

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

IN THE MATTER OF A DECLARATION)	
OF DROUGHT EMERGENCY FOR)	ORDER DECLARING
BEAR LAKE COUNTY)	DROUGHT EMERGENCY
_____)	

WHEREAS, the Board of County Commissioners for Bear Lake County has requested that the Governor and the Director of the Idaho Department of Water Resources declare a drought emergency for Bear Lake County to allow administrative actions to lessen the impacts of drought conditions in the county; and

WHEREAS, Bear Lake County is included within the Bear River basin; and

WHEREAS, the United States Drought Monitor Index shows Bear Lake County included within that portion of Southern Idaho classified as abnormally dry; and

WHEREAS, drainages in and around Bear Lake County are experiencing abnormally dry conditions with the year's snow water and precipitation levels being well below normal. Specifically, the Emigrant Summit and Giveout Snotel sites, both located within Bear Lake County, showed that April snow water content was respectively only 55 percent and 37 percent of normal, while accumulated year to date precipitation at the two sites as of July 12, 2012 was respectively 76 percent and 79 percent of average. Additionally, Bear River discharge at the Idaho-Wyoming border for July 12, 2012 is only about 33 percent of normal, or about 420 cfs below average for this date. The low flow of the Bear River at the border and above Bear Lake, coupled with water demand and diversions by water users within Idaho and Wyoming has resulted in the implementation of emergency regulation of water by the Bear River Commission within the Central Division of the Bear River in early July.

WHEREAS, section 42-222A, Idaho Code, provides that upon declaration of a drought emergency for an area designated by the Director of the Department of Water Resources ("Director") and approved by the Governor, the Director is authorized to allow temporary changes in the point of diversion, the place of use, and the purpose of use for valid existing water rights and temporary exchanges of water rights when the Director determines that such changes can be accomplished in accordance with the provisions of section 42-222A, Idaho Code; and

NOW, THEREFORE, IT IS HEREBY ORDERED that pursuant to the authority of the Director provided in section 42-222A, Idaho Code, a drought emergency for purposes of section 42-222A, Idaho Code, is hereby declared for Bear Lake County, Idaho.

IT IS FURTHER HEREBY ORDERED that pursuant to this declared drought emergency and the provisions of section 42-222A, Idaho Code, the following procedures and requirements shall apply to the filing, processing, and approval of any application for a temporary change to an existing water right within Bear Lake County during the pendency of this declared drought emergency:

1. An application for a temporary change to an existing water right shall be made upon forms provided by the department and shall be accompanied by an application fee of fifty dollars (\$50.00) per application.
2. The Director is not required to publish notice of the proposed change pursuant to the provisions of section 42-211, 42-222(1) or 42-240, Idaho Code, and is not required to make findings as provided in said sections. A temporary change may be approved upon completion of the application form, payment of the filing fee, and a determination by the Director that the proposed change can be properly administered and there is no information that the change will injure any other water right. If the right to be changed is administered by a watermaster within a water district, the Director shall obtain and consider the recommendations of the watermaster before approving the temporary change application.
3. All temporary changes approved pursuant to the provisions of this order shall expire on the date shown in the approval which shall not be later than December 31, 2012, and thereafter, the water right shall revert to the point of diversion and place of use existing prior to the temporary change. Nothing herein shall be construed as approval to authorize construction of a new well as a new point of diversion or to alter a stream channel.
4. The recipient of an approved temporary change issued pursuant to this order shall assume all risk of curtailment or mitigation should the diversion and use of water under the temporary change cause injury to other water rights or result in an enlargement in use of the original right.
5. Temporary changes shall only be approved for the purpose of providing a replacement water supply to lands or other uses that normally have a full water supply, except for the drought condition. Temporary changes may not be approved to provide water for new development or to allow expansion of the use of water under existing water rights. If the right to use the water is represented by shares of stock in a corporation, or if the diversion works or delivery system for such right is owned or managed by an irrigation district, no change in point of diversion, place or nature of use of such water shall be made or allowed without the written consent of such corporation or irrigation district.
6. Any applicant for a temporary change who is aggrieved by a denial of the Director for a temporary change pursuant to this order and the provisions of section 42-222A, Idaho Code, may request a hearing pursuant to section 42-1701A(3), Idaho

Code, and may seek judicial review of the final order of the Director pursuant to the provisions of section 42-1701A(4), Idaho Code.

