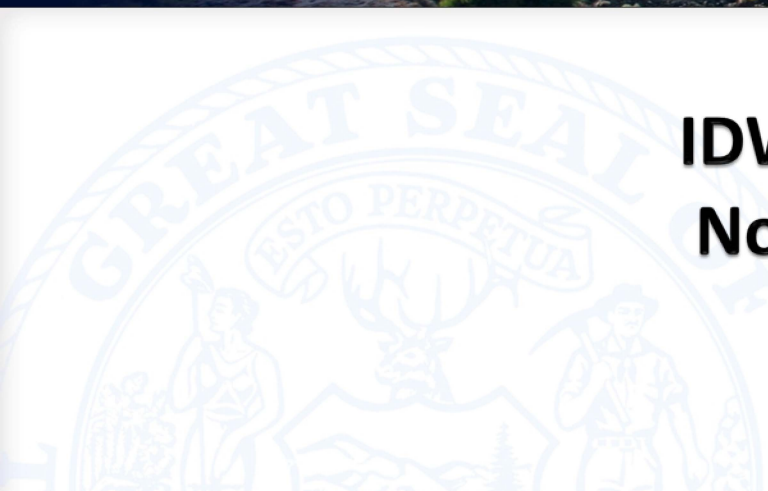


# Proposed Water District Creation for Ground Water Rights in Basin 43, Raft River Drainage



**IDWR Public Hearing**  
**November 12, 2015**  
**Malta, ID**  
Tim Luke, IDWR

# Welcome

- Water Users/Right Holders
- Elected Officials?
- IDWR Staff
- Raft River Ground Water District Reps

# Hearing Purpose & Agenda

- Background Presentation/Information
  - Describe proposed action
  - Reasons for proposed action
  - Review of water districts & operations
  - Review of timelines/expectations
- Questions/Answers?
- Taking of Testimony

# Hearing Notice Proposal

Create one water district in Raft River drainage basin (Administrative Basin 43) to administer all ground water rights only except:

- Basin 43 ground water rights within the ESPA (already in WD 130)
- Ground water domestic and stockwater rights as defined by Idaho Code § 42-111



# Hearing Notice Proposal

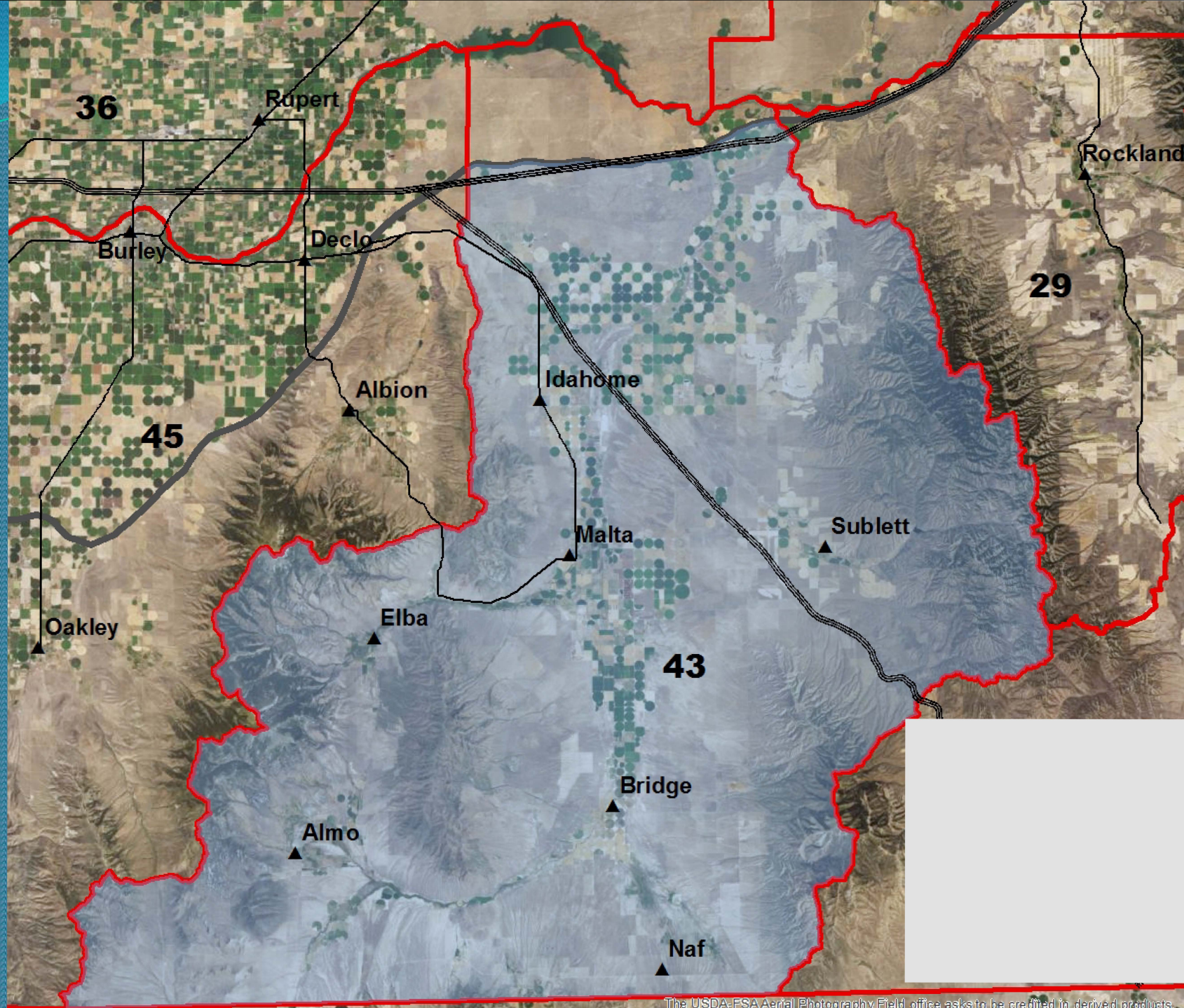
We did not propose:

- Changes or modifications to existing water districts
  - No merging of districts
  - No inclusion of ground water rights in existing surface water districts

# Area of Notice

- Ground water rights in Basin 43
  - About 180 Notices Sent
    - Excluding domestic and stock water rights as defined by Idaho Code § 42-111 & ground water rights in the ESPA
    - Note: About 2 dozen notices returned





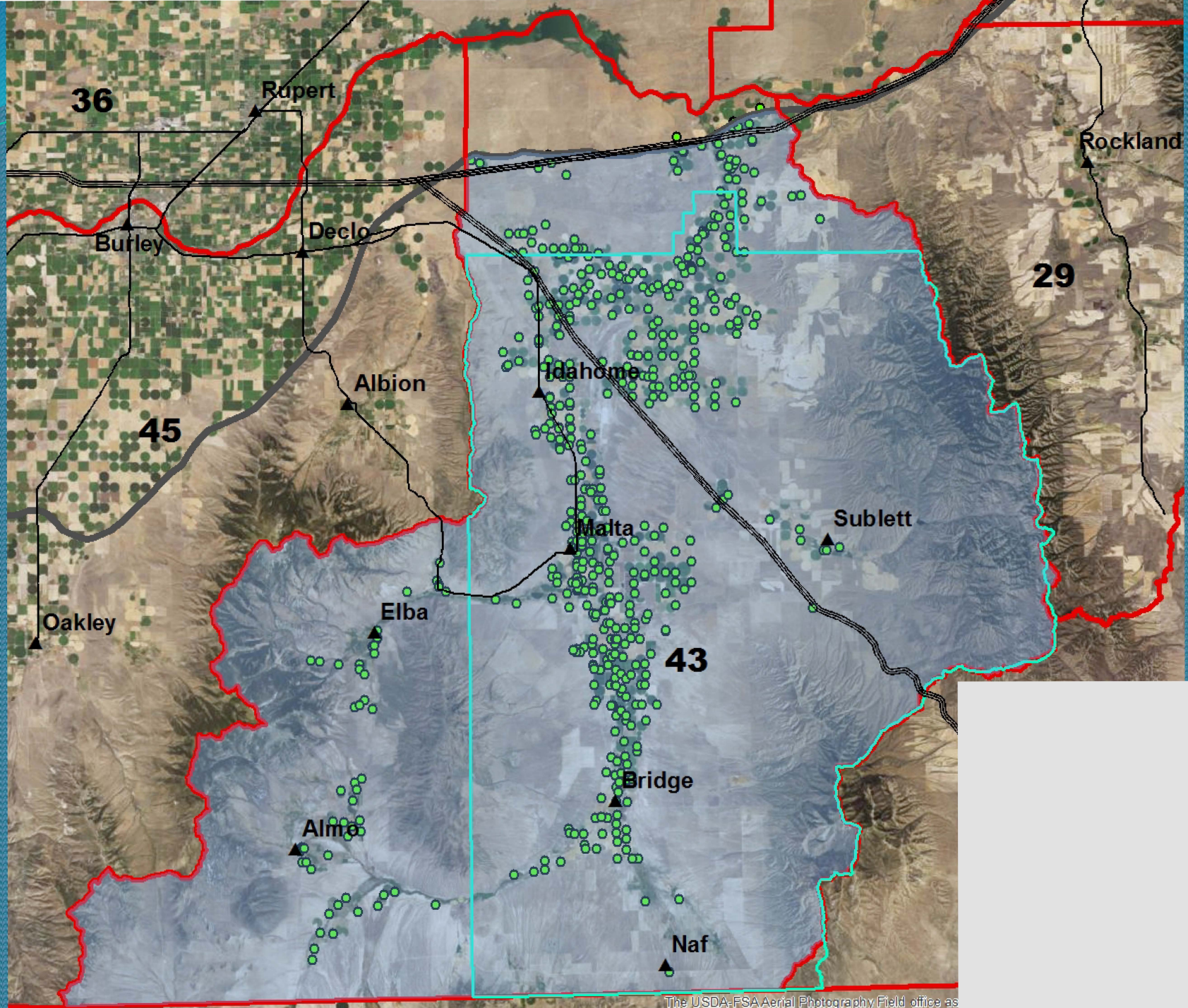


# Number of Water Rights and Diversions in Area

## Ground Water Rights and Diversions

- About 825 ground water rights total and 570 wells
  - $\approx 725$  gw rts w/irrig use  $> 5$  acres;  $\approx 490$  wells
  - $\approx 30$  gw rts w/irrig use  $\leq 5$  acres;  $\approx 45$  wells
  - $\approx 70$  non-irrigation gw rights total
    - 26 gw rights  $> 0.24$  cfs with  $\approx 33$  wells
- Total ground water rights cfs (gross)  $\approx 1,480$  cfs







# Why is IDWR Proposing Creation of this Water District?

- SRBA is complete
- Administration is required for both surface and ground water rights
- Potential regulation of ground water expansion rights in Raft River CGWA in 1 to 2 years
- Potential conjunctive administration of surface and ground water rights

