



State of Idaho

DEPARTMENT OF WATER RESOURCES

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C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

August 24, 2017

«Addressee»

«Organization»

«InCareOf»

«Address»

«City» «ST» «Zip»

Re: Regulation of Water Rights within Water District No. 29D

Dear Water User,

Records of the Idaho Department of Water Resources ("Department") show that you are the holder of one or more surface water rights located within Water District No. 29D ("WD29D"), Lower Portneuf River and tributaries. The purpose of this letter is to notify you that the Department recently instructed the WD29D watermaster to begin curtailing water rights in WD29D based on water right priority delivery dates on the Snake River below Blackfoot (Blackfoot to Milner reach of the Snake River).

On July 27, 2017, the Department instructed the WD29D watermaster to begin curtailment of water rights in WD29D with priority dates junior to March 26, 1903. On August 4, 2017, the priority date curtailment was adjusted to October 11, 1900. The October 11, 1900 priority curtailment date remains in effect this season until further notice and upon a change in water right priority delivery on the Snake River.

Department staff advised water users at this year's annual WD29D water users meeting that water right priority curtailments in WD29D would be initiated this year based on Snake River water right priority cuts or deliveries below Blackfoot. The Portneuf River is tributary to the Snake River between Blackfoot and Milner Dam. Delivery and administration of water rights on the Snake River above Milner Dam is accomplished by Water District 01 ("WD01"), which is the Upper Snake River from the Idaho-Wyoming border to Milner Dam near Burley, including tributaries above the Blackfoot River Basin. Water rights in the Blackfoot to Milner reach of the Snake River bearing priority dates of October 11, 1900 are the most junior priority rights delivered. This means rights in the reach senior to October 11, 1900 are always satisfied.

Many water rights in WD29D are relatively junior in priority compared to water rights on the Snake River and other Snake River-WD01 tributaries. For example, about 82 percent of all surface water rights in WD29D have priority dates junior to 1900. Many of these post-1900 priority rights have been diverted out of priority with respect to water right priority deliveries in the Blackfoot to Milner reach of the Snake River. Consequently, the Department has instructed the WD29D watermaster to

begin regulating water right priorities in WD29D consistent with the priority dates on the Snake River below Blackfoot. The Department initiated this instruction this year because the Snake River Basin Adjudication became final on August 24, 2014, and because the Department completed a review of Snake River-WD01 tributary basin water rights in 2016. The latter review identified WD29D as an area needing specific regulation to ensure proper administration and delivery of water rights in accordance with priority dates.

The Department recognizes that 2017 has been a good water year with additional surface water supplies available in both WD29D and WD01. Due to the good water year, priority regulation in WD29D was not necessary until July 27th. In normal water supply years or drier years, curtailment of various priority water rights in WD29D could begin one to two months earlier.

For further information regarding current water right priority delivery dates on the Snake River, please visit the WD01 website at www.waterdistrict1.com (click on 'Projected Water Rights' and view the priority for 'Snake River below Blackfoot'). For additional information about the Department's review of water rights in the Snake River-WD01 tributary basins, please visit the following link: <https://idwr.idaho.gov/files/districts/WD29H-20161014-Staff-Memo-WD01-tribs.pdf>

If you have questions related to this letter, please contact the IDWR State Office (Boise) at 208-287-4800, or the Eastern Regional Office (Idaho Falls) at 208-525-7161.

Sincerely,



Tim Luke
Water Compliance Bureau

Cc: Randy Smith, WD29D Watermaster
Lyle Swank, WD01 Watermaster
IDWR Eastern Region