

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

**IN THE MATTER OF REVISING THE BOUNDARIES)
OF WATER DISTRICT NO. 120, AMERICAN FALLS)
AREA, WITHIN THE EASTERN SNAKE PLAIN) NOTICE OF HEARING
AQUIFER, IN ADMINISTRATIVE BASIN 29)**

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 American Falls Area Water District, designated as Water District No. 120, 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 from the Eastern Snake Plain Aquifer ("ESPA") in Administrative Basins 35 and 41. The rights in Basins 35 and 41 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. 120.

On July 11, 2003, the State of Idaho filed a motion with the SRBA Court requesting an order authorizing the interim administration of ground water rights by the Director in that portion of Basin 29 overlying the ESPA. On October 21, 2003, the SRBA District Court held a hearing on the State's motion and issued an order on October 31, 2003 authorizing the Director to distribute water pursuant to chapter 6, title 42, Idaho Code, in accordance with the Director's Report for Basin 29 and the partial decrees that have superseded the Director's Report. The Director now proposes to revise the boundaries of Water District No. 120, to include ground water rights in that portion of Basin 29 overlying the ESPA, as shown on the map appended as Attachment A.

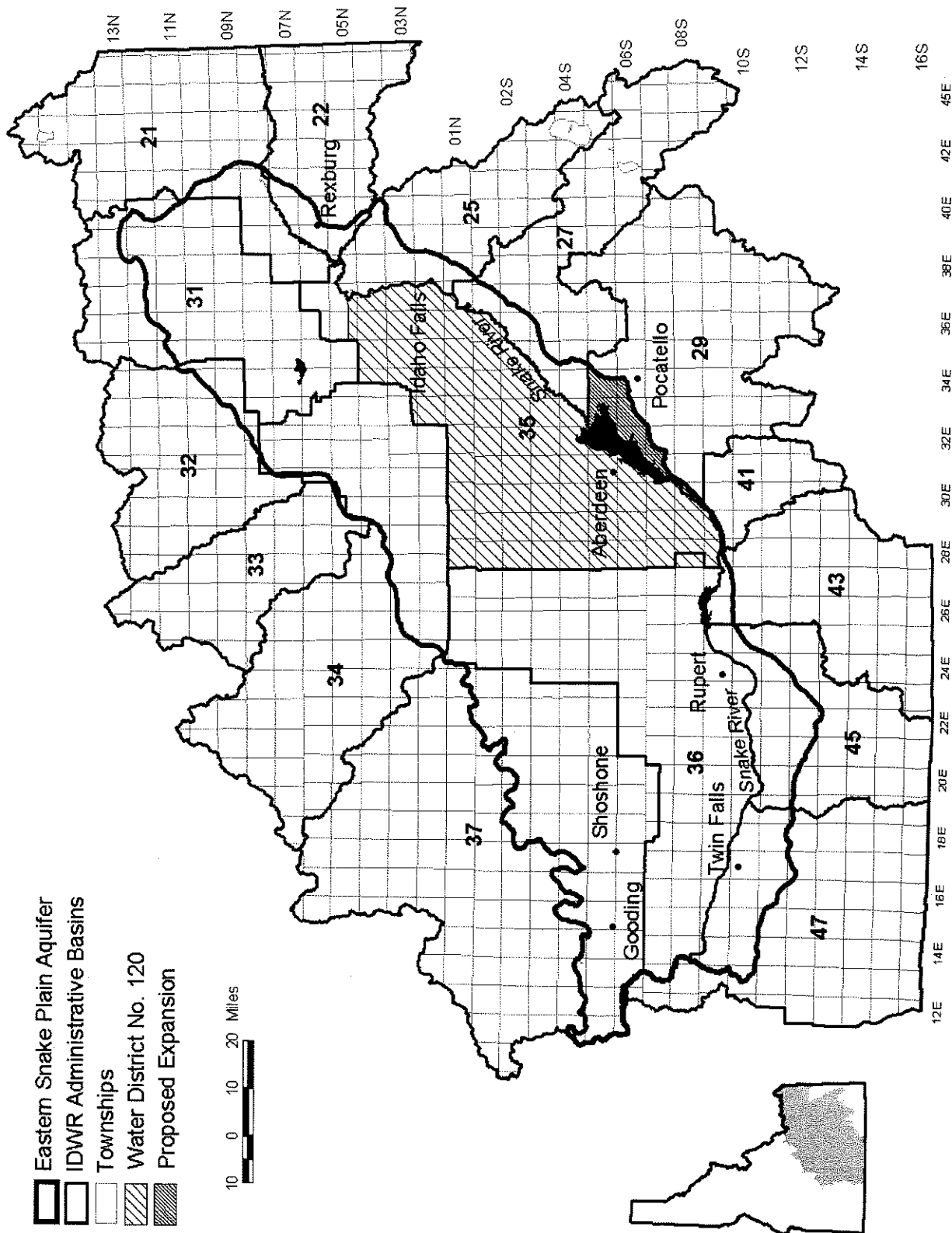
NOTICE IS HEREBY GIVEN, pursuant to Section 42-604, Idaho Code, that the Director of the Department of Water Resources will conduct a public hearing regarding the proposed revision of the boundaries of Water District No. 120 as follows:

Hearing for Proposed Revision of Boundaries of Water District No. 120

1:00 p.m., December 17, 2003, at the Ramada Inn

133 W. Burnside, Pocatello, Idaho (intersection of I-86 and Hwy. 91)

WATER DISTRICT NO. 120 PROPOSED EXPANSION



Notice sent to WD 121 users in Basin 35 & 41

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF REVISING THE BOUNDARIES)
OF WATER DISTRICT NO. 120, AMERICAN FALLS)
AREA, WITHIN THE EASTERN SNAKE PLAIN)
AQUIFER, IN ADMINISTRATIVE BASIN 29)

NOTICE OF HEARING

On February 19, 2002, the Director of the Idaho Department of Water Resources created the American Falls Area Water District, designated as Water District No. 120, 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 from the Eastern Snake Plain Aquifer ("ESPA") in Administrative Basins 35 and 41. On July 11, 2003, the State of Idaho filed a motion with the Snake River Basin Adjudication ("SRBA") Court requesting an order authorizing the interim administration of ground water rights by the Director in that portion of Basin 29 overlying the ESPA. On October 21, 2003, the SRBA District Court held a hearing on the State's motion and issued an order on October 31, 2003 authorizing the Director to distribute water pursuant to chapter 6, title 42, Idaho Code, in accordance with the Director's Report for Basin. The Director now proposes to revise the boundaries of Water District No. 120, to include ground water rights in that portion of Basin 29 overlying the ESPA, as shown on the map below.

NOTICE IS HEREBY GIVEN, pursuant to Section 42-604, Idaho Code, that the Director will conduct a public hearing regarding the proposed Water District No. 120 boundary revisions as follows:

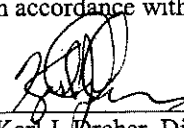
**1:00 p.m., December 17, 2003, at the Ramada Inn,
133 W. Burnside, Pocatello, Idaho (intersection of I-86 and Hwy 91)**

The Director will serve as the hearing officer. Persons attending the hearing will be provided an opportunity to make an oral presentation regarding the proposed district boundary revisions. 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 29, 2003. Written comments not presented at the hearing may be sent to the Director, Department of Water Resources, 1301 N. 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 five (5) days prior to the hearing.

The Director proposes that all ground water rights with points of diversion located within Basin 29 overlying the ESPA be included in the water district boundaries as revised, except those 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 1st day of December, 2003


Karl J. Dreher, Director

