

**BEFORE THE IDAHO WATER RESOURCE BOARD**

IN THE MATTER OF APPLICATION FOR  
STREAM CHANNEL ALTERATION PERMIT NO.  
S22-20362 (BURGUIERES)

Resolution Appointing Hearing Officer

1 WHEREAS, on June 21, 2024, the Idaho Department of Water Resources ("IDWR") received  
2 Joint Application for Permit No. S22-20362 ("Application") filed by P Martial Burguières ("Burguières")  
3 for a stream channel alteration permit proposing to excavate a bank of the Teton River to reconnect  
4 a historic channel of the river;

5  
6 WHEREAS, on January 16, 2025, IDWR denied the Application; and

7  
8 WHEREAS, Burguières requested a hearing before the Idaho Water Resource Board ("IWRB")  
9 on IDWR's denial; and

10  
11 WHEREAS, the IWRB must appoint a hearing officer to facilitate the hearing on the denial;

12  
13 NOW THEREFORE BE IT RESOLVED, the IWRB hereby appoints Amy Cassel, an employee  
14 with the IWRB, to serve as the hearing officer in the above captioned matter.

DATED this 11th day of July 2025.



JEFF RAYBOULD, Chairman  
Idaho Water Resource Board

ATTEST



DEAN STEVENSON, Secretary

**BEFORE THE IDAHO WATER RESOURCE BOARD**

IN THE MATTER OF THE  
LOWER LEMHI RIVER PERMANENT  
SUBORDINATION AGREEMENTS FOR WATER  
RIGHT NOS. 74-324K, 74-326C, 74-328C, 74-  
804, 74-15444

RESOLUTION TO MAKE A FUNDING  
COMMITMENT

1           WHEREAS, Chinook salmon, steelhead, and bull trout habitat in the Lemhi River Basin is  
2 limited by low flow in the Lower Lemhi River; and  
3

4           WHEREAS, it is in the interest of the State of Idaho to permanently reconnect the Lower  
5 Lemhi River to encourage recovery of ESA-listed Chinook salmon, steelhead, and bull trout; and  
6

7           WHEREAS, the State of Idaho committed to maintaining flows of 25 cfs to 35 cfs at the L-  
8 6 Diversion on the Lower Lemhi River in the Lemhi Framework which was developed as part of  
9 the 2004 Snake River Water Rights Agreement; and  
10

11           WHEREAS, the Lemhi Framework carries forward target goals which were included in  
12 earlier conservation agreements developed and approved by local water users, and state and  
13 federal agencies; and  
14

15           WHEREAS, though enacting Idaho Code 42-1506 and 42-1765A, the Idaho Legislature  
16 directed the Board to establish a minimum streamflow water right of 35 cfs in the Lower Lemhi  
17 River to be met through water right rentals or other appropriate methods under state law; and  
18

19           WHEREAS, the Idaho Water Resource Board has the authority to enter into water right  
20 agreements and undertake water projects; and  
21

22           WHEREAS, the Idaho Water Resource Board is authorized to expend Bonneville Power  
23 Administration funds for flow restoration through the Columbia Basin Water Transaction  
24 Program and the Bonneville Fish Accord Water Transaction Fund; and  
25

26           WHEREAS, the Idaho Water Resource Board promotes water transactions that maintain  
27 the local agricultural economy by retaining irrigated agriculture; and  
28

29           WHEREAS, Board staff has developed short-term and permanent subordination  
30 agreements, also known as the Lemhi Subordination Agreements (agreements) with local water  
31 users to improve stream flow for anadromous and resident fish; and  
32

33 WHEREAS, Board staff has developed a long-term subordination agreement to improve  
34 stream flow for anadromous and resident fish with owners of water rights 74-324K, 74-326C, 74-  
35 328C, 74-804 and 74-15444; and  
36

37 WHEREAS, the water right owners desire to enter into subordination agreements that  
38 permanently limit their diversions during times of low flow; and  
39

40 WHEREAS, for these agreements, the water users will continue to irrigate to their full  
41 extent when flows exceed the flow targets; and  
42

43 WHEREAS, the Lemhi Subordination Agreements are in the public interest and in  
44 compliance with the State Water Plan.  
45

46 WHEREAS, \$114,400 is available through the Idaho Memorandum of Agreement (MOA)  
47 Fish Accord Water Transaction Program or the Columbia Basin Water Transaction Program to  
48 fund the cost of said agreements; and  
49

50 WHEREAS, \$6,240 is available through the Idaho (MOA)/Fish Accord Water Transaction  
51 Program or the Columbia Basin Water Transaction Program to fund the administration of said  
52 agreements by Water District 74; and  
53

54 NOW THEREFORE BE IT RESOLVED that the IWRB authorizes the Chairman to enter into  
55 permanent subordination agreements with the current or subsequent owners of water rights 74-  
56 324K, 74-326C, 74-328C, 74-804 and 74-15444 to subordinate their diversions from the Lemhi  
57 River to the IWRB's Lemhi River minimum streamflow water right (74-14993), using an amount  
58 not to exceed \$114,400.  
59


60 NOW THEREFORE BE IT RESOLVED that the IWRB authorizes the Chairman to enter into  
61 contracts with Water District 74 using administration funds in the amount of \$6,240.  
62

63 NOW THEREFORE BE IT FURTHER RESOLVED that this resolution is subject to the condition  
64 that the IWRB receives the requested funding from the Bonneville Power Administration through  
65 the Idaho (MOA)/Fish Accord Water Transaction Program or the Columbia Basin Water  
66 Transaction Program in the amount of \$120,640.  
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DATED this 11th day of July 2025.



JEFF RAYBOULD, Chairman  
Idaho Water Resource Board

ATTEST   
DEAN STEVENSON, Secretary