

# News Release

## Settlers Irrigation District

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### **Impacts of ACHD Storm Water Drain Problems Prompts Settlers Irrigation District To Join IWUA Encroachment Issues Summit**

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Ada County-based Settlers Irrigation District wants to help sponsor an upcoming Rural-Urban Encroachment Issues summit dealing with the serious financial and potential liability issues resulting directly from encroachment and illegal dumping of storm water runoff into canal and drainage systems by local governments.

Settlers has struggled for several years to cope with the impacts of unauthorized urban storm water runoff drains installed by the Ada County Highway District. The drains have encroached on SID private property, dumped polluted urban runoff into its canal system and caused flooding issues. Idaho law expressly prohibits encroachment of facilities of irrigation entities.

The summit is being organized for later this year by the Idaho Water Users Association, Idaho's largest and most powerful water users group

Settler's Board of Directors President Tom Davis, in a letter to IWUA Executive Director Norm Semanko, said Settlers wants to help sponsor the summit because the summit venue is ideally suited to address the situation in which SID finds itself.

"We tried to solve the issue through negotiations but those proved fruitless. Two years ago we responded to a lawsuit filed by ACHD. Settlers seeks to protect its property rights and avoid the liability and public health risks that have arisen due to the conditions resulting from ACHD's actions. That litigation continues, and thus far has cost our patrons about \$650,000 in legal fees, costs that have forced us to increase assessments to our users almost 100 percent. Efforts by us to find a negotiated way out of the situation have been ignored which suggests ACHD intends to use its taxpayer-funded deep pockets to financially force Settlers to eventually capitulate," Davis wrote in the letter.

"That leaves Settlers Irrigation District and its patrons in a virtual no-win position. We cannot expect our patrons to compete with the huge legal budgets of a government entity. But we cannot in good conscience knowingly accept the public health and civil liability risks growing out of the ACHD actions. The situation our District has been forced into by the actions of a local government entity poses very serious implications for the future well being of our organization. Therefore, we believe it would be highly beneficial if we were provided the opportunity to highlight our situation as an example of the very serious problems the summit is designed to address," Davis added.

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Semanko said recently that IWUA is seeing more and more rural-urban interface conflict issues such as those faced by irrigation entities like Settlers. The rural vs. urban clashes pose increasing difficulty for irrigation entities whose systems are located near or in growing urban areas. As these urban areas develop, issues of private property encroachment and dumping of urban storm water runoff into canals and drains are arising with increasing frequency across the southern half of the state.

IWUA is inviting all Idaho irrigation entities to the summit. The Association has also sent letters of invitation to members of the Idaho Legislature and the Idaho Congressional delegation, municipal associations, Highway Districts, officials such as Mayors and City Council members, State and Federal policy makers, members of the development community and other appropriate officials to attend the summit.

“The IWUA Board felt it is crucial that we try to gain a mutual understanding of the problems and challenges that arise when irrigation entities and local governments find themselves in conflict. Then we can look to jointly identify some solutions and determine how best to work together to implement them. It’s important that one goal of the summit be to foster mutual respect between local government and irrigation interests,” the IWUA Executive Director was quoted recently as saying.

Settlers Irrigation District was originally founded in 1884 as the Settlers Ditch Company. It provides irrigation water to some 13,000 acres of land in western Ada County via the 20-mile long Settlers Canal plus 95 miles of lateral canals.

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