Public Hearing: Proposed Combination and Modification of Water Districts in Basin 37, and Abolishing Water Measurement District

Hailey, Idaho

July 30, 2013

Welcome

- Water Users/Right Holders
- Elected Officials: State/County/Local?
- IDWR Staff
- WD 37/37M, and Measurement District staff
- Advisory Committee representatives
- IWRB Members

Hearing Purpose & Agenda

- Background Presentation/Information
  - Describe proposed actions/changes
  - Reasons for proposed actions/changes
  - Review of water districts & operations
  - Review of timelines
- Questions/Answers?
- Taking of Testimony

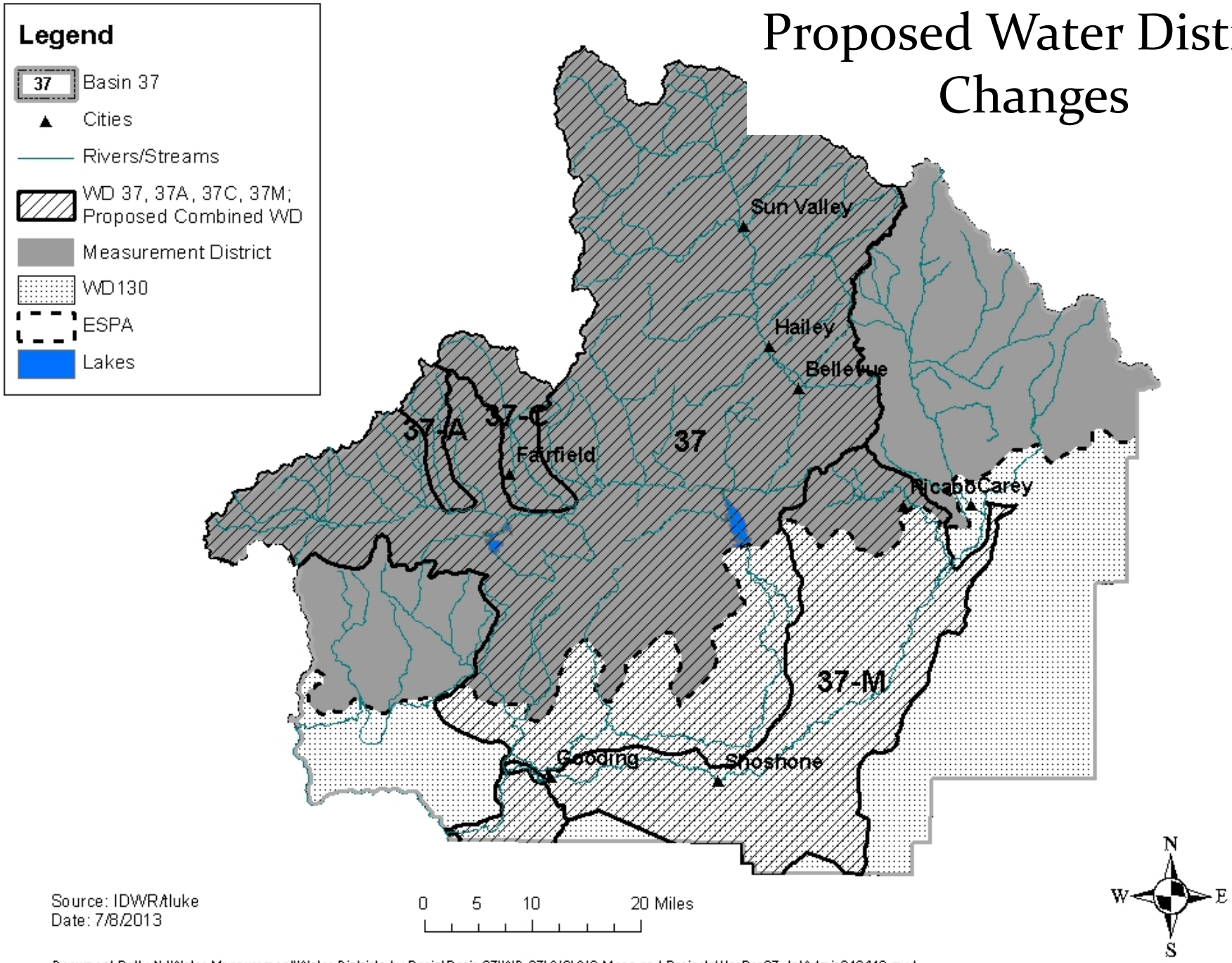
Hearing Notice Proposal

1. Combine WDs 37, 37M, 37A & 37C
2. Include surface water rights from Camas Creek drainage in combined water district
3. Include ground water rights from Water Measurement District (WMD) in combined water district
4. Abolish WMD

