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May 26, 2005

VIA - FedEx and FACSIMILE - 208-525-7177

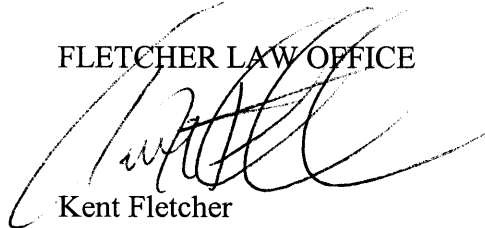
IDWR Regional Office
900 N. Skyline Drive, Suite A
Idaho Falls, Idaho 83402

RE: Minidoka Irrigation District - Notices of Error

Enclosed please find Notices of Error filed on behalf of the Minidoka Irrigation District.

Sincerely,

FLETCHER LAW OFFICE



Kent Fletcher

KF/brd

Enclosures

pc: Minidoka Irrigation District w/enclosures

**NOTICE OF ERROR
REPLY**

Water Right No.: 1-8

Minidoka Irrigation District
98 West 50 South
Rupert, Idaho 83350
(208) 436-3188

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

Points of Diversion

Number of Acres

No mention of Foster Decree rights

The amount authorized to be diverted should mirror recommendation made for Burley Irrigation District

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

Points of Diversion: Need to add as a point of diversion: SW SE SW - Section 01 - T09S - Range 25 E - Cassia County (South Side Canal).

Number of Acres: Need to change number of acres to 77,410.8.

Foster Decree: IDWR has made no recommendations concerning the claims filed by BOR. The rights of the Minidoka Irrigation District to return flow credits needs to be set forth in the recommendation. Adjustments in natural flow for gains and losses should be computed for the Neeley - Minidoka and Minidoka - Milner reach as though the Minidoka Project does not exist, and all net return flow credits should be applied to the Minidoka Irrigation District and Burley Irrigation District as required by the Foster Decree.

Usage of Water: The language concerning the use of the total water rights should mirror the language used in the water rights for the Burley Irrigation District. If the Burley Irrigation District is not using its share of the total Minidoka Project water right, Minidoka Irrigation District should be entitled to divert and use the water right up to the maximum of Minidoka Irrigation District's capacity.

KMD
5/31

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

Points of Diversion: Preliminary recommendation failed to described South Side Canal diversion.

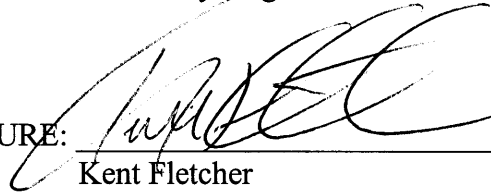
Number of Acres: Preliminary recommendation did not list all irrigated acres located within the Minidoka Irrigation District.

Foster Decree: There is no mention of the Foster Decree water rights in the recommendation.

Usage of Water: The right to divert the total Minidoka Project water right should be identically worded in the recommendations made for the Burley Irrigation District and the Minidoka Irrigation District.

DATE: May 26, 2005

SIGNATURE: _____



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