

The Mission of BLRGWD is to protect and stabilize the basin's aquifers while protecting all member's ground water rights which will promote the full economic benefit derived from using Basin 34's groundwater resource.

January 5, 2017

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DEPARTMENT OF
WATER RESOURCES

From: Moj Broadie, Chairman
Big Lost River Ground Water District
159 N. Idaho Street, Suite 106
P. O. Box 721
Arco, Idaho 83213

To: Director Gary Spackman
Idaho Dept. of Water Resources
322 East Front Street
P. O. Box 83720
Boise, Idaho 83720-0098

RE: Designation of Big Lost River Basin as a Ground Water Management Area (GWMA)

Dear Director Spackman,

As you are aware, the Butte County Commissioners entered an Order dated Nov. 14, 2016 forming the Big Lost River Ground Water District (BLRGWD) enabling ground water users to pool their resources and act in a unified manner in addressing ground water challenges and issues. Earlier that same month, on Nov. 2, 2016, you entered an *Order Designating the Eastern Snake Plain Aquifer Ground Water Management Area* (hereinafter referred to as the "Order"). Within that Order you made several references to the Big Lost River tributary basin and how you intend to proceed when addressing water management issues relating to this basin.

We applaud those references and consider them as providing us with helpful guidance and insights as we consider our involvement in these same water management issues. Specifically, we noted in the Conclusions of Law (nos.) 2, 3, 9, and 20 of the Order the options and tools that are at your disposal when addressing these ground water management issues. We are most interested in the following statements contained within the Order:

'Ground water users complying with an approved ground water management plan "shall not be subject to administration on a time priority basis" if the Director determines the ground water supply is insufficient to meet demands within the ground water management area.' Order at p. 18, par. 3, *emphasis added*.

'Idaho Code §42-233b also authorizes the Director to require junior ground water right holders not complying with an approved ground water management plan to cease or reduce diversions if the Director determines the ground water supply is insufficient to satisfy water rights within the ground water management area.' Order at p. 20, par. 9, *emphasis added*.

'Because the Department is considering designation of a ground water management area or a critical ground water area within the Big Lost River Basin,²⁰ irrigated lands in the Big Lost River Valley as delineated in Attachment B, should be excluded from the ESPA ground water management area. The boundary of the ESPA ground water management area will be modified in the future to include the Big Lost River Basin if a separate management area is not designated for the Big Lost River Basin.' Order at p. 23, par. 20, emphasis added.

The purpose of this letter is to request the Director of the Idaho Department of Water Resources allow BLRGWD to have broad participation with IDWR as you deliberate and consider how and when the Big Lost River Basin might be designated a Ground Water Management Area (GWMA) or Critical Ground Water Area (CGWA), and what the subsequent procedures and administrative components of any management plan might include. At our Dec 20, 2016 board meeting, BLRGWD board members voted unanimously to support the position of keeping the Big Lost River Basin excluded from the ESPA GWMA, conditionally support the designation of the Big Lost River tributary as a separate GWMA, and to oppose the petition to designate the Big Lost River Basin as a CGWA. Our board members are also actively developing an aquifer stabilization plan and budget (within the constraints of Idaho Code 42-5233) for the upcoming 2017 operational year.

We look forward to working with you and your staff members on these most important matters. Thank you for your consideration.



(Moj Broadie, Chairman, Big Lost River Ground Water District)

Copy to: Butte County Commissioners
Custer County Commissioners