

**BEFORE THE DEPARTMENT OF WATER RESOURCES  
OF THE STATE OF IDAHO**

IN THE MATTER OF THE PROPOSED  
REVISION OF THE BOUNDARY OF WATER  
DISTRICT 170, TO INCLUDE  
ADMINISTRATIVE BASIN 75, CREATING A  
NEW WATER DISTRICT, COMBINING  
WATER DISTRICTS, ABOLISHING WATER  
DISTRICTS, AND DESIGNATING SUB-  
DISTRICTS WITHIN ADMINISTRATIVE  
BASIN 75

**NOTICE OF PROPOSED ACTION, PUBLIC  
HEARING AND WRITTEN COMMENT  
PERIOD**

The Director (“Director”) of the Idaho Department of Water Resources (“Department”) 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. Idaho Code § 42-604 authorizes the Director to create, revise the boundaries of, or abolish a water district or combine two (2) or more water districts as required to properly administer uses of the water resources. The authority to revise or expand the boundaries of 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. Idaho Code § 42-604 directs that, before entering an order modifying the boundaries of a water district, the Department shall mail notice to each water user in the district describing the proposed action, scheduling the time and place of a hearing on the proposed action, and establishing a period for submission of written comments.

PROPOSED ACTIONS

The Director proposes to:

- Revise the boundary of Water District 170 to include the Department’s Administrative Basin 75 (“Basin 75”) as shown in the map in Attachment 1;
- Revise the boundary of Water District 75A, and combine into it Water Districts 75E and 75C as shown in the map in Attachment 2;
- Revise the boundary of Water District 75D as shown in the map in Attachment 3;
- Create a new Water District 75F as shown in the map in Attachment 4;
- Designate all Basin 75 water districts as sub-districts within Water District 170; and
- Include all surface and ground water rights, except domestic and stockwater uses as defined under Sections 42-111 and 42-1401(11), Idaho Code, and rights used for in-stream watering of livestock as defined by Section 42-113, Idaho Code, in the actions proposed above.

REASONS FOR PROPOSED ACTIONS

The Upper Salmon River Basin includes the Department’s Administrative Basins 71, 72, 73, 74 and 75 as shown in the map in Attachment 1. The proposed actions are required to administer water rights properly and efficiently within the Upper Salmon River Basin and to satisfy requirements of the Wild and Scenic Agreement signed by the State of Idaho and the United States Government in 2004<sup>1</sup>. The Wild and Scenic

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<sup>1</sup> See *Stipulation and Joint Motion for Order Approving Stipulation and Entry of Partial Decrees, SRBA District Court Consolidated Subcase No. 75-13316, Wild and Scenic Rivers Act Claims.*

Agreement requires the Department to establish water districts as necessary to assist the Department in the administration of surface water and groundwater rights in the Upper Salmon River Basin, including creation of the Upper Salmon Water District, now known as Water District 170, and designating existing water districts as sub-districts within Water District 170. Water rights in the Upper Salmon River Basin, including Administrative Basin 75, have been adjudicated by the Snake River Basin Adjudication (SRBA) Court. The SRBA was completed on August 25, 2014.

### NOTICE OF HEARING

Pursuant to Idaho Code § 42-604, the Department will conduct a public hearing regarding the proposed actions described above at the following time and place:

**Date:** Monday May 23, 2022  
**Time:** 6:00 pm  
**Location:** Elks Lodge  
901 Lombard St  
Salmon, ID 83467

### HEARING PROCEDURES AND COMMENT PERIOD

Information and testimony presented at the May 23, 2022, hearing will create a record that the Director will rely on to determine whether the proposed actions are appropriate. It is important that holders of water rights understand the proposed actions and participate in the hearing process. The Department will present information at the hearing regarding the proposed actions. Persons attending the hearing will have an opportunity to make an oral presentation regarding the proposed actions. Written comments may be submitted to the hearing officer at the hearing or at any time prior to the close of the written comment period on June 2, 2022. Written comments not presented at the hearing should be sent to the Director, Department of Water Resources, PO Box 83720, Boise, Idaho, 83720-0098.

Peter Anderson will serve as the presiding officer. The hearing will be held in accordance with the Department's Rules of Procedures (IDAPA 37.01.01).

