



To: Bill Schenk, Adam Strainer

C: Kendra McKlosky, Pat Saffel, Amy Groen, Andy Brummond

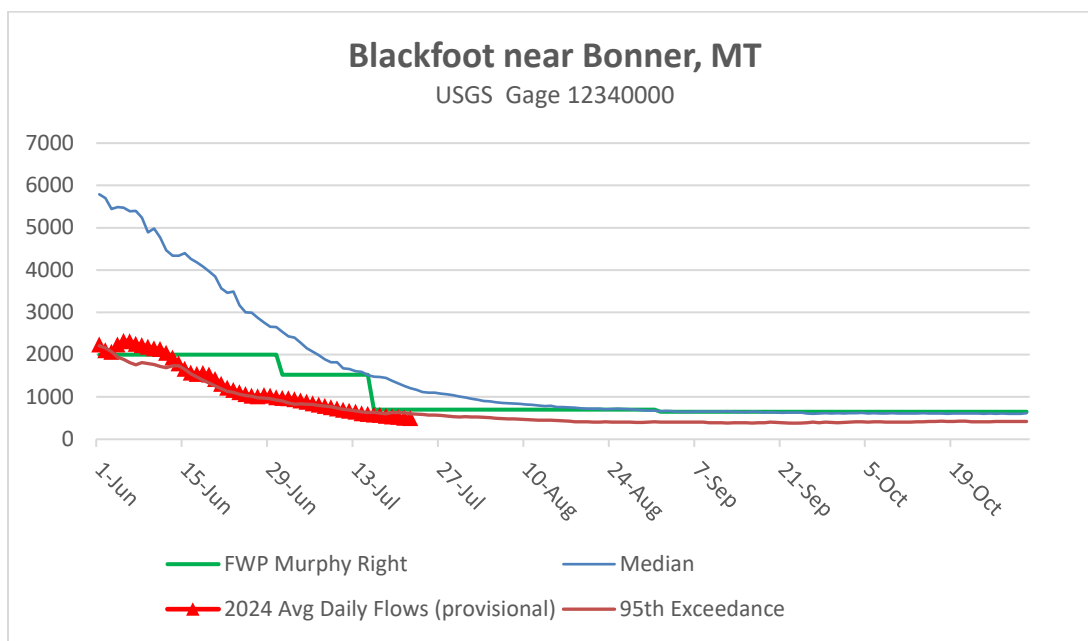
From: Stephen Begley, FWP Water Program  
Patrick Uthe, Blackfoot Area Fisheries Management Biologist

Date: July 25, 2024

Subject: Blackfoot River – Supplemental Call on Drought Plan Participants’ Junior Water Rights Without a 1-to-1 Water Trade.

Fisheries and Water Program staff have monitored flow and water temperature in the Blackfoot River and consulted on river conditions and potential merits of placing call on junior water uses. On July 12, flows fell below 700 cfs and the drought plan was activated. FWP sent out 70 call letters to owners of 60 water rights who were not enrolled in a drought plan and whose rights were junior to FWPs Murphy Right on the Blackfoot. Since that time, flows have continued a downward trend and today are at 476 cfs, which is below 500 cfs. Under the Blackfoot Drought Plan, once flows fall below 500 cfs, junior water users who are enrolled in the drought plan but are unable to provide a 1-to-1 water trade for senior to junior water rights are called<sup>1</sup>.

The hydrograph below shows current flow as compared to both the 95th percentile exceedance flow (level met or exceeded 9 out of 10 years) and median flows for the USGS gage near Bonner (124-year period of record).



<sup>1</sup> A 1-to-1 water trade occurs when a senior water user reduces the use of a senior right by an amount that is at minimum equal to the flow and volume of water utilized by their junior water right. Many Blackfoot Drought Plan Participants utilize this water trade strategy.

A review of Blackfoot Drought Plans indicates 52 drought plan participants with junior water rights. Of these, 20 participants do not have a 1-to-1 water trade in their plans and are recommended for call. Another 27 participants have completely mitigated their use through fully shutting down their diversions, nonuse or leasing of all junior water. Some participants have multiple water rights. Each water right was reviewed to determine if cessation of water use would likely result in additional flow reaching the Blackfoot River. The list was also reviewed to ensure drought plan participants who do have a 1-to-1 water trade in their drought plan are not called. The following table lists the water rights by purpose of use.

<b>Purpose</b>	<b>Call</b>	<b>No Call</b>	<b>Total Called Flow Rate</b>
Irrigation	22		53.8 cfs
Domestic Lawn and Garden	3	2	0.34 cfs
Mining	1		0.65 cfs
Stock	0	1	--
Other		1	
<b>Total</b>	<b>27</b>	<b>3</b>	<b>54.79 cfs</b>

At this time, we recommend making call on drought plan participants with junior water rights without a 1-to-1 exchange as contemplated by the Blackfoot Drought Plan and listed in the table above.