



State of Idaho

DEPARTMENT OF WATER RESOURCES

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C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

November 13, 2017

RE: Mitigation Plan Submitted by the Upper Big Lost River Ground Water Association

Dear Water User:

On October 13, 2017, the Upper Big Lost River Ground Water Association ("Association") submitted to the Idaho Department of Water Resources ("Department") a *Mitigation and Aquifer Enhancement Plan of and for the Upper Big Lost River Ground Water Association Users* ("Mitigation Plan") pursuant to Rule 50.04 of the Department's Water Distribution Rules for Water District 34 (IDAPA 37.03.12.050.04) and the Department's Rules for Conjunctive Management of Surface and Ground Water Resources (IDAPA 37.03.11). You are receiving this letter because you may have an interest in participating in administrative proceedings related to the Mitigation Plan. A copy of the Mitigation Plan is available for review at the following website link: <https://idwr.idaho.gov/legal-actions/mitigation-plan-actions/upper-big-lost.html>.

The Mitigation Plan states the Association "functions mainly for the purpose of mitigation" and "the purpose of mitigation is to augment the natural flow of the Big Lost River downstream from Mackay Dam to replace water that would be available in the river absent the diversion and use of ground water." *Mitigation Plan* at 1. The Mitigation Plan "describes categories from which water supplies may be obtained to mitigate withdrawal and use of ground water for consumptive purposes," including "stored water in the Mackay Reservoir" and "[a]ll of part of the water available from a valid existing right to divert the flow of the Big Lost River." *Id.* at 2.

The Department has not determined the adequacy of the proposed Mitigation Plan. Any protest against approval of the Mitigation Plan must be filed with any Department office, **together with a protest fee of \$25, on or before December 4, 2017**. The protest must include a certificate of service showing that a copy of the protest has been mailed to or served upon the Upper Big Lost River Ground Water Association, P.O. Box 122, Mackay, Idaho 83251. If you have questions regarding this matter, please contact Tim Luke at 208-287-4800.

Sincerely,

Gary Spackman
Director

cc: Lucas Yockey, Water District 34 Watermaster