BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE STATE OF IDAHO

IN THE MATTER OF THE PROPOSED CREATION OF A WATER DISTRICT IN THE OAKLEY VALLEY AREA IN ADMINISTRATIVE BASIN 45	)))))	NOTICE OF PUBLIC INFORMATION MEETING AND HEARING

The Director of the Idaho Department of Water Resources ("Director") 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. The authority to create water districts applies to those streams, or other water sources including ground water, for which the priorities of appropriation have been adjudicated by court decree. During a water rights adjudication, Idaho Code § 42-1417 authorizes the district court to approve interim administration of the rights by the Director if reasonably necessary to protect senior rights. The district court may permit the distribution of water pursuant to chapter 6, title 42, Idaho Code, in accordance with partial decrees entered by the court or in accordance with a Director's Report as may be modified by the court's order.

On July 21, 2005 the Snake River Basin Adjudication ("SRBA") District Court issued an order authorizing the Director to distribute water pursuant to chapter 6, title 42, Idaho Code, in accordance with the Director's Reports and partial decrees that have superseded the Director's Reports within Administrative Basin 45 (a copy of the order is posted on the Department's website: http://www.idwr.idaho.gov/water/districts/Oakley.htm). The Director proposes to create a permanent water district for all of Administrative Basin 45 as shown on the attached map, and hereafter referred to as the "Oakley Valley Area Water District", or "Water District No. 140".

NOTICE IS HEREBY GIVEN, pursuant to Idaho Code § 42-604, that the Director of the Department of Water Resources will conduct a public hearing regarding the proposed creation of the water district as follows:

PUBLIC HEARING FOR PROPOSED WATER DISTRICT:

7:00 PM, December 15, 2005 at the Burley City Hall Council Chambers, 1401 Overland Ave., Burley, Idaho.

NOTICE IS FURTHER GIVEN that the Department of Water Resources will also hold a public information meeting as follows:

PUBLIC INFORMATION MEETING FOR PROPOSED WATER DISTRICT:

7:00 PM, November 29, 2005 at the Burley City Hall Council Chambers, 1401 Overland Ave., Burley, Idaho.

Information and testimony presented at the hearing on December 15, 2005, will create a record upon which the Director will rely to determine whether formation of a water district is appropriate, and if so, how the district should be formed. It is important that holders of water rights understand and participate in the hearing process. The Director will serve as the hearing officer. Persons attending the hearing will be provided an opportunity to provide oral testimony

regarding the creation of the proposed district. Written comments may also be submitted to the Director at the hearing or at any time prior to the close of the written comment period on December 28, 2005. Written comments not presented at the hearing can be sent to the Director to be received at the Department of Water Resources, P. O. Box 83720, Boise, Idaho, 83720-0098, no later than December 28, 2005.

The public information meeting scheduled on November 29, 2005, will provide information about why the Director is proposing creation of the district; a timeline for district formation and operation; information related to the Eastern Snake Plain Aquifer ("ESPA") delivery calls; and the status of the SRBA and critical ground water areas in the Oakley area. The Director proposes creation of one water district for all of Administrative Basin 45 that will have responsibility for administration of water rights from both surface and ground water sources. The Director proposes that the District become operational in 2006. Upon creation of the water district, a meeting of the holders of water rights within the district will be held during the spring of 2006 for the purpose of electing a watermaster and conducting other business necessary to initiate operation of the district. The Director proposes that the water district watermaster be responsible for certain duties under the direction and supervision of the Director including: (1) measurement and reporting of diversions under water rights; (2) administration of water rights in priority; (3) curtailment and enforcement against unauthorized or excessive diversions; and (4) enforcement of stipulated agreements or mitigation plans approved by the Director.

The Director further proposes that existing water districts in Administrative Basin 45 be converted to sub-districts within the proposed Oakley Valley Area Water District. Existing irrigation districts operating within the proposed water district may also qualify as sub-districts. The proposed water district will replace the measurement and reporting responsibilities of the West ESPA Water Measurement District that currently exists in that portion of Basin 45 within the ESPA boundary as shown on the attached map.