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

This notice of hearing has been sent to all holders of water rights within Water District 170 and to all holders of water rights in Administrative Basin 75, except domestic and stockwater uses as defined under Sections 42-111 and 42-1401(11), Idaho Code, and rights used for in-stream watering of livestock as defined by Section 42-113, Idaho Code.

If you have questions concerning this notice, please call the Department's Salmon Field Office at 208-742-0655.

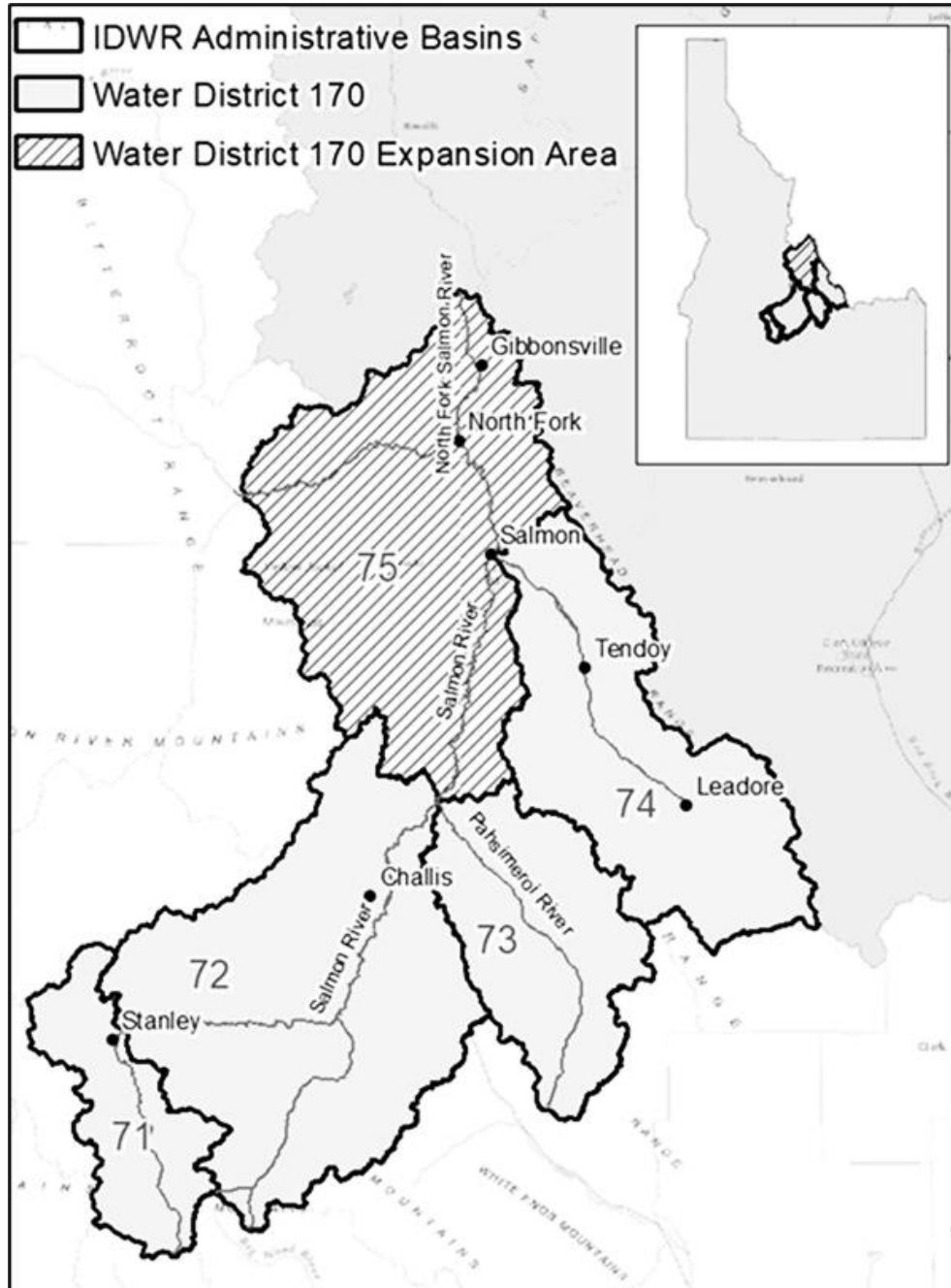
DATED this 2<sup>nd</sup> day of May 2022



