

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF REVISING THE BOUNDARIES)
OF WATER DISTRICT NO. 130, THOUSAND)
SPRINGS AREA, WITHIN THE EASTERN SNAKE) NOTICE OF HEARING
PLAIN AQUIFER, IN ADMINISTRATIVE BASIN 37)

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. The Director may also revise the boundaries of a water district in order to properly administer uses of the water resource. During a water rights adjudication, the district court is authorized by Section 42-1417, Idaho Code, to approve interim administration of the water rights by the Director if reasonably necessary to protect senior water 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 modified by the court's order.

On February 19, 2002, the Director created the Thousand Springs Area Water District, designated as Water District No. 130, pursuant to chapter 6 title 42, Idaho Code. The district was created for the purpose of administration of rights to the use of ground water and springs discharging from the ESPA in Administrative Basins 36 and 43. The rights in Basins 36 and 43 had been partially decreed by the Snake River Basin Adjudication ("SRBA") District Court or were recommended in a Director's Report prior to the creation of Water District No. 130.

On August 30, 2002, the State of Idaho filed a motion with the SRBA Court requesting an order authorizing the interim administration of water rights by the Director in SRBA Reporting Area 16, Basin 37 Part 1, Ground Water. This affects ground water rights in that part of Basin 37 overlying the Eastern Snake Plain Aquifer ("ESPA"). On November 19, 2002, the SRBA District Court held a hearing on the State's motion and issued an order authorizing the Director to distribute water pursuant to chapter 6, title 42, Idaho Code, in accordance with the Director's Report for Basin 37 Part 1, Ground Water and the partial decrees that have superseded the Director's Report. The Director now proposes to revise the boundaries of Water District No. 130, to include ground water rights in that portion of Basin 37 overlying the ESPA, as shown on the map appended as Attachment 1 to the enclosed copy of the Order Granting State of Idaho's Motion for Order of Interim Administration.

NOTICE IS HEREBY GIVEN, pursuant to Section 42-604, Idaho Code, that the Director of the Department of Water Resources will conduct a public hearing regarding the proposed revision of the boundaries of Water District No. 130 as follows:

Hearing for Proposed Revision of Boundaries of Water District No. 130
2:30 p.m., December 18, 2002, at the Shoshone School District Office Board Room
409 N Apple St., Shoshone, Idaho (1 block west of Hwy. 75)

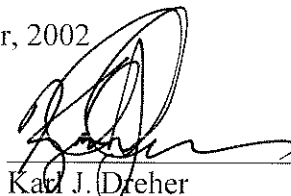
The Director will serve as the hearing officer. Persons attending the hearing will be provided an opportunity to make an oral presentation regarding the creation of the proposed district. Written comments may be submitted to the Director at the hearing or at any time prior to the close of the written comment period on December 31, 2002. Written comments not presented at the hearing should be sent to the Director, Department of Water Resources, 1301 North Orchard, Boise, Idaho, 83706.

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, 1301 North Orchard, Boise, Idaho, 83706, telephone number (208) 327-7900, at least ten (10) days prior to the hearing.

The regular annual meeting of the Water District 130 water users will be held on February 11, 2003. The annual meeting is held for the purpose of electing a watermaster and conducting other business necessary to continue operation of the district. The Director proposes that the watermaster of the revised Water District 130 continue the same duties as outlined by the Director when Water District 130 was created in February of 2002. Those duties, performed under the direction and supervision of the Director include: (1) curtailment of illegal diversions; (2) measurement and reporting of diversions under water rights; (3) enforcement of provisions of stipulated agreements between the holders of senior priority surface water rights and junior priority ground water rights; and (4) curtailment of out-of-priority diversions that are not included in a stipulated agreement or mitigation plan approved by the Director and that are determined by the Director to be causing injury to senior priority water rights.

The Director proposes that all ground water rights with points of diversion located within Basin 37 overlying the ESPA (or Basin 37 Part 1, Ground Water) be included in the revised water district boundary, except those used solely for domestic and/or stockwater purposes. Permitted and licensed rights not decreed in the SRBA and/or not included in SRBA Director's reports are subject to inclusion within the proposed revised boundaries of the water district unless used solely for domestic and/or stockwater purposes. This notice of hearing has been sent to all water right holders of record in accordance with these criteria.

Dated this 26th day of November, 2002



Karl J. Dreher
Director

WATER DISTRICT NO. 130 PROPOSED EXPANSION

