City of Ketchum

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DEPARTMENT OF
WATER RESOURCES

Office of the Mayor
City of Ketchum
P.O. Box 2315
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Ketchum, ID 83340

September 1, 2016

Director Gary Spackman
State of Idaho
Department of Water Resources
P.O. Box 83720
Boise, Idaho 83720-0098

Dear Director Spackman,

Thank you for inviting us to provide input into your decision around whether or not to include the tributaries to the Eastern Snake Plain Aquifer (ESPA) in a Ground Water Management Area (GWMA) or Critical Ground Water Area (CGWA) for the ESPA. We are concerned that including the Big Wood basin within this larger management area would result in disjointed management because the Big Wood is so different from the other areas regulated in the ESPA. Furthermore, this proposal would thwart the significant efforts already being undertaken by the City of Ketchum and numerous other stakeholders in the basin to develop comprehensive plans to manage our local water resources. We have been working collectively to address the demands of conjunctive management and the recent call on junior groundwater users in the basin. These efforts may be lost were we to be absorbed into the complexities of water management for the larger Snake River basin. Our particular concerns include:

1. Duplicative Efforts. The Big Wood River is already subject to a GWMA. The Big Wood River and Silver Creek drainages were designated as a CGWA in 1961 but the designation was rescinded in 1966 at the request of local water users. In 1991, the Big Wood River basin was designated a GWMA in order to address the connection between ground and surface water within the Camas Creek, Silver Creek, and Upper Big Wood River drainages above Magic Reservoir. It is not clear why this standing designation does not provide sufficient structure to develop the necessary groundwater management plans and tools to sustainably manage our groundwater resources locally.

2. No Substantial Benefit. Groundwater budget data from Kjelstrom (1995) suggests that the mean annual water yield from the Big and Little Wood River basins together for the time period 1934-80 is 728,000 AF, representing 4.1% of the total Snake River Plain annual yield of 17,609,000 AF. This small contribution to the overall water budget of

the Snake River Plain does not warrant inclusion in this new Ground Water Management Area. Further, recent results from the Big Wood groundwater model suggest that a 13% reduction in groundwater pumping will result in an increase in underflow at Picabo of 0.3 cfs after 25 years. Again, these results do not seem to be compelling enough to warrant inclusion in a Snake River Plain GWMA.

3. Unintended Consequences. It has been suggested that the Department may choose to manage groundwater by requiring across-the-board percentage reductions in groundwater use by all users within a newly formed SRP GWMA. We are concerned that such an approach would fail to recognize the inherent differences across individual sub-basins and communities in water needs, use, efficiency, and conservation, and differing impact on system sustainability (i.e., the degree to which individual sub-basins match water use with water availability varies such that some sub-basins are more likely to be contributing to overdraft of the larger system than others.). Across-the-board cuts may have the unintended consequences of codifying existing inefficiencies and removing incentives for water conservation and efficiency enhancements.

4. Unfair Shifting Burden. Data presented by IDWR shows that the ESPA has been in decline since the 1950s, losing 13 million AF of storage between 1952 and 2016. It appears since that time, the state failed to match new water right allocations to the total combined (ground and surface) water supply, resulting in possible over-allocation of this resource and helping to produce the documented declines in aquifer storage. The Wood River Valley has a different history. The recent USGS study of our local aquifer documents declines in aquifer elevation between 1986 and 2006 and, at the same time, suggests "historic or predevelopment conditions refer to the period before 1970 with a *relatively stable population, water withdrawals, and consumption*." From this analysis, we might conclude that the contribution of the Big Wood sub-basin to the ESPA remained relatively constant prior to 1970, *at a time when storage in the ESPA was declining*. Holding the Big Wood River basin responsible for possible over-allocation in the larger Snake River Plan seems unfair at best.

5. Prior Appropriation Doctrine Should Be Followed. Idaho Code 42-233(b) states, *"Water right holders participating in an approved ground water management plan shall not be subject to administration on a time priority basis so long as they are in compliance with the ground water management plan."* As discussed at the public meeting about the topic in Hailey on July 25, 2016, this language is clearly in conflict with the intent of the state to honor the doctrine of prior appropriation in the context of a larger Snake River Plain GWMA. We are concerned about this dual responsibility, and the lack of clarity in state law and policy.

6. River Systems. The City is concerned about the availability of water for our rivers and aquatic ecosystems. This larger management approach does not appear to provide any avenues to protect and maintain river systems.

7. Unnecessary Additional Layer of Management. We are very concerned about the potential inefficiencies presented by yet another layer of management. Conjunctive management in the Big Wood Basin, reductions in groundwater pumping required by the SWC-IGWA Settlement Agreement, and efforts to recharge groundwater in Southern Idaho have not yet run their course. Adding another layer of complexity to

this already complicated playing field—without the benefit of understanding the impact of current management efforts—seems ill-advised.

8. Representation is Necessary. If a GWMA is formed, Ketchum would like to have representation on the advisory committee and would request that committee membership be limited to water users.

9. Find Solutions. The City requests the state and Department take the necessary legal, policy and management steps to provide our community with the framework and tools to effectively manage our water resources locally. The proposed addition of a Sustainability section to the State Water Plan is a good start, and we would like to see the state provide mechanisms to address the issue. The City would be happy to meet with the Department to discuss possible solutions to these issues.

Thank you for considering our concerns during your deliberation. We look forward to continued collaboration towards effective management of our local water resources.

Sincerely,

Nina Jonas, Mayor
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References

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Vincent, Sean. Hydrologic considerations for the possible establishment of a Ground Water Management Area for the eastern Snake Plain Aquifer. IDWR Presentation, July 25, 2016, Hailey, ID.