



State of Idaho

DEPARTMENT OF WATER RESOURCES

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C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

September 20, 2017

Rick Mauthe
Upper Big Lost River Ground Water Association
P.O. Box 122
Mackay, Idaho 83251

RE: Mitigation and Aquifer Enhancement Plan of and for the Upper Big Lost River Ground Water Association Users

Dear Mr. Mauthe:

On August 1, 2017, I received your letter dated July 21, 2017 ("Letter"), enclosing the *Mitigation and Aquifer Enhancement Plan of and for the Upper Big Lost River Ground Water Association Users* ("Plan").

In the Letter, you state the Plan was "adopted" by the Upper Big Lost River Ground Water Association "and submitted to the Idaho Department of Water Resources ["Department"] for review and approval."

I am writing this letter asking you to clarify your intent in submitting the Plan to the Department. If you desire that the Department formally proceed to determine whether the Plan can be approved at this time, you must clarify whether you want the Department to: (1) consider the Plan pursuant to Rule 50.04 of the Department's Water Distribution Rules for Water District 34 ("WD34 Rules") (IDAPA 37.03.12), (2) evaluate the Plan as a mitigation plan submitted pursuant to the Department's Rules for Conjunctive Management of Surface and Ground Water Resources ("CM Rules") (IDAPA 37.03.00), or (3) both.

After you clarify your request, the Department will publish notice of the Plan, allow a time period for protests in accordance with Idaho Code § 42-222, hold a hearing as determined necessary, and consider the Plan in accordance with the Department's Rules of Procedure (IDAPA 37.01.01) and factors listed in CM Rule 43.03. The Department will then issue an order regarding the Plan, explaining reasons for approval or denial thereof.

Rick Mauthe
Upper Big Lost River Ground Water Association
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Please advise me in writing of your intent in submitting the Plan to the Department within thirty (30) days of your receipt of this letter. Thank you in advance for your prompt reply.

Sincerely,



Gary Spackman
Director

cc: Lucas Yockey, Water District 34 Watermaster