

Big Wood Basin Planning meeting
August 9, 2021
Blaine County Community Campus
Hailey, Idaho

- 1.) Term Sheet Agreement

- 2.) Temporary Change Applications
 - a. Senior surface rights supplied
 - b. Ground water rights used
- 3.) Flow Augmentation Wells
 - a. Official 9
 - b. Unofficial 5
- 4.) Station 10 Flows
- 5.) Priority Cuts
 - a. Station 54
- 6.) Snake River rented water
 - a. AFRD# at 80% since August 3rd

BIG WOOD AND LITTLE WOOD WATER USERS ASSOCIATION ("BWLWWUA"), BIG WOOD CANAL COMPANY ("BWCC")¹, SOUTH VALLEY GROUND WATER DISTRICT ("SVGWD"), AND GALENA GROUND WATER DISTRICT ("GGWD")² – FINAL 2021 TERM SHEET

1. Objectives

- a. Mitigate for material injury to senior surface water rights that divert water from Silver Creek and the Little Wood River reaches between "Silver Creek at Sportsman's Access NR Picabo ID" and the confluences of the Little Wood and Big Wood rivers;
- b. Provide safe harbor to Groundwater Users on the Bellevue Triangle that divert groundwater within the Basin 37 Administrative Proceeding curtailment boundary;
- c. Minimize economic impact to water users and the economy arising from water supply shortages; and
- d. Develop and submit an approved Ground Water Management Plan for the Big Wood Ground Water Management Area ("BWGWMA").

2. 2021 Irrigation Season Mitigation Practices

- a. Delivery of Natural Flow Water as Measured at Station 10: Through September 1, 2021, the Groundwater Users shall ensure a minimum of 23 cfs of flow at Station 10 to support senior surface water right diversions from the Little Wood River above the Milner-Gooding Canal (flows below 20 cfs will enact full curtailment, after a 48-hour "cure" period, total cure period during the 2021 Irrigation Season not to exceed 144 hours).
 - i. This could consist of pumped groundwater, some amount of water generated from flexibly-applied self-curtailment and incidental reach gains.
 - ii. "Monsoon" Exception: Picabo Livestock ("PL") will not divert its 1883 surface water rights, unless (1) 23 cfs of flow at Station 10 is occurring without any SVGWD pumping to sustain the 23 cfs; and (2) PL's 1883 surface water rights are in priority.
- b. Fixed Storage Water Delivery: For delivery to Surface Water Users diverting from the Little Wood River below the Milner-Gooding Canal, the Groundwater Users will take the following actions:
 - i. Reimburse the full cost of 1,000 acre-feet of storage water already acquired by the senior Surface Water Users during the 2021 irrigation season; and
 - ii. Acquire an additional 1,500 acre-feet of storage water, for 2,500 acre-fee total, and deliver it to senior Surface Water Users upon request. The Groundwater Users are responsible for acquiring storage water and wheeling contracts to deliver the water via the Milner-Gooding Canal.
- c. Irrigation Season Reduction: Groundwater Users agree to end groundwater diversions on August 15, 2021. An exception is allowed for the use of groundwater to irrigate seed potatoes within the curtailment area to the extent that surface water rights for the acreages are not available.

3. Long Term Ground Water Management Plan

- a. Ground Water Management Plan: the Groundwater Users agree to work through the BWGWMA Advisory Committee and in coordination with senior Surface Water Users to develop and submit to the

¹ The BWLWWUA and the BWCC, along with Lawrence Schoen are collectively referred to as the "Surface Water Users."

² The SVGWD and the GGWD are collectively referred to as the "Groundwater Users."

Director of IDWR a Ground Water Management Plan ("Plan"). The Plan shall be submitted to the Director by December 1, 2021.

- b. Resumption of Basin 37 Proceeding: If a Plan is not submitted, or a Plan is submitted that is unacceptable to the Director, per the Director's July 3 letter³, he will resume the Basin 37 proceedings to determine what actions he should take to ensure that groundwater diversions within the "Wood River Basin" don't negatively affect surface water use.
4. 2021 Safe Harbor – Consistent with Section 2 of this agreement, the Groundwater Users will not be subject to curtailment by the Water District, as long as the provisions of this Term Sheet are met. Consistent with I.C. § 42-5244B, individual groundwater users not in compliance with an approved mitigation plan may be subject to curtailment.