IT IS FURTHER HEREBY ORDERED that this order is effective upon approval of the Governor and expires on December 31, 2012, unless extended or terminated by order of the Director.

DATED this 13th day of July, 2012.


GARY SPACKMAN
Interim Director

APPROVED this 16th day of July, 2012.


C. L. "BUTCH" OTTER
Governor



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

July 18, 2012

Bear Lake County Board of Commissioners
PO Box 190
Paris, ID 83261

Re: Drought Declaration for 2012

Dear County Commissioners:

On July 16, 2012, your request for a Declaration of Drought Emergency was approved. Enclosed is a copy of the official order declaring a drought emergency for Bear Lake County. To view related documents and additional information, visit the Idaho Department of Water Resources (IDWR) website at <http://www.idwr.idaho.gov/News/drought/drought.htm>.

Please direct questions regarding this order to either Tim Luke at 208-287-4800 or the IDWR Eastern Region Office at 208-525-7161.

Sincerely,

A handwritten signature in cursive script that reads "Sarah Garceau".

Sarah Garceau
Technical Records Specialist
Water Distribution Section

Enclosure

cc: IDWR Eastern Region Office



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 287-4800 FAX: (208) 287-6700 www.idwr.idaho.gov

MEMO

To: Jeff Peppersack

From: Tim Luke *TJL*

Date: July 12, 2012

Subject: Hydrologic Data for Bear Lake County

According to the USDA Drought Monitor, the southeastern and south central portion of Idaho is affected by abnormally dry conditions. The first image below shows that Bear Lake County is within that area of the state currently experiencing abnormally dry conditions.

Bear Lake County is located within the Bear River basin. There are two Snotel snow course stations located within Bear Lake County, including Emigrant Summit and Giveout. Figures 2 and 3 illustrate that the 2012 accumulated snow water equivalent and precipitation levels are considerably below the 30-year averages for the two sites. Total year to date precipitation at Emigrant Summit and Giveout as of July 12, 2012 is 76 and 79 percent of average respectively. April 2012 snow water content level at Emigrant Summit and Giveout was 55 percent and 37 percent of normal respectively. Total April 2012 snow water content for the Bear River basin was 59 percent of normal.

Current stream flows and levels within Bear Lake County further indicate reduced water supply in response to recent high temperatures and dry conditions. Discharge of the Bear River at the Idaho-Wyoming border as of July 12, 2012 is only about 205 cfs, which is about 33 percent of normal or 400 cfs below average for this date. Due to the low river level and limited supply to water users in both Wyoming and Idaho above Bear Lake, the Bear River Commission began implementation of emergency water regulation within the Central Division of the Bear River in early July.

U.S. Drought Monitor

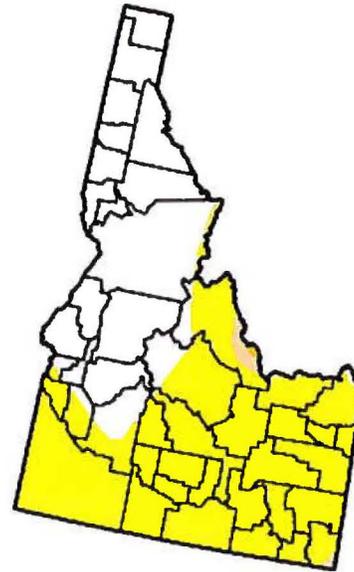
Idaho

July 10, 2012
Valid 7 a.m. EST

	Drought Conditions (Percent Area)					
	None	D0-D4	D1-D4	D2-D4	D3-D4	D4
Current	40.51	59.49	1.19	0.18	0.00	0.00
Last Week (07/03/2012 map)	52.57	47.43	1.05	0.18	0.00	0.00
3 Months Ago (04/10/2012 map)	94.71	5.29	0.00	0.00	0.00	0.00
Start of Calendar Year (12/27/2011 map)	48.90	51.10	0.00	0.00	0.00	0.00
Start of Water Year (09/27/2011 map)	86.56	13.44	0.00	0.00	0.00	0.00
One Year Ago (07/05/2011 map)	100.00	0.00	0.00	0.00	0.00	0.00

Intensity:

- D0 Abnormally Dry
- D1 Drought - Moderate
- D2 Drought - Severe
- D3 Drought - Extreme
- D4 Drought - Exceptional



The Drought Monitor focuses on broad-scale conditions. Local conditions may vary. See accompanying text summary for forecast statements.

