

Critical Ground Water Areas and Expansion Water Rights Fact Sheet Outline

Critical Ground Water Areas (CGWAs) and Ground Water Expansion Rights

- Section 42-1416B defines CGWA expansion rights & management programs
 - An expansion right is an expanded use of a ground water right located within a CGWA, where the expanded use occurred after the designation of the CGWA and in violation of mandatory permit requirements
 - Expansion right priority dates = June 30, 1985
 - Section 42-1416B requires expansion rights to be curtailed unless a management program exists which will, within a time period acceptable to the director of IDWR, limit average annual water withdrawals in the CGWA to average annual recharge to the CGWA
 - Adequate management program must be in place within two years after the completion of a general adjudication, or the Snake River Basin Adjudication (SRBA) in this case
 - SRBA completed August 25, 2014; director of IDWR must determine if adequate management plan exists by August, 2016
 - Director of IDWR to notify expansion right holders of determination of adequate management plan. If adequate management plan does not exist, then director shall order holders of expanded rights to cease or reduce withdrawals; order shall be issued before September 1 and be effective for the following irrigation season
 - Water district watermasters enforce any orders of curtailment or reduction if necessary

- Eight (8) CGWAs in Idaho (see map)
 - i. 1 not in SRBA or general adjudication area (Curlew Valley)
 - ii. 1 has no expansion rights (Cinder Cone Butte)
 - iii. Blue Gulch CGWA - 1 right 61 acres
 - iv. Raft River CGWA - 75 rights 6,804 acres
 - v. Oakley Fan CGWAs (4 areas) - 80 rights 12,721 acres
155 rights 19,586 acres total