³ Letter from Director Gary Spackman to Brad Little Governor of Idaho and Scott Bedke Speaker of the House dated July 3, 2021, with the subject line "Curtailment of Ground Water Rights in the Bellevue Triangle."

Temporary Change Application senior surface users receiving mitigation water

Water Right #	Owner	CFS	Priority Date	Curtaiment
37-423	Donald E. Taber	0.3	4/1/1883	None
37-49	James B. Ritter	4.2	4/1/1883	None
37-326	John W. Arkoosh	0.4	11/1/1882	None
37-560A	City of Shoshone	0.4	11/28/1882	None
37-560B	City of Shoshone	0.14	11/28/1882	None
37-606C	City of Shoshone	1	11/28/1882	None
37-606D	Hugo Regalado	0.04	11/28/1882	None
37-606E	Shoshone Cemetery	0.16	11/28/1882	None
37-10839	State of Idaho (ISDB)	0.66	2/22/1883	None
37-177D	John Larson	0.2	4/1/1883	None
37-177H	La Von Burgess Benck	0.04	4/1/1883	None
37-177J	John T. Uhrig	0.3	4/1/1883	None
37-177K	Alexia Haller	0.16	4/1/1883	None
37-177L	Susan Wood Mc Kean	0.04	4/1/1883	None
37-177M	Glanbia Foods	0.14	4/1/1883	None
37-177N	FLF Sawtooth LLC	0.06	4/1/1883	None
37-193A	Calvin Kuntz	1	4/1/1883	None
37-485	Koosh Inc.	1.1	4/1/1883	None
37-20847	Roman Garza	0.04	4/1/1883	None
37-21168	LRM LLC.	0.49	4/1/1883	None
37-21169	Michael Pete Oneida	0.07	4/1/1883	None
37-21173	Stanley E. Hoskovec	0.04	4/1/1883	None
37-21649	John N. Infanger	0.2	4/1/1883	None
37-21650	Carl D. Simpson	0.04	4/1/1883	None
37-22832	Scott O. Burnett	0.08	4/1/1883	None

