

**BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO**

IN THE MATTER OF DISTRIBUTION OF
WATER TO VARIOUS WATER RIGHTS HELD
BY OR FOR THE BENEFIT OF A&B
IRRIGATION DISTRICT, AMERICAN FALLS
RESERVOIR DISTRICT #2, BURLEY
IRRIGATION DISTRICT, MILNER IRRIGATION
DISTRICT, MINIDOKA IRRIGATION
DISTRICT, NORTH SIDE CANAL COMPANY,
AND TWIN FALLS CANAL COMPANY

Docket No. CM-DC-2010-001

**ORDER SETTING DEADLINE
FOR SUBMISSION OF
TECHNICAL WORKING GROUP
REPORT**

BACKGROUND

On April 10, 2026, the Cities of Bliss, Burley, Carey, Declo, Dietrich, Gooding, Hazelton, Heyburn, Jerome, Paul, Richfield, Rupert, Shoshone, and Wendell (the “Coalition of Cities”), along with the City of Pocatello and City of Idaho Falls, (collectively, the “Cities”), filed the *Cities’ Motion to Consider Information When Determining Surface Water Coalition’s Irrigated Acres Under Methodology Step 1 (Cities’ Motion)*. Attached to the *Cities’ Motion* was a technical memorandum titled, *Preliminary Review and Refinement of 2026 TFCC Irrigated Area Shapefile (“SWE Memorandum”)*, prepared by the Cities’ consultant, Spronk Water Engineers, Inc. (“SWE”). The *Cities’ Motion* asked the Director to consider the information contained in the *SWE Memorandum* when determining Twin Falls Canal Company’s (“TFCC”) total irrigated acres in the April 2026 Forecast Supply Order (Methodology Steps 1-3). *Cities’ Motion*, at 2.

On April 16, 2026, the Director issued the *Final Order Regarding April 2026 Forecast Supply (Methodology Steps 1-3) (“As-Applied Order”)*. In the *As-Applied Order*, the Director stated TFCC submitted an electronic shapefile delineating its total irrigated acres, listing 193, 638 acres for the 2026 irrigation season. *As-Applied Order*, at 1–2. The Director noted, “[t]he motion was filed only days before the deadline for this order, leaving the Department insufficient time to evaluate its merits. The Director may revisit, and if appropriate, modify TFCC’s total irrigated acres in orders issued later this irrigation season.” *Id.* at 2 n.4.

On May 1, 2026, the Cities filed the *Cities Request to Revisit Twin Falls Canal Company’s Total Irrigated Acres or, in the Alternative, Request for Hearing on Final Order Regarding April 2026 Forecast Supply (Methodology Steps 1-3) (“Cities’ Request”)*. The *Cities’ Request* asks the Director to consider and evaluate the merits of the Cities’ information submitted in the *SWE Memorandum*, and reconsider TFCC irrigated acres that were submitted during the 2026 irrigation season. *Cities’ Request*, at 1–2.

On May 14, 2026, the Director issued the *Final Order Curtailing Ground Water Rights Junior to October 11, 1900* (“*May Curtailment Order*”). The *May Curtailment Order* provided:

that effective May 14, 2026, ground water users holding water rights bearing priority dates junior to October 11, 1900, within the ESPA ACGWS, and listed in Attachment A to the order, shall curtail/refrain from diversion and use of ground water pursuant to those water rights unless notified by the Department that the order of curtailment has been modified or rescinded as to their water rights.

May Curtailment Order, at 3.

ANALYSIS

The Director continues to find it important that the total irrigated acres reported by TFCC be evaluated because “beneficial use cannot occur on acres that have been hardened or are otherwise not irrigated.” *Sixth Methodology Order*, at 11. The information submitted by the Cities, including the *SWE Memorandum*, raises technical questions regarding TFCC’s reported irrigated acres that warrant further review.

A thorough evaluation of the *SWE Memorandum* and any other relevant technical information will require significant Department staff time and technical analysis. Given the demands on staff during this irrigation season, the Department does not have sufficient staff resources to complete that evaluation before the conclusion of the current irrigation season.

Over the course of the Surface Water Coalition (“SWC”) Delivery Call, Docket No. CM-DC-2010-001, the Director has, at certain times, convened and relied upon the technical expertise of a technical working group—the SWC Methodology Technical Working Group—to provide recommendations and conclusions regarding particular topics.¹ The technical working group has consisted of experts from the parties, Department staff, and other stakeholders. Because the matter raised by the Cities is a technical matter, having the broader SWC Methodology Technical Working Group’s review and feedback on this issue would be helpful.

Accordingly, the Director finds that the most appropriate course is to refer this matter to the SWC Methodology Technical Working Group. The group shall evaluate the *SWE Memorandum*, consider any other technical evidence regarding TFCC’s 2026 irrigated acres, and provide a written report setting forth its findings and recommendations to the Director no later than February 1, 2027. The Director will consider the report as part of the methodology order process for the 2027 irrigation season. Because this matter is being assigned to the SWC Methodology Technical Working Group, the Director will defer consideration of the Cities’ May 1, 2026 request pending the SWC Methodology Technical Working Group’s report.

¹ The group was last convened in the Fall of 2023 to evaluate changes to the Methodology Order.

ORDER

IT IS HEREBY ORDERED that Department staff shall convene the SWC Methodology Technical Working Group to investigate TFCC's irrigated acres and provide a written report on its findings to the Director prior February 1, 2027.

Dated this 14th day of July 2026.



MATHEW WEAVER
Director

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 14th day of July 2026, the above and foregoing was served by the method indicated below, and addressed to the following:

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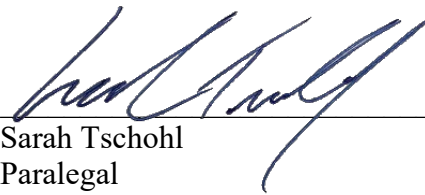
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