

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF A DECLARATION)
OF DROUGHT EMERGENCY FOR) **ORDER DECLARING**
BUTTE AND CUSTER COUNTIES) **DROUGHT EMERGENCY**
_____)

WHEREAS, the Board of County Commissioners for Butte County and the Board of County Commissioners for Custer County have separately requested that the Governor and the Director of the Idaho Department of Water Resources declare a drought emergency for each county to allow administrative actions to lessen the severe impacts of drought conditions in each county; and

WHEREAS, Custer County is included within the Big Lost, Little Lost and Salmon River drainages, and Butte County is included within the Big Lost and Little Lost River drainages; and

WHEREAS, the south-central portion of the state, including Butte and Custer Counties, is experiencing drought conditions due to below normal precipitation and snowpack levels. Specifically, total water year precipitation levels in the Big Lost, Little Lost and Salmon River drainages as of April 15, 2020 were respectively only 68, 82 and 85 percent of average; and

WHEREAS, Forecasts for the April through September 2020 stream flow volumes for the Big Lost River near Mackay, the Little Lost River near Howe, and the Salmon River at Salmon are respectively estimated to be only 57, 82 and 76 percent of average; and

WHEREAS, the United States Drought Monitor Index on April 14, 2020, showed Butte and Custer Counties 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 Butte County and Custer 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 Butte and Custer Counties 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 21st day of April, 2020.



Gary Spackman
Director

APPROVED this 29th day of April, 2020.



Brad Little
Governor

BUTTE COUNTY
Recorded for:
SHELLY BLACKNER CLERK
11:51:50 AM 03-23-2020
0000-057938
No. Pages: 2 Fee: \$
SHELLY BLACKNER
County Clerk
Deputy: **BILLEE**

Butte County
Resolution 2020-1
LOCAL DROUGHT EMERGENCY DECLARATION

WHEREAS, Idaho Code § 46-1011 allows a quorum of the Board of Butte County Commissioners to declare a local disaster emergency and

WHEREAS, Idaho Code § 46-1002(2) defines “disaster” as the imminent threat of widespread or severe damage, injury, or loss of life or property resulting from any natural or man-made cause...; and

WHEREAS, Idaho Code § 46-1002(3) provides that an “emergency” includes the imminent threat of a “disaster” or condition threatening life or property which requires state emergency assistance to supplement local efforts to protect property or avert or lessen the threat of “disaster”; and

WHEREAS, Idaho Code § 42-222A grants the Director of the Department of Water Resources and the Governor of the State of Idaho authority to declare a drought emergency and authorize 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; and,

WHEREAS, drainages in and around Butte County are experiencing moderate to severe drought conditions as a result of lower than normal spring precipitation and a basin snow-pack between 70% and 95% of normal in the Big Lost and Little Lost River drainage basins creating a potential shortage of irrigation water throughout the 2020 farming season; and

WHEREAS, the Natural Resources Conservation Services (NRCS) forecasts that stream flow volumes in the Big Lost River Basin between April and July 2020 are predicted to run at 51% to 58% of average resulting in the potential for an agricultural economic disaster.

BE IT THEREFORE RESOLVED, the Board of Butte County Commissioners does hereby declare:

That a drought emergency as defined in § 42-222A, Idaho Code, presently exists in Butte County; and

That this Local Drought Emergency Declaration shall expire on December 31, 2020 unless the Board of Butte County Commissioners expressly authorizes the continuance of such Declaration; and

That this Declaration shall promptly be filed with the Butte County Recorder’s Office; and

That prompt and general publicity shall be given by a press release notifying the public of the Declaration.

APPROVED AND ADOPTED this 23rd day of March, 2020

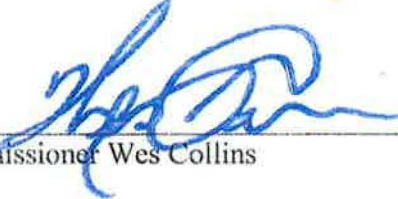
BOARD OF COUNTY COMMISSIONERS
BUTTE COUNTY, IDAHO



Chairman, Brian Harrell



Commissioner Rose Beverly



Commissioner Wes Collins

ATTEST: SHELLY BLACKNER, CLERK

By: Shelly Blackner
County Clerk

RECEIVED

MAR 16 2020

DEPARTMENT OF
WATER RESOURCES

CUSTER COUNTY COMMISSIONERS
PO BOX 385
CHALLIS, ID 83226
(208) 879-2360
(208) 879-5246 (fax)

March 9, 2020

Honorable Brad Little
Governor of the State of Idaho
P.O. Box 83720
Boise, Idaho 83720

Dear Governor Little:

The Custer County Board of Commissioners has been apprised that a condition of drought exists for the year 2020 growing season.

If the present conditions continue, it could have an adverse affect on the economic condition of the county. As of February 4, 2020, the Mackay Reservoir is approximately 87.33% capacity and the snow pack levels on our major drainage's are below normal. Ground water tables continue to suffer the drought impacts from previous years.

The Board unanimously has declared Custer County a Drought Disaster area and request that you concur and submit our request to the appropriate federal agency.

Sincerely,



Randy Corgatelli
Acting Chairman

Cc: Tim Luke, Department of Water Resources

CUSTER COUNTY RESOLUTION
DISASTER DECLARATION FOR DROUGHT
2020- 09

The current moisture conditions in Custer County are cause for serious concern as we begin another irrigation season with gravely inadequate water resources; the Custer County board of Commissioners hereby declares Custer County to be a disaster area.

The Big Lost River area is affected by the drought. Mackay Reservoir is at 87.33% of capacity. The snow pack is below normal. The Lost River Irrigation District will not be able to deliver water to the southern end of the district.

