

Water Rights Adjudication Update

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Idaho Dept. of Water Resources

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Benefits of an Adjudication

- We need to avoid uncertain outcomes in competition for finite resources
 - Supplies of surface water and ground water are not always sufficient to meet demands
 - Population growth and economic development put added pressure on Idaho's water resources
 - Idaho shares river basins and aquifers with other states
- Adjudication reduces uncertainty by:
 - Confirming private property rights so they can be defended and administered by priority in a time of shortage
 - Recording and confirming beneficial use rights and changes to recorded rights
 - Requiring the United States to claim its water rights in state court



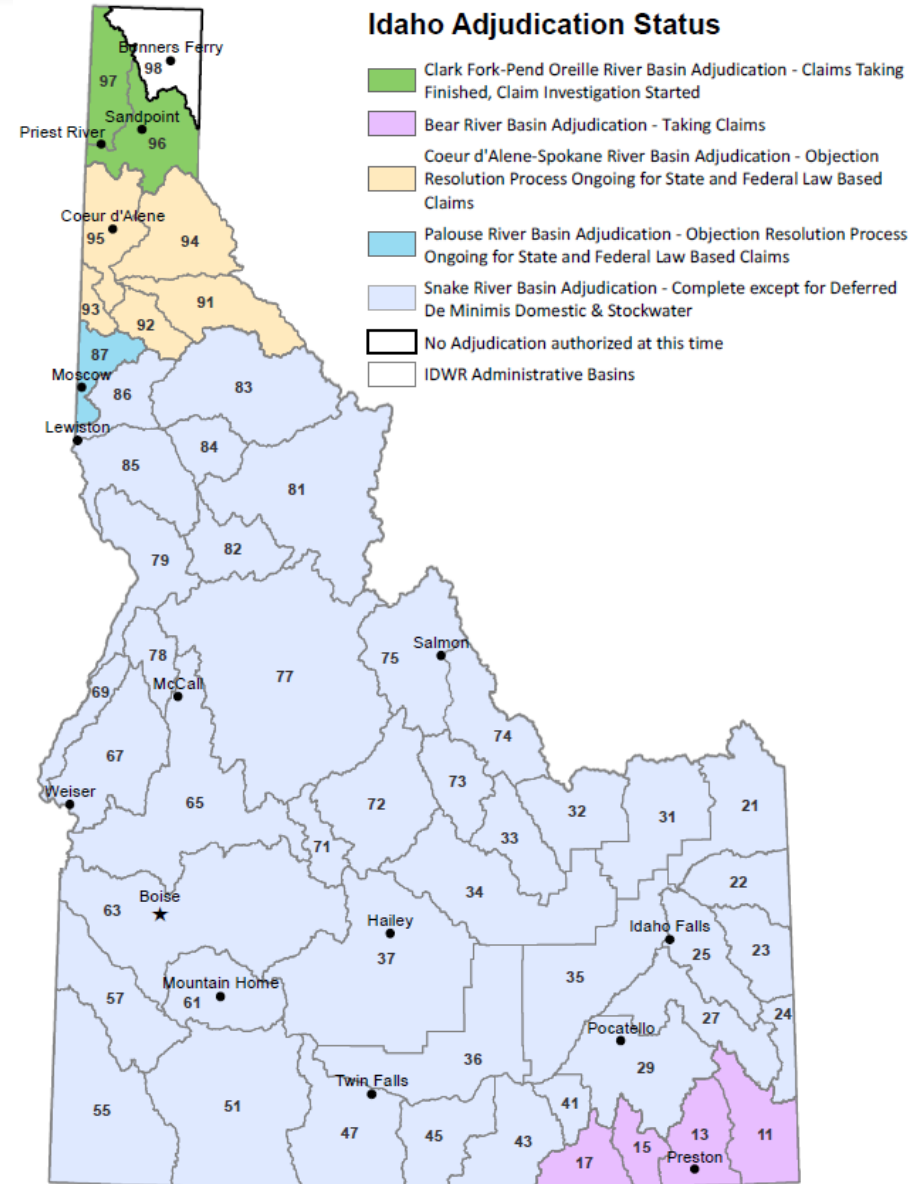
Adjudication Structure



- Legislative authorization in Idaho Code § 42-1406B and 42-1406C
- Administered by Idaho Water Court in Twin Falls
- By statute, the IDWR is technical assistant to the court, not a party to the lawsuit (See Idaho Code § 42-1401B.)

