

MINUTES
HOUSE RESOURCES & CONSERVATION COMMITTEE

DATE: Wednesday, January 17, 2018

TIME: 1:30 P.M.

PLACE: Room EW40

MEMBERS: Chairman Gibbs, Vice Chairman Gestrin, Representatives Moyle, Raybould, Shepherd, Wood, Boyle, Vander Woude, Miller, Burtenshaw, Mendive, Youngblood, Kauffman, Giddings, Blanksma, Erpelding, Rubel, Jordan

**ABSENT/
EXCUSED:** Representative(s) Vander Woude

GUESTS: Mike Murphy, Eric Wilson, Dave Schwarz, and Todd Drage, Idaho Department of Lands; Tim Luke, Shelley Keen, and Mat Weaver, Idaho Department of Water Resources; Jonathan Oppenheimer, Idaho Conservation League; Logan Stanley, Miller/Kauffman Intern; Lynn Tominaga, Idaho Ground Water Association; Braden Jensen, Idaho Farm Bureau

Chairman Gibbs called the meeting to order at 1:30pm.

RS 25726: **Sam Eaton**, Legal Counsel, Office of the Governor, stated this proposed legislation will codify the existing Idaho Roadless Rule Implementation Commission that has been operating pursuant to **Executive Order 2014-5** for the last decade. **Chapter 8, Title 67, Idaho Code**, will be amended adding new **Section 67-826 Idaho Roadless Rule Implementation Commission**.

MOTION: **Rep. Wood** made a motion to introduce **RS 25726**. **Motion carried by voice vote.**

RS 25688: **Tim Luke**, Water Compliance Chief, Idaho Department of Water Resources, stated this proposed legislation amends **Section 42-605, Idaho Code** in three areas. The first change lengthens the period of time in which State Water Districts can hold annual meetings. The second change adds language clarifying absentee voting and proxy voting are prohibited. And, the third change removes unnecessary or duplicate language throughout this Section, and adds or revises some language, as necessary, to correct or clarify several subsections.

MOTION: **Rep. Gestrin** made a motion to introduce **RS 25688**. **Motion carried by voice vote.**

RS 25630: **Mathew Weaver**, Deputy Director, Idaho Department of Water Resources, stated this proposed legislation amends **Chapter 2, Title 42, Idaho Code, Section 42.233a Critical Ground Water Areas**. Mr. Weaver explained there are two types of statutorily designated ground water areas; ground water management areas and critical ground water areas. During the 2016 Legislative Session, **Section 42.233b** was amended to address ground water management areas by removing a September 1 curtailment order deadline and providing protections from curtailment for ground water users participating in an approved ground water management plan. This proposed legislation amends **Section 32.233a** in exactly the same way, so both statutes will have the same language.

MOTION: **Rep. Burtenshaw** made a motion to introduce **RS 25630**. **Motion carried by voice vote.**

RS 25629: **Shelley Keen**, Water Rights Section Manager, Idaho Department of Water Resources, stated this proposed legislation amends **Section 42.2210, Idaho Code** creating a flat filing fee of \$50.00 per water right rather than a sliding scale filing fee which could be hundreds or thousands of dollars. This flat filing fee should encourage water right holders to update their water right records to include updated legal descriptions of the point of diversion or place of use for a water right when no physical change is proposed and no unauthorized water use change has occurred.

MOTION: **Rep. Kauffman** made a motion to introduce **RS 25629. Motion carried by voice vote.**

RS 25609: **Mike Murphy**, Endowment Leasing Bureau Chief, Idaho Department of Lands, stated this proposed legislation strikes one line in **Section 47-704, Idaho Code** eliminating the ability for mining operators with new leases on state endowment mineral leases to credit annual rental payments against royalty payments. Elimination of this crediting option, which does not occur in any other endowment leasing program, would simplify mineral lease administration and associated costs for the State. The proposed change only applies to new mineral leases and does not effect existing leases under contract.

MOTION: **Rep. Blanksma** made a motion to introduce **RS 25609. Motion carried by voice vote.**

RS 25610: **Eric Wilson**, Resource Protection and Assistance Bureau Chief, Idaho Department of Lands, stated this proposed legislation will amend both the Idaho Dredge and Placer Mining Protection Act and the Idaho Surface Mining Act. The proposed changes eliminate the requirement for operators to submit mining exploration notifications to the Department by certified mail only. Instead, operators may notify in writing by regular or certified mail, email or other electronic means, or delivery in person.

MOTION: **Rep. Miller** made a motion to introduce **RS 25610. Motion carried by voice vote.**

ADJOURN: There being no further business to come before the committee, the meeting was adjourned at 1:57pm.

Representative Gibbs
Chair

Tracey McDonnell
Secretary