The rest of Custer County is also being affected. Snow pack levels on our major drainage's are Morgan Creek at 81%, Banner Summit at 65%, and the Pahsimeroi drainage is below normal levels. Domestic wells continue to go dry in areas that had previously not been affected. Beyond the immediate needs of our farmers and ranchers we must consider the overall economic impact on our county.


The Board respectfully requests that the Honorable Governor Brad Little declare Custer County a drought area. And request that you submit our request to the appropriate state and federal agencies.

Passed by the Board of Commissioners of Custer County, Idaho, on March 9, 2020.
Those voting "aye": 3. Those voting "nay": .

Signed by the Chairman of the Board of Commissioners of Custer County, Idaho, on March 9, 2020.




Randy Corgatelli Acting Chairman,
Board of Commissioners


Lura H. Baker, Clerk

Water District 34
Oscar Warnek Business Park
211 East Custer St. Suite B
Mackay Idaho, 83251

March 5, 2020

Dear Custer County Commissioners,

Water District 34 would like to request that the county declare a drought disaster declaration as soon as possible. As of March 5, the water year to date precipitation is only at 55% and has been declining as we head into spring. The Idaho Department of Water Resources gave a water outlook presentation at the WD34 annual meeting on March 2 and stated we are on track for a record setting low snow pack. With a minimum snow pack we won't have the runoff that supplies our water demand for the first few months of irrigation season. This will in turn force us to use our impounded water in the reservoir and deplete it sooner than normal. By declaring a drought declaration, it will open up other resources through the state for us to help deal with our potential water shortage.

Thank you

Lucas Yockey
Water Master
Water District 34

Mountain Meadows	6320	23.5	17.1	20.6	Apr 14	137	114
Nez Perce Camp	5650	15.1	11.3	13.1	Apr 04	134	115
Pierce R.S.	3080	11.1	N/A	N/A	N/A	*	*
Savage Pass	6190	23.8	21.1	24.5	Apr 05	113	97
Shanghi Summit	4600	25.8	21.5	22.2	Mar 20	120	116
Sherwin	3200	10.3	8.9	9.2	Feb 28	116	112
Twelvemile Creek	5600	18.6	14.0	14.9	Mar 17	133	125
Twin Lakes	6400	38.3	31.4	35.7	Apr 04	122	107
Basin Index (%)						115	99
SALMON BASIN							
Banner Summit	7040	16.7	21.2	25.7	Mar 30	79	65
Beagle Springs	8850	8.1	6.5	9.5	Apr 23	125	85
Bear Basin	5350	14.5	15.0	17.0	Apr 02	97	85
Big Creek Summit	6560	23.4	26.7	31.5	Apr 03	88	74
Brundage Reservoir	6250	26.0	21.9	26.7	Apr 16	119	97
Darkhorse Lake	8945	26.4	23.0	31.2	May 11	115	85
Deadwood Summit	6860	26.5	33.8	40.1	Apr 15	78	66
Galena	7470	9.2	13.8	15.7	Apr 11	67	59
Galena Summit	8780	11.4	15.6	19.1	Apr 08	73	60
Lernhl Ridge	8100	11.6	8.3	10.6	Apr 14	140	109
Meadow Lake	9150	10.9	11.5	15.1	Apr 25	95	72
Mill Creek Summit	8800	16.0	15.0	19.6	Apr 22	107	82
Moonshine	7440	6.8	8.0	8.8	Mar 21	85	77
Moose Creek	6200	15.1	14.0	15.1	Mar 21	108	100
Morgan Creek	7600	8.4	8.9	10.4	Apr 02	94	81
Mountain Meadows	6320	23.5	17.1	20.6	Apr 14	137	114
Saddle Mtn.	7940	20.9	19.7	24.0	Apr 17	106	87
Schwartz Lake	8630	9.5	8.4 _c	11.8 _c	Apr 20	113	81
Secesh Summit	6540	22.1	26.2	31.8	Mar 30	84	69
Squaw Flat	6240	18.2	18.0	22.1	Apr 11	101	82
Vlenna Mine	8960	20.5	25.5	32.0	Apr 26	80	64
West Branch	5560	19.2	19.5	21.2	Mar 29	98	91
Basin Index (%)						97	79
WEISER BASIN							
Bear Saddle	6180	17.7	21.2	23.0	Mar 17	83	77
Squaw Flat	6240	18.2	18.0	22.1	Apr 11	101	82
Van Wyck	4920	7.8	9.7 _R	9.8 _R	Mar 12	80	80
West Branch	5560	19.2	19.5	21.2	Mar 29	98	91
Basin Index (%)						92	83
PAYETTE BASIN							
Banner Summit	7040	16.7	21.2	25.7	Mar 30	79	65
Bear Basin	5350	14.5	15.0	17.0	Apr 02	97	85
Big Creek Summit	6560	23.4	26.7	31.5	Apr 03	88	74

7/13, 2020

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George Washington & Decent Behavior." eanse not your teeth uler 100. Good advice

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er a debate that respects vironment that enables



Never cut a tree down in the wintertime. Never make a negative decision in the low time. Never make your most important decisions when you are in your worst moods. Wait. Be patient. The storm will pass. The spring will come.

—Robert H. Schuller



LETTERS POLICY: We welcome letters and comments. While every attempt is made to publish all local letters, please try to keep them to 300 words or less, and no more

Big Lost River Irrigation District RESERVOIR UPDATE

As of February 4, 2020

Reservoir Contents	37,770 C.F.S.
Inflow	206 C.F.S.
Release	171 C.F.S.
Howell Gauge	ICE

DECREE: OFF

Reservoir is currently at 87.33% capacity

The Arco Advertiser

Thursday, February 13, 2020

Published Weekly at 146 S. Front St., Arco, Idaho 83213-0803

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