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Upper Big Lost River Ground Water Association

P.O. Box 122, Mackay, Idaho 83251

UBLRGWA@gmail.com

Summary Position Statement

In regard to Docket No. P-CGWA-2016-001

The following Statement explains the position the Association intends to advance at the hearing in the matter of whether to designate the Big Lost River Basin a Critical Ground Water Area or a Ground Water Management Area, Docket No. P-CGWA-2016-001.

In the Association's submitted petition to intervene in this matter our initial position was to request a delay in any decision based on lack of sufficient quantifiable data upon which to base a sound decision. Upon further discovery and analysis of available data the Association is amending their position as justified by said data.

The Upper Big Lost River Ground Water Association (UBLRGWA) intends to demonstrate there is sufficient viable data within the memorandum dated February 6th, 2017 from Jennifer Sukow, Subject: *Groundwater in the Big Lost River Valley* to warrant absolute consideration to preclude the upper portion of Basin 34 from inclusion in a Ground Water Management Area under this decision hearing. This would not be a precedent setting decision as other segregated basins currently exist.

As articulated by Idaho Department of Water Resources Director Spackman during the May 3rd, 2017 pre-conference hearing, the economic impact described in the 'Petition' will not be relevant within the scope of the decision, which is to determine if there is sufficient ground water to provide a reasonably-safe supply for irrigation or other uses at the current or projected rates of withdrawal.

The relevant point of the 'Petition' is the impact to groundwater diversions, mainly domestic wells, lowered water levels causing "dry wells" in a number of ground water diversions. These impacted groundwater diversions are concentrated in the lower part of the valley, where the focus of the problem should be addressed. The Association does not intend to dispute this point of the 'Petition' unless it becomes a relevant factor. If it does become a factor we will dispute the reported magnitude of wells impacted as grossly exaggerated.

Based on the information in the Sukow memorandum the underflow to the Snake River Plain Aquifer from the lower Lost River Valley has remained fairly consistent historically, so despite the alleged excessive withdrawal in the lower valley 'pool' the amount of water passing to the Snake River Plain Aquifer is not significantly influenced (historically) by annual precipitation or withdrawal levels. To that end the Association contends that a similar situation exists in the upper valley 'pools' (as described by data as several 'pools' from Chilly, the Mackay Reservoir, and below Mackay to a point below the Leslie Butte) which deliver an equally consistent flow to the lower valley 'pool', not significantly affected by precipitation or withdrawal levels in the upper end of the Basin.

The Association has concern regarding several references to "Statistically significant groundwater level trends..." in the Sukow memorandum without definition of the threshold of 'significant' (subjective?) and without consideration for major geological events (e.g. Mt Borah earthquake 1983) and the affects thereof on the historical groundwater measured level data as measured in wells referenced in the memorandum.

The Association will request a boundary be defined, which will be consistent with the Association's already geographically defined southernmost boundary documented in the Association By-Laws, which has been confirmed by an independent Hydrologist as appropriate, logical, and demonstrable.

The Association does encourage and will continue to participate in ground water level measurement in the upper valley to determine any unsatisfactory trends in ground water levels and will take the necessary remedial actions when required. The Association members are very active in aquifer recharge efforts and have prepared a Mitigation Plan to be exercised should a senior call be made.

The Association will not take a position on the disposition and decision of a lower valley Management Area designation as the data for the lower end of the valley should corroborate the appropriate decision.

Sincerely,



Rick Mauthe
Representing All Members of the
Upper Big Lost River Ground Water Association