

NOTICE OF HEARING AND PUBLIC MEETING IN THE MATTER OF REVISING THE BOUNDARIES OF WATER DISTRICT NO. 130, THOUSAND SPRINGS AREA, WITHIN THE EASTERN SNAKE PLAIN AQUIFER, IN ADMINISTRATIVE BASIN 37.

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. During a water rights adjudication, Idaho Code § 42-1417 authorizes the district court to approve interim administration of the rights by the Director if reasonably necessary to protect senior 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 may be modified by the court's order.

On December 13, 2005 the Snake River Basin Adjudication ("SRBA") District Court issued an order authorizing the Director to distribute surface water rights pursuant to chapter 6, title 42, Idaho Code, in accordance with the Director's Reports and partial decrees that have superseded the Director's Reports within Administrative Basin 37.

The Director now proposes to revise the boundaries of Water District No. 130, to include surface water rights in that portion of Basins 37 overlying the Eastern Snake Plain Aquifer ("ESPA") as shown on the attached map. The proposed action affects holders of surface water rights in the Thousand Springs area in Basin 37 north of Hagerman, ID near the Malad River and Bliss, ID. The Director does not propose to include in Water District No. 130 surface water rights with sources from or tributary to the Big Wood or Little Wood Rivers. Water rights from these sources are currently administered by Water Districts No.s 37 and 37-M.

The purpose of the proposed action is to provide for the protection of senior water rights within the affected area. Inclusion of these rights in Water District 130 will allow the watermaster to administer these rights in accordance with the prior appropriation doctrine as established by Idaho law.

NOTICE IS HEREBY GIVEN, pursuant to Idaho Code § 42-604, that the Director of the Department of Water Resources will conduct a public hearing regarding the revision of the boundaries of the water district as follows:

PUBLIC HEARING FOR REVISION OF THE BOUNDARIES OF THE WATER DISTRICT:

**7:00 pm, January 26, 2006, at the American Legion Hall Post 31,
281 North State Street (Highway 30), Hagerman, ID**

Information and testimony presented at the hearing on January 26, 2006, will create a record upon which the Director will rely to determine whether revision of the boundaries of the water district is appropriate. Persons attending the hearing will be provided an opportunity to provide oral testimony regarding the revision of the district boundaries. Written comments may also be submitted to the Director at the hearing or at any time prior to the close of the written comment period on February 6, 2006. Written comments not presented at the hearing can be sent to the Director to be received at the Department of Water Resources, P. O. Box 83720, Boise, Idaho, 83720-0098, no later than February 6, 2006.

The Director proposes that all surface water rights with points of diversion located within the revised boundaries be included in the Water District No. 130, except those used solely for domestic and/or stock water purposes and those surface water rights currently diverted from or tributary to the Big Wood and Little Wood Rivers. This notice of hearing has been sent to all water right holders of record in accordance with these criteria.

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 at least 10 days prior to the hearing or conference. Questions concerning this notice may be directed to the Department's hotline at (800) 451-4129, the Department's regional office in Twin Falls at (208) 736-3033 or the state office in Boise at (208) 287-4958.

Karl J. Dreher, Director

