



Idaho Irrigation Water Rights & Access

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University of Idaho
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Food Systems

WASHINGTON STATE UNIVERSITY

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Today's Presenter(s)



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Payette County Small Farms and Food Systems
Extension Educator
University of Idaho Extension



Colette DePhelps, moderator

Area Educator, Community Food Systems
University of Idaho Extension, Northern District



Today' Webinar Topics

- Understand basics of water access for small acreage irrigation
- Avoid water-related legal and social conflicts
- Explore irrigation organizations as the foundation of water access and their role in agricultural environments
- Participate in responsible, sustainable resource-based development of small acreage landscapes





Webinar Overview

- Historical Context: Pioneer Irrigators
- Irrigation Districts, Canal Companies
- Irrigating with well water
- What is a water right?
- Types of water access organizations
- Water and your property



Pioneer Irrigators: Collaborative Labors

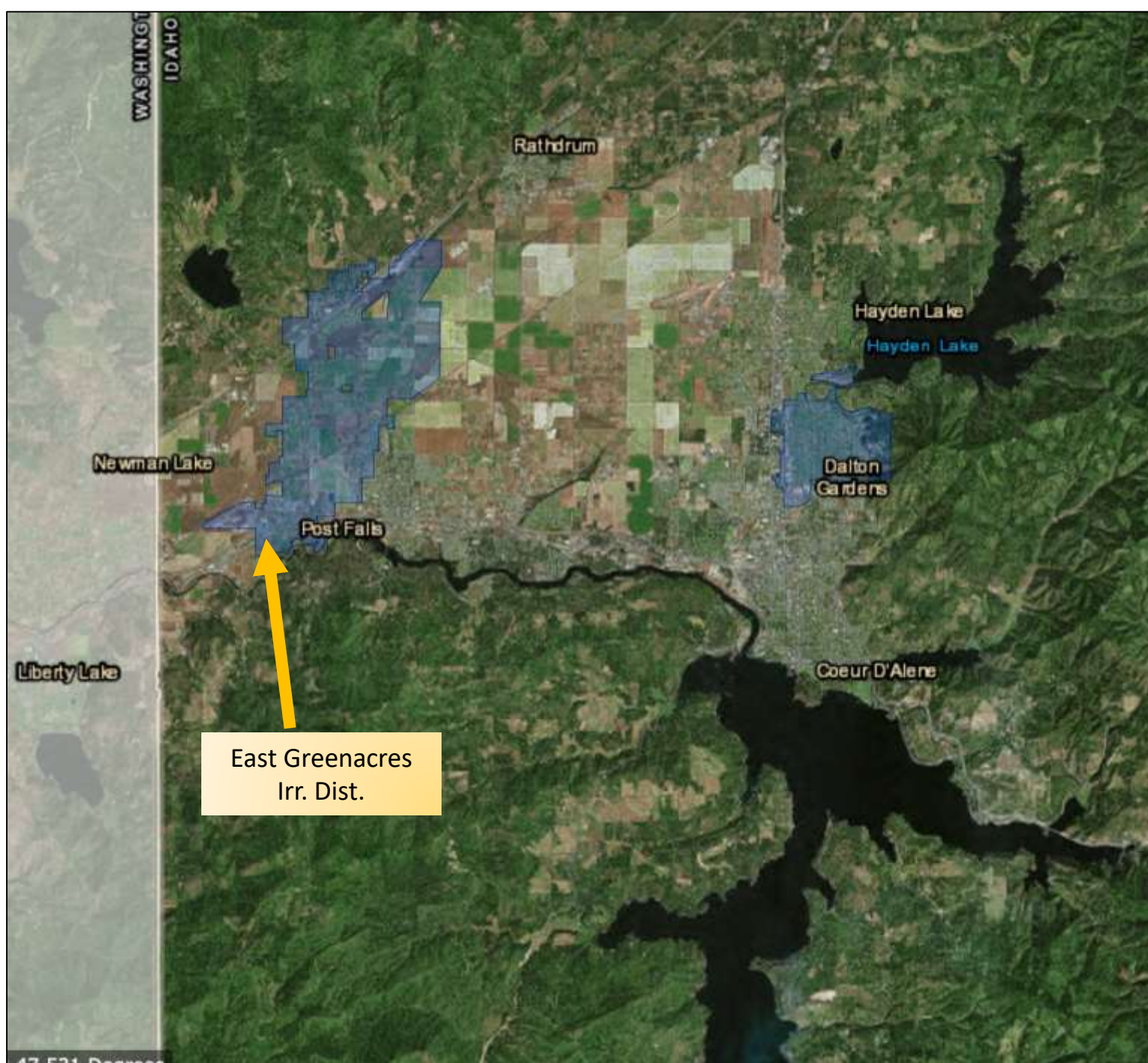


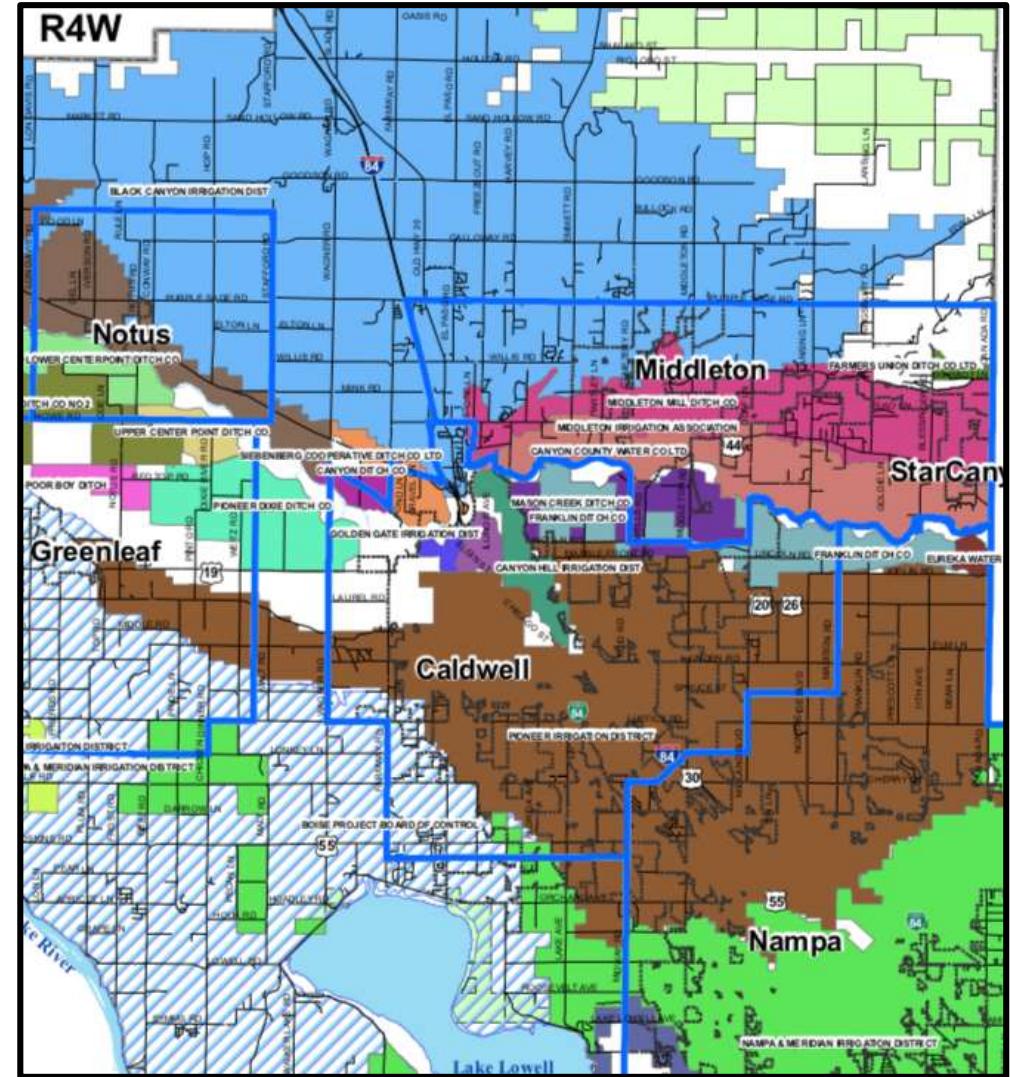
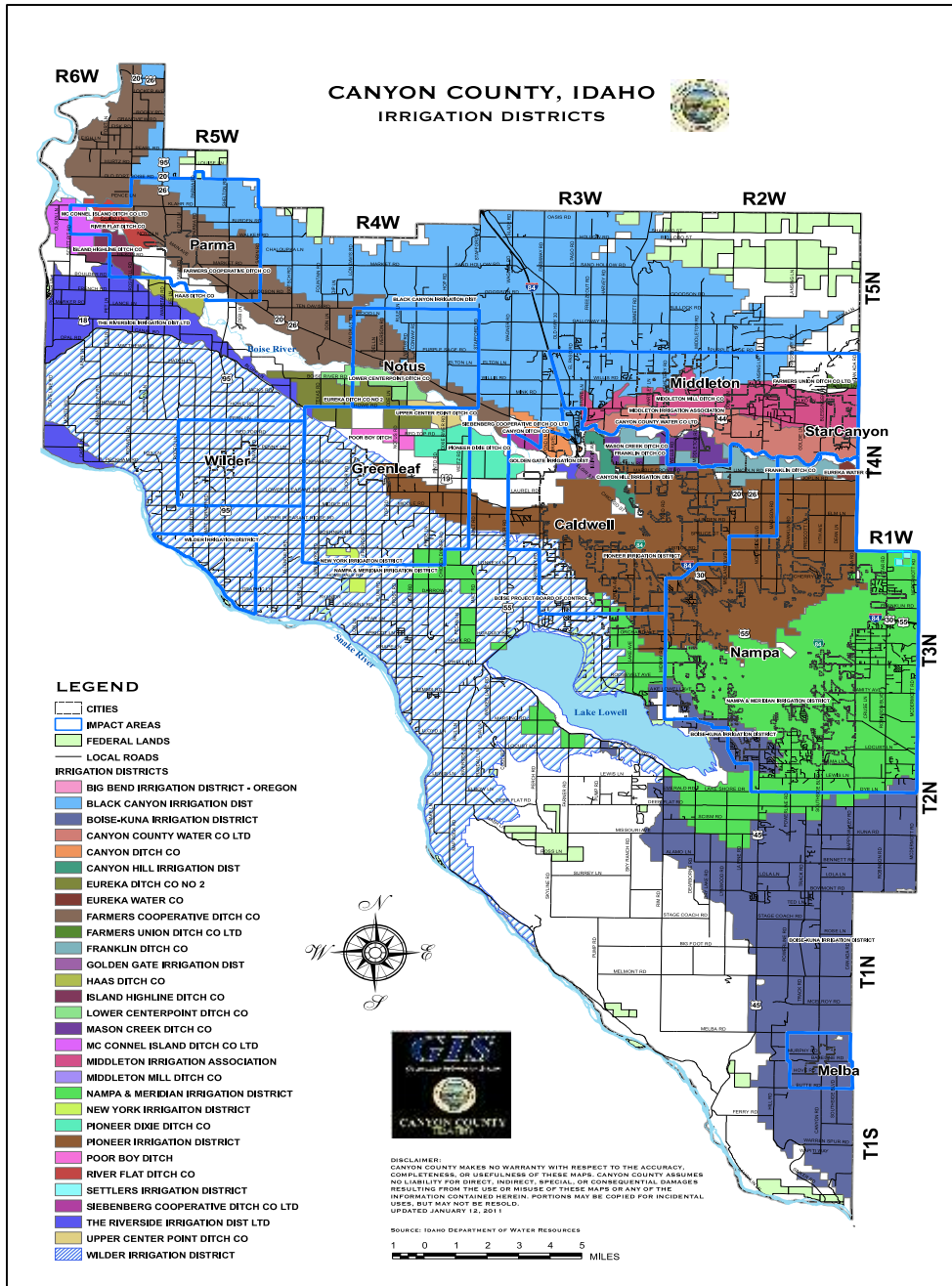
- Irrigation infrastructure developed from the blisters and sweat of the first settlers
- Common labors with picks, shovels and horses/mules



