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 23-00050E
(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.

F. **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)

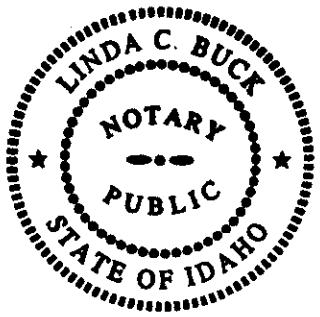
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

(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

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

RIGHT NUMBER: 23-50E

NAME AND ADDRESS: THE PALISADE IRRIGATION CO INC
RHETT BRADFORD PRESIDENT
PO BOX 37
IRWIN ID 83428

Mixed Ownership POUs: Clarify these POUs 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: SNAKE RIVER

QUANTITY: 26.400 CFS

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

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

PRIORITY DATE: 06/01/1900

POINT OF DIVERSION: T01N R44E S26 SWSWSE Within BONNEVILLE County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	04/15 10/31	26.400 CFS

PLACE OF USE: IRRIGATION Within BONNEVILLE County

T01N R44E S07	NWNE	T01N R44E S07	SWNE
T01N R44E S07	SENE	T01N R44E S07 Lot 2	SWNW
T01N R44E S07	SENW	T01N R44E S07	NESE
T01N R44E S07	NWSE	T01N R44E S07	SWSE
T01N R44E S07	SESE	T01N R44E S08	NESW
T01N R44E S08	NWSW	T01N R44E S08	SWSW
T01N R44E S08	SESW	T01N R44E S08	NWSE
T01N R44E S08	SWSE	T01N R44E S09	NESW
T01N R44E S09	SESW	T01N R44E S09	NESE
T01N R44E S09	NWSE	T01N R44E S09	SWSE
T01N R44E S09	SESE	T01N R44E S15	SWSW
T01N R44E S16	NENE	T01N R44E S16	NWNE
T01N R44E S16	SWNE	T01N R44E S16	SENE
T01N R44E S16	NENW	T01N R44E S16	NESE
T01N R44E S16	NWSE	T01N R44E S16	SWSE
T01N R44E S16	SESE	T01N R44E S17	NENE
T01N R44E S17	NWSW	T01N R44E S17	SWSW
T01N R44E S17	SESW	T01N R44E S18 Lot 8	SESE
T01N R44E S19 Lot 1	NENE	T01N R44E S20	SWNE
T01N R44E S20	SENE	T01N R44E S20	NENW
T01N R44E S20 Lot 1	NWNW	T01N R44E S20 Lot 2	SWNW

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

T01N R44E S20 Lot 3 SENW	T01N R44E S20 NESE BLM
T01N R44E S20 Lot 4 NWSE	T01N R44E S20 Lot 8 SESE BLM
T01N R44E S21 NENE	T01N R44E S21 NWNE
T01N R44E S21 SWNE	T01N R44E S21 SENE
T01N R44E S21 NENW	T01N R44E S21 NWNW
T01N R44E S21 SWNW	T01N R44E S21 SENW
T01N R44E S21 NESW	T01N R44E S21 NWSW
T01N R44E S21 Lot 3 SWSW	T01N R44E S21 Lot 2 SESW
T01N R44E S21 NESE	T01N R44E S21 NWSE BLM
T01N R44E S21 Lot 1 SWSE	T01N R44E S21 SESE
T01N R44E S22 NWNW	T01N R44E S22 SWNW
T01N R44E S22 SENW MIXED	T01N R44E S22 NESW MIXED
T01N R44E S22 NWSW	T01N R44E S22 SWSW
T01N R44E S22 SESW	T01N R44E S22 NWSE MIXED
T01N R44E S22 SWSE	T01N R44E S26 SWNW
T01N R44E S26 NWSW	T01N R44E S26 SWSW
T01N R44E S27 NWNE	T01N R44E S27 SWNE
T01N R44E S27 SENE	T01N R44E S27 NENW
T01N R44E S27 NWNW	T01N R44E S27 SWNW
T01N R44E S27 SENW	T01N R44E S27 NESW
T01N R44E S27 Lot 1 NWSW	T01N R44E S27 Lot 4 SESW
T01N R44E S27 NESE	T01N R44E S27 NWSE
T01N R44E S27 Lot 5 SWSE	T01N R44E S27 SESE
T01N R44E S28 Lot 1 NENE	T01N R44E S28 Lot 4 SENE
T01N R44E S34 Lot 1 NENE	T01N R44E S35 NENW
T01N R44E S35 Lot 1 SWNW	T01N R44E S35 Lot 3 SENW

2603 ACRES TOTAL

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. 23-00104 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 2603.0 ACRES 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.

