

**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

A. Subcase 23-00050D
(Insert water right number)

**STANDARD FORM 1
OBJECTION**

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: United States of America acting through the Department of Interior,
Bureau of Land Management, Idaho State Office

Address: 1387 South Vinnell Way
Boise, Idaho 83709-1657

Daytime Phone: see below

Name & Address of Attorney, if any:

Larry A. Brown (202) 305-0435 phone, (202) 305-0274 fax
United States Department of Justice
Environment and Natural Resource Division
General Litigation Section
550 West Fort Street, MSC 033
Boise, Idaho 83724

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: The Palisades Irrigation Co, Inc.

Address: P.O. Box 37; Irwin, ID 83428

Name: Rhett Bradford, President

Address: ;

Name:

Address: ;

Name:

Address: ;

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

1. ☐ **Name and Address**
Should be: _____
2. ☐ **Source**
Should be: _____
3. ☐ **Quantity**
Should be: _____
4. ☐ **Priority Date**
Should be: _____
5. ☐ **Point(s) of Diversion**
Should be: _____
6. ☐ **Instream Flow Description**
Should be: _____
7. ☐ **Purpose(s) of Use**
Should be: _____
8. ☐ **Period of Year**
Should be: _____
9. ☒ **Place of Use**
Should be: See attached.
11. **I object because:**
 - ☐ This water right should not exist.
 - ☐ This water right was not recommended, but should be recommended with the elements described above.

E. REASONS SUPPORTING OBJECTION(S):

The United States of America, through the Bureau of Land Management, is the owner of the land upon which use is claimed. The claimant's use of Federal land is unauthorized. Claimant's water right should not include POUs within NESE, and Lot 8 (SESE), S20, or NWSE, S21, T01N, R44E. The POUs within SENW, NESW, and NWSE, S22, T01N, R44E contain both private and public land, and should be clarified such that it is clear only private land is intended.

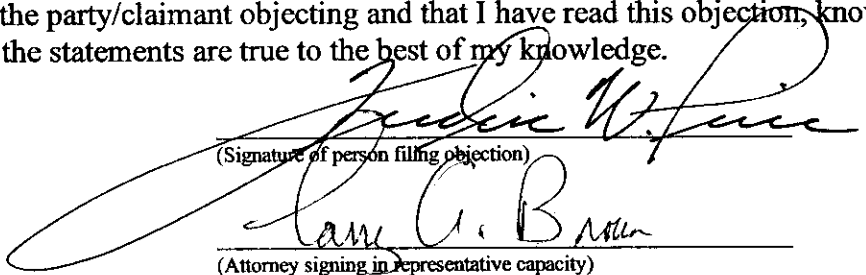
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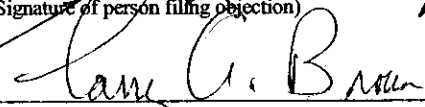
VERIFICATION (Must be Completed)

State of Idaho)
) ss.
County of Ada)

Fredric W. Price, Water Rights Specialist, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

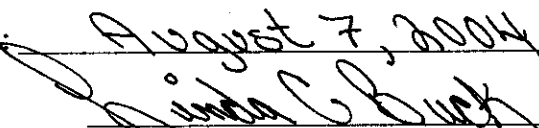
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.


(Signature of person filing objection)


(Attorney signing in representative capacity)

Subscribed and sworn to before me on:

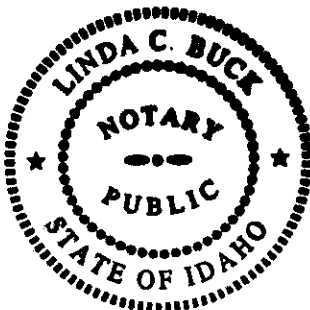
August 7, 2004


Linda C. Buck

Notary Public in and for the State of Idaho

Residing at: Mountain Home

My Commission Expires: 12-21-2005



INSTRUCTIONS FOR MAILING

You must mail the objection, to the Clerk of the Court. **FAX filings will not be accepted.**
You must also send a copy to all the parties listed below in the Certificate of Mailing.