<http://droughtmonitor.unl.edu>



Released Thursday, July 12, 2012
Rich Tinker, Climate Prediction Center/NCEP/NWS/NOAA

Figure 1

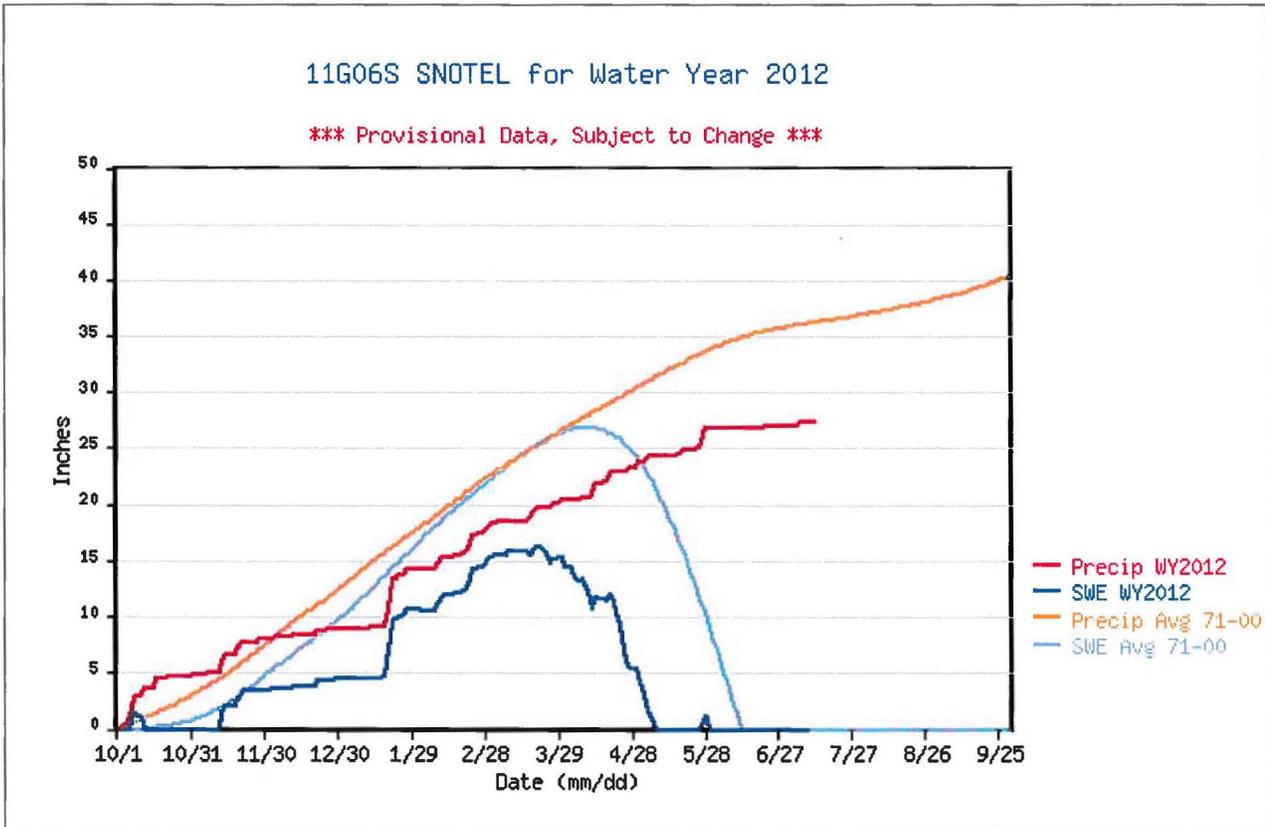


Figure 2. Emigrant Summit Snotel Site for Water Year 2012

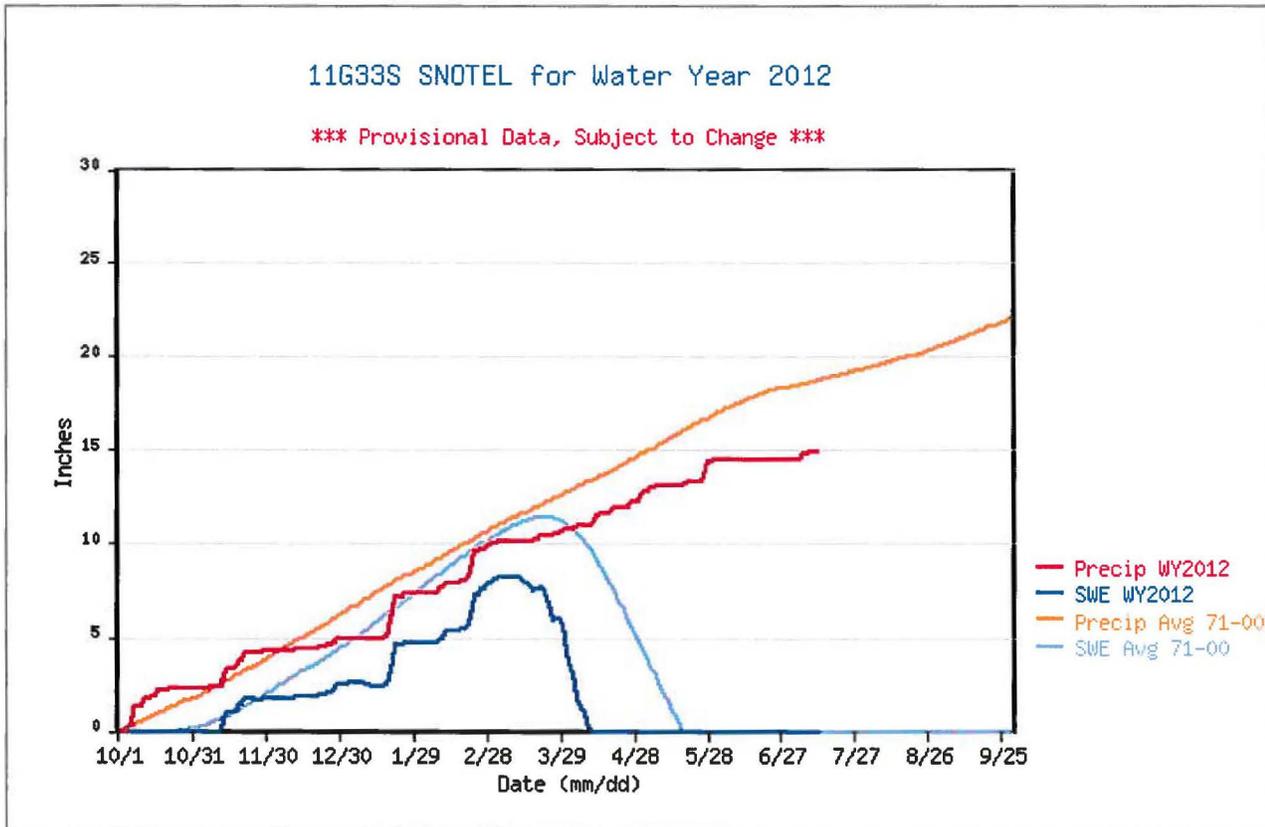


Figure 3. Giveout Snotel Site for Water Year 2012

RECEIVED

JUL 12 2012

BEAR LAKE COUNTY
BOARD OF COMMISSIONERS DEPARTMENT OF
WATER RESOURCES

VAUGHN N. RASMUSSEN
Chairman - Georgetown

DEMAR ROMRELL
Pegram

MONTAIN D. KUNZ
Bern

KERRY HADDOCK- CLERK

COPY



July 9, 2012

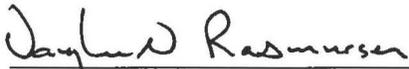
Stephen Goodson
Special Assistant For Energy and Natural Resources
Office of Governor C. L. "Butch" Otter
Idaho State Capitol
P.O. Box 83720
Boise, ID 83720

Dear Mr. Goodson:

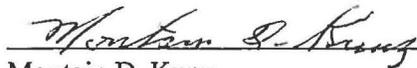
The Board of Bear Lake County Commissioners respectfully request that Governor Otter declare Bear Lake County a disaster area due to the severely damaged crops in the County. The attached report of the Bear Lake County Disaster Board documents the damage caused by drought and frost conditions. The expeditious handling of this request will allow local farmers to be eligible for State and Federal assistance available to drought stricken areas.

