

persons and property preceded the existence of the legislator, and his function is only to guarantee their safety."

I appreciate your letting me know your views. It's so important to me to hear from you. Please know that I will keep your thoughts in mind as we continue with the incredible pace of this Congress. And please let me know whenever you have concerns on matters before the Congress.

Warm regards,

A handwritten signature in cursive script, appearing to read "Helen".

Helen Chenoweth
Member of Congress

HPC/klr

United States Senate

WASHINGTON, DC 20510-1204

August 7, 1995

Mr. Bob Muffley
Chairman
MSRWRC
1703 South 2200 East
Gooding, ID 83330

Dear Bob:

I want to acknowledge and thank you for forwarding a copy of your letter to Senator Craig regarding the Public Rangeland Management Act.

I support responsible multiple use of our federal lands, and I believe that grazing is an integral component of that use. Cattle and sheep grazing has existed in Idaho since before the turn of the century. It has evolved as a core part of Idaho's economy and culture, and I expect that tradition to continue.

S. 852 was written to bring the focus of land management to the local level. It directs the Secretary of Interior to develop standards and guidelines. The bill would streamline federal management efforts by bringing the federal grasslands under a similar system. It would, in addition, address a long-standing concern about grazing on public land by imposing a surcharge for subleasing permits. I believe these are aspects of the bill that will lead to more efficient and effective management of rangelands.

Comments and suggestions to revise the bill will be considered, following the hearing in the Senate Committee on Energy and Natural Resources. Although I am not a member of the committee, I appreciate having the benefit of your suggestions as I monitor the debate and consider appropriate action should the bill be considered on the floor of the Senate.

Sincerely,



DIRK KEMPTHORNE
United States Senator

DK\jlg

PLEASE REPLY TO:

BOISE OFFICE
304 NORTH 8TH ST. #338
BOISE 83702

COEUR D'ALENE OFFICE
118 NORTH 2ND STREET
COEUR D'ALENE 83814

IDAHO FALLS OFFICE
2539 CHANNING WAY, #240
IDAHO FALLS 83404

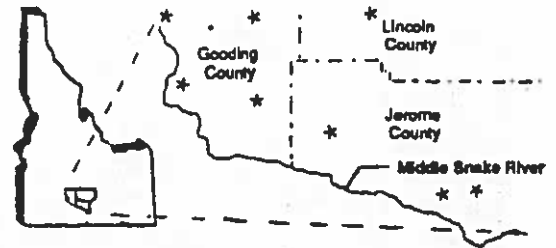
LEWISTON OFFICE
678 D STREET, RM. E
LEWISTON 83501

POCA TELLO OFFICE
250 SOUTH 4TH, #207
POCA TELLO 83201

TWIN FALLS OFFICE
401 2ND STREET NORTH, #106
TWIN FALLS 83301

**MIDDLE SNAKE REGIONAL
WATER RESOURCE COMMISSION**

Roxi Reed, Executive Director
208-934-5983
1703 South 2200 East
Gooding, Idaho 83330



Chairman
Bob Muffley

August 4, 1995

Vice Chairman
Fred Brossy

Committee
Dan Suhr
Rick Thompson
Veronica Lierman
Mack Neibaur

Dennis Tankiani
Idaho Farm Bureau
500 West Washington
Boise, Idaho 83701

Dear Mr. Tankiani:

This commission is in the process of reviewing the Water Quality Portion of the Coordinated Water Resource Management Plan. The plan was adopted by Gooding, Jerome and Lincoln Counties in 1992. You are aware that planning is a continuing process and planning documents must change to reflect changes in law as well as the customs, culture and needs of the planning region. For these reasons we ask that you review the attached water quality portion of our Regional Water Plan and send us your comments prior to October 18, 1995.

Many of the receivers of this mailing worked on the plan between 1989 and 1991. Other, however, were not part of that planning process so if you have any questions please call. My office number is 934-4781 and my home number is 536-2358. We look forward to hearing from you.

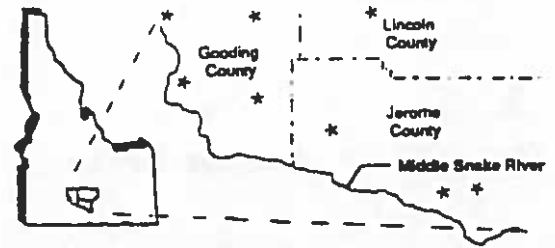
Sincerely,

Bob J. Muffley,
Chairman

BJM/rr
enclosure

**MIDDLE SNAKE REGIONAL
WATER RESOURCE COMMISSION**

Roxi Reed, Executive Director
208-934-5983
1703 South 2200 East
Gooding, Idaho 83330



Chairman

Bob Muffley

August 4, 1995

Vice Chairman

Fred Brossy

Committee

Dan Suhr

Rick Thompson

Veronica Lierman

Mack Neibaur

Senator Larry Craig

302 Senate Hart Building

Washington, D.C. 20510

Dear Senator:

I received the attached document from the State Office of the Bureau of Land Management.

I couldn't believe what I was reading. This is nothing more than a blatant attempt by the BLM to get others to put pressure on Congress to vote down the Livestock Grazing Act.

This commission is taking no stand at this time on the Livestock Grazing Act. Frankly we look at it as an attempt by Congress to affirm who is in control of national policy with regard to all Federal Lands. In that respect it is a good exercise in government which could ultimately reestablish the line of authority between our elected leaders and federal regulatory agencies.

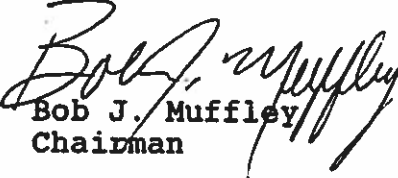
The testimony described in the BLM "news release" of Acting BLM Director Mike Dombeck points a picture of utopia at the local resource management level that simply doesn't exist. When reading his testimony one would believe that all interest, including local government, takes part in forming plans and determining how federal land within district are to be managed. This commission has found the opposite to be more true, especially with regard to local government. The Middle Snake Regional Water Resource Commission and the counties we represent have tried for years to have seats on the BLM's planning councils, but to no avail. We, at the local government level, are charged by those who elect or appoint us to protect our local customs and culture as well as the local economy, yet the only input we have in the district

August 4, 1995

planning process is during scoping meetings and public hearings. Their scoping meetings offer a minimum of information, therefore, limiting public comments. Public hearings are generally packed by various special interest groups so comments by local government leaders are lost in the rhetoric. No matter what eventually happens on the management of Federal Lands, local elected officials or their appointees must be heard throughout the planning process at the district level.

This commission has seen a trend develop in the Federal Agency planning process over the last few years that concerns us greatly. We are now seeing watershed or regional plans which are so large that they can include lands in several different states or at a minimum large areas of the same state. County governments are attempting to address this situation by forming coalitions of State Associations of Counties to work with the planning agency involved. Federal agencies say that planning on a large scale saves them a great deal of time and money and makes for a more coordinated effort. We see that it can also divide local governments and thereby, concur. Planning on this scale is very risky and serves only to limit local input. We support, therefore, the section of the Livestock Grazing Act which keeps planning at the district level.

Sincerely,

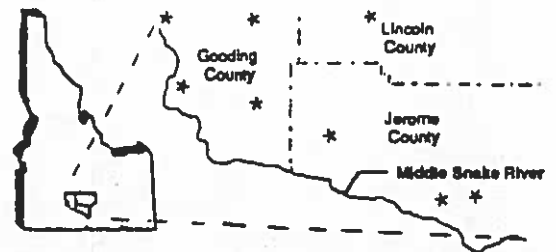

Bob J. Muffley
Chairman

BJM/rr

cc: Senator Kempthorn

MIDDLE SNAKE REGIONAL WATER RESOURCE COMMISSION

Roxi Reed, Executive Director
208-934-5983
1703 South 2200 East
Gooding, Idaho 83330



Chairman
Bob Muffley

July 28, 1995

Vice Chairman
Fred Brossy

Committee
Dan Suhr
Rick Thompson
Veronica Lierman
Mack Neibaur

Mr. Chuck Clark, Regional Director
U.S. E.P.A.
1200 Sixth Ave.
Seattle, WA 98101

Re: Proposed Auger Falls Hydro Development

Dear Mr. Clark:

The three counties represented by this commission, after much research and many public hearings, adopted a water quality plan in 1992 which calls for no further hydro development on the five remaining free flowing reaches of the Middle Snake River in South Central Idaho. The people of the Middle Snake are very concerned about their river and fully realize that unless we take fast action the river could be lost as a viable resource. It was that public concern that led the counties into a three year study of the region's above ground water resources beginning in 1989. We soon discovered that no single use was to blame for the conditions of the Middle Snake, but rather, it was the accumulation of all uses including hydro power facilities which leaves only five free flowing falls and rapids. The proposed Auger Falls development would reduce this number to four.

The counties, working with the public as well as ten State and Federal agencies including the E.P.A., developed a plan to clean up our region's above ground water resources. The section of the plan pertaining to hydro power development recognizes these facilities as being part of the cumulative impact on the Snake River and calls for no further development on this stretch of the river.

Our Counties and this commission are dedicated to cleaning up the mess that we in the region helped to cause, but we need your help. We ask that you do

Mr. Chuck Clark

page 2

July 28, 1995

everything in your power to stop the Army Corps of Engineers from issuing a 404 permit for Auger Falls. We firmly believe that you have good science on your side. Members of this Commission personally worked with your scientists in 1991 and we know their findings, which went a long way in helping us develop our plan. Their efforts also convinced the people of the Middle Snake that it was time for us to change our ways. We discovered how important the Middle Snake is to our customs and culture.

I have attached portions of our plan pertaining to hydro power development and if you have any questions regarding our plan please call me at my place of business. The number is (208)-934-4781. Mike Watson, who works out of your regional office, may also be able to give you some background regarding the region's efforts to save the Middle Snake. Mike was raised in the region and fully understands our problems.

Sincerely,


Bob J. Muffley

BJM/rr
enclosure

POLICY STATEMENTS:

The following policies are intended to clarify the intent of Gooding, Jerome, and Lincoln Counties as the means of dealing with current and future events influencing the water quality of the Middle Snake River as a resource for the people of the Magic Valley and the State of Idaho.

