



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

August 31, 2018

Re: Curtailment Order In the Matter of Requiring Measuring Devices for Ground Water Diversions in Water Districts Nos. 31, 34, 100, 110, 120, 130 and 140

Dear Water User,

You are receiving this letter because your ground water diversion(s) is not being measured as required by previous orders issued by the Director ("Director") of the Idaho Department of Water Resources ("Department"). Enclosed is a *Curtailment Order In the Matter of Requiring Measuring Devices for Ground Water Diversions in Water Districts Nos. 31, 34, 100, 110, 120, 130 and 140* ("Curtailment Order") issued by the Director on August 31, 2018.

The Curtailment Order directs watermasters to curtail water rights at points of diversions listed in Attachment A of the Curtailment Order beginning September 6, 2018. One or more of your wells is included on this curtailment list. Watermasters will curtail diversions of ground water until an acceptable measuring device is installed or until an acceptable request for variance or extension is submitted to the Department, or watermaster, and is approved. Watermasters will contact users in their water district beginning September 6, either by phone or in person, to confirm when curtailment will take place.

Please contact the Department or your water district watermaster if you have questions.

Idaho Department of Water Resources
Tim Luke, Brian Ragan or Rob Whitney, 208-287-4800
Brian.ragan@idwr.idaho.gov

Water Districts 100, 110 and 120:
James Cefalo, Watermaster, or Blake Jordan, Assistant (208)-525-7161
James.cefalo@idwr.idaho.gov or blake.jordan@idwr.idaho.gov

Water District 130
Nathan Erickson, Watermaster, (208)-736-3033
Nathan.erickson@idwr.idaho.gov

Water District 140
Brian Higgs, Watermaster, or Jaxon Higgs, Assistant (208)-604-1281
brian@waterwellconstulants.com or jaxon@waterwellconsultants.com

Sincerely,

Gary Spackman
Director

Enclosure(s)

Cc: IDWR Eastern and Southern Regional Managers



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James Cefalo, Watermaster
Water Districts 100, 110 and 120
900 N. Skyline Dr. Suite A
Idaho Falls, ID 83402

Brian Higgs, Watermaster
Water District 140
355 W. 500 South
Burley, ID 83318

Nathan Erickson, Watermaster
Water District 130
650 Addison Ave West
Suite 500
Twin Falls, ID 83301

Re: Curtailment Order and Watermaster Guidance to Curtail Diversions that are not Compliant with ESPA Measurement Order

Dear Watermasters,

The Director of the Idaho Department of Water Resources ("Department") issued the attached *Curtailment Order In the Matter of Requiring Measuring Devices for Ground Water Diversions in Water Districts Nos. 31, 34, 100, 110, 120, 130 and 140* ("Curtailment Order") on August 31, 2018. **The Curtailment Order directs watermasters to curtail water rights at points of diversions listed in Attachment A of the Curtailment Order beginning September 6, 2018.** Curtailment at each diversion shall be enforced until an acceptable measuring device is installed or the owner of the diversion submits to the Department or watermaster a request for variance or extension and the Department approves such request.

Watermasters shall adopt the following guidance with respect to curtailments:

- Contact the owners or operators of each diversion or well listed in Attachment A of the Curtailment Order either by phone or in person to confirm when curtailment will take place.
- Watermasters shall shut off and lock or seal each well subject to curtailment, even if the well may be off for the rest of the irrigation season. If the well cannot be locked or sealed, identify the method in which water use may be monitored during the remaining season (i.e. use of dedicated power meter or other options). Locking or sealing may be accomplished using security seals, locks or cables on electrical switch controls or by closing and locking/sealing main pipe valves. A Curtailment Notice card ("Red Card") should be placed at each diversion in a noticeable location. Document any curtailment with photos that show method of closure.
- The watermaster or watermaster's assistants should coordinate shut-off and locking with the owner or operator present if possible. The watermaster should not delay curtailment based on the owner's or operator's schedule.

Curtailment Order and Watermaster Guidance

August 31, 2018

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- When feasible the regulation of water users and enforcement action should be carried out by the watermaster. If the watermaster is unable to regulate all non-compliant water users by him/herself, staff assisting the watermaster in enforcement should coordinate closely with the watermaster prior to taking action. If site visits by supporting staff are required, staff should enforce curtailment requirement in teams of two. In the event an owner/operator is uncooperative or refuses access or entry to the well, the watermaster should consult with Department staff (contact Tim Luke, Rob Whitney or Brian Ragan).
- If the watermaster encounters circumstances that suggest enforcement action pursuant to Idaho Code § 42-1701B is preferable to curtailment (e.g. curtailing a diversion would cut off a source of drinking/domestic water or curtailment is not physically possible), the watermaster may refer the matter to Department Compliance Bureau staff. If a formal administrative enforcement action becomes necessary, please coordinate with appropriate Department Compliance Bureau staff (either Tim Luke, Rob Whitney, Brian Ragan or Cherie Palmer). Please document all attempts to curtail the well and the obstacles or reasons why physical curtailment cannot be achieved.

Please contact Department Compliance Bureau staff members Tim Luke, Rob Whitney or Brian Ragan regarding any questions you may have about the Curtailment Order and any subsequent curtailment procedures. Successful implementation of this Curtailment Order is currently one of the Department's highest priorities.

Sincerely,



Gary Spackman
Director

Enclosures(s)

Cc: IDWR Eastern and Southern Regional Managers