

## Presentation Notes:

- Discuss general water appropriation law.
- Evolution of water districts in Idaho: competition of limited supply of surface water resulted in early adjudications & eventual need for control & regulation. Old decrees – creation of surface water districts - SRBA - new districts. Water districts created after rights are decreed in a general adjudication like SRBA.
- Discuss Section 42-604, Idaho Code. Authorization for Director of IDWR to create water districts, revise the boundaries of water districts.
- ESPA issues: 1990's/drought, early delivery calls for water (Musser) – SRBA district court told IDWR to develop conjunctive mgmt rules. Rules developed mid '90's.
- Recent delivery calls of drought 2000 – 2005. More delivery calls from Thousand Springs and Snake River sw canal companies.
- Since 2002: Director started creating water districts upon completion of Director Repts in admin basins.
- Review of map handout. All ESPA area in water districts. Basin 27 area is last area to be added. Districts needed to:
  - Administer & enforce water rights in priority
  - Curtail unauthorized & excessive diversions
  - Curtail out-of-priority diversions causing injury to senior rights if not covered by mitigation plan or stipulated agreement
  - Enforce provisions of stipulated agreements or mitigation plans
  - Measure & report diversions under water rights(these are the watermaster duties)
- IDWR issued several curtailment orders in last several years. Use of ESPA gw model. Director accepted mitigation plans under conj mgmt rules.
- SW coalition challenged conj Mgmt rules, resulting in Judge Woods decision, appeal and recent Supreme Court hearing.
- Give current spectrum of scenarios: Thousand Springs calls & SW coalition call.
- WD120 & Basin 27: WD120 has annual meeting on Feb 12. Basin 27 rights will not officially be in district as of that date, but will be shortly thereafter.
- Rights may be subject to delivery calls/court decisions this year. Rights in 27 could be assessed for mitigation by gwd if not already in a gwd.
- Diversions need to continue to be measured & reported, this will be done by WD120 but assessed at minimum \$25 rate (42-701) (or other rate if special meeting held?).
- WD120 replaces ESPA East Water Meas District. Hearing on Feb 12 to abolish meas district.