IT SHALL BE THE POLICY OF THE GOODING, JEROME AND LINCOLN COUNTIES TO:

1. Maintain a strong economic base in the Middle Snake river Region by adopting ordinances and encouraging regulations to implement technologies which improve water quality in the Middle Snake River Region.
2. Insure that federal, state and local agencies enforce current laws regarding water issues as related to the Middle Snake River Region. All means - political, financial and legal - will be used to seek enforcement of current laws.
3. Request federal, state and local agencies review current point and nonpoint discharge standards to determine if standards will provide for an improvement in water quality.
4. Work actively to institute reductions in the discharge levels for nutrient, sediment and chemical contaminants when current levels are found to be jeopardizing water quality.
5. Seek legislation which will allow communities to adopt ordinances which permit more local control of water quality and quantity issues. This will allow communities to better address needs based on local conditions.
6. Work actively to ensure a coordinated effort including federal, state, and local agencies in the implementation and evaluation of the Coordinated Water Resource Management Plan for the Middle Snake River Region.
7. Provide direction for community efforts to improve the general condition of the water in the Middle Snake River region. Clubs, schools, civic organizations, industries, and individual citizens can all plan an important role in improving the region's water resource for all to use and enjoy.
8. Create a district in the three-county area which will have authority to generate revenue, monitor water quality, and implement programs which will improve water quality in the Middle Snake River Region.
9. Request Department of Water Resources to establish a water district in the Middle Snake River spring discharge area to install water measuring devices, monitor usage, and ensure compliance with permitted water rights.

10. Seek minimum stream flows on streams and springs flowing into the Middle Snake River.
11. Preserve existing wetlands and develop additional wetlands and settling ponds in the Middle Snake River Region. Wetlands and settling ponds are effective in removing nutrients, sediments and chemicals from return flows and provide valuable wildlife habitat.
12. Restrict all further development in the region which will negatively impact the quality of the water in the Middle Snake River.
13. Support research and development of possible economic uses for contaminants or potential contaminants.
14. Promote sharing the burden of restoring the water quality of the region among those who enjoy and use the resource.
15. Initiate efforts on a state and local level which will create tax and other incentives to water users to conserve the quantity of water use and improve the quality of water discharges.
16. Provide education for the people of the Middle Snake River Region on our water resources, their uses, and the importance of water quality.
17. Maintain existing free-flowing stretches of the Middle Snake River for recreation, fish and wildlife values.
18. Implement programs that promote conservation of electric power use to minimize the need for additional generating facilities.
19. Discontinue use of injection wells which contribute contaminants to the ground water supply.
20. Encourage and support the development of new technology, including Best Management Practices, which will reduce loading of the waters in the Middle Snake River Region.
21. Coordinate efforts with upstream and downstream users.

HYDRO POWER

SITUATION STATEMENT

The Middle Snake has been highly developed as a source of hydro power. This resource has been instrumental in the development of the Magic Valley. In addition to clean, economical power, benefits of hydro power have been increased recreation opportunities including boating, fishing, and campground facilities. The dams provide still water which traps sediment and nutrients from the river. While this may be beneficial for downstream users, it has had a negative impact within the Middle Snake reach.

The development of hydro power in the Middle Snake has reduced the amount of wetlands; adversely altered fish and wildlife habitat; reduced oxygenation to the water; reduced the natural cleansing ability of the river; and raised the temperature of many portions of the river. Recent technology in hydro power, such as low head systems and cogeneration plants, have compounded water quality problems associated with hydro power. Dams and diversions have eliminated long, free-flowing stretches of the river, affecting fish migration patterns which are essential for the reproduction of several species. The dams have also had a negative impact on the aesthetics of the area.

GOAL A: Limit the development of all types of hydro power facilities in the Middle Snake River Area.

OBJECTIVE A01: Allow no development of hydro power facilities in the Middle Snake River Area which will eliminate the free flowing reaches of the river or which will contribute to water quality degradation.

STRATEGIES:

- A01.a Minimize size and number of artificial impoundments.
- A01.b Maintain current wetland habitat or mitigate to compensate for loss of habitat.
- A01.c Encourage the state to maintain established minimum river flows to protect other current uses.

GOAL B: Encourage the development and implementation of new technology which will reduce or eliminate the negative impacts of current facilities on the Middle Snake.

OBJECTIVE B01: Encourage adoption of new technologies (related to water quality) to be incorporated into the facilities at the time of relicensing.

STRATEGIES:

- B01.a** Encourage Division of Environmental Quality and the Water Resource Board to support the adoption of existing and new technologies which will improve water quality.
- B01.b** Maximize the efficiency of existing power plants without negatively impacting other uses to reduce the need for new facilities.
- B01.c** Maintain existing and create new wetland areas associated with hydro and cogeneration facilities.
- B01.d** Encourage conservation of power use to lower demand for new power sources.
- B01.e** Develop local plan of power needs which can be utilized by federal agencies providing input to Federal Energy Regulatory Commission on licensing and relicensing applications.

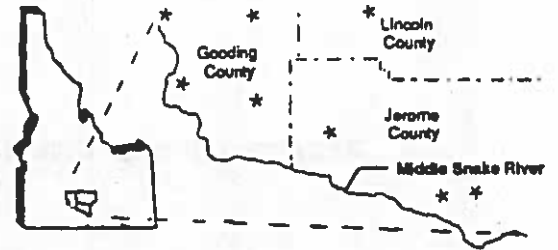
OBJECTIVE B02: Implement practices which will minimize fluctuations in river flows.

STRATEGIES:

- B02.a** Maintain current storage capabilities by reducing sediment loading in reservoirs. Reduce erosion and solids entering the river which are responsible for reducing the capacity of the reservoirs.
- B02.b** Investigate the feasibility of dredging sediment from the reservoirs to increase storage capacity in the existing system.
- B02.c** Investigate the feasibility of increasing the amount of water in the river to minimize the need for fluctuations in the river.
- B02.d** Minimize peaking operations related to power generation on the river by encouraging power conservation.

MIDDLE SNAKE REGIONAL WATER RESOURCE COMMISSION

Roxi Reed, Executive Director
208-934-5983
1703 South 2200 East
Gooding, Idaho 83330



Chairman
Bob Muffley
Vice Chairman
Fred Brossy

July 25, 1995

Committee
Dan Suhr
Rick Thompson Jerome County Commissioners
Veronica Lierman Box 447
Mack Neibaur Jerome, Idaho 83338

Dear Commissioners:

This commission has reviewed the "Wellhead Protection Plan" submitted by the City of Twin Falls. Commission members found this plan to be much better than previous drafts, but we must stop short of giving it our 100 percent approval. We believe that before this plan is adopted by the County that you ask for legal advise on the following points.

1. Zone 1b would have you absolutely prohibit certain uses while offering no evidence that such uses would be a threat to the Twin Falls City water supply or, if so, whether the risk could be handled by voluntary or even mandatory best management practices (BMP's)? The question in our mind is if challenged, would such an ordinance stand the test of court or is it an exercise in futility?

2. Better technology or further research by this Commission could show that some prohibited uses could be deleted from the list. It appears to us, that if the City of Twin Falls does not agree to a deletion, the county could find themselves in court with the City. Maybe this could be overcome by establishing a review committee who's decisions would be binding or adding language to the plan which would require mandatory arbitration between the City and County to handle disputes.

July 25, 1995

If these questions can be answered to your satisfaction, this commission sees no problem with instituting the overlay districts at this time. You may, however, want a memorandum of understanding with the City of Twin Falls to the effect that districts and prohibited uses may change at the conclusion of our ground water study.

Thanks for allowing us to review the proposed ordinance and let me know if you have any questions.

Sincerely,

Bob J. Muffley

BJM/rr

July 21, 1995

Mr. Norman Semanko
ROSHOLT, ROBERTSON & TUCKER
Attorneys at Law
P. O. Box 1906
Twin Falls, ID 83303-1906

Dear Norman:

Per your request, I have attached a copy of a report to my commission by Bill Hazen which indicates the value of an acre foot of water within our region. We are going to add these findings to our regional water quality plan, but first we must expand it to include such things as the economic affect of processing certain crops and the impact on pumpers and fish propagators. It appears, however, that the impact of losing 427,000 acre feet of water from this region would easily exceed 100 million dollars.

I hope this information is of use to you and we will keep you informed of our continuing studies in this area.

Sincerely,

Bob J. Muffley

BJM/lm

Encl.

ROSHOLT, ROBERTSON & TUCKER

**Chartered
ATTORNEYS AT LAW**

JOHN A. ROSHOLT
J. EVAN ROBERTSON
JAMES C. TUCKER
GARY D. SLETTE
JERRY V. JENSEN
BRUCE M. SMITH
JOHN K. SIMPSON
PATRICK D. MADIGAN
PAUL W. SAMUELSON
TIMOTHY J. STOVER
NORMAN M. SEMANKO
ERIK P. SMITH

Twin Falls Office
142 3rd Ave. North
P.O. BOX 1906
TWIN FALLS, IDAHO 83303-1906
TELEPHONE (208) 734-0700
FAX (208) 736-0041

Boise Office
1221 WEST IDAHO, SUITE 600
P.O. BOX 2139
BOISE, IDAHO 83701-2139
TELEPHONE (208) 336-0700
FAX (208) 344-6034

July 19, 1995

Bob Muffley, Chairman
Mid. Snake Reg. Water Res. Comm.
125 Fifth Avenue West
Gooding, Idaho 83330

Re: New Study

Dear Bob:

Please send us a copy of the new study referenced in the attached article from the Gooding County Leader.

Thank you,



NORMAN M. SEMANKO

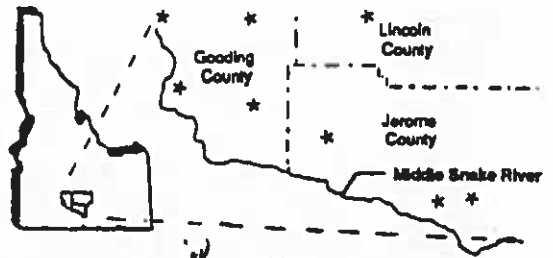
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Enclosure



MIDDLE SNAKE REGIONAL WATER RESOURCE COMMISSION

Roxi Reed, Executive Director
208-934-5983
1703 South 2200 East
Gooding, Idaho 83330



To all
Counties
in
Region

Chairman
Bob Muffley

July 13, 1995

Vice Chairman
Fred Brossy

Committee

Dan Suhr

Rick Thompson Twin Falls County Commissioners

Veronica Lierman P.O. Box 126

Mack Neibaur Twin Falls, Idaho 83303-0126

Dear Commissioners:

Attached is the budget request of the ground water task force for the 1995-96 budget year. Also attached is the annual report of the Middle Snake Regional Water Resource Commission to the County Commissioners of our member counties. Item 9 of this report summarized the ground water planning effort and offers an estimated time line for completing the project. A side benefit of this planning effort should be recommended areas for well head protection of your County's smaller communities. We have found that the State's well head protection plan may be a little too restrictive and the area of impact larger than is actually required.