Total

11.3

Temporary Change Application ground water rights used in flow augmentation

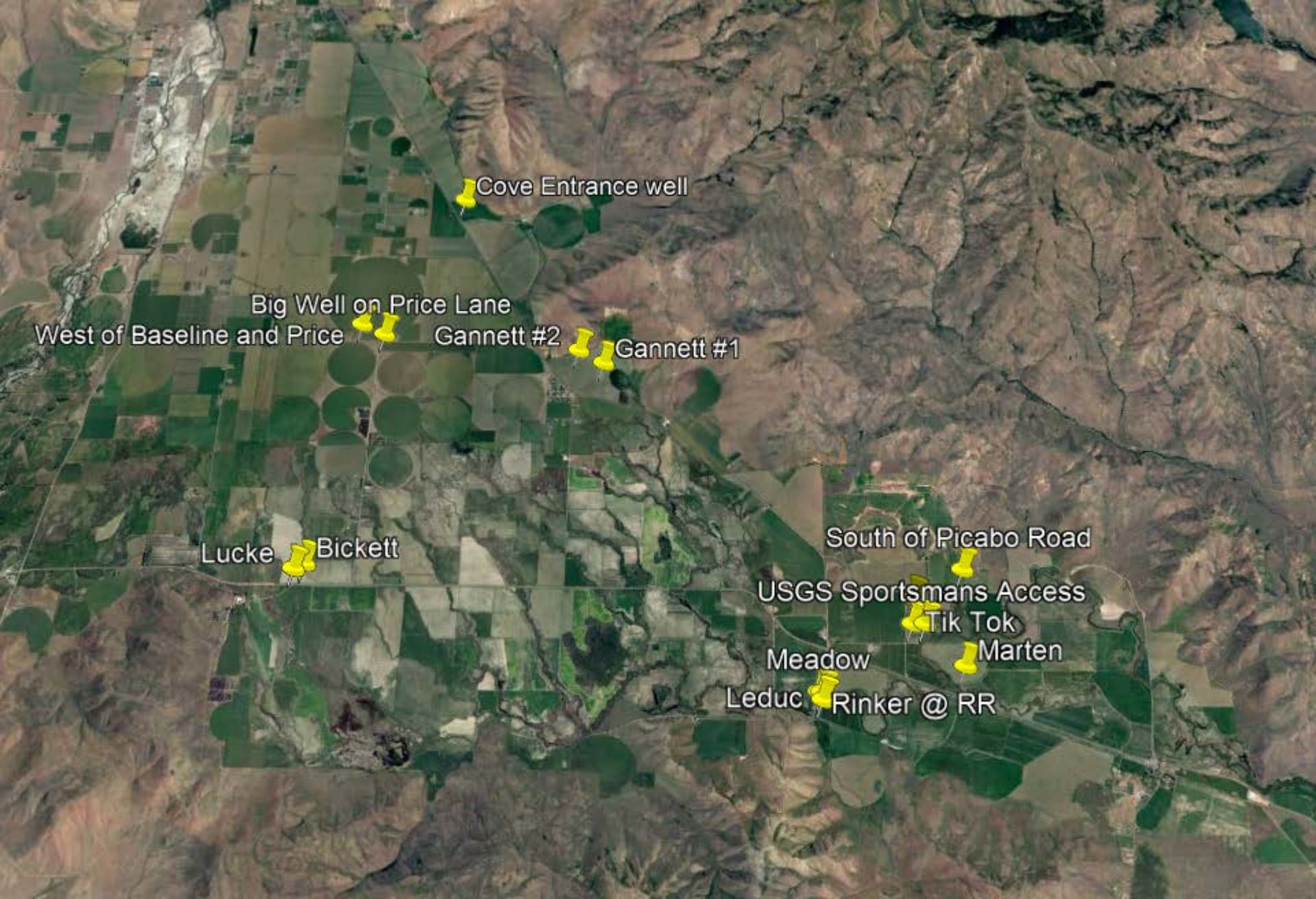
Water Right #	Owner	CFS	Ac. Ft. limit	Temp. Change #
37-22777	Aubrey Springs Ranch	0.5	126	37-85
37-22777	Aubrey Springs Ranch	2.33	407	37-86
37-23090	Blackburn Farming LLC.	0.79	180.6	37-86
37-23091	Blackburn Farming LLC.			37-86
37-23092	Blackburn Farming LLC.			37-86
37-23093	Blackburn Farming LLC.			37-86
37-2493	Lakeside Ind. Inc.	2	350	37-87
37-23090	Blackburn Farming LLC.	2.26	520	37-87
37-23091	Blackburn Farming LLC.			
37-23092	Blackburn Farming LLC.			
37-23093	Blackburn Farming LLC.			
37-2576	John F. Stevenson	11.63	2501	37-87
37-2649A	John F. Stevenson			
37-2649B	John F. Stevenson			
37-2681	John F. Stevenson			
37-7644	John F. Stevenson			37-87

