




Ground Water Districts

Potential Reduction in 2002 Water Use

Note: Some files are in .pdf format. You must have Adobe Acrobat Reader installed on your computer to view and print these forms. If you do not you can download a free copy at this time by clicking on the "Get Acrobat" icon. 

IDWR water managers are cautioning ground water users in five southern Idaho ground water districts that a poor water supply outlook means they may have to curtail their water use by up to 15 percent this year because they will not be able to meet their obligation to supply replacement water to senior surface water users.

IDWR Director Karl J. Dreher issued the caution in letters sent to 1,500-2,000 ground water users who make up the Aberdeen-American Falls, Bingham, Bonneville-Jefferson, North Snake and Magic Valley ground water districts.

To read the letters to the water users, please select:

- Aberdeen-American Falls, Bingham & Bonneville-Jefferson Ground Water Districts; or
- North Snake and Magic Valley Ground Water Districts.

To see a map that shows the location of these districts, please select Map.

Ground water users in the five districts agreed late last year to provide surface water to surface water users with senior water rights as a replacement for ground water being pumped. The agreements required the Aberdeen-American Falls, Bingham and Bonneville-Jefferson districts to supply a total of 28,500 acre feet of water. The North Snake and Magic Valley districts were to supply a total of 40,000 acre feet of water.

The agreements also stipulate that the North Snake and Magic Valley districts to reduce pumping by up to 10 percent and the other three districts by up to 15 percent if replacement surface water is not available.

Below-average snow pack in the Upper Snake River system, combined with limited carryover water from last year, means it is probable there will not be surface water available in the Idaho water bank to meet the obligation.

Therefore, absent an agreed-upon substitute for the replacement water, ground water diversions will have to be reduced pursuant to the stipulated agreement. The extent of any reduction will depend in the end on the amount of any replacement water that is secured for rental.

To return to the IDWR home page, please select HOME.



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARI J. DREHER
Director

June 18, 2002

«Name»

«Street»

«City», Idaho «Zip»

Re: Curtailment of Ground Water Use Under Water Right(s) «Wtr Rt»

Dear Water Right Holder:

The records of the Idaho Department of Water Resources ("Department") indicate that you own one or more water rights for the use of ground water within Water District 120 and the American Falls Ground Water Management Area (GWMA). Department records do not indicate that out-of-priority diversion and use of water under your water right(s) is covered by either an approved mitigation plan or one of the stipulated agreements negotiated last year by the Aberdeen-American Falls, Bingham, and Bonneville-Jefferson Ground Water Districts, and certain municipal and industrial water users.

Because of severe drought conditions persisting across the Upper Snake River Basin, the American Falls GWMA was established last August. This allowed the Department to seek curtailment of relatively junior priority ground water diversions from the Eastern Snake Plain Aquifer ("ESPA") that further reduce the water supply available to senior priority water rights from the Snake River. The order designating the American Falls GWMA identified the boundary of an area varying in width from 1.6 kilometers to 5 kilometers along both sides of the Shelley to Minidoka reach of the Snake River, within which use of ground water rights having priority dates later in time than October 11, 1900, were determined by the Department to be injuring senior priority surface water rights from the Snake River. Within this area, curtailing ground water diversions will increase gains to the Snake River by an amount equal to 50 percent or more of the associated ground water depletions within 6 months of curtailment. This determination was made using the results from the Department's ESPA regional ground water flow model.

Curtailment orders were not issued last year to the holders of water rights for ground water in the area identified for curtailment because ground water districts and other entities representing the holders of the water rights entered into 2-year stipulated agreements with representatives of holders of affected senior rights from the interconnected Snake River. These stipulated agreements provided for creation of a water district pursuant to Chapter 6, Title 42, Idaho Code, to enforce the terms of the agreements and curtail the diversion and use of water under junior priority water rights that the Department determined are injuring senior priority water rights, if the holders of the junior priority water rights are not represented by entities entering into the stipulated agreements or are not otherwise mitigating the injury.

On February 19, 2002, a Final Order was issued creating Water District 120 for the administration of rights to the use of ground water and springs discharging from the ESPA in the American Falls area. The first annual Water District 120 meeting was held on April 22, 2002, at which a watermaster was elected and certain resolutions were adopted.

