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DEPARTMENT OF
WATER RESOURCES

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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. 45-13723
)
) **Standard Form 5**
)
) **STIPULATED ELEMENTS**
) **OF A WATER RIGHT**

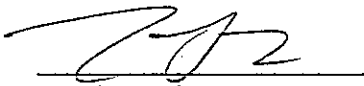
This form is used to report the stipulated elements of one water right acquired under state law and/or one federal reserved water right. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary to determine 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 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/OBJECTORS:

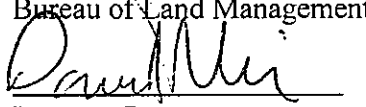
Karl U., Patricia, and Scott Bedke
Michael A. Poulton


Travis L. Thompson
Of Attorneys for Claimant

10/4/10
Date

RESPONDENT:

United States on behalf of the
Bureau of Land Management


~~Larry A. Brown~~
Attorney, U.S. Department of Justice
Environment and Natural Resources Div.

10/14/10
Date

IDWR CONCURRENCE:


Doug Jones
Technical Engineer 1

10/6/10
Date

IDWR CONCURRENCE:


Nicholas B. Spencer
Deputy Attorney General

10-14-10
Date

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

RIGHT NUMBER: 45-13723

NAME AND ADDRESS: SCOTT BEDKE
450 N CENTER AVE
OAKLEY ID 83346

MICHAEL A POULTON
605 W 2200 S
OAKLEY ID 83346

PATRICIA BEDKE
1876 S 600 W
OAKLEY ID 83346

KARL U BEDKE
1876 S 600 W
OAKLEY ID 83346

707

Sec

NBS

DN

SOURCE: BEAVERDAM CREEK

TRIBUTARY: GOOSE CREEK

QUANTITY: 0.020 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: ~~06/27/1934~~ 08/17/1911

POINT OF
DIVERSION: T16S R21E S19 SWNNW Lot 4 Within CASSIA County
T16S R21E S30 SWSWNE Begin of Stream Flow
End of Stream Flow

PURPOSE AND
PERIOD OF USE: PURPOSE OF USE PERIOD OF USE QUANTITY
STOCKWATER 05/01 11/30 0.020 CFS

PLACE OF USE: STOCKWATER Within CASSIA County
T16S R21E S19 Lot 4 NWNW
T16S R21E S30 SWNE
T16S R21E S30 Lot 1 NWNW
T16S R21E S30 Lot 2 SWNW
T16S R21E S30 SENW

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. Section 42-1412(6), Idaho
Code.

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 WESTERN STOCKGROWERS ASSOCIATION ET AL., FILED IN
THE OFFICE OF THE CASSIA COUNTY RECORDER AND RECORDED ON JUNE
6, 2003 AS INSTRUMENT NO. 289179; THE PROVISIONS OF SUCH
STIPULATION TO APPLY FULLY TO THIS WATER RIGHT.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use
THIS RIGHT IS A SPLIT FROM FORMER RIGHT 45-10327.

757

EC

NBS

ON

CERTIFICATE OF MAILING

I certify that on 10/15, 2010 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, Idaho 83303-2707

2. Copy to:

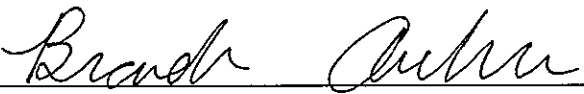
Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P. O. Box 44449
Boise, Idaho 83711-4449

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

3. Copies to all parties to the subcase (insert names and addresses):

U.S., Department of Justice
Environment and Natural Resources Division
General Litigation Section
550 West Fort Street, MSC 033
Boise, Idaho 83724

Travis L. Thompson
Barker, Rosholt & Simpson, LLP
P.O. Box 485
Twin Falls, Idaho 83303-0485



Signature of person or attorney mailing the form