



December 7th, 2021 Meeting Minutes

Meeting took place at the New Meadows Community Center from 11:00am - 3:00pm with 18 virtual and 12 in-person participants. Captured minutes are from group discussions and presentations. The recorded presentation is available on the [LSRWC Website](#).

Collaborative Development – Ratifying Collaborative Purpose and Goals

- Overview of Consensus: try to satisfy the interest of all parties involved
 - How would the group like to identify consensus? Majority, super majority (75-80%), unanimous?
 - Requires participation
 - Disagreements should be respected and highlight an area that needs to be resolved

- The fivepoint finger scale
 1. Finger: Endorsement (I like it)
 2. Fingers: Endorsement with a Minor Point of Contention (Basically I like it)
 3. Fingers: Agreement with Reservations (I can live with it)
 4. Fingers: Formal Disagreement, but Will to Go with Majority (I want my disagreement denoted in writing, but I'll support the decision)
 5. Fingers: Block (I won't support the proposal)

- Groups break out to discuss the Collaborative's written purpose and make any edits needed. It is currently written as follows:

“The goal of forming the Little Salmon River Watershed Collaborative is to improve water quality in the Little Salmon River through:

 - Engaging stakeholders across disciplines and land ownership boundaries
 - Discussing comprehensive issues affecting water quality
 - Craft potential solutions

The end product of this collaborative includes drafting a list identifying specific actions, interested parties, and resources to improve water quality in the Little Salmon Watershed.”

- Group 1: Wes Keller, Aaron Humpherys, Phil Obendorf, Al Becker, Scott Storms
 - Currently water quality is a priority but we should also add quantity.
 - Preserving existing water rights is also the goal of this collaborative effort.

- The purpose should include finding future efficiencies.
- The collaborative aims to preserve core values of the Little Salmon Watershed.
- The hope is for win-win solutions through compromise that keeps everyone whole.
- The collaborative needs to be cognisant of how development happens in the area and what impacts it will have on the watershed.
- We can look to the Adams County Comprehensive Plan for regulated and focused growth. The Wilks brothers are looking at how Adams County ordinances can be crafted for future development plans
- Group 2: Lynn Oliver, Lance Holloway, Jared Everson
 - There should be more information that explains why local landowners should participate in the collaborative.
 - We should discuss the role of the agencies versus the role of the landowners.
 - Do you want to take the resources of your agency staff and have a technical advisory group that works hand in hand with the collaborative? Agencies should be supporting the process and not guiding it.
- Group 3: Sandra Mitchell, Joe Peterson, Stacy LaFay
 - Can we identify the specific aspects of water quality that we would like to improve instead of a vague statement saying there is an issue. The data should be available to us
 - Wes: Would wanting all tributaries and rivers to not have any Total Daily Maximum Loads for things like temperature and E. coli which we know from Lance Holloway's first presentation be good wording for the goals?
 - Yes, the reports in plain English would be a good start to get people to buy in.
- Group 4: Bill Lind, Marcie Carter, Craig Johnson, Clayton Nalder
 - Overall we were fairly happy with the purposes but after listening to the other groups there are some things we agree to add.
 - All 4 in this group are on the agency side and do not believe we should have a vote in decisions. There should be an abstain option for agency folks to remain unbiased.
- Group 5: Randy Fox, Josh Poole, Naomi Anderson, Kyla Gardner
 - The purpose statement could use clarification by listing some of the actions in the end product that we want to get to, such as lowering water temperature and reducing sediment load.
 - A story map could help visualize restoration potential

Recap:

- Defining roles for agency folks and stakeholders
- Framing in the context of potential gains
- Framing in the context of future development

- Acknowledging compromise
- A progress map would help

Wes: We would like to talk with members from the previous Watershed Advisory Group to understand the findings and work that was done when it was first established. If anyone has a contact that they can share, it would be greatly appreciated. We still do not fully understand what the outcomes were from the Watershed Advisory Group.

Gary: Our next meeting is scheduled for January 11th from 7:00pm - 9:00pm. Does this meeting time still work for in person and zoom hybrid?

- Yes, intend to keep the meeting as is for now and continue to get feedback on meeting times to best fit stakeholder needs.