Pioneer Irrigators: Collaborative Labors









Irrigation Companies and Districts, Canal Companies

- Own water rights and distribute water
- Own diversion facilities and infrastructure
- Are governed by a set of by-laws that are created by a board of directors who are elected by district members



Black Canyon Irrigation District



Irrigation companies and Districts, Canal Companies

- Divert water from the river or stream and deliver to lateral delivery system
- Development and maintenance of canals, ditches
- **Some do not touch water or infrastructure past head gate**





IF you belong to an irrigation district or company, your allotment...



Total acre feet of water granted to every paid irrigatable acre is determined based on the amount of storage water for the season



Water allotment often expressed in acre-feet. One acre-foot would cover one acre of ground 12" deep



Water Year: April to mid-October of each year. Water gets turned on based on weather, turned off based on storage levels. Short water years may mean an early shut-off.

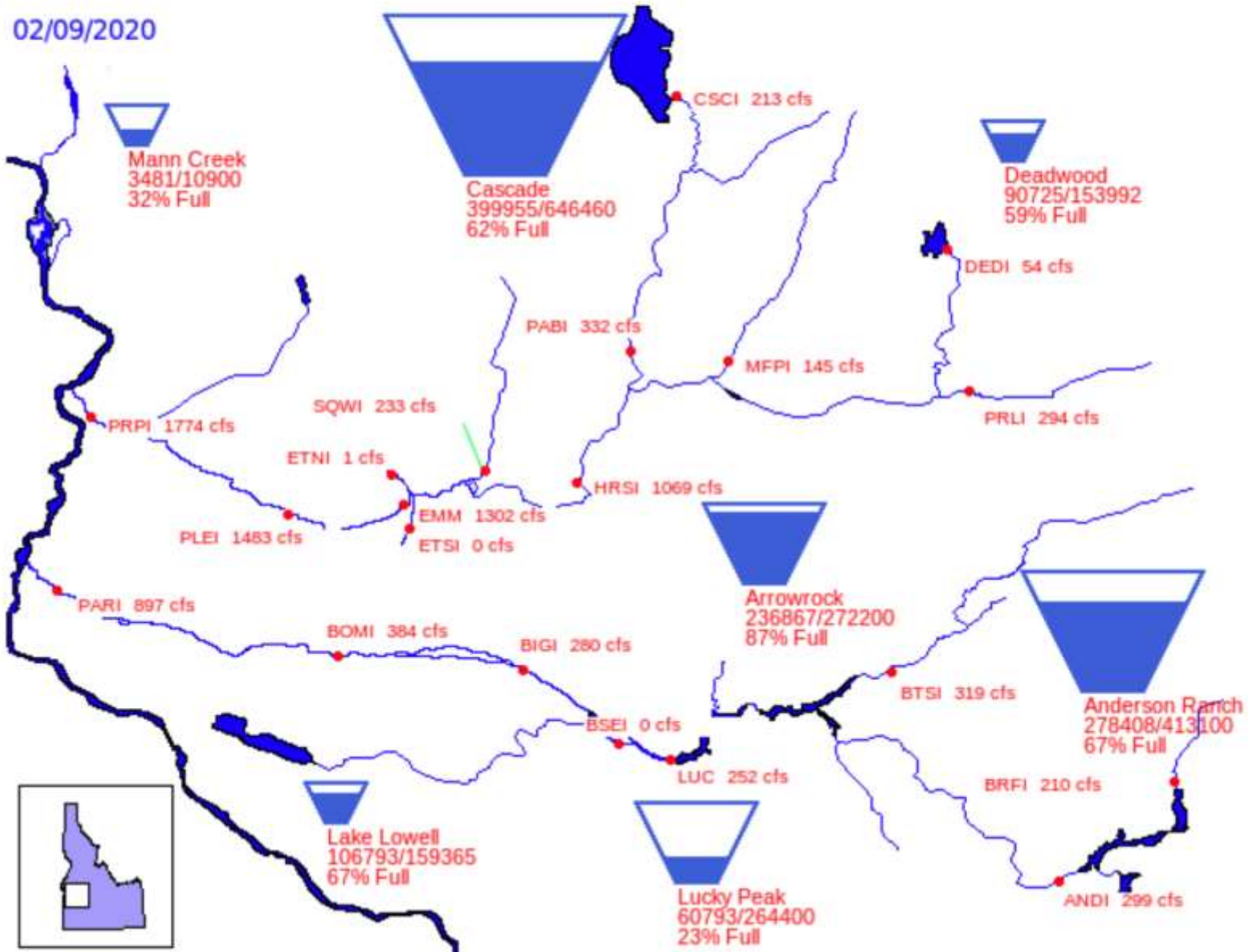


Keep tabs on your reservoir- <https://www.usbr.gov/pn/hydromet/boipaytea.html>



