

# Clark Fork-Pend Oreille River Basin Adjudication



# Meeting Topics



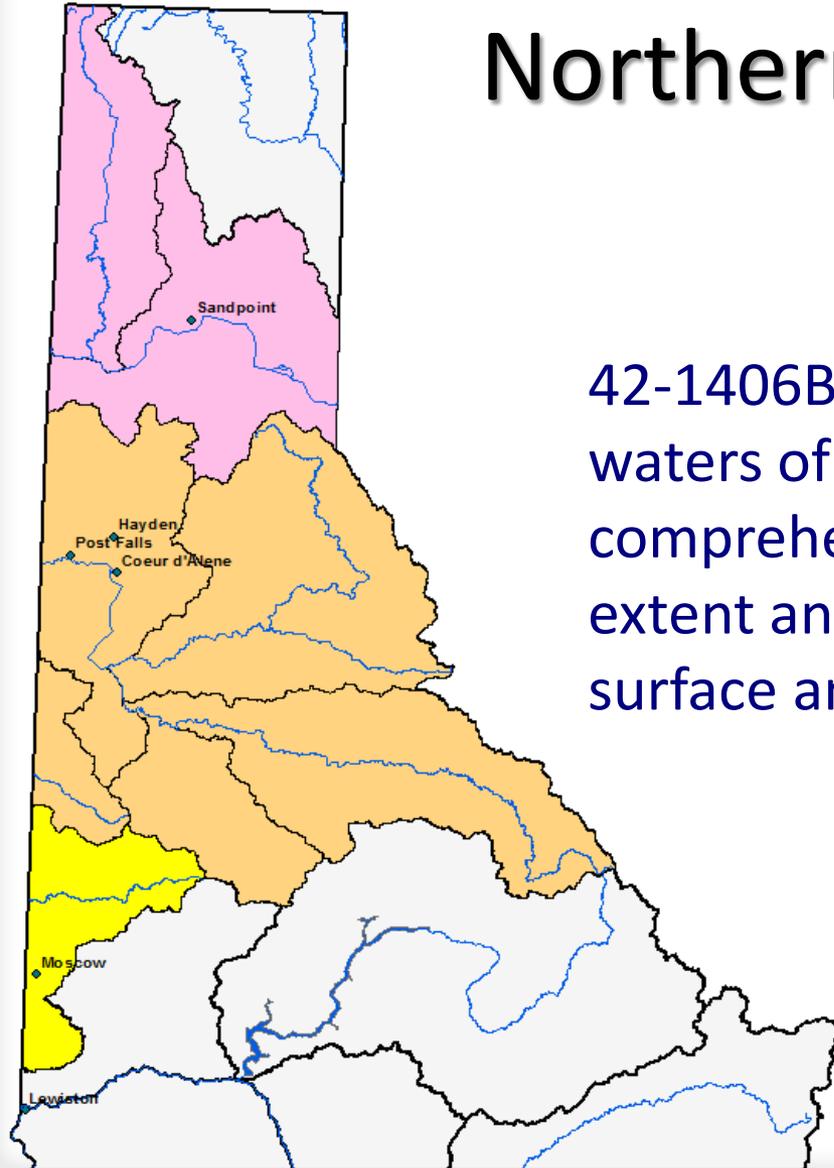
- What is an Adjudication and the Northern Idaho Adjudications
- Benefits of an Adjudication
- Clark Fork-Pend Oreille River Basin (CFPRBA)
- General Adjudication Process
- Domestic Exemption
- Questions

