

## STATEMENT OF PURPOSE

### RS25630

This proposed legislation amends Chapter 2, Title 42, Idaho Code, to clarify that the director shall not curtail a participant in an approved water management plan within a critical ground water area so long as the participant is in compliance with the approved water management plan. In addition, this proposed legislation deletes the last sentence of the second to last paragraph of the statute, which currently requires the director to determine if there is sufficient ground water and issue a curtailment order by September 1 of the year prior to the year in which administration on a time priority basis shall occur. The September 1 deadline is too far in advance of the irrigation season to allow for an accurate determination by the director as to whether there is sufficient ground water to meet demands of water rights within all or portions of a water management area in which injury to water rights is determined on an annual basis. This proposed legislation will make curtailment in a Critical Ground Water Area the same as curtailment in a Ground Water Management Area, which gives more clarity and certainty to water users during times of administration.

### FISCAL NOTE

The proposed amendment will have a neutral financial impact on the Idaho Department of Water Resources (IDWR) because it does not increase its work load with respect to creating and administering Critical Ground Water Areas (CGWA). I.C. 42-233a describes the processes to designate a CGWA, remove a CGWA designation, and adopt a CGWA "ground water management plan" (GWMP). None of the processes described in I.C. 42-233a have been changed by the proposed amendment, rather the amendment clarifies who IDWR would have to administer during those times when the ground water supply is insufficient to meet the demands of all of the water rights within a CGWA. The proposed amendment clarifies that IDWR shall not curtail ground water users who are in compliance with an approved GWMP, thereby reducing the number of water users subject to action by IDWR during times of administration.

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**DISCLAIMER: This statement of purpose and fiscal note are a mere attachment to this bill and prepared by a proponent of the bill. It is neither intended as an expression of legislative intent nor intended for any use outside of the legislative process, including judicial review (Joint Rule 18).**