

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

IN THE MATTER OF A DECLARATION )	
OF DROUGHT EMERGENCY FOR )	<b>ORDER DECLARING</b>
OWYHEE COUNTY )	<b>DROUGHT EMERGENCY</b>
_____ )	

WHEREAS, the Board of County Commissioners for Owyhee County has requested that the Governor and the Director of the Idaho Department of Water Resources declare a drought emergency for Owyhee County to allow administrative actions to lessen the impacts of drought conditions in the county; and

WHEREAS, Owyhee County is located within the Owyhee and Bruneau River basins;  
and

WHEREAS, the United States Drought Monitor Index places Owyhee County in the category of moderate drought; and

WHEREAS, drainages in and around Owyhee County are experiencing abnormally dry conditions with the year's snow water and precipitation levels being below normal. Specifically, snow water content for the Owyhee basin peaked at 61 percent of average and snow melted out more than a month earlier than normal. Current year to date precipitation in the basin is 78 percent of average. Snow water content in the Bruneau basin peaked at 71 percent of average and melted out a month earlier than normal. Total accumulated year to date precipitation for the Bruneau basin is 77 percent of average. Additionally, stream flows within the county are below normal and have been below normal since April; and

WHEREAS, section 42-222A, Idaho Code, provides that upon declaration of a drought emergency for an area designated by the Director of the Department of Water Resources ("Director") and approved by the Governor, the Director is authorized to allow temporary changes in the point of diversion, the place of use, and the purpose of use for valid existing water rights and temporary exchanges of water rights when the Director determines that such changes can be accomplished in accordance with the provisions of section 42-222A, Idaho Code; and

NOW, THEREFORE, IT IS HEREBY ORDERED that pursuant to the authority of the Director provided in section 42-222A, Idaho Code, a drought emergency for purposes of section 42-222A, Idaho Code, is hereby declared for Owyhee County, Idaho.

IT IS FURTHER HEREBY ORDERED that pursuant to this declared drought emergency and the provisions of section 42-222A, Idaho Code, the following procedures and requirements shall apply to the filing, processing, and approval of any application for a temporary change to an

existing water right within Owyhee County during the pendency of this declared drought emergency:

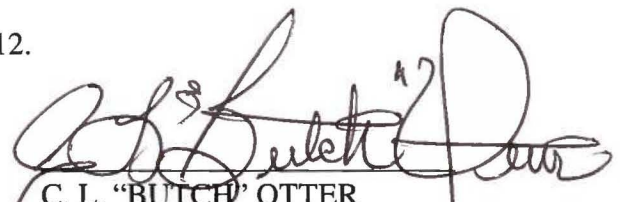
1. An application for a temporary change to an existing water right shall be made upon forms provided by the department and shall be accompanied by an application fee of fifty dollars (\$50.00) per application.
2. The Director is not required to publish notice of the proposed change pursuant to the provisions of section 42-211, 42-222(1) or 42-240, Idaho Code, and is not required to make findings as provided in said sections. A temporary change may be approved upon completion of the application form, payment of the filing fee, and a determination by the Director that the proposed change can be properly administered and there is no information that the change will injure any other water right. If the right to be changed is administered by a watermaster within a water district, the Director shall obtain and consider the recommendations of the watermaster before approving the temporary change application.
3. All temporary changes approved pursuant to the provisions of this order shall expire on the date shown in the approval which shall not be later than December 31, 2012, and thereafter, the water right shall revert to the point of diversion and place of use existing prior to the temporary change. Nothing herein shall be construed as approval to authorize construction of a new well as a new point of diversion or to alter a stream channel.
4. The recipient of an approved temporary change issued pursuant to this order shall assume all risk of curtailment or mitigation should the diversion and use of water under the temporary change cause injury to other water rights or result in an enlargement in use of the original right.
5. Temporary changes shall only be approved for the purpose of providing a replacement water supply to lands or other uses that normally have a full water supply, except for the drought condition. Temporary changes may not be approved to provide water for new development or to allow expansion of the use of water under existing water rights. If the right to use the water is represented by shares of stock in a corporation, or if the diversion works or delivery system for such right is owned or managed by an irrigation district, no change in point of diversion, place or nature of use of such water shall be made or allowed without the written consent of such corporation or irrigation district.
6. Any applicant for a temporary change who is aggrieved by a denial of the Director for a temporary change pursuant to this order and the provisions of section 42-222A, Idaho Code, may request a hearing pursuant to section 42-1701A(3), Idaho Code, and may seek judicial review of the final order of the Director pursuant to the provisions of section 42-1701A(4), Idaho Code.

IT IS FURTHER HEREBY ORDERED that this order is effective upon approval of the Governor and expires on December 31, 2012, unless extended or terminated by order of the Director.

