State of Idaho
DEPARTMENT OF WATER RESOURCES
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C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

July 7, 2016

Dear Interested Party:

The Idaho Department of Water Resources ("IDWR") is considering creating a ground water management area for the Eastern Snake Plain Aquifer (ESPA). Potentially affected water users are invited to participate in upcoming public meetings to discuss the possible creation of a ground water management area for the ESPA. A schedule of the public meetings is printed at the end of this letter. A separate schedule is also enclosed.

At the public meetings: (1) the Idaho Department of Water Resources will present hydrologic data and information; (2) IDWR will discuss the legal standards for the creation of a ground water management area; and (3) potentially affected water users and interested persons and entities may interact with IDWR and express their views. After hearing from water users at the public meetings and considering the issues, I will decide whether a ground water management area should be created.

The Idaho Department of Water Resources has documented declining ESPA levels, Snake River flows, and spring discharges, particularly since the turn of this century. Holders of senior priority water rights have filed several calls for priority delivery of water. IDWR has conducted hearings, and has rendered decisions resulting in orders of curtailment of junior priority water rights and associated mitigation obligations.

A comprehensive hydrogeologic model of the aquifer has been developed and used for various purposes, including responding to water delivery calls and evaluating aquifer stabilization efforts. IDWR continues to develop data and track conditions in the ESPA.

To briefly summarize, after an extended period of increasing aquifer levels and spring discharge, ground water levels and water volume in the ESPA have been declining since about the mid 1950s. Spring discharges from the ESPA have also declined. From 1912 to 1952 the ESPA gained an estimated 17 million acre-feet of storage. Between 1952 and 2013 the aquifer lost an estimated 11 million acre-feet. There have been periods of recovery (increased aquifer levels and spring discharge) since 1952, but each subsequent recovery peak is lower than the previous peak and each declining trough is lower than the previous trough.

These trends are disturbing. It is clear that the aquifer storage has declined substantially from peak levels. Discharges from springs delivering water from the aquifer have correspondingly declined as ground water elevations in the ESPA and total water stored in the ESPA have declined.

The ESPA is a vital source of water for the State of Idaho. Its value cannot be overstated. Unless the trend that has existed since 1952 is at least arrested, the current declines in aquifer storage and spring discharge will continue. Multiple causes for the declines in aquifer storage and spring discharge include: (1) changing climate patterns; (2) increasing surface water irrigation efficiencies resulting in less incidental recharge; (3) the development of approximately one million acres of land irrigated by ground water within the ESPA; and (4) the development of a significant number of additional irrigated acres in areas that have historically contributed water to the ESPA. Water users and the Water Resources Board are undertaking efforts to enhance recharge and reduce ground water pumping to counter the declines. However, future conditions, including climate and water use practices are unknown.

Idaho Code Section 42-233b authorizes the creation of ground water management areas. It defines a ground water management area as: ". . . any ground water basin or designated part thereof which the director of the department of water resources has determined may be approaching the conditions of a critical ground water area."

Idaho Code Section 42-233a defines a critical ground water area as: ". . . any ground water basin, or designated part thereof, not having sufficient ground water to provide a reasonably safe supply for irrigation of cultivated lands, or other uses in the basin at the then current rates of withdrawal, or rates of withdrawal projected by consideration of valid and outstanding applications and permits, as may be determined and designated, from time to time, by the director of the department of water resources."

The holders of senior priority water rights who filed numerous water delivery calls with IDWR have asserted that the ESPA presently does not have sufficient ground water to provide a reasonably safe supply. Without dispute, unless the trend that has existed since 1952 is at least arrested, the current conditions will be exacerbated. The question is whether the ESPA is approaching the conditions of a critical ground water area (not having sufficient ground water to provide a reasonably safe supply).

Section 42-233b identifies several potential tools available to the Director within a ground water management area to properly manage the resource:

1. Approve a ground water management plan for the area. A ground water management plan would manage ground water withdrawals on the aquifer and hydraulically connected sources to ensure a reasonably safe supply of ground water. Components of a recently completed settlement agreement between the Surface Water Coalition and the Idaho Ground Water Appropriators may be a template for an initial management plan.

