

LEGISLATURE OF THE STATE OF IDAHO  
Sixty-eighth Legislature First Regular Session - 2025

IN THE SENATE

SENATE BILL NO. 1060

BY RESOURCES AND ENVIRONMENT COMMITTEE

AN ACT

RELATING TO THE DISTRIBUTION OF WATER; AMENDING CHAPTER 18, TITLE 42, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 42-1807, IDAHO CODE, TO PROHIBIT CURTAILMENT UNTIL CERTAIN REQUIREMENTS ARE MET; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

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

SECTION 1. That Chapter 18, Title 42, Idaho Code, be, and the same is hereby amended by the addition thereto of a NEW SECTION, to be known and designated as Section 42-1807, Idaho Code, and to read as follows:

42-1807. DISTRIBUTION OF WATER BETWEEN DISTRICTS. (1) The director may not curtail surface water usage in a district to satisfy surface or ground water right claims in another district unless the affected surface water users are able to seek relief within their district, which includes appropriating surface, groundwater, springs, and any other water source owned and administered by the state of Idaho.

(2) Once both the surface and groundwater districts in an individual tributary district are fully operational and administered by the department, the priority doctrine of first in time, first in right and the conjunctive management rules shall apply as it pertains to all surface water, ground water, springs, and any other waters of the state.

SECTION 2. An emergency existing therefor, which emergency is hereby declared to exist, this act shall be in full force and effect on and after July 1, 2025.