

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'S MEMORANDUM  
OPERATIONS DIVISION

TO: All District Offices

DATE: June 23, 1975  
Rev. 8-04-1975

FROM: A. Kenneth Dunn

SUBJECT: Right-of-way across the land of another.

Applications for water rights that indicate the point of diversion is located on land owned by a private individual, other than the applicant, should be processed in the same manner as other applications. Applications that indicate the point of diversion is on land owned by the Federal Government should also be processed in the same manner and in addition, the District Office will advise the appropriate Federal Agency that we have received an application involving access through Federal land.

All permits that propose to convey water across another's land must contain the condition that "The issuance of this permit in no way grants any right-of-way or easement across the land of another person."