2. Consider new appropriations of water only after determining that sufficient water is available. This would be consistent with current practices.

3. Require all water right holders within the area to report withdrawals of ground water and other necessary information. Many users of water from the ESPA currently or soon must measure and report their diversions of ground water.

4. If the Director determines the ground water is insufficient to meet the needs of water right holders, junior users may be required to cease diversions.

The formation of a ground water management area would have distinct advantages:

1. Rather than only administering existing disjointed water calls and mitigation plans, the Department can consider the aquifer as a whole. In contrast, under conjunctive administration the Department can only administer to individual water delivery calls. Delivery calls are manifest symptoms of a larger problem with the ESPA. The problem is the widespread and long term decline of the aquifer storage volume by over 11 million acre-feet and associated reduction in spring discharges. A ground water management area focuses treatment on the problem, not just the symptoms.

2. Conjunctive management by water right priority results in sporadic curtailment orders and associated mitigation only in years when the water supply is insufficient to satisfy the senior priority water rights. In years when the supply is sufficient, there is no curtailment or mitigation. In years when the supply is deficient, the curtailment/mitigation obligations can be very large. Sporadic water right administration does not consistently address the chronic degradation of the ESPA. Management through a ground water management area designation may better assure that the aquifer stabilization measures are achieved.

One of the issues needing consideration will be the areal extent of the ground water management area. The Department's technical information suggests that the area that impacts water stored in the ESPA and spring discharge extends into tributary basins:

Clover Creek	Birch Creek	Palisades	Bannock Creek
Thorn Creek	Medicine Lodge Creek	Willow Creek	Rock Creek
Big Wood River	Beaver Creek	Blackfoot River	Raft River
Little Wood River	Camas Creek	Ross Fork	Goose Creek
Big Lost River	Henry's Fork	Portneuf River	Big Cottonwood Creek
Little Lost River	Teton River		

Water users in those areas are invited to participate.

The Department will conduct a series of informational meetings to further inform water users of the concerns leading to this effort and to hear from them:

Meeting Date and Time	Meeting Location
July 25, 2016 at 8:30 a.m.	Minnie Moore Room, Community Campus Building 1050 Fox Acres Road Hailey, Idaho 83333
July 25, 2016 at 2:30 p.m.	Butte County High School Auditorium 120 N. Water Street Arco, Idaho 83213
July 25, 2016 at 7:00 p.m.	West Jefferson High School Auditorium 1260 East 1500 North Terreton, Idaho 83450
July 26, 2016 at 8:30 a.m.	AmericInn Lodge & Suites 1098 Golden Beauty Drive Rexburg, Idaho 83440
July 26, 2016 at 2:00 p.m.	Blackfoot Senior Center 20 East Pacific Blackfoot, Idaho 83221
July 26, 2016 at 7:00 p.m.	Best Western 1415 Bench Road Pocatello, Idaho 83201
July 27, 2016 at 9:00 a.m.	Marsh Valley Senior Center 21 S. Main Street Downey, Idaho 83234
July 27, 2016 at 3:00 p.m.	Raft River High School Auditorium 55 1st West Malta, Idaho 83342
July 27, 2016 at 7:30 p.m.	Best Western/Burley Inn & Convention Center 800 N. Overland Avenue Burley, Idaho 83318
July 28, 2016 at 9:00 a.m.	Jerome Middle School 520 10th Avenue West Jerome, Idaho 83338

The meetings will include a presentation on the aquifer by Department Staff, discussion of the Director's role and decision process, and an opportunity to hear from water users.

Sincerely,

Gary Spackman
Director

IDAHO DEPARTMENT OF WATER RESOURCES

SCHEDULE OF PUBLIC WATER MEETINGS FOR PROPOSED GROUND WATER MANAGEMENT AREA IN THE EASTERN SNAKE PLAIN AQUIFER

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