



IN REPLY REFER TO:

PN-3100
WTR-1.10

United States Department of the Interior

BUREAU OF RECLAMATION
Pacific Northwest Region
1150 North Curtis Road, Suite 100
Boise, Idaho 83706-1234



NOV 22 2004

RECEIVED
NOV 26 2004
Department of Water Resources
Eastern Region

Mr. Ernest Carlsen
Water Rights Supervisor
State of Idaho
Idaho Department of Water Resources
900 N. Skyline Drive, Suite A
Idaho Falls, ID 83402-1718

Subject: Notice of Error and Amended Claim for Water Rights No. 25-7004

Dear Mr. Carlsen:

Please find enclosed the Notice of Error and Amended Claim for Water Right No. 25-7004. These comport with the Application for Amendment of Permit that was filed with the Idaho Department of Water Resources in November 2002. If you have any questions, please call me at 208-378-5306.

Sincerely,

E. Gail McGarry
Program Manager, Water Rights and Acquisition

Enclosures

**NOTICE OF ERROR
REPLY**

MH

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: November 22, 2004

Water right number: 25-07004

UNITED STATES OF AMERICA ACTING THROUGH
REGIONAL DIRECTOR PN REGION CODE PN-3100
BUREAU OF RECLAMATION
1150 N CURTIS RD SUITE 100
BOISE ID 83706-1234
Telephone Number: (208) 378-5306

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

Quantity
Purpose
Place of Use

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

Quantity element should include a remark: "The reservoir storage capacity is 90,500 acre feet when filled to elevation 5112.8 and measured at the upstream face of the dam.

Purpose element should be changed to:

Irrigation storage	80,500 acre feet	01/01 to 12/31
Irrigation from storage	80,500 acre feet	04/01 to 10/31
Fish & Wildlife storage below elevation 5023.0	10,000 acre feet	01/01 to 12/31

Place of Use element should be changed to:

"The place of use is land in the Minidoka Federal Reclamation Project within Bingham, Bonneville, Fremont, Jefferson, Madison, and Teton Counties pursuant to Contract No. 6-07-10-W0999 between the United States Department of the Interior Bureau of Reclamation and Mitigation, Inc."

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

Quantity remark has been added to reflect the operational flux of the reservoir.

Purpose of use has been changed to recognize Ririe Dam and Lake Environmental Impact Statement dated October 6, 1972, page 46, which provides a 10,000 acre foot pool for fish and wildlife. Construction of Ririe Dam and Reservoir was authorized by the Flood Control Act of October 23, 1962, P.L. 87-874 (76 Stat. 1193). House Document No. 562 served as the basis for the authorization. Formal transfer of the project from the Corps of Engineers to the Bureau of Reclamation was consummated by a memorandum of agreement effective October 14, 1976. The Amended Claim changes the nature of use to include 10,000 acre feet (inactive storage) to Fish and Wildlife storage up to elevation 5,023. The total beneficially used storage in the Amended Claim is 90,500 acre feet. Historically, the reservoir has been operated with 10,000 acre feet of storage up to elevation 5,023 for fish and wildlife purposes in addition to 80,500 acre feet of storage for irrigation.

Place of Use was changed to recognize the Fort Hall Indian Water Rights Act of 1990 and Contract No. 6-07-10-W0999 as cited above.

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

DATE: Nov 22, 2004

SIGNATURE:

E. Gail McGarry

Please print your name: E. Gail McGarry, Program Manager,
Water Rights & Acquisitions

IDWR Regional Office, 900 N. Skyline Dr, Idaho Falls ID 83401 (208) 525-7161

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF ID~~HO~~^{MM},
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: A25-07004
Date Received:
Receipt No: X111111
Received By: _____

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

1. Name: UNITED STATES OF AMERICA, ACTING THROUGH 208-378-5306
Address: REGIONAL DIRECTOR, PN REGION CODE-3100
BUREAU OF RECLAMATION
1150 N CURTIS RD SUITE 100
BOISE, ID 83706-1234
2. Date of Priority: JUN 16, 1969
3. Source: WILLOW CREEK Trib. to: SNAKE RIVER
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
03N	40E	22		NW	NW		BONNEVILLE
5. Description of diverting works:
RIRIE DAM AND RESERVOIR
6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION STORAGE	01/01	12/31			80,500.00
IRRIGATION FROM STORAGE	04/01	11/01			80,500.00
FISH & WILDLIFE STORAGE	01/01	12/31			10,000.00
7. Total Quantity Appropriated is:
C.F.S. (and/or) 90,500.00 A.F.A.
8. Total consumptive use is Acre Feet Per Annum.
9. Non-irrigation uses:
10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
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PLACE OF USE: THE PLACE OF USE IS LAND IN THE MINIDOKA FEDERAL
RECLAMATION PROJECT WITHIN BINGHAM, BONNEVILLE, FREMONT, JEFFERSON,
MADISON, AND TETON COUNTIES PURSUANT TO CONTRACT NO. 6-07-10-W0999 BETWEEN

