BEFORE THE DIRECTOR OF THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

IN THE MATTER OF CREATING WATER DISTRICT 29-A, POCATELLO CREEK AND TRIBUTARIES

ORDER

WHEREAS, the rights to the use of the waters of Pocatello Creek and tributaries have been determined in the Federal District Court, in and for the District of Idaho, Eastern Division in the case of:

Patrick S. and Mary Taney

vs.

H. S. Woodland, et. al.,

and,

WHEREAS, the Department of Water Resources has the duty to supervise the distribution of public waters in Idaho, as provided in Section 42-602, <u>Idaho</u> Code; and,

WHEREAS, the Department of Water Resources has been charged with the responsibility for creation of water districts under Section 42-604, <u>Idaho</u> Code; and,

WHEREAS, on September 16, 1981, the Department received a request from waterusers to create a water district; and,

WHEREAS, on November 30, 1982, the Department conducted a public meeting relative to creating a water district on Pocatello Creek and tributaries; and,

WHEREAS, based on the results of the public meeting there does not appear to be a sufficient number of uncontested water rights to warrant re-adjudication of Pocatello Creek at this time; and,

WHEREAS, it appears the creation of a water district will provide the mechanism for equitable distribution of the waters of Pocatello Creek and tributaries;

IT IS, THEREFORE, HEREBY ORDERED that Water District No. 29-A, Pocatello Creek and tributaries be created for the distribution of the water of Pocatello Creek and tributaries.

Dated this <u>25</u> day of <u>February</u>, 1983.

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A. KENNETH DUNN Director

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