

SCR 137 IMPLEMENTATION STATUS REPORT

PREPARED FOR
NATURAL RESOURCES INTERIM COMMITTEE
BY
CLIVE STRONG AND NORMAN SEMANKO
OCTOBER 15, 2020



5/14/2019

WHAT IS THE ISSUE?

- HIGH FLOWS WERE DISALLOWED
- SALMON RIVER WILD AND SCENIC RIVER WATER RIGHT
- NEW IRRIGATION ON TRIBUTARY STREAMS
- CHANGED ADMINISTRATION
- CONVERSIONS FROM GRAVITY TO SPRINKLER IRRIGATION

SCR 137 DIRECTIVE

IWRB, WITH TECHNICAL SUPPORT FROM IDWR, IS TO WORK EXPEDITIOUSLY WITH LOCAL WATER USERS TO DEVELOP A COMPREHENSIVE SETTLEMENT THAT RESOLVES CURRENT TENSIONS AND CONFLICT THAT ARE THE RESULT OF COMPETING WATER SUPPLY DEMANDS IN THE LEMHI RIVER BASIN CONSISTENT WITH PAST PRACTICES, FUTURE NEEDS, AND IDAHO LAW.



COMPREHENSIVE SETTLEMENT GOAL

TO HARMONIZE IDAHO'S COMPETING DUTIES

- TO PROTECT EXISTING WATER RIGHTS,
 - TO SAFEGUARD THE PROVISIONS OF THE FOREST SERVICE SETTLEMENT,
 - TO ALLOCATE ADDITIONAL WATER RIGHTS,
 - TO CONSERVE, RESTORE, AND ENHANCE SUFFICIENT HABITAT TO SUSTAIN VIABLE FISH POPULATIONS, AND
 - TO ENHANCE THE FARMING AND RANCHING LIFESTYLE AND ECONOMY OF THE LEMHI RIVER BASIN.
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PROGRESS REPORT

- IWRB RETAINED CLIVE STRONG AND NORM SEMANKO TO FACILITATE DISCUSSIONS
- WATER USERS IDENTIFIED REPRESENTATIVES TO PARTICIPATE IN SETTLEMENT DISCUSSIONS
- THE WATER SETTLEMENT GROUP HAS MET FIVE TIMES AND IS SCHEDULED TO MEET AGAIN ON OCTOBER 23RD
- THE INITIAL MEETINGS FOCUSED ON DEVELOPING A COMMON UNDERSTANDING OF THE COMPETING DEMANDS FOR WATER IN THE LEMHI BASIN AND POTENTIAL SOLUTIONS
- THE PARTIES HAVE AGREED UPON GOALS AND OBJECTIVES

SETTLEMENT GOALS

1. **SCR 137 LEGISLATIVE DIRECTIVE:** “DEVELOP A COMPREHENSIVE SETTLEMENT THAT RESOLVES CURRENT TENSIONS AND CONFLICT THAT ARE THE RESULT OF COMPETING WATER SUPPLY DEMANDS IN THE LEMHI RIVER BASIN . . . CONSISTENT WITH PAST PRACTICES, FUTURE NEEDS, AND IDAHO LAW.”
2. **LEMHI BASIN BIOLOGICAL AND BUSINESS SETTLEMENT GOALS** – “CONSERVE, RESTORE, AND ENHANCE SUFFICIENT HABITAT TO SUSTAIN VIABLE FISH POPULATIONS WHILE PROTECTING PRIVATE PROPERTY RIGHTS AND PRESERVING AND ENHANCING THE FARMING AND RANCHING LIFESTYLE AND ECONOMY OF THE LEMHI RIVER BASIN.”

SETTLEMENT OBJECTIVES

- RESOLVE STATE AND PRIVATE OBJECTIONS TO PENDING APPLICATIONS AND PERMIT 74-16187 IN BIG TIMBER, LITTLE TIMBER, MILL, BIG EIGHTMILE AND EIGHTEENMILE BASINS.
- PROTECT HIGH FLOWS THROUGHOUT THE LEMHI BASIN CONSISTENT WITH THE LEMHI CONSERVATION AGREEMENT.
- PROTECT MINIMUM FLOW AND FLUSHING FLOW IN SELECTED TRIBUTARY STREAMS CONSISTENT WITH THE LEMHI BASIN BIOLOGICAL AND BUSINESS SETTLEMENT GOALS AND THE BASIN 74 SEPARATE STREAMS GENERAL PROVISION.
- PROVIDE FOR FUTURE DEVELOPMENT OF NEW WATER RIGHTS CONSISTENT WITH OBJECTIVES A. – C. ABOVE, AND THE WILD AND SCENIC SUBORDINATION PROVISIONS.
- MINIMIZE ESA RISK TO WATER USERS TO THE EXTENT PRACTICABLE.
- DEVELOP RECHARGE PROGRAM

NEXT STEPS

- DEVELOP A SETTLEMENT FRAMEWORK
- DRAFT A SETTLEMENT AGREEMENT BEFORE END OF 2020
- IF NECESSARY, PREPARE LEGISLATION
- REPORT BACK TO THE LEGISLATURE

CONCLUSION