G. CERTIFICATE OF MAILING

I certify that on Aug. 9, 2004, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right at the following address:

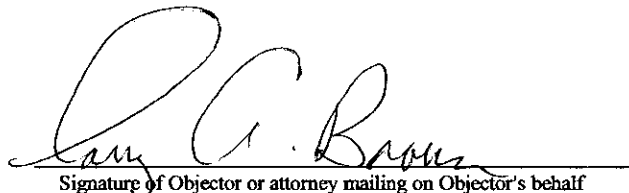
Name: The Palisades Irrigation Co, Inc.
Address: P.O. Box 37; Irwin, ID 83428
Name: Rhett Bradford, President
Address: ;
Name: ;
Address: ;
Name: ;
Address: ;

3. Copies to:

IDWR Document Depository
P.O. Box 83720
Boise, ID 83720-0098

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P.O. Box 44449
Boise, ID 83711-4449

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724


Signature of Objector or attorney mailing on Objector's behalf

06/10/2004

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

RIGHT NUMBER: 23-50D
NAME AND ADDRESS: THE PALISADE IRRIGATION CO INC
RHETT BRADFORD PRESIDENT
PO BOX 37
IRWIN ID 83428

**Mixed Ownership POU's: Clarify these POU's such
that it is clear only private land is intended**

-T01N R44E S22 SENW 12.0 acres
-T01N R44E S22 NESW 36.0 acres
-T01N R44E S22 NWSE 2.5 acres

SOURCE: PALISADES CREEK

TRIBUTARY: SOUTH FORK SNAKE RIVER

QUANTITY: 4.500 CFS

PRIORITY DATE: 06/01/1900

POUs on BLM

-T01N R44E S20 NESE 40.0 acres
-T01N R44E S20 Lot 8 (SESE) 13.0 acres
-T01N R44E S21 NWSE 2.8 acres

POINT OF
DIVERSION: T01N R44E S26 SWSWSE Within BONNEVILLE County

-Farming is not authorized on Public Lands
-There is no irrigation within these POU's
-Remove these POU's from the claim

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/15 10/31

4.500 CFS

PLACE OF USE: IRRIGATION Within BONNEVILLE County

T01N R44E S07	NWNE	27.0	T01N R44E S07	SWNE	15.0
T01N R44E S07	SENE	21.0	T01N R44E S07 Lot 2	SWNW	18.0
T01N R44E S07	SENW	39.0	T01N R44E S07	NESE	29.0
T01N R44E S07	NWSE	39.0	T01N R44E S07	SWSE	38.0
T01N R44E S07	SESE	17.0	T01N R44E S08	NESW	40.0
T01N R44E S08	NWSW	40.0	T01N R44E S08	SWSW	33.0
T01N R44E S08	SESW	38.0	T01N R44E S08	NWSE	30.0
T01N R44E S08	SWSE	23.0	T01N R44E S09	NESW	40.0
T01N R44E S09	SESW	36.0	T01N R44E S09	NESE	1.3
T01N R44E S09	NWSE	32.0	T01N R44E S09	SWSE	36.0
T01N R44E S09	SESE	13.0	T01N R44E S15	SWSW	24.0
T01N R44E S16	NENE	29.0	T01N R44E S16	NWNE	9.9
T01N R44E S16	SWNE	23.0	T01N R44E S16	SENE	20.0
T01N R44E S16	NENW	37.0	T01N R44E S16	NESE	39.0
T01N R44E S16	NWSE	39.0	T01N R44E S16	SWSE	34.0
T01N R44E S16	SESE	37.0	T01N R44E S17	NENE	39.0
T01N R44E S17	NWSW	40.0	T01N R44E S17	SWSW	40.0
T01N R44E S17	SESW	9.5	T01N R44E S18 Lot 8	SESE	44.0
T01N R44E S19 Lot 1	NENE	13.0	T01N R44E S20	SWNE	40.0
T01N R44E S20	SENE	35.0	T01N R44E S20	NENW	28.0
T01N R44E S20 Lot 1	NWNW	40.0	T01N R44E S20 Lot 2	SWNW	0.4

