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DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT - SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
NOV - 4 2010	
By _____	Clerk _____
Deputy Clerk _____	

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:
	)	45-10332 (split into 45-10332 & 45-14316),
	)	45-13715 (split into 45-13715 & 45-14317),
Case No. 39576	)	45-13743 (split into 45-13743 & 45-14318) and
	)	45-13745 (split into 45-13745 & 45-14319)
	)	(Bedke and Poulton)
	)	
	)	SPECIAL MASTER REPORT

Findings of Fact

The Director of the Idaho Department of Water Resources filed his *Director's Report, Domestic & Stock, Reporting Area 10 (IDWR Basin 45)* on March 2, 1998. The Director recommended claim 45-10332 be disallowed: "Recommended as right no. 45-7446."

The Director filed his *Director's Report for Irrigation and Other, Reporting Area 10, IDWR Basin 45* on September 2, 2004. The Director recommended claims 45-13715, 45-13743 and 45-13745 for .01 or .02 cfs from Magpie Spring, Chalk Spring, an unnamed spring and Hole in the Wall Spring for stockwater use in Cassia County from May 1 to November 30 with priority dates of June 7, 1980 and January 2 and April 2, 1986, based on beneficial use to the following claimants:

Michael A. Poulton
605 West, 2200 South
Oakley, Idaho, 83346

Scott Bedke
450 N. Center Avenue
Oakley, Idaho, 83346

Patricia and Karl Bedke
1876 South, 600 West
Oakley, Idaho, 83346

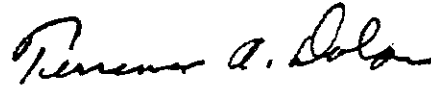
Ray C. Bedke filed an *Objection* in subcase 45-10332 on March 20, 1998, objecting to the claim being recommended disallowed. The United States of America, Department of Agriculture, Forest Service filed *Objections* in subcases 45-13715, 45-13743 and 45-13745 on October 18, 2004, objecting to quantity and priority date. Scott Bedke filed an *Objection* in subcase 45-13745 “in order to implement the terms of the Stockwater Stipulation and Joint Motion for Order Approving Stipulation signed by the United States and Scott Bedke, Michael Poulton, and Karl U. Bedke, and filed with the Court on August 29, 2002, and the Stipulation by the United States and Patricia Bedke filed on June 10, 2004.”

The claimants and the United States, with IDWR’s concurrence, filed *Standard Forms 5* on November 1, 2010, splitting each claim into two water rights, including the original claim.

Conclusions of Law

The claimants are entitled to partial decrees as described in the *SF-5s* and the attached *Special Master Recommendations for Partial Decrees for Water Rights*.

DATED November 4, 2010.



TERRENCE A. DOLAN
Special Master
Snake River Basin Adjudication

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 45-10332

NAME AND ADDRESS: KARL U BEDKE
PATRICIA 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: OWENS CORRAL SPRING TRIBUTARY: SINKS

QUANTITY: 0.02 CFS
5.40 AFY

This right shall be used in conjunction with 45-7446 and 45-14316 and is limited to a total combined diversion rate of 0.02 cfs and a total combined annual diversion volume of 5.4 AF and a total combined quantity of 13,000 gallons per day. 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: 08/01/1971

POINT OF DIVERSION: T15S R21E S19 SWSWSE Within Cassia County

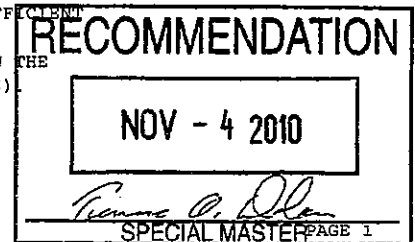
PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Stockwater	05-01 TO 10-31	0.02 CFS

PLACE OF USE: Stockwater Within Cassia County
T15S R21E S19 SWSE

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. 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 stipulation to apply fully to this water right.

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.