Area of Notice

- Upper Wood Rivers Water Measurement District (ground water right holders in Basin 37 outside of ESPA/WD 130)
- Surface water right holders in Water Districts 37, 37M, 37A, & 37C
- Surface water right holders in Camas drainage
  - Over 1,100 Notices Sent
    - Excluding domestic and stock water rights as defined by Idaho Code § 42-111 & in-stream stock water rights

Proposed Water District Changes



Area of Notice

- Exclusion of Domestic Rights/Uses
  - ✓ Only exclude domestic rights/uses for single family homes with up to ½ acre of irrigation & no more than 13,000 gpd
  - ✓ Also exclude other small uses – no more than 0.04 cfs and 2,500 gpd
  - ✓Uses not meeting these criteria should have water rights and be in water district
  - ✓Advise IDWR if use does not meet these criteria, does not have a right & is not served by city or community system

Number of Water Rights and Diversions in Area

Ground Water Rights and Diversions

- About 700 ground water rights total
- About 675 unique well locations total
  - 465 ground water rights & 400 wells with irrigation use > 5 acres and/or diversion rate > 0.24 cfs
  - 235 ground gw rts & 225 wells w/irrig use <= 5 acres
  - About 50 non-irrigation only wells
  - Total water rights cfs (gross) ≈ 800 cfs

Note: Estimates revised after removing gw rights admin. by WD37/37M (10/24/11)

Number of Water Rights and Diversions in Area

Surface Water

- About 289 surface water diversions currently measured by WD37/37M
  - Does not include “dry stream” tributaries
  - Does not include Camas Creek and tributaries (over 150 surface water right irrigation diversions in Camas drainage)
  - Does not include all gw rights in WD37/37M
    - (there are about 100 gw rights total in WD37/37M)

Water Use in Area

- WD 37: 182,000 – 233,000 total 24-hour cfs*
- WD37M: 128,000 – 141,000 total 24-hour cfs
- Ground Water area: Use not yet reported, some irrig. use data to be collected 2013 (USGS est. 110,000 acre-feet per year total in Wood River Valley only)
- Camas area: Surface water use not measured

Note: WD37/37M water use does not include all ground water diversions administered by WD37/37M

***24-hour cfs is a flow rate diverted for 24 hours or one day.**
Example: a continuous diversion of 1 cfs for 20 days = 20 24-hour cfs.
One 24-hour cfs is equivalent to approximately 2 acre-feet

Why is IDWR Proposing Changes?

- SRBA completed for these areas
- SRBA District Court issued Order of Interim Administration - February 19, 2013
- Administration required for both surface and ground water rights
  - Ground water rights & some surface water rights are not included in any water district

Why is IDWR Proposing Changes?

- Potential need for conjunctive administration of surface water and ground water rights
- Measurement district does not include regulatory authority

Why is IDWR Proposing Changes?

- Combining districts may be more efficient

  - WD 37/37M effectively combined already

  - remaining districts are inactive or frequently inactive

  - minimize duplication of efforts
    (watermasters/staff, billings, insurance, equipment, reports)