06/10/2004

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

T01N R44E S20 Lot 3	SENW	39.0	T01N R44E S20	NESE	40.0	BLM	
T01N R44E S20 Lot 4	NWSE	40.0	T01N R44E S20 Lot 8	SESE	13.0	BLM	
T01N R44E S21	NENE	35.0	T01N R44E S21	NWNE	30.0		
T01N R44E S21	SWNE	40.0	T01N R44E S21	SENE	40.0		
T01N R44E S21	NENW	38.0	T01N R44E S21	NWNW	32.0		
T01N R44E S21	SWNW	26.0	T01N R44E S21	SENW	25.0		
T01N R44E S21	NESW	13.0	T01N R44E S21	NWSW	38.0		
T01N R44E S21 Lot 3	SWSW	19.0	T01N R44E S21 Lot 2	SESW	29.0		
T01N R44E S21	NESE	32.0	T01N R44E S21	NWSE	2.8	BLM	
T01N R44E S21 Lot 1	SWSE	20.0	T01N R44E S21	SESE	40.0		
T01N R44E S22	NWNW	21.0	T01N R44E S22	SWNW	40.0		
T01N R44E S22	SENW	12.0	MIXED	T01N R44E S22	NESW	36.0	MIXED
T01N R44E S22	NWSW	40.0	T01N R44E S22	SWSW	40.0		
T01N R44E S22	SESW	32.0	T01N R44E S22	NWSE	2.5	MIXED	
T01N R44E S22	SWSE	10.0	T01N R44E S26	SWNW	0.1		
T01N R44E S26	NWSW	6.6	T01N R44E S26	SWSW	15.0		
T01N R44E S27	NWNE	28.0	T01N R44E S27	SWNE	40.0		
T01N R44E S27	SENE	30.0	T01N R44E S27	NENW	33.0		
T01N R44E S27	NWNW	39.0	T01N R44E S27	SWNW	31.0		
T01N R44E S27	SENW	32.0	T01N R44E S27	NESW	38.0		
T01N R44E S27 Lot 1	NWSW	15.0	T01N R44E S27 Lot 4	SESW	13.0		
T01N R44E S27	NESE	38.0	T01N R44E S27	NWSE	35.0		
T01N R44E S27 Lot 5	SWSE	37.0	T01N R44E S27	SESE	38.0		
T01N R44E S28 Lot 1	NENE	45.0	T01N R44E S28 Lot 4	SENE	7.6		
T01N R44E S34 Lot 1	NENE	47.0	T01N R44E S35	NENW	0.7		
T01N R44E S35 Lot 1	SWNW	29.0	T01N R44E S35 Lot 3	SENW	3.4		

2652.8 ACRES TOTAL

06/10/2004

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

The boundary encompassing the place of use for this water right is described with a digital boundary as defined by I.C. Section 42-202B(2) and authorized pursuant to I.C. Section 42-1411(2)(h). The data comprising the digital boundary are incorporated herein by reference and are stored on a CD-ROM disk issued in duplicate originals on file with the SRBA District Court and the Idaho Department of Water Resources. A map depicting the place of use is attached hereto to illustrate the place of use described by the digital boundary.

USE OF THIS RIGHT WITH RIGHT NO. 23-00050E, 23-00104 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 2652.8 ACRES IN A SINGLE IRRIGATION SEASON.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 160 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

★ -Include language to clarify use within Mixed ownership POU's:

The use of water under this right does not include a use on federal public land. ★

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

RIGHT NOS. 23-00050E, 23-00104 IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.

