

**BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO**

IN THE MATTER OF APPLICATION)
FOR TEMPORARY CHANGE OF A)
WATER RIGHT TC-45-06 IN THE)
NAME OF SCOTT & ERIC BEDKE)
_____)

**ORDER AUTHORIZING
TEMPORARY CHANGE**

WHEREAS, a drought emergency has been declared for Cassia County to allow administrative actions to lessen the severe impacts of the drought conditions in the County; and

WHEREAS, section 42-222A, Idaho Code, provides that upon declaration of a drought emergency, the Director of the Department of Water Resources ("Department") is authorized to allow temporary changes in the point of diversion, the place of use, and the purpose of use for valid existing water rights or temporary exchanges of water, as provided in section 42-240, Idaho Code, when the director determines that such changes can be accomplished in accordance with the provisions of section 42-222A, Idaho Code; and

WHEREAS, on March 31, 2026, Scott & Eric Bedke ("applicant") submitted the attached Temporary Change Application ("application") to the Department; and

WHEREAS, the Department has reviewed the application and has determined the application can be approved with certain conditions; and

WHEREAS, the applicant assumes all risk and is the responsible party if diversion and use of water under the temporary change approval causes injury to other water rights or constitutes an enlargement in use of the original right;

ORDER

IT IS HEREBY ORDERED that the application is **APPROVED** subject to the following conditions:

1. Diversion and use of right 45-2438 is authorized only at the point of diversion and place of use described on the application or as otherwise approved in this order.
2. Use of right 45-2438 for the remainder of the irrigation season is limited to 126 acres at the authorized place of use.
3. The use of right 45-2438 is limited to the historical use limitations as described by the water right conditions.
4. Use of water under this order may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 140.

5. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the point of diversion.
6. This temporary change approval does not authorize construction of a new point of diversion or construction of a new well.
7. This temporary change approval may only be used to provide a replacement water supply to lands or other uses that normally have a full water supply, except for the drought condition. This temporary change approval may not be used to provide water for new development or to allow expansion of the use of water under existing water rights.
8. This temporary approval does not authorize the use of diversion works or a delivery system owned by or managed by a corporation or an irrigation district without the written consent of such corporation or irrigation district.
9. The applicant agrees to hold the Director and the State of Idaho harmless from all liability on account of the diversion and use of water under this temporary change approval.
10. This temporary change approval does not grant any right-of-way or easement to use the diversion works or conveyance works of another person or entity.
11. This temporary change approval expires on November 15, 2026, unless rescinded or extended by the director. Thereafter, the water right shall revert to the point of diversion, place of use and nature of use existing prior to the temporary change approval.

DATED this 15th day of April 2026.



Corey Skinner
Southern Region Manager

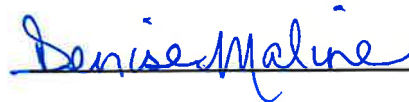
CERTIFICATE OF SERVICE

I hereby certify that on this 16th day of April 2026, I mailed a true and correct copy, postage prepaid, of the foregoing **ORDER AUTHORIZING TEMPORARY CHANGE** to the person(s) listed below:

Documents Enclosed: Order Authorizing Temporary Change No. TC-45-06 in the name of Scott Bedke and Eric Bedke. Water Right No(s). 45-2438

SCOTT BEDKE
ERIC BEDKE
PO BOX 89
OAKLEY ID 83346-0089

JAXON HIGGS
WATER DISTRICT 140
355 W 500 S
BURLEY ID 83318-5229



Denise Maline
Administrative Assistant

TC-45-06

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

MAR 31 2026

DEPARTMENT OF
WATER RESOURCES

TEMPORARY CHANGE APPLICATION

RECEIVED

(To change point of diversion, place of use, or purpose of use of a water right upon
declaration of a drought emergency in accordance with Section 42-222A, Idaho Code.)