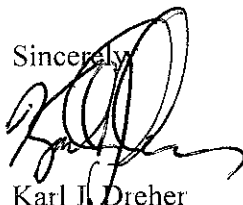
On March 27, 2002, the Department sent a letter to you and others within Water District 120 who had water rights that were not afforded the "safe harbor" provided by an approved mitigation plan or one of the stipulated agreements negotiated last year by either the ground water districts or a group of municipal and industrial users. That letter notified right holders that the Department, through Water District 120, might need to take action to curtail diversions not covered by a stipulated agreement or an approved mitigation plan where the Department has determined that such diversions are causing injury to senior priority water rights.

Unfortunately, drought conditions continue to persist across southern Idaho and the Snake River plain, and flows in the Shelley to Minidoka reach of the Snake River are similar to last year. Therefore, certain Snake River senior water rights that were calling for water last year are again not being satisfied during parts of this year. As described above, the Department, through use of its ESPA ground water model, has determined that unmitigated ground water pumping in the area of impact is causing injury to the holders of senior priority water rights from the Snake River. Consequently, in accordance with Idaho Code §§ 42-237a g. and 42-607 it is necessary to seek curtailment of all junior priority ground water rights within the American Falls impact area that are not covered by an approved mitigation plan or stipulated agreement.

Because the water right you hold is located in Water District 120 and the American Falls GWMA impact area and is not covered by an approved mitigation plan or one of the stipulated agreements negotiated by either the ground water districts or the group of municipal and industrial water users, you are hereby notified that the watermaster for Water District 120 has been instructed to curtail diversion and use of ground water under your water right for the remainder of this irrigation season. The watermaster for Water District 120 will contact you after 14 days from the date of this letter to arrange for the curtailment of the diversion and use of ground water under your water right. The watermaster will allow you reasonable time to make adjustments or arrangements to minimize hardships caused by this action. Unless water supply conditions dramatically improve, I anticipate that curtailment will need to be extended for all of next year's irrigation season.

I regret that this action is necessary. You may want to consider joining one of the ground water districts that has signed a stipulated agreement as an alternative to having your use of ground water curtailed. Should you have questions about this matter, or if you believe your water right should be excluded from this action, please contact Lewis Rounds (Water District 120 Watermaster) by telephone at (208) 525-7161 or contact Tim Luke at the Department of Water Resources at the address above or by telephone at (208) 327-7864.

Sincerely,



Karl J. Dreher
Director

CERTIFICATE OF SERVICE

I DO HEREBY CERTIFY that on this 19th day of June, 2002, the attached letter regarding curtailment of ground water use within the American Falls Area Water District 120 dated 6/18/02 was sent to the following individuals by placing a copy of the same in the United States Mail, postage prepaid, return receipt and properly addressed as follows:

35-2413
Select Farms LLC
PO Box 519
Aberdeen ID 83210

35-4070, 35-4071, 35-7808
City of Aberdeen
PO Box 190
Aberdeen ID 83210

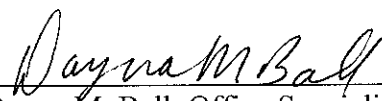
35-8627
Western Farm Service Inc
PO Box 1168
Fresno CA 93715

35-8731
Don Collins
705 W 100 S
Blackfoot ID 83221

35-8956
Roxine Stone
PO Box 50538
Idaho Falls ID 83405

35-10387
James Pahl
2174 S 3200 W
American Falls ID 83211

35-13340
Bingham Cooperative Inc
PO Box 887
Blackfoot ID 83221



Dayna M. Ball, Office Specialist II
Water Distribution Section

To Carl Mueher, IDWR
Fax 327-7866

FR Don Collins

Please see attached Petition
to join Bingham Groundwater
District, ref WR# 35-8731

PETITION OF ANNEXATION OF LAND
TO
BINGHAM GROUND WATER DISTRICT

COMES NOW Petitioner, Don Collins, 705 West, 100 South, Blackfoot, ID 83221 ,
and prays that the land and facilities listed under the Petitioner's ground water rights no.
35-08731, legally described as Township 03S Range 34E Section 11 NENE, cfs. 0.30, be
annexed into the Bingham Ground Water District. The water rights are used for commercial
purposes. Petitioner seeks to join the district for all purposes. Petitioner holds title to said lands.
It is understood that the Petitioner shall pay an amount equal to the assessments for that property
as if it had been a part of the district since its inception; the costs of this proceeding; and all
future assessments on said property.

