



## **Eastern Snake Plain Aquifer (ESPA) Comprehensive Aquifer Management Plan**

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### **Conversions Working Group Meeting**

#### **Draft Meeting Summary December 9, 2009 Teleconference**

#### **OVERVIEW**

The Conversions Working Group (WG) discussed the following topics at the December 9, 2009 teleconference:

- 2009 AWEP projects
- 2009 AWEP Memorandum of Agreement (MOA) between the State of Idaho/IWRB and owners of conversions project
- 2010 AWEP process
- MOA for future conversions projects

#### **2009 AWEP CONVERSIONS PROJECTS**

Cynthia Bridge Clark summarized the 2009 AWEP conversions projects. The WG was supportive of moving forward with signing contracts with the approved applications. The only concerns were related to the lingering issues with some of the projects, most of which are related to water rights issues. NRCS and IDWR staff are working on these issues as quickly as possible to resolve them and move forward with fund allocation and project implementation.

#### **MOA FOR 2009 AWEP CONVERSIONS PROJECTS**

IDWR is gearing up to finalize this document in order to offer funding to property owners and begin project implementation.

Generally speaking, the goal of the MOA is to document expectations and obligations for the 2009 AWEP projects, including monitoring and measuring. No additional incentives from the ESPA Plan are included because ESPA CAMP funding is not available at this time. The main objective of this MOA is to clarify measuring and reporting requirements and to ensure they are consistent with standards currently administered by the Water District and Department of Water Resources. The MOA also is intended to identify any water right issues that require attention. Projects ultimately need to be operated in compliance with authorized water rights and demonstrate a reduction in ground water pumping from the ESPA.

In regards to Sponsor Responsibility #5, on measuring and monitoring, Lynn Tominaga was concerned about the inclusion of magnetic flow meters. They are more accurate and require less maintenance, but they are quite a bit more expensive than regular water meters. The intent of the language is of some concern to the property owners because they don't know exactly what the measuring device will entail or how much it will cost, if regulators require any other special instruments. Currently, measuring devices are not included in the NRCS pay schedule and are the responsibility of the project sponsor. Other funding opportunities could be explored for future years. When ESPA Plan funds are available, the Conversions WG may decide to help fund measuring devices as well. The 2009 MOA could be amended to include funds for measuring devices and allow the project user to take advantage of other potential incentives.

At this point, the MOA requires that the property owners coordinate with the Watermaster to develop an acceptable measuring plan. If they sign the agreement prior to negotiating a plan, they may not have a full understanding of what will be required to monitor their system. Some owners may prefer to wait to execute the agreement until they have a measuring plan identified for their project.

The MOA requires the owner to submit a water use report by December 1<sup>st</sup> each year to allow IWRB staff to generate an annual report on ESPA CAMP activities prior to the legislative session.

The IDWR contract supplements the NRCS agreement with regard to termination and reimbursement. Since incentives will not be provided to the project users through the ESPA Plan, the owner will only be subject to penalties imposed under the NRCS agreement if they are out compliance with either agreement. Essentially, they need to be in compliance with the NRCS agreement to be in compliance with this one.

### **2010 AWEPP PROCESS**

Cynthia summarized the process for discussing AWEPP 2010 projects in the Conversions WG. The process will require a great deal of discussion/coordination in January and February. In January, the WG will address the level of property owner interest and design an outreach strategy. The WG is still discussing whether to target specific areas and/or minimum acres allowed in the program. In February, the WG will address criteria and ranking of AWEPP projects. After that, NRCS will coordinate with the WG and the IC on items that need further coordination and utilize the input from the group in determining what projects are funded.

### **MEMORANDUM OF AGREEMENT (MOA) FOR FUTURE CONVERSIONS PROJECTS**

Cynthia Bridge Clark, IWRB Staff, reviewed the components of the draft MOA between the State of Idaho/IWRB and owners of conversions projects to be developed to support the ESPA CAMP process.

The WG is generally supportive of the reviewed elements of the MOA. The following are comments to consider in the next revision:

- Transfer of water rights should be included as a source for water supply.
- A rebate based on the amount of surface water delivered was supported as a method of offsetting the expense of water and encouraging water users to seek out supplies beyond water available through the State.
- Exact dollar amounts need to be reevaluated on an annual basis, and a sliding scale might be best because of water year type, etc.
- Priorities in project ranking and location matter, but should not be included in the MOA. Essentially, we should be able to adaptively manage the aquifer in terms of project selection for conversions. One suggestion for the incentive structure was to base the rebate only on the conveyance fees. This would require a great deal of coordination between the conveyance company and the Board, which is not desirable to get these projects implemented efficiently.
- A point of clarification: the owner will submit a measuring report that has been signed-off by the Watermaster and the conveyance company.
- In terms of penalties, it may be too difficult to penalize the sponsor for funds that do not exist (i.e. anticipated benefits). The WG would like to ensure that permanent infrastructure costs are repaid, but funds related to water supply may be more difficult.

- Conversions projects already in existence should be able to apply to ESPA Plan conversions projects.

### NEXT STEPS

Action	Responsible
Circulate a draft of the future-use MOA for feedback	Cynthia Bridge Clark and Joan Sabott
Continue discussion with property owners regarding potential conversions projects that could benefit the aquifer	All WG Members
Continue assembling analysis on identified project sites	Cynthia Bridge Clark/Brian Patton
Prepare information for the 2010 AWEPP process	Cynthia Bridge Clark and Joan Sabott
Develop a conversions FAQ document to be circulated as part of the education strategy	Joan Sabott

### NEXT MEETING

- Tuesday, December 15<sup>th</sup> from 9:00-10:00am

### MEETING ATTENDEES

#### Conversions Working Group Members

- |    |        |          |                                |
|----|--------|----------|--------------------------------|
| 1. | Steve  | Howser   | Surface Water Users            |
| 2. | Linda  | Lemmon   | Spring Water Users             |
| 3. | Albert | Lockwood | Surface Water Users            |
| 4. | Brian  | Olmstead | Surface Water Users            |
| 5. | Dan    | Temple   | Mixed-Use                      |
| 6. | Will   | Whelan   | Environmental and Conservation |

#### Ex Officio Members and Other Attendees

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|-----|---------|--------------|---------------------------------------|
| 7.  | David   | Blew         | IPC                                   |
| 8.  | Cynthia | Bridge Clark | IDWR                                  |
| 9.  | Brian   | Patton       | IDWR                                  |
| 10. | Joan    | Sabott       | CDR Associates                        |
| 11. | Lynn    | Tominaga     | Idaho Ground Water Appropriators, Inc |