

03/19/2004

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 23-50D

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

SOURCE: PALISADES CREEK

TRIBUTARY: SOUTH FORK SNAKE RIVER

QUANTITY: 4.500 CFS

PRIORITY DATE: 06/01/1900

POINT OF DIVERSION:

T01N R44E S26 SWSWSE Within BONNEVILLE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
04/15 10/31

QUANTITY
4.500 CFS

PLACE OF USE:

LARGE PLACE OF USE

2652.8 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. 23-00050E, 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.

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: 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.

A2300050D



03/19/2004

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 23-50D

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

SOURCE: PALISADES CREEK

TRIBUTARY: SOUTH FORK SNAKE RIVER

QUANTITY: 4.500 CFS

PRIORITY DATE: 06/01/1900

POINT OF DIVERSION:

T01N R44E S26 SWSWSE Within BONNEVILLE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
04/15 10/31

QUANTITY
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	SENE	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
T01N R44E S20 Lot 3	SENE	39.0	T01N R44E S20	NESE	40.0
T01N R44E S20 Lot 4	NWSE	40.0	T01N R44E S20 Lot 8	SESE	13.0
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	SENE	25.0
T01N R44E S21	NESW	13.0	T01N R44E S21	NWSW	38.0

03/19/2004

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

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
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	T01N R44E S22 NESW	36.0
T01N R44E S22 NWSW	40.0	T01N R44E S22 SWSW	40.0
T01N R44E S22 SESW	32.0	T01N R44E S22 NWSE	2.5
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 NWNW	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

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.

AWO 23-104

USE OF THIS RIGHT WITH RIGHT NO. 23-00050E 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.

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: Decreed

03/19/2004

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

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.

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

SOURCE: Source:
PALISADES CREEK

Tributary:
SOUTH FORK SNAKE RIVER

QUANTITY: 4.500 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	4.500 CFS

PLACE OF USE:

2599 ACRES TOTAL

~~2652.8 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.

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

Place of use does not include federal public lands

~~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.~~

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

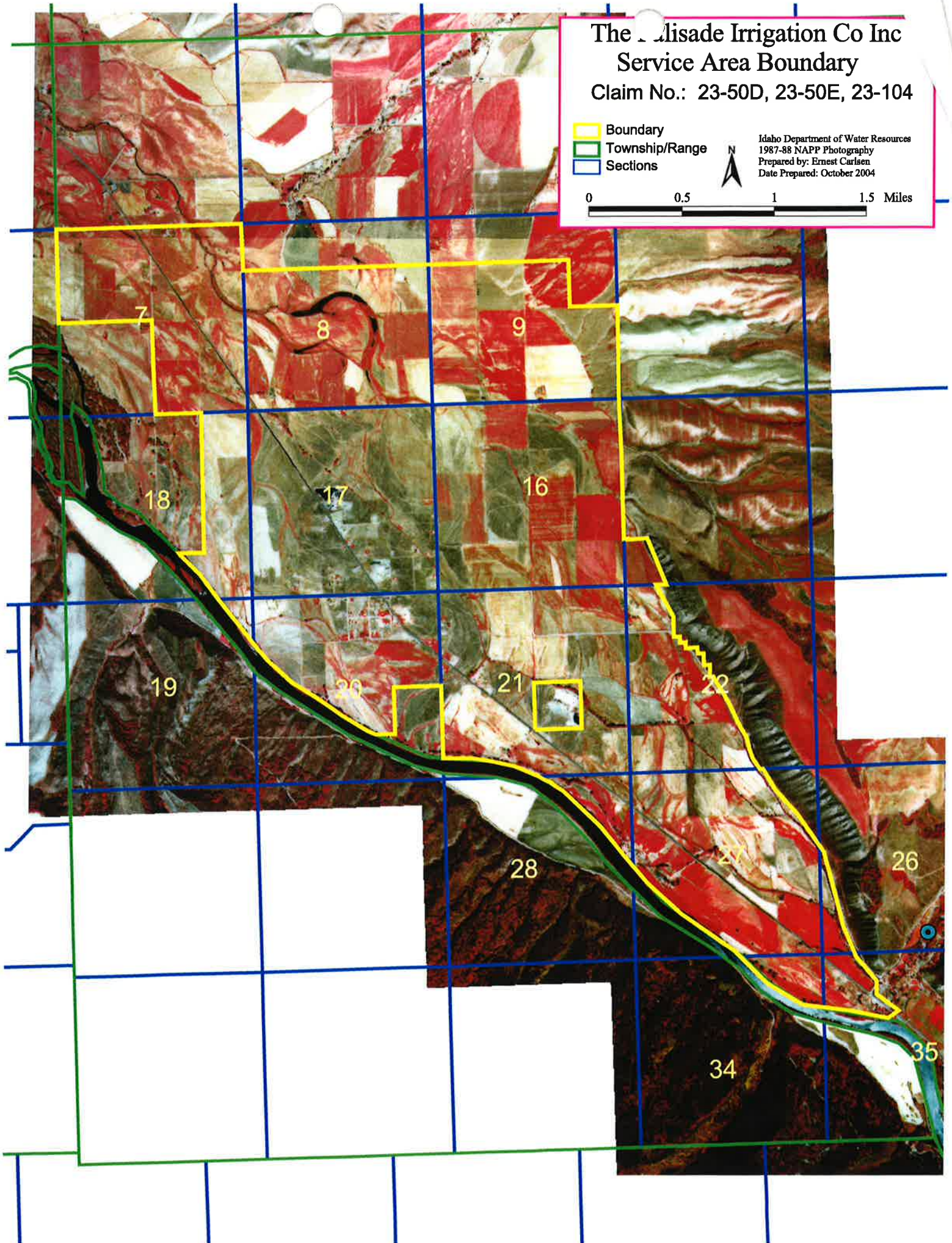
RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
RIGHT NOS. 23-00050E, 23-00104 IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.

