

**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

) Subcase No. 23-00050E

) **Standard Form 5**

) **STIPULATED ELEMENTS**
) **OF A WATER RIGHT**

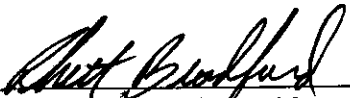
This form is used to report the stipulated elements of one water right acquired under state law and/or one federal reserved water right. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary to determine the facts, data, expert opinions and law support the issuance of a partial decree for the water right.

The parties agree that the Snake River Adjudication Court has jurisdiction of the parties and subject matter to enter a partial decree for this water right; that they have been served with sufficient process, according to the law; and that they have appeared, prosecuted, and defended their positions with regard to this water right dispute.

The parties and IDWR agree and stipulate that the elements of this water right should be described per the attached. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

CLAIMANT / RESPONDENT:

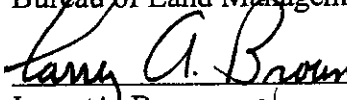
Palisade Irrigation Co., Inc.


Rhett Bradford, President

11/9/04
Date

OBJECTOR:

United States on behalf of the
Bureau of Land Management


Larry A. Brown
Attorney, U.S. Department of Justice
Environment and Natural Resources Div.

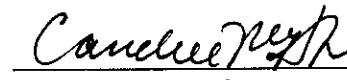
11/9/04
Date

IDWR CONCURRENCE:


Ernie Carlsen
IDWR Adjudication Supervisor

11/9/04
Date

IDWR CONCURRENCE:


Candice McHugh
Deputy Attorney General
Attorney for IDWR

11-18/04
Date

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

SOURCE: Source:
PALISADES CREEK

Tributary:
SNAKE RIVER

QUANTITY: 26.400 CFS

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:

2599 ACRES TOTAL

2652.0 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 the rights listed below is limited to the irrigation of a combined total of 2599 acres in a single irrigation season. Combined Right Nos.: 23-50D, 23-50E and 23-104.

Place of use does not include federal public lands.

~~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.~~
~~Place of use does not include federal public lands.~~

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. 23-00104 AND 23-50D ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.

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

The Palisade Irrigation Co Inc
Service Area Boundary

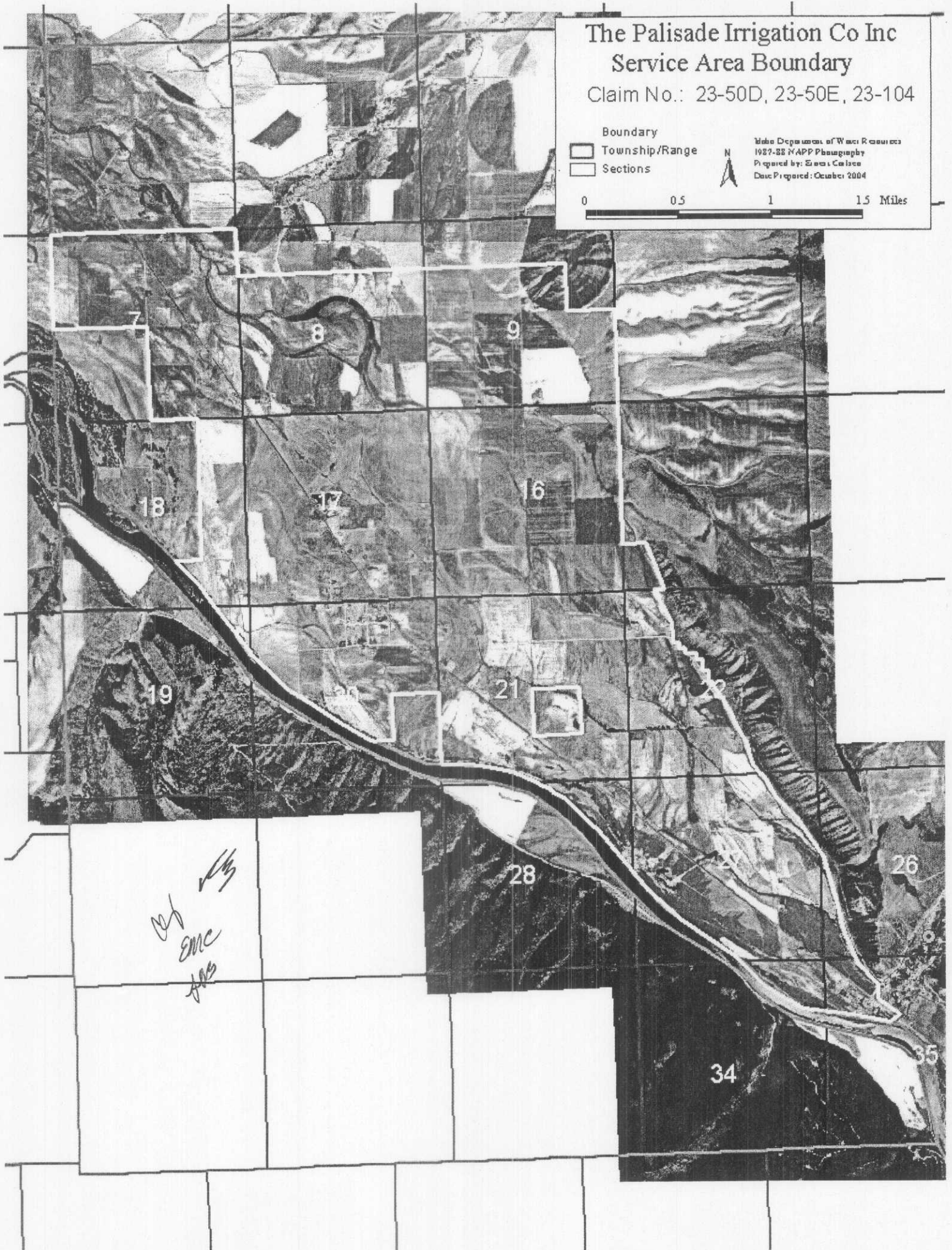
Claim No.: 23-50D, 23-50E, 23-104

- Boundary
Township/Range
Sections



Utah Department of Water Resources
1987-88 NAPP Photography
Prepared by: Susan Calice
Date Prepared: October 2004

0 0.5 1 1.5 Miles



CERTIFICATE OF MAILING

I certify that on Nov. 18th, 2004, I mailed the original and copies of this form, including all attachments, postage prepaid and addressed as follows:

1. Original to:

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

2. Copies to:

IDWR Document Depository
PO Box 83720
Boise, Idaho 83720-0098

Palisade Irrigation Co., Inc.
Rhett Bradford, President
PO Box 37
Irwin, Id 83428

U.S., Department of Justice
Environment and Natural Resources Division
General Litigation Section
550 West Fort Street, MSC 033
Boise, Idaho 83724



Signature of person or attorney mailing the form