You will note that the task force will be seeking grants and possibly state funding for some of the research that is required to produce a useful plan for the counties. To this end we will probably hold a meeting with our area legislators sometime this fall. If details can be worked out, we would ask that the commissioners from all four counties be in attendance. It always helps if we can show regional consensus.

Thanks for working with us on the Ground Water Task Force and if you have any questions please let me know.

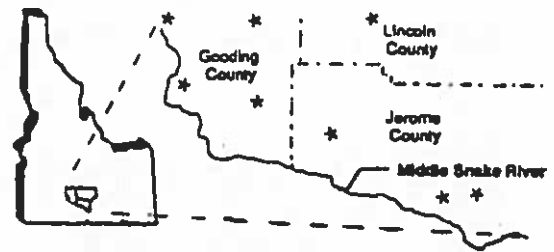
Sincerely,

Bob J. Muffley

BJM/rr

MIDDLE SNAKE REGIONAL WATER RESOURCE COMMISSION

Roxi Reed, Executive Director
208-934-5983
1703 South 2200 East
Gooding, Idaho 83330



Chairman
Bob Muffley

Vice Chairman
Fred Brossy

MIDDLE SNAKE REGIONAL WATER RESOURCE COMMISSION 1995-96 Budget

Committee

Dan Suhr

Rick Thompson

Veronica Lierman

Mack Neibaur

Proposed expenditures for Commission:

| | | |
|-------------------------|------------|--------------------|
| Executive director | \$1,800.00 | |
| Stamps & supplies | 850.00 | |
| Hearings & publications | 1,500.00 | |
| Attorney fees | 1,000.00 | |
| Mileage reimbursements | 800.00 | |
| Telephone | 100.00 | |
| | | <u>\$ 6,050.00</u> |

Proposed expenditures for Ground Water Task Force:

| | | |
|---|------------|--------------------|
| Executive director | \$1,800.00 | |
| Stamps & supplies | 800.00 | |
| Telephone | 100.00 | |
| Carry over to be used as Matching funds for grants | 16,000.00 | <u>\$18,700.00</u> |

Total annual budget \$24,750.00

Budget request from each county

| | |
|-------------------|------------|
| Lincoln County | \$1,750.00 |
| Gooding County | 3,500.00 |
| Jerome County | 3,500.00 |
| Twin Falls County | 4,000.00 |

NOTE: Twin Falls County funds will only be used for the Task Force expenses and matching funds for grants. Twin Falls has been assessed more based on population and the fact that there is less monitoring data available for Twin Falls County. This means more data will need to be collected from that area and is a primary need for additional grant funds. We are also rolling over money budgeted, but not spent from the Member Counties into the matching funds.

Annual Report

Dear Commissioner:

We have just completed a very interesting twelve months, to say the least. Below is a list of items we have addressed and a brief description:

1. Conjunctive Management:

This commission has continued to work with the Department of Water Resources on all issues concerning conjunctive management. Our intent is to persuade the department to recognize the Counties' Water Quality Plan and have them incorporate elements of our plan in their planning document. The department has already approved and instituted a conjunctive management plan, but it has not been ratified by the Legislature. We have been advised by Department personnel, however, that they will begin to hold new hearings on the matter within the next few months.

2. Bennett Hills Draft Plan and EIS:

This Commission addressed water issues within the draft plan. We were particularly upset by the portion of the planning document that spoke to using Federal lands for aquifer recharge. We have been advised by the Bureau, that because of the tremendous amount of comments they received they would proceed with a rewrite, and we assume more hearings down the road. This Commission will continue to monitor the situation.

3. EIS for Columbia River System:

You are aware that this plan included the taking of around 450,000 acre feet of water from the Upper Snake. There were other portions of the plan that would impact our counties, but are too numerous to mention. Needless to say we addressed each point in our testimony and further stated that we would take any action we deemed necessary to protect our economy if the plan were adopted. As of the time of this writing the plan has not been adopted. We are continuing to monitor.

4. E.P.A. Water Quality Forum:

The E.P.A. asked our Commission to take part in a Water Quality Forum in Washington D.C. in August of last year. As chairman, I was asked to speak on our local situation on the Middle Snake and how local governments were involving themselves in the process. The Forum was attended by several thousand people working in water quality at the Federal and State levels. There were also people from various other

Countries. I fully described our situation to those attending our forum and made the point that people and their continued ability to make a living must be considered when working on water quality solutions. I also told them that all the laws and regulations in the world would not clean up our water resources without the full support of the local population which means coordination with local government. One commentator said that all our county commissioners must be environmentalists. My reply was yes, for the most part they are the original environmentalists, farmers and ranchers. The silence was very telling.

By the way, my expenses for the conference were paid by the E.P.A.

5. Other Plans and EIS's:

It seems that half of the Federal Agencies are proposing plans and EIS's which impact water in our counties. This Commission has responded to each and every one based on our regional water quantity plan. It is amazing how everyone covets our water. The counties owe special thanks to Fred Brossy of Lincoln County and Dan Suhr of Jerome County for attending many meetings concerning these issues and testifying in the region's behalf. If my memory serves me correctly we have responded to a total of five plans and EIS's in the last twelve months. We have also responded to proposed regulations offered by the Bureau of Reclamation and Department of the Interior. It's been a big job.

6. Other Meetings and Conferences:

Members of this commission have attended and many times spoken at various meetings and conferences held locally and around the state this past year. We found that the information we receive from these meetings helps us to broaden our understanding of water issues in this region. Each of your commission members have attended meetings and conferences at their own expense and shared what they have learned with the rest of the commission. Their dedication to the issue and ultimately the people of this region goes far beyond the call of duty.

7. Regional Water Quality Plan:

You are, of course, aware that the commission completed the regional water quality plan and it was adapted by the three counties. Your regional commissioners worked diligently to put the plan together in, what I believe, was record time when considering the diversity and complexity of the issues. The plan was developed only after hearing from a multitude of user groups and environmental concerns. We hope the counties are pleased with the plan and we look forward to the challenge of having the plan recognized by State and Federal Agencies.

8. D.E.Q.'s Nutrient Management Plan:

After three long years of working with the D.E.Q. they finally printed a draft Nutrient Management Plan for the Middle Snake which included plans by our five major water user groups. This Commission believes that the plan could be stronger, but after much discussion decided to testify in favor of it. We think the user groups were pretty conservative in their plans to restore water quality, but are also convinced that they will voluntarily exceed the goals set forth in their plans. The purpose of the plan is to forestall the E.P.A. from establishing a Total Maximum Daily Load (TMDL) on the river and to do this the D.E.Q. plan must meet the minimum requirements of a TMDL. D.E.Q.'s plan does not, so it will need some minor revisions. Several environmental groups have blasted the plan and are threatening court action if the E.P.A. approves it as written. We are monitoring the situation, and have sent D.E.Q. a letter, outlining our concerns with the demands of the environmental interests.

9. Ground Water Quality Planning Effort:

At the request of the Gooding County Commissioners, with the concurrence of Jerome and Lincoln Counties, this commission embarked on a ground water quality planning effort which could ultimately lead to specific zoning recommendations. This has become a huge task involving a lot of State and Federal Agencies and also including the U of I, C.S.I. and the I.N.E.L. Because of the size and scope of the task we formed a task force and appointed people from around the region. Twin Falls County also agreed to join the task force and appointed two of their citizen to represent them. A second task force was formed by the various agencies who are trying to find a way to combine all their water monitoring information into a centralized data storage system and then devise a way to put the information from the monitoring into a usable format for the planning task force. The ultimate result, if everything goes right, is the ability to put together sufficient information to do a ground water vulnerability map for the region. It should also help us to pinpoint causes of contamination to the aquifer. The commission has informed the task force that we will base the plan and zoning recommendations only on data that can stand the test in court. We completely understand the frustration of counties when their plans and ordinances are reversed by the courts. We also think it's just plain good business. If you can't prove something should be done then you shouldn't do it.

This commission intends to produce a generic plan that will work for all four counties, but the zoning recommendations, by necessity, will be site specific in each county.

We originally believed that we could complete the plan in about 1 and 1/2 years. We found, however, that a great deal of data is still needed so we may be looking at 2 to 3 years. We will also need to seek funding from the legislature and various grants to complete the process. Finally, we must use carry over funds from Twin Falls and our three counties as matching funds for various grants. Local matches can be anywhere from 25 to 50 percent of a project so we could be looking at a sizable chunk of change. We will not seek an increase from the counties on our funding, however, we will simply tighten our belts.

10. Possible Legal Actions:

As always, we must remain vigilant in our efforts to protect our water and the desires of the people of our region in regard to water. Court action is possible on a number of issues which have still not been decided. These include the salmon issue, Auger Falls, water spreading as defined by the Bureau of Reclamation, and the possible determination by the E.P.A. to enforce a TMDL on the Middle Snake.

We suggest that the counties, if possible, set aside some money for legal action within each county budget. We firmly believe that the counties are the last line of defense for the people of our region regarding it's water resources and we must look at that obligation as a sacred trust.

Your regional commissioners thank each of our county commissioners for your support and we want to assure you of our continued vigilance for our most valuable asset.

Respectfully Yours,

Bob J. Muffley
Chairman



United States Department of the Interior

U.S. GEOLOGICAL SURVEY
Water Resources Division
230 Collins Road
Boise, Idaho 83703-4520

July 10, 1995

Mid Snake Ground Water Protection Taskforce
1703 South 2200 East
Gooding, Idaho 83330

Dear Members:

As a partial contribution to Objectives 1 and 2, Strategy 3 of the Draft Action Plan and promised at the June 8, 1995, Taskforce meeting, I have enclosed a list of selected U.S. Geological Survey (USGS) publications on assessments of ground-water resources in the Gooding/Jerome/Lincoln Counties and the Snake River Plain. A 3-1/4-inch diskette containing ASCII file of the publications is enclosed (Roxie Reed only).

