

DRAFT

**Grand View-Bruneau Ground
Water Management Plan**

December 1, 2021

I. INTRODUCTION AND BACKGROUND

This document is the ground water management plan (“Management Plan”) for the Grand View-Bruneau Ground Water Management Area (GBGWMA) issued pursuant to Idaho Code § 42-233b. The GBGWMA is located in north-central Owyhee County, south of the Snake River. Following amendments to Idaho’s Groundwater Act in 1982, the GBGWMA was designated by the Idaho Department of Water Resources (“IDWR” or “Department”) on October 29, 1982, in response to increased and projected increases in groundwater withdrawal along with declines in groundwater levels and spring flows. As Idaho’s first GWMA, the designation predated the Department’s now common practice of organizing an advisory committee during the initial formation of the GWMA to assist in the management of groundwater resources through the development of a Management Plan. Collaborating with local groundwater users in the development of this Management Plan is an essential step in ensuring the long-term viability of the area’s valuable groundwater resource.

II. AREA HYDROGEOLOGY

[Include summary of local hydrogeologic conditions based on findings from applicable scientific investigations (reports from Piper, 1924; Littleton and Crosthwaite, 1957; Ralston and Chapman, 1969; Young and Whitehead, 1975; Rightmire, Young and Whitehead, 1976; Young and Lewis, 1982; Berenbrock, 1993; Mink and Lockwood, 1995; Harrington and Bendixsen, 1998).]

III. DEFINITIONS (See Appendix A)

IV. RELEVANT LEGAL PROVISIONS (See Appendix A)

V. GOALS

This Management Plan, if properly implemented and adaptively managed, will:

- A. Protect the groundwater resources of the area from further decline, or under the best circumstances, increase the level of the aquifer.
- B. Protect existing and future groundwater rights and groundwater quality.
- C. Improve the understanding of the aquifer systems and implement strategies to determine the status of the aquifers over time.
- D. Encourage education and outreach efforts that promote conservation of the groundwater resources.
- E. Provide reasonable growth opportunities from available water supplies.
- F. Evaluate the current boundaries for adequacy.

VI. WATER USE MANAGEMENT AND IMPLEMENTATION STRATEGIES

To achieve the goals of this Management Plan, the following long-term water use management and mitigation strategies or practices shall commence in 20___. Some practices are baseline actions implemented annually, while the magnitude of other actions change in response to water supply conditions. Some strategies shall be phased in over several years to achieve Management Plan goals.

A. Expansion of Groundwater Monitoring Program

Expand the existing groundwater level monitoring network to improve the understanding of the aquifer system. Identify data gaps in the current network and request participation from select water users on voluntary basis.

Metric: Starting 2022, increase the number of monitoring sites (wells) and establish a set of criteria to ensure that the efforts implemented through the Management Plan are stabilizing groundwater levels. Consider groundwater level benchmarks or targets in select or mutually agreed upon wells pursuant to recommendations from the Advisory Committee.

B. New Appropriations

Consistent with its authority stated in Idaho Code § 42-1805(7) and Rule 55 of the Department's Water Appropriation Rules (IDAPA 37.03.08), IDWR should suspend action on applications to appropriate water and the issuance of permits to appropriate water as necessary to protect existing water rights. The temporary moratorium order should include the following exceptions and restrictions:

- Moratorium does not apply to non-consumptive uses.
- Moratorium does not apply to applications that will have no effect on prior water rights because of their locations, insignificant consumption of water, or mitigation provided by the applicant to offset injury to other water rights.
- Moratorium does not apply to applications which, as determined by the Director, require consideration and approval to protect and advance the public interest irrespective of the general moratorium.
- Moratorium does not apply to domestic and stockwater rights that meet the definition of "domestic purposes" set forth in Idaho Code § 42-111.

Metric: Temporary Order to be submitted by end of 2022.

C. Community Water Systems

Promote community water systems and/or the expansion of existing municipal water systems. Require conservation plans for all new municipal or community water rights or changes to existing water rights held by municipal purveyors, and for all systems regulated as public water systems.

