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DEPARTMENT OF
WATER RESOURCES

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STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

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
Docket No. CM-MP-2009-006

**IGWA’s Request for Mitigation Credit
for Aquifer Enhancement Activities
(2024)**

IN THE MATTER OF IGWA’S
MITIGATION PLAN FOR CONVERSIONS,
DRY-UPS, AND RECHARGE

Idaho Ground Water Appropriators, Inc. (“IGWA”), through counsel, hereby requests credit towards the mitigation obligations of North Snake Ground Water District, Carey Valley Ground Water District, Magic Valley Ground Water District, American Falls-Aberdeen Area Ground Water District, Bingham Ground Water District, Bonneville-Jefferson Ground Water District, Jefferson-Clark Ground Water District, Madison Ground Water District, and Henry’s Fork Ground Water District (collectively, the “Districts”) under the Surface Water Coalition (“SWC”) delivery call for the 2024 irrigation season.

On May 14, 2010, the Director issued the *Order Approving Mitigation Plan* in IDWR Docket No. CM-MP-2009-006 which approved IGWA’s *Mitigation Plan for Conversions, Dry-Ups, and Recharge* (“Aquifer Enhancement Plan”). The order grants “IGWA and its members [] the right to obtain mitigation credit for the Mitigation Activities that will then be applied in

response to a finding of material injury to senior water rights under the CM Rules.” (Order Approving Mit. Plan, p. 1.) The plan authorizes mitigation credit for “1) existing and future conversions of acres irrigated from groundwater to surface water irrigation; 2) dried up acres through the Conservation Reserve Enhancement Program (CREP); AWEP or other voluntary program[s] resulting in the dry-ups of groundwater irrigated acres; and 3) groundwater recharge.” *Id.*

From 2016-2023, the Districts implemented conversion projects, conducted managed aquifer recharge, and partially or fully dried up farmland to satisfy their mitigation obligations under the IGWA-SWC Settlement Agreement, which required each District to conserve its proportionate share of 240,000 acre-feet annually. This request for mitigation credit is based on surplus conservation by the Districts during that period. Filed herewith is the Declaration of Sophia Sigstedt. Exhibit B to the Sigstedt Declaration contains a table showing that surplus mitigation from 2016-2023 will provide an additional 5,025 acre-feet of water to the SWC in 2024 via gains to the Near Blackfoot to Minidoka reach of the Snake River.

Therefore, IGWA requests a credit of 5,025 acre-feet towards the collective mitigation obligation of IGWA’s members under the Methodology Order, and a recalculation of the curtailment date applicable to IGWA’s members as a result of the credit.


RESPECTFULLY SUBMITTED this 2nd day of May, 2024.

RACINE OLSON, PLLP

By: 
Thomas J. Budge
Attorneys for IGWA

CERTIFICATE OF SERVICE

I hereby certify that on this 2nd day of May, 2024, I served the foregoing document on the persons below via email or as otherwise indicated:


Thomas J. Budge

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