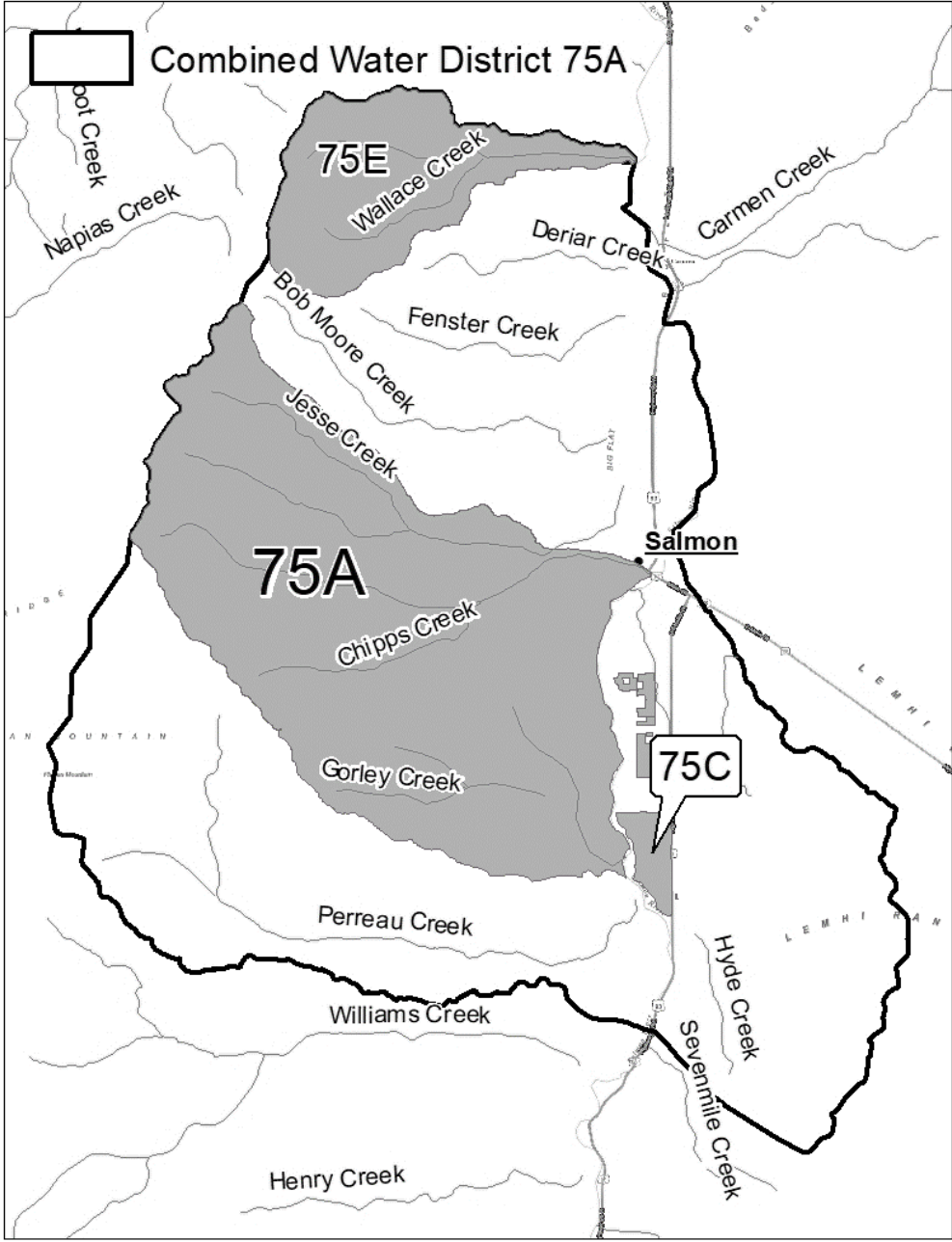
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Peter Anderson  
Presiding Officer

