



United States Department of the Interior

BUREAU OF LAND MANAGEMENT

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Utah Division of Water Rights
Attn: Rush Valley Groundwater Policy
P.O. Box 146300
Salt Lake City, UT 84114-6300

DEC 04 2018

Dear Division of Water Rights:

The Bureau of Land Management (BLM) appreciates the detailed and transparent presentation at the November 8 meeting concerning the groundwater management policy for Rush Valley. In response to that presentation, the BLM provides the following comments:

1. The BLM is interested in the proposed policy changes because it owns a significant number of water rights in Rush Valley. These water rights provide critical supplies for grazing permittees and wildlife populations. Long-term changes in groundwater levels could endanger the usability of wells with limited casing depths and could also diminish the percentage of the year when flow in surface streams is available to livestock and wildlife. Springs managed by the BLM are especially sensitive to changes groundwater levels, because small reductions in head can cause spring flow to be reduced or cease. Overall, BLM's management objectives are best supported by stable groundwater levels over time.
2. The BLM agrees that the available groundwater supply in the southeastern portion of Rush Valley is extremely limited and that wells tend to produce very low flow rates. For that reason, the BLM supports the proposed change to limit further appropriations to 1.73 acre feet annually for domestic uses in the southeastern portion of Rush Valley.
3. The BLM agrees that the groundwater supply in the Vernon area is almost fully developed, and that groundwater levels appear to be stable. For that reason, the BLM supports the Division's proposal to not modify the current policy, which allows for new appropriations for domestic uses only up to 4.73 acre feet annually.
4. The BLM believes the further investigations are warranted before implementing the proposed policy changes in northern Rush Valley to allow for new appropriations of up to 20 acre feet annually for any purpose. The BLM recommends the following investigations:
 - Better document actual groundwater diversions through interviews with water rights owners. The actual number of irrigators is not large, and much more accurate estimates of pumping could be obtained with a fairly low investment of staff time.
 - Attempt to obtain more historical water level data from water rights owners. The conclusion that groundwater levels are presently stable appears to be based upon only three wells that have data since the late 1990s.

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- More carefully refine estimates of return flow to the aquifer from sprinkler irrigation practices. Studies suggest that your estimate of 30% return flow may be far too high. One study that might be relevant is:

Susong, D.D., 1995, Water budget and simulation of one-dimensional unsaturated flow for a flood- and sprinkler-irrigated field near Milford, Utah: U.S. Geological Survey Water-Resources Investigations Report 95-4072, 32 p., <https://doi.org/10.3133/wri954072>.

5. If, after further investigation, the Division concludes it would be in the public interest to proceed with a new policy for northern Rush Valley, the BLM recommends the following provisions:
 - Applicants for new water rights should be limited to applying for and holding one unperfected water right at a time. New applications should not be processed until any previously approved application has been developed and proof of beneficial use has been submitted.
 - The BLM supports the Division's proposal to prohibit moving water rights between sub-areas within Rush Valley.
 - The new policy should not be implemented until drought conditions subside in Rush Valley. If the new policy is implemented now, there is a distinct risk that water users will associate further declines in water levels with the new policy. If the new policy is delayed until more average conditions return, it will better allow the Division to identify any changes in groundwater levels associated with implementing the new policy.
6. For any future presentations on proposed changes to groundwater budgets in any basin statewide, the BLM believes clearer terminology could be used to avoid public confusion. In the Rush Valley presentation, recharged groundwater water that is not consumed by irrigation diversion was referred to as "surplus" water. This term leads the public to believe that this water is not be placed to any use at all, when in fact such water supports phraetophytic communities and spring discharge that is important to ecologic integrity of the valley. It would be clearer to label such water as "unallocated" water, with an explanation of how that water is presently discharged. Such an approach would allow the public to weigh the relative benefits of using unallocated water for phraetophyte and spring discharge versus allocating the water to additional human use.

Thank you for considering these comments. If you have any questions about these comments, please contact Roy Smith at 303-239-3940.

Sincerely,



Matt Preston
Field Manager