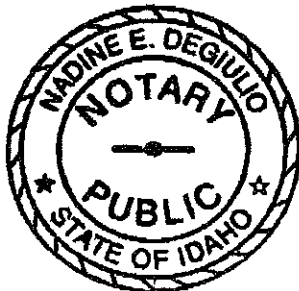
Dated this 28th day of June 2002

Signed

Don E. Collins

Subscribed and sworn to before me this 28th day of June 2002.

(Seal)



Nadine E. Degiulio

Notary Public for State of Idaho

Residing at Boise

My commission expires 04-26-08



State of Idaho

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DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

June 18, 2002

Select Farms LLC
PO Box 519
Aberdeen, Idaho 83210

Re: Curtailment of Ground Water Use Under Water Right(s) 35-2413

Dear Water Right Holder:

The records of the Idaho Department of Water Resources ("Department") indicate that you own one or more water rights for the use of ground water within Water District 120 and the American Falls Ground Water Management Area (GWMA). Department records do not indicate that out-of-priority diversion and use of water under your water right(s) is covered by either an approved mitigation plan or one of the stipulated agreements negotiated last year by the Aberdeen-American Falls, Bingham, and Bonneville-Jefferson Ground Water Districts, and certain municipal and industrial water users.

Because of severe drought conditions persisting across the Upper Snake River Basin, the American Falls GWMA was established last August. This allowed the Department to seek curtailment of relatively junior priority ground water diversions from the Eastern Snake Plain Aquifer ("ESPA") that further reduce the water supply available to senior priority water rights from the Snake River. The order designating the American Falls GWMA identified the boundary of an area varying in width from 1 6 kilometers to 5 kilometers along both sides of the Shelley to Minidoka reach of the Snake River, within which use of ground water rights having priority dates later in time than October 11, 1900, were determined by the Department to be injuring senior priority surface water rights from the Snake River. Within this area, curtailing ground water diversions will increase gains to the Snake River by an amount equal to 50 percent or more of the associated ground water depletions within 6 months of curtailment. This determination was made using the results from the Department's ESPA regional ground water flow model

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DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

June 18, 2002

Koch Agriculture
PO Box 967
Blackfoot, Idaho 83221

Re: Curtailment of Ground Water Use Under Water Right(s) 35-2857B

Dear Water Right Holder:

The records of the Idaho Department of Water Resources ("Department") indicate that you own one or more water rights for the use of ground water within Water District 120 and the American Falls Ground Water Management Area (GWMA). Department records do not indicate that out-of-priority diversion and use of water under your water right(s) is covered by either an approved mitigation plan or one of the stipulated agreements negotiated last year by the Aberdeen-American Falls, Bingham, and Bonneville-Jefferson Ground Water Districts, and certain municipal and industrial water users.

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DIRK KEMPTHORNE
Governor

KARI J. DREHER
Director

June 18, 2002

City of Aberdeen
PO Box 190
Aberdeen, Idaho 83210

Re: Curtailment of Ground Water Use Under Water Right(s) 35-4070, 35-4071, 35-7808

Dear Water Right Holder:

The records of the Idaho Department of Water Resources ("Department") indicate that you own one or more water rights for the use of ground water within Water District 120 and the American Falls Ground Water Management Area (GWMA). Department records do not indicate that out-of-priority diversion and use of water under your water right(s) is covered by either an approved mitigation plan or one of the stipulated agreements negotiated last year by the Aberdeen-American Falls, Bingham, and Bonneville-Jefferson Ground Water Districts, and certain municipal and industrial water users.

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DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

June 18, 2002

Western Farm Service Inc
PO Box 1168
Fresno, Ca 93715

Re: Curtailment of Ground Water Use Under Water Right(s) 35-8627

Dear Water Right Holder:

The records of the Idaho Department of Water Resources ("Department") indicate that you own one or more water rights for the use of ground water within Water District 120 and the American Falls Ground Water Management Area (GWMA). Department records do not indicate that out-of-priority diversion and use of water under your water right(s) is covered by either an approved mitigation plan or one of the stipulated agreements negotiated last year by the Aberdeen-American Falls, Bingham, and Bonneville-Jefferson Ground Water Districts, and certain municipal and industrial water users.

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DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

June 18, 2002

Golden Valley Meet LLC
PO Box 426
Blackfoot, Idaho 83221

Re: Curtailment of Ground Water Use Under Water Right(s) 35-8710

Dear Water Right Holder:

The records of the Idaho Department of Water Resources ("Department") indicate that you own one or more water rights for the use of ground water within Water District 120 and the American Falls Ground Water Management Area (GWMA). Department records do not indicate that out-of-priority diversion and use of water under your water right(s) is covered by either an approved mitigation plan or one of the stipulated agreements negotiated last year by the Aberdeen-American Falls, Bingham, and Bonneville-Jefferson Ground Water Districts, and certain municipal and industrial water users.

