

MINUTES  
**SENATE RESOURCES & ENVIRONMENT COMMITTEE**

**DATE:** Monday, March 23, 2015

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

**PLACE:** Room WW55

**MEMBERS PRESENT:** Chairman Bair, Vice Chairman Vick, Senators Cameron, Siddoway, Brackett, Heider, Nuxoll, Stennett and Lacey

**ABSENT/ EXCUSED:** None

**NOTE:** The sign-in sheet, testimonies and other related materials will be retained with the minutes in the committee's office until the end of the session and will then be located on file with the minutes in the Legislative Services Library.

**CONVENED:** **Chairman Bair** called the meeting of the Senate Resources and Environment Committee (Committee) to order at 1:30 p.m.

**MINUTES:** **Senator Siddoway** moved to approve the Minutes of March 11, 2015. **Senator Cameron** seconded the motion. The motion carried by **voice vote**.

**S 1169** **Senator Stennett** presented this legislation. She stated that in September 2013, an order was issued for members of the Big Wood and Little Wood Water Users Association, who are entitled to delivery of water from the Big Wood River below Magic Dam, having suffered from premature curtailment of delivery of the surface water rights. All the surface water rights are located in Water District 37 and are hydrologically connected to groundwater rights in the Wood River Valley aquifer system. Diversion from groundwater wells deplete the surface water flow in streams and rivers.

**Senator Stennett** said that in 1980, the Idaho Department of Water Resources (IDWR) issued a policy memorandum declaring surface water in the Big Wood River Basin, and its tributaries upstream from Magic Reservoir, as fully appropriated and no new water permits for consumptive purposes were issued. However, IDWR continued to issue water permits for the consumptive use of groundwater within the Wood River Valley aquifer system.

All this has precipitated the need for action and the groundwater users in the Bellevue Triangle, which is in the southern part of Blaine County, to begin the process of forming a groundwater district. A potential district is required to bond \$20,000 to hold an election for 125 people. The cost would deplete the initial investment in forming the district. **S 1169** changes Idaho Code § 42-5233 to allow a groundwater district to increase charges from \$1 per inch of water to \$3 per inch of water after it is formed so as to provide enough money for the district to afford its defense or mitigation of groundwater rights.

**Senator Stennett** said that the Idaho Water Resources Board, the Idaho Ground Water Appropriators, and the Idaho Water Users Association all support this bill.

**TESTIMONY:** **Mr. Albert Barker** testified in support of **S 1169**.

**TESTIMONY:** **Mr. Norm Semanko**, Executive Director, Idaho Water Users Association, also testified in support of **H 1169**.

**MOTION:** **Senator Brackett** moved that **S 1169** be sent to the floor with a **do pass** recommendation. **Senator Cameron** seconded the motion. The motion carried by **voice vote**. Senator Stennett will be the sponsor.

**ADJOURNED:** With no further business to come before the Committee, **Chairman Bair** adjourned the meeting at 1:50 p.m.

---

Senator Bair  
Chair

---

Juanita Budell  
Secretary