

# Water Rights Affected by Clear Springs Foods Water Call

## Surface Water to Ground Water Call Process

In July, 2009, the Director of Idaho Department of Water Resources (IDWR) required about 250 ground water users to shut off all, or portions of their wells. This was in response to a water right delivery call\* from Clear Springs Foods. When a water call is made, the Director of IDWR determines if there has been injury\* and, if so, the extent of the injury. If there is injury, the junior users\* must restore water to the senior user through mitigation or curtailment. In a surface water to ground water call, IDWR uses a ground water model to help determine which ground water users impact which surface water users.

The ground water model of the Eastern Snake Plain Aquifer (ESPA\*) consists of 1 mile grid cells. Each cell contains properties allowing it to simulate the aquifer in that area. Water use information such as irrigated acres, irrigation wells, pumping rate, and priority date are projected onto the grid to determine the impact of ground water use within each cell. The model is supplied with a priority date and then run to compute the benefit to the reach\* containing the entity making the call. The Director has determined that only cells in which more than 10% of their total impact is realized on the river reach, including the injured water right, will be included in the call. In this water call, all cells within the boundary referred to as "Snake River Farm" are included.

Hydrologists use the model to select the priority date that will be used if a curtailment is ordered. The model starts with the most junior priority date within the model area that contributes to the injury. It adds additional junior rights, and their rate (amount) in priority date order until it reaches the amount of injury determined by the Director.

\*see Definitions box

## Definitions

**Adjudication:** a court action for the determination of existing water rights, which results in a decree that confirms and defines each water right.

**ESPA:** Eastern Snake Plain Aquifer –it is perhaps the single-most important aquifer in Idaho and covers approximately 10,800 square miles or an area approximately the size of Lake Erie.

**Injury:** the amount of water a water right holder is short from what their water right allows.

**Junior user:** a water user who has a more recent or junior priority date than the priority date of other water rights being considered. (i.e. 1980 is junior to 1880).

**Priority date:** the date the water was first put to beneficial use.

**Reach:** a river or stream segment of a specific length. Most reaches extend between the points of confluence with other streams but for the purpose of the model, the reach generally extends from one river gage to another river gage.

**Water right deliver call:** a request by a water user with a senior priority date who doesn't receive all the water their water right allows. A request is made to the director of IDWR that water users with junior priority dates, who are diverting from a common water supply, use less water in an attempt to fulfill the amount of water the senior water user is short. In the case of users along a stream or river, junior upstream users are required to curtail some or all of their usage, in priority date order, to provide sufficient water for the senior user's need. Clear Springs Foods' water comes from springs fed by the Eastern Snake Plain Aquifer (ESPA). In this case, the call was to ground water users 'upstream' of the springs.

# TIMES-NEWS

By Nate Poppino  
Times-News writer

**T**he Idaho Department of Water Resources will go forward this morning with a plan to shut off more than 300 water rights irrigating just less than 9,000 acres of Magic Valley farmland, the first wide-scale well curtailment to actually be carried out by the state.