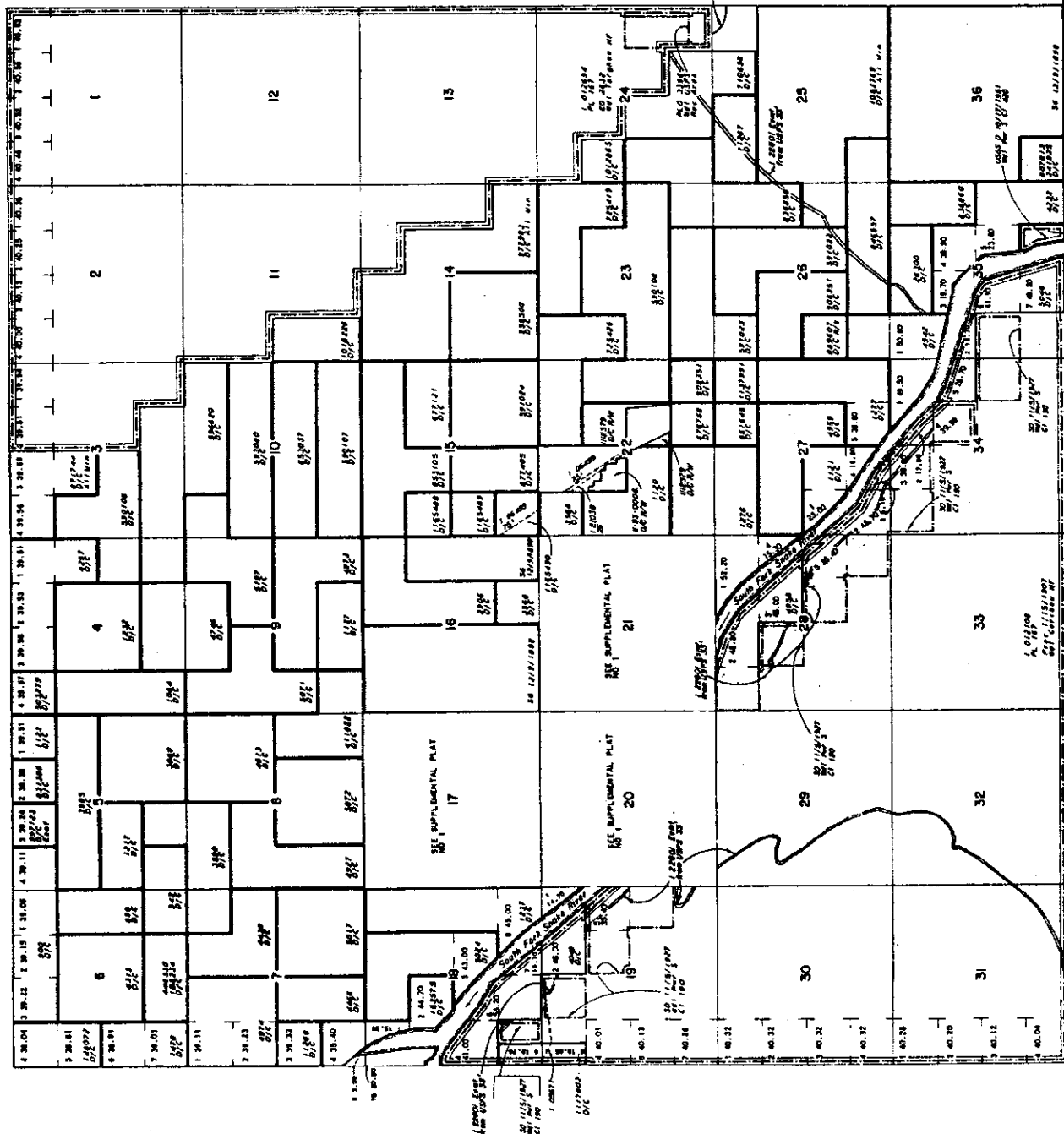
TOWNSHIP 1 NORTH RANGE 44 EAST OF THE BOISE MERIDIAN, IDAHO

BONNEVILLE COUNTY O19

10400 FALLS DISTRICT SEC 15

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

MT PLAT



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3	Sec. 3, T. 1 N., R. 44 E.
4	Sec. 4, T. 1 N., R. 44 E.
5	Sec. 5, T. 1 N., R. 44 E.
6	Sec. 6, T. 1 N., R. 44 E.
7	Sec. 7, T. 1 N., R. 44 E.
8	Sec. 8, T. 1 N., R. 44 E.
9	Sec. 9, T. 1 N., R. 44 E.
10	Sec. 10, T. 1 N., R. 44 E.
11	Sec. 11, T. 1 N., R. 44 E.
12	Sec. 12, T. 1 N., R. 44 E.
13	Sec. 13, T. 1 N., R. 44 E.
14	Sec. 14, T. 1 N., R. 44 E.
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16	Sec. 16, T. 1 N., R. 44 E.
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27	Sec. 27, T. 1 N., R. 44 E.
28	Sec. 28, T. 1 N., R. 44 E.
29	Sec. 29, T. 1 N., R. 44 E.
30	Sec. 30, T. 1 N., R. 44 E.
31	Sec. 31, T. 1 N., R. 44 E.
32	Sec. 32, T. 1 N., R. 44 E.
33	Sec. 33, T. 1 N., R. 44 E.
34	Sec. 34, T. 1 N., R. 44 E.
35	Sec. 35, T. 1 N., R. 44 E.
36	Sec. 36, T. 1 N., R. 44 E.

50 N/22/1938 Open to Entry Subj. to Sec. 24 P.A.
Per S.C. 190 50 11/5/1927
Sec. 20, Lot 8, N/22/1938
P.A. 1938 N/11/1938 Open to Entry Subj. to Sec. 24
P.A. Per S.C. 400 50.0 10/11/1931
Sec. 25, Lot 8
1. 612108 Det. P. 167 Act of Cong. 7/23/1955
Completed 10/24/1961. All of surface held by
USFS
1. 612108 Det. P. 167 Act of Cong. 7/23/1955
Completed 5/2/1962. All of surface held by USFS
Cattle Range Range P.A. 1938