  - some gw rights already administered by WD 37/37M

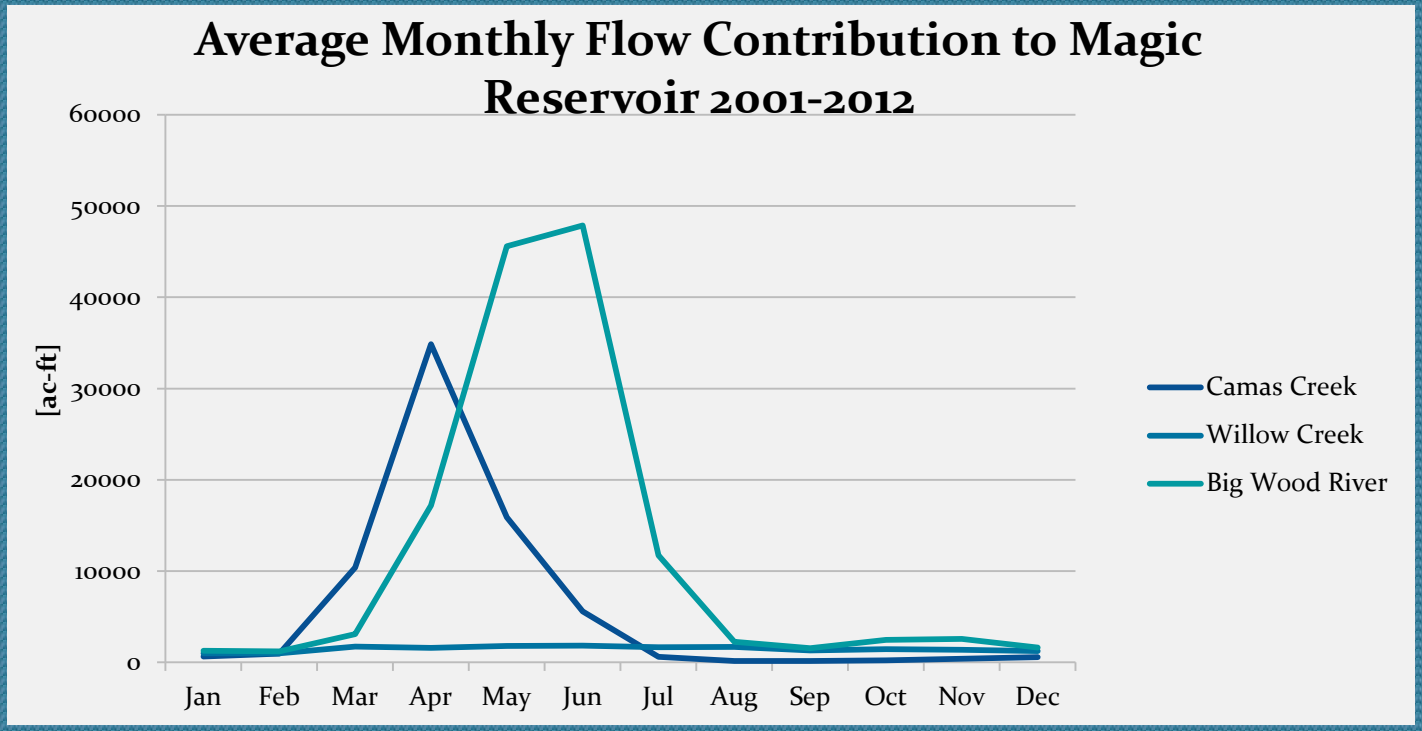
Why is IDWR Proposing Changes?

- Potential efficiency for conjunctive administration

  - one water district for potential delivery calls and/or mitigation
  - consistency
  - SRBA general provision issues – Camas Basin
  - promotes potential for more basin-wide water mgmt. corraboration or solutions

Why is IDWR Proposing Changes?

- Camas Drainage Inclusion
  - Camas drainage, including ground water is tributary to Big Wood River and Magic Res. Camas contributes over 30% of Magic fill



Why Water District(s) are needed

- Regulation
  - proper delivery of water, includes curtailing junior priority rights as necessary
  - address unauthorized uses
  - assure diversions within water right limits
- Administer/Manage water rights
  - assist IDWR with current/accurate records (ownership, diversion descriptions, transfers review)

Water Districts

Chapter 6, Title 42, Idaho Code

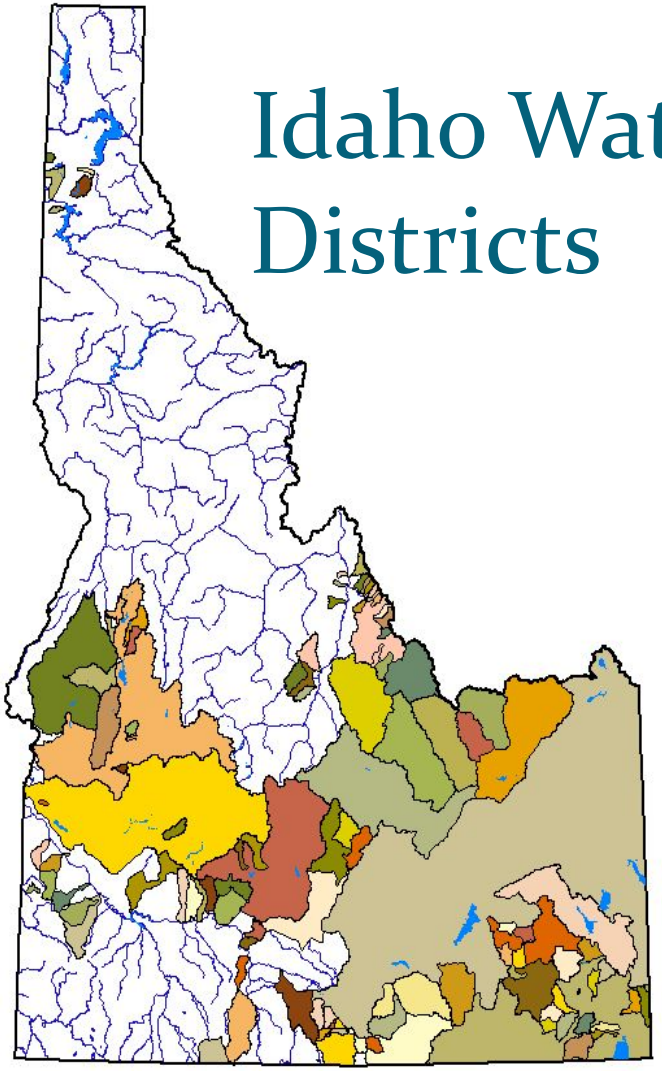
Created by order of Director of IDWR for purposes of water right administration, specifically, distribution of water from public or natural water sources in accordance with water right priority dates.

