



State of Idaho

DEPARTMENT OF WATER RESOURCES

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DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

April 15, 2005

RE: Motion for Order of Interim Administration in Basins 31, 32 and 33

Dear Water User:

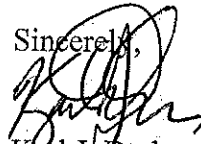
The enclosed documents relate to the State of Idaho's Motion for Order of Interim Administration, which seeks District Court authorization for administration of water rights in Basins 31, 32 and 33.

The purposes for the request are to obtain authority for the Director of the Idaho Department of Water Resources (IDWR) to create or revise water districts, and to provide for long-term administration of surface and ground water rights from hydraulically connected sources. One step in this process is the notification of potentially affected water right holders. Therefore, this mailing is being sent to all recorded Snake River Basin Adjudication claimants (except those whose use is solely for de minimis domestic and/or stockwater purposes) in Basins 31, 32 and 33.

Enclosed with this mailing are the following documents: (1) Motion for Order of Interim Administration and Notice of Hearing; (2) Brief in Support of Motion for Order of Interim Administration; and (3) Affidavit of Tim Luke, Section Manager for the IDWR Water Distribution Section.

If you have any questions, please call the Idaho Department of Water Resources hot line at 1-800-451-4129.

Sincerely,



Karl J. Dreher
Director

Enclosures

LAWRENCE G. WASDEN
Attorney General

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ISB # 2207

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)	Subcase No. 92-00021
)	
)	MOTION FOR ORDER OF
Case No. 39576)	INTERIM ADMINISTRATION OF WATER RIGHTS
)	IN BASINS 31, 32, AND 33 AND NOTICE OF
)	HEARING
_____)	

The State of Idaho moves this Court for an order of interim administration of water rights¹ in Snake River Basin Adjudication for Basins 31, 32 and 33, pursuant to Idaho Code § 42-1417, in accordance with the Director's Reports for Snake River Basin Adjudication Basins 31, 32 and 33 filed with the Court and partial decrees that have superseded the Director's Reports. The grounds for this motion are as follows:

1. Idaho Code § 42-1417 provides that the district court may, by order, permit the distribution of water pursuant to chapter 6, title 42, Idaho Code, through water districts in

¹ This motion does not seek authorization for interim administration of domestic and stock water rights as defined under Idaho Code §§ 42-111 and 42-1401A(11).

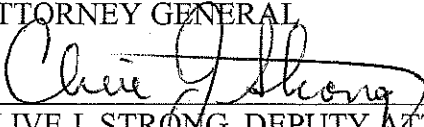
accordance with the Director's Report and the partial decrees for water rights acquired under state law or established under federal law. Idaho Code § 42-1417 provides that the district court may enter the order after notice and hearing, if the district court determines that interim administration of water rights is reasonably necessary to protect senior water rights.

2. Interim administration of water rights in Basins 31, 32 and 33 is reasonably necessary because an efficient means of administering water rights from ground water sources and some surface water sources in these basins does not exist. The establishment of water districts for these basins will provide the watermasters with the ability to administer water rights in accordance with the prior appropriation doctrine as established by Idaho law.
3. In accordance with Idaho Code § 42-1417(2)(b), notice of this motion is being provided to all affected claimants in Basins 31, 32 and 33 by mailed notice.

THEREFORE, the State respectfully moves this Court for an order authorizing interim administration of water rights in Basins 31, 32 and 33 in accordance with the Director's Reports for these Basins and the partial decrees that have superseded the Director's Reports. The *Affidavit Of Timothy J. Luke In Support Of Motion For Order Of Interim Administration* and a brief in support of this motion are submitted herewith. Oral argument on this motion is requested.

DATED this 15th day of April 2005.

LAWRENCE G. WASDEN
ATTORNEY GENERAL

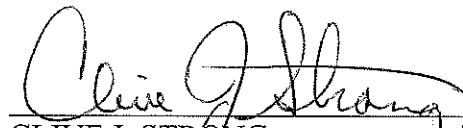

CLIVE J. STRONG, DEPUTY ATTORNEY GENERAL
CHIEF, NATURAL RESOURCES DIVISION

NOTICE OF HEARING

Notice is hereby given that the motion for interim administration for Basins 31, 32 and 33 will be heard on **the 21st day of July 2005 at 1:30 p.m.** at the SRBA District Court, 253 3rd Avenue North in Twin Falls, Idaho.

DATED this 15th day of April 2005.

LAWRENCE G. WASDEN
ATTORNEY GENERAL

A handwritten signature in cursive script, reading "Clive J. Strong", is written over a horizontal line.

CLIVE J. STRONG
DEPUTY ATTORNEY GENERAL
CHIEF, NATURAL RESOURCES DIVISION