Respectfully,

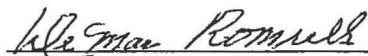
The Board of Bear Lake Commissioners



Vaughn N. Rasmussen, Chairman



Montain D. Kunz



DeMar Romrell

cc: Idaho State Farm Service Office

P.O. BOX 190, PARIS, IDAHO 83261



United States Department of Agriculture
Farm and Foreign
Agricultural Services

Bear Lake County Farm Service Agency
785 North Fourth St., Ste. A
Montpelier, Idaho 83254
Phone: (208) 847-1264
FAX: (208) 847-1517

BEAR LAKE COUNTY DISASTER BOARD MEETING MINUTES
JUNE 29, 2012

ATTENDING: DeMar Romrell County Commissioner
Ruth Thompson FSA Chairperson
William Robison FSA Vice Chairperson
Max Bunderson FSA Regular Member
Rex Payne FSA CED
Dell Transtrum NRCS
Garth Boehme SCS
Robert Ward SCS

The Bear Lake Disaster Board met on June 29, 2012 at 1:00 PM in the Bear Lake County FSA Conference Room. The Purpose of the meeting was to determine the information to complete the STORM, LOSS ASSESSMENT REPORT. The record setting drought conditions accompanied by continual frost has severely damaged crops in the County. Most dry land hay and grain crops have been severely damaged and many acres will not be harvested. Even though Bear Lake levels are quite high from the 2011 year, very little of the lake water is available for Bear Lake County farmers and ranchers. Most crops are irrigated from live streams, small reservoirs and precipitation.

The Bear Lake County Commissioners initiated the request due to notification of producers and their observations of the drought conditions.

The Loss Assessment report was completed on July 2, 2012 indicating that all farms (1091 farms from FSA CLU Layer) in Bear Lake County has been affected.

ADJOURNMENT: The meeting adjourned at 2:30 PM.

Rex L. Payne, Chairperson

A handwritten signature in black ink, appearing to read 'Rex L. Payne', is written over a horizontal line.

In accordance with Federal law and U.S. Department of Agriculture policy, this institution is prohibited from discriminating on the basis of race, color, national origin, sex, age, or disability.

To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, 1400 Independence Avenue, SW, Washington, D.C. 20250-9410 or call (800) 795-3272 or (202) 720-6382 (TTY). USDA is an equal opportunity provider and employer.

LAR:23943

Loss Assessment Report

Disaster Information

State: Idaho County: Bear Lake Start Date: 01/01/2012 End Date: Crop Year: 2012

Area of County Affected: ALL Number of Farms Affected: 1091 Number of Farms With Physical Damage: 0
 Owner-Operators Farmers with Farmers Unable Extenuating
 Tenant-Operators: Qualifying Loss: to Obtain Credit: Circumstances:

Comments: This disaster is further complicated by continuous frost.

Disaster Type(s): Drought (01/01/2012)

Commodity Information

Crop Information	Unit of Measure	Normal Yield	Actual Planted Acres	Prevented Acres	Destroyed Acres	Damaged Acres	Damaged Yield
Type: ALFALFA Variety: NONE Use: FG Growth: N/A Planting: 01	Tons	2.14	24,939.0	0.0	6,806.0	18,133.0	0.90
Average Price	Production Loss	Dollar Loss	Percent Loss	Meets 30% Loss			
127.00	37,049.8	4,705,319.52	69.0	Yes			
Type: BARLEY Variety: SPRING BARLEY Use: FG Growth: N/A Planting: 01	Tons	1.08	911.0	0.0	268.0	643.0	0.40
Average Price	Production Loss	Dollar Loss	Percent Loss	Meets 30% Loss			
102.00	726.7	74,121.36	74.0	Yes			
Type: BARLEY Variety: SPRING BARLEY Use: GR Growth: N/A Planting: 01	Bushels	57.00	5,224.0	0.0	969.0	4,255.0	20.00
Average Price	Production Loss	Dollar Loss	Percent Loss	Meets 30% Loss			
6.50	212,668.0	1,382,342.00	71.0	Yes			
Type: GRASS Variety: NATIVE GRASS Use: FG Growth: N/A Planting: 01	Tons	1.08	35,318.0	0.0	6,205.0	29,113.0	0.40
Average	Production	Dollar	Percent				

