



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

April 23, 2003

✓ Falls Irrigation District
310 Valdez Street
American Falls, Idaho 83211

Kathleen Carr
U.S. Department of Interior
Office of the Solicitor
550 West Fort Street
Boise, Idaho 83724-0020

Re: Snake River Basin Adjudication
Preliminary Report Basin 29
Claims 29-2262, 29-2288, 29-2306, 29-2307, 29-2310, 29-2568, 29-2614

Dear water right claimants,

The U.S. Bureau of Reclamation (BOR) filings appear to claim the same water rights as Falls Irrigation District (Falls). IDWR has begun investigating the BOR claims in relation to the Falls claims. A question has arisen over how each claimant acquired the water rights with a source of ground water and listed below that were formerly developed and held by an individual private party, as evidenced by the water right licenses. The claims filed by neither BOR nor Falls provide any information about what amounts to a chain of title for the water rights.

IDWR plans to re-issue preliminary reports for water rights claims:

	<u>W.R. No.</u>	<u>Diversion Rate (cfs)</u>	<u>License Holder</u>
✓ Well E -	29-2262	2.0	C W Coon
✓ Well G -	29-2288	2.0	Delbert G. Taylor
Well B -	29-2306	2.8	D G Taylor
Well F -	29-2307	2.0	D G Taylor
Well Q -	29-2310	1.6	A William Isaak
Well P -	29-2568	3.1	John P Mehlhaff
(Well 16) Well K -	29-2614	1.52	Paul P Spalding
✓	29-2567	2.75	John L Gaskill
Well C {	29-13426	(split of 29-2567)	
Well 16 {	29-13427	(split of 29-2567)	

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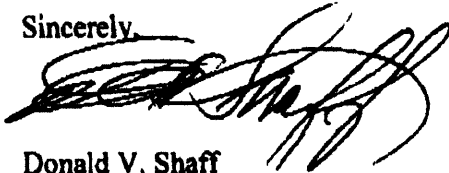
APR 28 2003

FALLS IRRIGATION

The other water rights for which both BOR and Falls have filed claims in Basin 29 that were also listed in my letter dated April 18, 2003, are represented by water right licenses issued to BOR. The holder of the water right license or a successor bears heavily on the name of the claimant represented in the director's report to the Court.

BOR may anticipate filing amendments for one or more of the claims listed above. The substance of my request is not dependent on receiving possible amended claims. I wish you to address how you acquired title to the water rights listed above. Your early reply will allow making a revised preliminary report to you keeping the timeline for a director's report on track. Thank you for your help in this scramble to get a director's report filed.

Sincerely,



Donald V. Shaff
Technical Section Manager

Cc: Roger Ling

**State of Idaho****DEPARTMENT OF WATER RESOURCES**

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DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

April 18, 2003

Falls Irrigation District
310 Valdez Street
American Falls, Idaho 83211

Via FAX

Kathleen Carr
U.S. Department of Interior
Office of the Solicitor
550 West Fort Street
Boise, Idaho 83724-0020

Re: Snake River Basin Adjudication
Preliminary Report Basin 29
Claims 29-2262, 29-2288, 29-2306, 29-2307, 29-2310, 29-2341, 29-2380,
29-2567, 29-2568, 29-2571, 29-10044, 29-10047, 29-2614

Dear water right interests,

Many of the claims filed by the U.S. Bureau of Reclamation (BOR) in 1989 were not considered when IDWR investigated claims in Basin 29. Consequently, the BOR claims were not reported in the preliminary report last month. I wish to thank Ms. Carr and the BOR staff in Burley on April 9, 2003, by assisting IDWR with recovering the BOR claims.

The BOR filings appear to claim the same water rights as Falls Irrigation District (Falls). IDWR has begun investigating the BOR claims in relation to the Falls claims. Judging from talks with BOR staff, I anticipate BOR will amend some of the claims to file on the entire amount of water described in the supporting water right licenses and submit claims for rights that have been split from land use changes after the water right licenses were issued that BOR used for two claims.

Shortly after BOR makes the anticipated amended and additional claims, I plan to issue to each claimant and their counsel revised preliminary reports for the water right claims each entity has filed. If BOR submits claims to IDWR next week, the revised report could be sent by the first of May. IDWR is working diligently to submit a director's report of claims in the basin no later than June of this year.

IDWR plans to re-issue preliminary reports for water rights claims:
29-2262 Well E

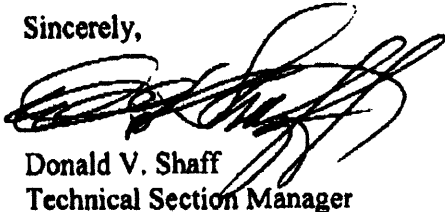
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APR 23 2003
FALLS IRRIGATION

29-2262
Well E

29-2288	Well G
29-2306	Well B
29-2307	Well F
29-2310	Well Q
29-2341	Well M
29-2380	Several wells (BOR claim)
29-2568	Well P
29-2614	Well K (formerly numbered 35-2302)
29-13388	(split of 29-2571 that was Well H)
29-13389	(split of 29-2571 that was Well H)
29-13426	(split of 29-2567 that was Well C)
29-13427	(split of 29-2567 that was Well C)

I hope this plan meets with your approval. If you have any questions, you may direct them to me. Eastern Region IDWR staff is in charge of investigating the claims in Basin 29, but I stepped into the breach to carry the review of BOR and Falls claims forward. Thank you for your help in this scramble to get a complete director's report.

Sincerely,



Donald V. Shaff
Technical Section Manager

Cc: Roger Ling via FAX

Fax from: Falls Irrigation District
310 Valdez St.
American Falls, ID 83211

DATE SENT:

4-29-03

Fax to:

FOUR

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DEPARTMENT:

ROGER WARNER

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REMARKS: