Water District Creation or Modification for Ground Water & Surface Water Rights in Basin 37, Upper Wood Rivers Area

IDWR PUBLIC INFORMATION MEETING

June 25, 2013

Hailey, ID

Several edits made 6/26/2013 from corrections provided at 6/25 meeting

Welcome

- Water Users/Right Holders
- Elected Officials?
- IDWR Staff
- WD 37/37M Staff
- Water Measurement District (WMD) staff
- Advisory Committee representatives
- IWRB Members

Purpose of Meeting

- Provide information on need, options and process for moving ground water rights from Upper Wood Rivers Water Measurement District to:
  - new water district (ground water rights only)
  - merge with existing area surface water districts
- Seek water user input

Not a Purpose of Meeting

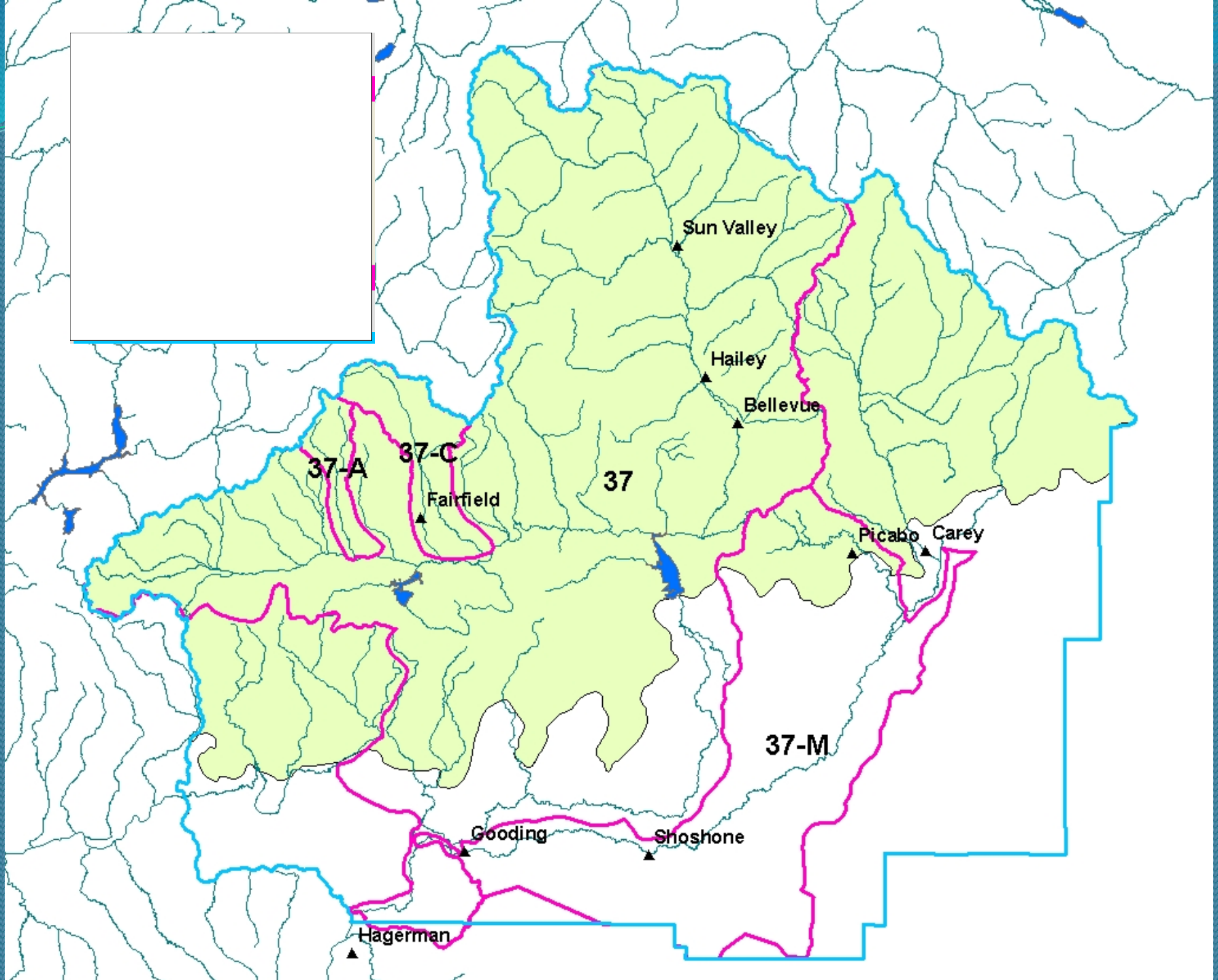
- Delivery Calls
- Mitigation

Options in Notice

1. Abolish WMD and create separate water district for ground water rights
2. Abolish WMD, add gw rights to existing area surface water districts 37 & 37M, & combine WD 37 & 37M
3. Option 2 & combine WD 37, 37M, 37A & 37C