Water-quality data maintained by the USGS may be directly obtained via either the USGS Idaho District World Wide Web Mosaic Homepage (<http://wwwwidaho.wr.usgs.gov/public/Request.html>), or email request to iოდell@usgs.gov, or call Ivalou O'Dell, (208) 387-1325.

Geographic Information System (GIS) data maintained by the USGS may be requested via either the USGS Idaho District World Wide Web Mosaic Homepage (<http://wwwwidaho.wr.usgs.gov/public/Request.html>), or email request to jspinazo@usgs.gov, or call Joe Spinazola, (208) 387-1390.

The identification of the source(s) of nitrate in ground water in the Gooding/Jerome County area remains important to the area's land and water users and water resource management agencies. Available hydrologic, land use, bacteriological, and water-quality data in the Gooding/Jerome County area can help to explain sources of nitrate in ground water in the area.

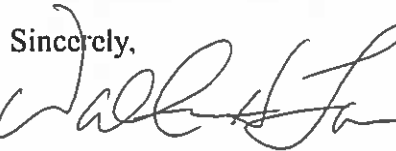
Ground-water underlying Jerome/Gooding Counties generally flows from the east-northeast to the west southwest (Lindholm and others, 1988; Kellogg, 1994). A comparison of land use and soil type (Lindholm and Goodell, 1986; Soil Conservation Service, 1994, p. 11, 29) to ground-water flow direction (Lindholm and others, 1987) indicate that nitrate concentrations increase downgradient (Soil Conservation Service, 1994, p. 25). Nitrate concentrations are smaller in ground water under upgradient rangeland and increase downgradient under agricultural and confined animal feeding operations (CAFO's) lands. Nitrate concentrations in ground water are also smaller under upgradient silt loam soils and sprinkler-irrigated cropland and increase under downgradient sandy loam soils and gravity-irrigated croplands. Predominant sources of nitrogen loads in Gooding, Jerome, Lincoln, Minidoka, and Twin Falls Counties are cattle manure followed by fertilizers and minor loads from precipitation and domestic septic systems (M.G. Rupert, 1995, U.S. Geological Survey, written commun.).

Fertilizer and manure applied on irrigated cropland and pasture land are the predominant sources of nitrate and other pollutants in ground water in the Scott's Pond area (Soil Conservation Service, 1994, p. 23). Preliminary microbial community assays indicate that disturbances in microbial populations in ground water correspond to areas of elevated nitrate concentrations and that nitrates

were transported to ground water as nitrate and not transformed in place from other nitrogen species (Kellogg, 1995, p. 1, 3, 10).

From Kellogg (1994), Kellogg (1995) proposes to use viruses and microbial community assays among others approaches to further substantiate the sources of nitrate in ground water. The USGS proposes to collect and analyze samples for nitrogen-15/oxygen-18, chlorofluorocarbons (CFCs) and nitrate concentrations in ground water in the Gooding/Jerome Counties to further substantiate the sources of nitrate in ground water in the Scott's Pond area. Other agencies may be interested in determining these concentrations from specific sources such as manure, fertilized irrigated croplands, and domestic septic fields. Limited resources from interested Federal, State, local agencies and private companies could be pooled into the Idaho Water Resources Research Institute (IWRRI) and combined with other resources to fund the assessment phases over several years. A workplan should be written that describes the assessment phase and associated costs and reviewed by the Taskforce. The workplan must also include water-quality management phases in addition to assessment phases to assure that data collected are relevant to stakeholders and resource management agencies.

One benefit of this approach is that the USGS and IWRRI are unbiased, non-advocacy agencies. Thus, data obtained and assessments made on nitrate sources will be based on unbiased scientific technical data and sponsored by all interested agencies and stakeholders. Both agencies have a formal student internship program to use Idaho university students to execute assessment phases. The USGS and IWRRI are currently discussing the feasibility and framework of a proposed collaboration. If you have questions, please call me at (208) 387-1385 or INTERNET email wlow@usgs.gov.

Sincerely,


Walton H. Low
Supervisory Hydrologist

Enclosures:

Copy to: See Distribution List
Enclosures: Printed Matter
Disk - Recd only

Distribution List:

Mr. Fred Brossy
Wood River SCD
P.O. Box 398
Shoshone ID 83352

Mr. Dan Suhr
500 South 167 West
Jerome ID 83338

Mr. Bob Muffley
124 5th Av West
Gooding ID 83330

Mr. Lew Pence
Wood River RSD
215 University Dr
Gooding ID 83330

Ms. Roxie Reed
1703 South 2200 East
Gooding ID 83330

Mr. Rick Thompson
c/o Ms. Roxie Reed
1703 South 2200 East
Gooding ID 83330

Veronica Lierman
c/o Ms. Roxie Reed
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Gooding ID 83330

Mr. Mack Neibaur
c/o Ms. Roxie Reed
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Gooding ID 83330

Mr. Randy MacMillan
ID Aquaculture Assoc
PO Box 712
Buhl ID 83316

Mr. Graig Ledbetter
ID Dairyman Association
268-A South 500 West
Jerome ID 83338

Mr. Dennis Tanikuni
ID Farm Bureau
P.O. Box 167
Boise ID 83701

Mr. Art Brown
Jerome County
300 North Lincoln
Jerome ID 83338

Dr. Roy Mink
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Mr. Bob Bolte
Gooding County
1590 East 1800 South
Gooding ID 83330

Mr. Dan Butler
Gooding County SCD
283 Spring cove Rd
Bliss ID 83314

Mr. Thomas Burnham
USDA-NRCS
111 East Avenue, F
Jerome Idaho 83338-3132

Mr. Bob Ohleschlen
Mr. Gary Fornshell
University of Idaho Extension
246 3rd Av East
Twin Falls ID 83301

Mr. Ross Spackman
Collage of Southern Idaho
P.O. Box 1238
Twin Falls ID 83301

United States Senate

WASHINGTON, DC 20510-1204

June 27, 1995

Mr. Bob Muffley
122 5th Avenue West
Gooding, ID 83330

Dear Bob:

Attached is additional correspondence just received from the Federal Energy Regulatory Commission about my inquiry on your behalf.

You may be certain that my efforts in this matter will continue and any further reports will be forwarded to you promptly.

Sincerely,



DIRK KEMPTHORNE
United States Senator

DAK\ocs
Enclosure

PLEASE REPLY TO:

BOISE OFFICE
304 NORTH 8TH ST., #338
BOISE 83702

COEUR D'ALENE OFFICE
118 NORTH 2ND STREET
COEUR D'ALENE 83814

IDAHO FALLS OFFICE
2539 CHANNING WAY, #240
IDAHO FALLS 83404

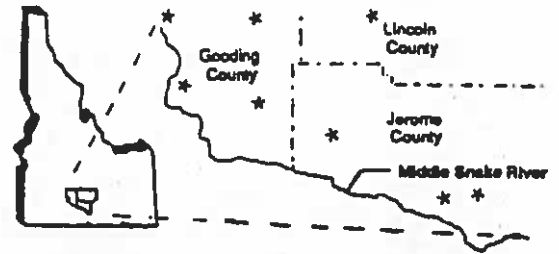
LEWISTON OFFICE
818 D STREET, RM. E
LEWISTON 83501

POCATELLO OFFICE
250 SOUTH 4TH, #207
POCATELLO 83201

TWIN FALLS OFFICE
401 2ND STREET NORTH, #108
TWIN FALLS 83301

**MIDDLE SNAKE REGIONAL
WATER RESOURCE COMMISSION**

Roxi Reed, Executive Director
208-934-5983
1703 South 2200 East
Gooding, Idaho 83330



Chairman
Bob Muffley

June 26, 1995

Vice Chairman
Fred Brossy

Committee

Dan Suhr
Rick Thompson Mary G. McGown
Veronica Lierman Idaho Rivers United
Mack Neibaur P.O. Box 633
 Boise, Idaho 83701

Dear Mary:

Thank your for your letter of 6-19-95 inviting this Commission to join a coalition on the relicensing of Idaho Power facilities. This Commission agrees that Idaho Power could do a lot more than it is now doing regarding Snake River restoration, recreation and Fish and Wildlife and we look forward to working with you in the relicensing process.

The Middle Snake Regional Water Resource Commission is an agency of County Government and as such we have made it a policy to not become involved in non-government coalitions no matter how good the cause. Our name was used at one time, without our permission, as being part of a coalition which nearly had some serious ramifications. Since then we have stayed well clear of these kinds of situations.

We are interested, however, in your proposed conditions for license renewal and hope that you keep us informed. Thanks again.

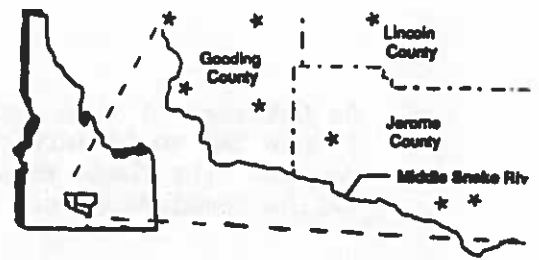
Sincerely,

Bob J. Muffley
Chairman

BJM/rr

MIDDLE SNAKE REGIONAL WATER RESOURCE COMMISSION

Roxi Reed, Acting Executive Director
208-934-5983
1703 South 2200 East
Gooding, Idaho 83330
June 21, 1995



Chairman
Bob Muffley
Vice Chairman
Fred Brossy
Committee
Dan Suhr
Rick Thompson
Roy Prescott
Mack Neibaur

Bureau of Land Management
Idaho State Director Martha Hahn
3380 Americana Terrace
Boise, Idaho 83706

RE: Recommendation for nomination for Upper Snake River
Ecosystem Advisory Council.

This letter is to recommend Mr. Fred Brossy, of Lincoln County, as a local Government Representative to the Upper Snake River Ecosystem Advisory Council. We believe Fred to be eminently qualified to represent the concerns of local government for the following reasons.

