

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF THE TWIN FALLS) ORDER ESTABLISHING A
GROUND WATER MANAGEMENT AREA) FIVE YEAR MORATORIUM
_____)

WHEREAS, on January 11, 1984, the director of the Idaho Department of Water Resources (IDWR) designated an area in Twin Falls and Jerome Counties as a ground water management area pursuant to Section 42-233B, Idaho Code, because the thermal-artesian ground water system appeared to be approaching the conditions of a critical ground water area; and

WHEREAS, a portion of the area so designated in and around the city of Twin Falls has continued to experience significant interference between wells as evidenced by a continued decline in artesian pressures; and

WHEREAS, hydrogeologic data is not available to adequately evaluate the rate that thermal ground water is recharged to aquifers in the area; and

WHEREAS, the director of the IDWR finds that the agreement of the 22nd day of July, 1987, and this order are in the public interest; and

WHEREAS, Section 42-1805(7), Idaho Code, and Rule 7 of the IDWR Water Appropriation Rules and Regulations provide for a moratorium on the approval of applications in a designated geographic area and the cancellation or modification of permits to the extent that development has not been completed

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permits as needed to protect existing water rights and insure compliance with provisions of Chapter 2, Title 42, Idaho Code:

NOW, THEREFORE, pursuant to Section 42-1805(7), Idaho Code, and Rule 7 of the adopted rules and regulations for water appropriation, it is hereby ordered that:

(1) Applications proposing the diversion and use of thermal ground water (water from a well with a bottom hole temperature of 85°F or greater) will be held without action to approve unless the application is included in the agreement dated the 22nd day of July, 1987, entered into by IDWR and all those holding or seeking to hold water rights to divert and use the thermal ground water in the area herein designated. Approval of applications included in said agreement will be only in accordance with the provisions of the agreement.

(2) Development authorized under all existing permits to divert thermal water in the area as herein designated shall cease except as provided by the agreement dated the 22nd day of July, 1987, entered into by IDWR and all those holding or seeking to hold water rights to divert and use the thermal ground water resources.

(3) If development is allowed by IDWR outside the aquifer area as described in paragraph (5) hereof and as shown on the map attached hereto as Exhibit 1, and said development affects diversions or pressure of the wells within said aquifer, IDWR agrees to act in accordance with law to restrict said development so that neither the pressure or the diversions of the wells which are the subject of the comprehensive agreement of 09 1991

22nd day of July, 1987, shall be adversely affected.

