

STATEMENT OF PURPOSE

RS26419

Current statute codifies the landmark stockwater rights case of *Joyce Livestock Co. v. United States* holding that an agency of the federal government cannot obtain stockwater rights under Idaho law unless it actually owns livestock and puts the water to beneficial use. Prior to the Idaho Supreme Court's 2007 decision in *Joyce Livestock*, thousands of stockwater rights were decreed to or permitted in the name of federal agencies. This legislation will require the Idaho Department of Water Resources to issue a show cause letter to the federal agencies subject to approval of the Governor. Due process is provided to the agencies to prove they have put their stockwater rights to beneficial use in the last five years.

FISCAL NOTE

This legislation may temporarily increase the workload of the Department of Water Resources during the time allowed for conveyance of the stockwater rights from the federal agencies to the ranchers.

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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).