

# IDAHO WATER WATCH

NEWSLETTER OF THE IDAHO WATER USERS ASSOCIATION

[WWW.IWUA.ORG](http://WWW.IWUA.ORG)

FEBRUARY 2019

## KAREN ANNOUNCES RETIREMENT

A collective gasp. Then silence. This was the response at IWUA's 82<sup>nd</sup> Annual Convention as Karen Edwards announced that, after more than 43 years, she will retire from the Idaho Water Users Association (IWUA) on December 31, 2019.

As Karen spoke, there was laughter. There were tears. In the end, the crowd stood and cheered to show their love and support for a friend that has given so much to the water user community.

Karen recounted some of her favorite memories with Sherl Chapman, Norm Semanko and, now, Paul Arrington as executive directors. She choked up as she expressed her love for her family – the water users.

"This is difficult to comprehend," said Arrington about the announcement. "For most of us in the room, we don't know IWUA without Karen." Look for pictures in future newsletters and IWUA events as Karen attends windshield tours, NWRA Conferences and even rides along with ditchriders. "We want to make Karen's final year, her best year!"



*Karen Edwards Announces Her Retirement at the IWUA Annual Convention*

### MARK YOUR CALENDARS

- February 12-14, 2019: IWUA Ditchrider Workshops
- February 20-22, 2019: Family Farm Alliance Conference (Reno, NV)
- February 26-28, 2019: IWUA Applicator Workshops
- April 1-3, 2019: NWRA Federal Water Conference (Washington D.C.)
- June 10-11, 2019: IWUA Water Law & Resource Issues Seminar (Sun Valley, ID)



### IWUA ON SOCIAL MEDIA

Twitter: @IWUA\_H20

Instagram: @runningwaters83301

Facebook: @IdahoH20

# A&B IRRIGATION DISTRICT: WATER GUARDIAN ORGANIZATION

At the IWUA Annual Convention, A&B Irrigation District (A&B) received the Water Guardian Organization Award for its efforts to preserve Idaho's water.

Located in Southern Idaho, A&B serves 82,000 acres from the Snake River and groundwater on the Eastern Snake Plain.

In 2015, A&B constructed a new pumping plant on the Snake River. The project included 19 miles of PVC pipeline ranging from 54" to 12" in diameter.

This pipeline allows A&B to convert an additional 2,133 acres of groundwater serviced acres to surface water. This will allow 12 deep wells to remain idled and save 2.5 million kWh annually. In addition, the pipeline has eliminated 8 miles of canal system – saving 1,200 acre-feet of system losses and \$20,000 in annual operating expenses.

All told, over the last 3-years since the pump and pipeline were installed, A&B has delivered an average of 8,300 acre-feet of water to the conversion acres. This has resulted in 25,000 acre-feet being left in the aquifer.

The benefits of the pumping plant are the latest in a history of water conservation efforts by A&B. For over 20 years, A&B has worked diligently with the water users on its groundwater system to eliminate open conveyances by connecting sprinklers directly to the District's deep wells. As a result, the District has reduced the original 160 miles of laterals to 68 – conserving thousands of acre-feet of water annually lost to seepage, evaporation and water user operations.

The Water Guardian Award is given to individuals and organizations for their efforts as leaders in water conservation and use. Award recipients are recognized for their work on efficiency activities, conservation practices and educational outreach. A&B's ongoing efforts truly make it a Water Guardian Organization!



## IWUA WATER LAW & RESOURCE ISSUES SEMINAR

Plan now to attend IWUA's Water Law and Resource Issues Seminar on June 10-11, 2019, in Sun Valley, Idaho. The 2019 Seminar will include discussions of the 2019 Legislative Session, the Trump Administration's new rule defining Waters of the United States (or WOTUS) and a discussion of issues affecting water users in Washington, D.C.

An agenda and registration information will be available in the near future. Look for more information in the coming weeks on the IWUA Webpage ([www.iwua.org](http://www.iwua.org)).