# What is a Water Right Adjudication?

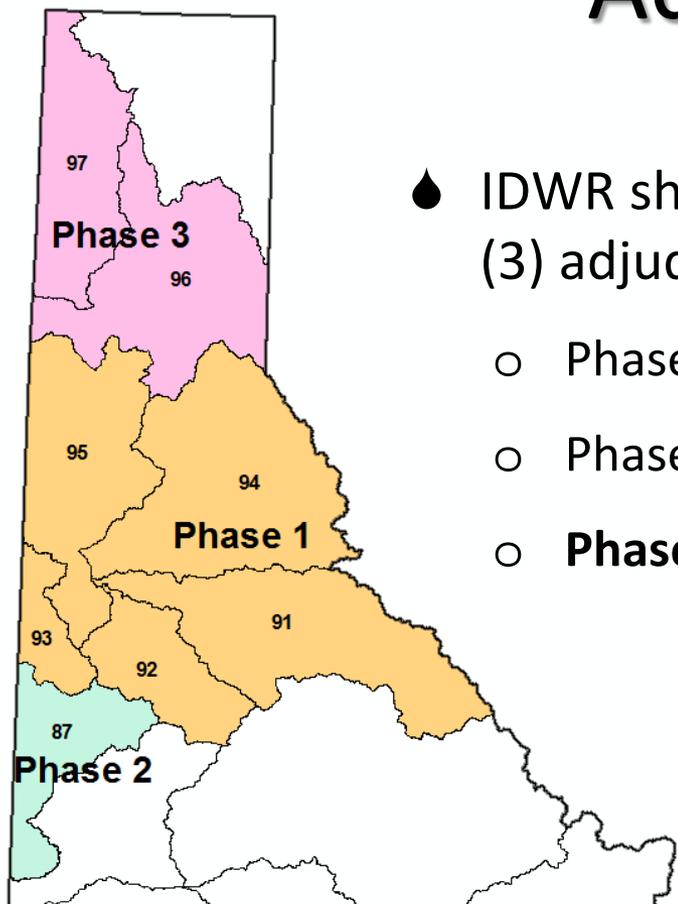
An adjudication is a process to inventory and confirm, by a court, all of the water rights in a particular river basin.

# Northern Idaho Water Rights Adjudications

42-1406B: “Effective management of the waters of northern Idaho requires that a comprehensive determination of the nature, extent and priority of the rights of users of surface and ground water be determined.”

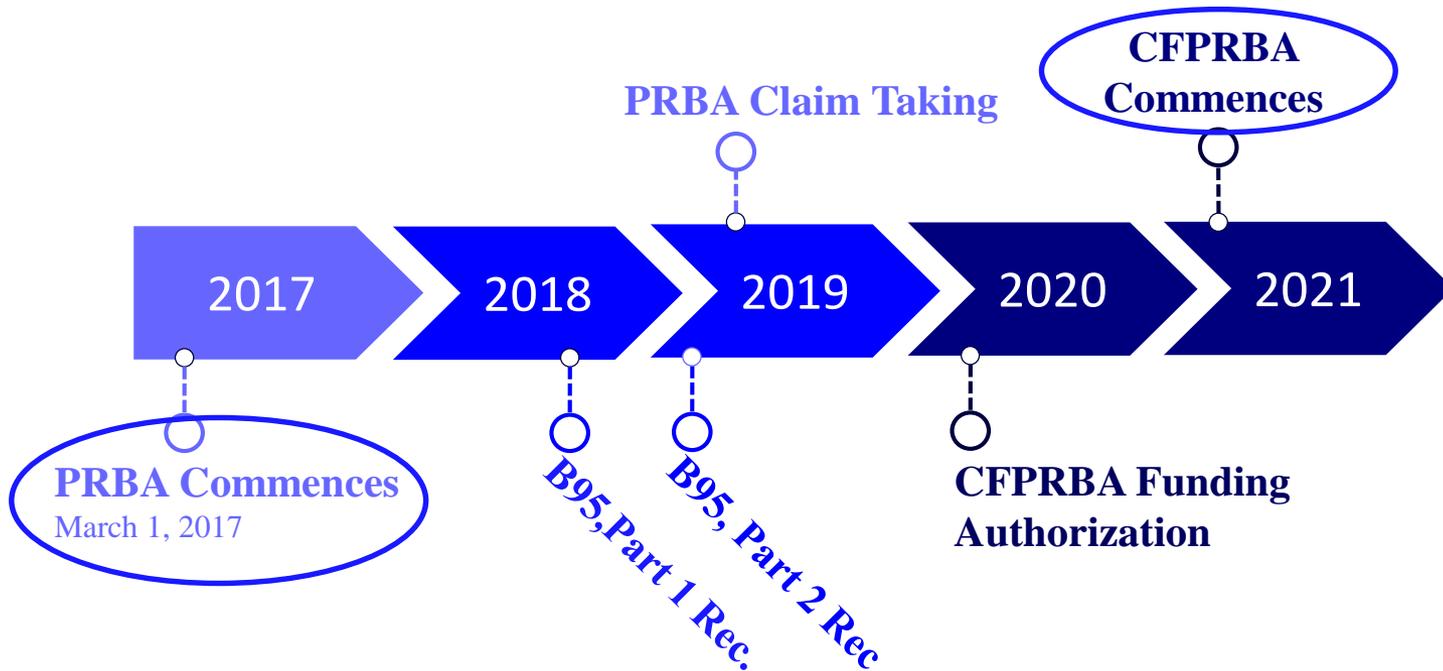


# 42-1406B. Northern Idaho Water Rights Adjudications



- IDWR shall petition the district court to initiate three (3) adjudications within the:
  - Phase 1 - Coeur d'Alene-Spokane River Basin (CSRBA)
  - Phase 2 – Palouse River Basin (CSRBA)
  - **Phase 3 – Clark Fork-Pend Oreille River Basin (CFPRBA)**