Bureau of Reclamation, Pacific Northwest Region

Major Storage Reservoirs in the Boise & Payette River Basins





Water is allocated through your headgate



- This gate is open and closed by a “ditch rider”
- You can call in an order for water to the irrigation company or district
- Ditch rider adjusts the gate
- In times of water plenty, you may be able to adjust your own gate...
- In times of water scarcity there may be a padlock on the gate...
- Ditch rider keeps track of how much you are taking and for how many days



Ditch Riders

- Spend their days making sure that water is getting to where it needs to be based on users' water orders
- Ditches and canals need to be constantly maintained, water checks need to be monitored and water levels need to be just right to ensure the water gets to where it needs to go

Getting water to the farmers is a ditch rider's top priority: "If we're not doing that, we're not doing our job"



Boley from Minidoka Irrigation District and Burley Irrigation District
MagicValley.com

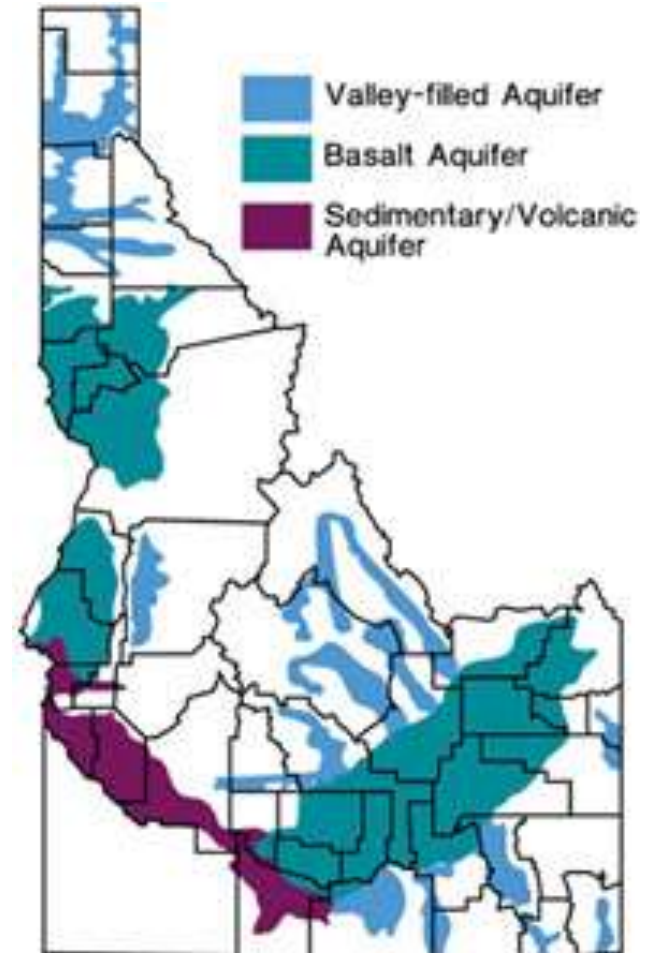
Ditchriders patrolling a section of the Settlers Canal in Boise, Idaho.
Arrowrock Division, Boise Project, ID.
USBR photo by Rasmussen. Apr 15, 1947





