

LEMHI RIVER BASIN COMPREHENSIVE SETTLEMENT AGREEMENT IMPLEMENTATION COMMITTEE CHARTER

On February 24, 2022, the Lemhi River Basin Comprehensive Settlement Agreement Between the Idaho Water Resource Board (“IWRB”), Idaho Department of Fish and Game, Idaho Office of Species Conservation, and Various Lemhi Basin Water Users (“Agreement”) became effective. The Agreement is attached to this Charter.

The goals of the Parties are “to conserve, restore, and enhance sufficient habitat to sustain viable fish populations within the Lemhi River Basin while protecting private property rights and preserving and enhancing the farming and ranching lifestyle and economy of the Lemhi River Basin. The Parties agreed to work together to achieve the goals of the Agreement by establishing a Steering Committee to assist IWRB in the implementation of the Agreement.

Purpose and Scope of Charter

The purpose and scope of this Charter is to establish the Steering Committee provided for in Section VII. of the Agreement, which shall be known as the Lemhi Basin Steering Committee (“LBSC”). The LBSC will facilitate cooperation between the IWRB and the water users in the implementation of the Agreement.

LBSC Members

The LBSC shall consist of two (2) members of the Lemhi Irrigation District, two (2) representatives of the Upper Lemhi Basin Water Users, one (1) representative of the Idaho Department of Fish and Game, one (1) representative of the Office of Species Conservation, and one (1) representative of the Idaho Water Resource Board (“IWRB Representative”). The watermaster for Water District 74 or an IDWR employee shall serve as an ex officio member of the LBSC.

The IWRB shall appoint four water user representatives to serve as members on the LBSC, and an alternate water user to serve for each member in the event of the absence of the member. The Board will post notice of the opportunity for water users to serve on the LBSC on the Lemhi Basin Settlement webpage: <https://idwr.idaho.gov/iwrp/water-planning/lemhi-settlement/>. Only water users who are Parties to the Agreement may serve on the LBSC. Two water user LBSC members shall be members of the Lemhi Irrigation District. Two water user LBSC members shall be water users who divert water from sources outside of the Lemhi Irrigation District upstream of the McFarland Campground minimum stream flow water right.

The IWRB shall appoint a state agency employee recommended by their respective state agency to serve as a member of the LBSC, and an alternate to serve in the event of the absence of the member.

Members of the LBSC serve at the pleasure of the IWRB. The IWRB may declare a member's position vacant if the member:

- 1) Resigns from the LBSC;
- 2) A member no longer meets the qualification criteria for the member's position; or
- 3) A member fails to attend more than two meetings without notice.

In the event a member's position is declared vacant, the alternate member shall fill the vacant position, and a new alternate will be chosen as outlined above.

Chair of LBSC

A IWRB member shall serve as the Chair of the LBSC.

Meetings

The LBSC shall agree on a regular meeting schedule that shall include at a minimum one meeting on or about May 16th and one meeting on or before November 30th of each year. The May 16th meeting shall include, but not be limited to, coordinating on the exercise of the McFarland Campground minimum stream flow water right. The fall meeting shall include, but not be limited to, a review of the implementation of the Agreement.

The LBSC may schedule such additional meetings as it deems necessary.

All meetings will be open to all interested parties. Meetings will be held at the time and place chosen by the Chair. Meetings may be held by video conference.

Members will be notified of meetings and provided with an agenda through email and/or direct mail at least two weeks prior to the meeting; provided, however, in the event of an emergency declared by the Chair, a meeting may be scheduled upon 24-hour notice. The Chair shall be responsible for posting notice of the LBSC meetings and the meeting agenda on the Lemhi Basin Settlement website.

Roles and Responsibilities of Members

Chair

The Chair is expected to: 1) keep LBSC members informed of matters related to the implementation of the Agreement; 2) manage logistics for meeting; 3) manage the meetings to ensure an open and constructive dialogue; 4) brief the IWRB at its regularly scheduled meeting of progress on implementation of the Agreement; and 5) ensure the Lemhi Basin Settlement

webpage is updated on a regular basis. The Chair may assign these and other responsibilities to Idaho Department of Water Resources staff or others as appropriate.

Members Responsibilities

Members are expected: 1) to share their respective expertise on matters related to implementation of the Agreement; 2) attend all meetings; 3) relay information to their constituents and gather information/feedback from their constituents as practical; and 4) identify and communicate to the LBSC emerging issues.

Meeting Rules

All participants in LBSC meetings are expected to share information openly, promptly, and respectfully.

All documents provided to the LBSC will be posted on the Lemhi Basin Settlement website.

Nothing herein shall preclude informal discussions between the signatories to the Agreement.

Disclaimer

The LBSC acts in an advisory role. Decision-making authority for exercise of the McFarland Minimum streamflow or other matters within the IWRB's statutory authority remain with the IWRB.