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**Pro hac vice pending*

Attorneys for Petitioners

**DISTRICT COURT OF THE STATE OF IDAHO
SEVENTH JUDICIAL DISTRICT
BINGHAM COUNTY**

JERRY D. BINGHAM and VALERIE H.
BINGHAM,

Petitioners,

vs.

IDAHO DEPARTMENT OF WATER
RESOURCES,

Respondent.

Case No. CV06-26-1801

**DECLARATION OF
REED W. LARSEN**

REED W. LARSEN, being first duly sworn upon oath, deposes and states as follows:

1. I am over the age of 18. I am one of the attorneys representing Jerry D. Bingham and Valerie H. Bingham in this case, and I make this declaration upon my own personal knowledge and information, and in support of Bingham's Motion to Stay Enforcement of Respondent's Final Order Pending Judicial Review.

2. Attached hereto as Exhibit A (Bates No. 001) is a true and correct copy of the Sixth Final Order Regarding Methodology for Determining Material Injury to Reasonable In-Season Demand and Reasonable Carryover (July 19, 2023);

3. Attached hereto as Exhibit B (Bates No. 051) is a true and correct copy of the Final Order Curtailing Ground Water Rights Junior to October 11, 1900 (July 25, 2025);

4. Attached hereto as Exhibit C (Bates No. 080) is a true and correct copy of the Notice of Compliance with Order to Provide Staff Memo ("Sukow Memo") (December 30, 2025);

5. Attached hereto as Exhibit D (Bates No. 114) is a true and correct copy of the Final Order Regarding April 2026 Forecast Supply (April 16, 2026);

6. Attached hereto as Exhibit E (Bates No. 128) is a true and correct copy of the Order Denying Motion for Stay of Order of Curtailment (May 14, 2026);

7. Attached hereto as Exhibit F (Bates No. 134) is a true and correct copy of the Final Order Curtailing Ground Water Rights Junior to October 11, 1900 (May 14, 2026);

8. Attached hereto as Exhibit G (Bates No. 162) is a true and correct copy of the Order Amending Curtailment List to Include Unmitigated Ground Water Rights (June 17, 2026);

9. Attached hereto as Exhibit H (Bates No. 168) is a true and correct copy of the Order Revising April 2026 Forecast Supply and Continuing May 14, 2026, Curtailment Order (July 21, 2026); and

10. Attached hereto as Exhibit I (Bates No. 183) is a true and correct copy of the Order Denying Jerry D. and Valerie H. Bingham's Petition for Reconsideration and Request for Hearing (August 24, 2026).

I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT.

Dated: September 15, 2026.

Respectfully submitted,

Reed W. Larsen
Cooper & Larsen Chartered

/s/ Reed W. Larsen
Reed W. Larsen
Attorney for Petitioners

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 15th day of September, 2026, I caused a true and correct copy of the foregoing document to be served upon the following individuals by the designated method:

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Courtesy copy sent via First-Class U.S. Mail to:

Snake River Basin Adjudication District Court
of the Fifth Judicial District
P.O. Box 2707
Twin Falls, Idaho 83303-2707

/s/ Reed W. Larsen
Reed W. Larsen

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

IN THE MATTER OF THE DISTRIBUTION OF
WATER TO VARIOUS WATER RIGHTS HELD
BY AND 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

**SIXTH FINAL ORDER
REGARDING METHODOLOGY
FOR DETERMINING MATERIAL
INJURY TO REASONABLE
IN-SEASON DEMAND AND
REASONABLE CARRYOVER**

BACKGROUND

On April 19, 2016, the Director (“Director”) of the Idaho Department of Water Resources (“Department”) issued his *Fourth Amended Final Order Regarding Methodology for Determining Material Injury to Reasonable In-Season Demand and Reasonable Carryover* (“Fourth Methodology Order”). The Fourth Methodology Order: (1) explained how the Director would determine material injury to storage and natural flow water rights of members of the Surface Water Coalition (“SWC”)¹; (2) established methods for quantifying material injury to SWC storage and natural flow water rights as predictive and actual demand shortfalls; (3) established methods for quantifying mitigation obligations by holders of junior priority ground water rights for shortfalls in predictive and actual SWC water demands; and (4) established a method for determining a priority date for curtailment if mitigation obligations are not satisfied.

The processes established in the Fourth Methodology Order for determining material injury are not immutable. Updates to the methodology order based on additional data and analyses were always anticipated:

Recognizing his ongoing duty to administer the State’s water resources, the Director should use available data, and consider new analytical methods or modeling concepts, to evaluate the methodology. As more data is gathered and analyzed, the Director will review and refine the process of predicting and evaluating material injury. The methodology will be adjusted if the data supports a change.

¹ The SWC is comprised of A&B District, American Falls Reservoir District #2, Burley Irrigation District, Milner Irrigation District, Minidoka Irrigation District, North Side Canal Company, and Twin Falls Canal Company. Each entity holds separate senior surface natural flow water rights and has separate storage contracts for storage water space in the reservoirs.

Fourth Methodology Order, Conclusion of Law 17; *see also In Matter of Distribution of Water to Various Water Rts. Held By or For Ben. of A & B Irrigation Dist.*, 155 Idaho 640, 645, 315 P.3d 828, 833 (2013) (“[t]he concept of a baseline is that it is adjustable . . .”). The prediction and determination of rights and obligations of the holders of senior priority and junior priority water rights respectively must: (1) apply the best available science and underlying water data; (2) consider changing climatic and cropping patterns; and (3) adhere to the most recent decisions of the courts related to water administration.

Many of the data sets the Department relied upon in the Fourth Methodology Order have been expanded and now include additional years. Furthermore, the Director has had time to review and consider the implications of court decisions that require the Director to address a mitigation deficiency in the year it occurs. As a result, the director issued the *Fifth Amended Final Order Regarding Methodology for Determining Material Injury to Reasonable In-Season Demand and Reasonable Carryover* (“Fifth Methodology Order”) on April 21, 2023. The purpose of the Fifth Methodology Order was to update the Director’s methodology for determining material injury to storage and natural flow water rights either held by or committed to members of the SWC consistent with the Director’s ongoing obligation to use the best available science and information.

On April 21, 2023, the Director also issued his (1) *Final Order Regarding April 2023 Forecast Supply* (“April 2023 As-Applied Order”), as well as a (2) *Notice of Hearing, Notice of Prehearing Conference, and Order Authorizing Discovery* (“Notice of Hearing”), which set a hearing on the Fifth Methodology and As-Applied Orders for June 6–10, 2023 (“June 6 Hearing”). During the June 6 Hearing, the parties proffered testimony and evidence regarding the Fifth Methodology Order and the April 2023 As-Applied order.

The purpose of issuing this *Sixth Final Order Regarding Methodology for Determining Material Injury to Reasonable In-Season Demand and Reasonable Carryover* (“Sixth Methodology Order”) is to correct data in the Fifth Methodology Order found to be in error during the June 6 Hearing. This Sixth Methodology Order also edits a few other non-substantive matters in the Fifth Methodology Order.

FINDINGS OF FACT

I. Overview of the Methodology for Determining Material Injury to Water Rights by Determining Reasonable In-Season Demand and Reasonable Carryover

This methodology is based on the selection of a recent analogous, baseline year to predict reasonable in-season demand (“RISD”) for the senior priority surface water rights during the upcoming irrigation season.

1. The method for determining material injury to water rights by determining RISD and reasonable carryover should be based on updated data, the best available science, analytical methods, and the Director’s professional judgment as manager of the state’s water resources. In the future, climate may vary and conditions may change; therefore, the methodology may need to

be adjusted to consider a different baseline year or years (“BLY”) or changes to other components.

2. In-season demand shortfall (“IDS”) will be computed by subtracting RISD from the forecast supply (“FS”). In-season demand shortfall is computed using the following equation:

$$IDS = FS - RISD$$

3. If the FS is greater than the RISD, there is no demand shortfall. If the FS is less than the RISD, the negative difference is the demand shortfall. Initially, RISD is equal to the historic demands associated with a BLY as selected by the Director, but will be corrected during the season to account for variations in climate and water supply between the BLY and actual conditions.

4. Reasonable carryover shortfall will be computed by subtracting reasonable carryover from actual carryover, where reasonable carryover is defined as the difference between a baseline year demand (“BD”) and projected typical dry year supply. Reasonable carryover shortfall will be computed using the following equation:

$$\text{Reasonable Carryover Shortfall} = \text{Actual Carryover} - \text{Reasonable Carryover}$$

5. If actual carryover exceeds the reasonable carryover, there is no reasonable carryover shortfall. In contrast, if reasonable carryover exceeds the actual carryover, the negative difference is the reasonable carryover shortfall.

6. The concepts underlying the selection of the BLY, determination of in-season demand shortfall, and reasonable carryover shortfall will be discussed in detail below.

II. In-Season Demand Shortfall

A. Considerations for the Selection of a Baseline Year

7. A BLY is a year or average of years when irrigation demand represents conditions that can predict need in the current year of irrigation at the start of the irrigation season. The purpose of predicting need is to estimate material injury.

8. A BLY is selected by analyzing three factors: (1) climate; (2) available water supply; and (3) irrigation practices. R. vol. 37, at 7098.² To capture current irrigation practices, identification of a BLY is limited to years subsequent to 1999. *Id.* at 7096.

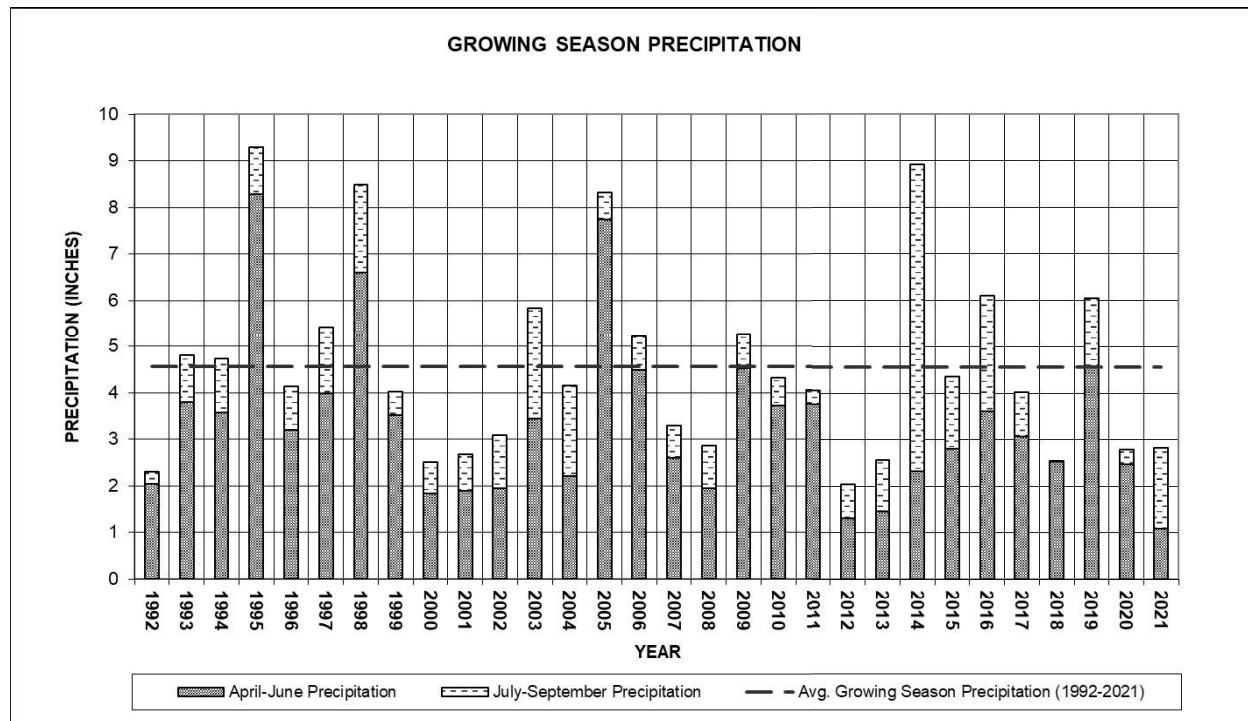
9. The historic diversion volumes from the BLY and the predicted supply forecast at the start of the irrigation season are inputs to predict the initial IDS, where a demand shortfall is the difference after subtracting BD from the FS. When the difference is a positive number, the IDS is zero. When the difference is negative, the negative value equals the in-season demand shortfall. IDS increases with increases in BD, decreases in FS, or both. Assuming constant irrigation practices, crop distributions, and total irrigated acres, demand for irrigation water typically increases in years of higher temperature, higher reference evapotranspiration (“ET”), and lower precipitation. If water demand data is averaged for several years and these averages are the basis to predict demand shortfall at the start of the season, in a high-water demand year, these averages may often under-predict the demand shortfall. In a high-water demand year, under-prediction of IDS might be acceptable if the junior priority ground water right holders and the senior priority surface water right holders shared equally in the risk of water shortages. Equality in sharing the risk will not adequately protect the senior priority surface water right holder from injury. Actual demand shortfalls to a senior surface water right holder resulting from predictions at the start of the irrigation season based on average data unreasonably shifts the risk of shortage to the senior surface water right holder. Therefore, a BLY should represent a year(s) of above average diversions and should not represent a year(s) of average or below average diversions. An above average diversion year(s) selected as the BLY should also represent a year(s) of above average temperatures and reference ET, and below average precipitation to ensure that increased diversions were a function of crop water need and not other factors. In addition, actual supply should be analyzed to assure that the BLY is not a year of limited supply.

i. Climate

10. For the methods outlined herein, climate is represented by precipitation, reference ET, and growing degree days.

² All citations to “Ex”, “Tr.”, or “R. vol.” in this Order are to material that was admitted during the original January 18–February 5, 2008 Hearing in the Matter of Distribution of Water to Various Water Rights Held by or for the Benefit of [the SWC] (“2008 Hearing”) and is part of the final agency record on appeal in Gooding County Case No. CV-2008-551, which was lodged with the Fifth Judicial District Court on February 6, 2009.

11. Precipitation. Water, in all phases, introduced to Idaho from the atmosphere is termed precipitation. During the growing season, precipitation reduces the irrigation water needed for growing crops. Ex. 3024, at 19. The figure below shows the precipitation recorded during the growing season at the National Weather Service’s Twin Falls weather station.



Growing Season Precipitation at National Weather Service’s Twin Falls Weather Station 1992–2021.³

³ The Fourth Methodology Order included data for the period 1990 through 2014. This Fifth Methodology Order updated this chart with data for the period 1992 to 2021. This Sixth Methodology Order relies on the same data included in the Fifth Methodology Order. The chart is created from NOAA National Weather Service total precipitation data obtained from the NCDC’s Climatological Data Annual Summary Idaho report series for the Twin Falls 6 E and Twin Falls Sun Valley Regional Airport weather stations.

12. Evapotranspiration. ET is a variable representing both the amount of water that transpires from vegetation and the amount of water that evaporates from the underlying soil. ET is an important factor for properly estimating RISD. In its water budget calculations, the SWC proposed the use of ET values from the USBR as part of their Pacific Northwest Cooperative Agricultural Network, i.e., AgriMet. Ex. 8000, vol. II, ch. 9; Ex. 8000, vol. IV, app. AU. The ground water users proposed the use of ET values from Richard G. Allen and Clarence W. Robison 2007, *Evapotranspiration and Consumptive Irrigation Water Requirements for Idaho*, i.e., ETIdaho. Ex. 3007A, at 21; Ex. 3024, at 1–58.

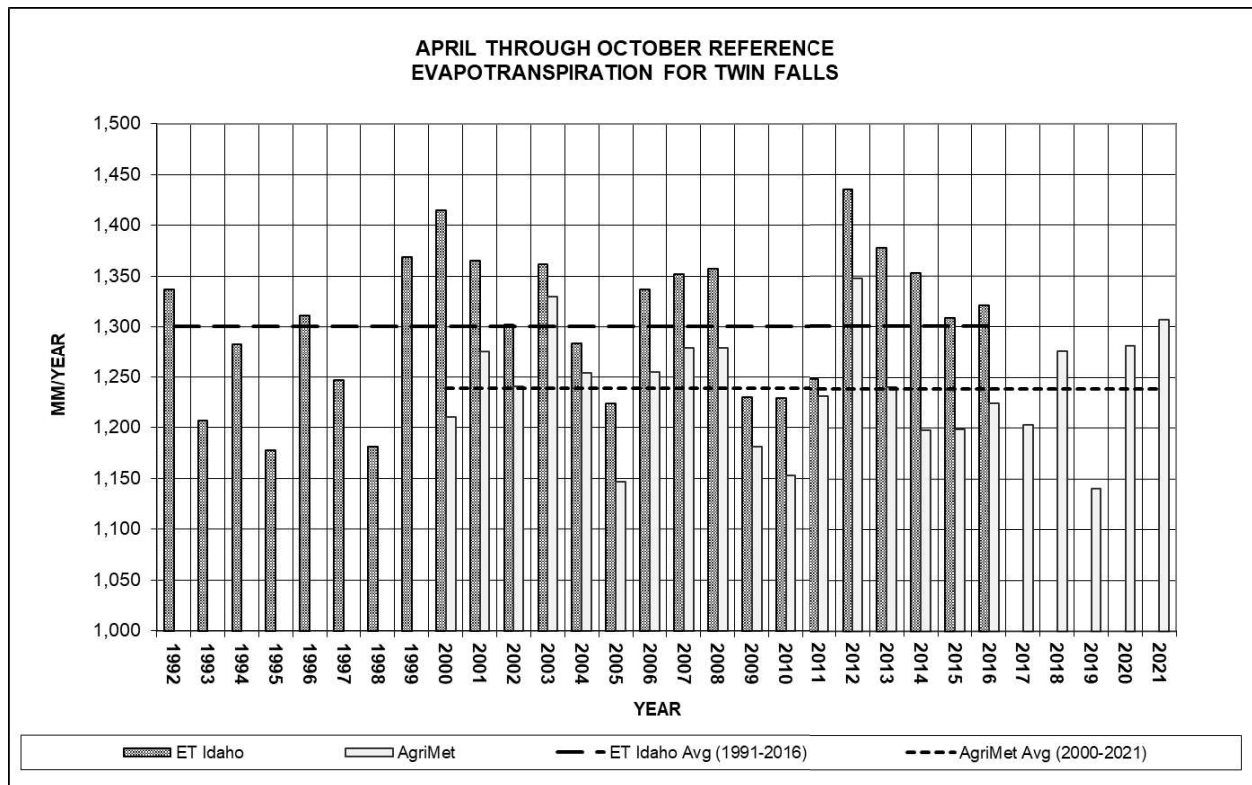
13. Reference ET is a standardized index that approximates the climatic demand for water vapor (i.e., ET). Both ETIdaho and AgriMet calculate and publish reference ET data. The Department will identify potential BLYs by consulting both ETIdaho reference ET and AgriMet reference ET.

14. Neither ETIdaho reference ET data nor AgriMet reference ET data span the entire period of analysis (1992–2021). ETIdaho reference ET data are currently available from 1990 through 2016.⁴ AgriMet reference ET data are available from 2000 to 2021.⁵ Ideal BLY candidates are years in which reference ET exceeds average reference ET values. Candidate baseline years are compared using both AgriMet and ETIdaho reference ET data for those years in which both data are available and only AgriMet data in those years where there is no ETIdaho data.

⁴ The Fourth Methodology Order included ETIdaho reference ET data for the period 1991 to 2011. ETIdaho reference ET data is now available through 2016. The Fifth Methodology Order updated this chart with data for the period 1992 to 2016. This Sixth Methodology Order relies on the same data included in the Fifth Methodology Order.

⁵ The Fourth Methodology Order included AgriMet reference ET data for the period 2000 to 2014. AgriMet reference ET data is now available through 2021. The Fifth Methodology Order updated this chart with data for the period 2000 to 2021. This Sixth Methodology Order relies on the same data included in the Fifth Methodology Order.

15. Years of above average values of reference ET are appropriate BLY candidates.⁶ Total April through October reference ET for the period of record from the Twin Falls (Kimberly) AgriMet site is shown below.

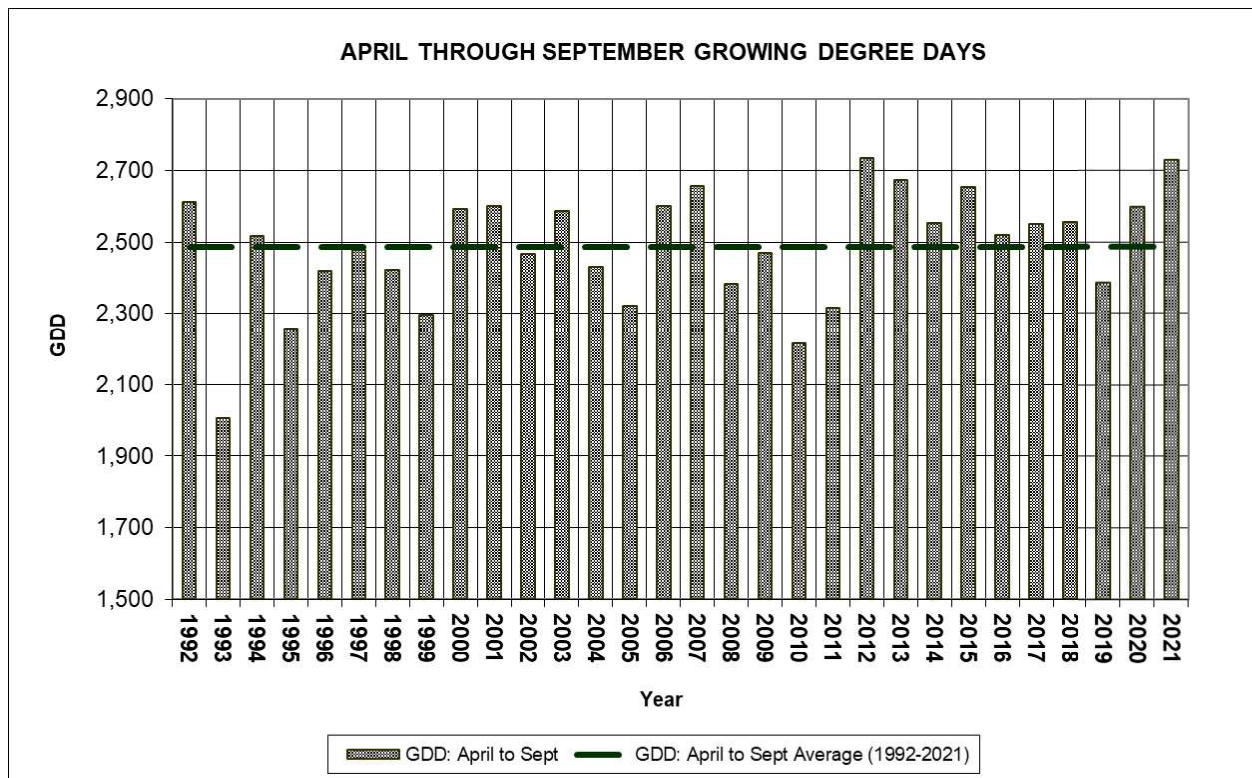


Reference ET for Twin Falls (Kimberly) with both AgriMet and ETIdaho data 1992–2021.⁷

⁶ Values for reference ET between ETIdaho and AgriMet do not match because they are derived differently. The relevant information for identifying a potential BLY is the relationship between the year under consideration and the average for the data sets.

⁷ The Fourth Methodology Order included data only through 2014. The Fifth Methodology Order updated this chart with combined data for the period 1992 to 2021, establishing a 30-year record which is the professional standard of practice for calculating climatic and hydrologic normals. This Sixth Methodology Order relies on the same data used in the Fifth Methodology Order.

16. Growing Degree Days. Growing degree days define the length and type of growing season. Growing degree days are an arithmetic accumulation of daily mean temperature above a certain base temperature. Ex. 3024, at 10, 117–21. These growth units are a simple method of relating plant growth and development to air temperatures. Different plant species have different base temperatures below which they do not grow. At temperatures above this base, the amount of plant growth is approximately proportional to the amount of heat or temperature accumulated. A higher annual growing degree day value correlates to a higher potential rate of plant growth. The table below shows growing degree days accumulated for April through September for the Twin Falls (Kimberly) AgriMet site.

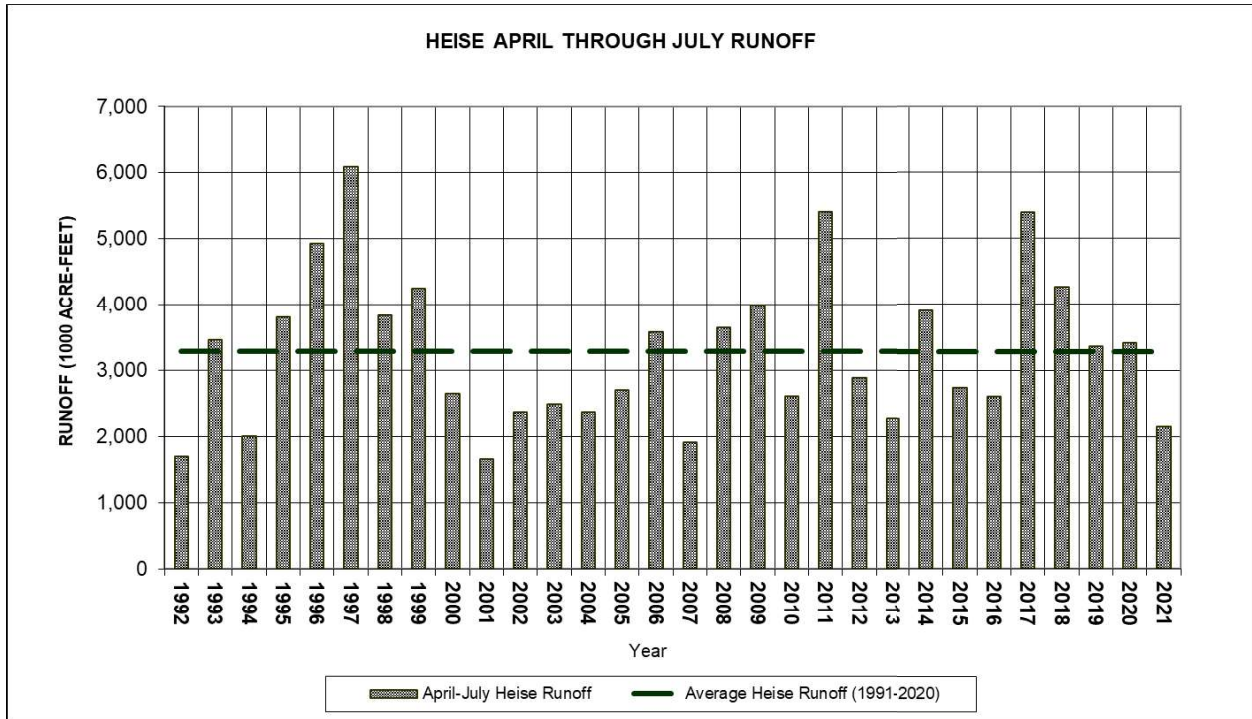


Growing Degree Days (“GDD”) for Twin Falls (Kimberly) AgriMet Site 1992–2021.⁸

⁸ The Fourth Methodology Order included data only through 2014. The Fifth Methodology Order updated this chart with data for the period 1992 to 2021. This Sixth Methodology Order relies on the same data included in the Fifth Methodology Order.

ii. Available Water Supply

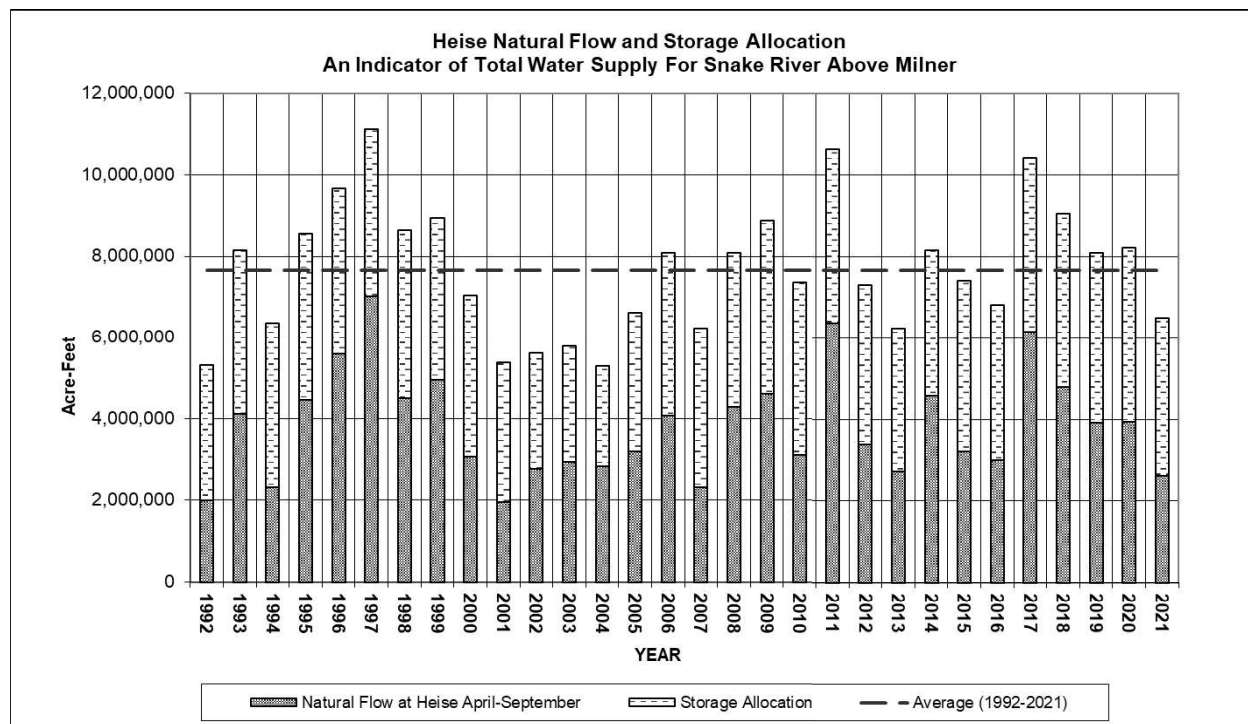
17. The April through July Heise runoff volume represents the volume of water available for diversion into storage reservoirs and is an indicator of natural flow supplies. The graph below shows actual unregulated flow volumes at Heise for 1992 through 2021. The 1992 to 2021 average (3,284,000 acre-feet) is displayed by the dashed line.



April through July Unregulated Flow Volume at Heise, 1992–2021.⁹

⁹ The Fourth Methodology Order included data only through 2014. The Fifth Methodology Order updated this chart with data for the period 1992 to 2021. This Sixth Methodology Order relies on the same data included in the Fifth Methodology Order.

18. The sum of the Heise natural flow and the reservoir storage allocations is an indicator of the total supply of the Snake River. The sum of the Heise natural flow and reservoir storage allocations for each year from 1992–2021 is represented in the graph below.



The sum of the Heise natural flow and the storage allocation for the Snake River above Milner 1992–2021.¹⁰

iii. Irrigation Practices

19. A baseline year (“BLY”) must be recent enough to represent current irrigation practices. R. vol. 37, at 7099–7100. Current conditions should be represented by: (a) the net area of the irrigated crops, (b) farm application methods (flood/furrow or sprinkler irrigation), and (c) the conveyance system from the river to the farm. The type of sprinkler systems should be similar between the BLY and the current year.

20. Sprinkler systems are currently the predominant application system. *Id.* at 7101–02. To ensure that current irrigation practices are captured, selection of a BLY for the SWC should be limited to years subsequent to 1999. *Id.* at 7096; 7099–7100.

¹⁰ The Fourth Methodology Order included data for the period 1990 to 2014. The Fifth Methodology Order updated this chart with data for the period 1992 to 2021. This Sixth Methodology Order relies on the same data included in the Fifth Methodology Order.

21. According to the Hearing Officer at the 2008 Hearing, Gerald Schroeder (“Hearing Officer”), beneficial use cannot occur on acres that have been hardened or are otherwise not irrigated. R. vol. 37, at 7100.

22. The following table summarizes: a) SWC entities; b) shapefile source of reported irrigated acres; c) year shapefile created; d) decreed irrigated acres; (e) number of reported acres in shapefile; and f) irrigated acres used in this methodology order for the 2023 irrigation season. The number of irrigated acres used in this methodology order is the number of reported acres unless that number is larger than the decreed irrigated acres, and if so, then the decreed acres were used. This table will be updated annually based on the reported number of irrigated acres by each SWC entity in Step 1 of the Methodology Order.

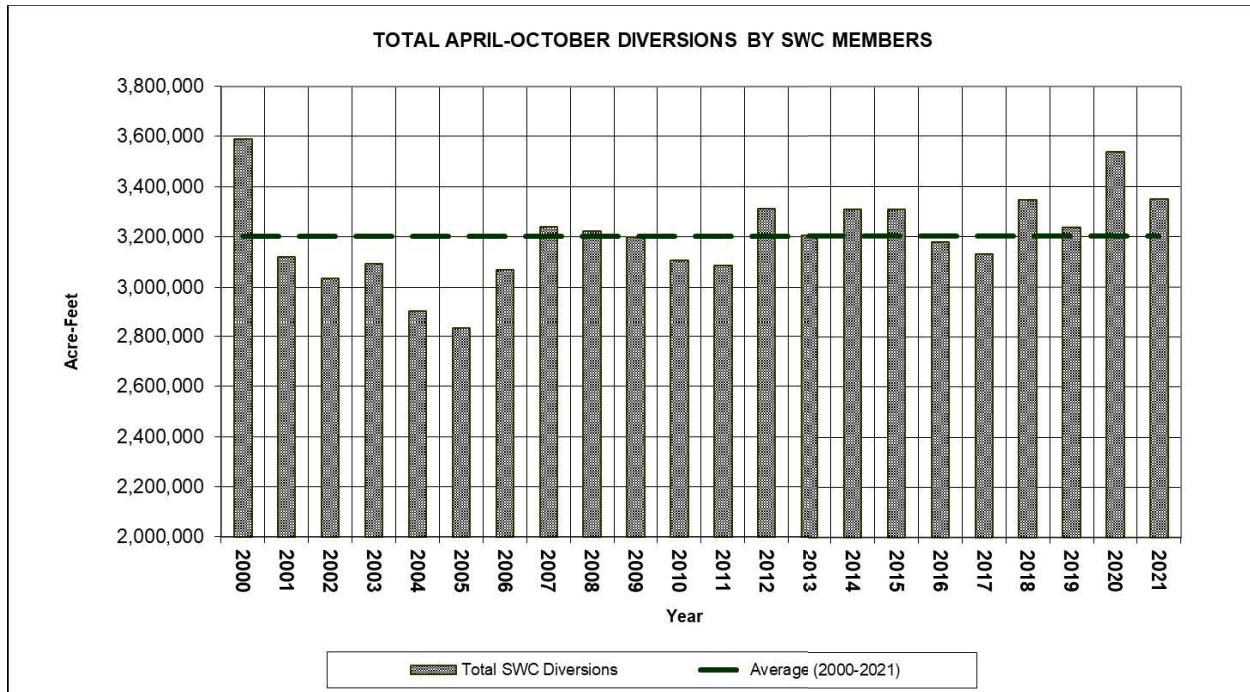
Entity	Shapefile Source	Shapefile Year	Partial Decree Acres	Shapefile Acres	Acres Used in Methodology
A&B	PPU ¹	2010	15,924	21,972	15,924
AFRD2	PPU	2010	62,361	69,077	62,361
BID	SWC	2013	47,643	46,035	46,035
Milner	PPU	2010	13,335	13,264	13,264
Minidoka	SWC	2023	75,093	77,176	75,093
NSCC	PPU	2010	154,067	224,463	154,067
TFCC	SWC	2013	196,162	194,732	194,732
¹ IDWR permissible place of use.					

Acres used in the methodology.

23. There are lands within the service areas of SWC entities that are irrigated with supplemental groundwater. Ex. 3007. Supplemental groundwater is a factor the Director can consider in the context of a delivery call. *Memorandum Decision and Order on Petitions for Judicial Review* (“Methodology Remand Order”) in Gooding County Consolidated Case No. CV-2010-382, at 18–19. At this time, the information submitted or available to the Department is insufficient to determine the extent of supplemental irrigation on lands within the service areas of SWC entities.

iv. Diversions

24. The following figure summarizes the annual measured diversions by the combined SWC members from 2000–2021. Diversions for a baseline year should exceed the average diversions.



Total April–October Diversions by SWC Members.¹¹

B. Selection of the Initial Baseline Year

25. When selecting the BLY, the Director must evaluate recent data to determine whether the BLY section criteria are satisfied.

26. In the Fourth Methodology Order, the Department considered the years 2000–2014 when deciding the BLY. Ultimately, the Department chose an average of the years 2006, 2008, and 2012 for the BLY (“BLY 06/08/12”). For this Sixth Methodology Order, the years 2000–2021 were considered for the BLY selection. With the addition of new data from 2014 to 2021, the total diversions by the SWC for the previous BLY 06/08/12 are 100% of the average SWC diversions for the years 2000–2021. As a result of adding the new data, BLY 06/08/12 no longer satisfies the presumption criteria that total diversions in the BLY should exceed the average annual diversions. Mem. Decision & Order on Pets. for Jud. Rev., at 34, *IGWA v. Idaho Dep’t of Water Res.*, No. CV-2010-382 (Gooding Cnty. Dist. Ct. Idaho Sept. 26, 2014).

¹¹ The Fourth Methodology Order did not include this chart. It was added to the Fifth Methodology Order to demonstrate that the baseline year is a year of above average total diversions. As discussed in footnote 12, during the June 2023 Hearing the Department identified an error in AFRD#2’s 2018 diversion data. Hr’g Tr. vol. IV, at 173–74. This correction was resolved in this Sixth Methodology Order, which relies on the updated data. The updated data did not result in an appreciable increase in 2018’s diversion value.

27. Years 2018 and 2020 satisfy all the BLY selection criteria discussed above. Each of these years had (1) total diversions above the average diversions for the years 2000–2021, (2) total growing degree days above the average for the years 1992–2021, and (3) reference ET values above the average for the years 1992–2021. The years 2018 and 2020 also had total precipitation values below the average precipitation for the years 1992–2021 and were not water supply limited years. The Department has reviewed the SWC’s diversion data for the 2020 irrigation season. The Department finds that 2020 ranks as the second-highest year of total diversions for the SWC and is more than one standard deviation above the average for the years 2000–2021. In comparison, 2018 ranks as the fourth-highest year of total diversions for the SWC and is less than one standard deviation above the average for the years 2000–2021. Choosing a BLY with above average diversions but within one standard deviation, ensures that a conservative year is selected that protects the senior while excluding extreme years from consideration. The Director concludes that total diversions for 2018 adequately protect senior water rights when predicting the demand shortfall at the start of the irrigation season and selects 2018 as the BLY.

Entity	2000–2021 Avg. Total Diversions (Acre-Feet)	06/08/12 Avg. Total Diversions (Acre-Feet)	06/08/12 % of Avg.	2018 Total Diversions (Acre-Feet)	2018 % of Avg.
A&B	59,474	59,993	101%	64,192	108%
AFRD2	427,978	427,672	100%	458,890	106%
BID	247,049	251,531	102%	262,211	106%
Milner	53,343	47,135	88%	58,417	110%
Minidoka	354,181	369,492	104%	354,851	100%
NSCC	996,267	978,888	98%	1,026,661	103%
TFCC	1,062,098	1,060,011	100%	1,121,717	106%
Total	3,200,617	3,194,722	100%	3,346,939	105%

Average SWC Diversions (acre-feet) for 2000–2021, 2006/2008/2012 BLY, and 2018 BLY.¹²

C. Calculation of Reasonable In-Season Demand

28. Prior to the irrigation season, reasonable in-season demand (“RISD”) is the projected annual diversion volume for each SWC entity during the year of evaluation that is attributable to the projected beneficial use of growing crops within the service area of the entity. Given that climate and system operations for the year being evaluated will likely be different from the BLY, the RISD must be adjusted for those differences. As stated by the Hearing Officer, “The concept of a baseline is that it is adjustable as weather conditions or practices

¹² In this Sixth Methodology Order, AFRD2’s 2018 diversion value has been increased by 5,000 acre-feet. This increase was necessary to remedy the error committed by Department staff in calculating AFRD2’s 2018 adjusted diversion value for the Fifth Methodology Order, which was identified during the June 6 Hearing. Hr’g Tr. vol. IV, at 173–74. The error is minor, accounting for approximately 1% of AFRD2’s 2018 diversions. The Director concludes that the error had no appreciable impact on any calculations in the Fifth Methodology Order that relied on AFRD2’s 2018 diversion volume.

change, and that those adjustments will occur in an orderly, understood protocol.” R. vol. 37, at 7098.

i. Project Efficiency

29. Project efficiency (“ E_p ”) is the ratio of total volumetric crop water needs within a SWC entity’s boundary and the total volume of water diverted by that entity to satisfy its crop needs. It is the same concept as system efficiency, which was presented at the 2008 Hearing. Ex. 3007, at 28–29. Implicit in this relationship are the components of seepage loss (conveyance loss), on-farm application losses (deep percolation, field runoff), and system operational losses (return flows) for which data is not obtainable by the Department. By utilizing project efficiency and its input parameters of crop water need and total diversions, the influence of the unknown components for which data is not obtainable can be captured and described without quantifying each of the components. Project efficiency is derived by dividing crop water need by total diversions as depicted in the algorithm below:

$$E_p = \frac{CWN}{Q_D}$$

Where:

E_p = project efficiency,

CWN = crop water need, and

Q_D = irrigation entity diversion of water specifically put to beneficial use for the growing of crops within the irrigation entity.

30. Monthly SWC entity diversions (“ Q_D ”) will be obtained from Water District 01’s diversion records. Ex. 8000, vol. II, at 8-4, 8-5. Raw monthly diversion values will then be adjusted to remove any water diversions that can be identified to not directly support the beneficial use of crop development within the irrigation entity. Examples of adjustments include the removal of diversions associated with in-season recharge and diversion of irrigation water on the behalf of another irrigation entity. Adjustments are unique to each SWC member and each irrigation season and will be evaluated each year. Any natural flow or storage water deliveries to entities other than the SWC for purposes unrelated to the original right will not be included as a part of the SWC water supply or carryover volume. Water that is purchased or leased by a SWC member may become part of the shortfall obligation to the extent that member has been found to have been materially injured. *See e.g.*, R. vol. 38, at 7201 n.11 (Eighth Supplemental Order). Conversely, water supplied to private leases or to the rental pool by a SWC member will be included as a part of the SWC supply for that member because non-inclusion would unjustifiably increase the shortfall obligation.

31. Monthly project efficiencies will be computed for the entire irrigation season. Project efficiency varies from month-to-month during the season and will typically be lower during the beginning and ending of the season. Monthly project efficiencies will be divided into actual monthly crop water need (“CWN”) values to determine RISD during the year of evaluation.

32. In the Fourth Methodology Order, project efficiencies for each SWC member were initially averaged over an eight-year period (2007–2014) and project efficiency greater or less than two standard deviations were excluded from the calculation. By including only those values within two standard deviations, extreme values from the data set are removed. Under the Fourth Methodology Order, an updated 8-year rolling average of project efficiencies was calculated each year the methodology was implemented. The Director now finds that averaging over a rolling period of 15 years results in project efficiency values that are more consistent from year-to-year, reducing the impact of short-term trends. The Director finds that it is still appropriate to remove project efficiencies greater or less than two standard deviations from the average.

The following is a table of efficiency values averaged over the most recent fifteen-year period of record.

Month	A&B	AFRD2	BID	Milner	Minidoka	NSCC	TFCC	Monthly Avg.
4	0.98	0.33	0.45	0.87	0.43	0.24	0.31	0.51
5	0.47	0.22	0.32	0.39	0.35	0.24	0.30	0.33
6	0.66	0.40	0.49	0.60	0.56	0.41	0.51	0.52
7	0.74	0.44	0.52	0.67	0.63	0.48	0.58	0.58
8	0.58	0.41	0.42	0.55	0.52	0.43	0.46	0.48
9	0.45	0.27	0.32	0.45	0.38	0.32	0.27	0.35
10	0.18	0.16	0.09	0.14	0.11	0.06	0.04	0.11
Season Avg.	0.58	0.32	0.37	0.52	0.43	0.31	0.35	

SWC Member Average Monthly Project Efficiencies from 2007–2021.¹³

ii. Crop Water Need

33. CWN is the volume of irrigation water required for crop growth within a SWC entity boundary, such that crop growth is not limited by water availability. CWN only applies to crops irrigated with surface water. CWN is the difference between the fully realizable consumptive use associated with crop growth, or ET, and effective precipitation (W_e) and is synonymous with the terms irrigation water requirement and precipitation deficit. Ex. 3024. For the purposes of the methodology, CWN is calculated as set forth below:

$$CWN = \sum_{i=1}^n (ET_i - W_e) A_i$$

¹³ In the Fourth Methodology Order, this table summarized average E_p data for the period 2007 to 2014. The Fifth Methodology Order updated this table with average E_p data for the period 2007 to 2021. This Sixth Methodology Order relies on the same data included in the Fifth Methodology Order.

Where:

CWN = crop water need

ET_i = consumptive use of specific crop type,

W_e = effective precipitation,

A_i = total irrigated area of specific crop type,

i = index variable representing the different specific crop types grown within the irrigation entity, and

n = upper bound of summation equal to the total number of different specific crop types grown within the irrigation entity.

iii. Evapotranspiration

34. ET can be estimated with theoretically based equations that calculate ET for an individual crop, necessitating crop distribution maps for each year. Ex. 3007A, at 21, fig. 3, tbls. 6–12; Ex. 3024, at 1–58; Ex. 8000, vol. II, ch. 9; Ex. 8000, vol. IV, app. AU.

35. At the 2008 Hearing, values of ET were estimated by the SWC from AgriMet, Ex. 8000, vol. IV, at AU-1, and by the ground water users from ETIdaho, Ex. 3007A, at 21; Ex. 3024, at 1–58. At this time, the Director finds that the use of AgriMet is more appropriate for determining ET than ETIdaho because AgriMet is available to all parties in real-time without the need for advanced programming. Accordingly, the methodology will rely on AgriMet derived ET values in the calculations of project efficiency, CWN, and RISD. In the future, with the development of additional enhancements, ETIdaho may become a more appropriate analytical tool for determining ET.¹⁴

36. CWN is derived by multiplying crop specific ET values, adjusted for estimated effective precipitation, by the total irrigated area of individual crop types, and summing the CWN for each crop type. The areas for individual crop types will be derived from published crop distributions from the United States Department of Agriculture's National Agricultural Statistics Service ("NASS"). Ex. 1005, at 1. NASS annually creates a crop-specific land cover digital dataset from satellite imagery and field checks. The dataset is called the Cropland Data Layer ("CDL"). Each year, the Department will calculate acreage by crop type for each SWC entity using NASS CDL data. In the future, the NASS data may not be the most accurate source of data. The Department prefers to rely on data from the current season if and when it becomes usable.

37. AgriMet ET and precipitation data are gathered at the Rupert and Twin Falls (Kimberly) stations. Both stations are in the vicinity of the SWC entities. A&B Irrigation District ("A&B"), Burley Irrigation District ("BID"), and Minidoka Irrigation District ("Minidoka") are nearest to the Rupert AgriMet station. ET data gathered at the Rupert station reasonably represents the climate conditions for A&B, BID, and Minidoka. American Falls Reservoir District No. 2 ("AFRD2"), Milner Irrigation District ("Milner"), North Side Canal

¹⁴ IDWR held a series of meetings in the winter of 2022–23 with the parties' technical consultants to discuss potential updates to the methodology order. During the meetings, IDWR discussed alternative methods of determining ET values, such as METRIC. However, the Director finds that the methods considered are not yet ready for incorporation into the administration of the SWC Delivery Call and will continue to rely on AgriMet ET data.

Company (“NSCC”), and Twin Falls Canal Company (“TFCC”) are nearest to the Twin Falls (Kimberly) AgriMet station. ET data gathered at the Twin Falls (Kimberly) station reasonably represents the climate conditions for AFRD2, Milner, NSCC, and TFCC. Ex. 8000, vol. IV, at AU-2, AU-8.

iv. Effective Precipitation

38. Effective precipitation (“ W_e ”) is the amount of total precipitation held in the soil horizon available for crop root uptake. Effective precipitation will be estimated from total precipitation (W) employing the methodology presented in the USDA Technical Bulletin 1275. Ex. 8000, vol. IV, at AU-3, AU-8. Total precipitation (W) data is published by the USBR as part of its Pacific Northwest Cooperative Agricultural Network, i.e., AgriMet.¹⁵ Ex. 8000, vol. IV, at AU-3. W_e values derived from AgriMet based precipitation values are independent of crop type.

39. AgriMet precipitation (W) values are easy to understand and regularly used by the farming, water supply, and water management communities. Accordingly, the methodology will rely on AgriMet derived W values in the calculations of CWN and RISD.

40. As with ET data, AgriMet precipitation data are available from the Rupert and Twin Falls (Kimberly) stations. AgriMet data from the Rupert station reasonably represents climate conditions for A&B, BID, and Minidoka. AgriMet data from Twin Falls (Kimberly) reasonably represents climate conditions for AFRD2, Milner, NSCC, and TFCC. Ex. 8000, vol. IV, at AU-2, AU-8.

v. Summary of Reasonable In-Season Demand Calculation

41. At the start of the irrigation season, RISD is equal to the BD, or total season adjusted diversions for the BLY. When calculated in-season, RISD is calculated below.

$$RISD_{\text{milestone}_x} = \sum_{j=1}^m \left(\frac{CWN_j}{E_{p,j}} \right) + \sum_{j=m+1}^7 BD_j$$

Where:

$RISD_{\text{milestone}_x}$ = reasonable in season demand at specified evaluation milestones during the irrigation season,

CWN = crop water need for month j,

E_p = baseline project efficiency for month j,

BD = baseline demand for month j,

j = index variable, and

m = upper bound of summation, equal to the month calculation occurs, where April = 1, May =2, ... October = 7.

¹⁵ IDWR held a series of meetings in the winter of 2022–23 with the parties' technical consultants to discuss potential updates to the methodology order. During the meeting, IDWR discussed alternative methods to determine W values, such as PRISM. However, the Director finds that the methods considered are not yet ready for incorporation into the administration of the SWC Delivery Call and will continue to rely on AgriMet precipitation data.

42. April RISD Adjustment: In April, the calculated RISD, which is the quotient of CWN and E_p , can underestimate actual canal operation diversions. Under-estimation occurs when the actual CWN value for April is much smaller than the diversion of water into the canal system necessary to effectively operate the irrigation delivery system. Often, CWN in April is small due to precipitation, cool temperatures, and/or the immaturity of the crop. The diversion rate at the head gate necessary to push water into all laterals and field head gates throughout the delivery system often dwarfs the water necessary to strictly satisfy CWN. In addition, it is difficult for canal systems to be dynamically operated to match the frequent precipitation events in April, which also contributes to a diversion of water at the canal head gate that exceeds the diversion of water necessary to strictly satisfy CWN. To account for the conditions affecting the usability of the calculated RISD value for April, the values may be adjusted for each individual irrigation delivery entity in the SWC as described below.

43. When the calculation of CWN/E_p results in a value for the month of April less than the average April diversion volume over a record of representative years in the recent past, the April RISD is set equal to the average April diversion volume. When the calculation of CWN/E_p results in a value greater than the average April diversion volume, the April RISD is equal to the calculated CWN/E_p volume.

44. October RISD Adjustment: In October, the calculated RISD, which is equal to the CWN divided by E_p , can both under-estimate and over-estimate actual canal operation diversions. The RISD may be underestimated when the actual CWN value for October is much smaller than the diversion of water into the canal system necessary to effectively operate the irrigation delivery system. The diversion rate at the head gate necessary to push water into all laterals and field head gates throughout the delivery system often dwarfs the water necessary to strictly satisfy CWN. In addition, it is difficult for canal systems to be dynamically operated to match the frequent precipitation events in October, which also contributes to a diversion of water at the canal head gate that exceeds the diversion of water necessary to strictly satisfy CWN. Furthermore, RISD may be underestimated in October when a farmer diverts water at the field head gate for farming practices other than strictly satisfying CWN. Examples of water diversion practices at the field head gate that sometimes occur in October include diverting water for soil salt leaching, diverting water to build up the soil moisture profile for the following irrigation season, and/or diverting water to wet-up bare soil to prevent wind-driven topsoil erosion.

45. Unlike the month of April, RISD can be over-estimated in October. RISD may be over-estimated in years when actual CWN in October is much greater than typical CWN over a record of representative years in the recent past due to low precipitation and/or warm temperatures. To account for the conditions affecting the usability of the RISD value calculated for October, the values may be adjusted for each individual irrigation delivery entity in the SWC as described below.

46. When the calculation of CWN/E_p results in a value for the month of October greater than the maximum October diversion volume from a record of recent representative years, or less than the minimum October diversion volume from the same record of recent representative years, the October RISD is set equal to the average October diversion volume over

the same period of recent representative years. When the calculation of CWN/Ep results in a value between the maximum and minimum October diversion volumes from a record of recent representative years, the October RISD is equal to the calculated CWN/Ep volume.

D. Adjustment of Forecast Supply

47. As stated by the Hearing Officer, “There must be adjustments as conditions develop if any baseline supply concept is to be used.” R. vol. 37, at 7093. A prediction of the upcoming season’s supply and demand is calculated at the beginning of the irrigation season and adjusted at specified milestones during the irrigation season to address changes in water supply and demand conditions in response to actual climatic and water supply conditions.

i. April Forecast Supply

48. The FS is comprised of natural flow and stored water.

49. Typically, within the first week of April, the USBR and the USACE issue their Joint Forecast that predicts an unregulated inflow volume at the Heise Gage from April 1 to July 31 for the forthcoming year. The joint forecast (“Joint Forecast”) issued by the United States Bureau of Reclamation (“USBR”) and the United States Army Corp of Engineers (“USACE”) for the period April 1 through July 31 “is generally as accurate a forecast as is possible using current data gathering and forecasting techniques.” R. vol. 8, ¶ 98, at 1379. Given current forecasting techniques, the earliest the Director can predict material injury “with reasonable certainty” is soon after the Joint Forecast is issued. R. vol. 2, at 226. With data from 1990 through the irrigation year previous to the current year, a regression equation will be developed for each SWC member.¹⁶ The regression equations for A&B and Milner will be developed by comparing the actual Heise natural flow to the natural flow diverted. *See e.g.*, R. vol. 8, at 1416–22. For AFRD2, BID, Minidoka, NSCC, and TFCC, multi-linear regression equations will be developed by comparing the actual Snake River near Heise natural flow and the flows at Box Canyon to the natural flow diverted. The regression equations will be used to predict the natural flow diverted for the upcoming irrigation season. *Id.* at 1380. The actual natural flow volume predicted in the Director’s April FS for each SWC entity will be one standard error below the regression line, which underestimates the available supply. *Id.*; Tr., at. 65:6–25, 66:1–2. The purpose of the shift to one standard error below the regression line is to ensure senior water right holders do not bear the risk of under-prediction of supply. The forecasting techniques will be revised based on updated data and the forecasting techniques may be revised when improvements to the forecasting tools occur.

50. The storage allocation for each member of the SWC will be estimated by the Department following issuance of the Joint Forecast. The Department will forecast reservoir fill and storage allocation consistent with the methods established in the *Fifth Supplemental Order Amending Replacement Water Requirements Final 2006 & Estimated 2007*. R. vol. 23, at 4294–

¹⁶ IDWR held a series of meetings in the winter of 2022–23 with the parties’ technical consultants to discuss potential updates to the methodology order. During the meetings, IDWR discussed updating the regression models used to forecast the SWC’s water supplies in April. However, the Director finds that the current models still adequately forecast water supplies in April and will continue to rely on the existing regression models.

97 as explained below. The Department will evaluate the current reservoir conditions and the current water supply outlook to determine a historical analogous year or years to predict reservoir fill. The Department may identify and use a combination of different analogous years to predict individual reservoir fill. Input variables for determining the individual storage water allocation for each SWC member are: (a) the analogous year's or years' total reservoir fill volume; (b) an estimated evaporation volume; and (c) the previous year's carryover volume. The FS (the combination of the forecast of natural flow supply and the storage allocation) for each SWC member will be determined by the Director shortly after the date of the Joint Forecast.

51. Any time prior to the Director's final determination of the April FS, if the Director can determine with certainty that any member of the SWC has diverted more natural flow than predicted, or has accrued more storage than predicted, the Director will revise his initial, projected shortfall determination.

ii. July Forecast Supply

52. Approximately halfway through the irrigation season, the FS will be adjusted. When adjusting the natural flow component of the FS, the Department's water rights accounting program will compute the year-to-date natural flow diverted by each member of the SWC. The natural flow diversion for the remainder of the irrigation season will be estimated based on the regression analyses.

53. The natural flow supplies for each SWC member are comprised of natural flow in the Snake River passing the near Blackfoot gage and gains that occur in the Snake River between the Blackfoot to Milner reach. Many different predictor variables were considered when developing the models used to predict the natural flow supplies for the remainder of the season, including those variables used in the April FS.¹⁷ A step-wise statistical analysis was employed to help select the variables for each model. The following variables were selected to forecast water supplies halfway through the irrigation season: natural flow in the Snake River near Heise as reported by the U.S. Bureau of Reclamation; snow water equivalent (SWE) data at the Two Ocean Plateau SNOTEL site; Spring Creek discharge; and groundwater levels near American Falls Reservoir. The model predictors were optimized for each SWC member and are summarized in the sections below.

54. Linear regression equations for AFRD2, A&B, and Milner, will be developed by comparing the July 1 snow water equivalent (inches) at the Two Ocean Plateau SNOTEL site to the natural flow diversions. The regression equations for AFRD2, A&B, and Milner will be applied only in those years when the snow water equivalent at the Two Ocean Plateau SNOTEL site is greater than zero (0). Years when the snow water equivalent equals zero, the total natural flow prediction for the period July 1 to October 31 will be zero (0) AF.

¹⁷ IDWR held a series of meetings in the winter of 2022–23 with the parties' technical consultants to discuss potential updates to the methodology order. IDWR discussed updating the regression models used to forecast the SWC's water supplies in July. However, the Director finds that the current models still adequately forecast water supplies in July and will continue to rely on the existing regression models.

55. Multiple linear regression equations for BID, Minidoka, and NSCC will be developed to predict natural flow diversions employing the following predictor variables: (1) Snake River near Heise natural flow (April – June), (2) March depth to water at well 05S 31E 27ABA1 and (3) the snow water equivalent at the Two Ocean Plateau SNOTEL site on June 15.

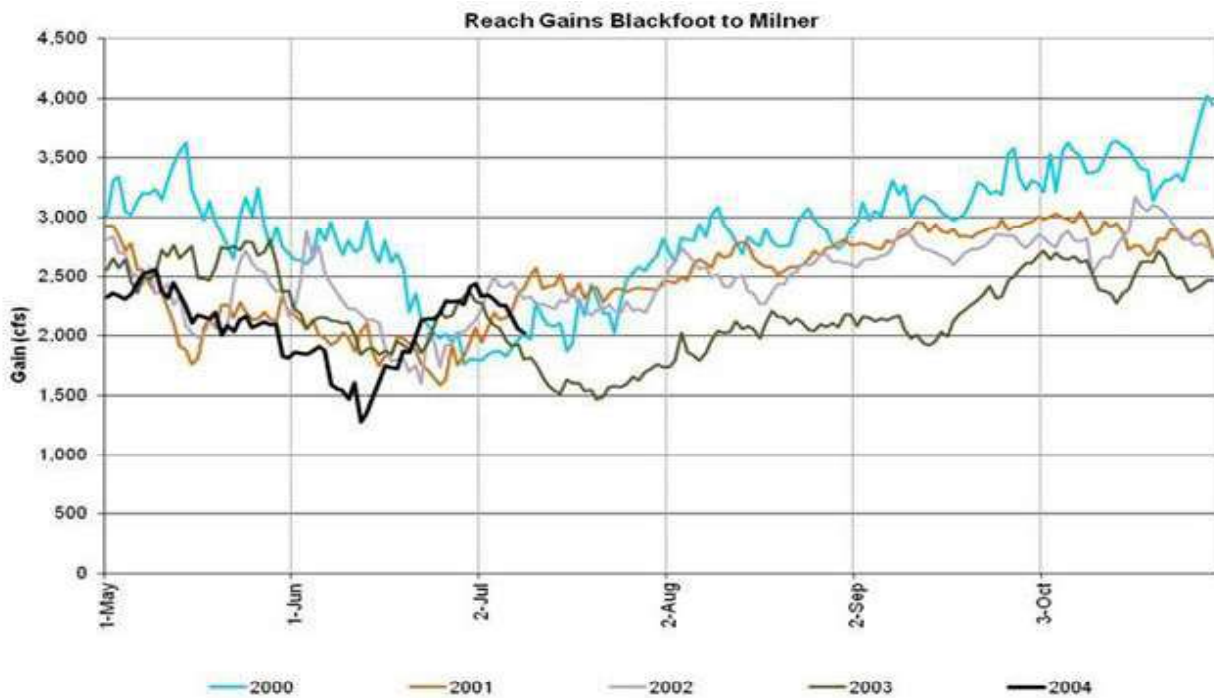
56. The multiple linear regression model for TFCC will be based on the following predictor variables: (1) Snake River near Heise natural flow (April – June), (2) Spring Creek total discharge (January – May) and (3) the snow water equivalent at the Two Ocean Plateau SNOTEL site on June 15.

57. When adjusting the storage component of the FS, the Department must consider whether stored water has been allocated. In normal to dry years, the reservoirs will typically have filled to their peak capacity for the season and the storage water will have been allocated. If the BOR and Water District 01 have allocated stored water to spaceholders, the Department will use the actual preliminary storage allocations to the SWC. If the BOR and Water District 01 have not yet allocated stored water to spaceholders, the Department will predict the storage allocations based on the storage allocations from an analogous year or years.

iii. Time of Need

58. The FS will again be adjusted shortly before the Time of Need. The Time of Need is established by predicting the day in which the remaining storage allocation will be equal to reasonable carryover. The Time of Need will not be earlier than the Day of Allocation.

59. When adjusting the natural flow component of the FS, the Department's water rights accounting program will compute the natural flow diverted by each member of the SWC as of the new forecast date. The natural flow diversion for the remainder of the irrigation season will be estimated based on a historical year with similar reach gains in the Blackfoot to Milner reach. The following is an example of estimating reach gains from an analysis of historical years. Reach gains for the years 2000 – 2003 and a portion of year 2004 are graphed below. Considering 2004 as an example of a current year and comparing 2004 to the hydrographs for 2000 – 2003, year 2003 has similar reach gains and is appropriately conservative. Therefore, the natural flow diverted in 2003 would be used to predict the natural flow diversions for the remainder of the 2004 season.



Example Reach Gain Analysis for 2004.

60. When adjusting the storage component of the FS, the Department will use the actual preliminary storage allocations to the SWC.

61. The adjusted FS is the sum of the year-to-date natural flow diversions, the predicted natural flow diversions for the remainder of the season, and the storage allocation.

E. Calculation of In-Season Demand Shortfall

62. The equation below determines the amount of predicted demand shortfall during the irrigation season.

$$IDS = FS - RISD$$

Where:

IDS = demand shortfall for specified evaluation points throughout the season,

FS = forecasted supply adjusted for specified evaluation point during the season, and

RISD = reasonable in-season demand from above.

63. The amount calculated represents the volume that junior ground water users with approved mitigation plans for delivery of water will be required to have available for delivery to members of the SWC found to be materially injured by the Director to avoid curtailment. The amounts will be calculated in April, at the middle of the season, and at the Time of Need.

III. Methodology for Determining Material Injury to Reasonable Carryover

64. Conjunctive Management (“CM”) Rule 42.01.g states the following guidance for determining reasonable carryover: “In determining a reasonable amount of carry-over storage water, the Director shall consider average annual rate of fill of storage reservoirs and the average annual carry-over for prior comparable water conditions and the projected water supply for the system.” Carryover shortfall will be determined following the completion of the irrigation season.

A. Projected Water Supply

65. CM Rule 42.01.g states that the Director “shall consider . . . the projected water supply for the system.” Because it is not possible to adequately forecast the irrigation supply or demand for the following irrigation season at the end of the current irrigation season, the Director must estimate the carryover water needed in future dry years when demand exceeds supply, creating a need for carryover storage. The Director projected the water supply using typical dry years and subtracted it from a projected future demand to determine a projected carryover need.

66. The Heise natural flow is a predictive indicator of total water supply. For the years 2002 and 2004, the Heise natural flows were well below the long term average (1992–2021), but were not the lowest years on record.¹⁸ The average of the 2002 and 2004 supply will be the projected supply, representing a typical dry year. The 2002 and 2004 supply is computed as follows:

- 2002 supply = natural flow diverted + new storage fill
- 2004 supply = natural flow diverted + new storage fill
- Projected supply = average of 2002 supply and 2004 supply

Carryover from previous years is not included in the 2002 and 2004 new storage fill because it was not new water supplied during the 2002 or 2004 irrigation year.

	2002 Natural Flow Diverted	2002 New Storage Fill	2002 Total Supply	2004 Natural Flow Diverted	2004 New Storage Fill	2004 Total Supply	Projected Supply (Average 02/04)
	-----Acre-Feet-----						
A&B	853	45,603	46,456	1	36,535	36,536	41,496
AFRD2	25,749	381,451	407,200	4,562	309,698	314,260	360,730
BID	89,886	174,454	264,340	102,706	152,387	255,093	259,716
Milner	5,058	43,430	48,488	1,027	35,175	36,202	42,345
Minidoka	143,937	256,602	400,539	141,460	229,574	371,034	385,787
NSCC	363,960	667,799	1,031,759	315,942	479,068	795,010	913,385
TFCC	851,970	186,233	1,038,203	881,345	150,218	1,031,563	1,034,883

SWC water supplies 2002, 2004, and 2002/2004 average (acre-feet).

67. Similar to projecting supply, the Director must also project demand. Because it is not possible to adequately forecast the irrigation demand for the following irrigation season at the end of the current irrigation season, the Director must project demand. R. vol. 37, at 7109. The 2018 BLY will be the projected demand.

¹⁸ The Fourth Methodology Order included data for the period 1991 to 2014. The Fifth Methodology Order updated this chart with data for the period 1992 to 2021. This Sixth Methodology Order relies on the same data included in the Fifth Methodology Order.

68. The maximum projected carryover need is defined as the difference between a BLY demand and projected typical dry year supply. The following equation computes the maximum projected carryover need:

$$\text{Maximum Projected Carryover Need} = \text{Projected Demand (2018 BLY)} - \text{Projected Supply (Average 02/04)}$$

	Projected Demand (2018 BLY)	Projected Supply (average 02/04)	Maximum Projected Carryover Need
	-----Acre-Feet-----		
A&B	64,192	41,496	22,696
AFRD2	458,890	360,730	98,160
BID	262,211	259,716	2,495
Milner	58,417	42,345	16,072
Minidoka	354,851	385,787	0
NSCC	1,026,661	913,385	113,277
TFCC	1,121,717	1,034,883	86,834

SWC Projected Demand, Projected Supply and Maximum Projected Carryover Need (acre-feet).¹⁹

B. Average Annual Rate of Fill

69. CM Rule 42.01.g states that the Director “shall consider the average annual rate of fill of storage reservoirs” The average annual rate of fill of the storage reservoirs is the average of annual percentages of fill of each entity’s reservoir space. The average annual reservoir storage fill is a benchmark that can be compared to projected carryover need. For purposes of the table below, any water contributed to the rental pool from the previous year was added to the next year’s fill volume so that it does not artificially lower the percent fill. R. vol. 37, at 7108. Water that is supplied to the rental pool lowers carryover and could impact the following year’s fill. The percent fill does not include water deducted for reservoir evaporation.

¹⁹ The Fifth Methodology Order updated this chart with the new baseline year and calculated new maximum projected carryover need values. This Sixth Methodology Order relies on the same data included and calculated in the Fifth Methodology Order with one exception. As described in footnote 12, AFRD2’s 2018 diversion value has been increased by 5,000 acre-feet to remedy an error committed by Department staff in calculating AFRD2’s 2018 adjusted diversion value for the Fifth Methodology Order. Hr’g Tr. vol. IV, at 173–74.

The annual percent fill of storage volume by SWC entity is shown below:

Year	A&B	AFRD2	BID	Milner	Minidoka	NSCC	TFCC
1992	96%	100%	98%	93%	75%	76%	86%
1993	100%	100%	100%	100%	100%	93%	92%
1994	100%	100%	100%	100%	99%	99%	99%
1995	100%	100%	100%	100%	100%	100%	100%
1996	100%	100%	100%	100%	100%	100%	100%
1997	100%	100%	100%	100%	100%	100%	100%
1998	100%	100%	100%	100%	100%	100%	100%
1999	100%	100%	100%	96%	98%	98%	99%
2000	100%	99%	99%	98%	100%	97%	97%
2001	100%	100%	100%	100%	100%	91%	87%
2002	41%	100%	100%	79%	92%	84%	88%
2003	43%	100%	99%	66%	92%	94%	99%
2004	34%	82%	97%	48%	94%	78%	63%
2005	58%	100%	100%	76%	98%	100%	100%
2006	98%	100%	99%	98%	100%	99%	99%
2007	89%	100%	97%	92%	94%	95%	97%
2008	100%	100%	100%	100%	100%	99%	100%
2009	100%	100%	100%	100%	100%	100%	100%
2010	100%	100%	100%	100%	100%	100%	100%
2011	100%	100%	100%	100%	100%	100%	100%
2012	88%	100%	97%	91%	94%	94%	96%
2013	80%	100%	97%	90%	90%	97%	100%
2014	93%	100%	100%	100%	95%	100%	100%
2015	100%	100%	100%	100%	100%	100%	100%
2016	100%	100%	100%	100%	95%	100%	100%
2017	100%	100%	100%	100%	100%	100%	100%
2018	100%	100%	100%	100%	100%	100%	100%
2019	96%	100%	99%	97%	98%	98%	99%
2020	100%	100%	100%	100%	100%	100%	100%
2021	100%	100%	100%	100%	98%	100%	100%
Average	91%	99%	99%	94%	97%	96%	97%
Std Dev	19%	3%	1%	12%	5%	6%	8%

Annual Percent Fill of Storage Volume by Entity (1992–2021).²⁰

²⁰ The Fourth Methodology Order included data from 1995 through 2014. The Fifth Methodology Order updated this chart with data from 1992 through 2021. The Sixth Methodology Order relies on the same data included in the Fifth Methodology Order.

