

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF THE PROPOSED)
EXPANSION OF THE MORGAN CREEK)
SUB-DISTRICT WITHIN WATER)
DISTRICT NO. 170)

NOTICE OF PUBLIC HEARING

On April 6, 2006, the Director of the Idaho Department of Water Resources (“Department” or “Director”) issued *Amended Final Order Creating Water District No. 170* (a copy of the order is posted on the Department’s website: <http://www.idwr.idaho.gov/water/districts/UpperSalmon.htm>). That order established Water District No. 170 to include all surface water and ground water rights in the Idaho Department of Water Resources Administrative Basins 71 and 72, other than de minimis domestic and stock water rights as defined by sections 42-111 and 42-1401A(11), Idaho Code. Existing water districts located within the boundaries of Water District No. 170 are designated as sub-districts of Water District No. 170 by the Director’s Amended Final Order. The order provides that sub-districts shall be responsible for distribution of water rights within their respective boundaries upon holding an annual meeting to elect a watermaster and adopt a budget in accordance with provisions of chapter 6, title 42, Idaho Code. Existing sub-districts in Water District No. 170 are shown in the attached map. The Department proposes to modify sub-district No. 72-F (Morgan Creek and tributaries) within Water District No. 170 by expanding the boundaries to include all surface and ground water rights administered by Water District No. 170 with points of diversion in Administrative Basin No. 72 downstream of the confluence of Challis Creek and the Salmon River, as shown on the attached map. The proposed sub-district will allow affected water users to set an annual budget and elect a local watermaster to deliver water rights in accordance with Idaho law.

NOTICE IS HEREBY GIVEN that the Idaho Department of Water Resources (IDWR) will conduct a public hearing regarding the proposed modification of the sub-district within Water District No. 170, as follows:

PUBLIC HEARING FOR THE PROPOSED SUB-DISTRICT MODIFICATION:
9:00 AM, January 13, 2010 at the Custer County Courthouse
801 Main St, Challis, ID

Information and testimony presented at the hearing on January 13, 2010, will create a record which will assist the Interim Director in determining whether modification of the sub-district is appropriate, and if so, how the sub-district should be modified. The Interim Director will serve as the hearing officer. Persons attending the hearing will be provided an opportunity to make an oral presentation regarding the proposed sub-district modification. It is important that holders of water rights understand the proposed action and participate in the hearing. The hearing record will remain open until January 26, 2010. Users that are unable to attend the hearing and those that wish to submit additional testimony may submit written comments at any time prior to the close of the written comment period on January 26, 2010. Written comments not presented at the hearing should be sent to the Interim Director, Department of Water Resources, PO Box 83720, Boise, Idaho, 83720-0098.

The Interim Director proposes that all water rights, except those used solely for domestic and/or stock water purposes as defined in sections 42-111 and 42-1401A(11), Idaho Code, with points of diversion located within Administrative Basin 72 below the confluence of the Salmon River with Challis Creek be included in the sub-district. As this action relates to the overall operation of

Water District No. 170, this notice of hearing has been sent to all Water District No. 170 water right holders of record.

At the hearing, the Interim Director will present information about why he is proposing to modify the sub-district, and a timeline for sub-district modification. The Interim Director proposes that the sub-district, as modified by this action, will be operational in 2010.