DEPT. OF WATER RESOURCES
REGIONName of Applicant Scott Bedke Eric BedkePhone 208-434-3618Mailing Address P.O. Box 89 Oakley Idaho 83346Email sbedke14@gmail.com

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☒ Add diversion point(s) ☒ Change place of use
☐ Change purpose of use ☐ Other

2. Describe the proposed change(s) and explain the reason(s) they are needed. _____

We propose changing the point of diversion for WR#45-2438 to the well described by WR#45-2336, 45-13553 & 45-13555. The Oakley Canal Co. is projecting only delivering +/- 30% of its normal diversion rate for the 2026 crop year. Moving the point of diversion would help us maximize the number of acres we can irrigate this year.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
45-2438	2/19/1953	<u>252 ac. ft</u>	Irrigation	4/1 to 9/30
		<u>1.0 cfs/488 AF</u>		to _____
				to _____
				to _____

2. Total amount of water being transferred 1.0 cubic feet per second and/or 252 488 acre-feet per annum.

3. Source of water ground water tributary to _____.

4. Point(s) of diversion: _____

Twp	Rge	Sec	Govt Lot	1/4	1/4	1/4	County	Source	Local name or tag number
13S	22E	09		SE	NW	NE	Cassia	Ground water	45-2438

5. Lands irrigated or place of use:

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
13S	22E	04	x	x	x	x													160
13S	22E	04													x	x	x	x	160
		09	x	x	x	x													160

* Per 4/6/2026 Telecom with Scott Bedke *P. Skinner*

Total Acres 480

6. General Information:

- a. Who owns the water right to be changed? Scott Bedke, Eric Bedke
- b. Describe the arrangement allowing use of the right. Bedkes own the NE1/4 of section 4 and Matthews owns the two adjacent quarter sections (NE1/4 S9, SE1/4 S4)
- c. Describe the affect on the land now irrigated if the change is approved pursuant to this application:
See remarks in 2.
- d. Has the water right sought to be transferred been used this year? ☐ Yes ☒ No If yes, explain. _____
- e. Absent the changes, how would the right be used for the remainder of the year? See remarks in 2. above
- f. Describe other water rights used for the same purpose. Oakley Canal Company
- g. Remarks: _____

I hereby assume all risk in accordance with Section 42-222A, Idaho Code, and assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in voiding its approval.

Scott C. Bedke
Signature of Applicant

March 26, 2026
Date

FOR DEPARTMENT USE ONLY

Received by IDWR STATE OFFICE Date 3/31/2026 \$50 fee receipted by K Wester Receipt No. C125563
Recommend: ☒ approve ☐ deny Watermaster recommendation OK Received 4/9/2026

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Temporary Change Application No. TC-45-06, and said application is hereby approved, subject to the following limitations and conditions:

see attached order dated 4/15/2026

Temporary Change Expiration Date 11/15/2026

Signed this 15th day of April, 2026

Peg Shinn
For the Director

State of Idaho
Department of Water Resources

Water Right

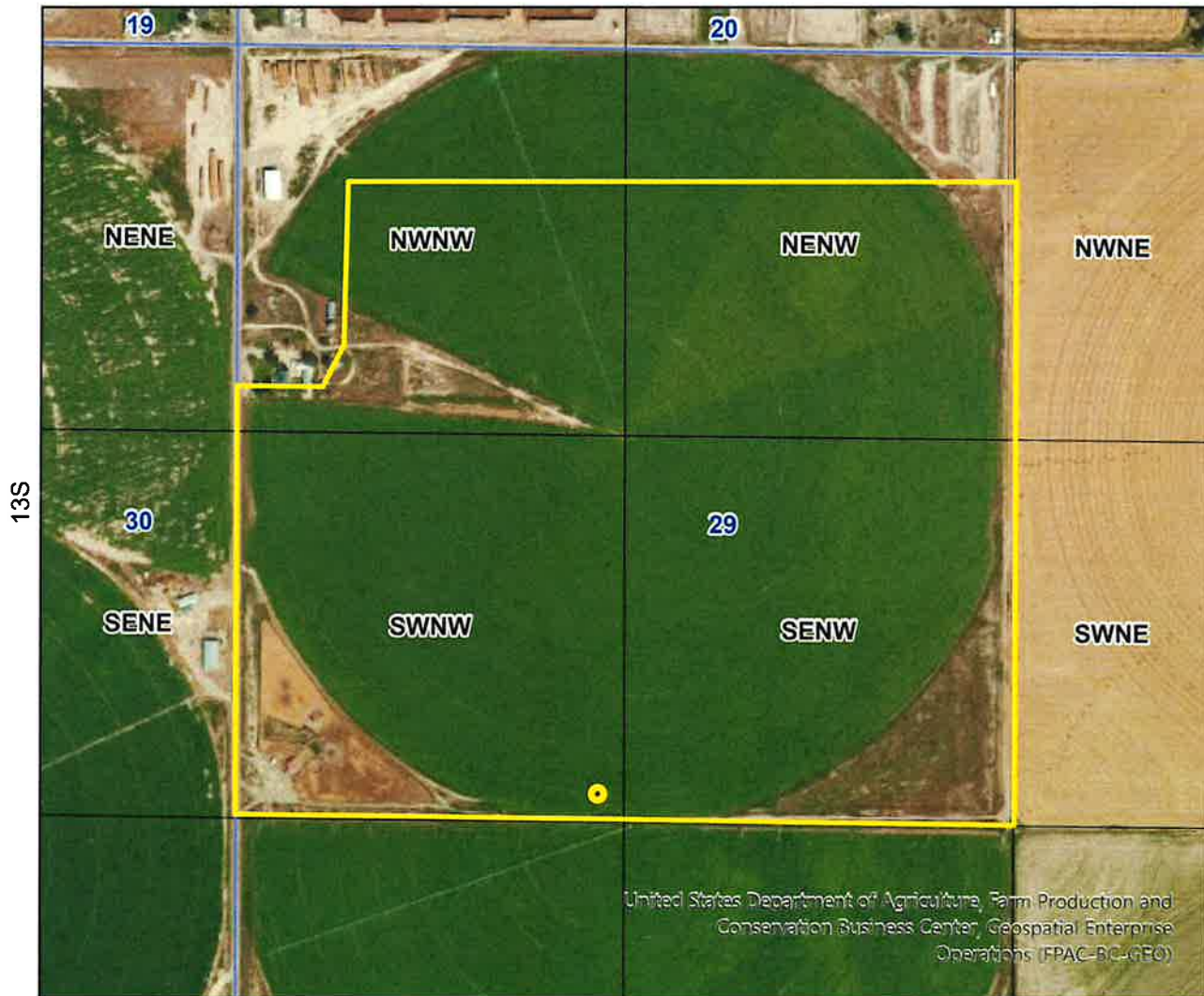
45-2438

(IRRIGATION)

SCOTT BEDKE

*Current
POD & POU*

22E



Point of Diversion



Place Of Use Boundary



State Outline



Townships



Sections



Quarter Quarters

TC-45-06



IDAHO DEPARTMENT OF
WATER RESOURCES

Imagery: 2023 Aerial Photography

Prepared By Skinner, Corey



0

0.1

0.2

0.3

0.4

Miles

State of Idaho
Department of Water Resources

Water Right

45-2336

(IRRIGATION)

H & E HOLDINGS LLC

To PoD

22E



Point of Diversion



Townships



Place Of Use Boundary



Sections



State Outline



Quarter Quarters

TC-45-06



IDAHO DEPARTMENT OF
WATER RESOURCES

Imagery: 2023 Aerial Photography

Prepared By Skinner, Corey



0 0.2 0.4 0.6 0.8 Miles

Skinner, Corey

From: Jaxon Higgs <jaxon@waterwellconsultants.com>
Sent: Thursday, April 9, 2026 10:19 AM
To: Skinner, Corey
Subject: Re: Scott Bedke Temporary Change Application

CAUTION: This email originated outside the State of Idaho network. Verify links and attachments BEFORE you click or open, even if you recognize and/or trust the sender. Contact your agency service desk with any concerns.

Hi Corey,

Yes I have talked to Scott about this and know the properties and the irrigation system. This transfer will be very helpful as the Oakley Canal Company shares will not stretch as far as needed and there is a lot of ground being dried up down there already.

I don't have any issues with it and support the transfer.

Thanks!

Jaxon Higgs
WWC, Inc.
WD140

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From: Skinner, Corey <Corey.Skinner@idwr.idaho.gov>
Sent: Wednesday, April 8, 2026 6:23:24 PM
To: Jaxon Higgs <jaxon@waterwellconsultants.com>
Subject: Scott Bedke Temporary Change Application

Jaxon,

Scott Bedke filed the attached Temporary Change Application involving water right 45-2438 in anticipation of a drought declaration for Cassia County. He is wanting to move the POD and POU to another farm three to four miles to the north. If a drought declaration is made, we will be able to process the application, but we will need comments from the WD 140 watermaster.

Is this something you can provide comments on so it can be processed once the declaration is made?

Let me know if you have any questions.

Thanks,

Corey