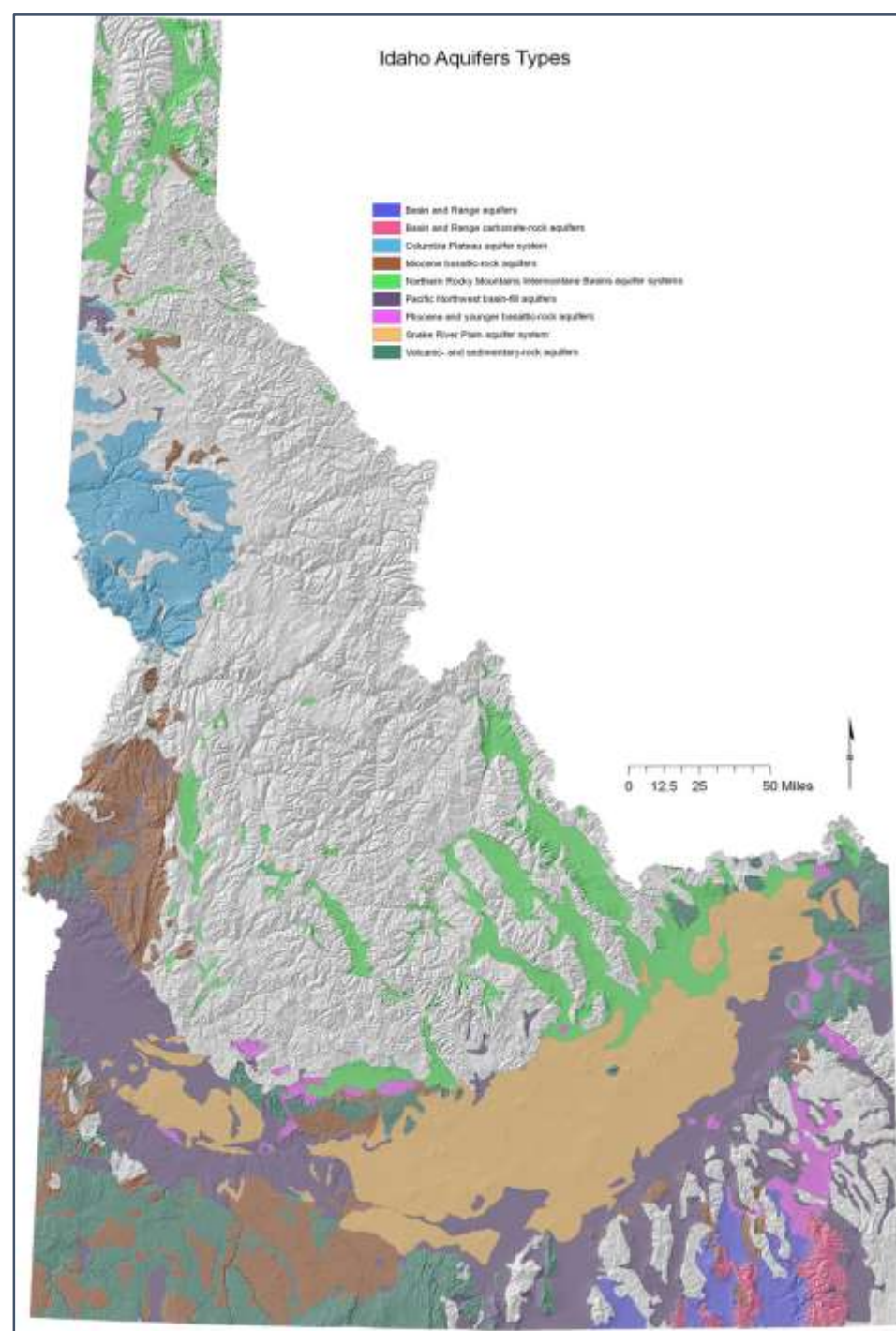
What about ground water?

- All ground waters in the state are declared to be the property of the state
- The use of ground water may be acquired only by appropriation
- Idaho Department of Water Resources requires a water right approval before issuing a drilling permit for an irrigation well.
- Typical for applications to take 3-4 months
- Domestic wells do not require appropriation...but do require a well construction permit
- Irrigation of up to ½ acre of land
- Total use not in excess of 13,000 gallons per day