Sec. 21, Lot 4

FOR ORDERS EFFECTING DISPOSAL OR USE OF
UNIDENTIFIED LANDS REFER TO INDEX OF
MISCELLANEOUS DOCUMENTS

DATE OF SURVEY TO CURRENT TO
NO. 1 1938

DATE OF SURVEY TO CURRENT TO
NO. 1 1938

DATE OF SURVEY TO CURRENT TO
NO. 1 1938

DATE OF SURVEY TO CURRENT TO
NO. 1 1938

THE SURVEYOR HAS NO WITHHELD INFORMATION THE LAST
ACTION TAKEN BY HIM OR BY THE OFFICE OF THE SURVEYOR
FOR COMPLETION, ORDER AND THE DATE OF THE ORIGINAL SURVEY
RECORD

SCALE IN CHAINS
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WARNING STATEMENT
THIS MAP IS A PUBLIC DOCUMENT AND IS NOT TO BE USED
FOR ANY PURPOSE OTHER THAN THAT FOR WHICH IT WAS
PREPARED. THE SURVEYOR HAS NO WITHHELD INFORMATION
THE LAST ACTION TAKEN BY HIM OR BY THE OFFICE OF THE
SURVEYOR FOR COMPLETION, ORDER AND THE DATE OF THE
ORIGINAL SURVEY RECORD

DATE OF SURVEY TO CURRENT TO
NO. 1 1938

DATE OF SURVEY TO CURRENT TO
NO. 1 1938

BRONNEVILLE COUNTY 019
 ROMO FALLS DISTRICT SEC 15

NO 1
STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

**MTP
SUPPL Sec 17, 20, 21**

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SC 3/22/1954 Comm. to Encl. Subj. to Sec. 24, FPA
Per SC 100 SC 11/15/1957
Sec 20 Col 6, 41-56
1012100 Encl Pk 182 (46) of Cong 2/23/1955)
completed 10/24/1961 At: Mt surface meet by
USF

31

22

15

THE NOTATION SHOWN ON WITHDRAWALS REPRESENT THE LAST ACTION TAKEN BUT MAY NOT BE THE EFFECTIVE DATE. SEE THE HISTORICAL INDEX FOR THE DATE OF THE ORIGINAL WITHDRAWAL ORDER

