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DEPARTMENT OF
WATER RESOURCES

SUBMITTED TO THE IDAHO WATER RESOURCE BOARD
IN OPPOSITION TO THE CREATION OF A GROUNDWATER MANAGEMENT AREA

My name is Robert Murdock. I reside at 1473 West Hoff Rd. Blackfoot Idaho. I am writing on behalf of the people whose signatures appear on this document.

There is not a doubt in my mind that as of the date of this hearing the Director of the Department of Water Resources does not have statutory authority to create a Groundwater Management Area pursuant to Idaho Code §42-233b. A "Ground water management area" is defined as any ground water basin or designated part thereof which the Director of the Department of Water Resources has determined may be approaching the condition of a critical ground water area. Certainly that is not the case with the Eastern Snake River Plain. Data show surface irrigation is contributing over 1 million acre-feet of water to the aquifer each year in addition to at least 2.5 million acre-feet of natural recharge. A Critical Ground Water area is the result of conditions where the basin aquifer recharge is less than basin aquifer withdrawals. The fact is the estimated 500,000,000 acre-feet of natural storage in the ESPA has never been diminished by withdrawals from the aquifer. Superimposed on that volume of natural aquifer storage is several million acre-feet of water that would not be there except for irrigation related recharge. The Department has attributed the declines in that augmented aquifer storage to pumping of ground water for irrigation. I will argue that the only basis for blaming pumpers for decreases in aquifer storage is not science but speculation. The data clearly show that the decline in recharge is related to drought, which is reflected by the unregulated hydrograph for the Snake River near Heise.

Hydrologists frequently do mass balance analyses and the mass balance equation in its simplest form is: Outflow – Inflow = the change in storage. We have excellent long-term data for Heise, Milner, Thousand Springs and King Hill. Mass balance analyses can and have been done for the basin. The fact is the assumed depletion of water from the basin is a big number in the range of 5 million acre-feet. If there was an out-of-basin consumptive diversion of that magnitude and it commenced after 1900, it would show up in the King Hill data. The fact is the regression line for King Hill form 1900 to the present is horizontal, meaning the basin outflow volume has not been changed by irrigation depletions. Declines in Thousand Springs simply show the movement of basin storage from above Milner to below Milner. Since the aquifer is the biggest source of storage in the basin, aquifer storage represents the major supply of out-of-basin storage diversions.

The Department and the courts have held groundwater users accountable for the State's decision to release water out of the basin that had been appropriated by pumpers. Not only are groundwater rights injured by releasing our water supplies past Milner, the water that previously was allocated for use in Idaho now is being released for the benefit of down-stream states. If irrigation agriculture on the Eastern Snake Plain is depleting the 5 million + acre-feet of water each year as the IDWR claims, we are requesting that the state produce the data from the measured mass balance data to confirm that. We do not believe this depletion is irrigation related.

The Boards sustainability policy can be one sentence. "It shall be the policy of the state that the 30 year average volume past Milner shall not be allowed to exceed 1.5 million acre-feet/year."

Respectfully submitted: Robert A. [illegible] 1473 W. Hoff RD, Blackfoot

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