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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

CIVIL CASE NUMBER: 39576

IN RE THE GENERAL ADJUDICATION OF RIGHTS TO THE USE OF WATER
FROM THE SNAKE RIVER BASIN WATER SYSTEM

NOTICE OF CLAIM TO A WATER RIGHT ACQUIRED UNDER STATE LAW

U.S. DEPT. OF INTERIOR
BUREAU OF LAND MGMT.
IDAHO STATE OFFICE
3380 AMERICANA TERRACE
BOISE ID 83706
TELEPHONE: 208-334-1401

PRIORITY DATE: 1967-06-01
IDWR NUMBER: 7904413 A79-04413
BLM NUMBER: 7906588011
BASIS OF CLAIM: STATUTORY
BASIN NUMBER: 79

SOURCE	TRIBUTARY TO
-----	-----
CEMETERY SPRING (BENTZ)	SALMON RIVER

DESCRIPTION OF DIVERSION WORKS

SPRINGBOX, PIPE & TROUGH

PURPOSE OF USE	DIVERSION RATE	DIVERSION VOLUME	PERIOD OF USE FROM	TO
-----	-----	-----	-----	-----
STOCKWATER	0.010	0.00	0101	1231
WILDLIFE	0.010	0.00	0101	1231
TOTAL:	0.020 CFS	0.00 AF		

NON-IRRIGATION USES

STOCKWATER; WILDLIFE VAR. AMT.

POINT OF DIVERSION							
TWP	RNG	SEC	TRACT1	TRACT2	TRACT3	LOT	COUNTY
-----	-----	-----	-----	-----	-----	-----	-----
28N	01E	27		NE	NW	00	IDAHO

PLACE OF USE							IRRIGATED	
TWP	RNG	SEC	TRACT1	TRACT2	LOT	COUNTY	OWNED	ACRES
-----	-----	-----	-----	-----	-----	-----	-----	-----
28N	01E	27	NE	NW	00	IDAHO	YES	0.0
28N	01E	27	NE	NW	00	IDAHO	YES	0.0

AUG 08 1994
TOTAL ACRES IRRIGATED: 0.0

BLM NUMBER: 7906588011

PAGE: 2

TOTAL CONSUMPTIVE USE IS: DE MINIMUS ACRE FEET PER ANNUM

OTHER WATER RIGHTS

NONE

REMARKS

PREVIOUSLY FILED WITH THE DEPARTMENT OF WATER RESOURCES

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 79-04413

2004 AUG -4 PM 3:54
DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED *mm*

NAME AND ADDRESS: USDI BLM
IDAHO STATE OFFICE
1387 S VINNELL WAY
BOISE, ID 83709-1657

SOURCE: CEMETERY SPRING TRIBUTARY: SALMON RIVER

QUANTITY: 0.01 CFS

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

PRIORITY DATE: 06/01/1967

POINT OF DIVERSION: T28N R01E S27 LOT 1 (NWNENW) Within Idaho County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Wildlife	01-01 TO 12-31	0.01 CFS

PLACE OF USE: Wildlife Within Idaho County
T28N R01E S27 LOT 1 (NENW)

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

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OCT 04 1999

Department of Water Resources

Norman M. Semanko
ROSHOLT, ROBERTSON & TUCKER
P. O. Box 1906
Twin Falls, Idaho 83303-1906
Telephone: (208) 734-0700
Facsimile: (208) 736-0041
ISB# 4761

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WATER RESOURCES
WESTERN REGION

Attorneys for Objectors Joe Tugaw, Jared Bedke, Bruce Bedke, Joyce Livestock, Jerry Hoagland,
Scott Bedke, Karl U. (Bud) Bedke, Michael Poulton, Gary Poulton, Western Stockgrowers
Association, & Pickett Ranch & Sheep Co.

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.: 79-04413; 79-04414
	)	
Case No. 39576	)	ERRATA TO OBJECTIONS
	)	
	)	

DESCRIPTIVE SUMMARY

This document is an errata to the above-named parties' Objections filed on the 17th
day of September, 1999, with regard to Basin 79.

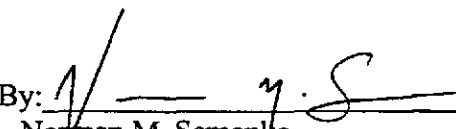
ERRATA

Exhibit A attached to the above-referenced Objections contained an error
regarding water right nos. 79-04413 and 79-04414. The water right nos. were listed as "78-
04413" and "78-04414", respectively, and should have read "79-04413" and "79-04414",
respectively.

All other water right nos. listed on Exhibit A attached to the above-referenced
Objections are found to be correct.

Respectfully submitted this 30th day of September, 1999.

ROSHOLT, ROBERTSON & TUCKER

By: 
Norman M. Semanko

1
2
3 **CERTIFICATE OF MAILING**

4 I hereby certify that on the 30th day of September, 1999, I mailed the original and copies of
5 this objection, including all attachments, to the following persons:

6 1. Original to:

7 Clerk of the District Court
8 Snake River Basin Adjudication
9 253 Third Avenue North
10 P.O. Box 2707
11 Twin Falls, Idaho 83303-2707

12 2. One copy to the owner of the water right at the following address:

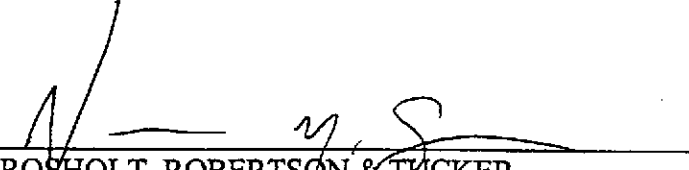
13 Name: **United States of America**
14 Address: **550 W. Fort Street, MSC 033**
15 **Boise, ID 83724**

16 3. Copies to:

17 IDWR Document Depository
18 PO Box 83720
19 Boise, ID 83720-0098

20 Chief, Natural Resource Division
21 Office of the Attorney General
22 State of Idaho
23 P.O. Box 44449
24 Boise, Idaho 83711-4449

25 United States Department of Justice
26 Environmental and Natural Resource Division
550 West Fort Street, MSC 033
Boise, Idaho 83724


ROSHOLT, ROBERTSON & TUCKER