

## Water rights changes put Treasure Valley in jeopardy

Changes proposed by the state in the way water rights are managed in the Treasure Valley would significantly and adversely affect individual and organizational rights to water from the Boise River System. In addition, the more senior the water right, the more devastating the proposal will be because it could lead to reduced water availability and impacts on property values.

The potential impact is so serious that Nampa and Meridian Irrigation leaders say the district will go to court if necessary to stop a patently misguided process that is both unfair and contrary to a century of established Idaho water accounting practices.

We and other districts in the Treasure Valley have exhausted nearly every effort to find a political solution or negotiated solution to this issue with the Idaho Department of Water Resources so that serious injury to our water right holders will not occur. But we have been stopped cold at every attempt.

The more senior the water right, the more devastating the proposal will be to irrigation district water users. But this is more than just a Nampa and Meridian Irrigation District problem; all water right holders on the Boise River system will eventually be seriously injured if this scheme is allowed to take effect.

The controversial Idaho Department of Water Resources plan centers on how to account for "flood control" water re-



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leased from the three Boise River reservoirs to make space for water running off as the snowpack melts. Under a protocol developed 30 years ago, controlled releases prevent reservoirs from becoming so full that

huge amounts of water must be suddenly released to avoid overflowing the reservoir, resulting in downstream flooding. When the flood period is past, melting snowpack water can then be stored in reservoirs to prepare for the irrigation season.

Department of Water Resources and the Idaho Attorney General's Office want to reduce the amount of water allocated to all water right holders, including tens of thousands of urban users, by charging water released for flood control against the senior right holders even though the water is flushed downstream and is never used for irrigation.

Simply put, the Department of Water Resources wants to institute a plan where water right holders would be charged for using irrigation water they had zero opportunity to actually use.

That unused water charged against the user's yearly allocation could reduce how much water was left for irrigation. In a high flood release year followed by a period of drought, that could mean not enough water would be left in the user's allocation to meet irrigation needs. That would be disastrous for crops such as corn, potatoes and sugar beets, all of which require water later into the summer. It would

also result in severe damage to urban lawns and gardens.

Boise River water rights are two types of rights: natural flow and storage water. Natural flow is the water in the river that cannot be stored and must be passed through the reservoirs. Storage rights entitle the right owner to have water stored in the reservoirs where it can be used to supplement the right holder's water supply when the natural flow right is exhausted.

A third element of the right is the priority date, when the water right was filed with the state. It dictates exactly what priority the right has relative to all other rights, a concept often called "first in time is first in right." It literally means the oldest water right gets its water first, the next oldest second and so on until the available water is exhausted.

It is that combination of priority date, natural flow and storage water that permits the irrigation season in the valley to typically last through the first part of October. Without the ability to store water to supplement river flows in the hot summer, the irrigation season would normally end in late June or early July after the snowpack has melted.

This process of natural flow and supplemental storage water has provided a balanced approach since the first reservoir, Arrowrock, was completed in 1915. But now it is threatened by an inexplicable change of direction by state government.

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