DATED this 10<sup>th</sup> day of September, 2012.

  
GARY SPACKMAN  
Interim Director

APPROVED this 11<sup>th</sup> day of September, 2012.

  
C. L. "BUTCH" OTTER  
Governor



**State of Idaho**

**DEPARTMENT OF WATER RESOURCES**

**322 East Front Street, P.O. Box 83720, Boise, Idaho 83720-0098**

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## MEMO

**To:** Jeff Peppersack

**From:** Liz Cresto *LC*

**Date:** September 6, 2012

**Subject:** Hydrologic Data for Owyhee County

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According to the USDA Drought Monitor, Owyhee County is experiencing moderate drought conditions. Figure 1 below shows Owyhee County classified as D1 or a moderate drought.

Owyhee County encompasses parts of both the Owyhee and Bruneau Basins. There are seven SNOTEL stations within the Owyhee Basin that measures the snowpack. Figure 2 below illustrates that the Snow Water Equivalent<sup>1</sup> in the Owyhee Basin peaked at 61% of average. In addition the snow melted over a month earlier than normal. The current year to date precipitation within the basin is 78% of average. There are five SNOTEL sites within the Bruneau Basin. Figure 3 below illustrates that the snowpack peaked at 71% of average and melted out a month earlier than normal. Total accumulated precipitation within the Bruneau Basin is currently at 77% of average.

Current stream flows within the county are below normal and have been below normal since April. As illustrated by figure 4, the flows on the Bruneau River near Hot Spring, ID are below the median. Likewise the current flows on the Owyhee River are below the median flow and have been since April (figure 5).

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<sup>1</sup> The Snow Water Equivalent percent of average represents the current snow water equivalent found at selected SNOTEL sites in or near the basin compared to the average value for those sites on this day.

# U.S. Drought Monitor

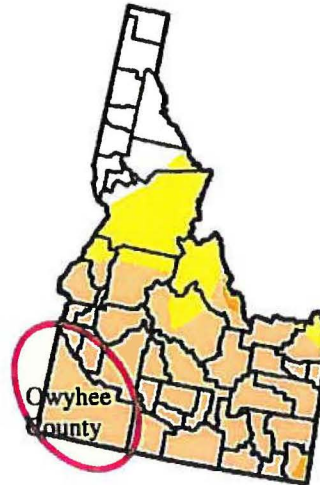
## Idaho

September 4, 2012  
Valid 7 a.m. EST

	Drought Conditions (Percent Area)					
	None	D0-D4	D1-D4	D2-D4	D3-D4	D4
Current	15.72	84.28	66.17	1.33	0.00	0.00
Last Week (08/28/2012 map)	15.69	84.31	66.10	1.20	0.00	0.00
3 Months Ago (06/05/2012 map)	89.57	10.43	0.01	0.00	0.00	0.00
Start of Calendar Year (12/27/2011 map)	48.80	51.10	0.00	0.00	0.00	0.00
Start of Water Year (09/27/2011 map)	86.56	13.44	0.00	0.00	0.00	0.00
One Year Ago (08/30/2011 map)	100.00	0.00	0.00	0.00	0.00	0.00

### Intensity:

D0 Abnormally Dry  
 D1 Drought - Moderate  
 D2 Drought - Severe  
 D3 Drought - Extreme  
 D4 Drought - Exceptional



The Drought Monitor focuses on broad-scale conditions. Local conditions may vary. See accompanying text summary for forecast statements.

<http://droughtmonitor.unl.edu>



Released Thursday, September 6, 2012  
Brian Fuchs, National Drought Mitigation Center

Figure 1: USDA Drought Monitor, September 4, 2012.

