



IDAHO DEPARTMENT OF
WATER RESOURCES

NEWS RELEASE - FOR IMMEDIATE RELEASE

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SWC, ESPA ground water districts reach settlement agreement, avoid curtailment in 2024

BOISE - (June 20, 2024) – On Thursday, June 20, the Idaho Department of Water Resources (IDWR) announced that a comprehensive settlement had been reached between the Surface Water Coalition (SWC) and ground water districts in the Eastern Snake Plain region for the 2024 irrigation season.

Over the last two weeks, Lt. Gov. Scott Bedke has been working on bringing the two parties together to reach a deal for this irrigation season that prevents curtailment.

“I give the credit to the parties who came together to negotiate, compromise, and work this out in the Idaho way,” said Lt. Gov. Scott Bedke. “Now that this is settled for 2024, we can begin working on what the future looks like for aquifer management and mitigation to the senior water users.”

Added Gov. Brad Little: “Just like we’ve done over and over, Idahoans came together, resolved our differences, and found a path forward to protect farmers and our supply of water for the year. However, we recognize we still have a lot of hard work to do. We will be okay for this year, but we all agree we need a better plan in the out years to protect our farmers and ensure Idaho maintains our water sovereignty. We remain committed to working with all water users in Idaho to ensure we have a sustainable supply of water for this generation and future generations.”

“I am pleased that the parties to this delivery call were able to negotiate a settlement for 2024 that avoids large-scale curtailment of land irrigated from junior ground water wells,” IDWR Director Mathew Weaver said. “The parties did what I cannot do. They agreed to management solutions outside the strict legal confines of an approved mitigation plan and the priority administration of water rights.”

While IDWR officials were pleased to see a settlement reached for this irrigation season, they noted that any groundwater users who are not members of a ground water district or other organization with an approved mitigation plan are encouraged to join a district to avoid curtailment.

Last week, on June 13, IDWR officials paused enforcement efforts due to reports that settlement discussions were in progress.

For the 2024 irrigation season, all Eastern Snake Plain Ground Water Districts will conform to the 2016 mitigation plan, in which the Ground Water Districts will collectively conserve 240,000 acre-feet of ground water and deliver 50,000 acre-feet of storage water to the SWC. In return, all members of the ground water districts will again be protected from curtailment. In addition, the parties agreed to a set

of actions, including recognizing excess conservation activities performed by the ground water districts in 2023, to cure the ground water district's 2022 breach of the mitigation plan. The parties also committed to negotiating a new mitigation plan by the end of the year to protect juniors from curtailment in the future.

As part of the Surface Water Coalition's conjunctive administration delivery call, IDWR issued a curtailment order on May 30, affecting ground water rights junior to March 31, 1954. To avoid curtailment, ground water users with priorities junior to that date must operate under an approved mitigation plan.

Consistent with past curtailments, non-consumptive uses, culinary in-house uses, and exempt uses of water for domestic and livestock purposes are not subject to curtailment.

Background

Under Idaho's prior appropriation water law, water users with senior water rights have priority over water users with junior rights. On the Eastern Snake River Plain, IDWR has administered both surface and groundwater resources together as one whole, or "conjunctively," since 2005.

Under the SWC's water delivery call in 2005, the Director of IDWR is required by law to issue an order at the beginning of the irrigation season and again in early July determining the shortfall in senior surface water user water supplies due to the pumping impacts of junior groundwater users. When the Department calculates a shortfall, junior groundwater users must mitigate their impacts or be curtailed.

Please see the [IDWR FAQ](#) about the May 30 curtailment order.

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