

August 2010

WATER: Ground water users will soon know if their 2010 mitigation efforts were adequate. In August Idaho Department of Water Resources (IDWR) will true-up surface and spring water irrigation requirements to determine if the 77,000 acre-feet that IGWA leased at a cost of \$1.2 million met, exceeded or fell short of the Director's Order. A frustration for ground water users is that, if allowed to lease water after Water District 01 completed its storage water allocation of storage water in July not May and due to a wet spring, the overall volume would have been less and the cost under \$500,000.

Concern is growing over the Director's mitigation requirements and his methodology. He appears to use selective, limited data of questionable validity that increase mitigation requirements, are based on average diversions, not crop needs, and assume material injury in the absence of a minimum supply. Such interpretations are at odds with the Conjunctive Management Rules, recent administrative hearings and the actions of two previous Directors. Continuing on this path could result in further litigation.

CAMP: In spite of CDR's departure, the ESPA CAMP continues. Rich Rigby is facilitating the Implementation Committee's efforts to identify a funding mechanism that can be supported by the participants, Idaho Water Resource Board and the legislature. The Rathdrum Prairie and Treasure Valley CAMP Advisory Committees are still in the planning stages.

Idaho Department of Environmental Quality concluded two negotiated rulemakings in July: Reclamation and Reuse of Municipal and Industrial Wastewater and Antidegradation Implementation Procedures. Both rules should be published in the Idaho Administrative Bulletin in September followed by a 28 day public comment period.

ENERGY: Idaho Power Company begins its 2011 Integrated Resource Planning process August 18th. Idaho Public Utilities Commission continues reviewing Rocky Mountain Power's rate increase application.