# Northern Idaho Adjudication (NIA) Timeline

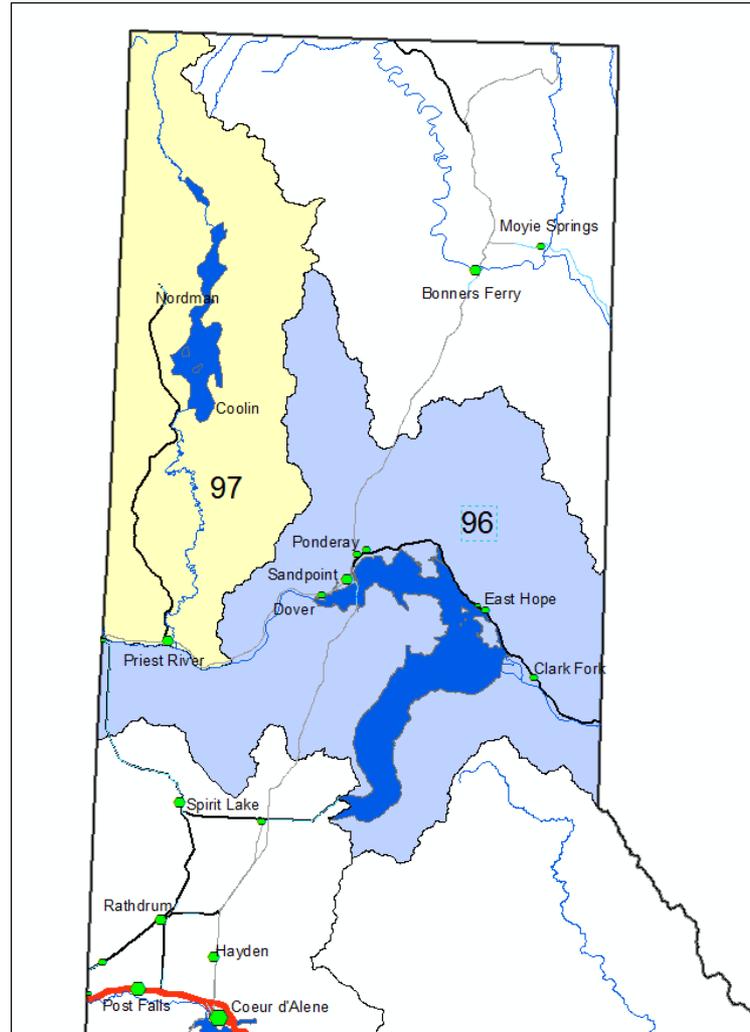


# The Benefits of an Adjudication

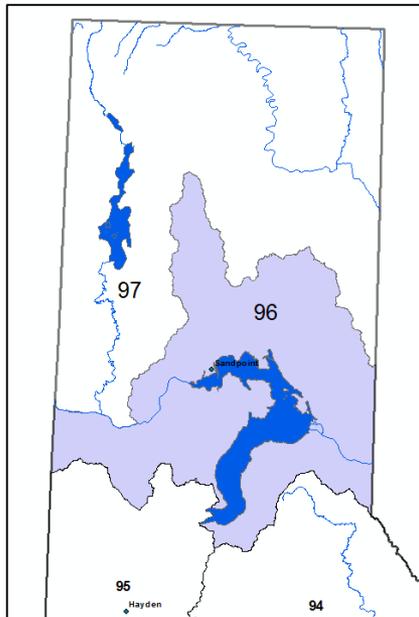
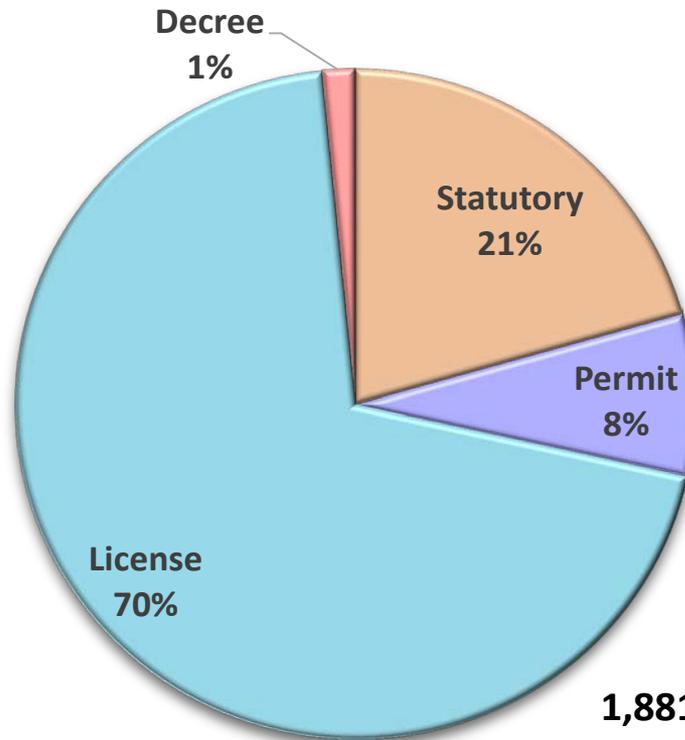
- ◆ Protection against competition for finite resources
  - Supplies are not always sufficient to meet demands
  - During times of scarcity Idaho relies on priority administration
- ◆ Confirm Private Property Rights
- ◆ North Idaho population projected to grow 19.5% by 2026\*
- ◆ Only way to confirm Statutory Claims
- ◆ Record and confirm beneficial use rights
- ◆ Record changes to water rights