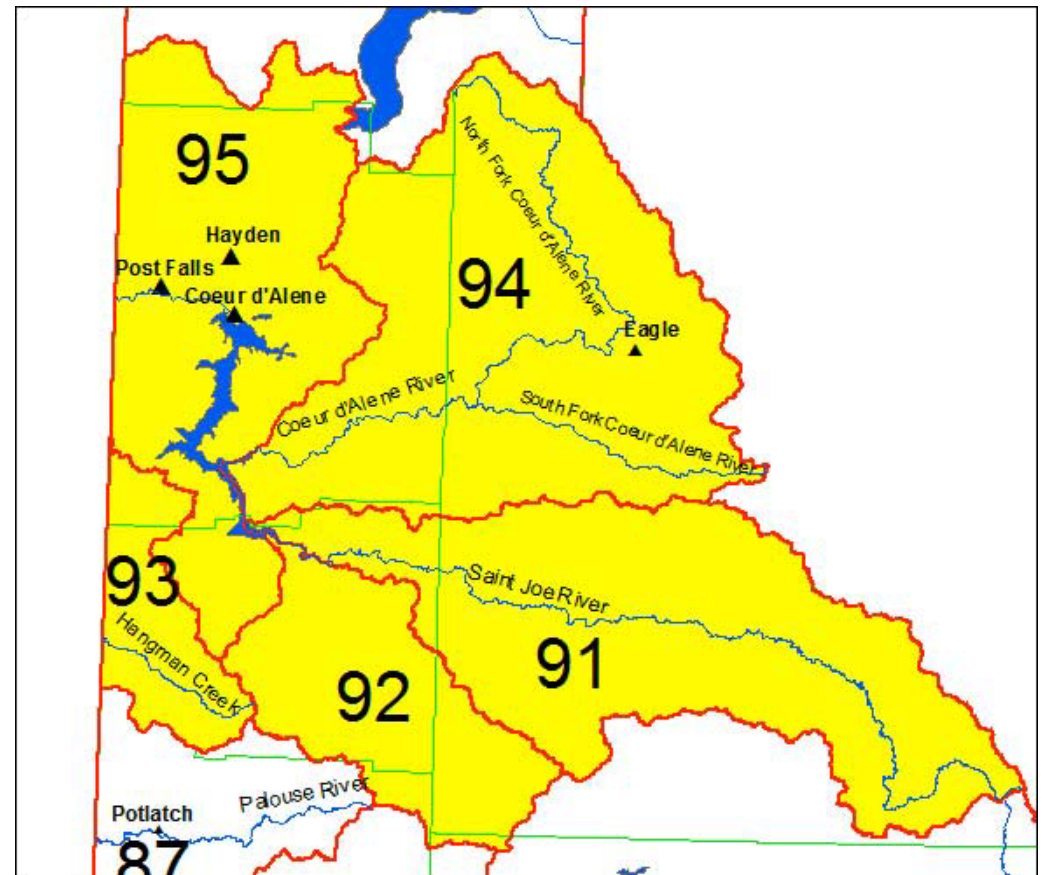
Five Ongoing Adjudications

- **NIA Phase 1: CSRBA** – Commenced in 2008
- **NIA Phase 2: PRBA** – Commenced 2017
- **NIA Phase 3: CFPRBA** – Commenced in 2021
- **BRBA** – Commenced in 2021
- **SRBA** – Commenced in 1987