C. Average Annual Carryover

70. CM Rule 42.01.g states that the Director “shall consider the . . . average annual carry-over for prior comparable water conditions” Actual carryover volumes are from annual storage reports published by Water District 1. Actual carryover from 1992 through 2021 are sorted into two categories – below average (dry) and above average (wet). The categories are based on Heise natural flow volumes from April through September.

The 1992 to 2021 average natural flow volume is 3,827 thousand acre-feet (“KAF”).

Cat.	Year	Heise Apr–Sept (KAF)	A&B	AFRD2	BID	Milner	MID	NSCC	TFCC
		-----Acre-Feet-----							
Below Avg (Dry)	2001	1,968	9,902	4,217	37,430	26,854	55,132	42,421	26,917
	1992	2,001	11,966	11,548	31,977	28,896	16,928	19,439	3,590
	1994	2,319	82,885	26,894	54,136	45,902	102,823	128,356	38,686
	2007	2,320	62,739	7,962	32,138	37,761	61,744	66,807	39,999
	2021	2,622	73,688	988	61,327	27,448	65,393	121,946	13,581
	2013	2,721	55,563	21,477	54,350	34,740	55,374	135,658	23,419
	2002	2,775	30,192	8,932	74,573	14,662	102,139	133,702	46,825
	2004	2,833	0	18,617	48,809	8,735	99,199	54,141	58,813
	2003	2,931	9,401	3,904	52,550	6,944	82,895	169,674	0
	2016	3,012	89,845	58,689	84,302	46,050	108,482	283,728	21,497
	2000	3,059	69,436	20,787	107,425	45,762	161,423	205,510	56,536
	2010	3,108	96,172	113,895	101,620	59,628	184,940	324,712	46,243
	2005	3,195	36,665	99,097	90,190	37,593	150,623	365,001	68,352
	2015	3,208	88,616	57,344	73,449	47,322	130,942	208,274	44,957
	2012	3,385	68,109	41,395	88,526	42,214	119,361	198,853	72,267
	Avg.	2,764	52,345	33,050	66,187	34,034	99,827	163,881	37,446
Above Avg (Wet)	2019	3,930	88,506	106,833	113,278	48,393	203,434	406,865	94,193
	2020	3,962	95,105	99,782	110,640	52,750	168,213	360,234	66,609
	2006	4,079	89,311	107,682	102,873	58,755	182,612	365,672	78,562
	1993	4,116	102,493	123,508	154,461	60,332	264,713	300,942	104,424
	2008	4,288	91,835	104,219	124,128	62,359	182,722	414,171	70,192
	1995	4,447	103,295	167,451	159,214	75,451	258,028	476,312	68,576
	1998	4,498	100,817	144,057	157,265	69,384	227,726	494,385	156,433
	2014	4,594	78,917	96,756	154,382	57,305	207,834	448,682	130,086
	2009	4,613	104,174	145,530	125,688	66,935	204,581	426,779	95,533
	2018	4,796	93,754	115,442	92,727	50,776	163,465	351,483	54,285
	1999	4,949	93,354	121,793	168,545	67,147	243,322	453,706	191,501
	1996	5,583	105,209	145,019	150,358	70,250	253,786	522,790	111,459
	2017	6,139	110,348	219,940	168,293	67,754	258,106	528,880	169,862
	2011	6,347	102,139	107,618	104,915	64,487	246,699	504,578	129,757
	1997	7,007	102,539	114,684	134,906	65,307	242,758	464,411	136,926
	Avg.	4,890	97,453	128,021	134,778	62,492	220,533	434,659	110,560

Actual Carryover Volumes by Entity, Sorted by Heise Natural Flow (1992–2021).²¹

²¹ In the Fourth Methodology Order, this table summarized data for the period 1994 to 2014 and adjusted WD 01 carryover values to remove water received for mitigation or water rented by the SWC entity to augment their supplies. The Fifth Methodology Order updated this chart with data for the period 1992 to 2021 and used raw carryover values reported by WD 01. Raw numbers were used because adjusted numbers reduced the SWC’s

71. In considering the principles articulated in CM Rule 42.01.g, the Director will project reasonable carryover shortfalls for members of the SWC. The following table represents the 2018 BLY diversion volumes and total reservoir storage space by entity. By dividing the total reservoir space by the 2018 diversion volume, a metric is established that describes the total number of seasons the entity's reservoir space can supply water.

	A&B	AFRD2	BID	Milner	Minidoka	NSCC	TFCC
	-----Acre-Feet-----						
Projected Demand (2018 BLY)	64,192	458,890	262,211	58,417	354,851	1,026,661	1,121,717
Total Reservoir Space	137,626	393,550	226,487	90,591	366,554	859,898	245,930
Number of Seasons of Reservoir Space	2.1	0.9	0.9	1.6	1.0	0.8	0.2

Total Reservoir Space²² in Comparison to Demand.²³

D. Reasonable Carryover

i. A&B

72. A&B's reservoir space has the lowest average annual rate of fill with the highest variability in fill. *See* Finding of Fact 69. In dry years, the potential exists that A&B's actual carryover will be less than the maximum projected carryover need. *See* Finding of Fact 68, 70. A&B has an approximate two-year water supply provided by its total available storage space. *See* Finding of Fact 71. Because of its lower rate of fill, it is likely A&B will experience carryover shortfalls in consecutive dry years. Based on the evaluation criteria in CM Rule 42.01.g, A&B's reasonable carryover should be the maximum projected carryover need of 22,700 AF. *See* Finding of Fact 78.

ii. AFRD2

73. AFRD2 has the highest and most consistent reservoir rate of fill of any member of the SWC. AFRD2's storage space fills 99% of the time and has a fill variability of 3%. As

potential entitlement to reasonable carryover. This Sixth Methodology Order relies on the same data included in the Fifth Methodology Order.

²² *See* R. vol. 8, at 1373–74.

²³ This Fifth Methodology Order updated this chart with a new baseline year and calculated a new number of seasons of reservoir space values. This Sixth Methodology Order relies on the same data included and calculated in the Fifth Methodology Order with the single exception discussed in footnote 12.

shown in the Annual Percent Fill table in Finding of Fact 69 above, its space only failed to fill in 2004 (82%) and 2000 (99%). AFRD2 has a high likelihood of filling during multi-year droughts and after a dry year. *See* Finding of Fact 69. Therefore, any unfilled space in the fall will most likely fill. AFRD2 has an approximate one-year supply available in storage. *See* Finding of Fact 71. AFRD2's storage space only failed to fill in years when the natural flow volume at Heise was less than 3,100 KAF. In a dry year, AFRD2's historical carryover volume is often less than the maximum projected carryover need using the equation set forth in Finding of Fact 68 and 70. Based on the evaluation criteria for reasonable carryover in CM Rule 42.01.g, the reasonable carryover can be adjusted from the maximum projected carryover need without shifting the risk of shortage to the senior right holder. The historical average carryover of 16,700 AF in years when the natural flow volume at Heise was less than 3,100 KAF is the reasonable carryover for AFRD2. *See* Finding of Fact 78.

iii. BID & Minidoka

74. Historically, in dry years, BID's and Minidoka's carryover volumes have been well above the maximum projected carryover need and it is unlikely that they will have reasonable carryover shortfalls in the future. *See* Finding of Fact 68, 70; *see also* R. vol. 37, at 7105. Based on the evaluation criteria for reasonable carryover in CM Rule 42.01.g, the reasonable carryover can be adjusted downward from the maximum projected carryover need without shifting the risk of shortage to the senior right holder. The reasonable carryover for BID and Minidoka is 0 AF. *See* Finding of Fact 78; *see also* R. vol. 37, at 7105.

iv. Milner

75. Similar to A&B, Milner's reservoir space has the second lowest average annual rate of fill of all entities and has a high degree of variability in fill. *See* Finding of Fact 69. In dry years, the potential exists that Milner's actual carryover will be less than the maximum projected carryover need. *See* Finding of Fact 68, 70. Milner has an approximate one and one half water supply available in storage. *See* Finding of Fact 71. Because of its rate of fill, it is likely Milner will experience carryover shortfalls in consecutive dry years. Based on the evaluation criteria for reasonable carryover in CM Rule 42.01.g, the maximum projected carryover need of 16,100 AF is the reasonable carryover for Milner. *See* Finding of Fact 78.

v. NSCC

76. NSCC has a near-average annual rate of fill in comparison to all entities and an approximate one-year water supply available in storage. *See* Findings of Fact 69 & 71. In dry years, the potential exists that its maximum projected carryover need will be less than its actual carryover. *See* Finding of Fact 68, 70. Based on the evaluation criteria in CM Rule 42.01.g, the reasonable carryover for NSCC is 113,300 AF. *See* Finding of Fact 78.

vi. TFCC

77. TFCC has a near average annual rate of fill in comparison to all entities, but only 20% of a single year's water supply is available in storage. TFCC's storage space fills 97% of

the time and has a fill variability of 8%. *See* Findings of Fact 69 & 71. In dry years, the potential exists that its maximum projected carryover need will be less than its actual carryover. *See* Finding of Fact 68, 70. Based on the evaluation of the criteria in CM Rule 42.01.g, the reasonable carryover can be adjusted from the maximum projected carryover need without shifting the risk of shortage to the senior right holder. The historical average carryover in dry years of 37,400 AF is the reasonable carryover for TFCC. *See* Finding of Fact 78.

78. Reasonable carryover values for the SWC members are as follows:

	Reasonable Carryover (Acre-Feet)
A&B	22,700
AFRD2	16,700
BID	0
Milner	16,100
Minidoka	0
NSCC	113,300
TFCC	37,400

E. Reasonable Carryover Shortfall

79. Reasonable carryover shortfall is the numerical difference between reasonable carryover and actual carryover, calculated at the conclusion of the irrigation season. Actual carryover is defined as the storage allocation minus the total storage use plus or minus any adjustments. Examples of adjustments include SWC water placed in the rental pool and SWC private leases. Adjustments are unique to each irrigation season and will be evaluated each year. Any storage water deliveries to entities other than the SWC for purposes unrelated to the original right will be adjusted so that the water is not included as a part of the SWC carryover volume. Water that is purchased or leased by an SWC member may become part of the carryover shortfall obligation. *See e.g.*, R. vol. 38, at 7201 n.11 (Eighth Supplemental Order). Conversely, actual carryover must be adjusted to assure that water supplied by a SWC member to private leases or to the rental pool will not increase the reasonable carryover shortfall obligation to the same SWC member.

80. Reasonable carryover shortfall is calculated as follows:

$$\text{Reasonable Carryover Shortfall} = \text{Actual Carryover} - \text{Reasonable Carryover}$$

F. Determination of Curtailment Date

81. The Eastern Snake Plain Aquifer Model (“ESPAM”) is the best scientific tool available to simulate aquifer and Snake River responses to stresses applied to the aquifer, such as ground water pumping from a well. Curtailment of junior ground water pumpers in response to the SWC Delivery Call would result in a reduction in the withdrawal of groundwater and a corresponding reduction in aquifer stress. ESPAM simulates the effects of the reduction in

aquifer stress and calculates predicted increases in aquifer discharge to the Snake River resulting from the curtailment of ground water pumping from the ESPA.

82. ESPAM simulations can be either steady-state or transient.

83. Merriam-Webster's Dictionary defines steady-state as "a state or condition of a system or process . . . that does not change in time." *Steady state*, Merriam-Webster.com, <https://www.merriam-webster.com/dictionary/steady-state> (April 19, 2023). A steady-state ESPAM simulation can only model increases in aquifer discharge to the Snake River resulting from continuous curtailments of an identical magnitude and location until the impacts of curtailment are fully realized. For example, a steady-state analysis of the curtailment of 1,000 acres, assumes that irrigation of the same 1,000 acres is curtailed every year at the same rate of consumptive use, until the impacts of that curtailment reach a steady state, or no longer change from year to year.

84. Steady-state analysis does not calculate the time to reach steady-state conditions nor describe the seasonal timing of the impacts. For the benefits of curtailment predicted by steady-state analysis to be realized by the river, the curtailment must occur continuously until steady-state is achieved. The assumption of continuous curtailment does not reflect reality in the SWC Delivery Call. Curtailments ordered as prescribed in the methodology are neither continuous nor long-term. Irrigation with ground water does not occur at a constant rate throughout the year nor from year to year. It is important to predict what benefits to the river are realized during the irrigation season in which injury has been determined. A steady-state ESPAM simulation cannot predict what benefits are realized during the irrigation season. In contrast, a transient ESPAM simulation will predict the timing of changes in river reach gains.

85. ESPAM was calibrated using one-month stress periods and can simulate a single (or partial) irrigation season of curtailment and predict the resulting increase in aquifer discharge to the Snake River during the same irrigation season using a transient simulation. In the context of this proceeding, the transient approach identifies the junior ground water rights that must be curtailed to produce increases in Snake River flows sufficient to offset material injury in the current irrigation season.

86. Only 9% to 15% of the steady state response is predicted to accrue to the near Blackfoot to Minidoka reach between May 1 and September 30 of the same year.²⁴ Fifty percent of the steady-state response is predicted to accrue at the near Blackfoot to Minidoka reach within approximately four years. Ninety percent of the steady-state response is predicted to accrue at the near Blackfoot to Minidoka reach within approximately 24 years.

87. A curtailment to a priority date calculated by the steady state analysis method used in the Fourth Methodology Order will only offset 9% to 15% of the predicted IDS. In contrast, curtailment to a priority date calculated with a transient simulation of a single season curtailment will offset the full predicted IDS unless the shortfall exceeds the accruals to the near

²⁴ The near Blackfoot to Minidoka reach is the reach of the Snake River from which the SWC diverts its water supplies.

Blackfoot to Minidoka reach by the end of the irrigation season with curtailment of all junior ground water rights.

88. Steady-state simulations are appropriate for evaluating the average annual impact of aquifer stresses that have been, or will be, applied for decades (i.e., ground water pumping year after year, or continuous curtailment to the same date every year). The steady-state simulation of continuous curtailment applied in the Fourth Amended Methodology Order does not simulate the short-term curtailments prescribed in the methodology. The methodology prescribes curtailment only in years with a predicted IDS or carryover shortfall and prescribes the determination of a curtailment priority date that varies with the magnitude of the predicted shortfall.

89. Transient simulations are necessary to evaluate the impacts of aquifer stresses applied for short periods of time (i.e., short-term curtailments with varying priority dates). Transient simulations are necessary to simulate the short-term curtailments prescribed in the methodology.

CONCLUSIONS OF LAW

1. This order contains the methodology by which the Director will determine material injury to RISD and reasonable carryover to members of the SWC.

2. “The agency’s experience, technical competence, and specialized knowledge may be utilized in the evaluation of the evidence.” Idaho Code § 67-5251(5); IDAPA 37.01.01.600.

3. Idaho Code § 42-602 states that, “The director of the department of water resources shall have discretion and control of the distribution of water from all natural sources The director of the department of water resources shall distribute water . . . in accordance with the prior appropriation doctrine.” According to the Hearing Officer, “It is clear that the Legislature did not intend to grant the Director broad powers to do whatever the Director might think right. However, it is clear also that the Legislature [in Idaho Code § 42-602] did not intend to sum up water law in a single sentence of the Director’s authority.” R. vol. 37, at 7085. “Given the nature of the decisions which must be made in determining how to respond to a delivery call, there must be some exercise of discretion by the Director.” *American Falls Res. Dist. No. 2 v. Idaho Dept. Water Resources*, 143 Idaho 862, 875, 154 P.3d 433, 446 (2007).

4. “The prior appropriation doctrine is comprised of two bedrock principles—that the first appropriator in time is the first in right and that water must be placed to a beneficial use.” *In Matter of Distribution of Water to Various Water Rights Held by or for the Benefit of A & B Irrigation Dist.*, 155 Idaho 640, 650, 315 P.3d 828, 838 (2012). “The concept that beneficial use acts as a measure and limit upon the extent of a water right is a consistent theme in Idaho water law.” *Id.*; *American Falls*, 143 Idaho at 879, 154 P.3d at 450 (stating that while an appropriation for a beneficial use is “a valuable right entitled to protection Nevertheless, that property right is still subject to other requirements of the prior appropriation doctrine.”); *Idaho Ground Water Assoc. v. Idaho Dep’t of Water Res.*, 160 Idaho 119, 131, 369 P.3d 897, 909

(2016) (explaining the “policy of beneficial use” serves as a “limit on the prior appropriation doctrine.”).

5. “Concurrent with the right to use water in Idaho ‘first in time,’ is the obligation to put that water to beneficial use.” *American Falls*, 143 Idaho at 880, 154 P.3d at 451; see *In re Distribution of Water to Various Water Rights Held by or for the Ben. of A&B Irr. Dist.*, 155 Idaho at 652, 315 P.3d at 840 (quoting *American Falls*, 143 Idaho at 876, 154 P.3d at 447) (referring to “‘the constitutional requirement that priority over water be extended only to those using the water’”). “‘It is the settled law of this state that no person can, by virtue of a prior appropriation, claim or hold more water than is necessary for the purpose of the appropriation, and the amount of water necessary for the purpose of irrigation of the lands in question and the condition of the land to be irrigated should be taken into account.’” *In re Distribution of Water to Various Water Rights Held by or for the Ben. of A&B Irr. Dist.*, 155 Idaho at 650, 315 P.3d at 838 (quoting *Washington State Sugar v. Goodrich*, 27 Idaho 26, 44, 147 P. 1073, 1079 (1915)).

6. “[T]he policy of securing the maximum use and benefit, and least wasteful use of Idaho’s water resources, has long been the policy in Idaho.” *Idaho Ground Water Assoc.*, 160 Idaho at 131, 369 P.3d at 909 (citing *Clear Springs Foods, Inc. v. Spackman*, 150 Idaho 790, 808, 252 P.3d 71, 89 (2011)). The Idaho Constitution enunciates a policy of promoting “optimum development of water resources in the public interest.” Idaho Const. Art. XV, § 7; *Baker v. Ore-Ida Foods, Inc.*, 95 Idaho 575, 584, 513 P.2d 627, 636 (1973). “There is no difference between securing the maximum use and benefit and least wasteful use of this State’s water resources and the optimum development of water resources in the public interest. Likewise, there is no material difference between ‘full economic development’ and the ‘optimum development of water resources in the public interest.’ They are two sides of the same coin. Full economic development is the result of the optimum development of water resources in the public interest.” *Clear Springs*, 150 Idaho at 809, 252 P.3d at 90. “The policy of securing the maximum use and benefit, and least wasteful use, of the State’s water resources applies to both surface and ground waters, and it requires that they be managed conjunctively.” *Id.*

7. “Conjunctive administration ‘requires knowledge by the [Department] of the relative priorities of the ground and surface water rights, how the various ground and surface water sources are interconnected, and how, when, where and to what extent the diversion and use of water from one source impacts the water flows in that source and other sources.’ . . . That is precisely the reason for the CM Rules and the need for analysis and administration by the Director.” *American Falls*, 143 Idaho at 877, 154 P.3d at 448.

8. The CM Rules incorporate all principles of the prior appropriation doctrine as established by Idaho law. *American Falls*, 143 Idaho at 873, 154 P.3d at 444; CM Rule 20.02, 10.12.

9. While the presumption under Idaho law is that an appropriator is entitled to his decreed water right and the CM Rules may not be applied to require a senior appropriator to demonstrate an entitlement to the water in the first place, there may be post-adjudication factors relevant to the determination of how much water is actually needed in responding to a delivery call. *American Falls*, 143 Idaho at 877–78, 154 P.3d at 448–49. Under the CM Rules and Idaho law, the Director has the “authority and responsibility to investigate claims when delivery calls

are made,” and the “authority to evaluate the issue of beneficial use in the administration context.” *In re Distribution of Water to Various Water Rights Held by or for the Ben. of A&B Irr. Dist.*, 155 Idaho at 652, 315 P.3d at 840. As the Idaho Supreme Court stated, “[w]hile the prior appropriation doctrine certainly gives pre-eminent rights to those who put water to beneficial use first in time, this is not an absolute rule without exception . . . the Idaho Constitution and statutes do not permit waste and require water to be put to beneficial use or be lost.” *Idaho Ground Water Assoc.*, 160 Idaho at 131, 369 P.3d at 909 (quoting *American Falls*, 143 Idaho at 880, 154 P.3d at 433). “[T]he Director must have some discretion to balance these countervailing considerations in a delivery call.” *Id.* “If this Court were to rule the Director lacks the power in a delivery call to evaluate whether the senior is putting the water to beneficial use, we would be ignoring the constitutional requirement that priority over water be extended only to those using the water.” *In re Distribution of Water to Various Water Rights Held by or for the Ben. of A&B Irr. Dist.*, 155 Idaho at 652, 315 P.3d at 840 (quoting *American Falls*, 143 Idaho at 876, 154 P.3d at 447).

10. In responding to a delivery call under the CM Rules, the Director “may employ a baseline methodology as a starting point for considering material injury,” provided the baseline methodology otherwise comports with the prior appropriation doctrine as established by Idaho law. *In re Distribution of Water to Various Water Rights Held by or for the Ben. of A&B Irr. Dist.*, 155 Idaho at 653, 315 P.3d at 841; see *Methodology Remand Order* at 17.

11. Once the Director determines “that material injury is occurring or will occur,” junior appropriators subject to the delivery call bear “the burden of proving that the call would be futile or to challenge, in some other constitutionally permissible way, the senior’s call.” *American Falls*, 143 Idaho at 878, 154 P.3d at 449; *Methodology Remand Order* at 31. Junior appropriators have the burden of proving by clear and convincing evidence that the delivery call is futile or otherwise unfounded. *In re Distribution of Water to Various Water Rights Held by or for the Ben. of A&B Irr. Dist.*, 155 Idaho at 653, 315 P.3d at 841.

12. “This case illustrates the tension between the first in time and beneficial use aspects of the prior appropriation doctrine.” *In re Distribution of Water to Various Water Rights Held by or for the Ben. of A&B Irr. Dist.*, 155 Idaho at 650, 315 P.3d at 838. The Idaho Supreme Court has in this case “recognized the critical role of the Director in managing the water resources to accommodate both first in time and beneficial use aspects: ‘Somewhere between the absolute right to use a decreed water right and an obligation not to waste it and to protect the public’s interest in this valuable commodity, lies an area for the exercise of discretion by the Director.’” *Id.* at 651, 315 P.3d at 839 (quoting *American Falls*, 143 Idaho at 880, 154 P.3d at 451). Thus, in this case the Director may use “a baseline methodology, both as a starting point for consideration of the Coalition’s call and in determining the issue of material injury.” *Id.* at 650–51, 315 P.3d at 838–39. However, “[i]f changing conditions establish that material injury is greater than originally determined pursuant to the baseline analysis, then adjustments to the mitigation obligation of the juniors must be made when the Director undertakes his mid-season calculations.” *Methodology Remand Order* at 18.

13. In the context of conjunctive administration, the Director’s methodology for projecting material injury does not impose an obligation upon members of the SWC to reprove

their water rights. To the extent water is available, members of the SWC are authorized to divert and store water in accordance with the terms of their licenses or decrees. Nothing established herein reduces that authorization. The question that the CM Rules require the Director to answer in this proceeding is, when water is not available to fill the water rights of the SWC, how much water is reasonably necessary for the SWC to accomplish the beneficial purpose of raising crops; because what is needed to irrigate crops may be less than the decreed or licensed quantities. *American Falls*, 143 Idaho at 880, 154 P.3d at 451; see *In re Distribution of Water to Various Water Rights Held by or for the Ben. of A&B Irr. Dist.*, 155 Idaho at 650, 315 P.3d at 838 (quoting *Washington State Sugar*, 27 Idaho at 44, 147 P. at 1079) (“[i]t is the settled law of this state that no person can, by virtue of a prior appropriation, claim or hold more water than is necessary for the purpose of the appropriation”). Again, “[t]he concept that beneficial use acts as a measure and limit upon the extent of a water right is a consistent theme in Idaho water law.” *Id.*

14. Holders of senior-priority water rights may receive less than their licensed or decreed quantities and not suffer material injury within the meaning of the CM Rules. As a result, in-season demand should be viewed in light of reasonableness and optimum development of water resources in the public interest. CM Rules 20 and 42; *American Falls*, 143 Idaho at 876–80, 154 P.3d at 447–51; *In re Distribution of Water to Various Water Rights Held by or for the Ben. of A&B Irr. Dist.*, 155 Idaho at 650–52, 315 P.3d at 838–40.

15. Here, the Director has established a methodology for determining material injury to members of the SWC. The methodology predicts material injury to RISD by taking the difference between RISD and the FS. The years 2000 through 2021 were analyzed to select the BLY because the period of years captured current irrigation practices in a dry climate. Based upon evaluation of the record, members of the SWC were exercising more reasonable efficiencies during this time period than during the 1990s when supplies were more plentiful. During periods of drought when junior ground water users are subject to curtailment, members of the SWC should exercise reasonable efficiencies to promote the optimum utilization of the State’s water resources. CM Rules 20 and 42; *American Falls*, 143 Idaho at 876–80, 154 P.3d at 447–51; *Clear Springs*, 150 Idaho at 807–10; 252 P.3d at 88–91; *In re Distribution of Water to Various Water Rights Held by or for the Ben. of A&B Irr. Dist.*, 155 Idaho at 650–52, 315 P.3d at 838–40.

16. At this time, with the recognition that the methodology is subject to adjustment and refinement, RISD will be equal to the historic demands associated with the BLY (2018) and will be corrected during the season to account for variations in climate and water supply between the BLY and actual conditions.

17. Recognizing that climate and surface water supplies (natural flow and storage) are inherently variable, the Director’s predictions of material injury to RISD and reasonable carryover are based upon the best available information and the best available science, in conjunction with the Director’s professional judgment as the manager of the State’s water resources. Recognizing his ongoing duty to administer the State’s water resources, the Director should use available data, and consider new analytical methods or modeling concepts, to evaluate the methodology. As more data is gathered and analyzed, the Director will continue to

review and refine the process of predicting and evaluating material injury. The methodology will continue to be adjusted if the data supports a change.

18. If the Director predicts that the SWC will be materially injured because of a demand shortfall prediction, either in the preseason or in the midseason, the demand shortfall represents a mitigation obligation that must be borne by junior ground water users. If mitigation water in the amount of the projected RISD shortfall cannot be secured or optioned by junior ground water users to the satisfaction of the Director, the Director will curtail junior ground water users to make up any deficit. *See Order on Pet. for Jud. Rev.*, at 19, *A&B Irrigation District v. Idaho Dairymen's Association, Inc.*, No. 2008-0000551 (Gooding Cnty. Dist. Ct. Idaho July 24, 2009),

19. In previous years, the Director used steady-state modeling when determining the curtailment priority date. As part of the Director's ongoing obligation to evaluate the methodology, the Director must evaluate whether the use of steady-state continues to be supportable.

20. In surface water administration, uses by holders of junior priority surface water rights are curtailed until the senior surface water rights are fully satisfied, absent a futile call and if the senior surface water users need the water to accomplish a beneficial use. In other words, under surface water administration, junior surface water rights are generally curtailed unless the senior gets water in the quantity and at the time and place required.

21. Rule 43 of the CM Rules mandates that when the Director evaluates a mitigation plan, the mitigation plan must ensure that water is delivered to holders of senior priority surface water rights in both the quantity and at the time and place required by the senior. In considering a proposed mitigation plan pursuant to Rule 43, the Director must evaluate:

b. Whether the mitigation plan will provide replacement water, *at the time and place required by the senior-priority water right*, sufficient to offset the depletive effect of ground water withdrawal on the water available in the surface or ground water source *at such time and place as necessary* to satisfy the rights of diversion from the surface or ground water source. Consideration will be given to the history and seasonal availability of water for diversion so as not to require replacement water at times when the surface right historically has not received a full supply, such as during annual low-flow periods and extended drought periods.

c. Whether the mitigation plan provides replacement water supplies or other appropriate compensation to the senior-priority water right *when needed during a time of shortage* even if the effect of pumping is spread over many years and will continue for years after pumping is curtailed. A mitigation plan may allow for multi-season accounting of ground water withdrawals and provide for replacement water to take advantage of variability in seasonal water supply. The mitigation plan must include contingency provisions to assure protection of the senior-priority right in the event the mitigation water source becomes unavailable.

IDAPA 37.01.03.11.043.b–c (emphasis added). In other words, there is an assumption that senior water right holders calling for delivery of water under the CM Rules will receive, by curtailment or by mitigation, “replacement water at the time and place required by the senior-priority water right, sufficient to offset the depletive effect of ground water withdrawal” Only in a mitigation plan can “multi-season accounting of ground water withdrawals” be employed, and even then, the plan must “assure protection of the senior-priority right in the event the mitigation water source becomes unavailable.”

22. The Director has an obligation to address a mitigation deficiency in the year it occurs. Mem. Decision & Order on Pet. for Jud. Rev., at 10, *Rangen, Inc. v. Idaho Dep’t of Water Res.*, No. CV-2014-2446 (Twin Falls Cnty. Dist. Ct. Idaho Dec. 3, 2014); Mem. Decision & Order, at 8–9, *Rangen, Inc. v. Idaho Dep’t of Water Res.*, No. CV-2014-4970 (Twin Falls Cnty. Dist. Ct. Idaho June 1, 2015).

23. The Director is also obligated to administer consistent with the guidance from the Courts. The Director concludes that any IDS determined by this methodology must be replaced by curtailment in time, place, and quantity unless mitigation allows for out-of-priority diversion of ground water.

24. As described in Finding of Fact 87, curtailment to a priority date calculated by the steady state analysis method used in the Fourth Methodology Order will only offset 9% to 15% of the predicted IDS. In contrast, curtailment to a priority date calculated with a transient simulation of a single season curtailment will offset the *full* predicted IDS unless the shortfall exceeds the accruals to the near Blackfoot to Minidoka reach by the end of the irrigation season with curtailment of all junior ground water rights. This methodology order depends on an annual evaluation of material injury and should also employ curtailment and or mitigation that supplies replacement water at the time and place required by the senior-priority water right in a quantity sufficient to offset the depletive effect of ground water withdrawal and to assure protection of the senior-priority right. Curtailment dates, periodically determined at time of recalculating in-season demand shortfall (IDS), should be calculated by a transient model simulation that will return the full quantity of water to the senior priority rights at the time and place required.

25. As described in Conclusion of Law 18, junior ground water users with approved mitigation plans to deliver storage water as mitigation must, to the satisfaction of the Director, secure or option mitigation water to avoid curtailment. By requiring that junior ground water users secure mitigation water or have options to acquire water in place during the season of need, the Director ensures that the SWC does not carry the risk of shortage to their supply. By not requiring junior ground water users to deliver or assign mitigation water until the Time of Need, the Director ensures that junior ground water users supply only the amount of mitigation water necessary to satisfy the RISD. All approved methods of mitigation shall be considered in the Director’s review of projected RISD shortfall.

26. Unless there is reasonable certainty that junior ground water users can secure the predicted volume of water and provide that water at the Time of Need, the protection afforded to the senior water right holders is compromised. The risk of shortage is then impermissibly shouldered by the SWC. Members of the SWC should have certainty entering the irrigation

season and at midseason that mitigation water will be delivered or assigned at the Time of Need, or curtailment of junior ground water rights will be ordered.

27. Because climate and the supply that the SWC appropriated (natural flow and storage) are inherently variable, the Director cannot and should not insulate the SWC against all shortages. The Director can, however, protect the SWC against reasonably predicted shortages to RISD.

28. Currently, the USBR and USACE's Joint Forecast is an indispensable predictive tool at the Director's disposal for predicting material injury to RISD. Given current forecasting techniques, the earliest the Director can predict material injury to RISD with reasonable certainty is soon after the Joint Forecast is issued in early April. The pre-irrigation season supply forecast for A&B and Milner can be predicted solely from the Joint Forecast. To improve the accuracy of prediction, the pre-irrigation season supply forecast for AFRD2, BID, Minidoka, NSCC, and TFCC will currently be predicted from both the Joint Forecast and from flow data at Box Canyon.²⁵

29. By shifting the April Forecast Supply prediction curve down one standard error of estimate, the Director purposely underestimates the water supply that is predicted. The Director further guards against RISD shortage by using the 2018 BLY, which has above average diversions, above average ET, below average in-season precipitation, and above average growing degree days. The 2018 BLY represents a year in which water supply did not limit diversions. The Director's prediction of material injury to RISD is purposely conservative. While it may ultimately be determined after final accounting that less mitigation water was owed than was provided, this is an appropriate burden for junior appropriators to carry. Idaho Const. Art. XV, § 3; Idaho Code § 42-106. Shifting the prediction curve down one standard error of estimate and adoption of a BLY that uses above average diversions, above average temperatures and ET and below average precipitation is necessary to protect senior rights if the Director administers to an amount less than the full decreed quantity of the SWC's rights. *Methodology Remand Order* at 33, 35.

30. The Director will review, at the end of the season, the volume and efficiencies of application of surface water, the amount of mitigation water provided by junior ground water users, and may, in the exercise of his professional judgment, readjust the reasonable carryover shortfalls to reflect these considerations.

31. "Storage water is water held in a reservoir and is intended to assist the holder of the water right in meeting their decreed needs." *American Falls*, 143 Idaho at 878, 154 P.3d at 449. "Carryover is the unused water in a reservoir at the end of the irrigation year which is retained or stored for future use in years of drought or low-water." *Id.* Under Idaho Code, "[o]ne may acquire storage water rights and receive a vested priority date and quantity, just as with any other water right," but "[t]here is no statutory provision for obtaining a decreed right to 'carryover' water." *Id.* Rather, carryover is a "component of the storage right." Order on Pet. for Jud. Rev., at 20, *A&B Irrigation District v. Idaho Dairymen's Association, Inc.*, No. 2008-

²⁵ The method for predicting the natural flow supply may be subject change based upon improved predictive models. SIXTH FINAL ORDER REGARDING METHODOLOGY FOR DETERMINING MATERIAL INJURY TO REASONABLE IN-SEASON DEMAND AND REASONABLE CARRYOVER—
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0000551 (Gooding Cnty. Dist. Ct. Idaho July 24, 2009). Storage carryover is “permissible . . . absent abuse.” *American Falls*, 143 Idaho at 880, 154 P.3d at 451.

32. The storage reservoirs implicated in this proceeding were intended to provide supplemental supplies of water “to create a buffer against the uncertainty of the weather.” *Opinion Constituting Findings of Fact, Conclusions of Law and Recommendation* (April 29, 2008) at 6. “The history of the development of the reservoir system, most recently Palisades, makes it clear that storage of water was a primary purpose to prevent disaster during periods of shortage as have been experienced in the recent past.” *Id.* at 60. The purpose of carryover also is “insurance against the risk of future shortage.” Order on Pet. for Jud. Rev., at 20, *A&B Irrigation District v. Idaho Dairymen’s Association, Inc.*, No. 2008-0000551 (Gooding Cnty. Dist. Ct. Idaho July 24, 2009).

33. CM Rule 42.01 sets forth factors the Director “may consider in determining whether the holders of water rights are suffering material injury and using water efficiently and without waste.” CM Rule 42.01 does not limit the Director’s determination of reasonable carryover to consideration of the factors enumerated in CM Rule 42.01g, but only requires that the Director consider those enumerated factors. One such factor is “[t]he extent to which the requirements of the holder of a senior priority water right could be met with the user’s existing facilities and water supplies.” CM Rule 42.01g. This factor is qualified, however, by the provision that “the holder of a surface water storage right shall be entitled to maintain a reasonable amount of carry-over storage to assure water supplies for future dry years.” CM Rule 42.01g. Thus, CM Rule 42.01g does not require water right holders to exhaust their storage water supplies prior to making a delivery call under the CM Rules. This is consistent with the purposes of the storage reservoirs and the carryover components of the storage water rights.

34. In considering CM Rule 42.01g in *American Falls*, the Idaho Supreme Court framed the SWC’s challenge to the “reasonable carryover” provision as presenting the question of whether the holders of storage water rights are “entitled to insist on all available water to carryover for future years in order to assure that their full storage water is met (regardless of need),” *American Falls*, 143 Idaho at 879, 154 P.3d at 450, and answered this question in the negative:

At oral argument, one of the irrigation district attorneys candidly admitted that their position was that they should be permitted to fill their entire storage water right, regardless of whether there was any indication that it was necessary to fulfill current or future needs and even though the irrigation districts routinely sell or lease the water for uses unrelated to the original rights. This is simply not the law of Idaho. While the prior appropriation doctrine certainly gives pre-eminent rights to those who put water to beneficial use first in time, this is not an absolute rule without exception. As previously discussed, the Idaho Constitution and statutes do not permit waste and require water to be put to beneficial use or be lost. *Supra*, paragraph 11.

Id. at 880, 154 P.3d at 451.

35. As discussed in the Findings of Fact, reasonable carryover is determined by projecting the water supply for the system. This is accomplished by projecting the 2002/2004 natural flow and average annual storage fill and the 2018 demand. Next, the Director examines the average annual rate of fill of each SWC entity's reservoir space to determine each entity's relative probability of fill. Finally, the Director examines the average annual carryover for prior comparable water conditions by reviewing Heise natural flow.

36. On or before November 30, the Department will issue estimates of actual carryover and reasonable carryover shortfall volumes for all members of the SWC. These estimates will establish the obligation of junior ground water users in providing water to the SWC for reasonable carryover shortfall. Fourteen (14) days following the issuance by the Department of reasonable carryover short fall obligations, junior ground water users will be required to establish, to the satisfaction of the Director, their ability to supply a volume of storage water or to conduct other approved mitigation activities that will provide water to the injured members of the SWC equal to the reasonable carryover shortfall for all injured members of the SWC. If junior ground water users cannot provide this information, the Director will issue an order curtailing junior ground water rights.

37. Recognizing that reservoir space held by members of the SWC may fill, and to prevent the waste of water, junior ground water users are not required to deliver or assign the volume of reasonable carryover until after the Day of Allocation (defined in footnote 11, *infra*). Junior ground water users are obligated to hold the secured or optioned mitigation water until reservoir space held by the SWC fills. If the reservoir space does not fill, junior ground water right holders must deliver or assign the secured or optioned mitigation water to the senior water right holders up to the amount of storage space that did not fill.

ORDER

Consistent with the forgoing, the Director HEREBY ORDERS that, for purposes of determining material injury to RISD and reasonable carryover, the following steps will be taken:

1. Step 1: By April 1, members of the SWC will submit electronic shape files to the Department delineating the total anticipated irrigated acres for the upcoming year within their water delivery boundary or confirm in writing that the existing electronic shape file submitted by SWC has not varied by more than five percent. Department staff will review submitted shapefiles and modify them as necessary to ensure that: (1) the total acreage count does not exceed the decreed number of acres; (2) all of the irrigated land is located within the decreed place of use; and (3) acres are not counted more than once due to overlapping polygons within a shape file or between shape files submitted by different SWC members. Because the SWC members can best determine the irrigated acres within their service area, the SWC should be responsible for submitting the information to the Department. If this information is not timely submitted, the Department will determine the total irrigated acres based upon past cropping patterns and current satellite and/or aerial imagery. If a SWC member fails or refuses to identify the number of irrigated acres within its service area by April 1, the Department will be cautious about recognizing acres as being irrigated if there is uncertainty about whether the acres are or will be irrigated during the upcoming irrigation season. The Department will electronically post

electronic shape files for each member of the SWC for the current water year for review by the parties. In determining the total irrigated acreage, the Department may account for supplemental ground water use. The Department currently does not have sufficient information to accurately determine the contribution of supplemental ground water to lands irrigated with surface water by the SWC. If and when reliable data is available to the Department, the methodology will be amended to account for the supplemental ground water use.

2. If the acreage count is under reported by more than five percent of the irrigated acreage limit of the water right, then the Department will assess the impact of this reduction in use of the water right on any mitigation requirement.

3. Step 2: Typically within the first two weeks of April, the USBR and USACE issue their Joint Forecast that predicts an unregulated inflow volume at the Heise Gage for the period April 1 through July 31. Within fourteen (14) days after issuance of the Joint Forecast, the Director will issue a final order predicting the April FS for the water year for each SWC entity. The Director will compare the April FS for each SWC entity to the BD for each SWC entity to determine if an in-season demand shortfall (“IDS”) is anticipated for the upcoming irrigation season. The April FS for each SWC entity is the sum of the forecasted natural flow supply and the forecasted storage allocation for each SWC entity. The forecasted natural flow supply will be computed with regression algorithms. The forecasted storage allocation will be determined by comparing storage accruals in an analogous year(s). A transient ESPAM simulation will be run to calculate the curtailment priority date predicted to produce a volume of water equal to the IDS in the near Blackfoot to Minidoka reach between May 1 and September 30 of the current year. Curtailment will be simulated within the area of common ground water supply as described by CM Rule 50.01.

4. Step 3: By May 1, or within fourteen (14) days from issuance of the final order predicting the April FS, whichever is later in time, junior ground water users with approved mitigation plans for delivery of water must secure, to the satisfaction of the Director, a volume of water equal to their proportionate share of the April IDS unless the April IDS is revised as explained below in paragraph 6. If junior ground water users secured water for a reasonable carryover shortfall to an individual SWC member in the previous year, the current-year mitigation obligation to the individual SWC member will be reduced by the quantity of water secured for the reasonable carryover shortfall. The secured water will not be required to be delivered to the injured members of the SWC until the Time of Need.

5. Step 4: As soon as practical after the deadline for junior ground water users with approved mitigation plans to provide notice of secured water, the Director will issue an order curtailing junior ground water users who: (1) do not have approved mitigation plans; (2) fail to secure the required water consistent with their approved mitigation plans; or (3) otherwise fail to comply with their approved mitigation plans.²⁶

²⁶ This presumes that any reasonable carryover obligation has been met, and that junior ground water users are not already under prior curtailment from deficiencies in meeting the previous year’s obligation.

6. If, at any time prior to the Director's final determination of the April FS, the Director can determine with certainty that any member of the SWC has diverted more natural flow than predicted, or has accrued more storage than predicted, the Director will revise his initial, projected demand shortfall determination.

7. Step 5: If the storage allocations held by members of the SWC fill, there is no reasonable carryover shortfall. If the storage allocations held by members of the SWC do not fill, within fourteen (14) days following the publication of Water District 01's initial storage report, which typically occurs soon after the Day of Allocation,²⁷ the volume of water secured by junior ground water users to fulfill the reasonable carryover shortfall shall be made available to injured members of the SWC. The amount of reasonable carryover to be provided shall not exceed the empty storage space on the Day of Allocation for that entity. If water is owed in addition to the reasonable carryover shortfall volume, this water shall be delivered or assigned to members of the SWC at the Time of Need, described below. The Time of Need will be no earlier than the Day of Allocation.

8. Step 6: Approximately halfway through the irrigation season, but following the events described in Step 5, the Director will, for each member of the SWC: (1) recalculate RISD; (2) issue a revised FS; and (3) estimate the Time of Need date.²⁸

9. RISD will be calculated utilizing the project efficiency, BD, and the cumulative actual CWN determined up to that point in the irrigation season. The cumulative CWN volume will be calculated for all land irrigated with surface water within the boundaries of each member of the SWC. Volumetric values of CWN will be calculated using ET and precipitation values from the USBR's AgriMet program, irrigated areas provided by each entity, and crop distributions based on NASS data.

10. The FS for each SWC is the sum of the year-to-date actual natural flow diversions, the forecasted natural flow supply for the remainder of the season, and the storage allocation for each member of the SWC. The forecasted natural flow supply for the remainder of the season will be based on regression analysis. The storage allocation will be based on the actual preliminary storage allocations issued by the BOR and Water District 01. If the BOR and Water District 01 have not yet allocated stored water to spaceholders, the Department will predict the storage allocations based on an analogous year(s).

11. The calendar day determined to be the Time of Need is established by predicting the day in which the remaining storage allocation will be equal to reasonable carryover. The Time of Need will not be earlier than the Day of Allocation.

²⁷ The Day of Allocation is the time in the irrigation season when the Water District 01 watermaster can issue allocations to storage space holders after the reservoir system has achieved its maximum physical fill, maximum water right accrual, and any excess spill past Milner Dam has ceased. Tr., at 902:7–25, 903:1–10.

²⁸ At the earliest established Time of Need for any member of the SWC, junior ground water users are required to provide remaining mitigation to all materially injured members of the SWC.

12. This information will be used to recalculate RISD and adjust the projected IDS for each member of the SWC. The Director will then issue revised RISD and DS values. Any increase to the projected IDS for each SWC entity is an additional mitigation obligation of the junior ground water users.

13. Upon a determination of an additional mitigation obligation, junior ground water users will be required to establish, to the satisfaction of the Director, their ability to secure a volume of storage water or to conduct other approved activities pursuant to an approved mitigation plan that will deliver the additional mitigation obligation water to the injured members of the SWC at the Time of Need. If junior ground water users fail or refuse to submit this information within fourteen (14) days from issuance of a Step 6 order, the Director will issue an order curtailing junior ground water users.²⁹ A transient ESPAM simulation will be run to determine the priority date to produce the necessary additional mitigation obligation volume by September 30 of the same year. Curtailment will be simulated within the area of common ground water supply, as described by CM Rule 50.01.

14. Step 7: Shortly before the estimated Time of Need, but following the events described in Steps 5 and 6, the Director will, for each member of the SWC: (1) recalculate RISD; (2) issue a revised FS; and (3) establish the Time of Need. The revised FS for each SWC entity is the sum of the year-to-date actual natural flow diversions, the forecasted natural flow supply for the remainder of the season, and the storage allocation for each member of the SWC. The forecasted natural flow supply for the remainder of the season will be based on analogous year(s) with similar Blackfoot to Milner reach gains. The storage allocation will be based on the actual preliminary storage allocations issued by the BOR and Water District 01.

15. This information will be used to recalculate RISD and adjust the projected IDS for each member of the SWC. RISD will be calculated utilizing the project efficiency, BD, and the cumulative actual CWN determined up to that point in the irrigation season. The Director will then issue revised RISD and IDS values.

16. A transient ESPAM simulation will be run to determine the priority date of water rights that must be curtailed to produce the demand shortfall volume by September 30 of the same year. Curtailment will be simulated within the area of common ground water supply, as described by CM Rule 50.01.

17. Step 8: At the Time of Need, junior ground water users are required to deliver to each injured member of the SWC the Step 7 revised IDS calculated at the Time of Need. Alternatively, any additional mitigation obligation calculated in Step 6 and Step 7 can be satisfied from each SWC member's reasonable carryover if (a) the reasonable carryover exceeds the additional mitigation obligation, and (b) the junior ground water users secure sufficient water to replace the reasonable carryover pursuant to an approved mitigation plan.

²⁹ This presumes that any reasonable carryover obligation has been met, and that junior ground water users are not already under prior curtailment from deficiencies in meeting the previous year's obligation.

18. The Director will review, at the end of the season, the volume and efficiencies of application of surface water, the amount of mitigation water delivered by junior ground water users, and may, in the exercise of his professional judgment, readjust the reasonable carryover shortfalls to reflect these considerations.

19. Step 9: Following the end of the irrigation season (on or before November 30), the Department will determine the total actual volumetric demand and total actual CWN for the entire irrigation season. This information will be used for the analysis of reasonable carryover shortfall, selection of future BLY, and for the refinement and continuing improvement of the method for future use.

20. On or before November 30, the Department will issue estimates of actual carryover and reasonable carryover shortfall volumes for all members of SWC. These estimates will be based on, but not limited to, the consideration of the best available water diversion and storage data from Water District 01, return flow monitoring, comparative years, and RISD. These estimates will establish the obligation of junior ground water users in providing water to the SWC for reasonable carryover shortfall. Fourteen (14) days following the issuance by the Department of reasonable carryover short fall obligations, junior ground water users will be required to establish, to the satisfaction of the Director, their ability to supply a volume of storage water or to conduct other approved mitigation activities that will provide water to the injured members of the SWC equal to the reasonable carryover shortfall for all injured members of the SWC. If junior ground water users cannot provide this information, the Director will issue an order curtailing junior ground water rights. A transient ESPAM simulation will be run to determine the priority date of water rights that must be curtailed to produce the reasonable carryover shortfall volume by September 30 of the following year. Curtailment will be simulated within the area of common ground water supply, as described by CM Rule 50.01.

IT IS FURTHER ORDERED that this Sixth Methodology Order supersedes all previously issued methodology orders in this matter.

Dated this 19th day of July 2023.


GARY SPACKMAN
Director

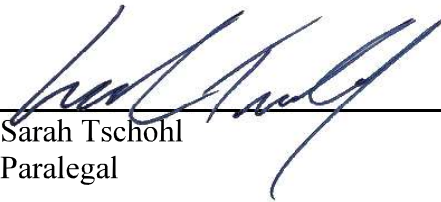
CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 19th day of July 2023, the above and foregoing, was served by the method indicated below, and addressed to the following:

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Sarah Tschohl
Paralegal

EXPLANATORY INFORMATION TO ACCOMPANY A FINAL ORDER

(Required by Rule of Procedure 740.02)

The accompanying order is a "**Final Order**" issued by the department pursuant to section 67-5246 or 67-5247, Idaho Code.

Section 67-5246 provides as follows:

- (1) If the presiding officer is the agency head, the presiding officer shall issue a final order.
- (2) If the presiding officer issued a recommended order, the agency head shall issue a final order following review of that recommended order.
- (3) If the presiding officer issued a preliminary order, that order becomes a final order unless it is reviewed as required in section 67-5245, Idaho Code. If the preliminary order is reviewed, the agency head shall issue a final order.
- (4) Unless otherwise provided by statute or rule, any party may file a petition for reconsideration of any order issued by the agency head within fourteen (14) days of the service date of that order. The agency head shall issue a written order disposing of the petition. The petition is deemed denied if the agency head does not dispose of it within twenty-one (21) days after the filing of the petition.
- (5) Unless a different date is stated in a final order, the order is effective fourteen (14) days after its service date if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:
 - (a) The petition for reconsideration is disposed of; or
 - (b) The petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.
- (6) A party may not be required to comply with a final order unless the party has been served with or has actual knowledge of the order. If the order is mailed to the last known address of a party, the service is deemed to be sufficient.
- (7) A non-party shall not be required to comply with a final order unless the agency has made the order available for public inspection or the nonparty has actual knowledge of the order.

(8) The provisions of this section do not preclude an agency from taking immediate action to protect the public interest in accordance with the provisions of section 67-5247, Idaho Code.

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a final order within fourteen (14) days of the service date of this order as shown on the certificate of service. **Note: the petition must be received by the Department within this fourteen (14) day period.** The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See section 67-5246(4) Idaho Code.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, any party aggrieved by a final order or orders previously issued in a matter before the department may appeal the final order and all previously issued orders in the matter to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days: a) of the service date of the final order, b) the service date of an order denying petition for reconsideration, or c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration, whichever is later. See section 67-5273, Idaho Code. The filing of an appeal to district court does not in itself stay the effectiveness or enforcement of the order under appeal.

**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

**FINAL ORDER CURTAILING
GROUND WATER RIGHTS
JUNIOR TO OCTOBER 11, 1900**

The Director of the Idaho Department of Water Resources (“Department”) finds, concludes, and orders as follows:

FINDINGS OF FACT

1. On July 19, 2023, the Director issued the *Sixth Final Order Regarding Methodology for Determining Material Injury to Reasonable In-Season Demand and Reasonable Carryover* (“*Methodology Order*”).¹ The *Methodology Order* established nine steps for determining material injury to members of the Surface Water Coalition (“SWC”).²

2. On April 16, 2025, the Director issued his *Final Order Regarding April 2025 Forecast Supply (Methodology Steps 1–3)* (“*April Forecast Supply Order*”). The *April Forecast Supply Order* predicted an in-season demand shortfall (“IDS”) to the SWC of 63,000 acre-feet for the 2025 irrigation season. *April Forecast Supply Order*, at 3. At that time, the only member of the SWC predicted to experience material injury during the 2025 irrigation season was Twin Falls Canal Company (“TFCC”). *Id.* at 3–4.

3. As a result, the Director ordered that:

On or before May 1, 2025, ground water users holding consumptive water rights bearing priority dates junior to August 28, 1955, within the Eastern Snake Plain Aquifer area of common ground water supply [(“ESPA ACGWS”)] shall establish, to the satisfaction of the Director, that they can mitigate for their proportionate

¹ Shortly after the *Methodology Order* was issued, the Idaho Ground Water Appropriators, Inc. (“IGWA”) and certain Idaho cities filed petitions for judicial review in Ada County (Nos. CV01-23-13173 and CV01-23-13238). IGWA’s petition for judicial review is stayed until December 31, 2027. The cities’ petition for judicial review is pending before the Idaho Supreme Court. The filing of a petition for judicial review does not stay the effectiveness of an order. I.C. § 67-5274. No party to the judicial review proceedings has requested a stay of the *Methodology Order*.

² The SWC is comprised 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.

share of the predicted April IDS of 63,000 acre-feet in accordance with an approved mitigation plan. If a junior ground water user cannot establish, to the satisfaction of the Director, that they can mitigate for their proportionate share of the predicted April IDS in accordance with an approved mitigation plan, the Director will issue an order curtailing the junior-priority ground water user.

April Forecast Supply Order, at 6.

4. On May 16, 2025, the Director issued a *Final Order Curtailing Ground Water Rights Junior to August 28, 1955* (“*Curtailment Order*”). The Director ordered that:

[E]ffective May 31, 2025, ground water users holding water rights bearing priority dates junior to August 28, 1955, within the ESPA ACGWS, and listed in Attachment A to this 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.

Curtailment Order, at 4.

5. On July 10, 2025, the Director issued the *Order Revising April 2025 Forecast Supply and Continuing May 16, 2025 Curtailment Order (Methodology Steps 5 & 6)* (“*July As-Applied Order*”), which applied steps 5 and 6 of the *Methodology Order*. The Director predicted a revised IDS of 75,300 acre-feet. *July As-Applied Order*, at 8. Once again, he found TFCC to be the only member of the SWC predicted to experience material injury during the 2025 irrigation season, with an estimated Time of Need of August 28, 2025. *Id.* at 8–9.

6. Consequently, the Director ordered that by “July 24, 2025, ground water users holding consumptive water rights bearing priority dates junior to October 11, 1900, within the [ESPA ACGWS] shall establish, to the satisfaction of the Director, that they can mitigate for their proportionate share of the predicted IDS of 75,300 acre-feet in accordance with an approved mitigation plan.” *Id.* at 12. He ordered that if such a junior ground water user cannot establish that they can mitigate for their proportionate share of the updated predicted IDS “in accordance with an approved mitigation plan, the Director will issue an order curtailing the junior-priority ground water user.” *Id.* Additionally, the Director ordered “that the May 16, 2025 *Curtailment Order* remains in full force and effect.” *Id.*

7. There are currently five approved mitigation plans in place responding to the SWC delivery call:

- (1) Docket No. CM-MP-2010-001 for the benefit of the Southwest Irrigation District and Goose Creek Irrigation District (collectively, “SWID”);
- (2) Docket No. CM-MP-2019-001 for the benefit of certain cities commonly referred to as the “Coalition of Cities”;
- (3) Docket No. CM-MP-2015-003 for the benefit of the A&B Irrigation District (“A&B”);

- (4) Docket No. CM-MP-2007-001 for the benefit of certain entities commonly referred to as the “Water Mitigation Coalition”; and
- (5) Docket No. CM-MP-2024-003 for the benefit of certain ground water districts commonly referred to as the “Ground Water Districts.”

8. In both the *April Forecast Supply Order* and *July As-Applied Order*, the Director concluded that due to the nature of the approved mitigation plans for SWID, the Coalition of Cities, the Water Mitigation Coalition, and the Ground Water Districts, these entities do not need to establish they can mitigate for their proportionate share of the predicted IDS. *April Forecast Supply Order*, at 5 n.8; *July As-Applied Order*, at 11 n.6.

9. However, in the *July As-Applied Order* the Director concluded that A&B must mitigate for its proportionate share of the predicted July IDS of 75,300 acre-feet and determined that A&B’s proportionate share is 5,039 acre-feet. *July As-Applied Order*, at 11 n.6. Although, he did note that in response to the *April Forecast Supply Order*, A&B previously demonstrated that it “already secured 164 acre-feet of storage water for the 2025 irrigation season.” *Id.*

10. On July 24, 2025, A&B and the other members of the SWC submitted a *Joint Motion for Order Approving 2025 Stipulation* (“*Joint Motion*”). The motion explains that A&B and the other members of the SWC entered into a stipulation, referred to as the “*2025 Stipulation*,” to “define A&B’s mitigation obligation for the 2025 irrigation season.” *Joint Motion*, at 2. In the stipulation, which is included as Attachment A to the *Joint Motion*, A&B proposes to continue its ground water conversions projects and deliver 1,252 acre-feet of storage water to TFCC (the injured SWC member) in accordance with its approved mitigation plan. *2025 Stipulation*, at 2. A&B and the other members of the SWC request the Director approve the *2025 Stipulation* as “stipulated compliance with [A&B’s] approved mitigation plan for the 2025 irrigation season.” *Joint Motion*, at 2. In an order issued concurrently with this order, the Director issued his *Order Approving 2025 Stipulation as Compliance with Approved Mitigation Plan*.

CONCLUSIONS OF LAW

1. Idaho Code § 42-602 authorizes the Director to supervise water distribution within water districts:

The director of the department of water resources shall have direction and control of the distribution of water from all natural water sources within a water district to the canals, ditches, pumps and other facilities diverting therefrom. Distribution of water within water districts created pursuant to section 42-604, Idaho Code, shall be accomplished by watermasters as provided in this chapter and supervised by the director. The director of the department of water resources shall distribute water in water districts in accordance with the prior appropriation doctrine. The provisions of chapter 6, title 42, Idaho Code, shall apply only to distribution of water within a water district.

2. As explained above, by July 24, 2025, ground water users with consumptive water rights “junior to October 11, 1900, within the [ESPA ACGWS]” had to “establish, to the

FINAL ORDER CURTAILING GROUND WATER RIGHTS JUNIOR TO OCTOBER 11, 1900—Page 3

satisfaction of the Director, that they can mitigate for their proportionate share of the predicted IDS of 75,300 acre-feet in accordance with an approved mitigation plan.” *July As-Applied Order*, at 12. If a junior ground water user does not establish that they can mitigate for their proportionate share of the predicted July IDS “in accordance with an approved mitigation plan” the ground water user will be subject to this “order curtailing the junior-priority ground water user.” *Id.*

3. Due to the nature of the approved mitigation plans for SWID, the Coalition of Cities, the Water Mitigation Coalition, and the Ground Water Districts, these entities do not need to establish that they can mitigate for their proportionate share of the predicted July IDS. Junior ground water users entitled to the protection of SWID, the Coalition of Cities, the Water Mitigation Coalition, and the Ground Water Districts mitigation plans continue to not be subject to curtailment during the 2025 irrigation season.

4. Under a separate order, the Director approved the *2025 Stipulation* between A&B and the other members of the SWC because it is consistent with A&B’s approved mitigation plan in Docket No. CM-MP-2015-003. Accordingly, A&B’s water rights will not be subject to curtailment during the 2025 irrigation season.

5. Consistent with the *July As-Applied Order*, Idaho Code § 42-602, and decisions of the courts, the Director must order curtailment of junior-priority ground water users that have not established they can mitigate in accordance with an approved mitigation plan. Junior-priority ground water users subject to curtailment are listed in the updated Attachments A to this order.

ORDER

Based upon and consistent with the foregoing, IT IS HEREBY ORDERED that effective July 25, 2025, ground water users holding water rights bearing priority dates junior to October 11, 1900, within the ESPA ACGWS, and listed in Attachment A to this 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.

IT IS FURTHER ORDERED that holders of ground water rights listed in Attachment A to this order, who were not previously listed in Attachment A to the May 16, 2025 *Curtailment Order*, may seek to participate in an approved mitigation plan through a ground water district and shall have fifteen days from the date of this order to join, solely for mitigation purposes, the ground water district situated nearest the lands to which the water rights are appurtenant. *See* H.B. 737a, 58th Leg., 2d Reg. Sess. (Idaho 2006) (*Act Relating to the Administration of Ground Water Rights Within the Eastern Snake River Plain*); *see also* I.C. § 42-5259. The water rights that have fifteen days to join a ground water district are identified in Attachment A.

IT IS FURTHER ORDERED that watermasters for the water districts within the ESPA ACGWS who regulate ground water are directed to review the water rights listed in Attachment A to this order and begin the curtailment process.

IT IS FURTHER ORDERED that this order shall apply to consumptive ground water rights, including but not limited to, agricultural, commercial, industrial, and municipal uses. This order excludes ground water rights used for *de minimis* domestic purposes where such domestic use is within the limits of the definition set forth in Idaho Code § 42-111 and ground water rights used for *de minimis* stock watering where such stock watering use is within the limits of the definitions set forth in Idaho Code § 42-1401A(11), pursuant to IDAPA 37.03.11.020.11.

Dated this 25th day of July 2025.



