

Water District Operation Manual Part I: Introduction to Water Districts



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IDAHO DEPARTMENT OF
WATER RESOURCES

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Part I:

Introduction to Water Districts

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Purpose

Part I of the Water District Operation Manual presents basic information for anyone unfamiliar with Idaho Water Districts, their purpose and function. The Idaho Department of Water Resources (Department) creates and establishes water districts under Idaho Code § 42-604.

This publication summarizes the lawful directives and requirements related to water districts contained in Idaho Code Title 42 - Chapter 6 (Distribution of Water Among Appropriators) and Idaho Code §§ 42-111, 42-113, and 42-1401A. This information is intended as a quick guide or general reference only and should not be used as legal advice. Information referenced or attached is offered as a convenience and does not guarantee accuracy as statutes and rules may change. Please refer to current Idaho statutes for up-to-date information.

Idaho water is a public resource, available for use by Idaho citizens and managed by the Department. Idaho water is a *limited* resource, so the state legislature has adopted laws and rules that ensure the proper administration and distribution of this resource.

Additional information and details about water district operations can be found in the related publications *Water District Operation Manual Part II: Water District Administrative Processes, Part III: Watermaster Handbook, Part IV: Technical Field Guide – Measurement and Data Collection and the Water District Operation Manual: Appendices*.

Water Districts: Frequently Asked Questions

Why does Idaho have water districts and what are they?

Water districts are needed to manage and administer use of Idaho's public water systems at a local level. A water system includes all rivers, streams, lakes, springs, ground waters, or other sources within the state. The Department supervises and provides administrative support for water districts to ensure proper distribution of water consistent with Idaho law.

The Department is required to create water districts following a court process called an adjudication. Through an adjudication, a court determines the validity of the water uses or water rights and issues a decree. The decree by the court documents the extent and priority of the rights to use water from a water system or source.

A water district:

- is an organized government entity created and supervised by the Department to distribute water as required by Idaho law consistent with water rights on record with the Department;
- is an organized group of water users that hold rights from a common public water source or water system within the boundary of the district;
- has boundaries that encompass a public water source or water system (example: a drainage basin or part thereof, or a common aquifer); and
- is considered an extension of state government to assist the Department with the distribution of water.

What do water districts and their staff do?

Water districts are responsible for proper administration and distribution of the public waters within their designated boundaries. Water district staff may include an elected watermaster, watermaster assistant(s), and a treasurer.

A watermaster's duties include delivering water to users in the district according to the specific elements of the water rights, measuring and reporting of water use, addressing unauthorized water use, and maintaining accurate records of water right ownership. The treasurer is responsible for managing district finances. A water district may also choose to elect an advisory committee, which assists or advises the Department and the watermaster in matters pertaining to the distribution of water within the district.

Who is included in a water district?

Water districts administer water rights from a specified water source or sources. Water districts may administer surface water, ground water, or both. The order creating or establishing the water district will identify the source or sources to be administered.

Unless excluded under applicable state law, all water rights from the specified water source or sources within the water district boundary are included in the water district. Any new water right permit approved within an existing water district is subsequently included in the district.

For purposes of measurement and/or assessment, the Department *may* exclude certain uses, such as the following:

- small domestic or livestock uses less than or equal to 13,000 gallons per day;
- in stream stockwater use;
- small irrigation or non-irrigation uses; or
- water uses that do not require a water right.

How is a water district different from other water delivery entities?

A water district is the only water delivery entity specifically authorized and required to administer the delivery of Idaho water *from a public water source or water system*. The water district delivers and administers water from the public source to individuals or entities who hold valid water rights.

Numerous water delivery entities are subject to the administration and delivery of water by a water district watermaster. Below are common entities that deliver, convey, or provide water to consumers *after* it has been delivered by a water district watermaster.

- irrigation districts
- irrigation companies
- homeowner associations
- lateral water user organizations
- municipalities
- canal companies.

The entities noted above distribute water to patrons or customers through a common conveyance system(s) *after* the water is diverted from the public water source. The Department website provides additional information on other water delivery entities.

Who pays for water district operation?

The State or the Department *does not* fund the operation of water districts or water district staff. Water districts are funded through assessments paid by the water users within the district. Each water user is assessed a proportion of the water district's adopted budget, based on the amount of water that was delivered by the watermaster during the past season(s). At the water district annual meeting, water users vote to adopt a budget sufficient for paying the cost of delivering water for the upcoming season. Budgets and assessment are detailed in the Water District Operations Manual Part II: Water District Administrative Processes.

How many water districts are there and where are they located?

There are approximately 100 active water districts in Idaho. Water districts exist in all regions of the state. Appendix A contains maps showing the general distribution of water districts in Idaho by the regional areas defined by the Department. For more details on water district boundaries, contact the Department or visit the website <https://idwr.idaho.gov/> > Water Rights > Water Districts > Map.