

06/07/2013

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

RIGHT NUMBER: 45-14429
NAME AND ADDRESS: STATE OF IDAHO
DEPARTMENT OF LANDS
300 N 6TH ST, STE 103
PO BOX 83720
BOISE ID 83720-0050

SOURCE: COLD CREEK TRIBUTARY: GOOSE CREEK
QUANTITY: 0.020 CFS
The quantity of water under this right shall not exceed
13,000 gallons per day.

PRIORITY DATE: 01/01/1962
POINT OF
DIVERSION: T16S R22E S2 NESW Lot 3 End of Stream Flow Within CASSIA County
T16S R22E S11 NWNW Begin of Stream Flow Within CASSIA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	01/01 12/31	0.020 CFS
Stockwater use is for the in-stream watering of livestock.		

PLACE OF
USE: STOCKWATER in CASSIA County

T16S R22E S02 Lot 3 NESW	T16S R22E S02 Lot 4 SWSW
T16S R22E S02 Lot 3 SESW	T16S R22E S11 NWNW

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF 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. Section 42-1412(6), Idaho Code.

The quantity of water decreed for this water right is
not a determination of historical beneficial use.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

6/7/13
sun

45-14429 IDL
instream stock

#1 found overlapping SW right - 45-2756
"not claimed" = DISALLOWED

#2 45-13687 BEDKE stockwater (1881)
(split from 45-10500)

Rec'd was an overlap but WR decree
did not include the STATE LANDS!

(NOTE: Removed comma from IDL Address per STANDARDS)

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

FILED

In Re SRBA

Case No. 39576

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b)

Water Right 45-13687

NAME AND ADDRESS:

BRUCE BEDKE
JARED K BEDKE
MARTHA J BEDKE
42 E BASIN RD
OAKLEY, ID 83346

SOURCE:

COLD CREEK TRIBUTARY: GOOSE CREEK
SPRING TRIBUTARY: SINKS
UNNAMED STREAM(S) TRIBUTARY: COLD CREEK

QUANTITY:

0.02 CFS

The quantity of water under the following rights shall not
exceed a combined total of 13,000 gallons per day. Combined
Right Nos: 45-13679, 45-13680, 45-13681, 45-13682, 45-13683,
45-13684, 45-13685, 45-13686, 45-13687, 45-13466.

PRIORITY DATE:

01/01/1981

POINT OF DIVERSION:

T15S R22E S22	NWNESW (Instream Ending Point)	Within Cassia County
	NESESW	
S25	SWSESW (Instream Beginning Point)	
S26	SENWNE (Instream Beginning Point)	
S27	SENESE (Instream Ending Point)	
S30	SWNWNW (Instream Ending Point)	
S35	NESENE (Instream Beginning Point)	
	NENWSW (Instream Ending Point)	
T16S R22E S35 LOT 3	(SWSESW) (Instream Beginning Point)	

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
Stockwater	01-01 TO 12-31	0.02 CFS

PLACE OF USE:

Stockwater		Within Cassia County
T15S R22E S19 LOT 4	(SWSW)	SESW
	NESE	SWSE
	SESE	
S20	SWNE	SENE
	NESW	NWSW
	NESE	NWSE
S21	NENE	NWNE
	SENE	NENW
	SWNW	SENW
S22	SWNW	NESW
	NWSW	SWSW
	SESW	NWSE
	SWSE	
S25	SWSW	SESW
S26	NWNE	NENW
	NWNW	SWNW
	NESW	NWSW
	NESE	NWSE
	SESE	
S27	NENE	NWNE
	SENE	NWNW
	SWNW	SENW
	NESW	NWSE
	SWSE	SESE

Private
Right

Does NOT
INCLUDE
LAND IN
45-14429

PLACE OF USE (continued)

S30	NENW	LOT 1	(NWNW)
S34	NENE		
S35	SWNE		SENE
	NWNW		SNNW
	SENW		NWSW
LOT 4	(SWSW)	LOT 3	(SESW)
	NWSE		

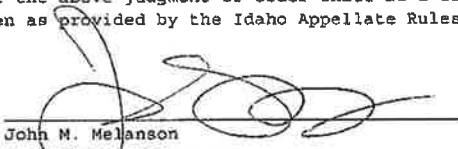
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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
Presiding Judge of the
Snake River Basin Adjudication

