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STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

IN THE MATTER OF THE MITIGATION
PLAN FILED BY FALLS IRRIGATION
DISTRICT FOR THE DISTRIBUTION OF
WATER TO WATER RIGHTS HELD BY
THE SURFACE WATER COALITION

Docket No. CM-MP-2024-002

IGWA’S NOTICE OF PROTEST

Idaho Ground Water Appropriators, Inc. (“IGWA”), by and through counsel, acting for and on behalf of its members, hereby protests *Falls Irrigation District’s Rule 43 Mitigation Plan* filed May 7, 2024, in the above-captioned matter. The initial reasons for IGWA’s protest are:

1. Continued non-irrigation of lands which have not been irrigated in recent history is not a valid source of mitigation.
2. Incidental recharge from surface water irrigation is not a valid source of mitigation.
3. Reducing canal system spills is not a valid source of mitigation.
4. Historical reductions in groundwater diversions not made pursuant to an approved mitigation plan is not a valid source of mitigation, nor are reductions in usage from canal system efficiencies.
5. Reductions in wastewater is not a valid source of mitigation.
6. A&B Irrigation District’s mitigation plan was not filed on behalf of water rights owned by Falls Irrigation District.

This protest is continuing in nature and IGWA reserves the right to raise additional objections to the proposed mitigation plan as additional information is discovered.

Dated this 4th day of June, 2024.

RACINE OLSON, PLLP

By: 

Thomas J. Budge
Attorneys for IGWA

CERTIFICATE OF SERVICE

I hereby certify that on this 4th day of June, 2024, I cause the foregoing document to be served on the persons below via the method below:


Thomas J. Budge

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