

Keen, Shelley

From: Teresa & Bert Cole [colesouls@cpcinternet.com]
Sent: Sunday, April 26, 2015 1:37 PM
To: Keen, Shelley
Subject: Re: FW: Updating water rights

Shelley,

Thank you so much for this information!

-Teresa & Bert Cole

--- Shelley.Keen@idwr.idaho.gov wrote:

From: "Keen, Shelley" <Shelley.Keen@idwr.idaho.gov>
To: "colesouls@cpcinternet.com" <colesouls@cpcinternet.com>
Subject: FW: Updating water rights
Date: Fri, 24 Apr 2015 20:30:28 +0000

Teresa,

Water Right 85-7170 was decreed in the Snake River Basin Adjudication (SRBA). A decreed water right will remain valid as long as water continues to be used in the manner authorized.

There are a couple of five-year requirements in Idaho water law, but neither applies to your water right:

- When a permit to establish a new water right is issued, the proof of beneficial use must be submitted within five years. Submitting proof is a one-time event for each new water right.
- When a water right is leased into the Water Supply Bank because it is not being used by the current owner, the lease will be limited to a maximum of five years. The lease can be renewed every five years. Similarly, water rights rented from the Water Supply Bank are, in most cases, limited to a maximum of five years before they have to be renewed.

The notion of updating a water right may stem from the SRBA experience. The SRBA was a general stream adjudication in which everyone who had a water right (or believed they had a water right) was required to file a claim and participate in the legal process. Because they can be immensely time-consuming and expensive, general stream adjudications are rare. It will likely be many decades before another adjudication occurs in your area. General stream adjudications begin with plenty of notice to water right holders that they must file claims.

Please call or email if you have additional questions.

Sincerely,

Shelley Keen

Idaho Department of Water Resources

Shelley.Keen@idwr.idaho.gov

208-287-4947

From: Strange, Jennifer
Sent: Friday, April 24, 2015 1:28 PM
To: Keen, Shelley
Subject: FW: Updating water rights

From: Teresa & Bert Cole [<mailto:colesouls@cpcinternet.com>]
Sent: Friday, April 24, 2015 12:45 PM
To: IDWRInfo
Subject: Updating water rights

Department of Water Resources,

I have question about water rights. We are part of a community well system, the Waha Water Co-operative. We have water right license number 85-7170.

Someone informed us we need to update our water right every five years. We believed once you have a water right, it is your license as long as you are using the water.

Can you please explain the water right process and the steps we need to take at this point to update it, if that is necessary.

Thank you,
Teresa Cole, Secretary
Waha Water Co-operative
42565 Waha Road
Lewiston, ID 83501
208-743-3415