

WHISKEY CREEK 13s WATER MEETING

17 March 2008

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Department of Water Resources  
Eastern Region

Conducting: Max Nichols

Meeting called to order 11:00 a.m.

Members Present: Mike Tingey, Steve Tingey, Max Nichols, Teri Nichols, Marlow Mickelson, Paul Mendenhall and Frank Swenson.

Visitors Present: Kent Clegg, Gene Bennett, Keith Bitton, Tom Bassika – Idaho Dept of Water Resources, Mark Stenberg – PacifiCorp.

Business: Mike Tingey made a motion to retain Max Nichols as chairman, and Teri as Sec. Motion was seconded by Paul Mendenhall and passed by all members.

Proposed Budget: Frank Swenson made a proposal for \$280 to be paid to the county. Motion was seconded by Steve Tingey, voted on and passed.

Advisory Committee: To include three members – Frank Swenson, Marlow Mickelson and Paul Mendenhall. Motion by Steve Tingey, seconded by Mike Tingey. Voted on and passed.

Assessment: The 2007 assessment was \$10 per inch and those who have paid this amount to date are: Marlow, Steve, Mike, Frank, Charles Barlow, Max and Nathan Hale. We encourage others to pay and new invoices will be sent to those concerned. The same assessment will be made for 2008.

The debt of \$22,000 on the Mendenhall Ditch will be retired this year through one additional assessment to all owners. Paul made a motion to get the exact amount payable from the bank and adjust the amount of assessment per inch accordingly. Motion was seconded by Marlow.

The Mendenhall Ditch will be piped for 4,900 ft. as soon as weather permits. The pipe has been delivered.

Any further problems on the ditch will be directed back to this group to discuss a solution.

Water Rights: All owners need to bring water rights current. This needs to be done this year if possible.

Kent Clegg – Presentation of status of alteration on Whiskey Creek:

Kent introduced Mark Stenberg of PacifiCorp and Tom Bassika of the Department of Water Resources. A visual presentation was supplied by Mark Stenberg.

Kent stated that all impacted and adjacent property owners will receive information on the proposed plans by the DWR and the Corps of Engineers for feedback from these owners. If the response is positive, they will be able to go forward with the work on the project.

Kent said plans have been changed from raising the headgate 18" and will now be done with a natural gradual incline.

Frank Swenson expressed concern regarding the Hatchery's responsibility of the present condition of Whiskey Creek. The creek was beautiful in the 1960's and the hatchery needs to accept some responsibility of silt discharge. There are questions we have about water quality reports, nutrient load and how many fish were killed in December of this past year by the hatchery. Frank continued that a fish count was taken by the fish hatchery from the headgate to the river and they were amazed how small the fish were.

Kent replied that a lot of silt also comes from the cows as well as the hatchery. Frank wanted to know why, then, for 50 years has the stream been clear before the hatchery came. Kent stated that the DEQ is checking on the fish hatchery.

Max said whatever is done must not occur during irrigation season. He also inquired whether or not this project from the headgate to the Bear River is for a private fishery or for the public as well.

Mark, PacifiCorp, said their interest is based on contracts to run hydro projects. Our interests would be two-fold: first to involve water quality and secondly, the restoration of cutthroat trout.

For the next 30 years PacifiCorp will provide grant funds. Mark said that Kent came to us about this and we are looking into these. PC will fund the Fish and Game to provide brood stock. He said others, too, may get involved in these PC projects through stream bank work, alternate watering supplies as well as other cattle projects. Others like Cub River and Ovid have received help from PC.

Mark said that PC has put out 1.5 million dollars in the last three years and that they anticipate allotting \$100,000 to the Fish and Game over the project. Max asked if vegetation along Whiskey Creek banks would qualify. Marlow is concerned about fencing problems as well.

Tom said F&G main concern is temperature of water as it enters Bear River. Paul asked if the F&G will be responsible for silt and its removal. Tom will look into that but the F&G is a separate entity.

Kent stated if the permit is granted they will do nothing until irrigation is over and then they will work around the diversion point. Paul asked whose liability it would be if the water drops off. Tom stated the land owner is responsible which could result in civil action, however, it is our <sup>hope</sup> to gain water rather than lose it.

Kent said we will work around lava rocks and travertine to prevent losing water. Tom said it was his intention to issue the permit that Kent has requested and that permits in the future for cleaning the sediments from the hatchery would require only a state permit. Tom further said he had heard enough about the fish hatchery and the sediment and will look into the matter. He also stated any filtration would be done by the landowner i.e. Nathan Hale.

Max said if the irrigation season ends early, we will coordinate with Kent so he can start his project. Kent said there was a need to change a power line for his pivot. It was determined that he should coordinate with Marlow and Frank to resolve the problem.

Meeting was adjourned at 12:45 p.m.

*W. P. Nicholas*