

Important Information About Irrigation Districts Rights-of-Way

We are your local irrigation organization. We divert water from the Big Wood River and deliver it to our users through a distribution system of canals, laterals ditches and irrigation works.

In Idaho there are thousands of miles of canals, laterals and irrigation works. Many of those cross private lands or are bordered by residential and commercial developments. This can prove confusing for many landowners who are unsure what rights they and we have. So we have developed this brochure to help you understand our rights, responsibilities and policies regarding our canals and lateral ditches.

EASEMENTS

We have the responsibility to operate and maintain water flows, ditch banks and irrigation structures to minimize the risk of ditch bank failure and blockage, which could result in damage to adjacent landowners.

To do so efficiently, we need access to the property through the use of easements.

Idaho law gives us the legal right to use these easements through either fee title ownership or by rights-of-way (IC §43-1102).

Easements are strips of land along the banks of our canals and lateral ditches. Easements give us access so we can monitor and adjust water flows.

We also need access so we can remove sediment and debris from the ditches; control weeds, shrub and tree growth by mowing, spraying, cutting or burning; refurbish ditches and to perform other maintenance activities.



The white line shows the width of a typical canal easement area. No building or encroachment is allowed in this area without our express permission.

Generally, easements are an area on either or both sides of the canal or ditch. The easement also gives us the right to deposit material on the ditch banks that has been removed during cleaning and maintenance. We also have the right to take out obstructions to the easement and to prohibit activities which unreasonably interfere with maintenance.

If your land is crossed by a canal or lateral, you may use the easement area so long as it does not interfere with our access, operation, maintenance and repair activities.

It is important to understand that easement areas are not public property. They are not open to public use. Under Idaho law, unauthorized third party use of these strips of land amounts to trespassing.

WORKING WITH YOUR IRRIGATION ENTITY

Please contact us if you have questions about who owns a canal or lateral ditch that crosses your land. We would be happy to tell you whether it is part of our delivery system. We can also give you details about the access easement for the ditch, the things we do to access, operate, maintain and repair the ditch and our

policies regarding encroachment and modifications that might affect the ditch.

ENCROACHMENTS

Encroachments are such things as buildings, parking areas, fences, landscaping and other structures or activities in our easement areas.

We cannot allow construction or other activities in easement areas if they will interfere with our access, operation, maintenance and repair activities.

You must first contact us if you plan any construction, landscaping or activity within or affecting any of the canals, laterals or easements.

We will look at your project and determine if what you want to do will interfere with our access, operation, maintenance and repair activities.

We may also be able to advise you how your proposed construction or activity can go forward without interfering with our activities.

RELOCATING AND/OR PIPING CANALS AND LATERALS

Idaho law requires a landowner to obtain our written permission

before relocating or piping one of our canals or lateral ditches.

To get permission, first provide us with a copy of your plans for review. We then will advise you whether or not you can proceed as proposed or with modifications to your plan.

If we approve your plans, we also provide you written permission to proceed in the form of an agreement or other appropriate written authorization.

Generally, canals and lateral ditches may only be relocated or piped during the non-irrigation season, after water is out of the delivery system.

Above all, we appreciate your cooperation in working with us to protect our irrigation facilities.

Here is how you can contact us if you have questions or need more information.

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(208) 720 - 9311

What You Need To Know About Easements and Right of Ways On Canals

**Wood River Valley
Irrigation District #45**