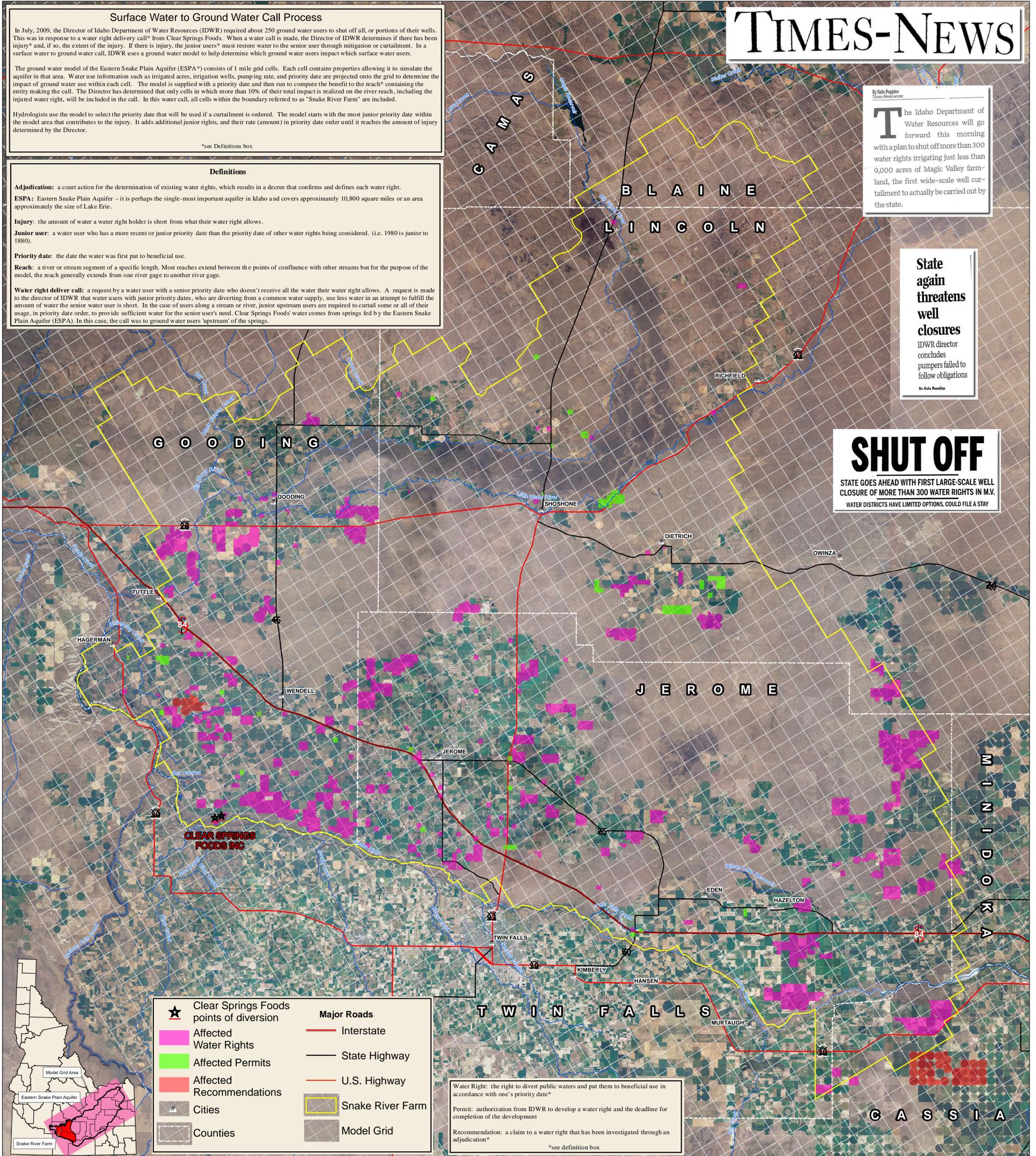
## State again threatens well closures

IDWR director concludes pumpers failed to follow obligations

By Nate Poppino

## SHUT OFF

STATE GOES AHEAD WITH FIRST LARGE-SCALE WELL CLOSURE OF MORE THAN 300 WATER RIGHTS IN M.V. WATER DISTRICTS HAVE LIMITED OPTIONS, COULD FILE A STAY



- ★ Clear Springs Foods points of diversion
- Affected Water Rights
- Affected Permits
- Affected Recommendations
- Cities
- Counties
- Major Roads
  - Interstate
  - State Highway
  - U.S. Highway
- Snake River Farm
- Model Grid

Water Right: the right to divert public waters and put them to beneficial use in accordance with one's priority date\*

Permit: authorization from IDWR to develop a water right and the deadline for completion of the development

Recommendation: a claim to a water right that has been investigated through an adjudication\*

\*see definition box

0 2.5 5 7.5 10 Miles



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