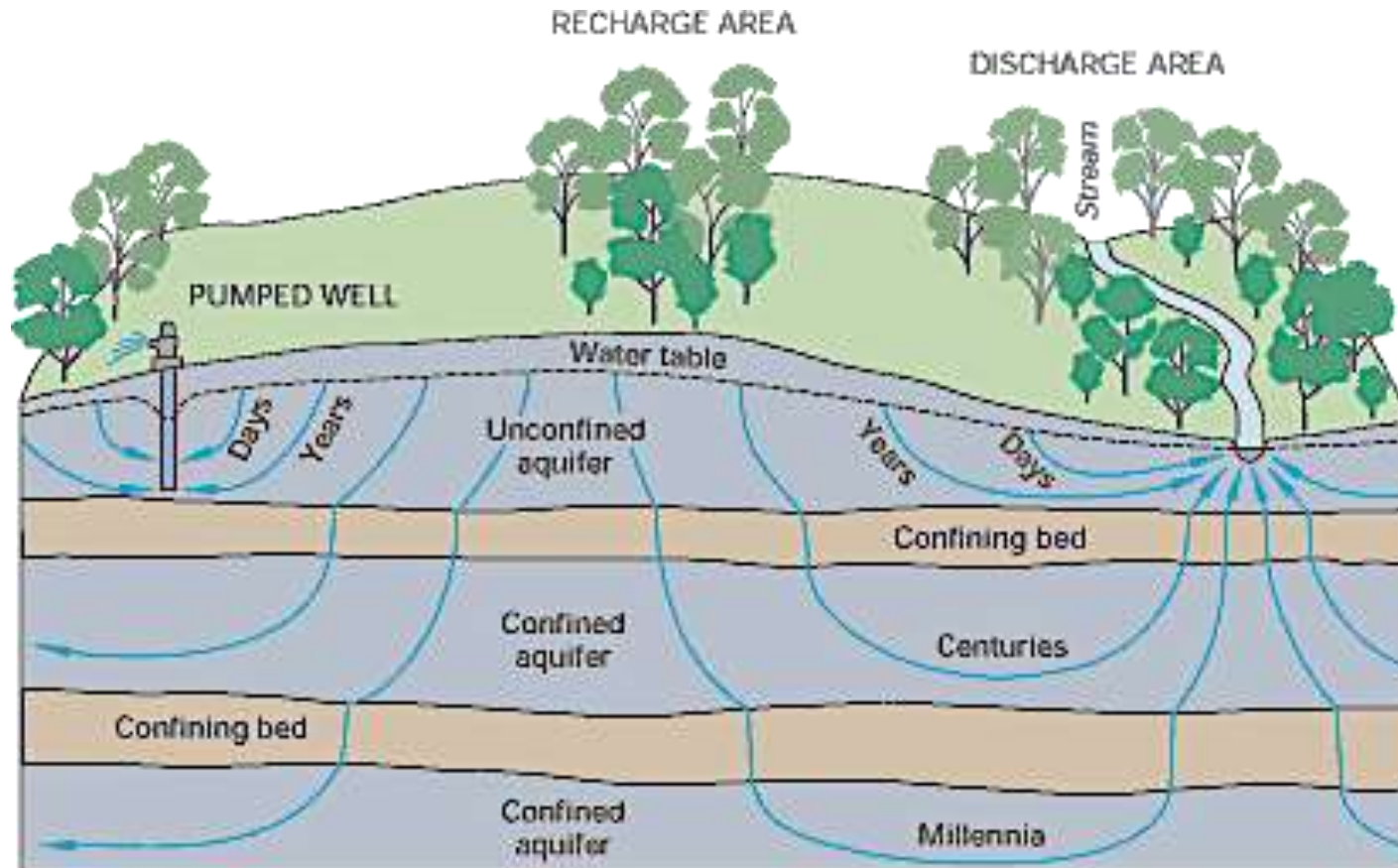


Idaho Aquifers





Groundwater Aquifers Interact with River Water Levels






Water Rights



What is a Water Right?

 **State of Idaho**
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098
Phone: (208) 327-7900 FAX: (208) 327-7866

DIRK KEITHOUSE
GOVERNOR

KARL DREHER
DIRECTOR

March 27, 2000

US DEPT OF ENERGY
BONNEVILLE POWER ADMIN EWN 4
PO BOX 3621
PORTLAND OR 97208

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 85-07664

Dear Permit Holder:

The Department of Water Resources (IDWR) has issued the enclosed permit authorizing you to establish a new water right. Please be sure to thoroughly review the conditions of approval and remarks listed on your permit.

The permit is a preliminary order issued by IDWR pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by IDWR unless a party petitions for reconsideration or files an exception and/or brief as described in the enclosed information sheet.

As a permit owner you must commence the excavation or construction of the diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The date shown under condition no. 1 is the date when the project must be completed.

The Department will send you a "Proof Due Notice" approximately 60 days prior to the above referenced date requesting you to file either a Proof of Beneficial Use form or a Request for Extension of Time form.

Please be advised that water quality is subject to regulations of the Idaho Department of Health and Welfare. We suggest that you check with them before starting construction.

The right to drill a well is not a part of this permit to appropriate water. Beginning in July of 1987, a statute was enacted which requires a drilling permit for new well construction and deepening of existing wells. If the well(s) proposed for use under this right were drilled or deepened after July 1, 1987, a separate drilling permit must be obtained from this Department. Please contact the Groundwater Protection Section located here at this office or our regional office nearest

- A water right is the right to divert public waters and put them to a beneficial use in accordance with one's priority date
- In Idaho all waters are public waters
- "First in time, first in right"



What is a Water Right?

- Each water right has legally defined elements, including:
 - Priority date
 - Quantity
 - Purpose of use
 - Point of diversion
 - Place of use
 - Season of use