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DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

June 18, 2002

Don Collins
705 W 100 S
Blackfoot, Idaho 83221

Re: Curtailment of Ground Water Use Under Water Right(s) 35-8731

Dear Water Right Holder:

The records of the Idaho Department of Water Resources ("Department") indicate that you own one or more water rights for the use of ground water within Water District 120 and the American Falls Ground Water Management Area (GWMA). Department records do not indicate that out-of-priority diversion and use of water under your water right(s) is covered by either an approved mitigation plan or one of the stipulated agreements negotiated last year by the Aberdeen-American Falls, Bingham, and Bonneville-Jefferson Ground Water Districts, and certain municipal and industrial water users.

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DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

June 18, 2002

Roxine Stone
PO Box 50538
Idaho Falls, Idaho 83405

Re: Curtailment of Ground Water Use Under Water Right(s) 35-8956

Dear Water Right Holder:

The records of the Idaho Department of Water Resources ("Department") indicate that you own one or more water rights for the use of ground water within Water District 120 and the American Falls Ground Water Management Area (GWMA). Department records do not indicate that out-of-priority diversion and use of water under your water right(s) is covered by either an approved mitigation plan or one of the stipulated agreements negotiated last year by the Aberdeen-American Falls, Bingham, and Bonneville-Jefferson Ground Water Districts, and certain municipal and industrial water users.

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DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

June 18, 2002

James Pahl
2174 S 3200 W
American Falls, Idaho 83211

Re: Curtailment of Ground Water Use Under Water Right(s) 35-10387

Dear Water Right Holder:

The records of the Idaho Department of Water Resources ("Department") indicate that you own one or more water rights for the use of ground water within Water District 120 and the American Falls Ground Water Management Area (GWMA). Department records do not indicate that out-of-priority diversion and use of water under your water right(s) is covered by either an approved mitigation plan or one of the stipulated agreements negotiated last year by the Aberdeen-American Falls, Bingham, and Bonneville-Jefferson Ground Water Districts, and certain municipal and industrial water users.

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DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

June 18, 2002

Bingham Cooperative Inc
PO Box 887
Blackfoot, Idaho 83221

Re: Curtailment of Ground Water Use Under Water Right(s) 35-13340

Dear Water Right Holder:

The records of the Idaho Department of Water Resources ("Department") indicate that you own one or more water rights for the use of ground water within Water District 120 and the American Falls Ground Water Management Area (GWMA). Department records do not indicate that out-of-priority diversion and use of water under your water right(s) is covered by either an approved mitigation plan or one of the stipulated agreements negotiated last year by the Aberdeen-American Falls, Bingham, and Bonneville-Jefferson Ground Water Districts, and certain municipal and industrial water users.

Because of severe drought conditions persisting across the Upper Snake River Basin, the American Falls GWMA was established last August. This allowed the Department to seek curtailment of relatively junior priority ground water diversions from the Eastern Snake Plain Aquifer ("ESPA") that further reduce the water supply available to senior priority water rights from the Snake River. The order designating the American Falls GWMA identified the boundary of an area varying in width from 1 6 kilometers to 5 kilometers along both sides of the Shelley to Minidoka reach of the Snake River, within which use of ground water rights having priority dates later in time than October 11, 1900, were determined by the Department to be injuring senior priority surface water rights from the Snake River. Within this area, curtailing ground water diversions will increase gains to the Snake River by an amount equal to 50 percent or more of the associated ground water depletions within 6 months of curtailment. This determination was made using the results from the Department's ESPA regional ground water flow model.

Curtailment orders were not issued last year to the holders of water rights for ground water in the area identified for curtailment because ground water districts and other entities representing the holders of the water rights entered into 2-year stipulated agreements with representatives of holders of affected senior rights from the interconnected Snake River. These stipulated agreements provided for creation of a water district pursuant to Chapter 6, Title 42, Idaho Code, to enforce the terms of the agreements and curtail the diversion and use of water under junior priority water rights that the Department determined are injuring senior priority water rights, if the holders of the junior priority water rights are not represented by entities entering into the stipulated agreements or are not otherwise mitigating the injury.