MATHEW WEAVER
Director

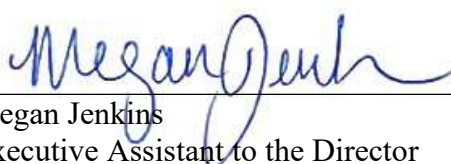
CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 25th day of July 2025, the above and foregoing, was served by the method indicated below, and addressed to the following:

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Megan Jenkins
Executive Assistant to the Director

Attachment A -Sorted by Owner
List of Ground Water Rights Junior to October 11, 1900
(highlighted rights have 15-days to join a ground water district)

Owner	Water Right No.	Basis	Priority Date	Water Use List	Diversion Rate (cfs)	Total Acres	Enlargement
1523 LLC	35-14566	Decreed	11/3/1972	IRRIGATION	0.05	2.6	
288S 500W LLC	36-17158	Decreed	2/1/1961	DOMESTIC, IRRIGATION, STOCKWATER	0.03	1.0	
4 BROS DAIRY INC	37-2622	Decreed	10/6/1959	IRRIGATION	1.39	80.0	
ADAMS, CHERYL L; ADAMS, H LYLE; ADAMS, RODDY L	37-7078	Decreed	10/12/1970	COMMERCIAL, STOCKWATER	0.06	0.0	
AEI CORP	29-8037	License	11/13/1990	DOMESTIC, INDUSTRIAL	0.06	0.0	
AGRICULTURAL SERVICES INC	35-8857	License	9/6/1989	COMMERCIAL	0.04	0.0	
AGUEDA, JOE E; AGUEDA, SANDRA	36-14860	Decreed	12/31/1942	DOMESTIC, STOCKWATER	0.09	0.0	
ALLEN, CECIL; ALLEN, FLORENCE I	31-7398	Decreed	6/16/1983	COMMERCIAL, DOMESTIC	0.06	0.0	
AMERICAN FALLS RESERVOIR DISTRICT #2	36-11120	Decreed	11/27/1962	DOMESTIC, IRRIGATION	0.07	1.5	
ANDERSON, SAM; ANDERSON, STACIE	25-7490	License	3/15/1989	COMMERCIAL	0.04	0.0	
ARKOOSH, BONNIE; ARKOOSH, MICHAEL A	37-4273	Decreed	1/1/1925	DOMESTIC, STOCKWATER	0.11	0.0	
ARKOOSH, BONNIE; ARKOOSH, MICHAEL A	37-4274	Decreed	1/1/1949	DOMESTIC, STOCKWATER	0.11	0.0	
ARNOLD FEED LOT INC	25-12634	Decreed	7/1/1930	COMMERCIAL	0.04	0.0	
ARTCO INC	22-7473	License	12/23/1983	INDUSTRIAL, IRRIGATION	0.84	17.0	
ATKINSON, ANDREW ; ATKINSON, MARY	29-13736	License	2/21/2006	DOMESTIC	0.08	0.0	
B & F DISTRIBUTING CO	25-7555	License	10/12/1989	COMMERCIAL	0.04	0.0	
BABEL, PAUL; HAMPTON, WALLACE; PARKS, FRED A	25-7083	License	1/28/1976	DOMESTIC	0.06	0.0	
BAGBY, JESSICA; BAGBY, NASH	45-14561	Decreed	6/1/1939	IRRIGATION	0.09	7.0	
BAH REXBURG AC PROPERTY LLC	22-11451	Decreed	8/31/1960	IRRIGATION	0.04	2.0	
BAISCH, ROBERT L	35-7481	License	2/21/1975	DOMESTIC	0.08	0.0	
BARBEN, GORDON E; SAMPSON, KEN	27-7025	License	4/2/1973	DOMESTIC	0.08	0.0	
BARNA, BASIL; SNARR, DELMAR; SNARR, MARGARET; SNARR, MERLAND E; SNARR, ROBERT B; SUMMERS, RON	35-12291	Decreed	6/1/1945	DOMESTIC	0.11	0.0	
BARRUS, KEITH; MINKS, ROY; PLOCK, STEPHEN R; SCHNEIDER, SCOT L	25-7080	Decreed	1/28/1976	DOMESTIC	0.11	0.0	
BASIC AMERICAN INC	22-13806	Decreed	6/30/1945	COMMERCIAL, DOMESTIC, STOCKWATER	0.38	0.0	
BASIC AMERICAN POTATO CO INC	35-12853	Decreed	12/31/1948	COMMERCIAL	1.52	0.0	
BASIC AMERICAN POTATO CO INC	35-12062	Decreed	12/31/1957	COMMERCIAL	1.00	0.0	
BATES, ROBERT W; BATES, SHARON H; WILKINS, ELMA; WILKINS, LLOYD	25-7357	Decreed	6/16/1983	DOMESTIC	0.06	0.0	
BEAN, BRENT	45-14562	Decreed	6/1/1939	IRRIGATION	0.03	2.0	
BECO CONSTRUCTION CO INC	25-10226	Decreed	8/27/1953	DOMESTIC	0.28	0.0	
BECO CONSTRUCTION CO INC	25-4114	Decreed	8/27/1953	DOMESTIC	0.33	0.0	
BENJAMIN FARMS LLC	36-16649	Decreed	1/1/1940	DOMESTIC, IRRIGATION	0.03	0.6	
BENNETT, UDO	29-13940	Decreed	10/3/1977	IRRIGATION	0.13	7.5	
BEORCHIA, MICHAEL; BEORCHIA, REVA	35-14830	Decreed	1/26/1962	IRRIGATION	0.02	2.3	
BETTENCOURT, LUIS M; BETTENCOURT, SHARON L	36-17137	Decreed	6/1/1946	IRRIGATION	0.18	9.0	
BEVAN, DONNA; BEVAN, THOMAS	35-14773	Decreed	4/27/1964	IRRIGATION	0.08	2.0	
BEYER, PATRICK	25-7313	Decreed	4/11/1983	DOMESTIC, IRRIGATION	0.05	0.7	
BIG FIVE WATER ASSN	25-7199	Decreed	7/24/1980	DOMESTIC	0.11	0.0	
BIG SKY DAIRY	37-12832	Decreed	5/31/1919	DOMESTIC, STOCKWATER	0.04	0.0	
BIG SKY DAIRY	37-12831	Decreed	1/1/1940	DOMESTIC, STOCKWATER	0.07	0.0	

Attachment A -Sorted by Owner
List of Ground Water Rights Junior to October 11, 1900
(highlighted rights have 15-days to join a ground water district)

Owner	Water Right No.	Basis	Priority Date	Water Use List	Diversion Rate (cfs)	Total Acres	Enlargement
BIGGS, DONALD; BIGGS, HELEN ; BUSH, ROBERT; OCKERMAN, JOY ; WINGERT, JEAN M	25-7082	Decreed	1/28/1976	DOMESTIC	0.16	0.0	
BINGHAM COUNTY	35-14757	License	9/21/1989	COMMERCIAL	0.13	0.0	
BINGHAM INVESTMENTS	29-14017	Decreed	12/31/1953	IRRIGATION	0.55	42.1	
BINGHAM INVESTMENTS	29-14018	Decreed	12/31/1953	INDUSTRIAL	0.11	0.0	
BINGHAM, BOYD A; BINGHAM, SHERRY R	36-8425	License	6/23/1989	IRRIGATION	0.88	105.0	
BINGHAM, JENNIFER; BINGHAM, JOSEPH	37-23385	Decreed	11/30/1965	IRRIGATION	0.31	30.0	
BINGHAM, JENNIFER; BINGHAM, JOSEPH	37-23384	Decreed	2/4/1976	IRRIGATION	0.24	30.0	
BINGHAM, JERRY D; BINGHAM, VALERIE H	35-2183D	Decreed	9/5/1950	IRRIGATION	1.73	156.0	
BINGHAM, JERRY D; BINGHAM, VALERIE H	35-22028	Decreed	8/9/1951	DOMESTIC, IRRIGATION	4.80	285.0	
BINGHAM, JERRY D; BINGHAM, VALERIE H	35-2266	Decreed	10/9/1952	IRRIGATION	3.10	391.0	
BINGHAM, JERRY D; BINGHAM, VALERIE H	35-2269G	Decreed	10/23/1952	IRRIGATION	4.35	391.0	
BINGHAM, JERRY D; BINGHAM, VALERIE H	35-12226	Decreed	4/1/1987	IRRIGATION	0.59	285.0	Yes
BIRD, WARREN A; FARNES, LYLE R; RICKS, RICHARD; TOMCHAK, TYE	25-7375	Decreed	6/29/1983	DOMESTIC	0.10	0.0	
BLACK, KENNETH S; BLACK, NINA E	45-12776	Decreed	10/30/1960	DOMESTIC, STOCKWATER	0.23	0.0	
BLACKER, LOVEL L; BLACKER, MARVIN L	45-14141	Decreed	7/19/1954	IRRIGATION	0.07	3.7	
BLAINE COUNTY SCHOOL DISTRICT #61	37-22931	Decreed	11/25/1962	IRRIGATION	0.05	2.3	
BLEDSE, HELEN M; HACKMAN, ERNEST A	35-7916	License	9/16/1980	DOMESTIC	0.08	0.0	
BLUE SAGE PROPERTIES LLC	36-14759	Decreed	7/15/1955	DOMESTIC, STOCKWATER	0.04	0.0	
BOAM, LARRY J	25-4204	Decreed	1/4/1940	DOMESTIC, IRRIGATION, STOCKWATER	0.17	1.0	
BOISE PACKAGING & NEWSPRINT LLC	45-2568	Decreed	4/1/1958	DOMESTIC, FIRE PROTECTION FROM STORAGE, FIRE PROTECTION STORAGE, FIRE PROTECTION	0.09	0.0	
BOLINDER, CATHERINE L	27-7322	License	6/8/1982	DOMESTIC	0.06	0.0	
BONNIE BARTON BANDY IRREVOCABLE TRUST	36-17287	Decreed	5/14/1974	IRRIGATION	0.08	4.0	
BOOTJACK LTD PARTNERSHIP	37-10146	Decreed	1/1/1950	DOMESTIC, STOCKWATER	0.04	0.0	
BORAN , MICHAEL J	35-11390	Decreed	6/1/1941	FISH PROPAGATION	20.00	0.0	
BORAN , MICHAEL J	35-4271B	Decreed	6/1/1945	FISH PROPAGATION	50.00	0.0	
BORAN , MICHAEL J	35-8635B	Decreed	12/17/1986	FISH PROPAGATION	0.72	0.0	
BORAN , MICHAEL J	35-8782	License	5/23/1989	FISH PROPAGATION	4.64	0.0	
BOWDEN, CHEREE; BOWDEN, GUY	31-12543	Decreed	7/31/1930	IRRIGATION	0.05	7.2	
BOWDEN, CHEREE; BOWDEN, GUY	31-12541	Decreed	8/19/1931	IRRIGATION	0.06	7.2	
BOWDEN, CHEREE; BOWDEN, GUY	31-12540	Decreed	9/4/1947	IRRIGATION, STOCKWATER	0.03	7.2	
BOWEN, BRAD	25-12253	Decreed	12/17/1951	DOMESTIC, IRRIGATION	0.07	1.0	
BRAGA, BRYAN	34-14685	Decreed	12/31/1955	DOMESTIC, IRRIGATION	0.04	2.0	
BRAY, CLAUDETTE; CAREY, JUNE G	45-11902	Decreed	3/15/1934	IRRIGATION	0.08	2.7	
BRIGGS, DAVID L; BRIGGS, JEANIE K	25-7466	License	11/17/1988	COMMERCIAL	0.04	0.0	
BRINKMANN, GEORGE	35-8893	License	3/29/1990	COMMERCIAL	0.01	0.0	
BROADHEAD, LYNN	35-8765	License	5/23/1989	COMMERCIAL	0.05	0.0	
BROWN, HAROLD	31-7513	License	11/23/1988	COMMERCIAL, DOMESTIC	0.07	0.0	
BROWN, HEATHER; BROWN, WAYNE W	36-14878	Decreed	12/31/1956	DOMESTIC, STOCKWATER	0.06	0.0	

Attachment A -Sorted by Owner
List of Ground Water Rights Junior to October 11, 1900
(highlighted rights have 15-days to join a ground water district)

Owner	Water Right No.	Basis	Priority Date	Water Use List	Diversion Rate (cfs)	Total Acres	Enlargement
BROWN, JAN A; BROWN, SID E; MOMBERGER, JESSE C	31-7510	License	11/14/1988	DOMESTIC, IRRIGATION, STOCKWATER	0.11	2.0	
BROWN, KAMI; BROWN, SPENCER	31-12545	Decreed	6/1/1941	IRRIGATION	0.07	35.0	
BURDETTE INC	25-7532	License	9/20/1989	COMMERCIAL	0.04	0.0	
BURGESS SUBDIVISION WATER ASSN INC	25-7457	License	10/27/1988	DOMESTIC	0.11	0.0	
BURLEY IRRIGATION DISTRICT	45-10390	Decreed	6/19/1909	DOMESTIC	0.05	0.0	
BURNS CONCRETE INC	25-13982	License	12/18/2002	COMMERCIAL	3.53	0.0	
BURNS, KIRK E; SZIMHARDT, LINDA J	25-7426	License	6/6/1988	IRRIGATION	0.08	5.6	
BURRELL, GEORGE W; BURRELL, LURANA J; KEETCH, SHYANN; KEETCH, STETSON	29-13900	License	4/3/2009	DOMESTIC	0.08	0.0	
BURRUP, JOHN R; BURRUP, JON R	25-13085	Decreed	7/6/1958	COMMERCIAL, STOCKWATER	0.12	0.0	
BURT, DEBRA L; LIVERMORE, SEAN	25-14531	Decreed	8/1/1975	IRRIGATION	0.10	5.0	
CALLEN JR, JERRY R; CALLEN, PATRICIA	36-14326	Decreed	7/15/1919	DOMESTIC, STOCKWATER	0.04	0.0	
CALLEN JR, JERRY R; CALLEN, PATRICIA	36-15514	Decreed	9/30/1919	STOCKWATER	0.03	0.0	
CAMPBELL, ALTA	25-4136	Decreed	6/1/1955	IRRIGATION	0.02	0.3	
CANNERS SEED CORP	25-7449	License	10/13/1988	COMMERCIAL, DOMESTIC	0.04	0.0	
CANNON SHELLEY PROPERTY LTD PARTNERSHIP	27-12235	Decreed	8/19/1952	COMMERCIAL, STOCKWATER	0.43	0.0	
CARPENTER, BARBARA; CARPENTER, MAURICE	25-71938	Decreed	4/30/1980	DOMESTIC, IRRIGATION, STOCKWATER	0.02	2.5	
CARRENO, OSCAR	36-15669	Decreed	2/18/1971	COMMERCIAL, STOCKWATER	0.02	0.0	
CARRENO, OSCAR	36-16240	Decreed	1/7/1974	COMMERCIAL, STOCKWATER	0.01	0.0	
CARSTENS, JULIUS M J	25-7481	License	12/22/1988	IRRIGATION	0.04	1.4	
CASA DEL NORTE LP	37-7081	Decreed	12/8/1970	IRRIGATION	1.67	840.0	
CASSIDY, FRANCIS J; HOFFMAN, RICHARD P; MEYER, DAVID DANIEL; MEYER, JENNY CLUFF; TANNER, TOMMY C	25-7638	License	4/25/1995	DOMESTIC	0.10	0.0	
CASTLE CONCRETE CO INC	27-10010	Decreed	6/20/1952	INDUSTRIAL	0.08	0.0	
CASTRO JR, VICENTE; CASTRO, PATRICIA	36-17297	Decreed	2/4/1976	IRRIGATION	0.06	3.1	
CEYNAR, MARCENE; FANN, LAVEDA A; FANN, R E; FARNSWORTH, BETH; FARNSWORTH, JAY; PICKERING, CRAIG; PICKERING, VICKY	25-7272	Decreed	2/4/1982	DOMESTIC	0.10	0.0	
CHALLENGER PALLET & SUPPLY	25-7451	License	12/1/1988	COMMERCIAL	0.04	0.0	
CHAMBERS, BOYD; HARRIS, JAMES; HARRIS, MARI; LOREN, RICHAN; STUEVE, KENNETH; SWEARINGER, ALDON; WADE, BILL	25-4210	Decreed	3/21/1960	DOMESTIC, IRRIGATION	0.19	2.4	
CHAMBERS, RALEIGH R	25-7343	License	6/27/1983	DOMESTIC	0.06	0.0	
CHAPMAN, GARY RAY; CHAPMAN, REBECCA LYNN	22-14405	Decreed	4/22/1979	IRRIGATION	0.04	2.0	
CHENEY, TAMARA	25-14466	Decreed	6/2/1931	IRRIGATION	0.01	0.5	
CHERRY, MARY ANN; CHERRY, ROBERT	25-14402	Decreed	7/19/1973	IRRIGATION	0.02	1.2	
CHRISTENSEN, ADAM W; NELSON, DIANE K	37-23133	Decreed	9/20/1974	IRRIGATION	0.02	0.8	
CHURCH OF JESUS CHRIST OF LATTER DAY SAINTS	25-14347	Decreed	8/19/1952	IRRIGATION	0.05	3.1	
CHURCH OF JESUS CHRIST OF LATTER DAY SAINTS	25-14348	Decreed	8/19/1952	IRRIGATION	0.04	2.5	
CHURCH OF JESUS CHRIST OF LATTER DAY SAINTS	25-14349	Decreed	8/19/1952	IRRIGATION	0.03	5.4	
CHURCH OF JESUS CHRIST OF LATTER DAY SAINTS	25-14350	Decreed	8/19/1952	IRRIGATION	0.04	2.6	
CITY OF BUTTE CITY	34-4028	Decreed	5/10/1952	FIRE PROTECTION, MUNICIPAL	0.23	0.0	
CITY OF BUTTE CITY	34-4027	Decreed	6/20/1960	FIRE PROTECTION, MUNICIPAL	0.23	0.0	

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Owner	Water Right No.	Basis	Priority Date	Water Use List	Diversion Rate (cfs)	Total Acres	Enlargement
CITY OF DUBOIS	31-10002	Decreed	1/1/1921	MUNICIPAL	0.78	0.0	
CITY OF DUBOIS	31-7011	Decreed	5/29/1968	MUNICIPAL	1.35	0.0	
CITY OF DUBOIS; UNION PACIFIC RAILROAD CO	31-10001	Decreed	2/16/1903	MUNICIPAL	0.33	0.0	
CITY OF MINIDOKA	36-15504	Decreed	9/1/1905	MUNICIPAL	0.53	0.0	
CITY OF MUD LAKE	31-10379	Decreed	2/7/1956	MUNICIPAL	1.00	0.0	
CITY OF MUD LAKE	31-7146	Decreed	11/15/1974	FIRE PROTECTION, MUNICIPAL	2.23	0.0	
CLARK, ELLEN	45-12773	Decreed	7/15/1952	DOMESTIC, IRRIGATION	0.14	3.4	
CLAYSON, CASEY; CLAYSON, SHANE	45-7496	Decreed	1/27/1982	DOMESTIC, IRRIGATION	0.06	0.7	
CLIMER, KATHY	35-14879	Decreed	12/10/1948	IRRIGATION	0.20	10.0	
CLINGER, ILA; CLINGER, LELAND	29-2267A	Decreed	10/16/1949	DOMESTIC	0.08	0.0	
CLOSE, ROBERT; CLOSE, SALLY	25-11547	Decreed	1/31/1959	DOMESTIC, IRRIGATION	0.07	1.0	
COMMUNITY WELL PROJECT; VAUGHN, BILL	25-4103	Decreed	12/31/1958	DOMESTIC	0.11	0.0	
COOK, CHARLES S; COOK, JUDITH; SORENSEN, BARRY	35-10512	Decreed	6/15/1952	COMMERCIAL, DOMESTIC, STOCKWATER	0.11	0.0	
COOK, DANNY; COOK, DARRELL L	35-7979	License	5/5/1981	DOMESTIC	0.06	0.0	
COOK, DONALD J	35-7362	License	12/27/1973	DOMESTIC, STOCKWATER	0.05	0.0	
COOK, JESSICA; COOK, STEVEN MATTHEW	45-14570	Decreed	6/1/1939	IRRIGATION	0.09	7.5	
COOK, STEVEN MATTHEW; COOK, TRISTA	45-14571	Decreed	6/1/1939	IRRIGATION	0.06	4.5	
CORDES, RONALD A	25-7488	License	2/14/1989	DOMESTIC, IRRIGATION	0.10	3.0	
CORDON TRAILER COURT	25-10195	Decreed	3/11/1960	COMMERCIAL	0.13	0.0	
CORP OF THE PRESIDING BISHOP	25-4237	Decreed	5/8/1935	DOMESTIC	0.16	0.0	
CORP OF THE PRESIDING BISHOP	25-4200	Decreed	1/1/1951	DOMESTIC, IRRIGATION	0.07	0.6	
CORP OF THE PRESIDING BISHOP	22-12780	Decreed	10/1/1953	DOMESTIC, IRRIGATION	0.07	2.4	
COUNTRY CLUB WATER	25-14447	Decreed	1/27/1976	IRRIGATION	0.03	18.7	
COUNTRY CLUB WATER	25-14448	Decreed	10/31/1986	IRRIGATION	0.01	18.7	Yes
COUNTRY LIFE ESTATES WATER USERS ASSN	25-7033	Decreed	3/27/1973	DOMESTIC	0.20	0.0	
COUNTRY LIFE ESTATES WATER USERS ASSN	25-7046	Decreed	3/8/1974	DOMESTIC	0.73	0.0	
COUNTY OF JEFFERSON	25-13985	License	5/13/2003	RECREATION STORAGE	0.00	0.0	
COUNTY OF JEROME AIRPORT	36-14477	Decreed	1/13/1954	COMMERCIAL, DOMESTIC	0.08	0.0	
COX, CHAD; COX, STACY	29-14511	Decreed	12/28/1948	IRRIGATION	0.05	2.5	
CRANDALL, JEFF; CRANDALL, SUSAN	35-8658	License	11/2/1985	DOMESTIC	0.06	0.0	
CRANE, CALVIN C	45-7303	Decreed	5/10/1977	IRRIGATION, STOCKWATER	1.28	62.0	
CRANE, JIM; CRANE, SHERRIE	45-14564	Decreed	6/1/1939	IRRIGATION	0.05	3.5	
CRANE, KARI L; CRANE, TROY W	45-4067B	Decreed	8/1/1962	IRRIGATION	1.46	73.0	
CRARY INDUSTRIES INC	36-11369	Decreed	8/20/1959	COMMERCIAL	0.03	0.0	
CRESPO TRUCKING INC	37-8355	License	8/9/1988	COMMERCIAL, DOMESTIC	0.04	0.0	
CRM CO	25-7554	License	9/8/1989	COMMERCIAL	0.04	0.0	
CROMWELL, VERNAL D	25-7446	License	10/21/1988	DOMESTIC	0.06	0.0	
CRONQUIST, CAMERON; CRONQUIST, LORI	35-14895	Decreed	8/19/1977	IRRIGATION	0.09	5.0	
CROP PRODUCTION SERVICES	25-4250	Decreed	3/8/1963	COMMERCIAL	0.10	0.0	

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CROP PRODUCTION SERVICES	27-7371	Decreed	6/29/1983	COMMERCIAL	0.04	0.0	
CROP PRODUCTION SERVICES	35-8627	Decreed	4/4/1989	COMMERCIAL	0.16	0.0	
CROTTS, RICHARD S; MC CONNELL, FRANCES L	37-23627	Decreed	9/20/1974	IRRIGATION	0.08	6.4	
CROWN OF LIFE LUTHERAN CHURCH	25-7434	License	8/30/1988	COMMERCIAL	0.04	0.0	
CRUMLEY, DUSTIN R; CRUMLEY, FELICIA	35-14875	Decreed	4/1/1951	IRRIGATION	0.07	5.0	
CRUMRINE, ERIC R; CRUMRINE, SAMANTHA MARIE	36-11149	Decreed	5/20/1965	DOMESTIC, STOCKWATER	0.04	0.0	
CS PROPERTY DEVELOPMENT LLC	36-16189	Decreed	8/10/1973	IRRIGATION	0.04	3.0	
D & M WATER ASSN	29-7281	Decreed	8/4/1975	DOMESTIC	0.26	0.0	
D & M WATER ASSN	29-7367	Decreed	2/7/1977	DOMESTIC	0.40	0.0	
DALTON, DOUG	29-7858	License	2/22/1989	COMMERCIAL	0.08	0.0	
DANCE, DAVID P; DANCE, KARAN D	35-8822	License	7/3/1989	COMMERCIAL	0.01	0.0	
DANCING DRAGONFLY LLC	25-4165	Decreed	6/19/1959	DOMESTIC, IRRIGATION	0.16	2.0	
DANIEL, BRENDA	25-7447	License	10/25/1988	IRRIGATION	0.02	1.0	
DANIEL, BRENDA; DANIEL, DAVID S	25-7261	Decreed	10/8/1981	DOMESTIC, IRRIGATION, STOCKWATER	0.04	2.0	
DANIEL, MELVIN R JR	25-7538	License	9/19/1989	COMMERCIAL	0.07	0.0	
DASCANIO, ELIZABETH; DASCANIO, JUSTIN	35-14588	Decreed	12/31/1940	IRRIGATION	0.16	15.0	
DASCANIO, ELIZABETH; DASCANIO, JUSTIN	35-14587	Decreed	3/5/1948	IRRIGATION	0.11	15.0	
DASCANIO, ELIZABETH; DASCANIO, JUSTIN	35-14589	Decreed	9/28/1981	IRRIGATION	0.01	15.0	
DAVENPORT, KENDALL E; DAVENPORT, YOLANDA L	22-10395	Decreed	4/1/1947	DOMESTIC, IRRIGATION	0.06	1.1	
DAVIS, ERNIE; DAVIS, RHONDA	35-8814	License	9/5/1989	COMMERCIAL	0.04	0.0	
DAVISON, NANCY; DAVISON, RANDY LEE	25-7017A	Decreed	3/20/1972	IRRIGATION	0.42	21.0	
DE GIULIO RANCHES INC	35-10346	Decreed	6/1/1901	DOMESTIC, STOCKWATER	0.09	0.0	
DE MOSS, GARY A; DE MOSS, HELEN	37-22168	Decreed	9/20/1974	IRRIGATION, STOCKWATER	1.61	802.0	
DE MOTT, WILLIAM J; GROVER, LA VAR; RIGBY, WILLIAM F	25-7537	License	9/20/1989	COMMERCIAL	0.08	0.0	
DE VRIES, KRISTY; DE VRIES, WIETZE	45-14556	Decreed	3/10/1960	COMMERCIAL	0.10	0.0	
DE VRIES, KRISTY; DE VRIES, WIETZE	45-14557	Decreed	12/8/1981	COMMERCIAL	0.06	0.0	
DEAN, DONALD K; DEAN, LINDA J	45-11743	Decreed	9/30/1949	IRRIGATION	0.02	0.7	
DECKER, JENNY	25-10609	Decreed	6/30/1940	DOMESTIC, IRRIGATION	0.14	5.0	
DEES, ELDON G; DEES, KATHALINE; DEES, RONALD K; DEES, SHIRLEY	25-7351	Decreed	6/24/1983	DOMESTIC, STOCKWATER	0.06	0.0	
DERBYHAWK LLC	25-7553	License	9/27/1989	DOMESTIC	0.11	0.0	
DIAMOND A LIVESTOCK INC	37-21492	Decreed	6/1/1971	COMMERCIAL	0.04	0.0	
DIETRICH SCHOOL DISTRICT #314	37-4317	Decreed	8/1/1935	DOMESTIC	0.09	0.0	
DILWORTH, ALMA L; DILWORTH, THOMAS R	37-10029	Decreed	1/1/1917	DOMESTIC	0.05	0.0	
DIXON, ANNIE; JAHN, ROBERT	35-7823	License	11/22/1978	DOMESTIC, STOCKWATER	0.05	0.0	
DOMINICK, TERESA	25-7073F	Decreed	8/1/1975	IRRIGATION	0.10	5.0	
DOUG ANDRUS DISTRIBUTING INC	35-12529	Decreed	1/1/1950	COMMERCIAL	0.18	0.0	
DOWNES, LONNIE W	45-11932	Decreed	5/25/1953	COMMERCIAL	0.01	0.0	
DREW, STAN	29-8237	License	4/17/2000	DOMESTIC	0.11	0.0	
DUFFY & CONNIE ENTERPRISES LLC	22-7605	License	10/19/1988	COMMERCIAL	0.02	0.0	

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E Z LIVIN TRAILER COURT	45-10479	Decreed	12/31/1958	COMMERCIAL	0.20	0.0	
EAMES, LINDA J	25-7643	License	12/4/1995	DOMESTIC	0.18	0.0	
EAST FAIRVIEW WATER WELL CO	25-12791	Decreed	4/1/1961	DOMESTIC	0.11	0.0	
EAST RIVER COMMONS HOME OWNER ASSN	25-7143	Decreed	3/12/1978	DOMESTIC	0.16	0.0	
EDEN, GARY; EDEN, GLENNA R	37-10188	Decreed	1/1/1944	DOMESTIC, STOCKWATER	0.04	0.0	
EDSTROM CONSTRUCTION PROPERTIES LLP	22-14542	Permit	3/27/2023	INDUSTRIAL STORAGE, INDUSTRIAL, RECREATION STORAGE	4.00	0.0	
EGANS GREEN HOUSE	25-7433	License	7/25/1988	COMMERCIAL	0.04	0.0	
ELDRIDGE, DALE C; ELDRIDGE, RENEE J	37-10142	Decreed	5/1/1951	COMMERCIAL, DOMESTIC, STOCKWATER	0.08	0.0	
ELK RIDGE RV LLC	36-17282	Decreed	2/2/1954	COMMERCIAL	0.11	0.0	
ELK RIDGE RV LLC	36-17283	Decreed	3/1/1975	COMMERCIAL	0.03	0.0	Yes
ESKELSON, BRANDON	35-14508	Decreed	5/1/1959	DOMESTIC, IRRIGATION	0.05	2.0	
EVANS GRAIN & ELEVATOR CO	35-8848	License	11/6/1989	COMMERCIAL	0.04	0.0	
FALL RIVER TRADING POST	21-7412	License	3/1/1989	COMMERCIAL, DOMESTIC	0.04	0.0	
FALLS IRRIGATION DISTRICT / US BUREAU OF RECLAMATION	29-2262	Decreed	1/24/1946	IRRIGATION	2.00	0.0	
FALLS IRRIGATION DISTRICT / US BUREAU OF RECLAMATION	29-2267	Decreed	10/16/1949	IRRIGATION	0.44	0.0	
FALLS IRRIGATION DISTRICT / US BUREAU OF RECLAMATION	29-2288	Decreed	5/19/1950	IRRIGATION	2.00	0.0	
FALLS IRRIGATION DISTRICT / US BUREAU OF RECLAMATION	29-13388	Decreed	6/18/1950	IRRIGATION	2.30	0.0	
FALLS IRRIGATION DISTRICT / US BUREAU OF RECLAMATION	29-13389	Decreed	6/18/1950	IRRIGATION	0.21	0.0	
FALLS IRRIGATION DISTRICT / US BUREAU OF RECLAMATION	29-2306	Decreed	7/2/1951	IRRIGATION	2.80	0.0	
FALLS IRRIGATION DISTRICT / US BUREAU OF RECLAMATION	29-2307	Decreed	7/2/1951	IRRIGATION	2.00	0.0	
FALLS IRRIGATION DISTRICT / US BUREAU OF RECLAMATION	29-13426	Decreed	1/15/1952	IRRIGATION	2.02	0.0	
FALLS IRRIGATION DISTRICT / US BUREAU OF RECLAMATION	29-13427	Decreed	1/15/1952	IRRIGATION	0.73	0.0	
FALLS IRRIGATION DISTRICT / US BUREAU OF RECLAMATION	29-2614	Decreed	2/16/1953	IRRIGATION	1.52	0.0	
FALLS IRRIGATION DISTRICT / US BUREAU OF RECLAMATION	29-2341	Decreed	10/29/1953	IRRIGATION	2.00	0.0	
FALLS WATER CO INC	25-14383	Decreed	8/19/1952	IRRIGATION	0.08	77.5	
FALLS WATER CO INC	25-14385	Decreed	8/19/1952	IRRIGATION	0.05	77.5	
FALLS WATER CO INC	25-14442	Decreed	10/28/1953	IRRIGATION	0.07	13.0	
FANNING, DAWN	29-2344D	Decreed	12/31/1953	IRRIGATION	0.04	3.0	
FARMERS MERCHANT INC	35-7723	Decreed	7/4/1977	DOMESTIC, INDUSTRIAL	0.04	0.0	
FAULKNER LAND & LIVESTOCK CO INC	37-10597	Decreed	12/31/1949	DOMESTIC, STOCKWATER	0.17	0.0	
FEATHERSTON, SHIRLEY K	35-10999	Decreed	12/31/1927	DOMESTIC, IRRIGATION, STOCKWATER	0.10	1.3	
FEHRINGER, MARTIN	29-14051	Decreed	2/23/1966	IRRIGATION	0.02	1.5	
FELD, TODD	35-13284	Decreed	2/23/1972	COMMERCIAL, STOCKWATER	0.30	0.0	
FERGUSON, JEANINE; FERGUSON, LARRY G	25-10022	Decreed	12/31/1937	DOMESTIC, IRRIGATION, STOCKWATER	0.14	1.0	
FERGUSON, ROGER N	21-7385	License	9/30/1988	COMMERCIAL	0.04	0.0	
FIELDS, KAREN C; FIELDS, VIRGIL	37-7699	Decreed	2/23/1978	DOMESTIC, STOCKWATER	0.20	0.0	
FMC IDAHO LLC	29-2255C	Decreed	5/22/1939	INDUSTRIAL	0.64	0.0	
FMC IDAHO LLC	29-2255E	Decreed	9/16/1949	IRRIGATION	0.04	2.0	
FMC IDAHO LLC	29-11342	Decreed	9/1/1953	MUNICIPAL	1.10	0.0	

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FOSTER FAMILY FARMS INC	35-8773	License	6/7/1989	COMMERCIAL, DOMESTIC	0.04	0.0	
FOSTER FAMILY FARMS INC	35-8774	License	6/20/1989	COMMERCIAL	0.04	0.0	
FOUR SEASONS WATER CO	27-7351	License	4/20/1983	DOMESTIC	0.29	0.0	
FOUR SQUARE WATER WELL CORP	25-7327	Decreed	2/4/1985	DOMESTIC, IRRIGATION	0.16	3.0	
FOWLER, GARY L; SOMSEN, DIANNE L; SOMSEN, G FRANK; SOMSEN, KRISTINE P; SOMSEN-FOWLER, SARA D	45-13574	Decreed	4/28/1954	IRRIGATION	0.49	321.0	
FOWLER, GARY L; SOMSEN, DIANNE L; SOMSEN, G FRANK; SOMSEN, KRISTINE P; SOMSEN-FOWLER, SARA D	45-2491	Decreed	3/25/1955	IRRIGATION	3.14	321.0	
FRANKLIN DON WIXOM & ZOE FAR WIXOM FAMILY TRUST	45-10575	Decreed	3/15/1939	IRRIGATION, STOCKWATER	0.10	5.0	
FREMONT COUNTY	22-4015	Decreed	4/1/1962	INDUSTRIAL	0.33	0.0	
FULLMER, APRIL; FULLMER, NICHOLAS	25-4106	Decreed	4/1/1959	IRRIGATION	0.05	1.7	
FUNK, LEROY; FUNK, RONDA	45-2672	Decreed	10/26/1961	IRRIGATION	1.00	71.0	
GARDNER FARMS	35-14829	Decreed	6/30/1950	COMMERCIAL, STOCKWATER	0.86	0.0	
GARDNER FARMS	35-14825	Decreed	6/4/1954	IRRIGATION	0.20	320.0	
GARY & PAMELA ROGERS FAMILY TRUST	34-71188	Decreed	11/24/1975	IRRIGATION	8.81	440.0	
GENERAL MILLS OPERATIONS INC	35-2857B	Decreed	1/16/1967	INDUSTRIAL	0.23	0.0	
GERRATT, LARRY	45-2180	Decreed	10/13/1934	IRRIGATION	2.00	151.0	
GERRATT, LARRY	45-11613	Decreed	7/22/1955	IRRIGATION	0.60	151.0	
GILLEN, NORMAN	27-7585	License	4/20/1999	DOMESTIC	0.14	0.0	
GLEN CAPPS INC	36-8176	Decreed	3/31/1983	COMMERCIAL, DOMESTIC	0.04	0.0	
GO LLC	27-12180	Decreed	9/30/1905	COMMERCIAL, INDUSTRIAL	0.76	0.0	
GOLDEN VALLEY MEAT LLC	35-7642	Decreed	10/1/1976	COMMERCIAL	0.05	0.0	
GOLDEN VALLEY MEAT LLC	35-8710	License	3/8/1989	COMMERCIAL	0.94	0.0	
GONZALES, FERNANDO B; GONZALES, IRENE H	29-7238	Decreed	10/31/1974	DOMESTIC, IRRIGATION	0.11	8.0	
GONZALES, FERNANDO B; GONZALES, IRENE H	29-7984	Decreed	4/23/1990	IRRIGATION	0.03	8.0	
GONZALEZ, LAURA; ORTIZ, JULIO	29-14346	Decreed	12/16/1963	IRRIGATION	0.03	2.0	
GOOCH, BEATRICE; GOOCH, ELLIS	37-21156	Decreed	2/18/1971	COMMERCIAL, STOCKWATER	0.02	0.0	
GOUGH, SHAUN	37-23373	License	8/22/1988	IRRIGATION	0.03	1.5	
GRAFF, MICHAEL R	36-4206	Decreed	1/1/1952	DOMESTIC, IRRIGATION	0.04	2.0	
GRAVES, FRANCES M; GRAVES, RICHARD L	37-7371	Permit	7/31/1974	DOMESTIC, IRRIGATION, STOCKWATER	6.49	320.0	
GRAYBEAL, EMILY; GRAYBEAL, JASON	37-4052	Decreed	4/1/1962	DOMESTIC, IRRIGATION	0.08	1.4	
GRISENTI, CHEYANNA; GRISENTI, TYSON	36-17209	Decreed	6/21/1960	IRRIGATION	0.08	4.0	
GROVER, ALICE MAE; GROVER, MELVIN G	25-7480	License	1/9/1989	DOMESTIC, IRRIGATION, STOCKWATER	0.07	3.0	
GROVER, JACK H; GROVER, ROBERTA CAROL	35-10496	Decreed	4/1/1948	COMMERCIAL	0.02	0.0	
GUMMERSON, CHARLES E; GUMMERSON, REBECCA M	45-4033A	Decreed	8/1/1935	DOMESTIC, IRRIGATION, STOCKWATER	0.08	1.8	
GUNDERSON, ADEN	35-14176	Decreed	12/31/1940	IRRIGATION	0.21	20.0	
GUNDERSON, ADEN	35-14174	Decreed	3/5/1948	IRRIGATION	0.15	20.0	
GUNDERSON, ADEN	35-14178	Decreed	9/28/1981	IRRIGATION	0.01	20.0	
GUNDERSON, BONNIE; GUNDERSON, GARTH	35-14584	Decreed	12/31/1940	IRRIGATION	0.03	3.2	
GUNDERSON, BONNIE; GUNDERSON, GARTH	35-14583	Decreed	3/5/1948	IRRIGATION	0.02	3.2	

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GUNDERSON, BRENT G	35-4275B	Decreed	6/1/1938	IRRIGATION	0.08	5.7	
H & T PROPERTIES LLC	36-8312	License	8/15/1986	STOCKWATER	0.05	0.0	
HAFFNER, JOYCE; HAFFNER, WAYNE	36-16650	Decreed	1/1/1940	DOMESTIC, IRRIGATION	0.03	0.4	
HAMILTON LAND & LIVESTOCK	32-4049	Decreed	1/28/1926	DOMESTIC, IRRIGATION, STOCKWATER	0.15	1.0	
HAMMOND, LORNA O; THE SHELTERED TRUST	35-8016	License	1/18/1982	DOMESTIC, STOCKWATER	0.06	0.0	
HANCOCK, DEAN	25-14496	Decreed	4/22/1979	IRRIGATION	0.02	1.0	
HANSEN, WILLIAM KORBY	25-7458	License	11/8/1988	DOMESTIC, IRRIGATION	0.09	1.7	
HARDY, ANITA KAY	36-17152	Decreed	11/7/1974	IRRIGATION	0.63	31.5	
HAROLDSSEN, G ERIC; HAROLDSSEN, GRANT O	25-7300	Decreed	1/5/1983	DOMESTIC, STOCKWATER	0.06	0.0	
HARPER, DAVID; HARPER, HEATHER	35-14725	Decreed	12/31/1940	IRRIGATION	0.18	17.2	
HARPER, DAVID; HARPER, HEATHER	35-14722	Decreed	3/5/1948	IRRIGATION	0.12	17.2	
HARPER, DAVID; HARPER, HEATHER	35-14728	Decreed	9/28/1981	IRRIGATION	0.01	17.2	
HARRIS, BILL B	25-7489	License	2/23/1989	DOMESTIC, STOCKWATER	0.06	0.0	
HART, BOB; HART, MELANIE	25-7520	License	10/16/1989	COMMERCIAL	0.04	0.0	
HART, BOB; HART, NORMA; JOHNSTON, JACOB; JONES, ROBERT I; STIBAL, JOHN	25-7081	Decreed	1/28/1976	DOMESTIC	0.19	0.0	
HASLAM, LAVORE	35-8629	License	4/8/1986	DOMESTIC, STOCKWATER	0.06	0.0	
HAYES, AMY; HAYES, DESTRY	35-14638	Decreed	6/1/1938	IRRIGATION	0.04	3.3	
HAYES, AMY; HAYES, DESTRY	35-14639	Decreed	9/28/1981	IRRIGATION	0.02	3.3	
HEATH, AFTON M; HEATH, CLEM J	35-8617	Decreed	8/18/1985	COMMERCIAL	0.04	0.0	
HELENA CHEMICAL CO	22-7520	Decreed	11/7/1985	COMMERCIAL	0.02	0.0	
HELSLEY HENDRIX, JEANINE P; HELSLEY, BRIAN T	36-16561	Decreed	2/8/1971	IRRIGATION	0.03	3.0	
HENRIE, JAREM	25-7302	Decreed	1/25/1983	DOMESTIC, IRRIGATION, STOCKWATER	0.05	2.0	
HENSLEY, FLOYD W; LOCKES, DAROLD; REYNOLDS, LYNN; WESSEL, TERESA	25-7084	Decreed	1/28/1976	DOMESTIC	0.06	0.0	
HERITAGE DEVELOPMENT	29-8173	License	7/19/1996	DOMESTIC	0.27	0.0	
HIGHWAY ESTATES WATER USERS INC	25-7038	Decreed	9/20/1973	DOMESTIC	0.20	0.0	
HIGLEY DEVELOPMENTS LLC	25-14444	Decreed	10/28/1953	IRRIGATION	0.05	2.8	
HILLSDALE HIGHWAY DISTRICT	45-13664	Decreed	4/28/1951	IRRIGATION	0.33	18.4	
HINCKLEY, LA PREAL	25-14005	License	10/12/2003	IRRIGATION	0.06	3.0	
HOBBS, LAURA LEE	25-7540	License	8/18/1989	DOMESTIC	0.10	0.0	
HOFFBUHR INVESTMENT CO LLC	45-13668	Decreed	4/28/1951	IRRIGATION	0.02	1.0	
HOLDAWAY, CHAD	31-4069	Decreed	12/31/1961	DOMESTIC, STOCKWATER	0.16	0.0	
HOLLY FARMS LTD	37-12380	Decreed	12/31/1920	DOMESTIC, STOCKWATER	0.23	0.0	
HONDO, AKIYE I; HONDO, DANIEL A	45-2664	Decreed	8/30/1961	IRRIGATION	2.00	157.0	
HOOPER, LLOYD C	25-7531	License	10/22/1989	COMMERCIAL	0.04	0.0	
HOPKINS PACKING CO	35-13636	Decreed	9/2/1911	COMMERCIAL, STOCKWATER	0.11	0.0	
HUETTIG, BRIAN J; HUETTIG, LARRY; HUETTIG, NANCY	36-16866	Decreed	1/8/1951	COMMERCIAL	0.03	0.0	
HUFF CREEK LLC	37-2676	Decreed	12/11/1961	IRRIGATION	1.85	450.4	
HULSE, BETTY J; HULSE, VERNON R	25-14185	Decreed	4/1/1903	IRRIGATION	0.06	2.0	
HULTS , JOSEPH; HULTS, KAY A	36-17221	Decreed	1/5/1966	IRRIGATION	1.41	100.4	

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HULTZ, JEAN ISLAY	35-4187	Decreed	7/1/1962	COMMERCIAL, DOMESTIC	0.06	0.0	
HUNSTMANS PROPERTIES	27-7511	License	4/20/1990	COMMERCIAL	0.33	0.0	
HURD, KENNETH L; HURD, PATRICIA L	37-10987	Decreed	1/1/1929	DOMESTIC	0.06	0.0	
ID DEPARTMENT OF LANDS	37-12535	Decreed	1/1/1962	COMMERCIAL	0.04	0.0	
ID DEPARTMENT OF LANDS	37-7372	License	6/30/1999	IRRIGATION, STOCKWATER	6.40	287.0	
ID DEPARTMENT OF PARKS AND RECREATION	41-7006	Decreed	5/20/1971	IRRIGATION	0.18	3.0	
ID DEPARTMENT OF PARKS AND RECREATION	36-17147	Decreed	8/7/1973	IRRIGATION	0.06	5.0	
ID DEPARTMENT OF TRANSPORTATION	25-2111	Decreed	1/28/1953	DOMESTIC	0.38	0.0	
ID DEPARTMENT OF TRANSPORTATION	36-15466	Decreed	10/1/1955	COMMERCIAL	0.04	0.0	
ID DEPARTMENT OF TRANSPORTATION	22-7317	Decreed	1/31/1980	COMMERCIAL, DOMESTIC	0.04	0.0	
ID DEPARTMENT OF TRANSPORTATION	31-7372	Decreed	1/28/1982	INDUSTRIAL	0.05	0.0	
ID DEPARTMENT OF TRANSPORTATION	35-8625	License	1/13/1986	DOMESTIC	0.06	0.0	
IDAHO FALLS COUNTRY CLUB INC	25-13372	Decreed	12/31/1961	COMMERCIAL, IRRIGATION	0.67	132.0	
IDAHO FALLS FARMS LLC	35-14677	Decreed	2/3/1953	IRRIGATION	5.08	1079.5	
IDAHO POTATO PACKERS CORP	35-8909	License	8/3/1990	COMMERCIAL	0.01	0.0	
INGREDION INC	25-4162	Decreed	6/30/1952	COMMERCIAL	0.86	0.0	
INTERSTATE MFG	36-8454	License	9/14/1989	COMMERCIAL	0.04	0.0	
IRELAND ACRES #2	25-7273	Decreed	2/1/1982	DOMESTIC	0.05	0.0	
IRELAND ACRES MOBILE HOME PARK	25-7195	Decreed	6/4/1980	DOMESTIC	0.54	0.0	
J & D PROPERTIES LLC	31-7511	License	11/30/1988	COMMERCIAL	0.03	0.0	
J & L HOLDINGS LLC	25-14481	Decreed	3/20/1959	IRRIGATION	0.03	2.5	
J & L HOLDINGS LLC	25-14509	Decreed	4/22/1979	IRRIGATION	0.04	2.0	
J D HEISKELL HOLDINGS LLC	37-22664	Decreed	8/19/1952	COMMERCIAL	0.01	0.0	
J R SIMPLOT CO	29-7036	Decreed	9/10/1969	DOMESTIC, INDUSTRIAL	0.03	0.0	
J T LAND LLC	36-15271	Decreed	7/10/1947	DOMESTIC, STOCKWATER	0.07	0.0	
JACOBS, GEORGE J	25-7321	License	5/9/1983	DOMESTIC, STOCKWATER	0.08	0.0	
JANSSEN, KARLEEN A	25-12143	Decreed	2/8/1985	COMMERCIAL	0.04	0.0	
JARVIS, WADE DEE	29-11410	Decreed	5/14/1960	DOMESTIC, IRRIGATION, STOCKWATER	0.08	1.2	
JEFFERSON SCHOOL DISTRICT #251	35-8683	License	12/2/1988	INDUSTRIAL	0.02	0.0	
JEFFERSON SCHOOL DISTRICT #251	25-7472	License	1/23/1989	DOMESTIC	0.07	0.0	
JENKINS, FRANK L	22-11197	Decreed	6/6/1980	COMMERCIAL, DOMESTIC	0.04	0.0	
JENKINS, JOEL	25-11303	Decreed	4/1/1930	COMMERCIAL	0.04	0.0	
JENSON, RONALD; JENSON, SHARON	25-10156	Decreed	10/1/1959	DOMESTIC, IRRIGATION, STOCKWATER	0.09	1.5	
JENTZSCH, RODNEY A	36-13599	Decreed	4/15/1956	COMMERCIAL, DOMESTIC	0.04	0.0	
JEROME CHEESE CO	35-14253	Decreed	8/19/1952	MITIGATION	0.06	0.0	
JEROME COUNTY ROD & GUN CLUB	36-8620	License	11/14/1991	COMMERCIAL, IRRIGATION	0.02	0.5	
JOHNSON, DON A; JOHNSON, LAURIE	25-7493	License	3/8/1989	DOMESTIC	0.06	0.0	
JOHNSON, MELISSA	25-7455	License	10/21/1988	DOMESTIC, IRRIGATION	0.07	1.0	
JOHNSON, RODNEY M; JOHNSON, SHERRY L	36-17277	Decreed	11/28/1977	IRRIGATION	0.04	2.0	

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JONES, CLYDE R; JONES, HELEN	25-12037	Decreed	12/31/1948	IRRIGATION	0.11	5.4	
JOSEPHSON, JEANETTE; JOSEPHSON, JOHN	35-8719	License	4/14/1989	INDUSTRIAL	0.04	0.0	
JOURNEYS END HOMEOWNERS ASSN	35-13612	License	11/24/2003	DOMESTIC	0.40	0.0	
JOURNEYS END HOMEOWNERS ASSN	35-13611	License	1/13/2007	COMMERCIAL, DOMESTIC	0.11	0.0	
K & J HOLDING LLC	31-10737	Decreed	12/12/1948	COMMERCIAL, DOMESTIC, STOCKWATER	0.04	0.0	
K & M LAND COMPANY LLC	36-15028	Decreed	5/1/1910	DOMESTIC, STOCKWATER	0.06	0.0	
K & M LAND COMPANY LLC	36-16301	Decreed	6/11/1957	COMMERCIAL, STOCKWATER	0.02	0.0	
KAREY LANE WELL ASSN	35-7698	Decreed	8/11/1983	DOMESTIC	0.14	0.0	
KAREY LANE WELL ASSN	35-8943	License	5/3/1991	DOMESTIC	0.09	0.0	
KAY, JUSTINE; KAY, THOMAS F; LEVESQUE, GLENDA R	34-2484	Decreed	8/12/1966	IRRIGATION	0.01	2.0	
KEITH SKAAR FARMS INC	25-13312	Decreed	5/1/1962	COMMERCIAL	0.04	0.0	
KERBS OIL CO INC	45-7644	License	5/22/1989	COMMERCIAL	0.04	0.0	
KEYBANK NATIONAL ASSOC	25-7517	License	8/24/1989	COMMERCIAL	0.50	0.0	
KING, FERRIL; KING, RENE	36-8440	License	9/7/1989	COMMERCIAL	0.02	0.0	
KINGHORN, KAYLYNN; KINGHORN, LORAN; PARSONS, KARLA M; PARSONS, WILLIAM T	35-13441	Decreed	5/1/1960	COMMERCIAL	0.04	0.0	
KIRBY, DORIS F; KIRBY, ELWOOD	35-7860	License	6/20/1979	DOMESTIC	0.08	0.0	
KIT CIRCLE LLC	22-7296	Decreed	6/19/1979	DOMESTIC	0.16	0.0	
KITS FOUNDRY & MACHINE SHOP INC	27-7460	License	5/16/1989	DOMESTIC, INDUSTRIAL	0.05	0.0	
KLASSEN, HAROLD J	35-8724	License	4/10/1989	COMMERCIAL	0.02	0.0	
KLOEPFER INC	45-13665	Decreed	4/28/1951	IRRIGATION	0.42	24.0	
KOCH MATERIALS CO	35-12087	Decreed	5/1/1962	COMMERCIAL, FIRE PROTECTION, INDUSTRIAL	0.11	0.0	
KOON, JACK E	22-7751	License	9/18/1992	DOMESTIC	0.06	0.0	
KOYLE, JOHN DENNIS; KOYLE, SHANNA	37-2663	Decreed	5/31/1961	IRRIGATION	2.12	156.0	
KREMER, RUTH; KREMER, W B	25-12184	Decreed	6/1/1950	DOMESTIC, IRRIGATION, STOCKWATER	0.09	1.9	
KROGSTAD, RYAN	25-11545	Decreed	4/1/1927	DOMESTIC, IRRIGATION, STOCKWATER	0.06	0.7	
KRUCKEBERG, ALEISHA; KRUCKEBERG, MATTHEW	35-14727	Decreed	12/31/1940	IRRIGATION	0.02	2.4	
KRUCKEBERG, ALEISHA; KRUCKEBERG, MATTHEW	35-14724	Decreed	3/5/1948	IRRIGATION	0.02	2.4	
KRUCKEBERG, ALEISHA; KRUCKEBERG, MATTHEW	35-14730	Decreed	9/28/1981	IRRIGATION	0.01	2.4	
KUNZLER, KAREN; KUNZLER, WILLIAM JUNIOR	45-2375E	Decreed	4/28/1951	IRRIGATION	0.03	1.5	
L & S LAND HOLDINGS LLC	36-10098	Decreed	1/1/1935	DOMESTIC, STOCKWATER	0.05	0.0	
L & S LAND HOLDINGS LLC	36-10899	Decreed	1/31/1950	STOCKWATER	0.04	0.0	
L2 LTD PARTNERSHIP	31-12500	Decreed	6/22/1953	IRRIGATION	0.02	5.5	
L2 LTD PARTNERSHIP; L3 LTD PARTNERSHIP	32-4058	Decreed	7/1/1953	DOMESTIC, STOCKWATER	0.16	0.0	
L3 LTD PARTNERSHIP	31-12501	Decreed	6/22/1953	IRRIGATION	0.07	5.5	
LAIRD, WILLIAM G	36-15071	Decreed	12/31/1947	COMMERCIAL, DOMESTIC	0.11	0.0	
LAKESHORE FARMS 2 LLC	31-10665	Decreed	12/31/1925	DOMESTIC	0.10	0.0	
LAMBERT, LYLE; LAMBERT, NADINE	29-7640	Decreed	5/17/1982	DOMESTIC, IRRIGATION, STOCKWATER	0.04	1.0	
LAMBERT, R J	35-8670	License	9/14/1988	COMMERCIAL	0.04	0.0	
LAND VIEW FERTILIZER INC	36-15347	Decreed	1/1/1961	COMMERCIAL	0.08	0.0	

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LAND VIEW INC	36-11048	Decreed	9/1/1954	COMMERCIAL, DOMESTIC	0.15	0.0	
LARSEN, HELEN	35-8127	License	4/28/1983	DOMESTIC, STOCKWATER	0.08	0.0	
LARSEN, PEGGY A; LARSEN, RICHARD J	31-7129	License	7/30/1974	DOMESTIC, STOCKWATER	0.08	0.0	
LARSON, BECKY J; LARSON, CHARLES W	45-4160	Decreed	3/15/1962	IRRIGATION	1.70	173.0	
LAZY EIGHT ESTATES DIVISION 2 HOMEOWNERS ASSN INC	25-14189	License	10/26/2006	DOMESTIC	0.50	0.0	
LEBSACK, KENNETH L; LEBSACK, LEANNE H	35-10634	Decreed	7/1/1950	COMMERCIAL	0.04	0.0	
LEE, MARTIN R	36-8410	License	2/10/1989	COMMERCIAL	0.03	0.0	
LEISHMAN ELECTRIC	22-7558	License	8/30/1988	COMMERCIAL	0.02	0.0	
LEZAMIZ, SID	37-10363	Decreed	9/1/1959	COMMERCIAL	0.11	0.0	
LIMA, GUADALUPE	36-17128	Decreed	9/20/1973	IRRIGATION	0.02	1.2	
LITTLE SKY FARMS LLLP	37-2526A	Decreed	11/28/1951	IRRIGATION	3.59	208.0	
LOJA LLC	25-13579	Decreed	9/1/1945	COMMERCIAL, DOMESTIC	0.27	0.0	
LOJA LLC	25-7424	License	4/1/1988	IRRIGATION	0.09	3.0	
LONE STAR WATER USERS COOP ASSN INC	37-4344	Decreed	4/1/1940	COMMERCIAL, DOMESTIC, STOCKWATER	0.07	0.0	
LOPES, JOE S; LOPES, VERNA F	37-10175	Decreed	10/11/1934	DOMESTIC, STOCKWATER	0.15	0.0	
LORDS, DARRELL M	35-8778	License	5/31/1989	IRRIGATION	0.10	4.5	
LOST RIVER FARMS	34-14346	Decreed	8/12/1966	IRRIGATION	0.38	177.0	
LOVELL, HOPE; LOVELL, JAMES R	25-7598	License	9/25/1991	IRRIGATION	0.03	1.9	
LYNCH, LESLIE R	36-7154	Decreed	1/25/1971	INDUSTRIAL	0.02	0.0	
M & B INVESTMENTS LLC	25-14163	License	12/9/2004	DOMESTIC	0.30	0.0	
M & B INVESTMENTS LLC	25-14379	License	8/13/2012	DOMESTIC	0.39	0.0	
MAD MOOSE PIZZA IDAHO LLC	22-7633	License	3/2/1989	COMMERCIAL	0.04	0.0	
MADISON SCHOOL DISTRICT #321	22-14474	Permit	5/13/2022	DOMESTIC	0.26	0.0	
MAEBE, RICHARD	36-10527	Decreed	5/1/1948	DOMESTIC, IRRIGATION	0.08	2.6	
MAGIC VALLEY GROWERS LTD	37-20612	Decreed	6/1/1956	INDUSTRIAL	0.10	0.0	
MAGIC VALLEY PRODUCE INC	36-13763	Decreed	10/1/1955	COMMERCIAL	0.04	0.0	
MAGNIFY LAND CONSULTING LLC	36-17208	Decreed	4/13/1976	IRRIGATION	0.20	10.0	
MARSHALL, DON W	25-7462	License	11/10/1988	DOMESTIC, IRRIGATION	0.07	1.0	
MARTIAN, ERICA; MARTIAN, PETER	35-7855	Decreed	5/1/1979	COMMERCIAL, HEATING	0.04	0.0	
MASON, JOHN D; MASON, VALERIE	29-7294	Decreed	11/4/1975	DOMESTIC, IRRIGATION	0.12	8.0	
MASONER, MRS MERLE	36-11978	Decreed	1/1/1963	COMMERCIAL	0.02	0.0	
MASONS	35-8828	License	7/28/1989	COMMERCIAL	0.04	0.0	
MAUGHAN, GAYLORD L	31-12220	Decreed	8/22/1955	IRRIGATION	0.07	3.5	
MAUPIN, JESSICA; MAUPIN, JUSTIN DEELANE	22-7656	License	11/21/1989	COMMERCIAL	0.04	0.0	
MC ALISTER, G P; MC ALISTER, JEN	36-11921	Decreed	4/23/1947	DOMESTIC	0.14	0.0	
MC CALL OIL & CHEMICAL	25-7045	Decreed	2/25/1974	DOMESTIC, INDUSTRIAL	0.08	0.0	
MC COWIN, BRENDA	25-7544	License	8/16/1989	DOMESTIC	0.07	0.0	
MC COY, VALERIE	34-10329	Decreed	12/31/1955	IRRIGATION	0.02	1.0	
MC GARRY, THERON R; MC GARRY, TIM R	22-4150	Decreed	9/1/1948	DOMESTIC, STOCKWATER	0.23	0.0	

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MEADOW LARK COURT LLC	22-10170	Decreed	6/15/1960	COMMERCIAL, STOCKWATER	0.20	0.0	
MENAN PRODUCE INC	25-12178	Decreed	11/1/1953	DOMESTIC, INDUSTRIAL	0.10	0.0	
MERRILL, CHRISTOPHER; MERRILL, CINDY	25-13580	Decreed	1/1/1963	DOMESTIC, IRRIGATION	0.14	5.0	
MERRILL, KENT	25-14364	License	2/28/1992	IRRIGATION	0.19	12.2	
MEYER LAND COMPANY LLC	25-11617	Decreed	12/31/1950	COMMERCIAL	0.17	0.0	
MEYERS, M JAY	29-2407	Decreed	3/6/1959	IRRIGATION	2.54	127.0	
MICHAUD CREEK RANCHES INC	29-2515	Decreed	1/5/1966	IRRIGATION	2.00	196.0	
MICHAUD CREEK RANCHES INC	29-7089	Decreed	6/9/1972	IRRIGATION	1.08	196.0	
MICKELSEN, LINDON A; MICKELSEN, LOREEN A	27-10416	Decreed	6/1/1962	COMMERCIAL, DOMESTIC, STOCKWATER	0.09	0.0	
MIKESELL, ELEANOR	31-10268	Decreed	5/1/1957	COMMERCIAL, DOMESTIC	0.04	0.0	
MIKKOLA, ARTHUR; MIKKOLA, MARK	25-7389	Decreed	11/2/1983	DOMESTIC, STOCKWATER	0.06	0.0	
MILES, BETTY; MILES, KENNETH RICK	25-14502	Decreed	4/22/1979	IRRIGATION	0.03	1.5	
MILES, BETTY; MILES, KENNETH RICK	25-14524	Decreed	4/22/1979	IRRIGATION	0.02	1.0	
MILLER, CHARLES; MILLER, RACHEL	25-7442	License	9/8/1988	DOMESTIC, IRRIGATION	0.05	1.0	
MILLER, LYNETTE R; MILLER, MARVIN G	25-4194	Decreed	11/1/1960	IRRIGATION	0.13	7.0	
MILLER, PAMELLA K	36-16655	Decreed	4/1/1961	STOCKWATER	0.03	0.0	
MILLERCOORS USA LLC	45-11838	Decreed	6/15/1936	COMMERCIAL	0.04	0.0	
MILNER IRRIGATION DISTRICT	45-4171	Decreed	1/1/1941	COMMERCIAL, DOMESTIC	0.06	0.0	
MILO WATER ASSN	25-4266	Decreed	10/30/1946	DOMESTIC, IRRIGATION	0.17	2.9	
MINIDOKA COUNTY HIGHWAY DISTRICT	45-13662	Decreed	4/28/1951	IRRIGATION	1.84	103.0	
MINIDOKA IRRIGATION DISTRICT	36-13480	Decreed	5/31/1962	COMMERCIAL	0.04	0.0	
MISTY VALLEY LLC	22-14350	Decreed	3/20/1959	AESTHETIC STORAGE, DIVERSION TO STORAGE, FIRE PROTECTION STORAGE	0.01	0.0	
MODEL WATER USERS ASSN INC	35-7986	Decreed	6/1/1981	DOMESTIC	0.10	0.0	
MODERN MILLS ROCKFORD INC	35-13014	Decreed	4/1/1960	COMMERCIAL	0.05	0.0	
MONK, AUBRIE; MONK, STEVEN	35-14753	Decreed	2/2/1952	IRRIGATION	0.06	6.0	
MONK, AUBRIE; MONK, STEVEN	35-14754	Decreed	4/23/1961	IRRIGATION	0.04	6.0	
MORGAN, CODY G; MORGAN, KATHY	36-17092	Decreed	3/11/1954	COMMERCIAL, STOCKWATER	0.04	0.0	
MORGANS PASTURE LAND CO LLC	35-14551	Decreed	1/6/1955	IRRIGATION	4.20	279.0	
MORRISS, JUDITH L; MORRISS, VIRGIL R	25-7483	License	12/22/1988	DOMESTIC, IRRIGATION, STOCKWATER	0.04	3.0	
MOUNTAIN RIVER SPORTSMANS RV PARK & CAMP	25-14229	License	9/2/2008	COMMERCIAL	0.20	0.0	
MOUNTAIN WEST BARK PRODUCTS INC	22-7573	License	8/8/1988	COMMERCIAL	0.08	0.0	
MOYLE, KEVIN A; MOYLE, TAYLOR N	36-17240	License	3/16/1989	COMMERCIAL, DOMESTIC, STOCKWATER	0.33	0.0	
MULLINS, CODY; MULLINS, KRISTY TADDONIO	45-14569	Decreed	6/1/1939	IRRIGATION	0.06	4.5	
NAPOLI, MARIA; ULIAN, PETER	34-7211	Decreed	1/6/1978	DOMESTIC, IRRIGATION	0.10	4.0	
NEIBAUR, RYAN	25-7561	License	3/2/1990	IRRIGATION	4.00	360.5	
NELSEN DAIRY	36-8745	License	11/7/1995	COMMERCIAL, STOCKWATER	0.11	0.0	
NELSON, MERLA	22-11385	Decreed	6/8/1935	DOMESTIC, IRRIGATION	0.05	2.5	
NEST EGG INVESTMENTS LLC	25-14419	License	12/27/2014	COMMERCIAL	0.07	0.0	
NEW PHASE INVESTMENTS LLC	25-14186	License	9/18/2006	COMMERCIAL	0.05	0.0	

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NICKELSON, DALENE C	25-7193A	Decreed	4/30/1980	DOMESTIC, IRRIGATION, STOCKWATER	0.02	2.9	
NORTH HIGHLANDER FARMS INC	25-7438	License	8/8/1988	COMMERCIAL	0.04	0.0	
NORTHLAND TERRACE WATER USERS ASSN INC	27-7138	License	5/18/1979	DOMESTIC	0.68	0.0	
NORTHSIDE RANCH CO LLC	36-23188	Decreed	2/28/1957	STOCKWATER	0.05	0.0	
NORTHWEST PIPELINE CORP	45-2531	Decreed	7/6/1956	DOMESTIC, INDUSTRIAL	0.04	0.0	
NULPH BROTHERS INC	27-7466	License	5/3/1989	COMMERCIAL	0.04	0.0	
NUR WATER CORP INC	25-7035	Decreed	6/13/1973	DOMESTIC	0.62	0.0	
NUTTALL, ALIESHA DAWN; NUTTALL, JEFFREY DOUGLAS	25-7275	Decreed	2/8/1982	DOMESTIC, IRRIGATION, STOCKWATER	0.03	1.0	
OLSEN, GARY; OLSEN, PATRICIA	25-12353	Decreed	10/7/1953	COMMERCIAL, DOMESTIC	0.16	0.0	
OLTMANN, JAN	25-12862	Decreed	12/31/1935	COMMERCIAL, DOMESTIC	0.06	0.0	
ON TIME FINANCIAL LLC	22-14478	Permit	7/14/2022	COMMERCIAL, DOMESTIC	0.21	0.0	
OSTERHOUT, DANA; OSTERHOUT, GAYLEN; OSTERHOUT, LORRIE; OSTERHOUT, VIRGINIA M	45-10587	Decreed	6/30/1958	COMMERCIAL, DOMESTIC, IRRIGATION	0.08	0.5	
OVERLOOK MHP LLC	45-10950	Decreed	1/30/1961	DOMESTIC, IRRIGATION	0.15	2.0	
PALACIO, WILLIAM M	37-19847	Decreed	3/15/1952	IRRIGATION	0.44	22.0	
PARKER, BRENT E; PARKER, KRISTINE	25-7073E	Decreed	8/1/1975	IRRIGATION	0.20	10.0	
PARKINSON FARMS	34-2289	Decreed	5/13/1949	IRRIGATION	1.00	306.0	
PARKINSON FARMS	34-2497	Decreed	9/27/1966	IRRIGATION	0.57	480.0	
PARKINSON FARMS	34-2490	Decreed	10/25/1966	IRRIGATION	2.09	306.0	
PARKINSON FARMS	34-2506	Decreed	3/2/1967	IRRIGATION	1.17	480.0	
PARKINSON FARMS	34-2505	Decreed	3/3/1967	IRRIGATION	1.06	480.0	
PARKINSON FARMS	34-4008	Decreed	4/1/1967	IRRIGATION	2.60	480.0	
PARKINSON FARMS	34-10393	Decreed	5/1/1976	IRRIGATION	0.26	306.0	Yes
PARNELL, KEVIN	37-21266	Decreed	2/27/1979	IRRIGATION, MITIGATION	0.07	3.6	
PATTON & LINTON INC	29-10994	Decreed	3/1/1956	INDUSTRIAL	0.13	0.0	
PAUL, LILAH; PAUL, WALTER T	45-2259	Decreed	5/24/1948	IRRIGATION	0.12	4.1	
PAULS, DEBBRAH; PAULS, RONALD	37-4390	Decreed	7/1/1916	DOMESTIC, IRRIGATION, STOCKWATER	0.04	1.2	
PAULS, DEBBRAH; PAULS, RONALD	37-4391	Decreed	7/1/1941	DOMESTIC, IRRIGATION, STOCKWATER	0.04	1.2	
PERFORMIX NUTRITION SYSTEMS LLC	36-17195	Decreed	12/24/1948	COMMERCIAL	0.09	0.0	
PERFORMIX NUTRITION SYSTEMS LLC	36-17196	Decreed	5/27/1974	COMMERCIAL	0.06	0.0	
PETERSEN, KIMBERLY ANN; PETERSEN, RYAN CLAIR	34-7219	Decreed	7/4/1978	COMMERCIAL, HEATING, IRRIGATION, MITIGATION	0.92	69.8	
PHINNEY, DAVID; RICHARDS, DEBORA	35-14870	Decreed	6/27/1983	DOMESTIC, IRRIGATION	0.02	0.5	
PILKINTON, C R; PILKINTON, THOMAS R	36-7650B	Decreed	7/30/1976	IRRIGATION	0.08	4.0	
PINGREE LAND CO LLC	29-7806	Decreed	12/10/1985	COMMERCIAL	0.01	0.0	
PIONEER WATER USERS ASSN INC	35-7671	Decreed	2/7/1977	DOMESTIC	0.11	0.0	
POCATELLO CHUBBUCK SCHOOL DISTRICT #25	29-11688	Decreed	8/10/1914	DOMESTIC, IRRIGATION	0.12	5.7	
PONY ACRES WATER ASSN	29-7625	Decreed	12/15/1981	DOMESTIC, IRRIGATION	0.16	2.0	
POPE, CAROL C	34-4133	Decreed	5/1/1960	DOMESTIC, IRRIGATION	0.12	6.2	
POWER COUNTY	29-2284	Decreed	3/2/1949	INDUSTRIAL, MITIGATION BY NON-USE	4.50	0.0	
POWER COUNTY	29-2301	Decreed	4/24/1951	INDUSTRIAL, MITIGATION BY NON-USE	4.00	0.0	

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PRICE, MARJORIE	22-14447	Permit	2/16/2022	COMMERCIAL	0.02	0.0	
PRINCE, CARI L; PRINCE, JAMES J	36-17191	Decreed	2/20/1964	IRRIGATION	1.94	97.0	
PRODUCERS LIVESTOCK MARKETING ASSN	36-14310	Decreed	12/31/1948	COMMERCIAL, DOMESTIC, STOCKWATER	0.19	0.0	
PROW, REBECCA; PROW, SCOTT E	45-13972	Decreed	11/12/1957	IRRIGATION	0.04	2.8	
QUALITY INSULATION & CONSTRUCTION INC	25-7539	License	8/18/1989	COMMERCIAL	0.04	0.0	
QUINTON, BERNADENE L; QUINTON, RAY E	25-7536	License	9/18/1989	COMMERCIAL	0.02	0.0	
R C WILLEY HOME FURNISHINGS	35-14596	Permit	5/25/2018	COMMERCIAL	0.78	0.0	
RABURN, JAYNEE N; RABURN, LENARD H	29-71438	Decreed	7/2/1973	DOMESTIC, IRRIGATION	0.03	1.0	
RANCH PROPERTIES LLC	45-11969	Decreed	6/1/1939	IRRIGATION	0.86	65.2	
RANDALL, GLADYS	22-7594	License	8/25/1988	COMMERCIAL	0.04	0.0	
RANDALL, JULIA; RANDALL, SCOTT	25-10298	Decreed	12/31/1949	DOMESTIC	0.08	0.0	
RANSTROM, GENE M	45-13667	Decreed	4/28/1951	IRRIGATION	0.21	13.0	
RAYMOND, W CRAIG	25-13401	Decreed	6/28/1954	IRRIGATION, STOCKWATER	0.09	3.5	
REED, CHARLES LE ROY	35-12258	Decreed	6/1/1955	COMMERCIAL, DOMESTIC, STOCKWATER	0.09	0.0	
REED, DEBORAH	25-14465	Decreed	6/2/1931	IRRIGATION	0.01	0.2	
REED, GREGG	25-14464	Decreed	6/2/1931	IRRIGATION	0.01	0.2	
REED, SANDRA F; REED, TERRY H	25-14456	Decreed	6/2/1931	DOMESTIC, IRRIGATION, STOCKWATER	0.10	4.6	
REES, CARL C; REES, PATRICIA	29-7240	Decreed	11/29/1974	DOMESTIC, IRRIGATION, STOCKWATER	0.09	1.3	
REESE, REBECCA J; REESE, RICHARD D	35-14774	Decreed	4/1/1951	IRRIGATION	0.08	5.5	
RHODEHOUSE, KEVIN	35-2924	Decreed	7/21/1965	INDUSTRIAL, STOCKWATER	1.11	0.0	
RHODEHOUSE, KEVIN	35-8659	License	10/15/1987	COMMERCIAL, STOCKWATER	0.15	0.0	
RICHAN, CLYDE L; RICHAN, ELVERA L	36-8486	License	9/19/1989	COMMERCIAL, DOMESTIC	0.03	0.0	
RICHARDS, DENICE	27-7343	Decreed	3/2/1983	DOMESTIC, IRRIGATION	0.08	5.0	
RICHARDSON, BRIAN	35-8769	License	5/31/1989	COMMERCIAL, DOMESTIC	0.07	0.0	
RICHEIN, CLIFTON; RICHEIN, REBA	36-4120	Decreed	6/16/1916	DOMESTIC, IRRIGATION	0.06	0.7	
RICKS, CONNIE	25-7183	Decreed	1/14/1980	DOMESTIC, STOCKWATER	0.06	0.0	
RIGBY AIR VILLAGE LLC	25-14182	License	3/24/2006	COMMERCIAL	0.20	0.0	
RIM ROCK LEASING LLC	36-8512	License	2/27/1990	COMMERCIAL	0.02	0.0	
RINDFLEISCH, JAMES A	34-7511	Permit	6/12/1989	IRRIGATION	1.85	92.4	
RINGEL, LORI; RINGEL, MERLYN R	35-14629	Decreed	12/31/1940	IRRIGATION	0.05	4.7	
RINGEL, LORI; RINGEL, MERLYN R	35-14628	Decreed	3/5/1948	IRRIGATION	0.03	4.7	
RINGEL, LORI; RINGEL, MERLYN R	35-14630	Decreed	9/28/1981	IRRIGATION	0.01	4.7	
RIVERBEND ESTATES	29-8015	License	6/22/1990	DOMESTIC	0.25	0.0	
RIVERVIEW ACRES #2 WATER CORP	35-11348	Decreed	6/1/1960	DOMESTIC	0.16	0.0	
RIVERVIEW TWO LLC	35-8632	Decreed	1/19/1981	COMMERCIAL, INDUSTRIAL	0.04	0.0	
ROBINSON WATER ASSN INC	25-4064	Decreed	6/1/1942	DOMESTIC	0.10	0.0	
ROBINSON, TIMOTHY L	36-17115	Decreed	3/15/1963	IRRIGATION	0.02	1.0	
ROEDER, JAMES L; ROEDER, JOHN	29-7177	License	3/4/1974	DOMESTIC, STOCKWATER	0.08	0.0	
ROSENBERG RANCH & FARMS LLC	25-11823	Decreed	7/16/1927	DOMESTIC, STOCKWATER	0.74	0.0	

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ROWLAND, ROBERT	29-13892	Decreed	10/28/1953	IRRIGATION, STOCKWATER	2.12	117.6	
ROY E HANSON JR MFG	25-11479	Decreed	12/31/1925	COMMERCIAL	0.04	0.0	
RUDY, THOMAS A	45-7278	Decreed	12/6/1976	DOMESTIC	0.24	0.0	
S E M LARSEN TRUST	35-14855	Decreed	4/21/1948	IRRIGATION	0.04	2.1	
SAKOTA, MABEL S	22-10886	Decreed	7/29/1953	DOMESTIC, IRRIGATION	0.04	0.5	
SAND BOX RV LLC	21-13334	Decreed	2/24/1953	COMMERCIAL	0.03	0.0	
SAND BOX RV LLC	21-13335	Decreed	6/7/1957	COMMERCIAL	0.02	0.0	
SAND BOX RV LLC	21-13333	Decreed	8/4/1979	COMMERCIAL	0.03	0.0	
SCC PROPERTIES LLC	37-23469	Decreed	11/25/1962	IRRIGATION	0.38	19.0	
SCHAEFFER, DIANNE RAE	36-17234	Decreed	1/22/1958	STOCKWATER	0.18	0.0	
SCHNEIDER, ARLYNN; SCHNEIDER, FRED	35-11852	Decreed	4/1/1934	COMMERCIAL, DOMESTIC	0.08	0.0	
SCHREINER FARMS IDAHO LLC	35-2488	Decreed	1/10/1957	IRRIGATION	0.02	2.0	
SCHREINER FARMS IDAHO LLC	35-2922	Decreed	4/7/1958	IRRIGATION	0.01	2.0	
SCHREINER FARMS IDAHO LLC	35-8951	License	7/29/1991	IRRIGATION	0.88	44.0	
SCHROEDER, MICHELLE; SCHROEDER, NATHAN	29-4104	Decreed	7/28/1955	IRRIGATION	3.00	150.0	
SCHWANS SALES ENTERPRISES INC	27-7439	License	8/14/1987	COMMERCIAL	0.04	0.0	
SCOTT, LAMOND; SCOTT, RUTH	35-10855	Decreed	1/4/1954	COMMERCIAL, DOMESTIC	0.04	0.0	
SELENSKY, CATHY; SELENSKY, CLARENCE J	25-73928	License	12/16/1983	IRRIGATION	0.15	5.0	
SERR, DALLAS	36-2730	Decreed	7/30/1954	IRRIGATION	1.00	50.0	
SHOSHONE BANNOCK TRIBES	29-13779	Decreed	11/22/1919	IRRIGATION, STOCKWATER	0.58	29.2	
SHOSHONE BANNOCK TRIBES	27-7000	Decreed	7/27/1967	MUNICIPAL	0.50	0.0	
SHOSHONE BANNOCK TRIBES	29-7326	Decreed	4/28/1976	IRRIGATION	2.53	160.0	
SHOSHONE BANNOCK TRIBES	29-13941	Decreed	10/3/1977	IRRIGATION	0.18	10.5	
SHURTLIFF, MERLENE; SHURTLIFF, RODNEY	35-8855	License	9/7/1989	DOMESTIC, STOCKWATER	0.08	0.0	
SILVER CREEK DISTILLERS INC	25-7194	License	12/1/1988	INDUSTRIAL	0.11	0.0	
SIMPER, HAIZER ONEAL; SIMPER, JENSEN BRYN	35-14901	Decreed	8/19/1977	IRRIGATION	0.11	6.0	
SIMPSON, DANNY V; SIMPSON, JULIE M	37-22930	Decreed	11/25/1962	IRRIGATION	0.05	2.3	
SIX S RANCH LLC	45-2454	Decreed	8/18/1953	IRRIGATION	1.48	263.3	
SJC PROPERTIES LLC	35-14873	Decreed	7/20/1976	STOCKWATER	2.70	0.0	
SLAGOWSKI, JOE; SLAGOWSKI, NICOLE	31-12232	Decreed	12/31/1943	STOCKWATER	0.12	0.0	
SMITH, BLAINE; SMITH, GARRY	22-7554	License	8/8/1988	COMMERCIAL	0.02	0.0	
SMITH, EDWARD A	29-2275	Decreed	8/13/1948	IRRIGATION	2.20	200.3	
SMITH, EDWARD A	29-2339	Decreed	9/17/1953	IRRIGATION	2.68	140.0	
SMITH, JOAN; SMITH, SCOTT	34-14313	License	7/8/1992	IRRIGATION	0.01	1.0	
SMITH, K DARBY; SMITH, RACHELLE	25-14533	Decreed	1/25/1965	IRRIGATION	0.05	5.5	
SMITH, K DARBY; SMITH, RACHELLE	25-14532	Decreed	3/4/1974	IRRIGATION	0.03	5.5	
SMITH, NORBERT DARRELL	29-7171	Decreed	2/4/1974	DOMESTIC	0.16	0.0	
SMITH, RICHARD F	22-14612	Decreed	7/5/1973	MUNICIPAL	0.25	0.0	
SNAKE RIVER BUSINESS PARK BLDG #1 LLC	35-14787	Permit	8/19/2022	COMMERCIAL	0.20	0.0	

