

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 45-13732

FILED
2008 JAN 4 PM 2 29

NAME AND ADDRESS: BRUCE BEDKE
JARED K BEDKE
MARTHA J BEDKE
42 E BASIN RD
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: 0.02 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.

PRIORITY DATE: 01/01/1881

POINT OF DIVERSION: T16S R19E S01 SENWSW Within Cassia County
NESESW
S12 NWNWNE (Instream Beginning Point)
NWSESW
SENWSW
SWSESW
S13 NWSESW (Instream Ending Point)
NENWSE (Instream Ending Point)
S14 NESWSE
NESWSE (Instream Beginning Point)
S24 NESWNW
NWNESW
NWSESW
S25 SENWNE
NWNENW
SESWNW
SESWSW
R20E S07 NESENE (Instream Beginning Point)
SENWSE
S18 SENWNW
S19 NWNENW
S31 SWNENW (Instream Ending Point)

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

PLACE OF USE:	Stockwater	Within Cassia County
	T16S R19E S01	SESW
	S12	SWNE
		SENW
		SESW
		SWSE
	S13	SWNE
		SENE
		SESW

PLACE OF USE (continued)

	SWSE	SESE
S14	SWSE	SESE
S24	NENE	SENE
	SWNW	NESW
	SESW	NESE
	SESE	
S25	NENE	NWNE
	NENW	SWNW
	SWSW	
R20E S07	NENE	SWNE
	SENE	SENE
	NESW	SWSW
	NWSE	
S18	NWNW	SENE
S19	NENW	
S30	SWNW	NWSW
	SWSW	
S31	NENW	NWNW

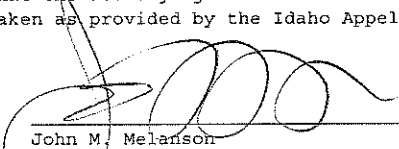
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

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

DISTRICT COURT SRBA
TWIN FALLS CO. IDAHO
FILED
2008 JAN 4 9 2 29

RECEIVED
JAN 08 2008
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

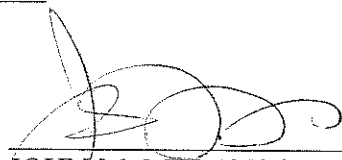
In Re SRBA	)	
	)	ORDER OF PARTIAL DECREES
Case No. 39576	)	
	)	Subcases 45-13714, <i>et al.</i> (See attached
	)	Exhibit A – 12 Subcases (Bedke)
	)	
	)	
	)	

On October 18, 2007, a *Special Master's Report and Recommendation* was filed for the above-captioned water rights. No Challenges were filed to the *Special Master's Report and Recommendation* and the time for filing Challenges has now expired.

Pursuant to I.R.C.P. 53(e)(2) and *SRBA Administrative Order 1*, Section 13f, this Court has reviewed the Findings of Fact and Conclusions of Law contained in the *Special Master's Report* and wholly adopts them as its own.

Therefore, IT IS ORDERED that the above-captioned water rights are hereby **decreed** as set forth in the attached *Partial Decrees Pursuant to I.R.C.P. 54(b)*.

DATED January 4, 2008



JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

EXHIBIT A - 12 SUBCASES (BEDKE)

Subcase Nos:

45-13714
45-13716
45-13718
45-13722
45-13726
45-13728
45-13730
45-13732
45-13734
45-13740
45-13746
45-13748

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER OF PARTIAL DECREES was mailed on January 04, 2008, with sufficient first-class postage to the following:

USDA FOREST SERVICE

Represented by:

DAVID NEGRI

US DEPARTMENT OF JUSTICE

ENVIRONMENT & NATURAL RESOURCE

550 WEST FORT STREET, MSC 033

BOISE, ID 83724

BRUCE BEDKE

JARED BEDKE

C/O 42 EAST BASIN RD

OAKLEY, ID 83346

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DIRECTOR OF IDWR

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A handwritten signature in cursive script, appearing to read "Julie Murphy", is written over a horizontal line.