

RECEIVED

JUN 30 2005
DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
JUN 29 2005	
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

Water Right: 45-04217

Case No. 39576

ORDER OF PARTIAL DECREE

On September 7, 2004, the Idaho Department of Water Resources filed its *Director's Report for Basin 45, Reporting Area 10, For Irrigation and Other Water Rights*, which included recommendations for the above named water right. No objections were filed and the time period for filing objections has expired.

On February 10, 2005, the Idaho Department of Water Resources filed a *Notice of Completed Administrative Proceeding and Amended Director's Report* notifying the Court of a change in the place of use in the above named water right. No objections were filed to the *Amended Director's Report* and the time period for filing objections has expired.

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

DATED June 28, 2005.


JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

Date		Time		Location		Remarks	
1	10/10/2018	10:00	11:00	100m	100m	100m	100m
2	10/10/2018	11:00	12:00	100m	100m	100m	100m
3	10/10/2018	12:00	13:00	100m	100m	100m	100m
4	10/10/2018	13:00	14:00	100m	100m	100m	100m
5	10/10/2018	14:00	15:00	100m	100m	100m	100m
6	10/10/2018	15:00	16:00	100m	100m	100m	100m
7	10/10/2018	16:00	17:00	100m	100m	100m	100m
8	10/10/2018	17:00	18:00	100m	100m	100m	100m
9	10/10/2018	18:00	19:00	100m	100m	100m	100m
10	10/10/2018	19:00	20:00	100m	100m	100m	100m
11	10/10/2018	20:00	21:00	100m	100m	100m	100m
12	10/10/2018	21:00	22:00	100m	100m	100m	100m
13	10/10/2018	22:00	23:00	100m	100m	100m	100m
14	10/10/2018	23:00	24:00	100m	100m	100m	100m
15	10/10/2018	24:00	25:00	100m	100m	100m	100m
16	10/10/2018	25:00	26:00	100m	100m	100m	100m
17	10/10/2018	26:00	27:00	100m	100m	100m	100m
18	10/10/2018	27:00	28:00	100m	100m	100m	100m
19	10/10/2018	28:00	29:00	100m	100m	100m	100m
20	10/10/2018	29:00	30:00	100m	100m	100m	100m
21	10/10/2018	30:00	31:00	100m	100m	100m	100m
22	10/10/2018	31:00	32:00	100m	100m	100m	100m
23	10/10/2018	32:00	33:00	100m	100m	100m	100m
24	10/10/2018	33:00	34:00	100m	100m	100m	100m
25	10/10/2018	34:00	35:00	100m	100m	100m	100m
26	10/10/2018	35:00	36:00	100m	100m	100m	100m
27	10/10/2018	36:00	37:00	100m	100m	100m	100m
28	10/10/2018	37:00	38:00	100m	100m	100m	100m
29	10/10/2018	38:00	39:00	100m	100m	100m	100m
30	10/10/2018	39:00	40:00	100m	100m	100m	100m
31	10/10/2018	40:00	41:00	100m	100m	100m	100m
32	10/10/2018	41:00	42:00	100m	100m	100m	100m
33	10/10/2018	42:00	43:00	100m	100m	100m	100m
34	10/10/2018	43:00	44:00	100m	100m	100m	100m
35	10/10/2018	44:00	45:00	100m	100m	100m	100m
36	10/10/2018	45:00	46:00	100m	100m	100m	100m
37	10/10/2018	46:00	47:00	100m	100m	100m	100m
38	10/10/2018	47:00	48:00	100m	100m	100m	100m
39	10/10/2018	48:00	49:00	100m	100m	100m	100m
40	10/10/2018	49:00	50:00	100m	100m	100m	100m
41	10/10/2018	50:00	51:00	100m	100m	100m	100m
42	10/10/2018	51:00	52:00	100m	100m	100m	100m
43	10/10/2018	52:00	53:00	100m	100m	100m	100m
44	10/10/2018	53:00	54:00	100m	100m	100m	100m
45	10/10/2018	54:00	55:00	100m	100m	100m	100m
46	10/10/2018	55:00	56:00	100m	100m	100m	100m
47	10/10/2018	56:00	57:00	100m	100m	100m	100m
48	10/10/2018	57:00	58:00	100m	100m	100m	100m
49	10/10/2018	58:00	59:00	100m	100m	100m	100m
50	10/10/2018	59:00	60:00	100m	100m	100m	100m

