April 28, 2022

Sent via Email to:

Gary Spackman, Director
Idaho Department of Water Resources
322 East Front Street
Boise, ID 83720-0098
Gary.spackman@idwr.idaho.gov

Re: ESPA Cities’ Intent to Mitigate, Final Order Regarding April 2022 Forecast, CM-DC-2010-001

Dear Director Spackman:

This letter is sent on behalf of the Eastern Idaho cities identified on Attachment A in response to the Department’s April 20, 2022 Order requiring juniors to submit evidence of an intent to mitigate to avoid curtailment. The cities listed on Attachment A request that the Department exclude their water right from any curtailment order arising from the April 20, 2022 Order, based on the April 9, 2019, Final Order approving the Stipulated Mitigation Plan submitted by the City of Pocatello, City of Idaho Falls, and the Coalition of Cities1 (“ESPA Cities’ Mitigation Plan”) in Docket No. CM-MP-2019-001. The substance of mitigation obligations under the Cities’ Mitigation Plan is reflected in the September 2018 Settlement Agreement between the Surface Water Coalition and the Idaho Department of Ground Water Appropiatores.2 The ESPA Cities are in compliance with the ESPA Cities’ Mitigation Plan, and expect to remain in compliance during the pendency of the 2022 water year.

If you have any questions or concerns, please let me know.

Very truly yours,

Sarah A. Klahn

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1 The Coalition of Cities is made up of the Cities of Bliss, Burley, Carey, Declo, Dietrich, Gooding, Hazelton, Heyburn, Jerome, Paul, Richfield, Rupert, Shoshone and Wendell.
2 The September 2018 Settlement is an attachment to the ESPA Cities’ Mitigation Plan.
Attachment

SAK/dkt

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Attachment A

Eastern Idaho Cities on whose behalf the April 28, 2022 letter to IDWR Director re: ESPA Cities’ Intent to Mitigate, Final Order Regarding April 2022 Forecast, CM-DC-2010-001 is sent:

City of Aberdeen
City of Ammon
City of Atomic City
City of Blackfoot
  City of Bliss
  City of Burley
  City of Carey
  City of Declo
  City of Dietrich
  City of Firth
  City of Gooding
  City of Hazelton
  City of Heyburn
City of Idaho Falls
  City of Iona
  City of Jerome
  City of Paul
  City of Pocatello
  City of Rexburg
  City of Richfield
  City of Rigby
  City of Ririe
  City of Roberts
  City of Rupert
  City of Rupert
  City of Shoshone
City of Sugar City
City of Wendell