

Letters to the Editor

Involvement a necessity to advert Basin 33&34 inclusion

Dear Editor,

There have been several meetings held in the past 6 weeks concerning the Big & Little Lost Rivers' inclusion in the Eastern Snake Plain Aquifer and as a result becoming subject to a potential water call by water interests in the Twin Falls area. Currently, we are not considered by the Idaho Department of Water Resources to be involved in the boundaries of the ESPA, but, a petition filed by Clear Springs Foods, Inc. is asking IDWR to change the existing ESPA boundary to include all of the area that is used in the Enhanced Snake Plain Aquifer Model Final Report dated July 2006, Idaho Water Resources Research Institute Technical Report 06-002.

Since the days of the Swan Falls "controversy" and the resulting Snake River Basin Adjudication, the water users of the Big Lost River, (I cannot speak for the Little Lost) have been assured by IDWR that, "the Big Lost will never be included in the A-line", (another name for the ESPA). Because of these assurances (of course there is nothing in writing that I can find), we have never re-

ally paid attention to the above mentioned Enhanced Snake Plain Aquifer Model. As a matter of fact, until recently, I believe, nearly everyone in Basin 34 was unaware that we were even included in this model. I know I didn't. The boundary of this model is where the Clear Springs petition is asking IDWR to move the Eastern Snake Plain Aquifer boundary, putting the Big & Little Lost inside the A-line.

This is not a "done deal" yet. IDWR is now accepting comments on why or why not Basins 33 & 34 should be included in the ESPA. It is very important that we comment on this matter. Comment forms are available at the Watermaster's office in Mackay, or from some members of the Basin 34 advisory committee. Please get one and comment to IDWR by May 31st. You may also want to send a copy of your comments to your congressman. We do not want to go down without a fight in this matter.

Sincerely,

*Holly Seefried
Basin 34 Advisory Committee
Mackay, Idaho*

Letters to the Editor

Appeal to attend Water Dist. 34 special meeting

May 17, 2011

To the Editor:

I am writing to remind and to appeal to water users of Water District 34 to attend the special District 34 water meeting on Monday, May 23 at 8 p.m. at the Butte County Middle School. It is important for users to attend and then to comment in writing to the Idaho Department of Water Resources about an administrative change petition by Clear Springs Foods, Inc. that would place ground water users below the Mackay Dam under a water call from senior users in the lower Snake River plain.

The Clear Springs Foods Inc. petition is asking IDWR to use a water

mapping model of the Snake River aquifer as a water administration model that was not created to be used as such. IDWR must decide whether to use this model as a regulatory tool. Part of the process of their decision is to weigh comments and objections from water users.

We need water users of District 34 to comment to IDWR to not make this administrative change. We need all water users to comment to IDWR in writing before May 31st if possible. If not, do so later.

See you at the meeting at 8 p.m. Monday, May 23rd.

*Mike Dotzenrod,
Darlington*

**PUBLIC
MEETING
FOR
WATER DISTRICT 34
WATER USERS**

Representatives from the Idaho Department of Water Resources will be at the Butte Middle School Auditorium on May 23rd at 8:00 p.m. to answer questions and explain the possible options you have to comment and contract for professional services. (As per rule 50)

Letters to the Editor

Comments and concerns on Snake Plain Boundaries

May 10, 2011 -

I have comments regarding the November 10, 2010 State Court Filing of Clear Springs Foods, Inc. PETITION TO AMEND RULE 50.01 OF THE CONJUNCTIVE MANAGEMENT RULES (37.03.11) OF THE DEPARTMENT OF WATER RESOURCES OF THE STATE OF IDAHO (IDWR) and the document titled the "Enhanced Snake Plain Aquifer Model Final Report/by: Idaho Water Resources Research Institute - Technical Report 06-002", dated July 2006, for the IDWR, with guidance from the Eastern Snake Hydrologic Modeling Committee (ESHMC), also known as the: Eastern Snake Plain Aquifer Model Enhancement Project Scenario Document Number DDM-019.

