

NOTICE OF ERROR
REPLY

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS:

Water right number: 1-10509

TWIN FALLS CANAL COMPANY
P.O. BOX 326
TWIN FALLS, ID 83303
Telephone Number: (208) 733-6731

NORTH SIDE CANAL CO. LTD
921 N. LINCOLN AVE.
JEROME, ID 83338
Telephone Number: (208) 324-2319

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

The water right should be recommended as claimed (including the language identified as necessary for the definition or administration of the right). *See attached* (with one change identified below).

In addition, in the "Other Provisions Necessary for Definition or Administration of this Water Right" the first paragraph should read as follows:

Milner Reservoir is generally filled with flood flows; but, if necessary, has been, and will be filled with water delivered under Right Nos. 2A and 2B of the Foster Decree of June 20, 1918. The water has been diverted to irrigation by TFCC/NSCC as the last irrigation water each year.

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

See above.

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

☐ I AGREE with this proposed recommendation: no changes need to be made.

DATE: 12/11/06

SIGNATURE:

Please print your name:

Craig C. Thompson - attorney

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

The purposes of use should be recommended as claimed.

In "Other Provisions Necessary for Definition or Administration of this Water Right" the first paragraph should read as follows:

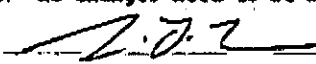
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2. Describe the changes you wish to make in the proposed recommendation:

See above.

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

I AGREE with this proposed recommendation: no changes need to be made.

DATE: 11/30/06 SIGNATURE: 
Please print your name: Travis C. Thompson - attorney

IDWR Regional Office, 900 N Skyline Dr., Ste A, Idaho Falls, ID 83402, 2085257161

Received Time Nov. 30. 1:43PM

MEMORANDUM

To: Ernie Carlsen, Michael Holliday
From: Tony Olenichak, Water District #1
Date: December 5, 2006
Re: Lake Milner Storage Claim 1-10509

When I recently heard about SRBA claim 1-10509 possibly being recommended by the IDWR, I was initially concerned because Water District #1 has never allocated storage water to either North Side or Twin Falls Canal Companies from Lake Milner. Water District #1 has always considered Lake Milner a regulating reservoir used to capture natural-flow and storage deliveries from upstream sources eventually diverted by diversions between Minidoka and Milner. In the past, Water District #1 hasn't allocated Lake Milner storage to any Lake Milner spaceholders. However, it should be noted Lake Milner contents typically fluctuate through the irrigation season. The increase in contents could be added to reservoir system storage allocations, and likewise the decrease in contents could be charged as storage diverted by diversions.

Claim 1-10509 indicates 24,400 acre-feet of usable Lake Milner storage space. If this claim is to be recommended and decreed, it is important to determine the appropriate amount of "usable storage" because any priority decreed earlier than March 29, 1921 will guarantee the complete refill of the space in Lake Milner each irrigation season – meaning North Side and Twin Falls Canal Companies would be allocated 24,400 acre-feet of additional storage in the reservoir system they have not been allocated in previous years. If the 24,400 acre-feet is more water than the two canals physically use out of Lake Milner, their additional storage allocation could result in reducing the physical contents of the upstream reservoirs at the end of the irrigation season, offset by any decrease-in-contents of Lake Milner.

I've attached a table of Lake Milner change-in-contents for the period of maximum fill date to the day of minimum contents at the end of each irrigation period (prior to November 15th) for the years 1981 through 2006. This should closely approximate the "used" storage from Lake Milner during the irrigation period. Data for years prior to 1981 were not included in the attached table, but could be hand-computed using the annual Watermaster Reports and Lake Milner capacity table. The attached table shows average change-in-contents or storage physically used from Lake Milner was 17,319 acre-feet during the 26-year period. Four years (1981, 1988, 1989, and 1991) exceeded the 24,400 acre-feet of storage claimed, while the remaining 22 years indicated less than 24,400 acre-feet of storage was physically evacuated from Lake Milner during the period March 15th through November 15th.

**LAKE MILNER MINIMUM AND MAXIMUM CONTENTS (acre-feet)
FOR PERIOD MARCH 15 - NOVEMBER 15**

CALENDAR YEAR	MAXIMUM CONTENTS * (acre-feet)	MINIMUM CONTENTS ** (acre-feet)	DECREASE IN CONTENTS (acre-feet)
1981	44,103	5,367	38,736
1982	31,350	17,509	13,841
1983	31,309	15,680	15,629
1984	30,861	24,206	6,655
1985	43,344	24,931	18,413
1986	46,944	23,508	23,436
1987	37,978	15,611	22,367
1988	38,452	11,732	26,720
1989	38,928	13,456	25,472
1990	38,486	19,634	18,852
1991	38,779	11,987	26,792
1992	37,344	32,244	5,100
1993	42,891	33,172	9,719
1994	39,930	30,062	9,868
1995	43,347	32,611	10,736
1996	38,679	33,528	5,151
1997	50,000 ***	34,497	15,503
1998	37,966	21,833	16,133
1999	44,414	21,020	23,394
2000	39,446	17,426	22,020
2001	37,967	26,958	11,009
2002	38,242	22,853	15,389
2003	38,146	22,113	16,033
2004	37,518	24,200	13,318
2005	38,606	17,159	21,447
2006	43,638	25,079	18,559
AVERAGE	39,564	22,245	17,319

