



NEWS RELEASE - FOR IMMEDIATE RELEASE

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## **State of Idaho files petition to launch Bear River Basin Adjudication; up to 14,000 water rights claims may be filed**

SODA SPRINGS, Idaho – (Nov. 20, 2020) – The State of Idaho filed a petition today, requesting the 5<sup>th</sup> District Court to commence the Bear River Basin Adjudication, a legal process in which a court reviews and confirms all existing water rights in the Bear River Basin, the Malad River Valley and the Curlew Valley, 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 Bear River follows an arch-shaped course from Utah, into Wyoming and Idaho, and then back into Utah, terminating in the Great Salt Lake. It enters Idaho from Wyoming, supplying water to Mud Lake and Bear Lake, then flows north past Montpelier, Georgetown and Soda Springs, then south past Grace and Preston, and flows into Utah near the town of Cornish. (see map, below)

The Bear River Adjudication also will include the waters of the Malad River Valley, which flow south into Utah and are ultimately tributary to the Bear River, as well as the Curlew Valley which includes the Deep Creek drainage, a tributary stream that flows into the Great Salt Lake.

The adjudication proceeding will review all water rights held by private property owners, local, state and federal governments, and utilities such as PacifiCorp in the Bear River Basin, Malad River Valley and Curlew Valley. The petition includes a request that gives water users the option of deferring the filing of small domestic and stockwater claims.

There are approximately 4,700 water rights currently on record with IDWR in the Bear River Basin, the Malad River Valley and the Curlew Valley. IDWR officials expect that a total of about 14,000 water rights claims may be filed in the Bear River Basin 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 Bear River Basin Adjudication, the court must make certain findings and issue a commencement order. The court has set a commencement hearing on March 4, 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.

The Bear River Basin Adjudication follows the conclusion of the Snake River Basin Adjudication – the largest adjudication completed in the United States. The Coeur d'Alene-Spokane River Basin Adjudication and Palouse River Basin Adjudication are currently under way, and IDWR filed a petition recently to commence the Clark Fork-Pend Oreille River Basins Adjudication.

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

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# Bear River Basin Water System

- Cities
- ▭ IDWR Administrative Basins
- ▭ Bear River Basin Water System Boundary
- ▭ Counties

0 10 20 Miles

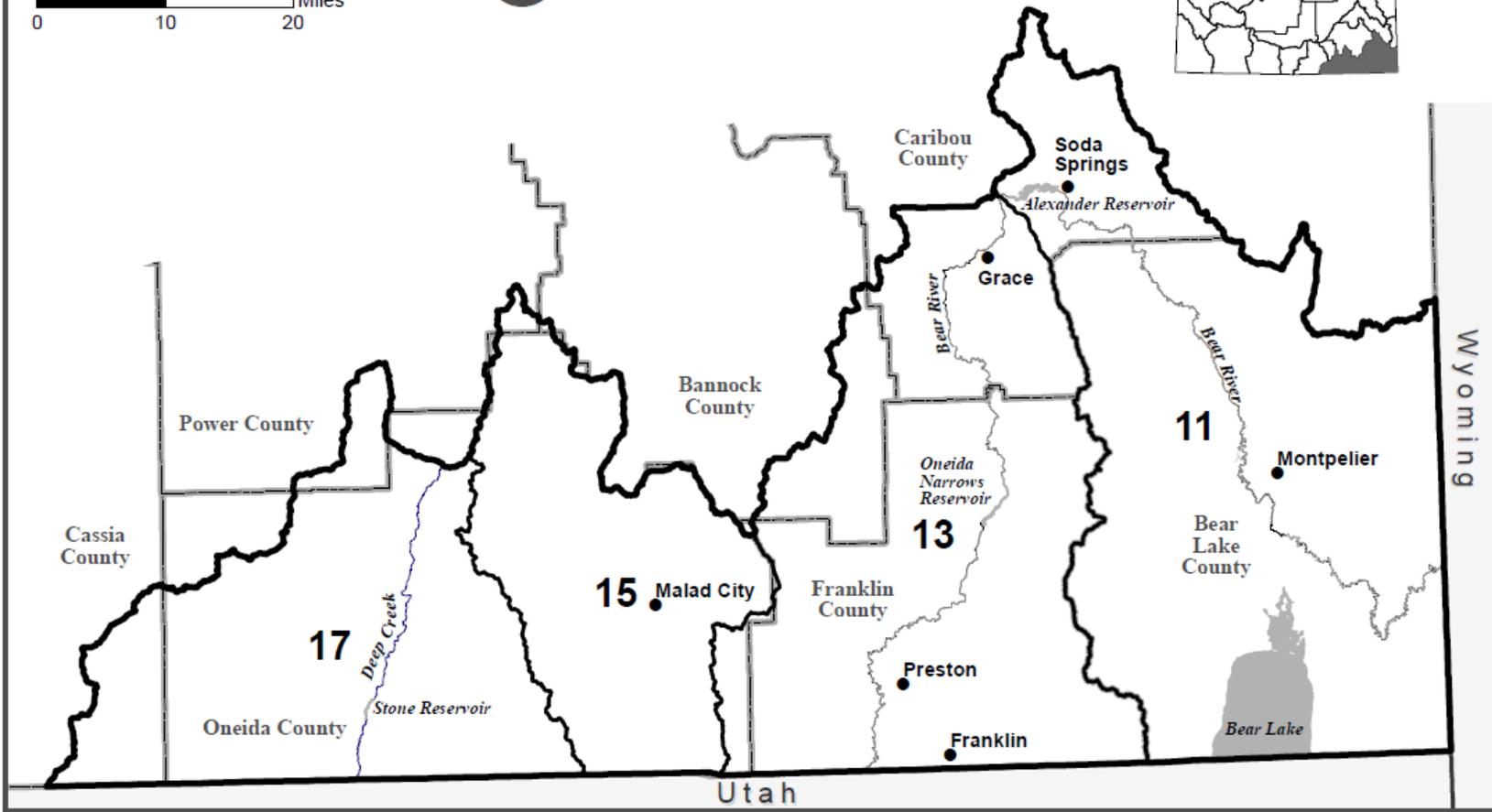


Exhibit A