

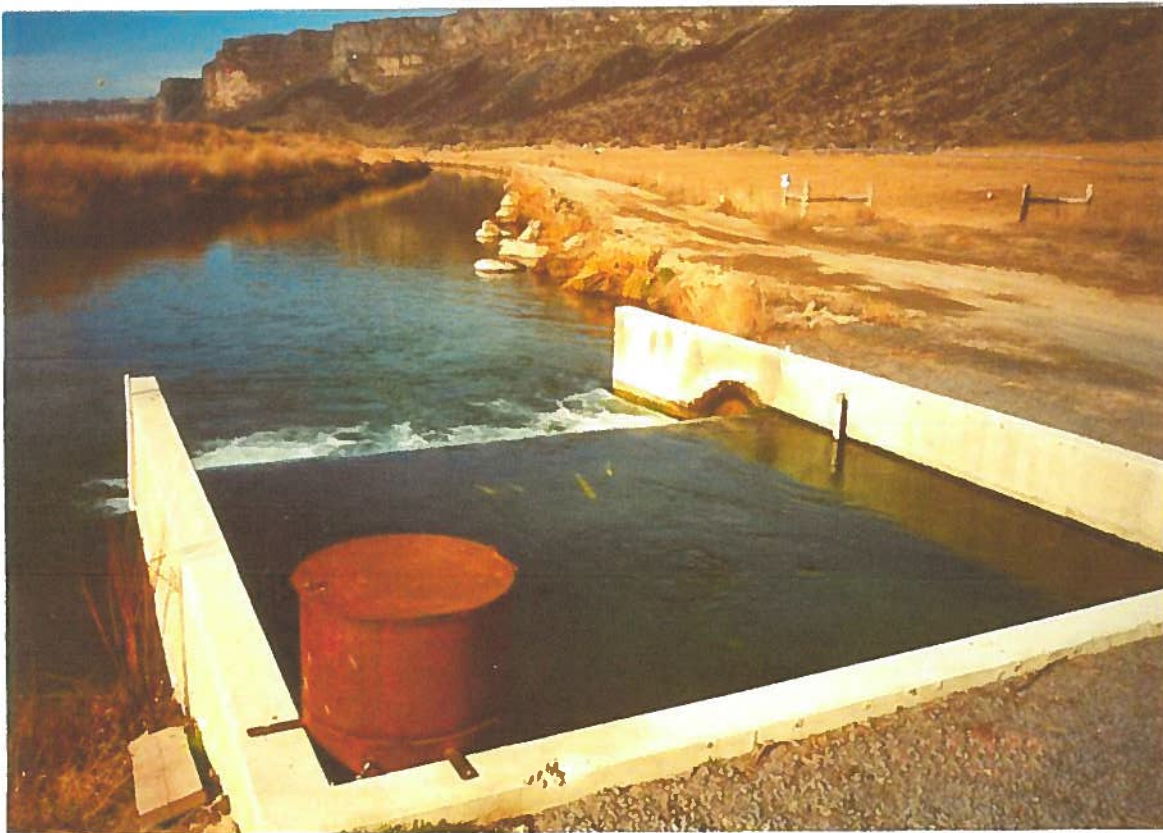
COMPLAINANT'S EXHIBIT B

Docket No. C-RWM-2016-001



Watermaster Handbook

Statute update through May 2013



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SECTION 4. - WATERMASTER DUTIES

The primary function of the watermaster is to distribute water to those entitled to its use. This activity requires knowledge of the amount of water available in the source and the relative priorities of the water rights among users. The amount of water to be delivered is generally expressed in terms of a rate of flow (cubic feet per second or cfs) under Idaho law.

Watermasters are also often responsible for distribution of storage rights. When the owners of a reservoir seek to use a natural channel within the boundaries of a water district for the delivery of stored water, the watermaster is authorized to deliver the stored water to those entitled to its use. If a watermaster has not been appointed for the water district, the Director is authorized to appoint a special deputy to deliver the stored water. In most cases, the cost of delivering stored water is the same as for delivering natural flow rights (Section 42-801, Idaho Code).

Each watermaster should have a copy of the original court decree(s), and subsequent decrees if any, which contains all of the adjudicated or decreed rights within the water district. It is important that the watermaster become familiar with the decree or decrees within the district since they often contain special language or conditions relative to individual rights or groups of rights. The decree may provide general conditions about the period of use, water measurement requirements and distribution of water.

Prior to the distribution of any water, the watermaster must have a list of all water rights within the water district. This list should include all of the decreed rights plus any licensed rights or permits in the district, which may have been authorized by IDWR. The IDWR can provide each district or watermaster with a listing or copies of all post-decreed rights. The watermaster's delivery list should be arranged according to priority dates and should at least include a water right number (consistent with the Department's numbering system), type of water right, present name of water right holder, source of water, period of use, the rate of flow or diversion allowed under each right and the location of the point of diversion of each right. A list of water rights in the district containing this information can be provided by IDWR and updated as necessary. Claims and investigations made as part of the ongoing Snake River Basin Adjudication (SRBA) may often be helpful in updating watermaster lists. Eventually, the final court decree or decrees from the SRBA will supersede most of the existing water right decrees in Idaho.

SECTION 5. - WATER RIGHT TERMINOLOGY AND DISCUSSION

Water rights are generally categorized as decreed, statutory, or beneficial use (constitutional) rights.

A statutory right is perfected using the procedures described in the Idaho Code (statutes). The Idaho Code provides that a water right may be initiated by filing an application for permit to appropriate the public waters of the state. Upon approval of an application, the department issues a permit which authorizes the permit holder to construct diversion works and to apply the water to a beneficial use.