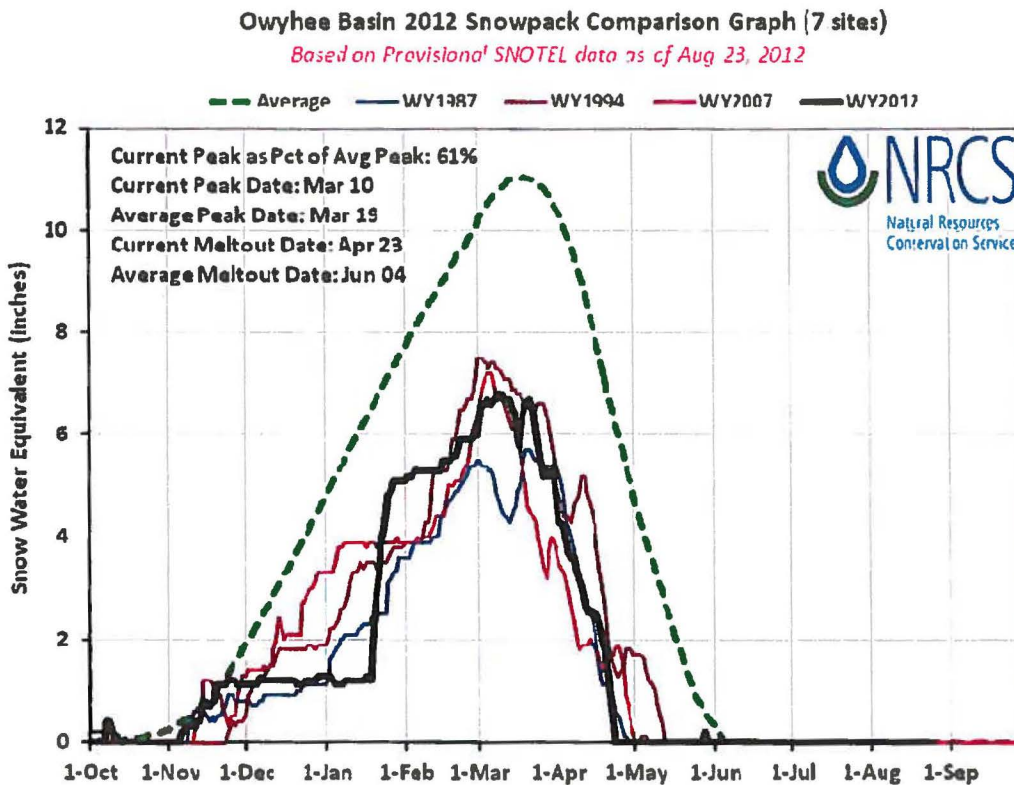


Figure 2: A compilation of seven SNOTEL sites within the Owyhee Basin for water year 2012.



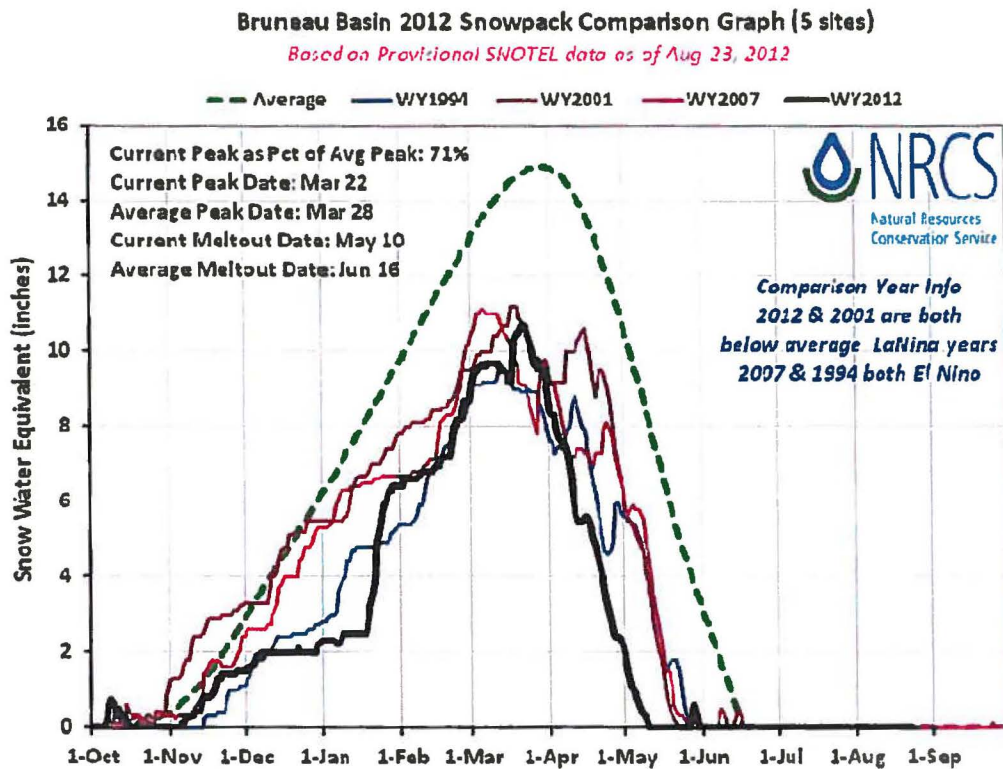


Figure 3: A compilation of five SNOTEL sites within the Bruneau Basin for water year 2012.

