

MEETING MINUTES  
WATER DISTRICT #65 AND PRWUA

A joint meeting of W.D. #65 and the PRWUA was held July 19, 1995, 8:00 PM at the Payette County Court House because of construction at the "office".

The meeting was opened by Chairman Brick Andrew, who introduced guests Jerry Gregg, Rick Wells, Ted Day, Jim Fodrea of the U.S. BOR, Sheryl Howe and Dave Tuthill of the IDWR and Keith Anderson of the PRWUA. Others present were Karl Siller, Gail Springer, Keith Standley, Cecil Shurtleff, Dale Krause, Helen Bivens, Virgil Johnson, Robert Henggeler, W.L. Bill Chartier, Duane Vanleuven, W. Brick Andrew, Chairman W.D. #65, Mark Limbaugh Water Master W.D. #65 and Marcia Herr, Sect'y.

Chairman Andrew accepted the minutes as presented in written form with no objections from those present.

Mark Limbaugh, W.M. W.D.#65 presented the financial statement and budget analysis of W.D. #65. He stated that the District is within budget and percentages of what had been allocated for the remainder of the year. He pointed out some possible revisions in relation to telephone expenses, legal expenses, O&M on the river guage, interest expenses (interest which is paid to renters for water that is not used but reserved with payment).

Initially, the changes were going to be accepted. Following some discussion the decision was made to wait to approve the changes until the next meeting.

Mark Limbaugh then presented some charts depicting flows from this year and previous years and when the system will go on storage.

Mark suggested that it would be cost effective to sign on to the Internet. The cost is \$29.00/month. Benefits include 150 hours of time for computer use on a local phone line and it will eliminate long distance calls to IDWR, Hydromet and will give E-Mail capability. Cecil Shurtleff Moved and a second by Keith Standley to approve this item of business. Motion carried.

The next item of business was W.D. #65 becoming a member of IWUA. Dues are 1/4 of 1% of gross assessments for W.D. #65. That amount is \$175.00. Benefits include representation of water users by the director of the IWUA TO THE STATE LEGISLATURE, educational seminars, news letters and the principle of a united group when water users are confronted with rapidly changing regulations. Keith Standley moved and a second by Duane Van L. Motion Carried.

The next item of business was presentation of requests by four companies and one family to lease water to the water bank.

1. Carol MacGregor and Children for 880 A.F. for in basin use. Motion by Keith Standley, second by Dale Krause. Motion carried.

2. Emmett Irrigation District - 11,882 A.F. of Lake Reservoir Company Storage Water for in basin use only until September 1, 1995. If it is not used by then it is to revert to E.I.D. for use in their district.

Also, it will not be subject to the last to fill clause. This is different from the Rental Pool procedures. Normally it would be in the bank until 12-31-95. There was considerable discussion about the wording of the contract and if it could be changed to a standard one once this request has been approved. The consensus was that E.I.D. could change the contract if they wanted to do so. Motion by Keith Standley and a second by Bob Henggeler to approve. Motion carried.

3. The next three leases are similar except in amounts. They are Farmers Coop. for 20,000 A.F., Noble for 7,500 A.F. and Lower Payette for 10,000 A.F. The water is first for irrigation needs and secondly for salmon flows. Jerry Gregg commented that the July 15th date has passed and this water can be used for flow augmentation. Dave Tuthill commented that it is true the deadline has passed, but that he was concerned that there were probably irrigators who would like to rent water but are not aware of it yet. They need to be informed, so that they can make their request from the rental pool. As soon as B.C.I.D. goes on storage, every water user later than 1938, including all pumpers go on storage. They will need to make their request by 9-1-95. Mark will notify by letter the importance of irrigators requesting their additional water by 9-1-95. Jerry Gregg commented that should the anticipated amounts of water not be available, the BOR has the flexibility to put water in to cover the needs of the irrigators.

Cecil S. asked when the fish water will go down the river. Jerry G. replied that the Boise and Upper Snake water is going down now and that approximately 10,000 A.F. from the Payette System will go down this summer and the rest after Dec, 10th. Cecil continued by saying that Farmers, Noble, and lower Payette want to put their Lake Reservoir water in the Water Bank and expressed concern that there would be enough space in the reservoir to replace what goes for flow augmentation. Jerry G. stated that as long as the amount brought down from Lake Reservoir does not exceed their Cascade contract amounts, they could ask for an exception to their contract. The water companies have to present a written request to the BOR for a temporary holdingspot for Lake Reservoir water in Cascade Reservoir being sent to out of basin use. After this extended discussion, Bob H. Moved and a second by Duane VanL. to accept. Motion carried.

Mark L. stated that there had been a request prior to July 15th for 110 A.F. for in basin use and 70,000 a.f. for out of basin use.

Jerry G. stated that the Water Master made a request in writing that all water orders including BOR orders will be routed through the Water Master. The BOR affirms this request, but reserves the right in extreme emergencies to act on their own.

Chairman Andrew spoke about the need to replace Jay Sisler who died in a farm accident. We are all saddened by his death. Keith Standley stated that he approached Mrs. Sisler about replacing her husband on the advisory board. She has consented at this time until the annual meeting.

Next item of business was the Flood Control Rule Curve. Rick Wells stated that the water supply is 25% above average. This year is similar to 1993 with much spring precipitation in April and May. There has been a delayed and prolonged run off. The natural flow has held up longer than 1993. There is a little over three times as much water as 1994. Deadwood Res. has followed the same pattern as Cascade Res.