# Why Water District(s) are needed

- Regulation
  - proper delivery of water, includes curtailing junior priority rights as necessary
  - address unauthorized uses
  - assure diversions are within water right limits
  - measuring & reporting of diversions
- Administer/Manage water rights
  - assist IDWR with current/accurate records (ownership, diversion descriptions, transfers review)



# Water Districts

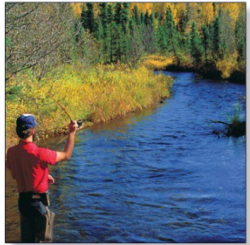
## Chapter 6, Title 42, Idaho Code

Created by order of Director of IDWR for purposes of water right administration, specifically, distribution of water from public or natural water sources in accordance with water right priority dates.

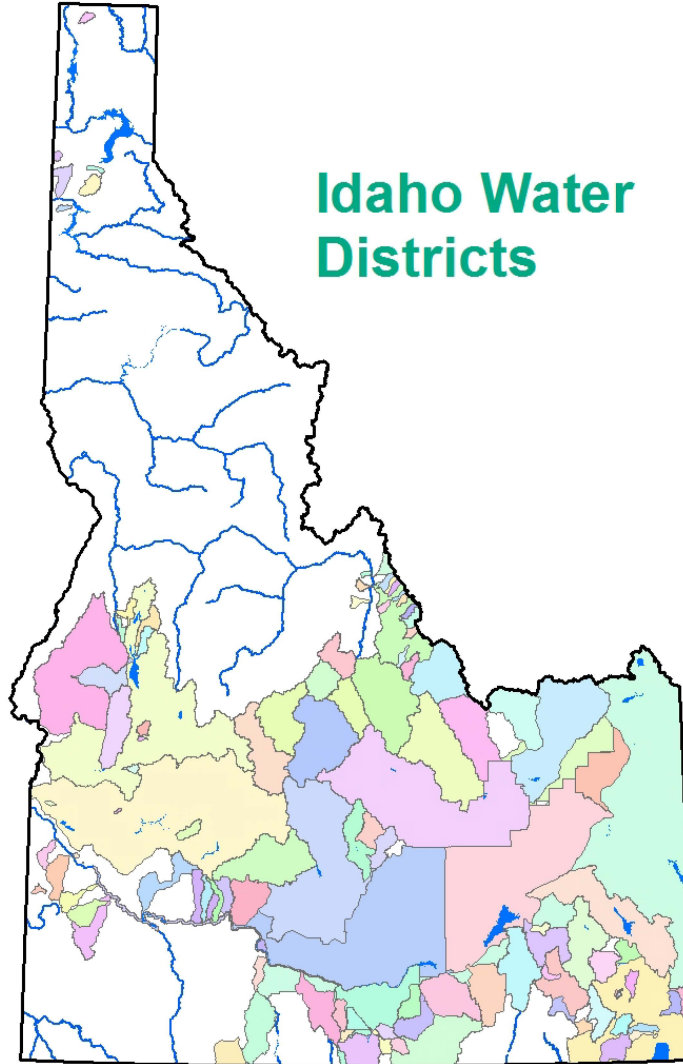
# Water Districts

- Creation/Modification of Water Districts
  - “The director shall divide the state into water districts ... such that each public stream and tributaries, or independent source of water supply, shall constitute a water district.”
  - “The director may create, revise the boundaries of, or abolish a water district or combine two or more water districts by entry of an order . . . to properly administer uses of the water resource.”