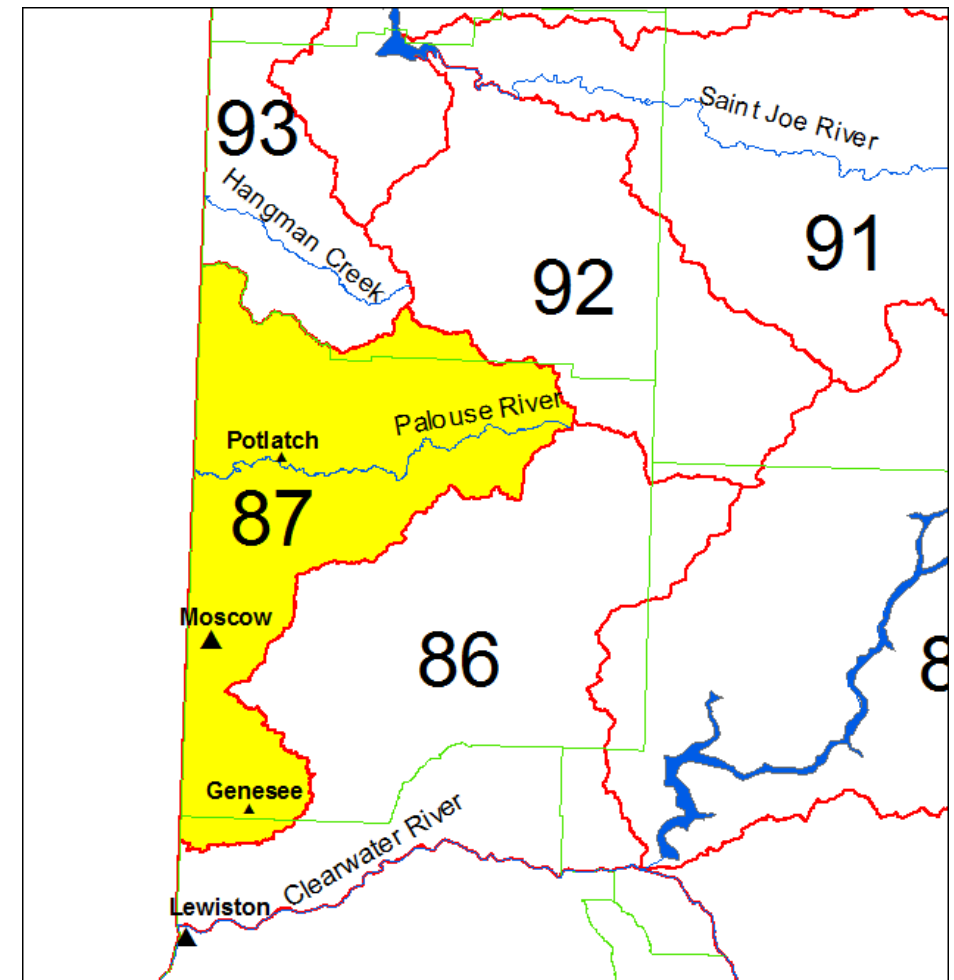
Coeur d'Alene-Spokane River Basin Adjudication (CSRBA)

- 14,273 claims filed
 - 12,823 State Law Based Claims
 - 1,450 Federal Claims
- 13,780 claims decreed
 - 12,683 State Law Based Claims
 - 1,097 Federal Claims
- 15 state law-based claims with outstanding objections
- 1,097 federal law based claims decreed
- 284 federal law based tribal claims with outstanding objections