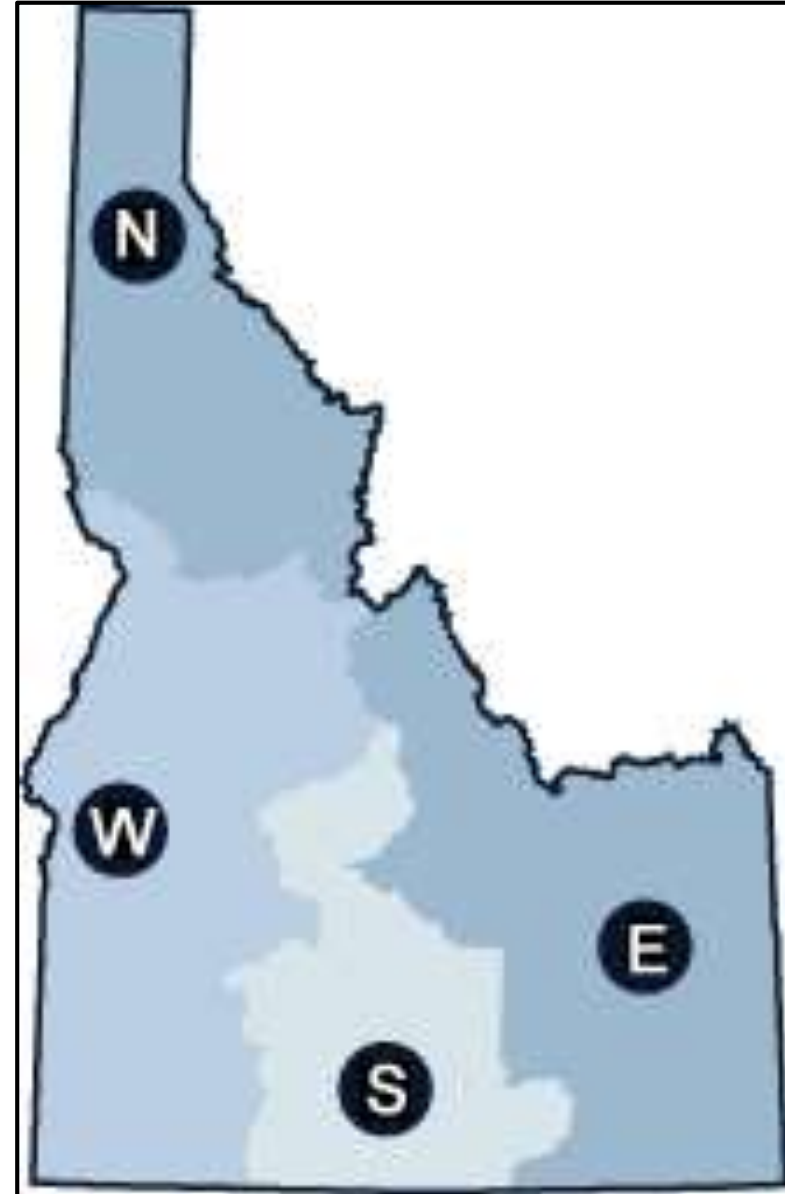
Establishing a New Water Right

- Is there a water right already associated with the land?
- Check Idaho Department of Water Resource's (IDWR) public records of water right decrees
- If you decide to establish a new water right, follow IDWR procedures to submit an application for permit

The screenshot shows the IDWR website interface. At the top, there's a search bar and the IDWR logo. The main navigation bar includes links for Water Rights, Wells, Streams/Dams/Floods, Forms, Water Data, Maps/Spatial Data, Legal Actions, and Water Resource Board. The 'Water Rights' section is highlighted, and the 'Forms' sub-section is active. Below this, there are several form categories listed in a grid. A 'Tools' sidebar on the right offers additional resources like a map creation tool and spreadsheets for dairy and storage water use.



**Reach out to
your water
administration
office**





Water Shares

Water shares are not the same thing as water rights:

- A company or district hold water rights and members own shares in the company
 - Standard: 1 share = 1 acre foot of water, this varies greatly
- Private entities pay for water shares to be diverted from irrigation canals
- Shareholders pay assessments for maintenance of water conveyance infrastructure and related expenses

