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DEPARTMENT OF
WATER RESOURCES

Date: January 8, 2008

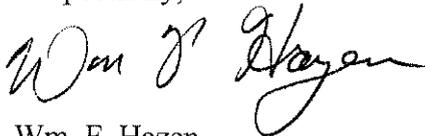
To: Idaho Water Alliance Board Members

Attached is a copy of a letter that Dan McFaddan and I put together indicating some of the items the Coordinated Aquifer Management Plan Committee could do before the planning process is complete. These items cover what the IWA has discussed numerous times. If there are other items that need to be sent, please let me know.

This collection of needs will have to be in place before any meaningful recharge can take place. I think we have a great potential to get something accomplished. We simply need to get it all together in a package.

Reminder: The next meeting of the Idaho Water Alliance is scheduled for January 16th at the Twin Falls Canal Company Meeting Room beginning at 9:00 am.

Respectfully,



Wm. F. Hazen

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Date: January 8, 2008
To: Coordinated Aquifer Management Plan Committee
Subject: Management Plan Development

Following is a commentary from the Idaho Water Alliance (IWA) to the CAMP committee concerning the progress of the Eastern Snake Plain Aquifer Management Plan. IWA is a voluntary, non-profit organization representing virtually every water user's interest on the ESPA. IWA collectively represents a wealth of experience in dealing with the problems of water management or lack thereof on the Snake Plain. We have watched the progress of your committee with interest and totally support your efforts. However, in our view, there are several needs that must be addressed soon before the planning process can logically proceed and definitely before implementation.

It is quite apparent from the media publications that the Coordinated Aquifer Management Plan Committee is very active in making plans for the water resources in the Eastern Snake Plain Area. The concepts of reducing demand and stabilizing supply are on target. The understanding of the problems is paramount if Idaho is ever going to win the battle and be able to control the development and change of uses for water resources. It is unfortunate that we see the aquifer management problems of the Eastern Snake River Plain in terms of a fight between deep well pumpers and fish farmers. These legal maneuvers between the two groups are merely symptoms of a more serious, even critical, situation. Much rhetoric has been devoted to the effect of wholesale curtailment of junior pumpers on the well being of the Magic Valley and Idaho economy, but little has been devoted to the shortages presently affecting senior water rights holders and the possible economic effect of continuing the status quo.

It is unacceptable to develop a water management plan for the ESPA totally centered around distributing water based on calls on water. Calls on water are a last resort action because of management failure.

Even before the plans are published we need to identify some of the problems that can be addressed now so that the state is ready when a water supply becomes available. Sometimes we say luck happens, but luck can be defined as "when preparedness meets opportunity." That will be one of the big keys to success; Idaho has to be prepared to take advantage of the weather Mother Nature may deliver. In this case that is a long, wet winter or an early, wet spring. In any case, there are a number of things that can be prepared in order to be ready for the opportunity.

The concept of managed aquifer recharge is one of the most important tools available to water managers around the world. The ability to properly accomplish managed recharge is, however, a very costly and complicated task. Past experience has taught us that the job requirements of safe, effective aquifer management cannot be effectively and efficiently handled by part-time volunteers. It is a job for full-time, dedicated and professional technicians.

First, we know that in the case of aquifer recharge, identifying the location of recharge and devising a means of delivering the water to the site must in place when the opportunity arises. And if we expect to be able to deliver water somewhere other than on the river or its tributaries, we must have access to a delivery system - in one word, canals. That means negotiating and having in writing a plan and agreement to use canal systems. This means we also have to understand and work through the winter water savings clause that most canals in the Eastern Snake Plain have with the Bureau of Reclamation. Someone must take the initiative to reach that agreement and put it in place. We know that BOR has stated in many public meetings that the canals can be used outside of the winter water savings clause of the Palisades agreement to convey the water if BOR is dumping to make room for next year's anticipated runoff. However, if BOR miscalculates the amount of water that must be dumped and the reservoirs do not fill, the canals companies are charged for the water they diverted against their next year's storage for the amount of water that they took out of the river during the winter. It is wrong to charge someone for their (BOR's) miscalculations. One of the first priorities must be to hire someone to work on the Water Board to begin working towards a long-term agreement with BOR on the use of canals outside of the irrigation season and outside their water delivery type.

Secondly, right along with the first priority is pre-agreements with canal companies on the use of their canals. Cost, timing, and volume all should be discussed and some type of agreement put in place for all of the companies that have the ability and/or are willing to participate. The group or individual doing this should be under the Water Board's control. This needs to be done now - not days before an event.

The third concern for aquifer recharge is one of liability. If we are to have a meaningful program and we expect canal companies, groundwater districts, cities or any water users to get involved in finding or conveying water, they need to be covered by some sort of liability protection. This is especially true for those like the canal companies that would be really doing a "public service." This also means that we need a clear understanding of the project's injection or infiltration techniques along with monitoring requirements. Today no such procedure exists. For those companies that are willing to help, we as a state need to provide some protection, not just oversight.

The fourth need is to have someone responsible for doing this type of work. Negotiations with water users and water managers will be required along with knowledge of the state's water laws and some of the problems the state is facing. This most likely should be a legally-trained person who should work closely with the Water Board and the CAMP process. It is inconceivable to think we have enough manpower in place now to do this work. We need to hire someone, and that brings up another problem. Where should we house this individual? Working under the Water Board is the most feasible. Current

state law does not allow them to have employees, so the Board has to borrow a person from IDWR. This is not an acceptable arrangement. The arrangement of having someone paid by someone else leads to an employee splitting loyalties, and that is never conducive to completing a complex task. That leads us to the last point - the state legislature passed a law that forbids the Water Board from having employees, and they can change that law. If this entire project of water planning is to be successful the Water Board should not have to come begging to IDWR for help.

Legislators can have an impact on all of these issues. We need someone to initiate the process of obtaining access to canals and someone to determine the requirements of canal companies. The State of Idaho must have a liability policy in place dealing with recharge, and the final item, which is maybe the first one needing to be accomplished, is to hire someone within the Water Board to carry out these tasks.

Please accept these suggestions from a group that is highly supportive of the entire aquifer management process. We simply see these aforementioned issues as needs that will have to be addressed regardless of other extremely costly alternatives such as raising the height dams or buying out water rights.

Please continue the good work.

Sincerely,

A handwritten signature in cursive script, appearing to read "Wm F Hazen".

Wm. F. Hazen, President
Idaho Water Alliance

Cc: Jerry Rigby, Idaho Water Resource Board
Dave Tuthill, IDWR Director

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