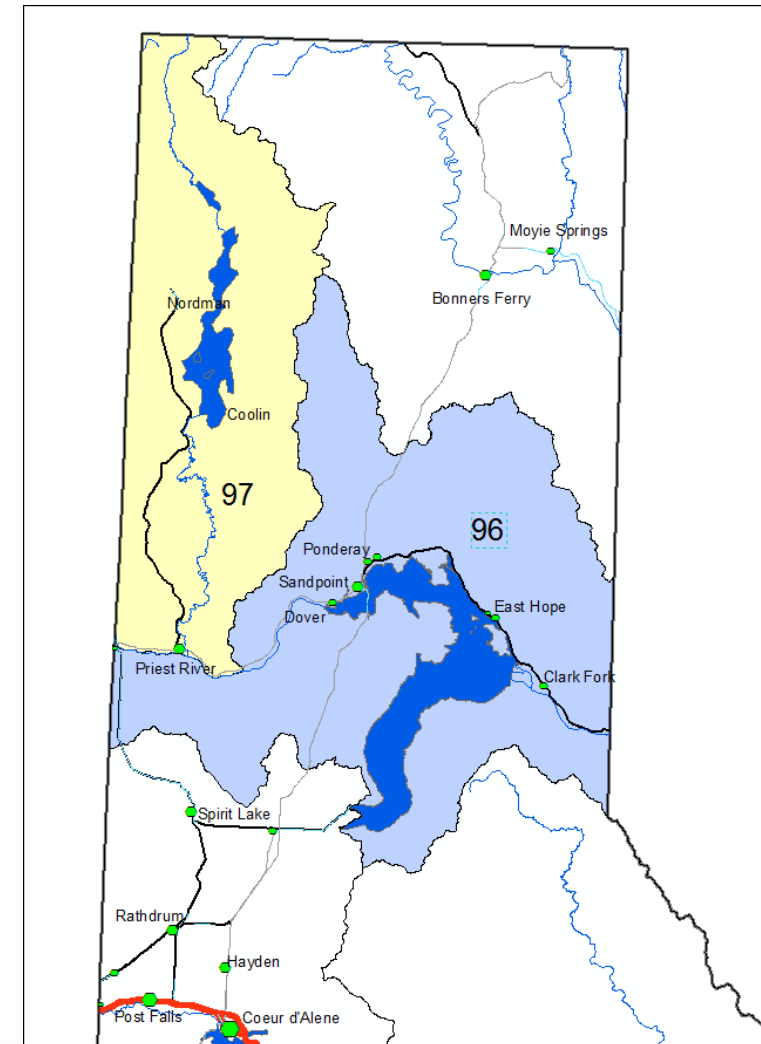
Palouse River Basin Adjudication (PRBA)

- 2,296 claims filed
 - 2,090 state law-based claims
 - 206 federal claims
- 1,882 claims decreed
 - 1,882 state law-based claims
 - 0 federal claims
- 81 state law-based claims with outstanding objections
- 206 federal law based claims with outstanding objections



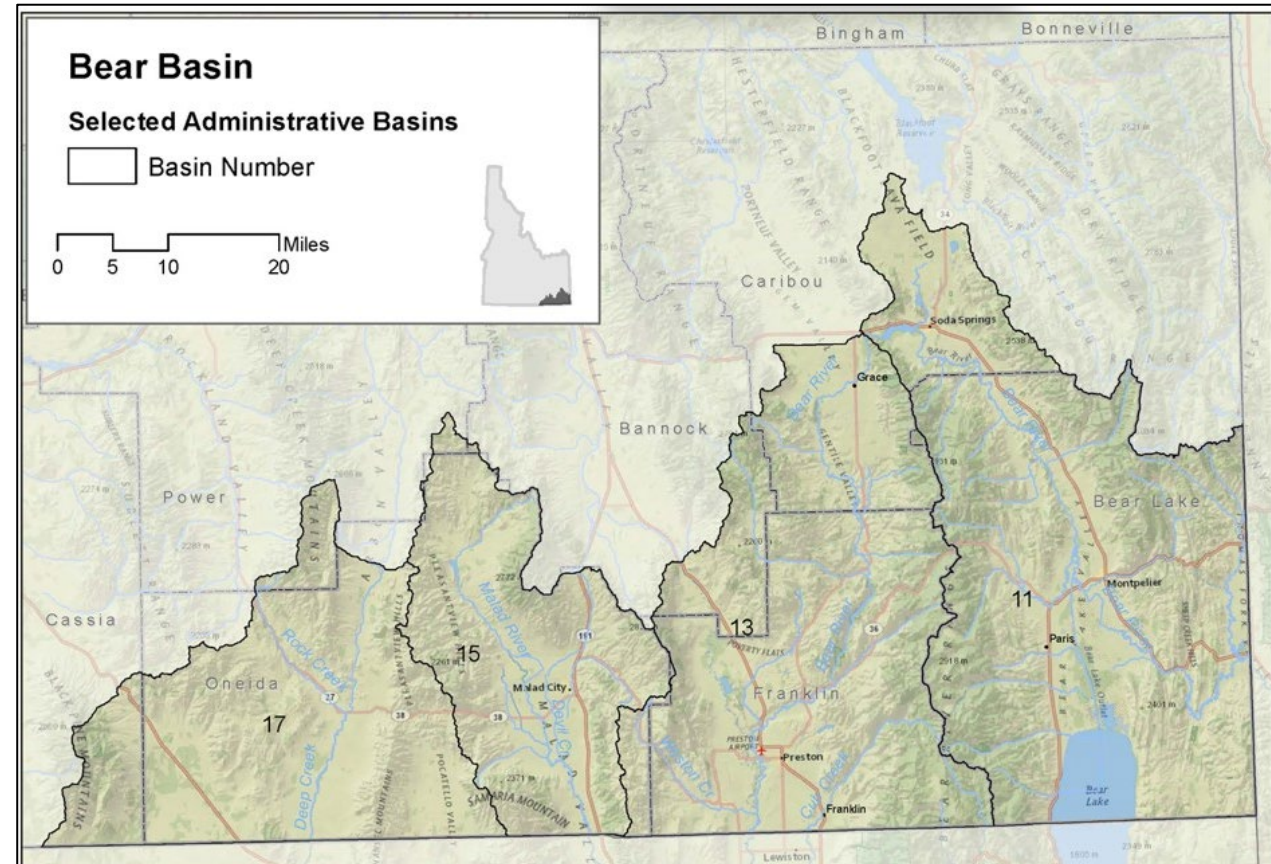
Clark Fork-Pend Oreille River Basin Adjudication (CFPRBA)