The Blissade Irrigation Co Inc
Service Area Boundary
Claim No.: 23-50D, 23-50E, 23-104

- Boundary
- Township/Range
- Sections

Idaho Department of Water Resources
1987-88 NAPP Photography
Prepared by: Ernest Carlsen
Date Prepared: October 2004

0 0.5 1 1.5 Miles



AFFIDAVIT

RECEIVED

APR 05 2004

Department of Water Resources
Eastern Region

To whom it may concern,

I, Estle and Lexi Traughber (husband and wife), split 4.5 CFS from water right 23-50C to water right 23-50D (TX-236). It was to pump the water directly from the Snake River. I try irrigating from the river with the pump. However, it did not work well. I reverted back to the canal operated by the Palisades Irrigation Company, Inc. for my 4.5 CFS water.

Signature:

Estle Traughber
Estle Traughber

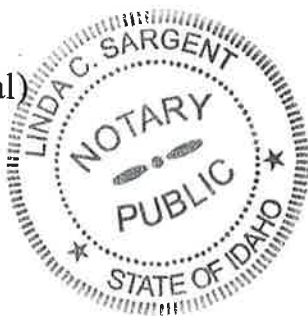
Lexi Traughber
Lexi Traughber

Notary

On this 2nd day of April, 2004, before me the undersigned, a Notary Public for Idaho, personally appeared Estle Traughber and Lexi Traughber (Husband and Wife) known to me to be the persons whose names are subscribed to the within instrument and acknowledged to me the execution of the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

(Seal)



Linda C. Sargent
Notary Public for Idaho

**NOTICE OF ERROR
REPLY**

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS:

Water right number: **23-50D**

THE PALISADES BRICK CO.

RHETT BRADFORD PRES.

PO BOX 37

IRWIN ID 83428

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

2. Describe the changes you wish to make in the proposed recommendation:

3. Give a brief explanation as to why you disagree with these portions:

☒ I AGREE with this proposed recommendation; no changes need to be made.

DATE:

7/2/04

SIGNATURE:

Rhett Bradford
RHETT BRADFORD

Please print your name:

IDWR Regional Office,

Ruberry, Allen

From: Ruberry, Allen
Sent: Tuesday, February 17, 2004 9:24 AM
To: McHugh, Candice
Subject: RE: 23-50D (Traughbers)

-----Original Message-----

From: McHugh, Candice
Sent: Tuesday, February 17, 2004 9:21 AM
To: Ruberry, Allen
Subject: 23-50D (Traughbers)

The document is fine to transfer ownership. I checked with John Homan, he says OK.

Candice

2/20/04 CLAIM NOT YET FILED - WHEN FILED A FEE OF \$100⁰⁰
IS DUE: \$50⁰⁰ CLAIM, \$50⁰⁰ LATE FEE (\$1⁰⁰/AL PAID UNDER
OTHER CLAIMS

SPoke TO RHETT BRADFORD, TPIC PRES., ABOUT FILING
THE CLAIM - HE WILL HAVE RON PETERSON STOP
BY AND DO SO.

NOTICE OF PROPERTY TRANSFER

The undersigned, each of whom own a portion of the property involved, for good and valuable considerations, the receipt and sufficiency of which is acknowledged, hereby grant and convey to the Palisades Irrigation Co., State of Idaho, Bonneville County, that property described herewith.

Property Description: Water Right 23-50D

Notice is hereby given that on the 13 day of February, 2004, I, Estle Traughber and Lexi Traughber, (Husband and Wife) execute the transfer of Water Right 23-50D to the Palisades Irrigation Company.