Total

19.51

4084.6

Wells dedicated to flow aug. in Term Sheet agreement																	
Owner	Well Description	Water Use	Volume Diverted 5/1-5/7	Volume Diverted 5/8-5/18	Volume Diverted 5/19-5/26	Volume Diverted 5/27-6/3	Volume Diverted 6/4-6/11	Volume Diverted 6/12-6/18	Volume Diverted 6/19-6/29	Volume Diverted 6/30-7/7	Volume Diverted 7/8-7/13	Volume Diverted 7/14-7/20	Volume Diverted 7/21-7/26	Volume Diverted 7/27-7/30	Total diversion by location	Re-diversion to irrigation BEGINNING 7/8	Net Amount to Flow Aug. BEGINNING 7/8
THE BRETT & PATRICIA BASHAW FAMILY TRUST	Gannett Pivot #2	Irrigation and Flow Aug. in Loving Creek	0	58.15	3.56	49.39	29.37	28.09	67.16	13.94	0	32.93	50.32	29.42	362.33	??	??
STEVENSON	West of Price Lane and Baseline Road intersect.	Irrigation and Flow Aug. in Grove Creek	6.52	0	0	0	0	0.36	8.85	27.36	0	0	0	0	43.09	??	??
THE BRETT & PATRICIA BASHAW FAMILY TRUST	South Side of North Picabo Road	Irrigation and Flow Aug. in Silver Creek below Sportsmans Access	6.95	32.59	0	19.95	0	0.005	44.08	1.06	45.03	48.07	52.6	33.26	283.595	??	??
BLACKBURN FARMING LLC	Cove Ranch Entrance	Irrigation and Flow Aug. in Loving Creek	0	0	0	0	0	0	0	69	10	32	43	70	224	??	??
THE BRETT & PATRICIA BASHAW FAMILY TRUST	Gannett Pivot #1	Irrigation and Flow Aug. in Loving Creek	58.23	34.49	18.61	36.98	33.12	17.05	49.45	6.12	10.64	36.28	38.84	23.41	363.22	??	??
Multiple	Tic Toc Well	Irrigation to Bashaw and Renegade McGlocklin and flow aug.	0	70.04	104.05	91.72	94.28	101.77	151.64	13.23	68.77	92.61	75.81	49.35	913.27	82	204.54
Picabo Livestock	Martin.Iden Well	Irrigation into Picabo Livestock Iden Canal	0	0	0	0	33.32	77.75	120.76	10.95	55.42	76.5	65.57	43.72	483.99	241.21	0
Picabo Livestock	LeDuc Well	Irrigation into Picabo Livestock Main Canal	0	0	0	17.34	9.6	67.2	97.59	8.49	0	66.09	51.89	33	351.2	150.98	0
Picabo Livestock	Meadow Well	Irrigation into Picabo Livestock Main Canal or flow Aug into Silver creek	0	0	35.22	70.45	70.45	61.65	96.87	8.81	0	61.65	49.35	39.67	494.12	??	??
		Total Diversion over time	71.7	195.27	161.44	285.83	270.14	353.875	636.4	158.96	189.86	446.13	427.38	321.83	3518.815		
Other wells contributing to flow aug.																	
Owner	Well Description	Water Use	Volume Diverted 5/1-5/7	Volume Diverted 5/8-5/18	Volume Diverted 5/19-5/26	Volume Diverted 5/27-6/3	Volume Diverted 6/4-6/11	Volume Diverted 6/12-6/18	Volume Diverted 6/19-6/29	Volume Diverted 6/30-7/7	Volume Diverted 7/8-7/13	Volume Diverted 7/14-7/20	Volume Diverted 7/21-7/26	Volume Diverted 7/27-7/30	Total diversion by location	Re-diversion to irrigation BEGINNING 7/8	Net Amount to Flow Aug. BEGINNING 7/8
STEVENSON	Big Well @ Pump Station on Price Lane	Irrigation to Queen's Crown Ranch and Flow Aug. in Grove Creek	115.54	0	0	0	0	13.24	74	93.4	71.44	120.29	66.94	99.24	654.09	357.91	0
STEVENSON/FLOOD	Lucke Well	Irrigation to Queen's Crown Ranch and Flow Aug. in Patten Creek	0	0	0	0	37.46	33.89	53.24	4.84	28.5	40.9	12.02	0	210.85	81.42	0
STEVENSON/FLOOD	Bickett Well	Irrigation to Queen's Crown Ranch and Flow Aug. in Patten Creek	0	0	0	5.07	16.48	14.3	22.47	2.04	0	3.89	12.34	9.92	86.51	19.44	85.95
RENEGADE MCGLOCKLIN	Rinker Well @ RR Ranch	Irrigation at Osterhouse and Maggie diversions or Flow Aug into Silver Creek	0	0	20.51	52	51.02	44.15	69.38	6.31	33.62	46.37	36.18	22.93	382.47	0	139.1
SILVER SAGE PROPERTIES	Mill-In Well	Irrigation to Silver Sage Prop. or Crawford Ranch	76.04	142.14	103.16	103.3	101.77	85.95	132.85	11.92	0	82.97	69.62	46.24	955.96	173.87	24.96
		Total	191.58	142.14	123.67	160.37	206.73	191.53	351.94	118.51	133.56	294.42	197.1	178.33	2289.88		