**SOUTH CENTRAL
SUPERVISORY AREA**

324 South 417 East, Ste. 2
Jerome, ID 83338-6206
Phone (208) 324-2561
FAX (208) 324-2917



TOM SCHULTZ, DIRECTOR
EQUAL OPPORTUNITY EMPLOYER

STATE BOARD OF LAND COMMISSIONERS

C.L. "Butch" Otter, Governor
Ben Ysursa, Secretary of State
Lawrence G. Wasden, Attorney General
Brandon Woolf, State Controller
Tom Luna, Sup't of Public Instruction

January 18, 2013

Craig Saxton
Idaho Department of Water Resources
Idaho Water Center
322 East Front Street
P.O. Box 83720
Boise, Idaho 83720-0098

RECEIVED
JAN 29 2013
DEPARTMENT OF
WATER RESOURCES

Re: Fee Payment for the SRBA Claims Nos. 45-14429, 47-17605, and 47-17606

Dear Mr. Saxton:

The Idaho Department of Lands ("IDL") has prepared Notices of Claim for the above-referenced water right claims and will file Motions to File Late Notice of Claim in the SRBA Court. In the event the SRBA Court grants IDL's motions, IDL requests that the Idaho Department of Water Resources initiate a SA-50 Interagency Billing Statement to bill IDL for the filing fees. The filing fees are as follows:

45-14429	\$25.00
47-17605	\$106.00
47-17606	\$25.00

If you have any questions, please contact me at tduffner@idl.idaho.gov or 208-324-2561. Thank you for your assistance in this matter.

Sincerely,

Tim Duffner
Area Manager
South Central Area

Saxton, Craig

From: Saxton, Craig
Sent: Tuesday, April 23, 2013 2:16 PM
To: Marston, Sascha
Cc: Spencer, Nick
Subject: RE: 45-14429, 47-17605 and 47-17606 (Idaho Dept. of Lands)

That is my extra \$100 finders fee.

Sorry. I am distracted. Should be \$156.00

Thanks,
c

From: Marston, Sascha
Sent: Tuesday, April 23, 2013 2:14 PM
To: Saxton, Craig
Subject: RE: 45-14429, 47-17605 and 47-17606 (Idaho Dept. of Lands)

Craig,

When I add the three fees together I come up with \$156.00 instead of \$256.00. Is there one missing or are the amounts wrong?

Sascha

From: Saxton, Craig
Sent: Tuesday, April 23, 2013 1:33 PM
To: Marston, Sascha
Cc: Spencer, Nick
Subject: RE: 45-14429, 47-17605 and 47-17606 (Idaho Dept. of Lands)

Sascha,

Attached is an interagency billing request from IDL pending the SRBA court granting the motions to file late claims. The motions have been granted. Could you please initiate the interagency billing process for a total for \$256.00.

Claim 45-14429 \$25.00
Claim 47-17605 \$106.00
Claim 47-17606 \$25.00

Late claim payments fund PCA 41503.

Let me know if you have any questions or need anything else. Thanks again, I think we are running out of these.

Craig

<< File: Interagency Billing Request (1-18-2013).pdf >>

From: Spencer, Nick
Sent: Tuesday, April 23, 2013 12:15 PM
To: Saxton, Craig
Cc: Marston, Sascha
Subject: 45-14429, 47-17605 and 47-17606 (Idaho Dept. of Lands)

Hi Craig,

I was reviewing some notes from last week's late claim hearing marathon before Judge Wildman and just realized that I overlooked emailing you last week to let you know that the judge granted all three of the above-listed late claim motions. All three of them were accompanied by a letter to you, dated January 18, 2013, from Tim Duffner, IDL's South Central Area Manager, requesting that you initiate an interagency billing request for the filing fees in the event the Court granted the motions. The judge granted the motions at the April 16th monthly status conference, conditioned upon the payment of the filing fees to IDWR per the interagency billing process. I wanted to let you know this so you could ask Sasha to initiate the process. If you need the January 18th letter in order to do this, let me know. I will be glad to get you a copy.

Thanks.

NBS