Eric J. Wildman
Presiding Judge of the
Snake River Basin Adjudication

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)
PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 45-14316

NAME AND ADDRESS: KARL U BEDKE
PATRICIA 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: SPRING TRIBUTARY: OWENS CORRAL CREEK

QUANTITY: 0.02 CFS
5.40 AFY

This right shall be used in conjunction with 45-7446 and 45-14316 and is limited to a total combined diversion rate of 0.02 cfs and a total combined annual diversion volume of 5.4 AF and a total combined quantity of 13,000 gallons per day. 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: 06/06/1980

POINT OF DIVERSION: T15S R21E S19 SWSWSE Within Cassia County

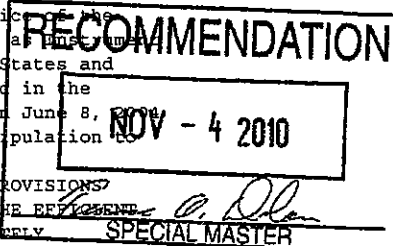
PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Stockwater	05-01 TO 10-31	0.02 CFS 5.40 AFY

PLACE OF USE:	Stockwater	Within Cassia County
	T15S R21E S32	NENE
	T16S R21E S04	NENW
	S05	NESW

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. 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 stipulation to apply fully to this water right.

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE BENEFICIAL ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY



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

OTHER PROVISIONS (continued)

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.

Eric J. Wildman
Presiding Judge of the
Snake River Basin Adjudication

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
Case No. 39576) I.R.C.P. 54(b) FOR
) Water Right 45-13715

NAME AND ADDRESS: KARL U BEDKE
PATRICIA 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: MAGPIE SPRING TRIBUTARY: SINKS

QUANTITY: 0.02 CFS
4.00 AFY

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 45-7595 and 45-14317 and is limited to a total combined diversion rate of 0.02 cfs and a total combined annual diversion volume of 4.0 AF and a total combined quantity of 13,000 gallons per day.

PRIORITY DATE: 08/01/1971

POINT OF DIVERSION: T15S R21E S29 NWENW Within Cassia County

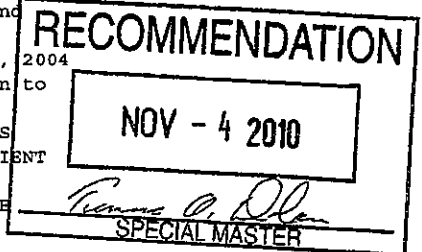
PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Stockwater	05-01 TO 11-30	0.02 CFS
			4.00 AFY

PLACE OF USE: Stockwater Within Cassia County
T15S R21E S29 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. 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 stipulation to apply fully to this water right.

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.

Eric J. Wildman
Presiding Judge of the
Snake River Basin Adjudication

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 45-14317

NAME AND ADDRESS: KARL U BEDKE
PATRICIA 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: MAGPIE SPRING TRIBUTARY: SINKS

QUANTITY: 0.02 CFS
4.00 AFY

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 45-7595 and 45-14317 and is limited to a total combined diversion rate of 0.02 cfs and a total combined annual diversion volume of 4.0 AF and a total combined quantity of 13,000 gallons per day.

PRIORITY DATE: 01/01/1986

POINT OF DIVERSION: T15S R21E S29 NWNENW Within Cassia County

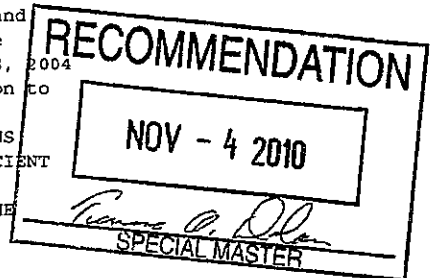
PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Stockwater	05-01 TO 11-30	0.02 CFS
			4.00 AFY

PLACE OF USE: Stockwater Within Cassia County
T15S R21E S21 NWSW

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. 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 stipulation to apply fully to this water right.

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

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Presiding Judge of the
Snake River Basin Adjudication

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
Case No. 39576) I.R.C.P. 54(b) FOR
) Water Right 45-13743

NAME AND ADDRESS: KARL U BEDKE
PATRICIA 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: CHALK SPRING TRIBUTARY: SINKS
SPRING TRIBUTARY: SINKS

QUANTITY: 0.01 CFS
4.00 AFY

This right shall be used in conjunction with 45-7594 and 45-14318
and is limited to a total combined diversion rate of 0.02 cfs and
a total combined annual diversion volume of 4.0 AF and a total
combined quantity of 13,000 gallons per day.