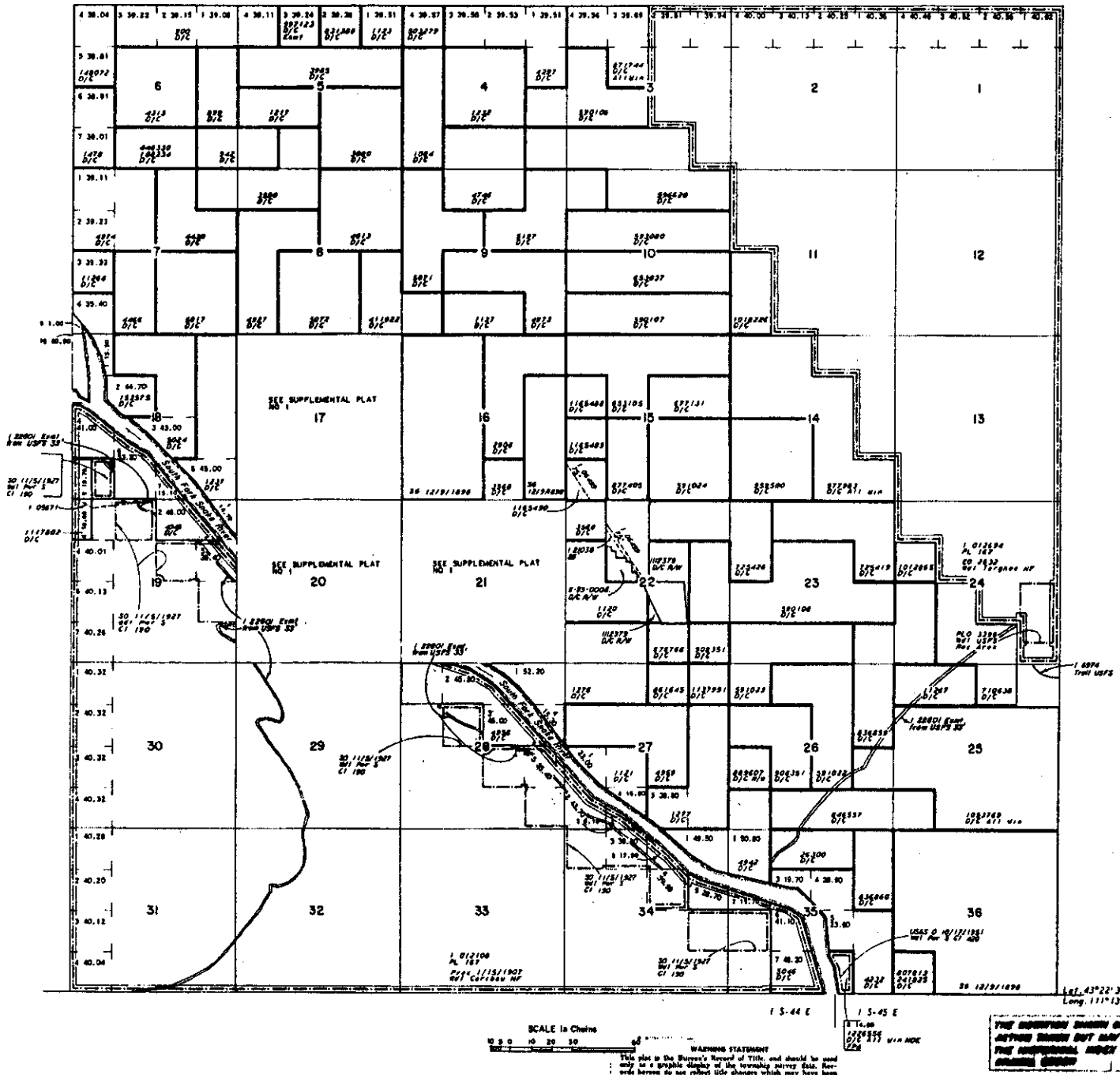
RIGHT NO. 23-00104 IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.

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

BONNEVILLE COUNTY 019

IDAHO FALLS DISTRICT SEC 15

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES



MT PLAT

INDEX TO SEGREGATED TRACTS				
RESURVEY			ORIGINAL SURVEY	
TRACT NO	T	R	SEC	SUBDIVISION

SD 3/22/1938 Open to Entry Subj to Sec 24 FPA Per S Cl 190 SD 11/5/1927
Sec 20: Lot 8, NE¼SE¼

PLO 1938 8/11/1938 Open to Entry Subj to Sec 24 FPA Per S Cl 420 GLO 0 10/17/1951
Sec 35: Lot 8

I 012108 Det PL 167 (Act of Cong 7/23/1955) completed 10/24/1961. All MF surface Mgmt by USFS

I 012884 Det PL 167 (Act of Cong 7/23/1955) completed 4/3/1962. All MF surface Mgmt by USFS

