



**Who owns the canals and ditches near my property?**

Canals and ditches are owned or operated by local irrigation entities. These canals and ditches are located within rights of way belonging to the irrigation entity. These rights of way, including roadways along the canals and ditches, must be clear of buildings, fences, vegetation (including bushes and trees) and other encroachments to allow access for operation and maintenance.



**Who owns the water in the canals and ditches?**

The water belongs to the irrigation entity that diverted the water from the river or stream and is delivering that water to end users.

**Why are there so many canals and ditches in urban communities?**

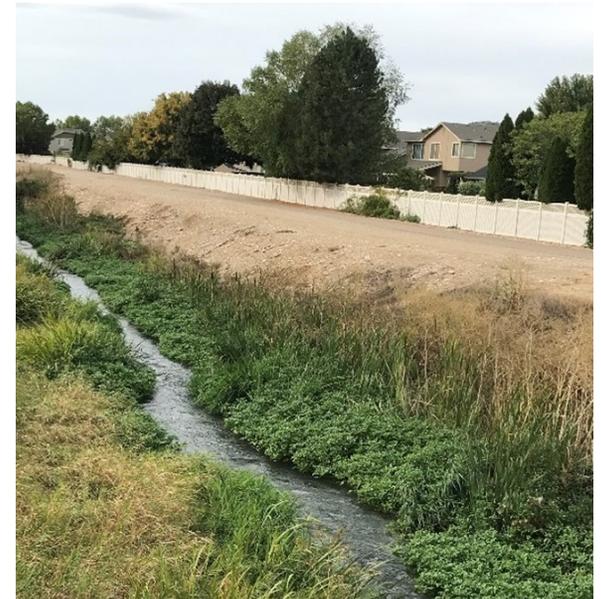
Historically, Idaho’s thousands of miles of canals and ditches crisscrossed vast expanses of farms and ranches. As Idaho grew, urban development expanded into agricultural areas. Many farmer’s fields are now homes, schools, parks, hospitals, and shopping centers. Yet, the canals and ditches remain because they are still needed to deliver water – including to urban developments to keep lawns and parks green.

**May I use the water in the canal or ditch?**

Water in a canal or ditch is diverted for the specific use of the entity’s patrons. Talk to your local irrigation entity to determine if you have a right to water from the canal or ditch.

**Why do water delivery entities clear vegetation along canals & ditches?**

Vegetation along canals and ditches creates problems for water delivery. Vegetation will consume water, leading to reduced efficiencies. More importantly, however, it can block clear flow – increasing risk of flooding to neighboring properties. Removal of vegetation improves the safety and efficiency of water delivery.





enforced through foreclosure and loss of property. Be sure to check with your irrigation entity regarding its policy for nonpayment.

**How does an irrigation district differ from a canal or ditch company?**

An irrigation district is a political subdivision of the state. Irrigation district assessments are based on the amount of land (i.e. acres) a person owns within the district's boundaries.

Canal or ditch companies are private corporations that issue stock certificates representing a right to a certain quantity of water. Assessments are based on the number of shares owned.

**What type of water research should I do before purchasing property?**

Before purchasing property, it is important to identify any easements, rights of way or water rights associated with the property. You can take the legal description of the land to your local irrigation entity to determine if that property includes a right to water from a canal or ditch. They can provide you with assessment, water delivery and other irrigation, fee, and maintenance information for the property.

**Is it true that some landowners cannot use water but are still required to pay assessments?**

Yes. Under Idaho law, lands within an irrigation district are obligated to pay for the operation and maintenance of the irrigation system. It is your obligation to provide a method for water delivery from the canal to your property.

You may be able to be excluded from the irrigation district. Contact your local irrigation district to determine if you are eligible.

**What if I don't pay my assessment?**

If an assessment is not paid, a lien may be filed against the property. That lien may be

**Your local contact information goes here.**

**For more information visit [www.iwua.org](http://www.iwua.org)**



## **FREQUENTLY ASKED QUESTIONS ABOUT CANALS & DITCHES NEAR YOUR HOME**

**Information you should consider when purchasing property.**

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