

TO: MATHEW WEAVER, DIRECTOR IDAHO DEPT WATER  
RESOURCES



IDAHO DEPARTMENT OF  
WATER RESOURCES

RECEIVED

322 E Front Street, Suite 648, Boise ID 83702 • PO Box 83720, Boise ID 83720-0098  
Phone: 208-287-4800 • Fax: 208-287-6700 • Email: idwrinfo@idwr.idaho.gov • Website: idwr.idaho.gov

MAR 12 2025

Governor Brad Little

Director Mathe WEAVER  
DEPARTMENT OF  
WATER RESOURCES

March 7, 2025

RE: IDWR EXPANSION OF WATER DIST 290 ONTO  
MORRIS LEHMAN  
2174 MICHAUD CREEK RD  
POCATELLO, ID 83204  
THE FEDERAL FORT HALL INDIAN  
RESERVATION

**Re: Notice of Public Hearing on the Expansion of the Eastern Snake Plain Aquifer Area of  
Common Ground Water Supply to Include Tributary Basins**

Dear Water User,

Idaho Code § 42-233c(2) authorizes the Director ("Director") of the Idaho Department of Water Resources ("Department") to expand the Eastern Snake Plain Aquifer ("ESPA") Area of Common Ground Water Supply ("ACGWS") to include tributary basins that affect the ESPA.

The Department is hosting a Public Hearing on the proposed action to expand the ESPA ACGWS to include tributary basins that affect the ESPA, as described in the enclosed notice. You are receiving this notice because you are listed as the current owner of a ground water right located within a tributary basin proposed to be included in the ESPA ACGWS.

During the hearing the Department will present information about the proposal to expand the ESPA ACGWS to include tributary basins. People attending the hearing will have an opportunity to make an oral presentation regarding the proposed action. The Department will consider testimony presented at the hearing and timely submitted written comments to determine whether the proposed expansion of the ESPA ACGWS into tributary basins is appropriate.

For further information regarding this meeting, please contact Brian Ragan at [brian.ragan@idwr.idaho.gov](mailto:brian.ragan@idwr.idaho.gov), or 208-287-4800.

Sincerely,

*Brian Ragan*

Brian Ragan  
Water Distribution Section

WRITTEN COMMENT MARCH 10  
2025

cc. Water District 290 Watermaster

THE SHOSHONE AND BANNOCK SOVEREIGN NATION IS UNDER  
FEDERAL JURISDICTION ON THE FORT HALL RESERVATION.  
IN A PREVIOUS MEETING WITH THE IDAHO STATE JOURNAL AT  
THE ISU, BENGA ALUMNI CENTER, GOVERNOR BRAD LITTLE  
COMMITTED ANOTHER 10 MILLION TOTALING 40,000,000  
DOLLARS FOR EAST IDAHO AQUIFER RECHARGE PROJECTS.  
THE SHOSHONE - BANNOCK TRIBES OPPOSE ALL IDWR WATER RIGHT EXPANSION.



**BEFORE THE DEPARTMENT OF WATER RESOURCES  
OF THE STATE OF IDAHO**

IN THE MATTER OF THE PROPOSED )  
EXPANSION OF THE EASTERN SNAKE )  
PLAIN AQUIFER AREA OF COMMON )  
GROUND WATER SUPPLY TO INCLUDE )  
THE AMERICAN FALLS )  
TRIBUTARY BASIN )  
\_\_\_\_\_ )

NOTICE OF PROPOSED ACTION,  
PUBLIC HEARING AND WRITTEN  
COMMENT PERIOD

PROPOSED ACTION

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Due to the impact of ground water use in ESPA tributary basins on senior surface water users, the Director proposes to expand the ESPA ACGWS to include the American Falls tributary basin pursuant to Idaho Code § 42-233c(2). Attachment A of this notice is a map showing the American Falls tributary basin in blue, all other ESPA tributary basins in tan, and the current ESPA ACGWS boundary as a green line.<sup>1</sup> Non-exempt<sup>2</sup> ground water rights in the American Falls tributary basin will be subject to priority administration associated with delivery calls connected to the ESPA ACGWS.

NOTICE OF HEARING

The Department will conduct a public hearing regarding the proposed action as follows:

**March 25, 2025 (Tuesday)  
1:00 P.M.  
Arbon Elementary School  
4405 Arbon Valley Highway  
Arbon, Idaho 83212**

<sup>1</sup> The ESPA ACGWS is defined in Idaho Code § 42-233c(1).