Water Districts

- Creation/Modification of Water Districts
  - "The director shall divide the state into water districts … such that each public stream and tributaries, or independent source of water supply, shall constitute a water district."
  - "The director may create, revise the boundaries of, or abolish a water district or combine two or more water districts by entry of an order . . . to properly administer uses of the water resource."

Idaho Code § 42-604

Idaho Water Districts



Water Districts

Features

- Watermasters elected annually to provide water distribution services
  - elected by users, appointed by IDWR Director
  - compensated by users via assessments
  - receive guidance/direction from Director

- Advisory Committee elected annually
  - comprised of water users in district
  - serve in advisory capacity to watermaster and director, draft and implement resolutions, may mediate problems within district

Water Districts

- General Duties of Watermaster:

  1) deliver water in accordance with water right priority dates

     - authority to control/regulate diversion works

  2) measure and report diversions under water rights

  3) provide annual reports of expenses & water delivered (watermaster report, daily log books or distribution report, proposed budget)

  4) report and control unauthorized diversions

     - local resource/expert; review transfers

Water Districts
Meetings, Elections, Budgets

- Annual meeting held to elect watermaster, adopt a budget and resolutions, and select an advisory committee.
- Voting is by majority vote of users present, or if requested, by alternative method that involves votes equal to dollar amount assessed.

Idaho Code § 42-605

Water Districts
Meetings, Elections, Budgets

- Amount of water use is basis for assessments. (IC § 42-612)
- Alternative methods and flexibility provided for voting and assessment of non-consumptive uses. (IC § 42-605A)
- Budget collected either by county or by district. (IC § 42-612 and 42-618)
- Participation is mandatory

District Creation

- District meeting is fist Monday of March, by law, or
- Between first Monday of January & third Monday of March, by district resolution
- Director can schedule special meeting or first meeting at any time

District Creation/Modification Who's included:

- All water rights are included , but for Administrative & Assessment purposes, IDWR may exclude:
  - domestic/stock water uses meeting definition of Sec. 42-111, Idaho Code
  - in-stream livestock
  - other small rights/uses (<= 0.24 cfs)
  - minimum in-stream flow rights are exempt by law

Note: hydropower rights included but may be assessed differently

District Creation Measurement Requirements:

- For Measurement Purposes, typically exclude:
  - domestic/stock water uses, in-stream livestock & other small rights/uses <= 0.24 cfs diversion rate

- All other rights/diversions subject to measurement

Measurement Requirements

- Ground water rights already subject to Measurement Order (flow meters or approved alternative):
  - Includes all irrigation > ½ acre
  - Other uses (including municipal) except D&S rights per I.C. § 42-111
  - Data collection this year for irrig diversions > 5 acres
  - Date collection this year for non-irrigation diversions
  - Data collection next year for irrig divsersions <= 5 acres

Measurement Requirements

- Ground water diversions:
  - Meters to be read one to two times per year
  - Some wells may require PCC/open discharge meas.
  - Continue compliance efforts
  - Assist with some water level monitoring
- Surface Water diversions:
  - Continue current level of measurement in WD 37/37M
  - Use standard open channel devices – read frequently
  - Expand to Camas drainage area over two years
  - Expand to “dry stream” tributaries as needed

District Creation/Modification Budgeting Considerations:

- GW rights combined with WD 37/37M:
  - budget similar to WD's plus WMD with some increase, plus budget for Camas drainage area
  - small or modest increase possible in WD 37/37M bills
- Possible sub-districts?
  - separate budgets and assessments (interim basis)