11. Place of use in counties: LANDS IRRIGATED IN BINGHAM, BONNEVILLE, FREMONT, JEFFERSON, MADISON, AND TETON COUNTIES.
12. Do you own the property listed above as place of use? NO.
13. Other Water Rights Used: SEE ATTACHED LIST OF WATER RIGHTS (EXHIBIT B TO CONTRACT No. ~~46~~-07-10-W0999)
14. Remarks:

QUANTITY: THE RESERVOIR STORAGE CAPACITY IS 90,500 ACRE FEET WHEN FILLED TO ELEVATION 5112.8 AND MEASURED AT THE UPSTREAM FACE OF THE DAM.

PURPOSE OF USE: RIRIE DAM AND LAKE ENVIRONMENTAL IMPACT STATEMENT DATED OCTOBER 6, 1972, PAGE 46, PROVIDES A 10,000 AF POOL FOR FISH AND WILDLIFE. CONSTRUCTION OF RIRIE DAM AND RESERVOIR WAS AUTHORIZED BY THE FLOOD CONTROL ACT OF OCTOBER 23, 1962, P.L. 87-874 (76 STAT. 1193). HOUSE DOCUMENT NO. 562 SERVED AS THE BASIS FOR THE AUTHORIZATION. FORMAL TRANSFER OF THE PROJECT FROM THE CORPS OF ENGINEERS TO THE BUREAU OF RECLAMATION WAS CONSUMMATED BY A MEMORANDUM OF AGREEMENT EFFECTIVE OCTOBER 14, 1976.

QUANTITY: TOTAL STORAGE CAPACITY 90,500 ACRE FEET INCLUDES 6,000 ACRE FEET INACTIVE AND 4,000 ACRE FEET DEAD (FISH & WILDLIFE STORAGE) - DOES NOT INCLUDE 10,000 AF EXCLUSIVE FLOOD CONTROL.

MULTI-YEAR STORAGE FACILITY

15. Basis of Claim: PERMIT

Water Right Number:

MH

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 wish to receive and pay a small annual fee for monthly copies of the docket sheet.

For Organizations: I do solemnly swear or affirm that I am Area Manager of
Title

Snake River Area Office Bureau of Reclamation, that I have signed the foregoing
Organization

document in the space below as Area Manager of Snake River Area Office Bureau of
Title Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent [Signature]

Title and Organization Area Manager, Snake River Area Office Bureau of
Reclamation

Date 11-19-04

State of Idaho)

County of Ada)

