

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF A DECLARATION)
OF DROUGHT EMERGENCY FOR)
BLAINE COUNTY)
_____)

ORDER DECLARING
DROUGHT EMERGENCY

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

WHEREAS, Blaine County is included within the Big Wood River and Little Wood River drainages; and

WHEREAS, the south central portion of the state, including Blaine County, is experiencing drought conditions due to below normal precipitation and snowpack levels. Specifically, overall snow water equivalent (SWE) rates this year in the Big Wood and Little Wood Basins on May 1 was respectively just 56 and 12 percent of median. Year to date precipitation levels in the Big Wood and Little Wood Basins was respectively about 67 and 59 percent of average as of June 1.

WHEREAS, May through September stream flow volume forecasts for the Big Wood River above Magic Dam and the Little Wood River near Carey are respectively estimated to be only 11 and 34 percent of average; and

WHEREAS, the United States Drought Monitor Index on May 28, 2020, showed Blaine County included within that portion of south-central Idaho classified as abnormally dry to severe drought; 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 Blaine 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 Blaine 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, 2020, 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, 2020, unless extended or terminated by order of the Director.

DATED this 2nd day of June, 2020.


GARY SPACKMAN
Director

APPROVED this 5th day of June, 2020.


Brad Little
Governor



THE BOARD OF BLAINE COUNTY COMMISSIONERS

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Jacob Greenberg, Chairman * Angenie McCleary, Vice-Chair * Dick Fosbury, Commissioner

RECEIVED

MAY 29 2020

DEPARTMENT OF
WATER RESOURCES

Gary Spackman
Director, Idaho Department of Water Resources
PO Box 83720
Boise, Idaho 83720-0098
Via E-mail

May 26, 2020

RE: 2020 Drought Emergency Declaration for Blaine County

Dear Director Spackman,

In response to irrigator concerns reported to us and the reports from the NRCS about snow levels in the Big Wood River and Little Wood River drainages, the Blaine County Board of Commissioners requests you issue a Declaration of Drought Emergency for Blaine County for the water year 2020.

According to the May report from the NRCS, "The absence of storm tracks in April did not help the Wood and Lost's current abysmal water year. April's total monthly precipitation was less than 75% of normal for the whole region... Observed streamflow as a percent of normal in the Wood and Lost Basins have decreased during April. This is likely due to early complete melt in low to mid-elevation areas. Streamflow forecasts range from 10 to 70% of normal."

All of the factors indicate a high probability of early downstream water calls, negatively affecting irrigators in Blaine County. A drought emergency declaration will enable our local water jurisdictions to be prepared to address the needs of their water users more effectively. It will also enable our local water users to plan and take steps necessary to ensure the most efficient possible management of their operations this season.

As always, the Board of County Commissioners appreciates your efforts and diligence in addressing our significant water use issues.

With kind regards,

Handwritten signature of Jacob Greenberg.

Jacob Greenberg
Chairman

Handwritten signature of Angenie McCleary.

Angenie McCleary
Vice-Chairman

Handwritten signature of Dick Fosbury.

Dick Fosbury
Commissioner

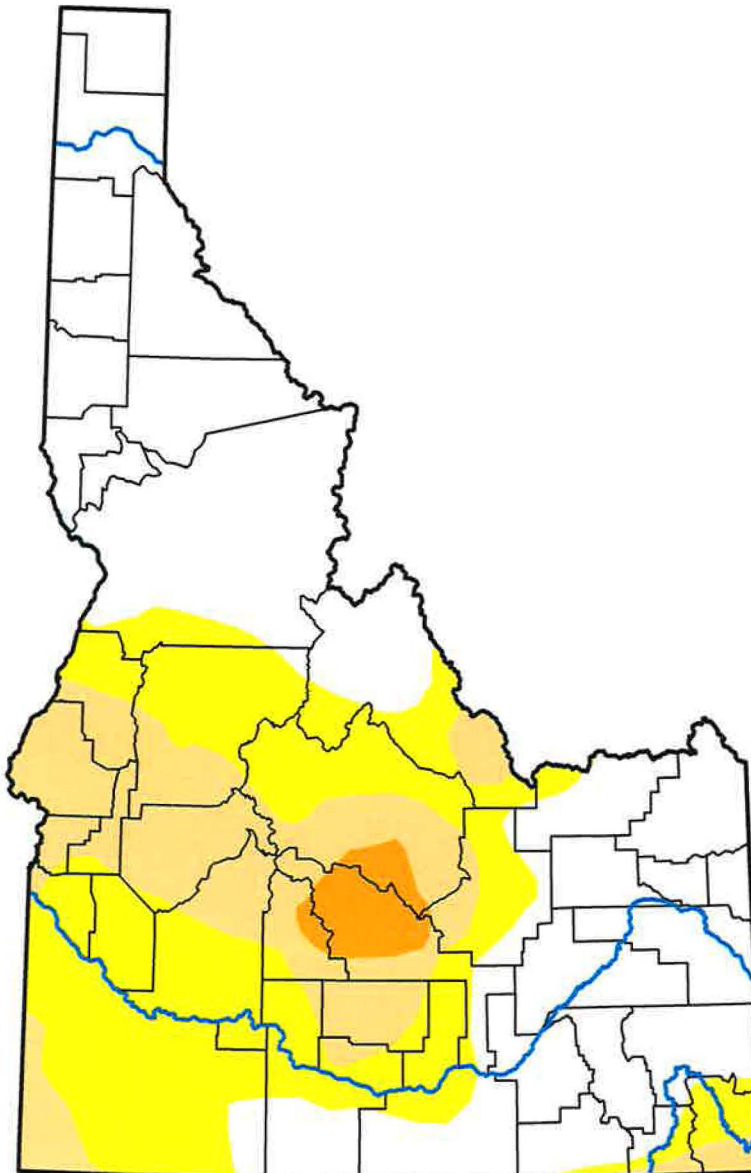
U.S. Drought Monitor

Idaho

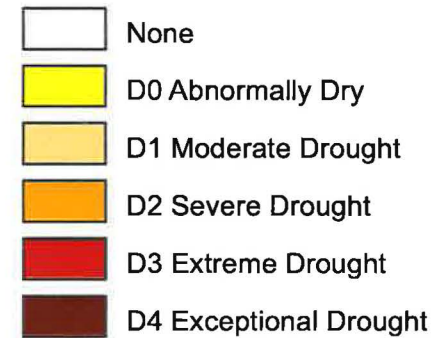
May 26, 2020

(Released Thursday, May. 28, 2020)

Valid 8 a.m. EDT



Intensity:



The Drought Monitor focuses on broad-scale conditions. Local conditions may vary. For more information on the Drought Monitor, go to <https://droughtmonitor.unl.edu/About.aspx>

Author:

Curtis Riganti
National Drought Mitigation Center



droughtmonitor.unl.edu