Price	Loss	Loss	Loss	Meets 30% Loss			
116.00	26,498.2	3,073,795.84	69.0	Yes			
Type: OATS Variety: SPRING Use: FG Growth: N/A Planting: 01	Tons	1.08	3,605.0	0.0	800.0	2,805.0	0.40
Average Price	Production Loss	Dollar Loss	Percent Loss	Meets 30% Loss			
102.00	2,771.4	282,682.80	71.0	Yes			
Type: OATS Variety: SPRING Use: GR Growth: N/A Planting: 01	Bushels	51.00	4,080.0	0.0	157.0	3,923.0	17.00
Average Price	Production Loss	Dollar Loss	Percent Loss	Meets 30% Loss			
3.71	141,389.0	524,553.19	68.0	Yes			
Type: TRITICALE Variety: NONE Use: FG Growth: N/A Planting: 01	Tons	1.08	578.0	0.0	87.0	491.0	0.60
Average Price	Production Loss	Dollar Loss	Percent Loss	Meets 30% Loss			
102.00	329.6	33,623.28	53.0	Yes			
Type: TRITICALE Variety: NONE Use: GR Growth: N/A Planting: 01	Bushels	48.00	286.0	0.0	17.0	269.0	15.00
Average Price	Production Loss	Dollar Loss	Percent Loss	Meets 30% Loss			
6.50	9,693.0	63,004.50	71.0	Yes			
Type: WHEAT Variety: HARD RED SPRING WHEAT Use: GR Growth: N/A Planting: 01	Bushels	51.00	17,899.0	0.0	4,926.0	12,973.0	15.00
Average Price	Production Loss	Dollar Loss	Percent Loss	Meets 30% Loss			
7.89	718,254.0	5,667,024.06	79.0	Yes			

Conservation Structures/Fences Information

Conservation Structures Damaged?	Conservation Structures Destroyed?	Fences Damaged?	Fences Destroyed?

No	No	No	No
Effect on USDA			
Type		Damage Severity	
USDA Building Loss			
USDA Equipment Loss			
Number of USDA Employees Affected		0	

Signature *Re Hays* Title CED Date 7/2/12

Signature _____ Title _____ Date _____

Signature _____ Title _____ Date _____

2012 Disaster Declaration
Bear Lake County

Crop	Practice	Yield	Average Yield	Unit Price	Acres Grown	Acres Damaged	Acres Destroyed	% of Loss
Alfalfa	IR	2.91	2.14	\$127.00	24,939	24,939	6,806	70%
	NI	1.36						
Grass Hay	IR	1.49	1.08	\$116.00	35,318	35,318	6,205	70%
	NI	.67						
Oat Hay	IR	1.49	1.08	\$102.00	3,605	3,605	800	60%
	NI	.67						
Barley Hay	IR	1.49	1.08	\$102.00	911	911	268	60%
	NI	.67						
Triticale Hay	IR	1.49	1.08	\$102.00	578	578	87	60%
	NI	.67						
Triticale Grain	IR	68 bu	48	6.70	286	286	17	70%
	NI	28 bu						
Wheat Grain	IR	80 bu	50.5	\$7.89	17,899	17,899	12,973	70%
	NI	21 bu						
Barley Grain	IR	90 bu	56.5	\$6.50	5,224	5,224	969	70%
	NI	23 bu						
Oat Grain	IR	83 bu	50.5	\$3.71	4,080	4,080	157	70%
	NI	18 bu						

Total Farms = 1091

Start Date = 01/01/2012

End Date =

Cause of Loss = Drought



State of Idaho
DEPARTMENT OF WATER RESOURCES
322 E. Front St., P.O. Box 83720, Boise, Idaho 83720-0098
Phone (208) 287-4800 FAX: (208) 287-6700

C. L. "BUTCH" OTTER
GOVERNOR

GARY SPACKMAN
INTERIM DIRECTOR

To: CFSA Fax: 208-847-1517
From: Idaho Dept. of Water Res. Date: July 17, 2012
Re: Bear Lake Co. Drought Declaration Pages: (including cover sheet)
CC:

Urgent For Review Please Comment Please Reply Please Recycle

COMMENTS:

The attached Drought Declaration has been issued for Bear Lake County.