The 9 November, 2010 "Clear Springs Foods, Inc.'s" Court Petition to "Modify and Amend the Idaho Department of Water Resource's Rule 50 of the Conjunctive Management Rules (37.03.11 et seq.) to properly define the hydrologic boundary of the Eastern Snake Plain Aquifer based upon the most recent data/information". Specifically, Clear Springs Food's Petition requests that, "The Eastern Snake Plain Aquifer", the area of coverage of this rule, is the aquifer underlying the Eastern Snake River Plain as the aquifer is defined in the report, Enhanced Snake Plain Aquifer Model Final Report dated July 2006, Idaho Water Resources Institute Technical Report 06-002 (referred hereafter as Tech Rpt 06-002). Please note that Tech Rpt 06-002 does not define the hydrologic boundary of the Snake Plain Aquifer. It only defines a boundary of certain, not all, hydrologic inputs to it's Model.

The Project Scope on page 2 of Tech Rpt 06-002 states the following: "The scope of the project was limited to model creation and calibration and did not entail generation of water management scenarios".

Tech Rpt 06-002 does not define the Snake Plain Aquifer or its respective boundary or "area of coverage for Rule 50", only a model of some Hydrologic Information that has been observed, estimated, hypothesized

and is related to the Snake River Plain. Again, model creation and calibration only, not water management scenarios. Tech Rpt 06-002 does not attempt to define a new or more accurate Hydrologic Boundary for the actual Snake Plain Aquifer.

Tech Rpt 06-002 references several "Technical Reports" or "Design Documents" that address specific design topics on the eastern Snake River Plain Aquifer Model upgrade project. One such document issued November 15, 2004 is titled "Model Boundary". On page 5 of this document the following is stated: "Ideally model boundaries are based on physical barriers to ground water flow". On page 6 the following is stated: "The decisions made regarding the model boundary will affect the ability of the model to support later administrative decisions". On page 7 the following is stated: "The model boundary should extend to bedrock outcrops in tributary valleys to reduce the number of inflow parameters that must be estimated. Examples where this concept can be employed are in the Big Lost River drainage and ----. This results in including the Big Lost River drainage up to Mackay Reservoir and ----." This model "Design Decision" was incorrect, flawed and very wrong. From the Mackay Reservoir or Mackay Dam approximately thirty (30) plus miles to the interface where the Big Lost Aquifer cascades several hundred feet down into the Snake Plain Aquifer there exist significant hydrologic unknowns. Underground water flow time constants, transmissivity or hydraulic conductivity, hydraulic gradient or head, just to name a few. The Big Lost Aquifer has not been modeled and therefore using data at the Mackay Dam to feed the new Snake Plain Aquifer Model is technically flawed and erroneous to say the least.

In conclusion, the Clear Springs Foods, Inc. Petition before the Court to amend Rule 50 is based on false erroneous information. The Big Lost and Little Lost Drainages should not be included in Snake Plain Aquifer.

Side Note #1: Rpt-06-002's Table

5, lists twenty two (22) Tributary Basins to the Snake Plain Aquifer and most do not have the Model Boundary extended into their respective Aquifers like the Big and Little Lost's.

Side Note #2: Rpt-06-002's Table 5, lists the Average Annual Underflow for the ESPAM of the twenty two (22) Tributary Basins to the Snake Plain Aquifer. If the Underflows for the Big and Little Lost's are divided by Rpt-06-002's total recharge input to the Snake Plain Aquifer, the number is extremely small, less than 1.0 %. So, leave the Big and Little Lost alone, we are not even in the noise level technically!!!

Side Note #3: Rpt-06-002's Introduction on Page 1 states: "This project was initiated as a joint effort overseen by groups of eastern Snake River Plain (ESRP) water interests". It also states: "The ESPAM project had several other objectives in addition to creating a model which all interested parties could agree to and support". The Big and Little Lost River water users residing and working within two of the twenty two (22) Tributary Basins to the Snake Plain Aquifer were excluded from participating in and developing any of the project details such as Model Boundaries, Etc. Big and Little Lost water interests were completely surprised and only found out about this project on March 24, 2011.

