

April 26, 2004

Portneuf Irrigation Company
PO Box 194
Arimo ID 83214

RE: Claim to water right in the Snake River Basin Adjudication

Gentlemen:

I have reviewed the documentation submitted for 29-51 and 29-11277 and also discussed the matter with Allen Ruberry who did the initial fieldwork and prepared the recommendations. The conclusion of this work is reflected in the attached reports and illustrated on the attached maps.

The maps show 3117.6 acres you have identified as irrigated in 1987 and prior by Portneuf Irrigation Co. These are the lands you asked to have included as the irrigated place of use with two acceptations. I did not include the Hardcastle property north of the Portneuf River and small acreage between the railroad and the Portneuf River, which I believe is owned by Avery. Since I do not have the benefit of having done the fieldwork I am deferring to Allen Ruberry on the disposition of these two properties. Though the acreage is not included the service area boundary does include the property. Therefore, provided the company is agreeable these lands can be irrigated. The map also shows some 237 acres that are being claimed by both Portneuf Irrigation and McCammon Ditch. I elected to leave the overlap rather than asking the two companies to identify which acres are being irrigated by each company. This allows for more acres as a concession to the unresolved issue of Hardcastle and Avery discussed above.

I have included three reports. The report entitled Preliminary Recommendation for 29-51 lists the number of irrigated acres by QQ and totals the 3117.6 acres. The other two reports are in underline/overstrike format to show the changes between the initial Director's Report and the newer version for both 29-51 and 29-11277.

After you have reviewed these reports please contact Candice McHugh at (208) 327-5404. If you agree with these changes she will have a Stipulation prepared to show that IDWR and Portneuf Irrigation have reached an agreement resolving the objection of Portneuf Irrigation Co. If you disagree the matter will likely be turned over to Allen Ruberry for further discussion.

Respectfully yours,

Ernest Carlsen
Water Rights Supervisor
Enclosures (4)
cc: Candice McHugh