1. Fred Vice-Chairs the Middle Snake Regional Water Resource Commission of Jerome, Gooding and Lincoln Counties. This commission was formed to address water quality problems in our region and was later expanded to include the counties water quantity concerns. Fred has been involved in addressing the regions water quality concerns since 1989 and has good expertise in water quality management.
2. Fred has been actively involved in his local Soil Conservation District for many years and held various offices in that organization. His work for the district has always been outstanding.
3. Fred has worked closely with the county commissioners in our region and will keep the commissioners and their various commissions informed as to the B.L.M's. actions and proposed actions in the Upper Middle Snake Region. He knows the importance of local government and the need for coordination and cooperation between federal agencies and local government.
4. Fred has managed a ranch operation in Lincoln County for many years. His experience, both as a rancher and as someone concerned about our environment, will help to bring a balanced point of view to the council.

Date: June 20, 1995

To: Robert Muffley, Chairman, Mid-Snake River Management

From: William F. Hazen, Extension Educator, Lincoln County

Subject: Economic impact of irrigation water for Idaho's Magic Valley

Idaho's water resources have been under attack in recent years. Increased demands are being placed on the resource. Increased local population and industry growth along with federal programs to protect endangered species have created the demand for better water management. The concerns of present users of water is where they stand if they do lose present water quality and quantity to satisfy demands for which they and the Magic Valley will gain little to no benefit.

To address the economic affect of the present agriculture water use for crop irrigation we turn to the Magic Valley Economic Planing Model (MVEMP) developed by the University of Idaho through the support of Magic Valley counties. The model was developed to show the affect a change in agriculture production has on local economies.

The question to answer is "What is the value of an acre foot of water diverted for crop production in the Magic Valley"?

Several points need to be understood : 1) Magic Valley producers use surface and groundwater sources for irrigation. 2) Most of the surface water sources are managed through irrigation districts that keep accurate records on the amount of water diverted and the number of acres delivered to. 3) The economic model was based on the crop acres and per unit sales value by counties. 4) Crop yields and values are regular reports available from the Agriculture Statistical Reporting Service.

Table I gives the acres served and average acre foot of water diverted for irrigation from major irrigation districts. Thus using the Agriculture Statistical Reporting Service yield per acre and value per unit of production provides the average value of all irrigated crops for each county. For irrigation districts that serve more than one county, average yields for those counties were used.

Calculation of average production value of irrigation water is based on the average value of the crops for the counties and the amount of water diverted for the district. For areas that are using ground water applied through higher efficiency systems this analysis underestimates the value of the water. As a result this calculation for the productive value of the water is quite conservative

and underestimates the value to the entire Magic Valley, but is a bases for which to start this discussion.

Table I

Water Value of Irrigated Crops by Acre Foot Diverted

| County | Water District | Acres in District | Total Diversions Acre Ft | *Average Value of Crops/acre | **Total Crop Value for those acres | Productive Value of or Diverted AcFt | Acre Foot Diversion per Acre | CU | Value of one ac ft CU | | | | | | |
|-----------------------------------|---|-------------------|--------------------------|--|------------------------------------|--------------------------------------|------------------------------|------|-----------------------|---------|------------|-----|------|------|-----|
| Gooding and Jerome | North Side | 160,000 | 1,000,000 | 450 | 75,120,000 | 75 | 6.25 | 2.26 | 208 | | | | | | |
| | | | | 489 | | | | | | | | | | | |
| Lincoln | Gooding - Milner Big Wood Canal Co. | 62,402 | 454,000 | 365 | 27,124,069 | 60 | 7.28 | 2.27 | 191 | | | | | | |
| | | | | 36,542 | | | | | | 250,000 | 13,337,830 | 53 | 6.84 | 2.31 | 158 |
| Twin Falls | Twin Falls Canal Co. Salmon Falls Canal Co. | 202,690 | 1,060,000 | 410 | 83,102,900 | 78 | 5.23 | 2.17 | 189 | | | | | | |
| | | | | 20,500 | | | | | | 65,000 | 8,405,000 | 129 | 3.17 | 2.17 | 189 |
| Blaine | Big Wood & Silver Cr. Area | 28,534 | 92,241 | 237 | 6,762,558 | 73 | 3.23 | 2.02 | 117 | | | | | | |
| | | | | 11,539 | | | | | | 52,035 | 2,734,743 | 53 | 4.51 | 2.02 | 117 |
| | | | | 8,100 | | | | | | 29,064 | 1,919,700 | 66 | 3.59 | 2.02 | 117 |
| | | | | *Aver. value of all irrigated crops in the county (1992) | | | | | | | | | | | |
| | | | | **Average crop value per acre times acres served | | | | | | | | | | | |
| Weighted Average Dollars per acre | | | | 412 | 73 | | 186 | | | | | | | | |

The weighted average value of an acre foot of diverted water for the Magic Valley counties is \$73. Using this information on the acres of crop grown in each county and the Consumptive Use data from the Bureau of Reclamation (Agri-Met Weather System) the value of the Consumptive portion of water diverted for crop production is from \$117 to \$208 per acre foot with a weighted average of \$186.

Using a value of \$73 per acre foot of diverted water each year as the productive value of irrigated crops and a predicted multiplier of 2.47¹ for the local Magic Valley economy would place the value of 450,000 acre feet of water at \$81,139,500 each year. This does not include the economic affect of the processing on crops such as; potatoes, sugar beets, sweet corn, beans, etc. Nor does it include the affect of livestock enterprises that rely on the grain and forage crops (dairy, beef, sheep, swine). Nor does it include the value of the aquaculture industry with its complete integration of production, processing and marketing from this valley. No one denies that irrigation water could be used more efficiently. However, the cost to increase efficiency is staggering. If irrigation costs go up without a corresponding increase in production efficiency it will not pay to increase irrigation efficiency.

Two aspects of water use efficiency need reviewed. One, is the efficiency of application. Two, is the consumptive use efficiency. With application efficiency, no extra water is made available. That is, the water applied is either used by the crop (consumptive use) or is runoff or deep percolation. The water that is returned due to runoff or deep percolation is not lost but simply

*
 W. H. ...
 Source: ...

changed in the time it returns. Increasing application efficiency may make water available at a different time but will not increase the quantity of water available. Within central Idaho water is not stored for very long, we slow it up in reservoirs, on fields or in the aquifer but it eventually returns to the Snake River.

Thus the only way we can make more water available is through the second situation - decreased consumptive use. Changing consumptive water use of crops will be expensive and time consuming. Without major changes in the genetic physiology of crops the biggest hope to lower consumptive use is lowering evaporative loss. Currently the most practical means seems to be drip and/or sub-surface drip irrigation. Other adaptation technologies include drop tubes from lateral move and pivot irrigation systems.

Trials conducted by the University of Idaho and other states are reported in "Microirrigation for a Changing World" published by the American Society of Agriculture Engineers. These studies indicate consumptive use efficiency increases of 25-50%². This technology is evolving and its application will increase.

In order for business to adopt new technology it must be cost effective. The Magic Valley's economy is fueled by agriculture and to maintain that economic fuel the adoption of new technology must provide the same or increased crop production at the same or increased profit levels.

If water is needed early in the irrigation season for other than irrigation, the water remaining will have to be used by very efficient systems in order to meet crop production goals required to provide a stable economy.

¹ The affect of \$1.00 of average mix of crops grown on the total economy of the Magic Valley. This does not include the affect of processing or value adding of any crop.

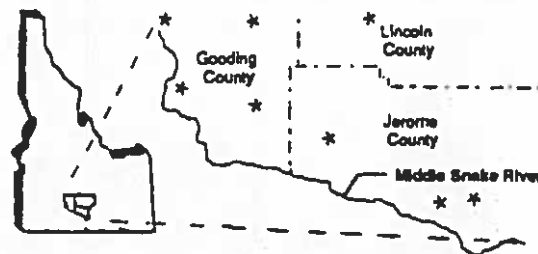
² "Corn Production Using Subsurface Drip Irrigation, Kansas" and "Potato Production Using Subsurface Drip Irrigation - Water and Nitrogen Management, Idaho", Proceeding of the Fifth International Microirrigation Congress, 1995, Published by the American Society of Agriculture Engineers

cc:

Gary Fornshell
Dr. Neil Meyer
Dr. Howard Neibling

MIDDLE SNAKE REGIONAL WATER RESOURCE COMMISSION

Roxi Reed, Executive Director
208-934-5983
1703 South 2200 East
Gooding, Idaho 83330



June 19, 1995

Chairman

Bob Muffley

Vice Chairman

Fred Brossy

Committee

Vickie Traxler
Dan Suhr Idaho Division of Environmental Quality
Rick Thompson 601 Pole Line Road, Suite #2
Veronica Lierman Twin Falls, Idaho 83301-3035
Mack Neibaur

Dear Vicki:

I have read the letters of comment you received from the E.P.A., U.S.F.W. and several environmental organizations concerning the proposed nutrient management plan. My comments concerning those letters are listed below:

1. Satisfy requirements of TMDL:

I agree that the Middle Snake Nutrient Management Plan must meet the requirements of TMDL, therefore waste load allocations must be included within the plan for point source discharge. This is especially important to head off legal action by environmental groups.

2. Flow augmentation:

It is apparent that the commentators have little understanding of State and State Constitutional Law with regard to water. More than 10 years ago Idaho embarked on the adjudication of all water rights claimed in the Snake River Basin. The purpose of adjudication is to determine if Idaho's water has been properly allocated. Adjudication includes claims by the Federal Government and the various Indian Tribes. Simply put, the Adjudication Court will decide if there is additional water for flow augmentation. Federal Agencies and environmental groups need to understand that with water it's first in time is first in right and it would take no less than an amendment to the Idaho Constitution to change this doctrine. Our Counties, and I believe the majority of the people in Idaho would oppose such an amendment.

3. Mandatory BMP's:

It is my understanding that with sufficient cause the Department of Agriculture can establish an area specific mandatory BMP program. The problem with mandatory BMP's,

however, is enforcement. I don't think our legislators or the governor would be willing to increase the state budget by enough money to adequately enforce the BMP's. I also foresee that enforcement of mandatory BMP's would be counter productive in cleaning up the Middle Snake. The farmers and farm groups that I've spoken to are more than willing to help in the cleanup efforts. They need to be properly educated as to the necessary actions on the part of individual farmers and be provided with technical assistance. Canal Companies have already proven their concerns of the Middle Snake and are laying out substantial funds to improve their return flows to the river. We must remember that Canal Companies are run by farmers. The E.P.A. and the various environmental groups, with the exception of the Hagerman Valley Citizens' Alert, must keep in mind that from the very beginning the efforts to clean up the Middle Snake has been a local effort spear headed by our regional County Commissioners. It was the local people who got the attention of the Commissioners on the problems with the Middle Snake and it was the Commissioners who had to pound on tables to get the attention of and assistance from the D.E.Q. and the E.P.A. The major environmental groups are Johnny-Come-Lately's to the entire process. I remember talking to an environmental group staff person in 1989 who informed me that the Middle Snake was beyond help because the State would never consider it anything but a working river. The County Commissioners proved them wrong and now they want to jump in at the eleventh hour and act like saviors by threatening court action.