* Maximum contents occurring between March 15th and November 15th

** Minimum contents occurring between date of maximum contents and November 15th

*** Actual contents probably exceeded maximum reported contents of 50,000 ac-ft during 1997 flooding.

Source of data is USBR website (www.usbr.gov/pn/hydromet/yearrpt.html) with station-MIL and data type-AF.

7.

IN THE DISTRICT COURT
OF THE UNITED STATES, IN AND FOR THE DISTRICT OF IDAHO
SOUTHERN DIVISION.

Twin Falls Canal Company,
a corporation, Plaintiff,

vs

Twin Falls Land and Water
Company, a corporation, Twin
Falls North Side Land and Water
Company, a corporation, and
North Side Canal Company, a
corporation, Defendants.

DECREE.

This cause came on to be heard on the 31st day of October, 1913, during the regular September term of this Court, upon the amended bill of complaint of the plaintiff and the answer of each of the defendants, and evidences having been duly taken and submitted and the cause argued by counsel; and thereupon, upon consideration thereof, it was ordered, adjudged and decreed as follows, viz:

(1) It is ORDERED, ADJUDGED AND DECREED that the defendant Twin Falls Land and Water Company execute and deliver to the plaintiff, a good and sufficient deed of conveyance, properly executed and acknowledged by the officers of said corporation, and conveying to the plaintiff the canal system, commonly known as the Twin Falls Canal System and located in Twin Falls County, State of Idaho, which said system was constructed by the said defendant under a certain contract of construction, dated January 2nd, 1903, between the State Board of Land Commissioners of the State of Idaho and the said Twin Falls Land and Water Company, and the same consisting of a system of main and subordinate canals, laterals, ditches and other water appliances, leading from the Milner Dam on the Snake River to and over a large tract of land in said County, commonly known as the Twin Falls tract; and it is furthermore ordered, adjudged and decreed that said deed of conveyance be made free of lien or incumbrance, and without reservation, and particularly that the reservation contained in the deed, dated November 30th 1909 and recorded with the County Recorder of Twin Falls County, in Book 14 of deeds, at page 15, reserving to the said Twin Falls Land and Water Company certain rights, rights of way, easements and interests, be not inserted or included within the deed here ordered to be made, and that said deed shall be so worded and executed as to convey and pass the entire legal and equitable title to said irrigation works and all thereof, except the Milner Dam on Snake River, which is hereinafter more particularly covered; and it is and was furthermore ordered, adjudged and decreed that the said deed include each and all of the water rights and appropriations held by the said defendant, or made by the said defendant covering the lands on the south side of

said Snake River and described and mentioned in the said contract between the State Board of Land Commissioners of the State of Idaho and the said Twin Falls Land and Water Company.

2. It is furthermore ordered, adjudged and decreed that the said Twin Falls Land and Water Company execute and deliver a good and sufficient deed of conveyance, same to be duly executed and acknowledged by the proper officers of said corporation, conveying to the Twin Falls Canal Company, plaintiff herein, an undivided interest in the Milner Dam on the Snake River, which dam was constructed by the said Twin Falls Land and Water Company as a part of the said irrigation works, and shall likewise execute and deliver to the defendant, North Side Canal Company, properly executed and acknowledged, an undivided interest in the said Milner Dam - the said interests to be conveyed to be on the basis of 6/11ths to the said Twin Falls Canal Company, and 5/11ths to the said North Side Canal Company.

3. And it is ordered, adjudged and decreed that the said Twin Falls Canal Company, plaintiff herein, be and it is hereby declared, adjudged to be the owner of the said canal system and irrigation works including a 6/11ths undivided interest in the said Milner Dam, free from any claims, interests, rights or titles of either or any of the defendants, except as expressly contemplated by this decree; and it is ordered, adjudged and decreed that the said North Side Canal Company, defendant herein, be and it is hereby declared and adjudged to be the owner of 5/11ths undivided interest in the said Milner Dam, free from any claims, interests, rights or titles of either or any of the defendants, except as expressly contemplated by this decree and the right, title and interest of the said Twin Falls Canal Company, plaintiff herein, in and to said Dam, canal system and irrigation works, as hereinbefore set forth, and of the said North Side Canal Company, defendant, herein, in and to the said dam, as hereinbefore set forth, be and the same is hereby quieted and confirmed.