PRIORITY DATE: 08/01/1971

POINT OF DIVERSION: T15S R20E S25 NWNENE Within Cassia County
SWNENE

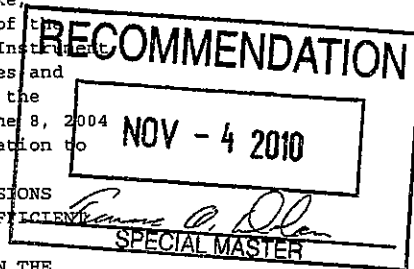
PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Stockwater	05-01 TO 11-30	0.01 CFS
			4.00 AFY

PLACE OF USE: Stockwater Within Cassia County
T15S R20E S25 NENE

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.
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 stipulation to
apply fully to this water right.

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

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Eric J. Wildman
Presiding Judge of the
Snake River Basin Adjudication

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
Case No. 39576) I.R.C.P. 54(b) FOR
) Water Right 45-14318

NAME AND ADDRESS: KARL U BEDKE
PATRICIA 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: CHALK SPRING TRIBUTARY: SINKS
SPRING TRIBUTARY: SINKS

QUANTITY: 0.01 CFS
4.00 AFY

This right shall be used in conjunction with 45-7594 and 45-13743
and is limited to a total combined diversion rate of 0.02 cfs and
a total combined annual diversion volume of 4.0 AF and a total
combined quantity of 13,000 gallons per day.

PRIORITY DATE: 01/01/1986

POINT OF DIVERSION: T15S R20E S25 NWNENE Within Cassia County
SWNENE

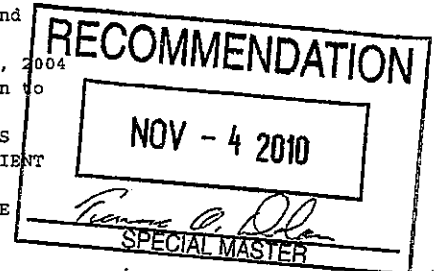
PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Stockwater	05-01 TO 11-30	0.01 CFS 4.00 AFY

PLACE OF USE: Stockwater Within Cassia County
T15S R20E S25 LOT 2 (SWSE)
S36 LOT 3 (SWNE) LOT 5 (NWSE)
T16S R20E S01 NESE

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.
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 stipulation to
apply fully to this water right.

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



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

OTHER PROVISIONS (continued)

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.

Eric J. Wildman
Presiding Judge of the
Snake River Basin Adjudication

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)
PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 45-13745

NAME AND ADDRESS: KARL U BEDKE
PATRICIA 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: HOLE IN THE WALL SPRING TRIBUTARY: SINKS

QUANTITY: 0.02 CFS
0.70 AFY

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 45-7444 and 45-14319 and is limited to a total combined diversion rate of 0.02 cfs and a total combined annual diversion volume of 0.7 AF and a total combined quantity of 13,000 gallons per day.

PRIORITY DATE: 08/01/1971

POINT OF DIVERSION: T15S R20E S26 SESENE Within Cassia County

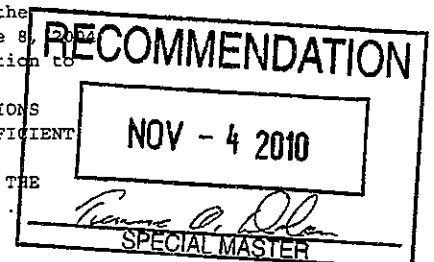
PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Stockwater	05-01 TO 11-30	0.02 CFS
			0.70 AFY

PLACE OF USE: Stockwater Within Cassia County
T15S R20E S26 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. 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 stipulation to apply fully to this water right.

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.