In Re SRBA) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
) Water Right 45-04217

NAME AND ADDRESS: FRANK A BEDKE
PHYLLIS BEDKE
PO BOX 83
OAKLEY, ID 83346

THE RIGHT HOLDER SHALL MAKE FULL BENEFICIAL USE OF ALL SURFACE WATER RIGHTS AVAILABLE TO THE RIGHT HOLDER FOR IRRIGATION OF THE LANDS AUTHORIZED TO BE IRRIGATED UNDER THIS RIGHT. THE RIGHT HOLDER SHALL LIMIT THE DIVERSION OF GROUND WATER UNDER THIS RIGHT TO THOSE TIMES WHEN THE SURFACE WATER SUPPLY IS NOT AVAILABLE OR THE SURFACE WATER SUPPLY IS NOT REASONABLY SUFFICIENT TO IRRIGATE THE PLACE OF USE AUTHORIZED UNDER THIS RIGHT.

QUANTITY: 3.00 CFS
880.00 AFY

AFTER SPECIFIC NOTIFICATION BY THE DEPARTMENT, THE RIGHT HOLDER SHALL INSTALL A SUITABLE MEASURING DEVICE OR SHALL ENTER INTO AN AGREEMENT WITH THE DEPARTMENT TO DETERMINE THE AMOUNT OF WATER DIVERTED FROM POWER RECORDS AND SHALL ANNUALLY REPORT THE INFORMATION TO THE DEPARTMENT.

THIS RIGHT WHEN COMBINED WITH ALL OTHER RIGHTS SHALL PROVIDE NO MORE THAN 0.02 CFS PER ACRE NOR MORE THAN 4.0 AFA PER ACRE AT THE FIELD HEADGATE FOR IRRIGATION OF THE LANDS ABOVE.

PRIORITY DATE: 06/01/1955

POINT OF DIVERSION: T12S R22E S31 SESESE Within Cassia County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	3.00 CFS
			880.00 AFY

PLACE OF USE:	Irrigation	Within Cassia County
	T12S R22E S31	
	NESW 40.0	SESW 40.0
	NESE 30.0	NWSE 40.0
	SWSE 40.0	SESE 30.0
	220.0 Acres Total	

RIGHTS 45-425A, 45-443B, 45-2448A, 45-4217, AND 45-10594 WHEN COMBINED SHALL NOT EXCEED THE IRRIGATION OF 370 ACRES.

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

THE RIGHT HOLDER SHALL ACCOMPLISH THE CHANGE AUTHORIZED BY THIS TRANSFER WITHIN ONE YEAR OF THE DATE OF THIS APPROVAL. FAILURE OF THE RIGHT HOLDER TO COMPLY WITH THE CONDITIONS OF THIS TRANSFER IS CAUSE FOR THE DIRECTOR TO RESCIND APPROVAL OF THE TRANSFER.

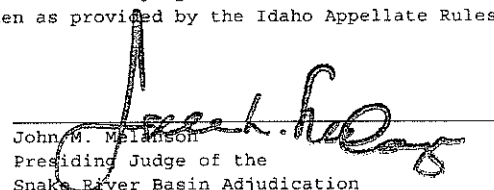
SRBA Partial Decree Pursuant to I.R.C.P. 54(b) (continued)

OTHER PROVISIONS (continued)

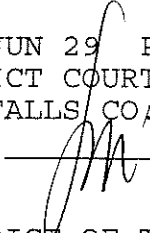
THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

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

2005 JUN 29 PM 02:00
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED 

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): 45-04217

CERTIFICATE OF MAILING

I certify that a true and correct copy of the PARTIAL DECREE
PURSUANT TO I.R.C.P. 54(b) for WATER RIGHT 45-04217 was mailed
on June 29, 2005, with sufficient first-class postage prepaid
to the following:

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

FRANK A BEDKE
PHYLLIS BEDKE
PO BOX 83
OAKLEY, ID 83346
Phone: 208-862-3613

JULIE MURPHY
Chief Deputy Clerk

