



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

January 19, 2012

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

A&B IRRIGATION DISTRICT
PO BOX 675
RUPERT ID 83350

AMERICAN FALLS RES. DIST. #2
409 N APPLE ST
SHOSHONE ID 83352

BURLEY IRRIGATION DISTRICT
246 E 100S
BURLEY ID 83318

MILNER IRRIGATION DISTRICT
5294 E 3610 N
MURTAUGH ID 83344-5129

MINIDOKA IRRIGATION DISTRICT
98 W 50 S
RUPERT ID 83350

NORTHSIDE CANAL COMPANY
921 N LINCOLN
JEROME ID 83338

TWIN FALLS CANAL COMPANY
PO BOX 326
TWIN FALLS ID 83303-0326

Dear Managers:

As you are aware, the *Second Amended Final Order Regarding Methodology for Determining Material Injury to Reasonable In-Season Demand and Reasonable Carryover* (Methodology Order), which was issued in response to the Surface Water Coalition (SWC) delivery call, provides a process for determining material injury to your respective surface water entities.

The Methodology Order states that junior ground water users will be required to provide mitigation, or face curtailment, in the event of shortfalls to the water supply. The Methodology Order established 10 steps for determining material injury. Step 1 states as follows:

By April 1, members of the SWC will provide electronic shape files to the Department delineating the total irrigated acres within their water delivery boundary or confirm in writing that the existing electronic shape file from the previous year has not varied by more than 5%; provided that the total acreage count does not exceed the number of acres to be irrigated within the decreed place of use. 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 provided, the Department will determine the total irrigated acres based upon past year cropping patterns and current satellite and/or aerial imagery. If an 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 publish 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 will account for supplemental ground water use.

Methodology Order at 34.

In light of the above, please provide the Department with your electronic shape files as soon as possible.

Sincerely,

A handwritten signature in black ink that reads "Gary Spackman". The signature is fluid and cursive, with a long, sweeping underline that extends to the right.

Gary Spackman
Interim Director

cc: Randall C. Budge – Racine, Olson, Nye, Budge & Bailey, Chartered
Candice McHugh – Racine, Olson, Nye, Budge & Bailey, Chartered
C. Tom Arkoosh – Capitol Law Group, PLLC
John K. Simpson – Barker Rosholt & Simpson, LLP
Travis L. Thompson – Barker Rosholt & Simpson, LLP
W. Kent Fletcher – Fletcher Law Office
Sarah A. Klahn – White & Jankowski, LLP
Dean A. Tranmer – City of Pocatello