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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

Case No. 39576

) Subcase No. 45-13713 et al
) see Attachment A

45-13731

) 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.

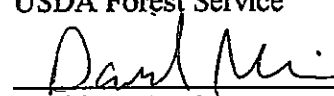
CLAIMANTS:

Karl Bedke, Patricia Bedke,
Scott Bedke, Michael Poulton

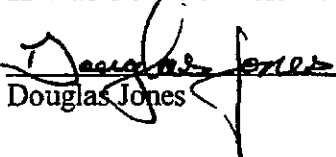
 7/11/10
Travis L. Thompson Date
Attorney for the Claimants

OBJECTOR:

United States on behalf of the
USDA Forest Service

 7/8/10
David L. Negri Date
Attorney for the United States

IDWR CONCURRENCE:

 7/6/10
Douglas Jones Date

ATTORNEY FOR IDWR:

 7-6-10
Nicholas B. Spencer Date
Deputy Attorney General

Attachment A

45-13713
45-13717
45-13721
45-13725
45-13727
45-13729
45-13731
45-13733
45-13739
45-13747

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

Right Number: 45-13731

Name and Address: PATRICIA BEDKE
KARL U BEDKE
1876 S 600 W
OAKLEY, ID 83346

SCOTT BEDKE
450 N CENTER AVE
OAKLEY, ID 83346

MICHAEL A POULTON
605 W 2200 S
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.

THIS RIGHT SHALL BE USED IN CONJUNCTION WITH 45-12053, 45-12055, 45-12056, 45-12058, 45-12061, 45-12075, 45-12076, 45-12083, 45-12085 AND 45-12086 AND IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF .02 CFS AND A TOTAL COMBINED QUANTITY OF 13,000 GALLONS PER DAY.

Priority Date: ~~06-11-1905~~
12-10-1892

Diversion Point:

T16S R19E S01	SENWSW Within Cassia County
	NESESW Within Cassia County
S12	NWNWNE Begin of Stream Flow Within Cassia County
	NWSENW Within Cassia County
	SENWSW Within Cassia County
	SWSESW Within Cassia County
S13	NWSESW End of Stream Flow Within Cassia County
	NENWSE End of Stream Flow Within Cassia County
S14	NESWSE Within Cassia County
	NESWSE Begin of Stream Flow Within Cassia County
S24	NESWNW Within Cassia County
	NWNESW Within Cassia County
	NWSESW Within Cassia County
S25	SENWNE Within Cassia County

	NWNENW Within Cassia County
	SESWNW Within Cassia County
	SESWSW Within Cassia County
R20E S07	NESENE Begin of Stream Flow Within Cassia County
	SENWSE Within Cassia County
S18	SENWNW Within Cassia County
S19	NWNENW Within Cassia County
S31	SWNENW End of Stream Flow Within Cassia County

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

Place of Use:	Stockwater	Within Cassia County	
	T16S R19E S01	NWSW	SESW
	S12	NWNE	SWNE
		SENW	NWSW
		SESW	NWSE
		SWSE	
	S13	NWNE	SWNE
		SENE	SWSW
		SESW	NWSE
		SWSE	SESE
	S14	SWSE	SESE
	S24	NENE	SENE
		SWNW	NESW
		SESW	NESE
		SESE	
	S25	NENE	NWNE
		NENW	SWNW
		SWSW	
	R20E S07	NENE	SWNE
		SENE	SENW
		NESW	SWSW
		NWSE	
	S18	NWNW	SENW
	S19	NENW	
	S30	SWNW	NWSW
		SWSW	
	S31	NENW	NWNW

207
 21
 NBS
 DN

Other Provisions Necessary for Definition / Administration of this Water Right:

THE OPERATION, USE, AND ADMINISTRATION OF THIS WATER RIGHT IS ALSO
SUBJECT TO THE TERMS AND CONDITIONS OF THE STIPULATION AND JOINT
MOTION FOR ORDER APPROVING STIPULATION ENTERED INTO ON AUGUST 29,
2002 BETWEEN THE UNITED STATES OF AMERICA AND SCOTT BEDKE, KARL U.
BEDKE, AND MICHAEL POULTON, FILED IN THE OFFICE OF THE CASSIA COUNTY
RECORDER AND RECORDED ON JUNE 6, 2003 AS INSTRUMENT NO: 289179; AND
THE STIPULATION BETWEEN THE UNITED STATES AND PATRICIA BEDKE,
ENTERED INTO ON JUNE 10, 2004, FILED IN THE OFFICE OF THE CASSIA
COUNTY RECORDER AND RECORDED ON JUNE 8, 2004 AS INSTRUMENT NO:
296141, THE PROVISIONS OF SUCH STIPULATIONS TO APPLY FULLY TO 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. Section 42-1412(6), Idaho Code.

Explanatory Material: Basis of Claim - Beneficial Use

THIS RIGHT IS A SPLIT FROM FORMER RIGHT 45-10330.

307
NBS
DN

CERTIFICATE OF MAILING

I certify that on July 9, 2010, 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
253 Third Avenue North
P.O. Box 2707
Twin Falls, ID 83303-2707

2. Copies to:

Karl Bedke
Patricia Bedke
Scott Bedke
Michael Poulton
C/O Travis Thompson
Barker, Rosholt & Simpson
P.O. Box 485
Twin Falls, ID 83303-0485

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

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P O Box 44449
Boise, ID 83711-4449

United States Department of Justice
Environment and Natural Resources Division
550 W. Fort Street, MSC 033
Boise, ID 83724



Signature of person mailing documents