



State of Idaho

DEPARTMENT OF WATER RESOURCES

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C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

July 22, 2016

Re: Final Order on Reconsideration in the Matter of Requiring Measuring Devices for Ground Water Diversions in Water District Nos. 31, 34, 100, 110, 120, 130 and 140

Dear Water User,

The Idaho Department of Water Resources ("IDWR") has issued the enclosed Final Order on Reconsideration ("Order") requiring installation of measuring devices for ground water rights and diversions within Water Districts 31, 34, 100, 110, 120, 130, and 140. The enclosed Order is a final order pursuant to Section 67-5246, Idaho Code. Any party may file a petition for reconsideration of a final order as explained in the enclosed information sheet.

The attached Order supersedes IDWR's Final Order of June 15, 2016 requiring measurement of ground water rights and diversions in water districts overlying the Eastern Snake Plain Aquifer ("ESPA"). Specifically, the attached Order clarifies that holders of ground water rights within all of Water Districts 34, 100, 110, 120, 130, and 140, and ground water rights in Water District 31 subject to the Mud Lake Agreement, shall install and maintain on each well, a measuring device of a type acceptable to the Director of IDWR. Consistent with the previous Final Order, the following ground water uses and diversions are excluded from the requirement to install measuring devices:

- a. Domestic and stockwater uses as defined by Section 42-111, Idaho Code;
- b. Diversions for irrigation uses less than or equal to five (5) acres; and
- c. Non-irrigation uses with a total rate of diversion less than or equal to 0.24 cubic feet per second (approximately 108 gallons per minute).

Ground water diversions in Water District 34 located outside of the ESPA are measured by WD 34 and are currently in compliance with the requirements found in the attached Order.

A copy of this order has been sent to all ground water right holders in Water Districts 31, 34, 100, 110, 120, 130 and 140, except those users holding water rights described in items a. and c. above. Holders of ground water rights used for irrigation of 5 acres or less have received a copy of the enclosed Order because multiple small irrigation rights may be diverted from a single well and otherwise exceed the minimum 5 acre exemption limit.

If you have questions concerning the enclosed Order or IDWR's water measurement standards, please contact the IDWR State office (208-287-4800), Eastern Regional office (208-525-7161), or Southern Regional office (208-736-3033).

Respectfully,

Tim Luke
Water Compliance Bureau

Encl: *Final Order on Reconsideration; Explanatory Information to Accompany a Final Order*