



LYLE SWANK
WATERMASTER
Phone (208) 525-7172
Fax (208) 525 7177

State of Idaho
Water District 1
900 N Skyline Dr., Suite A
Idaho Falls, Idaho 83402-1718

IDWR DIRECTOR
GARY SPACKMAN

To: Members of the Committee of Nine,
Alternates and Advisors

From: Wendy Murphy

Date: October 27, 2016

Re: Committee of Nine meeting schedule

So that you each will have an opportunity to arrange your long-term schedule, I have set a tentative schedule for Committee of Nine Meetings, as follows:

COMMITTEE OF NINE MEETING SCHEDULE				
Thursday	April 28, 2016	Purpose: USBR Flow Augmentation Location: Pocatello Airport	10:00	AM
Monday	June 13, 2016	Purpose: Allocation/Rental Pool Review Location: Sun Valley, ID	Follows IWUA Convention Session	
Thursday	September 8, 2016	Purpose: Quarterly Meeting Location: Pocatello Airport	10:00	AM
Thursday	November 3, 2016	Purpose: Executive Session Location: The Riverside Hotel, Boise, ID	1:00	PM
Thursday	January 19, 2017	Purpose: Budget /Rental Pool Rule Review Location: Pocatello Airport	10:00	AM
Monday	March 6, 2017	Purpose: Resolution Review Location: Idaho Falls	2:00	PM
Tuesday	March 7, 2017	Purpose: Water District 1 Annual Meeting Location: Idaho Falls Keefer's Convention Center Inside the Shilo	9:00	AM

Agendas will be mailed to members and those who request and will also be posted at the offices of Water District 1 at 900 North Skyline Drive, Idaho Falls, Idaho 83402, at least forty-eight (48) hours prior to each regular meeting.

WATER DISTRICT 1
LYLE SWANK, WATERMASTER

Committee of Nine Meeting

4/27/2017
10:00 AM
Pocatello Airport
Pocatello, ID

Agenda

Call to Order	Albert Lockwood
Roll Call of Committee	Dale Swensen
Minutes 3/6/2017 & 3/7/2017	Dale Swensen
Watermaster Update	Lyle Swank
IDWR Director Report	Gary Spackman
Reservoir Operations Update	Cory Loveland
Committee Reports	
Tribal Rights Committee Report	Dan Shewmaker
Rental Pool	Rod Dalling
Financial Report	Darrel Ker
Legal Updates	Jerry Rigby John Simpson

Old Business

New Business

Executive Session – The Committee of Nine, alternates, and tribal rights subcommittee members will meet pursuant to Idaho Code §74-206 (1) subsection (f), for the purpose to communicate with legal counsel regarding legal ramifications of and legal options for pending litigation, or controversies not yet being litigated but imminently likely to be litigated. Executive Session is closed to the public.

Following adjournment of Executive Session – meeting reopens to the public.

Adjourn

Additional Information

MINUTES
COMMITTEE OF NINE MEETING
SHILO INN IDAHO FALLS
MARCH 6, 2017

This meeting of the Committee of Nine was called to order on March 6, at 2:00 p.m. at the Shilo Inn in Idaho Falls. Committee of Nine members present were: Dan Shewmaker, Albert Lockwood, Robert Huff (alternate for Brent Bowen), Jennifer Ellis, Alan Kelsch, Darrel Ker (arrived at 2:23 p.m.), Stan Hawkins, Rodney Dalling, and Sean Maupin.

Chairman Albert Lockwood recognized Matt Weaver of the Idaho Dept. of Water Resources, and Corey Loveland and Ryan Newman of the Bureau of Reclamation as being in attendance.

Dan Shewmaker moved to approve the minutes of January 19, 2017. Sean Maupin seconded and motion passed unanimously.

Stan Hawkins, Rental Pool Subcommittee Chairman reported that the Rental Pool Committee met on February 15 to discuss how the watermaster is to treat the use of rental pool water for the irrigation of new lands and the movement of Palisades Water Users Incorporated shares around the water district. The committee asked staff to begin working on a map that shows existing irrigated lands of the water district. In regard to new lands there is a proposed new rule "4.3.108 Applications for Irrigation of New Lands or Lands Outside of WD01" which places a ban on using the rental pool to irrigate new acres. There was substantial discussion about questions that could not be answered satisfactorily. Darrel Ker moved to strike the proposed rule for now and have the committee take it up for discussion during this year. Jennifer Ellis seconded and passed unanimously.

