



FREQUENTLY ASKED QUESTIONS

Commencement Notice

Why am I receiving this Commencement Notice? Idaho law requires the IDWR Director to serve notice by mail on each person or entity owning real property within the boundaries of the water system being adjudicated.

What is a water rights adjudication? A water right adjudication is a court proceeding that inventories and catalogs water rights at a snapshot in time. The court issues a decree confirming the elements of each water right which IDWR must have to deliver water to those who are entitled to it when disputes arise, and to estimate how much water is available for future development. Through this process, existing water rights are reaffirmed, unrecorded water rights are documented, and unused water rights are removed from our records to free that water up for new appropriations. An adjudication is the only legal process that allows water users to have their unrecorded water rights confirmed, while also backdating the priority dates to when their water use first began.

Do I have to file a claim? Water users with small domestic and/or stockwater rights as defined by Idaho Code §§ 42-111 & 42-1401A (generally uses of less than 13,000 gallons per day & irrigation of less than ½ acre) may defer the filing until a later time in this proceeding. However, now is the easiest, and least expensive time to file a claim. If you are supplied water by a city, water district, or other water delivery organization, that entity should take care of filing for your use. 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. Owners of undeveloped properties without water use will be unaffected by this process, and may acquire new water rights in the future through IDWR's permit process.

How long do I have to file a claim for my water use? Water users with small domestic and/or stockwater rights as defined by Idaho Code §§ 42-111 & 42-1401A may choose to defer filing, but it is highly recommended that those claims be filed within the next year. All claims for water uses that do not qualify for deferral must be received by IDWR prior to the filing deadline shown on your Commencement Notice to avoid a late fee.

Claim Filing

What is a priority date? A “priority date” is the date the water right was established. The priority date is the date a water source was first put to “beneficial use”, such as when a well is first connected and used in a home, or when a pump is first put into a river to withdraw water for irrigation. If filing a claim based on an existing water right license, the priority date may be associated with when that right was first applied for. A water right's priority date is very important because it is the basis for who has first right to use water in times of shortage. The earliest (or senior) water rights must be satisfied before those with later (junior) priority dates. “First in time, first in right”.

Where can I find the legal description of my property (Township, Range, Section, ¼ ¼)? The easiest way to find your property's Public Land Survey System (PLSS) description is to look at your property deed or use your local county's online GIS map. Alternatively, you can use interactive online tools like [PLSSmap.com](https://plssmap.com) or IDWR's Water Right Locator tool (with PLSS map layer) on idwr.idaho.gov to view your parcel on a Township and Range grid.

How much quantity should I claim, and what is a CFS? The quantity claimed should be the rate or volume of water that is beneficially used. Diversion rates for water withdrawals are typically measured in cubic feet per second (CFS). To aid you in that calculation, 0.01 CFS is equal to approximately 4 ½ gallons per minute (GPM). The diversion rate you beneficially use might be limited to what your system capacity is. For example, if your well pump is capable of pumping 8-10 GPM, you would then claim 0.02 CFS (approximately 9 GPM).

More questions? Call Adjudication Hotline at 1-800-451-4129, or the Northern Regional Office at (208) 762-2800.