

COMMITTEE OF NINE MEETING

Littletree Inn, Teton Room, Idaho Falls

10:00 a.m. - March 20, 1981

A G E N D A

- 1) Meet with the Governor
- 2) 1981 Budget and Drought Emergency Fund
- 3) 1981 Rental Policy
- 4) Other new business



SCANNED  
JUL 26 2023

## STATUS OF LEGISLATION

### SENATE BILLS

S-1076 - ADJUDICATION OF WATER RIGHTS - QUIET TITLE ACTIONS - Bill has been replaced by S-1194 in Senate Resource and Environment. Up for third reading in the Senate.

S-1169 - INDIVIDUAL LEASE OF WATER TO UTILITY - Would allow private individuals to lease water to an individual utility for one year by submitting a brief application to the Director, Idaho Dept. of Water Resources. Up for second reading in Senate March 18.

S-1219 - STREAM CHANNEL SUSPENSION - Act suspending the stream channel protection act for one year in Senate Finance Committee. Introduced in Senate March 18.

S-1196 - CONDEMNATION BILL - Amendment of statutes to require person condemning into an existing facility to pay proportionate share of the then value of facility. In Senate Resource and Conservation Committee.

### HOUSE BILLS

HB 253 - CHANGE IN NATURE OF USE OF A WATER RIGHT - Would provide for an administrative change in nature of use of a water right up to 50 cubic feet per second or 5000 Acre-feet. Without approval of the Legislature has been amended in House to provide that changes for up to 3 years can be made by the Director without Legislative approval. Went to the floor of Senate March 19.

HB 317 - GIVES OWNER OF IRRIGATION SYSTEMS PREFERENCE IN INSTALLING HYDRO POWER FACILITIES - Passed the House and was amended in Senate.

HB 318 - WATER BOARD BONDING BILL - Passed both Houses and has been sent to Governor.

SNAKE RIVER EXCESS STORAGE USED - 1980

<u>USER</u>	<u>AMOUNT AF</u>
V. Hobson	16
M. Osborn	267
Parsons Ditch	1,539
Riverside Ditch	305
A. Butikofer	19
W. Ward	5
Yorgensen (Gray)	87
Bear Island	111
A.E. Martin (Offutt)	122
N. Fullmer	14
O. Ellsworth	114
J. Maupin	11
B. Covington	96
Idaho Fresh Pac	126
N. Taylor	15
J. T. Jones	131
Clark & Edwards Canal	996
Cheney Canal	73
Steele Canal	321
Butler Island Canal	517
G. Hickman	13
T. Lott	62

3/19/81

1981 RENTAL

Water supplied to rental pool . . . . .	20,000 acre-feet
Rental requests received to-date . . . . .	23,138 acre-feet

FORMULA

Definitions:

Sp = Space holder payback

Rc = Annual reservoir O & M + construction

A<sub>5</sub> = Five-year average total storage use

i = inflation factor

N<sub>5</sub> = Five-year average <sup>total</sup> ~~natural~~ flow delivered

AF = Acre-feet leased

$$Sp = \left[ \frac{(Rc)}{A_5} + (3^{00} + i) \frac{A_5}{N_5} \right] AF$$

$$Sp_{81} = \left( \frac{594426}{1629400} + (3^{00} + i) \frac{1,629,400}{7,570,000} \right)$$

$$Sp_{81} = .36 + (3.00 + 0) \times (.21)$$

Space holder and lessor shall share the \$ .50 administrative charge. Therefore, the total 1981 rental price will be \$1.25.

$$Sp_{81} = .36 + .64 = 1.00 - .25 = .75$$

## Upper Snake Water Bank Rules and Regulations

Rule 1. A rental committee composed of three members of the Committee of Nine and the watermaster shall be appointed by the chairman for the following purposes:

1. To determine general policies regarding rental water not covered by the adopted rules and regulations.
2. To assist the watermaster in the allocation of rental water.
3. To consult with the watermaster on ways to most fully utilize available storage water.
4. To advise the Committee of Nine on rental activities.

Rule 2. The operation of the "Water Bank" shall be consistent with the statutes creating the Water Supply Bank and the Rules and Regulations of the Water Resource Board.

Rule 3. Water accepted into the water bank is on a contingency basis with payments to be made to the lessor only if the water is subsequently leased from the water bank.

Holders of space in Palisades Reservoir or in any other reservoir may notify the Upper Snake River Watermaster by July 1 of each year of water they designate as available for rental from the Water Rental Pool for that year's irrigation season. All such holders will share proportionately in the proceeds from the rental of all or any part of the water offered by July 1 for use in that year.

Holders of space in Palisades Reservoir or other reservoirs who notify the Upper Snake River Watermaster after July 1 of any year of water they desire to designate as available for rental from the Water Rental Pool for that year's irrigation season shall share proportionately in the proceeds from the rental of all or any part of the water rented which was designated for rental after July 1 of that year.

All of the water designated for rental before July 1 of any year will be rented before any of the water designated for rental on or after July 1 will be rented.

The lessor shall be entitled to receive payment for the percentage of his water rented from the water supply bank according to the following formula:

FORMULA

Definitions:

Sp = Space holder payback

Rc = Annual reservoir O & M + construction

A<sub>5</sub> = Five-year average total storage use

i = Inflation factor

C<sub>c</sub> = Average canal O & M

N<sub>5</sub> = Five-year average total flow delivered

AF = Acre-feet leased

$$Sp = \left[ \frac{(Rc)}{A_5} + (C_c + i) \frac{A_5}{N_5} \right] AF$$

Rule 4. Any water available through the water bank shall be provided on a priority according to the following priorities:

a. First priority in the rental of available water shall be given to those water users owning rights in the various storage reservoirs of the Water and Power Resources service in the Snake River Basin above Milner Dam.

b. Second priority in the rental of available water shall be given to other irrigation water users in the areas of beneficial use described in the licenses issued by the State of Idaho for use of the waters from the storage reservoirs described in (a) above.

c. Priority among water users of each priority listed in (a) and (b) above and who execute leases to rent water during an irrigation season shall be determined by the date on which that water user's executed lease is received at the office of the Upper Snake River Watermaster at Idaho Falls, Idaho; the earlier in the year the executed lease is received by the watermaster, the higher priority in that priority group the entity will receive.

d. Any water user having once initiated a lease agreement may request water in subsequent years by confirming, in writing, that all of the information on the original lease

is true and correct and identifying the amount of water he wishes to lease.

e. A \$0.25 per acre-foot charge shall be added to the price calculated using the formula in Rule 3 above. This shall be the price charged those renting water from the bank with the exception noted below. The lessors pay-back calculated using the formula in Rule 3 shall be reduced by \$0.25 per acre-foot. The monies thus generated shall cover the water district's costs in administering the rental program and to make improvements within Water District No. 1 that will assist the watermaster in improving accuracy in allocating, accounting, and delivery of stored water. This improvement fund shall be managed and maintained by the watermaster of Water District No. 1 but disbursements from the fund shall be made for improvements authorized by the Committee of Nine. The Committee of Nine may designate up to \$0.15 per acre-foot to go to the Water Resource Board for the purposes as outlined in Rule 6.2 of the Water Supply Bank Rules and Regulations adopted by the Idaho Water Resource Board.

f. Any water not leased by August 15 may be provided to the highest bidder for such uses as may be determined beneficial by the Committee of Nine. Any lease of water which shall result in a price in excess of that calculated using the formula in Rule 3, plus administrative charges, shall be used for the general benefit of the water users in Water District No. 1.