Watermaster Lyle Swank reported there are more complications with the water right accounting in separating storage and natural flow water for recharge. Lyle needs good daily diversion records for recharge sites. A new resolution is being proposed to clarify reporting requirements for diversions carrying storage water in their system.

Chairman Lockwood conducted recommendation of the resolutions for adoption at the annual meeting. Darrel Ker moved, Jennifer Ellis seconded, and unanimously passed to recommend the Rental Pool Procedures for adoption at the Water District 1 Annual Meeting.

The chairman asked for recommendation of resolutions one through ten. Jennifer Ellis asked that resolution two be held until the end of the meeting. Lyle Swank asked that \$10,600 be added to the USGS Streamgaging line item because USGS has recently asked the water district to participate in a pilot project to improve stream gages that are subject to extreme shifting in the amount of \$10,600. There was also questions asked about the cloud seeding expenses. Jennifer asked if resolution two fits better with resolutions 59 or 60. Lyle explained it is needed in resolution two. Concerning resolution nine COOPERATIVE PROGRAM Albert reported that the MOU committee suggested a 3% raise in salary for all employees except 11% for Wendy Murphy to get her up to mid-point of her position pay grade. Jennifer Ellis moved, seconded by

Rod Dalling, to recommend resolutions one through ten. The motion passed with Stan Hawkins voting no.

Rod Dalling moved, seconded by Sean Maupin, and unanimously passed to recommend resolutions 11-20.

Darrel Ker moved, seconded by Jennifer Ellis, and unanimously passed to recommend resolutions 21-29.

Attorney John Simpson reported on reasoning for added language in resolution 30 HYDROELECTRIC PROJECT RELICENSING about Section 401 certification and the state of Oregon. There was further discussion with Attorney Jerry Rigby adding additional information. Steve Howser, speaking on behalf of the Idaho Water Users Association said that IWUA supports the governor's position and asked that language similar to IWUA's be added which is "or implementation of minimum flows " after "require the introduction of salmon and steelhead in the second BE IT FURTHER RESOLVED. Alan Kelsch moved, seconded by Dan Shewmaker to recommend resolution 30 as amended.

Darrel Ker moved, seconded by Jennifer Ellis, and unanimously passed to recommend resolutions 31-39.

Stan Hawkins moved, seconded by Darrell Ker, and unanimously passed to recommend resolution 40.

Stan Hawkins moved, seconded by Jennifer Ellis, and unanimously passed to recommend resolutions 41-47.

Darrel Ker moved, seconded by Stan Hawkins, and unanimously passed to recommend resolution 48.

Darrel Ker moved, seconded by Stan Hawkins, and unanimously passed to recommend resolution 49.

Darrel Ker moved, seconded by Jennifer Ellis, and unanimously passed to recommend resolutions 50-58.

Rod Dalling moved, seconded by Sean Maupin, and unanimously passed to recommend resolution 59.

Concerning resolution 60 NEW CONSUMPTIVE WATER USES Jerry Rigby presented alternative language to that proposed by Attorney Travis Thompson. After discussion Darrel Ker moved to table resolution 60, Jennifer Ellis seconded, and motion failed with five voting no and four yes. Discussion continued on the resolution. Dan Shewmaker moved to approve the resolution with Travis Thompson's last change. Rod Dalling seconded and motion passed with five voting yes and three no.

Attorney John Simpson reported that the Committee of Nine needs continued involvement in the Hells Canyon Relicensing. Modeling meetings are taking place in Portland in regard to the Columbia River Treaty. The Columbia Basin Partnership is attempting to develop non-litigation strategies by setting goals for numbers of endangered salmon.

Attorney Jerry Rigby reported that the Western States Water Council is encouraged by the new administration's activity on the Waters of the United States rule. The council is also supportive of defunding EPA to stop new rules and regulations on irrigation water. Jerry also reported that an Intergovernmental meeting is set for Wednesday at Fort Hall to discuss reset and local impacts.

Director Gary Spackman responded to Dan Temple and Walt Mullin's contention that power production should be considered in Palisades Reservoir releases during the winter. Gary stated that previous studies showed that the additional power production and impacts to power costs would be minimal. Alan Kelsch asked that Reclamation look at the contracts and the water rights themselves as they prepare a response to Gary's last letter. Jennifer Ellis expressed support for the Director's letter to Reclamation.

