

Jordan, Blake

From: Jordan, Blake
Sent: Wednesday, June 19, 2019 8:32 AM
To: 'Teel, Deena'
Subject: RE: Notice of Pending Curtailment Order

Hi Deena,

Thanks for the Letter giving a detailed explanation how water is used under water rights 35-14430 and 35-9059. In review of your letter and based on your proposal the curtailment of stockwater uses described under water rights 35-14430 and 35-9059 is unnecessary. No curtailment of stockwater uses under water rights 35-14430 and 35-9059 is required.

I will add your letter to 35-14430 and 35-9059 water right backfile.

Thanks

Blake

From: Teel, Deena [mailto:dteel@blm.gov]
Sent: Tuesday, June 18, 2019 2:28 PM
To: Jordan, Blake <Blake.Jordan@idwr.idaho.gov>
Cc: Jason Wright <jswright@blm.gov>; Todd Kuck <tkuck@blm.gov>; Jeremy Casterson <jcasterson@blm.gov>; Mary D'Aversa <mdaversa@blm.gov>; Jared Dalebout <jdalebou@blm.gov>; Scott Minnie <sminnie@blm.gov>; Price, Fredric <fwprice@blm.gov>
Subject: Notice of Pending Curtailment Order

Blake,

As per our conversation this morning, I have attached a letter requesting relief from the pending curtailment of two BLM water rights. Feel free to give me a call if you have any questions.

Thanks,
Deena

Deena Teel
Assistant Field Manager
BLM - Upper Snake Field Office
1405 Hollipark Drive
Idaho Falls, ID 83401
208.524.7533 office
208.524.7505 fax
dteel@blm.gov



United States Department of the Interior
BUREAU OF LAND MANAGEMENT
Upper Snake Field Office
1405 Hollipark Dr.
Idaho Falls, Idaho 83401



In Reply Refer To:
7250

June 18, 2019

Idaho Department of Water Resources
Attn: Blake Jordan
Eastern Regional Office
900 N. Skyline Dr., Ste A
Idaho Falls, ID 83402-1718

Re: The June 7, 2019 Notice of Pending Curtailment of Non-Enlargement Groundwater Rights with Priority Dates Junior to April 12, 1994.

BLM Water Rights 35-14430 and 35-9059

Dear Mr. Jordan,

The Bureau of Land Management (BLM) Upper Snake Field Office is in receipt of the 6/7/2019 notice of pending curtailment of two of its groundwater rights (35-14430 and 35-9059). As per our telephone conversation this morning, the BLM offers the following details related to current management in the grazing allotments associated with these two water rights.

35-14430: This water right permit includes a stockwater purpose of use for 400 range cattle or 2,000 sheep from 1/1 to 12/31, resulting in a 0.09 CFS diversion rate. It also allows use of 0.02 CFS for industrial purposes and 0.01 CFS for incidental wildlife use. The actual livestock use occurring this year is 500 cattle from 5/6 to 7/1. Assuming 12 gallons per head per day for cattle (per IDWR water use information), the daily consumption rate is 6,000 gallons per day for 57 days. This equates to 1.05 acre feet per year (0.0014 cfs). The industrial use entails applying water to roads during periodic road maintenance. No road maintenance is planned this year in the area associated with this water right permit, so the BLM will be curtailing its industrial use. The Idaho Department of Water Resources drilled this well for the BLM in 2018 and will be using it as a monitoring well. As per your advice, the BLM will explore three possible options to avoid curtailment in the future: 1) splitting the water right to separate the stockwater and industrial purposes of use resulting in only the industrial right being subject to curtailment, 2) joining a groundwater district that has an approved groundwater mitigation plan, or 3) leaving the water right as currently permitted and, in the event of a future curtailment order, ceasing the industrial use while allowing de minimis stockwater use to continue.

35-9059: This water right license includes a stockwater purpose of use for 344 range cattle from 05/01 to 12/31, resulting in a 0.08 CFS diversion rate. It also allows 0.01 CFS for incidental wildlife use. The actual livestock use occurring this year is 344 cattle from 5/1 to 6/15 and 304 cattle from 11/16 to 12/30, for a combined total of 91 days. Assuming 12 gallons per head per day, the daily consumption

rate is 4,128 gallons per day from 5/1 to 6/15 and 3,648 gallons per day from 11/16 to 12/30. This equates to 1.09 acre feet per year (0.0015 CFS).

As the current groundwater use of 35-14430 and 35-9059 is not in excess of 13,000 gallons per day, it meets the definition of de minimis use and thus, should not be subject to the notice of pending curtailment. The BLM submits that the de minimis stockwater use associated with 35-9059 is sufficient justification for removing it from the list of groundwater rights subject to the curtailment order. In addition, the BLM submits that the curtailment of industrial use associated with 35-14430 is sufficient to allow continued de minimis stockwater use of this water right for the remainder of the grazing season ending on 7/1/2019. Please contact me at (208) 524-7533 or dteel@blm.gov with questions.

Respectfully,

Deena Teel
Acting Field Manager