

Written Comments Submitted to IDWR: April 22, 2011 Scott Staley - Rancher

I attended the April 19, 2011 meeting held in Arco. After listening to the information given by the IDWR representatives and others, I came away even more dumb founded as to why the Big Lost and Little Lost areas would be considered as an add on to the proposed model change. They stated they had a lack of absolute data and yet still believed that the proposed boundary model could be used to administer water calls and usage. I disagree in the proposed rule 50 change.

1. A large amount of money , government money - taxpayer money - me and my fellow water users money was used to collate data by the IDWR using "old outdated data" to try to justify a boundary change. Yet, It would only be fair if Irrigation districts ,who have been tied into the boundary with no actual physical hydrologic testing or actual absolute quantifying data, should be allowed to hire specialists and equipment to approve or disapprove the "theory". This effort to be paid for out of IDWR funding and managed by a project management group hired by the irrigation districts to accomplish these tasks. Not tied in any way to the IDWR or Clear Lakes, but again **funded out of IDWR coffers. Wells drilled and data gathered to find out the truth.** This is truly the only fair way for our small irrigation districts to find out if any of what was said at the meeting is valid.

2. The model conspicuously does not include all drainages that seemingly meander towards the Snake River plain and in fact was ignored. If a model does not include drainages from mountain top to plain, ridge line to pothole, for all apparent ways that water may possibly or could possibly drain to the Snake River plain aquifer and Snake River why are they not included? Where are the Wood river and Fairfield drainages? The Teton National park and Jackson Hole drainages, Portneuf , Blackfoot river and Teton valley basin drainages? These all support Snake river flow and recharge. Yet left out. As well as people who have a justified interest in the water tables and use. Domestic well users and city and county agencies all conspicuously, not notified or invited to these informational gatherings. What is going on? Is this just a divide and conquer tactic?

4. It has been proven that water flows and levels hydraulically can be affected also by down stream water uses however none of these uses were placed into the model. Why not?

5. INL scientists offered data to the IDWR but IDWR refused the use of the data in the model. A reasonable man would immediately suspect any model near these affected areas not including all data that the INL may have.

6. Clear lakes seems to be an extremely vocal winner in all of this and seems politically to be pushing this proposed change. IDWR seems to be pushing this forward in a given time frame and only involving a finite group of people that the proposed model will have an affect on. Yet not including other domestic and town users in the areas that will be affected. These users should also be involved and invited to comment on this proposed change. It gives the appearance of bending or political wrangling of the IDWR. I would hope that this is not possible. But, it just seems fishy?

Thank you,
Scott Staley

April 8, 2011 – Senator Jeff Siddoway

Thank you, Renea, for the notice. I guess that my off the cuff comments are that the expansion of the areas into the Little Lost and the Big Lost River drainages makes no sense. I know that there has been no effort by either the IDWR or the legislature to define a futile call for ground water but, the model has indicated that it would take 100 to 120 years for the water on the upper reaches of these rivers to reach the springs around Hagerman. If that is indeed the case it seems that inclusion is unwarranted. If the intent is inclusion only to access more acreage for more funding then you can expect resistance from me as well as many of my constituents in those areas. If the inclusion is for better management of the water within those areas we may find support. The model seems to defend the belief that there is indeed a gradient, elevation and riff barrier between the Lost River drainage and the ESRPA. Some of the irrigators around the Arco area have already contacted me with their concerns. I would encourage you and the Department to get the word out to all that may be affected. How you do that, by mailings, e mail, print or local meetings, I don't know, but I would suggest you do make that effort.

Thanks again and I would appreciate being updated whenever something moves.
Senator Jeff Siddoway
District 35

April 7, 2011 – Scott Staley

I have been studying the proposed boundary change for clear springs foods and do not see any thing that points to fact. It appears this is a continuing land grab by them with border line science and clearly reeks of extortion by them in holding a third of the state of Idaho hostage. This has to stop. Do you or can you send me information so that I can try to get the facts straight in this case? Also, is there a format that we water users in the Little Lost River and Big Lost River drainages can use to make comments?

March 29, 2011 – M. Marx Hintze, P.E.

I have reviewed the “Enhanced Snake Plain Aquifer Model Final Report/by: Idaho Water Resources Research Institute – Technical report 06-002”, dated July 2006.

