



IDAHO DEPARTMENT OF
WATER RESOURCES

NEWS RELEASE - FOR IMMEDIATE RELEASE

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IDWR Director: Updated July methodology order finds no injury to senior or junior water users in 2023 irrigation season

BOISE - (July 20, 2023) – After implementing changes to the current methodology order and re-evaluating current water supply conditions in the Upper Snake River Basin, the Director of the Idaho Department of Water Resources (IDWR) has found that senior Snake River water users will not be injured by junior ground water pumping at the mid-season point of the 2023 irrigation season, and thus, no curtailment of junior water users will need to occur, officials said Thursday.

On April 21, IDWR Director Gary Spackman issued two decisions regarding the longstanding Surface Water Coalition delivery call:

1. The first decision amended the method used to calculate injury (i.e. Methodology Order) to Snake River senior surface water users.
2. The second decision applied the updated methodology information for hydrologic and climate conditions for this year, and determined that 75,200 acre-foot shortfall would occur to the senior priority surface water users' water supplies in the 2023 irrigation season. Approximately 900 ground water rights junior to December 30, 1953, not protected by an approved mitigation plan, could be subject to curtailment as this irrigation season develops, he said.

However, because of the changes to the methodology used by IDWR to calculate impacts, the Director put his decisions on hold until hearings could be held June 6-10 to get feedback from the affected users.

Following the June hearings, on Wednesday, July 19, Director Spackman issued three decisions.

The first, the 6th Final Methodology order, implemented changes to the methods used to calculate impacts, based on evidence provided at hearing. The second decision “applied” the revised methodology to the mid-season hydrologic and climate conditions. The As-Applied order found there was no injury to any of the seven members of the Surface Water Coalition (SWC). The Director found there would be no water demand shortfall for any of them, based on the mid-summer water supplies and crop demand.

Director Spackman also issued a third decision responding to many of the legal arguments raised by junior ground water users at the June 6 hearing. All three decisions are appealable to the courts.

Following the SWC’s conjunctive administration delivery call, filed in 2008, IDWR calculates the injury to senior water users each year based on the latest water supply information available. The Methodology

Order is the court-approved process IDWR uses to evaluate water supply conditions, aquifer conditions and irrigation demand. From that calculation, IDWR determines the impacts, or injury, to senior surface water users by junior ground water users pumping from the ESPA. The Department must periodically update the methodology used to account for long-term changes in climate, hydrologic conditions and farming practices.

“The Department must periodically update the numerous factors involved in our Methodology Order calculations to ensure it adequately protects the senior water users,” said Mat Weaver, IDWR Deputy Director.

Under Idaho water law, surface water users with senior water rights have priority over water users with junior rights on the Snake River and ESPA. The rule of law is “first in time, first in right.” On the Snake River, IDWR manages both surface and ground water resources together as one whole, or “conjunctively,” in calculating impacts each year.

Despite the Director’s latest finding, junior water users should continue to participate in and implement ground water mitigation plans related to the ESPA surface water delivery call, officials said. That’s because IDWR continues to apply the methodology to evaluate injury to senior surface water users for the duration of the irrigation season. IDWR officials still could find injury later this season.

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