We have gotten to where we are, through a local effort, by people from all walks of life who care about the Middle Snake and the impact their various endeavors have had on it. No one is forcing them to do it. They do it because they live here and they care. That should be worth something.

The last thing the Middle Snake needs is a grand stand play by environmental organizations to force Federal actions. This kind of a move would be totally counter productive and could very well delay the clean up process by years. As chairman of this Commission and of the old Middle Snake River Study Group I believe I have a pretty good feel for how hard you can push people in the Middle Snake area before they throw up their hands and say "go to Hell". So far neither your agency nor this commission has crossed the line, and we need to keep it that way. If the E.P.A. is forced by a judge to use a hammer they will have then crossed the line causing irreparable harm to the clean up effort.

4. Recommendation:

I recommend that the D.E.Q. and E.P.A. work with the various industries to satisfy the minimum requirements of a

TMDL and then adopt the Nutrient Management Plan as written. We have got to stop talking about the problems and allow the local people to get to work on them. Future monitoring will furnish the information needed to refine the plan, but those are hurdles that can be crossed later.

You have probably noticed that I am speaking for myself and not the Commission. This letter will be furnished to my Commission members at our next meeting and I will let you know if they have further input.

Sincerely,

Bob Muffley, Chairman

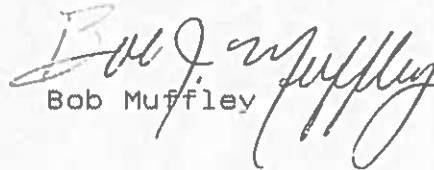
BJM/rr

June 15. 1995

TO: COMMISSION MEMBERS
FROM: BOB MUFFLEY. CHAIRMAN
SUBJECT: D.E.Q. LETTERS

These are letters received by the D.E.Q. concerning their nutrient management plan. Also is a letter I sent to the D.E.Q. in response to these comments. Please read the letters and be prepared to discuss them at our next meeting.

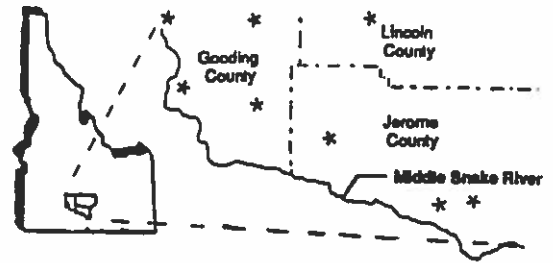
Sincerely,


Bob Muffley

BJM/rr

MIDDLE SNAKE REGIONAL WATER RESOURCE COMMISSION

Roxi Reed, Acting Executive Director
208-934-5983
1703 South 2200 East
Gooding, Idaho 83330
June 21, 1995



Chairman
Bob Muffley
Vice Chairman
Fred Brossy
Committee
Dan Suhr
Rick Thompson
Roy Prescott
Mack Neibaur

Bureau of Land Management
Idaho State Director Martha Hahn
3380 Americana Terrace
Boise, Idaho 83706

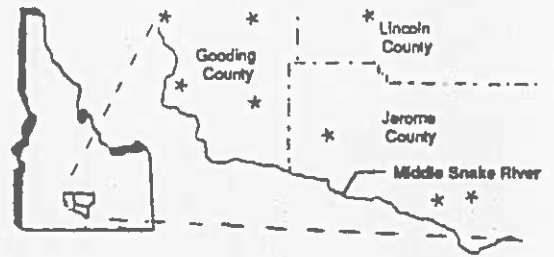
RE: Recommendation for nomination for Upper Snake River
Ecosystem Advisory Council.

This letter is to recommend Mr. Fred Brossy, of Lincoln County, as a local Government Representative to the Upper Snake River Ecosystem Advisory Council. We believe Fred to be eminently qualified to represent the concerns of local government for the following reasons.

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**MIDDLE SNAKE REGIONAL
WATER RESOURCE COMMISSION**

Roxi Reed, Executive Director
208-934-5983
1703 South 2200 East
Gooding, Idaho 83330



June 21, 1995

Chairman
Bob Muffley

Vice Chairman
Fred Brossy

Committee

Dan Suhr

Rick Thompson

Veronica Lierman

Mack Neibaur

Representative Helen Chenoweth

fax # 202-225-3029

*faxed
6-22-95*

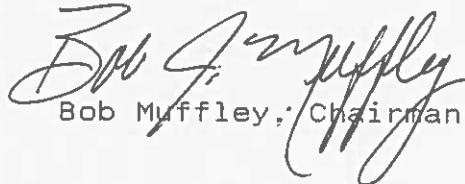
Re: Continued funding for the Idaho Water Resource Institute:

Dear Representative Chenoweth:

We understand that the President's budget would take funds from the Idaho Water Resource Research Institute and increase funding to the U.S.G.S.. This commission opposes such a move. The Middle Snake Regional Water Resource commission has worked with both the Institute and the U.S.G.S. and frankly the Institute is much more responsive to the needs of the counties within our region. We find that the U.S.G.S. has collected, and continues to collect, excellent data, but we practically have to drag the information from them. The Institute, on the other hand, puts information gathered from the U.S.G.S. and other sources together in a usable format, shares the information with local government and then works with local government in developing their land use and other long range plans.

The U.S.G.S. appears to be very good at what they do, but they do not now, nor will they ever be equipped to work closely with government at the local level. We therefore urge your continued support for funding the Institute.

Sincerely,


Bob Muffley, Chairman

BJM/rr

cc: Representative Mike Crapo



PO BOX 633
BOISE, ID 83701
(208) 343-7481
FAX (208) 343-9376
EMAIL iru@igc.apc.org

EXECUTIVE DIRECTOR
Wendy L. Wilson
Boise

BOARD OF DIRECTORS
Gail Ater
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Bill Davidson
Pocatello

Maria Eschen, Ph.D.
Boise

Amy Haak
Boise

Dr. M. Keene Huettl
Pocatello

Bruce Johnstone
Boise

Jerry Myers
Salmon

Dr. Stephen Pauley
Ketchum

Dr. Charles Pezeshki
Troy

Gerald Sehtka
Idaho Falls

Tom Stuart

Whale Szczepanowski

Curtis Webb
Twin Falls

June 19, 1995

Bob Muffley
P. O. Box 85
Wendell, Idaho 83355

Dear Bob:

Thank you so much for your interest in and work on relicensing. Relicensing is entering a new stage with the release of the draft applications for Upper and Lower Salmon Falls and Bliss. It is now time "to fish or cut bait." It is time to begin writing and presenting our "citizen plans" for the Snake River. Based on the experience of other successful relicensing efforts by citizens, we need to form an identifiable coalition of groups dedicated to working on Snake River restoration, using relicensing as a key restoration tool.

I am drafting an educational brochure which will inform people about the potential for river restoration using relicensing as a catalyst. I want to list the founding coalition members in the brochure. That way the brochure can be used for public education as well as recruitment to the coalition effort.

My goal is to have at least 10 groups as members of the coalition. This show of "organized" support for river restoration will give us more clout when it comes to asking for and bargaining for mitigation actions from Idaho Power Company and FERC. Please contact the group you have represented to date to discuss being a founding member of the coalition. I am enclosing a coalition membership form. Here is my proposal for how to coalesce.

1. The founding members develop a statement including their vision for the Snake River and mission for the coalition. Here is a first attempt.

(Fill in the name) Coalition members believe the health of the Snake River must be restored in order to sustain the river's numerous benefits to communities, fisheries, water quality and the environment. One tool for Snake River restoration is the 50-year hydropower dam license renewal process of Idaho Power Company's hydropower projects. The Coalition is dedicated to securing license renewal conditions which will contribute to restoring the many public values of the Snake River. The Coalition will help build a

process through which the public can play an important role in Snake River management for the next 50 years.

2. The founding members agree on a limited set of objectives for the coalition. If we can agree on three or four, I think that is sufficient. For example:

a. To increase public awareness and knowledge of Snake River restoration opportunities through public education.

b. To develop a unified citizens' platform on protection, mitigation and enhancement alternatives for Idaho Power Company's hydro project relicensing applications.

c. To maintain high standards of responsibility for all users of the Snake River, including agriculture, hydropower, industry and recreation.

d. To be potential interveners with FERC when necessary.

There will be no monetary commitment asked of coalition members at this time. Member groups need to support the vision statement, to commit time and energy to accomplishing the objectives and to be willing to work together to develop the citizen alternatives. IRU will provide staff to coordinate the coalition, to develop written materials and to work with American Rivers to gain standing before FERC when it is timely.

Does anyone have a snappy name to suggest for the coalition? Snake River Relicensing Coalition or Snake River Restoration Coalition come to mind but neither is snappy. Or, how about CLEAR Snake (Citizen Leadership for Energy and Restoration on the Snake).

Please contact your organization about being a founding coalition member and return the enclosed membership form to me. I would like to have the educational brochure, including founding coalition member names, printed in early July. Also, please think of other groups to approach.

Let's have a get together June 29 to talk about the coalition and do a preliminary review of the draft applications for Upper and Lower Salmon Falls and Bliss. Please come to Rock Creek Park, off Hwy. 30, for a potluck and barbecue, Thursday, June 29, starting at 6 p.m. Bring a dish to pass, something to grill and eating utensils. IRU will provide drinks, charcoal and a garbage bag for clean up. We will reserve one of the group picnic areas.

Sincerely,



Mary G. McGown
Conservation Director

Snake River Restoration Coalition
Member Commitment

Name and address of organization:

Is board action required for membership in the coalition?

If so, when was the board action taken?

Who can sign or make public statements for your group?

