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IDWR DIRECTOR
 GARY SPACKMAN

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

From: Wendy Murphy

Date: February 28, 2017

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 27, 2017	Purpose: USBR Flow Augmentation Location: Pocatello Airport	10:00	AM
Monday	June 12, 2017	Purpose: Allocation/Rental Pool Review Location: Sun Valley, ID	Follows IWUA Convention Session	
Thursday	September 7, 2017	Purpose: Quarterly Meeting Location: Pocatello Airport	10:00	AM
Wednesday	November 8, 2017	Purpose: Legal Updates Location: The Riverside Hotel, Boise, ID	Follows IWUA Legislative Session	
Thursday	January 25, 2018 January 18, 2018	Purpose: Budget /Rental Pool Rule Review Location: Pocatello Airport	10:00	AM
Monday	March 5, 2018	Purpose: Resolution Review Location: Idaho Falls	2:00	PM
Tuesday	March 6, 2018	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

11/08/2017
The Riverside Hotel following the IWUA Legislative Committee Meeting approximately 4:00 pm
Boise, ID

Agenda

Call to Order	Albert Lockwood
Roll Call of Committee	Dale Swensen
Minutes 9/07/2017	Dale Swensen
Committee Reports – Rental Pool	Rod Dalling
IWUA Report	Paul Arrington
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
POCATELLO AIRPORT
SEPTEMBER 7, 2017

This meeting of the Committee of Nine was called to order on September 7, 2017, at 10:00 a.m. at the Pocatello Airport. A roll call of Committee of Nine members showed the following were present: Dan Shewmaker, Albert Lockwood, Ron Kowitz (alternate for Brent Bowen), Jennifer Ellis, Alan Kelsch, Darrel Ker, Luke Hicks, Rodney Dalling, and Sean Maupin (alternate for Mike Rasmussen).

Chairman Lockwood recognized Roland Springer, Ryan Newman, Brian Stevens, and Corey Loveland representing the Bureau of Reclamation.

The minutes of the Committee of Nine meeting held on June 12, 2017, were approved as corrected. Darrel Ker moved, seconded by Jennifer Ellis, and unanimously passed.

Watermaster Lyle Swank reported water rights being filled are part of June 1, 1892 above Blackfoot, part of October 11, 1900 below Milner. Canals are diverting about 20,000 af/day of storage water. Inflows and diversions are tapering off. Reservoirs will continue to decline for another month unless a weather event intervenes. So far 474 af have been rented from the rental pool under 100 af and 185,000 to the USBR for flow augmentation from the over 100 af. There have been 84,294.5 af of private leases. Fifty Thousand acre feet of private leases to the Surface Water Coalition have been assigned to the Idaho Water Resource Board for recharge. The water board has given notices to proceed with recharging the 50,000 af to Fremont-Madison, New Sweden, Enterprise and others. New this year is a rental of 10 af to a wateruser in the Portneuf River drainage. Alan Oliver has been hired to work in Teton Basin to design water delivery infrastructure. Unless a settlement is reached on the accounting of losses and gains in the near Blackfoot reach a hearing is set for September 13.

Corey Loveland, Water Operations Manager for the Bureau of Reclamation went over reservoir system contents and releases. The reservoir system is currently at 72% of capacity which is 157% of average, and 270% of last year. Contents are well above all of the last five years. Corey reviewed operations of Jackson Lake, Palisades, American Falls, and Island Park. Heise unregulated volume this year is 168% of the 30 year average. The 6-10 day, one month and three month outlook for precipitation is average or above, equal chances of being wet or dry or below average, and equal chances respectively. He also reported on the temperature outlook for the same periods. Equatorial sea surface temperatures indicate El Nino neutral conditions. Corey also presented a 2018 forecast for Heise natural flow volume and compared 2017 to 2016. He also reviewed a preliminary operational plan for each of the reservoirs and talked about the plans to replace a weir wall at Palisades.

Snake River Area Manager Roland Springer reported he has had telephone discussions with Lyle, Jerry Rigby and Mark Limbaugh about Ririe Reservoir flood rule curves. Recent federal legislation allows the Corp of Engineers to be more involved. Mitigation, Inc. needs to provide

the BOR and Corp operational scenarios. Lyle wants to make permanent 8,000 to 13,000 af that can be gained by having snow removal contracts in place. Jerry Rigby said the Water Board has been approached to help with the extra expense of an EA or EIS and reallocation of the O&M costs may not be a concern. Lyle asked if flooding fields in February causes a problem for crops that year? If not could adjacent farm fields be used as a place to get rid of extra water during a snow melt and rain event in February as a backup plan.

Director Gary Spackman reported that a stipulation may be coming to settle the issue of accounting for losses in the near Blackfoot reach of the river. But there may still be a hearing to get information on the record. The reservoir reset date issue may have a pending settlement. This year there was active regulation of water rights on the lower Portneuf River and Marsh Creek. The Marsh Creek Water District has been inactive and a water district on the Portneuf was formed a few years ago. IDWR had to shut people off and they came to the Water District 1 Rental Pool which highlights the importance of the rental pool and the need to discuss what the limitations are.

Lyle Swank reported that water right accounting programming is focused on implementation of the potential Blackfoot gains/losses settlement.