## ISSUE TRACKER

Federal	Regional	State
<p>In the near future, the Trump Administration is expected to issue a new rule defining “Wwaters of the United States” (WOTUS) aiming to clarify federal authority under the Clean Water Act (CWA).</p> <p>Unlike the 2015 rule, issued by the Obama administration, the proposed rule is expected to include a straightforward definition that “would result in significant cost savings, protect the nation’s navigable waters, help sustain economic growth, and reduce barriers to business development.”</p> <p>According to the Environmental Protection Agency (EPA) and U.S. Army Corps of Engineers (Corps), under the proposal, “traditional navigable waters, tributaries to those waters, certain ditches, certain lakes and ponds, impoundments of jurisdictional waters, and wetlands adjacent to jurisdictional waters would be federally regulated.”</p> <p>The proposed rule will detail “what are not ‘waters of the United States,’ such as features that only contain water during or in response to rainfall ...; groundwater; many ditches, including most roadside or farm ditches; [and] prior converted cropland.”</p> <p>Finally, the “agencies believe this proposed definition appropriately identifies waters that should be subject to regulation under the CWA while respecting the role of states and tribes.”</p> <p>IWUA will work with NWRA and the Family Farm Alliance to prepare comments on the new rule. Comments will be accepted for 60-days following publication.</p>	<p>In October 2018, a memorandum from President Trump addressed streamlining federal agency decision-making and coordination on several water projects in the west.</p> <p>Among other things, the memorandum required that the co-lead agencies conducting the Columbia River Systems Operations (CRSO) EIS process streamline their agency review and coordination and develop a schedule to complete the EIS by 2020 – a year ahead of the originally scheduled completion date.</p> <p>In response to this memorandum, the co-lead agencies have prepared a revised schedule to complete the EIS process by September 30, 2020 (previously the deadline was September 24, 2021).</p> <p>“The co-lead agencies are confident that progress will continue with this revised schedule toward the identification of a long-term strategy for the operation, maintenance and configuration of the Columbia River System that meets the projects’ multiple Congressionally authorized purposes and complies with all applicable laws, including NEPA and the Endangered Species Act (ESA).”</p> <p>IWUA continues to monitor this process and will provide updates when available.</p> <p>For more information about the CRSO EIS process, and to sign up to receive a quarterly newsletter, visit <a href="http://www.crso.info">www.crso.info</a>.</p>	<p>The first bill of Idaho’s 65th Legislature was a water bill! House Bill 1, which implements the final piece of a comprehensive “refill” settlement agreement on the Boise River, passed both the House and Senate unanimously. Water users showed up in large number to testify in support of the bill.</p> <p>This dispute extended for nearly a decade and included multiple trips to the Supreme Court, 3 district court opinions, an administrative hearing and a lot of headaches.</p> <p>With this backdrop, several legislative leaders – including Speaker Scott Bedke and Representative Mike Moyle – engaged the parties in very difficult discussions, which ultimately led to a settlement agreement.</p> <p>Among other things, the parties agreed to the issuance of two new water rights that will recognize the ability to fill the reservoirs after flood control operations.</p> <p>One of the water rights includes a condition that it will be subordinated to all current and future uses on the Boise River, with the exception of four carveouts.</p> <p>These carveouts, three of which are supported by current Idaho law, include new water rights for managed recharge (I.C. 42-234), hydropower (I.C. 42-203B), out of basin diversions (I.C. 42-203A) and storage of over 1,000 af.</p> <p>House Bill 1 provides statutory authority for the fourth carveout (new storage over 1,000 af).</p> <p>The parties will now work together to finalize the settlement in the water Court.</p>

# 10 (or 7) Questions with Morgan Howard

IWUA's 2019 Legislative Intern



On January 7, 2019, Morgan Howard began working as the IWUA legislative intern. She will work for IWUA throughout the legislative session. I had the opportunity to sit down with Morgan

and ask her a few questions.

**Paul Arrington (PA): Tell us a little bit about yourself, your background, education, family, hobbies, etc.**

**Morgan Howard (MH):** I grew up in Nezperce, Idaho, and graduated from the University of Idaho last year with a Bachelor's in Agricultural Communications. My family has a small hobby herd of beef cattle, and I love going home to help brand, wean, and move the cows. My parents still live in the house we built when I was 5, and I have two older brothers and one older sister. My hobbies include baking, reading, writing, fishing, and spending time with family and friends.

**PA: What are your plans for the future?**

**MA:** My biggest ambition is to be an asset to Idaho agriculturists in the public policy sector. Long story short, I want to be a lobbyist and work in legal negotiations to benefit agriculturists and, by extension, all of Idaho.

**PA: Why did you want to be an intern with the Idaho Water Users Association?**

**MH:** My background didn't offer too many opportunities to learn about the issues facing water users since I grew up in an area dominated by dryland agriculture. I knew that if I wanted to be an

asset to all of Idaho agriculture, I needed to learn as much as I could about water.

**PA: Tell us about someone that has influenced your life and how they influenced your life.**

**MH:** This is a hard one. I have had so many amazing mentors. The one that jumps out is Senator Dan Johnson from District 6. In my junior year of college, I interned for Senator Johnson, and he taught me how to think critically about proposed legislation. Under his mentorship, I learned how to approach negotiations with an open mind, ask the right questions, and stand for what I believe is right, even if it puts my reputation on the line.

