

NOTICE OF ESTABLISHMENT OF THE BANCROFT-LUND  
GROUND WATER MANAGEMENT AREA

Notice is hereby given that on October 21, 1991, the Director of the Department of Water Resources established the Bancroft-Lund Ground Water Management Area to allow increased management of the ground water resources. The ground water management area was created because evidence showed that consumptive ground water diversions deplete surface water flows in the Bancroft-Lund area and flows of the Bear River and in springs discharging into the Bear River, to the detriment of earlier right holders.

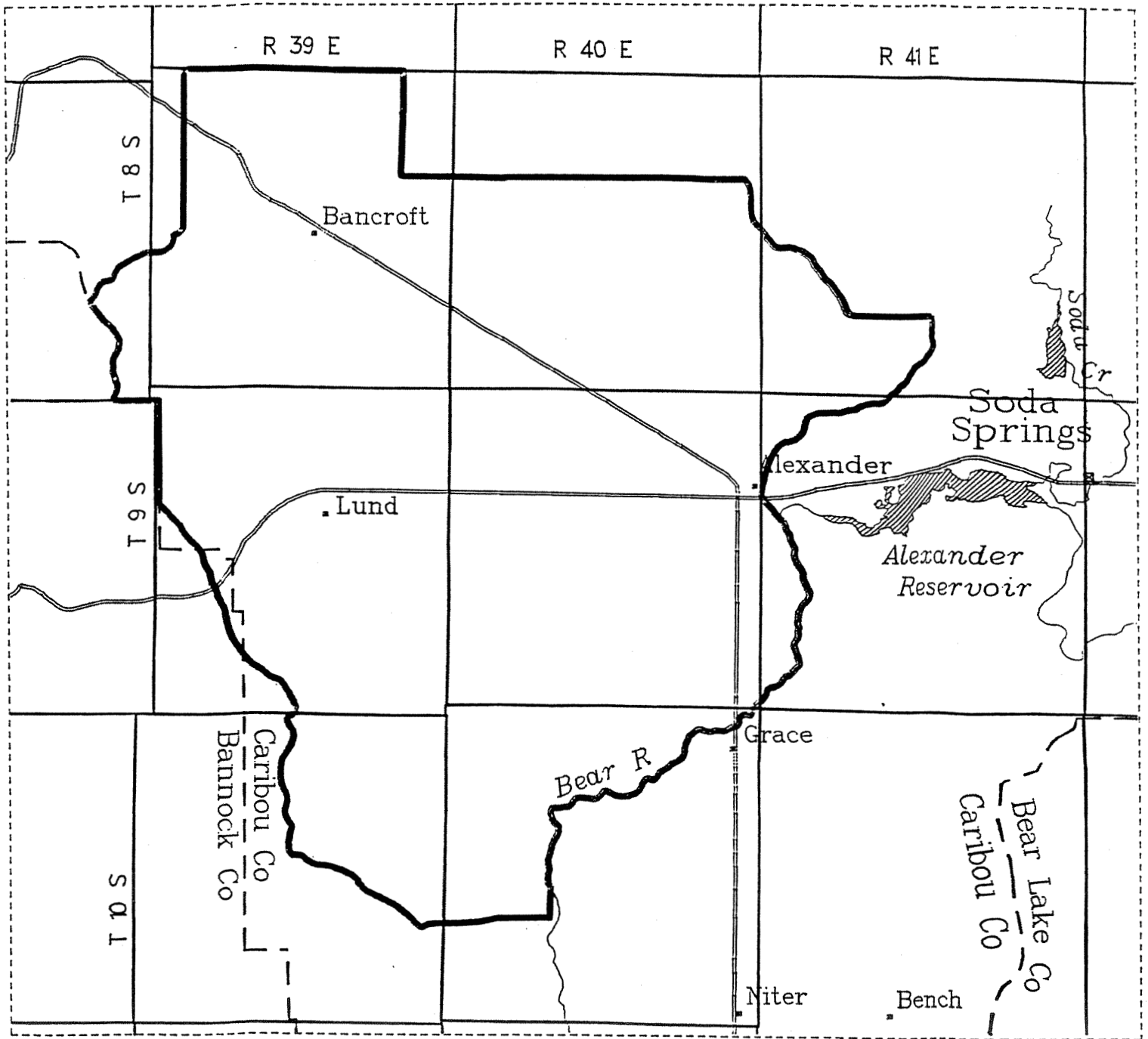
Applications for permit to appropriate ground water will continue to be considered by the Department. Applications proposing consumptive uses larger than stock, domestic, and subdivision house use ( $\frac{1}{2}$  acre maximum irrigation per lot) will only be approved if the applicant can demonstrate there will be no injury or depletions can be mitigated.

The boundaries of the Bancroft-Lund Ground Water Area are described as follows:

Starting at the point of beginning at the SW corner of Section 7, T9S, R41E, B.M.; thence, northeasterly along the ridge between Upper Valley and Alexander to the NE corner of the NW $\frac{1}{4}$ SW $\frac{1}{4}$ , Section 27, T8S, R41E, B.M.; thence, due west to the NE corner of the NW $\frac{1}{4}$ SE $\frac{1}{4}$ , Section 29, T8S, R41E, B.M.; thence, northwesterly along the topographic divide of the Soda Springs Hills to the south boundary of Section 12, T8S, R40E, B.M.; thence, due west to the SW corner of Section 12, T8S, R39E, B.M.; thence, due north to the NW corner of Section 1, thence west to the NW corner of Section 5, thence due south to the intersection of the section line with the North Canyon Road (approximately at the SW corner of Section

17), all within T8S, R39E, B.M.; thence, up the North Canyon road to its intersection with the Bannock County-Caribou County line in the NE $\frac{1}{4}$ , Section 26, T8S, R38E, B.M.; thence, southeasterly along the county line to the south boundary of Section 36, T8S, R38E, B.M.; thence due east along the county line to the west boundary of Section 6, T9S, R39E, B.M.; thence, due south along the county line to the SW corner of Section 7, T9S, R39E, B.M.; thence, southeasterly along the Fish Creek Range ridge to its intersection with the north boundary of Section 25, T10S, R39E, B.M.; thence, east to the SW corner of Section 21, T10S, R40E, B.M.; thence, north to the intersection of the Bear River within the SW $\frac{1}{4}$ NW $\frac{1}{4}$  of Section 21. Thence, northeasterly along the west boundary of the Bear River to the center of Section 18, T9S, R41E, B.M. thence, northwest to point of beginning.