Caribou Range Known Phg Area
Sec 31: Lot 4

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

CURRENT TO	CURRENT TO
APR 1 7 1989	

USE PLATS:

Lat. 43°22'31" N
Long. 111°13' W

WARNING STATEMENT
This plat is the Bureau's Record of Title, and should be used only as a graphic display of the township survey data. Recorded bearings do not reflect title changes which may have been effected by natural movements of streams or other bodies of water

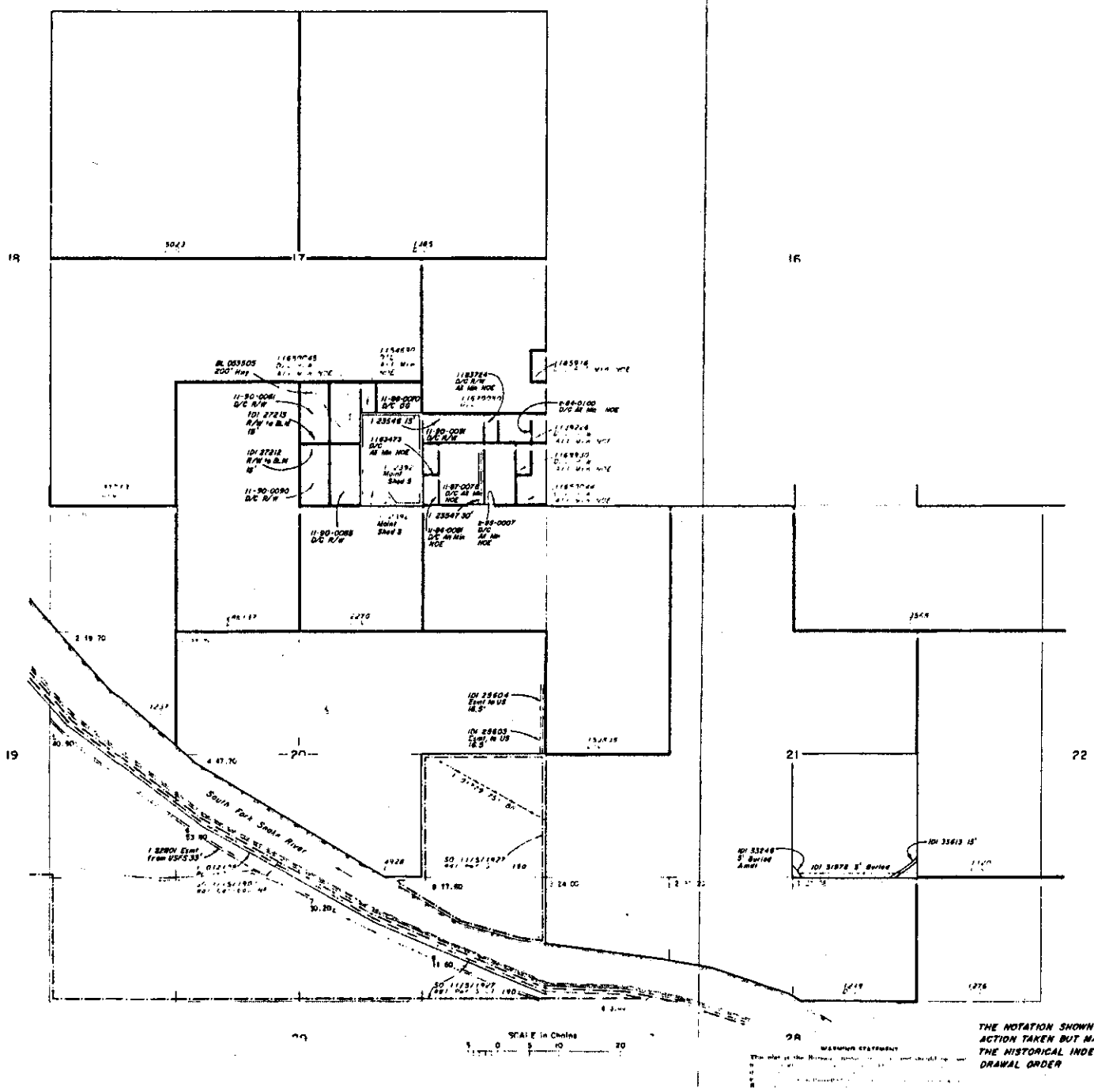
THE SURVEY SHOWN ON WITHDRAWALS REPRESENT THE LAST ACTIVE SURVEY BUT MAY NOT BE THE EFFECTIVE DATE. SEE THE SUPPLEMENTAL INDEX FOR THE DATE OF THE ORIGINAL WITHDRAWING SURVEY