Area of Notice

- Upper Wood Rivers Water Measurement District (gw rights in Basin 37 outside of ESPA)
- Water Rights in Water Districts 37, 37M, 37A, 37C (surface water rights only)
  - Over 1,100 Notices Sent
    - Excluding domestic and stock water rights as defined by Idaho Code § 42-111 & in-stream stock water rights


Sun Valley
Hailey
Bellevue
37-A
37-C
37
Fairfield
Picabo
Carey
37-M
Gooding
Shoshone
Hagerman

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 measured, some irrigation use data to be collected 2013 (USGS study estimated 110,000 acre-feet 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 districts

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

Why is IDWR Considering 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
- Potential conjunctive administration of surface and ground water rights

Why is IDWR Considering Changes?

- Combining districts may be more efficient
  - some surface water districts are inactive
  - minimize duplication of efforts
    (watermasters/staff, billings, insurance, equipment, reports)
  - Some gw rights already administered by WD 37/37M
  - forum for potential basin-wide water mgmt. solxns.

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

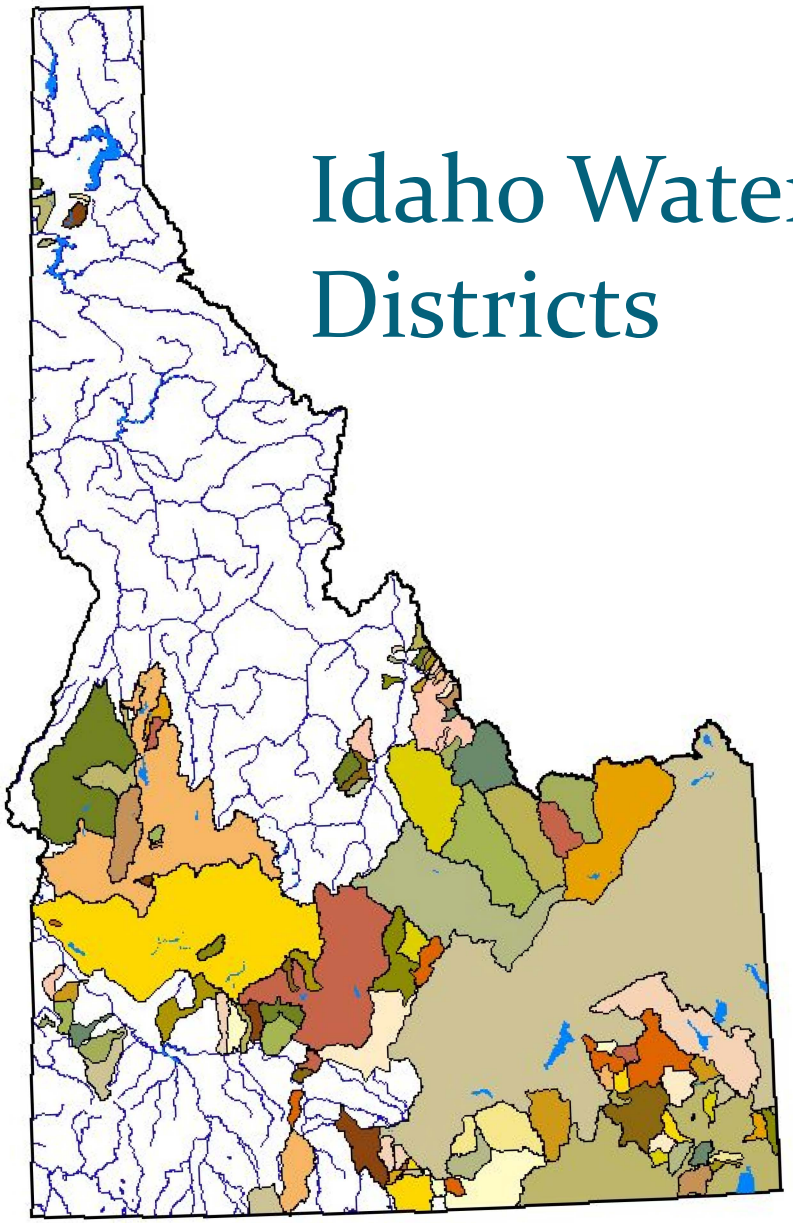
Created by order of Director of IDWR for purposes of water right administration, specifically, distribution of water from public or natural water sources in accordance with water right priority dates.