M. Marx Hintze

Important water users meeting Wed., May 4th

Wednesday, May 4th, the Butte Co. Middle School Auditorium will be the site for a Water District meeting concerning the proposed change of Rule 50.

Clear Springs is asking IDWR to include Butte and S. Custer counties

in the administration of the Eastern Snake River Plain.

ALL water users are highly encouraged to get involved while there is still an opportunity to do so.

The meeting will begin at 7:00 p.m.



Attention water users

To Water Users:

Clear Springs is asking the Department of Water Resources (IDWR) to include Butte and South Custer counties in the administration of the Eastern Snake River Plain, which will place our water in jeopardy of a water call. The call would either require curtailment or mitigation; meetings have been and will continue to be held to determine a course of action to appeal this request to IDWR. I

encourage all water users to become involved now while we have an opportunity to influence the decision. The next meeting will be held on May 4th at the Butte Middle School at 7:00 p.m.. Decisions will be made with or without our input, I encourage your participation.

*Seth Beal
Butte County Commissioner
Water District 34,
Advisory Board Chairman*

Dept. of Water Resources to host meeting in Arco

The Idaho Department of Water Resources will be hosting a meeting in Arco on Tuesday, April 19th at 10:00 a.m. at the Butte Middle School Auditorium.

The topic of conversation will be the matter of possible amendment to Rule 50. The amendment if adopted

would utilize a boundry change as put forth by the Eastern Snake Hydrologic Modeling Committee in 2006.

All citizens of Butte and South Custer Counties are highly encouraged to attend as this could potentially affect the entire population of the area.

Water District #34 Annual Water Meeting held Monday

The Water District #34 Annual Water Meeting was held at the Butte Middle School Auditorium on Monday, March 7th.

There was an average crowd of approximately 110 people on hand to hear the issues and cast their votes for Water Master and Chairman.

Members' votes are based on water usage over a 5 year average.

Jay Jensen of Moore who is the current Water Master was being challenged for his position by Mackay resident Roger Totten. The Chairman position currently held by Loy Pehrson of Mackay was being challenged by Lost River resident Seth Beal.

Both incumbents lost their positions. Roger Totten won with a vote count of 39,325 to 36,755 for Jay Jensen. Seth Beal won with a vote count of 27,575 to 26,183.

The votes were counted by the Credentials Committee, who was nominated by water users. The Committee consists of Eric Aikele, Seth Beal, Karen Beard, Lowene Clark, Alvin Crawford, Jim Gregory, Keith Hill, Jackie Reynolds, JoAnn Roche, Mark Telford and Holly Secfried.

The Chairman position takes effect immediately and the Water Master must be sworn in within 5 days of the annual meeting, then he is appointed by IDWR.

Meeting called to discuss hydrologic boundary change

A meeting has been called to discuss boundary changes to the Snake River Plain Aquifer as put forth by the Eastern Snake Hydrologic Modeling Committee. The boundary changes would now include considerable acreages in the Big and Little Lost River valleys.

The meetings have been brought on by a filing before the Department of Water Resources brought by Clear Springs Foods, Inc., asking for an amendment to Rule 50 of the Conjunctive Management Rule.

The petition requests that Rule 50 be modified and amended as follows:

Eastern Snake Plain Aquifer. The area of coverage of this rule is the aquifer underlying the Eastern Snake River Plain as the aquifer is defined

in the report, Hydrology and Digital Simulation of the Regional Aquifer System, Eastern Snake River Plain, Idaho, USGS Professional Paper 1408-F, 1992 excluding areas south of the Snake River and west of the line separating Sections 34 and 35, Township 10 South, Range 20 East, Boise Meridian. Enhanced Snake Plain Aquifer Model Final Report dated July 2006, Idaho Water Resources Research Institute Technical Report 06-002.

