



Written by [D. Michael DeRidder](#) on June 17, 2024

Idaho Farmers Facing Water-rights Restrictions

Farmers are facing water restrictions in Idaho due to groundwater districts allegedly not complying with “approved mitigation plans” set by the [Idaho Department of Water Resources](#) (IDWR).

Brian Murdock, a farmer in east Idaho told Fox Business:

Well, like ... you said, the state of Idaho and the Idaho Department of Water Resources has issued this curtailment of 500,000 acres, and to help put that in perspective that’s basically 781 square miles of farm ground that is being taken out of production. This is the largest curtailment in the history of the United States as far as farm ground. And of course the worst problem is this is happening during a very plentiful water year. We have — the reservoirs are completely full, and when I [say] full, they’re dang near breaking; the rivers are running as high as they possibly can just trying to keep those dams from breaking. I am personally going to look at a \$3 million loss if this curtailment continues, and this will end my 135-year family-farm legacy of growing potatoes in Idaho.



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[In a press release](#), IDWR Director Mathew Weaver said that the curtailment action is required by state law in Idaho, and that junior water-rights holders are required to comply with approved mitigative actions by farmers:

In a recent statement, the Governor said, “Water curtailment is never desired, but the Director must follow Idaho law and the constitution. . . .” I strongly agree with both sentiments. Like the Governor, I do not desire curtailment. But I must follow the law and the constitution, which requires curtailment to protect senior water rights unless juniors comply with an *approved* mitigation plan.

The operative word is *approved*. Mitigative actions taken by ground water districts outside an *approved* plan are likely to benefit the aquifer, but they do not protect juniors from



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curtailment. Recently submitted mitigation plans likely have merit, but they do not protect juniors from curtailment until they survive all protests and appeals. [Emphasis in original.]

Idaho Governor Brad Little said efforts are being made to avoid the water restrictions for farmers in eastern Idaho, [stating in a press release](#):

I am encouraged by the progress we're making to find a path forward to protect farmers and the supply of water for the year. The two sides working together is far better than any government-imposed solution. While the terms of any deal likely won't be perfect for either side — compromise never is — it would provide water for crops this year. Once we get a deal across the finish line, we will shift our focus to a long-term solution as outlined in Director Weaver's June 5 letter.

Idaho Lieutenant Governor Scott Bedke said he is committed to working with Little and farmers to find a solution, [stating on X](#):

Water is life, and what we do with our allotted amount now will impact our future generations. I am committed to working with Governor Little and all affected parties to find a fair and equitable solution for Idaho's water users.

Since the last agreement between the surface water and groundwater users eight years ago, we have learned a couple of things for what a long-term solution requires: it must include an averaging component or details around the concept of water blocking. Our farmers deserve to know what their water allotment will be each year before they plant to meet their business and other obligations.

Agreements between farmers and water users are always better than ones made by the government or in a courtroom. I am optimistic that our water users will find a path forward that can meet the requirement for 2024, as well as come back to the table to craft and agreement to ensure our future generations have access to a predictable water supply.



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