

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE STATE OF IDAHO

IN THE MATTER OF REVISING THE BOUNDARIES)
OF WATER DISTRICT NO. 130, IN THE THOUSAND)
SPRINGS AREA, IN ADMINISTRATIVE BASIN 37)
_____)

NOTICE OF HEARING

The Director of the Idaho Department of Water Resources ("Director") is authorized to divide the state into water districts for the purpose of distributing water among appropriators under the laws of the State of Idaho. The authority to create water districts applies to those streams, or other water sources including ground water, for which the priorities of appropriation have been adjudicated by court decree. During a water rights adjudication, Idaho Code § 42-1417 authorizes the district court presiding over the adjudication to approve interim administration of the rights by the Director if reasonably necessary to protect senior rights. The district court may permit the distribution of water pursuant to chapter 6, title 42, Idaho Code, in accordance with partial decrees entered by the court or in accordance with a Director's Report, as may be modified by the court's order.

On December 13, 2005, the Snake River Basin Adjudication ("SRBA") District Court issued an order authorizing the Director to distribute water pursuant to chapter 6, title 42, Idaho Code, in accordance with the Director's Reports and partial decrees that have superseded the Director's Reports within Administrative Basin 37 (a copy of the order is posted on the Court's website: <http://www.srba.state.id.us/FORMS/Interim%20Admin%2037.pdf>). The Director now proposes to revise the boundaries of Water District No. 130, to include surface water rights in that portion of Basin 37 overlying the ESPA, as shown on the attached map. The proposed action affects holders of surface water rights in the Thousand Springs area in Basin 37 north of Hagerman, ID near the Malad River and Bliss, ID.

The purpose of the proposed action is to provide for the protection of senior surface water rights within the affected area. Inclusion of these rights in Water District No. 130 will allow the watermaster to administer these rights in accordance with the prior appropriation doctrine as established in Idaho law. The Director does not propose to include surface water rights with sources from or tributary to the Big Wood or Little Wood Rivers in Water District No. 130. Water rights from these sources are currently administered by Water District No. 37 and District No. 37-M.

NOTICE IS HEREBY GIVEN, pursuant to Idaho Code § 42-604, that the Director of the Department of Water Resources will conduct a public hearing regarding the revision of the boundaries of the water district as follows:

PUBLIC HEARING FOR REVISION OF WATER DISTRICT NO. 130 BOUNDARIES:

7:00 pm, January 26, 2006, at the American Legion Hall Post 31,
281 North State Street (Highway 30), Hagerman, ID.


Information and testimony presented at and following the hearing on January 26, 2006, will create a record upon which the Director will rely to determine whether revision of the boundaries of Water District No. 130 is appropriate. It is important that holders of potentially affected water rights understand and participate in the hearing process. The Director will serve as the hearing officer. Persons attending the hearing will be provided an opportunity to provide oral testimony regarding the revision of the district boundaries. Written comments may also be submitted to the Director at the hearing or at any time prior to the close of the written comment period set for February 6, 2006. Written comments not presented at the hearing can be sent to the Director to be received at the offices of the Department of Water Resources, P. O. Box 83720, Boise, ID, 83720-0098, no later than February 6, 2006.

The Director proposes that all surface water rights with points of diversion located within the revised boundaries be included in the Water District No. 130, except those used solely for domestic and/or stock water purposes and those surface water rights currently diverted from or tributary to the Big Wood and Little Wood Rivers. Permitted and licensed rights not decreed in the SRBA or not included in SRBA Director's Reports, and all future rights that may be licensed, if any, are subject to inclusion within the water district unless used solely for domestic and/or stock water purposes. This notice of hearing is being sent to all water right holders of record in accordance with these criteria.

The hearing will be conducted in a facility that meets the accessibility requirements of the Americans with Disabilities Act. Should you require special accommodations in order to attend, participate in, or understand the hearing, please contact the Department of Water Resources at least 10 days prior to the hearing or conference.







If you have questions concerning this notice, please call the Department of Water Resources hotline at (800) 451-4129. You can also contact the Department's regional office in Twin Falls at (208) 736-3033 or the state office in Boise at (208) 287-4958.

DATED this 13th day of January 2006,



KARL J. DOREHER
Director

Water District No. 130 Proposed Revision

-  Eastern Snake Plain Aquifer
-  IDWR Administrative Basins
-  Townships
-  Water District No. 130 (current)
-  Water District No. 36-A
-  Water District No. 130 Revision
(Basin 37 surface water area, not including rights from Big or Little Wood Rivers & tributaries)