**PA: What saying do you feel best illustrates your approach to life?**

**MH:** My high school basketball coach gave me a quote from Don Meyer: "Be what you is, because if you be what you ain't, you ain't what you is." Improper grammar set aside, this always reminds me to expend my energy where my skills will be useful rather than where I will always fall short.

**PA: What do you think everyone should try at least once?**

**MA:** Making bread from scratch! Hand-kneading the dough is a great arm workout, you learn a lot of patience, and bread fresh from the oven is one of the most delicious things you can eat.

**PA: If you were king/queen of the world for one day, what would be your first decree?**

**MA:** Honestly, I'd probably just abolish Twitter. As much as I love social media (let's be honest, I'm a fairly typical 23-year old woman), I often see more harm than good done when people can hide behind smartphones.

## IWUA ISSUES AWARDS AT ANNUAL CONVENTION

At the IWUA Awards Luncheon, IWUA was honored to give 15 awards to outstanding individuals and organizations who have positively impacted the water user community. These recognized individuals have spent their careers strengthening the Idaho water community. Without their tireless efforts, Idaho would not have the bright future it faces today.



*Dich Larson Receives Idaho Water Users Award of Recognition*



*Scott Breeding Receives the Ted Diehl Award for Meritorious Service*



*Roger Ling Inducted into Idaho Water Users Association Hall of Fame*



*Maxine Bell Receives Water Statesman Award*

- Outstanding Employee Award: Vern Johnson, Andy Madsen
- Outstanding Service Award: Suzy Hewlett
- Idaho Water Users Award of Recognition: Dick Larsen
- President's Award: Alan Kelsch
- Water Statesman Award: Governor C.L. "Butch" Otter, Speaker Scott Bedke, Representative Maxine Bell
- Water Guardian Award: Brian Olmstead, Rick York, A&B Irrigation District
- Lifetime Achievement Award: Albert Lockwood
- Ted Diehl Award for Meritorious Service: Scott Breeding
- Idaho Water Users Association Hall of Fame: Jacque Wray, Roy Maxwell, Roger Ling

# FROM THE ARCHIVES

In this section, we dig deep into the Association's Archives and pull an article from prior newsletters. Here, we reprint a list of IWUA award recipients as announced in the January 28, 1986 edition of the *Idaho Water News*. Other interesting information in this edition includes:

- New IWUA President: Bob Burks of Wendell, Idaho was elected IWUA president
- Newsletter Format Change: This marked the first edition of the new-look *Idaho Water News*.
- Otto Otter Program: The Otto Otter Program was thriving in Idaho – having increased its reach from 4,000 students to over 10,000 students in 1985. IWUA received a national award for excellence for its efforts in implementing the program in Idaho.



*Presentation of gavel from Don Rex to Bob Burks*

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## “WORTHY RECIPIENTS PRESENTED WITH IWUA AWARDS”

The following awards were given at IWUA's 48<sup>th</sup>



*Senator Laird Noh Receives Water Statesman Award from John Rosholt*

Annual Convention, held in Boise Idaho in January 1986:

- Past Presidents Award: Don Rex
- Certificate of Appreciation: Merrill Stucki (First Security Bank)
- Certificate of Appreciation: Representative Vard Chatburn (Chair, House Resources)
- Water Statesman: Senator Laid Noh (Chair, Senate Resources)

- Water Management Award: Ted Diehl (North Side Canal Company)
- Water Guardian Award: Alvin Chjonacky (Jerome)
- Water Guardian Organization Award: Last Chance Canal Company (Grace)
- Turkey Award: Ken Dunn (Director, IDWR)
- Hall of Fame: Henry E. “Hank” Koelling (Boise)
- Hall of Fame: John Gale (Meridian)
- Hall of Fame: Daniel Roberts (Preston)
- Hall of Fame: Alex Coleman (Jerome)



*Ted Diehl Receives the Water Management Award*

*John Gale Inducted into IWUA Hall of Fame*

# Karen's Korner



Well, as you read on the front page, the time has come for me to call it a day. But will it really be the end? NO! I don't think so! In our business, nobody ever fully "retires" they just become a consultant. 😊

Most of you know that I always have someone helping me out at the Conventions and Law Seminars. Maybe I'll get to be that person in the future. I always have such a good time seeing all of you at these meetings, so hopefully you won't be getting rid of me for good!

Everybody asks me what I'm going to do and if I have plans. The answer is yes and no. My plan is not to get up every morning to go to work. The other plans I have are to get back into my Bible Study group who had to move the meeting time to the afternoon since I was the only one still working. I would also like to do some volunteer work ... especially with animals. If not, I would be a great baby rocker at a hospital or something else that will keep me out of trouble. Maybe I'll do some traveling. All I know is that whatever I'm doing, I'll be having fun.

