

MINUTES  
**HOUSE RESOURCES & CONSERVATION COMMITTEE**

**DATE:** Thursday, January 23, 2014

**TIME:** 1:30 P.M.

**PLACE:** Room EW40

**MEMBERS:** Chairman Denney, Vice Chairman Gibbs, Representatives Wood(35), Barrett, Moyle, Eskridge, Raybould, Andrus, Shepherd, Wood(27), Boyle, Vander Woude, Gestrin, Miller, Anderson(1), Pence, Erpelding, Rubel

**ABSENT/  
EXCUSED:** Representative(s) Moyle, Vander Woude, Anderson(1), Rubel

**GUESTS:** Mackenzie Herrick, Veritas Advisers; Sharon Kiefer, Idaho Department of Fish & Game; Mike Grimmatt, Ranch owner; Steve Damele, Ditto Creek Ranch; Monty White, Glens Ferry, Idaho; Deb Lord, Lord Ranch; Teresa McCallum, Iron Horse Ranch; John B. McCallum, Iron Horse Ranch; Rod Gonsales, Camas Creek Ranch; Danelle Heath, Office of Species Conservation; Kristyn Kusunenmon, Kiser Pisca; Roger Seiber, Capital West; Jeff Peppersack, Idaho Department of Water Resources; Matt Anders, Idaho Department of Water Resources; Kate Haas, Kestrel West; and Russell Westerberg, ICOA.

**Chairman Denney** called the meeting to order at 1:32 p.m.

**Mike Grimmatt**, Rancher in the Mountain Home area, is financially suffering due to the large elk herds in the Mountain Home area utilizing his private property as a winter feeding ground. Mr. Grimmatt states elk remain on his ranch throughout the year with some herds in numbers up to 1,500 which began in 1998. Mr. Grimmatt further asserted the elk herds have continually increased since 2003-2004 timeframe. Mr. Grimmatt has witnessed his fence being damaged by the large herds of elk. Mr. Grimmatt said he has lost an estimated one-hundred days of feed as a result of the elk on his property and a financial cost of approximately \$25,000 annually. Mr. Grimmatt suggested that the Idaho Department of Fish and Game should use science to determine the number of animals that should be in the area and for sportsman to hunt the large herds. Mr. Grimmatt believes the cause of the problem began when wildlife agencies stopped feeding the elk at feedsite locations and the elk started to migrate to the Mountain Home area to feed. Mr. Grimmatt suggested the state feed the large herds in other areas away from the ranches. Wolves are present and have possibly assisted with the migration of the elk to lower lands.

**Steve Damele**, family rancher, is concerned with range management practices in the Mountain Home/Mayfield area. Mr. Damele has witnessed the increase in herd numbers resulting in damaged fences and loss of grazing ranges. Mr. Damele has observed elk herds in numbers from 100 to 800 including some deer. He states 500 elk equals 300 beef cow for consumption purposes. Mr. Damele estimates from December to March he experiences losses in the amount of \$67,000. Mr. Damele said he noticed the large herds beginning in 1980. In 2005, he had never seen elk herds of 500 (or more) and witnessed the destruction left behind from these large herds. Mr. Damele asserts that all the burden now lies on the property owner, and he feels the neighbors are pitted against one another as a result of Idaho Fish and Game practices in depredation hunts. Mr. Damele is confident the Mayfield ranchers are united and are requesting Idaho Fish and Game reduce the numbers of elk in their area.

**Monty White**, rancher, lives in Glens Ferry area and works for a rancher who owns 54,000 acres in the Bennett Hills and Mayfield area. Mr. White stated the depredation hunts do not work as the elk return to the property as the hunters are removing the hunted elk carcasses from the property. He referred to an instance where the elk were returning to the property in a procession from the hills after a hunt. Mr. White asserted the procession was a column of elk that was 75 feet wide and extended so far that he could not see the end of the herd. Hunts do not work as there is property damage from the hunters, (i.e.; fences cut, chains removed on gates, gates left open, and vehicles were driven into the fields). Mr. White stated some elk were shot and left on the property. He feels that hunts only drive the herds onto neighboring property.

**Deb Lord**, Mayfield resident, believes the elk numbers have been increasing over the last 30 years. Ms. Lord feels the property owners should be compensated for winter feeding of elk.

**Teresa McCallum**, Iron Horse Ranch, feels the elk hunts drive the animals from the mountains and the cessation of the feeding stations have increased elk migration. Ms. McCallum expressed concern regarding the land owner appreciation program and states the Idaho Department of Fish and Game change the rules every year making it more difficult for land owners to receive compensation for the damages sustained from the elk herds. Ms. McCallum explained landowners cannot sell the tags and she does not believe that selling tags is a long-term solution. Ms. McCallum would like the elk to move to the backcountry with the wolves and elk feeding stations in the high country. She suggested the animals need to be moved in mass or one at a time into the mountains and retrained by using feeding stations to stay in the mountains. Ms. McCallum stated the crop and range losses are so great that something needs to be done. She indicated the Idaho Department of Fish and Game has offered to provide feed for the elk, but they also suggested the ranchers' employees feed the elk on the ranches' land. Ms. McCallum states that her employees have enough ranch work without the responsibility of feeding the elk. Ms. McCallum eluded to the concern over the spreading of disease with cattle and elk in such close proximity.