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SNAKE RIVER SCHOOL DISTRICT #52	35-11206	Decreed	6/15/1924	COMMERCIAL	0.03	0.0	
SNELL, MARK	29-7696	License	3/16/1983	DOMESTIC, IRRIGATION	0.08	2.0	
SOHN, EDNA G; SOHN, HERBERT F; SOHNS INC	35-8333	Decreed	12/12/1983	COMMERCIAL, DOMESTIC	0.08	0.0	
SOMSEN, DIANNE L; SOMSEN, G FRANK	45-2428	Decreed	12/15/1952	IRRIGATION	1.30	432.0	
SOMSEN, DIANNE L; SOMSEN, G FRANK	45-2485	Decreed	11/8/1954	IRRIGATION	2.68	432.0	
SOUTH INTERCHANGE PROPERTIES LLC	35-14700	Decreed	12/24/1948	IRRIGATION	0.13	23.8	
SOUTH LANDS LLC C/O BARRY SOUTH	25-14390	License	10/15/2013	COMMERCIAL	0.50	0.0	
SOUTH PARK ESTATES WATER & SEWER INC	27-7052	Decreed	3/12/1975	DOMESTIC, FIRE PROTECTION	0.33	0.0	
SOUTH PARK ESTATES WATER & SEWER INC	27-7581	License	10/21/1997	DOMESTIC, FIRE PROTECTION	0.69	0.0	
SOUTH, BARRY; SOUTH, ELINOR	35-14616	Decreed	12/31/1940	IRRIGATION	0.04	3.3	
SOUTH, BARRY; SOUTH, ELINOR	35-14614	Decreed	3/5/1948	IRRIGATION	0.02	3.3	
SOUTH, BARRY; SOUTH, ELINOR	35-14618	Decreed	9/28/1981	IRRIGATION	0.01	3.3	
SPAHR, ARIANNE; SPAHR, JASON	35-14585	Decreed	9/28/1981	IRRIGATION	0.01	3.2	
SPENCER, DAVID R; SPENCER, MICHELLE	31-11946	Decreed	6/22/1953	COMMERCIAL, STOCKWATER	0.12	0.0	
SPENCER, DAVID R; SPENCER, MICHELLE	31-11942	Decreed	7/25/1955	COMMERCIAL, STOCKWATER	0.03	0.0	
STANDING 16 RANCH LAND CO LLC	36-14504	Decreed	11/12/1945	DOMESTIC, STOCKWATER	0.03	0.0	
STANDING 16 RANCH LAND CO LLC	36-14505	Decreed	11/26/1946	COMMERCIAL, DOMESTIC	0.03	0.0	
STANGER, KARA; STANGER, SPENCER	35-14726	Decreed	12/31/1940	IRRIGATION	0.06	5.2	
STANGER, KARA; STANGER, SPENCER	35-14723	Decreed	3/5/1948	IRRIGATION	0.04	5.2	
STANGER, KARA; STANGER, SPENCER	35-14729	Decreed	9/28/1981	IRRIGATION	0.01	5.2	
STANGER, MARILYN	25-7541	License	7/12/1989	COMMERCIAL	0.02	0.0	
STARMARC LLC	36-12462	Decreed	12/31/1958	COMMERCIAL	0.07	0.0	
STATE OF IDAHO	35-4271A	Decreed	6/1/1945	FISH PROPAGATION	50.00	0.0	
STEEL, KEVIN J	35-8756	License	5/11/1989	COMMERCIAL, DOMESTIC	0.02	0.0	
STOKES, ELIZABETH DORTHEA; STOKES, JOSHUA WYNNDALE	37-8112	Decreed	6/2/1983	COMMERCIAL, COOLING	0.02	0.0	
STROMBERG REPAIR INC	25-7445	License	10/18/1988	COMMERCIAL	0.04	0.0	
STUBBS, AVIS B; STUBBS, ROSS A	35-8210	License	6/16/1983	DOMESTIC	0.06	0.0	
SULLIVAN HOLDINGS LLC	35-8775	License	5/26/1989	COMMERCIAL	0.01	0.0	
SUMMERS, RICHARD K; SUMMERS, STELLA F	25-7518	License	8/24/1989	COMMERCIAL, DOMESTIC	0.08	0.0	
SUNDOWN CORP INC	35-10256	Decreed	5/1/1920	COMMERCIAL, STOCKWATER	0.07	0.0	
SUNROC CORPORATION	25-14562	Decreed	2/24/1953	INDUSTRIAL	0.07	0.0	
SUNROC CORPORATION	29-13891	Decreed	10/28/1953	IRRIGATION, STOCKWATER	0.90	48.0	
SUNROC CORPORATION	25-14563	Decreed	6/7/1957	INDUSTRIAL	0.03	0.0	
SUNROC CORPORATION	25-14561	Decreed	8/4/1979	DIVERSION TO STORAGE, INDUSTRIAL STORAGE, INDUSTRIAL	0.08	0.0	
SUNROC CORPORATION	29-7754	License	6/17/1983	COMMERCIAL	0.81	0.0	
SUNROC CORPORATION	25-14559	Permit	10/24/2024	DIVERSION TO STORAGE, INDUSTRIAL FROM STORAGE, INDUSTRIAL STORAGE, INDUSTRIAL	0.82	0.0	
SUNSET FARM & RANCH LLC	34-2277	Decreed	10/3/1946	IRRIGATION	2.00	728.4	
SUNSET FARM & RANCH LLC	34-2480B	Decreed	9/11/1966	IRRIGATION	2.00	728.4	

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Owner	Water Right No.	Basis	Priority Date	Water Use List	Diversion Rate (cfs)	Total Acres	Enlargement
SUNSET FARM & RANCH LLC	34-14772	Decreed	8/18/1974	IRRIGATION	6.86	728.4	
SUNSET SUBDIVISION WATER USERS ASSN	35-10715	Decreed	9/21/1959	DOMESTIC	0.15	0.0	
SWENDSEN, BRENT; SWENDSEN, NANCY	25-7464	License	11/30/1988	COMMERCIAL	0.04	0.0	
SWENSON, HANS	37-23303	Decreed	9/20/1974	IRRIGATION	0.12	6.0	
TABER, DONALD E	37-10161	Decreed	4/1/1955	COMMERCIAL	0.04	0.0	
TABLE ROCK HOLDINGS	35-13320	License	8/7/2001	DOMESTIC	0.10	0.0	
TANNER, BLAINE; TANNER, TORI	25-10634	Decreed	4/1/1958	DOMESTIC, IRRIGATION, STOCKWATER	0.10	2.0	
TANNER, KATHY; TANNER, REYNOLD	25-2139	Decreed	10/30/1961	IRRIGATION	1.54	38.0	
TAYLOR, CHRISTY; TAYLOR, MICHAEL	29-14367	Decreed	12/24/1948	IRRIGATION	0.06	6.0	
TAYLOR, CHRISTY; TAYLOR, MICHAEL	29-14369	Decreed	5/27/1974	IRRIGATION	0.03	6.0	
TAYLOR, LOIS; TAYLOR, LYLE D	25-7110	Decreed	5/9/1977	IRRIGATION	1.30	65.0	
TAYLOR, RODNEY R; TAYLOR, STEPHANIE A	37-25268	Decreed	11/28/1951	IRRIGATION	0.06	3.0	
TAYLORS QUIK STOP INC	25-7450	License	10/25/1988	COMMERCIAL	0.04	0.0	
TELFORD, MARK; TELFORD, PAIGE	34-4132	Decreed	6/1/1955	IRRIGATION	2.00	480.0	
TELFORD, MARK; TELFORD, PAIGE	34-10058	Decreed	7/7/1955	IRRIGATION	1.67	480.0	
TELFORD, MICHAEL S; TELFORD, ROBERT	37-8212	Decreed	5/11/1983	COMMERCIAL, STOCKWATER	0.01	0.0	
TELFORD, MICHAEL S; TELFORD, SHANNON J	34-2401A	Decreed	9/1/1961	IRRIGATION	3.70	2223.8	
TELFORD, MICHAEL S; TELFORD, SHANNON J	34-4015	Decreed	9/1/1961	IRRIGATION	1.64	2223.8	
TERRETON PUMP NO 2	31-7515	License	1/7/1989	COMMERCIAL, DOMESTIC	0.10	0.0	
TERRETON TRACTOR INC	31-7346	Decreed	12/2/1980	COMMERCIAL, DOMESTIC	0.04	0.0	
TETON WATER WORKS LLC	27-7359C	License	6/3/1983	COMMERCIAL, DOMESTIC	0.03	0.0	
TFT LLC	21-7419	License	3/9/1989	COMMERCIAL, DOMESTIC	0.02	0.0	
THATCHER SUMMIT INC	22-7626	License	4/8/1989	COMMERCIAL	0.04	0.0	
THE DAVID JAY BROWN & DEBRA L BROWN LTD PARTNERSHIP	37-2670	Decreed	7/24/1961	IRRIGATION	3.00	155.0	
THE LOVELAND FAMILY TRUST	27-11205	Decreed	1/31/1939	DOMESTIC, STOCKWATER	0.44	0.0	
THE LOVELAND FAMILY TRUST	27-7069	Decreed	12/3/1976	IRRIGATION	3.42	171.0	
THOMASON, TIMOTHY D	36-4243	Decreed	9/1/1952	DOMESTIC, STOCKWATER	0.06	0.0	
THOMPSON, BETTY L; THOMPSON, LYNN	29-7075A	Decreed	2/4/1972	IRRIGATION	0.10	5.6	
THOMPSON, HOWARD M	25-7508	License	6/19/1989	DOMESTIC, STOCKWATER	0.11	0.0	
TOWN & COUNTRY MOBILE HOME PARK LLC	35-4258	Decreed	6/1/1962	DOMESTIC	0.22	0.0	
TRAINOR, LISA; TRAINOR, MARK	25-7392A	License	12/16/1983	IRRIGATION	0.14	7.0	
TURNER LAND & LIVESTOCK LLC	45-4033	Decreed	8/1/1935	IRRIGATION	1.67	80.0	
TYLER, ALDON	25-7542	License	7/14/1989	DOMESTIC	0.06	0.0	
UNION PACIFIC RAILROAD CO	36-4204	Decreed	8/18/1903	COMMERCIAL, DOMESTIC, MUNICIPAL	0.33	0.0	
UNION PACIFIC RAILROAD CO	36-4201	Decreed	3/24/1913	INDUSTRIAL, STOCKWATER	0.22	0.0	
UNION PACIFIC RAILROAD CO	29-4332	Decreed	5/14/1913	INDUSTRIAL	0.05	0.0	
UNION PACIFIC RAILROAD CO	36-4205	Decreed	5/4/1918	STOCKWATER	0.06	0.0	
UNION PACIFIC RAILROAD CO	36-4202	Decreed	6/5/1925	INDUSTRIAL	0.04	0.0	
UNION PACIFIC RAILROAD CO	36-4203	Decreed	9/13/1957	COMMERCIAL, DOMESTIC, MUNICIPAL	0.22	0.0	

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Owner	Water Right No.	Basis	Priority Date	Water Use List	Diversion Rate (cfs)	Total Acres	Enlargement
UNITED ALLIANCE & FIDELITY CORP	25-7387	Decreed	12/4/1983	IRRIGATION	0.10	5.0	
US BUREAU OF INDIAN AFFAIRS	29-12559	Decreed	8/23/1954	IRRIGATION	2.06	102.6	
US BUREAU OF INDIAN AFFAIRS	29-12560	Decreed	8/23/1954	IRRIGATION	3.75	187.9	
US BUREAU OF INDIAN AFFAIRS	29-12565	Decreed	8/23/1954	COOLING	0.04	0.0	
US BUREAU OF LAND MANAGEMENT	35-14177	Decreed	12/31/1940	IRRIGATION	0.47	44.0	
US BUREAU OF LAND MANAGEMENT	35-14175	Decreed	3/5/1948	IRRIGATION	0.32	44.0	
US BUREAU OF LAND MANAGEMENT	35-4068	Decreed	5/31/1948	IRRIGATION	0.62	31.0	
US BUREAU OF LAND MANAGEMENT	35-4072	Decreed	5/1/1950	IRRIGATION	2.37	152.0	
US BUREAU OF LAND MANAGEMENT	37-20839	Decreed	2/6/1974	IRRIGATION	0.19	64.0	
US BUREAU OF LAND MANAGEMENT	36-7466	Decreed	4/10/1974	STOCKWATER, WILDLIFE	0.10	0.0	
US BUREAU OF LAND MANAGEMENT	36-7497	Decreed	8/21/1974	STOCKWATER, WILDLIFE	0.05	0.0	
US BUREAU OF LAND MANAGEMENT	35-7685	Decreed	3/22/1977	IRRIGATION	2.48	124.0	
US BUREAU OF LAND MANAGEMENT	21-7517	License	2/27/1992	STOCKWATER, WILDLIFE	0.07	0.0	
US BUREAU OF LAND MANAGEMENT	36-8726	Permit	4/28/1994	STOCKWATER, WILDLIFE	0.12	0.0	
US BUREAU OF LAND MANAGEMENT	21-13032	License	2/24/2006	STOCKWATER, WILDLIFE	0.02	0.0	
US BUREAU OF LAND MANAGEMENT	34-14459	Permit	8/26/2014	STOCKWATER, WILDLIFE	0.15	0.0	
US DEPT OF INTERIOR	31-2322	Decreed	5/9/1953	WILDLIFE	5.78	0.0	
US FISH & WILDLIFE SERVICE	31-2251	Decreed	11/4/1931	IRRIGATION	2.20	109.9	
US FISH & WILDLIFE SERVICE	31-4066	Decreed	11/12/1936	DOMESTIC, IRRIGATION	0.06	1.0	
US FISH & WILDLIFE SERVICE	31-4016	Decreed	6/15/1955	IRRIGATION	1.60	80.0	
US FISH & WILDLIFE SERVICE	31-2350	Decreed	10/20/1955	WILDLIFE	11.06	0.0	
US FISH & WILDLIFE SERVICE	31-2362	Decreed	5/13/1957	WILDLIFE	10.60	0.0	
US FISH & WILDLIFE SERVICE	31-2363	Decreed	5/13/1957	WILDLIFE	39.00	0.0	
US FISH & WILDLIFE SERVICE	31-11229	Decreed	11/5/1957	WILDLIFE	7.12	0.0	
US FISH & WILDLIFE SERVICE	31-11230	Decreed	3/20/1962	WILDLIFE	11.06	0.0	
US FISH & WILDLIFE SERVICE	31-11231	Decreed	5/7/1962	WILDLIFE	15.70	0.0	
US FISH & WILDLIFE SERVICE	31-11232	Decreed	5/7/1962	WILDLIFE	43.30	0.0	
US FISH & WILDLIFE SERVICE	31-7301	Decreed	6/2/1978	WILDLIFE	8.78	0.0	
US NATIONAL PARK SERVICE	34-12383	Decreed	5/2/1924	COMMERCIAL, DOMESTIC, IRRIGATION	0.00	0.0	
US NATIONAL PARK SERVICE	34-12385	Decreed	7/23/1928	COMMERCIAL, DOMESTIC, IRRIGATION	0.00	0.0	
USDA ARS SHEEP EXPERIMENT STATION	31-11201	Decreed	10/30/1915	ADMINISTRATIVE	0.27	0.0	
USDA ARS SHEEP EXPERIMENT STATION	31-11202	Decreed	10/30/1915	ADMINISTRATIVE	0.33	0.0	
USDA ARS SHEEP EXPERIMENT STATION	31-11200	Decreed	11/21/1916	ADMINISTRATIVE	0.23	0.0	
USDA ARS SHEEP EXPERIMENT STATION	34-7546	Decreed	6/29/1983	DOMESTIC, IRRIGATION, STOCKWATER	0.25	2.8	
VALLEY READY MIX INC	25-7167	License	1/29/1979	INDUSTRIAL	0.36	0.0	
VALLEY SCHOOL DISTRICT #262	36-15190	Decreed	9/1/1954	DOMESTIC, IRRIGATION	0.15	0.2	
VALLEY VIEW DAIRY LLC	36-17182	Decreed	4/27/1954	COMMERCIAL, STOCKWATER	0.13	0.0	
VALLEY WIDE COOP INC	22-7622	License	12/30/1988	COMMERCIAL, DOMESTIC	0.03	0.0	
VAN BEEK, JOHN W	36-11075B	Decreed	12/31/1944	STOCKWATER	0.05	0.0	

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Owner	Water Right No.	Basis	Priority Date	Water Use List	Diversion Rate (cfs)	Total Acres	Enlargement
VAN BEEK, JOHN W	36-11076B	Decreed	12/31/1944	STOCKWATER	0.05	0.0	
VAN DYKE, VIRGINIA	37-10019	Decreed	2/1/1961	COMMERCIAL, STOCKWATER	0.06	0.0	
VAN ORDEN, JAY; VAN ORDEN, SHELLI	35-8713	License	4/1/1989	COMMERCIAL	0.02	0.0	
VEENSTRA FAMILY LIMITED PARTNERSHIP	37-4051	Decreed	9/1/1961	IRRIGATION, STOCKWATER	1.34	235.0	
VEENSTRA, FRANK W	36-17233	Decreed	1/31/1961	STOCKWATER	0.38	0.0	
VERBREE LAND HOLDINGS LLC	36-10668	Decreed	1/1/1918	DOMESTIC, STOCKWATER	0.20	0.0	
WADE, NANCY; WADE, RONALD	25-7425	License	6/6/1988	DOMESTIC, IRRIGATION	0.05	1.0	
WAGNER JR, EDWARD P; WAGNER, KRISTIE L	35-8856	Decreed	8/11/1989	DOMESTIC, STOCKWATER	0.10	0.0	
WALKER, ROLAND L	25-11822	Decreed	5/15/1935	DOMESTIC, STOCKWATER	0.70	0.0	
WALKER, ROLAND L	25-11825	Decreed	11/18/1955	COMMERCIAL	0.30	0.0	
WALKER, ROLAND L	25-11821	Decreed	6/19/1962	DOMESTIC, STOCKWATER	1.32	0.0	
WALKER, YOUNG HARVEY	34-2440	Decreed	10/10/1961	IRRIGATION, STOCKWATER	1.55	190.0	
WALKER, YOUNG HARVEY	34-10473	Decreed	8/10/1977	IRRIGATION	0.36	190.0	Yes
WALL, DIANA R; WALL, LARRY G	36-8451	License	9/28/1989	COMMERCIAL	0.02	0.0	
WALTERS, BRUCE A; WALTERS, MARCEY L	25-7596	License	6/26/1991	DOMESTIC, IRRIGATION	0.15	10.0	
WANSTROM, JOSEPH SCOTT	34-2339A	Decreed	6/3/1957	IRRIGATION	0.17	18.0	
WANSTROM, JOSEPH SCOTT	34-7172	Decreed	3/13/1977	IRRIGATION	0.94	47.0	
WARD, OPAL M; WARD, OWEN K	35-8892	License	3/28/1990	DOMESTIC	0.18	0.0	
WARNER, KAREN; WARNER, VAN H	25-14072	Decreed	10/31/1938	IRRIGATION, STOCKWATER	0.11	3.0	
WASSERLEIN, WILLIAM	45-14563	Decreed	6/1/1939	IRRIGATION	0.02	1.8	
WATTERSON, CONNIE; WATTERSON, LARRY	45-13663	Decreed	4/28/1951	IRRIGATION	0.08	4.3	
WELLS, DELOS H	35-8220	License	8/4/1983	DOMESTIC, IRRIGATION	0.11	9.5	
WELLS, DELOS H; WELLS, LUELLA	35-10874	Decreed	10/1/1962	DOMESTIC, IRRIGATION	0.20	8.0	
WESTERN AG PRODUCTS LLC	45-10305	Decreed	6/15/1949	DOMESTIC, INDUSTRIAL	0.04	0.0	
WESTERN SLOPE LLC	35-14615	Decreed	12/31/1940	IRRIGATION	0.88	83.0	
WESTERN SLOPE LLC	35-14613	Decreed	3/5/1948	IRRIGATION	0.61	83.0	
WESTERN SLOPE LLC	35-14617	Decreed	9/28/1981	IRRIGATION	0.05	83.0	
WESTOVER RANCH CORP	22-7543	License	12/14/1988	DOMESTIC	0.10	0.0	
WHEELER, DEE RAY; WHEELER, LINDA	36-8488	License	10/10/1989	COMMERCIAL	0.03	0.0	
WHITWORTH, BOYD	45-7638	License	3/10/1989	INDUSTRIAL	0.06	0.0	
WILDE, CECIL; WILDE, NANCY JO	25-11653	Decreed	5/1/1942	IRRIGATION	0.09	4.5	
WILLIAMS, LYNETTE D; WILLIAMS, ROBERT E	35-12733	Decreed	4/1/1945	DOMESTIC	0.17	0.0	
WILLMORE, JUDY	31-7551	License	8/26/1991	COMMERCIAL	0.04	0.0	
WILSON, JOHN CHARLES	29-7916	License	3/20/1990	IRRIGATION	0.09	4.5	
WOOD, HOWARD; WOOD, SHEILA	34-2478	Decreed	6/16/1966	IRRIGATION	0.76	38.0	
WOOD, KENT; WOOD, MELANIE	45-14177	Decreed	4/29/1954	IRRIGATION	0.08	6.4	
WOOD, RODERICK BARRY	37-11243	Decreed	12/31/1940	DOMESTIC, STOCKWATER	0.04	0.0	
WOODLAND HEIGHTS WATER USERS ASSN	35-7576	Decreed	1/28/1976	DOMESTIC	0.38	0.0	
WOODVILLE WATER & SEWER DISTRICT	35-11318	Decreed	5/1/1939	COMMERCIAL, DOMESTIC	0.35	0.0	

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Owner	Water Right No.	Basis	Priority Date	Water Use List	Diversion Rate (cfs)	Total Acres	Enlargement
WRIGHT, DEE; WRIGHT, RUBY	25-7256	Decreed	5/12/1981	IRRIGATION	0.10	1.4	
WRIGHT, MARK; WRIGHT, SUSAN MARIE	36-17286	Decreed	6/7/1968	IRRIGATION	0.09	4.5	
Y DELL BOWL LLC	45-11850	Decreed	2/16/1937	COMMERCIAL, DOMESTIC	0.04	0.0	
YANCEY, CLEM R	35-7955	License	3/10/1981	DOMESTIC, STOCKWATER	0.06	0.0	
YOUNG & YOUNG LIVESTOCK LLC	25-14494	Permit	8/3/2021	DOMESTIC	0.23	0.0	
YOUNG, DE VONA; YOUNG, WILLIAM N	25-7437	License	8/26/1988	DOMESTIC, STOCKWATER	0.07	0.0	
YOUNG, JUDY D; YOUNG, KENNETH A	25-7436	License	9/14/1988	IRRIGATION	0.03	1.5	

**EXPLANATORY INFORMATION TO ACCOMPANY A
FINAL ORDER**

(To be used in connection with actions when a hearing was **not** held)

The accompanying document is a "Final Order" issued by the Idaho Department of Water Resources ("Department") pursuant to Idaho Code § 67-5246.

PETITION FOR RECONSIDERATION

(See Idaho Code § 67-5246(4))

Any party may file a petition for reconsideration of this final order within fourteen (14) days of the service date of this order as shown on the certificate of service. **Note: the petition must be received by the Department within this fourteen (14) day period.** The presiding officer will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law.

REQUEST FOR HEARING

(See Idaho Code § 42-1701A(3))

Unless the right to a hearing before the Department or the Water Resource Board is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director, and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to Idaho Code § 42-1701A(3). A written petition to the Director contesting this final order and requesting a hearing must be filed with the Department by any aggrieved person **within fifteen (15) days after service of this final order.**

CERTIFICATE OF SERVICE

(See IDAPA 37.01.01.053, 37.01.01.202)

All documents filed with the Department in connection with a petition for reconsideration or a request for hearing of this final order shall be served on all other parties to the proceedings in accordance with Rules of Procedure 53 and 202.

RECEIVED

Dec 30, 2025

RAÚL R. LABRADOR
ATTORNEY GENERAL

SCOTT L. CAMPBELL
Chief of Energy and Natural Resources Division

DEPARTMENT OF
WATER RESOURCES

GARRICK L. BAXTER, ISB No. 6301

Deputy Attorney General
Idaho Department of Water Resources
PO Box 83720
Boise, Idaho 83720-0098
Telephone: (208) 287-4800
Facsimile: (208) 287-6700
garrick.baxter@idwr.idaho.gov

Attorney for the Department of Water Resources

**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

**NOTICE OF COMPLIANCE
WITH ORDER TO
PROVIDE STAFF MEMO**

On September 3, 2025, the Director of the Idaho Department of Water Resources issued an *Order Granting A&B Irrigation District's Requests for Hearing, Consolidating Proceedings for Hearing, and Appointing Hearing Officer; Notice of Prehearing Conference*. Within those consolidated proceedings, on November 25, 2025, Hearing Officer Schroeder ordered "that the Department staff identified to testify at the hearing shall file an agency staff memorandum pursuant to IDAPA 37.01.01.602 outlining the subjects of their expected testimony." *Order Granting A&B's Mot. to Am. Deadlines; Setting Deadline to Provide Staff Memo*, at 2. Further, the memorandum deadline was set for December 30th. *Id.* at 3. In compliance with the Hearing Officer's order and attached hereto, the Department hereby submits the following staff memorandums:

- 1) Memorandum from Jennifer Sukow, P.E., P.G. to Gerald F. Schroeder, Hearing Officer (Dec. 30, 2025).

- 2) Memorandum from Brian Ragen, Analyst 4 to Gerald F. Schroeder, Hearing Officer (December 30, 2025).

Dated this 30th day of December 2025.

STATE OF IDAHO
OFFICE OF THE ATTORNEY GENERAL

A handwritten signature in blue ink, appearing to read 'G. Baxter', is written over a horizontal line.

GARRICK L. BAXTER
Deputy Attorney General

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on December 30, 2025, the above and foregoing, was served by the method indicated below, and addressed to the following:

Hearing Officer Schroeder Department of Water Resources gerald_23107@msn.com file@idwr.idaho.gov	☐ U.S. Mail, postage prepaid ☒ Email
Travis L. Thompson PARSONS BEHLE & LATIMER PO Box 63 Twin Falls, ID 83303-0063 tthompson@parsonsbehle.com	☐ U.S. Mail, postage prepaid ☒ Email
Abby R. Bitzenburg PARSONS BEHLE & LATIMER PO Box 63 Twin Falls, ID 83303-0063 abitzenburg@parsonsbehle.com	☐ U.S. Mail, postage prepaid ☒ Email
Norman M. Semanko Garrett M. Kitamura PARSONS BEHLE & LATIMER 800 W. Main Street, Suite 1300 Boise, Idaho 83702 nsemanko@parsonsbehle.com gkitamura@parsonsbehle.com	☐ U.S. Mail, postage prepaid ☒ Email
Thomas J. Budge RACINE OLSON PO Box 1391 Pocatello, ID 83204-1391 tj@racineolson.com tessa@racineolson.com	☐ U.S. Mail, postage prepaid ☒ Email
Sarah A Klahn Maximilian C. Bricker Somach Simmons & Dunn 1155 Canyon Blvd, Ste. 110 Boulder, CO 80302 sklahn@somachlaw.com mbricker@somachlaw.com	☐ U.S. Mail, postage prepaid ☒ Email
Candice McHugh Chris Bromley MCHUGH BROMLEY, PLLC PO Box 107 Boise, ID 83702 cmchugh@mchughbromley.com cbromley@mchughbromley.com	☐ U.S. Mail, postage prepaid ☒ Email
Skyler C. Johns Nathan M. Olsen Steven L. Taggart OLSEN TAGGART PLLC PO Box 3005 Idaho Falls, ID 83403 sjohns@olsentaggart.com nolsen@olsentaggart.com staggart@olsentaggart.com	☐ U.S. Mail, postage prepaid ☒ Email

COURTESY COPIES VIA EMAIL TO:

Craig Chandler
IDWR—Eastern Region
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Corey Skinner
IDWR—Southern Region
corey.skinner@idwr.idaho.gov



Sarah Tschohl, Paralegal

MEMO

State of Idaho

Department of Water Resources

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

Phone: (208) 287-4800 Fax: (208) 287-6700

Date: December 30, 2025

To: Gerald F. Schroeder, Hearing Officer

From: Jennifer Sukow, P.E., P.G.

Subject: Agency staff memorandum for A&B Irrigation District hearing regarding the April 2025 and July 2025 As-Applied Orders for the Surface Water Coalition delivery call

Background and purpose

A&B Irrigation District (A&B) has contested the April¹ and July 2025² As-Applied Orders for the Surface Water Coalition (SWC) delivery call. Issues contested by A&B include:

- IDWR's calculation of A&B's proportionate share of the predicted in-season demand shortfall (IDS) for mitigation purposes,
- IDWR's position that historic and ongoing soft conversions do not offset A&B's proportionate share of the shortfall,
- IDWR's refusal to allow A&B to mitigate for a portion of a water right while placing the remainder of the water right on the curtailment list, and
- IDWR's implementation of the May 16, 2025 curtailment order and the effects of the implementation on the July 2025 IDS volume and July 2025 curtailment priority date.

I was identified by IDWR as a witness available to testify regarding Eastern Snake Plain Aquifer Model (ESPAM) simulations used to calculate the priority dates for curtailment and A&B's

¹ IDWR, 2025a. *Final Order Regarding April 2025 Forecast Supply (Methodology Steps 1-3)*. Docket No. CM-DC-2010-001, April 16, 2025, 6 p., <https://idwr.idaho.gov/wp-content/uploads/sites/2/legal/CM-DC-2010-001/CM-DC-2010-001-20250416-Final-Order-Regarding-April-2025-Forecast-Supply-Methodology-Steps-1-3.pdf>.

² IDWR, 2025b. *Order Revising April 2025 Forecast Supply and Continuing May 16, 2025 Curtailment Order Methodology Steps 5 & 6)*. Docket No. CM-DC-2010-001, July 10, 2025, 12 p., <https://idwr.idaho.gov/wp-content/uploads/sites/2/legal/CM-DC-2010-001/CM-DC-2010-001-20250710-Order-Revising-April-2025-Forecast-Supply-Method.-Steps-5-6-July-2025-As-Applied.pdf>.

proportionate share of the IDS for the April and July 2025 As-Applied Orders. I did not participate in IDWR's implementation of the May 16, 2025 curtailment order. IDWR identified Brian Ragan as a witness available to testify regarding implementation of the May 16, 2025 curtailment order. I was deposed by A&B on October 22, 2025, and identified as a witness by A&B on November 7, 2025. On November 25, 2025, Hearing Officer Gerald F. Schroeder ordered IDWR witnesses to provide "*an agency staff memorandum explaining what they anticipate testifying about at the hearing.*"

This memorandum covers topics I anticipate testifying about at the hearing, based on the issues identified in A&B's hearing requests, topics addressed in my deposition on October 22, 2025, and topics addressed in expert reports filed on November 7, 2025 by LRE Water (Colvin, 2025a)³ and Spronk Water Engineers (Sullivan and Horesh, 2025a)⁴ and rebuttal expert reports filed on December 19, 2025 by LRE Water (Colvin, 2025b)⁵, Spronk Water Engineers (Sullivan and Horesh, 2025b)⁶, and Linker (Sigstedt, 2025)⁷. This memorandum does not cover what other agency staff may anticipate testifying about at the hearing.

Calculation of curtailment priority dates for in-season As-Applied Orders in the SWC delivery call

In-season As-Applied Orders are issued as described in the current version of the SWC Methodology Order⁸ (Methodology). IDWR hydrologists calculate the predicted water supply and water demand using procedures described in the Methodology. If the predicted water supply for each member of the SWC is greater than the predicted water demand, the IDS is zero and IDWR's Director (Director) does not order a curtailment of junior groundwater use. No ESPAM modeling is needed if the IDS is zero.

³ Colvin, D., 2025a, *A&B Proportionate Share Expert Report*, Docket No. CM-DC-2010-001, LRE Water, prepared for A&B Irrigation District, November 2025, 14 p.

⁴ Sullivan, G.K and N. Horesh, 2025a. *Expert Report for Aberdeen – American Falls Ground Water District, A&B's Requests for Hearing, SWC Delivery Call*, Spronk Water Engineers, prepared for Aberdeen – American Falls Ground Water District, November 7, 2025, 28 p.

⁵ Colvin, D., 2025b, *A&B Proportionate Share Rebuttal Report*, Docket No. CM-DC-2010-001, LRE Water, prepared for A&B Irrigation District, December 2025, 6 p.

⁶ Sullivan, G.K and N. Horesh, 2025b. *Rebuttal Expert Report for American Falls - Aberdeen Ground Water District, A&B's Requests for Hearing, SWC Delivery Call*, Spronk Water Engineers, prepared for American Falls - Aberdeen Ground Water District, December 19, 2025, 29 p.

⁷ Sigstedt, S.C., 2025. *Review of A&B Proportionate Share Expert Report*, Docket No. CM-DC-2010-001, by LRE, Lynker, prepared on behalf of Idaho Ground Water Appropriators, Inc., December 19, 2025, p. 9.

⁸ IDWR, 2023a. *Sixth Final Order Regarding Methodology for Determining Material Injury to Reasonable In-Season Demand and Reasonable Carryover*. Docket No. CM-DC-2010-001, July 19, 2023, 45 p., <https://idwr.idaho.gov/wp-content/uploads/sites/2/legal/CM-DC-2010-001/CM-DC-2010-001-20230719-Sixth-Final-Order-Regarding-Methodology.pdf>.

If the predicted water supply for any member of the SWC is less than the predicted water demand, the difference is the predicted IDS. The Methodology requires the Director to order a curtailment of junior groundwater use to remedy the predicted IDS.

Depending on the volume of the IDS and the timing of the curtailment, curtailing all junior groundwater use might not be necessary to produce the IDS volume and the Director will limit the number of junior groundwater users curtailed based on effective⁹ water right priority dates. In other cases, curtailing all junior groundwater use may be insufficient to produce the full IDS volume during this irrigation season. The current version of ESPAM (ESPAM2.2) is used to calculate a priority date for curtailment. The question the Director needs the model to answer is “What subset of junior groundwater users must be curtailed to produce a volume of water equal to the IDS in the near Blackfoot to Minidoka reach by September 30 of this irrigation season?” Because the question asked of the model involves the response to a short-term action within a specific timeframe, a transient model run must be performed.

In the case of the April 2025 As-Applied Order, which predicted an IDS of approximately 63,000 acre-feet (AF) occurring over the irrigation season, curtailing all groundwater use junior to October 11, 1900, would produce more than the IDS volume and was not necessary. The Director limited the curtailment to water rights junior to August 28, 1955, based on an ESPAM2.2 calculation of how much water is predicted to accrue to the near Blackfoot to Minidoka reach between May 1 and September 30, 2025.

In the case of the July 2025 As-Applied Order, which predicted an IDS of approximately 75,300 AF occurring between July 1 and the end of the irrigation season, increasing the curtailment to include all groundwater use junior to October 11, 1900, was insufficient to produce the full IDS volume by September 30, 2025. The Director increased the curtailment to include use junior to October 11, 1900, to produce as much as possible of the July IDS volume.

Calculation of proportionate shares of the IDS for mitigation by direct delivery of storage water

As of April 2025, there were five approved mitigation plans responding to the SWC delivery call, (1) No. CM-MP-2015-003 for the benefit of A&B; (2) No. CM-MP-2010-001 for the benefit of Southwest Irrigation District and Goose Creek Irrigation District (collectively, “SWID”); (3) No. CM-MP-2024-003 for the benefit of the Ground Water Districts; (4) No. CM-MP-2019-001 for

⁹ Water rights with enlargement conditions have an effective priority date of April 12, 1994 relative to non-enlargement water rights.

the benefit of the Coalition of Cities; and (5) No. CM-MP-2007-001 for the benefit of the Water Mitigation Coalition.¹⁰

Most plans include some aquifer enhancement projects (groundwater to surface water conversions, voluntary idling of irrigated acres, managed recharge) but recognize that these projects are insufficient to offset the full impact of groundwater use on aquifer discharge to the near Blackfoot to Minidoka reach and are insufficient to mitigate injury to the SWC's water supply in some years. Therefore, the mitigation plans also include direct delivery of storage water or monetary compensation to mitigate the injury that occurs in some years even though the aquifer enhancement projects are ongoing.

Because the effects of historic and ongoing aquifer enhancement projects are included in the data used in the Methodology to calculate the SWC members' Forecast Supply (FS), the IDS is a calculation of the predicted injury to the SWC's water supply that remains to be mitigated by direct delivery of storage water or other means.¹¹ The benefit of aquifer enhancement projects is that they reduce the frequency of shortfalls and the volume of the IDS. If the aquifer enhancement projects had not been implemented, the IDS (the remaining mitigation required) in the April and July 2025 As-Applied Orders would have been larger.

Because the groundwater users are mitigating under separate plans, IDWR needs to apportion the IDS among the mitigation plans to identify the proportionate share of the IDS for plans that include direct delivery of storage water to the SWC in an amount based on IDWR's calculation of injury. As of the 2025 irrigation season, A&B's mitigation plan is the only plan that includes actions that are dependent on IDWR's calculation of their proportionate share of the injury to the SWC. Other mitigation plans include negotiated terms that make the volume and timing of storage water delivery or monetary compensation independent of IDWR's calculation of their proportionate share of the IDS.

¹⁰ IDWR, 2025a. *Final Order Regarding April 2025 Forecast Supply (Methodology Steps 1-3)*. Docket No. CM-DC-2010-001, April 16, 2025, 6 p., <https://idwr.idaho.gov/wp-content/uploads/sites/2/legal/CM-DC-2010-001/CM-DC-2010-001-20250416-Final-Order-Regarding-April-2025-Forecast-Supply-Methodology-Steps-1-3.pdf>.

¹¹ IDWR, 2024a, *Final Order Denying IGWA's Request for Mitigation Credit for Aquifer Enhancement Activities (2024)*. CM-DC-2010-001, CM-MP-2009-006, May 15, 2024, p. 4-6, <https://idwr.idaho.gov/wp-content/uploads/sites/2/legal/CM-DC-2010-001/CM-DC-2010-001-20240515-Final-Order-Denying-IGWAs-Request-for-Mitigation-Credit-for-Aquifer-Enhancement-Activities-2024.pdf>.

The IDS is an injury resulting from reduced aquifer discharge to the near Blackfoot to Minidoka reach caused by the cumulative impacts of decades of groundwater use. The long-term response at the near Blackfoot to Minidoka reach to groundwater withdrawals at locations across the ESPA is shown in Figure 1 as a fraction of the annual average volume of groundwater withdrawn. While users closer to the reach generally have a higher percentage of impact to the reach, users more distant from the reach also have significant impacts. The modeled cumulative long-term impact on aquifer discharge to the near Blackfoot to Minidoka reach resulting from groundwater withdrawals at the locations of A&B's points of diversion ranges from 36 to 53% of the volume withdrawn (Figure 1), averaging 48%.

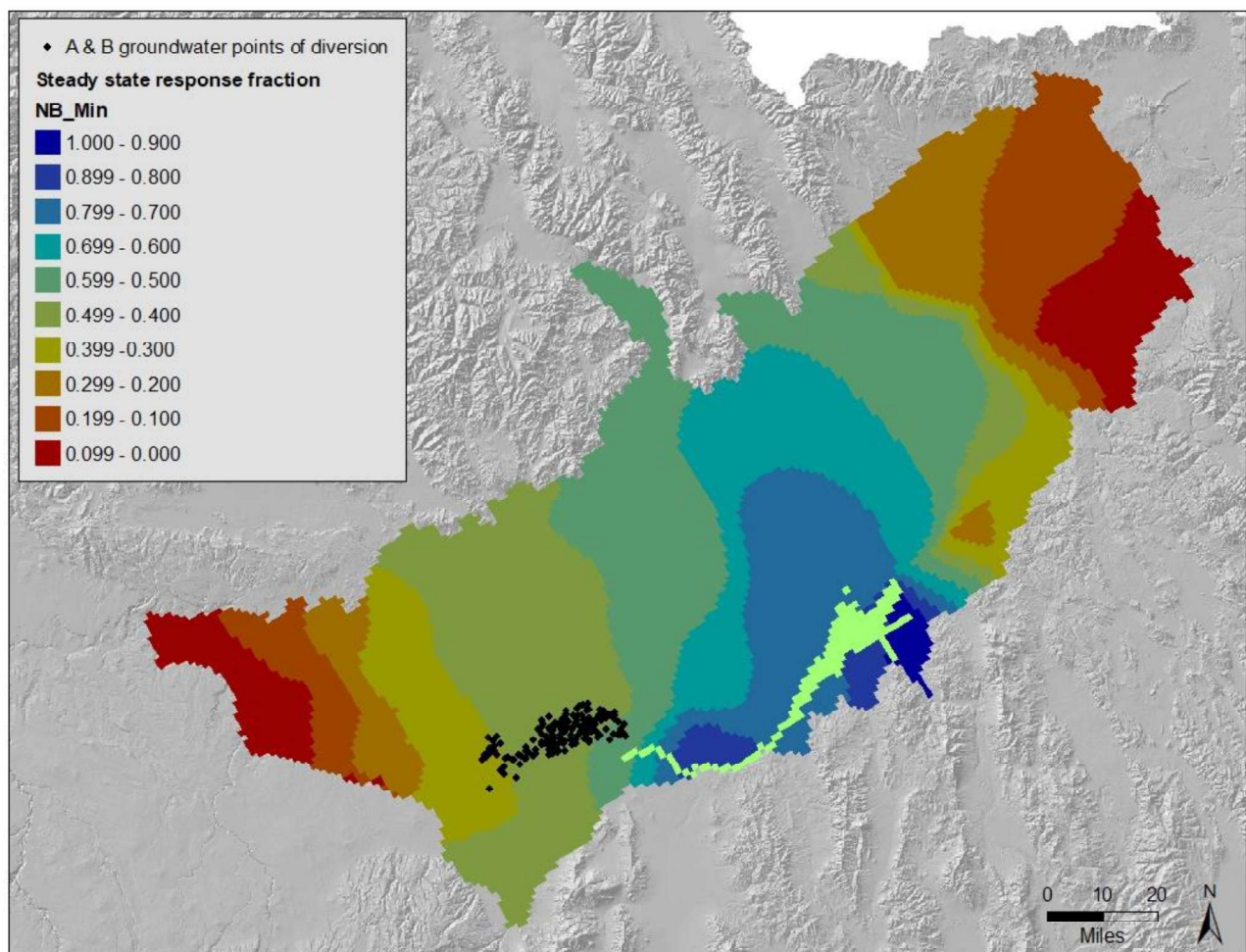


Figure 1. Long-term response at the near Blackfoot to Minidoka reach

Figure 2 illustrates the timing of the cumulative impacts of groundwater withdrawals within A&B as a percentage of the long-term average annual impact. Based on water right priority dates, A&B's water rights were developed between approximately 40 and 75 years ago. ESPAM2.2 simulations indicate after 40 years of pumping, the cumulative impact has reached approximately 93% of the long-term impact rate and after 75 years of pumping, the cumulative impact has reached approximately 98% of the long-term impact rate. The cumulative impacts of decades of A&B's groundwater use contributed to reduced aquifer discharge to the near Blackfoot to Minidoka reach during 2025. This reduced aquifer discharge results in a reduction of natural flow available for delivery to senior surface water rights.

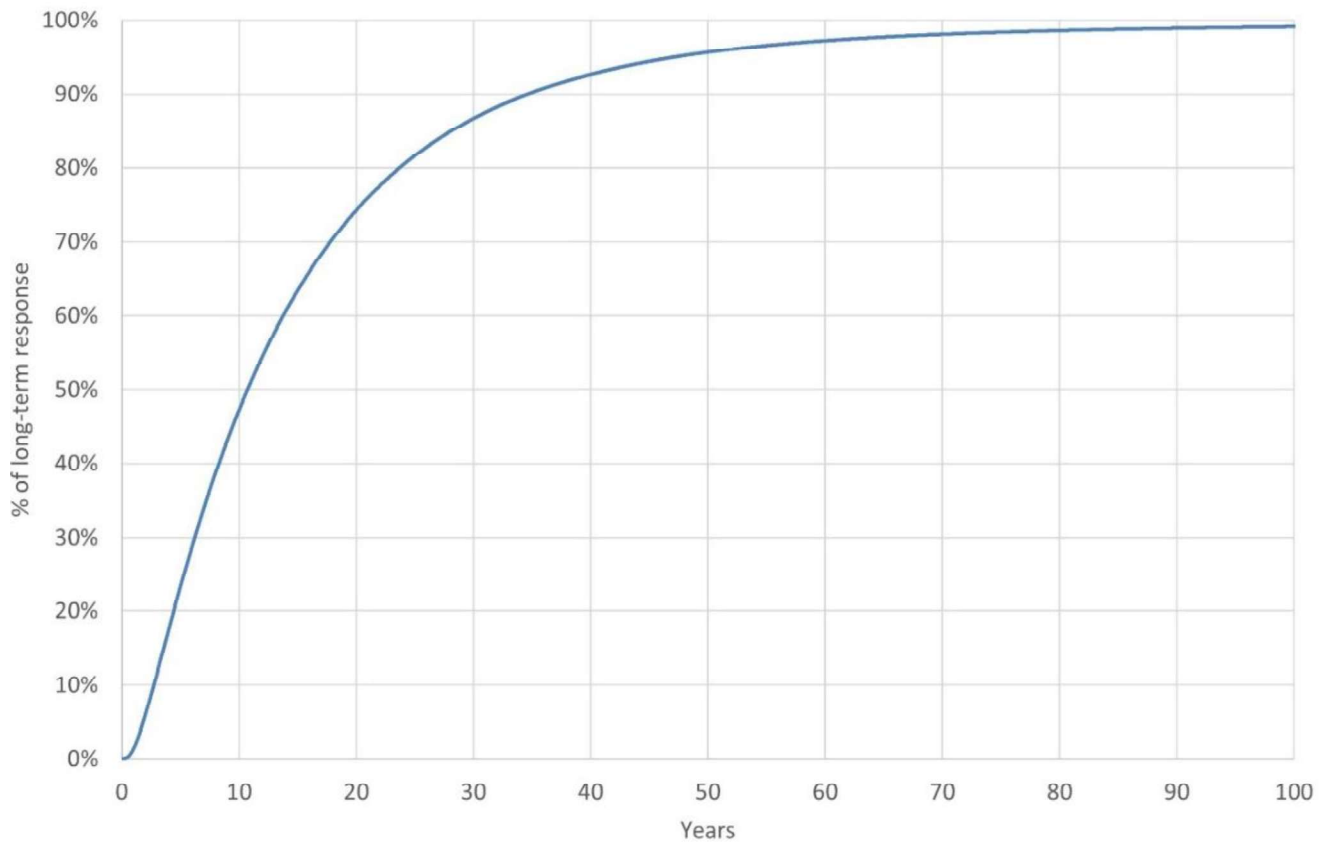


Figure 2. Years of A&B pumping required to reach long-term response rate at the near Blackfoot to Minidoka reach

Because the IDS is the result of the long-term cumulative impact of decades of pumping, ESPAM2.2 simulations used to calculate proportionate shares of the IDS for mitigation purposes are designed to answer the question, “What is the proportionate long-term impact of the junior groundwater use subject to curtailment and covered by this mitigation plan on aquifer discharge to the near Blackfoot to Minidoka reach?” Because the answer sought is based on long-term average annual impacts, either steady-state or transient model simulations could be employed to answer this question. In cases where either type of simulation is capable of answering the question, a steady-state model simulation is more efficient because model run times are faster and model file sizes are smaller.

For the April and July 2025 As-Applied Orders, A&B’s proportionate share of the IDS was calculated by:

1. simulating the long-term average annual impact of groundwater use junior to the curtailment priority date within the ESPA area of common groundwater supply,
2. simulating the long-term average annual impact of A&B’s water rights junior to the curtailment priority date,
3. calculating A&B’s impact as a percentage of the total impact, and
4. multiplying A&B’s percentage by the IDS volume.

Response to LRE Water expert report

The expert report prepared by LRE Water on behalf of A&B includes nine opinions from David Colvin, P.G., regarding the A&B proportionate share analysis.

Colvin Opinion 1 – “A&B’s mitigation plan specifies that storage water is only required to cover the in-season demand shortfall (IDS) beyond the benefits of other mitigation measures.”

The “*other mitigation measure*” specified in A&B’s 2023 stipulated mitigation plan is soft conversion of irrigation water supply from groundwater to surface water.¹² A&B reported soft conversion of 1,378 acres in their 2015 mitigation plan. A&B has increased its capacity to deliver surface water to lands historically irrigated with groundwater and currently reports 3,573.6 acres of soft conversions. Soft conversions benefit the Eastern Snake Plain Aquifer water budget by reducing groundwater withdrawals to meet the consumptive demand of irrigated crops.

¹² A&B Irrigation District, 2023, *Stipulation Regarding A&B Irrigation District’s Amended Rule 43 Mitigation Plan*. CM-MP-2015-003, December 27, 2023, p. 3, <https://idwr.idaho.gov/wp-content/uploads/sites/2/legal/CM-MP-2015-003/CM-MP-2015-003-20231227-Stipulation-Regarding-AB-Irrigation-Districts-Amended-Rule-43-Mitigation-Plan.pdf>.

To the extent that historic and ongoing soft conversions benefit the ESPA water budget and the current year's water supply for SWC members, these benefits are included in the Forecast Supply (FS)¹³ in the April 2025 and July 2025 AS-Applied Orders. Because the in-season demand shortfall (IDS) is calculated as the difference between the reasonable in-season demand (RISD) and the FS, the IDS is not mitigated by the soft conversions. The predicted IDS is a shortfall that is predicted to occur even after the effects of the soft conversions. The benefits of the soft conversions to near Blackfoot to Minidoka reach gains result in a larger FS and a smaller predicted IDS. The predicted IDS would be larger without the benefits of the soft conversions.

The Director has previously responded to this question regarding the benefits of aquifer enhancement mitigation projects and the predicted IDS for the Surface Water Coalition (SWC) delivery call. In 2016, the Director concluded,

“The predicted DS is the shortfall predicted after the benefits of ongoing aquifer enhancement activities performed by A&B and other entities have already been realized. In other words, the predicted DS already accounts for the benefits of ongoing aquifer enhancement activities performed by A&B and other entities. At this time, the Director will not reduce the predicted DS, or any entity's proportionate share thereof, because of the effects of aquifer enhancement activities. However, the Director will construe A&B's request to account for predicted responses to the Near Blackfoot to Minidoka reaches of the Snake River resulting from its aquifer enhancement activities and to reduce its proportionate share accordingly as a motion pursuant to the Department's Rule of Procedure 260 requesting the agency to take action in a contested case.”¹⁴

In 2024, the Director provided the following analysis describing how the regression models used to predict the IDS already account for the benefits of aquifer enhancement activities included in mitigation plans.

“The current methodology uses updated predictive models to forecast natural flow supply for the SWC. Because the Eastern Snake Plain Aquifer provides reach gains to the Snake River that sustain natural flow during late summer, the prediction of

¹³The FS in the April 2025 order includes the predicted natural flow supply and the predicted storage allocation for each SWC member. The FS includes natural flow diverted through June 30, the predicted natural flow supply for the remainder of the irrigation season, and the preliminary storage allocation for each SWC member.

¹⁴ IDWR, 2016. *Order Determining Deficiency in A&B Irrigation District's Notice of Mitigation*, CM-DC-2010-001, CM-MP-2015-003, May 11, 2016, p. 3, <https://idwr.idaho.gov/wp-content/uploads/sites/2/legal/CM-DC-2010-001/CM-DC-2010-001-20160511-Order-Determining-Deficiency-in-AB-Irrigation-Districts-Notice-of-Mitigation.pdf>.

natural flow supply for some of the SWC members was improved by incorporating parameters representing the status of the aquifer into the predictive models. See Third Amended Methodology Order, at 16–18. The parameters selected included flows at Box Canyon, flows at Spring Creek, and depth to water at Well 05S2E27ABA1 [05S 31E 27ABA1]. See id.; Sixth Amended Methodology Order, at 19–21.

The April Forecast Supply prediction for five of the SWC members, including TFCC, incorporates November-March flows at Box Canyon into a multi-linear regression to predict natural flow diversions during the upcoming irrigation season. Third Amended Methodology Order, at 16. The current Sixth Amended Methodology Order continues this practice. April 2024 As-Applied Order, at 3. The multi-linear regressions used to predict natural flow supply are updated yearly to include recent data.

The July Forecast Supply prediction for TFCC incorporates January–May flows at Spring Creek into a multi-linear regression to predict natural flow diversions during the remainder of the irrigation season. Third Amended Methodology Order, at 18. The July Forecast Supply prediction for three other members of the SWC incorporates depth to water at Well 05S2E27ABA1 [05S 31E 27ABA1] into a multi-linear regression to predict natural flow diversions during the remainder of the irrigation season. Id. The current Sixth Amended Methodology Order continues this practice. Sixth Amended Methodology Order, at 21. The multi-linear regressions used to predict natural flow supply are updated yearly to include recent data.

Because the parameters representing the aquifer's ability to sustain natural flow during late summer are included in the improved predictions of natural flow supply for several members of the SWC, the predicted IDS already accounts for the impacts of mitigation activities. Mitigation activities benefit the ground water users by reducing the predicted shortfall volume calculated by the current methodology. In the 2024 April Forecast Supply calculation, every 1,000 acre-feet of additional flow at Box Canyon increased the predicted natural flow supply for the SWC members by a total of 21,506 acre-feet, including an increase of 7,027 acre-feet per 1,000 acre-feet in the predicted natural flow supply for TFCC. See April 2024 As-Applied Order, Attach. A. The benefits of mitigation activities are accounted for in the predicted natural flow supply, which was subtracted from the baseline demand to calculate the IDS. Awarding the additional mitigation credit request by IGWA would double-count the benefits of mitigation.

The benefits of ongoing mitigation will also be accounted for in the July Forecast Supply prediction. Any benefits of mitigation to reach gains occurring between April and June will be accounted for in the natural flow diverted. Benefits of mitigation yet to accrue to reach gains will be accounted for in the predicted natural flow diversions for the remainder of the irrigation season. In the 2023 July Forecast Supply, every 1,000 acre-feet of additional flow at Spring Creek increased the predicted natural flow diversions for TFCC by 3,214 acre-feet. See Order Revising April 2023 Forecast Supply and Amending Curtailment Order (Methodology Steps 5 & 6), No. CM-DC-2010-001 (July 19, 2023) (Supp. 2023 July Background Information). Every foot of increase in water level at Well 05S2E27ABA1 [05S 31E 27ABA1] increased the predicted natural flow diversions for three other members of the SWC by a total of 45,065 acrefeet. Id. Regression coefficients for the July 2024 Forecast Supply will be updated to account for recent data but are expected to be similar.”¹⁵

In 2024, the Director found,

“The regression models used to predict in-season demand shortfall already account for the benefits of the enhancement activities performed by IGWA.... The predicted IDS is the shortfall predicted after the benefits of ongoing aquifer enhancement activities performed by the ground water Districts have already been realized. In other words, the predicted IDS already accounts for the benefits of ongoing aquifer enhancement activities performed by the Districts. Essentially, the predicted IDS would be higher if the aquifer enhancement activities had not occurred.... Therefore, the Director will not reduce the predicted demand shortfall, or any entity’s proportionate share thereof, because the models used to predict in-season demand shortfall already account for the benefits of the enhancement activities performed by IGWA.”¹⁵

¹⁵IDWR, 2024a, *Final Order Denying IGWA’s Request for Mitigation Credit for Aquifer Enhancement Activities* (2024). CM-DC-2010-001, CM-MP-2009-006, May 15, 2024, p. 4-6, <https://idwr.idaho.gov/wp-content/uploads/sites/2/legal/CM-DC-2010-001/CM-DC-2010-001-20240515-Final-Order-Denying-IGWAs-Request-for-Mitigation-Credit-for-Aquifer-Enhancement-Activities-2024.pdf>.

Colvin Opinion 2 – “According to the terms and conditions of the A&B mitigation plan, they should only have to mitigate for groundwater use on the acres currently being diverted (e.g., approximately 508.3 acres of water right 36-15127A).”

While the LRE Water expert report asserts A&B “*intends to continue delivering surface water to approximately 3,573.6 acres formerly irrigation with groundwater*”¹⁶, A&B describes these acres as “*soft conversions*”¹⁷ which means that A&B retains the physical ability and the legal right to deliver groundwater to these acres (in the absence of a curtailment order). A&B has not provided evidence showing it has relinquished the physical ability to deliver groundwater to these acres, nor has it transferred the nature of use of any portion of its groundwater rights from irrigation to mitigation. Because these acres are soft conversions, the Director has required any of A&B’s groundwater rights authorizing irrigation of the converted acres to be either fully mitigated or be included on the curtailment list so the Watermaster has the authority to curtail delivery of groundwater to the converted acres.

The LRE Water expert report also comments, “*IDWR has not demonstrated why it cannot calculate a partial mitigation obligation for only partial use of a groundwater right*”.¹⁸ In 2024 and 2025, the Director allowed A&B to provide less than the full volume of A&B’s proportionate share and select which water rights to mitigate for and which to leave on the curtailment list. The Director decided not to allow A&B to mitigate for a partial water right while leaving a partial water right on the curtailment list. This was an administrative decision that is independent from the ability to “*calculate a partial mitigation obligation for only partial use of a groundwater right*.”

Colvin Opinion 3 – “An ESPA Groundwater Management Plan (GMP) could provide coordination of mitigation actions and curtailment, balancing in-season demands with the decades of historical junior groundwater pumping. A GMP could be structured to allow for transient modeling of the long-term mitigation obligations/actions and the in-season mitigation action benefits to reach gains.”

Development of a GMP is outside the scope of this proceeding.

¹⁶Colvin, D., 2025a, *A&B Proportionate Share Expert Report*, Docket No. CM-DC-2010-001, LRE Water, prepared for A&B Irrigation District, November 2025, p. 5.

¹⁷ A&B Irrigation District, 2023, *Stipulation Regarding A&B irrigation District’s Amended Rule 43 Mitigation Plan*. CM-MP-2015-003, December 27, 2023, p. 2, <https://idwr.idaho.gov/wp-content/uploads/sites/2/legal/CM-MP-2015-003/CM-MP-2015-003-20231227-Stipulation-Regarding-AB-Irrigation-Districts-Amended-Rule-43-Mitigation-Plan.pdf>.

¹⁸ Colvin, D., 2025a, *A&B Proportionate Share Expert Report*, Docket No. CM-DC-2010-001, LRE Water, prepared for A&B Irrigation District, November 2025, p. 5.

Colvin Opinion 4 – “The IDWR methodology contains logical inconsistencies rooted in problems with attempts to constrain injury determination and defining mitigation requirements within a single irrigation season. ESPA methodology calculation of IDS is caused by decades of junior groundwater pumping, and the mitigation responsibility should consider priority.”

The Methodology is confined to determining injury within a single irrigation season because of high variability in the SWC members’ water supply. In some years, there is an ample supply of water from snowmelt runoff and the SWC members have no water supply shortfalls. In other years, ESPA discharge to the near Blackfoot to Minidoka reach of the Snake River is a larger fraction of the SWC members’ water supply and shortfalls occur because of reduced ESPA discharge. Within years with shortfalls to the SWC members’ water supply, there are significant variations in the shortfall volume. The Methodology was developed to adapt the curtailment of groundwater use or alternative mitigation with replacement water to the variations in water supply and predicted shortfalls to the SWC members.

Because the Methodology responds to this variability in water supply, the volume of groundwater use that would need to be curtailed to alleviate the IDS cannot reasonably be predicted in advance of the April 1 water supply forecast and curtailment cannot be reasonably implemented before May. Thus, the Methodology specifies the priority date for curtailment of groundwater use will be determined using a transient ESPAM simulation to calculate the curtailment priority date predicted to produce a volume of water equal to the IDS in the near Blackfoot to Minidoka reach between May 1 and September 30 of the current year.

Neither transient nor steady-state ESPAM simulations inherently consider water right priority dates. Consideration of water right priority dates is implemented by including or excluding the impacts of water right use in an input file to a ESPAM simulation. Input files compiled based on water right priority dates can be input into either a transient or a steady-state simulation. In the 2025 As-Applied Orders, the relative priority of junior groundwater rights was considered when compiling the input file for the ESPAM simulation used to calculate the curtailment priority date for each As-Applied Order. All groundwater rights junior to the calculated curtailment priority date were included when compiling input files for ESPAM simulations used to calculate proportionate shares for mitigation of the IDS with replacement water.

Colvin Opinion 5 – “The Methodology order does not specify how to calculate the proportionate amount of mitigation required by each junior groundwater right covered by a mitigation plan. IDWR should calculate proportionate share consistently.”

While the Methodology order does not specify how to calculate a groundwater user’s proportionate share of an IDS, the method used to calculate A&B’s proportionate share for the April 2025 and

July 2025 orders is consistent with guidance provided by the post-hearing order and the Methodology order. In the post-hearing order, the Director contemplated arguments requesting a futile call determination and implementation of a trim line based on the timing of response to a single-season of curtailment.

“If the Director were to determine that curtailment of some ground water rights would not immediately accrue water to the senior priority surface water rights, even though the cumulative impact is significant, and that the delivery call is futile because there is no immediate benefit for the surface water rights, the holders of junior priority ground water rights could recurringly avoid curtailment. Avoiding obligation because of delayed cumulative impact is contrary to the intent of the CM [Conjunctive Management] Rules. The Director concludes the delivery call is not futile.”¹⁹

“The spatial distribution of long-term impacts of Ground Water Users on aquifer discharge to the near Blackfoot to Minidoka reach is documented in the record. In Ms. Sigstedt’s expert report, Figure 3-6 shows the steady state response function, which is the long-term impact of pumping on the near Blackfoot to Minidoka reach as a percentage of the volume of ground water used. Ex. 837 at 38. Figure 3-6 shows that Ground Water Users on both sides of the Great Rift (the boundary applied to the Rangen delivery call trim line) have significant long-term impacts on aquifer discharge to the nB-Min reach. As a result, the Director concludes that a trimline is not appropriate.”²⁰

These statements provide guidance that mitigation obligations should be calculated based on the long-term cumulative impacts of groundwater use. If mitigation obligations for replacement water were determined based on the short-term response to curtailment between May 1 and September 30 of this irrigation season, it would effectively implement a trimline or futile call because groundwater users with significant long-term impacts to the near Blackfoot to Minidoka reach would have minimal mitigation obligations. Most of the burden of mitigation for the long-term impacts of groundwater users more distant from the reach would be shifted to groundwater users located closer to the reach, effectively implementing a trimline. In years with IDS volumes larger than the volume that can be delivered through the reach by in-season curtailment, the resulting total mitigation volume would be less than the shortfall volume and would fail to fully mitigate

¹⁹ IDWR, 2023b. *Post-Hearing Order Regarding Fifth Amended Methodology Order*, July 19, 2023, Docket No. CM-DC-2010-001, p. 26, <https://idwr.idaho.gov/wp-content/uploads/sites/2/legal/CM-DC-2010-001/CM-DC-2010-001-20230719-Post-Hearing-Order-Regarding-Fifth-Amended-Methodology-Order.pdf>.

²⁰ IDWR, 2023b. p. 27.

the injury to the senior surface water users, effectively implementing a futile call for a portion of the seniors' shortfall.

The Methodology order clarifies that a steady-state ESPAM simulation is an appropriate analysis for evaluating the long-term cumulative impacts of groundwater use.

“Steady-state simulations are appropriate for evaluating the average annual impact of aquifer stresses that have been, or will be, applied for decades (i.e., ground water pumping year after year...”²¹

The effect of calculating mitigation obligations for replacement water based on the short-term response to in-season curtailments is illustrated in Table 1, which shows the modeled long-term average annual impact of A&B's junior groundwater use on the near Blackfoot to Minidoka reach, A&B's proportionate share calculated for the April and July 2025 orders, and an alternate proportionate share calculated based on the short-term impact of curtailing A&B's junior groundwater use. If the short-term impact of curtailing A&B's junior groundwater use was used to calculate the proportionate share, A&B would avoid most of their mitigation obligation to the senior water users because of delayed cumulative impact.

Table 1. Comparison of proportionate share calculation method results

Order	Priority date	Cumulative impact on nr Blackfoot to Minidoka reach	Proportionate share of IDS	Alternate share calculation method
April 2025	junior to 8/28/1955	10,600 AF/yr	384 AF (0.6%)	1.2 AF (0.002%)
July 2025	junior to 10/11/1900	82,200 AF/yr	5,039 AF (6.7%)	1.8 AF (0.002 %)

If A&B's proportionate share were calculated using this alternate method, 383 AF of their mitigation obligation calculated for the April 2025 order would be shifted to other groundwater users located closer to the near Blackfoot to Minidoka reach and 5,037 AF of their July 2025 mitigation obligation would be shifted to a combination of other groundwater users and

²¹ IDWR, 2023a. *Sixth Final Order Regarding Methodology for Determining Material Injury to Reasonable In-Season Demand and Reasonable Carryover*. Docket No. CM-DC-2010-001, July 19, 2023, p. 33, <https://idwr.idaho.gov/wp-content/uploads/sites/2/legal/CM-DC-2010-001/CM-DC-2010-001-20230719-Sixth-Final-Order-Regarding-Methodology.pdf>.

unmitigated injury to the senior SWC water users.²² This alternate method for calculating proportionate shares of the predicted shortfall was rejected because Director Spackman concluded the results of using this method would be contrary to the intent of the CM Rules.

The discussion of Methodology steps in the LRE Water expert report states, “*Use of the steady-state model does not account for priority between junior ground water rights, and how that should be apportioned*” and, “*the transient version of the model should be consistently used for implementing the steps and apportioning mitigation obligations that occur during an irrigation season.*”²³ As discussed previous in response to Colvin Opinion 4, neither transient nor steady-state ESPAM simulations inherently consider water right priority dates. Using the transient analysis (the alternate share calculation method in Table 1) does not account for the relative priority between the junior groundwater rights subject to curtailment. This method apportions the obligation solely based on which water users have the largest short-term impact to the near Blackfoot to Minidoka reach. Using this method would result in more senior groundwater users located closer to the near Blackfoot to Minidoka reach having to mitigate for a larger fraction of their long-term impact on the reach than a more junior groundwater user located more distant from the reach.

The LRE Water expert report also proposes a modification to the alternate approach for calculating proportionate shares when the IDS exceeds the volume that can be produced in-season by a single season of curtailment.²⁴ The proposed method would use the same transient simulation time discretization used to calculate the priority date for curtailment to calculate proportionate shares up to the volume that would be produced in-season. The remainder of the IDS would be apportioned among water users junior to a later priority date calculated using a steady-state or long-term transient simulation to produce the remainder of the IDS. While this approach would avoid shifting the impacts of groundwater use to unmitigated injury to the senior SWC water users, there are multiple pitfalls to this approach. This approach continues to shift a significant portion of the mitigation obligation for the long-term impacts of groundwater use from users distant from the reach to users closer to the reach. This approach would also result in many water users with later priority dates being required to mitigate for a volume exceeding their long-term average annual impact. In the example provided in the LRE water report, groundwater users with rights junior to November 27, 1984 would be assigned a portion of the IDS equal to their long-term impact plus the volume of their impacts that accrue to the reach during the first irrigation season.

²² If this alternate method had been used in the July 2025 order to calculate proportionate shares of the IDS for all groundwater users, the total mitigation obligation of all junior groundwater users would have been 17,224 AF less than the predicted injury to the senior SWC water users.

²³Colvin, D., 2025a. *A&B Proportionate Share Expert Report, Docket No. CM-DC-2010-001*, LRE Water, prepared for A&B Irrigation District, November 2025, p. 7.

²⁴Colvin, D., 2025a. p. 9-10.

For water users located very close to the reach, the calculated mitigation volume would be substantially larger than their long-term impact. This approach would still require groundwater users with earlier priority dates located close to the reach to mitigate a substantial fraction of their long-term impacts to the reach, while groundwater users with earlier priority dates located distant from the reach would mitigate for very little of their long-term impacts to the reach.

Colvin Opinion 6 – “A&B’s mitigation plan is unique and should be treated as such in how IDWR calculates proportionate shares. According to the terms of the plan, consideration should be given to all A&B’s mitigation activities.”

