

This Guidance Document is not new law but is an agency interpretation of existing law. For more information or to provide input on the document, please contact the Water Rights Section Manager at 208-287-4800. (Feb.2020)

ADMINISTRATOR' MEMORANDUM
OPERATIONS DIVISION

TO: Water Rights Section
FROM: A. Kenneth Dunn
SUBJECT: Policy regarding supplemental filings

It is the policy of the Department of Water Resources that we will not issue permits which, when considered with previous permits, licensed rights, or decrees, would provide for diversion of more than one miner's inch per acre of land. However, there may be occasions when an individual may file for supplemental water when his prior filings provide for one miner's inch per acre of land, and in such occasions the new permit may be issued but it should contain the following language:

"No more water may be diverted under this permit, when combined with other rights appurtenant to the lands in question, than one miner's inch for each acre of land served."

It will be the department policy to consider water rights, however acquired, or earliest priority as the primary rights of particular use and all other later priority rights as supplemental thereto.