Metric: TBD

D. Water District

Create a Water District to implement monitoring, measurement, and reporting activities along with general district management to include:

1. Complete an inventory of all points of diversion within the GBGWMA, excluding domestic wells defined by Idaho Code § 42-111.
 - a. Determine the extent to which actual diversion rates align with recorded water right authorizations.
 - b. Determine the extent to which diversions can be controlled.
 - c. Determine the extent to which reported diversions exist.
2. Director shall issue a measurement order requiring installation of flow measuring devices for groundwater rights and diversions; excluding domestic uses defined by Idaho Code § 42-111. The flow measurement devices must be approved by the Director and installed in a manner that ensures accurate rates of diversion can be determined and collected over time. The measurement order shall also require adequate controlling features.
3. A watermaster shall be appointed to oversee water distribution within the Water District. Primary duties of the watermaster include record keeping, measurement, reporting, identification of wells in need of repair, and general district management.
4. Facilitate necessary repairs of all diversions from flowing LTG wells with inadequate controlling features to prevent waste or contamination, or both, of groundwater. Watermaster can assist in this process.
5. Facilitate available federal and state level cost sharing programs to assist water users with costs associated with purchasing flow meters, repairing wells, or decommissioning wells.

Metric: Begin the process of creating the new Water District in 2022. Identify federal and state level cost sharing programs to assist water users with costs associated with purchasing flow measuring devices. Generate a flyer with basic description of financial assistance options and send to water users by November of 2022.

E. Consumptive Use Volume Reductions

Reduction of groundwater consumptive use may be achieved through the following practices:

1. Fallowing irrigated acres
 - a. Voluntary fallowing (MOUs)
 - b. Incentivize fallowing through CREP and matching contributions from GWDs or other groundwater user entities
2. Center pivot end gun removal
 - a. Prioritize pivots using a primary or supplemental groundwater source
 - b. Acres under end guns are permanently fallowed
 - c. Verification and monitoring is simple

3. Irrigation system/equipment improvements (change sprinkler packages, install low elevation spray application (LESA) or drip irrigation equipment, incorporate pivot and soil monitoring practices to reduce demand, or other similar practices)
4. Planting crops requiring less water
5. Irrigation season reduction
 - a. Groundwater users will not irrigate sooner than [date] or later than [date]
 - b. Allow changes based on water supply conditions

Metric: Starting 2027, and on an annual basis, reduce irrigation groundwater pumping by X percent. Reduce non-irrigation pumping by Y percent. Reduction of average pumping using baseline period 2023 thru 2026. Percent reductions may vary depending on location within the GBGWMA.

F. Consumptive Use Volume Reduction Offsets

Inventory potential recharge sites for the shallow aquifer system. Prioritize sites based on a cost benefit ratio and anticipated time to implement.

Metric: Develop a recommended plan by November 1, 2024 that identifies potential recharge sites to facilitate recharge.

G. Construction, Modification, or Deepening of Wells

1. Construction, modification, or deepening of LTG wells should be in accordance with Rule 30 of the Well Construction Standards Rules (IDAPA 37.03.09.030). All LTG wells must be constructed in such a manner that the resource will be protected from waste due to lost artesian pressure and temperature.
2. Construction, modification, or deepening of shallow (cold) wells should be in accordance with Rule 25 of the Well Construction Standards Rules (IDAPA 37.03.09.025).
3. Require new domestic groundwater rights, as defined by Idaho Code § 42-111, to submit long form well drilling applications.

Metric: TBD

H. Maintenance and Decommissioning of Wells

4. Well owners are charged with maintaining or properly decommissioning (abandoning) of wells in a manner that will prevent waste or contamination, or both, of groundwater. Modification and decommissioning of all existing wells must meet requirements of the Well Construction Standards Rules (IDAPA 37.03.09).

Metric: Identify federal and state level cost sharing programs to assist water users with costs associated with repairing wells or decommissioning wells. Generate a flyer with basic description of financial assistance options and send to water users by November of 2022.

VII. ADVISORY COMMITTEE

The Advisory Committee recommends that the Director hold a public meeting in the local area to present the Management Plan.