Signature:

Estle Traughber
Estle Traughber

Lexi Traughber
Lexi Traughber

Notary

On this 13th day of February, 2004, before me the undersigned, a Notary Public for Idaho, personally appeared Estle Traughber and Lexi Traughber (Husband and Wife) known to me to be the persons whose names are subscribed to the within instrument and acknowledged to me the execution of the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

(Seal)



Linda C. Sargent
Notary Public for Idaho

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 23-50D

WATER RIGHT NUMBER: 23-50D

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	SWAN VALLEY IRRIGATION CO

	, ZZ
Current Owner	PAUL E TRAUGHBER 150 E HUBBARD RD KUNA, ID 83634 (208)888-6202

Current Owner	ANNA TRAUGHBER
---------------	----------------

	, ZZ
--	------

Priority Date: 06/01/1900

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
SNAKE RIVER	COLUMBIA RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	/ to /	4.500 CFS	
	<u>Total Diversion:</u>	4.500 CFS	

Location of Point(s) of Diversion

SNAKE RIVER	Sec. 19, Twp 01N, Rge 44E, B.M.
BONNEVILLE County	
SNAKE RIVER	Sec. 20, Twp 01N, Rge 44E, B.M.
BONNEVILLE County	
SNAKE RIVER	Sec. 18, Twp 01N, Rge 44E, B.M.
BONNEVILLE County	

Place of UseIRRIGATION Within BONNEVILLE County

T01N R44E S18 Lot 8 SESE	T01N R44E S19 Lot 1 NENE
T01N R44E S20 Lot 1 NWNW	T01N R44E S20 Lot 2 SWNW

Conditions of Approval:Remarks:

1. General P/D AND P/U INCOMPLETE.
TRANS. 236 CHANGES SOURCE TO SNAKE RIVER, SOUTH FORK.

AFFIDAVIT

Allen,
Does this have the
information you need?

Ron Brown 3/22/04
526-1872

It has as I hear from you,
I will modify (if necessary)
and get signatures.

To whom it may concern,

I, Estle and Lexi Traughber (husband and wife), split 4.5 CFS from water right 23-50C to water right 23-50D (TX-236). It was to pump the water directly from the Snake River. I try irrigating from the river with the pump. However, it did not work well. I reverted back to the canal operated by the Palisades Irrigation Company, Inc. for my 4.5 CFS water.

Signature:

Estle Traughber

Lexi Traughber

RECEIVED

MAR 22 2004

Department of Water Resources
Eastern Region

Notary

On this ____ day of _____, 2004, before me the undersigned, a Notary Public for Idaho; personally appeared Estle Traughber and Lexi Traughber (Husband and Wife) known to me to be the persons whose names are subscribed to the within instrument and acknowledged to me the execution of the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

(Seal)

Notary Public for Idaho

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number 23-50D
Date Received: 3/18/2004
Receipt No:
Received By: *EQ29631*
ABR

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name of Claimant(s)

THE PALISADES IRRIGATION COMPANY INC Phone: (208) 483-3424
RHETT BRADFORD PRESIDENT
PO BOX 37
IRWIN ID USA 83428

2. Date of Priority: 06/01/1900

3. Source: PALISADES CREEK Trib. to: SNAKE RIVER SOUTH FORK

4. Point of Diversion:
Township Range Section 1/4 of 1/4 of 1/4 Lot County Type
01N 44E 26 SW SW SE BONNEVILLE

5. Description of diverting works:
GATED DIVERSION OFF PALISADES CREEK TO CANAL SYSTEM.

6. Water is used for the following purposes:
Purpose From To C.F.S. (or) A.F.A.
IRRIGATION 04/15 10/31 4.5

7. Total Quantity Appropriated is:
4.5 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
01N	44E	18	SE	SE	8	IRRIGATION
						Section Acres
						40
01N	44E	19	NE	NE	1	IRRIGATION
						Section Acres
						40
01N	44E	20	NW	NW	1	IRRIGATION
			SW	NW	2	IRRIGATION
						Section Acres
						40
						40
						80
						Total Acres
						160

11. Place of use in counties: TETON

12. Do you own the property listed above as place of use? Yes

13. Other Water Rights Used:

14. Remarks:

SEE TRANSFER #236.

15. Basis of Claim:

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Organizations:

I do solemnly swear or affirm that I am Ronald J. Peterson of
Title
The Palisades Irrigation Co., Inc. that I have signed the foregoing
Organization
document in the space below as Secretary of
Title
The Palisades Irrigation Co., Inc. and that the statements contained in the
Organization
foregoing document are true and correct. [Signature]
Signature of Authorized Agent
Secretary of The Palisades Irrigation Co., Inc.
Title and Organization
3 / 18 / 04
Date

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 18th
of March 2004

Aaron B. Ruberry
Notary Public

Residing at PO BOX 1415 RD

My commission Expires 9/23/09