Name of designated coalition representative:

Mailing address:

Phone numbers:

Fax number:

e-mail address:

Suggestions for coalition name:

Comments on draft vision statement:

Comments on draft objectives:

Signature:

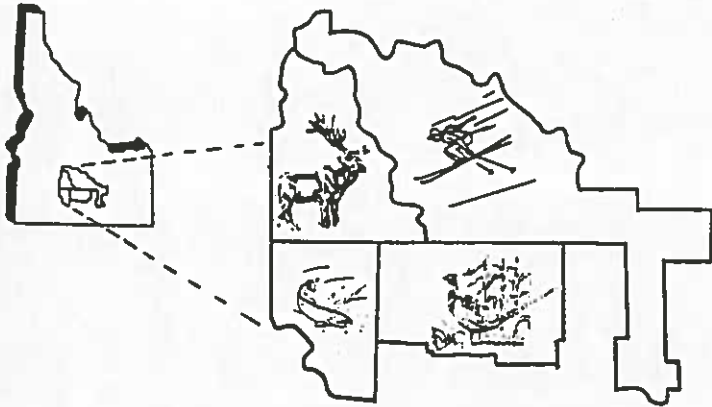
Date:

Please return to:
Mary McGown
Idaho Rivers United
P.O. Box 633
Boise, ID 83701

(208) 343-7481

WOOD RIVER
RESOURCE CONSERVATION and DEVELOPMENT AREA

BLAINE-CAMAS-GOODING-LINCOLN Counties, Idaho



~~107-2nd Street, Blaine~~
~~Gooding, Idaho 83309~~
(208) 934-4149
215 UNIVERSITY AVENUE
GOODING, ID 83330-6155

June 7, 1995

COPY

Robert E. Lupton
DEQ Regional Administrator
601 Pole Line Road, Suite 2
Twin Falls, Idaho 83301-3035

Dear Mr. Lupton:

Members of the Mayors, Administrators and City Council (MACC) organization, a group of local elected city officials in the four county area of Gooding, Camas, Lincoln, and Blaine, are very concerned about the pollution of the underground water supply from various land use activities.

It has been brought to our attention that a dairy will be built on land which could very likely cause contamination and/or pollution to the ground water supply of the City of Hagerman. We are very concerned for the safety of Hagerman's citizens if this dairy is allowed to locate in an area which will infringe upon their health and rights to good water quality. Hagerman is very justified in their concern for their water supply!

We realize there are "gaps" in the legal process and a lack of supporting information which will allow informed conscientious decisions to be made concerning water issues. The Middle Snake Regional Water Resource Commission is gathering and assembling data from various agency to analyze the potential threat of land use activities, including confined animal feeding operations (CAFO) to our underground water resource. Additional studies may have to be conducted to better identify and provide hard facts regarding this threat to our water quality.

We feel everyone should be extremely careful before allowing any CAFOs to locate in sensitive areas until we can assure communities/citizens that the sites of a CAFO will not cause pollution to their drinking water supply.

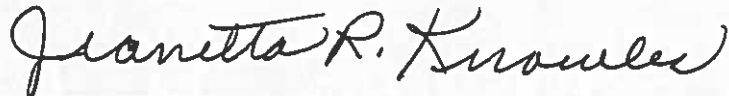
(more)

Robert E. Lupton

-2-

One of the purposes of the MACC Group is to work together to help communities help themselves, therefore, we implore your humanitarian discernment to help protect Hagerman citizens' water supply by preventing the dairy from locating on this precarious site.

Sincerely,



JEANETTA KNOWLES
Co-Chairman, MACC

cc: Gooding County Commissioners
Walt Corey, DEQ, Boise
/Bob Muffley, Middle Snake River Water Resource Commission
Karl Dreher, Department of Water Resources
Representative Tim Ridinger
Representative Wendy Jaquet
Lewis Eilers, Idaho Dairy Commission



United States Department of the Interior

BUREAU OF RECLAMATION
Reclamation Service Center
P.O. Box 25007
Building 67, Denver Federal Center
Denver, Colorado 80225-0007

IN REPLY REFER TO:

D-8280
ENV-8.00

JUN 02 1995

Dear Interested Party:

The Bureau of Reclamation (Reclamation) has received many requests for an extension of the public comment period for the Proposed Acreage Limitation and Water Conservation Rules and Regulations and Draft Environmental Impact Statement (EIS).

The Commissioner of Reclamation has extended the comment period on both the proposed rules and the draft EIS. All comments must be postmarked by June 26, 1995. We will also hold the toll-free telephone number open for comments through June 26, 1995.

Comments should be addressed to the Westwide Settlement Manager (D-5010), Bureau of Reclamation, Denver Office, PO Box 25007, Denver, Colorado 80225-0007.

Comments up to 10 minutes in length may also be telephoned to the toll-free number 1-800-861-5443. Comments received in this manner must include the commentor's name in order to be included in the official record. Address and affiliation are optional.

I would like to thank those of you who have already submitted comments and those who have taken extra effort to meet the original June 2 deadline.

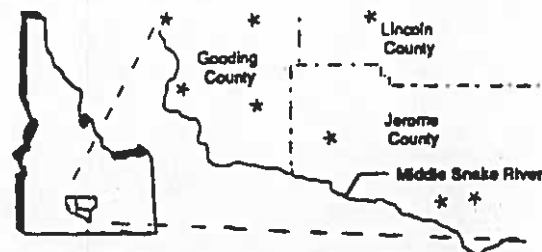
If you have any questions, you may contact me at (303) 236-9336 extension 237. Please direct requests for additional documents to (303) 236-1061 extension 237.

Sincerely,

Rusty Schuster
Westwide Settlement Manager
Program Analysis Office

MIDDLE SNAKE REGIONAL WATER RESOURCE COMMISSION

Roxi Reed, Executive Director
208-934-5983
1703 South 2200 East
Gooding, Idaho 83330



May 19, 1995

Chairman
Bob Muffley

Vice Chairman
Fred Brossy

Committee

| | |
|------------------|---------------------------------------|
| Dan Suhr | Mr. Ronald J. Schuster |
| Rick Thompson | (D-5010), Westwide Settlement Manager |
| Veronica Lierman | Bureau of Reclamation |
| Mack Neibaur | P.O. Box 25007 |
| | Denver, CO 80225 |

RE: Draft EIS. Proposed acreage limitations and water conservation rules and regulation and/or favored alternative draft guidelines and criteria for evaluating water conservation plans. (this is very confusing)

Gentlemen:

This letter contains the comments of the Middle Snake Regional Water Resource Commission representing the county commissioners of Jerome, Gooding and Lincoln Counties in south central Idaho, regarding the Revised Draft Guideline and Criteria for Evaluation Water Conservation Plans.

1. CONFUSION: First you asked for comments on proposed guidelines and criteria for evaluating water conservation plans and then you asked for comments on draft rules and regulations which include the proposed guidelines and criteria as the preferred alternative under the draft rules and regs. This indicates to us that the comment period for the guidelines and criteria was basically an exercise in futility on the part of the commentators. It makes us wonder if our comments to the rules and regs which include the proposed guidelines is also a farce. We, therefore, must question if the procedure used by the Bureau for public comment would stand the test of court if the recommended rules, regs, guidelines and criteria are adopted.

2. NEPA COMPLIANCE: It is our opinion that the requirement under the revised draft guidelines, for water districts to fully fund the studies, analyses and documentation necessary to comply with the National Environmental Policy Act (NEPA) exceeds the authority granted to agencies of the federal government by that legislation. It appears obvious to us that NEPA requires agencies and not private citizens to

May 19, 1995

prepare environmental compliance statements and the cost of preparing such statements are to be born by the lead federal agency. As we see it, the only time a private person or entity would be required to pay the cost of NEPA compliance is when they are seeking permission from the federal government to do something which could impact the environment. That is clearly not the situation with existing water districts. Our districts were established years ago and are not seeking to expand their operation.

3. ESA COMPLIANCE: Your proposed guidelines also require water districts to comply with portions of the Endangered Species Act (ESA). The same arguments used on the NEPA requirements apply to the ESA. Water districts are not licensed or permitted nor are they requesting initiation of any consultation or seeking permission to conduct a biological assessment so they can't be forced to conduct studies or prepare a biological assessment to describe possible impacts to listed or candidate species.

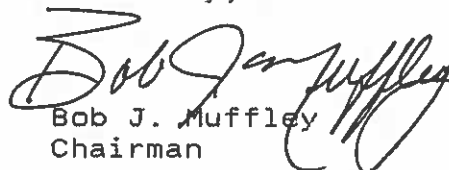
4. WATER CONSERVATION PLANS. MANDATORY MEASURES: The preferred guidelines and criteria include several mandatory measures. Some of these measures, specifically water measurement and water pricing, fall under control, appropriation, use and distribution of water which is under state, not federal, jurisdiction. If these criteria are adopted by the Bureau, it will have clearly crossed the line.

5. PREVIOUS TESTIMONY: This commission testified at a scoping meeting held by the Bureau over a year ago in Boise. That testimony included comments on the unique issues facing all water users in the upper Snake River Basin. We spoke to you about the need for flexibility because of our serious water quantity concerns. This draft fails the flexibility test miserably.

6. COST: Your draft indicates throughout the document the economic cost of the plan is minimal. This commission disagrees whole heartily with this conclusion. We have made a conservative estimate that if these rules, regs, guidelines and criteria are adopted that the canal companies serving our counties will be required to spend nearly 3.5 million dollars. More than one-half of this amount will be funneled to outside consultants which means that the money will leave our local economy. The economic model developed for our region by the University of Idaho suggests that because of this our region will lose 45 jobs and around 4 million dollars in sales. Our region is small, consisting of only 35,000 people. To these people the cost is not minimal.

Thank you for the opportunity to comment on behalf of the counties within our region and we ask that you consider our concerns before finalizing the proposed rules and regulations.

Sincerely,


Bob J. Muffley
Chairman

Stukenholtz Laboratory, Inc.