# Bancroft - Lund Groundwater Management Area



Scale 1:175,000

Attachment No. 1



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

IN THE MATTER OF DESIGNATING )  
THE BANCROFT-LUND GROUND WATER ) ORDER  
MANAGEMENT AREA )  
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This matter having come before the Director of the Idaho Department of Water Resources as a result of concern over the effect of additional ground water pumping on the availability of water to existing wells and senior water rights from the Bear River drainage, the Director Finds, Concludes and Orders as follows:

**FINDINGS OF FACT**

1. The Director of the Department of Water Resources has the responsibility to administer the use of ground water in the state of Idaho to protect prior surface and ground water rights and yet allow full economic development of the resource in the public interest.
2. There is an interrelationship between ground water levels in an area between Bancroft and Grace, Idaho, sometimes referred to as the Bancroft-Lund area and flows of the Bear River and in springs discharging into the Bear River. Diversion of ground water from wells can deplete the surface water flow in springs and the Bear River. New ground water uses can also deplete available supplies for other ground water users.
3. There are a number of Applications for Permit to Appropriate Water pending before the Department which propose additional consumptive uses of ground water within the Bancroft-Lund area.
4. Injury will occur to prior surface and ground water rights if the flows of streams, rivers and ground water underflow in the Bancroft-Lund area are reduced by junior priority ground water diversions.

**CONCLUSIONS OF LAW**

1. Conditions in the Bancroft-Lund area are approaching the conditions of a critical ground water area. The reduction of surface water flow and unavailability of ground water to owners of certain wells are the basis for this conclusion.
2. Section 42-226, Idaho Code, declares all ground waters

to be the property of the state, whose duty it is to supervise the appropriation and allotment of the same. One of the goals is to assure that early appropriations of ground water are protected in the maintenance of reasonable ground water pumping levels.

3. In order to determine whether withdrawals from the existing and proposed wells will have an adverse impact on prior water rights diverted from surface water and/or ground water, the construction and use of additional wells in the area must be monitored and controlled.

4. Section 42-233b, Idaho Code, authorizes the Director of the Idaho Department of Water Resources to designate "ground water management areas" to allow increased management of the ground water resources. Water users may be required to gather diversion data and report withdrawals of ground water. Withdrawal of water may also be curtailed on the basis of priority if the supply is insufficient to satisfy water right demands.

5. The Director of the Department of Water Resources should designate a ground water management area for geographic area near Bancroft and Grace, Idaho.

#### ORDER

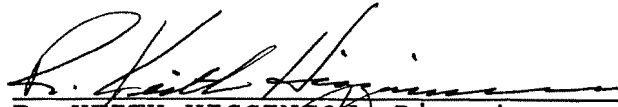
NOW, THEREFORE IT IS HEREBY ORDERED that the following described area be included within and designated as the "Bancroft-Lund Ground water Management Area" pursuant to the provisions of Section 42-233b, Idaho Code:

Starting at the point of beginning at the SW corner of Section 7, T9S, R41E, B.M. Thence, northeasterly along the ridge between Upper Valley and Alexander to the NE corner of the NW $\frac{1}{4}$ SW $\frac{1}{4}$ , Section 27, T8S, R41E, B.M. Thence, due west to the NE corner of the NW $\frac{1}{4}$ SE $\frac{1}{4}$ , Section 29, T8S, R41E, B.M. Thence, northwesterly along the topographic divide of the Soda Springs Hills to the south boundary of Section 12, T8S, R40E, B.M. Thence, due west to the SW corner of Section 12, T8S, R39E, B.M. Thence, due north to the NW corner of Section 1, thence west to the NW corner of Section 5, thence due south to the intersection of the section line with the North Canyon Road (approximately at the SW corner of Section 17), all within T8S, R39E, B.M. Thence, up the North Canyon Road to its intersection with the Bannock County-Caribou County line in the NE $\frac{1}{4}$ , Section 26, T8S, R38E, B.M. Thence, southeasterly along the county line to the south boundary of Section 36, T8S, R38E, B.M. Thence, due east along the county line to the west boundary of Section 6, T9S, R39E, B.M. Thence, due south along the county line to the SW corner of Section 7, T9S, R39E, B.M. Thence, southeasterly along the Fish Creek Range ridge to its intersection with the north boundary of Section 25, T10S, R39E, B.M. Thence, east to the SW corner of Section 21, T10S, R40E, B.M.

Thence, north to the intersection of the Bear River within the SW $\frac{1}{4}$ NW $\frac{1}{4}$  of Section 21. Thence, northeasterly along the west boundary of the Bear River to the center of Section 18, T9S, R41E, B.M. Thence, northwest to point of beginning.

Attached to this order is a map identified as Attachment 1, which graphically shows the boundaries of the management area.

Dated this 21<sup>ST</sup> day of OCTOBER, 1991.

  
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R. KEITH HIGGINSON, Director  
Idaho Department of Water Resources