Boise Mer
T. 1N
R. 44E

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

BONNEVILLE COUNTY 019

IDAHO FALLS DISTRICT SEC 15



STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

MTP
SUPPL Sec 17, 20, 21

INDEX TO SEGREGATED TRACTS				
RESURVEY	ORIGINAL SURVEY			
TRACT NO	T	R	SEC	SUBDIVISION

SC 3/22/1934 Open to Entry Sub. to Sec. 28 FPS
Pur S CI 190 SC 11/5/1927
Sec 20: Lot 6, NE¼SE¼

I 012108 Dat PL 167 (Act of Cong 7/23/1955)
completed 10/24/1961, All mf surface mgmt by
USFS

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

CURRENT TO	CURRENT TO

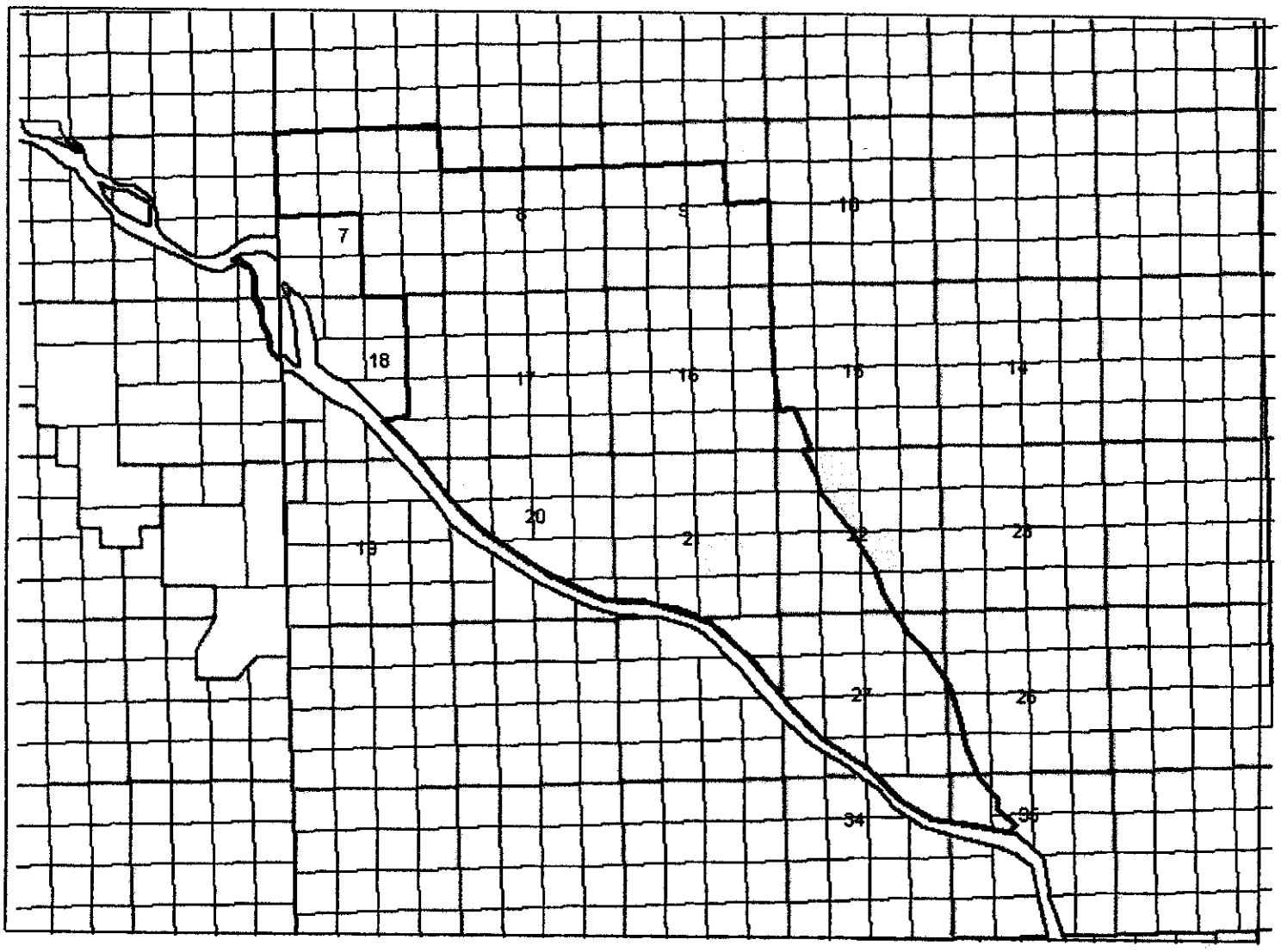
USE PLATS

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

State of Idaho

Department of Water Resources

The Palisades Irrigation Co



Palisirrcoboundary.shp
Township/Range
Sections
QQ

N
W
E

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