



State of Idaho

## DEPARTMENT OF WATER RESOURCES

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C.L. "BUTCH" OTTER  
Governor

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Director

November 9, 2017

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### **Re: Notice of Public Meeting for Modification of Water District No. 170 to Include the Lemhi River Basin and Modification of Existing Basin 74 Water Districts to Administer Ground Water**

The Idaho Department of Water Resources (Department) intends to initiate steps to expand Water District 170 - Upper Salmon River Area (WD170) to include the Department's Administrative Basin 74 (the Lemhi River basin) situated in Lemhi County. The Department also intends to provide for administration of all water rights, including ground water, within the Lemhi basin and to propose other changes necessary for efficient administration and delivery of water rights tributary to the Upper Salmon River.

The basis for the Department's proposals includes:

- The Snake River Basin Adjudication was completed on August 25, 2014. Idaho law specifies that the Department shall create or modify water districts for the administration of water rights where the water supplies of such rights have been adjudicated.
- The Wild and Scenic Agreement (Agreement) was signed by the State of Idaho (State) and the United States government in 2004. The Agreement mandated the formation of WD170. The State has committed to the expansion of WD170 to include all rights in the Upper Salmon basin from the headwaters to the confluence with the Middle Fork Salmon River. Currently, WD170 includes water rights in the Stanley basin, Clayton area and East Fork Salmon River, Challis and Morgan Creek areas, and the Pahsimeroi River basin (see attached map).
- The Agreement requires the administration of water rights from both surface and ground water sources. No water district in the Lemhi River basin presently administers ground water rights.

The Department proposes to modify WD170 and the Lemhi water districts as follows:

- Expand the boundaries of WD170 to include all surface and ground water rights in Basin 74, with the exception of domestic and stock water rights as defined by Sections 42-111 and 42-1401A(11), Idaho Code, and rights used for in-stream watering of livestock as defined by Section 42-113, Idaho Code.
- Designate the following existing water districts as sub-districts of WD170: 74 - Lemhi River, 74A - Geertsen Creek, 74B - Kirtley Creek, 74C - Bohannon Creek, 74F - Pratt

Creek, 74G - Sandy Creek, 74J - Withington Creek, 74K - Pattee Creek, 74M - Agency Creek, 74Q - Mill Creek, 74W - Texas, Hawley, Timber, Junction, Bull, Jake and Canyon Creeks, 74Y - Yearian Creek and 74Z - Big Eight Mile and Lee Creeks. The Department does not propose additional assessments to Lemhi sub-districts by WD170, so long as each sub-district remains active, operates in accordance with Idaho Code, and the Department continues to be elected to provide watermaster services for WD170.

- Sub-districts in Basin 74 will be modified to include all surface and ground water rights within their respective boundaries and jurisdictional tributary streams, with the exception of domestic and stock water rights as defined by Section 42-111 and 42-1401A(11), Idaho Code, and rights used for in-stream watering of livestock as defined by Section 42-113, Idaho Code.
- Water District 74U - Andrews and Slough Ditch will be dissolved. Water District 74U is operated as a lateral ditch by a lateral water users association and should continue to operate in this manner. The watermaster of Water District 74 - Lemhi River will continue to deliver water rights from the Lemhi River to the head of the Andrews and Slough Ditches.
- Water District 74Y - Yearian Creek is not presently operating as an active water district. This district must be reactivated or combined with another active district in Basin 74.

The Department has scheduled a public information meeting as follows:

**Date:** Tuesday, November 28, 2017  
**Time:** 6:00 pm  
**Location:** Idaho Department of Fish and Game  
Salmon Regional Office  
99 Hwy 93 N  
Salmon, ID 83467

The purpose of the meeting will be to inform water users of the requirements of water districts, present the anticipated schedule for modification of existing water districts, and to answer related questions regarding these proposals.

The meeting 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 meeting, please contact IDWR at least five days prior to the meeting.

A copy of this notice has been sent to all holders of water rights currently administered by Water District 170 and to all holders of water rights in Administrative Basin 74, except domestic and stockwater uses as defined under Sections 42-111 and 42-1401(11), Idaho Code, and rights used for in-stream watering of livestock as defined by Section 42-113, Idaho Code.

For further information regarding this meeting, please contact the IDWR State Office at 208-287-4800, the IDWR Eastern Region Office in Idaho Falls at 208-525-7161, or the IDWR Salmon Field Office at 208-742-0655.

The attached map shows the current boundaries of WD170 and the boundaries of Administrative Basin 74 which is proposed to be included in WD17

# Modification of Water District 170 to Include Basin 74 – Lemhi River Basin