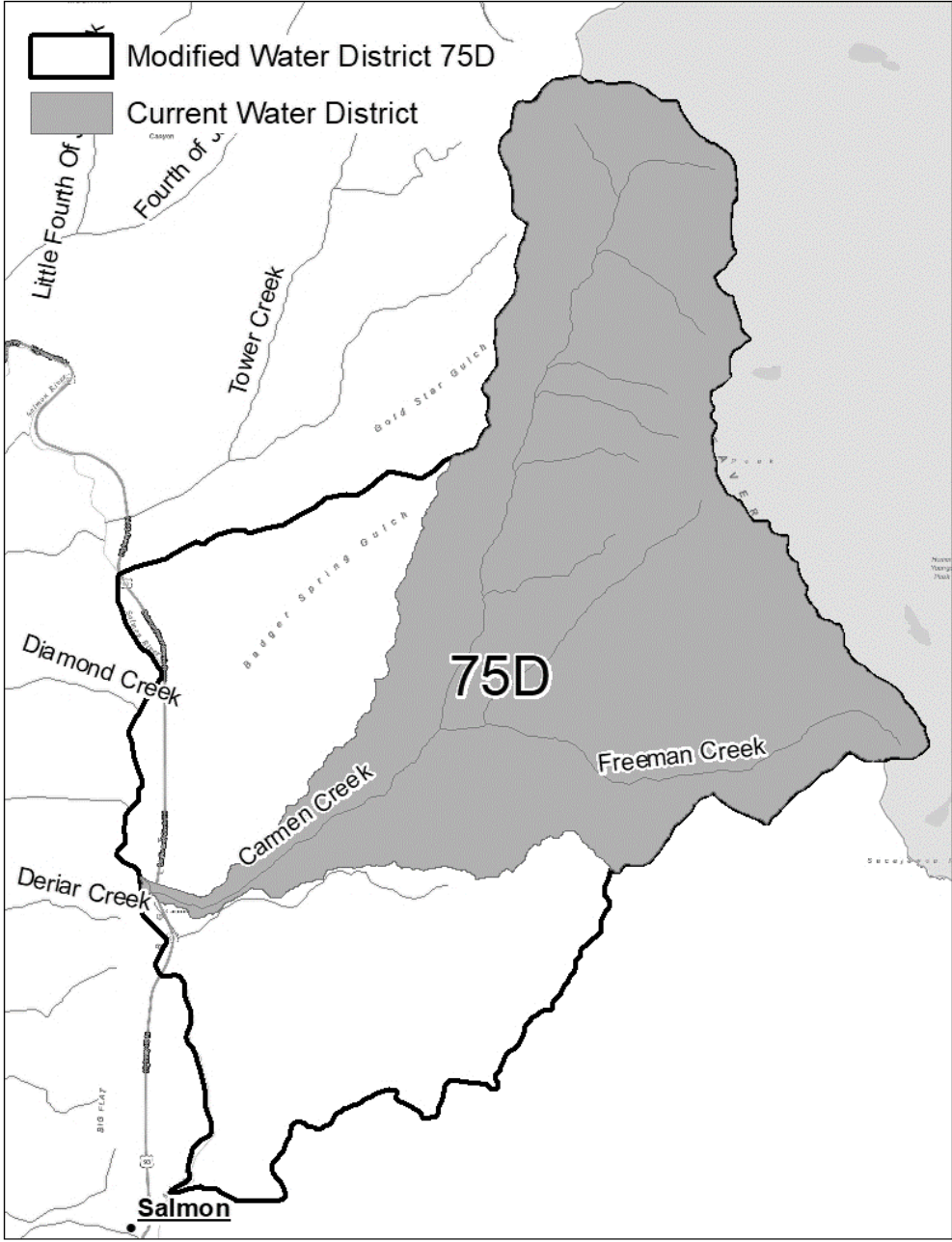
Attachment 1  
Proposed Modification of WD170



**Attachment 2**  
**Proposed Action - Water Districts 75A, 75E and 75C**



**Attachment 3**  
**Proposed Action - Water District 75D**



**Attachment 4**  
**Proposed Action - Water District 75F**