There is no basis for including any of the Big Lost River Valley’s Aquifer inside this report’s proposed new Boundary for the following reasons:

1. There are procedural and administrative legal guidelines that have not been followed here; for example the right to submit other data conflicting with the report in a time reasonable fashion. The residents of the Big Lost River Valley were unaware of this reports existence, or of the proposed Snake Plain Aquifer boundary change, until 23 March 2011.
2. Clearly, there has not been a consideration of alternate engineering/scientific data or even the development of alternative scientific data, given the hydro-geographically technical nature of the Big Lost’s aquifer.
 - a. The Big Lost’s sloped aquifer terminates south east of Arco, Idaho and cascades several hundred feet down into the Snake Plain Aquifer through poorly defined layers of “Unconsolidated Heterogeneous Sediments” of several varying materials. There probably is no accurate way to model these flows.
 - b. The Technical Report 06-002 uses a “Grid Spacing” in this area that is much too large. To accurately define flows at the end of the Big Lost’s Aquifer would require “Core Drilling” the entire valley floor at Arco for both water depth and definition of materials therein.
 - c. Any assumed value of “Transmissivity”, to determine the volume of water flowing through this cross-sectional area of the Big Lost’s aquifer is without scientific/hydrogeologic basis.
3. With these facts, it is clear the Big Lost’s Aquifer is not part of the Snake Plain Aquifer and is completely decoupled by elevation and sediments near Arco, Idaho.

Since it is not part of the Snake Plain Aquifer in actual Hydrogeology and because the Big Lost’s citizens are unanimous in not wanting it represented as such, please inform us as to why it is even considered.

Because of this lack of connectivity, irregular pathway flows, and undefined and nonexistent hydro geological merging, the stake holders in the lower part of the proposed Snake Plain aquifer boundary (near the Snake River), will *not be harmed* by excluding the Big Lost’s portion within the proposed new boundary. Too include the Big Lost in the upper Snake Plain aquifer, will however, potentially *harm* the water users in the Big Lost aquifer and restrict their legal right to water, some of which has been legally allocated for over a century.

March 25, 2011 – Mike Telford, Telford Lands, LLC

Clear Springs Foods filed a petitioned with the Idaho Department of Water Resources to amend Conjunctive Management Rule 50.01. The stated objective of the rule change is to rely wholly on the 2006 model report. The model report advises the expansion of the boundary of the ESPA. This expansion will bring into the ESPA more than 250,000 acres, 20% of the current total ESPA acres.

The petition states, “The report referenced in Rule 50 is nearly 20 years old and is not based upon the most recent data information regarding the proper hydrologic boundary of the ESPA.” There have been no additional boundary studies performed in the Big Lost River Valley in the last 20 years. How is it possible to update the model without updated studies to substantiate the change?

In the referenced report it states, “The model boundary was extended up the Big Lost River drainage to Mackay

Dam in order to simplify the estimate of tributary underflow in that drainage.” Adding acreage into the ESPA does not simplify the tributary underflow. Since there is no mention of the Darlington Sinks, the Moore Diversion or the Chilly Flats in the report, it is obvious neither the modeling committee nor the IDWR understands the Big Lost River Valley hydrologic or geologic system.

This petition appears to be a simple land grab by the spring users to bring more acreage under order administration by the IDWR.

I farm in the Big Lost River Valley and I protest this petition because it will greatly affect my farms and my family business.

March 24, 2011 – M. Marx Hintze, P.E.

To All,

I am dumbfounded as to why the Big Lost River Drainage is even considered for addition to the big Snake River Drainage’s Aquifer. As Loy Pehrson has pointed out, the Hailey, Idaho Area (Wood River Drainage) is not included. What about the Little Lost River and Birch Creek Drainages? Also, the Big Lost River is dry below Darlington for a significant portion of the year while the much much larger Snake River flows year around and is constantly charging it’s Aquifer. If the Big Lost River’s underground had a mathematical model of it’s relation to the Snake River Plane’s Aquifer, it would certainly rank at less than 0.01 percent of all the recharge mechanisms, rain/snow included. In other words, there is no real scientific basis or justification for including the Big Lost River’s underground drainage as a factor. It has not been included in the past. Any relation is hyper theoretical (fictional) and without any proven model or justification.

Thanks,

M. Marx Hintze, P.E.