

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 18, 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: Response to Petition to Create a Critical Ground Water Area in the Big Lost River Basin

Dear Director Spackman,

In your recent *Order Designating the Eastern Snake Plain Aquifer Ground Water Management Area*, dated Nov. 2, 2016, (hereinafter referred to as the "Order") you made references to the fact that the Department is considering designating the Big Lost River Basin a Critical Ground Water Area (CGWA). See p. 23, par. 20, and footnote no. 20 of the Order. Footnote no. 20 within the Order indicates a petition to designate a critical ground water area in the Big Lost River Basin was received by IDWR on Sept. 19, 2016, (hereinafter referred to as the "Petition"). However no public notice of the Petition has been provided to ground water users in the potentially affected area. We also understand the Director does not need a requesting petition when determining if water supply conditions in a basin warrant such a designation. BLRGWD members have been told by IDWR staff members that you are currently deliberating and working on a possible response to the submitted Petition.

Fortunately BLRGWD has been able to secure a copy of the Petition's cover page, but we do not know who any of the referenced signers are. Judging from the contents of the Petition, it appears the petitioners lack any understanding of basic water law and have no respect for the vested water rights we irrigators have properly acquired as evidenced by valid SRBA partial decrees. Had it not been for the Order's footnote, we would have been generally unaware that such a game changing water management regime is even being considered. We would hope that if any of what we have heard is really under consideration, BLRGWD would be immediately informed so we might know how and when to participate in such an important matter. Our very livelihoods are at stake as well as the interests of our successors.

BLRGWD was formed and is committed to the very purposes of aquifer stabilization and economic sustainability the Petition purportedly claims an interest in protecting. The Petition raises a plethora of water issues followed by rehearsed hyperbole that is only intended to excite the public, distract IDWR administrators, and blame a narrow sector of users of the state's public water resource (groundwater users) for all the problems that exist in the valley.

BLRGWD believes a much more productive approach to addressing local water issues is to invite all of the interested parties into the discussion of developing a management plan. That is why BLRGWD has taken the position of conditionally supporting the designation of the Big Lost River Basin as a separate tributary Ground Water Management Area (BLRB GWMA). We would hope you would consider such a designation together with due process procedures that would enable all interested parties to participate in a respectful and productive manner.

In summary BLRGWD is opposed to the Petition for a Critical Ground Water Area, but with reservation supports the designation of a BLRB GWMA separate from the ESPA GWMA. This reservation includes the right to disagree with or challenge any statement of fact, conclusion of law, or unreasonable tenant of the potential BLRB GWMA Order. BLRGWD also believes if other interested parties are willing to discuss and financially support issues that go beyond ground water management issues (i.e. conveyance efficiency improvements, green belts, fishery habitat projects, etc.) those components may be appropriate in a management plan. We hope you will carefully consider our interests as you continue to deal with the many personalities and water issues of our valley.

Thank you for your considerations.



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

Copy to: Butte County Commissioners
Custer County Commissioners