

Water Rights Secured

This article is an update and conclusion to the last 6 ½ years of activities in securing water rights for the Ranch.

It began in August 1995 when it was discovered that no final water rights existed for WROA. And the water permit under which the developer (WR Ltd.) was operating was only for 535 gpd/lot, not the 800 gpd committed (gpd = gallons per day). Additionally, the use of this water was restricted by law to in-house domestic use, with no allowance for outside watering or irrigation (i.e., gardens, shrubs, trees, etc.).

This opened discussions and negotiations between WROA's Board and WR Ltd., which led to the Water Rights Agreement signed by both parties on February 26, 1996. Although quite detailed, essentially it placed the responsibility on WR Ltd. to secure the appropriate water rights exceeding 800 gpd for each lot to be served (338 lots), and that the right(s) would not only allow domestic use but outside irrigation as well.

Recently this process was completed. This was a difficult task for WR Ltd. and its attorney to accomplish. It was also a significant job for WROA and its water attorney (Mike Creamer, Givens Pursley LLP). Not only were there significant legal hurdles and precedents to overcome, but there were also the necessary reviews and approvals by the Idaho Department of Water Resources (IDWR) and the Department of Environmental Quality (DEQ).

The rights are as follows (see inset for water conversion rates):

Water Right or License No.	Type or Use	Rate of Diversion	Priority Date	Comments
63-10318	Municipal (Domestic)	0.45 cfs	1985	63-10318 and 63-04629A, when use is combined will not exceed a total diversion rate of 0.45 cfs.
63-4629A	Irrigation	0.45 cfs	1899	Period of use: March 15 to November 15. 63-10318 and 63-04629A when use is combined, will not exceed a total diversion rate of 0.45 cfs.
63-31336	Irrigation	0.12 cfs	1920	Period of use: April 1 to November 1. This is the irrigation right associated with the 3.5 acres on which the main pump station is located.
63-3620	Fire	10 AFA	1965	This is a Rush Creek right for the "pond storage" of water for fire fighting.

Full details on these rights and their historical development can be found at IDWR. The status of these rights is still potentially dependent on the Snake River Basin Adjudication (SRBA) process where all rights are being reviewed. This is true of all the rights in the basin. However, given the current IDWR approval of these rights in light of the SRBA activity, it is a pretty good stamp of approval that will likely hold.

As everyone knows, we have much work to do now and in the future on our water supply and distribution system. However, this marks a major milestone for WROA and is very positive news.