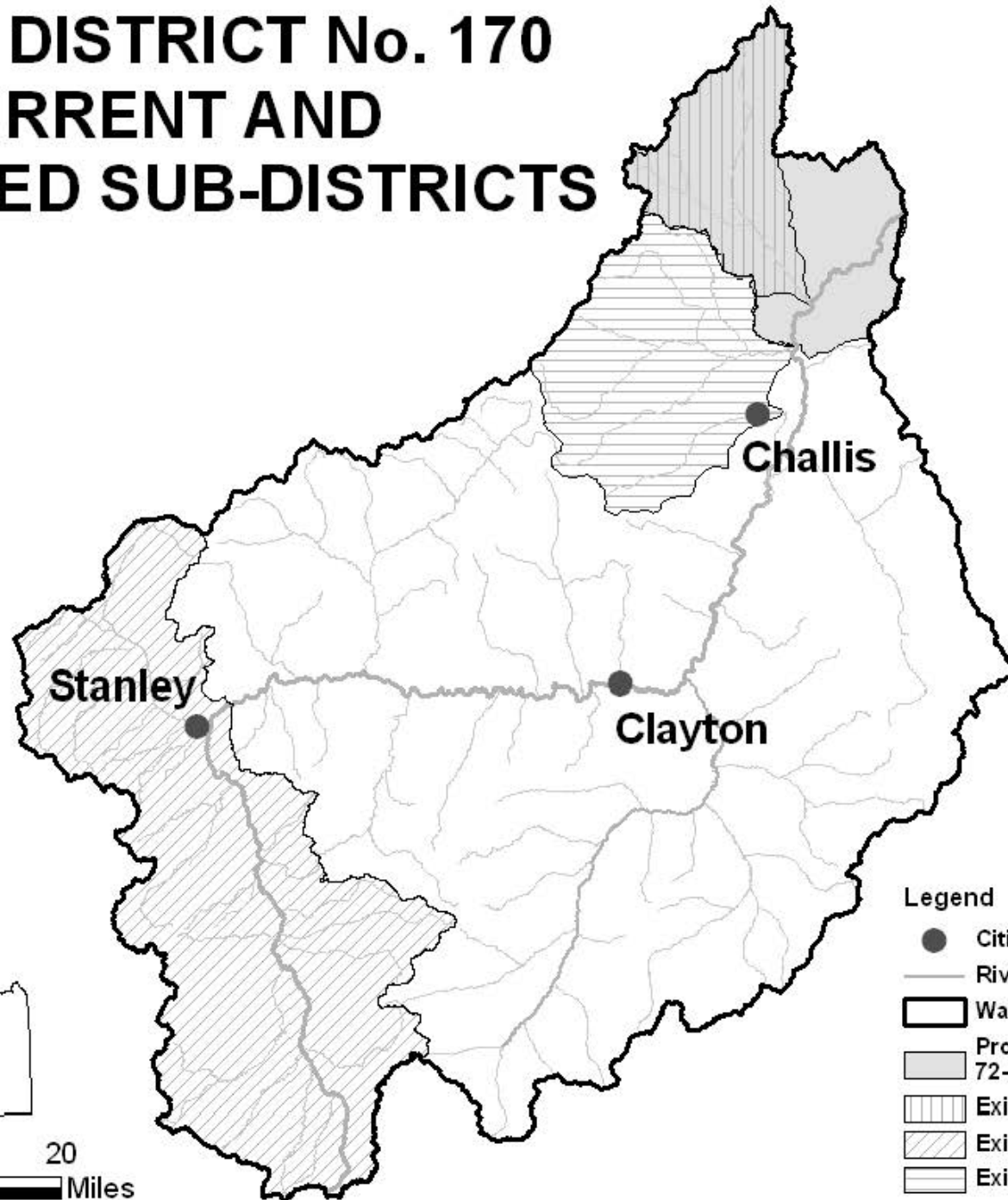
The hearing will be conducted in a facility that meets the accessibility requirements of the Americans with Disabilities Act. Should you require special accommodations in order to attend, participate in, or understand the hearing, please contact the Department of Water Resources at least 10 days prior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

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 _____ day of December 2009

Gary Spackman.
Interim Director

WATER DISTRICT No. 170 CURRENT AND PROPOSED SUB-DISTRICTS



- Legend**
- Cities
 - Rivers and Streams
 - ▬ Water District No. 170
 - Proposed Expanded 72-F Sub-district
 - ▨ Existing Sub-district 72-F
 - ▧ Existing Sub-district 71
 - ▩ Existing Sub-district 72-A