

MINUTES
HOUSE RESOURCES & CONSERVATION COMMITTEE

DATE: Monday, February 15, 2021

TIME: 1:30 P.M.

PLACE: Room EW40

MEMBERS: Chairman Gibbs, Vice Chairman Lickley, Representatives Moyle, Wood, Boyle, Vander Woude, Gestrin, Mendive, Kauffman, Blanksma, Addis, Moon, Manwaring, Okuniewicz, Yamamoto, Rubel, Davis, Mathias

**ABSENT/
EXCUSED:** Representative(s) Kauffman

GUESTS: Paul Kline, Idaho Department of Fish and Game; Emily McClure, Riley Stegner

Chairman Gibbs called the meeting to order at 2:00pm.

Chairman Gibbs announced **Rep. Young** requested **RS 28581** be pulled from the agenda. Additionally, due to the late start of the meeting, the order of business will be different from the agenda.

MOTION: **Rep. Mathias** made a motion to approve the minutes of the February 9, 2021 meeting. **Motion carried by voice vote.**

RS 28555: **Rep. Lickley**, District 25, stated this proposed legislation amends **Idaho Code 42-1409 and 42-1411** to create a presumption that (1) the priority date for stockwater rights is the date of the original federal grazing authorization and, (2) the current base property relates back to the base property associated with the original federal grazing authorization. She indicated this proposed legislation also amends information required to identify the legal description of stockwater rights on federal grazing allotments.

MOTION: **Rep. Blanksma** made a motion to introduce **RS 28555**. **Motion carried by voice vote.**

RS 28566: **Emily McClure**, Attorney and Lobbyist, Riley Stegner and Associates, stated Idaho's recreational access laws encourage private landowners to grant public access to their property for recreational purposes. While most recreational users behave responsibly, occasionally a member of the public causes substantial damage to gates, fences, crops or other areas closed to motor vehicles. This proposed legislation would clarify when a landowner enters into a recreational access agreement with the Idaho Department of Fish and Game, and both the landowner and the Department agree to certain restrictions on motorized vehicles, the Department will have the authority to enforce those restrictions, as long as recreational users are given notice of the restrictions. Notice includes posting on the property stating there are motor vehicle restrictions as well as posting the details of the restrictions on the Department's website and at the nearest regional office.

MOTION: **Rep. Wood** made a motion to introduce **RS 28566**. **Motion carried by voice vote.**

RS 28569: **Rep. Horman**, District 30, stated this proposed legislation calls on the Federalism Committee to study the impact of the United States Government's Payment in Lieu of Taxes (PILT) program in Idaho. She explained the Committee shall pilot technologies providing an objective standard to evaluate and appraise federal lands in real time to determine the fair taxable reimbursement value of federal lands.

MOTION: **Rep. Addis** made a motion to introduce **RS 28569**. **Motion carried by voice vote.**

Chairman Gibbs put the committee at ease at 2:13pm to wait for the sponsor of the remaining legislation on the agenda.

Chairman Gibbs resumed the meeting at 2:28pm.

- RS 28465:** **Paul Arrington**, Executive Director, Idaho Water Users Association, stated this proposed legislation will provide a streamlined process to adjust canal company boundaries where there is no increased use and no injury to other water rights.
- MOTION:** **Rep. Wood** made a motion to introduce **RS 28465. Motion carried by voice vote.**
- RS 28466:** **Paul Arrington**, Executive Director, Idaho Water Users Association, stated this proposed legislation amends **Idaho Code, Section 42-204**, to provide that the Idaho Department of Water Resources may extend the time required for development of a water right to accommodate delays caused by litigation relating to the land or water development and to clarify that a 10-year extension of development for a water permit may be granted for multiple permits relating to a common diversion or distribution system.
- MOTION:** **Rep. Blanksma** made a motion to introduce **RS 28466. Motion carried by voice vote.**
- RS 28467:** **Paul Arrington**, Executive Director, Idaho Water Users Association, stated this proposed legislation amends **Idaho Code, Section 42-248**, to provide notice of water right ownership changes to landowners in circumstances where the water rights used on the land are owned by a third party to remove outdated provisions and to improve readability. He noted, clarifying a change in ownership in the records of the Idaho Department of Water Resources is not a determination of ownership and it is not an administrative action subject to challenge.
- MOTION:** **Rep. Blanksma** made a motion to introduce **RS 28467. Motion carried by voice vote.**
- RS 28533:** **Paul Arrington**, Executive Director, Idaho Water Users Association, stated this proposed legislation enables Flood Control Districts to approve annexation petitions filed by land owners whose lands are not contiguous to the District's existing boundaries.
- MOTION:** **Rep. Lickley** made a motion to introduce **RS 28533. Motion carried by voice vote.**
- ADJOURN:** There being no further business to come before the committee, the meeting was adjourned at 2:38pm.

Representative Gibbs
Chair

Tracey McDonnell
Secretary