



## State of Idaho

# DEPARTMENT OF WATER RESOURCES

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January 19, 2012

C. L. "BUTCH" OTTER  
Governor

GARY SPACKMAN  
Interim Director

A&B IRRIGATION DISTRICT  
PO BOX 675  
RUPERT ID 83350

AMERICAN FALLS RES. DIST. #2  
409 N APPLE ST  
SHOSHONE ID 83352

BURLEY IRRIGATION DISTRICT  
246 E 100S  
BURLEY ID 83318

MILNER IRRIGATION DISTRICT  
5294 E 3610 N  
MURTAUGH ID 83344-5129

MINIDOKA IRRIGATION DISTRICT  
98 W 50 S  
RUPERT ID 83350

NORTHSIDE CANAL COMPANY  
921 N LINCOLN  
JEROME ID 83338

TWIN FALLS CANAL COMPANY  
PO BOX 326  
TWIN FALLS ID 83303-0326

Dear Managers:

As you are aware, the *Second Amended Final Order Regarding Methodology for Determining Material Injury to Reasonable In-Season Demand and Reasonable Carryover* (Methodology Order), which was issued in response to the Surface Water Coalition (SWC) delivery call, provides a process for determining material injury to your respective surface water entities.

The Methodology Order states that junior ground water users will be required to provide mitigation, or face curtailment, in the event of shortfalls to the water supply. The Methodology Order established 10 steps for determining material injury. Step 1 states as follows:

By April 1, members of the SWC will provide electronic shape files to the Department delineating the total irrigated acres within their water delivery boundary or confirm in writing that the existing electronic shape file from the previous year has not varied by more than 5%; provided that the total acreage count does not exceed the number of acres to be irrigated within the decreed place of use. Because the SWC members can best determine the irrigated acres within their service area, the SWC should be responsible for submitting the information to the Department. If this information is not timely provided, the Department will determine the total irrigated acres based upon past year cropping patterns and current satellite and/or aerial imagery. If an SWC member fails or refuses to identify the number of irrigated acres within its service area by April 1, the

Department will be cautious about recognizing acres as being irrigated if there is uncertainty about whether the acres are or will be irrigated during the upcoming irrigation season. The Department will publish electronic shape files for each member of the SWC for the current water year for review by the parties. In determining the total irrigated acreage, the Department will account for supplemental ground water use.

*Methodology Order* at 34.

In light of the above, please provide the Department with your electronic shape files as soon as possible.

Sincerely,

A handwritten signature in black ink, appearing to read "Gary Spackman". The signature is fluid and cursive, with a long horizontal flourish extending to the right.

Gary Spackman  
Interim Director

cc: Randall C. Budge – Racine, Olson, Nye, Budge & Bailey, Chartered  
Candice McHugh – Racine, Olson, Nye, Budge & Bailey, Chartered  
C. Tom Arkoosh – Capitol Law Group, PLLC  
John K. Simpson – Barker Rosholt & Simpson, LLP  
Travis L. Thompson – Barker Rosholt & Simpson, LLP  
W. Kent Fletcher – Fletcher Law Office  
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Dean A. Tranmer – City of Pocatello