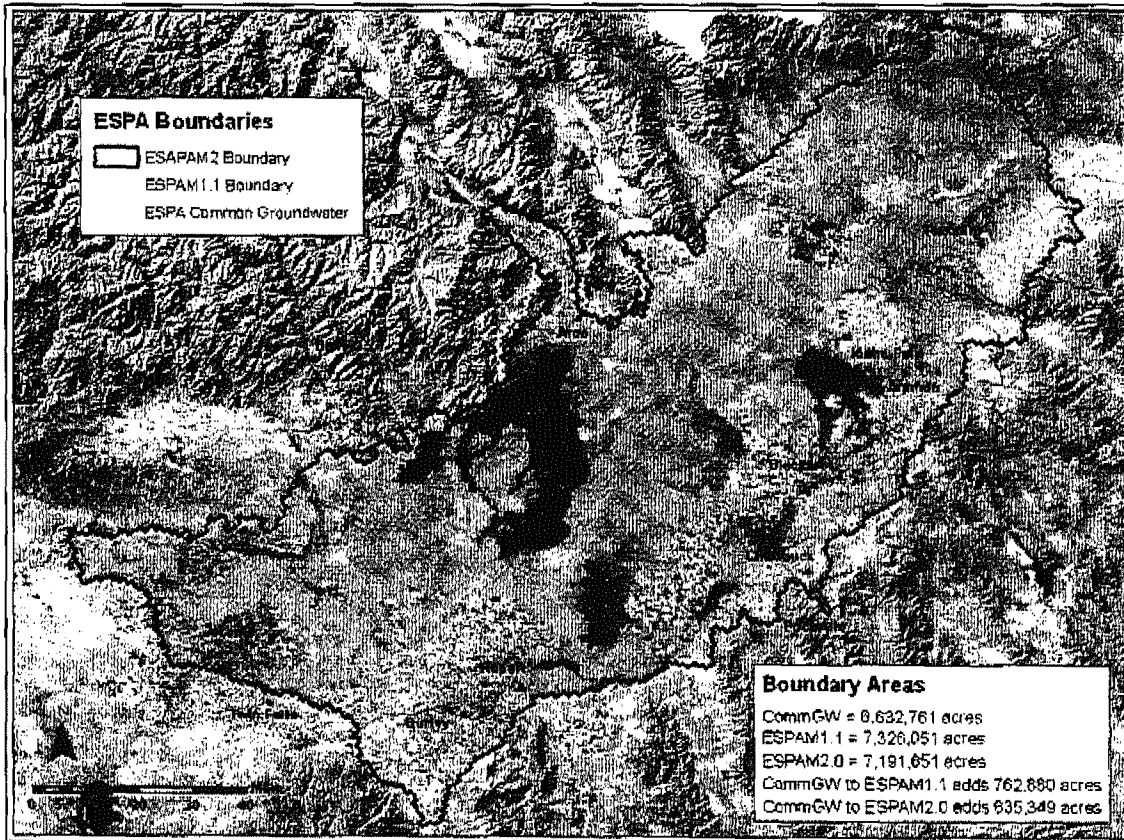
An informal meeting will be conducted on Friday, April 1, at 2:00 p.m. at the BIC in Arco for water users and other interested parties of Water Districts 33 and 34.

