

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

IN THE MATTER OF THE PROPOSED)
EXPANSION OF WATER DISTRICT 370)
FOR ADMINISTRATION OF GROUND WATER)
RIGHTS IN THE MULDOON CREEK DRAINAGE))
BASIN, ADMINISTRATIVE BASIN 37)
_____)

NOTICE OF PUBLIC HEARING

The Director ("Director") of the Idaho Department of Water Resources ("IDWR" or "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 provides authority for the Director to create, revise the boundaries of, or abolish a water district or combine two (2) or more water districts.

NOTICE IS HEREBY GIVEN, pursuant to Idaho Code § 42-604, that IDWR will conduct a public hearing regarding the proposed expansion of Water District 370 ("WD 370") as follows:

**PUBLIC HEARING FOR PROPOSED EXPANSION OF WD370 TO INCLUDE THE
ADMINISTRATION OF GROUND WATER RIGHTS IN THE MULDOON CREEK DRAINAGE
AREA**

**Tuesday, April 4, 2017
Approximately 3:00 PM (Directly after WD 370 annual meeting)
Carey City Hall
20482 N Main St
Carey, 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. Both surface water and ground water rights in the Muldoon Creek drainage area have been adjudicated by the Snake River Basin Adjudication ("SRBA") Court. The SRBA was completed on August 25, 2014.

The Director proposes to expand WD 370 to include ground water rights in the Muldoon Creek drainage area in Administrative Basin 37 as shown on the attached map. The proposed expansion will include several ground water irrigation rights from the Logan and Mutual mine tunnels that are injected into Muldoon Creek and Copper Creek respectively. The water rights are delivered downstream where they are diverted for irrigation (see list of water rights in Attachment B). Historically these water rights have been delivered by the WD 370 watermaster. However, the Department never formally modified WD 370 to include administration of these ground water rights by the WD 370 watermaster. The proposed expansion will exclude ground water domestic and stock water rights as defined under Idaho Code §§ 42-111 and 42-1401A (11).

Information and testimony presented at the hearing on April 4, 2017, will create a record upon which the Director will rely to determine whether expansion of WD 370 to include ground water rights is appropriate. It is important that holders of water rights understand the proposed action and participate in the hearing process. Tim Luke, IDWR, Water Compliance Bureau Chief, will serve as the hearing officer. Persons attending the hearing will be provided an opportunity to make an oral presentation regarding the proposed action. 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 April 14, 2017. Written comments not presented at the hearing should be sent to the Director, Department of Water Resources, P.O. Box 83720, Boise, Idaho, 83720-0098.

IDWR will present information at the hearing about why it is proposing expansion of the water district. The hearing will be held in accordance with IDWR's Rules of Procedures (IDAPA 37.01.01). These rules may be viewed at the Idaho Department of Administration's website as follows:

<http://adminrules.idaho.gov/rules/current/37/0101.pdf>

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 IDWR at least five days prior to the hearing.

This notice of hearing has been sent to all surface and ground water right holders of record in the Muldoon Creek drainage area except ground water domestic and stock water rights defined under Idaho Code §§ 42-111 and 42-1401A (11).

