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Water Management Organization for Ag & Domestic Delivery

Laura Schroeder, Michelle Owen & Scott Revell

June 3, 2020

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Guest Presenters:



Scott Revell

Manager

Roza Irrigation District, WA



Michelle Owen

Director of Public Works

City of Baker City, OR



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Presentation Outline

- Different Types of Water Management
 - How water is used
 - Private vs Public Water Management
- Public Water Organizations
 - In OR, ID, NV, & WA
- Private Water Organizations
 - Types & Regulatory Oversight





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Types of Water Management



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Different Purposes

- Public Water Providers
 - Residential supply
- Irrigation Water Providers
 - Not enough water
- Drainage and Flood Control
 - Too much water





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Public vs Private Water Management

- Public orgs – districts, municipalities
 - Typically formed by petition of landowners
 - Utilize charters, bylaws
 - Rarely dissolved
- Private – associations, corporations, non-profits
 - Formed using corporate laws
 - Utilize articles of incorporation
 - Dissolved using corporate rules



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Public Water Organizations

Oregon – Most Common Districts

- Municipal, including Water Boards (IGA)
- Irrigation Districts under ORS 545 including Water Boards (IGA)
- Domestic Water Districts under ORS 544
- People's Utility District under ORS 261
- Drainage District under ORS 547





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Oregon - Other Districts

- Diking Districts under ORS 551
- Water Improvement Districts under ORS 552
- Water Control Districts under ORS 553
- Urban Flood Safety and Water Quality District under ORS 555
- “Public” Corporations for Irrigation, Drainage, Water Supply, or Flood Control under ORS 554



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Idaho Districts

- Irrigation Districts under IC 43-101
- Municipalities under IC 42-202
 - City irrigation systems under IC 50-1802
- Lateral Ditch Water Users' Associations under IC 42-1301
- County Irrigation, Drainage & Reclamation projects under IC 42-2809
- Water and Sewer Districts under IC 42-3201 through 42-3240
- Flood Control Districts under IC 42-3101 through 3128
- Drainage Districts under IC 42-2901 through 42-2982



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Idaho Districts

- These districts *do not* distribute water, but coordinate water management:
 - Water Districts under IC 42-604 - determine watermaster jurisdictions; do not hold water rights
 - Ground Water Districts under IC 42-5201 – coordinate aquifer management activities, metering, recharge



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Nevada – Most Common Districts

- Irrigation Districts under NRS 539
- Water Conservancy Districts under NRS 541
- Flood Control Districts under NRS 543
- Special Districts under NRS 308
 - Created by county commissioners
 - Includes “water district, sanitation district, water and sanitation district, . . . general improvement district, or any other quasi-municipal corporation.”





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Washington Districts



- Irrigation Districts under RCW 87
- Water-Sewer Districts under RCW 57
- Public Utility Districts under RCW 54
- Flood Control Districts under RCW 86
- Diking & Drainage Districts under RCW 85



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City of Baker City

- Common issues for Cities:
 - Water supply
 - Surface Water Options
 - Ground Water Options
 - ASR Storage





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City of Baker City

- Common issues for Cities:
 - Water quality and treatment
 - Regulations and the moving target
 - Qualified staff-training and certs
 - Public Works employee retirements





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City of Baker City

- Common issues for Cities:
 - Service areas & Utility easements
 - UGB expansions
 - Private developments and standards
 - WMCP Conditions
 - Communication is key





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Roza Irrigation District

- Common issues for water districts:
 - Water supply
 - Improvement projects
 - Water conservation





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Private Water Organizations



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Private Water Organizations

- Associations & Partnerships
- Corporations
- Nonprofit Organizations
- Irrigation Companies
- Ditch Companies
- Homeowners' Associations





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Regulation & Accountability



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Regulation of Quantity

- Oregon Water Resources Department
- Idaho Department of Water Resources
- Nevada State Engineer
- Washington Department of Ecology





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Regulation of Quality

- Oregon Health Authority
- Idaho Department of Environmental Quality
- Nevada Department of Environmental Protection
- Washington Department of Health





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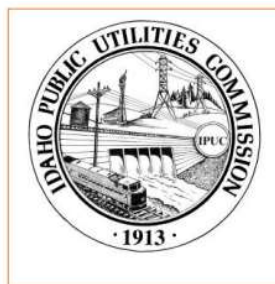
Public Only: Regulation & Accountability

- Public Meeting Laws
- Public Record Laws
- Public Contracting Code
- Elections (typically constituency is those water users served by the district)



Private Only: Regulation of Pricing and Service

- Oregon Public Utility Commission
- Idaho Public Utilities Commission
- Public Utilities Commission of Nevada
- Washington Utilities & Transportation Commission





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Comparing Public and Private Water Orgs



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Public Districts

- Advantages:
 - Taxation and Levies
 - Imminent domain
 - No utility commission review
 - Tort claim notices
- Disadvantages
 - Complex process for formation (except OR “public” corporation)
 - Public meeting requirements
 - Public record requirements
 - Public contracting





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Private Water Orgs

- Advantages:
 - Simple formation
 - Fewer restrictions on board activity
 - No public meeting, records, and contracting requirements (unless restricted in articles/bylaws)
- Disadvantages
 - Utility commission oversight of service and rate
 - No special governmental powers (imminent domain, funding, etc)
 - Liability issues for board/members

COVID-19 Webinar Series

- Next week (June 10, 2020): “Grazing on Public Lands” with Laura Schroeder and Alan Schroeder
- All webinars will be available at:
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S.B. 98 Broadens Ability to Turn Wastewater into Renewable Natural Gas

 Written October 2, 2019 by Rachelq Harman
 Categories: Legislation, Oregon, Water law
 Tags: biogas, clean drinking water, Clean Water Act, conservation, renewable natural gas, mg, wastewater, water, water law




No Comments »




Starting September 29, 2019, natural gas providers in Oregon will have a new, renewable way of powering their customers' homes. Governor Kate Brown executed a new law at the end of July, 2019 allowing capture, treatment, and conversion of methane found in wastewater into renewable...

[Continue reading](#)

Wifi Through the Sewers in Anacortes

 Written September 26, 2019 by Brian Fairbanks
 Categories: International, Washington
 Tags: international, land use, municipal water, washington

No Comments »



The city of Anacortes, WA, is making news by running part of its new fiber optic cable network through its water system. Brown and Caldwell's Water News for September 25, 2019, links to a report by KUOW News: "Wifi wires will run through water pipes..."

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