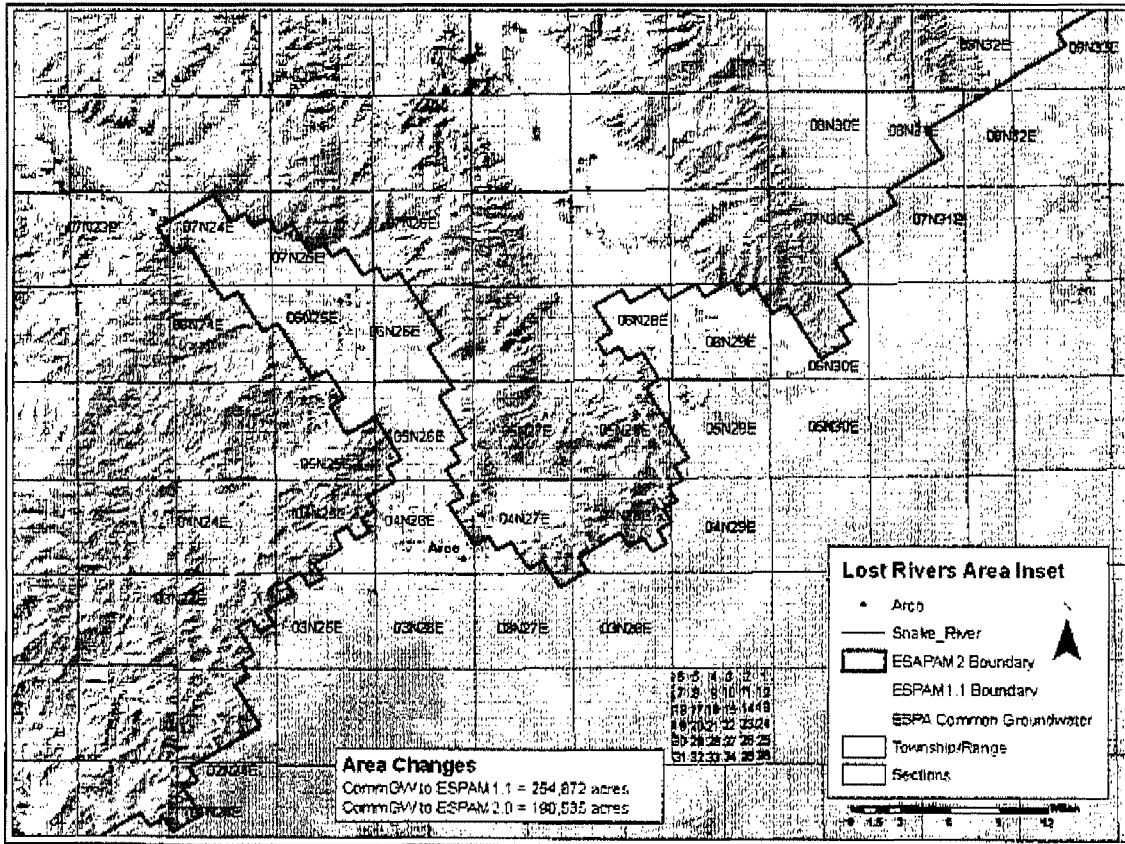
Idaho Department of Water Resources will also be hosting a meeting

in Boise with telephonic participation on Wednesday, April 6th, at 1:00 p.m. Conference call locations locally will be the Mackay High School, Mackay, Butte Incubation Center (BIC) in Arco, and at the Howe Community Center in Howe. Individuals may also participate directly by calling 1-215-446-0193 code 504265#.

Questions may also be directed to Roger Totten, Water Master, Water District 34, at 588-3137 or 589-3138.

The Arco Advertiser will be happy to print the complete report titled, "Enhanced Snake Plain Aquifer Model Final Report", for interested parties for \$55.95 plus tax, payable in advance.





~NOTICE~NOTICE~NOTICE~

All water users in Water District 33 & 34, a petition has been filed with Idaho Department of Water Resources that would change the hydrologic boundary of the Eastside Snake Plain to include the Big & Little Lost River Valleys' water rights. An informal meeting will be conducted on Friday, April 1, at 2 p.m. @ the BIC in Arco. Also IDWR will host a meeting in Boise with telephonic participation on Wednesday, April 6, @ 1 p.m. Conference call locations will be at Mackay High School, BIC in Arco, and Howe Community Center or individuals may call directly at 1-215-446-0193 code 504265#. Questions? Call Roger Totten, Water District 34 Water Master @ 588-3137 or 589-3138.