Luke Hicks, Chairman of the Recharge Subcommittee reported on the first meeting. The committee discussed increased competition for recharge water supplies, the potential to recharge 50,000 af of storage provided through the SWC-IGWA settlement, the quality of recharge monitoring data, and how flood control water can be recharged. No recommendations were made.

Alan Kelsch, Chairman of the Reservoir and River Coordination Subcommittee reported that Palisades winter releases will be discussed at next week's meeting. There has been one meeting for BOR to present on the process to determine winter releases. Alan said at the last Committee of Nine meeting he asked a question about the timing of flow augmentation releases. He feels that question needs to be before the Tribal Rights Issues Subcommittee.

Paul Arrington, Executive Director of the Idaho Water Users Association reported that the next IWUA Water Law Seminar will be November 9-10 in Boise. Since the summer seminar an IWUA committee has been discussing the god squad concept as it relates to ESA listed salmon. So far the discussions have led to not invoke the concept. Concerning the Columbia River Treaty, new lead negotiators for the United States are being appointed but not sure who they will be yet. Idaho's congressional delegation is asking what position they should take and what should they say since they are getting different messages from the water users and power users so IWUA and Idaho consumer Owner Utilities Association have developed a position statement for Idaho. A delegation of water and power representatives will be going to Washington, DC to talk to the federal negotiators with the position paper in hand. Paul went through each of the topics addressed by the position paper which are hydro-power, flood control, ecosystem function, and negotiation process and potential termination. He also talked about the Columbia Basin Partnership process and said Idaho is developing a prototype with Idaho Fish & Game and Office of Endangered Species taking the lead. There are some who want to have introduction

above Hells Canyon as part of the prototype.

Attorney John Simpson reported there are continuing efforts to get the United States to discuss implementation of the Snake River Agreement. The Committee of Nine was asked to draft white papers about the impacts to spaceholders of using BOR's uncontracted and power head storage for flow augmentation and impacts of flow augmentation provided through the rental pool. White papers were drafted and sent to the United States with expectation there would be a meeting before today. A phone call earlier this week with the United States' attorney indicated they are moving toward a decision but additional work needs to be done on flow augmentation impacts. If final decisions cannot be made then John recommends contacting Idaho's Congressional Delegation for assistance. Concerning the reservoir reset issue the tribes and the United States would not accept the proposal water users had decided on. There is now a new proposal with October 15 as the reset date. The tribes and United States are discussing that now.

Lyle Swank reported the Blackfoot River non-Indian diversions were well below 45,000 af so there was not a need for an equitable adjustment this year.

Ron Kowitz left the meeting at 12:19 p.m.

At 12:19 p.m. Dan Shewmaker moved, Rod Dalling seconded, and unanimously passed by roll call vote that the Committee of Nine, alternates, and Water District 1 staff meet in executive session 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.

At 1:32 p.m. Dan Shewmaker moved, seconded by Rod Dalling, and unanimously passed to go out of executive session without any motions being made in executive session.

Jennifer Ellis moved to support The Idaho Position for the Columbia River Treaty as drafted by the Idaho Water Users Association and the Idaho consumer Owner Utilities Association with the changes presented today with the ability to revisit provisions as more information becomes available. The motion was seconded by Dan Shewmaker and passed unanimously by roll call vote.

Rod Dalling moved, seconded by Jennifer Ellis and unanimously passed to adjourn at 1:39 p.m.

ATTENDANCE ROSTER
COMMITTEE OF NINE MEETING
SEPTEMBER 7, 2017

Dan Temple	A&B Irrigation District
Steve Howser	Aberdeen-Springfield Canal Company
David Chapple	Alternate, Committee of Nine
Ron Kowitz	Alternate, Committee of Nine
Sean Maupin	Alternate, Committee of Nine
Keith Salisbury	Alternate, Committee of Nine
Lynn Harmon	American Falls Reservoir District #2
Travis Thompson	Attorney, Barker, Rosholt
Kent Fletcher	Attorney, Minidoka Irrigation District, American Falls Reservoir District #2
Jerry Rigby	Attorney, Committee of Nine
John Simpson	Attorney, Committee of Nine
Corey Loveland	Bureau of Reclamation
Ryan Newman	Bureau of Reclamation
Roland Springer	Bureau of Reclamation
Brian Stevens	Bureau of Reclamation
John Lind	Burley Irrigation District
Rod Dalling	Committee of Nine
Jennifer Ellis	Committee of Nine
Luke Hicks	Committee of Nine
Alan Kelsch	Committee of Nine
Darrel Ker	Committee of Nine
Albert Lockwood	Committee of Nine
Dan Shewmaker	Committee of Nine
Shawn Tischendorf	Falls Irrigation District
Aaron Dalling	Fremont-Madison Irrigation District
Dale Swensen	Fremont-Madison Irrigation District
Gary Spackman	Idaho Department of Water Resources
Jon Bowling	Idaho Power Company
Paul Arrington	Idaho Water Users Association
Walt Mullins	Milner Irrigation District
Julie Sievers	Milner Irrigation District
Dan Davidson	Minidoka Irrigation District
DeWitt Marshall	North Side Canal Company
Brian Olmstead	Twin Falls Canal Company
Tony Olenichak	Water District 1
Lyle Swank	Water District 1