Water Rights Overview and Ditch Delivery Systems in Upper Little Salmon River Drainage

Scott Storms Idaho Department of Water Resources

- A water right is the right to divert public waters and put them to a beneficial use in accordance with one's priority date. Idaho Constitution Article XV and Idaho Code 42.
- Typically once a water right is established, it becomes an inheritance on the land it was established on.
- Components of a water right:
 - Water Right Number: the basin number followed by a tracking number
 - Owner: Ownership does not automatically transfer with land purchase. It is on the new landowner to submit transfer paperwork to the correct departments to establish their legal use of the water right.
 - Priority Date: Older dates have seniority. In years of low water, the senior water right owners get to use their full amount first which may result in junior water rights holders not receiving water.
 - Basis: How the water right was established. A court process to establish all the rights in the whole basin that have been licensed and decreed.
 - Source: What public water way, in its natural source, is the water right dependent on?
 - Beneficial Use: Intended use of the water right. There are a multitude of different uses and one right can list several options.
 - Season of use: time of year that the water right can be utilized. April 1st through October 31st are the typical use periods.
 - Diversion Rate: rate at which the water right can be diverted from the natural source
 - Volume: Standards per region are based on acre feet..
 - Point of Diversion: Described down to a 40 acre or quarter-quarter section using the public lands survey system but doesn't necessarily describe exactly where that point is. There is more precise Geographic Information System data detailing where it's at, but this is the legal description of the location. It is always where the water is diverted from the natural point, not where it is diverted off of a ditch.

- Place of Use: Describes how many acres are allowed to be irrigated within each quarter-quarter. It does describe exactly where that water right is to be utilized.
- There can be a suite of water rights that cover an area, so there may be an acre limit depending on what the water is being used for in a particular year.
- Conditions of Approval: If locks are necessary, any combined rights, any other requirements.
- Storage Rights
 - Biggest difference is how they are described in rate and volume. Stream storage water rights for a reservoir do not get a diversion rate because it is an impoundment on the stream and not a rate, so it is strictly described as a volume.
- Diversions
 - Goose Lake - Goose Creek
 - 3 Water rights associated with a total storage of 6,550 Acre Feet (AF) per year
 - Twin Lakes
 - 1 water right of 700 AF
 - Brundage Reservoir - Brundage Creek
 - 3 Water rights associated with a total storage of 6,875 AF per year
 - Campbell Ditch
 - 49 water rights for a total authorized rate of 77.76 cubic feet per second (CFS)
 - South End Ditch
 - 36 water rights for a total authorized rate of 35.25 CFS
 - White, Jennings, Abshire-Moore & Mitchell-Snyder Creek
 - 50 water rights for a total authorized rate of 23.45 CFS
 - Estabrook-Bryden & Looney Canal
 - 26 water rights for a total authorized rate of 12.67 CFS
 - Wilson Ditch from Campbell Swamp
 - 2 water rights for a total authorized rate of 4.46 CFS
 - Riggs-Wyman Ditch
 - 9 Water rights for a total authorized rate of 14.13 CFS
 - Arthur-Fulsom Ditch
 - 24 water rights for a total authorized rate of 6.10 CFS
 - West Side Ditch
 - 15 water rights for a total authorized rate of 8.95 CFS
- Minimum stream flow rights were established by the Idaho Water Resource Board on April 1st, 2005. The rate of minimum flow changes seasonally.
 - 52.7 CFS can be put to beneficial use before being curtailed by the minimum stream flow water right. Only non-domestic, commercial, municipal, and industrial can be curtailed. For more information see this [link](#).

Links provided by Scott Storms:

IDWR Main Website:

<https://idwr.idaho.gov/>

Overview of Water Rights:

<https://idwr.idaho.gov/water-rights/overview/>

Water Rights Search Tool:

<https://research.idwr.idaho.gov/apps/waterrights/wrajsearch/wradjsearch.aspx>

IDWR Map Interfaces:

<https://data-idwr.opendata.arcgis.com>

Water Right Finder Map Interface:

<https://maps.idwr.idaho.gov/agol/WaterRightLocator/>

Questions and Discussion

Q: Can you elaborate on what you mean by decreed water?

A: Decree means it has gone through a court approved adjudication process. It requires a submitted claim with the beneficial use and original right date. It essentially gives it legal standing.

Q: How do they show the date of priority of the right?

A: Usually it is through historical documents such as the Bureau of Land Management Homestead Surveys. Also established through affidavits from individuals.

Q: Is the minimum stream flow part of the Nez Perce Agreement between the Tribe and State?

A: Not entirely sure but I believe so.

Q: Is establishing a minimum stream flow applied for all tributaries or just the Little Salmon River?

A: The tributaries of the Little Salmon still need to abide by the minimum stream flow if the water right priority date is later than the April 1, 2005 minimum stream flow water right and the beneficial use is non-domestic, commercial, municipal, or industrial.

