

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

IN THE MATTER OF THE PROPOSED)
REVISION OF BOUNDARIES OF WATER)
DISTRICT NO. 100, ST. ANTHONY-REXBURG) NOTICE OF PUBLIC HEARING
AREA, TO INCLUDE GROUND WATER)
RIGHTS IN THE REXBURG BENCH AREA)
_____)

The Director of the Idaho Department of Water Resources (Director or 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, revise the boundaries of, or abolish a water district or combine two (2) 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 revision of the boundaries of Water District No. 100 as follows:

PUBLIC HEARING FOR PROPOSED REVISION OF BOUNDARIES OF WATER DISTRICT NO. 100 TO INCLUDE GROUND WATER RIGHTS IN THE REXBURG BENCH AREA

Date: Wednesday, April 12, 2017
Time: 6:30 PM
Location: Rexburg City Hall
Council Chambers
35 North 1st East
Rexburg, ID 83440

The authority to revise or expand the boundaries of water districts applies to those streams or other public water sources, including ground water, for which the priorities of appropriation have been adjudicated by court decree. Ground water rights in the Rexburg Bench area have been adjudicated by the Snake River Basin Adjudication (“SRBA”) Court. The SRBA was completed on August 25, 2014.

The Director proposes to expand Water District No. 100 (“WD100”), St. Anthony-Rexburg Area, to include ground water rights in the Rexburg Bench area as shown on the attached map. The proposed expansion shall include all ground water rights within the Rexburg Bench area except for ground water domestic and stock water rights as defined under Idaho Code §§ 42-111 and 42-1401A (11).

The revised or expanded water district is required in order to properly administer the ground water uses and ground water rights within both the St. Anthony-Rexburg and Rexburg Bench areas. The water district is also needed to facilitate the measurement and reporting of water use diversions in both areas. Additionally, the Rexburg Bench area is included within both the Madison Ground Water District and the Eastern Snake Plain Aquifer (“ESPA”) Model. Ground water in the Rexburg Bench area is hydraulically connected to the ESPA and the Snake River. The Madison Ground Water District is both a participating member of the Idaho Ground Water Appropriators, Inc. (“IGWA”) and is a party to the Surface Water Coalition (“SWC”) and IGWA Settlement Agreement regarding the SWC water rights delivery call. The SWC delivery call affects junior priority ground water rights in the ESPA. The

Settlement Agreement stipulates that participating IGWA ground water districts will initiate a number of mitigation and water management strategies, including measurement of ground water diversions and reductions of ground water use.

Information and testimony presented at the hearing on April 12, 2017, will create a record upon which the Director will rely to determine whether revision of WD100 is appropriate. It is important that holders of water rights understand the proposed action and participate in the hearing process. Cindy Yenter of the Department 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 April 24, 2017. Written comments not presented at the hearing should be sent to the Director, Department of Water Resources, PO Box 83720, Boise, Idaho, 83720-0098.

The Department will present information at the hearing about why it is proposing to revise the boundaries of WD100 to include ground water rights in the Rexburg Bench, a time frame for water district operation and assessments, and proposed water measurement requirements. The hearing will be held in accordance with the Department's Rules of Procedures (IDAPA 37.01.01). These rules may be viewed at the Idaho Department of Administration's website as follows:

<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 the Department at least five (5) days prior to the hearing.

This notice of hearing has been sent to all ground water right holders of record within WD100 and the Rexburg Bench area, excluding holders of domestic and stock water rights as defined by Idaho Code §§ 42-111 and 42-1401A(11).

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

DATED this 29th day of March, 2017



Gary Spackman,
Director

Attachment A
Proposed Revision of WD100 to Include Ground Water Rights in the Rexburg Bench Area

**Water District 100 Proposed Boundary Revision
(Inclusion of Rexburg Bench Area)**