Cove Entrance well

Big Well on Price Lane

West of Baseline and Price

Gannett #2

Gannett #1

Lucke

Bickett

South of Picabo Road

USGS Sportsmans Access

Tik Tok

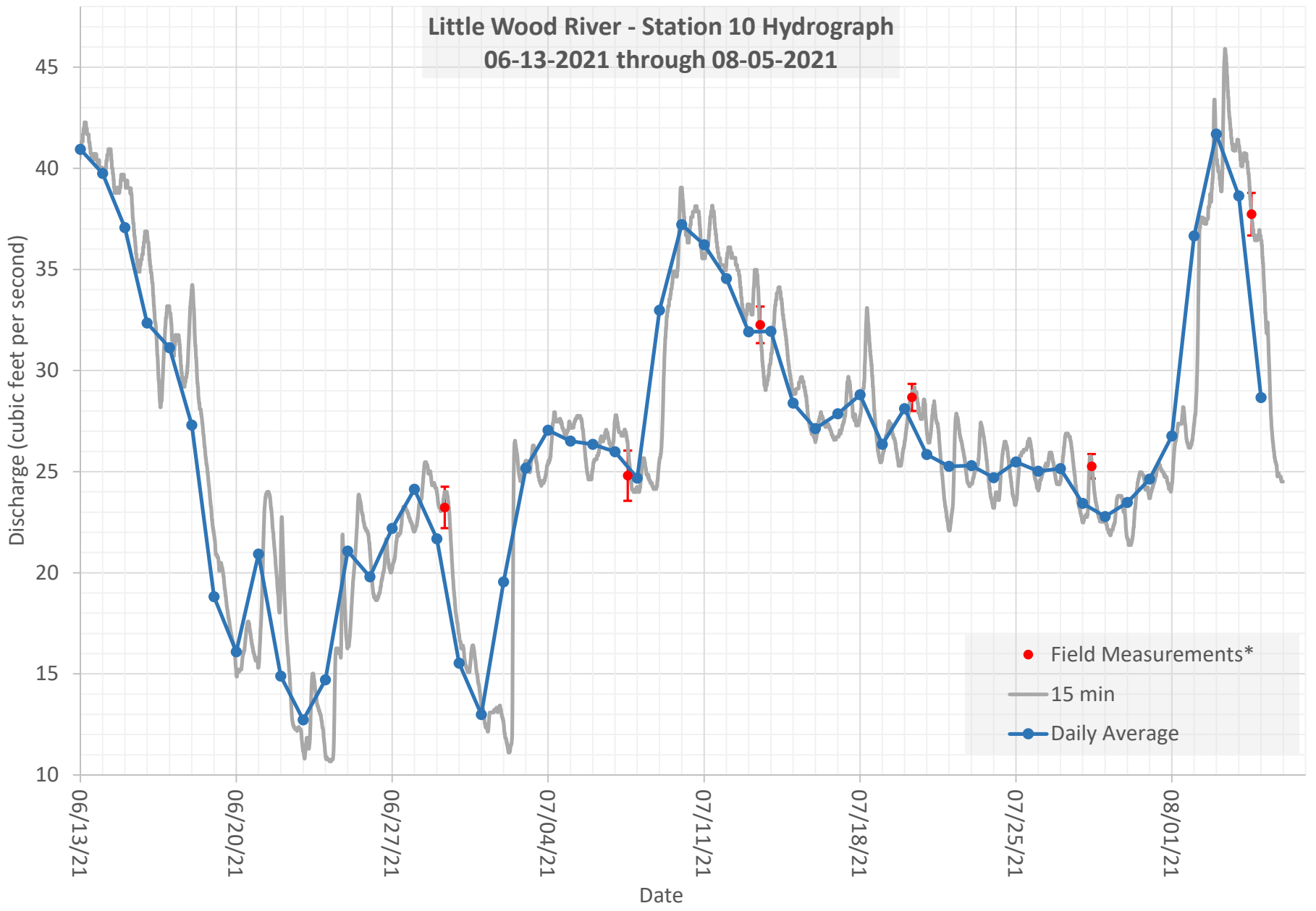
Meadow

Marten

Leduc

Rinker @ RR

Little Wood River - Station 10 Hydrograph 06-13-2021 through 08-05-2021



*Error bars plotted on the field measurements represent the quantitative uncertainty for each measurement.

