



NEWS RELEASE - FOR IMMEDIATE RELEASE
Media Contacts: Craig Saxton (208) 287-4800

State of Idaho files petition to launch Clark Fork-Pend Oreille River Basins Adjudication; up to 9,000 water rights claims may be filed

CLARK FORK, Idaho - (Oct. 23, 2020) – The State of Idaho filed a petition today, requesting the 5th District Court to commence the Clark Fork-Pend Oreille River Basins Adjudication, a legal process in which a court reviews and confirms all existing water rights in the Clark Fork-Pend Oreille River Basins within the state of Idaho.

A water rights adjudication allows older undocumented water rights to be documented, reaffirms existing permits and licenses, removes unused water rights from water right records, and helps the state and its residents manage Idaho's water resources, officials with the Idaho Department of Water Resources (IDWR) said.

The Clark Fork River enters Idaho from Montana and flows into Lake Pend Oreille, the largest freshwater lake in the state. The Pend Oreille River flows out of the western side of Lake Pend Oreille near Sandpoint and flows west into the state of Washington. The Priest River, Priest Lake, and other tributary streams in the Pend Oreille and Clark Fork River Basins within Idaho will be included in the adjudication.

The adjudication proceeding will review all water rights within the Clark Fork-Pend Oreille River Basins held by local, state, and federal governments, Native American tribes, and private property owners. The court petition includes a request that gives water users in the Clark Fork-Pend Oreille River Basins the option of deferring the filing of small domestic and stockwater claims.

There are approximately 2,700 water rights currently on record with IDWR in the Clark Fork-Pend Oreille River Basins. IDWR officials expect that a total of about 9,000 water rights claims may be filed in the Clark Fork-Pend Oreille River Basins Adjudication.

In the role as independent expert and technical assistant to the court, IDWR investigates water right claims and makes recommendations about the elements of each water right.

Before IDWR can take claims and make its recommendations in the Clark Fork-Pend Oreille River Basins Adjudication, the court must make certain findings and issue a commencement order. The court has set

a commencement hearing on January 21, 2021, to determine whether it will proceed with the adjudication.

After the court issues a commencement order, claims can be filed on a hard-copy paper form or online. Once the commencement order is issued, IDWR will give notice to water right holders and then begin to take claims, conduct water rights investigations, make preliminary reports, and hold public meetings. IDWR will then file a Director's Report with the court, which will specify IDWR's recommendations to the court regarding the elements of each water right.

Once IDWR files a Director's Report with the court, interested parties can file objections and responses to the recommendations. The court will hold hearings and trials as needed, and will then issue decrees that determine the nature and extent of each water right in the Clark Fork-Pend Oreille River Basins.

The Clark Fork-Pend Oreille River Basins Adjudication follows the conclusion of the Snake River Basin Adjudication – the largest adjudication completed in the United States – and the ongoing Coeur d'Alene-Spokane River Basin Adjudication and Palouse River Basin Adjudication.

The Clark Fork-Pend Oreille River Basins Adjudication is the third of three phases of the Northern Idaho water rights adjudications. The adjudications recognize that water is a valuable resource in Idaho and that supplies are not always sufficient to meet demands, IDWR officials said.

For more information, go to: <https://idwr.idaho.gov/water-rights/adjudication/>

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