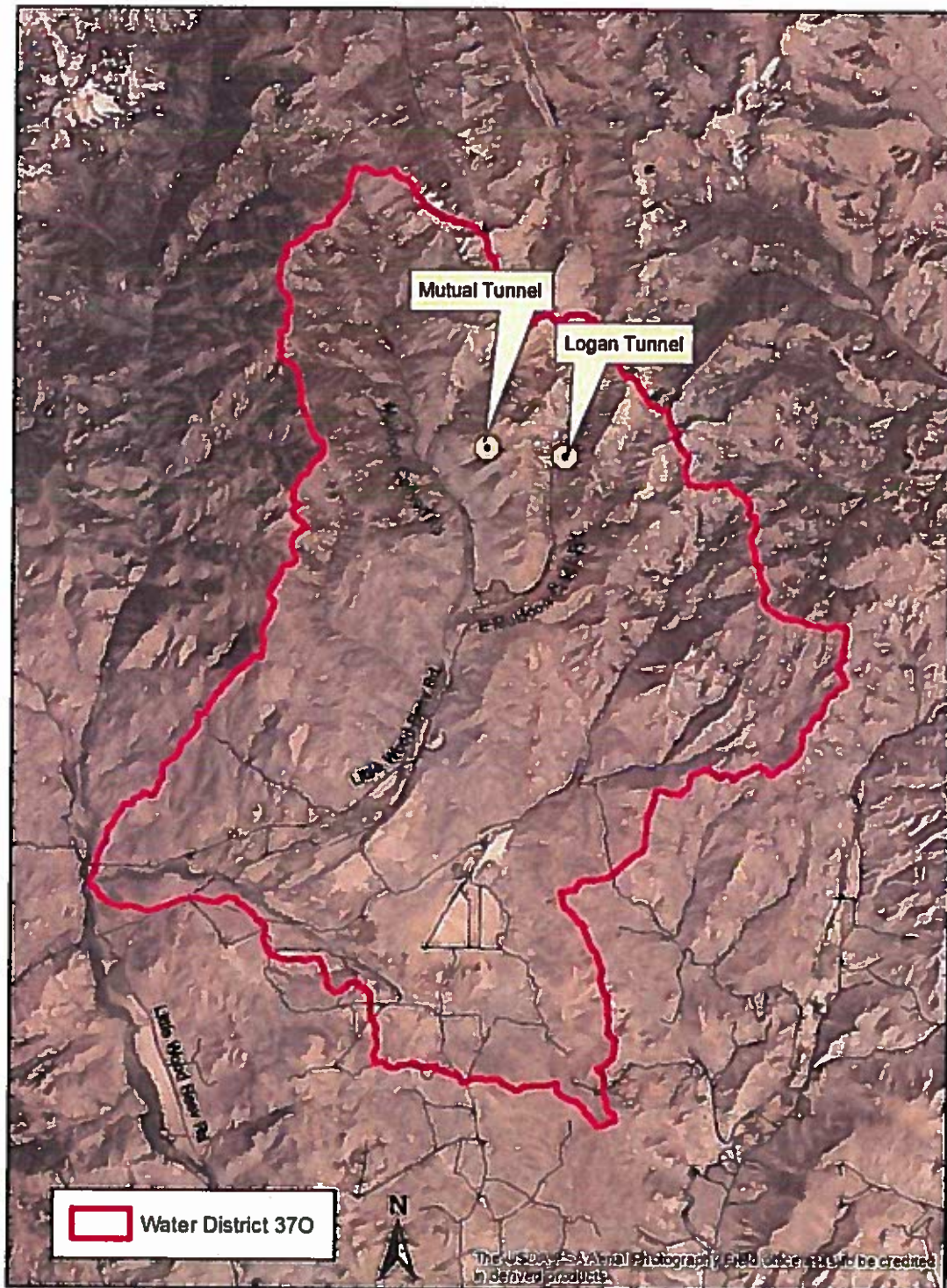
If you have questions concerning this notice, please call the IDWR regional office in Twin Falls at (208)736-3033.

DATED this 14th day of March, 2017



Gary Spackman
Director

Attachment A
Location of Irrigation Ground Water Rights Points of Diversion



Attachment B
List of Irrigation Ground Water Rights

Water Right	Priority Date	Decreed Date	Owner	Diversion Rate (cfs)	Uses	Source
37-1120	1/22/1913	3/10/2010	CLARK, ANITA K; CLARK, TERRY L	1.1	IRRIGATION	GROUND WATER
37-2243B	8/8/1912	5/13/2009	PRICE, BRUCE B; PRICE, SHERRY L	0.06	IRRIGATION	GROUND WATER
37-2243C	8/8/1912	4/7/2010	GEORGE T MERRILL & MARILYN K MERRILL FAMILY TRUST	0.03	IRRIGATION	GROUND WATER
37-2243A	8/8/1912	4/7/2010	THE MULDOON RANCH CO LLC	4.21	IRRIGATION	GROUND WATER