**John McCallum**, Iron Horse Ranch, would like the Idaho Department of Fish and Game to provide a higher number of tags for reasonable compensation as he has experienced high monetary damages as a result of the elk. Mr. McCallum suggested the limits should be removed from the elk hunts. He believes the wolves push the elk to lower areas and is the reason for high numbers of elk on his private property. Mr. McCallum has observed major elk increases into the thousands by the Indian Creek area and the land can't support the high volume of elk. Mr. McCallum has cut his cow herd in half as a result of the increase in elk on his land, and he is also concerned with disease spreading to his cows. Mr. McCallum suggested the Idaho Department of Fish and Game use helicopters to move the large herds of elk to higher ground. He asserted the Idaho Department of Fish and Game does not negotiate fairly nor is he provided the truth when concerns are raised. The normal feeding areas for elk have experienced fires and he believes the Idaho Department of Fish and Game should help feed the animals due to these circumstances. Mr. McCallum eluded to legal litigation on the matter.

**Rod Gonsales** of Camas Creek Ranch agreed with many of the statements made by **Mr. White** and **Mr. McCallum**.

**RS 22393:**

**Matt Anders**, Idaho Department of Water Resources, provided clarification for the definition Injection Well. Mr. Anders asserts the EPA has advised the Idaho Department of Water Resources that Idaho's Underground Injection Well rules may be at risk unless the definition is clarified. Mr. Anders explained that, under primacy, any change of a state rule must be approved by the EPA.

- MOTION:** **Rep. Wood(27)** made a motion to introduce **RS 22393. Motion carried by voice vote.**
- RS 22395:** **Jeff Peppersack**, Idaho Department of Water Resources, proposed **RS 22395** which amends the processing of water applications for water rights in moratorium areas. Mr. Peppersack asserted the Idaho Department of Water Resources has 700 applications since 1990 for water rights in moratorium areas which has created a backlog. The moratorium will only be removed if water is available. Mr. Peppersack conveyed water isn't available and is discouraged the water situation will improve in the near future. Under a moratorium, water applications can only be held and some applications have been held for 20 years. Mr. Peppersack stated the water applications are estimated to total \$50,000 in refunds if the applications are returned. Mr. Peppersack plans to return applications over a period of time to absorb the refunds.
- MOTION:** **Rep. Gibbs** made a motion to introduce **RS 22395. Motion carried by voice vote.**
- RS 22453:** **Gary Spackman**, Director of Idaho Department of Water Resources, submitted **RS 22453** from a request by the Governor to revise the qualifications for the Director position of the Idaho Department of Water Resources. Mr. Spackman reviewed the Idaho Statute and conducted conversations with the Governor and stakeholders. Mr. Spackman states he received endorsement for the revisions to the Director's position from the Idaho Water Users. Mr. Spackman stated it was unique to write his own job description.
- MOTION:** **Rep. Wood(27)** made a motion to introduce **RS 22453. Motion carried by voice vote.**
- RS 22472:** **Rep. Morse** brought forth **RS 22472** to repeal an archaic section code for stumpage districts which is no longer needed. Rep. Morse further explained the code was adopted in 1917 and has never been amended. Rep. Morse asserted extra work is created by leaving the archaic code in existence.
- MOTION:** **Rep. Raybould** made a motion to introduce **RS 22472. Motion carried by voice vote.**
- RS 22531:** **Rep. Morse** proposed **RS 22531** relating to exploding targets on public lands. Rep. Morse explained this is a new product and the high fire costs for one instance of negligent use of exploding products on public lands. Rep. Morse identified that some states have banned exploding targets. He stated **RS 22531** provides a solution to treat private and public lands differently. Rep. Morse stated **RS 22531** would simply ban the use of exploding targets similar to restrictions during the fire season such as not allowing open campfires. He stated exploding targets will be allowed on private lands with the approval of the state Fire Marshall or local fire official, or a shooting range if it has a permit or government approval. Rep. Morse indicated exploding targets does not constitute fireworks and the definition of an exploding target is flammable when struck by a bullet or projectile.
- MOTION:** **Rep. Barrett** made a motion to introduce **RS 22531. Motion carried by voice vote.**
- ADJOURN:** There being no further business to come before the committee, the meeting adjourned at 3:03 p.m.

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Representative Denney  
Chairman

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Jennifer Smith  
Secretary