# Clark Fork-Pend Oreille River Basin



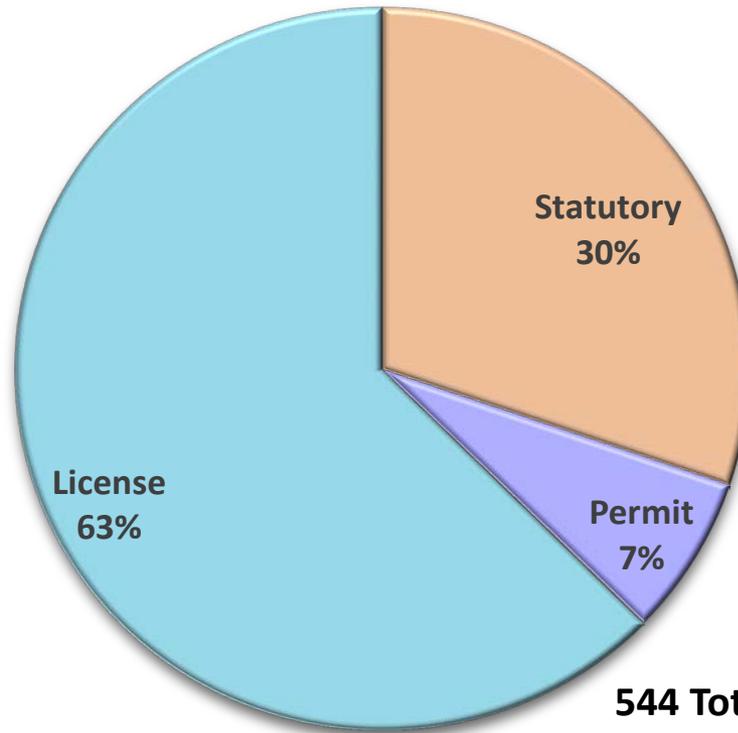
# Basis of Active Water Right Filings in Basin 96



## 1,881 Total Active Water Right Filings

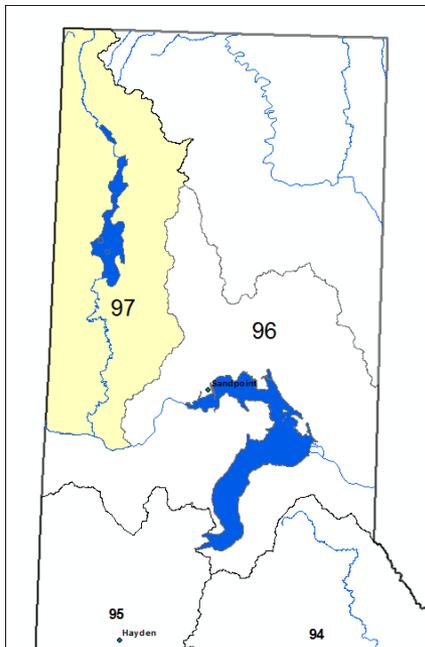
- 70% Based on License
- 21% Based on Statutory Claim
  - 78% of Statutory Claims are Surface Water

