

**DEPARTMENT OF THE INTERIOR****Bureau of Reclamation****Agency Information Collection Activities; Proposed Revisions to a Currently Approved Information Collection; Comment Request**

**AGENCY:** Bureau of Reclamation, Interior.

**ACTION:** Notice of renewal of a currently approved collection (OMB No. 1006-0023).

**SUMMARY:** In accordance with the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 et seq.), the Bureau of Reclamation (we, our, or us) intends to submit a request for renewal (with revisions) of an existing approved information collection to the Office of Management and Budget (OMB): Forms to Determine Compliance by Certain Landholders, 43 CFR part 426, OMB Control Number: 1006-0023. We request your comments on the proposed Reclamation Reform Act of 1982 (RRA) forms and specific aspects of the information collection.

**DATES:** Your written comments must be received on or before December 23, 2008.

**ADDRESSES:** You may send written comments to the Bureau of Reclamation, Attention: 84-53000, P.O. Box 25007, Denver, CO 80225-0007. You may request copies of the proposed forms by writing to the above address or by contacting Stephanie McPhee at: (303) 445-2897.

**FOR FURTHER INFORMATION CONTACT:** Stephanie McPhee at: (303) 445-2897.

**SUPPLEMENTARY INFORMATION:**

*Title:* Forms to Determine Compliance by Certain Landholders, 43 CFR part 426.

*Abstract: Identification of limited recipients*—Some entities that receive Reclamation irrigation water may believe that they are under the RRA forms submittal threshold and, consequently, may not submit the appropriate RRA form(s). However, some of these entities may in fact have a different RRA forms submittal threshold than what they believe it to be due to the number of natural persons benefiting from each entity and the location of the land held by each entity. In addition, some entities that are exempt from the requirement to submit RRA forms due to the size of their landholdings (directly and indirectly owned and leased land) may in fact be receiving Reclamation irrigation water for which the full-cost rate must be paid because the start of Reclamation

irrigation water deliveries occurred after October 1, 1981 [43 CFR 426.6(b)(2)]. The information obtained through completion of the Limited Recipient Identification Sheet (Form 7-2536) allows us to establish entities' compliance with Federal reclamation law. The Limited Recipient Identification Sheet is disbursed at our discretion. The proposed revisions to the Limited Recipient Identification Sheet will be included starting in the 2010 water year, and are designed to facilitate ease of completion.

*Trust review*—We are required to review and approve all trusts [43 CFR 426.7(b)(2)] in order to ensure trusts meet the regulatory criteria specified in 43 CFR 426.7. Land held in trust generally will be attributed to the beneficiaries of the trust rather than the trustee if the criteria are met. When we become aware of trusts with a relatively small landholding (40 acres or less), we may extend to those trusts the option to complete and submit for our review the Trust Information Sheet (Form 7-2537) instead of actual trust documents. If we find nothing on the completed Trust Information Sheet that would warrant the further investigation of a particular trust, that trustee will not be burdened with submitting trust documents to us for in-depth review. The Trust Information Sheet is disbursed at our discretion. The proposed revisions to the Trust Information Sheet will be included starting in the 2010 water year, and are designed to facilitate ease of completion.

*Acreage limitation provisions applicable to public entities*—Land farmed by a public entity can be considered exempt from the application of the acreage limitation provisions provided the public entity meets certain criteria pertaining to the revenue generated through the entity's farming activities (43 CFR 426.10 and the Act of July 7, 1970, Pub. L. 91-310). We are required to ascertain whether or not public entities that receive Reclamation irrigation water meet such revenue criteria regardless of how much land the public entities hold (directly or indirectly own or lease) [43 CFR 426.10(a)]. In order to minimize the burden on public entities, standard RRA forms are submitted by a public entity only when the public entity holds more than 40 acres subject to the acreage limitation provisions westwide, which makes it difficult to apply the revenue criteria as required to those public entities that hold less than 40 acres. When we become aware of such public entities, we may extend to those public entities the option to complete and submit for our review the Public Entity

Information Sheet (Form 7-2565), which allows us to establish compliance with Federal reclamation law for those public entities that hold 40 acres or less and thus do not submit a standard RRA form because they are below the RRA forms submittal threshold. In addition, for those public entities that do not meet the exemption criteria, we must determine the proper rate to charge for Reclamation irrigation water deliveries. The Public Entity Information Sheet is disbursed at our discretion. The proposed revisions to the Public Entity Information Sheet will be effective starting in the 2010 water year and are designed to facilitate ease of completion.

*Acreage limitation provisions applicable to religious or charitable organizations*—Some religious or charitable organizations that receive Reclamation irrigation water may believe that they are under the RRA forms submittal threshold and, consequently, may not submit the appropriate RRA form(s). However, some of these organizations may in fact have a different RRA forms submittal threshold than what they believe it to be depending on whether these organizations meet all of the required criteria for full special application of the acreage limitations provisions to religious or charitable organizations [43 CFR 426.9(b)]. In addition, some organizations that (1) do not meet the criteria to be treated as a religious or charitable organization under the acreage limitation provisions, and (2) are exempt from the requirement to submit RRA forms due to the size of their landholdings (directly and indirectly owned and leased land), may in fact be receiving Reclamation irrigation water for which the full-cost rate must be paid because the start of Reclamation irrigation water deliveries occurred after October 1, 1981 [43 CFR 426.6(b)(2)]. The Religious or Charitable Organization Identification Sheet (Form 7-2578) allows us to establish certain religious or charitable organizations' compliance with Federal reclamation law. The Religious or Charitable Organization Identification Sheet is disbursed at our discretion. The proposed revisions to the Religious or Charitable Organization Sheet will be effective starting in the 2010 water year and are designed to facilitate ease of completion.

