



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098

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DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

April 10, 2002

Lynn Tominaga, Executive Director
Idaho Ground Water Appropriators
P.O. Box 2624
Boise, Idaho 83701

Jeff Martin, Hydrographer
North Snake Ground Water District
152 East Main Street
Jerome, Idaho 83338

Re: Administration of Proportionate Reduction – Stipulated Agreements for Basins 35 and 36

Dear Lynn and Jeff:

I appreciated the time and effort you expended with Tim Luke and I reviewing appropriate methods to monitor and administer implementation of the proportionate reduction provisions in the stipulated agreements for Basins 35 and 36. The purpose of this letter is to document for you and others having an interest the approach that IDWR will use based upon our understanding of the intent and provisions of the agreements.

1. IDWR understands the agreements allow for the proportionate reduction of ground water diversion by the amount required taking into account the amount of stored or other water supplied by the ground water parties to the surface water parties in accordance with the agreement.
2. IDWR understands that the parties to the agreement have accepted responsibility for compliance with the terms of the agreements.

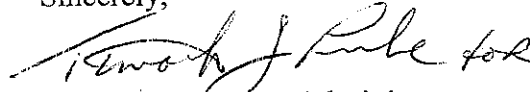
Accordingly, IDWR will determine compliance with the proportionate reduction provision of the agreements by comparing the ground water diversions reported within each district during the upcoming irrigation season with the average of the ground water diversions reported within each district for the base years of 1999 and 2000. Ground water diversions in excess of that provided for under the terms of the agreement will be carried over and will increase the amount of water needed or the size of reduction required for the ground water district to meet next year. Similarly, ground water diversions less than that allowed will be carried over as a credit and will reduce the amount required next year. The hydrographer of each ground water district, in coordination with the water district/water measurement district, is responsible to

determine the amount of ground water diverted within each ground water district using methods compatible with those used in previous years

The ground water districts will submit to IDWR by May 15, 2002, or as soon thereafter as practicable, a plan describing the good faith efforts the district will employ to implement the required proportionate reduction for the coming irrigation season. I understand that you will be asking irrigators within the ground water district to submit plans for achieving the proportionate reduction and will identify acceptable methods for achieving the proportionate reduction, either as individual members or as groups of members coordinating their efforts. The watermaster of the newly created district will assist ground water districts in determining compliance with the plans submitted by the members, although ultimately IDWR enforcement will be based upon the procedure set forth in the previous paragraph of this letter.

Tim or I will be happy to discuss this matter with you to further develop the procedures that are needed to implement administration of the stipulated agreements

Sincerely,

A handwritten signature in black ink, appearing to read "Norman C. Young", followed by the word "for" in a smaller, less legible script.

Norman C. Young, Administrator
Water Management Division

CC: All parties to stipulated agreements