Q: How do the storage rights for Goose Lake and Brundage Reservoirs affect water rights that were previously established?

A: Watermasters would be able to look at this more directly. Some are set up through a distribution entity like the Brundage Water Users Association that can have shares and irrigate if they fall in the greater use description. Natural streamflow rights are going to take priority but these storage rights are able to be filled prior to water getting too low to supply the natural

stream flow rights downstream. Senior water rights have access to some of the storage water once the natural flow gets too low to fulfill their right. The reservoirs are usually filled when there is plenty of water and is then considered fully appropriated so can not take more later on in the year. They can call on junior water rights though to fulfill their need.

Q: What if the total authorized diversion rate is higher than stream flow?

A: A lot of the total diversion is more than the steam flow the majority of the year. Senior water rights holders are allowed to call on as many junior holders as necessary to fulfill their water rights first. The streams in this watershed are typically not managed to be fully diverted at any given time if it can be helped.

Q: Are water rights commonly curtailed in this district?

A: No, the watermaster would know the specifics of how often rights need to be curtailed.

Q: Is there a standard for record keeping?

A: There is a water report that the watermaster submits yearly after the irrigation season.

Q: At the point of diversion, what is required at the site?

A: Usually they need a measuring device to calculate how much diversion is coming from the ditch. Most people use weirs. The watermaster adjusts the weirs at the start of the season.

Q: So are you saying there is 52.7 CFS still available, that people could file water rights for?

A: They first would become subordinate to that streamflow right. There are 30 or so and when that number is hit, that minimum stream flow can curtail any junior rights after that. Some rights are excluded from curtailment by the minimum stream flow right: commercial, industrial, municipal and non-domestic.

Q: Can groundwater be curtailed?

A: I would have to look closer but I do not believe so in this basin. It definitely wouldn't be if it was domestic use.

Q: How do you factor in water loss from the system?

A: Definitely an issue that needs to be addressed, but watermasters will use more specific calculations.

Q: What would you recommend as next steps for the group?

A: First start with talking with a watermaster to answer these more specific questions. People mentioned finding more efficient systems for more water to stay in the system which is always a good option. Lastly, continue trying to engage more private landowners in the collaborative.

Q: Are there aesthetic water rights associated with Brundage Reservoir?

A: Yes, there is an aesthetic water right associated with Brundage reservoir which adds to the volume which can be stored throughout the year.

Q: Are there any stock water rights at Brundage Reservoir?

A: There are no stock water rights from the Brundage water storage right. The only beneficial use for this water right is irrigation.

Collaborative Process - Gary Thompson, Facilitator

Step 1: Get started

- Defining roles and responsibilities
- Look for expertise within the group
- What should we do with the information we collect? Could this be where the story map fits in on the website?

Step 2: Gather information; identify issues

- Once the issues are clearly articulated and defined, participants can gain insight into what options are going to be most feasible.

Step 3: Identify interests

- Knowing why people are interested in this process will help set up for future conversations and tradeoffs.

Step 4: Generate options

- The creative design of solution building where we look for partnerships and this collaborative component.

Step 5: Make tradeoffs

- Modifying the options to maximize gains for the stakeholders

Timeline

June 2021: Step 1

December 2021: Step 2

June 2022: Step 3

December 2022: Step 4

June 2023: Step 5

What is next?

- Defining our own roles and responsibilities
- Identifying areas of expertise with the group
- Increase non-agency participation
- Define how the groups will make decisions
- Define guidelines for group interaction
- Identify information we need and how we will use it
- Define existing administrative directives that govern use and management of the watershed and associated landscapes.

Wes: Should we have an opportunity to take the feedback from the purpose statement and build something new with more stakeholders?

Aaron Humpherys: Seems like most people like the purpose statement with some additions.

Wes and I can work together to draft it.

Our January presenter is John Loffredo, Project Coordinator for the Idaho Water Transaction Program. our next presenter on January 11th, 2022. He will be discussing Idaho water law, roles of Idaho Dept of Water Resources (IDWR), minimum stream flow, and how the IDWR Water Transaction Program works. Please encourage your friends, neighbors and other relevant stakeholders to join the next meeting.

NEXT Meeting January 11th, 2021, 7:00pm-9:00pm MST at the New Meadows Community Center (time selected for our next meeting based on poll results). Please RSVP Gary if you plan on attending.

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<https://littlesalmonriverwatershedcollaborative.com>