

IN THE SENATE

SENATE BILL NO. 1243

BY RESOURCES AND ENVIRONMENT COMMITTEE

AN ACT

1 RELATING TO IRRIGATION DISTRICTS; AMENDING CHAPTER 3, TITLE 43, IDAHO CODE,  
2 BY THE ADDITION OF A NEW SECTION 43-344, IDAHO CODE, TO PROVIDE THAT CER-  
3 TAIN IRRIGATION DISTRICTS SHALL HAVE THE POWER TO ENTER INTO CONTRACTS  
4 TO CONSTRUCT OR DEEPEN WELLS, TO PROVIDE CONDITIONS AND TO PROVIDE FOR  
5 THE APPLICABILITY OF SPECIFIED LAW.  
6

7 Be It Enacted by the Legislature of the State of Idaho:

8 SECTION 1. That Chapter 3, Title 43, Idaho Code, be, and the same is  
9 hereby amended by the addition thereto of a NEW SECTION, to be known and des-  
10 ignated as Section 43-344, Idaho Code, and to read as follows:

11 43-344. AUTHORITY TO ENTER INTO CONTRACTS FOR WELL CONSTRUCTION OR  
12 DEEPENING. (1) The board of directors of an irrigation district that oper-  
13 ates and maintains at least fifty (50) irrigation wells and that possesses  
14 equipment and employs personnel that are capable of constructing or deepen-  
15 ing a well shall have the power to enter into contracts to construct or deepen  
16 wells under the following conditions:

17 (a) Unless otherwise authorized by Idaho law, contracts for wells con-  
18 structed or deepened for a political subdivision may be awarded only  
19 through the competitive bidding processes under chapter 28, title 67,  
20 Idaho Code. Provided however, the irrigation district shall not con-  
21 struct or deepen wells for a municipality.

22 (b) Contracts for the construction or deepening of a domestic well may  
23 be entered into only with landowners of the irrigation district.

24 (c) Contracts for the construction or deepening of a privately owned  
25 irrigation well may be entered into only provided that the well to be  
26 constructed or deepened is located within the boundaries of a water  
27 district created pursuant to section 42-604, Idaho Code, in which the  
28 irrigation district is included as a water user and the owner of the  
29 privately owned irrigation well cannot obtain the services of a private  
30 drilling company within fifteen (15) days.

31 (2) The construction or deepening of any wells pursuant to this sec-  
32 tion shall be subject to the applicable requirements of sections 42-235 and  
33 42-238, Idaho Code.