



AGENDA

IDAHO WATER RESOURCE BOARD

Water Storage Projects Committee Meeting No. 1-21

Wednesday, February 10, 2021

10:30 a.m. (MST)

Brad Little

Governor

Jeff Raybould

Chairman

St. Anthony

At Large

Roger W. Chase

Vice-Chairman

Pocatello

District 4

Jo Ann Cole-Hansen

Secretary

Lewiston

At Large

Peter Van Der Meulen

Hailey

At Large

Albert Barker

Boise

District 2

Vacant

District 3

Dale Van Stone

Hope

District 1

Vacant

At Large

Water Center

Conference Room 648A / Online Zoom Meeting

322 E. Front St.

BOISE

(This meeting will be conducted using guidance in response to the public health emergency caused by the COVID-19 pandemic. Masks are required & in person attendance is limited. Call or email if you have questions: jennifer.strange@idwr.idaho.gov)

Board Members & the Public may participate via Zoom

[Click here to join our Zoom Meeting](#)

Dial in Option: 1(253) 215-8782

Meeting ID: 953 7987 6062 Passcode: 657886

1. Introductions and Attendance
2. Ririe Reservoir
3. Anderson Ranch Dam Raise
4. Other Items
5. Adjourn

Committee Members: Chair Jeff Raybould, Jo Ann Cole-Hansen, Pete Van Der Meulen

* Action Item: A vote regarding this item may be made this meeting. Identifying an item as an action item on the agenda does not require a vote to be taken on the item.

Americans with Disabilities

The meeting will be held telephonically. If you require special accommodations to attend, participate in, or understand the meeting, please make advance arrangements by contacting Department staff by email jennifer.strange@idwr.idaho.gov or by phone at (208) 287-4800.

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 Fax: (208) 287-6700 Website: idwr.idaho.gov/IWRB/

Memorandum

To: Idaho Water Resource Board

From: Brian Patton

Date: February 9, 2021

Re: Ririe Reservoir



Jerry Rigby will provide a presentation to the Board related to Ririe Reservoir.

Modification of Ririe Reservoir Flood Control Curves

Presented by Jerry R. Rigby

Rigby, Andrus & Rigby Law, PLLC

Attorneys for Mitigation, Inc.



History of Ririe Reservoir

- Ririe Reservoir was Constructed 1973-1976 – (primarily due to the 1962 Flood)
- Purpose – Flood Control, Irrigation, Recreation, Fish & Wildlife benefits
- From 1976- 1990 Storage in Ririe Reservoir was Unallocated
- 1987 Snake River Basin Adjudication Began
- One of the Biggest Obstacles to Adjudication was Federal Reserved Water Rights (Included was Shoshone-Bannock water rights for Fort Hall)

The Issue

- Flood control operations at Ririe Dam, located on Willow Creek in eastern Idaho, force water to be released each year without consideration of anticipated water supplies.
- Pursuant to the 1990 Fort Hall Water Rights Settlement Agreement, water in Ririe Reservoir was given to a newly formed company, Mitigation, Inc., to mitigate impacts resulting from water rights granted to the Shoshone-Bannock Tribe.
- Much of the water that is released pursuant to flood control operations is lost to water users in the basin and should be used to address impacts to local water users caused by the Tribe's diversions under its newly acquired rights.
- The Current Flood Control Curves do not rely upon current or updated conditions of Ririe Reservoir; the ability to evacuate the reservoir in times of need; nor the hydrologic conditions of Willow Creek.

The Solution

- The simple answer is to revise the flood control operations by changing the Flood Control Curves.
- Water Users have engaged with the Bureau of Reclamation and Army Corps of Engineers to review and revise Ririe Dam flood operations
- USACE required that legislation was needed
 - WIIN Act of 2016 passed which allows for such studies and modifications to occur
- USACE required that Mitigation, Inc. provide funding of the studies
 - Mitigation, Inc. has obtained monies in which to pay for Phase 1 of the studies
 - Mitigation, Inc. does NOT have the means in which to pay for the next Phase of the required studies.