I want to thank all of you for making my stay at the Idaho Water Users Association such a great career. Not too many people stay as long in one job, so I guess I am an exception to the rule. However, working with and getting to know so many of you has filled my life with so many great memories and friendships.

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## IWUA HOSTS 82ND ANNUAL CONVENTION

IWUA was pleased to host its 82<sup>nd</sup> Annual Convention from January 21-24, 2019, in Boise, Idaho. In addition to the multiple committee meetings to direct the Association's actions for the next year, the convention included presentations from the Bureau of Reclamation, the Idaho Water Resource Board, the Salt River Project, the cities of Twin Falls and Nampa and others. Not to be forgotten, however, was the first ever address to the Association by long-time office administrator Karen Edwards, who announced her upcoming retirement at the end of 2019.

One presentation, by Cheryl A. Zittle of the Arizona Salt River Project (SRP), discussed the challenges and opportunities of working on any agriculturally-focused operation in an area where urban encroachment is the new norm. The SRP includes the cities of Phoenix and Scottsdale, among others. From cars in canals, public pathways, community events, and art exhibits, Cheryl discussed how her organization partners with the local communities to create value for all associated with the SRP.

This message of partnering with local communities was echoed by Jason Brown, with the City of Twin Falls, and Cody Swander, with the City of Nampa. Each addressed how cooperation and relationship-building has resulted in real benefits for local irrigation entities and communities.

On the theme of cooperation, two presentations were given on recent settlement agreements involving disputes that have lasted, in some cases, over a decade. Kent Fletcher and Chris Bromley discussed the recent settlement agreement between the Surface Water Coalition and Cities to resolve water call-related issues on the Eastern Snake Plain. Next, Al Barker and Garrick Baxter discussed the Basin 63 "refill" settlement agreement.

"Collaboration is key to resolving the complex water issues we face," remarked Paul Arrington, IWUA Executive Director. "It was great to be able to see how water users throughout Idaho have collaborated to improve their operations and provide certainty into the future.

# IDAHO POWER, STATES REACH HELLS CANYON FISH PASSAGE AGREEMENT

*Reprinted with Permission*

BOISE, Idaho, December 14, 2018 — The states of Idaho and Oregon, along with Idaho Power, have reached a proposed settlement over reintroduction of steelhead and spring Chinook salmon into the Snake River above Hells Canyon Dam.

Idaho Power has committed to spend about \$20 million over the next 20 years for research, water quality and stream improvements, and boosting spring Chinook salmon production at the company's Rapid River hatchery from the current 3.2 million juvenile fish to 4 million. This is in addition to more than \$400 million already proposed through the company's Snake River Stewardship Program, a basin-wide water-quality improvement plan. That program is a key component in meeting the company's obligations under the federal Clean Water Act.

Section 401 of the Clean Water Act requires Idaho Power to receive water-quality certifications from both states, which will be included in its license application for Brownlee, Oxbow and Hells Canyon dams (collectively known as the Hells Canyon Complex).

"This proposal is the result of months of intense good-faith negotiations to find common ground that enables us to move forward with the relicensing process," said Brett Dumas, Director of Environmental Affairs for Idaho Power. "The agreement is good for key stakeholders in the region and for the environment."



The agreement enables both states to retain their respective positions on fish passage through Hells Canyon. Oregon's Department of Environmental Quality (DEQ) will not include introduction or reintroduction of salmon or steelhead on this border river above the Hells Canyon Complex in its water quality certification. Fish reintroduction was a key concern for the State of Idaho, which bars reintroduction without the specific approval of the governor and state legislature.

The original license for the Hells Canyon Complex expired in 2005. Since then, the company has operated the projects under a series of annual licenses while it works toward a new long-term license, which Idaho Power continues to estimate will be issued by the Federal Energy Regulatory Commission no earlier than 2022.

The Hells Canyon Complex generates about 70 percent of the hydroelectric power that Idaho Power provides to its customers. It's a critical resource for keeping electricity prices low while reliably delivering clean, renewable energy.



## ARE YOU ATTENDING NWRA'S FEDERAL WATER ISSUES CONFERENCE?

Make plans to attend NWRA's Federal Water Issues Conference at the Embassy Suites Convention Center in Washington D.C. on April 1-3, 2019. This year's agenda will cover a broad range of issues including water infrastructure, federal agency reorganization and wildfire impacts on water supplies and delivery. We will also have an opportunity to visit with Idaho's Congressional delegation and others on issues affecting Idaho water users. Go to [www.nwra.org](http://www.nwra.org) for more information about the agenda and registration.