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
  - Data collection next year for irrig divsersions <= 5 acres

Measurement Requirements

- Ground water diversions:
  - Meters to be read one to two times per year
  - 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 in new district:
  - budget similar to WMD but some increase warranted
- GW rights combined with WD 37/37M:
  - budget similar to WD's plus WMD with some increase, plus budget for Camas drainage area
  - some modest increase possible in current WD 37/37M bills
- Possible sub-districts?
  - separate budgets and assessments (interim basis)

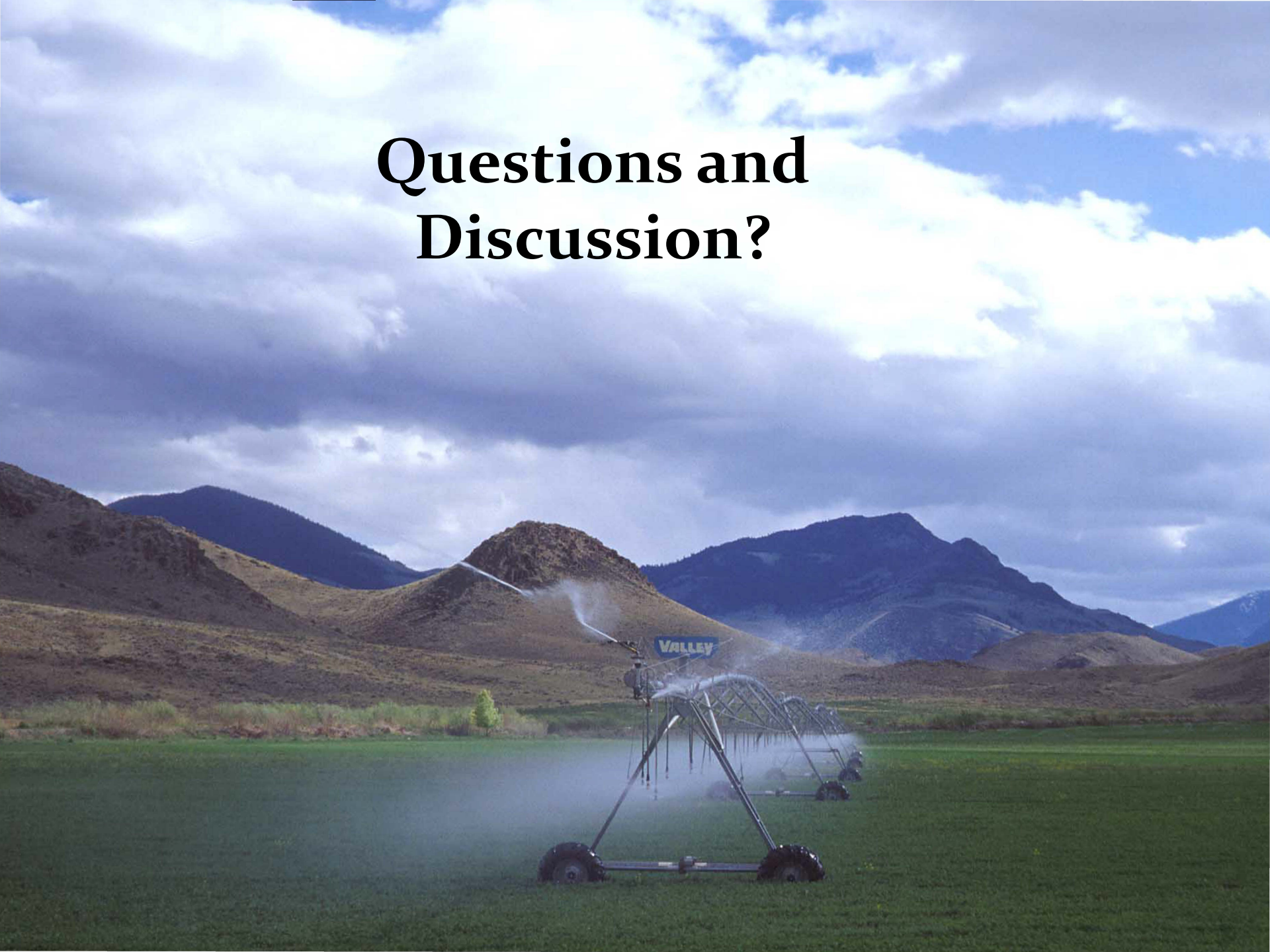
Creation/Modification Timeline Next Steps – Hearing & Order

- Schedule hearing in late July
- Mail individual hearing notice
- Hold hearing at least ten days after notice
- Ten day comment period
- Issue order late August

Creation/Modification Timeline Next Steps – Post Order

- Organize Committee for transition
  - If districts are combined, need representatives from existing advisory committees
  - 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?