

Clark Fork - Pend Oreille Basin Adjudication is continuing on schedule

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We want to clarify the article about water rights that appeared in the *Coeur d'Alene Press* on Saturday, Dec. 10. In the article, the reporter stated that "every property owner in the Panhandle region should receive a notification to file a claim for their water rights."

This is not accurate. We want to assure the public that unless residents are located in the geographic region where the Clark Fork – Pend Oreille River Basin Adjudication is occurring (primarily Bonner County), they won't be getting a notice from IDWR about claiming their water rights.

Idaho Department of Water Resources has been working on the Northern Idaho Adjudications since 2006.

What is an adjudication? The purpose of a water rights adjudication is to make a complete and accurate record of all established water rights in a particular river basin, including surface and ground water rights. The process gives Idaho water users the opportunity to prove historic use of water, including the priority date when they began diverting water for beneficial use. The priority date is very important in Idaho water law because in a time of water shortage, "first in time, first in right."

The Idaho Legislature authorized the Northern Idaho Adjudications to be accomplished in three phases:

1. Coeur d'Alene – Spokane River Basin Adjudication
2. Palouse River Basin Adjudication
3. Clark Fork – Pend Oreille River Basin Adjudication.

The Coeur d'Alene – Spokane River Basin Adjudication and Palouse River Basin Adjudication are mostly complete. Water users have filed their water right claims, which have been evaluated by IDWR. The Court is in the process of resolving the objections that were filed against some claims.

However, in the Clark Fork – Pend Oreille River Basin, IDWR is in the process of taking water right claims. About 5,000 claims have been filed with IDWR so far.

Recently, the last group of adjudication notices was mailed from IDWR to residents in the Sagle area. The mailing explains the adjudication process, who is required to file a claim, and how to file a claim. Anyone who received the mailing and has questions about their own water use is encouraged to contact IDWR's Coeur d'Alene office for assistance.

As for the Kootenai River Basin – mostly coinciding with Boundary County – authorization by the Idaho Legislature for an adjudication has not occurred, so no notices will be mailed in that basin.

While an adjudication is for existing water rights based on established uses, IDWR also has a process for developing new water rights. Property owners who want to begin a **new water use** may contact or visit IDWR's CDA office or visit IDWR's website for detailed information about filing an application for permit. New well owners who use less than 13,000 gallons of water per day for domestic and stock watering purposes and irrigate less than half an acre may be exempt from the permitting requirement.

For more information, please contact the IDWR Coeur d'Alene office, 208-762-2800.