

SENATE CONCURRENT RESOLUTION NO. 136

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Bill Status

SCR136.....by STATE
AFFAIRS

AQUIFER MANAGEMENT PLAN - Stating findings of the Legislature and requesting the Idaho Water Resource Board to prepare and submit a comprehensive aquifer management plant for the Eastern Snake River Plain

for legislative review and approval.

03/31 Senate intro - 1st rdg - to printing

04/03 Rpt prt - to 10th Ord

Rls susp - ADOPTED - 33-0-2

AYES -- Andreason, Brandt, Broadsword, Bunderson, Burkett, Burtenshaw, Cameron, Coiner, Compton, Corder, Darrington, Davis, Fulcher, Geddes, Goedde, Hill, Jorgenson, Kelly, Keough,

Langhorst,

Little, Lodge, Malepeai, Marley, McGee, McKenzie, Pearce,

Richardson,

Schroeder, Stennett, Sweet, Werk, Williams

NAYS -- None

Absent and excused -- Gannon, Stegner

Floor Sponsor - Davis

Title apvd - to House

04/04 House intro - 1st rdg - to 2nd rdg

04/05 2nd rdg - to 3rd rdg

Rls susp - ADOPTED - voice vote

Floor Sponsor - Raybould

Title apvd - to Senate

04/05 To enrol

04/06 Rpt enrol - Pres signed - Sp signed

04/07 To Secretary of State

Bill Text

IN THE SENATE

SENATE CONCURRENT RESOLUTION NO. 136

BY STATE AFFAIRS COMMITTEE

1 A CONCURRENT RESOLUTION
2 STATING LEGISLATIVE FINDINGS AND REQUESTING THE IDAHO WATER
RESOURCE BOARD TO
3 PREPARE AND SUBMIT A COMPREHENSIVE AQUIFER MANAGEMENT PLAN
FOR THE EASTERN
4 SNAKE RIVER PLAIN AQUIFER FOR LEGISLATIVE REVIEW AND
APPROVAL.

5 Be It Resolved by the Legislature of the State of Idaho:

6 WHEREAS, the extended drought, changes in irrigation
practices and ground
7 water pumping have resulted in reduced spring discharges and
reach gains from
8 the Eastern Snake River Plain Aquifer and areas of declining
aquifer levels;

9 and
10 WHEREAS, declining aquifer levels have resulted in
insufficient water sup-
11 plies to satisfy existing beneficial uses; and

12 WHEREAS, declining aquifer levels have lead to conflicts
between holders
13 of water rights diverting from surface and ground water; and
14 WHEREAS, the conflict between water users poses a
significant threat to

15 the state's economy; and
16 WHEREAS, the welfare of the people of the state of Idaho is
dependent upon

17 the management of the Eastern Snake River Plain Aquifer in
accordance with
18 state law; and

19 WHEREAS, the Idaho Legislature has enacted legislation
to create water
20 measurement districts for gathering and reporting of water
diversion data; and

21 WHEREAS, the Idaho Legislature has enacted legislation
authorizing the
22 creation of ground water districts for the purpose of
implementing mitigation

23 plans; and
24 WHEREAS, the Idaho Department of Water Resources has
expanded and created
25 new water districts for water sources hydraulically connected
to the Eastern

26 Snake River Plain Aquifer for the purpose of conjunctively
administering all
27 surface and ground water rights diverting from the
interconnected sources; and
28 WHEREAS, the Idaho Legislature provided funding to
facilitate implementa-
29 tion of water supply projects through the Idaho Department of
Commerce and to
30 ground water users for implementation of the Sandy Pipeline
Project in 2004;
31 and
32 WHEREAS, the Idaho Legislature's Natural Resource Interim
Committee in
33 2004 and 2005 sought resolution of the Eastern Snake River Plain
Aquifer water
34 supply conflicts and has provided support for voluntary
mediation between
35 affected parties; and
36 WHEREAS, Section 42-1734, Idaho Code, provides authority
to the Idaho
37 Water Resource Board to cooperate in water studies, planning and
research; and
38 WHEREAS, the Idaho Water Resource Board prepared an
inventory of data and
39 information as part of the Board's comprehensive basin planning
study of the
40 Eastern Snake River Plain Aquifer and tributary basins entitled
the "Resource
41 Inventory Upper Snake River Basin," in 1998, which provides
information for
42 the development of a comprehensive aquifer management plan; and
43 WHEREAS, the state of Idaho has taken initial steps to
address the Eastern
44 Snake River Plain water supply conflict through funding and
development of,

2

1 among other things, a Conservation Reserve Enhancement Program;
and
2 WHEREAS, the Idaho Legislature enacted Section 42-620,
Idaho Code, in
3 2005, to provide for funding necessary to support and to
expand the Eastern
4 Snake River Plain monitoring and data gathering activities
of the Idaho
5 Department of Water Resources; and
6 WHEREAS, certain holders of surface and ground water
rights have been
7 engaged in good faith negotiations to develop a potential
framework for reso-
8 lution of the Eastern Snake River Plain surface/ground water
rights conflict;
9 and
10 WHEREAS, the Idaho Legislature is determined to facilitate
and encourage a

11 resolution of the surface/ground water rights conflict that
12 respects existing
13 water rights.
14 NOW, THEREFORE, BE IT RESOLVED by the members of the
15 Second Regular Ses-
16 sion of the Fifty-eighth Idaho Legislature, the Senate and the
17 House of Repre-
18 sentatives concurring therein, that we request that the Idaho
19 Water Resource
20 Board expeditiously pursue, with support from the Idaho
21 Department of Water
22 Resources, development of a comprehensive aquifer management
23 plan for the
24 Eastern Snake River Plain Aquifer for submission to and
25 approval by the Idaho
26 Legislature.
27 BE IT FURTHER RESOLVED that the Idaho Water Resource Board
28 receive public
29 input regarding the development of goals, objectives and
30 methods for manage-
31 ment of the Eastern Snake River Plain Aquifer from affected
water right hold-
ers, cities and counties, the general public and relevant
state and federal
agencies; and
BE IT FURTHER RESOLVED that the Idaho Water Resource Board
is requested to
report to the First Regular Session of the Fifty-ninth Idaho
Legislature on
the status of the development of the comprehensive Eastern
Snake River Plain
Aquifer management plan. The report should set forth a framework
for the plan,
including appropriate interim goals and objectives in
accordance with state
law, a method to fund implementation of the plan and a
time schedule for
finalization of the plan.

Statement of Purpose / Fiscal Impact

STATEMENT OF PURPOSE

RS 16310C1

The primary parties who are in dispute over the use of surface and groundwater hydraulically connected to the Snake Plain Aquifer system have been negotiating to settle their differences outside of litigation. These parties are negotiating a framework for that settlement that makes it critical that the State of Idaho Water Resource Board establish public policy with regard to future management of the aquifer system, under state water law. This Senate Concurrent Resolution directs the IWRB to begin that plan of

development under their water planning authority, and to report it's progress to the next session of the Idaho Legislature. Adoption of the resolution, and direction to the IWRB is critical to the continued progress to settle the dispute outside of litigation and is in the public interest.

FISCAL NOTE

There is no fiscal impact anticipated beyond FY2007 appropriated funds.

Contact

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Phone: 332-1305

STATEMENT OF PURPOSE/FISCAL NOTE

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