

STATEMENT OF PURPOSE

RS26513C1

This bill relates to operation of ground water districts. Ground water districts exist principally to protect their members' water rights from curtailment by developing and implementing mitigation plans, the costs of which are assessed to the district members. This bill meets two operational needs of ground water districts.

First, ground water district assessments are levied once per year in accordance with the schedule set forth in Idaho Code sections 42-5232 and 42-5241 to meet projected district expenses. On rare occasions actual expenses occasionally exceed projections, creating a need to levy a special assessment to pay actual expenses. New subsections 42-5232(5) and 42-5241(2) provide this authority.

Second, some ground water users have in recent years willfully disregarded their responsibilities under ground water district mitigation plans approved by the Idaho Department of Water Resources. New subsection 42-5232(6) enhances the ability of ground water districts to enforce compliance with mitigation plans approved by the Idaho Department of Water Resources.

Revisions to subsection 42-5232(9) remove an ambiguity and clarify the method of apportioning assessments by irrigated acre.

FISCAL NOTE

This legislation will affect groundwater districts that bring actions against noncompliant patrons, thereby incurring no fiscal impact on the State of Idaho.

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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).