Why is it so Reasonable & Necessary to Modify the Flood Control Curves?

- Several dams throughout Idaho are operated to provide flood control benefits to downstream communities. These “flood control rule curves” prescribe operations for the reservoirs – there is little or no flexibility in the operations.
- Ririe Dam and reservoir have a total space of 80,500 acre-feet. Unlike other reservoirs, the winter flood control operations mandate that 40,000 acre-feet of that space be evacuated every fall before even a flake of snow has dropped. In addition, an additional 10,000 acre feet is held exclusively for flood control. This is a total of 50,000 acre feet of flood control space – or over 60% of the entire reservoir.
 - No other reservoir in Idaho has such stringent and conservative flood control operations
 - For reference, each winter runoff event since 1962 has been smaller than 16,000 acre-feet.
- Since the construction of Ririe Dam, conditions have changed on Willow Creek, which have substantially reduced flood risks, including:
 - Updated annual maintenance schedules to keep waterways (floodway channel) free of ice in the winter; and
 - Development of off-stream storage facilities.

What Can Result if the Flood Control Curves are Changed?

- Being able to save some portion of that 50,000 acre-feet for use by water users in Water District 1 would provide valuable benefits to the entire region.
- Additionally, present shareholders of Mitigation, Inc. will be mitigated (although not completely) for what they were promised in the 1990 settlement agreement as a result of the impacts they suffer by an advancement of the priority date of the ShoBan Tribe's water rights.
- A recently completed Phase 1 feasibility study confirmed that modifying Ririe Dam's flood control operations could provide valuable benefits, while maintaining sufficient flood control protections for the region.
- A further Flood Risk Study is necessary to revise Ririe Dam flood control operations.

Formal Request of the Legislature

- In order to represent to the USACE and the BOR that the Idaho Legislature **supports** the need to change the Ririe Reservoir's Flood Control Curves to a more reasonable flood control system, it is important that the Legislature pass the proposed Concurrent Resolution.
- Further, in order to confirm that the Idaho Legislature **supports** the Idaho Water Resource Board's full consideration in funding the next Phase of the USCOE's required studies, it is important that the Legislature pass the proposed Concurrent Resolution.

Formal Request of Funds From the Board

- The anticipated cost of the Flood Risk Study to water users is \$1.7 million. Mitigation, Inc. hereby applies to the Idaho Water Resource Board for such sums in order to pay for the study through its granting powers or as otherwise allowed.
- Understand that should a change in the rule curves occur, NONE of the additional water which would be held in Ririe will go to the lands of the Mitigation, Inc. shareholders themselves OTHER THAN to place them in the same position they would be BUT FOR the change in water rights granted to the ShoBan Tribe in the 1990 Fort Hall Settlement Agreement.
 - The only monies received by Mitigation, Inc. through rentals or otherwise, have gone to make impacted water users whole.
 - This is precisely what was agreed upon with the parties to the settlement agreement and what the water rights of Ririe conveyed by the BOR to Mitigation, Inc. were meant to do.

Memorandum



To: Idaho Water Resource Board Water Storage Projects Committee
From: Cynthia Bridge Clark
Date: February 9, 2021
Re: Boise River Feasibility Study & Anderson Ranch Dam Raise

REQUESTED ACTION: No action

Staff will provide a status report on the Boise River Feasibility Study and IWRB activities related to the Anderson Ranch Dam Raise project. This includes ongoing coordination with the U.S. Bureau of Reclamation and outreach to water users.

The following is an estimated timeline for milestones in the next 12-months. A general project development schedule is also attached for reference and discussion.

12-Month Milestones

Date

Issue Water User Contract Solicitation	March/April 2021
Reclamation FEIS Release	May 2021
Reclamation Issue ROD	August 2021
Execute Water User Contracts	Fall 2021
Execute Reclamation/IWRB Water Use Contract	Fall 2021
Initiate Construction (Project Final Design)	Nov/Dec 2021
WIIN Act Expiration	December 16, 2021

Anderson Ranch Dam Raise Project - General Schedule of IWRB Activities

