

STATEMENT OF PURPOSE

RS30113 / S1033

In section 67-6537, Idaho's legislature established the policy that encourages the continued use of surface water when there is a land use change under the land use planning act. Notwithstanding this statute, a recent court decision held that the Director of the Idaho Department of Water Resources exceeded his authority by relying on this policy for purposes of conditioning new groundwater applications. This bill would provide clear authority to the Director to condition new irrigation groundwater rights consistent with this policy.

FISCAL NOTE

This bill has no impact on the general fund because it deals with review and consideration of new groundwater rights and will not require additional funds or time.

Contact:

Senator Van T. Burtenshaw
(208) 332-1000

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).