

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

IN THE MATTER OF THE PROPOSED)
COMBINATION OF WATER DISTRICTS 13L)
(BATTLE CREEK) AND 13M (COTTONWOOD) NOTICE OF PUBLIC HEARING
CREEK) AND THE EXPANSION OF THE)
COMBINED DISTRICT TO INCLUDE)
STOCKTON CREEK AND ITS TRIBUTARIES)

The Director of the Idaho Department of Water Resources (“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 water districts, revise the boundaries of districts, abolish a water district, or combine two or more water districts.

NOTICE IS HEREBY GIVEN, pursuant to Idaho Code § 42-604, that the Department will conduct a public hearing regarding the proposed combination of Water District 13L (Battle Creek) and Water District 13M (Cottonwood Creek) and the expansion of the boundary of the combined water district to include Stockton Creek and its tributaries (or the Stockton Creek drainage). The proposed water district will be identified as Water District 13M. The public hearing will be held as follows:

**Idaho Department of Water Resources
Public Hearing for Proposed Combination of
WD 13L (Battle Cr.) and WD 13M (Cottonwood Cr.) and
Expansion to Include Stockton Cr. and Tributaries**

**1:00 pm, July 30, 2014
Franklin County Ag Extension Office
561 West Oneida, Preston, ID 83263**

Water District 13L currently includes Battle Creek and its tributaries. Battle Creek flows into the Bear River approximately three miles to the northeast of Preston. Water District 13M currently includes Cottonwood Creek and its tributaries. Cottonwood Creek flows into the Bear River near the Oneida Narrows, approximately twelve miles north of Preston. Stockton Creek drains a relatively small watershed along the southwest portion of the Cottonwood Creek drainage and is tributary to the Oxford Slough near Swan Lake.

Certain water rights diverted from Cottonwood Creek are injected into and commingled with water in the Battle Creek drainage and the Stockton Creek drainage. Battle Creek, Cottonwood Creek and Stockton Creek and their tributaries should be combined into a single water district to provide for proper administration of the trans-basin diversions. Revising the boundaries of Water District 13M to include Battle Creek, Cottonwood Creek and Stockton Creek and their tributaries is necessary to properly administer the water uses and water rights in the three drainages.

The Director proposes to revise the boundary of Water District 13M to include the Battle Creek drainage and Stockton Creek drainage as shown on the attached map. All water rights in the revised water district boundary shall be distributed in accordance with water rights on record at the Department.

Information and testimony presented at the public hearing described above will create a record upon which the Director will rely to determine whether the proposed changes are appropriate. It is important that holders of water rights understand the proposed action and participate in the hearing process. James Cefalo, the Program Manager for the Eastern Region office, 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 August 11, 2014. Written comments not presented at the hearing should be sent to James Cefalo, Department of Water Resources, 900 North Skyline Drive, Suite A, Idaho Falls, Idaho 83402.


IDWR will present additional information at the hearing about the basis for the proposed water district changes. The hearing will be held in accordance with IDWR's Rules of Procedures (IDAPA 37.01.01). These rules may be viewed at: <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 (5) days prior to the hearing.

This notice of hearing has been sent to all water right holders of record within Water Districts 13L and 13M and all owners of record for water rights from Stockton Creek and tributaries.

If you have questions concerning this notice, please call the Department's regional office in Idaho Falls at (208) 525-7161, or contact the IDWR State Office at (208) 287-4800.

DATED this 7th day of July, 2014



Gary Spackman,
Director

Map Attachment

Proposed Combination & Expansion of Water Districts

