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June 1, 2004

Candice McHugh
Deputy Attorney General
State of Idaho
P.O. Box 83720
Boise, Idaho 83720-0098

RECEIVED
JUN 03 2004

Department of Water Resources
Eastern Region

Al Ruberry
Eastern Region
Idaho Department of Water Resources
900 N. Skyline Drive, Suite A
Idaho Falls, Idaho 83402

Re: Portneuf Irrigators Settlement Conference - Basin 29

Dear Candice and Al:

It's my understanding that prior to the next settlement conference scheduled for June 30 at 1:00 p.m., the Department will develop and present an administration plan for the delivery of early/late irrigation rights if the river is segmented for delivery purposes into an upper reach from Pebble Creek to the Lava Irrigation Company diversion and a lower reach from the Lava Irrigation diversion to the diversions of Portneuf-Marsh Valley Canal Company/Portneuf Irrigating Company/McCammon Ditch Company. Further, that the Department will identify and provide flow data and records prior to and after the irrigation season.

To further our analysis and preparation, we would ask that the Department provide the following additional information:

1. A list of all irrigation rights on the Portneuf River, reflecting the right number, priority date, quantity and point of diversion.

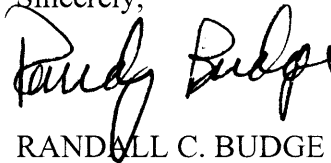
June 1, 2004

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2. A list of all early/late irrigation rights recommended by the Department.
3. All evidence submitted to the Department in support of the recommended early/late irrigation rights. If the information is too voluminous to copy, please advise when we can arrange to review the same.
4. A chart reflecting all early/late irrigation season flows at the Pebble and Topaz gauge stations, together with the supporting data.
5. The copy of the *Union Elevator vs. McCammon Ditch Decree* which I have reflects that the original Final Decree was entered on July 1, 1921 and that an Amended Decree was entered on December 4, 1922. I assume this was further amended, which gave rise to a Final Decree entered in 1932 establishing the priority date the Department is relying upon. Would you kindly provide a copy of that Decree. Additionally, the Amended Decree I have indicates that Findings of Fact and Conclusions of Law were entered. If you have those available, would you please provide a copy. If you do not have them available, let me know and we will do further research with the Court.

I would appreciate it if you would provide it simultaneously to me and to Chuck Brockway at 2016 Washington Street North, Twin Falls, Idaho 83301. Thanks for your cooperation and assistance. If you have any questions, give me a call.

Sincerely,



RANDALL C. BUDGE

RCB:rr

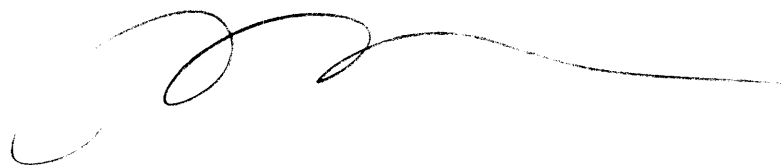
cc: Charles Brockway

Caradico:

FYI - BASIN 22 probs.

This TABLE IS A SORT FOR BU
CLAIMS ON G.W. AFTER 3/25/1963.

The 2000 AND 7000 ARE PROBABLY
DATA FIXES I CAN DO. THE 4000'S DON'T
MATHEN YET.