4. And it is furthermore ordered, adjudged and decreed that the right of the Twin Falls Canal Company, plaintiff herein, and the said North Side Canal Company, defendant herein, to the use of the said Milner Dam for the purpose of checking and impounding the waters flowing in the Snake River, be and the same is hereby expressly recognized and confirmed, and that the said dam shall be forever held, owned and used by the said companies.

5. It is furthermore ordered, adjudged and decreed that the exclusive management and control of the said Milner Dam be and the same is hereby vested and placed in the said Twin Falls Canal Company, plaintiff herein, such control and management to be in the furtherance of the joint use of said dam for the purposes set forth above; and it is furthermore ordered, adjudged and decreed that the said Twin Falls Canal Company

shall be responsible for the proper maintenance and safe-guarding of the said dam, the measure of its responsibility being reasonable care and diligence in view of the nature of the structure, its use, and the danger thereto reasonably to be anticipated, but the supervision and control of the said Twin Falls Canal Company shall not extend to the diversion or intake gates for the North Side System.

6. It is furthermore ordered, adjudged and decreed that the said Twin Falls Canal Company shall incur any and all reasonable expenses necessary for or incident to the maintaining and safe-guarding of said dam, and such expense shall be borne by the said Twin Falls Canal Company and the said North Side Canal Company, in proportion to the aggregate number of water rights held or owned by water users under each of said systems; and it is furthermore ordered, adjudged and decreed that in the event any dispute or controversy should hereafter arise between the said companies as to the proportionate share to be borne, or as to the justness or legality of any charge or claim made for the payment of such proportionate share, the same may be submitted to this court for decision upon ten days' notice, and this court hereby expressly reserves jurisdiction for the purpose of determining such controversies.

7. And it is furthermore ordered, adjudged and decreed that the said North Side Canal Company, defendant herein, shall pay to the Twin Falls Canal Company, plaintiff herein, the sum of \$500.00 dollars per year, as compensation for the supervision and responsibility hereinbefore decreed, same to include each year, beginning January 1st, 1914; and it is furthermore ordered, adjudged and decreed that the amount of this compensation may be changed from time to time by this court, upon application and ten days' notice, and jurisdiction is expressly reserved in this court for such purpose.

8. And it is furthermore ordered, adjudged and decreed that jurisdiction be and the same is hereby retained in this court for the purpose of modifying at any time, either or any of the provisions of this decree relative to the enlargement, control and management of all said Milner Dam, and to direct and supervise the nature of any alteration, repair, or enlargement of the said dam, in case the plaintiff fails to make or permit any such alterations or repair, and also jurisdiction to direct the height at which water shall be held in said dam.

DONE IN OPEN COURT THIS ^{28TH} DAY OF DECEMBER, 1915

James S. DeBrock
District Judge

DAM SUMMARY INVENTORY SHEET

MILNER

01 - 2027A

Printed: May 10, 2006

Updated: May 10, 2006

<table> <tr><td>STATUS</td><td>A</td><td></td></tr> <tr><td>BASIN</td><td>01</td><td></td></tr> <tr><td>DAM_NUMBER</td><td>2027A</td><td></td></tr> <tr><td>FEDERAL ID NUMBER</td><td>ID00223</td><td></td></tr> <tr><td>DAM NAME</td><td>MILNER</td><td></td></tr> <tr><td>COUNTY</td><td>CASSIA-JER</td><td></td></tr> <tr><td>STREAM</td><td>SNAKE RIVER</td><td></td></tr> <tr><td>REGION</td><td>S</td><td></td></tr> <tr><td>PURPOSE</td><td>I</td><td></td></tr> <tr><td>RISK CATEGORY</td><td>1</td><td></td></tr> <tr><td>SIZE CATEGORY</td><td>1</td><td></td></tr> <tr><td>Q_Q_SECTION</td><td>NESE</td><td></td></tr> <tr><td>SECTION</td><td>29</td><td></td></tr> <tr><td>TOWNSHIP</td><td>10S</td><td></td></tr> <tr><td>RANGE</td><td>21E</td><td></td></tr> <tr><td>LATITUDE DEC</td><td>42.5248</td><td></td></tr> <tr><td>LONGITUDE DEC</td><td>-114.0087</td><td></td></tr> <tr><td>DAM TYPE</td><td>ROCK</td><td></td></tr> <tr><td>STORAGE CAPACITY</td><td>36300</td><td>AcFT</td></tr> 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PHASE 1 INSP DATE	6/13/1979																																																																																																																																																																																																									
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BOND	NA																																																																																																																																																																																																									
JOINT INSPECTION	USFER																																																																																																																																																																																																									
QUAD NUMBER	BB76																																																																																																																																																																																																									
QUAD NAME	MILNER																																																																																																																																																																																																									
DAM OWNER	MILNER DAM INC																																																																																																																																																																																																									
ADDRESS-1	C/O TWIN FALLS CANAL COMPANY																																																																																																																																																																																																									
ADDRESS-2	P O BOX 326																																																																																																																																																																																																									
CITY	TWIN FALLS																																																																																																																																																																																																									
STATE	ID																																																																																																																																																																																																									
ZIP CODE	83303																																																																																																																																																																																																									
ZIP SUFFIX																																																																																																																																																																																																										
PHONE	7336731																																																																																																																																																																																																									
AREA COD	208																																																																																																																																																																																																									

GEN_REMARK	NOTE : NO MORE PHASE I REPORTS AVAILABLE. A PORTION OF DAM IS LOCATED IN SECTION 28, T10S, R21E. DAM TYPE ALSO EARTH. DAM REHABILITATED IN 1990-91. PART OF RESERVOIR SHOWN ON QUAD MAPS BB30, BB77, BB78, BB79, & BB80.
TEC_REMARK	SPILLWAY & RELEASE CAPACITY ARE WITH 3.3' FREEBOARD. RELEASE CAPACITY INCLUDES MAXIMUM CAPACITY OF CANALS = 9000 CFS. NORTHSIDE, JEROME, GOODING, TWIN FALLS CANALS. SPILLWAYS ARE 560' OVERFLOW WEIR 5' DEEP W/ GATED SECTION. 87 - 5'W X 11'H WOODEN GATES. SPILLWAY CAPACITY IS WITH GATES OPEN.
RESTRICT	THE DAM AND RESERVOIR SHALL BE OPERATED IN ACCORDANCE WITH THE APPROVED OPERATION PLAN.
ALT_CONT	VINCE ALBERDI, MANAGER OF TFCC. SEE EAP IN FILE FOR ALTERNATE PHONE NUMBERS. MILNER DAM IS A SUBSIDIARY COMPANY OWNED BY THE TWIN FALLS CANAL COMPANY (6/11 OWNERSHIP) AND THE NORTHSIDE CANAL COMPANY (5/11 OWNERSHIP).
BOND_SUM	

UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEYFile No. Table 11. Lake Milner Capacity table in Acre-ft

Lake Milner Gage height (ft)	Minidoka gage discharge in cfs											
	zero	500	1000	2000	3000	4000	5000	6000	7000	8000	9000	10000
0	0											
0.1												
0.2												
0.3												
0.4												
0.5												
0.6												
0.7												
0.8												
0.9												
1.0	1305											
1.1												
1.2												
1.3												
1.4												
1.5	3032	5217	7437	9636	10773	11910	13047	14306	15585	16853	18122	19391
1.6												
1.7												
1.8												
1.9												
2.0	1075											
2.1												
2.2												
2.3												
2.4												
2.5	3700	6100	7520	10,400	11,800	13,100	14,500	15,800	17,000	18,300	19,500	20,800
2.6	3910	6220	7640	10,500	11,900	13,200	14,600	15,900	17,100	18,400	19,600	20,900
2.7	4120	6340	7750	10,600	12,000	13,400	14,800	16,100	17,300	18,600	19,800	21,100
2.8	4320	6460	7870	10,700	12,100	13,500	14,900	16,200	17,400	18,700	19,900	21,200
2.9	4530	6580	7980	10,800	12,200	13,700	15,100	16,400	17,600	18,900	20,100	21,400
3.0	4740	6700	8100	10,900	12,300	13,800	15,200	16,500	17,700	19,000	20,200	21,500
			1	1								

8200 11600

Lake Milner Capacity table in Acre-ft

		Minidoka		gauge discharge					in	cfs		
	740 Zero	500	1000	2000	3000	4000	5000	6000	7000	8000	9000	10000
3.1	4950	6860	8250	11,000	12,400	13,900	15,300	16,600	17,800	19,100	20,300	21,600
3.2	5160	7020	8390	11,100	12,600	14,000	15,500	16,800	18,000	19,300	20,500	21,800
3.3	5380	7180	8540	11,300	12,700	14,200	15,600	16,900	18,100	19,400	20,600	21,900
3.4	5590	7340	8680	11,400	12,900	14,300	15,800	17,100	18,300	19,600	20,800	22,100
3.5	5800	7500	8830	11,500	13,000	14,400	15,900	17,200	18,400	19,700	20,900	22,200
3.6	6030	7690	9030	11,700	13,200	14,600	16,100	17,400	18,500	19,800	21,000	22,300
3.7	6260	7870	9180	11,800	13,300	14,800	16,300	17,500	18,700	19,900	21,100	22,400
3.8	6480	8060	9370	12,000	13,500	14,900	16,400	17,700	18,800	20,100	21,300	22,500
3.9	6710	8240	9530	12,100	13,600	15,100	16,600	17,800	19,000	20,200	21,400	22,600
4.0	6940	8430	9720	12,300	13,800	15,300	16,800	18,000	19,100	20,300	21,500	22,700
4.1	7190	8630	9920	12,500	14,000	15,500	16,900	18,100	19,300	20,400	21,600	22,800
4.2	7440	8840	10100	12,700	14,100	15,600	17,100	18,300	19,400	20,600	21,800	23,000
4.3	7700	9040	10300	12,800	14,300	15,800	17,200	18,400	19,600	20,700	21,900	23,100
4.4	7950	9250	10500	13,000	14,400	15,900	17,400	18,600	19,700	20,900	22,100	23,300
4.5	8200	9450	10700	13,200	14,600	16,100	17,500	18,700	19,900	21,000	22,200	23,400
4.6	8460	9660	10900	13,400	14,800	16,200	17,600	18,800	20,000	21,100	22,300	23,500
4.7	8710	9870	11100	13,500	14,900	16,400	17,800	19,000	20,200	21,300	22,500	23,700
4.8	8970	10100	11300	13,700	15,100	16,500	17,900	19,100	20,300	21,400	22,600	23,800
4.9	9220	10300	11500	13,800	15,200	16,700	18,100	19,300	20,500	21,600	22,800	24,000
5.0	9480	10500	11700	14,000	15,400	16,800	18,200	19,400	20,600	21,700	22,900	24,100
5.1	9760	10800	12900	14,200	15,600	17,000	18,400	19,600	20,700	21,900	23,000	24,200
5.2	10000	11000	13200	14,400	15,800	17,200	18,500	19,700	20,900	22,000	23,200	24,400
5.3	10300	11300	13400	14,600	15,900	17,300	18,700	19,900	21,000	22,200	23,300	24,500
5.4	10600	11500	12700	14,800	16,100	17,500	18,800	20,000	21,200	22,300	23,500	24,700
5.5	10900	11800	12900	15,000	16,300	17,700	19,000	20,200	21,300	22,500	23,600	24,800
5.6	11200	12100	13100	15,200	16,500	17,900	19,200	20,400	21,500	22,700	23,800	25,000
5.7	11500	12400	13400	15,400	16,700	18,000	19,300	20,500	21,600	22,800	23,900	25,100
5.8	11700	12600	13600	15,600	16,900	18,200	19,500	20,700	21,800	23,000	24,100	25,300
5.9	12000	12900	13900	15,800	17,100	18,300	19,600	20,800	21,900	23,100	24,200	25,400
6.0	12300	13200	14100	16,000	17,300	18,500	19,800	21,000	22,100	23,300	24,400	25,600

UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY

File No. { Washington _____
District _____

Lake Minor Capacity Table in Acre-ft

L. Miller G. Height (ft)	Mimidoka gage discharge in cfs											
	11000	12000	13000	14000	15000	16000	17000	18000	19000	20000	21000	22000
3.1												
3.2												
3.3												
3.4												
3.5					27200					21,100		
3.6					27320					31,200		
3.7					27440					31,300		
3.8					27560					31,400		
3.9					27680					31,500		
4.0	23700	24700	25800	26800	27800	28600	29300	30100	30800	31600		
4.1	23800	24800	25900	26900	27900	28700	29400	30200	30900	31700		
4.2	24000	24900	26000	27000	28000	28700	29500	30200	31000	31700		
4.3	24100	25100	26100	27000	28000	28800	29500	30300	31000	31800		
4.4	24300	25200	26200	27100	28100	28800	29600	30300	31100	31800		
4.5	24400	25300	26300	27200	28200	28900	29700	30400	31200	31900		
4.6	24500	25400	26400	27300	28300	29000	29800	30500	31300	32000		
4.7	24600	25500	26500	27400	28400	29100	29900	30600	31400	32100		
4.8	24800	25700	26600	27500	28400	29100	29900	30600	31400	32100		
4.9	24900	25800	26700	27600	28500	29200	30000	30700	31500	32200		
5.0	25000	25900	26800	27700	28600	29300	30100	30800	31600	32300		
5.1	25100	26000	26900	27800	28700	29400	30200	30900	31700	32400		
5.2	25300	26200	27000	27900	28800	29500	30300	31000	31800	32500		
5.3	25400	26300	27200	28100	29000	29700	30400	31200	31900	32600		
5.4	25600	26500	27300	28200	29100	29800	30500	31300	32000	32700		
5.5	25700	26600	27400	28300	29200	29900	30600	31400	32100	32800		
5.6	25800	26700	27500	28400	29300	30000	30700	31500	32200	32900		
5.7	26000	26900	27700	28600	29400	30100	30800	31600	32300	33000		
5.8	26100	27000	27800	28700	29600	30300	31000	31800	32500	33200		
5.9	26300	27200	28000	28900	29700	30600	31100	31900	32600	33300		
6.0	26400	27300	28100	29000	29800	30500	31200	32000	32700	33400		

UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY

File No.

Lake Milner Capacity Table in Acre-ft.

L. Milner G. Height (Ft)	Mindoka gage discharge in cfs											
	zero	500	1000	2000	3000	4000	5000	6000	7000	8000	9000	10000
6.1	12600	13500	14400	16200	17500	18700	20000	21100	22300	23400	24600	25700
6.2	12900	13800	14700	16400	17700	18900	20200	21400	22500	23600	24700	25900
6.3	13300	14200	15000	16700	17900	19200	20400	21500	22600	23800	24900	26000
6.4	13600	14500	15300	16900	18100	19400	20600	21700	22800	24000	25100	26200
6.5	13900	14800	15600	17100	18300	19500	20800	21900	23000	24100	25200	26300
6.6	14200	15100	15900	17400	18600	19800	21100	22100	23200	24300	25400	26500
6.7	14500	15400	16200	17600	18800	20100	21300	22400	23500	24600	25600	26700
6.8	14900	15600	16400	17900	19100	20300	21600	22600	23700	24800	25900	26900
6.9	15200	15900	16600	18100	19300	20600	21800	22900	24000	25000	26100	27100
7.0	15500	16200	16900	18400	19600	20900	22100	23100	24200	25200	26300	27300
7.1	15900	16500	17200	18700	19900	21200	22400	23400	24400	25400	26500	27500
7.2	16200	16900	17500	18900	20100	21400	22600	23600	24700	25600	26700	27700
7.3	16600	17200	17900	19200	20400	21700	22900	23900	24900	25900	26900	27900
7.4	16900	17600	18200	19400	20600	21900	23100	24100	25200	26100	27100	28100
7.5	17300	17900	18500	19700	20900	22200	23400	24400	25400	26300	27300	28300
7.6	17600	18300	18800	20000	21200	22500	23700	24600	25600	26500	27500	28500
7.7	18000	18600	19200	20300	21500	22800	23900	24900	25900	26800	27800	28700
7.8	18300	19000	19500	20700	21800	23000	24200	25100	26100	27000	28000	29000
7.9	18700	19300	19900	21000	22100	23300	24400	25400	26400	27300	28300	29200
8.0	19000	19700	20200	21300	22400	23600	24700	25600	26600	27500	28500	29400
8.1	19400	20000	20500	21600	22700	23900	25000	25900	26900	27800	28700	29600
8.2	19700	20400	20900	21900	23000	24200	25300	26200	27200	28000	29000	29900
8.3	20100	20700	21200	22200	23300	24500	25600	26500	27400	28300	29200	30100
8.4	20400	21100	21600	22500	23600	24800	25900	26800	27700	28500	29500	30400
8.5	20800	21400	21900	22800	23900	25100	26200	27100	28000	28800	29700	30600
8.6	21200	21800	22300	23200	24200	25400	26500	27400	28200	29100	29900	30800
8.7	21600	22100	22600	23500	24600	25700	26700	27600	28500	29300	30200	31100
8.8	22000	22500	23000	23900	24900	25900	27000	27900	28700	29600	30400	31300
8.9	22400	22800	23300	24200	25300	26200	27200	28100	29000	29800	30700	31600
9.0	22800	23200	23700	24600	25600	26500	27500	28400	29200	30100	30900	31800
9.1	23200	23600	24100	25000	25900	26800	27800	28700	29500	30400	31200	32000
9.2	23600	24000	24400	25300	26300	27100	28100	29000	29800	30600	31400	32300

UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY

File No.

Lake Milner Capacity Table in Acre - ft

L. Milner 0. Height (ft)	11000	12000	13000	14000	15000	16000	17000	18000	19000	20000	21000	22000
6.1	26500								32700	33100		
6.2	26700								32900			
6.3	26900								33100			
6.4	27000								33200			
6.5	27100	28000	28800	29700	30500	31200	31900	32700	33400	34100		
6.6	27300	28200	29000	29900	30700	31400	32100	32800	33500	34200		
6.7	27500	28400	29200	30000	30800	31500	32200	33000	33700	34400		
6.8	27700	28500	29300	30200	31000	31700	32400	33100	33800	34500		
6.9	27900	28700	29500	30300	31100	31800	32500	33300	34000	34700		
7.0	28100	28900	29700	30500	31300	32000	32700	33400	34100	34800		
7.1	28300	29100	29900	30700	31500	32200	32900	33600	34300	35000		
7.2	28500	29300	30100	30900	31700	32400	33100	33800	34500	35200		
7.3	28700	29500	30300	31100	31900	32600	33300	33900	34600	35300		
7.4	28900	29700	30500	31300	32100	32800	33500	34100	34800	35500		
7.5	29100	29900	30700	31500	32300	33000	33700	34300	35000	35700		
7.6	29300	30100	30900	31700	32500	33200	33900	34500	35200	35900		
7.7	29500	30300	31100	31900	32700	33400	34100	34700	35400	36100		
7.8	29800	30600	31300	32100	32900	33600	34300	34900	35600	36300		
7.9	30000	30800	31500	32300	33100	33800	34500	35100	35800	36500		
8.0	30200	31000	31700	32500	33300	34000	34700	35300	36000	36700		
8.1	30400	31200	31900	32700	33500	34200	34900	35500	36200	36900		
8.2	30700	31400	32200	32900	33700	34400	35100	35700	36400	37100		
8.3	30900	31700	32400	33200	34000	34700	35300	36000	36600	37300		
8.4	31200	31900	32700	33400	34200	34900	35500	36200	36800	37500		
8.5	31400	32100	32900	33600	34400	35100	35700	36400	37000	37700		
8.6	31600	32300	33100	33800	34600	35300	35900	36600	37200	37900		
8.7	31800	32600	33300	34100	34800	35500	36100	36800	37400	38100		
8.8	32100	32800	33600	34300	35100	35700	36400	37000	37700	38300		
8.9	32300	33100	33800	34600	35300	35900	36600	37200	37900	38500		
9.0	32500	33300	34000	34800	35500	36100	36800	37400	38100	38700		
9.1	32700	33500	34200	35000	35700	36300	37000	37600	38300	38900		
9.2	33000	33800	34500	35300	36000	36600	37300	37900	38600	39200		

UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY

File No. { Washington
District

Lake Milner Capacity Table in Ac-ft.

L. Milner G. Height (Ft)	Minidoka gauge	discharge	in	cfs								
zero	500	1000	2000	3000	4000	5000	6000	7000	8000	9000	10000	
9.3	23900	24300	24800	25700	26600	27500	28400	29200	30000	30900	31700	32500
9.4	24300	24700	25100	26000	27000	27800	28700	29500	30300	31100	31900	32800
9.5	24700	25100	25500	26400	27300	28100	29000	29800	30600	31400	32200	33000
9.6	25100	25500	25900	26800	27600	28400	29300	30100	30900	31700	32500	33300
9.7	25500	25900	26300	27100	28000	28700	29600	30400	31200	32000	32700	33500
9.8	25900	26200	26700	27500	28300	29100	29900	30700	31400	32200	33000	33800
9.9	26300	26600	27000	27800	28600	29400	30200	31000	31700	32500	33200	34000
10.0	26700	27000	27400	28200	29000	29700	30500	31300	32000	32800	33500	34300
10.1	27100	27400	27800	28500	29300	30000	30800	31600	32300	33100	33800	34600
10.2	27500	27800	28100	28900	29600	30300	31100	31900	32600	33400	34100	34900
10.3	27900	28100	28500	29200	30000	30700	31400	32100	32900	33600	34400	35100
10.4	28300	28500	28800	29600	30300	31000	31700	32400	33200	33900	34700	35400
10.5	28700	28900	29200	29900	30600	31300	32000	32700	33500	34200	35000	35700
10.6	29100	29300	29600	30300	31000	31600	32300	33000	33800	34500	35300	36000
10.7	29500	29700	30000	30700	31300	31900	32600	33300	34100	34800	35500	36200
10.8	30000	30000	30400	31000	31700	32300	32900	33600	34300	35000	35800	36500
10.9	30400	30400	30700	31400	32000	32600	33200	33900	34600	35300	36000	36700
11.0	30800	30800	31100	31800	32400	32900	33500	34200	34900	35600	36300	37000
11.1	31200	31200	31500	32200	32700	33200	33800	34500	35200	35900	36600	37300
11.2	31600	31600	31900	32500	33000	33600	34100	34800	35500	36200	36800	37500
11.3	31900	32000	32300	32900	33400	33900	34400	35100	35700	36400	37100	37800
11.4	32300	32400	32700	33200	33700	34200	34700	35400	36000	36700	37300	38000
11.5	32700	32800	33100	33600	34100	34500	35000	35700	36300	37000	37600	38300
11.6	33200	33200	33500	34000	34500	34900	35400	36000	36600	37300	37900	38600
11.7	33600	33600	33900	34300	34800	35200	35700	36400	37000	37600	38200	38900
11.8	34000	34100	34300	34600	35100	35500	36000	36700	37300	37900	38500	39200
11.9	34500	34500	34700	35000	35500	35900	36400	37000	37600	38200	38900	39500
12.0	34900											
12.1												
12.2												
12.3												
12.4												

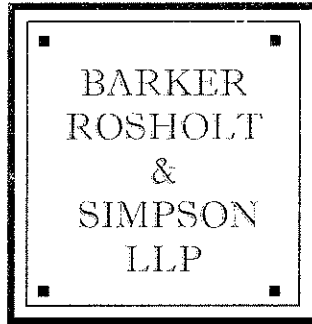
UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY

File No.

Lake Milner Capacity Table in Acre - feet

L.M. Iner G. Height (Ft)	Minidoka gage discharge in cfs											
	11000	12000	13000	14000	15000	16000	17000	18000	19000	20000	21000	22000
9.3	33200	34000	34700	35500	36200	36800	37500	38100	38800	39400		
9.4	33500	34300	35000	35800	36500	37100	37800	38400	39100	39700		
9.5	33700	34500	35200	36000	36700	37300	38000	38600	39300	39900		
9.6	34000	34700	35400	36200	36900	37500	38200	38800	39500	40100		
9.7	34200	35000	35700	36400	37100	37700	38400	39000	39700	40300		
9.8	34500	35200	35900	36700	37400	38000	38700	39300	40000	40600		
9.9	34700	35500	36200	36900	37600	38200	38900	39500	40200	40800		
10.0	35000	35700	36400	37100	37800	38400	39100	39700	40400	41000		
10.1	35300	36000	36700	37300	38000	38600	39300	39900	40600	41200		
10.2	35600	36200	36900	37600	38300	38900	39600	40200	40900	41500		
10.3	35800	36500	37200	37800	38500	39100	39800	40400	41100	41700		
10.4	36100	36700	37400	38100	38800	39400	40100	40700	41400	42000		
10.5	36400	37000	37700	38300	39000	39600	40300	40900	41600	42200		
10.6	36600	37300	37900	38600	39200	39800	40500	41100	41800	42400		
10.7	36900	37500	38200	38800	39500	40100	40700	41300	42000	42600		
10.8	37100	37800	38400	39100	39700	40300	41000	41600	42300	42900		
10.9	37400	38000	38700	39300	40000	40600	41200	41800	42500	43100		
11.0	37600	38300	38900	39600	40200	40800	41400	42000	42700	43300		
11.1	37900	38500	39200	39800	40400	41000	41600	42300	42900	43500		
11.2	38100	38800	39400	40100	40700	41300	41900	42500	43200	43800		
11.3	38400	39000	39700	40300	40900	41500	42100	42800	43400	44000		
11.4	38600	39300	39900	40600	41200	41800	42400	43000	43700	44300		
11.5	38900	39500	40200	40800	41400	42000	42600	43300	43900	44500		
11.6	39200	39800	40400	41000	41600	42200	42800	43500	44100	44700		
11.7	39500	40100	40700	41300	41900	42500	43100	43800	44400	45000		
11.8	39800	40400	41000	41600	42200	42800	43400	44000	44600	45200		
11.9	40100	40700	41200	41800	42400	43000	43600	44200	44800	45400		
12.0												
12.1												
12.2												
12.3												
12.4												

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October 2, 2006

Mr. David J. Tuthill 
Idaho Department of Water Resources
322 E. Front St.
Boise, Idaho 83720-0098

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DEPARTMENT OF
WATER RESOURCES

Re: SRBA Notice of Claim (Storage at Milner Reservoir) # 1-10509

Dear David:

On behalf of North Side Canal Company and Twin Falls Canal Company please find enclosed a joint *Notice of Claim* for the active storage in Milner Reservoir. For purposes of calculating the active storage capacity we used the attached table and determined how much water the reservoir could hold when the water level is between 8 and 11 feet on the Milner gauge depending upon inflow. The active capacity is approximately 24,400 acre-feet (48,600 af at 11 feet minus 24,200 at 8 feet). We have also included a check for the filing fee (\$50.00). Thank you for your attention to this matter and please contact me at 733-0700 if you have any questions.

Sincerely,

BARKER ROSHOLT & SIMPSON LLP


Travis L. Thompson

Enc.

cc: Ted Diehl (NSCC)
Vince Alberdi (TFCC)

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NOV 06 2006
Department of Water Resources
Eastern Region