The Advisory Committee recommends that the Director authorize continuation of the Advisory Committee to assist with implementation of Management Plan goals and strategies. The Advisory Committee should meet periodically to ensure that the provisions of the plan are properly implemented. The Advisory Committee should frequently review this plan and work with IDWR to update the plan as needed.

Minutes of any periodic meeting of the Advisory Committee shall be provided to the Director.

APPENDIX A

Definitions and Relevant Legal Provisions

DEFINITIONS

Acre-Foot (AF). A volume of water sufficient to cover one (1) acre of land one (1) foot deep and is equal to forty-three thousand five hundred sixty (43,560) cubic feet.

Grand View-Bruneau Ground Water Management Area. . The area located in north-central Owyhee County, south of the Snake River, designated the Grand View-Bruneau Ground Water Management Area in the Order in the Matter of the Grand View-Bruneau Ground Water Management Area dated October 29, 1982, and shown on the map in Appendix B of this plan.

GBGWMA. Grand View-Bruneau Ground Water Management Area.

Cubic Foot per Second (cfs): A rate of flow approximately equal to four hundred forty-eight and eight-tenths (448.8) gallons per minute and also equals fifty (50) Idaho miner's inches.

Director. The Director of the Idaho Department of Water Resources.

Ground Water District (GWD). A district established pursuant to Idaho Code Title 42, Chapter 52.

Ground Water Management Area. Any groundwater basin or designated part thereof as designated by the Director pursuant to Section 42-233(b), Idaho Code.

Groundwater. Water under the surface of the ground whatever may be the geological structure in which it is standing or moving as provided in Section 42-230(a), Idaho Code.

IDWR. The Idaho Department of Water Resources.

IWRB. The Idaho Water Resources Board.

Surface Water. Rivers, streams, lakes and springs when flowing in their natural channels as provided in Sections 42-101 and 42-103, Idaho Code.

Water District. An instrumentality of the state of Idaho created by the Director as provided in Section 42-604, Idaho Code, for the purpose of performing the essential governmental function of distribution of water among appropriators under Idaho law.

Watermaster. A person elected and appointed as provided in Section 42-605, and Section 42-801, Idaho Code, to distribute water within a water district.

Water Right. The legal right to divert and use or to protect in place the public waters of the state of Idaho where such right is evidenced by a decree, a permit or license issued by the Department, a beneficial or constitutional use right or a right based on federal law.

Relevant Legal Provisions

Idaho Code § 42-226 declares all groundwater within the state to be the property of the state and confirms the state's power to supervise the appropriation and allocation of groundwater within its boundaries.

Idaho Code § 42-231 states:

[I]t shall be the duty of the [Director] to conduct investigations, surveys and studies relative to the extent, nature and location of the ground water resources of this state It shall likewise be the duty of the [Director] to control the appropriation and use of the ground water of this state . . . and to do all things reasonably necessary or appropriate to protect the people of the state from depletion of ground water resources contrary to the public policy expressed in this act.

Idaho Code § 42-233b authorizes the Director to create a groundwater management area if he determines an area "may be approaching the conditions of a critical ground water area."

Idaho Code § 42-233b further provides:

When a ground water management area is designated by the director of the department of water resources, or at any time thereafter during the existence of the designation, the director may approve a ground water management plan for the area. The ground water management plan shall provide for managing the effects of ground water withdrawals on the aquifer from which withdrawals are made and on any other hydraulically connected sources of water.

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.

Idaho Code § 42-223(4) provides that a water right shall not be lost or forfeited if the reason for nonuse of the water is to comply with the provisions of a groundwater management plan.

Idaho Code § 42-1805(7) authorizes the Director to suspend the issuance or further action on applications to appropriate water as necessary to protect existing water rights. Further, Rule 55 of the Department's Water Appropriation Rules (IDAPA 37.03.08) states that the Director may establish moratoriums, as necessary, to protect existing water rights.

APPENDIX B

IDWR Order Designating the Grand View-Bruneau Ground Water Management Area

October 29, 1982

APPENDIX C

Map of the Grand View-Bruneau Ground Water Management Area