



IDAHO DEPARTMENT OF
WATER RESOURCES

NEWS RELEASE - FOR IMMEDIATE RELEASE

Contact: Brian Patton, Deputy Director, Idaho Department of Water Resources, 208-287-4800

IDWR finds 74,100 acre-foot shortfall in April 2024 Methodology Order; Junior groundwater users could face potential curtailment

BOISE - (April 19, 2024) – In the ongoing Surface Water Coalition’s conjunctive administration delivery call, Director Mathew Weaver of the Idaho Department of Water Resources (IDWR) has found that the Twin Falls Canal Co. will face a shortfall of 74,100 acre-feet of water in the 2024 irrigation season in an order signed on April 18, 2024 and sent to water users.

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 surface water users with senior water rights caused by junior water users pumping from the Eastern Snake Plain Aquifer (ESPA).

Under Idaho water law, surface water users with senior water rights have priority over water users with junior rights on the Snake River and the 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.

The Director’s April order means that all groundwater users who draw water from the ESPA with a priority date junior to March 31, 1954 must be covered by an IDWR-approved mitigation plan by May 2, 2024 or face curtailment.

The Director’s April 2024 Methodology Order did not find any shortfall would occur to the other six members of the Surface Water Coalition (SWC) - A&B Irrigation District, Burley Irrigation District, Milner Irrigation District, Minidoka Irrigation District, North Side Canal Company, American Falls Reservoir District No. 2.

The injury to the Twin Falls Canal Co. was calculated to occur between the Blackfoot and Minidoka reach of the Snake River. TFCC has senior water rights dating to October 1900.

The 74,100 acre-foot shortfall is based on the April 4 joint forecast of 3.37 million acre-feet of water flow at the Snake River Heise gage from April 1 through July 31. The forecast is calculated by the Bureau of Reclamation and U.S. Army Corps of Engineers based on mountain snowpack and predicted streamflow runoff. The April forecasted flow volume equates to 102% percent of the average.

The shortfall determination also considers current groundwater levels in the ESPA. Despite concerted management efforts, levels measured in the spring of 2023 were at or near all-time lows dating back to

the 1950s. The low ESPA groundwater levels affect spring flows and surface water flows in the Snake River.

Regarding groundwater mitigation plans, Weaver encouraged groundwater users to make sure they are in full compliance with a mitigation plan.

“Despite past cooperation amongst surface and ground water users in managing this delivery call, there is currently much ongoing litigation following the drought years of 2021 and 2022. Because of this litigation over questions of past compliance, there is uncertainty about the legal applicability of IGWA’s previously approved mitigation plans,” Weaver said. “I recommend ground water users ensure their ground water districts are in strict compliance with all necessary components of their mitigation plans as determined by IDWR to avoid widespread curtailment.”

Much water litigation has resulted from conflicts between Snake River surface water users with senior water rights and ground water users with junior water rights in the ESPA. The litigation led to a water delivery call by the Surface Water Coalition (SWC), which is a coalition of seven surface water irrigation entities that collectively irrigate more than 500,000 acres in Southern Idaho.

The Director of IDWR is required to issue an order at the beginning of the irrigation season, and then again in early July, determining any shortfall in water supply to the senior surface water right holders, and determining the obligations of junior ground water pumpers to curtail water use or mitigate for depletions to the holders of senior priority water rights.

Please see the Director’s Methodology Order for more details. As required by the Methodology Order, the Director will issue an updated order in July after considering the new water supply and crop water need information available at that time.

#####