WATER DISTRICT 37

CANAL NAME	LITTLE WOOD RIVER				CANAL NO. 10				2021
DATE	APRIL	MAY	JUNE	JULY	AUG	SEPT	DATE		
1				13	27				1
2				20	37				2
3				25	42				3
4				27	39				4
5				27	29				5
6				26					6
7				26					7
8				25					8
9				33					9
10				37					10
11				36					11
12				35					12
13			41	32					13
14			40	32					14
15			37	28					15
16			32	27					16
17			31	28					17
18			27	29					18
19			19	26					19
20			16	28					20
21			21	26					21
22			15	25					22
23			13	25					23
24			15	25					24
25			21	25					25
26			20	25					26
27			22	25					27
28			24	23					28
29			22	23					29
30			16	23					30
31				25					31
TOTAL	0	0	431	831	172	0			
MEAN	#DIV/0!	#DIV/0!	24	27	34	#DIV/0!			
ACRE FT	0	0	854	1645	341	0			

YEARLY C F S

1434

YEARLY ACRE FEET

2840

TOTAL NO OF DAYS

54

YEARLY MEAN

27

Water District 37 2021 Priority Cuts

BIG WOOD RIVER ABOVE MAGIC RESERVOIR

Date Priority Cut Made	Date of Priority Cut to and including:	Remarks
April 15, 2021	October 15, 1884	
April 16, 2021	June 20, 1884	Cut 50 %
April 19, 2021	June 20, 1884	Cut 100 %
May 1, 2021	June 20, 1884	Reinstate 100%
May 17, 2021	October 15, 1884	Reinstate 75%
May 18, 2021	May 1, 1886	Reinstate all 1886
May 20, 2021	May 21, 1890	Reinstate 100%
May 25, 2021	May 14, 1886	
May 31, 2021	October 1, 1890 + Senior	Reinstate
June 14, 2021	May 14, 1886	
June 17, 2021	October 15, 1884	Cut 50 %
June 19, 2021	July 10, 1884	
June 22, 2021	June 15, 1884	
June 23, 2021	April 3, 1884	
June 24, 2021	March 24, 1883	Cut 25 %
June 29, 2021	March 24, 1883	Cut 75 %
July 12, 2021	December 19, 1882	
July 13, 2021	August 1, 1882	Cut 50 %
July 14, 2021	May 15, 1882	
August 3, 2021	August 1, 1882	Reinstate 50%

BIG WOOD RIVER BELOW MAGIC RESERVOIR

Date Priority Cut Made	Date of Priority Cut to and including:	Remarks
April 22, 2021	June 1, 1890	
April 26, 2021	February 10, 1906 + Senior	
April 30, 2021	May 1, 1897	
May 4, 2021	January 5, 1911 + Senior	Reinstate
May 14, 2021	April 30, 1886	
May 20, 2021	May 5, 1905	Reinstate
June 3, 2021	May 20, 1897	
June 7, 2021	November 1, 1913 + Senior	Reinstate
June 14, 2021	May 1, 1896 + Junior	
July 8, 2021	April 27, 1896	
July 12, 2021	June 1, 1888	
July 19, 2021	April 1, 1885	
July 21, 2021	All Decreases	Decreases Undeliverable

SILVER CREEK & LITTLE WOOD RIVER

Date Priority Cut Made	Date of Priority Cut to and including:	Remarks
May 27, 2021	May 15, 1886	
June 3, 2021	May 5, 1884	
June 14, 2021	July 17, 1884 + Senior	Reinstate
June 21, 2021	April 3, 1884	
June 23, 2021	September 1, 1883	
July 8, 2021	September 1, 1883	Picabo Live agrees to no delivery of 9-1-1883
July 9, 2021	April 1, 1884	Reinstate
July 10, 2021	April 30, 1884	Reinstate
July 13, 2021	May 5, 1884 + Senior	Reinstate
July 14, 2021	5-1-1884	5/1/1884 and junior curtailed
July 23, 2021	4/1/1884	4/1/1884 and junior curtailed
July 25, 2021	4/30/1884	4/30/1884 and senior reinstated
July 25, 2021	4-6-1883	Barbara Farms agrees to no delivery of 4-6-1883 and 4-1-1884
August 2, 2021	4-6-1883	Barbara Farms delivery of 4-6-1883 and 4-1-1884
August 3, 2021	May 5, 1884 + Senior	Reinstate