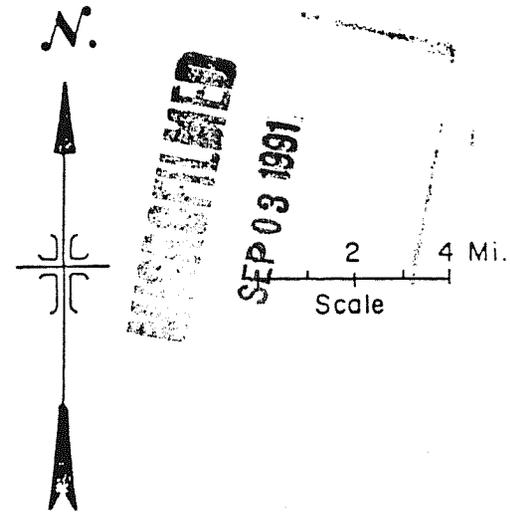
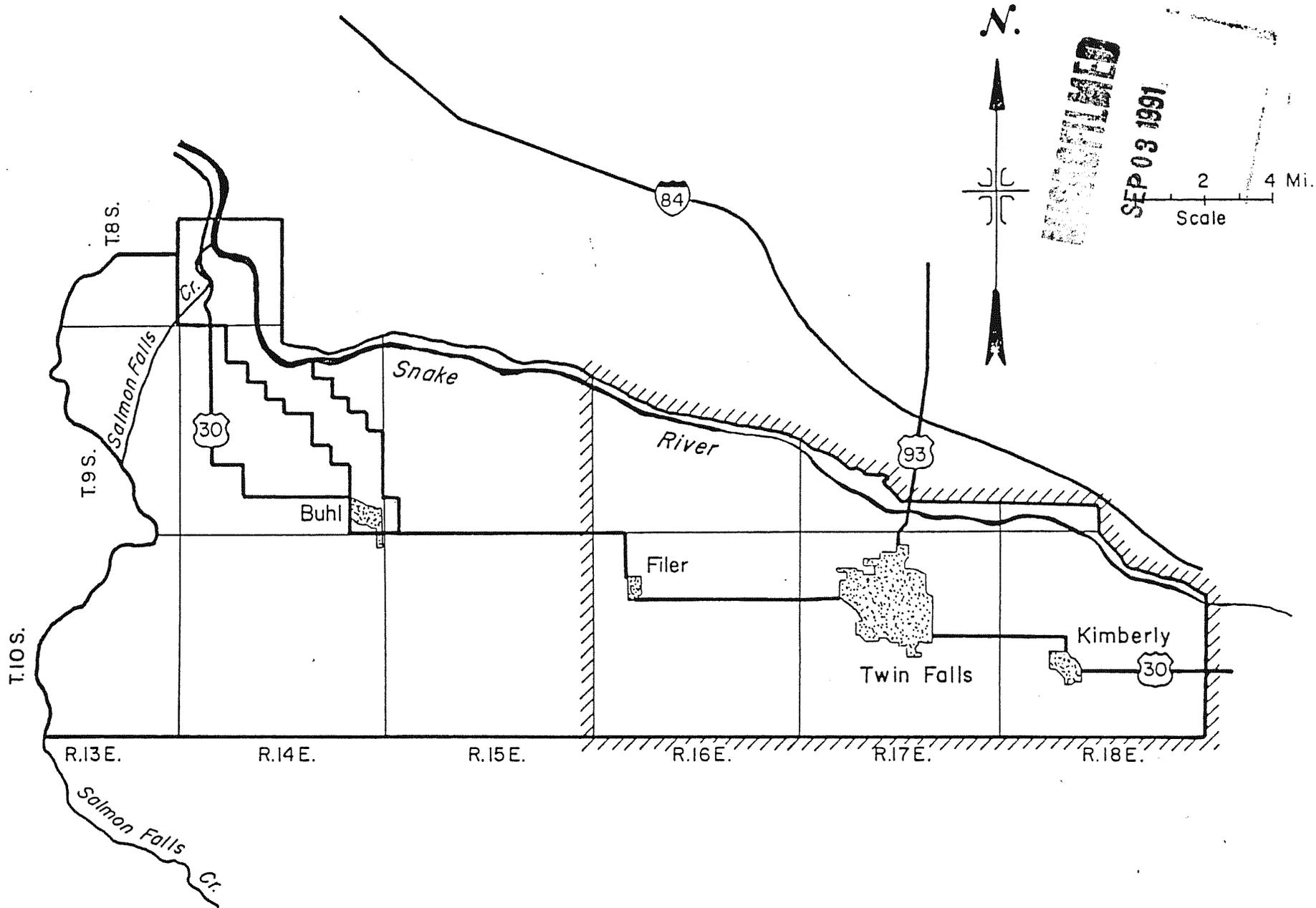
(4) The provisions of this order are effective for five years from the date issued unless rescinded or modified by order of a court of competent jurisdiction or unless extended by order of the director.

(5) The provisions of this order are effective only in the area designated within the Twin Falls ground water management area lying within Townships 9 & 10 South and Ranges 16, 17 and 18 East of Boise Meridian.

Signed at Boise, Idaho, this 27th day of July,
1987.

/s/ A. Kenneth Dunn
A. KENNETH DUNN, Director
Department of Water Resources

TWIN FALLS GROUNDWATER MANAGEMENT AREA



Moratorium Area - //////////////