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 LEGISLATURE OF THE STATE OF IDAHO
 Sixty-fourth Legislature Second Regular Session - 2018

IN THE _____

BILL NO. _____

BY _____

AN ACT

RELATING TO WATER; AMENDING CHAPTER 1, TITLE 42, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 42-115, IDAHO CODE, TO PROVIDE THAT THE DIRECTOR OF THE DEPARTMENT OF WATER RESOURCES SHALL SUBORDINATE PERMITS AND LICENSES FOR CERTAIN PROJECTS ISSUED AFTER A SPECIFIED DATE TO THE CAPTURE AND RETENTION OF WATER IN EXISTING ON-STREAM STORAGE RESERVOIRS DURING AND FOLLOWING FLOOD CONTROL OPERATIONS UNTIL THE DATE OF ALLOCATION; AND DECLARING AN EMERGENCY.

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

SECTION 1. That Chapter 1, Title 42, Idaho Code, be, and the same is hereby amended by the addition thereto of a NEW SECTION, to be known and designated as Section 42-115, Idaho Code, and to read as follows:

42-115. STORAGE. To ensure that new or proposed projects to store more than one thousand (1,000) acre feet of surface water do not interfere with the storage of water in existing on-stream storage reservoirs operated for storage and flood control purposes, the director of the department of water resources shall subordinate permits and licenses for projects to store more than one thousand (1,000) acre feet of surface water issued after the effective date of this section to the capture and retention of water in existing on-stream storage reservoirs during and following flood control operations until the date of allocation.

SECTION 2. An emergency existing therefor, which emergency is hereby declared to exist, this act shall be in full force and effect on and after its passage and approval.

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WATER - Adds to existing law to provide that the Director of the Department of Water Resources shall subordinate permits and licenses for certain projects issued after a specified date to the capture and retention of water in existing on-stream storage reservoirs during and following flood control operations until the date of allocation.