<sup>2</sup> Exempt ground water rights include those used for domestic and stockwater rights as defined under Idaho Code §§ 42-111 and 42-1401A (11). These include domestic and stock water uses associated with single family residences where the total daily ground water use is ≤13,000 gallons per day and the total lawn irrigation is ≤0.5 acres. Exempt ground water rights also include those administered by the Shoshone-Bannock Tribes and the United States pursuant to the 1990 Fort Hall Indian Water Rights Agreement.

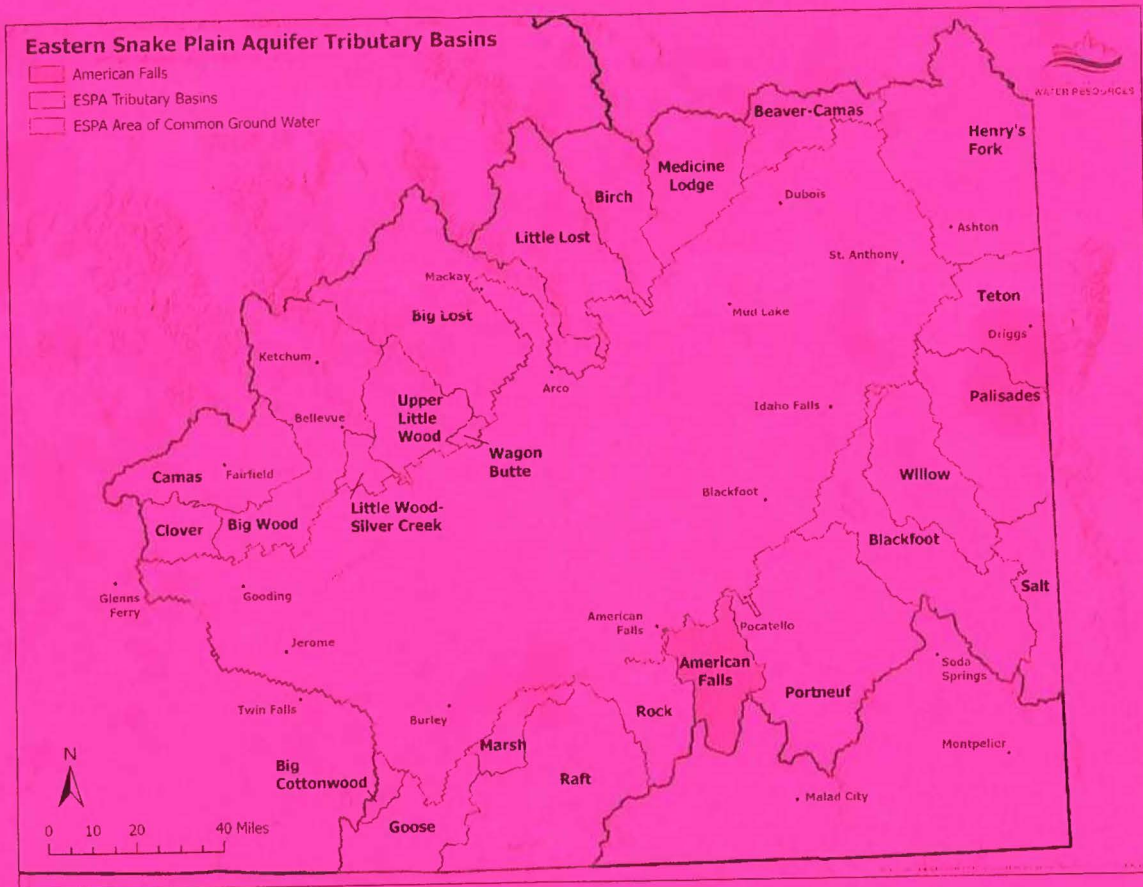
WRITTEN COMMENT MARCH 10, 2025

THE SOVEREIGN SHOSHONE-BANNOCK NATION OPPOSES ALL  
FUTURE PROPOSED ACTIONS - PUBLIC HEARINGS - PROPOSED EXPANSION BY IDWR



## Attachment A

### Proposed Expansion of the Eastern Snake Plain Aquifer Area of Common Ground Water Supply



WRITTEN COMMENT MARCH 10, 2025

THIS IDAHO DEPT OF WATER RESOURCES PROPOSED EXPANSION MAP IS ERONEOUS. THIS MAP DOES NOT SHOW THE FEDERAL FORT HALL INDIAN RESERVATION BOUNDARIES. THE IDWR CANNOT ASSERT IDAHO JURISDICTION ONTO THE SOVEREIGN SHOSHONE BANNOCK TRIBAL NATION. THE UNITED STATES CONSTITUTION SUPREMACY CLAUSE ESTABLISHED "FIRST IN TIME - FIRST IN RIGHT." ON JULY 3, 1868. THE FORT BRIDGER TREATY SET ASIDE THE FORT HALL INDIAN RESERVATION FOR A PERMANENT HOMELAND FOR THE SHOSHONE AND BANNOCK.