WATER DISTRICT 37

CANAL NAME		LITTLE WOOD RIVER												CANAL NO. 54		2021	
OWNER																	
DATE	Oct-20	Nov-20	Dec-20	Jan-21	Feb-21	Mar-21	Apr-21	May-21	Jun-21	Jul-21	Aug-21	Sep-21	DATE				
1	11	28	20	20	30	55	84	1	12	7	9	0	1				
2	11	29	20	20	30	56	82	1	5	4	22	0	2				
3	12	18	20	20	30	60	79	2	13	20	22	0	3				
4	14	21	20	20	30	60	77	2	9	20	26	0	4				
5	14	21	20	20	30	60	77	9	9	12	25	0	5				
6	16	21	20	25	30	60	76	9	19	14	20	0	6				
7	18	22	20	20	30	60	71	27	19	12	7	0	7				
8	18	24	20	20	30	72	68	70	27	12	11	0	8				
9	18	25	18	27	30	75	63	70	27	12	0	0	9				
10	18	25	26	25	45	75	61	68	14	12	0	0	10				
11	23	25	25	25	45	75	58	70	5	18	0	0	11				
12	23	25	25	22	61	77	56	70	31	18	0	0	12				
13	26	22	16	20	61	78	55	54	5	17	0	0	13				
14	28	14	15	30	61	77	55	54	5	12	0	0	14				
15	30	19	12	30	61	78	61	17	25	9	0	0	15				
16	32	24	10	30	61	81	57	13	22	9	0	0	16				
17	34	28	12	30	61	82	61	71	22	9	0	0	17				
18	36	29	15	30	70	84	62	53	19	9	0	0	18				
19	37	29	15	30	70	85	61	50	18	9	0	0	19				
20	39	29	20	30	65	89	57	45	2	11	0	0	20				
21	40	30	25	30	60	92	54	45	2	6	0	0	21				
22	41	27	24	30	55	95	48	43	2	6	0	0	22				
23	38	16	25	30	55	97	47	43	4	4	0	0	23				
24	36	22	25	30	55	96	41	10	2	5	0	0	24				
25	35	27	25	30	55	94	41	64	0	8	0	0	25				
26	33	13	20	30	55	94	17	64	0	5	0	0	26				
27	31	19	20	30	55	94	20	53	5	6	0	0	27				
28	31	29	27	30	55	91	7	50	13	5	0	0	28				
29	29	20	20	30	87	87	2	45	16	6	0	0	29				
30	28	20	20	30	85	85	2	18	11	6	0	0	30				
31	28	20	20	30	84	84	12	12	7	7	0	0	31				
TOTAL	829	701	620	824	1376	2448	1601	1203	364	308	144	0					
MEAN	27	23	20	27	49	79	53	39	12	10	5	0					
ACRE FT	1641	1388	1228	1632	2725	4847	3170	2382	721	610	286	0					

YEARLY C F S 8399
 YEARLY ACRE FEET 16631
 TOTAL NO OF DAYS 212
 YEARLY MEAN 40

**Little Wood River Water Users LLC. purchased 900 acre-feet of Snake River water
with cost to be reimbursed as per the Term Sheet Agreement**

Water Right #	Owner	CFS	Priority Date	Curtailment	Ac. Ft. Used	
					Snake	Other
37-344A	Barbara Farms	4	4/6/1883	Self Curtailed 7/25 - 8/2	115	
37-973	Barbara Farms	2	4/1/1884	Self Curtailed 7/25 - 8/2		
37-10561A	Alton Huyser	4	5/5/1884	6/3 - 7/12 and 7/14 - 8/2	184	
37-10561B	Alton Huyser	2.2	5/5/1884	6/3 - 7/12 and 7/14 - 8/2		
37-432	Charles E. Newell	2.6	4/15/1885	6/3 - current	87.69	22.31
37-460	Bill and John Arkoosh	4	6/3/1884	6/3 - 6/14 and 6/21 - current	69	
37-461	Bill and John Arkoosh	1.4	07/17/1884	6/3 - 6/14 and 6/21 - current		
37-327	Bill and John Arkoosh	2.2	05/15/1884	6/3 - 6/14 and 6/21 - current		
37-329	Bill and John Arkoosh	2	05/15/1886	5/27 - current		
37-0328	Bill and John Arkoosh	0.6	04/01/1885	6/3 - current		
Total					455.69	22.31

15% transportation loss is charged to the 900 ac. ft.

Total available for delivery is 765 ac. ft.

Total remaining water available for delivery

309.31 ac. Ft.