

## WR Water Collaborative

Meeting summary: June 30, 2016  
The Nature Conservancy Office, Hailey

**Present:** Matt Weaver, Rex Barrie, Carl Pendleton, Brett Stevenson, John Stevenson, Pat McMahon, Keri York, Dayna Gross, Greg Loomis, David Sias, Pete VanderMeulen, Barry Beavers, Sally Toone, Peter Anderson, Kathleen Eder, Michelle Stennett, Jae Hill, Wendy Pabich, Bill Simon, Rusty Kramer, Pat Purdy, Justin Stevenson, and Patti Lousen

Phone: Sharon Lee, John Frey, Laura Gvozdaz, Mark Davidson, Marie Kellner

**Meeting Overview:** Eastern Snake Plain Groundwater Management area expansion to include Wood River Basin, Boise River Step Down Program and various updates.

**Meeting specifics:** Underlining in following section denotes action item.

Presentation: Matt Weaver, Deputy Director of the IDWR spoke about the Director's proposal to expand the current Eastern Snake Plain Aquifer (ESPA) designation to include the tributaries of the Snake River which would include the Wood River Basin.

While theoretically still in the "discussion" stage, it appears that the Director of IDWR, Gary Spackman, most likely intends to declare the ESPA an area requiring special management, i.e., become a Ground Water Management Area (GWMA), in order that it not be depleted further into a Critical Groundwater Area (CGWMA) (see attached power point for definition). Note that while these definitions are stated primarily in agricultural terms, other uses are also to be considered.

Both GWMA's and CGWA's are invested with (mostly overlapping) management rights which include such things as water use/diversion measurement, development of a ground water management plan, the ability to authorize recharge projects, and selective water use reductions. With a CGWA, IDWR has the ability to refuse applications for new water right applications. In a GWMA, IDWR can evaluate and approve new water right applications. IDWR will form advisory committees so that the new GWMA will be managed in accordance with statues and policies established by IDWR.

Upcoming meetings throughout this region will be discussing the geographical boundary of the ESPA. It is expected that the traditional boundary of this area be extended to include all tributaries of the Snake River which, via it's confluence with the Malad River at Gooding, encompasses the Wood River. This would effectively make the Wood River basin part of the ESPA and a system approaching ~ 1 million acres. As far as the scope of the "proposed" ESPA is concerned, were it to include all tributaries (see blue line on the map in the attached) it would seem to be would be at least 40% larger than the current mapped version.

Matt Weaver said the advantages of a GWMA are:

- Allows IDWR to focus on the resource, address the overall problems and not just the symptoms of delivery calls. More pro-active approach to the resource.
- Curtailment is not a burden if water user part of a Groundwater Management Plan.
- Fair to all water users
- Requires better record keeping
- More scrutiny available to IDWR with water right changes
- Federal funding for water projects more attainable

Probably most importantly of all, in a GWMA the focus changes from micro considerations, (i.e. individual or collective delivery calls adjudicated under conjunctive management), to the macro needs of the watershed in its entirety. Thus all ground water users in the GWMA could be asked to support the greater need of the entire GWMA. In theory, the above-mentioned advisory committee would deal with such matters, would be headed by a "Hearing Officer" (expected to be the Director, Spackman) who will have discretionary authority to manage any GWMA or CGWA. Effectively, under this scenario the Director of the IDWR and his advisory group, when coupled with the designation of a GWMA, opens the door to management by mandate instead of water calls.

Even though the overwhelming majority of the tributaries do not and will not be modeled for ground water –surface water hydrology, each basin's specific plans are expected to be drawn up. The Wood River watershed's role in the ESPA is not at all clear. Mark Davidson of the Nature Conservancy did mention that the Director has indicated his willingness to listen to an acceptable plan (including callers, IDWR, legislators and groundwater users) drawn up for this basin. This could be something similar to the original ESPA settlement whose centerpiece was a 13% reduction in annual ground water use by 2021. The state is providing an additional 13% in recharge for a targeted goal of 26% water use change in ESPA.

Quite a few questions were posed regarding how the system would actually work in practice and it soon became apparent that many questions are currently under investigation by the Department. It was discussed that the agricultural interests in the Bellevue triangle and the Little Wood River have the oldest surface rights in the Big Wood Basin and these must be satisfied first before any downstream movement. This might benefit our basin if included in the ESPA boundary, but needs additional consideration. The courts are still the venue of last resort and any orders issued by the IDWR or the GWMA's Advisory Committee can be protested and appealed, and future litigation is a possibility.

Members decided that subcommittees should meet and determine solutions/tangibles to share with the full collaborative. We think the best solution as coming from within our own basin for both downstream and ESPA water users.

Public Meetings to discuss IDWR's proposal (declaration of the ESPA as a GWMA and including tributaries) will be held throughout the state. The Director's order to establish the GWMA is expected as early as the end of September. This may be protested and appealed.

Hailey Meeting: Monday, July 25, 2016 at 8:30 a.m. at the Wood River Community Campus, 1250 Fox Acres Dr.

**Presentation: Boise Step Down Water Management Program:** Rex Berrie, Boise River Water-master spoke on how water needs in Boise are met using a step-down program to initially meet all water users' (municipal and agricultural) needs. In 1906, a decision through the courts called the Stewart Decree provided that the "various rights shall receive 100% until the natural flow of the waters of the Boise River shall decrease, until all rights in said decree cannot receive 100%, at which time the various rights shall first be cut to 75% of the amount of water decreed. " This continues until natural flows in the Boise River drop to a point where 60% of decreed water cannot be delivered. Priority dates come into play after the river drops below this percentage. However, those whose priority dates allow them not to be

shut down may only continue to draw water up to 60% of their water right(s). This policy still receives full support from the district's water right holders today.

Additionally, they have created the Boise River Rental Pool where space holders are allowed to "Lease" water to other parties. IWRB authorized the rental pool and approves the rental pool rules. This works well for this unique water district for several reasons:

i) The entire water district is has at it's disposal very substantial and immediately available storage facilities to the east, e.g., Anderson Reservoir,

ii) The suburbanization of the Boise area, which results in ag land being taken out of production in order to make way for home and commercial sites, ultimately uses less water than were it all to remain under cultivation.

iii) Based on the long and successful deployment of this approach, the culture in the water district is one where cooperation rather than conflict is the rule, not the exception.

**Actions:** Subcommittee meetings will be scheduled soon by subcommittee chairs. The next general meeting will be in September.