Notice of Public Hearing: Expansion of ESPA ACGWS into Tributary Basins

Attachment A TRIBES

ALL FUTURE IDAHO DEPT OF WATER RESOURCES EXPANSION SCHEMES ONTO THE SOVEREIGN SHOSHONE-BANNOCK NATION ARE PROHIBITED.



TO: BRAD LITTLE, GOVERNOR-STATE OF IDAHO



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Governor Brad Little

Director Mathew Weaver

DEPARTMENT OF  
WATER RESOURCES

March 7, 2025

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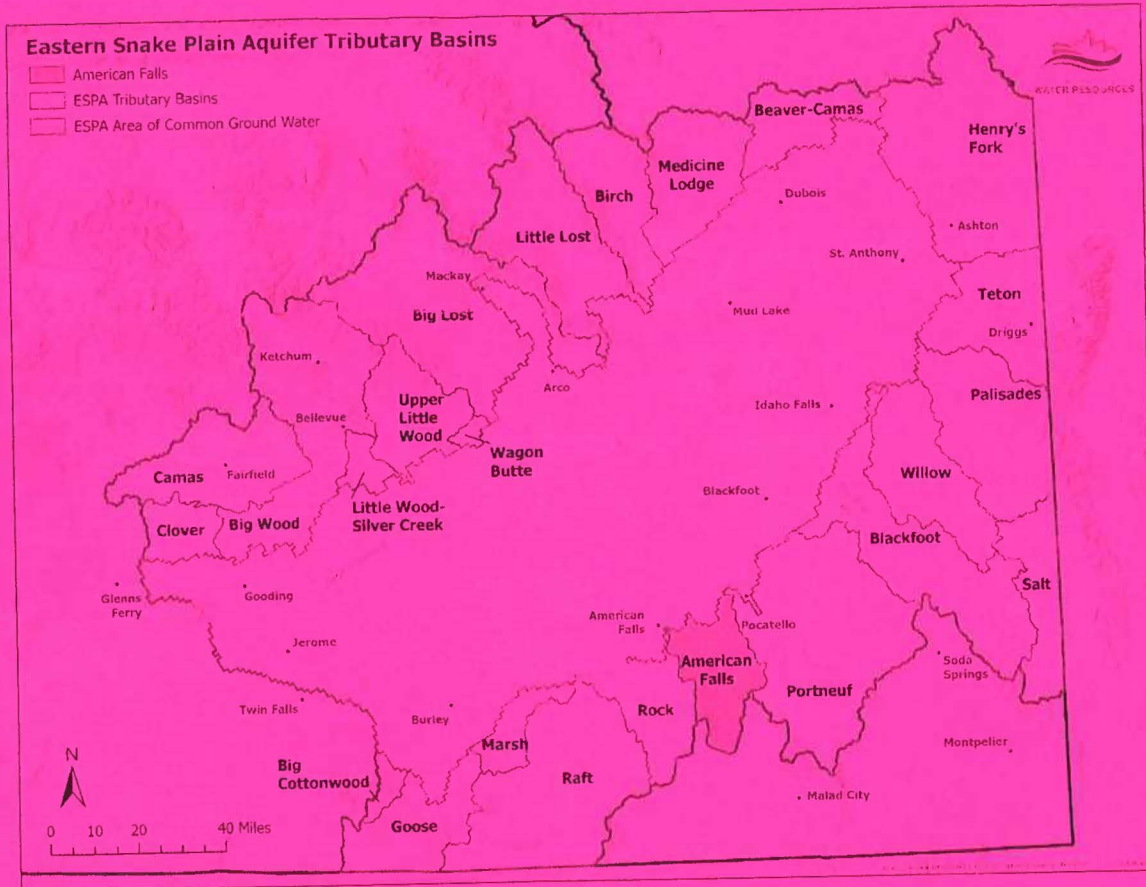
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MATHEW WEAVER  
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322 E. FRONT ST, STE 648  
BOISE, IDAHO 83720-0098

**FIRST CLASS**

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