

TITLE 42
IRRIGATION AND DRAINAGE -- WATER RIGHTS AND RECLAMATION

CHAPTER 36
WATERSHED PROTECTION AND FLOOD PREVENTION

42-3601. PURPOSE TO PREVENT EROSION, FLOODWATER AND SEDIMENT DAMAGES. Erosion, floodwater, and sediment damages in the watersheds of the rivers and streams of the state of Idaho, causing loss of life and damage to property, constitute a menace to the welfare of the citizens of Idaho; and it is the sense of the legislature of the state of Idaho that the state of Idaho should cooperate with the United States of America, with any political subdivision or public agency in the state of Idaho and with any private person, association, corporation or group of persons, or any agent or agency of any of the foregoing now or hereafter having authority to so cooperate for the purpose of preventing such damages and of furthering the conservation, development, utilization, and disposal of water in Idaho and thereby of preserving and protecting the land and water resources of the state of Idaho.

[42-3601, added 1957, ch. 120, sec. 1, p. 199.]

42-3602. ACCEPTANCE OF PROVISIONS OF FEDERAL ACT -- COOPERATION WITH FEDERAL AUTHORITIES. To effectuate the purposes of the act, as expressed in section [42-3601](#) hereof, the state of Idaho hereby accepts the provisions of the "Watershed Protection and Flood Prevention Act" (Aug. 4, 1954; 68 Stat. 666), and present and future amendments thereto, and shall, through the director of the department of lands of the state of Idaho, advise, consult and cooperate with any authorized federal officer or agency or any other authorized body or person whomsoever, or any combination thereof, in planning any number of "works of improvement" in Idaho under the said "Watershed Protection and Flood Prevention Act."

[42-3602, added 1957, ch. 120, sec. 2, p. 199; am. 1974, ch. 17, sec. 23, p. 308.]

42-3603. AGREEMENTS AUTHORIZED FOR WORKS OF IMPROVEMENT. The state of Idaho, by and through the director of the department of lands with the approval of the board of land commissioners, is authorized to enter into reasonable agreements with any authorized federal officer or agency or any other authorized body or person whomsoever, or any combination thereof, in constructing and maintaining or in any other manner whatsoever completing and effectuating any number of "works of improvement" under the said "Watershed Protection and Flood Prevention Act." Provided, however, that no such agreement shall obligate the state of Idaho to bear more than its reasonable share of the cost of such "works of improvement," considering the benefits accruing to the state of Idaho in relation to benefits accruing to others.

[42-3603, added 1957, ch. 120, sec. 3, p. 199; am. 1974, ch. 17, sec. 24, p. 308.]

42-3604. UTILIZATION OF ADMINISTRATIVE APPROPRIATIONS AND PERSONNEL. For the purpose of executing section [42-3602](#), Idaho Code, the director of the department of lands is authorized to utilize existing and regular administrative appropriations and personnel. For the purposes of executing

the provisions of section [42-3603](#), Idaho Code, the director is authorized to expend such funds as may now or hereafter be available to him for said purposes and he may likewise expend such moneys, over which he may be given control, as may be granted to the state of Idaho by the United States of America or anyone else for said purposes.

[42-3604, added 1957, ch. 120, sec. 4, p. 199; am. 1974, ch. 17, sec. 25, p. 308.]