

2007 OCT 18 PM 1:16  
DISTRICT COURT-SRBA  
TWIN FALLS CO., IDAHO  
FILED \_\_\_\_\_

DISTRICT CLERK - SRBA  
TWIN FALLS CO., IDAHO  
FILED

PAGE 1  
Aug-16-2007

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

OTHER PROVISIONS (continued)

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.

OCT 18 2007

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

RECEIVED

OCT 18 2007

DEPARTMENT OF  
WATER RESOURCES

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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.

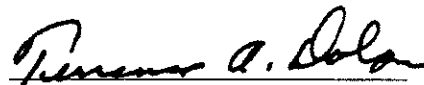
The United States of America, Department of Agriculture, Forest Service filed *Objections* on October 18, 2004, objecting to all elements and alleging the water rights should not exist. Bruce and Jared Bedke filed *Objections* on January 7, 2005, objecting to quantity and period of year.

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

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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

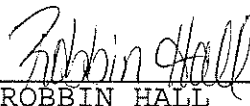
  
\_\_\_\_\_  
ROBBIN HALL  
Deputy Clerk

Exhibit A

Subcase Nos:

45-13714  
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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.

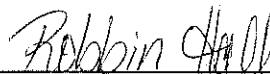
  
\_\_\_\_\_  
ROBBIN HALL  
Deputy Clerk

Exhibit A

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