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DEPARTMENT OF
WATER RESOURCES

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Attorneys for Warm Springs Creek Ranch, LLC, Big Lost Ranch, LLC and 6X Ranch, LLC

**BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO**

**IN THE MATTER OF WHETHER TO)
DESIGNATE THE BIG LOST RIVER)
BASIN A CRITICAL GROUND WATER) Docket No. P-CGWA-2016-001
AREA OR A GROUND WATER)
MANAGEMENT AREA) SUMMARY POSITION
) STATEMENT
)**

Warm Springs Creek Ranch, LLC, Big Lost Ranch, LLC and 6X Ranch, LLC (the “Ranches”), by and through their attorneys, Speck & Aanestad, A Professional Corporation, and pursuant to the Department’s Rules of Procedure 350 - 354 (IDAPA 37.01.01), hereby submits their Summary Position Statement in the above-captioned matter pursuant to the ORDER EXTENDING DEADLINE FOR PETITIONS TO INTERVENE; ORDER AUTHORIZING DISCOVERY; SCHEDULED ORDER; ORDER REGARDING SERVICE OF DOCUMENTS; NOTICE OF SECOND PREHEARING CONFERENCE; AND NOTICE OF HEARING issued by Director Gary Spackman in this matter.

The Ranches oppose the inclusion of any of the lands upstream of the Mackay Dam in any new critical ground water area or ground water management area that may be designated for the

Big Lost River Basin. Such lands are all outside the boundaries of the ESPA ground water model which is the only tool available to predict the impacts of ground water withdrawals on the ESPA water sources. Furthermore, the Director does not have the authority under Idaho Code Section 42-233b and the Department's Conjunctive Management Rules, when properly read together, to create a ground water management area for ground water rights which have been adjudicated and incorporated into an existing Water District. In this matter, the Ranches' ground water rights have been adjudicated in the SRBA and subsequently incorporated into Water District 34

Dated this 13th day of June, 2017.

SPECK & AANESTAD
A Professional Corporation

By 
James P. Speck
Attorneys for Warm Springs Creek Ranch, LLC,
Big Lost Ranch, LLC and 6X Ranch, LLC

CERTIFICATE OF SERVICE

I hereby certify that on the 13th day of June, 2017, I served a true and correct copy of the foregoing Summary Position Statement on the following by depositing in the United States Post Office, at Ketchum, Idaho first-class postage prepaid, addressed to the following persons:

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