- Commencement Order issued by District Court on June 15, 2021
- Basin 96 – Clark Fork River, Lake Pend Oreille, Pend Oreille River and tributaries
- Basin 97 -- Priest Lake, Priest River and tributaries
- 8,088 state law based claims filed so far



Bear River Basin Adjudication (BRBA)

- Commencement Order issued by District Court on June 15, 2021
- Basin 11 – Bear River, Bear Lake and tributaries
- Basin 13 – Bear River, Cub River and tributaries
- Basin 15 – Malad River and tributaries
- Basin 17 – Deep Creek and tributaries
- 1,495 state law-based claims filed so far



CFPRBA & BRBA Timeline

- CFPRBA**

- Claims investigation in Basin 97 is in progress.
- Director's Reports planned for 2024, 2025, 2027 & 2030

- BRBA**

- Basin 13 Commencement notices will be mailed early 2024.
- Director's Reports planned for 2026, 2028, 2030, 2032 & 2033

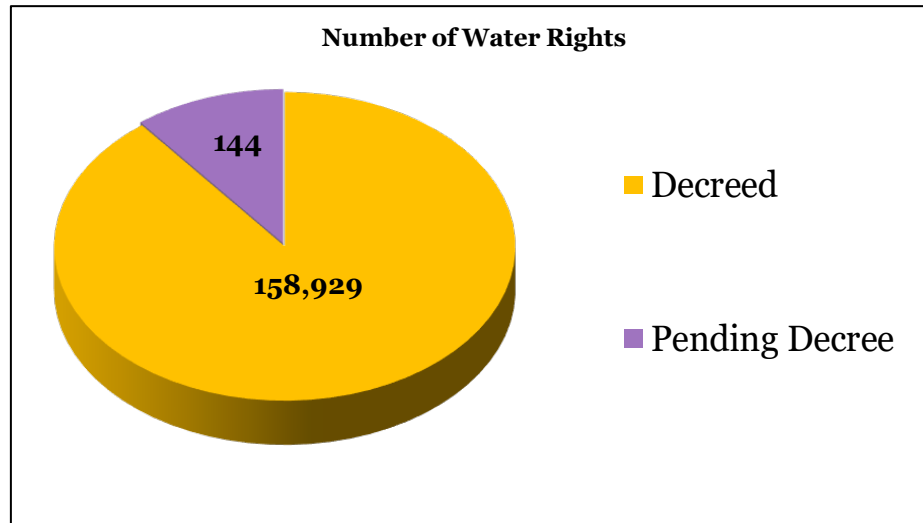
		2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033
CFPRBA	Mail Commencement Notices in B96 & B97											
	2nd Round Service Basin 97											
	2nd Round Service Basin 96											
	Review Basin 97 Claims											
	Director's Report Basin 97 Part 1			DR								
	Review Basin 97 Claims											
	Director's Report Basin 97 Part 2				DR							
	Review Basin 96-Part 1											
	Director's Report Basin 96 Part 1						DR					
	Review Basin 96-Part 2											
Director's Report Basin 96 Part 2									DR			