Other stipulated mitigation plans are similar to A&B’s mitigation plan in that the groundwater users have agreed to undertake aquifer enhancement projects (such as soft conversions, managed recharge, idling irrigated acres) regardless of the IDS or carryover shortfall calculated in any given year. Other stipulated mitigation plans also include direct delivery of storage water or monetary compensation to the SWC as a component of their mitigation plans to mitigate for injury beyond what is mitigated by their aquifer enhancement projects. One significant difference between A&B’s mitigation plan and the other mitigation plans is that the volume of storage water or monetary compensation delivered to the SWC by other groundwater users is stipulated to be independent of IDWR’s calculation of a proportionate share of the IDS or carryover shortfall in the other mitigation plans, while A&B’s mitigation plan stipulates,

“A&B also holds rights to storage water in American Falls Reservoir (46,826 at) and Palisades Reservoir (90,800 at) and has the ability to participate in Water District 01 's Rental Pool. Available storage can be delivered to injured Coalition members to mitigate for any shortfalls caused by the District's junior priority ground water that are subject to curtailment beyond what may not be covered by the "soft conversions" described above. This action would only be necessary if the benefits of the above conversions do not satisfy the injury caused by A&B's ground water rights that are found to be subject to curtailment in any given year.”²⁵

Unlike the other stipulated mitigation plans, A&B’s mitigation plan specifies that delivery of storage will be dependent on the Director’s determination of injury in any given year.

²⁵ A&B Irrigation District, 2023, *Stipulation Regarding A&B irrigation District’s Amended Rule 43 Mitigation Plan*. CM-MP-2015-003, December 27, 2023, p. 2-3, <https://idwr.idaho.gov/wp-content/uploads/sites/2/legal/CM-MP-2015-003/CM-MP-2015-003-20231227-Stipulation-Regarding-AB-Irrigation-Districts-Amended-Rule-43-Mitigation-Plan.pdf>.

“Unlike the SWID Mitigation Plan, the A&B Mitigation Plan does not provide safe harbor for specific activities. Instead, A&B’s plan requires that A&B “mitigate for any shortfalls caused by” A&B’s junior ground water diversions. A&B Mitigation Plan, at 3. Under its plan, A&B may undertake a series of different mitigation activities, and if those activities do not offset their depletive effect on the SWC, A&B has committed to provide storage water to make up the difference. Id. This has not changed in the Stipulated Mitigation Plan.”²⁶

“In the SWC delivery call, the mitigation obligation owed by ground water users can vary from year to year and within an irrigation season depending on current water supply and crop need requirements. Only by applying current water supply and crop need requirements and the methodology order process can the Department determine A&B’s proportionate share of any obligation, and whether A&B must provide storage water to offset the depletive effects of its pumping on the SWC.”²⁶

As previously noted in response to Colvin Opinion 1, to the extent that historic and ongoing soft conversions benefit the ESPA water budget and the current year’s aquifer discharge to the near Blackfoot to Minidoka reach, these benefits are included in the Forecast Supply (FS)²⁷ in the April 2025 and July 2025 orders. Because the in-season demand shortfall (IDS) is calculated as the difference between the reasonable in-season demand (RISD) and the FS, the IDS is not mitigated by the soft conversions. The predicted IDS is a shortfall that is predicted to occur even after the effects of the soft conversions. The benefits of the soft conversions to near Blackfoot to Minidoka reach gains result in a larger FS and a smaller predicted IDS. The predicted IDS would be larger without the benefits of the soft conversions. Therefore, A&B’s proportionate share of the IDS is a proportion of the calculated injury to the SWC that has not been mitigated by soft conversions or other aquifer enhancement projects. The IDS and A&B’s proportionate share are already reduced as a result of the benefits of A&B’s soft conversions and other aquifer enhancement activities.

²⁶ IDWR, 2025c. *Final Order Approving Amended Mitigation Plan*, Docket No. CM-MP-2015-003, p. 4-5, <https://idwr.idaho.gov/wp-content/uploads/sites/2/legal/CM-MP-2015-003/CM-MP-2015-003-20250110-Final-Order-Approving-Amended-Mitigation-Plan.pdf>.

²⁷The FS in the April 2025 order includes the predicted natural flow supply and the predicted storage allocation for each SWC member. The FS includes natural flow diverted through June 30, the predicted natural flow supply for the remainder of the irrigation season, and the preliminary storage allocation for each SWC member.

Colvin Opinion 7 - There was a time when the ESPA was in balance and groundwater pumping was not reducing the supplies of senior surface water rights and causing in-season demand shortfalls. Because IDWR continued to approve new groundwater rights without consideration of long-term impacts on the connected surface water sources, the system became over-appropriated and junior groundwater pumping began reducing the senior surface water supplies. IDWR should explain how the groundwater rights with a priority date senior to the time of over-appropriation are equally responsible for mitigating the IDS as groundwater rights junior to that time.

I disagree with the statement, “*There was a time when the ESPA was in balance and groundwater pumping was not reducing the supplies of senior surface water rights and causing in-season demand shortfalls.*” Based on water right priority dates, groundwater rights were developed beginning prior to 1900. Moratoriums on the approval of new groundwater rights for consumptive uses have been in place for the ESPA since 1992²⁸. There is no evidence that the ESPA water budget was in balance during this development period. The cumulative ESPA storage change calculated by Kjelstrom (year)²⁹ for 1912-1980 and McVay (1980-2025)³⁰ indicates continual imbalances in aquifer recharge and discharge throughout the period of groundwater development (Figure 3).

Prior to about 1950, ESPA recharge generally exceeded ESPA discharge, largely because of recharge incidental to very inefficient surface water irrigation practices. Since 1950, ESPA recharge has, on average, been less than ESPA discharge, largely because increases in the efficiency of surface water conveyance and irrigation practices resulted in a decrease in ESPA recharge while the development of groundwater pumping resulted in an increase in ESPA discharge. Improvements to irrigation technology and crop changes have also resulted in an increase in crop yields and evapotranspiration for both groundwater and surface water irrigated lands, further contributing to the imbalance in ESPA recharge and discharge. In the future, continued improvement in surface water conveyance and irrigation efficiency may continue to reduce ESPA recharge.

²⁸ IDWR, 2024b. *Amended Snake River Basin Moratorium Order*, July 16, 2024, p. 15-18, <https://idwr.idaho.gov/wp-content/uploads/sites/2/legal/SRB-Moratorium/SRB-Moratorium-20240716-Amended-Snake-River-Basin-Moratorium-Order.pdf>.

²⁹Kjelstrom, L.C., 1995. *Streamflow Gains and Losses in the Snake River and Ground-Water Budgets for the Snake River Plain, Idaho and Eastern Oregon*, U.S. Geological Survey Professional Paper 1408-C., p. C33, <https://pubs.usgs.gov/publication/pp1408C/>.

³⁰ McVay, M., 2025. *Eastern Snake Plain Aquifer Storage Update*, presented to the Idaho Water Resource Board Aquifer Stabilization Committee, September 10, 2025, p. 3-40, <https://idwr.idaho.gov/wp-content/uploads/sites/2/iwrb/2025a/AquiferStabilizationCommitteeMeeting2-25MATERIALS.pdf>.

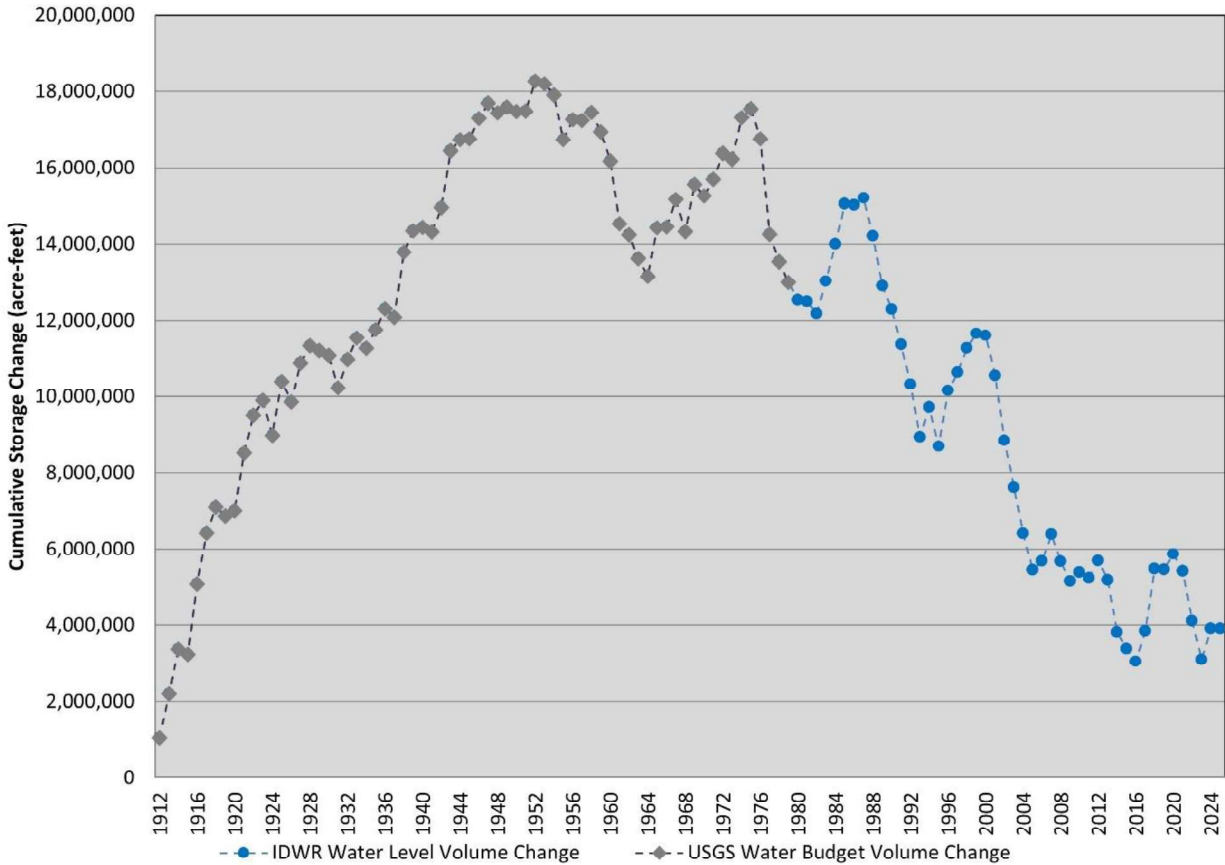


Figure 3. Cumulative change in ESPA storage volume since spring 1912

With respect to the SWC delivery call, the water supply is variable, and shortfalls do not occur every year. The Director has the authority to respond by curtailing junior water use or requiring compliance with an approved mitigation plan during times when shortfalls to the SWC members' water supply are predicted by applying the Methodology.

With respect to the SWC delivery call, all groundwater users with priority dates junior to October 11, 1900 are junior groundwater users and are potentially subject to the delivery call in years when an IDS or carryover shortfall is calculated. IDWR's Director accounts for priority date differences between the groundwater users when determining the subset of junior water users that is subject to curtailment in response to a specific IDS or carryover shortfall calculation. Once the subset of junior water users that is subject to curtailment is identified, those junior users are afforded the opportunity to continue out-of-priority diversions by participating in an approved mitigation plan. Proportionate mitigation obligations for providing replacement water pursuant to specific mitigation plans are calculated based on the long-term impacts of all junior users subject to curtailment.

Colvin Opinion 8 - When the IDS was estimated in July, IDWR recognized actual supply and demand conditions and that the May curtailment was not implemented. Partially because no May curtailment was implemented, the July IDS increased.

I disagree with the statement, “*IDWR recognized...that the May curtailment was not implemented.*” IDWR’s Director issued an order on May 16, 2025, curtailing unmitigated groundwater rights junior to August 28, 1955, effective May 31, 2025. IDWR Compliance Section staff worked with ESPA Water District Watermasters to implement the May curtailment order. I do acknowledge that the May curtailment order was not effective until May 31, 2025, so any potential benefits of curtailing between May 1 and May 31 were not realized.

On July 25, 2025, the Director issued an order curtailing unmitigated groundwater rights junior to October 11, 1900, effective July 25, 2025. IDWR Compliance Section staff worked with ESPA Water District Watermasters to implement the July curtailment order.

Because unmitigated water rights represent a small fraction of ESPA groundwater use, the benefits of the curtailments are relatively small. I performed ESPAM2.2 simulations to estimate the following impacts on the near Blackfoot to Minidoka reach related to the implementation of the May and July 2025 curtailment orders. Compliance data used to generate input for the model simulations were provisional data provided by Brian Ragan on November 26, 2025. Only unmitigated water rights that do not meet the domestic exemption limits of Idaho Code 42-111 were subject to the curtailment orders. ESPAM2.2 simulations were performed to evaluate:

- impacts of groundwater use by seven entities who received notices of violation (NOVs) for continued use of junior water rights,
- potential impacts of potential continued use of junior water rights classified as “investigation ongoing,”
- benefits of curtailment of junior water rights classified as “curtailed by user” beginning in June, and
- impacts of May groundwater use by water rights junior to August 28, 1955.

Model simulation results are summarized in Table 2. The lack of curtailment during May is estimated to have contributed 7 AF to the July IDS. This is not a significant component of the 75,254 AF July IDS. If the July 2025 IDS had been 7 AF lower, the priority date for the July curtailment order would still have been junior October 11, 1900 and A&B’s proportionate share would have been reduced by less than 1 AF.

Table 2. Estimated impact of 2025 curtailment implementation on near Blackfoot to Minidoka reach gains

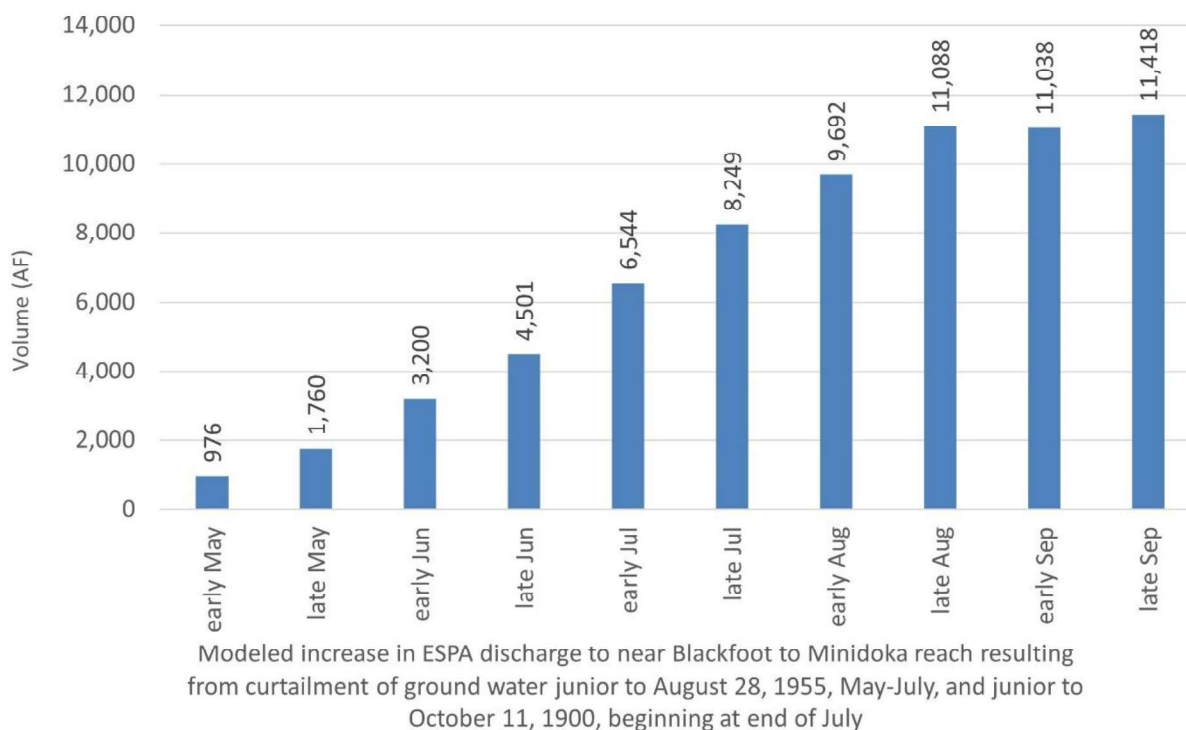
Group	Estimated acres junior to 8/28/1955	Estimated acres junior to 10/11/1900	Estimated consumptive use junior to 8/28/1955 (AF)	Estimated consumptive use junior to 10/11/1900 (AF)	Modeled impact through Jun 30 (AF)
NOVs	221	293	415	473	-20
Investigation ongoing	39	164	77	160	-3
Curtailed by user	-1,890	-4,538	-2,310	-5,901	5
May use of water rights curtailed by user	1,890	NA ³¹	528	NA ³¹	-7

Colvin Opinion 9 - If IDWR had implemented the May curtailment, the July IDS would have been less, and the curtailment date could have been more junior. IDWR's lack of curtailment action contributes to a reduction in the availability of groundwater rights junior to 1955.

As stated in the July 2025 order, the July IDS was large enough that increasing the curtailment to include all groundwater use junior to the SWC's injured natural flow water right was insufficient to produce a modeled volume of water equal to the July IDS by September 30, 2025.

"In July 2025, the Department ran the ESPAM2.2 to simulate the effect of adjusting the curtailment priority date at the end of July. The ESPAM2.2 simulation calculated that the curtailment of ground water rights junior to August 28, 1955, through the end of July followed by curtailment of groundwater rights junior to October 11, 1900, will produce a volume of water of 58,000 AF in the near Blackfoot to Minidoka reach between July 1 and September 30 of this irrigation season. The following figure summarizes the results of the ESPAM2.2 simulation:

³¹ Not applicable for evaluating the impacts of the May 31, 2025 effective date of the May 2025 curtailment.



The predicted July through September benefits to the near Blackfoot to Minidoka reach from curtailment of ground water rights bearing priority dates junior to August 28, 1955, through the end of July followed by curtailment of groundwater rights junior to October 11, 1900, are less than the July IDS of 75,300 acre-feet. Increasing the curtailment to include ground water rights junior to October 11, 1900, will offset as much of the July IDS as possible.”³²

Decreasing the July IDS by the 7 AF estimated impact of the May pumping of water users who curtailed in June (Table 2) would not have changed the priority date for the July 2025 curtailment order. The July 2025 IDS would have to be reduced by more than 17,000 AF to result in calculation of a later priority date.

³² IDWR, 2025b. *Order Revising April 2025 Forecast Supply and Continuing May 16, 2025 Curtailment Order Methodology Steps 5 & 6*. Docket No. CM-DC-2010-001, July 10, 2025, p. 9-10, <https://idwr.idaho.gov/wp-content/uploads/sites/2/legal/CM-DC-2010-001/CM-DC-2010-001-20250710-Order-Revising-April-2025-Forecast-Supply-Method.-Steps-5-6-July-2025-As-Applied.pdf>.

Response to Spronk Water Engineers expert report

The expert report prepared by Spronk Water Engineers on behalf of Aberdeen – American Falls Ground Water District includes eight opinions from Gregory K. Sullivan, P.E. and Nathan Horesh, regarding the A&B proportionate share analysis.

Sullivan and Horesh Opinion 1 - Determination of the curtailment date and proportional allocation of the Shortfall to junior groundwater users are two separate issues. It is not essential that the same type of modeling (i.e., steady-state, or transient) be employed in the analyses for both processes.

I concur with this opinion. The time discretization of each ESPAM2.2 simulation is designed to answer a specific question. For determination of the curtailment priority date, the Director's question is, "What subset of junior groundwater users must be curtailed to produce a volume of water equal to the IDS in the near Blackfoot to Minidoka reach by September 30 of this irrigation season?" For determination of a proportionate share of the IDS for mitigation purposes, the Director's question is, "What is the proportionate long-term impact of the junior groundwater use subject to curtailment and covered by this mitigation plan on aquifer discharge to the near Blackfoot to Minidoka reach?" Different questions require use of different time discretization. This is reflected in the modeling approach IDWR used to answer each question.

Sullivan and Horesh Opinion 2 - There is no dispute that current depletions to the Snake River in the Near Blackfoot to Minidoka Reach from ESPA pumping result from pumping that occurred over many years and that ESPAM 2.2 is the best available tool to estimate the timing, location, and amount of Snake River depletions from ESPA pumping.

I concur with this opinion.

Sullivan and Horesh Opinion 3 - Proportionate allocation of the SWC Shortfall using ESPAM 2.2 transient runs would fail to consider the depletive effect that pumping in years prior to the current year have on Snake River flows. Transient modeling would only consider the effect that pumping during the current year is having on flows in the Near Blackfoot to Minidoka Reach.

Transient runs could be performed with a time discretization that would consider the depletive effect that pumping in years prior to the current year have on Snake River flows. Because pumping has been occurring for decades, the results would be nearly identical to the results obtained from the steady-state analysis, which provides a more efficient method for evaluating long-term impacts. Assuming this opinion is intended to pertain to a transient run with the same time discretization used to calculate the in-season response to a single-season of curtailment, I concur

with this opinion. A short-term transient simulation would fail to consider the long-term cumulative impacts of pumping on this year's streamflow and would transfer the mitigation obligations of users located more distant from the near Blackfoot to Minidoka reach to users located closer to the reach.

Sullivan and Horesh Opinion 4 - IDWR's use of steady-state runs of ESPAM 2.2 to proportionately allocate the SWC Shortfall, including the amount allocated to A&B, is appropriate because doing so acknowledges that the computed SWC Shortfalls in the current year result from impacts to Snake River flows in the Near Blackfoot to Minidoka Reach caused by present and past ESPA groundwater pumping.

I concur with this opinion.

Sullivan and Horesh Opinion 5 - Reliance on ESPAM 2.2 transient runs to proportionately allocate the SWC Shortfall would penalize groundwater users that are located in close proximity to the Near Blackfoot to Minidoka Reach of the Snake River because curtailment of their pumping would have a more immediate effect on that reach of the Snake River compared to groundwater users located more distant from the reach. Penalizing groundwater users located close the Near Blackfoot to Minidoka Reach is improper since impacts from pumping impacts to the river reach from groundwater users near and far have reached near steady-state.

I concur with this opinion, again assuming the opinion is intended to pertain to a short-term transient simulation with the same time discretization used to calculate the in-season response to a single-season of curtailment.

*Sullivan and Horesh Opinion 6 - The effect of proximity to the Near Blackfoot to Minidoka Reach is illustrated in **Figure 5.1**. The graph on the left shows the transient effect of pumping at different locations ranging from 10 miles to 45 miles from the Snake River in and near the AFA District. The inset map on the right shows the locations where pumping was simulated. The cumulative response of pumping 10 miles from the river reaches 90% of the steady-state response in approximately 12 years. At greater distances from the river, the transient response is slower with 90% of the steady-state response reached in about 25 years at a location 25 miles from the river and in about 33 years at a location 45 miles from the river.*

I have not verified the results of the model simulations presented in this opinion. The results appear to be reasonable.

Sullivan and Horesh Opinion 7 - Use of transient run results from ESPAM 2.2 from the first year of curtailment to allocate the SWC Shortfall volumes would disproportionately assign a greater portion of the SWC Shortfall to groundwater users located relatively close to the Near Blackfoot to Minidoka Reach with little or none of the SWC Shortfall assigned to groundwater users located distant from the reach.

I concur with this opinion.

Sullivan and Horesh Opinion 8 - We reserve the right to revise and supplement the foregoing opinions regarding use of transient runs of ESPAM 2.2 to apportion the SWC Shortfall among groundwater users with groundwater rights that are junior to the priority date of curtailment after A&B reveals the details of its opposition to IDWR's use of steady-state runs to apportion the SWC Shortfalls.

I have no comment on this opinion.

On page 8 of the Spronk Water Engineers' expert report, Sullivan and Horesh state, "*The J.R. Simplot Company ("Simplot") obtained approval of a mitigation plan to mitigate impacts to the TFCC from up to 704 AF of pumping under two groundwater rights during the 2025 irrigation season. The mitigation obligation will be computed based on Simplot's proportionate share of injury to the TFCC.*" I would like to clarify, that while I was asked to calculate a proportionate share of injury to the SWC during the Director's review of Simplot's mitigation plan, the plan does not state that the mitigation obligation will be computed based on a proportionate share. Simplot's 2025 mitigation plan provided storage water in considerable excess of the calculated proportionate share, in an amount equal to the maximum authorized diversion volume for the two water rights covered by the mitigation plan.

*"To mitigate any impacts on the Snake River that may result from the applicant diverting water during the 2025 irrigation season pursuant to IDWR Water Right Nos. 29-7089 and 29-2515, 704 acre feet of groundwater stored in Palisades Reservoir will be credited to the storage accounts of the Twin Falls Canal Company for use as needed. The applicant will the divert no more than 704 acre feet during the 2025 irrigation season from the point of diversion authorized under IDWR Water Right Nos. 2-7089 [29-7089] and 29-2515."*³³

³³ Simplot, 2025. *Application for Approval of Mitigation Plan (J.R. Simplot Company)*. In the Matter of the Request of Administration in Water District 120 and the Request for Delivery of Water to Senior Surface Water Rights by the SWC. July 17, 2025, <https://idwr.idaho.gov/wp-content/uploads/sites/2/legal/CM-MP-2025-002/CM-MP-2025-002-20250717-Application-for-Approval-of-Mitigation-Plan.pdf>.

Response to LRE Water rebuttal report

The rebuttal report prepared by LRE Water on behalf of A&B includes six opinions from David Colvin, P.G., regarding the A&B proportionate share analysis.

Colvin Rebuttal Opinion 1 – “The A&B mitigation plan is unique in that their storage water delivery requirement is reduced by the historical impacts of surface water conversion and CREP activities.”

As discussed previously in response to Colvin Opinions 1 and 6 from the first LRE Water expert report, the benefits of historic and ongoing surface water conversion and CREP activities are already included in the Forecast Supply (FS) and the IDS is the predicted injury that has not been mitigated by aquifer enhancement activities. A&B’s proportionate share of the IDS is the remaining injury to be mitigated by A&B’s delivery of storage water. Reducing A&B’s storage delivery requirement by the impacts of surface water conversions and CREP would double-count the benefits of those mitigation actions.

Colvin Rebuttal Opinion 2 – “Surface water conversion and CREP are changes to the “equilibrium assumption” of groundwater pumping in the ESPA, which is cited as justification of steady state modeling. A&B’s conversion and CREP changes to the equilibrium simplification need to be evaluated with a transient model.”

Because the impacts of conversions and CREP are already accounted for in the calculation of the predicted FS and IDS, it is not necessary to evaluate the benefits of these activities with ESPAM. Reducing A&B’s proportionate share of the IDS by the impacts of surface water conversions and CREP would double-count the benefits of those mitigation actions.

Colvin Rebuttal Opinion 3 – “IDWR should evaluate the A&B stipulated mitigation plan consistent with the terms of the plan.”

As discussed previously in response to Colvin Opinion 6 from the first LRE Water expert report, IDWR’s calculation of a proportionate share for A&B is consistent with the Director’s evaluation of the plan’s terms as described in the Final Order Approving Mitigation Plan.

Colvin Rebuttal Opinion 4 – “Mitigation plans should ideally address short-term in-season demand shortfalls (IDS) and long-term increases in aquifer storage.”

CM Rule 43 includes factors to be considered by the Director in the evaluation of mitigation plans. The Director applied CM Rule 43 when reviewing and approving mitigation plans for the SWC

delivery call. Which factors mitigation plans “*should ideally address*” is not within the scope of this proceeding.

Colvin Rebuttal Opinion 5 – “Administering mitigation plans and curtailment to address IDS faces challenges, including the fair treatment and coordination of differences between stipulated mitigation plans. A Groundwater Management Plan (GMP) could be developed to coordinate consistent aquifer conservation standards that address short-term IDS and long-term aquifer storage recovery that will help mitigate future IDS.”

Development of a GMP is outside the scope of this proceeding.

Colvin Rebuttal Opinion 6 – “If the proportionate share calculation is not changed, the benefits of A&B’s mitigation actions (conversions, CREP) should reduce their proportionate share, consistent with their mitigation plan. A transient run of their mitigation actions is the appropriate method for calculating the mitigation action benefits. Our modeling calculations show that according to the terms of the A&B mitigation plan, their proportionate share should be reduced by 1,118.4 acre-feet (af), the impact of their conversion acres in the 2025 irrigation season.”

As discussed previously in response to Colvin Opinions 1 and 6 from the first LRE Water expert report, the benefits of historic and ongoing surface water conversion and CREP activities are already included in the Forecast Supply (FS) and the IDS is the predicted injury that has not been mitigated by aquifer enhancement activities. A&B’s proportionate share of the IDS is the remaining injury to be mitigated by A&B’s delivery of storage water. Reducing A&B’s proportionate share by the impacts of surface water conversions and CREP would double-count the benefits of those mitigation actions.

Response to Spronk Water Engineers rebuttal report

The Spronk Water Engineers rebuttal report responds to opinions offered in the LRE Water expert report. I disagree with the comments on page 10 and 13 which suggest that ESPAM modeling should be used for “*identification of which groundwater users are causing the projected shortage(s) to the SWC member(s)*” and state, “*the first 40,000 AF of shortage is caused by groundwater rights junior to 1990, the next 120,000 AF of shortage by groundwater rights between 1990 and 1980, the next 270,000 AF of shortage by groundwater rights between 1980 and 1970, etc*”.

The Methodology requires the Director to evaluate whether there is a predicted shortfall to the senior SWC members’ surface water supply for the current season and to curtail junior

groundwater rights as needed to address the predicted shortfall for the current season. In years where there is not a predicted shortfall, the Director does not curtail junior groundwater users. Use of ESPAM modeling to calculate a priority date for which the junior long-term average annual impacts are equal to the IDS was rejected by Director Spackman in the 2023 Post-Hearing Order³⁴ and is not part of the Methodology for addressing the SWC delivery call.

Response to Lynker rebuttal report

The Lynker rebuttal report responds to opinions offered in the LRE Water expert report. I have no comments on the Lynker rebuttal report.

Summary of IDWR staff opinions

In conclusion, I offer the following opinions regarding the calculation of proportionate shares of IDS and carryover shortfall volumes for As-Applied Orders in the SWC Delivery Call and other issues raised by A&B.

1. ESPAM2.2 simulations performed for the As-Applied Orders are designed to answer specific questions. Simulations used to calculate a priority date for curtailment are designed to answer the question, “What subset of junior groundwater users must be curtailed to produce a volume of water equal to the IDS in the near Blackfoot to Minidoka reach by September 30 of this irrigation season?” Simulations used to calculate proportionate shares of the IDS for mitigation by direct delivery of storage water are designed to answer the question, “What is the proportionate long-term impact of the junior groundwater use subject to curtailment and covered by this mitigation plan on aquifer discharge to the near Blackfoot to Minidoka reach?”
2. Steady-state ESPAM2.2 simulations are the most efficient method for calculating proportionate shares based on the cumulative impacts to the near Blackfoot to Minidoka reach resulting from long-term groundwater use pursuant to groundwater rights determined to be subject to curtailment.

³⁴ IDWR, 2023b. *Post-Hearing Order Regarding Fifth Amended Methodology Order*, July 19, 2023, Docket No. CM-DC-2010-001, p. 25, <https://idwr.idaho.gov/wp-content/uploads/sites/2/legal/CM-DC-2010-001/CM-DC-2010-001-20230719-Post-Hearing-Order-Regarding-Fifth-Amended-Methodology-Order.pdf>.

3. Calculating proportionate shares based on the long-term impacts of groundwater use pursuant to groundwater rights determined to be subject to curtailment is consistent with Director Spackman's conclusions that avoiding obligation because of delayed impact is contrary to the CM rules, the delivery call is not futile, and a trimline is not appropriate.
4. Calculating proportionate shares based on the short-term impacts of a single in-season curtailment would shift much of the burden of mitigation for the long-term impacts of groundwater use at locations distant from the reach to water users located closer to the reach. This approach does not account for relative water right priority between the juniors.
5. The alternative method for calculating proportionate shares suggested in the LRE Water expert report would shift much of the burden of mitigation for the long-term impacts of groundwater use at locations distant from the reach to water users located closer to the reach and would at times require some junior users located close to the reach to provide a mitigation volume greater than their average annual impact on the reach.
6. The apportionment of storage acquisition obligations between AFAGWD and other participants (GWDs) in the 2024 Ground Water District Mitigation Plan is a negotiated apportionment that was not prescribed by IDWR. However, the GWDs apparently agreed to apportion the storage acquisition based on their long-term impacts to the near Blackfoot to Minidoka reach calculated using steady-state ESPAM2.2 simulations. If the GWDs were to decide to apportion the storage acquisition based on the short-term impacts of a single-season curtailment, it is my opinion that AFAGWD would bear more than their fair share of the mitigation obligation while other GWDs would avoid some portion of their mitigation obligations because of delayed impact. This would be counter to Director Spackman's conclusion that avoiding obligation because of delayed impact is contrary to the CM rules.
7. The effects of historic and ongoing aquifer enhancement projects, including A&B's soft conversions, are accounted for in the calculation of the FS and IDS. The effects of the historic and ongoing aquifer enhancement projects are not sufficient to mitigate the injury to the SWC in some years. The IDS is a calculation of the remaining unmitigated injury.
8. The benefit of historic and ongoing aquifer enhancement projects, including A&B's soft conversions, is a reduction in the frequency and volume of IDS and carryover shortfalls. If the aquifer enhancement projects had not been implemented, the 2025 IDS volumes would have been higher.

9. The impact on the July 2025 IDS resulting from junior groundwater use not being curtailed until May 31, 2025, is estimated to be approximately seven acre-feet. A seven acre-foot decrease in the July 2025 IDS would not have changed the priority date for the July 2025 curtailment and would have reduced A&B's proportionate share by less than one acre-foot.

Staff Memorandum

To: Hearing Officer Gerald F. Schroeder
From: Brian Ragan, Analyst 4
Re: Request for Staff Memorandum
Date: December 30, 2025

Background

In your November 25, 2025 *Order Granting A&B's Motion to Amend Deadlines; Setting Deadline to Provide Staff Memo*, you asked Department staff "identified to testify at the hearing" to "file an agency staff memorandum ... outlining the subjects of their expected testimony." The one issue identified in A&B's request for hearing which I have knowledge of relates to the Department's implementation of the May 16, 2025 curtailment order.

Subjects of Expected Testimony from Brian Ragan

1. Explain the Department's implementation of the May 16, 2025 curtailment order. This may include the following topics:
 - a. How the Department created the list of ground water rights subject to the May curtailment order.
 - b. How the Department's water rights database and data fields show inclusion in a water district, administration of that right by the water district, and mitigation plan affiliation for each water right.
 - c. How the Department obtained information about mitigation plan affiliation for water rights subject to the May curtailment order.
 - d. How the Department informed the water district watermasters of the May curtailment order.
 - e. How the watermasters were instructed to initiate the curtailment process and tracked and reported their efforts to curtail ground water rights subject to the May curtailment order.
 - f. How the Department generates a bi-weekly curtailment status summary report for posting to the Department's website.
 - g. The Department's implementation efforts related to other curtailment orders.
 - h. Internal coordination and implementation efforts of the May/July 2025 curtailment orders.



Brian W. Ragan, PG
IDWR Water Administration Bureau

**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

**FINAL ORDER REGARDING
APRIL 2026 FORECAST
SUPPLY**

(METHODOLOGY STEPS 1–3)

FINDINGS OF FACT

1. On July 19, 2023, the Idaho Department of Water Resources (“Department”) issued its *Sixth Final Order Regarding Methodology for Determining Material Injury to Reasonable In-Season Demand and Reasonable Carryover* (“*Methodology Order*”). The *Methodology Order* established nine steps for determining material injury to members of the Surface Water Coalition (“SWC”). This order applies steps 1, 2, and 3 of the *Methodology Order*.¹

A. Step 1

2. By April 1 of each year, Step 1 requires members of the SWC to submit to the Department electronic shapefiles delineating the total anticipated irrigated acres for the upcoming year “or confirm in writing that the existing electronic shape file submitted by SWC has not varied by more than five percent.” *Methodology Order* ¶ 1, at 41.

3. On February 17, 2026, Minidoka Irrigation District (“Minidoka”) submitted its electronic shapefile delineating its total irrigated acres to the Department.

4. On March 27, 2026, the Department received a letter from A&B Irrigation District (“A&B”), Burley Irrigation District (“BID”), Milner Irrigation District (“Milner”), North Side Canal Company (“NSCC”), and Twin Falls Canal Company (“TFCC”). In the letter, A&B, BID, Milner, and NSCC confirmed that their total number of irrigated acres for 2026 will not vary by more than five percent from the electronic shapefiles submitted in prior years. With the letter, TFCC submitted an electronic shapefile delineating its total irrigated acres.

¹ Shortly after the *Methodology Order* was issued, the City of Pocatello, the City of Idaho Falls, and the Coalition of Cities (collectively “Cities”) and the Idaho Ground Water Appropriators, Inc. (“IGWA”) filed petitions for judicial review in Ada County (Nos. CV01-23-13238 and CV01-23-13173). IGWA’s petition for judicial review is stayed until December 31, 2027. The Idaho Supreme Court dismissed the Cities’ petition for lack of jurisdiction, but the matter is still pending on a petition for rehearing. The filing of a petition for judicial review does not stay the effectiveness of an order. I.C. § 67-5274. No party to the judicial review proceedings has requested a stay of the *Methodology Order*. Accordingly, the Director will apply the *Methodology Order* in this order.

5. On April 8th, 2026, the Department received a letter from American Falls Reservoir District #2 (“AFRD2”), stating that its total number of irrigated acres has not varied by more than five percent.

6. Based on the information submitted by the SWC, the Department will use the following total irrigated acres:

	Total Irrigated Acres ²	Data Source
A&B	14,749 ³	SRBA Partial Decree
AFRD2	62,361	SRBA Partial Decree
BID	46,035	2013 shapefile submitted by BID, reduced by the Department for overlapping acres and acres outside of service area.
Milner	13,264	2010 service area shapefile, reduced by the Department for overlapping acres and acres outside of service area.
Minidoka	73,825	2026 shapefile submitted by Minidoka, reduced by the Department for overlapping acres and acres outside of the service area.
NSCC	154,067	SRBA Partial Decree
TFCC	193,638	2026 shapefile submitted by TFCC, reduced by the Department for overlapping acres and acres outside of service area. ⁴

B. Step 2

7. Step 2 states that, within fourteen days of the issuance of the joint forecast prepared by the United States Bureau of Reclamation (“USBR”) and the United States Army Corps of Engineers (“USACE”), the Director “will issue a final order predicting the April [Forecast Supply] for the water year for each SWC entity. The Director will compare the April [Forecast Supply] for each SWC entity to the [Baseline Demand] for each SWC entity to determine if an in-season demand shortfall (“IDS”) is anticipated for the upcoming irrigation season.” *Methodology Order* ¶ 3, at 42.

² “The number of irrigated acres used in this methodology order is the number of reported acres unless that number is larger than the decreed irrigated acres, and if so, then the decreed acres are used.” *Methodology Order* ¶ 22, at 11.

³ The Department has modified the total A&B irrigated acreage count to 14,749 acres. Based on Judge Wildman’s district court decision, the new acreage count removes A&B’s enlargement acres. *Mem. Decision & Order*, at 8, *City of Idaho Falls v. Idaho Dep’t of Water Res.*, No. CV01-23-13238 (Ada Cnty. Dist. Ct. Idaho May 31, 2024).

⁴ On April 10, 2026, the Cities filed *Cities’ Motion to Consider Information When Determining Surface Water Coalition’s Irrigated Acres Under Methodology Step 1 (“Motion”)*. In that motion, they ask the Director to consider the information contained in a technical memorandum prepared by the Cities’ consultants when determining TFCC’s total irrigated acres in this order. *Motion*, at 2. The 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.

8. On April 2, 2026, the USBR and USACE issued their joint forecast (“Joint Forecast”), predicting an unregulated inflow of 2,300,000 acre-feet at the Snake River near Heise gage for the period of April through July. The forecasted flow volume equates to 70% percent of the average.⁵ The Joint Forecast “is generally as accurate a forecast as is possible using current data gathering and forecasting techniques.” *Id.* ¶ 49, at 19 (citation omitted).

9. The April–July Heise natural flow data from the years 1990–2025 were data inputs for the development of regression equations for A&B and Milner to predict the natural flow supply.⁶ Data greater or less than two standard deviations from the average were excluded from the regression development.

10. The April–July Heise natural flow data from the years 1990–2025 and Box Canyon November–March total discharge data for the period 1989–2025, were data inputs for the development of multiple linear regression equations to predict the natural flow supplies for AFRD2, BID, Minidoka, NSCC, and TFCC. *Methodology Order* ¶ 49, at 19. The U.S. Geological Survey measures and monitors the flow at the Box Canyon stream flow measurement gage. The Box Canyon November–March total discharge used by the Director in the 2026 regression models totaled 93,824 acre-feet.

11. The storage allocations were predicted for each SWC member. As of April 6, 2026, Water District No. 1’s preliminary water right accounting indicates water rights for Jackson Lake 1906, Lake Walcott, Jackson Lake 1910, Palisades Winter Water Savings, Island Park 1921, American Falls Winter Water Savings, and Henrys Lake 1965 are satisfied. The remaining reservoir rights are 838,546 acre-feet short of satisfaction. Based on a comparison of the current Heise natural flow forecast to the analog years of 2002, 2004, 2013, and 2021, the Director anticipates the remaining reservoir water rights for Jackson Lake and Palisades will be 48-87% satisfied, and each SWC member will receive 90-100% of their allocation. The storage allocations are based on the anticipated allocations minus evaporation charges.

⁵ The average is based on the years 1991–2020. The Joint Forecast relies on a “30-Year Climate Normal” to calculate an average April through July runoff volume.

⁶ Attached hereto, as Attachment A, are the regression analyses for each SWC entity used to predict natural flow supply.

12. Based on the above, the Director projects the following shortfalls:

	Predicted Natural Flow Supply	Predicted Storage Allocation	Minidoka Credit Adjustment	Total Forecast Supply	Baseline Demand (BLY 2018)	In-Season Demand Shortfall
A&B	1,693	120,313		122,006	64,192	0
AFRD2	31,003	383,024	1,000	415,027	458,890	43,900
BID	72,555	217,257	5,130	294,942	262,211	0
Milner	4,568	79,513		84,081	58,417	0
Minidoka	98,553	341,646	8,370	448,569	354,851	0
NSCC	279,289	821,048	-7,750	1,092,587	1,026,661	0
TFCC	757,715	233,029	-6,750	983,994	1,121,717	137,700
Total Predicted April In-Season Demand Shortfall (AF)						181,600

C. Step 3

13. Step 3 requires the following:

Step 3: By May 1, or within fourteen (14) days from issuance of the final order predicting the April [Forecast Supply], whichever is later in time, junior ground water users with approved mitigation plans for delivery of water must secure, to the satisfaction of the Director, a volume of water equal to their proportionate share of the April IDS unless the April IDS is revised as explained below in paragraph 6. If junior ground water users secured water for a reasonable carryover shortfall to an individual SWC member in the previous year, the current-year mitigation obligation to the individual SWC member will be reduced by the quantity of water secured for the reasonable carryover shortfall. The secured water will not be required to be delivered to the injured members of the SWC until the Time of Need.

Methodology Order ¶ 4, at 42.

14. The predicted April IDS for AFRD2 is 43,900 acre-feet and TFCC is 137,700 acre-feet. The total predicted April IDS is 181,600 acre-feet.

15. The Eastern Snake Plain Aquifer Model (“ESPAM”) is used to predict the junior priority water rights that must be curtailed to produce the volume of water equal to the predicted April IDS in the near Blackfoot to Minidoka reach. The ESPAM is updated periodically as new field measurements and advancements in modeling technology become available. ESPAM Version 2.2 (“ESPAM2.2”) is the latest model version.⁷

⁷ The Department finalized ESPAM2.2 model documentation reports (including a model calibration report, a predictive uncertainty analysis, a superposition model scenario, and a curtailment scenario) on May 27, 2021. See Idaho Dep’t of Water Res., *ESPAM2.2 Reports* (2021), [https:// research.idwr.idaho.gov/files/projects/espam/browse/ESPAM22_Reports/](https://research.idwr.idaho.gov/files/projects/espam/browse/ESPAM22_Reports/).

16. The Department ran ESPAM2.2 to predict the junior priority water rights within the area of common ground water supply (“ACGWS”) that must be curtailed to produce the volume of water equal to the predicted April IDS between May 1 and September 30 of this irrigation season pursuant to the *Methodology Order*. The ESPAM2.2 simulation calculated the curtailment of ground water rights bearing priority dates junior to October 11, 1900, will produce a volume of water of 94,000 acre-feet in the near Blackfoot to Minidoka reach between May 1 and September 30 of this irrigation season. The predicted benefit of the curtailment is less than the April IDS of 181,600 acre-feet. Curtailing ground water rights bearing priority dates junior to October 11, 1900, will offset as much of the April IDS as possible.

CONCLUSIONS OF LAW

1. The Fifth Judicial District Court, in and for the County of Minidoka, held that the evidentiary standard of proof to apply in conjunctive administration of hydraulically connected water rights is clear and convincing. *See Mem. Decision & Order on Pets. for Jud. Rev., A&B Irr. Dist., Inc. v. Idaho Dep’t of Water Res.*, No. CV-2009-647 (Minidoka Cnty. Dist. Ct. Idaho May 4, 2010); *Mem. Decision & Order on Pets. for Reh’g, A&B Irr. Dist., Inc. v. Idaho Dep’t of Water Res.*, No. CV-2009-647 (Minidoka Cnty. Dist. Ct. Idaho Nov. 2, 2010).

2. “Clear and convincing evidence refers to a degree of proof greater than a mere preponderance.” *Idaho State Bar v. Topp*, 129 Idaho 414, 416, 925 P.2d 1113, 1115 (1996) (internal quotations omitted). “Clear and convincing evidence is generally understood to be ‘[e]vidence indicating that the thing to be proved is highly probable or reasonably certain.’” *State v. Kimball*, 145 Idaho 542, 546, 181 P.3d 468, 472 (2008) (citing *In re Adoption of Doe*, 143 Idaho 188, 191, 141 P.3d 1057, 1060 (2006)); *see also Idaho Dep’t of Health & Welfare v. Doe*, 150 Idaho 36, 41, 244 P.3d 180, 185 (2010).

3. The Director must utilize the best available technology for determining the impact of junior ground water diversions. *See Clear Springs Foods, Inc. v. Spackman*, 150 Idaho 790, 814, 252 P.3d 71, 95 (2011). ESPAM 1.1 and 2.1 are the model versions utilized previously in the SWC delivery call proceedings. Previously, the Director determined that ESPAM 2.1 was the best available scientific tool for predicting the effects of ground water pumping. *See Idaho Ground Water Assoc. v. Idaho Dep’t of Water Res.*, 160 Idaho 119, 124, 369 P.3d 897, 902 (2016). ESPAM 2.2 is the latest version of the ESPAM model. The improvements incorporated into ESPAM 2.2, as discussed in Finding of Fact 15, make it the best available scientific tool for predicting the effects of ground water pumping in this proceeding.

4. In 2026, the Director has sufficient information to quantify the irrigated areas for each of the SWC members as required by Step 1.

5. The USBR-USACE April Joint Forecast predicts an unregulated inflow of 2,300,000 acre-feet at the Snake River near Heise gage from April to July. The forecasted volume equates to 70% of the average.

6. The predicted April IDS is 181,600 acre-feet. Junior ground water users holding consumptive water rights bearing priority dates junior to October 11, 1900, within the Eastern Snake Plain Aquifer ACGWS must mitigate for their proportionate share of the predicted April IDS in accordance with an approved mitigation plan.⁸ Junior ground water users mitigating for their proportionate share of the predicted April IDS with a secured volume of water pursuant to an approved mitigation plan must, to the satisfaction of the Director, secure their proportionate share for delivery to the injured members of the SWC on or before May 1, 2026. There was a reasonable carryover shortfall of 86,756 acre-feet in the fall of 2025. However, because junior ground water users did not secure any mitigation water for a carryover shortfall, there is no adjustment to the mitigation obligation.

7. If, on or before May 1, 2026, ground water users holding consumptive water rights bearing priority dates junior to October 11, 1900, within the Eastern Snake Plain Aquifer ACGWS⁹ fail to establish, to the satisfaction of the Director, that they can mitigate for their proportionate share of the predicted April IDS of 181,600 acre-feet in accordance with an approved mitigation plan, the Director will issue an order curtailing the junior-priority ground water user. Junior ground water users who are mitigating with a secured volume of water are not required to assign the secured volume of water until after the Director issues a subsequent order requiring the assignment of the water.

8. If, at any time prior to the Director's final determination of the April Forecast Supply, the Director can determine with certainty that any member of the SWC has diverted more natural flow than predicted, or has accrued more storage than predicted, the Director will revise his initial, predicted IDS determination.

⁸ There are five approved mitigation plans responding to the SWC delivery call, each is stipulated to by the SWC: (1) No. CM-MP-2015-003 for the benefit of A&B; (2) No. CM-MP-2010-001 for the benefit of Southwest Irrigation District and Goose Creek Irrigation District (collectively, "SWID"); (3) No. CM-MP-2024-003 for the benefit of the Ground Water Districts; (4) No. CM-MP-2019-001 for the benefit of the Coalition of Cities; and (5) No. CM-MP-2007-001 for the benefit of the Water Mitigation Coalition. Given the nature of certain plans, the Department must calculate the proportionate share of the predicted IDS. With regard to A&B's mitigation plan, A&B's proportionate share of the predicted April IDS of 181,600 acre-feet is 10,800 acre-feet. Due to the nature of the mitigation plans for SWID, the Ground Water Districts, the Coalition of Cities, and the Water Mitigation Coalition, these entities do not need to establish that they can mitigate for their proportionate share of the predicted IDS.

⁹ On June 28, 2024, the Director issued an order declaring that ground water rights that were to be newly included in the ESPA ACGWS starting July 1, 2024, due to the passage of Senate Bill 1341, would not be subject to administration until November 1, 2025. *Order Re. Mid-Season Change to Area of Common Ground Water Supply for E. Snake Plain Aquifer*; *3d Order Am. Curtailment List*, at 4; see S.B. 1341, 67th Leg., 2d Reg. Sess. (Idaho 2024) (enacted as I.C. § 42-233c). Accordingly, ground water users holding consumptive water rights bearing priority dates junior to October 11, 1900, that were included in the ESPA ACGWS due to the passage of Senate Bill 1341 are subject to administration at this time continuing indefinitely into the future and are required to establish that they can mitigate for their proportionate share of the predicted April IDS. In late 2025 and early 2026, the Director expanded the ESPA ACGWS to include the Raft River tributary basin and the remainder of the Little Lost River and Big Lost River tributary basins not already included in the ACGWS. On February 2, 2026, the Director issued an order declaring that ground water users included in the ESPA ACGWS in late 2025 and early 2026 would not be subject to administration before April 1, 2027. *Order Phasing in Administration of Ground Water Rights Recently Included in the ESPA ACGWS*, at 2. Accordingly, at this time, ground water users in the Raft River tributary basin and the remainder of the Little Lost River and Big Lost River tributary basins who were newly included into the ESPA ACGWS and hold consumptive water rights bearing priority dates junior to October 11, 1900, are not subject to administration.

ORDER

Based upon and consistent with the foregoing, IT IS HEREBY ORDERED as follows:

The Director predicts an April IDS of 181,600 acre-feet. On or before May 1, 2026, ground water users holding consumptive water rights bearing priority dates junior to October 11, 1900, within the Eastern Snake Plain Aquifer ACGWS shall establish, to the satisfaction of the Director, that they can mitigate for their proportionate share of the predicted April IDS of 181,600 acre-feet in accordance with an approved mitigation plan. If a junior ground water user cannot establish, to the satisfaction of the Director, that they can mitigate for their proportionate share of the predicted April IDS in accordance with an approved mitigation plan, the Director will issue an order curtailing the junior-priority ground water user.

Dated this 16th day of April 2026.



MATHEW WEAVER
Director

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 16th day of April 2026, the above and foregoing, was served by the method indicated below, and addressed to the following:

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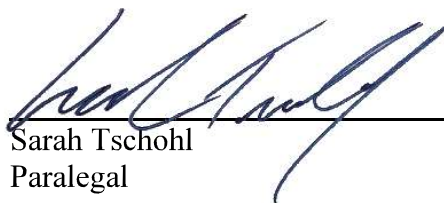
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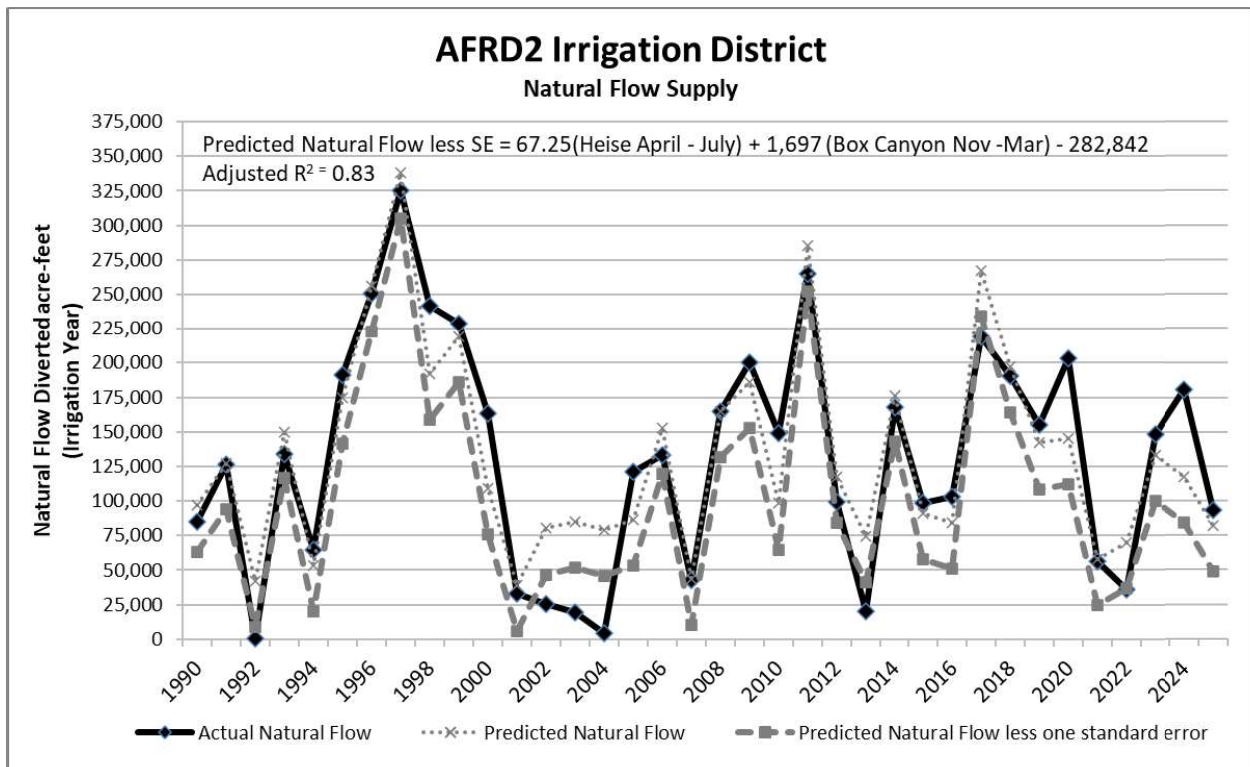
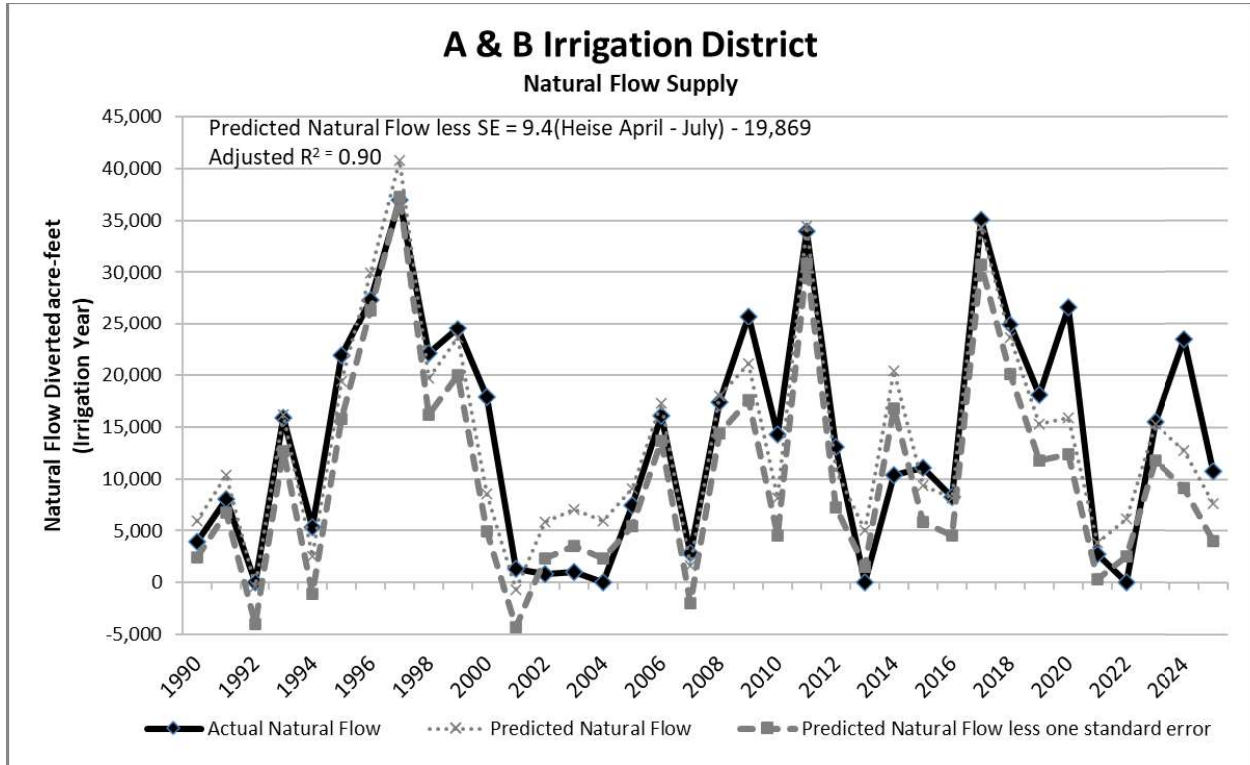
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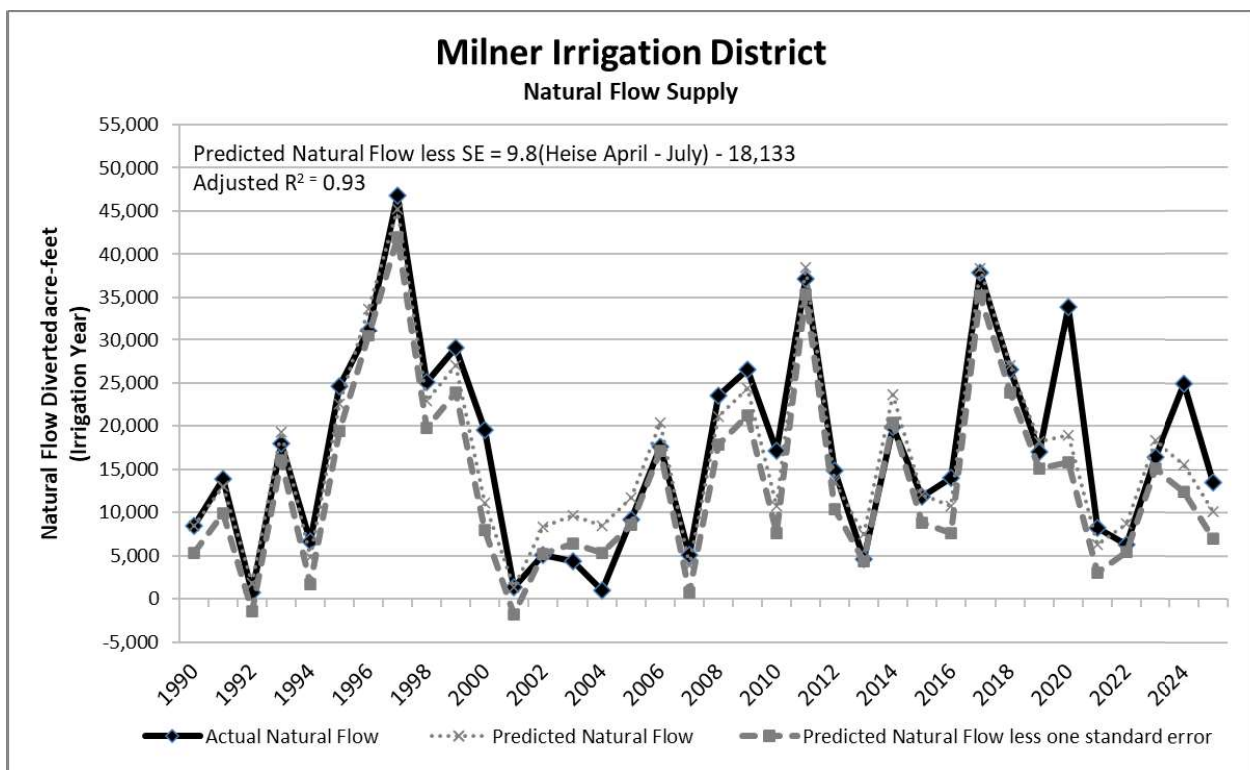
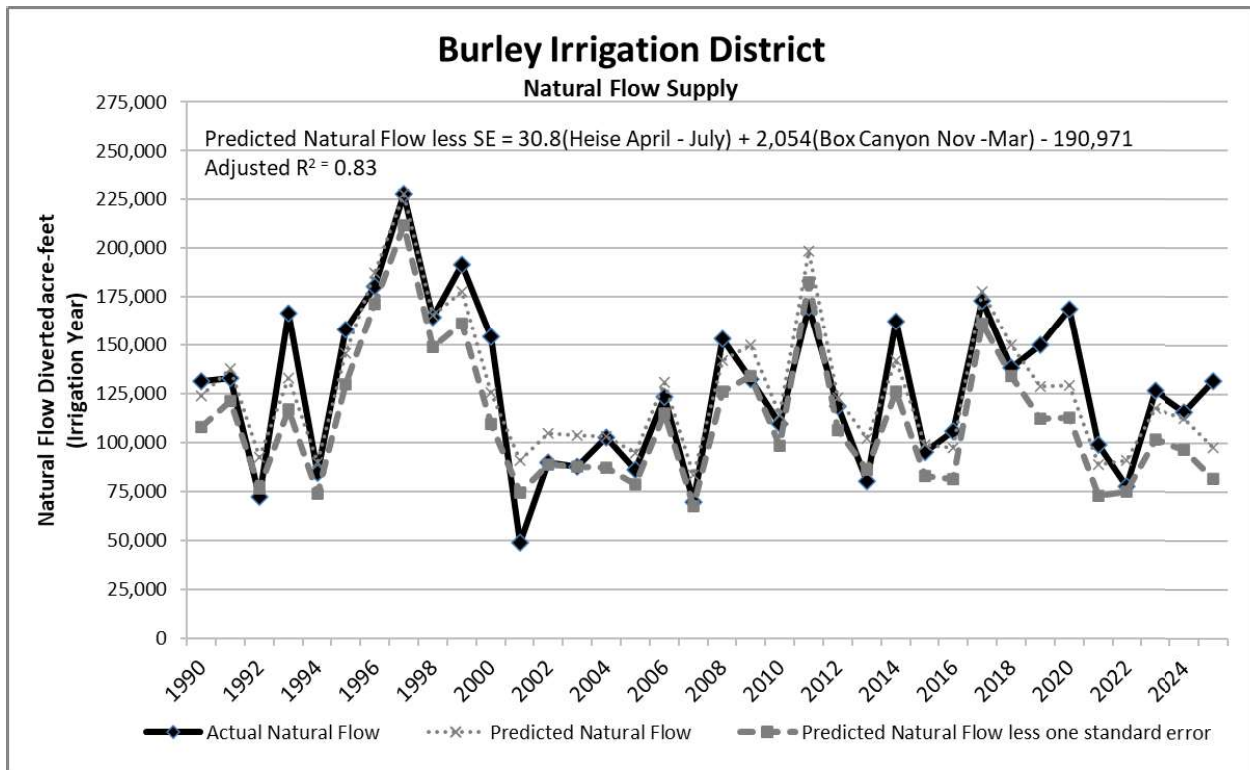
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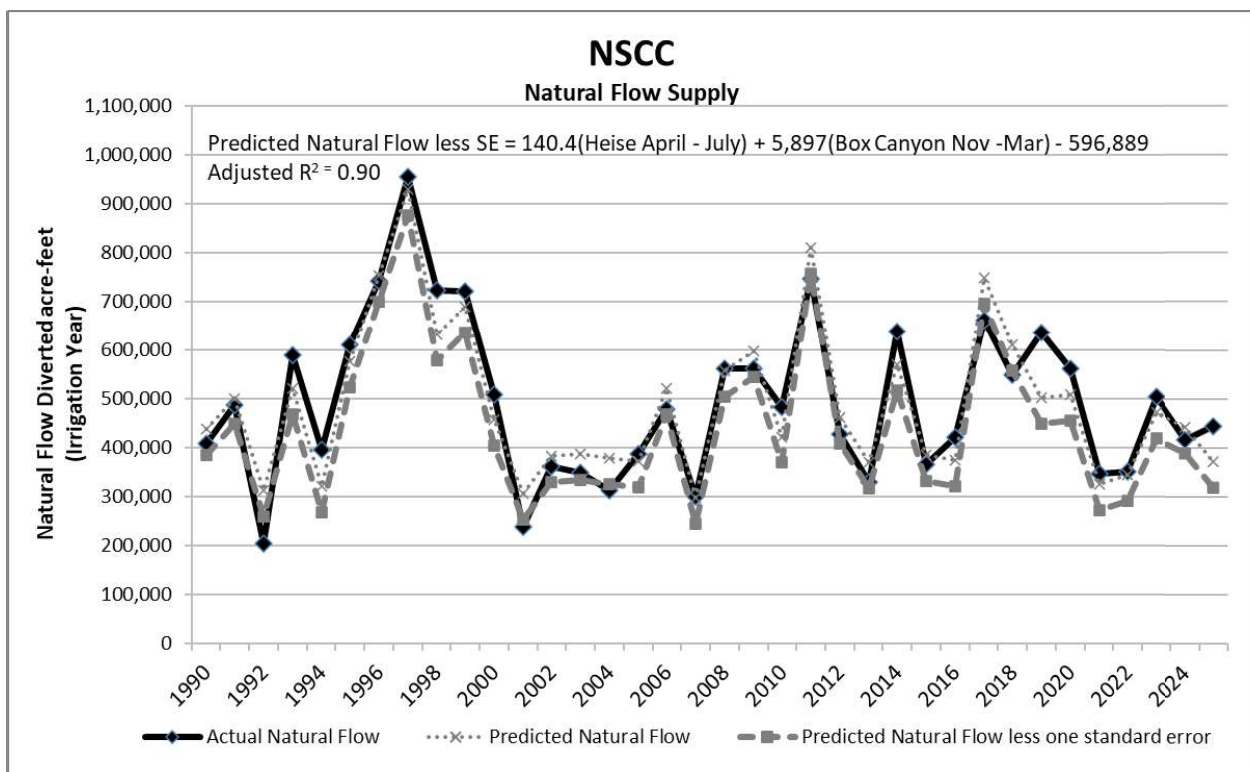
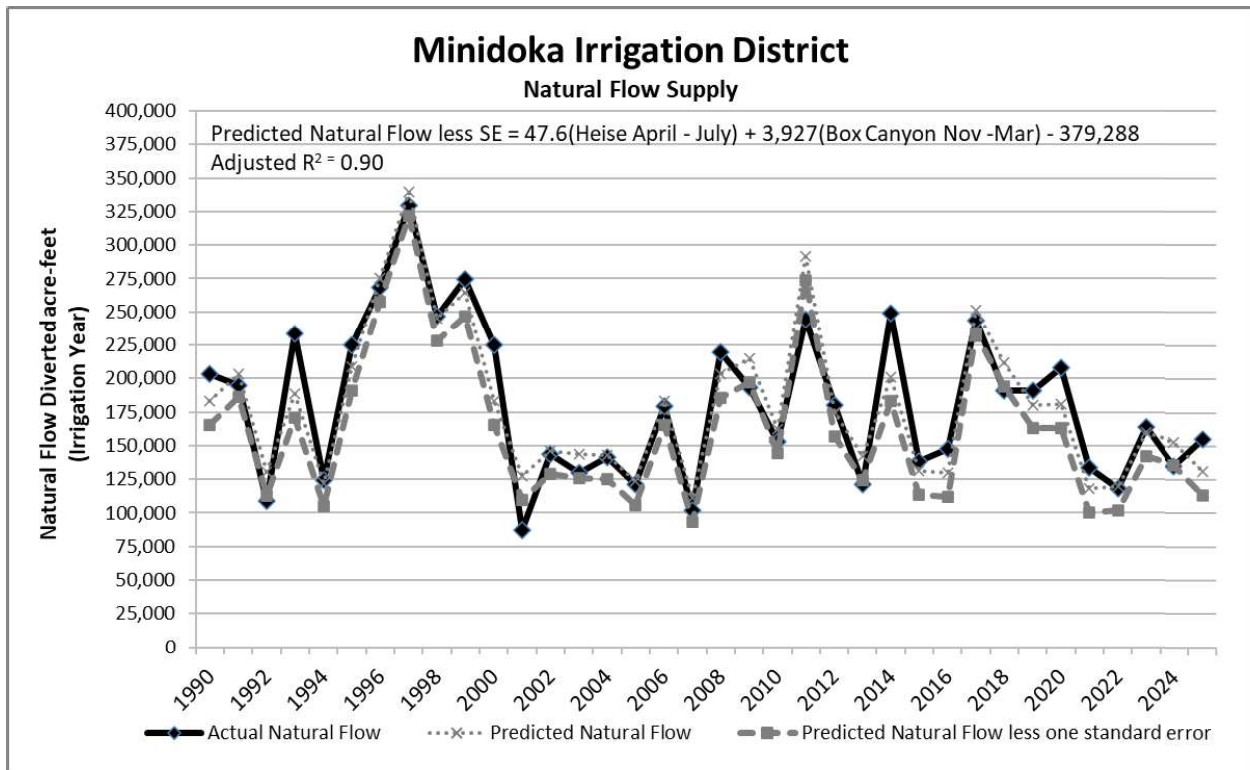
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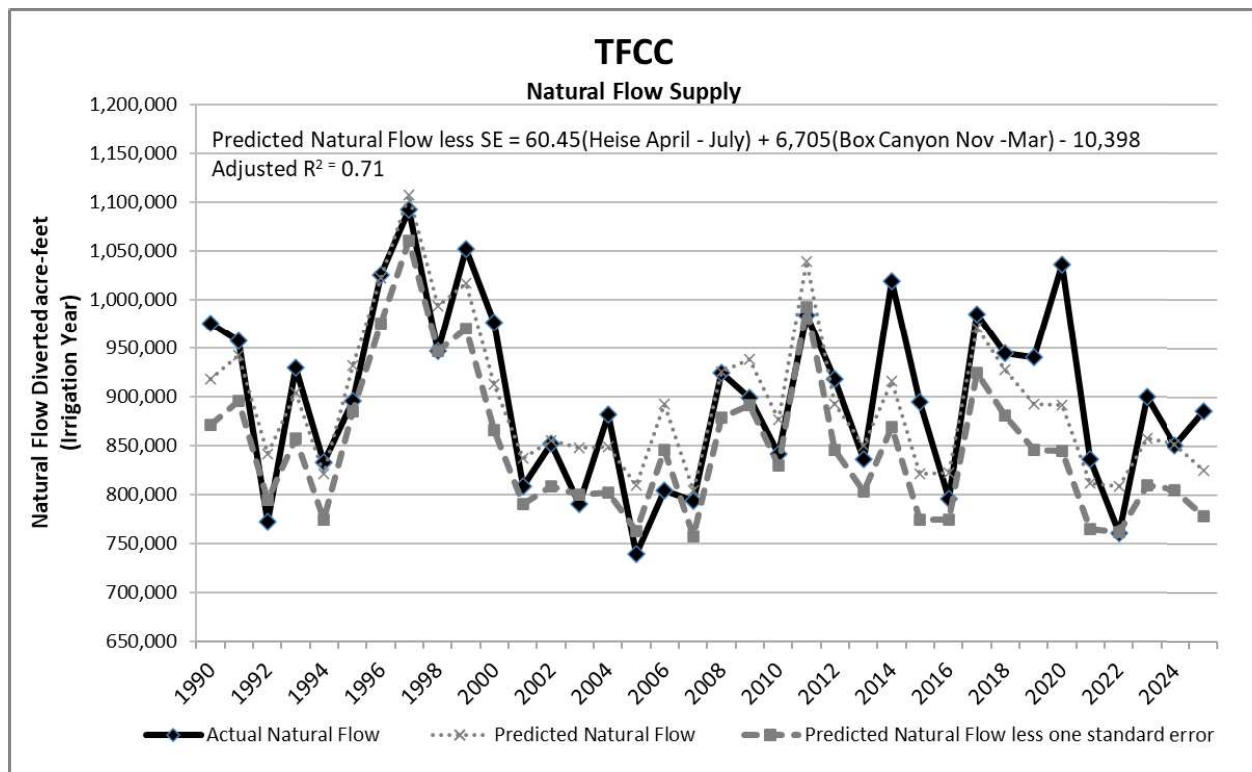

Sarah Tschohl
Paralegal

ATTACHMENT A









EXPLANATORY INFORMATION TO ACCOMPANY A FINAL ORDER

(To be used in connection with actions when a hearing was **not** held)

The accompanying document is a “**Final Order**” issued by the Idaho Department of Water Resources (“Department”) pursuant to Idaho Code § 67-5246. The following statements describe the procedures and time limits for seeking reconsideration or other administrative relief as required by Idaho Code § 67-5248.

