

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

IN THE MATTER OF CREATING THE )  
OAKLEY VALLEY AREA WATER )  
DISTRICT, WATER DISTRICT NO. 140, ) **NOTICE OF HEARING**  
FOR THE ADMINISTRATION OF WATER )  
RIGHTS IN ADMINISTRATIVE BASIN 45 )  
\_\_\_\_\_ )

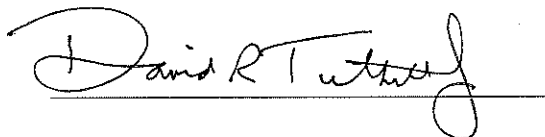
On January 11, 2007, individual water users within Water District No. 45-F, Marsh Creek and tributaries, filed with the Director of the Idaho Department of Water Resources (“Director” or “Department”) a Petition for Reconsideration regarding the Director’s Final Order Creating Water District No. 140, dated December 28, 2006 regarding the Director’s Final Order Creating Water District No. 140. The individual water users that signed the Petition for Reconsideration (Petitioners) are identified on the attached Certificate of Mailing.

The petitions for reconsideration were denied by operation of law because the Director did not dispose of the petitions within twenty-one (21) days of the filings. The petitions were not acted on in part due to the transition in Directors that had taken place at the time the Petition for Reconsideration was filed. The Director met with the Petitioners twice since the Order became final by operation of law. The Director agreed to hold a hearing to provide the Petitioners an opportunity to voice their concerns regarding the inclusion of Water District 45-F, Marsh Creek and tributaries, as a sub-district within Water District No. 140.

**NOTICE IS HEREBY GIVEN** that the Director will preside over a hearing on Wednesday, October 3, 2007 at 7:00 p.m. in the Albion Firehouse, 149 E. Market, Albion, ID, to address the Petition of Reconsideration filed by the Petitioners.

The hearing will be held in accordance with Chapter 2, Title 42, of the Idaho Code and the adopted Rules of Practice and Procedure of the Department (IDAPA 37.01.01). The hearing will be conducted in a facility that meets the accessibility requirements of the Americans with Disabilities Act. If you require special accommodations in order to attend, participate in or understand the conference, please advise the department, at telephone number 208-287-4803 within (10) days prior to the conference.

Dated this 20<sup>th</sup> day of September, 2007.



**David R. Tuthill, Jr.**  
Director

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 20<sup>th</sup> day of September 2007, the above and foregoing document was served on each individual or entity on the service list for this matter on file at the Idaho Department of Water Resources, 322 East Front Street, Boise, Idaho. Each individual or entity on the service list was served by placing a copy of the above and foregoing document in the United States mail, postage prepaid and properly addressed.

**Documents served: Notice of Hearing for Creating Oakley Valley Area Water District, WD140, for Administration of Basin 45.**

*Christine Roberts*

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**Christine Roberts  
Technical Records Specialist  
Idaho Department of Water Resources**

TODD ADAMS  
1034 E 900 S  
ALBION ID 83311

ELDON ADAMS  
1060 E 900 S  
ALBION ID 83311

BRETT D ADAMS  
100 SCHOOL ST  
ALBION ID 83311

SANDRA ANDERSON  
BOX 158  
ALBION ID 83311

TOMMY ASHER  
BOX 146  
ALBION ID 83311

LEO & MERLA BELL  
1137 E 1000 S  
ALBION ID 83311

BLACKJACK RANCH  
LYLE MAHONEY  
BOX 177  
ALBION ID 83311

DON BOWDEN  
363 S MAIN  
ALBION ID 83311

JOHN BURROWS  
BOX 1458  
ALBION ID 83311

JEFF CHATBURN  
850 S 1275 E  
ALBION ID 83311

ALAN G CLARK  
1007 E 1000 S  
ALBION ID 83311

DOROTHY E CLARK  
1003 E 1000 S  
ALBION ID 83311

KENT COOPER  
990 NE 900 S  
ALBION ID 83311

DONALD B DANNER  
BOX 116  
ALBION ID 83311

NORMAN DAYLEY  
BOX 165  
ALBION ID 83311

JEFF DAYLEY  
PO BOX 501  
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THOMAS GEARY  
964 S950 E  
ALBION ID 83311

DALE GOODMAN  
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ALBION ID 83311

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950 S 1300 E  
ALBION ID 83311

JAMES KELLEY  
1090 E 900 S  
ALBION ID 83311

SANDRA KOYLE  
913 S 1050 E  
ALBION ID 83311

MIKE K MATHEWS  
1323 E 950 S  
ALBION ID 83311

PAT MCCAMMON  
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DECLO ID 83323

GEORGE & GWEN  
MONTGOMERY  
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LEROY ROBINSON  
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RONALD SORENSEN  
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