



IDAHO DEPARTMENT OF
WATER RESOURCES

NEWS RELEASE - FOR IMMEDIATE RELEASE

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IDWR agents will be reaching out to groundwater users in the lower Big Lost, Little Lost River Basins this spring to check on compliance with current curtailment

BOISE - (March 2, 2026) – In the ongoing Surface Water Coalition’s conjunctive administration delivery call, Director Mathew Weaver of the Idaho Department of Water Resources (IDWR) is putting groundwater users on notice in the lower portions of the Big Lost and Little Lost River Basins that they need to join a mitigation plan or face curtailment immediately.

IDWR officials will be going into the field this spring, before the irrigation season begins, to check with groundwater users to see if they have curtailed their use, as instructed, or are covered by an approved mitigation plan. IDWR agents will red-tag and curtail groundwater wells if the water users are not in compliance, officials said.

The curtailment date in effect now is August 15, 1952, according to the Director’s latest Methodology Order, issued in 2025. All groundwater users junior to that date in the lower Big and Little Lost Basins are already subject to this curtailment order, IDWR officials said. Approximately 700 groundwater rights in the Big Lost River Basin (Water District 34), and 140 groundwater rights in the Little Lost River Basin (Water District 33) are currently subject to curtailment, IDWR officials said.

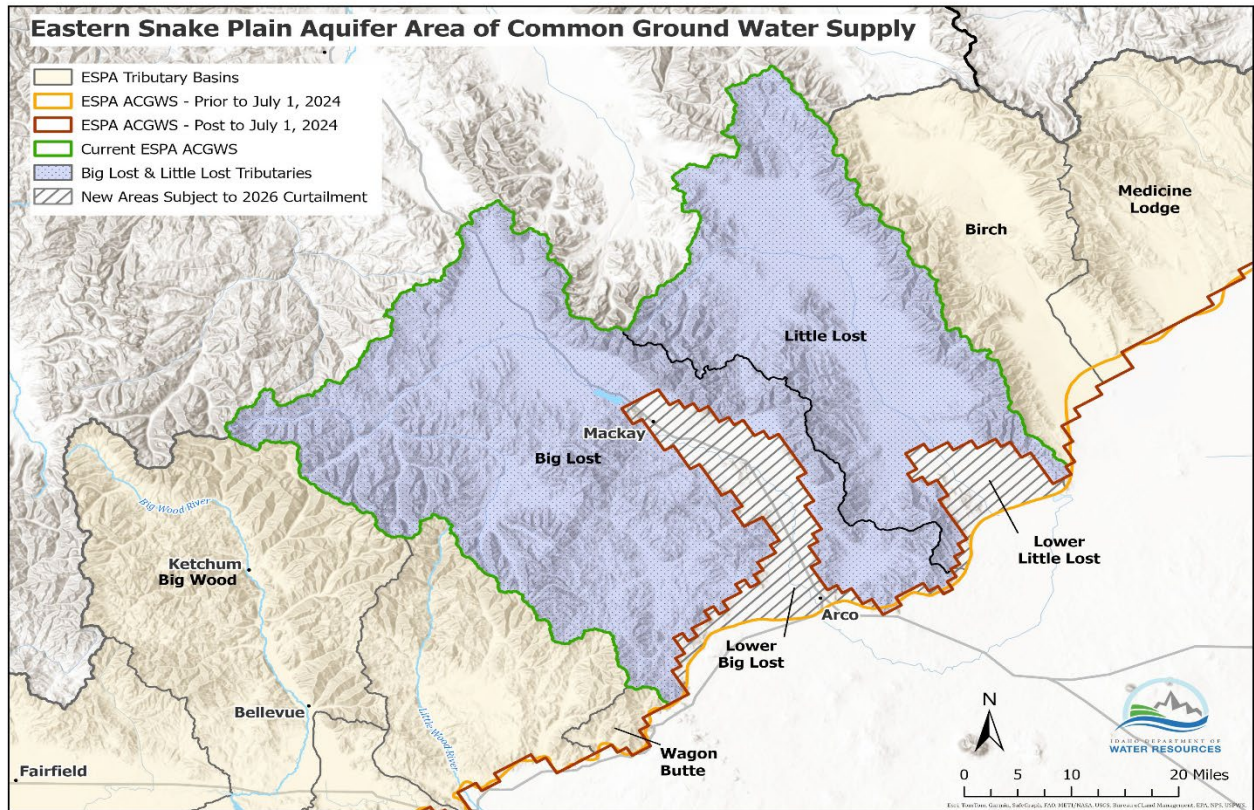
Background: Upon being brought into conjunctive management of the Eastern Snake Plain Aquifer in 2024, water users in the lower Big Lost and Little Lost river basins were given until Nov. 1, 2025 (sixteen months), to be phased into water rights administration. IDWR press releases in November and January urged water users to take action to join an approved mitigation plan or face curtailment.

“The purpose of phasing in the administration of the newly participating groundwater users was to give them a reasonable amount of time to organize into groundwater districts and implement approved mitigation plans or join existing groundwater districts and participate in already approved mitigation plans,” Weaver said previously.

The lower part of the Big Lost River Basin up to Mackay, and the lower part of the Little Lost River Basin, were incorporated into the ESPA Area of Common Groundwater Supply upon passage of Senate Bill 1341 on July 1, 2024. The Director gave the groundwater users in these areas additional time to phase in administration and develop mitigation plans.

IDWR officials are aware that two groundwater districts exist in the Big Lost Basin – the Big Lost River Groundwater District and the Upper Big Lost River Groundwater District. However, neither one has an approved mitigation plan or joined an existing, approved mitigation plan, according to IDWR officials.

The curtailments will be modified if water supply conditions change dramatically, affecting the curtailment date, or will be rescinded for groundwater rights that become covered by an approved mitigation plan, IDWR officials said.



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

As a result of the phased in administration, this is the first curtailment order affecting groundwater rights brought into the delivery call proceedings due to the expanded ESPA Area of Common Groundwater Supply. Like the many groundwater right holders already subject to the delivery call proceedings, these new users must curtail if they are not protected by an approved mitigation plan.

The Methodology Order is the court-approved process IDWR uses to evaluate water supply conditions and irrigation demand in a delivery call proceedings. From that data, IDWR calculates an in-season demand shortfall, which quantifies the impacts or injury to Snake River surface water users with senior surface water rights caused by junior groundwater users pumping from the ESPA.

Much water litigation has resulted from conflicts between Snake River surface water users with senior water rights and groundwater users with junior water rights in the ESPA. The litigation led to a water delivery call in 2005 by the Surface Water Coalition, which represents seven surface water irrigation entities with senior surface water rights in Southern Idaho.

Under the SWC's 2005 water delivery call, the Director of IDWR is required by law to determine if material injury is occurring to senior surface water users due to the pumping impacts of junior groundwater users in the ESPA. The director must make this determination at the beginning of the irrigation season, again in July and September, and after the end of the irrigation season in November.

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