKE
JARED K BEDKE
MARTHA J BEDKE
42 E BASIN RD
OAKLEY, ID 83346
Phone: 208-862-3697

USDA FOREST SERVICE
550 WEST FORT STREET
MSC 033
BOISE, ID 83724
Phone: 208-331-5943



ROBBIN HALL
Deputy Clerk

Exhibit A

Subcase Nos:

45-13714
45-13716
45-13718
45-13722
45-13726
45-13728
45-13730
45-13732
45-13734
45-13740
45-13746
45-13748

2007 OCT 18 PM 1:16

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO

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): 45-13714
(SEE ATTACHED EXHIBIT A)

On October 18, 2007, 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 October 18, 2007.



ROBBIN HALL
Deputy Clerk

Exhibit A

Subcase Nos:

45-13714
45-13716
45-13718
45-13722
45-13726
45-13728
45-13730
45-13732
45-13734
45-13740
45-13746
45-13748