

JAN 06 2010

State of Idaho, County of Custer, ss:

DEPT. OF WATER RESOURCES
SOUTHERN REGION

**HEARING IN THE MATTER
OF THE PROPOSED
CREATION OF A CLAYTON
AREA SUB-DISTRICT WITHIN
WATER DISTRICT NO. 170**

On April 6, 2006, the Director of the Idaho Department of Water Resources ("Department" or "Director") issued Amended Final Order Creating Water District No. 170 (a copy of the order is posted on the Department's website: <http://www.idwr.idaho.gov/water/districts/UpperSalmon.html>). That order established Water District No. 170 to include all surface water and ground water rights in the Idaho Department of Water Resources Administrative Basins 71 and 72, other than de minimis domestic and stock water rights as defined by sections 42-111 and 42-1401A (11), Idaho Code. Existing water districts located within the boundaries of Water District No. 170 are designated as sub-districts of Water District No. 170 by the Director's Amended Final Order. The order provides that sub-districts shall be responsible for distribution of water rights within their respective boundaries upon holding an annual meeting to elect a watermaster and adopt a budget in accordance with provisions of chapter 6, title 42, Idaho Code. Existing sub-districts in Water District No. 170 are shown in the attached map. The Department proposes to create an additional sub-district within Water District No. 170 to administer surface and ground water rights in the Clayton area including the East Fork Salmon River and surrounding areas as shown on the attached map. The pro-

I, SUSAN CALLAHAN, representing the Challis Messenger, a weekly newspaper, published at Challis, Idaho, do solemnly swear that the notice hereto attached and made a part hereof, was published in the regular and entire issue of the Challis Messenger for 2 consecutive weeks, commencing with the issue dated 12/24 2009 and ending with the issue dated 12/31 2009

Susan Callahan

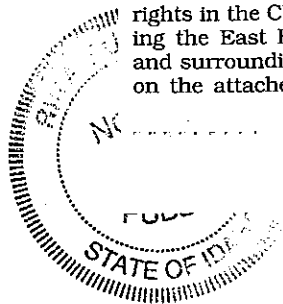
STATE OF IDAHO)

COUNTY OF CUSTER)

On this 4th day of JAN. in the year of 2010, before me, a Notary Public,

personally appeared SUSAN CALLAHAN, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

Lina Sue Jappan
Notary Public for Idaho
Residing at Challis ID
My commission expires: 12-8-14



posed sub-district will allow affected water users to set an annual budget and elect a local deputy watermaster to deliver water rights in accordance with Idaho law.

NOTICE IS HEREBY GIVEN that the Idaho Department of Water Resources will conduct a public hearing regarding the proposed creation of the sub-district within Water District No. 170, as follows:

PUBLIC HEARING FOR THE PROPOSED SUB-DISTRICT CREATION:
6:00 P.M., January 12, 2010 at the Clayton Community Center US Highway 75, Clayton, ID

Information and testimony presented at the hearing on January 12, 2010, will create a record which will assist the Interim Director in determining whether formation of a sub-district is appropriate, and if so, how the sub-district should be formed. The Interim Director will serve as the hearing officer. Persons attending the hearing will be provided an opportunity to make an oral presentation regarding the creation of the proposed sub-district. It is important that holders of water rights reporting, and regulating water diversions within the sub-district and will fund one or more seasonal or full-time deputy watermasters who will serve as deputy watermasters under the watermaster for Water District No. 170. The proposed sub-district will meet annually to adopt a budget and conduct other business necessary to operate the sub-district, such as adopting resolutions and selecting a deputy watermaster. A sub-district that adequately measures, records, reports, and controls diversions should not be subject to future assessments to fund the watermaster for the Upper Salmon Water District for purposes of measuring, recording, reporting, and regulating diversions within that sub-district. However, the sub-district may be subject to future assessments for costs associated with oversight of the sub-district. Oversight costs may include, but may not be limited to, technical assistance, enforcement assistance, training of deputy watermasters, collection and quality control review of diversion data, periodic field checks of diversions, periodic or miscellaneous field calibration measurements of measuring devices, review of annual sub-district and budget

31, 2009

DATE OF PUBLICATION

City of Custer, ss:

ALLANAN, representing
owner, a weekly newspaper,
Challis, Idaho, do solemnly swear
that attached and made a part
of the regular and entire
Messenger for 2
commencing with the issue
of 20 09 and ending with the
issue of 31 20 09

Challis

NOTARY PUBLIC)
)
)
)
)

_____ day of JAN. in
_____, before me, a Notary Public,
I met SUSAN CANNANAN,
known to me to be the person whose
name appears to the within instrument, and
she has duly sworn, declared that the
contents are true, and acknowledged to
be the same.

Sue Tappan
Notary Public for Idaho
at Challis, ID
My commission expires: 12-8-14

RECEIVED

JAN 06 2010

DEPT. OF WATER RESOURCES
SOUTHERN REGION

Water District No. 170, as follows:
**PUBLIC HEARING FOR
THE PROPOSED SUB-DISTRICT
MODIFICATION:**
**9:00 A.M., January 13,
2010 at the Custer County
Courthouse**

801 Main St, Challis, ID
Information and testimony
presented at the hearing on
January 13, 2010, will create a
record which will assist the
Interim Director in determining
whether modification of the sub-
district is appropriate, and if so,
how the sub-district should be
modified. The Interim Director
will serve as the hearing officer.
Persons attending the hearing
will be provided an opportunity to
make an oral presentation
on or before December 22 and
31, 2009

Department of Water Resources
will conduct a public hearing
regarding the proposed modifica-
tion of the sub-district within

