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DEPARTMENT OF
WATER RESOURCES

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OFFICE OF THE CITY MANAGER

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May 22, 2007

Phil Rassier
Deputy Attorney General
Idaho Department of Water Resources
322 East Front Street
P.O. Box 83720
Boise, ID 83720-0098

Re: City of Twin Falls Municipal Water Rights

Dear Phil:

The City of Twin Falls is involved in a water supply study to determine future water needs for the expanding City and alternatives for future supplies and management. Blue Lakes wells, at the head of Blue Lakes Springs in Jerome County, supply some 60 percent of the supply for the City. Wells located south of the City supply the remainder of the demand. The City owns water rights 36-2643A and 36-2646 which are junior to or equal in priority to water rights for aquaculture on the spring system. At the current level of Blue Lakes Springs discharge from the Eastern Snake Plain aquifer, ESPA, the City cannot pump their full 52.5 cfs water right without encroaching on senior water rights. We have every reason to believe that the Blue Lakes Springs will continue to decline, especially with the current state of affairs relative to restoration of water levels and springs issuing from the ESPA.

In addition to the supply problems, the City's south wells do not meet EPA arsenic requirements and the City is currently under a consent order to meet the lower arsenic concentration requirements. These requirements can only be met through replacement of the high-arsenic sources or blending with lower-arsenic waters.

The City water planning project is evaluating various alternatives for supply augmentation including treatment of Snake River water, either directly from the Snake River or through the Twin Falls Canal Company system, development of additional low arsenic ground water south of the City, expansion of conservation efforts, implementation of pressurized irrigation systems using canal water on subdivisions, and short and long term storage of existing supplies.

Because the City water requirements from the Blue Lakes wells are not constant throughout the year, there are extended periods when the full supply allowed by the water rights is not required to meet the instantaneous demands. However, based on recent demand and supply projections, there will be times in the near future during the late spring and early summer when the demand cannot be met from all sources.

The City is contemplating the use of storage from the Blue Lakes supply during off-peak periods to help meet the short term, seasonal high demands. The existing pipeline and pumping system from the Blue Lakes wells would be utilized to transport water to a lined reservoir system south of the City. Pumping would occur at reduced rates, but within the City's water right discharge, during the winter and early spring for storage in the reservoir. Water would be released from the reservoir as needed to alleviate shortages during peak use periods. It is estimated that the reservoir system volume would be on the order of 500 to 1,000 acre feet.

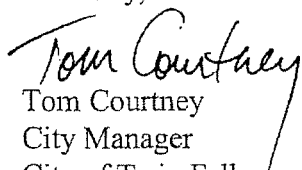
A potential operating scenario would be to pump an additional 5 cfs of water for a period of three (3) months or ninety (90) days during the late winter and early spring from the Blue Lakes system to the reservoir. The stored water would then be released after treatment into the distribution system during late June and early July.

Before the City continues planning on the storage alternative some assurance is needed that the proposed storage alternative is allowable under current water rights. I am therefore requesting a declaratory ruling under Rule 400 of the Administrative Procedures, or whatever procedure is available, as to whether the storage system and operation as contemplated is authorized under the City's current municipal water rights.

The City is under a strict compliance schedule as outlined in the consent order so an opinion is requested as soon as possible.

Thank you for your prompt attention to this matter. If you need additional information, please call me or if you need technical information, please call Chuck Brockway Sr. at (208) 736-8543.

Sincerely,


Tom Courtney
City Manager
City of Twin Falls