PETITION FOR RECONSIDERATION

(See Idaho Code § 67-5246(4))

Any party may file a petition for reconsideration of this final order within fourteen (14) days of the service date of this order as shown on the certificate of service. **Note: the petition must be received by the Department within this fourteen (14) day period.** The presiding officer will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law.

REQUEST FOR HEARING

(See Idaho Code § 42-1701A(3))

Unless the right to a hearing before the Director or the Water Resource Board is otherwise provided by statute, any person aggrieved by any final decision, determination, order, or action of the Director of the Department and who has not previously been afforded an opportunity for a hearing on the matter shall be entitled to a hearing before the Director to contest the action. The person shall file with the Director, within fifteen (15) days after receipt of written notice of the action issued by the Director, or receipt of actual notice, a written petition stating the grounds for contesting the action by the Director and requesting a hearing. **Note: The request must be received by the Department within this fifteen (15) day period.**

CERTIFICATE OF SERVICE

(See IDAPA 37.01.01.053, 37.01.01.202)

All documents filed with the Department in connection with a petition for reconsideration or a request for hearing of this final order shall be served on all other parties to the proceeding in accordance with Rules 53 and 202 of the Department’s Rules of Procedure.

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

IN THE MATTER OF JERRY D. AND
VALERIE H. BINGHAM’S MITIGATION
PLAN FOR THE SURFACE WATER
COALITION

Docket No. CM-MP-2025-003

**ORDER DENYING MOTION FOR STAY
OF ORDER OF CURTAILMENT**

BACKGROUND

On August 19, 2025, Jerry and Valerie Bingham (the “Binghams”) submitted a *Mitigation and Curtailment Plan* (“*Original Mitigation Plan*”) to the Idaho Department of Water Resources (“Department”) pursuant to Rule 43 of the Department’s Rules for Conjunctive Management of Surface and Ground Water Resources (“CM Rules”), IDAPA 37.03.11.043.

The Surface Water Coalition (“SWC”), American Falls-Aberdeen Ground Water District (“AFA”), Carey Valley Ground Water District (“Carey Valley”), and the Coalition of Cities (“Cities”) protested the *Original Mitigation Plan*, and the Idaho Ground Water Appropriators, Inc. (“IGWA”) moved to intervene.

On October 16, 2025, the Director issued an order appointing Roger S. Burdick as the hearing officer in the matter to consider the *Original Mitigation Plan. Notice of Prehearing Conf.; Order Appointing Hearing Officer*, at 2.

On November 24, 2025, Hearing Officer Burdick issued an *Order on Intervention, on Scheduling, and Authorizing Discovery and Email Service; Notice of Status Conference and Hearing* (“*Scheduling Order*”) related to the *Original Mitigation Plan*.

On February 17, 2026, the Binghams and SWC submitted a *Stipulation to Interim Mitigation Plan* (“*Second Mitigation Plan*”). The *Second Mitigation Plan* differed materially from the *Original Mitigation Plan*.

On February 18, 2026, the Binghams submitted a *Request for Status Conference* to the Department. The Hearing Officer held a status conference on February 20, 2026. During the conference, and at the parties’ request, the Hearing Officer vacated the hearing on the *Original Mitigation Plan* scheduled for March 16–18, 2026.

On March 5, 2026, the Binghams and SWC submitted an *Amended Stipulation to Interim Mitigation Plan* (“*Third Mitigation Plan*”) to the Department. The *Third Mitigation Plan* purported to “supersede” the *Second Mitigation Plan. Third Mitigation Plan*, at 2.

On March 9, 2026, the Hearing Officer issued a *Notice of Continued Status Conference* (“*Notice*”), establishing a March 12, 2026 deadline for the parties identified in the *Third Mitigation Plan* to either execute the stipulation or file a notice of non-opposition, and setting a status conference for March 13, 2026. *Notice*, at 1–2.

On March 11, 2026, the Director returned the *Third Mitigation Plan* to the Binghams because it was not signed by the identified parties and did not “provide sufficient information necessary to evaluate the minimum criteria for mitigation plans.” *Order Returning Amended Stipulation to Interim Mitigation Plan*, at 1–2.

On March 12, 2026, after the Director returned the *Third Mitigation Plan*, the Hearing Officer vacated the deadline for parties to execute the *Third Mitigation Plan* or file a non-opposition and stayed proceedings of the contested case. *Order Vacating Deadlines and Status Conference; Order Staying Proceedings*, at 3 [hereinafter “*Order Staying Proceedings*”]. The Hearing Officer further concluded that the *Original Mitigation Plan*—the subject of the contested case before him—was “moot” and that “no further proceedings concerning that plan are warranted” because “the Binghams no longer seek approval of the *Original [Mitigation] Plan*” *Id.*

On March 25, 2026, the Binghams submitted an *Amended Mitigation and Curtailment Plan* (“*Fourth Mitigation Plan*”) to the Department.

On April 9, 2026, the Director returned the *Fourth Mitigation Plan* to the Binghams because it did not include “the information necessary to evaluate whether it meets the minimum criteria for mitigation plans.” *Order Returning Amended Mitigation and Curtailment Plan*, at 1.

On April 20, 2026, the Binghams submitted a *Motion for Stay of Order of Curtailment* (“*Motion for Stay*”) seeking “a stay of the order of curtailment under the SWC Delivery Call, Docket No. CM-DC-2010-001, until such time as the Binghams’ mitigation plan is processed” *Motion for Stay*, at 1. The Binghams state they “are currently in the process of having a ‘clear and detailed’ mitigation analysis prepared to fully satisfy the Director’s issues with their *Fourth Mitigation Plan*, and they intend to increase volume reduction to more fully address their mitigation obligations.” *Id.* at 3.

The Director has reviewed the *Motion for Stay* and will deny it for the reasons described below.

ANALYSIS

The Department’s Rule of Procedure 780 provides that the Director has discretionary authority to grant or deny a stay of a curtailment order. IDAPA 37.01.01.780 (“Any party may petition the agency to stay any order The agency may stay any interlocutory or final order on its own motion.”). In *Platz v. State*, while discussing a nearly identical administrative rule,¹

¹ The Attorney General’s Rule of Procedure 780 was the administrative rule discussed in *Platz*, which was repealed after the establishment of the Office of Administrative Hearings; the Office of Administrative Hearings later promulgated a similar rule regarding staying agency orders. Compare IDAPA 04.11.01.780 (repealed 2024) (“Any party or person affected by an order may petition the agency to stay any order The agency may stay any interlocutory or final order on its own motion.”), with IDAPA 62.01.01.632 (“Any party or person affected by an order may file a motion to stay any order A presiding officer may stay any interlocutory, preliminary, or recommended order on their own motion, and an agency head may stay any final order on their own motion.”); see I.C. § 67-5280 (establishing the Office of Administrative Hearings in 2022 and outlining the powers and duties of the office).

the Idaho Court of Appeals confirmed that “it is within the hearing officer's discretion to either grant or deny a stay” of an administrative decision. *Platz v. State*, 154 Idaho 960, 969, 303 P.3d 647, 656 (Ct. App. 2013). As supportive authority for granting the stay of an agency order, the Bingham’s *Motion for Stay* cites to Idaho Code § 67-5274 and Idaho Rule of Civil Procedure 84(m). *Motion for Stay*, at 1–3. Both grant the agency and reviewing court discretionary authority to stay the enforcement of an agency order under judicial review “upon appropriate terms.” I.C. § 67-5274; I.R.C.P. 84(m). While the Bingham’s cite to an order issued by former Director Spackman applying the “upon appropriate terms” standard to a stay request, this standard is not appropriate because the request was not made in connection with a pending petition for judicial review.² Given the facts presented here, granting the Bingham’s request for stay of curtailment would not be reasonable when the Bingham’s do not have a proposed mitigation plan pending.

The Bingham’s argue that a stay is appropriate because they “have been trying in good faith to prepare a mitigation plan acceptable to IDWR,” because denial of a stay would allegedly result in “significant negative and potentially irreversible effects” on their farming operation, and because any harm to the SWC would purportedly be “negligible if [the stay] only lasts until a decision is issued on the mitigation plan.” *Motion for Stay*, at 3–4. The Director acknowledges these concerns and recognizes that curtailment under Idaho’s prior appropriation doctrine can impose substantial burdens on junior water users. However, such administration remains necessary to protect senior water rights.

The Bingham’s currently have no mitigation plan pending before the Department. The *Original Mitigation Plan* is moot because it only contemplated mitigation for the 2025 irrigation season and the Bingham’s “no longer seek approval” of the *Original Mitigation Plan*. *Order Staying Proceedings*, at 2–3. The *Second Mitigation Plan* was superseded by the *Third Mitigation Plan*. The *Third Mitigation Plan* and the *Fourth Mitigation Plan* were returned because they lacked the information necessary for the Director to evaluate whether the plans were sufficiently protective of senior water users. *Order Returning Amended Stipulation to Interim Mitigation Plan*, at 2; *Order Returning Amended Mitigation and Curtailment Plan*, at 1. While the Bingham’s stated in their *Motion for Stay* that they are in the process of preparing another mitigation plan, it has been more than a month since the Director issued his most recent return order on April 9, and no such plan has been submitted to the Department.

The Bingham’s have long been aware that their water rights are vulnerable to curtailment. Department records show that the Bingham’s received notice of the SWC delivery call proceedings as far back as 2014. The Bingham’s most junior ground water rights were subject to

² But even if “upon appropriate terms” was the correct standard, other sections of the Idaho Rules of Civil Procedure make clear that “appropriate terms” means terms which are sufficiently protective of the opposing party’s security. Rule 62(b) states “[o]n appropriate terms for the opposing party’s security, the court may stay the execution of a judgment” Similarly, Rule 62(a) provides that execution of a judgment may issue immediately “unless the court in its discretion and on such conditions for the security of the adverse party as are proper, otherwise directs.” The statutes do not require consideration of “appropriate” factors when deciding whether to grant or deny a stay. Rather, the statutes require that when the Director in his discretion grants a stay, the terms must be appropriate for all parties. While this is not the standard applicable here, if it was, the Director would conclude that granting the Bingham’s stay of curtailment would not be appropriate for all parties when the Bingham’s do not have a proposed mitigation plan pending.

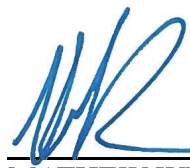
curtailment in 2014, 2017, and 2022. All of the Bingham's' ground water rights were subject to curtailment during the 2025 irrigation season. *See Final Order Curtailing Ground Water Rights Junior to October 11, 1900* Attach. A, at 2, No. CM-DC-2010-001 (July 25, 2025). Despite notice and repeated curtailments, the Bingham's still do not have a mitigation plan pending, much less approved.³

Under the facts presented here, granting a stay would permit out-of-priority water use for an indefinite amount of time without a mechanism to prevent or resolve injury. Idaho's prior appropriation doctrine relies upon the enforcement of priority rights, and the Department's curtailment order serves the public purpose of protecting senior water rights and ensuring timely compliance with Idaho water law. Granting a stay to the Bingham's in the absence of a pending mitigation plan would undermine those interests by permitting continued out-of-priority diversion without a demonstrated plan to prevent or resolve injury to senior users.⁴ This is not to say that the submission of any mitigation plan would justify a stay. The facts of the proposed mitigation plan would need to be evaluated. But where the Bingham's have long been aware that their water rights are vulnerable to curtailment, have had their water rights previously curtailed, have previously submitted mitigation plans that failed to obtain approval, and currently have no plan pending pursuant to the CM Rules, the Director declines to grant a discretionary stay.

ORDER

IT IS HEREBY ORDERED that the *Bingham's' Motion for Stay of Order of Curtailment* is DENIED.

Dated this 14th day of May 2026.



MATHEW WEAVER
Director

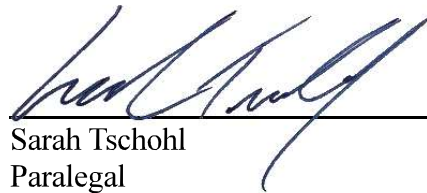
³ In the *Motion for Stay*, the Bingham's state that they have been "trying in good faith" to submit a mitigation plan that meets the minimum criteria of the CM Rules and "any delays of the acceptance of a mitigation plan have not been caused by any bad conduct on Bingham's part." *Motion for Stay*, at 3. Whether the Bingham's have been trying in good faith or not, the reality is that their failure to act timely has caused the delay, and the failure to act timely should not be a defense against curtailment.

⁴ The Department's preliminary analysis indicates that depletions to the Snake River due to pumping associated with the Bingham's ground water pumping for the 2026 irrigation season would be at least 236 acre-feet.

CERTIFICATE OF SERVICE

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

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Sarah A. Klahn Maximilian C. Bricker SOMACH SIMMONS & DUNN, P.C. sklahn@somachlaw.com mbricker@somachlaw.com	☒ Email
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Sarah Tschohl
Paralegal

EXPLANATORY INFORMATION TO ACCOMPANY A FINAL ORDER

(To be used in connection with actions when a hearing was **not** held)

The accompanying document is a “**Final Order**” issued by the Idaho Department of Water Resources (“Department”) pursuant to Idaho Code § 67-5246. The following statements describe the procedures and time limits for seeking reconsideration or other administrative relief as required by Idaho Code § 67-5248.

PETITION FOR RECONSIDERATION

(See Idaho Code § 67-5246(4))

Any party may file a petition for reconsideration of this final order within fourteen (14) days of the service date of this order as shown on the certificate of service. **Note: the petition must be received by the Department within this fourteen (14) day period.** The presiding officer will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law.

REQUEST FOR HEARING

(See Idaho Code § 42-1701A(3))

Unless the right to a hearing before the Director or the Water Resource Board is otherwise provided by statute, any person aggrieved by any final decision, determination, order, or action of the Director of the Department and who has not previously been afforded an opportunity for a hearing on the matter shall be entitled to a hearing before the Director to contest the action. The person shall file with the Director, within fifteen (15) days after receipt of written notice of the action issued by the Director, or receipt of actual notice, a written petition stating the grounds for contesting the action by the Director and requesting a hearing. **Note: The request must be received by the Department within this fifteen (15) day period.**

CERTIFICATE OF SERVICE

(See IDAPA 37.01.01.053, 37.01.01.202)

All documents filed with the Department in connection with a petition for reconsideration or a request for hearing of this final order shall be served on all other parties to the proceeding in accordance with Rules 53 and 202 of the Department’s Rules of Procedure.

**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

**FINAL ORDER CURTAILING
GROUND WATER RIGHTS
JUNIOR TO OCTOBER 11, 1900**

The Director of the Idaho Department of Water Resources (“Department”) finds, concludes, and orders as follows:

FINDINGS OF FACT

1. On July 19, 2023, the Director issued the *Sixth Final Order Regarding Methodology for Determining Material Injury to Reasonable In-Season Demand and Reasonable Carryover* (“*Methodology Order*”).¹ The *Methodology Order* established nine steps for determining material injury to members of the Surface Water Coalition (“SWC”).²

2. On April 16, 2026, the Director issued the *Final Order Regarding April 2026 Forecast Supply (Methodology Steps 1–3)* (“*As-Applied Order*”), which applied steps 1, 2, and 3 of the *Methodology Order*. The Director predicted an April in-season demand shortfall (“IDS”) of 181,600 acre-feet. *As-Applied Order*, at 4. The Director ordered that, by May 1, 2026, ground water users with consumptive water rights “bearing priority dates junior to October 11, 1900, within the Eastern Snake Plain Aquifer area of common ground water supply [(“ESPA ACGWS”)] shall establish, to the satisfaction of the Director, that they can mitigate for their proportionate share of the predicted April IDS of 181,600 acre-feet in accordance with an approved mitigation plan.” *Id.* at 6. The Director also ordered that, if such a junior ground water user cannot establish that they can mitigate for their proportionate share of the predicted IDS “in accordance with an approved mitigation plan, the Director will issue an order curtailing the junior-priority ground water user.” *Id.*

¹ Shortly after the *Methodology Order* was issued, the City of Pocatello, the City of Idaho Falls, and the Coalition of Cities (collectively “Cities”) and the Idaho Ground Water Appropriators, Inc. (“IGWA”) filed petitions for judicial review in Ada County (Nos. CV01-23-13238 and CV01-23-13173). IGWA’s petition for judicial review is stayed until December 31, 2027. The Idaho Supreme Court dismissed the Cities’ petition for lack of jurisdiction. The filing of a petition for judicial review does not stay the effectiveness of an order. I.C. § 67-5274. No party to the judicial review proceedings has requested a stay of the *Methodology Order*. Accordingly, the Director will apply the *Methodology Order* in this order.

² The SWC is comprised 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.

3. Prior to May 1, 2026, there were five approved mitigation plans in place responding to the SWC delivery call, each is stipulated to by the SWC:

- (1) Docket No. CM-MP-2010-001 for the benefit of the Southwest Irrigation District and Goose Creek Irrigation District (collectively, “SWID”);
- (2) Docket No. CM-MP-2019-001 for the benefit of certain cities commonly referred to as the “Coalition of Cities”;
- (3) Docket No. CM-MP-2015-003 for the benefit of the A&B Irrigation District (“A&B”);
- (4) Docket No. CM-MP-2007-001 for the benefit of certain entities commonly referred to as the “Water Mitigation Coalition”; and
- (5) Docket No. CM-MP-2024-003 for the benefit of certain ground water districts commonly referred to as the “Ground Water Districts.”

4. In the 2026 *As-Applied Order*, the Director found that due to the nature of the approved mitigation plans for SWID, the Coalition of Cities, the Water Mitigation Coalition and the Ground Water Districts, these entities do not need to establish they can mitigate for their proportionate share of the predicted April IDS. *As-Applied Order*, at 6 n.8. However, the Director found that A&B must mitigate for its proportionate share of the predicted IDS of 181,600 acre-feet and determined that A&B’s proportionate share is 10,800 acre-feet. *Id.*

5. On May 1, 2026, A&B, the other members of the SWC, IGWA, and American Falls-Aberdeen Ground Water District filed a *Joint Motion for Order Approving Amended 2026-2027 Interim Stipulation* (“*Amended Joint Motion*”) requesting approval of A&B’s previously filed *Interim Stipulation* with an amendment to the storage volume of water to be delivered. *Amended Joint Motion*, at 3, No. CM-MP-2026-003. On May 14, 2026, the Director issued an *Order Approving A&B Irrigation District’s Interim Stipulated Plan for 2026 & 2027*. Due to the nature of A&B’s new mitigation plan, it does not need to mitigate for its full proportional share of the predicted IDS.

6. Also on May 1, 2026, the SWC, the Ground Water Districts, the Big Lost River Ground Water District, the Upper Big Lost River Ground Water District, and the Little Lost River Ground Water District filed a *Joint Motion for Approval of First Addendum to 2024 Stipulated Mitigation Plan and for Related Relief* (“*Motion to Approve First Addendum*”). The *Motion to Approve First Addendum* requested the Director approve the First Addendum, which allows the Big Lost River Ground Water District, Upper Big Lost River Ground Water District, and Little Lost River Ground Water District to join the *2024 Stipulated Mitigation Plan* in No. CM-MP-2024-003. On May 7, 2026, the Director issued an *Order Approving First Addendum and Granting Related Relief*.

7. Also on May 1, 2026, Hearing Officer Gerald Schroeder issued a *Preliminary Order Approving Falls Water’s Stipulated Mitigation Plan* in Department Docket No. CM-MP-2026-

002. A petition for reconsideration is pending so the order has not become final yet pursuant to Idaho Code § 67-5245 and IDAPA 37.01.01.730.

CONCLUSIONS OF LAW

1. Idaho Code § 42-602 authorizes the Director to supervise water distribution within water districts:

The director of the department of water resources shall have direction and control of the distribution of water from all natural water sources within a water district to the canals, ditches, pumps and other facilities diverting therefrom. Distribution of water within water districts created pursuant to section 42-604, Idaho Code, shall be accomplished by watermasters as provided in this chapter and supervised by the director. The director of the department of water resources shall distribute water in water districts in accordance with the prior appropriation doctrine. The provisions of chapter 6, title 42, Idaho Code, shall apply only to distribution of water within a water district.

2. As explained above, by May 1, 2026, ground water users with consumptive water rights “junior to October 11, 1900, within the [ESPA ACGWS]” are required to “establish, to the satisfaction of the Director, that they can mitigate for their proportionate share of the predicted April IDS of 181,600 acre-feet in accordance with an approved mitigation plan.” *As-Applied Order*, at 7. If a junior ground water user does not establish that they can mitigate for their proportionate share of the predicted April IDS “in accordance with an approved mitigation plan” the ground water user will be subject to this “order curtailing the junior-priority ground water user.” *Id.*

3. Due to the nature of the approved mitigation plans for SWID, the Coalition of Cities, the Water Mitigation Coalition, A&B, and the Ground Water Districts, these entities do not need to establish that they can mitigate for their proportionate share of the predicted April IDS. Junior ground water users entitled to the protection of SWID, the Coalition of Cities, the Water Mitigation Coalition, A&B, and the Ground Water Districts mitigation plans will not be subject to curtailment during the 2026 irrigation season.

4. Consistent with the *As-Applied Order*, Idaho Code § 42-602, and decisions of the courts, the Director must order curtailment of junior-priority ground water users that have not established they can mitigate in accordance with an approved mitigation plan. Junior-priority ground water users subject to curtailment are listed in Attachments A to this order.

ORDER

Based upon and consistent with the foregoing, IT IS HEREBY ORDERED 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 this 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.

FINAL ORDER CURTAILING GROUND WATER RIGHTS JUNIOR TO OCTOBER 11, 1900—Page 3

IT IS FURTHER ORDERED that holders of ground water rights identified by the highlighted rows in Attachment A to this order may seek to participate in an approved mitigation plan through a ground water district and shall have fifteen days from the date of this order to join, solely for mitigation purposes, the ground water district situated nearest the lands to which the water rights are appurtenant. *See H.B. 737a, 58th Leg., 2d Reg. Sess. (Idaho 2006) (Act Relating to the Administration of Ground Water Rights Within the Eastern Snake River Plain); see also I.C. § 42-5259.*

IT IS FURTHER ORDERED that watermasters for the water districts within the ESPA ACGWS who regulate ground water are directed to review the water rights listed in Attachment A to this order and begin the curtailment process.

IT IS FURTHER ORDERED that this order shall apply to consumptive ground water rights, including but not limited to, agricultural, commercial, industrial, and municipal uses. This order excludes ground water rights used for *de minimis* domestic purposes where such domestic use is within the limits of the definition set forth in Idaho Code § 42-111 and ground water rights used for *de minimis* stock watering where such stock watering use is within the limits of the definitions set forth in Idaho Code § 42-1401A(11), pursuant to IDAPA 37.03.11.020.11.

Dated this 14th day of May 2026.



MATHEW WEAVER
Director

CERTIFICATE OF SERVICE

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

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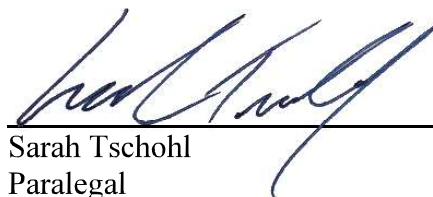
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Attachment A -Sorted by Owner
List of Ground Water Rights Junior to October 11, 1900
(highlighted rights have 15-days to join a ground water district)

Owner	Water Right No.	Basis	Priority Date	Water Use List	Diversion Rate (cfs)	Total Acres	Enlargement
1523 LLC	35-14566	Decreed	11/3/1972	IRRIGATION	0.05	2.6	
288S 500W LLC	36-17158	Decreed	2/1/1961	DOMESTIC, IRRIGATION, STOCKWATER	0.03	1.0	
3 STRING CATTLE OF IDAHO LLC	37-23203	Decreed	7/24/1973	COMMERCIAL, STOCKWATER	0.16	0.0	
A W HARDY FAMILY INVESTMENTS LTD	29-14198	Decreed	6/23/1977	IRRIGATION	0.01	0.9	
A W HARDY FAMILY INVESTMENTS LTD	29-14427	Decreed	6/23/1977	IRRIGATION	0.01	0.3	
A W HARDY FAMILY INVESTMENTS LTD	29-14435	Decreed	6/23/1977	IRRIGATION	0.03	3.4	
ADAMS, CHERYL L; ADAMS, H LYLE; ADAMS, RODDY L	37-7078	Decreed	10/12/1970	COMMERCIAL, STOCKWATER	0.06	0.0	
ADAMS, MARY J	25-14316	Decreed	8/10/1966	IRRIGATION	0.02	1.0	
AEI CORP	29-8037	License	11/13/1990	DOMESTIC, INDUSTRIAL	0.06	0.0	
AIKELE, DON A	34-14179	Decreed	4/20/1961	IRRIGATION	0.02	2.0	
AIKELE, PEGGY; AIKELE, STEVEN J	34-14693	Decreed	4/20/1961	IRRIGATION	0.01	1.2	
AKERS, DONNA E; AKERS, SHERMAN L	29-10649	Decreed	8/1/1961	IRRIGATION, STOCKWATER	0.13	6.4	
AMERICAN FALLS RESERVOIR DISTRICT #2	36-11120	Decreed	11/27/1962	DOMESTIC, IRRIGATION	0.07	1.5	
ANDERSON, CHAD ALLEN; ANDERSON, JASHELLE HEATHER	45-7650	License	6/21/1989	DOMESTIC, IRRIGATION	0.06	1.0	
ANDERSON, CLARK E; ANDERSON, TRACY	29-14453	Decreed	10/28/1953	IRRIGATION	0.02	2.9	
ANDERSON, CLARK E; ANDERSON, TRACY	29-14433	Decreed	6/23/1977	IRRIGATION	0.03	2.9	
ANDERSON, RENAE; ANDERSON, RICHARD	29-2393A	Decreed	9/25/1957	IRRIGATION	0.04	2.5	
ANGIEN LLC	32-13403	Decreed	11/12/1974	STOCKWATER	0.22	0.0	
AQUA PURA INC	35-7907	License	2/7/1980	DOMESTIC	0.04	0.0	
ARMENTA, JUAN; SANCHEZ, BLANCA	37-23654	Decreed	9/20/1974	IRRIGATION	0.07	5.0	
ATKINSON, ANDREW ; ATKINSON, MARY	29-13736	License	2/21/2006	DOMESTIC	0.08	0.0	
BABEL, PAUL; HAMPTON, WALLACE; PARKS, FRED A	25-7083	License	1/28/1976	DOMESTIC	0.06	0.0	
BAGBY, JESSICA; BAGBY, NASH	45-14561	Decreed	6/1/1939	IRRIGATION	0.09	7.0	
BAH REXBURG AC PROPERTY LLC	22-11451	Decreed	8/31/1960	IRRIGATION	0.04	2.0	
BAILEY, JULIE A; BAILEY, STEVEN E	35-8619	License	9/24/1985	IRRIGATION, STOCKWATER	0.04	0.5	
BAISCH, ROBERT L	35-7481	License	2/21/1975	DOMESTIC	0.08	0.0	
BAM PROPERTIES LLC	29-2495	Decreed	8/12/1964	IRRIGATION	0.61	28.5	
BANDY, BONNIE; BANDY, BRADLEY W	36-7473	Decreed	5/14/1974	IRRIGATION	0.02	1.0	
BANNOCK COUNTY	29-7329	Decreed	5/12/1976	IRRIGATION	0.82	61.1	
BANNOCK COUNTY	29-7972	License	5/5/1990	DIVERSION TO STORAGE, IRRIGATION, RECREATION STORAGE	0.48	61.1	
BARBEN, GORDON E; SAMPSON, KEN	27-7025	License	4/2/1973	DOMESTIC	0.08	0.0	
BARKDULL, CARL; BARKDULL, KATHLEEN	29-7619	Decreed	1/5/1982	DOMESTIC, IRRIGATION	0.02	1.2	
BARNA, BASIL; SNARR, DELMAR; SNARR, MARGARET; SNARR, MERLAND E; SNARR, ROBERT B; SUMMERS, RON	35-12291	Decreed	6/1/1945	DOMESTIC	0.11	0.0	
BARRUS, KEITH; MINKS, ROY; PLOCK, STEPHEN R; SCHNEIDER, SCOT L	25-7080	Decreed	1/28/1976	DOMESTIC	0.11	0.0	
BARTAUSKY, TOM	27-7404	License	4/8/1985	IRRIGATION	1	50.0	
BARTAUSKY, TOM	27-7432	License	7/10/1987	IRRIGATION	0.7	35.0	
BARTAUSKY, TOM; BLEAZARD, ELCY	27-12209	License	8/22/1991	IRRIGATION	0.11	5.3	
BARTLETT, ERWIN; BARTLETT, JANICE	45-7653	License	6/6/1989	COMMERCIAL	0.04	0.0	
BASIC AMERICAN INC	22-13806	Decreed	6/30/1945	COMMERCIAL, DOMESTIC, STOCKWATER	0.38	0.0	
BATES, ROBERT W; BATES, SHARON H; WILKINS, ELMA; WILKINS, LLOYD	25-7357	Decreed	6/16/1983	DOMESTIC	0.06	0.0	
BATT, ALAN C; BATT, MILLIE	25-7109	Decreed	5/2/1977	IRRIGATION	3.03	229.0	
BEAN, BRENT	45-14562	Decreed	6/1/1939	IRRIGATION	0.03	2.0	
BEAR ISLAND WATER ASSN INC	35-8672	License	9/6/1988	DOMESTIC	0.2	0.0	
BELL, JAMIE; BELL, TROY	29-14451	Decreed	10/28/1953	IRRIGATION	0.06	6.9	

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BELL, JAMIE; BELL, TROY	29-14424	Decreed	6/23/1977	IRRIGATION	0.06	6.9	
BENSON, CLIFFORD; BENSON, LADAWN C	35-8124	Permit	3/25/1983	IRRIGATION	6.4	320.0	
BEORCHIA, MICHAEL; BEORCHIA, REVA	35-14830	Decreed	1/26/1962	IRRIGATION	0.02	2.3	
BEVAN, DONNA; BEVAN, THOMAS	35-14773	Decreed	4/27/1964	IRRIGATION	0.08	2.0	
BEVAN, JOHN; BEVAN, LOU; BEVAN, STEVE; COSSABOOM, JUDY; WALTERS, DEANNA	29-4325	Decreed	5/30/1939	IRRIGATION	0.13	5.0	
BEVAN, JOHN; BEVAN, LOU; BEVAN, STEVE; COSSABOOM, JUDY; WALTERS, DEANNA	29-4326	Decreed	4/20/1952	IRRIGATION	1.78	150.0	
BEYER, PATRICK	25-7313	Decreed	4/11/1983	DOMESTIC, IRRIGATION	0.05	0.7	
BIG FIVE WATER ASSN	25-7199	Decreed	7/24/1980	DOMESTIC	0.11	0.0	
BIG J FARMS LLC; JAG FARMS LLC	35-14950	Decreed	9/12/1955	IRRIGATION	0.56	345.6	
BIG J FARMS LLC; JAG FARMS LLC	35-14951	Decreed	5/26/1958	IRRIGATION	0.59	345.6	
BIG J FARMS LLC; JAG FARMS LLC	35-14945	Decreed	12/1/1969	IRRIGATION	1.88	345.6	
BIG J FARMS LLC; JAG FARMS LLC	35-14946	License	11/30/1982	IRRIGATION	1.28	345.6	
BIG J FARMS LLC; JAG FARMS LLC	35-14948	License	11/30/1982	IRRIGATION	0.27	345.6	
BIG J FARMS LLC; JAG FARMS LLC	35-14947	License	6/1/1989	IRRIGATION	0.08	345.6	
BIG J FARMS LLC; JAG FARMS LLC	35-14949	License	6/1/1989	IRRIGATION	0.21	345.6	
BIGGS, DONALD; BIGGS, HELEN ; BUSH, ROBERT; EATON, BENJAMIN; EATON, KENDRA; OCKERMAN, JOY	25-7082	Decreed	1/28/1976	DOMESTIC	0.16	0.0	
BINGHAM COUNTY	35-14757	License	9/21/1989	COMMERCIAL	0.13	0.0	
BINGHAM, BOYD A; BINGHAM, SHERRY R	36-8425	License	6/23/1989	IRRIGATION	0.88	105.0	
BINGHAM, CHERYL J; BINGHAM, MAX J	34-14528	Decreed	9/13/1961	IRRIGATION	0.07	4.0	
BINGHAM, CHERYL J; BINGHAM, MAX J	34-14529	Decreed	4/1/1977	IRRIGATION	0.01	4.0	Yes
BINGHAM, JERRY D; BINGHAM, VALERIE H	35-2183D	Decreed	9/5/1950	IRRIGATION	1.728	156.0	
BINGHAM, JERRY D; BINGHAM, VALERIE H	35-2202B	Decreed	8/9/1951	DOMESTIC, IRRIGATION	4.8	285.0	
BINGHAM, JERRY D; BINGHAM, VALERIE H	35-2266	Decreed	10/9/1952	IRRIGATION	3.1	391.0	
BINGHAM, JERRY D; BINGHAM, VALERIE H	35-2269G	Decreed	10/23/1952	IRRIGATION	4.35	391.0	
BINGHAM, JERRY D; BINGHAM, VALERIE H	35-12226	Decreed	4/1/1987	IRRIGATION	0.59	285.0	Yes
BINGHAM, LARRY	35-2205E	Decreed	11/9/1951	IRRIGATION	2.44	207.0	
BLACK HAWK HOMEOWNERS ASSN INC	25-14305	Decreed	8/10/1966	IRRIGATION	0.02	353.9	
BLACK HAWK HOMEOWNERS ASSN INC	25-14307	Decreed	8/10/1966	IRRIGATION	0.02	353.9	
BLACK HAWK HOMEOWNERS ASSN INC	25-14308	Decreed	8/10/1966	IRRIGATION	0.02	353.9	
BLACK HAWK HOMEOWNERS ASSN INC	25-14312	Decreed	8/10/1966	IRRIGATION	0.02	353.9	
BLACK HAWK HOMEOWNERS ASSN INC	25-14315	Decreed	8/10/1966	IRRIGATION	0.02	353.9	
BLACK HAWK HOMEOWNERS ASSN INC	25-7669	License	2/23/1999	DOMESTIC	1.05	0.0	
BLACK HAWK HOMEOWNERS ASSN INC	25-14395	License	8/28/2013	DOMESTIC	0.4	0.0	
BLAINE COUNTY SCHOOL DISTRICT #61	37-22205	Decreed	7/21/1961	MITIGATION	0.3	0.0	
BLAINE COUNTY SCHOOL DISTRICT #61	37-21742	License	4/17/2006	IRRIGATION	0.7	8.7	
BLAINE COUNTY SCHOOL DISTRICT #61	37-23102	Permit	2/20/2018	IRRIGATION	0.38	4.8	
BLAKE, AMANDA	35-14013	License	2/19/2010	RECREATION STORAGE	0	0.0	
BLEDSE, HELEN M; HACKMAN, ERNEST A	35-7916	License	9/16/1980	DOMESTIC	0.08	0.0	
BLISS LLC	37-7761A	Decreed	5/8/1980	DOMESTIC, STOCKWATER	0.07	0.0	
BLUE SPRUCE RANCH LP	34-13941	Decreed	12/19/1950	IRRIGATION	0.83	41.4	
BLUE SPRUCE RANCH LP	34-10579	Decreed	8/2/1961	IRRIGATION	0.92	194.0	
BLUE SPRUCE RANCH LP	34-2433	Decreed	8/2/1961	IRRIGATION	2.34	194.0	
BOHMAN, JON MARC; BOHMAN, REBECCA S	25-14271	Decreed	8/10/1966	IRRIGATION	0.02	1.1	

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BOISE PACKAGING & NEWSPRINT LLC	45-2568	Decreed	4/1/1958	DOMESTIC, FIRE PROTECTION FROM STORAGE, FIRE PROTECTION STORAGE, FIRE PROTECTION	0.09	0.0	
BOLINDER, CATHERINE L	27-7322	License	6/8/1982	DOMESTIC	0.06	0.0	
BONAWITZ, DANI; BONAWITZ, DUKE	36-8065	Decreed	2/17/1982	DOMESTIC, IRRIGATION	0.12	5.0	
BONNIE BARTON BANDY IRREVOCABLE TRUST	36-17287	Decreed	5/14/1974	IRRIGATION	0.08	4.0	
BORAH PEAK FARMS LLC	33-10080	Decreed	12/31/1927	DOMESTIC, STOCKWATER	0.14	0.0	
BORAN , MICHAEL J	35-11390	Decreed	6/1/1941	FISH PROPAGATION	20	0.0	
BORAN , MICHAEL J	35-4271B	Decreed	6/1/1945	FISH PROPAGATION	50	0.0	
BORAN , MICHAEL J	35-8635B	Decreed	12/17/1986	FISH PROPAGATION	0.72	0.0	
BORAN , MICHAEL J	35-8782	License	5/23/1989	FISH PROPAGATION	4.64	0.0	
BOWEN, BRAD	25-12253	Decreed	12/17/1951	DOMESTIC, IRRIGATION	0.07	1.0	
BRADY, LANCE; BRADY, SHANNON; HAGAN, DANNY D; HAGAN, MARILYNN J	25-7330	Decreed	6/14/1983	DOMESTIC, IRRIGATION	0.08	0.4	
BRAY, CLAUDETTE; CAREY, JUNE G	45-11902	Decreed	3/15/1934	IRRIGATION	0.08	2.7	
BROWER, AMANDA; BROWER, JASON	29-14460	Decreed	10/28/1953	IRRIGATION	0.04	4.6	
BROWER, AMANDA; BROWER, JASON	29-14440	Decreed	6/23/1977	IRRIGATION	0.04	4.6	
BROWN ADELAIDE IV LLC	36-17362	Decreed	10/15/1968	IRRIGATION	3.9	240.0	
BROWN, BERTHA; BROWN, ROBERT L	29-2521	Decreed	5/27/1966	DOMESTIC, IRRIGATION	0.033	1.6	
BROWN, BERTHA; BROWN, ROBERT L	29-7428	Decreed	12/8/1977	DOMESTIC, IRRIGATION	0.29	8.8	
BROWN, GORDON; LAMCZYK, DANNY; LAMCZYK, JANE	27-7342	Decreed	2/16/1983	DOMESTIC, IRRIGATION	0.06	0.5	
BROWN, JAN A; BROWN, SID E; MOMBERGER, JESSE C	31-7510	License	11/14/1988	DOMESTIC, IRRIGATION, STOCKWATER	0.11	2.0	
BROWN, MELANIE E; BROWN, TOMMY H	29-12246	Decreed	1/31/1948	DOMESTIC	0.04	0.0	
BRP INC	25-7622	License	9/23/1998	DOMESTIC	0.23	0.0	
BRP INC	25-14504	Permit	10/12/2021	DOMESTIC	0.26	0.0	
BUNCE, MICHAEL F	29-7914	License	4/9/1990	DOMESTIC, IRRIGATION	0.09	6.0	
BURCHAM JR, J E; BURCHAM, BURVA J; BURCHAM, WESLEY E	29-7663A	Decreed	10/26/1982	DOMESTIC	0.1	0.0	
BURGESS SUBDIVISION WATER ASSN INC	25-7457	License	10/27/1988	DOMESTIC	0.11	0.0	
BURLEY HEALTHCARE HOLDING LLC	45-11194	Decreed	6/1/1960	DOMESTIC, IRRIGATION	0.15	5.5	
BURLEY IRRIGATION DISTRICT	45-10390	Decreed	6/19/1909	DOMESTIC	0.05	0.0	
BURLEY IRRIGATION DISTRICT	45-7720	License	9/27/1993	DOMESTIC	0.09	0.0	
BURNS CONCRETE INC	25-13982	License	12/18/2002	COMMERCIAL	3.53	0.0	
BURNS, KIRK E; SZIMHARDT, LINDA J	25-7426	License	6/6/1988	IRRIGATION	0.08	5.6	
BURRELL, GEORGE W; BURRELL, LURANA J; KEETCH, SHYANN; KEETCH, STETSON	29-13900	License	4/3/2009	DOMESTIC	0.08	0.0	
BURRUP, JOHN R; BURRUP, JON R	25-13085	Decreed	7/6/1958	COMMERCIAL, STOCKWATER	0.12	0.0	
CALDWELL, TED L	27-7117	Decreed	10/21/1977	IRRIGATION	0.21	20.0	
CALLEN JR, JERRY R; CALLEN, PATRICIA	36-14326	Decreed	7/15/1919	DOMESTIC, STOCKWATER	0.04	0.0	
CALLEN JR, JERRY R; CALLEN, PATRICIA	36-15514	Decreed	9/30/1919	STOCKWATER	0.03	0.0	
CARLSON, BRENT J	29-14446	Decreed	10/28/1953	IRRIGATION	0.01	1.3	
CARLSON, BRENT J	29-14426	Decreed	6/23/1977	IRRIGATION	0.01	1.3	
CARPENTER, BARBARA; CARPENTER, MAURICE	25-7193B	Decreed	4/30/1980	DOMESTIC, IRRIGATION, STOCKWATER	0.02	2.5	
CARROZZA, JACQUELYN; MATKIN, JEFFERY L	29-13974	Decreed	1/25/1962	IRRIGATION	0.09	46.7	
CARROZZA, JACQUELYN; MATKIN, JEFFERY L	29-2459B	Decreed	1/25/1962	IRRIGATION	0.12	46.7	
CARROZZA, JACQUELYN; MATKIN, JEFFERY L	29-13980	Decreed	1/27/1976	IRRIGATION	0.3	46.7	
CARROZZA, JACQUELYN; MATKIN, JEFFERY L	29-7386	Decreed	4/7/1977	IRRIGATION	0.21	46.7	
CARROZZA, JACQUELYN; MATKIN, JEFFERY L	29-13979	Decreed	10/31/1986	IRRIGATION	0.08	46.7	Yes
CARSTENS, JULIUS M J	25-7481	License	12/22/1988	IRRIGATION	0.04	1.4	

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CARTER, A LADD; CARTER, JANE M	35-13284	Decreed	2/23/1972	COMMERCIAL, STOCKWATER	0.3	0.0	
CARTER, HEATHER I; CARTER, VAL C	34-13901	Decreed	10/25/1965	IRRIGATION	4.27	239.0	
CARTER, TIERRA CANDICE; CARTER, WILSON ENGLAND	35-14932	Decreed	2/5/1981	IRRIGATION	0.65	36.0	
CASA DEL NORTE LP	37-7081	Decreed	12/8/1970	IRRIGATION	1.67	840.0	
CASSIA JOINT SCHOOL DISTRICT #151	45-14512	Decreed	3/15/1956	IRRIGATION	0.03	7.6	
CASSIA JOINT SCHOOL DISTRICT #151	45-14510	Decreed	12/19/1974	IRRIGATION	0.05	7.6	
CASSIA JOINT SCHOOL DISTRICT #151	45-14509	Decreed	3/22/1975	IRRIGATION	0.05	7.6	
CASSIA JOINT SCHOOL DISTRICT #151	45-14511	Decreed	4/28/1975	IRRIGATION	0.02	7.6	
CASSIDY, FRANCIS J; HANSEN, BARRY A; HANSEN, MARIAN; LINDLEY, ASHLEY M; LINDLEY, KEVIN L; RUHJ INVESTMENTS LLC	25-7638	License	4/25/1995	DOMESTIC	0.1	0.0	
CASTRO JR, VICENTE; CASTRO, PATRICIA	36-17297	Decreed	2/4/1976	IRRIGATION	0.06	3.1	
CEYNAR, MARCENE; FANN, LAVEDA A; FANN, R E; FARNSWORTH, BETH; FARNSWORTH, JAY; PICKERING, CRAIG; PICKERING, VICKY	25-7272	Decreed	2/4/1982	DOMESTIC	0.1	0.0	
CHALCO LLC	25-14168	Decreed	12/10/1954	IRRIGATION	0.11	1876.1	
CHAMBERS, BOYD; HARRIS, JAMES; HARRIS, MARI; LOREN, RICHAN; STUEVE, KENNETH; SWEARINGER, ALDON; WADE, BILL	25-4210	Decreed	3/21/1960	DOMESTIC, IRRIGATION	0.19	2.4	
CHAMBERS, RALEIGH R	25-7343	License	6/27/1983	DOMESTIC	0.06	0.0	
CHAPMAN, GARY RAY; CHAPMAN, REBECCA LYNN	22-14405	Decreed	4/22/1979	IRRIGATION	0.04	2.0	
CHERRY, GLEN; CHERRY, ILA	29-12075	Decreed	4/20/1937	DOMESTIC	0.04	0.0	
CHERRY, MARY ANN; CHERRY, ROBERT	25-14402	Decreed	7/19/1973	IRRIGATION	0.02	1.2	
CHERYL LYNN BLOUNT & STEVEN GUY HERICKS LIVING TRUST	37-23115	Decreed	9/20/1974	IRRIGATION	0.02	1.7	
CHILDERS, LINDA MARIE; CHILDERS, RODNEY DEAN	37-23116	Decreed	9/20/1974	IRRIGATION	0.03	2.7	
CHILDERS, LINDA MARIE; CHILDERS, RODNEY DEAN	37-23209	Decreed	9/20/1974	IRRIGATION	0.02	1.8	
CHRISTENSEN, ADAM W; NELSON, DIANE K	37-23133	Decreed	9/20/1974	IRRIGATION	0.02	0.8	
CHRISTENSEN, BRAD LEE	29-7706	License	5/21/1983	IRRIGATION	0.1	5.0	
CHRISTENSEN, BRAD LEE; CHRISTENSEN, KRISTI	29-14568	Decreed	8/3/1971	DOMESTIC, IRRIGATION, STOCKWATER	0.08	3.8	
CHRISTENSEN, BRAD LEE; CHRISTENSEN, KRISTI	29-7273	Decreed	7/3/1975	IRRIGATION	0.15	7.3	
CHRISTENSEN, LANCE ISAAC	25-7431	License	7/6/1988	DOMESTIC, IRRIGATION	0.09	1.6	
CIRCLE C LAND & CATTLE LLC	25-14621	Decreed	5/9/1977	IRRIGATION	0.98	49.0	
CITY OF CHUBBUCK	29-14012	Decreed	8/19/1952	MUNICIPAL	1.83	0.0	
CITY OF CHUBBUCK	29-14013	Decreed	8/19/1952	MUNICIPAL	2.25	0.0	
CITY OF CHUBBUCK	29-14058	Decreed	8/19/1952	MUNICIPAL	0.05	0.0	
CITY OF CHUBBUCK	29-14106	Decreed	8/18/1953	MUNICIPAL	0.93	0.0	
CITY OF CHUBBUCK	29-2385	Decreed	1/11/1957	MUNICIPAL	0.78	0.0	
CITY OF CHUBBUCK	29-2413	Decreed	6/25/1959	MUNICIPAL	1.1	0.0	
CITY OF CHUBBUCK	29-14055	Decreed	6/20/1961	MUNICIPAL	0.13	0.0	
CITY OF CHUBBUCK	29-14081	Decreed	6/20/1961	MUNICIPAL	0.025	0.0	
CITY OF CHUBBUCK	29-2469	Decreed	3/10/1963	MUNICIPAL	1.11	0.0	
CITY OF CHUBBUCK	29-14016	Decreed	1/17/1966	MITIGATION, MUNICIPAL	1.89	0.0	
CITY OF CHUBBUCK	29-14099	Decreed	5/2/1966	MUNICIPAL	2.52	0.0	
CITY OF CHUBBUCK	29-14056	Decreed	10/26/1966	MUNICIPAL	0.09	0.0	
CITY OF CHUBBUCK	29-14082	Decreed	10/26/1966	MUNICIPAL	0.018	0.0	
CITY OF CHUBBUCK	29-14096	Decreed	11/29/1971	MUNICIPAL	0.21	0.0	
CITY OF CHUBBUCK	29-14097	Decreed	11/29/1971	MUNICIPAL	0.02	0.0	
CITY OF CHUBBUCK	29-14054	Decreed	12/31/1974	MUNICIPAL	1.47	0.0	
CITY OF CHUBBUCK	29-14080	Decreed	12/31/1974	MUNICIPAL	0.266	0.0	

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CITY OF CHUBBUCK	29-14107	Decreed	12/3/1980	MUNICIPAL	0.61	0.0	
CITY OF OAKLEY	45-10803	Decreed	1/1/1930	MUNICIPAL	0.45	0.0	
CITY OF OAKLEY	45-2323B	Decreed	2/19/1950	DOMESTIC, STOCKWATER	0.5	0.0	
CLAYSON, CASEY; CLAYSON, SHANE	45-7496	Decreed	1/27/1982	DOMESTIC, IRRIGATION	0.06	0.7	
CLINGER, ILA; CLINGER, LELAND	29-2267A	Decreed	10/16/1949	DOMESTIC	0.08	0.0	
CLOSE, ROBERT; CLOSE, SALLY	25-11547	Decreed	1/31/1959	DOMESTIC, IRRIGATION	0.07	1.0	
COLLINS JR, FLOYD L; COLLINS, LINDA M	34-7072	Decreed	5/22/1974	IRRIGATION	0.68	34.0	
COMORE DEVELOPMENT INC	25-14240	License	6/1/1989	IRRIGATION	1.95	2634.0	
COMORE DEVELOPMENT INC	25-14488	License	8/5/2020	DOMESTIC	0.27	0.0	
COMORE LOMA WATER CO INC	25-7040	Decreed	9/17/1973	DOMESTIC	0.2	0.0	
COMORE LOMA WATER CO INC	25-7042	Decreed	10/26/1973	DOMESTIC	0.08	0.0	
COMORE LOMA WATER CO INC	25-7161	Decreed	9/29/1978	DOMESTIC	0.98	0.0	
COMORE LOMA WATER CORP	25-14243	Decreed	5/6/1957	IRRIGATION	0.53	2634.0	
COMORE LOMA WATER CORP	25-12706	Decreed	7/1/1960	DOMESTIC, IRRIGATION	0.13	2634.0	
COMORE LOMA WATER CORP	25-14340	Decreed	3/20/1961	IRRIGATION	0.56	2634.0	
COMORE LOMA WATER CORP	25-14242	Decreed	5/1/1980	IRRIGATION	0.29	2634.0	Yes
COMORE LOMA WATER CORP	25-14487	License	6/1/1989	IRRIGATION	1.31	2634.0	
COMORE LOMA WATER CORP	25-14505	License	6/1/1989	IRRIGATION	0.57	2634.0	
COMORE LOMA WATER CORP	25-7578	Decreed	8/29/1990	DOMESTIC	0.3	0.0	
COMORE LOMA WATER CORP	25-7652	Decreed	12/11/1996	DOMESTIC	1.33	0.0	
COMORE LOMA WATER CORP	25-14166	License	3/28/2005	DOMESTIC	0.58	0.0	
COMORE LOMA WATER CORP	25-14167	License	4/12/2005	DOMESTIC	0.21	0.0	
COMORE LOMA WATER CORP	25-14183	License	4/29/2006	DOMESTIC	0.5	0.0	
COMORE LOMA WATER CORP	25-14484	License	4/17/2020	DOMESTIC	0.38	0.0	
COMORE LOMA WATER CORP	25-14506	License	8/5/2020	DOMESTIC	0.18	0.0	
CONSOLIDATED AG PROPERTIES LLC	45-2448B	Decreed	6/1/1953	STOCKWATER	0.17	0.0	
COOK, CHARLES S; COOK, JUDITH; SORESENSEN, BARRY	35-10512	Decreed	6/15/1952	COMMERCIAL, DOMESTIC, STOCKWATER	0.11	0.0	
COOK, DANNY; COOK, DARRELL L	35-7979	License	5/5/1981	DOMESTIC	0.06	0.0	
COOK, DONALD J	35-7362	License	12/27/1973	DOMESTIC, STOCKWATER	0.05	0.0	
COOK, JESSICA; COOK, STEVEN MATTHEW	45-14570	Decreed	6/1/1939	IRRIGATION	0.09	7.5	
COOK, KARL T; COOK, MOLLY M	35-14944	Decreed	2/13/1956	IRRIGATION	1.29	161.8	
COOK, KARL T; COOK, MOLLY M	35-14942	Decreed	4/1/1962	IRRIGATION	0.77	161.8	
COOK, KARL T; COOK, MOLLY M	35-14943	Decreed	1/24/1978	IRRIGATION	1.96	161.8	
COOK, STEVEN MATTHEW; COOK, TRISTA	45-14571	Decreed	6/1/1939	IRRIGATION	0.06	4.5	
CORDES, RONALD A	25-7488	License	2/14/1989	DOMESTIC, IRRIGATION	0.1	3.0	
CORDON TRAILER COURT	25-10195	Decreed	3/11/1960	COMMERCIAL	0.13	0.0	
CORP OF THE PRESIDING BISHOP	31-10340	Decreed	5/1/1932	DOMESTIC	0.04	0.0	
CORP OF THE PRESIDING BISHOP	25-4237	Decreed	5/8/1935	DOMESTIC	0.16	0.0	
CORP OF THE PRESIDING BISHOP	45-13877	Decreed	10/1/1952	IRRIGATION	0.04	2.0	
CORP OF THE PRESIDING BISHOP	45-13878	Decreed	10/1/1952	IRRIGATION	0.04	2.0	
CORP OF THE PRESIDING BISHOP	22-7438	Decreed	7/20/1983	DOMESTIC	0.28	0.0	
COUNTRY CLUB WATER	25-14447	Decreed	1/27/1976	IRRIGATION	0.03	18.7	
COUNTRY CLUB WATER	25-14448	Decreed	10/31/1986	IRRIGATION	0.01	18.7	Yes
COUNTY OF BANNOCK	29-13466	License	1/14/2003	COMMERCIAL	1.78	0.0	
COUNTY OF JEFFERSON	25-13985	License	5/13/2003	RECREATION STORAGE	0	0.0	

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COX, ED; COX, PATRICIA	29-7903	License	4/17/1990	IRRIGATION	0.04	2.0	
CRANDALL, JEFF; CRANDALL, SUSAN	35-8658	License	11/2/1985	DOMESTIC	0.06	0.0	
CRANE CROPS LLC	45-7303	Decreed	5/10/1977	IRRIGATION, STOCKWATER	1.28	62.0	
CRANE, KARI L; CRANE, TROY W	45-4067B	Decreed	8/1/1962	IRRIGATION	1.46	73.0	
CRANER, DAVID A; CRANER, HELEN B	45-7442	Decreed	4/4/1980	IRRIGATION	0.12	4.0	
CRANNEY LAND COMPANY LLC	45-2639	Decreed	2/20/1961	IRRIGATION	3.48	196.0	
CRARY INDUSTRIES INC	36-11369	Decreed	8/20/1959	COMMERCIAL	0.03	0.0	
CRAWFORD, GAYLE; CRAWFORD, JOHN S	36-17138	Decreed	3/7/1978	IRRIGATION	0.04	2.3	
CROMWELL, VERNAL D	25-7446	License	10/21/1988	DOMESTIC	0.06	0.0	
CROP PRODUCTION SERVICES	25-4250	Decreed	3/8/1963	COMMERCIAL	0.1	0.0	
CROTTS, RICHARD S; MC CONNELL, FRANCES L	37-23627	Decreed	9/20/1974	IRRIGATION	0.08	6.4	
CRYSTAL POND ANGLERS ASSN INC	22-7577	License	8/24/1988	RECREATION STORAGE	0	0.0	
CUNDICK, LARRY; CUNDICK, ROSALYNN	37-23213	Decreed	9/20/1974	IRRIGATION	0.02	1.6	
D & C PROPERTIES LLC	25-14596	Permit	8/4/2010	INDUSTRIAL	2	0.0	
D & M WATER ASSN	29-7281	Decreed	8/4/1975	DOMESTIC	0.26	0.0	
D & M WATER ASSN	29-7367	Decreed	2/7/1977	DOMESTIC	0.4	0.0	
D & M WATER ASSN	29-7912	License	4/2/1990	DOMESTIC	0.04	0.0	
DANCING DRAGONFLY LLC	25-4165	Decreed	6/19/1959	DOMESTIC, IRRIGATION	0.16	2.0	
DANIEL, BRENDA	25-7447	License	10/25/1988	IRRIGATION	0.02	1.0	
DANIEL, BRENDA; DANIEL, DAVID S	25-7261	Decreed	10/8/1981	DOMESTIC, IRRIGATION, STOCKWATER	0.04	2.0	
DANIEL, MELVIN R JR	25-7538	License	9/19/1989	COMMERCIAL	0.07	0.0	
DARCEL L HULSE TRUST	25-14185	Decreed	4/1/1903	IRRIGATION	0.06	2.0	
DASCANIO, ELIZABETH; DASCANIO, JUSTIN	35-14588	Decreed	12/31/1940	IRRIGATION	0.16	15.0	
DASCANIO, ELIZABETH; DASCANIO, JUSTIN	35-14587	Decreed	3/5/1948	IRRIGATION	0.11	15.0	
DASCANIO, ELIZABETH; DASCANIO, JUSTIN	35-14589	Decreed	9/28/1981	IRRIGATION	0.01	15.0	
DAVENPORT, KENDALL E; DAVENPORT, YOLANDA L	22-10395	Decreed	4/1/1947	DOMESTIC, IRRIGATION	0.06	1.1	
DAVID GREENE LIVING TRUST	37-23211	Decreed	9/20/1974	IRRIGATION	0.04	3.4	
DAVIS, BRIAN L	29-14462	Decreed	10/28/1953	IRRIGATION	0.01	1.5	
DAVIS, BRIAN L	29-14442	Decreed	6/23/1977	IRRIGATION	0.01	1.5	
DAVISON, NANCY; DAVISON, RANDY LEE	25-7017A	Decreed	3/20/1972	IRRIGATION	0.42	21.0	
DAW, ADELE S; DAW, TERRELL B	25-14255	Decreed	8/10/1966	IRRIGATION	0.02	1.2	
DE GIULIO RANCHES INC	35-10346	Decreed	6/1/1901	DOMESTIC, STOCKWATER	0.09	0.0	
DE MOSS, GARY A; DE MOSS, HELEN	37-22168	Decreed	9/20/1974	IRRIGATION, STOCKWATER	1.61	802.0	
DEES, ELDON G; DEES, KATHALINE; DEES, RONALD K; DEES, SHIRLEY	25-7351	Decreed	6/24/1983	DOMESTIC, STOCKWATER	0.06	0.0	
DERBYHAWK LLC	25-7553	License	9/27/1989	DOMESTIC	0.11	0.0	
DIETRICH SCHOOL DISTRICT #314	37-4317	Decreed	8/1/1935	DOMESTIC	0.09	0.0	
DIRKS, SHANE LEE; DIRKS, TANYA MARIE	34-14960	Decreed	9/13/1961	IRRIGATION	1.88	109.0	
DIRKS, SHANE LEE; DIRKS, TANYA MARIE	34-14961	Decreed	4/1/1977	IRRIGATION	0.3	109.0	Yes
DIXON, ANNIE; JAHN, ROBERT	35-7823	License	11/22/1978	DOMESTIC, STOCKWATER	0.05	0.0	
DOBSON RANCH	31-11429	Decreed	6/21/1957	DIVERSION TO STORAGE, IRRIGATION FROM STORAGE, IRRIGATION STORAGE	13.45	1561.6	
DOUBLE EAGLE PROPERTIES LLLP	45-14459	Decreed	10/11/1929	IRRIGATION	0.1	21.8	
DOUBLE EAGLE PROPERTIES LLLP	45-14460	Decreed	5/10/1946	IRRIGATION	0.12	21.8	
DOUBLE EAGLE PROPERTIES LLLP	45-14461	Decreed	2/20/1952	IRRIGATION	0.08	21.8	
DOUBLE EAGLE PROPERTIES LLLP	45-14462	Decreed	6/30/1985	IRRIGATION	0.08	21.8	

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DOUG ANDRUS DISTRIBUTING INC	35-12529	Decreed	1/1/1950	COMMERCIAL	0.18	0.0	
DREW, STAN	29-8237	License	4/17/2000	DOMESTIC	0.11	0.0	
DUNCAN, PATRICIA MCCARDELL; MC CARDELL, PETER D; MC CARDELL, RICHARD KEITH	29-10844	Decreed	1/4/1943	DOMESTIC, IRRIGATION, STOCKWATER	0.06	4.0	
EAMES, LINDA J	25-7643	License	12/4/1995	DOMESTIC	0.18	0.0	
EAST FAIRVIEW WATER WELL CO	25-12791	Decreed	4/1/1961	DOMESTIC	0.11	0.0	
EDEN, GARY T; EDEN, GLENNA R	37-8363	License	8/6/1988	COMMERCIAL, DOMESTIC, STOCKWATER	0.05	0.0	
EDSTROM CONSTRUCTION PROPERTIES LLP	22-14542	Permit	3/27/2023	INDUSTRIAL STORAGE, INDUSTRIAL, RECREATION STORAGE	4	0.0	
EDWARDS, LA DONNA; EDWARDS, SAMUEL	35-8793	License	6/13/1989	DOMESTIC	0.04	0.0	
ELDER, GLEN O; ELDER, JUNE R	29-4000	Decreed	6/1/1947	DOMESTIC, IRRIGATION, STOCKWATER	0.08	4.0	
ELDREDGE, DALE C; ELDREDGE, RENEE J	37-10142	Decreed	5/1/1951	COMMERCIAL, DOMESTIC, STOCKWATER	0.08	0.0	
ELK RIDGE RV LLC	36-17282	Decreed	2/2/1954	COMMERCIAL	0.11	0.0	
ELK RIDGE RV LLC	36-17283	Decreed	3/1/1975	COMMERCIAL	0.03	0.0	Yes
ELLIOTT, DAVID S; ELLIOTT, JANICE	25-14314	Decreed	8/10/1966	IRRIGATION	0.02	1.0	
ELLIS, RANDY; HAINES, KENNETH; SIMMONS, LARRY W; SMITH, RICKY; SMITH, ROGER; WHEELER, BLISS	35-8821	License	9/13/1989	DOMESTIC	0.04	0.0	
EMPEY, BRUCE; EMPEY, JEANETTE C	25-7098	Decreed	8/5/1976	DOMESTIC, IRRIGATION	0.05	6.0	
EVANS, LOIS C; EVANS, MYRON C	31-10061	Decreed	12/31/1976	DOMESTIC	0.04	0.0	
F & C TRUCKING LLC	36-17067	Decreed	9/8/1962	COMMERCIAL, STOCKWATER	0.09	0.0	
FALCON RIDGE HOA	25-14181	License	1/27/2006	DOMESTIC	0.31	0.0	
FALLING TREE WELL CO	35-8815	License	9/20/1989	DOMESTIC	0.04	0.0	
FALLS IRRIGATION DISTRICT / US BUREAU OF RECLAMATION	29-2267	Decreed	10/16/1949	IRRIGATION	0.44	0.0	
FALLS IRRIGATION DISTRICT / US BUREAU OF RECLAMATION	29-2288	Decreed	5/19/1950	IRRIGATION	2	0.0	
FALLS IRRIGATION DISTRICT / US BUREAU OF RECLAMATION	29-13388	Decreed	6/18/1950	IRRIGATION	2.3	0.0	
FALLS IRRIGATION DISTRICT / US BUREAU OF RECLAMATION	29-13389	Decreed	6/18/1950	IRRIGATION	0.21	0.0	
FALLS IRRIGATION DISTRICT / US BUREAU OF RECLAMATION	29-2306	Decreed	7/2/1951	IRRIGATION	2.8	0.0	
FALLS IRRIGATION DISTRICT / US BUREAU OF RECLAMATION	29-2307	Decreed	7/2/1951	IRRIGATION	2	0.0	
FALLS IRRIGATION DISTRICT / US BUREAU OF RECLAMATION	29-2310	Decreed	12/22/1951	IRRIGATION	1.6	0.0	
FALLS IRRIGATION DISTRICT / US BUREAU OF RECLAMATION	29-13426	Decreed	1/15/1952	IRRIGATION	2.02	0.0	
FALLS IRRIGATION DISTRICT / US BUREAU OF RECLAMATION	29-13427	Decreed	1/15/1952	IRRIGATION	0.73	0.0	
FALLS IRRIGATION DISTRICT / US BUREAU OF RECLAMATION	29-2614	Decreed	2/16/1953	IRRIGATION	1.52	0.0	
FARMS LLC	29-14051	Decreed	2/23/1966	IRRIGATION	0.02	1.5	
FAULKNER LAND & LIVESTOCK CO INC	37-10597	Decreed	12/31/1949	DOMESTIC, STOCKWATER	0.17	0.0	
FEATHERSTON, SHIRLEY K	35-10999	Decreed	12/31/1927	DOMESTIC, IRRIGATION, STOCKWATER	0.1	1.3	
FERGUSON, JEANINE; FERGUSON, LARRY G	25-10022	Decreed	12/31/1937	DOMESTIC, IRRIGATION, STOCKWATER	0.14	1.0	
FERRERA, ANGELA; FERRERA, DAVID	29-14459	Decreed	10/28/1953	IRRIGATION	0.01	1.8	
FERRERA, ANGELA; FERRERA, DAVID	29-14439	Decreed	6/23/1977	IRRIGATION	0.02	1.8	
FIELDS, KAREN C; FIELDS, VIRGIL	37-7699	Decreed	2/23/1978	DOMESTIC, STOCKWATER	0.2	0.0	
FINK, CONNIE LEE; FINK, DAN ROBERT	25-14260	Decreed	8/10/1966	IRRIGATION	0.03	1.4	
FOSTER COMPANY	25-14292	Decreed	2/15/1951	IRRIGATION	0.51	65.9	
FOSTER LAND AND CATTLE	22-14749	Decreed	2/24/1953	IRRIGATION	0.01	16.0	
FOSTER LAND AND CATTLE	22-14750	Decreed	6/7/1957	IRRIGATION	0.01	16.0	
FOSTER LAND AND CATTLE	22-14748	Decreed	8/4/1979	IRRIGATION	0.02	16.0	
FOUR SEASONS WATER CO	27-7351	License	4/20/1983	DOMESTIC	0.29	0.0	
FOUR SQUARE WATER WELL CORP	25-7327	Decreed	2/4/1985	DOMESTIC, IRRIGATION	0.16	3.0	
FRANKLIN DON WIXOM & ZOE FAR WIXOM FAMILY TRUST	45-10575	Decreed	3/15/1939	IRRIGATION, STOCKWATER	0.1	5.0	

