

IDAHO DEPARTMENT OF WATER RESOURCES

HEARING REGARDING THE PROPOSED REVISION OF THE BOUNDARY FOR WATER DISTRICT 13M TO INCLUDE STOCKTON CREEK, BATTLE CREEK, AND COTTONWOOD CREEK

Franklin County Ag Extension Office, 561 West Oneida, Preston, Idaho
July 30, 2014 at 1:00 pm

Preliminary Matters

- Circulate attendance roster showing persons who desire to make a statement and whom they represent.

Hearing (On Record)

- My name is James Cefalo. I am the Water Resources Program Manager for the Eastern Region of the Idaho Department of Water Resources. I am serving as the presiding officer in this public hearing.
- Today we are conducting a hearing to acquire public comment regarding a proposal to combine water districts 13L (Battle Creek) and 13M (Cottonwood Creek) and to expand the combined district to include Stockton Creek and its tributaries.
- Idaho Code § 42-604 requires that a public hearing be held prior to combining water districts or amending water district boundaries.
- This public hearing is being recorded. Please turn off your cell phones. And, please refrain from talking while others are making statements.
- For the record, this hearing is being conducted on July 30, 2014 commencing at 1 pm at the Franklin County Ag Extension Building in Preston, Idaho.
- The purpose of this hearing is to provide affected water right holders of record, or their representatives, an opportunity to make statements of their position, views, or concerns about the proposed water district changes.
- There are signup sheets being circulated. If you wish to make a statement please sign one of these sheets.

Background

- Notice of this public hearing was mailed to each affected water user of record in the proposed district as required under the provisions of Idaho Code § 42-604.
- Prior to taking testimony at this hearing, I would like to provide a brief explanation as to why the Department is proposing the revisions to water districts 13L and 13M. As many of you are aware, water from Cottonwood Creek is diverted into the Stockton Creek and Battle Creek drainages. In recent years there have been delivery issues arise in these

basins relating to the Cottonwood Creek water. Many of the affected water users have water rights in multiple drainages. The Battle Creek water district (13L) has not been active for many years. Based on the physical proximity of the Cottonwood Creek, Battle Creek, and Stockton Creek drainages, the three basins could easily be regulated by a single watermaster without a significant increase in travel time or cost. For these reasons, the Department proposes to combine the three drainages into a single water district, which will be assigned Water District No. 13M.

- We will now begin taking statements and comments from those persons who desire to be heard in this proceeding. Are there any questions before we start?

Procedure

- For the purposes of this hearing, persons making statements do not need to be sworn in, nor will they be subject to cross-examination. The hearing officer may ask clarifying questions of the speakers, but will not respond to questions from the speakers or the audience while statements are being taken.
- All persons signing up to speak will be heard before others are heard. All persons wishing to speak will be heard once before anyone speaks a second time.
- The Department will also accept written statements and comments at this hearing or until the close of the comment period on August 11, 2014. All written statements should clearly identify the writer. Please send written comments to: IDWR, 900 North Skyline Dr., Suite A, Idaho Falls, ID 83402.
- Before making your statement, please state your name and address. Also, please indicate if you are speaking for yourself only, or representing others.

Conclusion of Proceedings

- If there is no other testimony, then we will conclude the record of oral statements in this proceeding. The administrative record will remain open through August 11, 2014, to allow time for the submittal of written comments as provided in the notice of this proceeding and as required by Idaho Code § 42-604.
- IDWR will issue a preliminary order following the close of the comment period. A copy of the preliminary order will be sent by regular mail to all holders of water rights affected by the order. The preliminary order will include a page describing the appeals process for persons who disagree with any part of the order. Once the Department's decision becomes a Final Order, any party may seek judicial review before the district court.
- If the water districts are combined and revised as proposed, a meeting will be held this spring to elect a watermaster and an advisory committee and conduct other business necessary to initiate and operate the revised district.
- Thank you all for attending and for your participation. The record is now closed, except for the taking of written comments.

July 30th WDI3M Public Hearing

Scott Blarsdell	Cottonwood / Stockton
Ron Blarsdell	
Aam Larsen	
Brent Hoffner (Miller Family)	
Brad Shumway	
	Treasurer Canal President
Wiles Geddes	Stangam President
Clyden Christensen	Tres / St Ann
Vaughn Grogerson	WIM 13M
Paul	TR / St Ann
Lynn Daws	Cottonwood
Brent Abbott	Stockton
Glen Merrill	Cottonwood / Stockton
Brad Lambert	Stangam

Ron Blarsdell - Cottonwood Grazing Corp

- concerned that water rights are not updated
- concerned that water rights are not correct
- Cottonwood Grazing went in to update their water rights - started with 6 cfs and ended up with 1.5 cfs
- pasture / flood 1995 updated rights - lost a lot of water, where did it go.

Brent Abbott: 3.5 cfs in Stockton Creek

Miles Geddes lives in Bawda

Strong Am board is very much a board & would like to become an active water district.

Would like to have records added to the IDWR files

WM of IBM - know the importance of records.

A couple of discussions way down by the river B Shumway upstream of reservoir

R Blaisdell Also has rights in Orinda County

↳ concerned that water has been transferred, off the ground.

★ Make a transcript of verbal comments & written letters included with the cards.

★ Make a new list for WDIBM

Mail to Mr. Gregersen