

Orr Affidavit

Exhibit 40

RECEIVED

OCT 19 2008

DEPARTMENT OF
WATER RESOURCES

Notice by W.G. Swendsen, Idaho State
Commissioner of Reclamation, "Re: Water
District No. 36, To the Water Users on the
Snake River" (Jun. 2, 1919)

June 6, 1919

Dubois Enterprise,

Dubois, Idaho.

Gentlemen:

Enclosed you will find a copy of an order
just issued by Mr. Warren G. Swenson, Commissioner of
Reclamation, which is of considerable importance to water
users and through them to all residents of the Snake
River valley.

Very truly yours,

Acting Governor.

Dubois Banner
Ashton Enterprise
Rexburg Standard
Rigby Star
Idaho Falls Post
Idaho Falls Register
Idaho Republica, Blackfoot
Blackfoot Optimist
Pocatello Tribune
Burley Bulletin
Twin Falls News

State of Idaho
Department of Reclamation
CAPITOL BUILDING
Boise

June 2, 1919.

Re Water District No. 36.

To the Water Users on Snake River:

I am just in receipt of a communication from Mr. Clyde Baldwin, deputy representing this department in the distribution of the waters of Snake River, wherein he states that from present indications this year's water supply for the Snake River territory will be short. His report indicates that on my thirty there was only 547,000 acre feet of storage in Jackson Lake Reservoir, whereas the normal capacity is 700,000 acre feet. This shortage has undoubtedly arisen due to light snowfall. Mr. Baldwin states that the gates of the dam have, for some time past, been closed so that all of the available run-off is being and has been stored and that the supply entering the river below the Jackson Lake, up to date, has just been sufficient to supply the various canals diverting therefrom.

In view of these circumstances and in order that the minimum amount of injury may result to crops, it is highly important that the greatest economy be exercised in the use of water during this season and that nothing in excess of the actual requirements be delivered.

Kindly give this matter your attention and govern the matter of delivery of water on your project accordingly.

Yours very truly,

Commissioner of Reclamation.

WCS/20