Idaho Code § 42-604



## Idaho Water Districts





# Water Districts

## Features

- Watermasters elected annually to provide water distribution services
  - elected by users, appointed by IDWR Director
  - compensated by users via assessments
  - receive guidance/direction from Director
- Advisory Committee elected annually
  - comprised of water users in district
  - serve in advisory capacity to watermaster and director, draft and implement resolutions, may mediate problems within district

# Water Districts

- General Duties of Watermaster:
  - 1) deliver water in accordance with water right priority dates
    - authority to control/regulate diversion works
  - 2) measure and report diversions under water rights
  - 3) provide annual reports of expenses & water delivered (watermaster report, daily log books or distribution report, proposed budget)
  - 4) report and control unauthorized diversions
    - local resource/expert; review transfers

# Water Districts

## Meetings, Elections, Budgets

- Annual meeting held to elect watermaster, adopt a budget and resolutions, and select an advisory committee.
- Voting is by majority vote of users present, or if requested, by alternative method that involves votes equal to dollar amount assessed.

Idaho Code § 42-605



# Water Districts

## Meetings, Elections, Budgets

- Amount of water use is basis for assessments.  
(IC § 42-612)
- Alternative methods and flexibility provided for voting and assessment of non-consumptive uses.  
(IC § 42-605A)
- Budget collected either by county or by district.  
(IC § 42-612 and 42-618)
- Participation is mandatory

# District Creation

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- District meeting is first Monday of March, by law, or
- Between first Monday of January & third Monday of March, by district resolution
- Director can schedule special meeting or first meeting at any time

# District Creation

## Who's included:

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- All water rights are included , but for Administrative & Assessment purposes, IDWR may exclude:
  - domestic/stock water uses meeting definition of Sec. 42-111, Idaho Code
  - in-stream livestock
  - other small rights/uses ( $\leq 0.24$  cfs)
  - minimum in-stream flow rights are exempt by law



# Measurement Requirements

## Likely Scenario – Ground Water

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- Separate IDWR Order requiring installation of measuring devices
  - After ground water rights are included in the water district(s)
  - Issue order in 2016 with input from users and district advisory committee
    - Alternatively – consider issuing order more immediately
  - May phase in over one to two years
  - Standard meters required; variances limited but may be considered

# Measurement Requirements:

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- For Ground Water Measurement, typically exclude:
  - domestic/stock water uses, in-stream livestock & other small rights/uses  $\leq 0.24$  cfs diversion rate
  - may exclude small irrigation uses, typically  $\leq 5$  acres
- All other rights/diversions subject to measurement

# Measurement Requirements

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- Ground water diversions:
  - Mag Meters:  $\approx$  \$2,000 - \$3,400 for 10" diam. + install
  - Meters should be read several times per year

# IDAHO

Department of  
Water Resources



A-Z Index

Water Rights

Wells

Streams, Dams &  
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## Water Measurement

Guidelines and procedures for collecting water measurement data and reporting the information to the Idaho Department of Water Resources have been developed in order to have an orderly and uniform measuring and reporting program within the State of Idaho.

The information below assists in measuring and reporting diversions pursuant to various water measurement orders issued by IDWR. The following links and guidelines are also applicable and useful for water measurement requirements within water districts.

### Measurement Guidelines

-  [Minimum Acceptable Standards for Open Channel and Closed Conduit Measuring Devices](#)
-  [List of Approved Closed Conduit Flow Meters](#)
-  [IDWR Water Measurement and Reporting Guidelines](#)

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### Forms:

- » [Annual Report & Measurement Forms](#)


### Related Information

- » [Idaho Water Districts](#)
- » [Eastern Snake Plain A](#)

### Statutes:

- » [42-701 - General statute for water measurement in Idaho.](#)

### Water Conversion

-  [Water Conversion](#)

1 Miner's Inch =



# Creation Timeline

## Next Steps – Hearing & Order

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- Conclude today's hearing
- Ten day comment period following hearing
  - (November 23<sup>rd</sup>)
- Issue order mid to late December, 2015

# Creation Timeline

## Next Steps – Post Order

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- Organize Steering Committee to prepare for annual meeting
- Schedule annual meeting January to March

# Annual Meeting

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- Adopt Budget
- Elect watermaster
- Select advisory committee
- Adopt operational resolutions

# District Budgeting Considerations:

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- GW rights in new district:
  - Budget for compensation of watermaster and secretary/treasurer for meter compliance, meter reading and reporting, mileage, FICA/taxes, workers comp, equipment, assessments, budget reports, other regulatory issues
  - Consider budgets from other water districts?



# Questions and Discussion?

