



State of Idaho

DEPARTMENT OF WATER RESOURCES

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RECEIVED

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GOVERNOR

MONA COCKRELL
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SALMON ID 83467

SEP 16 1996

KARL J. DREHER
DIRECTOR

Department of Water Resources
Eastern Region

Dear Mrs. Cockrell:

I am witting in response to your questions about canal ditchriders and their relationship with state water districts.

The watermaster of a state water district is responsible for delivery of water to canals from the natural channels of streams and rivers. Watermasters of water districts generally do not deliver individual rights or canal shares from ditches and laterals, particularly if the users on the canal are organized under a canal company, ditch company, or other distributing organization. Idaho Code provides that users on a distributing ditch can appoint a manager to distribute water. Most canal and ditch companies in the state usually elect a manager or ditchrider for this purpose. Idaho Code does not provide that lateral managers or ditchriders be appointed and bonded in the same manner as state water district watermasters.

Idaho Code also provides that if a ditch is within a water district and the users have failed to form a distributing organization and appoint a manager or ditchrider, then the watermaster can appoint a manager to the ditch for the purpose of distributing water down the ditch. Idaho Code however does not require that this appointed manager be appointed or bonded by the state in the same manner as the watermaster.

You should be aware that if a dispute arises between a user and a ditchrider on a ditch regarding delivery of amount of water, then the matter can be referred to the Department of Water Resources (see Idaho Code 42-907). Such disputes are rarely brought to the Department or even the water district watermaster. The watermaster can be consulted regarding delivery of the quantity of water to the canal heading and water right priority cuts etc.

Please call me directly at 327-7864 if you have additional questions. You can also contact Bob Foster at the Department's Salmon office.

Sincerely,

Tim Luke

cc: Bob Foster, IDWR Salmon Office
Rick Sager, Water District 74 Watermaster
Eastern Region