ADDISON AVENUE EAST • BOX 353 • TWIN FALLS, IDAHO 83303-0353
PHONE (208) 734-3050 • 800-759-3050 • FAX (208) 734-3919

May 10, 1995

Roxi Reed
1703 South 2200 East
Gooding Id 83330

Dear Rox:

I attended your meeting on April 19th and agreed to send you some names for the three commodity groups representatives. They are as follows:

Bill Loughmiller
Idaho Potato Commission
3170 U.S. Hiway #93
Twin Falls, Idaho 83301

Myron Huettig
Idaho Sugar Beet Growers
1369 South 2000 East
Hazelton Idaho 83335

Don Suchan
Idaho Grain Growers Assn.
Rt 2 Box 2466
Paul Idaho 83347

The Idaho Soil Improvement Committee has named Albert Hornbacher to replace me on your committee. His address is as follows:

Albert Hornbacher
Trembly Consulting
394 S 335 E
Jerome ID 83338

Direct all correspondence to him in the future. I enjoyed meeting with you on April 19th. There's a Great deal of work to do.

Sincerely,


Dale D. Stukenholtz, Ph.D., CPAg
Consulting Agronomist

cc: Albert Hornbacher

SERVING THE PEOPLE OF _____

DUANE SMITH _____

CLERK OF THE DISTRICT COURT
EX-OFFICIO AUDITOR AND RECORDER
436-8511

MINIDOKA COUNTY

RUPERT, IDAHO

83350

May 9, 1995

Bob Muffley, Chairman
Middle Snake Regional Water Resource Commission
1703 South 2200 East
Gooding, Idaho 83330

Dear Bob:

The Board of Minidoka County Commissioners first deliberated on your letter of February 2, 1995 during their meeting on February 27, 1995. No decision was made at that time and the subject had been overlooked until their meeting yesterday.

The Board shares your concerns and they are interested in helping with the solutions you are working on. However, they are hesitant to commit themselves (financially speaking) until we get into the budget process.

Hopefully, by August we will have a better picture of the County's financial condition and will be able to commit ourselves at that time.

Sincerely,


DUANE SMITH

DDS:lmj



Idaho National Engineering Laboratory

May 8, 1995

Bob Muffley, Chairman
MSRWRC
1703S 2200E
Gooding, ID 83330

SUBJECT: TWIN FALLS REGIONAL OFFICE CLOSURE

Dear Mr. Muffley:

As you may already be aware, in order to operate the INEL more like a business, Lockheed/Martin Idaho has decided to close the Twin Falls regional office in order to cut costs. The office closure will be complete on May 12, 1995.

While this will eliminate the full-time presence we have enjoyed in this region for nearly six years, I want to assure you that this does not mean that INEL programs and services will no-longer be available to you. We have already established a regional communication plan to accommodate requests from the Magic Valley region and to continue to provide necessary services to this important area.

As part of our regional plan, we have established a 1-800 phone number to provide a one-stop-shop in accessing INEL programs such as tours, speakers bureau, procurement, technical assistance, and special requests. The toll-free number is 1-800-708-2680. Written requests may be directed to:

LINDA BAIRD
PUBLIC AFFAIRS
LOCKHEED IDAHO
PO BOX 1625
IDAHO FALLS ID 83415-3695

Additionally, we will continue to explore opportunities for Lockheed/Martin Idaho to participate in regional issues such as community and economic development, education, technology transfer and business development, and environmental concerns as well as other issues that may arise.

It has been the pleasure of the Twin Falls staff, Susan Harris and myself, to serve you in the past and we look forward to assisting Lockheed/Martin in continuing to meet your needs in the future.

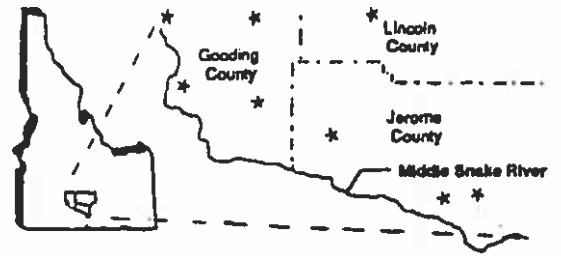
Sincerely,

A handwritten signature in cursive script that reads "Susan M. Harris for".

Linda Baird
Office Administrator

**MIDDLE SNAKE REGIONAL
WATER RESOURCE COMMISSION**

Roxi Reed, Executive Director
208-934-5983
1703 South 2200 East
Gooding, Idaho 83330



Chairman
Bob Muffley

Vice Chairman
Fred Brossy

Committee
Dan Suhr
Rick Thompson
Veronica Lierman
Mack Neibaur

April 5, 1995

Dear Resource Member:

The mid snake ground water protection task force has identified your agency or organization as a necessary party to assist them in the development of a plan to protect the regional ground water resource.

The resource members will be the technical arm of the ground water protection task force. They will provide to and interpret for the task force the necessary technical information, so that an effective ground water quality plan can be developed.

In order for the resource members to assist the task force in the best manner possible, we would like to have the designee from your organization attend the meetings on a regular basis. If you won't be able to attend regularly or feel someone else in your organization would be able to assist the task force better feel free to make the change. If you feel it would be helpful to have more than one person from your agency attend, this is also encouraged.

The next meeting will be 10:00 a.m. the 19th day of April, 1995 in the basement of the Jerome County Courthouse. Agenda items will be:

1. Clearing house capabilities
2. Existing data sources
3. Time line

See you the 19th!

Sincerely,

Lew Pence
Agency Liaison

LP/rr

Formed by a joint powers agreement between Gooding, Jerome, and Lincoln Counties, Idaho



United States Department of the Interior

BUREAU OF LAND MANAGEMENT
SHOSHONE DISTRICT OFFICE
400 WEST "F" STREET
P.O. BOX 28
SHOSHONE, IDAHO 83352



IN REPLY REFER TO:

8300

April 18, 1995

Middle Snake River Study Group
300 North Lincoln
P.O. Box 407
Jerome, ID 83338

Dear Members:

Recently we have been busy analyzing public comments on the draft Bennett Hills Resource Management Plan (RMP). In response to specific comments regarding Wild and Scenic river eligibility findings, we have reevaluated the eligibility status of the segment from Shoshone Falls to the backwaters of Upper Salmon Falls Reservoir. This segment was found to be ineligible in the initial eligibility report. Upon reevaluation, we have found that this segment does contain values warranting a finding of eligible, with tentative classification as Recreational. This finding is consistent with the 1993 State Water Plan for the middle Snake River, which included this stretch in the State Protected Rivers System as a Recreation river.

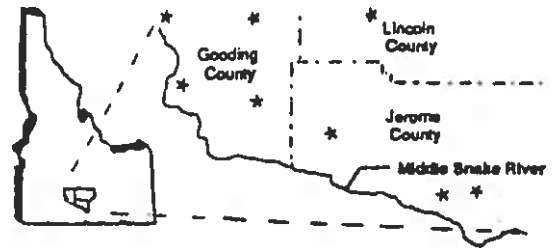
We will include this segment with the other eligible Snake River segments to be studied for Wild and Scenic River suitability after the RMP Record of Decision is signed. If you have any questions, please contact our office at (208) 886-2206. Primary contacts are Recreation Planner Paula Perletti or Planning Coordinator Buck West.

Sincerely,

Robert D. Cordell
Area Manager
Bennett Hills Resource Area

**MIDDLE SNAKE REGIONAL
WATER RESOURCE COMMISSION**

Roxi Reed, Executive Director
208-934-5983
1703 South 2200 East
Gooding, Idaho 83330



Chairman
Bob Muffley

Vice Chairman
Fred Brossy

Committee
Dan Suhr
Rick Thompson
Veronica Lierman
Mack Neibaur

April 5, 1995

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1. Clearing house capabilities
2. Existing data sources
3. Time line

See you the 19th!

Sincerely,

Lew Pence
Agency Liaison

LP/rr

Formed by a joint powers agreement between Gooding, Jerome, and Lincoln Counties, Idaho

Mailing list for RAG members as of April 5, 1995

Parish. Dave
Idaho Fish & Game
P.O. Box 428
Jerome. Idaho 83338

Parker. Rick Dr.
Division Director
CSI P.O. Box 1238
Twin Falls. Idaho 83301

Pence. Lew
Wood River Resource. R.C. & D
215 UNIVERSITY DR.
Gooding, Idaho 83330

Short. Harold
Bureau of Reclamation
1359 Hansen Ave.
Burley, Idaho 83318-2929

Spackman. Ross
College of Southern Idaho
P.O. Box 1238
Twin Falls, Idaho 83301

Stukenholtz. Dale
Stukenholtz Laboratory
P.O. Box 353
Twin Falls, Idaho 83301

*send
separate*

Westermann, Dale T.
USDA-ARS
3793 North 3600 East
Kimberly, Idaho 83341

Yanke. Rich
NRCS-USDA
212 Deere Street
Twin Falls, Idaho 83301-8518

United States Senate

WASHINGTON, DC 20510-1204

April 13, 1995

Mr. Bob Muffley
Chairman
MSRWRC
1703 South 2200 East
Gooding, ID 83330

Dear Bob:

Thank you for contacting me to express your opposition to any proposal that cuts funding for the Water Resources Research Institute (WRRI) Program in the United States Geological Survey's budget. Thank you also for your kind words regarding my inquiries into the Auger Falls Hydroelectric Project.

I appreciate you pointing out to me how the WRRI assists Idahoans in various water related projects. While the President's budget would reduce funding for the WRRI, as you noted, alternative federal spending outlines are being considered. The Senate Budget Committee is currently developing an alternative budget for Fiscal Year 1996. While I am not a member of the Budget Committee, I will keep your thoughts in mind when the FY '96 budget is reported to the full Senate.

Again, thank you for sharing your thoughts on this important issue.

Sincerely,



DIRK KEMPTHORNE
United States Senator

DK\jlg



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

~~CECIL D. ANDRUS~~
Governor PHIL BATT

R. KEITH HIGGINSON
Director

April 11, 1995

Jerome JACPC
Attn: Sheri Freemuth
300 N Lincoln
Room 201
Jerome, ID 83338

Dear Ms Freemuth:

In response to your March 28, 1995, letter requesting information regarding water uses in Jerome County I have sorted through the Snake River Basin Adjudication database with the following results:

There are approximately 1888 records which list Jerome County as the place of use. Of these 1459* are limited to strictly to small domestic & stockwater uses. The other 429 records would be for municipal (2), commercial (35), and irrigation (392). Looking at the 429 records another way it is found that 345 are from groundwater and 84 are from surface water.

*Please note this category is not required to be filed on and many unclaimed uses may exist.

If you want more specific information these records are found in the Director's report for Basin 36. If you have other questions feel free to contact our office.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Allen D. Merritt'.

Allen D. Merritt
Southern Region Manager