*Frequency:* Generally, these forms will be submitted once per identified entity, trust, public entity, or religious or charitable organization. Each year, we expect new responses in accordance with the following numbers.

*Respondents:* Entity landholders, trusts, public entities, and religious or charitable organizations identified by Reclamation that are subject to the

acreage limitation provisions of Federal reclamation law.

*Estimated Total Number of Respondents:* 500.  
*Estimated Number of Responses per Respondent:* 1.0.

*Estimated Total Number of Annual Responses:* 500.

*Estimated Total Annual Burden on Respondents:* 72 hours.

ESTIMATE OF BURDEN FOR EACH FORM

Form No.	Burden estimate per form (in minutes)	Number of respondents	Annual number of responses	Annual burden on respondents (in hours)
Limited Recipient Identification Sheet .....	5	175	175	15
Trust Information Sheet .....	5	150	150	13
Public Entity Information Sheet .....	15	100	100	25
Religious or Charitable Identification Sheet .....	15	75	75	19
Total .....	.....	500	500	72

*Comments*

Comments are invited on:

(a) Whether the proposed collection of information is necessary for the proper performance of our functions, including whether the information will have practical use;

(b) The accuracy of our burden estimate for the proposed collection of information;

(c) Ways to enhance the quality, usefulness, and clarity of the information to be collected; and

(d) Ways to minimize the burden of the collection of information on respondents, including the use of automated collection techniques or other forms of information technology.

We will summarize all comments received regarding this notice. We will publish that summary in the **Federal Register** when the information collection request is submitted to OMB for review and approval.

Before including your address, telephone number, e-mail address, or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. While you can ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

Dated: September 26, 2008.

**Roseann Gonzales,**

*Director, Policy and Program Services, Denver Office.*

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**DEPARTMENT OF THE INTERIOR**

**Bureau of Reclamation**

**Agency Information Collection; Proposed Revisions to a Currently Approved Information Collection; Comment Request**

**AGENCY:** Bureau of Reclamation, Interior.

**ACTION:** Notice of renewal of a currently approved collection (OMB No. 1006-0006).

**SUMMARY:** In accordance with the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*), the Bureau of Reclamation (we, our, or us) intends to submit a request for renewal (with revisions) of an existing approved information collection to the Office of Management and Budget (OMB): Certification Summary Form, Reporting Summary Form for Acreage Limitation, 43 CFR part 426 and 43 CFR part 428, OMB Control Number: 1006-0006. This information collection is required under the Reclamation Reform Act of 1982 (RRA), Acreage Limitation Rules and Regulations, 43 CFR part 426, and Information Requirements for Certain Farm Operations In Excess of 960 Acres and the Eligibility of Certain Formerly Excess Land, 43 CFR part 428. We request your comments on the revised RRA forms and specific aspects of the information collection.

**DATES:** Your written comments must be received on or before December 23, 2008.

**ADDRESSES:** You may send written comments to the Bureau of Reclamation, Attention: 84-53000, PO Box 25007, Denver, CO 80225-0007. You may request copies of the proposed revised forms by writing to the above address or

by contacting Stephanie McPhee at: (303) 445-2897.

**FOR FURTHER INFORMATION CONTACT:** Stephanie McPhee at: (303) 445-2897.

**SUPPLEMENTARY INFORMATION:**

*Title:* Certification Summary Form, Reporting Summary Form for Acreage Limitation, 43 CFR part 426 and 43 CFR part 428.

*Abstract:* These forms are to be used by district offices to summarize individual landholder (direct or indirect landowner or lessee) and farm operator certification and reporting forms as required by the RRA, 43 CFR part 426, and 43 CFR part 428. This information allows us to establish water user compliance with Federal reclamation law.

*Changes to the RRA forms and the instructions to those forms.*

The changes made to the current Form 7-21SUMM-C, Form 7-21SUMM-R, and the corresponding instructions clarify the completion instructions for these forms (for example, adding verbiage to clarify when requested acreages are to be provided on a westwide or district-specific basis). Other changes to the forms and the corresponding instructions are editorial in nature and are designed to assist the respondents by increasing their understanding of the forms, and clarifying the instructions for use when completing the forms. The proposed revisions to the RRA forms will be effective in the 2010 water year.

*Frequency:* Annually.

*Respondents:* Contracting entities that are subject to the acreage limitation provisions of Federal reclamation law.

*Estimated Total Number of Respondents:* 210.

*Estimated Number of Responses per Respondent:* 1.25.

*Estimated Total Number of Annual Responses:* 263.