

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 1

BY WAYS AND MEANS COMMITTEE

AN ACT

1  
2 RELATING TO WATER; AMENDING CHAPTER 1, TITLE 42, IDAHO CODE, BY THE ADDITION  
3 OF A NEW SECTION 42-115, IDAHO CODE, TO PROVIDE THAT THE DIRECTOR OF THE  
4 DEPARTMENT OF WATER RESOURCES SHALL SUBORDINATE PERMITS AND LICENSES  
5 FOR CERTAIN PROJECTS ISSUED AFTER A SPECIFIED DATE TO THE CAPTURE AND  
6 RETENTION OF WATER IN EXISTING ON-STREAM STORAGE RESERVOIRS DURING AND  
7 FOLLOWING FLOOD CONTROL OPERATIONS UNTIL THE DATE OF ALLOCATION; AND  
8 DECLARING AN EMERGENCY.

9 Be It Enacted by the Legislature of the State of Idaho:

10 SECTION 1. That Chapter 1, Title 42, Idaho Code, be, and the same is  
11 hereby amended by the addition thereto of a NEW SECTION, to be known and des-  
12 ignated as Section 42-115, Idaho Code, and to read as follows:

13 42-115. STORAGE. To ensure that new or proposed projects to store more  
14 than one thousand (1,000) acre feet of surface water do not interfere with  
15 the storage of water in existing on-stream storage reservoirs operated for  
16 storage and flood control purposes, the director of the department of water  
17 resources shall subordinate permits and licenses for projects to store more  
18 than one thousand (1,000) acre feet of surface water issued after the effec-  
19 tive date of this section to the capture and retention of water in existing  
20 on-stream storage reservoirs during and following flood control operations  
21 until the date of allocation.

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