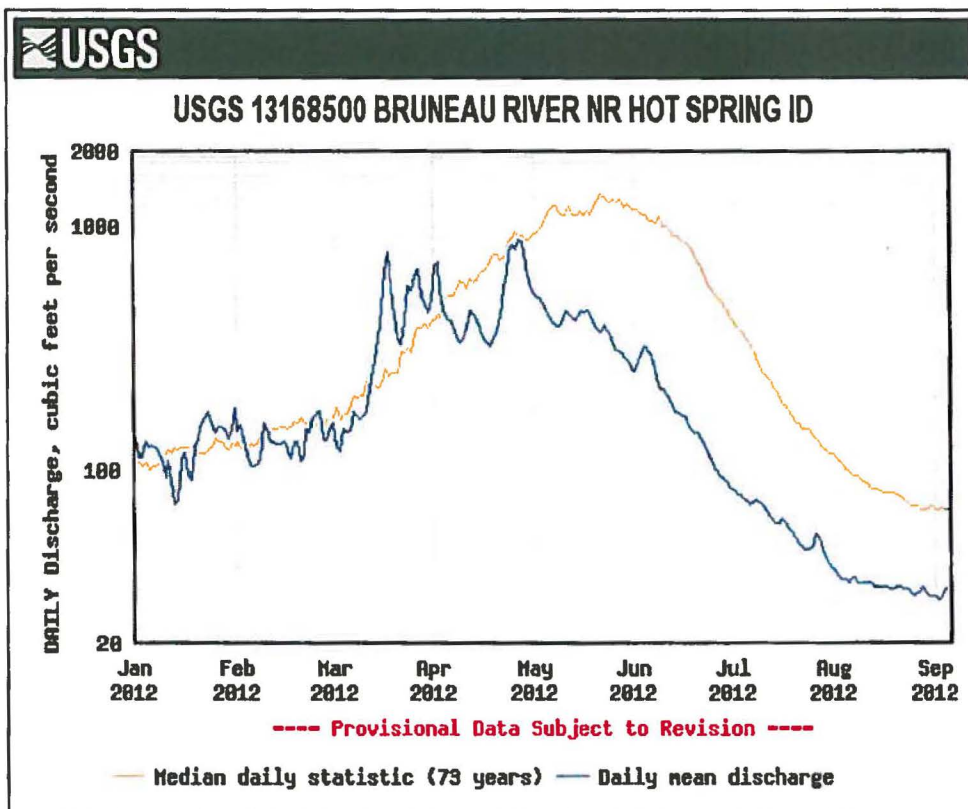


Figure 4: Discharge Bruneau River near Hot Spring, ID, 2012.

# USGS 13181000 OWYHEE RIVER NR ROME OR

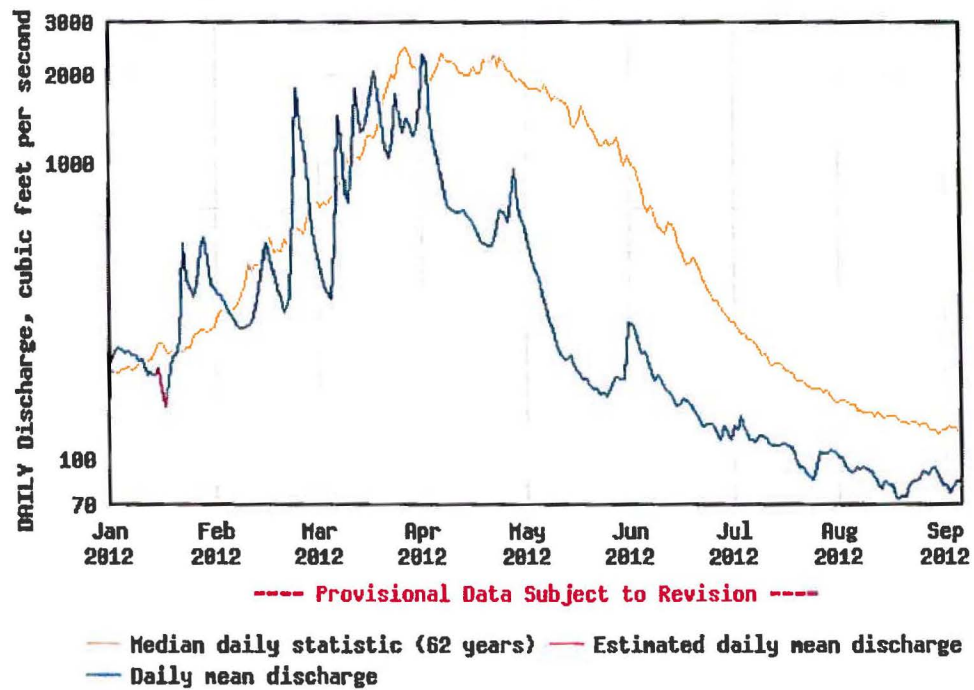


Figure 5: Discharge Owyhee River near Rome, OR, 2012.