



IN REPLY REFER TO:

SRA-6434
WTR-4.00

United States Department of the Interior

BUREAU OF RECLAMATION

Snake River Area Office
1359 Hansen Avenue
Burley, Idaho 83318-1821

JUL 17 2006

RECEIVED
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DEPARTMENT OF
WATER RESOURCES

State of Idaho
Idaho Water Resource Board
322 E Front Street
PO Box 83720
Boise, ID 83720-0098

Subject: Snake River Basin Adjudication (SRBA), Water Right Settlement 21-7282

Dear Sirs:

The Bureau of Reclamation (Reclamation) has objected to the Director's recommendation of your water right No. 21-7282 in the SRBA. Reclamation has objected to the remark in the "priority date" of your water right. Reclamation would like to resolve its objection by clarifying this remark. Enclosed are proposed adjustments to your water right that would resolve our objection. We would like to hear from you if you are in agreement with this proposal. If so, we will let the Idaho Department of Water Resources know that we have a proposed settlement.

The SRBA Court will set all objections which have not been settled for initial hearing. If you accept the terms of the proposed settlement prior to the initial hearing, it may not be necessary for the SRBA Court to hold the hearing. Please contact Jami Andersen at 208- 678-0461 Extension 22, or by mail, by July 24th if you agree with this proposal. If so, she will work with IDWR to finalize the settlement documents for your signature.

If you have any questions, please contact Ms. Andersen at the above phone number. Thank you for your consideration in this matter.

Sincerely,

Chris Ketchum
Deputy Area Manager

Enclosure

01/12/2006

IDAHO DEPARTMENT OF WATER RESOURCES RECOMMENDED
WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 21-7282

NAME AND ADDRESS: STATE OF IDAHO
IDAHO WATER RESOURCE BOARD
322 E FRONT ST
PO BOX 83720
BOISE ID 83720-0098

SOURCE: HENRYS FORK TRIBUTARY: SNAKE RIVER

QUANTITY: 1,000 000 CFS

The rate of flow under this right for the upper reach during the entire year and the lower reach from 10/01 through 3/31 shall be limited to 300 cfs, or the rate of flow provided by the Buffalo River plus other tributary flows throughout the minimum stream flow reaches, whichever is less

PRIORITY DATE: 06/19/1981

The use of water under this right is subject to all prior rights; specifically, the water rights and practices of the Fremont-Madison, Falls, A & B, Burley and Minidoka Irrigation Districts; American Falls United States and its Contractors. Reservoir District #2 and the Warren Act Contractors. The right shall not be deemed to impose any conditions or requirements upon the operation of Island Park Dam

POINT OF
DIVERSION:

I10N R43E S25 SENE End of Stream Flow Within FREMONI County
I13N R43E S33 NWNW Begin of Stream Flow Within FREMONI County
The upper minimum stream flow reach extends from the NWNW, S33, I13N, R43E to the point where Henrys Fork intersects the line between Sec. 13 and Sec. 14, I10N, R43E. The lower reach extends from this point downstream to the SENE, S25, I10N, R43E.

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	MINIMUM STREAM FLOW	01/01 12/31	300 000 CFS
		04/01 09/30	1,000.000 CFS

Use of water under this right shall be non-consumptive.

PLACE OF USE:

The place of use of the minimum stream flow water right is stream reach from the beginning quantification point to the ending quantification point identified above

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

The Director retains jurisdiction, as described below, to review and amend any and all parameters of this right. The Board, upon receiving a request, or upon its own initiative, may petition the Director for an amendment to the right. The petition must set forth any significant change in circumstances and evidence of the public interest supporting the proposed amendment. The Director will notify the general public and specific persons or known interested parties of the proposed change, and conduct a hearing for the purpose of determining whether the right should be amended in the public interest. The burden of proof at the hearing shall be upon the persons or parties seeking the amendment to establish that the amendment of the right would be in the public interest.

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code

EXPLANATORY MATERIAL: BASIS OF CLAIM License

Use of water under this water right will be regulated by the watermaster of State Water District No. 01

Upon the future finding and order of the Director that gauging stations are required to maintain the minimum flow of the Henrys Fork, such measuring devices shall be permanently installed and maintained as specified by the Department.