

| Project name                                     | Rate category                                  | Current 2003 rate | Proposed 2004 rate | Proposed 2005 rate |
|--|--|-------------------|--------------------|--------------------|
|  | Excess Water per acre-foot over 5.0 acre-feet. | 10.50             | 10.50              | .....              |
| San Carlos Irrigation Project (Joint Works) * .. | Basic-per acre .....                           | 20.00             | 20.00              | \$30.00            |
| San Carlos Irrigation Project (Indian Works) ..  | Basic-per acre .....                           | 56.00             | 56.00              | ( <sup>1</sup> )   |
| Uintah Irrigation Project .....                  | Basic-per acre .....                           | 11.00             | 11.00              | .....              |
| Walker River Irrigation Project .....            | Indian per acre .....                          | 7.32              | 7.32               | .....              |
|  | non-Indian per acre .....                      | 15.29             | 15.29              | .....              |

<sup>1</sup> To be determined.

**Note #1:** For the Colorado River Irrigation Project, pursuant to a reconciliation of the operation and maintenance financial records as of December 31, 2002, funds in excess of the 700,000 reserve fund will be refunded to the excess water users in proportion to the amount of excess water purchased by each water user. The refund will be a credit against the 2004 irrigation season assessment for eligible excess water users.

**Note #2:** The Colorado River Irrigation Project's past practice of billing twice a year does not comply with the Debt Collection Improvement Act of 1996 and its supplementing regulations. Therefore, starting with the 2004 irrigation season, the full irrigation assessment will be due and payable in accordance with the procedures stated previously in this notice.

**Note #3:** The Fort Yuma Irrigation Project is owned and operated by the Bureau of Reclamation (Reclamation). The irrigation rates assessed for operation and maintenance are established by Reclamation and are provided for informational purposes only. The BIA only collects the irrigation assessments on behalf of Reclamation.

### Consultation and Coordination With Tribal Governments (Executive Order 13175)

The BIA irrigation projects are vital components of the local agriculture economy of the reservations on which they are located. To fulfill its responsibilities to the tribes, tribal organizations, water user organizations, and the individual water users, the BIA communicates, coordinates, and consults on a continuing basis with these entities on issues of water delivery, water availability, costs of administration, operation, maintenance, and rehabilitation. This is accomplished at the individual irrigation projects by Project, Agency, and Regional representatives, as appropriate, in accordance with local protocol and procedures. This notice is one component of the BIA's overall coordination and consultation process to provide notice and request comments from these entities on adjusting our irrigation rates.

### Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use (Executive Order 13211)

The rate adjustments will have no adverse effects on energy supply, distribution, or use (including a shortfall in supply, price increases, and increase use of foreign supplies) should the proposed rate adjustments be implemented. This is a notice for rate adjustments at BIA owned and operated irrigation projects, except for the Fort Yuma Irrigation Project. The Fort Yuma Irrigation Project is owned and operated by the Bureau of Reclamation with a portion serving the Fort Yuma Reservation.

### Regulatory Planning and Review (Executive Order 12866)

These rate adjustments are not a significant regulatory action and do not need to be reviewed by the Office of Management and Budget under Executive Order 12866.

### Regulatory Flexibility Act

This rate making is not a rule for the purposes of the Regulatory Flexibility Act because it is "a rule of particular applicability relating to rates." 5 U.S.C. 601(2).

### Unfunded Mandates Act of 1995

These rate adjustments impose no unfunded mandates on any governmental or private entity and are in compliance with the provisions of the Unfunded Mandates Act of 1995.

### Takings (Executive Order 12630)

The Department has determined that these rate adjustments do not have significant "takings" implications. The rate adjustments do not deprive the public, State, or local governments of rights or property.

### Federalism (Executive Order 13132)

The Department has determined that these rate adjustments do not have significant Federalism effects because they pertain solely to Federal-tribal relations and will not interfere with the roles, rights, and responsibilities of states.

### Civil Justice Reform (Executive Order 12988)

In accordance with Executive Order 12988, the Office of the Solicitor has determined that this rule does not unduly burden the judicial system and meets the requirements of sections 3(a) and 3(b)(2) of the Order.

### Paperwork Reduction Act of 1995

These rate adjustments do not affect the collections of information which have been approved by the Office of Information and Regulatory Affairs, Office of Management and Budget, under the Paperwork Reduction Act of 1995. The OMB Control Number is 1076-0141 and expires April 30, 2006.

### National Environmental Policy Act

The Department has determined that these rate adjustments do not constitute a major Federal action significantly affecting the quality of the human environment and that no detailed statement is required under the National Environmental Policy Act of 1969 (42 U.S.C. 4321-4370(d)).

### Public Comment Solicitation

If you wish to comment on the proposed rate adjustments, you may mail or hand-deliver your written comments to the person listed in the **ADDRESSES** section of this notice. Comments may also be telefaxed to the following number: (202) 219-0006. We cannot accept electronic submissions at this time. All written comments received by the date indicated in the **DATES** section of this notice will be carefully assessed and fully considered before publication of a final notice.

Our practice is to make comments, including names and home addresses of respondents, available for public review during regular business hours. Individual respondents may request confidentiality. If you wish us to withhold your name and/or address from public review or from disclosure under the Freedom of Information Act, you must state this prominently at the beginning of your written comment. Such requests will be honored to the extent allowed by law. We will not, however, consider anonymous comments. All submissions from