



Food, Forestry & Minerals

Food: Water for Ag

September 25, 2026

Summary:

A Blackfoot, Idaho couple has initiated litigation against the Idaho Department of Water Resources alleging an arbitrary state law is denying them access to irrigation water and preventing them from watering crops. The department shut off their water as they are not part of a state-approved mitigation plan. They are seeking to overturn the order and for the court to stay the order pending a review.

Details

The couple, Jerry and Valerie Bingham own a 1,000-acre farm near Blackfoot, Idaho where they grow wheat, alfalfa and potatoes. The Idaho Department of Water Resources shut off their water in May allegedly because they are not part of a state-approved mitigation plan. They filed a petition on September 21 asking the court to review the department's order. https://pacificlegal.org/wp-content/uploads/2026/09/Bingham-v.-IDWR_PLF-Complaint_9.21.26.pdf.

Drought and increased demand on both surface and groundwater water sources has stretched Idaho's water resources. A very low snowpack resulted resulted in the Water Resource Director and Governor declaring a drought emergency in April.

<https://idwr.idaho.gov/wp-content/uploads/2026/05/20260413-OrderDeclaringDroughtEmergency-StatewideDeclaration.pdf>. The recent information from the National Drought Mitigation Center shows that the Snake River Plain (the heart of potato, sugar beet and other ag/food crops) being classified as in "extreme drought. <https://droughtmonitor.unl.edu>.

This court case will test the ability of Idaho to set forth orders to implement plans to manage water rights and supply not only to agriculture but other water users as well. What is clear is that if the drought situation continues into 2027, the water supply for agricultural uses will decrease, reducing food production throughout the Snake River Plain.

The Hells Canyon Chemist LLC
404 S. Hall Street
Grangeville, ID. 83530

208.340.2780
alanprouty@icloud.com
hellscanyonchemist.com