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FREEMAN, DIANE WALKER; FREEMAN, DONALD WALTER	35-14952	Decreed	1/26/1962	IRRIGATION	0.04	3.3	
FREEMAN, MARK E	25-14306	Decreed	8/10/1966	IRRIGATION	0.02	2.0	
FREEMAN, MARK E	25-14311	Decreed	8/10/1966	IRRIGATION	0.02	2.0	
FULLMER JR, ALBERT W; FULLMER, ELEANOR	34-2437A	Decreed	9/5/1961	IRRIGATION	0.02	1.5	
FULLMER, APRIL; FULLMER, NICHOLAS	25-4106	Decreed	4/1/1959	IRRIGATION	0.05	1.7	
FUNK, BRENT; FUNK, CHALET	36-17181	Decreed	11/28/1977	IRRIGATION, MITIGATION BY NON-USE	2.14	104.7	
FUNK, LEROY; FUNK, RONDA	45-2672	Decreed	10/26/1961	IRRIGATION	1	71.0	
GS LAND COMPANY LLC	45-2688B	Decreed	10/17/1962	COMMERCIAL	0.04	0.0	
GAIL E TOLMAN & J THOMAS PARKER TRUST	29-4440	Decreed	5/1/1933	DOMESTIC, IRRIGATION	0.04	1.0	
GALKA, MAGDALENA B; WAS, ALEKSANDER P; WAS, PIOTR B	34-14622	Decreed	12/17/1961	IRRIGATION	0.03	1.7	
GAMETT, CHANDOS; GAMETT, WESTON	34-14972	Decreed	12/31/1962	IRRIGATION	0.04	2.0	
GENERAL MILLS OPERATIONS INC	35-2857B	Decreed	1/16/1967	INDUSTRIAL	0.23	0.0	
GERRATT, LARRY	45-2180	Decreed	10/13/1934	IRRIGATION	2	151.0	
GERRATT, LARRY	45-11613	Decreed	7/22/1955	IRRIGATION	0.6	151.0	
GERRATT, LARRY; GERRATT, REX	45-11441	Decreed	4/1/1960	COMMERCIAL, DOMESTIC, STOCKWATER	0.07	0.0	
GIBBY, REED	45-13990	License	2/10/2006	DOMESTIC	0.09	0.0	
GILLEN, NORMAN	27-7585	License	4/20/1999	DOMESTIC	0.14	0.0	
GLANBIA FOODS INC	36-16213	Decreed	11/11/1959	MITIGATION	2.6	400.0	
GLANBIA FOODS INC	36-16215	Decreed	11/15/1970	MITIGATION	3.9	410.0	
GLANBIA FOODS INC	36-16219	Decreed	5/26/1971	MITIGATION	0.33	400.0	Yes
GLANBIA FOODS INC	36-16217	Decreed	5/16/1980	MITIGATION	0.96	400.0	
GO LLC	27-12180	Decreed	9/30/1905	COMMERCIAL, INDUSTRIAL	0.76	0.0	
GONZALES, FERNANDO B; GONZALES, IRENE H	29-7238	Decreed	10/31/1974	DOMESTIC, IRRIGATION	0.11	8.0	
GONZALES, FERNANDO B; GONZALES, IRENE H	29-7984	Decreed	4/23/1990	IRRIGATION	0.03	8.0	
GONZALEZ, LAURA; ORTIZ, JULIO	29-14346	Decreed	12/16/1963	IRRIGATION	0.03	2.0	
GOODLIFFE, ARNOLD J; GOODLIFFE, BECKY B	29-8044	License	4/2/1990	IRRIGATION	0.06	2.0	
GOODWIN EXCAVATING LLC; POCATELLO READY MIX	35-14326	Decreed	5/2/1977	INDUSTRIAL	0.1	0.0	
GOUGH, JONATHAN; GOUGH, MEMORI DEANN	37-23212	Decreed	9/20/1974	IRRIGATION	0.03	2.7	
GOUGH, SHAUN	37-23373	License	8/22/1988	IRRIGATION	0.03	1.5	
GRAFF, MICHAEL R	36-4206	Decreed	1/1/1952	DOMESTIC, IRRIGATION	0.04	2.0	
GRAVES, FRANCES M; GRAVES, RICHARD L	37-7371	Permit	7/31/1974	DOMESTIC, IRRIGATION, STOCKWATER	6.49	320.0	
GRAY, F SCOTT; HENRY, JOHN M; RODRIGUEZ, JAVIER P	25-7439	License	8/15/1988	DOMESTIC, IRRIGATION	0.09	1.0	
GRAYBEAL, EMILY; GRAYBEAL, JASON	37-4052	Decreed	4/1/1962	DOMESTIC, IRRIGATION	0.08	1.4	
GRIMMETT, GARY D	35-8179	Decreed	8/2/1983	DOMESTIC, IRRIGATION	0.1	3.0	
GRISENTI, CHEYANNA; GRISENTI, TYSON	36-17209	Decreed	6/21/1960	IRRIGATION	0.08	4.0	
GROVER, ALICE MAE; GROVER, MELVIN G	25-7480	License	1/9/1989	DOMESTIC, IRRIGATION, STOCKWATER	0.07	3.0	
GROVER, JACK H; GROVER, ROBERTA CAROL	35-10496	Decreed	4/1/1948	COMMERCIAL	0.02	0.0	
GUMMERSON, CHARLES E; GUMMERSON, REBECCA M	45-4033A	Decreed	8/1/1935	DOMESTIC, IRRIGATION, STOCKWATER	0.08	1.8	
GUNDERSON, ADEN	35-14176	Decreed	12/31/1940	IRRIGATION	0.21	20.0	
GUNDERSON, ADEN	35-14174	Decreed	3/5/1948	IRRIGATION	0.15	20.0	
GUNDERSON, ADEN	35-14178	Decreed	9/28/1981	IRRIGATION	0.01	20.0	
HALBERT, GILBERT L; HALBERT, KIM M	36-2371B	Decreed	12/31/1958	IRRIGATION	0.08	2.5	
HALE, LAUREN; HALE, NIC	29-14445	Decreed	10/28/1953	IRRIGATION	0.01	1.3	
HALE, LAUREN; HALE, NIC	29-14425	Decreed	6/23/1977	IRRIGATION	0.01	1.3	
HALL, BRIANNE; HALL, STEVEN	29-7628	Decreed	1/19/1982	IRRIGATION	0.12	7.6	

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HALL, DOUG; HALL, TAMARA	25-14289	Decreed	8/10/1966	IRRIGATION	0.04	2.0	
HALLINAN, KAYE; JENSEN, GARY L; JENSEN, GORDON L; JENSEN, J LYLE; JENSEN, M LEROY; JENSEN, TERRY L	29-2419	Decreed	10/26/1959	IRRIGATION	1.32	104.6	
HAMILTON LAND & LIVESTOCK LTD	25-4022	Decreed	2/7/1957	IRRIGATION	0.09	4.5	
HAMMOND, LORNA O; THE SHELTERED TRUST	35-8016	License	1/18/1982	DOMESTIC, STOCKWATER	0.06	0.0	
HANCOCK, DEAN	25-14496	Decreed	4/22/1979	IRRIGATION	0.02	1.0	
HANSEN, VIRGINIA E	45-4125	Decreed	3/20/1962	DOMESTIC, IRRIGATION	0.04	0.7	
HANSEN, WILLIAM KORBY	25-7458	License	11/8/1988	DOMESTIC, IRRIGATION	0.09	1.7	
HAROLDSSEN, G ERIC; HAROLDSSEN, GRANT O	25-7300	Decreed	1/5/1983	DOMESTIC, STOCKWATER	0.06	0.0	
HARRIS, BILL B	25-7489	License	2/23/1989	DOMESTIC, STOCKWATER	0.06	0.0	
HARRY, KIMBERLY A; HARRY, RICHARD C	34-2435A	Decreed	7/26/1961	IRRIGATION	1.54	71.0	
HART, DAVID J; HART, JAMES W	29-2395	Decreed	2/28/1958	IRRIGATION	2.11	215.2	
HART, ROBERT E	29-14263	Decreed	2/28/1958	IRRIGATION	0.7	71.8	
HASLAM, LAVORE	35-8629	License	4/8/1986	DOMESTIC, STOCKWATER	0.06	0.0	
HAWKINS, PENNY R; JONES, PHYLLIS J	34-2409A	Decreed	4/6/1961	IRRIGATION	2.2	132.0	
HAWKINS, PENNY R; JONES, PHYLLIS J	34-12034A	Decreed	6/20/1972	IRRIGATION	0.37	132.0	Yes
HAYES, AMY; HAYES, DESTRY	35-14638	Decreed	6/1/1938	IRRIGATION	0.04	3.3	
HAYES, AMY; HAYES, DESTRY	35-14639	Decreed	9/28/1981	IRRIGATION	0.02	3.3	
HEISE HOT SPRINGS INC	23-7016	Decreed	2/3/1976	IRRIGATION	0.36	14.5	
HELSLEY HENDRIX, JEANINE P; HELSLEY, BRIAN T	36-16561	Decreed	2/8/1971	IRRIGATION	0.03	3.0	
HENRIE, JAREM	25-7302	Decreed	1/25/1983	DOMESTIC, IRRIGATION, STOCKWATER	0.05	2.0	
HENSLEY, DEBORAH; HENSLEY, FLOYD EARL; LOCKES, BERNICE; REYNOLDS, LYNN; WESSEL, TERESA	25-7084	Decreed	1/28/1976	DOMESTIC	0.06	0.0	
HERITAGE DEVELOPMENT	29-8173	License	7/19/1996	DOMESTIC	0.27	0.0	
HERMELIA GONZALEZ FAMILY TRUST	29-14559	Decreed	2/4/1972	IRRIGATION	0.04	2.5	
HIGHWAY ESTATES WATER USERS INC	25-7038	Decreed	9/20/1973	DOMESTIC	0.2	0.0	
HIGLEY DEVELOPMENTS LLC	25-14444	Decreed	10/28/1953	IRRIGATION	0.05	2.8	
HILL, BARBARA; WRIGHT, LE ROY C; WRIGHT, MARILYN	25-14615	Decreed	5/12/1981	IRRIGATION	0.05	0.7	
HILL, BRENT; LLOYD, LINDA; MC GARY, DEBRA; MC GARY, STEPHEN	22-7584	License	8/30/1988	DOMESTIC, IRRIGATION	0.1	2.0	
HINCKLEY, LA PREAL	25-14005	License	10/12/2003	IRRIGATION	0.06	3.0	
HINTZE FARMS	34-10696	Decreed	4/26/1955	COMMERCIAL	0.04	0.0	
HINTZE, LIN F; HINTZE, S K	34-10702	Decreed	7/1/1955	COMMERCIAL	0.04	0.0	
HOFFBUHR INVESTMENT CO LLC	45-13668	Decreed	4/28/1951	IRRIGATION	0.02	1.0	
HOLDAWAY, CHAD	31-4069	Decreed	12/31/1961	DOMESTIC, STOCKWATER	0.16	0.0	
HOLLADAY, JAYSON C; HOLLADAY, RUTH R	29-2336	Decreed	7/1/1953	DOMESTIC, IRRIGATION	0.04	3.0	
HOLLAND, JOHN H; HOLLAND, JUDITH A	36-7112	Decreed	1/22/1970	IRRIGATION, STOCKWATER	0.84	40.0	
HOLMES, JENNIFER A; HOLMES, MARK E	34-7562	License	11/14/1994	DOMESTIC	0.1	0.0	
HOME ACRES WATER ASSN	29-4269	Decreed	9/1/1945	DOMESTIC, STOCKWATER	0.1	0.0	
HONDO, AKIYE I; HONDO, DANIEL A	45-2664	Decreed	8/30/1961	IRRIGATION	2	157.0	
HUETTIG, BRIAN J; HUETTIG, LARRY; HUETTIG, NANCY	36-16866	Decreed	1/8/1951	COMMERCIAL	0.03	0.0	
HUNSTMANS PROPERTIES	27-7511	License	4/20/1990	COMMERCIAL	0.33	0.0	
HUNTING, AUDREY	25-7453	License	10/28/1988	IRRIGATION	0.03	1.0	
HUTCHISON, JA NEAL; HUTCHISON, WINSTON	45-4218	Decreed	7/1/1958	IRRIGATION	0.05	1.5	
HYMAS, KIMBERLY; HYMAS, TORREY ERIC	29-14454	Decreed	10/28/1953	IRRIGATION	0.05	6.4	
HYMAS, KIMBERLY; HYMAS, TORREY ERIC	29-14434	Decreed	6/23/1977	IRRIGATION	0.06	6.4	

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Owner	Water Right No.	Basis	Priority Date	Water Use List	Diversion Rate (cfs)	Total Acres	Enlargement
ID DEPT OF FISH & GAME	29-13997	Decreed	1/21/1964	DIVERSION TO STORAGE, RECREATION STORAGE	0.12	0.0	
ID DEPT OF FISH & GAME	29-13998	License	2/10/2011	RECREATION STORAGE	0	0.0	
ID DEPT OF PARKS & RECREATION	36-17147	Decreed	8/7/1973	IRRIGATION	0.06	5.0	
ID DEPT OF TRANSPORTATION	37-20852	Decreed	9/20/1974	IRRIGATION	0.09	0.0	
ID DEPT OF TRANSPORTATION	22-7317	Decreed	1/31/1980	COMMERCIAL, DOMESTIC	0.04	0.0	
ID DEPT OF TRANSPORTATION	31-7372	Decreed	1/28/1982	INDUSTRIAL	0.05	0.0	
ID FISH & GAME COMMISSION	35-4271A	Decreed	6/1/1945	FISH PROPAGATION	50	0.0	
ID FISH & GAME COMMISSION	35-8635A	Decreed	12/17/1986	FISH PROPAGATION	0.72	0.0	
ID FISH & GAME COMMISSION	35-8679	License	12/26/1988	COMMERCIAL	1	0.0	
IDAHO AG CREDIT FLCA; SCHWENDIMAN, VAL E	22-13293	License	1/5/1992	IRRIGATION	7.11	528.0	
IDAHO AGRI INVESTMENTS LLC	45-14533	Decreed	9/6/1967	COMMERCIAL, STOCKWATER	3.01	0.0	
IDAHO AGRI INVESTMENTS LLC	45-7237	License	5/2/1975	DOMESTIC, STOCKWATER	0.08	0.0	
IDAHO DAIRY HOLDINGS LLC	45-14463	Decreed	6/17/1929	COMMERCIAL, STOCKWATER	0.3	0.0	
IDAHO FALLS COUNTRY CLUB INC	25-13372	Decreed	12/31/1961	COMMERCIAL, IRRIGATION	0.67	132.0	
IDAHO POWER COMPANY	29-8126	Decreed	1/26/1959	INDUSTRIAL	2.68	0.0	
IDAHO POWER COMPANY	45-7669	License	1/9/1990	DOMESTIC	0.06	0.0	
IDAHO RAIL INVESTMENT LLC	29-11027	Decreed	12/14/1917	INDUSTRIAL, IRRIGATION	0.11	1.4	
IDAHO STATE UNIVERSITY	29-7289	Decreed	9/22/1975	HEATING	1.12	0.0	
IDAHO WATER CO LLC	36-16909	Decreed	9/12/1973	IRRIGATION	0.06	485.0	
IDAHO WATER CO LLC	36-16911	Decreed	9/12/1973	IRRIGATION	0.1	485.0	
IDAHO WATER COMPANY LLC	29-14365	Decreed	12/24/1948	IRRIGATION	0.19	20.0	
IDAHO WATER COMPANY LLC	29-14366	Decreed	5/27/1974	IRRIGATION	0.1	20.0	
INFANGER, DEBRA A; INFANGER, JOHN N	37-23224	License	3/17/2020	DOMESTIC	0.15	0.0	
ISAAK, LAMAR	29-14319	Decreed	2/28/1977	IRRIGATION	0.56	38.0	
J R SIMPLOT CO	33-10092	Decreed	11/1/1961	DOMESTIC, STOCKWATER	0.15	0.0	
J R SIMPLOT CO	29-2515	Decreed	1/5/1966	IRRIGATION	2	196.0	
J R SIMPLOT CO	29-7036	Decreed	9/10/1969	DOMESTIC, INDUSTRIAL	0.03	0.0	
J R SIMPLOT CO	29-7089	Decreed	6/9/1972	IRRIGATION	1.08	196.0	
JACK C BROWN LIVING TRUST; PATRICIA BROWN LIVING TRUST	35-9072	License	12/7/1998	DOMESTIC	0.18	0.0	
JACOB, JANET; JACOB, PAUL	34-14814	Decreed	5/14/1977	IRRIGATION	0.21	10.7	
JACOBS, GEORGE J	25-7321	License	5/9/1983	DOMESTIC, STOCKWATER	0.08	0.0	
JANSS FARMS	37-7351	Decreed	4/12/1974	STOCKWATER	0.14	0.0	
JARVIS, WADE DEE	29-14360	Decreed	2/10/1987	IRRIGATION	0.02	1.5	
JEFFERSON SCHOOL DISTRICT #251	35-8683	License	12/2/1988	INDUSTRIAL	0.02	0.0	
JEFFERSON SCHOOL DISTRICT #251	25-7472	License	1/23/1989	DOMESTIC	0.07	0.0	
JEFFRIES, DAVID A; JEFFRIES, SARA E	37-23214	Decreed	9/20/1974	IRRIGATION	0.02	2.0	
JENSEN, CHRIS L	35-20928	Decreed	3/30/1948	IRRIGATION	0.01	1.0	
JENSEN, CHRIS L	35-7411B	Decreed	4/3/1974	IRRIGATION	0.01	1.0	
JENSEN, GARY; JENSEN, LARRY	34-2409B	Decreed	4/6/1961	IRRIGATION	2.2	172.0	
JENSEN, GARY; JENSEN, LARRY	34-12034B	Decreed	6/20/1972	IRRIGATION	0.53	172.0	Yes
JENSON, RONALD; JENSON, SHARON	25-10156	Decreed	10/1/1959	DOMESTIC, IRRIGATION, STOCKWATER	0.09	1.5	
JEROME CHEESE CO	35-14253	Decreed	8/19/1952	MITIGATION	0.06	0.0	
JEROME CHEESE CO	36-16380	Decreed	9/12/1973	MITIGATION	0.11	0.0	
JOHN LEZAMIZ FAMILY LTD PARTNERSHIP	34-14808	Decreed	8/29/1960	DIVERSION TO STORAGE, IRRIGATION	0.27	13.5	
JOHN LEZAMIZ FAMILY LTD PARTNERSHIP	34-13890	Decreed	4/14/1961	IRRIGATION	2.31	248.1	

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JOHNSON, DON A; JOHNSON, LAURIE	25-7493	License	3/8/1989	DOMESTIC	0.06	0.0	
JOHNSON, E BUD	25-4227	Decreed	10/31/1956	DOMESTIC, IRRIGATION	0.11	1.2	
JOHNSON, MELISSA	25-7455	License	10/21/1988	DOMESTIC, IRRIGATION	0.07	1.0	
JOHNSON, RODNEY M; JOHNSON, SHERRY L	36-17277	Decreed	11/28/1977	IRRIGATION	0.04	2.0	
JOLLEY, BRYAN D; JOLLEY, TAMERA	35-4227B	Decreed	5/1/1959	IRRIGATION	0.02	1.0	
JONES, CLYDE R; JONES, HELEN	25-12037	Decreed	12/31/1948	IRRIGATION	0.108	5.4	
JONES, HEATHER; JONES, JUSTIN	29-14452	Decreed	10/28/1953	IRRIGATION	0.06	8.0	
JONES, HEATHER; JONES, JUSTIN	29-14432	Decreed	6/23/1977	IRRIGATION	0.07	8.0	
JONES, JACOB; JONES, REBECCA	29-14457	Decreed	10/28/1953	IRRIGATION	0.02	2.0	
JONES, JACOB; JONES, REBECCA	29-14437	Decreed	6/23/1977	IRRIGATION	0.02	2.0	
JONES, ROSA GAY	29-7913	License	4/3/1990	DOMESTIC, IRRIGATION	0.06	5.0	
JORY, GRACE; JORY, GRIFFIN WHEELER	29-14140	Decreed	9/25/1957	DOMESTIC, IRRIGATION	0.02	0.5	
JOURNEYS END HOMEOWNERS ASSN	35-13612	License	11/24/2003	DOMESTIC	0.4	0.0	
JOURNEYS END HOMEOWNERS ASSN	35-13611	License	1/13/2007	COMMERCIAL, DOMESTIC	0.11	0.0	
JUNIPER HILLS COUNTRY CLUB INC	29-13827	Decreed	1/29/1960	IRRIGATION	0.3	15.0	
JUNIPER HILLS COUNTRY CLUB INC	29-4433	Decreed	4/1/1960	IRRIGATION	2.27	113.3	
JUNIPER VIEW LLC	22-14339	License	4/10/2017	IRRIGATION	0.12	24.5	
K & J HOLDING LLC	31-10737	Decreed	12/12/1948	COMMERCIAL, DOMESTIC, STOCKWATER	0.04	0.0	
KAREY LANE WELL ASSN	35-7698	Decreed	8/11/1983	DOMESTIC	0.14	0.0	
KAREY LANE WELL ASSN	35-8943	License	5/3/1991	DOMESTIC	0.09	0.0	
KENNY AND CHELSIE HILL LIVING TRUST	29-14456	Decreed	10/28/1953	IRRIGATION	0.02	2.1	
KENNY AND CHELSIE HILL LIVING TRUST	29-14436	Decreed	6/23/1977	IRRIGATION	0.02	2.1	
KEYBANK NATIONAL ASSOC	25-7517	License	8/24/1989	COMMERCIAL	0.5	0.0	
KINGHORN, KARL	25-14338	Decreed	2/18/1958	IRRIGATION	1.37	47.9	
KIRBY, DORIS F; KIRBY, ELWOOD	35-7860	License	6/20/1979	DOMESTIC	0.08	0.0	
KIRKHAM JR, DALE B; KIRKHAM, DALE B	29-7941	License	3/31/1990	COMMERCIAL	0.08	0.0	
KLOEPFER INC	45-13665	Decreed	4/28/1951	IRRIGATION	0.42	24.0	
KNIFE RIVER CORPORATION MOUNTAIN WEST	25-14552	Permit	7/8/2024	DIVERSION TO STORAGE, INDUSTRIAL FROM STORAGE, INDUSTRIAL STORAGE, INDUSTRIAL	0.78	0.0	
KNOWLES, CHARLOTTE LUANN	45-14589	Decreed	9/27/1972	IRRIGATION	0.03	4.5	
KOCH MATERIALS CO	35-12087	Decreed	5/1/1962	COMMERCIAL, FIRE PROTECTION, INDUSTRIAL	0.11	0.0	
KOCH, DENNIS W; KOCH, DIANA E	45-13621	Decreed	7/14/1983	IRRIGATION	0.04	3.4	
KOON, JACK E	22-7751	License	9/18/1992	DOMESTIC	0.06	0.0	
KOPP, GWENDOLYN	25-7522	License	9/1/1989	DOMESTIC	0.04	0.0	
KROGSTAD, RYAN	25-11545	Decreed	4/1/1927	DOMESTIC, IRRIGATION, STOCKWATER	0.06	0.7	
KRUCKEBERG, ALEISHA; KRUCKEBERG, MATTHEW	35-14727	Decreed	12/31/1940	IRRIGATION	0.02	2.4	
KRUCKEBERG, ALEISHA; KRUCKEBERG, MATTHEW	35-14724	Decreed	3/5/1948	IRRIGATION	0.02	2.4	
KRUCKEBERG, ALEISHA; KRUCKEBERG, MATTHEW	35-14730	Decreed	9/28/1981	IRRIGATION	0.01	2.4	
KUBIAK, VERNON ROBERT	34-2366B	Decreed	5/12/1960	IRRIGATION	0.09	7.0	
KUGLER, DIANE K; KUGLER, JOHN B	35-8359	Permit	11/28/1984	IRRIGATION	6	313.0	
KULHANEK, DENNIS; KULHANEK, MAXINE	36-8503	License	2/21/1990	IRRIGATION	0.04	2.0	
KUNZLER, KAREN; KUNZLER, WILLIAM JUNIOR	45-2375E	Decreed	4/28/1951	IRRIGATION	0.03	1.5	
KURPJUWEIT, ALBERT J; KURPJUWEIT, NINA	29-12132	Decreed	5/1/1965	DOMESTIC, STOCKWATER	0.06	0.0	
L & S LAND HOLDINGS LLC	36-10098	Decreed	1/1/1935	DOMESTIC, STOCKWATER	0.05	0.0	
L & S LAND HOLDINGS LLC	36-17189	Decreed	11/26/1956	COMMERCIAL, STOCKWATER	0.13	0.0	

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L & S LAND HOLDINGS LLC	36-17188	Decreed	1/23/1973	COMMERCIAL, STOCKWATER	0.09	0.0	
L & S LAND HOLDINGS LLC	36-17242	Decreed	1/23/1973	COMMERCIAL, STOCKWATER	0.08	0.0	
L & S LAND HOLDINGS LLC	36-17190	Decreed	10/27/1973	COMMERCIAL, STOCKWATER	0.08	0.0	
L & S LAND HOLDINGS LLC	36-17187	License	9/24/1979	COMMERCIAL, STOCKWATER	0.2	0.0	
L2 LTD PARTNERSHIP; L3 LTD PARTNERSHIP	32-4058	Decreed	7/1/1953	DOMESTIC, STOCKWATER	0.16	0.0	
LACEY, AKILAH; LACEY, HOLLY	29-14444	Decreed	10/28/1953	IRRIGATION	0.01	1.3	
LACEY, AKILAH; LACEY, HOLLY	29-14431	Decreed	6/23/1977	IRRIGATION	0.01	1.3	
LAIRD, WILLIAM G	36-15071	Decreed	12/31/1947	COMMERCIAL, DOMESTIC	0.11	0.0	
LAMB WESTON INC	35-14786	Permit	4/29/2022	INDUSTRIAL	15	0.0	
LAMB, CORY W; LAMB, TERI G	29-10645	Decreed	5/15/1960	IRRIGATION	0.03	1.0	
LAMBERT, LYLE; LAMBERT, NADINE	29-7640	Decreed	5/17/1982	DOMESTIC, IRRIGATION, STOCKWATER	0.04	1.0	
LANDON, JESSICA; LANDON, PAUL	25-14521	License	1/14/1983	IRRIGATION	0.11	10.0	
LANDON, JULIE; LANDON, KELLY	25-14475	Decreed	8/10/1966	IRRIGATION	0.04	2.0	
LANE JR, DALLAS R; LANE, CRYSTAL L KANDERIS	29-14450	Decreed	10/28/1953	IRRIGATION	0.02	2.8	
LANE JR, DALLAS R; LANE, CRYSTAL L KANDERIS	29-14430	Decreed	6/23/1977	IRRIGATION	0.03	2.8	
LARSEN, BLAINE L; LARSEN, CONNIE L	31-12200	Decreed	2/17/1969	DOMESTIC	0.04	0.0	
LARSEN, HELEN	35-8127	License	4/28/1983	DOMESTIC, STOCKWATER	0.08	0.0	
LARSEN, JO ANN B	25-7315	Decreed	4/12/1983	COMMERCIAL, DOMESTIC, IRRIGATION	0.19	1.0	
LARSEN, PEGGY A; LARSEN, RICHARD J	31-7129	License	7/30/1974	DOMESTIC, STOCKWATER	0.08	0.0	
LARSON, BECKY J; LARSON, CHARLES W	45-4160	Decreed	3/15/1962	IRRIGATION	1.7	173.0	
LAZY EIGHT ESTATES DIVISION 2 HOMEOWNERS ASSN INC	25-14189	License	10/26/2006	DOMESTIC	0.5	0.0	
LAZY P FARMS; PAULS, DEBBRAH; PAULS, EMIL V; PAULS, RONALD	37-8147	License	6/27/1983	DOMESTIC, IRRIGATION, STOCKWATER	0.04	1.8	
LCSC ENTERPRISES LLC	36-17359	Decreed	6/21/1955	COMMERCIAL	0.07	0.0	
LEAVELL, ALONZO B	37-11199	Decreed	4/1/1960	DOMESTIC	0.03	0.0	
LEE, CAROLYN C; LEE, LARRY O	31-7166A	Permit	6/27/1975	IRRIGATION	3.2	160.0	
LEHMAN, CLAUDIA; LEHMAN, MORRIS	29-7333	Decreed	6/24/1976	DOMESTIC, IRRIGATION	0.16	4.0	
LEMMON, JOYCE; LEMMON, MELVIN C	34-10836	Decreed	6/1/1953	IRRIGATION	0.04	1.9	
LES SCHWAB TIRE CENTERS OF IDAHO	36-11803	Decreed	11/15/1958	COMMERCIAL	0.38	0.0	
LEZAMIZ, ROBIN J; TABER, LYNDIA LU LEZAMIZ	37-10363	Decreed	9/1/1959	COMMERCIAL	0.11	0.0	
LIGHTHOUSE PROPERTIES LLC	25-7547	License	8/25/1989	IRRIGATION	0.15	15.0	
LIMA, GUADALUPE	36-17128	Decreed	9/20/1973	IRRIGATION	0.02	1.2	
LINCOLN LAND CO LLC	25-2119	Decreed	6/10/1955	DOMESTIC	5.56	0.0	
LINTON, ROSE M; LINTON, WILLIAM D	29-12031	Decreed	4/20/1937	DOMESTIC, STOCKWATER	0.04	0.0	
LITTLE SKY FARMS LLP	37-2526A	Decreed	11/28/1951	IRRIGATION	3.59	208.0	
LOFT 745 LLC C/O JOSH FOSTER	25-14545	License	5/15/2024	COMMERCIAL	0.04	0.0	
LOJA LLC	25-13579	Decreed	9/1/1945	COMMERCIAL, DOMESTIC	0.27	0.0	
LOJA LLC	25-7424	License	4/1/1988	IRRIGATION	0.09	3.0	
LONE STAR WATER USERS COOP ASSN INC	37-4344	Decreed	4/1/1940	COMMERCIAL, DOMESTIC, STOCKWATER	0.07	0.0	
LONG, DAVID JESSE; LONG, SYLVIA M	35-14908	Decreed	8/19/1977	IRRIGATION	0.11	6.5	
LOOP, JACQUELINE	25-14486	License	9/19/1989	DOMESTIC, IRRIGATION	0.06	0.7	
LORD, DONALD; LORD, JUDY	34-13723	Decreed	6/18/1948	IRRIGATION	0.21	16.0	
LORD, DONALD; LORD, JUDY	34-13719	Decreed	4/19/1960	IRRIGATION	0.1	16.0	
LORDS, DARRELL M	35-8778	License	5/31/1989	IRRIGATION	0.1	4.5	
LOVELAND, ANN; LOVELAND, KEVIN	29-14295	Decreed	10/26/1959	IRRIGATION	1.63	128.4	
LOVELL, HOPE; LOVELL, JAMES R	25-7598	License	9/25/1991	IRRIGATION	0.03	1.9	

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LYNCH, LESLIE R	36-7154	Decreed	1/25/1971	INDUSTRIAL	0.02	0.0	
M & N LAND LLC	45-14568	Decreed	2/1/1954	IRRIGATION	0.44	101.0	
M & N LAND LLC	45-14567	Decreed	12/10/1956	IRRIGATION	0.92	101.0	
MACY, CHANTELE L; MACY, SEAN C	27-12363	Decreed	10/21/1977	DOMESTIC, IRRIGATION	0.04	4.0	
MADISON SCHOOL DISTRICT #321	22-14474	Permit	5/13/2022	DOMESTIC	0.26	0.0	
MAEBE, RICHARD	36-10527	Decreed	5/1/1948	DOMESTIC, IRRIGATION	0.08	2.6	
MAGEE FAMILY TRUST	34-2294	Decreed	6/24/1950	IRRIGATION	0.12	197.4	
MAGEE FAMILY TRUST	34-13762	Decreed	11/28/1952	IRRIGATION	0.99	197.4	
MAGEE FAMILY TRUST	34-2399	Decreed	2/24/1961	IRRIGATION	1.52	197.4	
MAGEE FAMILY TRUST	34-14343	Decreed	4/1/1987	IRRIGATION	0.12	197.4	Yes
MAGIC VALLEY GROWERS LTD	37-20612	Decreed	6/1/1956	INDUSTRIAL	0.1	0.0	
MAGNIFY LAND CONSULTING LLC	36-17208	Decreed	4/13/1976	IRRIGATION	0.2	10.0	
MARLOWE, MARK; MARLOWE, MICHELLE	25-14319	Decreed	8/10/1966	IRRIGATION	0.02	1.0	
MARSHALL, BYRON GUY; MARSHALL, LORI ANN	29-14138	Decreed	2/10/1987	IRRIGATION	0.11	7.0	
MARSHALL, DON W	25-7462	License	11/10/1988	DOMESTIC, IRRIGATION	0.07	1.0	
MARTIAN, ERICA; MARTIAN, PETER	35-7855	Decreed	5/1/1979	COMMERCIAL, HEATING	0.04	0.0	
MARTIN, HAROLD D	35-13621	License	12/27/1989	DOMESTIC, IRRIGATION	0.04	0.8	
MATHESON, KATHLEEN; MATHESON, RICHARD F	27-12362	License	5/31/1983	COMMERCIAL, DOMESTIC, IRRIGATION	0.17	11.8	
MAXMILLION FARMS; SHRADER, MAXINE R	35-8224	Decreed	6/30/1983	DOMESTIC, IRRIGATION	0.04	1.0	
MC ALISTER, G P; MC ALISTER, JEN	36-11921	Decreed	4/23/1947	DOMESTIC	0.14	0.0	
MC CALL OIL & CHEMICAL	25-7045	Decreed	2/25/1974	DOMESTIC, INDUSTRIAL	0.08	0.0	
MC DANIEL, KELLY; MC DANIEL, KIM	34-14240	Decreed	6/13/1968	IRRIGATION	0.05	3.0	
MC DANIEL, WENDY M	25-14299	Decreed	8/10/1966	IRRIGATION	0.03	1.5	
MC DANIEL, ZEE M	25-14330	Decreed	8/10/1966	IRRIGATION	0.8	39.7	
MC DANIEL, ZEE M	25-14332	Decreed	7/27/1972	IRRIGATION	0.4	26.9	
MC GARRY, THERON R; MC GARRY, TIM R	22-4150	Decreed	9/1/1948	DOMESTIC, STOCKWATER	0.23	0.0	
MC HAN, CRYSTAL	45-14515	Decreed	7/15/1974	IRRIGATION	0.02	1.5	
MC KELVEY, JOHN Q; MC KELVEY, MARGARET E	34-14861	Decreed	5/16/1977	IRRIGATION	0.06	3.5	
MC KELVEY, JOHN Q; MC KELVEY, MARGARET E	34-14863	Decreed	4/1/1987	IRRIGATION	0.01	3.5	Yes
MC KINNEY, MONICA; MC KINNEY, WILLIAM	37-23208	Decreed	9/20/1974	IRRIGATION	0.02	1.0	
MC KINNEY, MONICA; MC KINNEY, WILLIAM	37-23210	Decreed	9/20/1974	IRRIGATION	0.03	1.5	
MC KINNEY, MONICA; MC KINNEY, WILLIAM	37-23215	Decreed	9/20/1974	IRRIGATION	0.01	0.8	
MCINTOSH, JOSHUA	25-12184	Decreed	6/1/1950	DOMESTIC, IRRIGATION, STOCKWATER	0.09	1.9	
MEMMOTT, JENNIFER; MEMMOTT, JOHN C	25-7556	License	9/18/1989	DOMESTIC, IRRIGATION	0.08	1.2	
MENAN PRODUCE INC	25-12178	Decreed	11/1/1953	DOMESTIC, INDUSTRIAL	0.1	0.0	
MERLIN HOLDINGS LLC	25-14265	Decreed	8/10/1966	IRRIGATION	0.03	1.3	
MERRILL, CINDY	25-13580	Decreed	1/1/1963	DOMESTIC, IRRIGATION	0.14	5.0	
MERRILL, KENT	25-14364	License	2/28/1992	IRRIGATION	0.19	12.2	
MEYER LAND COMPANY LLC	25-11617	Decreed	12/31/1950	COMMERCIAL	0.166	0.0	
MIKESSELL, ELEANOR	31-10268	Decreed	5/1/1957	COMMERCIAL, DOMESTIC	0.04	0.0	
MIKKOLA, ARTHUR; MIKKOLA, MARK	25-7389	Decreed	11/2/1983	DOMESTIC, STOCKWATER	0.06	0.0	
MILES, MICHAEL D	45-14587	Decreed	6/1/1939	IRRIGATION	0.02	1.8	
MILLER, LYNETTE R; MILLER, MARVIN G	25-4194	Decreed	11/1/1960	IRRIGATION	0.13	7.0	
MILLERCOORS USA LLC	45-7641	License	6/8/1989	COMMERCIAL	0.04	0.0	
MILNER IRRIGATION DISTRICT	45-4171	Decreed	1/1/1941	COMMERCIAL, DOMESTIC	0.06	0.0	

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MILNER IRRIGATION DISTRICT	45-463	Decreed	7/12/1952	IRRIGATION	2.5	0.0	
MINIDOKA IRRIGATION DISTRICT	36-13480	Decreed	5/31/1962	COMMERCIAL	0.04	0.0	
MINOR, JOSEPH W; MINOR, KATHLEEN D	34-14737	Decreed	9/29/1966	IRRIGATION	0.01	0.5	
MINOR, JOSEPH W; MINOR, KATHLEEN D	34-14738	Decreed	5/20/1984	IRRIGATION	0.01	0.5	Yes
MITCHELL, RALPH M	45-7640	License	5/23/1989	DOMESTIC, IRRIGATION	0.07	1.5	
MIX, GUY; MIX, MARGARET	29-12076	Decreed	4/20/1937	DOMESTIC	0.04	0.0	
MODEL WATER USERS ASSN INC	35-7986	Decreed	6/1/1981	DOMESTIC	0.1	0.0	
MONK, AUBRIE; MONK, STEVEN	35-14753	Decreed	2/2/1952	IRRIGATION	0.06	6.0	
MONK, AUBRIE; MONK, STEVEN	35-14754	Decreed	4/23/1961	IRRIGATION	0.04	6.0	
MONTAGUE, FANNYE FLORENCE; MONTAGUE, JACK MICHAEL	29-7483	Decreed	2/10/1987	DOMESTIC, IRRIGATION	0.02	1.0	
MONTIERTH, GARY; MONTIERTH, NETTIE	34-13891	Decreed	4/14/1961	IRRIGATION	0.09	9.9	
MOO VIEW COW PALACE	45-13905	Decreed	11/16/1974	COMMERCIAL, STOCKWATER	0.3	0.0	
MOORE, AARON R	37-23132	Decreed	9/23/1977	IRRIGATION	0.1	5.0	
MORE LAND PROPERTIES LLC	35-14940	Decreed	10/1/1962	IRRIGATION	0.1	5.0	
MORE LAND PROPERTIES LLC	35-14941	License	8/4/1983	IRRIGATION	0.06	5.0	
MORGAN, CHASE D; MORGAN, JENNY L	29-14449	Decreed	10/28/1953	IRRIGATION	0.01	1.8	
MORGAN, CHASE D; MORGAN, JENNY L	29-14429	Decreed	6/23/1977	IRRIGATION	0.02	1.8	
MORGAN, CODY G; MORGAN, KATHY	36-17092	Decreed	3/11/1954	COMMERCIAL, STOCKWATER	0.04	0.0	
MORGAN, CODY G; MORGAN, KATHY	36-17091	Decreed	2/6/1961	COMMERCIAL, STOCKWATER	0.02	0.0	
MORRISS, JUDITH L; MORRISS, VIRGIL R	25-7483	License	12/22/1988	DOMESTIC, IRRIGATION, STOCKWATER	0.04	3.0	
MOSS FARMS INC	34-2379F	Decreed	8/8/1960	IRRIGATION	2.11	112.0	
MOSS, DENNIS K	34-14525	Decreed	6/6/1961	IRRIGATION	0.64	32.0	
MOUNT MC CALEB INC	34-7512	Decreed	5/22/1989	DOMESTIC	0.04	0.0	
MOUNTAIN RIVER SPORTSMANS RV PARK & CAMP	25-14229	License	9/2/2008	COMMERCIAL	0.2	0.0	
MOUNTAIN VIEW LAND LLC	36-17319	Decreed	9/24/1976	COMMERCIAL, STOCKWATER	0.2	0.0	
MOUNTAIN WEST BARK PRODUCTS INC	22-7573	License	8/8/1988	COMMERCIAL	0.08	0.0	
MOWREY, KRISTIE; MOWREY, RICK	29-7009	Decreed	3/22/1968	DOMESTIC, IRRIGATION, STOCKWATER	0.11	4.5	
MOYLE, KEVIN A; MOYLE, TAYLOR N	36-17240	License	3/16/1989	COMMERCIAL, DOMESTIC, STOCKWATER	0.33	0.0	
MULLINS, CODY; MULLINS, KRISTY TADDONIO	45-14569	Decreed	6/1/1939	IRRIGATION	0.06	4.5	
MURRI BUILDERS LLC	25-14320	Decreed	8/10/1966	IRRIGATION	0.02	1.0	
MURRI BUILDERS LLC	25-14322	Decreed	7/27/1972	IRRIGATION	0.01	0.7	
NATION, DUANE; NATION, LEAH	34-13783	Decreed	4/2/1980	IRRIGATION	0.04	2.6	
NAYLOR, AUDREY; NAYLOR, LEIGH	25-7582	License	2/4/1991	DOMESTIC, IRRIGATION	0.09	3.0	
NEIBAUR, RYAN	25-7561	License	3/2/1990	IRRIGATION	0.27	24.0	
NELSEN DAIRY	36-8745	License	11/7/1995	COMMERCIAL, STOCKWATER	0.11	0.0	
NELSON, ERIC B; NELSON, SUAZANNE Y	25-7363	License	6/24/1983	DOMESTIC	0.04	0.0	
NELSON, LAURENCE	29-7868	License	9/11/1989	DOMESTIC, IRRIGATION	0.17	15.0	
NEW PHASE INVESTMENTS LLC	25-14186	License	9/18/2006	COMMERCIAL	0.05	0.0	
NICHOLS LAND LLC; NICHOLS, ANGELA; NICHOLS, DEREK A; NICHOLS, PATRICK J	34-13904	Decreed	12/17/1961	IRRIGATION	0.3	426.6	
NICKELSON, DALENE C	25-7193A	Decreed	4/30/1980	DOMESTIC, IRRIGATION, STOCKWATER	0.02	2.9	
NICKISCH, CRAIG W; NICKISCH, MARJORIE I	29-10731	Decreed	3/23/1959	IRRIGATION, STOCKWATER	0.1	4.1	
NIELSON, BENITA G; NIELSON, JACK W	29-7885	License	12/27/1989	IRRIGATION	0.11	5.0	
NO VIEW CALF RANCH LLC	36-7460AD	Decreed	3/25/1974	COMMERCIAL, STOCKWATER	0.06	0.0	
NO VIEW CALF RANCH LLC	36-8774	License	3/10/1998	DOMESTIC, STOCKWATER	0.13	0.0	
NOEL, DE ANN B; NOEL, WRIGHT R	22-7372	License	7/14/1981	DOMESTIC, STOCKWATER	0.07	0.0	

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NORMAN E NEF & SONS INC	35-7962	Permit	6/1/1981	IRRIGATION	12.2	610.0	
NORMAN E NEF & SONS INC	35-7963	Permit	6/1/1981	IRRIGATION	6.4	320.0	
NORTH FORTY FOUR LLC	25-13026	Decreed	12/31/1957	COMMERCIAL	0.04	0.0	
NORTH RIM FAIRWAYS OWNERS ASSN INC	36-16406	License	2/24/2006	DOMESTIC	0.23	0.0	
NORTHSIDE RANCH CO LLC	36-2318B	Decreed	2/28/1957	STOCKWATER	0.05	0.0	
NORTHWEST FARM CREDIT SERVICES FLCA; ROTH INVESTMENTS LLC	37-23157	License	9/20/1990	COMMERCIAL	0.5	0.0	
NORTHWEST PIPELINE CORP	29-2376	Decreed	7/6/1956	COMMERCIAL, IRRIGATION	0.08	4.1	
NORTHWEST PIPELINE CORP	45-2531	Decreed	7/6/1956	DOMESTIC, INDUSTRIAL	0.04	0.0	
NUTTALL, ALIESHA DAWN; NUTTALL, JEFFREY DOUGLAS	25-7275	Decreed	2/8/1982	DOMESTIC, IRRIGATION, STOCKWATER	0.03	1.0	
OAKLEY VALLEY WATER CO	45-4273	Decreed	2/12/1954	MUNICIPAL	0.45	0.0	
OKELBERRY, TODD L	36-17355	Decreed	2/6/1953	IRRIGATION	0.07	10.0	
OKELBERRY, TODD L	36-17356	Decreed	2/6/1953	IRRIGATION	0.06	10.0	
OKELBERRY, TODD L	36-17357	Decreed	5/29/1956	IRRIGATION	0.07	10.0	
OKELBERRY, TODD L	36-17358	Decreed	6/24/1960	IRRIGATION	0.01	10.0	
OLSEN, GARY; OLSEN, PATRICIA	25-12353	Decreed	10/7/1953	COMMERCIAL, DOMESTIC	0.16	0.0	
ON TIME FINANCIAL LLC	22-14478	Permit	7/14/2022	COMMERCIAL, DOMESTIC	0.21	0.0	
OSTERHOUT, DANA; OSTERHOUT, GAYLEN; OSTERHOUT, LORRIE; OSTERHOUT, VIRGINIA M	45-10587	Decreed	6/30/1958	COMMERCIAL, DOMESTIC, IRRIGATION	0.08	0.5	
OSWALD, BRITTNEY; OSWALD, MATT	29-14171	Decreed	2/3/1961	IRRIGATION	0.06	3.0	
P U RANCH LTD C/O SCOTT SLOCUM	34-12396	Decreed	10/15/1984	STOCKWATER	0.36	0.0	Yes
PACIFICORP	25-7403	License	6/14/1985	WATER QUALITY IMPROVEMENT	0.45	0.0	
PACIFICORP	25-14431	License	2/19/2016	WATER QUALITY IMPROVEMENT	0.47	0.0	
PALACIO, WILLIAM M	37-19847	Decreed	3/15/1952	IRRIGATION	0.44	22.0	
PARKER, BRENT E; PARKER, KRISTINE	25-7073E	Decreed	8/1/1975	IRRIGATION	0.2	10.0	
PARKINSON FARMS	34-10393	Decreed	5/1/1976	IRRIGATION	0.26	306.0	Yes
PATTCO LLLP	45-7603	License	7/9/1986	IRRIGATION	1.26	447.0	
PAUL, LILAH; PAUL, WALTER T	45-2259	Decreed	5/24/1948	IRRIGATION	0.12	4.1	
PAULS, DEBBRAH; PAULS, RONALD	37-4390	Decreed	7/1/1916	DOMESTIC, IRRIGATION, STOCKWATER	0.04	1.2	
PAULS, DEBBRAH; PAULS, RONALD	37-4391	Decreed	7/1/1941	DOMESTIC, IRRIGATION, STOCKWATER	0.04	1.2	
PEARSON, CHELSEA	34-2323C	Decreed	2/11/1955	IRRIGATION	0.04	2.0	
PEARSON, JAY F; PEARSON, SUSAN	34-2412A	Decreed	4/13/1961	IRRIGATION	0.04	2.0	
PEHRSON, BYRON; PEHRSON, LOY G	34-10581	Decreed	5/1/1920	DOMESTIC, STOCKWATER	0.65	0.0	
PEHRSON, JOSH	34-2403	Decreed	3/31/1961	IRRIGATION	3.2	190.0	
PERFORMIX NUTRITION SYSTEMS LLC	36-17195	Decreed	12/24/1948	COMMERCIAL	0.09	0.0	
PERFORMIX NUTRITION SYSTEMS LLC	36-17196	Decreed	5/27/1974	COMMERCIAL	0.06	0.0	
PETTET, TERRY	34-4086	Decreed	6/9/1962	DOMESTIC, IRRIGATION, STOCKWATER	0.06	5.0	
PHILLIPS BROTHERS FARM & LIVESTOCK	25-14610	Decreed	10/15/1974	INDUSTRIAL	0.09	0.0	
PHINNEY, DAVID; RICHARDS, DEBORA	35-14870	Decreed	6/27/1983	DOMESTIC, IRRIGATION	0.02	0.5	
PILKINTON, C R; PILKINTON, THOMAS R	36-7650B	Decreed	7/30/1976	IRRIGATION	0.08	4.0	
PKD PROPERTIES LC; TLD PROPERTIES LLC	45-10761	Decreed	6/24/1957	COMMERCIAL, COOLING	0.02	0.0	
POCATELLO CHUBBUCK SCHOOL DISTRICT #25	29-11688	Decreed	8/10/1914	DOMESTIC, IRRIGATION	0.12	5.7	
POCATELLO READY MIX INC	27-10010	Decreed	6/20/1952	INDUSTRIAL	0.08	0.0	
POLO CLUB ESTATES WATER ASSN	25-7705	License	6/28/2000	DOMESTIC, FIRE PROTECTION	0.68	0.0	
PONY ACRES WATER ASSN	29-7625	Decreed	12/15/1981	DOMESTIC, IRRIGATION	0.16	2.0	
PORT OF ENTRY TRAVEL CENTER LLC	31-11787	Decreed	9/7/1971	COMMERCIAL	0.12	0.0	

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POVEY, ANDREW E	36-16625	Decreed	11/11/1959	MITIGATION	0.11	0.0	
POVEY, ANDREW E	36-16627	Decreed	11/15/1970	MITIGATION	0.16	0.0	
POVEY, ANDREW E	36-16631	Decreed	5/26/1971	MITIGATION	0.01	0.0	
POVEY, ANDREW E	36-16629	Decreed	5/16/1980	MITIGATION	0.04	0.0	
POWERS, ANDREW; POWERS, KARA	25-14267	Decreed	8/10/1966	IRRIGATION	0.02	1.1	
PRICE, MARJORIE	22-14447	Permit	2/16/2022	COMMERCIAL	0.02	0.0	
PRINCE, CARI L; PRINCE, JAMES J	36-16101	License	5/9/1988	DOMESTIC	0.04	0.0	
PROBART, LEWIS L	29-7067	Decreed	8/3/1971	DOMESTIC, IRRIGATION, STOCKWATER	0.06	3.2	
PUTNAM, JANET D; PUTNAM, LAWRENCE D	27-12280	License	5/31/1989	DOMESTIC, IRRIGATION	0.04	1.0	
R C WILLEY HOME FURNISHINGS	35-14596	Permit	5/25/2018	COMMERCIAL	0.78	0.0	
RABURN, JAYNEE N; RABURN, LENARD H	29-7143B	Decreed	7/2/1973	DOMESTIC, IRRIGATION	0.03	1.0	
RANCH PROPERTIES LLC	45-11969	Decreed	6/1/1939	IRRIGATION	0.84	63.5	
RANCHO VIA WELL USERS ASSN	25-7404	License	6/28/1985	DOMESTIC, IRRIGATION	0.31	6.0	
RANDALL, JULIA; RANDALL, SCOTT	25-10298	Decreed	12/31/1949	DOMESTIC	0.08	0.0	
RANSOM, ELLEN; RANSOM, KARL	25-14262	Decreed	8/10/1966	IRRIGATION	0.02	1.1	
RANSTROM, GENE M	45-13667	Decreed	4/28/1951	IRRIGATION	0.21	13.0	
RASMUSSEN, JEFFREY R; RASMUSSEN, SHAWNA L	45-14534	Decreed	1/19/1978	IRRIGATION	0.01	1.5	
RASMUSSEN, JEFFREY R; RASMUSSEN, SHAWNA L	45-14535	License	2/12/1996	IRRIGATION	0.02	1.5	
RAYMOND, W CRAIG	25-13401	Decreed	6/28/1954	IRRIGATION, STOCKWATER	0.09	3.5	
REED, CHARLES LE ROY	35-12258	Decreed	6/1/1955	COMMERCIAL, DOMESTIC, STOCKWATER	0.09	0.0	
REES, CARL C; REES, PATRICIA	29-7240	Decreed	11/29/1974	DOMESTIC, IRRIGATION, STOCKWATER	0.085	1.3	
REYNOLDS, ALISA; REYNOLDS, NICOLAS	34-14928	Decreed	9/30/1966	IRRIGATION	0.04	4.0	
RHODEHOUSE, KEVIN	35-2924	Decreed	7/21/1965	INDUSTRIAL, STOCKWATER	1.11	0.0	
RHODEHOUSE, KEVIN	35-8659	License	10/15/1987	COMMERCIAL, STOCKWATER	0.15	0.0	
RICHARDS, DENICE	27-7343	Decreed	3/2/1983	DOMESTIC, IRRIGATION	0.08	5.0	
RICKS, CONNIE	25-7183	Decreed	1/14/1980	DOMESTIC, STOCKWATER	0.06	0.0	
RIDDLE, CATHERINE; RIDDLE, GLEN	25-14317	Decreed	8/10/1966	IRRIGATION	0.02	1.0	
RIGBY AIR VILLAGE LLC	25-14182	License	3/24/2006	COMMERCIAL	0.2	0.0	
RINDFLEISCH, JAMES A	34-7511	Permit	6/12/1989	IRRIGATION	1.85	92.4	
RINGEL, LORI; RINGEL, MERLYN R	35-14629	Decreed	12/31/1940	IRRIGATION	0.05	4.7	
RINGEL, LORI; RINGEL, MERLYN R	35-14628	Decreed	3/5/1948	IRRIGATION	0.03	4.7	
RINGEL, LORI; RINGEL, MERLYN R	35-14630	Decreed	9/28/1981	IRRIGATION	0.01	4.7	
RITCHIE, JOHN M	35-13657	Decreed	3/13/1948	IRRIGATION	0.08	4.0	
RITCHIE, JOHN M; RITCHIE, KAYE	35-13997	Decreed	5/11/1949	IRRIGATION	0.55	48.4	
RITCHIE, JOHN M; RITCHIE, KAYE	35-13993	Decreed	7/13/1954	IRRIGATION	0.2	34.4	
RITCHIE, JOHN M; RITCHIE, KAYE	35-13999	Decreed	4/1/1966	IRRIGATION	0.15	48.4	Yes
RITCHIE, JOHN M; RITCHIE, KAYE	35-13995	Decreed	11/12/1975	IRRIGATION	0.42	34.4	
RIVERBEND ESTATES	29-8015	License	6/22/1990	DOMESTIC	0.25	0.0	
RIVERSIDE DAIRY INC	36-4235	Decreed	1/1/1954	COMMERCIAL, DOMESTIC, STOCKWATER	0.21	0.0	
ROBCO LLC	31-10665	Decreed	12/31/1925	DOMESTIC	0.1	0.0	
ROBCO LLC	31-12562	Decreed	12/27/1977	IRRIGATION	1.17	127.0	
ROBCO LLC	31-12563	Decreed	2/28/1979	IRRIGATION	1.36	127.0	
ROBINSON BROS LAND LLC	45-12909B	Decreed	4/1/1961	COMMERCIAL, STOCKWATER	0.04	0.0	
ROBINSON WATER ASSN INC	25-4064	Decreed	6/1/1942	DOMESTIC	0.1	0.0	
ROBINSON, LOGAN D; ROBINSON, RICKY	29-4393	Decreed	3/1/1963	DOMESTIC, IRRIGATION	0.07	3.3	

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ROBINSON, PAXTON	45-14566	Decreed	2/1/1954	IRRIGATION	0.14	33.0	
ROBINSON, PAXTON	45-14591	Decreed	2/1/1954	IRRIGATION	0.02	37.0	
ROBINSON, PAXTON	45-14565	Decreed	12/10/1956	IRRIGATION	0.3	33.0	
ROBINSON, PAXTON	45-14590	Decreed	12/10/1956	IRRIGATION	0.04	37.0	
ROCKY HILLS ENTERPRISES LLC	25-14600	Permit	6/5/2025	DOMESTIC	0.18	0.0	
ROEDER, JAMES L; ROEDER, JOHN	29-7177	License	3/4/1974	DOMESTIC, STOCKWATER	0.08	0.0	
ROMRIEL, ELMER; ROMRIEL, LOUISE	29-12074	Decreed	4/20/1937	DOMESTIC	0.04	0.0	
ROSE, JUSTIN ALLEN; ROSE, KELSEY BEAL	34-14932	Decreed	2/20/1961	IRRIGATION	0.04	2.0	
ROSENBERG RANCH & FARMS LLC	25-11823	Decreed	7/16/1927	DOMESTIC, STOCKWATER	0.74	0.0	
ROSENKRANCE, LESTER K; ROSENKRANCE, LOWAYNE K	34-4035F	Decreed	8/1/1960	IRRIGATION	0.16	8.0	
ROWLAN, BRIAN; ROWLAN, JESSICA	25-14608	Decreed	11/3/1952	MUNICIPAL	0.05	0.0	
ROWLAN, BRIAN; ROWLAN, JESSICA	35-14923	Decreed	11/3/1952	IRRIGATION	1.36	128.1	
ROWLAND, ROBERT	29-13892	Decreed	10/28/1953	IRRIGATION, STOCKWATER	2.12	117.6	
ROWLAND, ROBERT	29-14443	Decreed	10/28/1953	IRRIGATION	0.01	0.9	
ROWLAND, ROBERT	29-14447	Decreed	10/28/1953	IRRIGATION	0.01	0.3	
ROWLAND, ROBERT	29-14455	Decreed	10/28/1953	IRRIGATION	0.03	3.4	
RR WOMENS REAL ESTATE LLC	36-17360	Decreed	1/21/1957	IRRIGATION	0.07	58.9	
RUDDALL, DANIEL A; RUDDALL, VICKI L	25-14318	Decreed	8/10/1966	IRRIGATION	0.02	1.2	
RUDY, THOMAS A; TREVINO, KRISTIN; TREVINO, LUKE	45-7278	Decreed	12/6/1976	DOMESTIC	0.24	0.0	
RUFF, DOUGLAS L; RUFF, JENNIFER	25-7382	License	6/29/1983	IRRIGATION	0.1	5.0	
RUNHARD LLC	22-7293	Decreed	5/24/1979	COOLING, HEATING	0.15	0.0	
SAGE HOLLOW WATER USERS ASSOC	29-2438A	Decreed	2/3/1961	IRRIGATION	2.24	112.0	
SAND BOX RV LLC	21-13334	Decreed	2/24/1953	COMMERCIAL	0.03	0.0	
SAND BOX RV LLC	21-13335	Decreed	6/7/1957	COMMERCIAL	0.02	0.0	
SAND BOX RV LLC	21-13333	Decreed	8/4/1979	COMMERCIAL	0.03	0.0	
SAND SPRINGS LP	36-17052	License	7/15/2015	DIVERSION TO STORAGE, WILDLIFE STORAGE	2.43	0.0	
SANT, CARMA; SANT, WILLIAM L	29-11015	Decreed	3/1/1956	COMMERCIAL, DOMESTIC, STOCKWATER	0.08	0.0	
SCC PROPERTIES LLC	37-23469	Decreed	11/25/1962	IRRIGATION	0.38	19.0	
SCENIC FALLS FEDERAL CREDIT UNION	25-14276	Decreed	8/10/1966	IRRIGATION	0.03	1.3	
SCHNEIDER, ARLYNN; SCHNEIDER, FRED	35-11852	Decreed	4/1/1934	COMMERCIAL, DOMESTIC	0.08	0.0	
SCHOLZ-ALVAREZ, INGRID K	34-7253	Decreed	9/22/1980	DOMESTIC, IRRIGATION	0.15	15.0	
SCHREINER FARMS IDAHO LLC	35-2488	Decreed	1/10/1957	IRRIGATION	0.02	2.0	
SCHREINER FARMS IDAHO LLC	35-2922	Decreed	4/7/1958	IRRIGATION	0.01	2.0	
SCHREINER FARMS IDAHO LLC	35-8951	License	7/29/1991	IRRIGATION	0.88	44.0	
SCHROEDER, MICHELLE; SCHROEDER, NATHAN	29-4104	Decreed	7/28/1955	IRRIGATION	3	150.0	
SCHULTZ, ROBYN	29-14183	Decreed	2/3/1961	IRRIGATION	0.06	3.0	
SCHWENDIMAN, DAVID; SCHWENDIMAN, DIANE P; SCHWENDIMAN, VAL E	22-14746	License	3/25/1991	IRRIGATION	0.38	471.0	
SCHWENDIMAN, DAVID; SCHWENDIMAN, DIANE P; SCHWENDIMAN, VAL E	22-14747	License	3/25/1991	IRRIGATION	0.02	471.0	
SCHWENDIMAN, DAVID; SCHWENDIMAN, DIANE P; SCHWENDIMAN, VAL E	22-7703	License	3/25/1991	IRRIGATION	6.77	2050.5	
SCHWENDIMAN, DAVID; SCHWENDIMAN, DIANE P; SCHWENDIMAN, VAL E	22-7704	License	3/25/1991	IRRIGATION	7.3	608.0	
SCHWENDIMAN, DAVID; SCHWENDIMAN, VAL E	22-13292	License	1/5/1992	IRRIGATION	4.41	471.0	
SCOTT, LAMOND; SCOTT, RUTH	35-10855	Decreed	1/4/1954	COMMERCIAL, DOMESTIC	0.04	0.0	
SCOTT, STANLEY K	31-7512	License	11/30/1988	DOMESTIC, STOCKWATER	0.19	0.0	
SCOTT, STANLEY K	31-7514	License	11/30/1988	DOMESTIC	0.04	0.0	
SEARLE BROTHERS LAND & LIVESTOCK LLC	45-13986	Decreed	11/11/1959	COMMERCIAL, STOCKWATER	0.08	0.0	

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SEARLE BROTHERS LAND & LIVESTOCK LLC	45-13987	Decreed	11/15/1970	COMMERCIAL, STOCKWATER	0.13	0.0	
SEARLE BROTHERS LAND & LIVESTOCK LLC	45-13989	Decreed	5/26/1971	COMMERCIAL, STOCKWATER	0.01	0.0	Yes
SEARLE BROTHERS LAND & LIVESTOCK LLC	45-13988	Decreed	5/16/1980	COMMERCIAL, STOCKWATER	0.03	0.0	
SEATON, RICHARD	29-12073	Decreed	4/20/1937	DOMESTIC	0.04	0.0	
SECRIST, DREW; SECRIST, KAYLA	35-14865	Decreed	9/8/1961	IRRIGATION	0.16	4.0	
SERR, DALLAS	36-2730	Decreed	7/30/1954	IRRIGATION	1	50.0	
SHAW, SHELLEE	37-23207	Decreed	9/20/1974	IRRIGATION	0.03	2.2	
SHOSHONE BANNOCK AGRI BUSINESS CORPORTION	29-13940	Decreed	10/3/1977	IRRIGATION	0.13	7.5	
SHOSHONE BANNOCK TRIBES	29-13779	Decreed	11/22/1919	IRRIGATION, STOCKWATER	0.58	29.2	
SHOSHONE BANNOCK TRIBES	27-7000	Decreed	7/27/1967	MUNICIPAL	0.5	0.0	
SHOSHONE BANNOCK TRIBES	29-7326	Decreed	4/28/1976	IRRIGATION	2.53	160.0	
SHOSHONE BANNOCK TRIBES	29-13941	Decreed	10/3/1977	IRRIGATION	0.18	10.5	
SHURLIFF, MERLENE; SHURLIFF, RODNEY	35-8855	License	9/7/1989	DOMESTIC, STOCKWATER	0.08	0.0	
SIEVERS, GERALD J; SIEVERS, WANDA L	45-2216A	Decreed	1/5/1946	IRRIGATION	3	160.0	
SIMPER, HAIZER ONEAL; SIMPER, JENSEN BRYN	35-14901	Decreed	8/19/1977	IRRIGATION	0.11	6.0	
SIX FLAGS INC	34-13900	Decreed	10/25/1965	IRRIGATION	0.29	16.0	
SLAGOWSKI, JOE; SLAGOWSKI, NICOLE	31-12232	Decreed	12/31/1943	STOCKWATER	0.12	0.0	
SMITH, DALE E	34-2404	Decreed	3/1/1961	IRRIGATION, STOCKWATER	1.4	66.0	
SMITH, NORBERT DARRELL	29-7171	Decreed	2/4/1974	DOMESTIC	0.16	0.0	
SMITH, RANDY L; SMITH, SALLY R	29-8004	License	4/13/1990	DOMESTIC, IRRIGATION	0.04	3.0	
SMITH, RICHARD F	22-14612	Decreed	7/5/1973	MUNICIPAL	0.25	0.0	
SMITH, STANLEY P	25-14169	Decreed	12/10/1954	IRRIGATION	0.03	1.7	
SNAKE RIVER BUSINESS PARK BLDG #1 LLC	35-14787	Permit	8/19/2022	COMMERCIAL	0.2	0.0	
SNELL, MARK	29-7696	License	3/16/1983	DOMESTIC, IRRIGATION	0.08	2.0	
SOHN, EDNA G; SOHN, HERBERT F; SOHNS INC	35-8333	Decreed	12/12/1983	COMMERCIAL, DOMESTIC	0.08	0.0	
SORENSEN, MITCHELL D	34-2428	Decreed	4/1/1979	IRRIGATION	3.85	2478.0	
SOUTH INTERCHANGE PROPERTIES LLC	35-14700	Decreed	12/24/1948	IRRIGATION	0.13	23.8	
SOUTH INTERCHANGE PROPERTIES LLC	35-14701	Decreed	5/27/1974	IRRIGATION	0.07	23.8	
SOUTH RIDGE LAND LLC	45-14061	Decreed	12/3/1971	COMMERCIAL, DOMESTIC, STOCKWATER	1.01	0.0	
SOUTH, BARRY; SOUTH, ELINOR	35-14616	Decreed	12/31/1940	IRRIGATION	0.04	3.3	
SOUTH, BARRY; SOUTH, ELINOR	35-14614	Decreed	3/5/1948	IRRIGATION	0.02	3.3	
SOUTH, BARRY; SOUTH, ELINOR	35-14618	Decreed	9/28/1981	IRRIGATION	0.01	3.3	
SOUTHFIELD LAND & LIVESTOCK LLC	36-7295C	Decreed	12/11/1973	COMMERCIAL, STOCKWATER	0.32	0.0	
SPENCER, DAVID RANDY; SPENCER, MICHELLE	31-11946	Decreed	6/22/1953	COMMERCIAL, STOCKWATER	0.12	0.0	
SPENCER, DAVID RANDY; SPENCER, MICHELLE	31-11942	Decreed	7/25/1955	COMMERCIAL, STOCKWATER	0.03	0.0	
SPENCER, DAVID RANDY; SPENCER, MICHELLE	31-11944	Decreed	7/26/1961	COMMERCIAL, STOCKWATER	0.02	0.0	
STANDLEY LAND & INVESTMENTS LLC	36-17148	Decreed	4/13/1976	IRRIGATION	0.15	7.7	
STANGER, KARA; STANGER, SPENCER	35-14726	Decreed	12/31/1940	IRRIGATION	0.06	5.2	
STANGER, KARA; STANGER, SPENCER	35-14723	Decreed	3/5/1948	IRRIGATION	0.04	5.2	
STANGER, KARA; STANGER, SPENCER	35-14729	Decreed	9/28/1981	IRRIGATION	0.01	5.2	
STARMARC LLC	36-12462	Decreed	12/31/1958	COMMERCIAL	0.07	0.0	
STAVAST, CHATELAINE FMS; STAVAST, LANSON J	34-14710	Decreed	11/28/1952	IRRIGATION	0.01	6.0	
STAVAST, CHATELAINE FMS; STAVAST, LANSON J	34-14708	Decreed	5/16/1977	IRRIGATION	0.11	6.0	
STAVAST, CHATELAINE FMS; STAVAST, LANSON J	34-14711	Decreed	4/1/1987	IRRIGATION	0.01	6.0	Yes
STEELE LAND HOLDINGS LLC	35-14927	Decreed	2/6/1963	IRRIGATION	0.21	12.0	

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SUMMIT TRUSTEES PLLC	25-14310	Decreed	8/10/1966	IRRIGATION	0.02	0.9	
SUNDOWN CORP INC	35-10256	Decreed	5/1/1920	COMMERCIAL, STOCKWATER	0.07	0.0	
SUNROC CORPORATION	29-13891	Decreed	10/28/1953	IRRIGATION, STOCKWATER	0.9	48.0	
SUNROC CORPORATION	29-7754	License	6/17/1983	COMMERCIAL	0.81	0.0	
TABER, DONALD E	37-10161	Decreed	4/1/1955	COMMERCIAL	0.04	0.0	
TABLE ROCK HOLDINGS	35-13320	License	8/7/2001	DOMESTIC	0.1	0.0	
TANNER, KATHY; TANNER, REYNOLD	25-2139	Decreed	10/30/1961	IRRIGATION	1.54	38.0	
TAYLOR, LOIS; TAYLOR, LYLE D	25-7110	Decreed	5/9/1977	IRRIGATION	0.32	16.0	
TAYLOR, RODNEY R; TAYLOR, STEPHANIE A	37-25268	Decreed	11/28/1951	IRRIGATION	0.06	3.0	
TERNUS, BRENDA; TERNUS, GARY A	35-13858	Decreed	4/27/1964	IRRIGATION	0.32	8.0	
TERRETON TRACTOR INC	31-7346	Decreed	12/2/1980	COMMERCIAL, DOMESTIC	0.04	0.0	
TEUSCHER, DENNIS	29-7853	License	8/3/1988	IRRIGATION	0.09	3.0	
THE LAVRADOR BOERSIG TRUST	25-14617	License	3/2/1990	IRRIGATION	0.12	11.0	
THE LOVELAND FAMILY TRUST	27-11205	Decreed	1/31/1939	DOMESTIC, STOCKWATER	0.44	0.0	
THE LOVELAND FAMILY TRUST	27-7069	Decreed	12/3/1976	IRRIGATION	3.42	171.0	
THOMAS, CATHERINE F; THOMAS, KEVIN E	25-14303	Decreed	8/10/1966	IRRIGATION	0.02	0.9	
THOMPSON, BETTY L; THOMPSON, LYNN	29-7075A	Decreed	2/4/1972	IRRIGATION	0.06	3.1	
THOMPSON, HOWARD M	25-7508	License	6/19/1989	DOMESTIC, STOCKWATER	0.11	0.0	
THOMPSON, JAMES R	22-7453	License	6/24/1983	DOMESTIC	0.04	0.0	
THOMPSON, KRISTEN R	34-14887	Decreed	5/16/1977	IRRIGATION	0.04	2.3	
THOMPSON, KRISTEN R	34-14889	Decreed	4/1/1987	IRRIGATION	0.01	2.3	Yes
TOMLIN, STEPHEN	29-13730	License	6/7/1983	IRRIGATION	0.01	0.5	
TOWN & COUNTRY MOBILE HOME PARK LLC	35-4258	Decreed	6/1/1962	DOMESTIC	0.22	0.0	
TRACY, JACOB	34-13761	Decreed	11/28/1952	DIVERSION TO STORAGE, FISH PROPAGATION STORAGE, IRRIGATION, RECREATION STORAGE	0.03	5.2	
TRACY, JACOB	34-7194	Decreed	5/16/1977	IRRIGATION	0.1	5.2	
TRACY, JACOB	34-14342	Decreed	4/1/1987	IRRIGATION	0.01	5.2	Yes
TRAINOR, LISA; TRAINOR, MARK	25-7392A	License	12/16/1983	IRRIGATION	0.14	7.0	
TURNER LAND & LIVESTOCK LLC	45-4033	Decreed	8/1/1935	IRRIGATION	1.67	80.0	
TURNER WELL ASSN	29-7700	License	4/27/1983	IRRIGATION	0.4	19.9	
UNION PACIFIC RAILROAD CO	36-4204	Decreed	8/18/1903	COMMERCIAL, DOMESTIC, MUNICIPAL	0.33	0.0	
UNION PACIFIC RAILROAD CO	36-4201	Decreed	3/24/1913	INDUSTRIAL, STOCKWATER	0.22	0.0	
UNION PACIFIC RAILROAD CO	36-4205	Decreed	5/4/1918	STOCKWATER	0.06	0.0	
UNION PACIFIC RAILROAD CO	36-4202	Decreed	6/5/1925	INDUSTRIAL	0.04	0.0	
UNION PACIFIC RAILROAD CO	36-4203	Decreed	9/13/1957	COMMERCIAL, DOMESTIC, MUNICIPAL	0.22	0.0	
UNITED ALLIANCE & FIDELITY CORP	25-7387	Decreed	12/4/1983	IRRIGATION	0.1	5.0	
US BUREAU OF INDIAN AFFAIRS	29-12560	Decreed	8/23/1954	IRRIGATION	3.75	187.9	
US BUREAU OF INDIAN AFFAIRS	29-12565	Decreed	8/23/1954	COOLING	0.04	0.0	
US BUREAU OF LAND MANAGEMENT	34-2373B	Decreed	7/5/1960	IRRIGATION	0.1	5.0	
US BUREAU OF LAND MANAGEMENT	35-7685	Decreed	3/22/1977	IRRIGATION	2.48	124.0	
US BUREAU OF LAND MANAGEMENT	35-7534B	Decreed	8/4/1979	IRRIGATION	1.09	57.0	
US BUREAU OF LAND MANAGEMENT	36-16583	Decreed	3/15/1987	IRRIGATION	0.03	4.0	Yes
US BUREAU OF LAND MANAGEMENT	36-8726	Permit	4/28/1994	STOCKWATER, WILDLIFE	0.12	0.0	
US BUREAU OF LAND MANAGEMENT	21-13032	License	2/24/2006	STOCKWATER, WILDLIFE	0.02	0.0	
US BUREAU OF LAND MANAGEMENT	34-14459	Permit	8/26/2014	STOCKWATER, WILDLIFE	0.15	0.0	

