

SUMMARY STATEMENT

Idaho Ground Water Appropriators, Inc. v. Idaho Dept. of Water Res., Docket 42775
City of Pocatello v. Rangen, Inc., Docket 42836

These appeals stemmed from an order issued by the Director of the Idaho Department of Water Resources curtailing ground water pumping in the Eastern Snake Plains Aquifer. On review, the district court affirmed the curtailment order in part and reversed in part. The Supreme Court affirmed the district court's decision upholding the Director's conclusion that the senior holder's water source was surface water. The Court reversed the district court's ruling that the Director abused his discretion by implementing a trim line which limited the curtailment order to groundwater pumping west of the Great Rift—a volcanic rift in the aquifer. The Court held that the Director had discretion to implement a trim line based on the doctrine of beneficial use and that the Director acted within his discretion in determining that the Great Rift was the appropriate point to implement a trim line.