

MINUTES
HOUSE RESOURCES & CONSERVATION COMMITTEE

DATE: Thursday, February 05, 2015

TIME: 1:30 P.M.

PLACE: Room EW40

MEMBERS: Chairman Raybould, Vice Chairman Gestrin, Representatives Moyle, Andrus, Shepherd, Wood, Boyle, Vander Woude, Gibbs, Miller, Bateman, Burtenshaw, Mendive, VanOrden, Youngblood, Pence, Erpelding, Rubel

**ABSENT/
EXCUSED:** None

GUESTS: Lynn Tominaga, IGWA; Benjamin Kelly, Food Producers; Jim Lowe, Food Producers of Idaho; Norm Semanko, Idaho Water Users; Marie Kellner, Idaho Conservation League.

Chairman Raybould called the meeting to order at 1:29 p.m.

RS 23451C1: **Rep. Nate** stated water entities continue to face liability lawsuits for flooding events caused by old growth trees that fall over into waterways and subsequently plug water ways and cause flooding. Water entities are often times threatened or actually sued under the timber trespass statute, which was enacted for purposes other than governing water management. This change leaves in place the "reasonable and necessary" standard found in Title 42, Chapters 11 and 12. This proposed legislation strikes a balance that should help protect property owners from flooding while leaving in place the requirement that water delivery entities do only that which is reasonable and necessary while maintaining canal banks and right-of-way easements.

MOTION: **Rep. Gibbs** made a motion to introduce **RS 23451C1. Motion carried by voice vote.**

Roger Chase, Chairman for the Idaho Water Resource Board, provided a presentation on the Idaho Department of Water Resources Annual Report. Mr. Chase indicated that the water regions in Idaho are similar, but different, and Idaho is very unique.

Mr. Chase identified some of the situations that have occurred over the past year and needs for the department. He listed some of the situations requiring attention over the past year were water surpluses and deficits, the resolution of the Rangen water call, conflicts with ground and surface water users, the costs and approach to recharging aquifers, the Northern Idaho Adjudication, the Snake River Basin Adjudication, and dam projects. Mr. Chase explained Idaho is ahead of other states in its water management and conservation practices. Mr. Chase indicated the need to purchase new infrastructure and technology along with the ability to anticipate the water supply and recognize future demands.

Gary Spackman, Director of Idaho Department of Water Resource, states his attention and time are focused on water issues designated by the Idaho Legislature and to the sustainability of Idaho's water resources. Mr. Spackman indicated he may seek additional money in 2017 for Northern Idaho's adjudication. Mr. Spackman stated the federal government manages flood control and they consider flood control a priority to release water to prevent flooding. Mr. Spackman stated flood control is the process of dumping water into the river and then it flows into the ocean. Mr. Spackman stated he is attempting to address this issue as an opportunity to store flood waters. Mr. Spackman said he has an obligation to all of the Idaho water users. Mr. Spackman explained that he determines the preseason prediction of our water supply, a mid-season adjustment, and an obligation to protect water right holders against inaccurate predictions.

ADJOURN: There being no further business to come before the committee the meeting was adjourned at 3:00 p.m.

Representative Raybould
Chair

Jennifer Smith
Secretary