

MEMORANDUM

To: Jeff Peppersack, Rick Raymondi
Cc: Tim Luke, Hal Anderson, Chuck Galloway, Brian Patton
From: Gary Spackman 
Date: August 15, 2007

Re: Fish Creek Reservoir Company Recharge Plan

On July 23, 2007, Charles G. Brockway submitted two copies of a document titled *Preliminary Aquifer Recharge Plan for the Fish Creek Reservoir Company* to the Director of IDWR. A cover letter submitted with the documents states that the plan develops a concept, previously discussed with the Director, "which involves recharging water each year to the ESPA that can no longer physically be stored due to state-mandated modifications to the Fish Creek Dam."

The Director forwarded the documents to me and asked that "someone analyze the plan and brief us." I've skimmed the contents of the plan and have difficulty with this determining who should review the plan. Consequently, a copy of the plan is transmitted with this memo to Jeff Peppersack and Rick Raymondi. A copy of the cover letter is transmitted to all recipients of this memo.

The cover letter and the plan propose that the "recharged water" be used "for mitigation purposes," and "could potentially be handled through the state water supply bank." I understand that Fish Creek Reservoir Company (Fish Creek) wants to divert Fish Creek water during the season of storage authorized by their storage water right to ground water recharge. The quantity of water Fish Creek wants to divert would be equal to a portion of the storage once impounded behind Fish Creek Dam that can no longer be impounded because of reductions in storage resulting from dam safety concerns. Fish Creek proposes to place the water in the water bank, and allow water users who need to acquire water for mitigation to rent the water through the water supply bank.

Jeff, the proposal needs to be analyzed to determine how the water rights can be changed, either through a transfer or the rental to the water bank, what quantities would be available, and how leases of the water would occur. In addition, there may need to be a technical analysis of what mitigation benefits would be derived from recharge in the area of Carey, Idaho for uses of water at remote locations within the ESPA. For instance, what is the timing of the interaction of mitigation recharge in Carey as replacement water for a diversion of ground water near Gooding? Because the plan proposes use of the Water Supply Bank for ESPA matters, does the Board want to personally be involved?

Jeff, could you and Rick Raymondi review Brockway's proposal and formulate a plan for assignment of tasks, coordinating an analysis, and presenting the conclusions of the analysis to administration within the next three weeks? Thanks.