

## ADMINISTRATOR'S MEMORANDUM

To: Water Management Division

From: Norman C. Young *NCY*

RE: IRRIGATION SEASON

Date: June 18, 1992

Water Delivery No. 2

Watermasters and water users have recently asked raised questions about the authorized irrigation season for natural flow water rights and authorized periods in which water can be diverted to storage without respect to natural flow rights.

Many existing decrees do not describe seasons of authorized use for irrigation water in terms of start and end dates. If dates are provided in the decrees or licenses of water right, the dates control the authorized period of use until changed by subsequent court decree or action of the Director. When such guidance is not available, the department should generally look to the recommended irrigation seasons used by the department in connection with permits, licenses and director's reports.

With respect to the relationship between natural flow rights and storage rights on a common stream system, two court cases, copies of which are attached, provide guidance essentially describing the irrigation season as April 1 to November 1 of each year. The cases are as follows:

Twin Falls Land & Water Company v. Lind, 14 Idaho 348,  
94 P. 164 (1908)

Anderson v. Dewey, 82 Idaho 173, 350 P. 2d 734 (1960)

When existing decrees have provisions allowing early or late diversion of water, the provisions should be followed.

RECEIVED

FEB 20 2003

Department of Water Resources  
Southern Region