Darrel Ker, Chairman of the River and Reservoir Operations Sub-committee reported that the committee had a good meeting and conversation.

John Simpson said in regard to resolution 9 the Director is asking if the specific raises for employees should be referenced in the resolution. Lyle explained that the specific raises will be on the screen tomorrow as part of resolution 9.

Jennifer Ellis asked if there is a definition of "new consumptive uses" in resolution 60.

Dan Shewmaker moved seconded by Sean Maupin, and unanimously passed to adjourn at 5:00 p.m.

ATTENDANCE ROSTER
COMMITTEE OF NINE MEETING
MARCH 6, 2017

Dan Temple	A&B Irrigation District
Steve Howser	Aberdeen-Springfield Canal Company
Scott Breeding	Alternate, Committee of Nine
Robert Huff	Alternate, Committee of Nine
Mike Rasmussen	Alternate, Committee of Nine
Keith Salisbury	Alternate, Committee of Nine
Lynn Harmon	American Falls Reservoir District #2
Paul Arrington	Attorney, Barker, Rosholt, Simpson
Travis Thompson	Attorney, Barker, Rosholt, Simpson
Kent Fletcher	Attorney, Minidoka Irrigation District, American Falls Reservoir District #2
Rob Harris	Attorney, Palisades Water Users Association
Jerry Rigby	Attorney, Committee of Nine
John Simpson	Attorney, Committee of Nine
Cory Loveland	Bureau of Reclamation
Ryan Newman	Bureau of Reclamation
Roland Springer	Bureau of Reclamation
Derek Larson	Burley Irrigation District
John Lind	Burley Irrigation District
David Chapple	Century Holdings
Rod Dalling	Committee of Nine
Jennifer Ellis	Committee of Nine
Stan Hawkins	Committee of Nine
Alan Kelsch	Committee of Nine
Darrel Ker	Committee of Nine
Albert Lockwood	Committee of Nine
Sean Maupin	Committee of Nine
Dan Shewmaker	Committee of Nine
Aaron Dalling	Fremont-Madison Irrigation District
Dale Swensen	Fremont-Madison Irrigation District
Gary Spackman	Idaho Dept of Water Resources
Mat Weaver	Idaho Dept of Water Resources
Jon Bowling	Idaho Power Company
Sean Parkinson	Idaho Power Company
Randy Brown	Milner Irrigation District
Walt Mullins	Milner Irrigation District
Danny Ferguson	Palisades Water Users Incorporated
Phil Blick	Twin Falls Canal Company
Brian Olmstead	Twin Falls Canal Company
Rick Pearson	Twin Falls Canal Company
Craig Chandler	Water District 1

Travis Soderquist
Lyle Swank
Steve Wolfe

Water District 1
Water District 1
Wyoming State Engineer's Office

MINUTES
COMMITTEE OF NINE MEETING
IDAHO FALLS SHILO INN CONVENTION CENTER
MARCH 7, 2017

This meeting of the Committee of Nine was held on March 7, 2016, immediately following the annual meeting of Water District 1 at the Idaho Falls Shilo Inn Convention Center. Committee of Nine members present were: Scott Breeding (alternate for Dan Shewmaker), Albert Lockwood, Ron Kowitz (alternate for Brent Bowen), Jennifer Ellis, Alan Kelsch, Darrel Ker, Luke Hicks, Rodney Dalling, and Mike Rasmussen.

Ron Kowitz moved to nominate and elect by acclamation Albert Lockwood meeting chairman. Jennifer Ellis seconded and motion passed unanimously. Alan Kelsch moved, seconded by Rodney Dalling and unanimously passed to nominate and elect by acclamation Albert Lockwood chairman of the Committee of Nine. Alan Kelsch moved to nominate and elect by acclamation Rodney Dalling vice-chairman of the Committee of Nine. Scott Breeding seconded and motion passed unanimously.

Lyle Swank asked for contact information for new Committee of Nine members and alternates. He also reviewed the tentative meeting schedule for this year. There was some discussion about the April 27 meeting but all agreed to keep it as scheduled. There was also discussion on expanding the size of the Rental Pool Committee.

At 3:39 p.m. Darrell Ker moved to adjourn. Rod Dalling seconded and motion passed unanimously.