Subscribed and sworn (or affirmed) before me this 11 day of November 2004



Notary Public Diana L. Jacobs

Residing at Boise, Idaho

My Commission Expires 5-23-06

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

Last Name _____ Ident. Number _____

CONTRACTOR'S SERVICE AREA

EXHIBIT B
MH

<u>Name of Entity</u>	<u>Snake River Basin Adjudication Claim No.</u>	<u>Total Acres</u>
Bannock Jim Slough	A22-00654	604.8
Bear Trap Canal.	Multiple Claims	2,413.5
Bigler Slough	A22-00351	80.0
Blackfoot Irrigation Co.	A01-00001J	11,053.3
Burgess Canal & Irrigating Co.	A01-00029	22,200.6
Butler Island Canal Co.	A01-00231	988.0
Butler Island Ditch No. 2	A01-10031	73.0
Butte & Market Lake Canal Co.	A01-00080B	22,052.5
Canyon Creek Canal Co., Inc.	A22-00195	11,265.0
Chester Canal & Irrigation Co.	A21-00060B	2,197.0
Conant Creek Canal Co., An Idaho Corp.	A21-00083	4,515.6
Consolidated Farmers Canal Co., Ltd.	A01-00043	10,068.0
Corbett Slough Ditch Co.	A01-00047	4,462.4
Craig-Mattson	Multiple Claims	459.0
Curr Ditch	Multiple Claims	1,295.5
Danskin Ditch Co.	A01-00052A	5,221.0
Dilts Irrigation Co.	A01-00236	630.0
Egin Irrigation Co.	A01-00057	6,103.0
Ellis-Bramwell Ditch Co.	A01-00257	332.0
Enterprise Canal Co., Ltd.	A01-00059	4,853.0
Enterprise Irrigation Dist.	A21-00159	6,885.0
Fall River Irrigation Co.	A21-11226	14,203.0
Farmers Friend Irrigation Co., Ltd.	A01-00061	10,857.0
Foster Agro	See Palisades Water Users	
Harrison Canal & Irrigation Co.	A01-00069	14,226.0
Kelly Hill	See Craig-Mattson	
Merlin H. Hill	A01-07020	60.0
Verdale E. Hill	See Kite & Nord Ditch	
Hill-Pettinger	Multiple Claims	267.0
Idaho Irrigation District	A01-00312	37,654.0
Independent Canal Co., Ltd.	A01-00079	7,272.0
Island Irrigation Co.	A01-00081C	3,760.0
Island Ward Canal Co.	A22-00605	3,269.0
Kite & Nord Ditch	A01-00242	209.0
LaBelle Irrigating Company	A01-00244	2,853.0
Last Chance Canal Co., Ltd.	A01-00095	3,690.0
The Lenroot Canal Co.	A01-00098	3,031.0
Liberty Park Irrigation Co., Inc.	A01-00104	5,427.0
Long Island Irrigation Co.	A01-00109G	16,021.8
Mc Bee Ditch	A21-00072C	105.0
Mc Cormick Rowe Ditch	A22-00425A	240.0
Nelson-Cory	Multiple Claims	218.0
New Lavaside Ditch Company Limited	A01-00132A	4,831.0
New Sweden Irrigation District	A01-02009A	28,130.1
Nielson-Hansen Canal	A01-00136C	269.0

CONTRACTOR'S SERVICE AREA

EXHIBIT B
MH

<u>Name of Entity</u>	<u>Snake River Basin Adjudication Claim No.</u>	<u>Total Acres</u>
North Fremont Canal Systems, Inc.	A21-00073A	27,831.0
	A21-00073B	240.0
	A21-00140	6,912.0
North Rigby Irrig. & Canal Co., Inc.	A21-00049	7,117.0
Osgood Canal Co., Inc.	A01-00138	1,212.0
Palisades Water Users, Inc.	A01-00181D	5,988.0
Parks & Lewisville Irrigation Co., Inc.	A01-10214	21,029.0
Parsons Ditch Co.	A01-00142A	9,800.0
Peoples Canal & Irrigation Co.	A01-00146A	940.0
Pioneer Ditch Company	A01-00147	15,483.5
Poplar Irrigation District	A22-00457	311.0
Progressive Irrigation District	A01-00156	869.8
Reid Canal Co.	A01-00066	30,504.6
Rexburg Irrigation Co.	A01-00182C	5,604.0
	A22-00469	40.0
	A22-11027	6,745.0
Rigby Canal & Irrigation Co.	A01-00116T	3,916.0
Riverside Canal Co.	A01-00117BA	2,935.0
Ross & Rand Canal	A01-00230	168.0
Rudy Irrigation Canal Co., Ltd.	A01-00162H	5,528.0
St. Anthony Union Canal Co.	A01-00175	14,596.0
Salem Union Canal Company Limited	A01-00166	4,978.0
Earl Searle Family Partnership	A01-00116A	505.0
Silky Ditch	Multiple Claims	1,159.0
Snake River Valley Irrigation Dist.	A01-00038	20,864.0
Squirrel Creek Irrigation & Canal Co.	A21-00109C	1,175.0
Brent Stolworthy Family, Ltd., Partnership	A01-00162F	994.0
Sunnydell Irrigation District	A01-10013	3,860.0
Teton Irrigation & Manufacturing Co.	A22-00549	3,114.5
Teton Island Feeder Canal, Partnership	A22-00288	10,717.0
Texas Slough Irrigating Canal Co.	A01-00182A	4,033.0
Trego Ditch Co.	A01-00002A	1,302.0
Twin Groves Irrigation & Manufacturing	A01-10052	3,068.0
Watson Slough Ditch & Irrigation Co.	A01-00191H	2,638.0
Wearyrick Ditch Co.	A01-00193	1,542.0
West Labelle Irrigation Co., Ltd.	A01-00195G	1,875.0
Westside Mutual Canal	Multiple Claims	1,323.5
Wilford Irrigation & Manufacturing Co.	A22-12654	2,598.0
Woodmansee-Johnson-Rexburg Mill Ditch, Inc.	A22-00205	1,294.0
Woodville Canal Co.	A01-00196	2,648.0
TOTAL, ALL CLAIMS		511,803.0