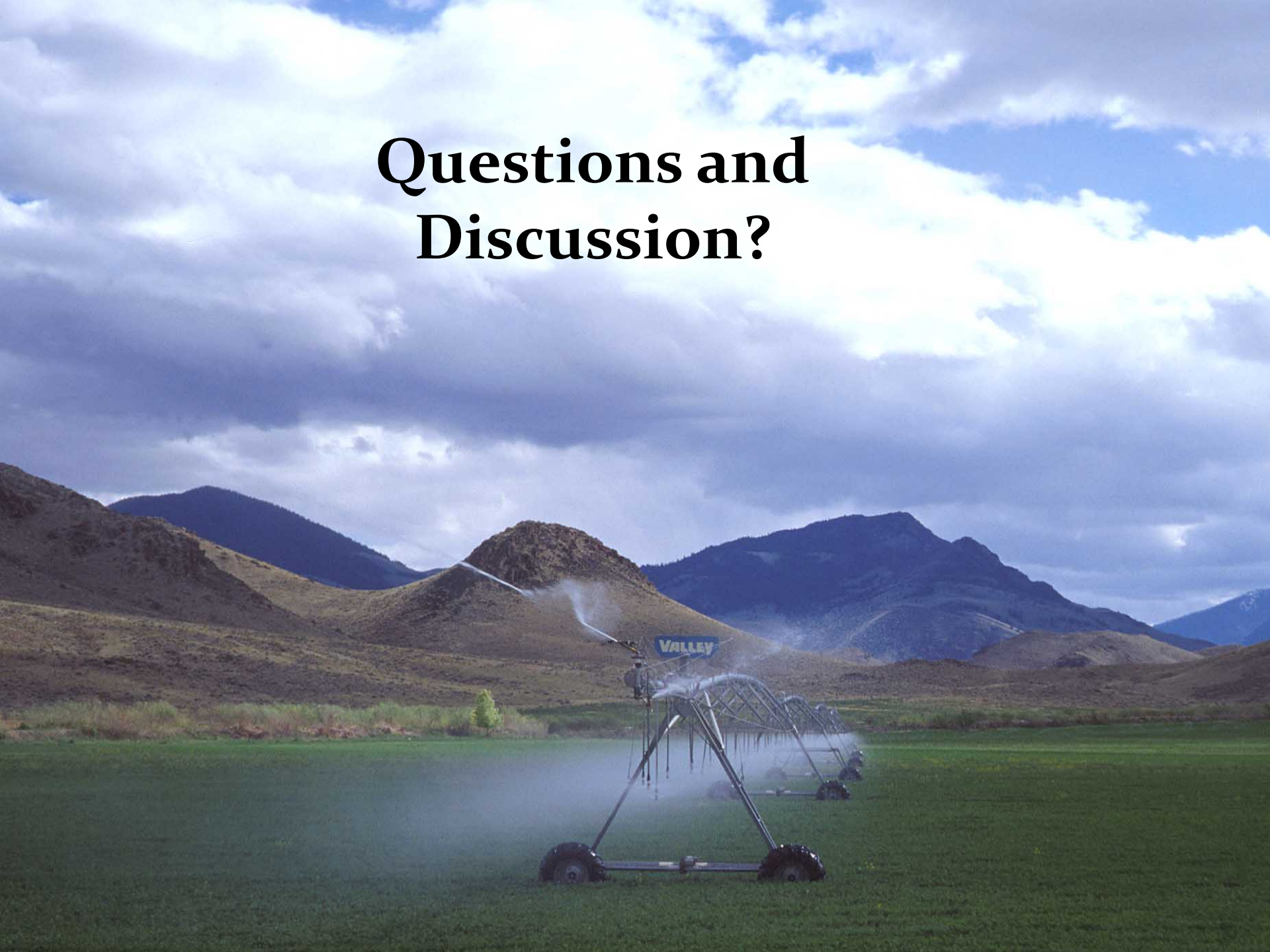
Creation/Modification Timeline Next Steps – Hearing & Order

- Ten day comment period following hearing
- Issue order late August

Timeline
Next Steps – Post Order

- Organize Committee for transition
  - Include representatives from existing advisory committees and areas/rights not in any district
  - If districts not combined, new district plans transition
  - Consider budgets
- Schedule annual meeting in January

Annual Meeting

- Adopt Budget
- Elect watermaster
- Select advisory committee
- Adopt operational resolutions

Questions and Discussion?