



NEWS RELEASE - FOR IMMEDIATE RELEASE

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IWRB officials highlight the passage of two bills by the Idaho Legislature

BOISE – (April 2, 2024) – The Idaho Water Resource Board was pleased to see the passage of two pieces of legislation passed by the Idaho Legislature in the 2024 session that will enhance water management in Northern Idaho and Southern Idaho, officials said in their bimonthly meeting on Friday.

Senate Bill 1341, co-sponsored by State Sen. Van Burtenshaw, R-Terretton, and Rep. Jack Nelson, R-Jerome, creates a process for the Idaho Department of Water Resources (IDWR) to expand the boundary of the Eastern Snake Plain Aquifer (ESPA) area of common groundwater supply. The bill passed both chambers of the Legislature in a unanimous vote; it was signed by Gov. Brad Little on March 20.

Adjusting the boundary of the ESPA area of common groundwater supply is needed to conform with the latest and most accurate ESPA groundwater model, version 2.2, as a matter of fairness for surface and groundwater users in the Eastern Snake Plain region, Burtenshaw has explained in an op-ed article about the change. (see map below).

The change would ensure that IDWR's management of surface water and groundwater rights in the ESPA, or conjunctive management, could be accomplished under the Prior Appropriation Doctrine, officials said. Under that water law, senior water users, or those who have the oldest water rights, receive priority in times of water shortages, officials said.

SB 1341 provides for a process for IDWR to follow to notify ESPA surface and ground water users about the proposed change in boundary, hold public hearings and take public feedback. The bill also provides an opportunity for water users to appeal the final decision.

"Some water users will be affected by these proposed changes," said IDWR Director Mathew Weaver during the IWRB meeting. "We need to do more research to understand how many water users could be affected. We will officially notify affected water users in the coming months about the change in administrative scope and the impact on their individual water rights."

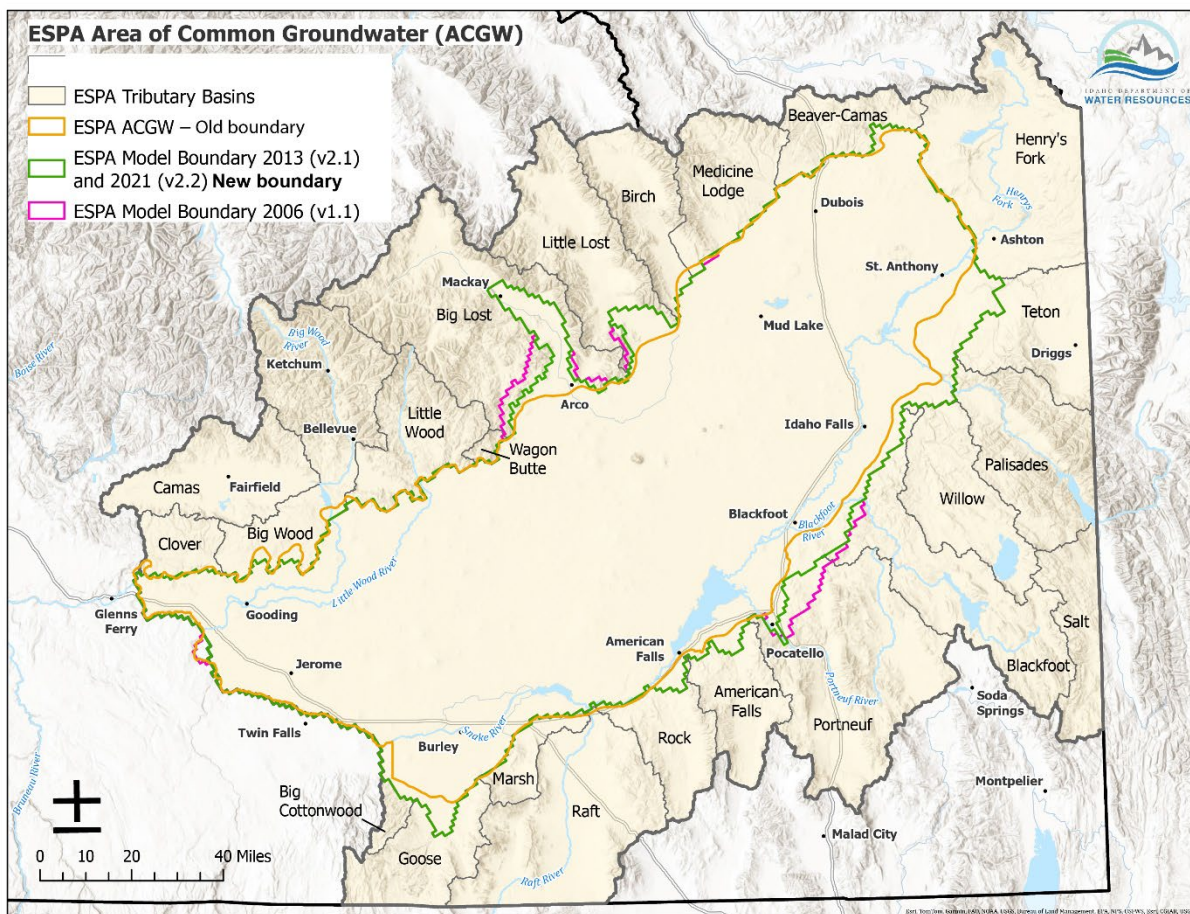
The second piece of legislation, HB 687, would allow IDWR to petition a District Court judge to commence a water rights adjudication in the Kootenai River Basin in Northern Idaho. Local legislators were supportive of an adjudication for the Kootenai Basin to define and confirm existing water rights in District Court, officials said.

The Kootenai Basin Adjudication is expected to take 5 years and cost \$3.25 million, using existing IDWR staff to work on the project, officials said. Water rights adjudications are currently in progress in the Bear River, Clark Fork-Pend Oreille, Coeur d'Alene-Spokane River and Palouse River basins in Idaho. The Snake River Basin Adjudication, completed in 2014, was the largest water rights adjudication ever completed in the western United States.

In other action, the Board received an update on the ESPA recharge program in the winter of 2023-24. The Board has a goal of recharging an annual average of 250,000 acre-feet of water into the ESPA each year. So far this winter, recharge flows have reached more than 172,000 acre-feet as of March 28, officials said.

With Upper Snake River reservoirs nearly full, flood control releases are under way and significant surplus flows will be available for ESPA recharge this spring, officials said. The Board expects to surpass its goal by the end of the recharge season, officials said. For more information about the ESPA recharge program, go to: <https://iwrbrecharge-idwr.hub.arcgis.com/>

(The green boundary on the map of ESPA Area of Common Groundwater Supply, shown below, reflects the new proposed boundary, which is the same boundary being used by IDWR in its ESPAM v2.2 groundwater model)



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