2

SC 416 is Chapter

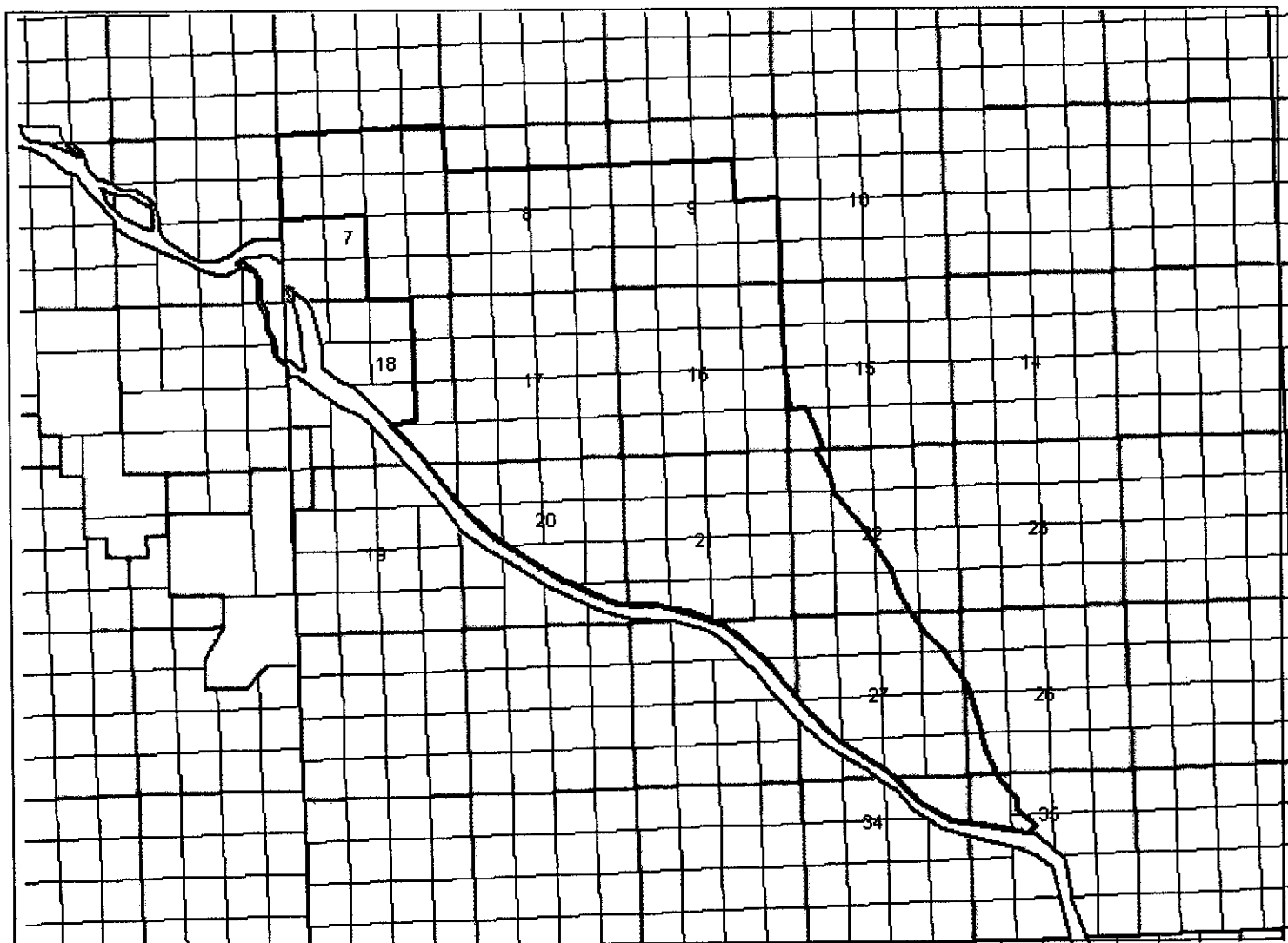
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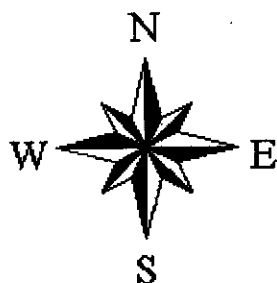
State of Idaho

Department of Water Resources

The Palisades Irrigation Co



-  Palisirrcoboundary.shp
-  Township/Range
-  Sections
-  QQ



GIS Place of Use Illustration
1987/1988 NAPP photography
Prepared by: E Carlsen
Date: March 2004