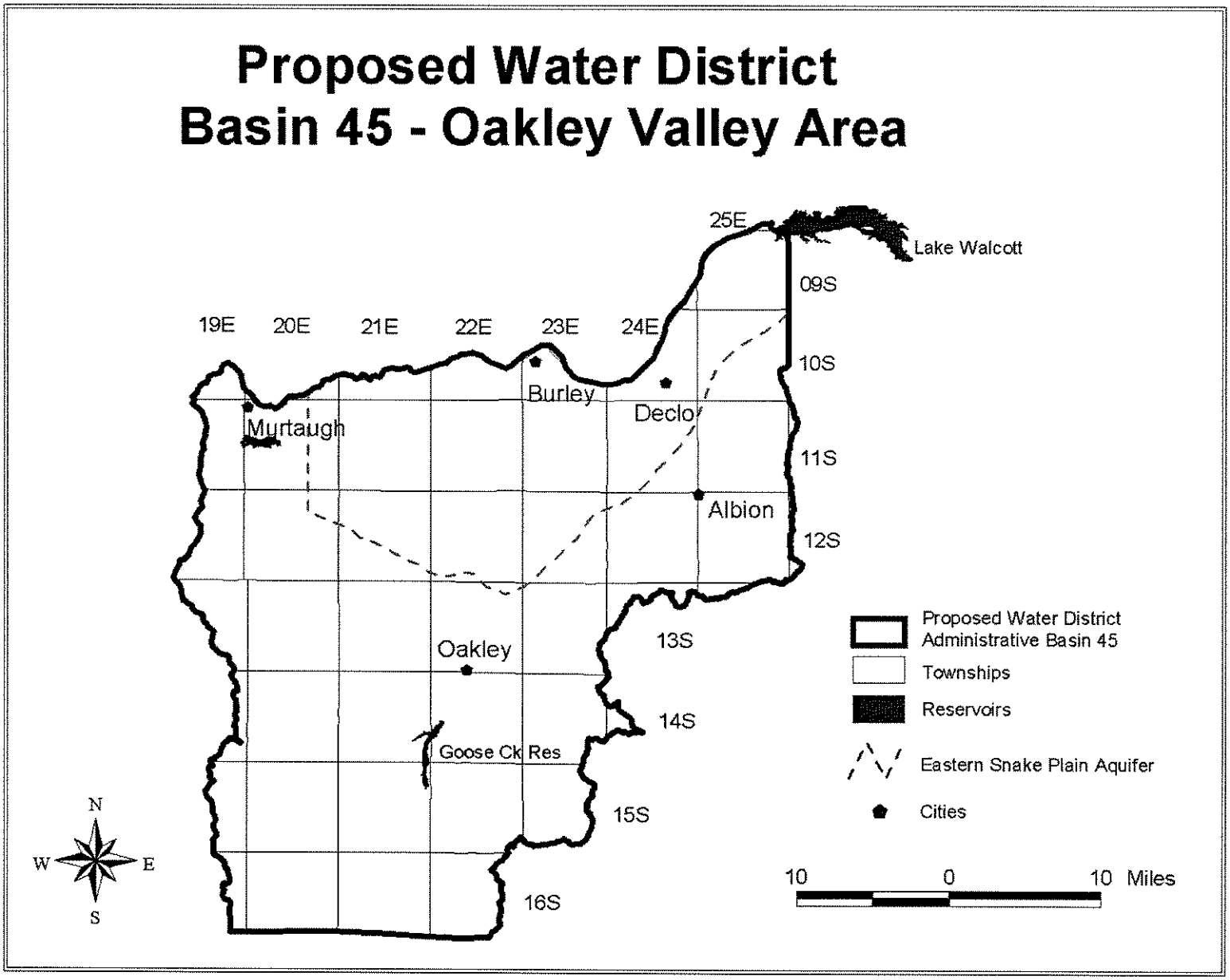
The Director proposes that all water rights with points of diversion located within the boundaries of the proposed district be included in the district, except those used solely for domestic and/or stock water purposes. Permitted and licensed rights not decreed in the SRBA and/or not included in SRBA Director's Reports, and all future rights that may be permitted are subject to inclusion within the proposed water district unless used solely for domestic and/or stock water purposes. This notice of hearing has been sent to all water right holders of record in accordance with these criteria.

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 of Water Resources at least 10 days prior to the hearing.

If you have questions concerning this notice, please call the Department of Water Resources hotline at (800) 451-4129. You can also contact the Department's regional office in Twin Falls at (208) 736-3033 or the state office in Boise at (208) 287-4958.

DATED this 2nd day of November 2005

KARL J. DREHER
Director


Proposed Water District
Basin 45 - Oakley Valley Area
25E
Lake Walcott
09S
19E
20E
21E
22E
23E
24E
10S
Burley
Declo
Murtaugh
11S
Albion
12S
13S
Oakley
14S
Goose Ck Res
15S
16S
N
W
E
S
Proposed Water District Administrative Basin 45
Townships
Reservoirs
Eastern Snake Plain Aquifer
Cities
10
0
10 Miles