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US BUREAU OF RECLAMATION	25-7201	Decreed	8/11/1980	DOMESTIC, IRRIGATION	0.14	4.0	
US DEPT OF ENERGY	34-10901	Decreed	4/7/1950	SEE REMARKS	80	0.0	
US DEPT OF ENERGY	35-7098	Decreed	8/2/1969	FISH PROPAGATION	20	0.0	
US DEPT OF ENERGY	35-7097	Decreed	9/30/1969	DOMESTIC, FISH PROPAGATION	4	0.0	
US DEPT OF INTERIOR	21-7517	License	2/27/1992	STOCKWATER, WILDLIFE	0.07	0.0	
US FISH & WILDLIFE SERVICE	31-4066	Decreed	11/12/1936	DOMESTIC, IRRIGATION	0.06	1.0	
US NATIONAL PARK SERVICE	34-12383	Decreed	5/2/1924	COMMERCIAL, DOMESTIC, IRRIGATION	0	0.0	
US NATIONAL PARK SERVICE	34-12385	Decreed	7/23/1928	COMMERCIAL, DOMESTIC, IRRIGATION	0	0.0	
USDA ARS SHEEP EXPERIMENT STATION	31-11201	Decreed	10/30/1915	ADMINISTRATIVE	0.27	0.0	
USDA ARS SHEEP EXPERIMENT STATION	31-11200	Decreed	11/21/1916	ADMINISTRATIVE	0.231	0.0	
V L NEIBAUR FARMS LLC	25-14616	License	3/2/1990	IRRIGATION	3.61	325.5	
VALLEY MOBILE HOME COURT	25-12489	Decreed	3/31/1958	DOMESTIC	0.23	0.0	
VALLEY SCHOOL DISTRICT #262	36-15190	Decreed	9/1/1954	DOMESTIC, IRRIGATION	0.15	0.2	
VALLEY SCHOOL DISTRICT #262	36-16299	License	9/22/2004	DOMESTIC, FIRE PROTECTION	1.52	0.0	
VALLEY VIEW HEIGHTS SUBDIVISION WATER CO	25-7344	Decreed	7/29/1983	DOMESTIC, STOCKWATER	0.11	0.0	
VALLEY VIEW HEIGHTS SUBDIVISION WATER CO	25-13986	License	6/16/2003	DOMESTIC	0.08	0.0	
VAN DYKE, VIRGINIA	37-10019	Decreed	2/1/1961	COMMERCIAL, STOCKWATER	0.06	0.0	
VAN OVER, MARY; VAN OVER, RAYMOND	25-7650	License	12/29/1982	DOMESTIC, IRRIGATION, STOCKWATER	0.06	1.0	
VEENSTRA, FRANK W	36-17233	Decreed	1/31/1961	STOCKWATER	0.38	0.0	
VERBREE LAND HOLDINGS LLC	36-8609	License	10/21/1991	DOMESTIC, IRRIGATION, STOCKWATER	0.02	2.5	
VERDEGAAL LIVING TRUST	37-2676	Decreed	12/11/1961	IRRIGATION	1.85	450.4	
VH PROPERTIES LLC	25-14595	Decreed	10/9/1961	COMMERCIAL, STOCKWATER	0.84	0.0	
WADDOUNS, LE ANNE; WADDOUNS, WADE	34-2426A	Decreed	12/7/1961	IRRIGATION	0.833	37.0	
WADE, NANCY; WADE, RONALD	25-7425	License	6/6/1988	DOMESTIC, IRRIGATION	0.05	1.0	
WAGNER JR, EDWARD P; WAGNER, KRISTIE L	35-8856	Decreed	8/11/1989	DOMESTIC, STOCKWATER	0.1	0.0	
WAITMAN, DAVID B; WAITMAN, MARGARET	29-11435	Decreed	4/20/1945	IRRIGATION	0.05	1.8	
WALKER, ROLAND L	25-11822	Decreed	5/15/1935	DOMESTIC, STOCKWATER	0.7	0.0	
WALKER, ROLAND L	25-11821	Decreed	6/19/1962	DOMESTIC, STOCKWATER	1.32	0.0	
WALTERS PRODUCE INC	22-12520	Decreed	12/31/1951	COMMERCIAL	0.23	0.0	
WALTERS READY MIX INC	22-11666	Decreed	6/1/1947	INDUSTRIAL, RECREATION	0.04	0.0	
WALTERS, BRUCE A; WALTERS, MARCEY L	25-7596	License	6/26/1991	DOMESTIC, IRRIGATION	0.15	10.0	
WANSTROM, DAVID E; WANSTROM, NANCY W	34-24358	Decreed	7/26/1961	IRRIGATION	0.08	4.5	
WARD, ALLAN	45-14476	Decreed	9/15/1971	COMMERCIAL, IRRIGATION, STOCKWATER	0.3	1.0	
WARD, BRADLEY; WARD, BRITTANY	35-14934	Decreed	2/24/1953	IRRIGATION	3.2	441.7	
WARD, BRADLEY; WARD, BRITTANY	35-14935	Decreed	6/7/1957	IRRIGATION	1.57	441.7	
WARD, BRADLEY; WARD, BRITTANY	35-14933	Decreed	8/4/1979	IRRIGATION	3.69	441.7	
WARD, DANIEL G; WARD, KARLA	45-14422	Decreed	12/11/1953	COMMERCIAL, STOCKWATER	0.06	0.0	
WARD, DELORA; WARD, REED I	25-14309	Decreed	8/10/1966	IRRIGATION	0.02	1.0	
WARNER, KAREN; WARNER, VAN H	25-14072	Decreed	10/31/1938	IRRIGATION, STOCKWATER	0.11	3.0	
WASSERLEIN, WILLIAM	45-14563	Decreed	6/1/1939	IRRIGATION	0.02	1.8	
WAYNE PROPERTIES LLC	25-14460	Decreed	2/19/1982	IRRIGATION	0.1	353.9	
WAYNE PROPERTIES LLC	25-14461	Decreed	2/19/1982	IRRIGATION	0.1	353.9	
WAYNE PROPERTIES LLC	25-14463	Decreed	2/19/1982	IRRIGATION	0.1	353.9	
WAYNE PROPERTIES LLC	25-14473	Decreed	2/19/1982	IRRIGATION	0.1	353.9	
WAYNE PROPERTIES LLC	25-14476	Decreed	2/19/1982	IRRIGATION	0.1	353.9	

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WAYNE PROPERTIES LLC	25-14489	Decreed	2/19/1982	IRRIGATION	0.1	353.9	
WAYNE PROPERTIES LLC	25-14519	Decreed	2/19/1982	IRRIGATION	0.03	1.3	
WAYNE PROPERTIES LLC	25-14520	Decreed	2/19/1982	IRRIGATION	0.01	353.9	
WAYNE PROPERTIES LLC	25-14495	License	1/14/1983	IRRIGATION	0.07	285.4	
WAYNE PROPERTIES LLC	25-14503	License	1/14/1983	IRRIGATION	0.07	285.4	
WELLS, DELOS H	35-8220	License	8/4/1983	DOMESTIC, IRRIGATION	0.05	4.5	
WELLS, DELOS H; WELLS, LUELLA	35-10874	Decreed	10/1/1962	DOMESTIC, IRRIGATION	0.1	3.0	
WENDLING, JACOB; WENDLING, JAIME	29-14458	Decreed	10/28/1953	IRRIGATION	0.02	3.2	
WENDLING, JACOB; WENDLING, JAIME	29-14438	Decreed	6/23/1977	IRRIGATION	0.03	3.2	
WESTERN AG PRODUCTS LLC	45-10305	Decreed	6/15/1949	DOMESTIC, INDUSTRIAL	0.04	0.0	
WHEATLEY, SCHAUNEE; WHEATLEY, SCOTT	29-14461	Decreed	10/28/1953	IRRIGATION	0.02	2.0	
WHEATLEY, SCHAUNEE; WHEATLEY, SCOTT	29-14441	Decreed	6/23/1977	IRRIGATION	0.02	2.0	
WHEELOCK, MICHAEL T; WHEELOCK, TINA J	29-14448	Decreed	10/28/1953	IRRIGATION	0.02	2.1	
WHEELOCK, MICHAEL T; WHEELOCK, TINA J	29-14428	Decreed	6/23/1977	IRRIGATION	0.02	2.1	
WHITEWATER WATER USERS ASSN	29-24388	Decreed	2/3/1961	IRRIGATION	0.74	37.0	
WHITEWATER WATER USERS ASSN	29-7819	Decreed	9/20/1979	DOMESTIC	2	0.0	
WILDE, CECIL; WILDE, NANCY JO	25-11653	Decreed	5/1/1942	IRRIGATION	0.09	4.5	
WILKINSON, LAUREL; WILKINSON, LORENZO H	29-12077	Decreed	4/20/1937	DOMESTIC	0.04	0.0	
WILLIAMS, CLAUDIA; WILLIAMS, JOHN	25-7528	License	9/19/1989	IRRIGATION	0.04	1.3	
WILLIAMS, LYNETTE D; WILLIAMS, ROBERT E	35-12733	Decreed	4/1/1945	DOMESTIC	0.17	0.0	
WILLIE, DANIEL L	36-16113	Decreed	11/11/1959	MITIGATION	0.2	30.2	
WILSON, HARLEM E; WILSON, SONDRAL	29-13474	Decreed	10/26/1948	COMMERCIAL	0.04	0.0	
WILSON, JOHN CHARLES	29-7916	License	3/20/1990	IRRIGATION	0.09	4.5	
WILSON, KINDEE	29-7294	Decreed	11/4/1975	DOMESTIC, IRRIGATION	0.12	8.0	
WOOD, HEIDI; WOOD, J ADAM	29-8009	License	7/26/1990	IRRIGATION, STOCKWATER	0.04	1.5	
WOODBURY, BRYCE; WOODBURY, STEPHANIE	34-13878	Decreed	1/30/1961	IRRIGATION	0.01	1.0	
WOODMAN, ERIC; WOODMAN, MICHELLE	34-14237	Decreed	9/29/1966	IRRIGATION	0.04	2.2	
WOODMAN, ERIC; WOODMAN, MICHELLE	34-14239	Decreed	5/20/1984	IRRIGATION	0.01	2.2	Yes
WOODVILLE WATER & SEWER DISTRICT	35-11318	Decreed	5/1/1939	COMMERCIAL, DOMESTIC	0.35	0.0	
WRIDE FARMS	35-8949	Permit	8/26/1991	IRRIGATION	3	150.0	
WRIGHT, LE ROY C; WRIGHT, MARILYN	25-7256	Decreed	5/12/1981	IRRIGATION	0.05	0.7	
YANCEY, CLEM R	35-7955	License	3/10/1981	DOMESTIC, STOCKWATER	0.06	0.0	
YOUNG & YOUNG LIVESTOCK LLC	25-14494	Permit	8/3/2021	DOMESTIC	0.23	0.0	
YOUNG, DE VONA; YOUNG, WILLIAM N	25-7437	License	8/26/1988	DOMESTIC, STOCKWATER	0.07	0.0	
YOUNG, JUDY D; YOUNG, KENNETH A	25-7436	License	9/14/1988	IRRIGATION	0.03	1.5	
ZIRKELBACH, NANCY; ZIRKELBACH, RICHARD	25-7440	License	8/25/1988	DOMESTIC, IRRIGATION	0.04	1.2	
ZWEIFEL PROPERTIES LLC	32-10031	Decreed	5/1/1968	DOMESTIC, STOCKWATER	0.12	0.0	

EXPLANATORY INFORMATION TO ACCOMPANY A FINAL ORDER

(To be used in connection with actions when a hearing was **not** held)

The accompanying document is a “**Final Order**” issued by the Idaho Department of Water Resources (“Department”) pursuant to Idaho Code § 67-5246. The following statements describe the procedures and time limits for seeking reconsideration or other administrative relief as required by Idaho Code § 67-5248.

PETITION FOR RECONSIDERATION

(See Idaho Code § 67-5246(4))

Any party may file a petition for reconsideration of this final order within fourteen (14) days of the service date of this order as shown on the certificate of service. **Note: the petition must be received by the Department within this fourteen (14) day period.** The presiding officer will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law.

REQUEST FOR HEARING

(See Idaho Code § 42-1701A(3))

Unless the right to a hearing before the Director or the Water Resource Board is otherwise provided by statute, any person aggrieved by any final decision, determination, order, or action of the Director of the Department and who has not previously been afforded an opportunity for a hearing on the matter shall be entitled to a hearing before the Director to contest the action. The person shall file with the Director, within fifteen (15) days after receipt of written notice of the action issued by the Director, or receipt of actual notice, a written petition stating the grounds for contesting the action by the Director and requesting a hearing. **Note: The request must be received by the Department within this fifteen (15) day period.**

CERTIFICATE OF SERVICE

(See IDAPA 37.01.01.053, 37.01.01.202)

All documents filed with the Department in connection with a petition for reconsideration or a request for hearing of this final order shall be served on all other parties to the proceeding in accordance with Rules 53 and 202 of the Department’s Rules of Procedure.

**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 AMENDING
CURTAILMENT LIST TO
INCLUDE UNMITIGATED
GROUND WATER RIGHTS**

BACKGROUND

On April 16, 2026, the Director issued the *Final Order Regarding April 2026 Forecast Supply (Methodology Steps 1–3)* (“*As-Applied Order*”), which applied steps 1, 2, and 3 of the *Sixth Final Order Regarding Methodology for Determining Material Injury to Reasonable In-Season Demand and Reasonable Carryover* (“*Methodology Order*”). The Director predicted an April in-season demand shortfall (“IDS”) of 181,600 acre-feet. *As-Applied Order*, at 4. The Director ordered that, by May 1, 2026, ground water users with consumptive water rights “bearing priority dates junior to October 11, 1900, within the Eastern Snake Plain Aquifer area of common ground water supply [(“ESPA ACGWS”)] shall establish, to the satisfaction of the Director, that they can mitigate for their proportionate share of the predicted April IDS of 181,600 acre-feet in accordance with an approved mitigation plan.” *Id.* at 6. The Director also ordered that, if such a junior ground water user cannot establish that they can mitigate for their proportionate share of the predicted IDS “in accordance with an approved mitigation plan, the Director will issue an order curtailing the junior-priority ground water user.” *Id.*

On May 14, 2026, the Director issued a *Final Order Curtailing Ground Water Rights Junior to October 11, 1900* (“*May Curtailment Order*”). The *May Curtailment Order* required holders of ground water rights within the ESPA ACGWS bearing priority dates junior to October 11, 1900, and listed in Attachment A, to “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.

Attachment A excluded certain junior-priority ground water rights bearing a priority date junior to October 11, 1900, that the Department understood to be protected by an approved mitigation plan. Following issuance of the *May Curtailment Order*, the Director became aware of several ground water rights bearing priority dates junior to October 11, 1900, that were not in fact covered by an approved mitigation plan and were incorrectly omitted from on Attachment A to the *May Curtailment Order*.

ANALYSIS

Idaho Code § 42-602 authorizes the Director to supervise water distribution within water districts:

The director of the department of water resources shall have direction and control of the distribution of water from all natural water sources within a water district to the canals, ditches, pumps and other facilities diverting therefrom. Distribution of water within water districts created pursuant to section 42-604, Idaho Code, shall be accomplished by watermasters as provided in this chapter and supervised by the director. The director of the department of water resources shall distribute water in water districts in accordance with the prior appropriation doctrine. The provisions of chapter 6, title 42, Idaho Code, shall apply only to distribution of water within a water district.

“[W]hen it is found that junior-priority ground water pumping is causing a senior right holder material injury, the Director must either: (1) curtail junior-priority ground water pumping to satisfy the senior’s right, or (2) ‘[a]llow out-of-priority diversion of water by junior-priority ground water users pursuant to a mitigation plan that has been approved by the Director.’” *Rangen, Inc. v. Idaho Dep’t of Water Res.*, 160 Idaho 251, 256, 371 P.3d 305, 310 (2016), *abrogated in part on other ground by 3G AG LLC v. IDWR*, 170 Idaho 251, 509 P.3d 1180 (2022) (quoting IDAPA 37.03.040.01).

Consistent with the *As-Applied Order*, Idaho Code § 42-602, IDAPA 37.03.040.01, and decisions of the courts, the Director must order curtailment of junior-priority ground water users that have not established they can mitigate in accordance with an approved mitigation plan. Thus, the curtailment list must be supplemented to include those unmitigated junior-priority ground water rights that were not included in Attachment A to the *May Curtailment Order*.

ORDER

Based upon and consistent with the foregoing, IT IS HEREBY ORDERED that effective June 17, 2026, the curtailment list is amended to include the following ground water rights:

Water Right No. 25-7540, Laura Lee Hobbs, Licensed, Priority Date 08/18/1989, 0.10 cfs.

Water Right No. 25-4103, Bill Vaughn, Decreed, Priority Date 12/31/1958, 0.11 cfs.

Water Right No. 35-14613, Western Slope LLC., Decreed, Priority Date 03/05/1948, 0.61 cfs.

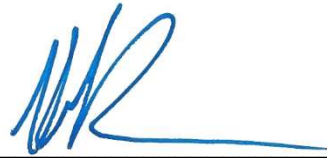
Water Right No. 35-14615, Western Slope LLC., Decreed, Priority Date 12/31/1940, 0.88 cfs.

Water Right No. 35-14617, Western Slope LLC., Decreed, Priority Date 09/28/1981, 0.05 cfs.

Water Right No. 35-7576, Woodland Heights Water Users Association., Decreed, 01/28/1976, 0.38 cfs.

IT IS FURTHER ORDERED that holders of these ground water rights shall immediately curtail/refrain from diversion and use of ground water pursuant to these water rights unless notified by the Department that the order of curtailment has been modified or rescinded as to their water rights. All other ground water rights listed in the Attachment A continue to be curtailed consistent with the *Final Order Curtailing Ground Water Rights Junior to October 11, 1900*.

Dated this 17th day of June 2026



MATHEW WEAVER
Director

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 17th day of June 2026, the above and foregoing, was served by the method indicated below, and addressed to the following:

Laura Lee Hobbs 611 Amy Lane Idaho Falls, ID 83406	☒ U.S. Mail, postage prepaid
Bill Vaughn 7362 N 5 E Idaho Falls, ID 83401	☒ U.S. Mail, postage prepaid
Western Slope LLC 910 Twin Butte Road Menan, ID 83434-5116	☒ U.S. Mail, postage prepaid
Woodland Heights Water Users Association 2144 S Bellin Road Idaho Falls, ID 83402-5603	☒ U.S. Mail, postage prepaid
John K. Simpson IdaH20, PLLC PO Box 152 Boise, ID 83701-0152 jks@idahowaters.com	☒ U.S. Mail, postage prepaid ☒ Email
Travis L. Thompson Abby R. Bitzenburg PARSONS BEHLE & LATIMER PO Box 63 Twin Falls, ID 83303-0063 tthompson@parsonsbehle.com abitzenburg@parsonsbehle.com	☒ U.S. Mail, postage prepaid ☒ Email
Norman M. Semanko Garrett M. Kitamura PARSONS BEHLE & LATIMER 800 W. Main Street, Suite 1300 Boise, Idaho 83702 nsemanko@parsonsbehle.com gkitamura@parsonsbehle.com	☒ U.S. Mail, postage prepaid ☒ Email
Thomas J. Budge RACINE OLSON PO Box 1391 Pocatello, ID 83204-1391 tj@racineolson.com	☒ U.S. Mail, postage prepaid ☒ Email

David W. Gehlert Natural Resources Section U.S. DOJ, Environment and Natural Resources Div. 999 18 th St., South Terrace, Suite 370 Denver, CO 80202 david.gehlert@usdoj.gov	☒ U.S. Mail, postage prepaid ☒ Email
Matt Howard US Bureau of Reclamation 1150 N Curtis Road Boise, ID 83706-1234 mhoward@usbr.gov	☒ U.S. Mail, postage prepaid ☒ Email
Sarah A Klahn Maximilian C. Bricker Somach Simmons & Dunn 1155 Canyon Blvd, Ste. 110 Boulder, CO 80302 sklahn@somachlaw.com mbricker@somachlaw.com	☒ U.S. Mail, postage prepaid ☒ Email
Rich Diehl City of Pocatello PO Box 4169 Pocatello, ID 83205 rdiehl@pocatello.us	☒ U.S. Mail, postage prepaid ☒ Email
Candice McHugh Chris Bromley MCHUGH BROMLEY, PLLC PO Box 107 Boise, ID 83701 cmchugh@mchughbromley.com cbromley@mchughbromley.com	☒ U.S. Mail, postage prepaid ☒ Email
Robert E. Williams WILLIAMS, MESERVY, & LOTH SPEICH, LLP PO Box 168 Jerome, ID 83338 rewilliams@wmlattys.com	☒ U.S. Mail, postage prepaid ☒ Email
Robert L. Harris HOLDEN, KIDWELL, HAHN & CRAPO, PLLC PO Box 50130 Idaho Falls, ID 83405 rharris@holdenlegal.com	☒ U.S. Mail, postage prepaid ☒ Email

Zachary H. Jones City Attorney, City of Idaho Falls PO Box 50220 Idaho Falls, ID 83405 zjones@idahofalls.gov	☒ U.S. Mail, postage prepaid ☒ Email
Skyler C. Johns Nathan M. Olsen Steven L. Taggart OLSEN TAGGART PLLC PO Box 3005 Idaho Falls, ID 83403 sjohns@olsentaggart.com nolsen@olsentaggart.com staggart@olsentaggart.com	☒ U.S. Mail, postage prepaid ☒ Email
Dylan Anderson DYLAN ANDERSON LAW PLLC PO Box 35 Rexburg, Idaho 83440 dylan@dylanandersonlaw.com	☒ U.S. Mail, postage prepaid ☒ Email

COURTESY COPIES VIA EMAIL TO:

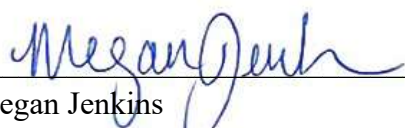
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Megan Jenkins
Executive Assistant

**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 REVISING APRIL 2026
FORECAST SUPPLY AND
CONTINUING MAY 14, 2026
CURTAILMENT ORDER**

(METHODOLOGY STEPS 5 & 6)

The Director of the Idaho Department of Water Resources (“Department”) finds, concludes, and orders as follows:

FINDINGS OF FACT

A. Background

1. On July 19, 2023, the Department issued its *Sixth Final Order Regarding Methodology for Determining Material Injury to Reasonable In-Season Demand and Reasonable Carryover* (“*Methodology Order*”). The *Methodology Order* established nine steps for determining material injury to members of the Surface Water Coalition (“SWC”). This order applies Steps 5 and 6 of the *Methodology Order*.

2. Step 5 of the *Methodology Order* addresses the final injury determination to reasonable carryover for members of the SWC. Step 5 states:

If the storage allocations held by members of the SWC fill, there is no reasonable carryover shortfall. If the storage allocations held by members of the SWC do not fill, within fourteen (14) days following the publication of Water District 01’s initial storage report . . . the volume of water secured by junior ground water users to fulfill the reasonable carryover shortfall shall be made available to injured members of the SWC.

Methodology Order, at 43. On November 21, 2025, the Director issued the *Final Order Establishing 2025 Reasonable Carryover (Methodology Step 9)* (“*2025 Step 9 Order*”) establishing a reasonable carryover shortfall of 86,756 acre-feet. Junior ground water users were given 14 days to provide a volume of water to fulfill the carryover shortfall. No water users secured water. While the SWC’s storage allocation did not fill this year, because no water users secured water in 2025 to fulfill the carryover shortfall, there is no volume of water to be made available to the SWC under Step 5.

3. Step 6 of the *Methodology Order* states:

Approximately halfway through the irrigation season, but following the events described in Step 5, the Director will, for each member of the SWC: (1) recalculate RISD [Reasonable In-Season Demand]; (2) issue a revised FS [Forecast Supply]; and (3) estimate the Time of Need date.

Methodology Order, at 43 (footnote omitted).

4. On April 16, 2026, the Director issued his *Final Order Regarding April 2026 Forecast Supply (Methodology Steps 1 – 3)* (“*April Forecast Supply Order*”). The *April Forecast Supply Order* predicted a demand shortfall to the SWC of 181,600 acre-feet for the 2026 irrigation season. *April Forecast Supply Order*, at 4. At that time, the members of the SWC predicted to experience material injury during the 2026 irrigation season were Twin Falls Canal Company (“TFCC”) and American Falls Reservoir District #2 (AFRD2). *Id.* The Director ordered that, on or before May 1, 2026, ground water users with consumptive water rights “junior to October 11, 1900, within the Eastern Snake Plain Aquifer ACGWS [area of common ground water supply] shall establish, to the satisfaction of the Director, that they can mitigate for their proportionate share of the predicted April IDS [in-season demand shortfall] of 181,600 acre-feet in accordance with an approved mitigation plan.” *Id.* at 7. The Director also ordered that, “[i]f a junior ground water user cannot establish . . . that they can mitigate for their proportionate share of the predicted April IDS in accordance with an approved mitigation plan, the Director will issue an order curtailing the junior-priority ground water user.” *Id.*

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

[E]ffective 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 this 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.

Curtailment Order, at 3.

6. On June 17, 2026, the Director issued an *Order Amending Curtailment List to Include Unmitigated Ground Water Rights*, adding six water rights to the list of water rights subject to the *Curtailment Order*.

B. April through June Water Supply Conditions and Climate

7. The April 2026 Joint Forecast prepared by the United States Army Corps of Engineers (“USACE”) and the United States Bureau of Reclamation (“BOR”) predicted 2,300,000 acre-feet of unregulated inflow at the Snake River near Heise gage for the period April–July 2025, which equates to 70% of the 1991–2020 average. *April Forecast Supply Order*,

at 2. The Joint Forecast “is generally as accurate a forecast as is possible using current data gathering and forecasting techniques.” *Methodology Order*, at 19.

8. The June 2026 Joint Forecast prepared by the USACE and the BOR predicted 900,000 acre-feet of unregulated inflow at the Snake River near Heise gage for the period June–July 2025, which equates to 50% of the 1991–2020 average.

9. Over much of the Eastern Snake Plain and its tributary basins, precipitation was above average in April but below average in May and June. For example, according to data measured at all the Natural Resources Conservation Service’s SNOTEL sites in the Upper Snake River Basin, the basin received 110%, 55%, and 63% of average precipitation in April, May, and June, respectively. Similarly, the National Weather Service’s Twin Falls weather station reported 123%, 4%, and 53% of normal precipitation in April, May, and June, respectively. During the same time, temperatures were above average April through June. For example, the average daily temperatures reported by the National Weather Service’s Twin Falls weather station were 1.7, 4.4, and 1.6 degrees above normal for April, May, and June, respectively.

C. Reasonable In-Season Demand

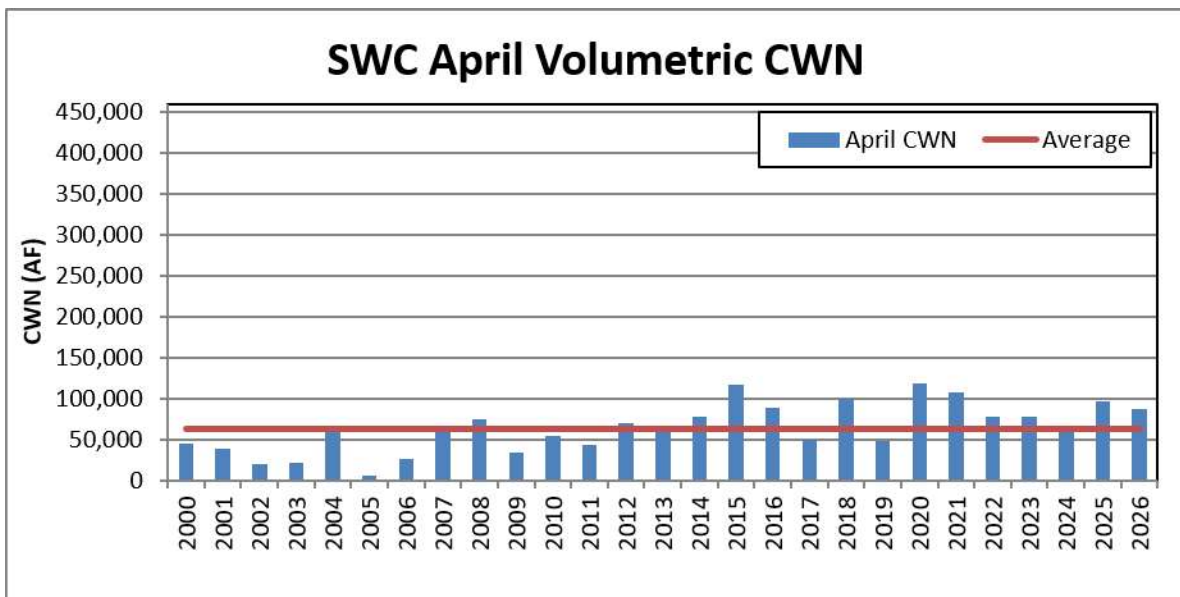
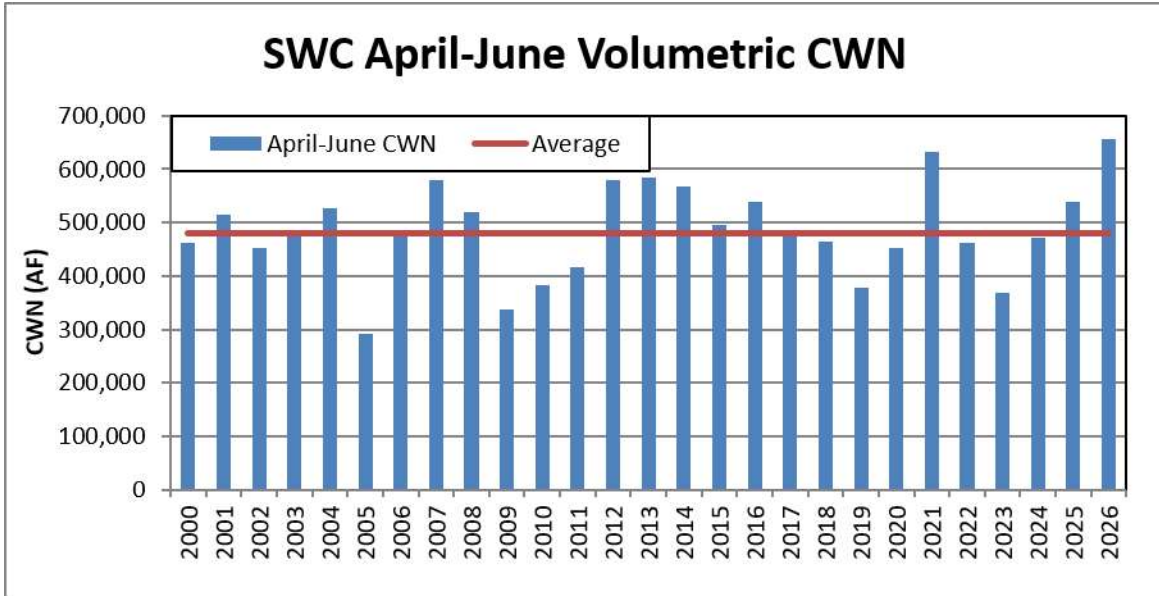
10. RISD “is the projected annual diversion volume for each SWC entity during the year of evaluation that is attributable to the projected beneficial use of growing crops within the service area of the entity.” *Methodology Order*, at 13. In April, the demand from the 2018 baseline year (“BLY”) defines the RISD. *Id.* at 17. During the irrigation season, the RISD for the completed portion of the irrigation season is recalculated by dividing the actual crop water need (“CWN”) for each entity by the project efficiency for that entity. *Id.* at 17, 43. For the remainder of the irrigation season, the RISD is the demand defined by the July–October 2018 BLY. RISD is calculated on a monthly time step.

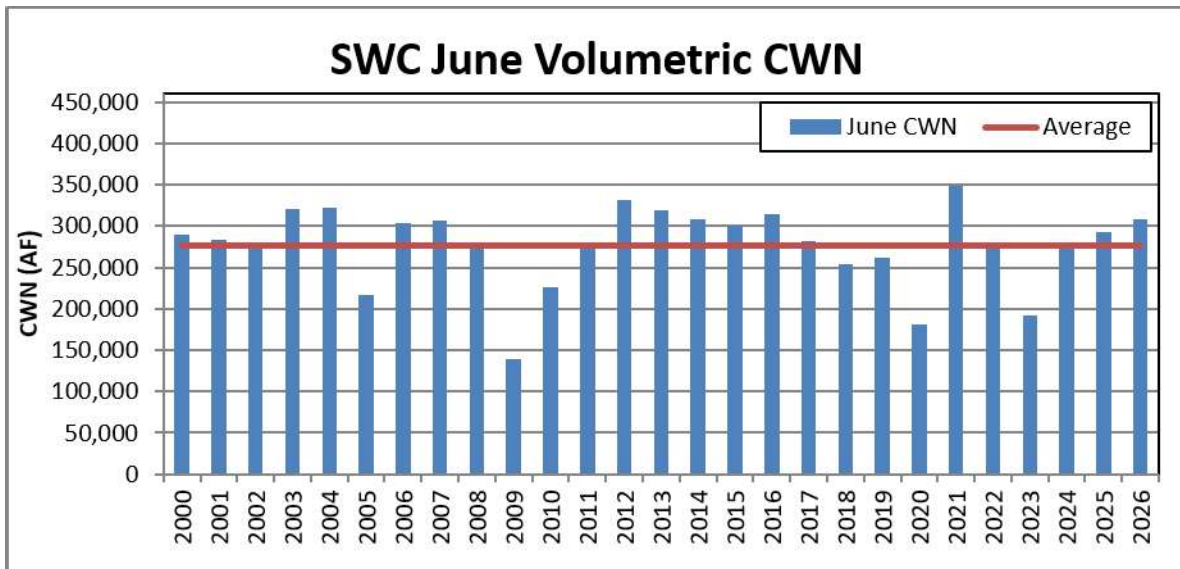
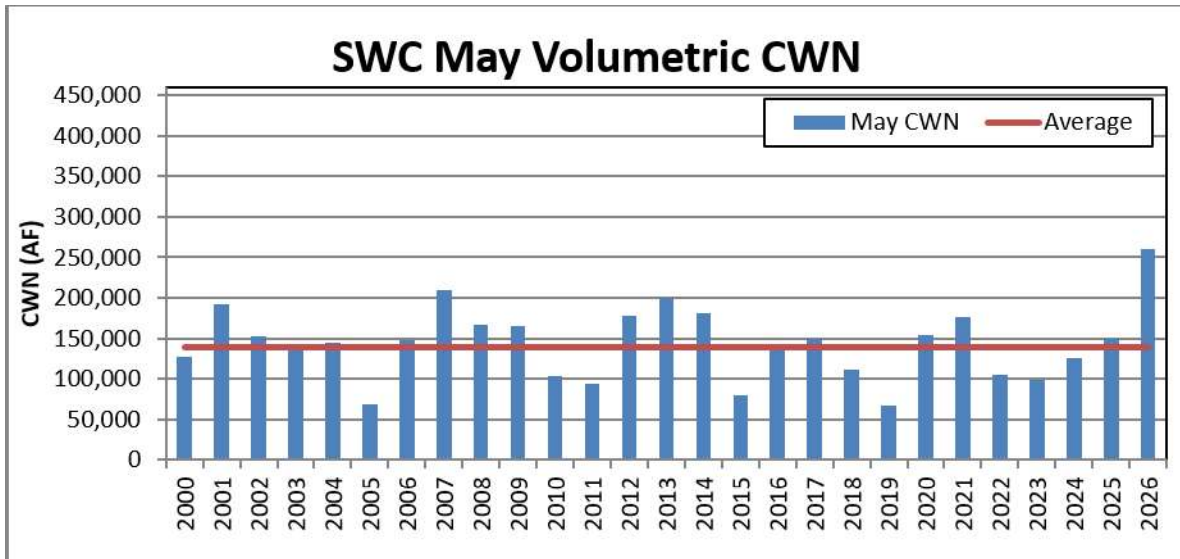
i. Crop Water Need

11. “CWN is the volume of irrigation water required for crop growth within a SWC entity boundary, such that crop growth is not limited by water availability.” *Methodology Order*, at 15. “CWN is the difference between the fully realizable consumptive use associated with crop growth, or ET [evapotranspiration], and effective precipitation . . .” *Id.*

12. CWN is an input variable for calculating RISD for the completed portion of the irrigation season. *Id.* at 17. Actual RISD for the completed portion of the irrigation season is combined with monthly predicted baseline demands for the remaining months of the irrigation season to calculate a season-total RISD volume. *Id.* at 17–18. In-season demand shortfall is then calculated as the difference between the adjusted FS and the RISD. *Id.* at 23.

13. As calculated from the beginning of the irrigation season (April 1), the SWC’s volumetric CWN for the current water year through June 30, 2026, is 657,039 acre-feet. This volume is 137% of the 2000–2025 average CWN for April 1–June 30 and 142% of the CWN for the 2018 BLY. The following graphs summarize monthly volumetric CWN values:





ii. *Extension of BLY*

14. The RISD for the remaining portion of the irrigation season (July–October) is the July–October demand for the 2018 BLY. The numeric July–October demand values are shown in the table in Finding of Fact 15 below.

iii. Calculation of RISD

15. As calculated from the beginning of the irrigation season (April 1), the SWC’s volumetric RISD for 2026 through June is 1,907,341 acre-feet. This volume is 142% of the 2000–2025 average demand from April 1–June 30 and 136% of the demand for the 2018 BLY. The recalculated RISD for each entity at this time is:

	April–June CWN (AF)	E_p (April–June)	April–June RISD (AF)	July–October Demand for 2018 BLY (AF)	Recalculated RISD (AF)
A&B	20,016	0.41-0.90	37,219	38,528	75,747 ¹
AFRD2	71,135	0.20-0.38	252,302	274,485	526,787
BID	60,537	0.30-0.46	159,472	145,546	305,019
Milner	15,961	0.35-0.66	34,414	36,432	70,846
Minidoka	103,782	0.37-0.56	223,925	196,968	420,893
NSCC	161,932	0.21-0.40	583,376	594,099	1,177,475
TFCC	223,676	0.28-0.51	616,634	653,473	1,270,107

D. Forecast Supply

16. When calculated during the irrigation season, the FS is the sum of the year-to-date actual natural flow diversions, the forecasted natural flow supply for the remainder of the season, and the storage allocation for each member of the SWC. *Methodology Order*, at 43. For this order, the FS is the sum of the actual natural flow supply from April through June, the predicted natural flow supply from July through October, and the actual storage allocations. Actual natural flow diversions for the completed portion of the irrigation season are extracted from the Department’s water rights accounting program. The natural flow diversions for the remainder of the irrigation season are estimated by regression analysis. *Id.* at 20–21, 43. Storage allocations are determined by Water District 01 after the Day of Allocation. *Id.* at 43.

i. Sum of Actual Natural Flow Diverted

17. Actual natural flow diverted for the period April through June for each SWC member are summarized in the table contained within the Summary of Forecast Supply section in Finding of Fact 25.

ii. Regression Models to Predict Natural Flow (July–October)

18. Natural flow diversions were predicted for the remainder of the irrigation season by regression analysis. The *Methodology Order* established the following predictor variables for the regression models: natural flow in the Snake River near Heise as reported by the BOR, snow water equivalent (“SWE”) data from the Two Ocean Plateau SNOTEL site, Spring Creek discharge, and ground water levels near American Falls Reservoir. *Methodology Order*, at 20.

¹The Department has modified the total A&B irrigated acreage count to 14,749 acres. Based on the decision in CV01-23-13238, the new acreage count removes A&B Irrigation District’s enlargement acres.

Unique regression models with unique predictor variable groups are established in the *Methodology Order* for each SWC member. *Id.* at 20–21.

19. Either June 15 or July 1 SWE values for the Two Ocean Plateau SNOTEL site are used as input variables in each of the regression models developed in the *Methodology Order*. *Id.* Two Ocean Plateau SWE data was selected as a predictor variable in the *Methodology Order* based upon stepwise statistical analysis carried out in the development of each regression model. *Id.* The Two Ocean Plateau SWE data is an optimum predictor variable for several reasons, including: its elevation (the site is located above 9,000 ft and typically still has snow late in the runoff season (June 15 and July 1); its location (the site is in the headwaters of the Snake River above Jackson Reservoir); and its period of record, which is sufficiently long enough to support model development.

20. On July 1, 2026, the Two Ocean Plateau SNOTEL station reported 0.0 inches of SWE. When the snow water equivalent is zero on July 1, the predicted natural flow supplies for the period July 1–October 31 for A&B, AFRD2, and Milner are zero acre-feet. *Methodology Order*, at 20.

21. The input variables used to predict July–October natural flow volumes for BID, Minidoka, and NSCC in 2026 include: (1) 5.3 inches of SWE reported by the Two Ocean Plateau SNOTEL site on June 15, 2026; (2) 1,904,721 acre-feet of natural flow runoff at the Snake River near Heise (April–June) as reported by the BOR; and (3) 27.47 feet depth to water at well 05S 31E 27ABA1 as measured by the Department on March 23, 2026.

22. The variables used to predict the July–October natural flow volume for TFCC in 2026 include: (1) 5.3 inches of the SWE reported by the Two Ocean Plateau SNOTEL Site on June 15; (2) 1,904,721 acre-feet of natural flow runoff at the Snake River near Heise (April–June) as reported by the BOR; and (3) 66,070 acre-feet of discharge (January–May) as measured and reported by the United States Geologic Survey for its Spring Creek at Sheepskin Rd Nr Fort Hall ID Gage (Gage No. 13075983).

iii. Storage Allocations

23. Preliminary storage allocation values for each member of the SWC are summarized in the table in Finding of Fact 25 below. These values are established based on reported storage for each SWC entity in Water District 01’s initial storage report published on July 9, 2026. These values include each entity’s contribution to the Water District 01 Rental Pool flow augmentation program.

iv. Adjustments to Total Supply

24. Natural flow and storage water supplies were both adjusted, as shown in the table in Finding of Fact 25 below. The adjustments to natural flow depicted in the summary table were for water wheeled by BID and Milner for the Southwest Irrigation District. The adjustments to the stored water supply depicted in the summary table were for the Minidoka Credit.

v. *Summary of Forecast Supply*

25. The following table summarizes the calculated FS and its individual components for each of the SWC members.

	Natural Flow Diverted through 6/30 (AF)	Predicted Natural Flow 7/1 to 10/31 (AF)	Natural Flow Adjustment (AF)	Preliminary Storage Allocation (AF)	Minidoka Credit Adjustment (AF)	Forecast Supply (AF)
A&B	936	0	0	106,223	0	107,159
AFRD2	7,749	0	0	363,260	1,000	372,009
BID	59,430	0	(3,714)	197,196	5,130	258,042
Milner	4,976	0	(3,011)	71,870	0	73,835
Minidoka	74,482	0	0	273,676	8,370	356,528
NSCC	163,687	42,317	0	793,715	(7,750)	991,969
TFCC	393,054	367,366	0	227,002	(6,750)	980,672

E. Revised Shortfall Prediction

26. In-season demand shortfall (“IDS”) is calculated as the difference between RISD and the FS.

27. Based on the established values above, and as summarized in the following table, the Director predicts that AFRD2, BID, Minidoka, NSCC, and TFCC will be materially injured by junior ground water pumping.

	Forecast Supply (AF)	RISD (AF)	Shortfall (AF)
A&B	107,159	75,747	0
AFRD2	372,009	526,787	154,800
BID	258,042	305,019	47,000
Milner	73,835	70,846	0
Minidoka	356,528	420,893	64,400
NSCC	991,969	1,177,475	185,500
TFCC	980,672	1,270,107	289,400
Total			741,100

28. The current predicted shortfall to the SWC’s RISD is 741,100 acre-feet.

29. The Time of Need is used to determine when, during the water year, junior ground water users mitigating for their proportionate share using storage water must deliver that storage water to the SWC. No junior ground water users are mitigating for their proportionate share using storage water this year.

F. Step 6

30. Step 6 requires the following:

Upon a determination of an additional mitigation obligation, junior ground water users will be required to establish, to the satisfaction of the Director, their ability to secure a volume of storage water or to conduct other approved activities pursuant to an approved mitigation plan that will deliver the additional mitigation obligation water to the injured members of the SWC at the Time of Need. If junior ground water users fail or refuse to submit this information within fourteen (14) days from issuance of a Step 6 order, the Director will issue an order curtailing junior ground water users. A transient ESPAM simulation will be run to determine the priority date to produce the necessary additional mitigation obligation volume by September 30 of the same year. Curtailment will be simulated within the area of common ground water supply, as described by CM Rule 50.01.

Methodology Order, at 44 (footnote omitted).

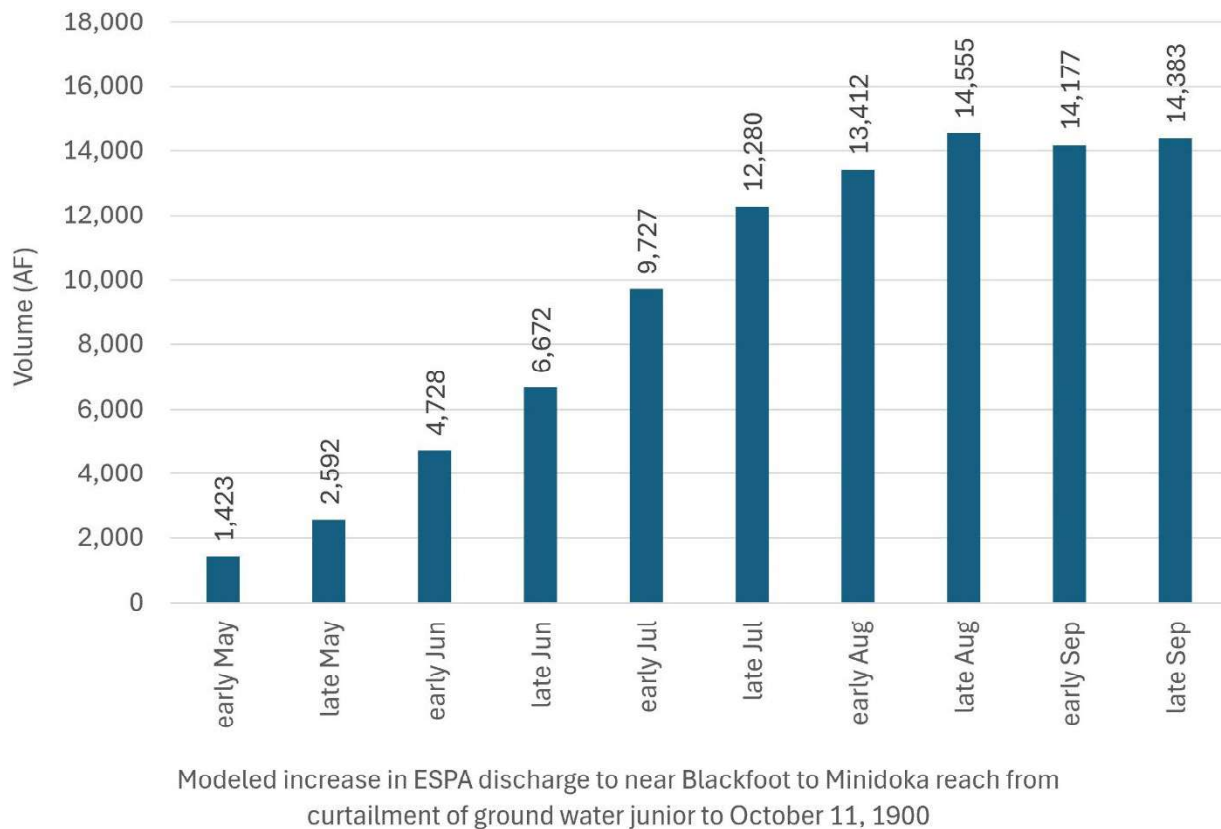
31. The total predicted July IDS for AFRD2, BID, Minidoka, NSCC, and TFCC is 741,100 acre-feet.

32. In April 2026, pursuant to the *Methodology Order*, the Department ran the Eastern Snake Plain Aquifer Model version 2.2 (“ESPAM2.2”) to calculate the priority curtailment date, such that the curtailment of all water rights junior to the date within the ACGWS, would produce a volume of water equal to the April IDS in the Snake River between May 1 and September 30.² The ESPAM2.2 simulation predicted curtailment of ground water rights bearing priority dates junior to October 11, 1900, would produce a volume of water of 94,000 AF in the near Blackfoot to Minidoka reach between May 1 and September 30 of this irrigation season. The predicted benefit was less than the April IDS of 181,600 acre-feet. The Director concluded that curtailing ground water rights bearing priority dates junior to October 11, 1900, would offset as much of the April IDS as possible. *April Forecast Supply Order*, at 5.

33. In July 2026, the Department evaluated the effect of the simulated curtailment of ground water rights bearing priority dates junior to October 11, 1900, on near Blackfoot to Minidoka reach gains during July through September. The ESPAM2.2 simulation calculated that curtailment of ground water rights junior to October 11, 1900, would produce a volume of water

² Effective July 1, 2024, Senate Bill 1341 added a new section to Idaho Code, Idaho Code § 42-233c, which modified the description of the ESPA ACGWS. S.B. 1341, 67th Leg., 2d Reg. Sess. (Idaho 2024). In accordance with S.B. 1341, the Director subsequently expanded the ESPA ACGWS. In late 2025 and early 2026, the Director expanded the ESPA ACGWS to include the Raft River tributary basin and the remainder of the Little Lost River and Big Lost River tributary basins not already included in the ACGWS. On February 2, 2026, the Director issued an order declaring that ground water users included in the ESPA ACGWS in late 2025 and early 2026 would not be subject to administration before April 1, 2027. *Order Phasing in Administration of Ground Water Rights Recently Included in the ESPA ACGWS*, at 2. Accordingly, at this time, ground water users in the Raft River tributary basin and the remainder of the Little Lost River and Big Lost River tributary basins who were newly included into the ESPA ACGWS and hold consumptive water rights bearing priority dates junior to October 11, 1900, are not subject to administration.

of 78,500 AF in the near Blackfoot to Minidoka reach between July 1 and September 30 of this irrigation season. The following figure summarizes the results of the ESPAM2.2 simulation:



34. The predicted July through September benefits to the near Blackfoot to Minidoka reach from curtailment of ground water rights bearing priority dates junior to October 11, 1900, are less than the July IDS of 741,100 acre-feet. Continuing the curtailment of ground water rights junior to October 11, 1900, will offset as much of the July IDS as possible.

CONCLUSIONS OF LAW

1. Idaho Code § 42-602 authorizes the Director to supervise water distribution within water districts:

The director of the department of water resources shall have direction and control of the distribution of water from all natural water sources within a water district to the canals, ditches, pumps and other facilities diverting therefrom. Distribution of water within water districts created pursuant to section 42-604, Idaho Code, shall be accomplished by watermasters as provided in this chapter and supervised by the director. The director of the department of water resources shall distribute water in water districts in accordance with the prior appropriation doctrine. The provisions of chapter 6, title 42, Idaho Code, shall apply only to distribution of water within a water district.

2. Idaho Code § 42-607 states the watermaster, under the direction of the Idaho Department of Water Resources, shall regulate diversions “during times of water scarcity, in order to supply the prior rights of others from such stream or water supply”

3. This year, no water is required to be allocated to the SWC pursuant to Step 5 related to a reasonable carryover shortfall because no junior water users secured water in 2025 to fulfill the carryover shortfall.

4. This year, because no junior ground water users are mitigating for their proportionate share using storage water, the Time of Need as described in Step 6 is not applicable.

5. Based on the Findings of Fact 6 through 27 above, it is reasonably certain AFRD2, BID, Minidoka, NSCC, and TFCC will be materially injured. The calculated shortfall to AFRD2, BID, Minidoka, NSCC, and TFCC is 741,100 acre-feet.

6. The May 14, 2026 *Curtailment Order* curtailed ground water users holding water rights bearing priority dates junior to October 11, 1900, which is the priority date equal to TFCC’s Water Right No. 1-209, the most senior SWC natural flows water right predicted to be injured. Using the ESPAM2.2, the Department has determined that the continued curtailment of ground water rights bearing priority dates junior to October 11, 1900, would produce a volume of water of 78,500 AF in the near Blackfoot to Minidoka reach between July 1 and September 30 of this irrigation season. This would result in a volume of water less than the predicted July IDS of 741,100 acre-feet. Accordingly, continuing the curtailment of ground water rights junior to October 11, 1900, is necessary for curtailment to offset as much of the July IDS as possible.

7. Because the curtailment date remains October 11, 1900, the Director will not issue a new curtailment order under Step 6. The May 14, 2026 *Curtailment Order*, as subsequently modified by the June 17, 2026 *Order Amending Curtailment List to Include Unmitigated Ground Water Rights*, will remain in full force and effect.³

ORDER

Based upon and consistent with the foregoing, IT IS HEREBY ORDERED as follows:

The Director predicts an in-season IDS of 741,100 acre-feet. The May 14, 2026 *Curtailment Order*, as modified by the June 17, 2026 *Order Amending Curtailment List to*

³ There are five approved mitigation plans responding to the SWC delivery call, each is stipulated to by the SWC: (1) No. CM-MP-2015-003 for the benefit of A&B; (2) No. CM-MP-2010-001 for the benefit of Southwest Irrigation District and Goose Creek Irrigation District (collectively, “SWID”); (3) No. CM-MP-2024-003 for the benefit of the Ground Water Districts; (4) No. CM-MP-2019-001 for the benefit of the Coalition of Cities; and (5) No. CM-MP-2007-001 for the benefit of the Water Mitigation Coalition. Due to the nature of the mitigation plans for A&B, SWID, the Ground Water Districts, the Coalition of Cities, and the Water Mitigation Coalition, these entities do not need to establish that they can mitigate for their proportionate share of the predicted IDS. On May 1, 2026, Hearing Officer Gerald Schroeder issued a *Preliminary Order Approving Falls Water’s Stipulated Mitigation Plan* in Department Docket No. CM-MP-2026-002. Exceptions to the *Preliminary Order* are pending so the order has not become final yet pursuant to Idaho Code § 67-5245 and IDAPA 37.01.01.730.

Include Unmitigated Ground Water Rights, remains in full force and effect. All ground water users holding water rights listed in Attachment A to the May 14, 2026 *Curtailment Order* and listed in the June 17, 2026 *Order Amending Curtailment List to Include Unmitigated Ground Water Rights* bearing priority dates junior to October 11, 1900, shall continue to be curtailed from diversion and use of ground water pursuant to those water rights unless they are mitigating in accordance with an approved mitigation plan or are notified by the Department that the order of curtailment has been modified or rescinded as to their water rights.

Dated this 21st day of July 2026.



MATHEW WEAVER
Director

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 21st day of July 2026, the above and foregoing was served by the method indicated below and addressed to the following:

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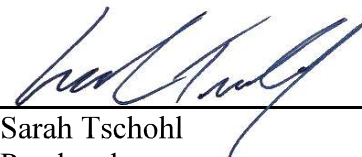
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EXPLANATORY INFORMATION TO ACCOMPANY A FINAL ORDER

(To be used in connection with actions when a hearing was **not** held)

The accompanying document is a “**Final Order**” issued by the Idaho Department of Water Resources (“Department”) pursuant to Idaho Code § 67-5246. The following statements describe the procedures and time limits for seeking reconsideration or other administrative relief as required by Idaho Code § 67-5248.

PETITION FOR RECONSIDERATION

(See Idaho Code § 67-5246(4))

Any party may file a petition for reconsideration of this final order within fourteen (14) days of the service date of this order as shown on the certificate of service. **Note: the petition must be received by the Department within this fourteen (14) day period.** The presiding officer will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law.

REQUEST FOR HEARING

(See Idaho Code § 42-1701A(3))

Unless the right to a hearing before the Director or the Water Resource Board is otherwise provided by statute, any person aggrieved by any final decision, determination, order, or action of the Director of the Department and who has not previously been afforded an opportunity for a hearing on the matter shall be entitled to a hearing before the Director to contest the action. The person shall file with the Director, within fifteen (15) days after receipt of written notice of the action issued by the Director, or receipt of actual notice, a written petition stating the grounds for contesting the action by the Director and requesting a hearing. **Note: The request must be received by the Department within this fifteen (15) day period.**

CERTIFICATE OF SERVICE

(See IDAPA 37.01.01.053, 37.01.01.202)

All documents filed with the Department in connection with a petition for reconsideration or a request for hearing of this final order shall be served on all other parties to the proceeding in accordance with Rules 53 and 202 of the Department’s Rules of Procedure.

**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 DENYING JERRY D.
AND VALERIE H. BINGHAMS’
PETITION FOR
RECONSIDERATION AND
REQUEST FOR HEARING**

BACKGROUND

On July 19, 2023, the Department issued its *Sixth Final Order Regarding Methodology for Determining Material Injury to Reasonable In-Season Demand and Reasonable Carryover* (“*Methodology Order*”). The *Methodology Order* established nine steps for determining material injury to members of the Surface Water Coalition (“SWC”).

On July 21, 2026, the Director issued the *Order Revising April 2026 Forecast Supply and Continuing May 14, 2026 Curtailment Order (Methodology Steps 5-6)* (“*July As-Applied Order*”). The *July As-Applied Order* applied steps 5 and 6 of the *Methodology Order* and continued the effect of the *Final Order Curtailing Ground Water Rights Junior to October 11, 1900*, issued by the Director on May 14, 2026.

Step 5 of the *Methodology Order* addresses the final injury determination to reasonable carryover for members of the SWC. Step 5 states:

If the storage allocations held by members of the SWC fill, there is no reasonable carryover shortfall. If the storage allocations held by members of the SWC do not fill, within fourteen (14) days following the publication of Water District 01’s initial storage report . . . the volume of water secured by junior ground water users to fulfill the reasonable carryover shortfall shall be made available to injured members of the SWC.

Methodology Order, at 43.

Step 6 of the *Methodology Order* states:

Approximately halfway through the irrigation season, but following the events described in Step 5, the Director will, for each member of the SWC: (1) recalculate RISD [Reasonable In-Season Demand]; (2) issue a revised FS [Forecast Supply]; and (3) estimate the Time of Need date.

Id. (footnote omitted).

ORDER DENYING JERRY D. AND VALERIE H. BINGHAMS’ PETITION FOR
RECONSIDERATION AND REQUEST FOR HEARING—Page 1

Following the application of steps 5 and 6 of the *Methodology Order*, the Director issued the *July As-Applied Order*, predicting a July in-season demand shortfall of 741,100 acre-feet. *July As-Applied Order*, at 11. Due to the predicted shortfall, the Director ordered:

The May 14, 2026 *Curtailment Order*, as modified by the June 17, 2026 *Order Amending Curtailment List to Include Unmitigated Ground Water Rights*, remains in full force and effect. All ground water users holding water rights listed in Attachment A to the May 14, 2026 *Curtailment Order* and listed in the June 17, 2026 *Order Amending Curtailment List to Include Unmitigated Ground Water Rights* bearing priority dates junior to October 11, 1900, shall continue to be curtailed from diversion and use of ground water pursuant to those water rights unless they are mitigating in accordance with an approved mitigation plan or are notified by the Department that the order of curtailment has been modified or rescinded as to their water rights.

Id. at 11–12.

On August 3, 2026, Jerry and Valerie Bingham (“Binghams”) filed with the Department, *Jerry D. Bingham’s and Valerie H. Bingham’s Petition for Reconsideration and Request for Hearing* (“*Petition and Request*”), challenging the *July As-Applied Order*. *Petition and Request*, at 1.

On August 12, 2026, Idaho Ground Water Appropriators, Inc. (“IGWA”) filed *IGWA’s Response to Jerry D. Bingham’s and Valerie H. Bingham’s Petition for Reconsideration and Request for Hearing* (“*Response*”). The *Response* argues the Binghams fail to identify any error in the *July As-Applied Order* that warrants reconsideration. *Response*, at 1.

ANALYSIS

The Binghams’ filing is styled as both a petition for reconsideration and a request for hearing. While the analysis of the petition for reconsideration and the request for hearing is largely similar, the Director will consider the merits of each request separately.

1. The Binghams identify no basis to reconsider the *July As-Applied Order*.

Idaho Code § 67-5246(4) governs petitions for reconsideration of final orders. It states:

Unless otherwise provided by statute or rule, any party may file a motion for reconsideration of any final order issued by the agency head within fourteen (14) days of the service date of that order. The agency head shall issue a written order disposing of the petition. The petition is deemed denied if the agency head does not dispose of it within twenty-one (21) days after the filing of the petition.

The *Petition and Request* filed by the Binghams states that they seek reconsideration of the *July As-Applied Order*. The *July As-Applied Order* applied Steps 5 and 6 of the *Methodology Order*. *July As-Applied Order*, at 1–2, 11. Step 5 addresses the final determination of injury to

reasonable carryover. *July As-Applied Order*, at 1; *see also Methodology Order*, at 43. Step 6 requires the Director to recalculate the reasonable in-season demand and revise the forecast supply. *July As-Applied Order*, at 2; *see also Methodology Order*, at 43. The *July As-Applied Order* made the determinations required by those steps. *July As-Applied Order*, at 11.

The fundamental problem with the Bingham's petition for reconsideration is that the Bingham's do not identify a finding of fact, conclusion of law, calculation, or directive in the *July As-Applied Order* that they contend is erroneous and should be reconsidered. They do not challenge the Director's Step 5 determination, the recalculated reasonable in-season demand, the revised forecast supply, the resulting in-season demand shortfall, or the factual information and calculations underlying those determinations. Instead, the three issues identified in the *Petition and Request* concern the structure of the underlying methodology and the allocation of mitigation responsibilities—matters not determined by the *July As-Applied Order*. *See Petition and Request*, at 2–3.

The Bingham's own description of their challenge confirms this conclusion. They state that their “issues do not challenge the Director's authority to administer the Delivery Call or mitigation requirements for In-Season Demand Shortfalls,” but instead “challenge whether the current methodology allocates mitigation responsibilities in a manner that is consistent, priority-based, and equitable.” *Petition and Request*, at 1–2. Thus, although the Bingham's say they seek reconsideration of the *July As-Applied Order*, the substance of their challenge is directed to the *Methodology Order* and framework for allocating mitigation responsibilities under the SWC Delivery Call.

A petition for reconsideration of the *July As-Applied Order* must identify a basis for the Director to reconsider a determination made in the *July As-Applied Order*. The Bingham's identify none. Their three stated issues instead challenge the *Methodology Order* and the framework for allocating mitigation responsibilities under the SWC Delivery Call—matters that were not established or decided in the *July As-Applied Order*. The methodology underlying the SWC Delivery Call has been the subject of extensive litigation. The Idaho Supreme Court has affirmed that the Director may employ a baseline methodology as a starting point for administration of the interconnected surface and ground water rights at issue in the SWC Delivery Call. *In Matter of Distribution of Water to Various Water Rts. Held By or For Ben. of A & B Irrigation Dist.*, 155 Idaho 640, 650, 315 P.3d 828, 838 (2013). In 2023, following an administrative hearing concerning the revisions to the methodology, the Director issued the current *Methodology Order* as a final order of the Department. Certain aspects of the *Methodology Order* were challenged on judicial review, and Judge Wildman affirmed the Department. *City of Idaho Falls v. Idaho Dep't of Water Res.*, No. CV01-23-13238 (Ada Cnty. Dist. Ct. Idaho 2024); *Memorandum Decision and Order*, at 27, *Idaho Ground Water Appropriators Inc. v. Idaho Dep't of Water Res.*, No. CV01-23-13173 (Ada Cnty. Dist. Ct. Idaho May 31, 2024).¹ The Bingham's cannot use a petition for reconsideration of the *July As-Applied Order* to collaterally challenge determinations made in the *Methodology Order*. Because the

¹ In No. CV01-23-13173, one challenge remains pending because the matter was stayed during proceedings on reconsideration.

Binghams identify no error in the findings, calculations, conclusions, or directives contained in the *July As-Applied Order*, the *Petition for Reconsideration* should be denied.

2. The Binghams’ request for hearing does not state grounds for contesting the *July As-Applied Order*.

Idaho Code § 42-1701A(3) governs petitions requesting a hearing before the Department. It states, in pertinent part:

[A]ny person aggrieved by any action of the director, including any decision, determination, order or other action, including action upon any application for a permit, license, certificate, approval, registration, or similar form of permission required by law to be issued by the director, who is aggrieved by the action of the director, and who has not previously been afforded an opportunity for a hearing on the matter shall be entitled to a hearing before the director to contest the action. The person shall file with the director, within fifteen (15) days after receipt of written notice of the action issued by the director, or receipt of actual notice, a written petition stating the grounds for contesting the action by the director and requesting a hearing.

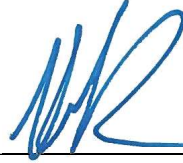
Idaho Code § 42-1701A(3) therefore entitles a person aggrieved by an action of the Director, who has not previously been afforded an opportunity for a hearing on the matter, a hearing to contest the action. The petition must state the grounds for contesting the Director’s action.

The Binghams request a hearing on the *July As-Applied Order*. As discussed above, however, the *Petition and Request* does not identify a determination made in the *July As-Applied Order* that the Binghams seek to contest. They do not challenge the Director’s Step 5 determination, recalculation of reasonable in-season demand, revised forecast supply, resulting in-season demand shortfall, or the factual information and calculations underlying those determinations. Instead, the Binghams expressly state that their issues “challenge whether the current methodology allocates mitigation responsibilities in a manner that is consistent, priority-based, and equitable.” *Petition and Request*, at 2. The grounds stated in the *Petition and Request* thus concern the validity and structure of the *Methodology Order* and the framework for allocating mitigation responsibilities under the SWC Delivery Call, not the determinations made in the *July As-Applied Order*. The distinction is significant under Idaho Code § 42-1701A(3). To the extent the Binghams seek a hearing to contest the determinations made in the *July As-Applied Order*, their petition does not state grounds for contesting those determinations. To the extent they instead seek a hearing to challenge the *Methodology Order*, Idaho Code § 42-1701A(3) does not permit the Binghams to obtain a hearing on the *Methodology Order* merely by directing their request at a later as-applied order. The *Methodology Order* was issued in 2023, following an administrative hearing pursuant to Idaho Code § 42-1701A(3), and has already been subject to judicial review. Because the Binghams state no grounds for contesting the determinations made in the *July As-Applied Order*, the request for hearing should be denied.

ORDER

IT IS HEREBY ORDERED that *Jerry D. Bingham's and Valerie H. Bingham's Petition for Reconsideration and Request for Hearing* is DENIED.

Dated this 24th day of August 2026.



MATHEW WEAVER
Director

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 24th day of August 2026, the above and foregoing was served by the method indicated below, and addressed to the following:

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EXPLANATORY INFORMATION TO ACCOMPANY AN ORDER DENYING PETITION FOR RECONSIDERATION OF A FINAL ORDER

(To be used in connection with Final Orders, reconsideration of which is now denied,
issued by the Director or the Board)

The accompanying document is an **Order Denying Petition for Reconsideration** of the "**Final Order**" issued previously in this proceeding by the agency head of the Idaho Department of Water Resources ("Department") or the Idaho Water Resource Board ("Board") pursuant to Idaho Code § 67-5246.

The following statements describe the procedures and time limits for seeking appeal of the final order previously issued in this proceeding:

APPEAL TO DISTRICT COURT

(See Idaho Code §§ 67-5270 through 67-5279)

Within twenty-eight (28) days after the service date of the presiding officer's denial of a petition for reconsideration, any party may file a petition for judicial review of the final order with a district court. Filing an appeal to a district court does not in itself stay the effectiveness or enforcement of the final order appealed.

FILING AND SERVICE

(See I.R.C.P. 84)

Any petition for judicial review filed in connection with an appeal of the final order shall be served on the agency and all parties to the administrative proceeding in accordance with Idaho Rule of Civil Procedure 84.