

**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 EXTENDING
DEADLINE TO ISSUE
ORDER ESTABLISHING 2021
REASONABLE CARRYOVER**

1. On April 19, 2016, the Director (“Director”) of the Idaho Department of Water Resources (“Department”) issued the *Fourth Amended Final Order Regarding Methodology for Determining Material Injury to Reasonable In-Season Demand and Reasonable Carryover* (“Methodology Order”). The Methodology Order establishes nine steps for determining material injury to members of the Surface Water Coalition (“SWC”). This order applies to step nine, the final step of the Methodology Order, for the 2021 water year.

2. The Methodology Order describes step 9 as follows:

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 [crop water need] 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.

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 [reasonable in-season demand]. 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 shortfall 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.

Methodology Order at 38-39.

3. For the Department to determine the reasonable carryover shortfall volumes for members of the SWC for 2021, if any, the Department needs water diversion, storage allocation, and adjustments to storage allocation data from Water District 01 (“WD01”). As of November 29, 2021, WD01 had not received all of the necessary adjustments to storage allocation information from the SWC. WD01 needs this storage allocation information to complete its preliminary storage allocations for 2021. Without WD01’s data, the Department cannot determine the reasonable carryover shortfall and cannot meet the November 30 deadline established in Methodology Order. The Department has communicated with WD01. WD01 expects the storage allocation information from the SWC on November 30, 2021. WD01 indicates it can get the preliminary data to the Department no later than December 6, 2021.

ORDER

Based upon the foregoing, IT IS HEREBY ORDERED that the deadline to issue its order establishing 2021 reasonable carryover order is extended to December 21, 2021.

DATED this 30th day of November 2021.



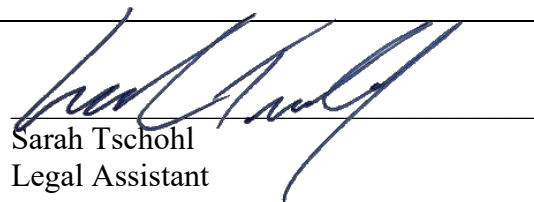
GARY SPACKMAN
Director

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 30th day of November 2021, I served a true and correct copy of the foregoing, *Order Extending Deadline to Issue Order Establishing 2021 Reasonable Carryover*, by the method indicated below, upon the following:

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