Basin_22_BU_after_03_25_1963

Basis	Basin	Sequence	Suffix	PriorityDate	UseCode	RightID
Beneficial Use	22	2231	A	10/30/1963	01	230283
Beneficial Use	22	2234	A	12/16/1964	01	230284
Beneficial Use	22	2245	B	3/11/1965	01	256052
Statutory Claim	22	4017		9/1/1963	01	243711
Statutory Claim	22	4076		6/1/1965	01	264543
Statutory Claim	22	4103		6/1/1965	01	242623
Statutory Claim	22	4181		9/1/1968	01	243715
Statutory Claim	22	4185		6/15/1983	01	243000
Statutory Claim	22	4191		6/1/1970	01	230372
Statutory Claim	22	4195		7/15/1965	01	230375
Beneficial Use	22	7071	A	4/25/1973	01	230400
Beneficial Use	22	7095	A	7/8/1974	01	230413
Beneficial Use	22	7228	A	4/25/1977	01	230445
Beneficial Use	22	10002		5/1/1970	07	230508
Beneficial Use	22	10008		10/24/1977	07	242630
Beneficial Use	22	10012		6/1/1975	10	230517
Beneficial Use	22	10025		8/1/1967	10	230529
Beneficial Use	22	10118		5/1/1981	07	230616
Beneficial Use	22	10164		5/1/1963	01	230657
Beneficial Use	22	10287		4/1/1966	10	230774
Beneficial Use	22	10405		3/1/1978	01	230890
Beneficial Use	22	10464		4/15/1978	01	230947
Beneficial Use	22	10483		6/1/1968	01	252124
Beneficial Use	22	10511		5/1/1968	01	230990
Beneficial Use	22	10516		8/15/1975	01	230995
Beneficial Use	22	10584		9/13/1984	10	231060
Beneficial Use	22	10605		6/10/1973	01	231081
Beneficial Use	22	10624		6/1/1971	01	231098
Beneficial Use	22	10632		8/15/1979	10	231106
Beneficial Use	22	10649		4/1/1968	01	231123
Beneficial Use	22	10713		1/1/1970	01	231181
Beneficial Use	22	10775		4/1/1974	01	231242
Beneficial Use	22	10805		6/11/1977	01	231269
Beneficial Use	22	10897		6/20/1966	01	231353
Beneficial Use	22	10939		11/23/1965	01	231393
Beneficial Use	22	10970		4/15/1978	10	231420
Beneficial Use	22	11003		4/1/1975	01	231438
Beneficial Use	22	11004		4/1/1985	01	231439
Beneficial Use	22	11019		4/1/1971	01	252130
Beneficial Use	22	11034		6/13/1973	01	231449
Beneficial Use	22	11044		9/1/1977	22	231454
Beneficial Use	22	11070		6/1/1978	01	231473
Beneficial Use	22	11082		4/21/1978	01	353741
Beneficial Use	22	11149		4/15/1981	01	231522
Beneficial Use	22	11185		4/23/1967	01	231545
Beneficial Use	22	11285		7/19/1963	01	231599
Beneficial Use	22	11318		4/1/1966	01	231608
Beneficial Use	22	11376		3/8/1965	01	243538
Beneficial Use	22	11381		8/31/1978	01	278040
Beneficial Use	22	11435		4/1/1984	01	261692
Beneficial Use	22	11472		6/30/1970	01	231669

Basin_22_BU_after_03_25_1963

Beneficial Use	22	11523		8/26/1982	01	243013
Statutory Claim	22	11537		7/21/1969	01	241043
Beneficial Use	22	11578		6/30/1971	01	242396
Beneficial Use	22	11639		7/21/1969	01	244510
Beneficial Use	22	11645		8/18/1966	01	252146
Beneficial Use	22	11825		8/10/1985	10	242037
Beneficial Use	22	11912		5/9/1978	01	243147
Beneficial Use	22	11924		4/15/1978	01	243149
Beneficial Use	22	11987		6/1/1965	02	242666
Beneficial Use	22	12075		4/15/1982	01	243562
Beneficial Use	22	12079		5/1/1975	07	243564
Beneficial Use	22	12155		12/31/1965	01	265765
Beneficial Use	22	12366		1/15/1980	01	252701
Beneficial Use	22	12392		6/1/1965	01	255131
Beneficial Use	22	12543		5/25/1977	01	261882
Beneficial Use	22	12571		12/31/1976	01	262125
Beneficial Use	22	12656		1/16/1979	01	263088
Beneficial Use	22	12671		2/25/1970	01	266653
Beneficial Use	22	12765		5/15/1989	01	338020
Beneficial Use	22	12893		6/12/1968	01	221495
Beneficial Use	22	12900		2/1/1965	01	189725
Beneficial Use	22	13019		5/15/1980	01	397506
Beneficial Use	22	13128		4/1/1963	01	424287
Beneficial Use	22	13185		6/1/1969	46	555062
Beneficial Use	22	13271		4/1/1985	01	570607
Beneficial Use	22	13289		4/1/1982	01	577006

11598 maybe a Permit