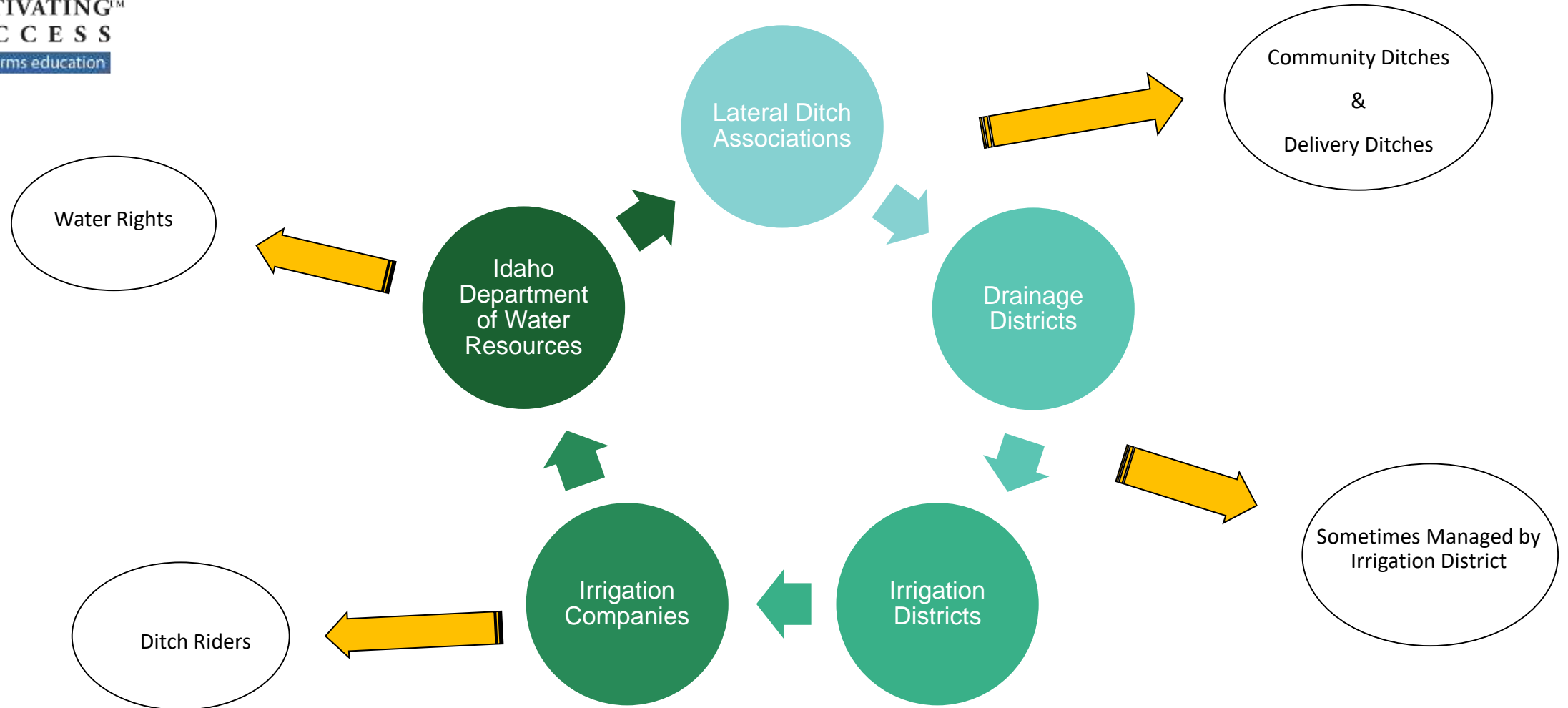


Questions?





Types of Water Organizations





Lateral Associations, Community and Delivery Ditches



- Smaller ditch system managed with neighbors
- Maintenance of the common ditch lateral



Lateral Associations, Community and Delivery Ditches

- Generally have by-laws and rules of cooperation in order to keep the lateral system functioning and to avoid conflicts
- **Are often the basis for a sense of community among neighbors in rural areas**





Drainage Districts

Their primary function is to remove excess irrigation water and improve swampy or waterlogged soils for the public benefit



Water and your Property

Do your homework before buying property:

- Where does your water come from?
- Look up your well drillers' log on IDWR database
- Who is your irrigation district or company?
- Were you deeded shares or water rights with the land?



Water and your Property

- Know how your irrigation district or irrigation company manages water payments and water delivery
- Being a small acreage, the delivery of water may have been interrupted
- Might have to install a new head gate, dig a new well or figure out the ad hoc system a neighbor has contrived
 - usually the original owner who split off the small acre chunk



Water and your Property

- Good years the ditch rider leaves your head gate unlocked and you turn it on and off.
- Bad years it is locked and full rules are used, 24 hour notice on calls for water and you can be shut off as early as mid-July
- Land without water?
 - Find out why there is no water with the land
 - You can apply to dig an irrigation well with water resources or water the $\frac{1}{2}$ acre allowed by a domestic well





Water and your Property

- Irrigation districts set up as neighbors helping neighbors, this is one of the biggest challenges right now
- If no irrigation district: Talk to your neighbors





Resources

- Find your Well Diggers' Report
<https://idwr.idaho.gov/wells/find-a-well.html>
- Groundwater and the Rural Homeowner
https://pubs.usgs.gov/gip/gw_ruralhomeowner/
- Find your regional Idaho Department of Water Resources Office:
<https://idwr.idaho.gov/contact-us.html>
- Find your irrigation organization:
<https://data-idwr.opendata.arcgis.com/pages/maps#Irrigation>
- Keep tabs on your reservoir:
<https://www.usbr.gov/pn/hydromet/boipaytea.html>
- Irrigation Rights Finder Map:
<https://maps.idwr.idaho.gov/map/irrigationrights>
- Establishing a New Water Right Forms:
<https://idwr.idaho.gov/water-rights/forms.html>



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The vision of the Cultivating Success™ program is to increase producer and consumer understanding, value, and support of sustainable local farming systems in Idaho through educational and experiential opportunities. Partners in this program strive to create strong communities with infrastructures that provide the resources and skills needed to produce local and sustainable food and agricultural products for the residents of the Inland Northwest.



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Cultivating Success offers a **FREE** lunchtime webinar series designed to help you explore, strengthen or expand your small farm or ranch operation!

Mondays and Tuesdays at 11 am PST / 12 pm MST



Monday, February 24th – Capturing Consumer Demand for Local Food

Tuesday, February 25th – Quicken vs. QuickBooks: Record Keeping 101

<https://www.cultivatinguccess.org/webinar-series>



Please take our post-webinar survey!

Our post-webinar surveys are short and quick! And, your feedback is important!

Click on the link below to take the survey:

https://www.surveymonkey.com/r/CS_Irrigation_Water



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