# Basis of Active Water Right Filings in Basin 97

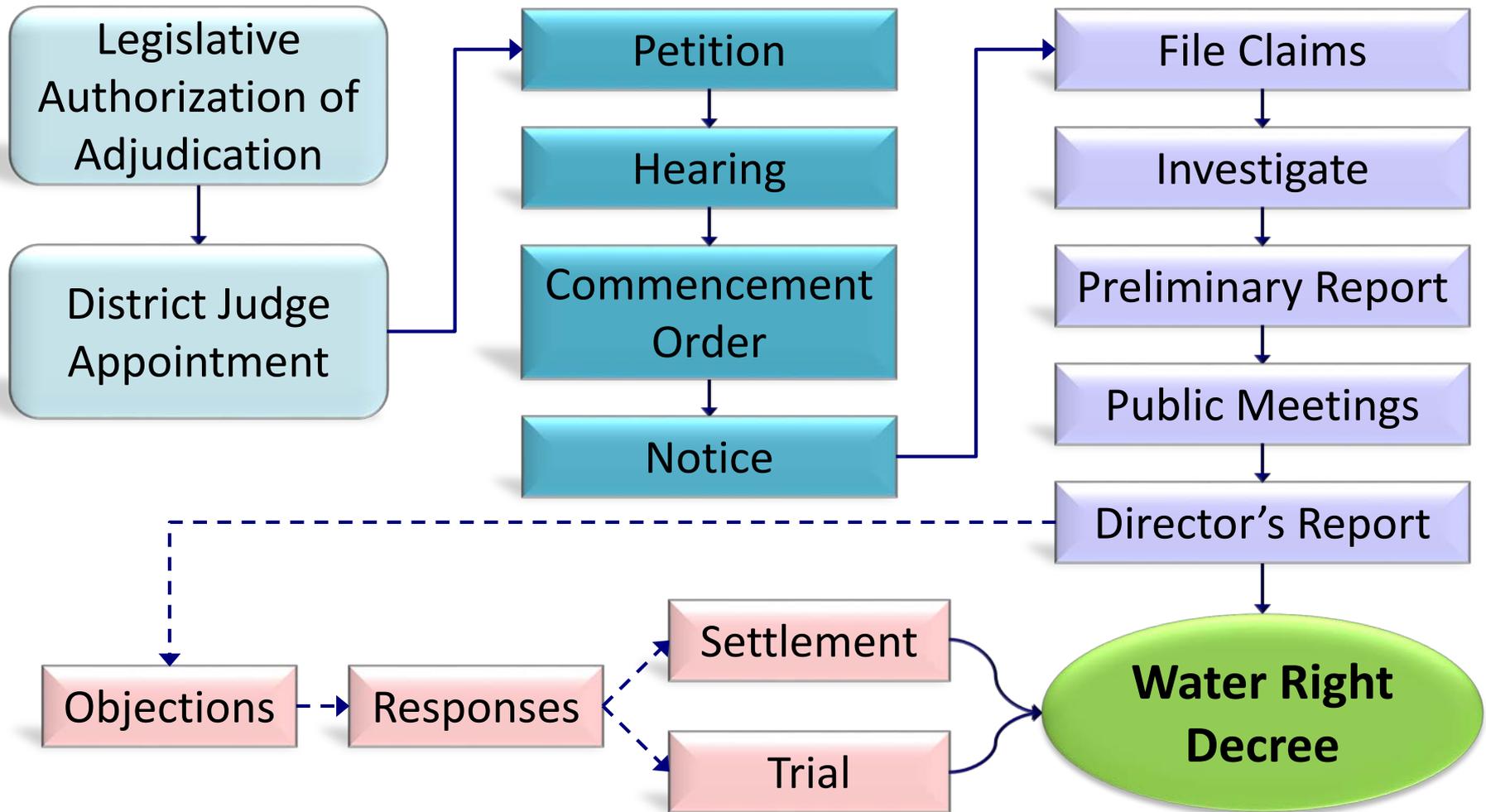


## 544 Total Active Water Right Filings

- 63% Based on License
- 30% Based on Statutory Claim
  - 75% of Statutory Claims are Surface Water



# Adjudication Process



# Domestic Use



- ◆ Domestic Deferral
  - Water users can choose to defer (postpone) filing for small Domestic & Stockwater rights (I.C. § 42-111)
  - However, filing fees for deferrable domestic and/or Stockwater claims are \$25.

## Domestic Use – No Meters



- ◆ No Precedence
  - Across Southern Idaho we have water districts where water levels have been dropping for 40 to 50 years, yet domestic wells are not metered.
- ◆ Unfair
  - Not required to file for your domestic well
- ◆ Not Practical
  - 100's of thousands of domestic wells across the state of Idaho.

# Questions and Comments



Thank you