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The water year for 1995 began on October 1, 1994. There was a minimum release of 200 CFS. The reservoir began gradually to gain water in January through March. Beginning in April they began flood control releases of 2000 CFS and then increased to 2300 CFS which is the Power Plant capacity and kept it at 2300 CFS throughout the latter part of April, May and early June. There was a maximum release of 3800 CFS out of Cascade. The reservoir filled on the 20th of June. They then adjusted the releases to pass inflow and maintain the reservoir at capacity for the last month. One of their guidelines is to keep the Horsehoe Bend flow below 12000 CFS.

Deadwood Policy is to fill and spill. The minimum release is 50 CFS until early June. When the reservoir reached capacity, it flowed over the spillway. Maximum flow increased to 1200 CFS and then dropped off naturally to about 370 to 400 CFS at this time.

They try to keep the reservoirs balanced at about 80% in Cascade and 20% in Deadwood, with approximately 120,000 AF in Deadwood and 500,000 AF in Cascade at the end of the season. This will vary some. Rick W. stated that they take more water out of Deadwood physically than out of the accounts, but that those releases are kept track of through water accounting at IDWR. The BOR usually has a stable steady release out of Deadwood 600 - 800 CFS. As the irrigation demand increases or decreases, the adjustments are made in Cascade. At the end of August or early September, Deadwood is shut down at the minimum release (50 CFS). Cascade releases are brought up to meet the irrigation demands.

#### PRESENTATION OF TED DAY BOR.

Currently the rule curve requirements call for 280,000 AF of space to be made available by November 1 and carried over to April 1. However, the operation is informal and as the season progresses, there is the flexibility to make some changes. Of the 280,000 AF, 80% is to be held in Cascade and 20% in Deadwood. The objective of the winter flood space is to provide adequate room in the reservoirs to store all inflows during a sudden winter flood event caused by unseasonably warm weather and rain on snow or frozen ground. One such event of record occurred in December of 1964. Mr. Days presentation included a proposal of about 500,000 AF as compared to the current carryover of 429,000 AF. The opportunity of filling the reservoirs with 500,000 AF of carryover is greater than at the current amount of 429,000 AF. Because of limited space in these minutes, more complete and accurate information is available through the BOR of from the Water Master.

Keith Anderson commented that in the past there have been many releases from Cascade in excess of the Idaho Power Water Right of 200 CFS in the November to March periods. Recently, it has been better. He asked if it would be desirable to say that that water right would be the maximum release for the first couple of months until the first forecasts are available. Jerry Gregg replied that Cascade and Deadwood have different authorization than some other reservoirs. Deadwood was originally authorized for hydropower to provide water for Black Canyon power plant in the fall when natural flow dropped below 1800 CFS. Later, E.I.D. wanted irrigation water and that was granted. Cascade had similar authorization for irrigation and hydropower. In the early operation, from the 1950's to the 1970's, the non-contracted water was released for power from July on. Now Reclamation has committed 380,000 AF of the non-contracted water for in-lake purposes.

Flexibility in the flood control curve is desired. The objective of

adjusting the flood control rule curve is to provide protection. During the lengthy discussion, Dave Tuthill commented that some factors that contribute to the releases in December that are not based on the rule curve, i.e. fish water, should be documented along with the proposed rule curve.

Jerry Gregg proposed that the ideas be tried for a couple of years to see how they work. Bob Henggeler requested that this proposal be put in writing.

Jerry Gregg then spoke about Reclamation's commitment to provide 427,000 AF annually from the Upper Snake for salmon smolt in response to the NMFS biological opinion and recovery plan.

48,500 AF from the Boise River - 400 CFS/day from 7/16 - 9/15.  
224,853 AF from non-contracted water above Milner (rent or lease).

145,000 AF from the Payette System (later on in the year).  
95,000 AF of non-contracted water  
50,000 AF rental

The BOR gained 37,000 AF in rental tonight (7/19), but still need 21,647 AF to make up the difference. He proposed to dedicate non-contracted water out of Deadwood with the caveat that if irrigation districts later in the year want to substitute their water, they would to the best of their ability accommodate them. However, in regard to payment, some would be in September and the rest by October 1st. He stated that the money would be in the bank before the water was moved. This request will be put in writing to the Water Master. Mr. Gregg asked the water district to approve this tonight. The Districts will need to put their water in by October 15th. Mark L. brought up the timing in regard to sending the water in December because of the authorization being void after January 1 even though the water was purchased in 1995. Dave Tuthill added that the BOR would have to have new authorization for use of the water after January 1. The motion for this was made by Bob Henggeler and a second by Cecil Shurtleff.

Dave Tuthill spoke about the Transfer Applications filed by the BOR. He explained the schedule of events related to the application and also that the Director of the IDWR, Karl Dreher, will be the hearing officer. Mr. Tuthill stated that there were 80 timely protests and 8-10 late ones. These will be considered interventions with both being considered together. The Department is requesting Parties of similar interests to combine and informal resolution be discussed between the Parties.

The schedule for the hearings is:

Aug. 9th Pre-hearing conference

Aug. 16th Pre-trial exhibits to reduce the need for discovery  
(requested by the BOR)

Sept. 13th Discovery requests for additional information are due.

Sept. 27th Completion of Discovery

Oct. 11th All prepared exhibits and testimony must be filed.

Oct. 23-27 Hearing for this preparation.

Nov. 10th Post hearing briefs are due.

Dec. 8th Decision is due so that it can go before the legislature during the coming session in early 1996.

Bob Henggeler raised the question of transferring \$2500 from the legal fee section in the budget by writing a check to the PRWUA. Dave T. said that the IDWR suggests that the W.D. not provide legal funds for participation in overall legal matters. However, some of the research that was done

for the PRWUA, i.e. flows etc, benefited W.D.# 65. Motion made by Bob H.  
and Seconded by . Motion carried.

At this point Chairman Andrew thanked the guests for coming and excused them.