Eric J. Wildman
Presiding Judge of the
Snake River Basin Adjudication

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)
PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 45-14319

NAME AND ADDRESS: KARL U BEDKE
PATRICIA 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: HOLE IN THE WALL SPRING TRIBUTARY: SINKS

QUANTITY: 0.02 CFS
0.70 APY

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 45-7444 and 45-13745
and is limited to a total combined diversion rate of 0.02 cfs and
a total combined annual diversion volume of 0.7 AF and a total
combined quantity of 13,000 gallons per day.

PRIORITY DATE: 06/06/1980

POINT OF DIVERSION: T15S R20E S26 SESENE Within Cassia County

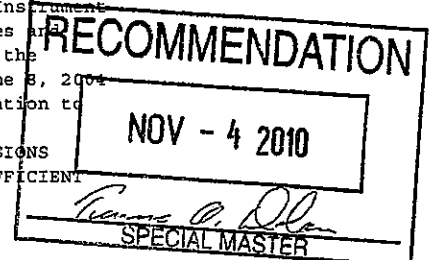
PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Stockwater	05-01 TO 11-30	0.02 CFS 0.70 APY

PLACE OF USE: Stockwater Within Cassia County
T15S R20E S35 SENE
T16S R20E S02 LOT 1 (SENE)
S12 LOT 1 (NWNW)

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.
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 stipulation to
apply fully to this water right.

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



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

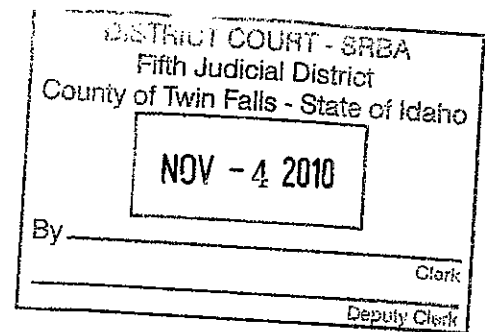
OTHER PROVISIONS (continued)

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.

Eric J. Wildman
Presiding Judge of the
Snake River Basin Adjudication



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

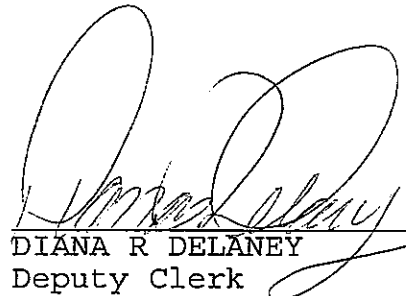
Water Right(s): 45-10332
45-13715 45-13743 45-13745
45-14316 45-14317 45-14318
45-14319

On November 04, 2010, 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 November 04, 2010.



DIANA R DELANEY
Deputy Clerk

DISTRICT COURT - SRBA	
Fifth Judicial District	
County of Twin Falls - State of Idaho	
NOV - 4 2010	
By _____	Clerk
Deputy Clerk	

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)
_____)

CERTIFICATE OF MAILING

Water Right(s): 45-10332
45-13715 45-13743 45-13745
45-14316 45-14317 45-14318
45-14319

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 November 04, 2010, with sufficient first-class postage prepaid to the following:

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

KARL U BEDKE
MICHAEL A POULTON
PATRICIA BEDKE
SCOTT BEDKE

Represented by:
TRAVIS L THOMPSON
113 MAIN AVE W, STE 303
PO BOX 485
TWIN FALLS, ID 83303-0485
Phone: 208-733-0700

CERTIFICATE OF MAILING

PAGE 1
11/04/10

USDA FOREST SERVICE

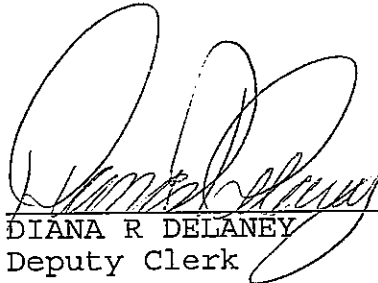
Represented by:
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724

RAY C BEDKE
PO BOX 283
OAKLEY, ID 83346
Phone: 208-862-3252

KARL U BEDKE
PATRICIA 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



DIANA R DELANEY
Deputy Clerk