

FREQUENTLY ASKED QUESTIONS about the NORTHERN IDAHO ADJUDICATIONS

- 1. Why did I get a Commencement Notice?** Idaho code requires the Director of Idaho Department of Water Resources (IDWR) to serve notice by mail on each person or entity owning real property within the boundaries of the water system being adjudicated. And, if you own multiple properties within the county, you may receive more than one Commencement Notice.
- 2. If I receive my water from a city system or water district, do I need to file a claim?** If you are supplied water by a city or water district, that entity should take care of filing for your use.
- 3. What is a water right adjudication?** An adjudication inventories and catalogs water rights at a snapshot in time determined by a court. In this case the Idaho Supreme Court designated an Idaho district court to conduct the adjudication aided and advised by IDWR.
- 4. Why are the Palouse River Basin and the Coeur d'Alene–Spokane River Basin being adjudicated?** The Palouse River Basin and Coeur d'Alene–Spokane River Basin, including significant underlying aquifers, are resources that are shared with the State of Washington. Both states desire to reach agreement on how the waters of these resources are used without resorting to litigation. In order to ensure that the water users in Idaho are protected in this process, Idaho's water managers must know the extent of the valid water rights in Idaho. An adjudication is the only way to determine this.
- 5. If I receive my water from a city system or water district, is my water bill going to increase because of the adjudication?** There is a one-time fee associated with filing an adjudication claim(s). However, the amount of those fees should not result in the need for water providers to increase bills for their customers.
- 6. If I have undeveloped property and water has never been used on it, do I need to file a claim? No. Will there be a way to obtain a water right for the property when I do develop it? Yes.**
- 7. Are the things we can use water for going to change?** The adjudication will not change anything about the way water is used, if the water user has followed Idaho law in establishing a water right.
- 8. How will the adjudication be paid for?** A combination of fees for the filing of water right claims and appropriations from the Idaho General Tax Fund will pay for the adjudication. Current estimates place the ratio at about 1/10 fees and 9/10 general fund dollars.
- 9. Is the state going to require meters on private wells? No.** The state does not have either the need or the personnel to require metering of private wells.
- 10. Will there be an annual tax on private wells? No.**
- 11. Can I complete the claim form myself?** Yes, most claimants complete the claim forms without requiring additional assistance. The online claim filing procedure walks you through the process, and everything you need to know to get started can be found here: <https://idwr.idaho.gov/onlineclaimstaking/>

Or, if you prefer to submit a paper form, links to downloadable claim forms and instructions can be found here: <https://idwr.idaho.gov/water-rights/adjudication/forms.html>
- 12. What happens if I don't file a claim?** If you have a water use for which an adjudication claim is required, failure to file that claim will result in a determination that the water right no longer exists. However, as stated on page 2 of the commencement notice, water users with small domestic and/or stockwater rights as defined by Idaho Code §§ 42-111 & 42-1401(A) may defer the filing until a later time in this proceeding.

If you still have questions in need of answers, please contact Idaho Department of Water Resources. The phone number for the toll free Adjudication Hotline that connects you to the State Office in Boise is 1-800-451-4129, and the phone number for the Northern Region office in Coeur d'Alene is (208)762-2800. Also, additional information can be found at idwr.idaho.gov, or you may consult your attorney.