

IN THE SENATE

SENATE BILL NO. 1313

BY RESOURCES AND ENVIRONMENT COMMITTEE

AN ACT

1 RELATING TO WATER; AMENDING SECTION 67-4304, IDAHO CODE, TO PROVIDE THAT THE
2 DIRECTOR OF THE DEPARTMENT OF WATER RESOURCES OR THE WATERMASTER SHALL
3 ADMINISTER CERTAIN STORAGE WATER RIGHTS; AND DECLARING AN EMERGENCY.
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5 Be It Enacted by the Legislature of the State of Idaho:

6 SECTION 1. That Section 67-4304, Idaho Code, be, and the same is hereby
7 amended to read as follows:

8 67-4304. PRIEST, PEND D'OREILLE, AND COEUR D'ALENE LAKES -- APPROPRI-
9 ATION OF WATERS IN TRUST FOR PEOPLE. The governor is hereby authorized and
10 directed to appropriate in trust for the people of the state of Idaho all the
11 unappropriated water of Priest, Pend d'Oreille and Coeur d'Alene Lakes or
12 so much thereof as may be necessary to preserve said lakes in their present
13 condition. The preservation of said water in said lakes for scenic beauty,
14 health, recreation, transportation and commercial purposes necessary and
15 desirable for all the inhabitants of the state is hereby declared to be a ben-
16 efiticial use of such water; therefore, storage water rights in said lakes that
17 are partially decreed in the northern Idaho water rights adjudications, sec-
18 tion 42-1406B, Idaho Code, including for the associated dams, shall be ad-
19 ministered by the director of the department of water resources or the water-
20 master to the elevations described in said water rights.

21 No fee shall be required in connection with said appropriation by the
22 governor or the permit issued in connection therewith, and no proof of com-
23 pletion of any works of diversion shall be required, but license shall issue
24 at any time upon proof of beneficial use to which said waters are now devoted.

25 Each succeeding governor in office shall be deemed to be a holder of such
26 permit, in trust for the people of the state.

27 SECTION 2. An emergency existing therefor, which emergency is hereby
28 declared to exist, this act shall be in full force and effect on and after its
29 passage and approval.