		2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033
BRBA	Mail Commencement Notices Basin 11											
	Mail Commencement Notices Basin 13											
	2nd Round Service Basin 11 & Basin 13											
	B11 & B13 Claim Review											
	DR Basin 11 & 13				DR							
	Basin 11 Remaining Claim Review											
	DR Basin 11 Remaining						DR					
	Basin 13 Remaining Claim Review											
	DR Basin 13 Remaining								DR			
	Mail Commencement Notices Basin 13 & Basin 15											
	2nd Round Service B15											
	2nd Round Service B17											
	B15 Claim Review											
	DR Basin 15											DR
	B17 Claim Review											
DR Basin 17												DR

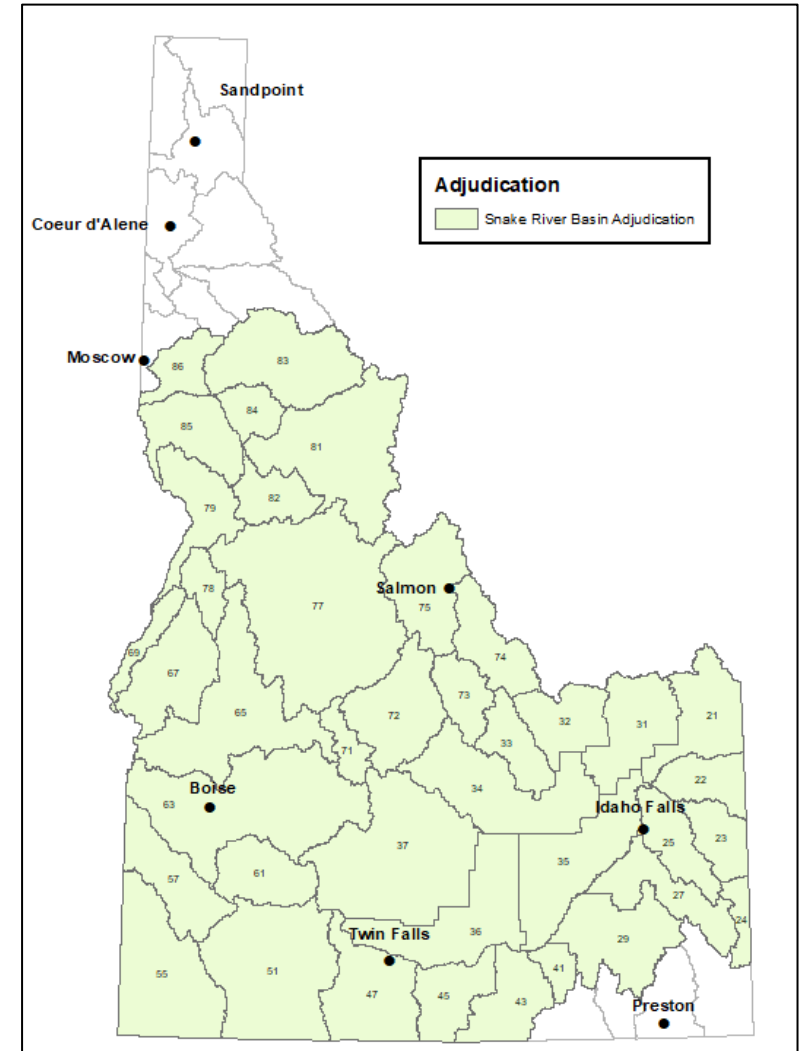
	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033
Summary of Director's Reports	Mail Notice	CFPRBA DR	CFPRBA DR	BRBA DR	CFPRBA DR	BRBA DR	Claim Review	CFPRBA BRBA	Claim Review	BRBA DR	BRBA DR

Snake River Basin Adjudication (SRBA)

- 158,929 water Rights Decreed
- 144 active de minimis domestic and/or stockwater claims pending decree.



- 106 stockwater claims filed on Federal grazing allotments
 - 100 of those have outstanding objections



Adjudicate Kootenai River Basin?



Thank you



IDAHO DEPARTMENT OF
WATER RESOURCES

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