

## COMMITTEE OF NINE STATEMENT

To the members of the Federal Caucus:

The Committee of Nine is the official advisory committee for Water District 1, the largest water district in the State of Idaho. Water District 1 is responsible for natural flow deliveries from the Snake River and storage deliveries from U.S. Bureau of Reclamation reservoirs above Milner dam. The Committee of Nine also operates the local rental pool, which supplies water to the Bureau to help meet the requirements of the 1995 Biological Opinion.

In reply to the environmental and economic reviews for salmon recovery conducted by the U.S. Army Corps of Engineers, the U.S. Bureau of Reclamation, the National Marine Fisheries Service, the Bonneville Power Administration and the U.S. Fish and Wildlife Service, the undersigned farmers and residents from the Upper Snake Basin do hereby issue this statement:

In the adoption of a fish protection and recovery plan under either the Endangered Species Act or the Northwest Power Planning Act, for either the protection or recovery of a threatened or endangered anadromous fish species, all federal agencies responsible for the protection or recovery of the species must act within the law and that agency's respective authority under the law. When a plan is adopted that contains reasonable and prudent alternatives to certain action then occurring or conditions created (such as the hydropower system), to avoid jeopardy to the species and a take of the species, such alternatives by a federal agency or other actor must be action that is clearly authorized by law and based upon sound scientific data. Any plan or biological opinion adopted for the protection or recovery of endangered or threatened anadromous fish in the Columbia and Snake Rivers of the Northwest that includes an element of water acquisition by any method to enhance or augment flows has no scientific justification or biological basis and there is absolutely no legal authority which would justify a demand or claim to or control of prior appropriated water from an area outside the historical and critical habitat of an endangered or threatened species to avoid a take or to provide a reasonable and prudent alternative to a take that is occurring or is threatened to occur as a result of activities within the critical habitat of a species. It is also indisputable that the operation of Reclamation storage facilities in the upper Snake River basin does not result in destruction or adverse modification of critical habitat for any anadromous fish. It is for these basic reasons that no plan or biological opinion should provide for a plan of flow augmentation with water from the upper Snake River in excess of those flows that are presently being provided as the result of minimum stream flows established for the upper Snake River in Idaho. No plan proposal should be based upon political expediency or an inequitable spread-the-pain philosophy. The State of Idaho presently provides an average annual flow of the Snake River at Lewiston of approximately 36 million acre feet. One-third of that amount, or 12 million acre feet, comes from the upper Snake River above Hells Canyon, and one-half is contributed by the Salmon and Clear Water Rivers in Idaho. To be sure that there are sufficient flows in the Snake River for

fish and wildlife, the State of Idaho has established minimum flows in many of its rivers, including minimum flows for the Snake River at Murphy, Idaho which is above the confluence of the Payette, Weiser and Boise Rivers with the Snake River. These established minimum flows of 3900 cfs between April 1 and November 1 and 5600 cfs between November 1 and April 1 have always been met, and the range of historical flows from this portion of the Snake River between 1972 and 1995 was from 7500 cfs to 12,000 cfs. With these substantial flows in the State of Idaho which flow out of the state, flow augmentation is neither necessary nor scientifically justifiable. There is no scientific data that shows a significant correlation between augmented flows and survival of endangered anadromous fish. There is also no scientific data that today indicates that flow augmentation from the upper Snake can reduce or otherwise affect temperature in the lower Snake River, nor is there any scientific data sufficient to establish the relationship between survival and temperatures. In the absence of any statistical significant relationship between flow augmentation and survival, there is an indication that the inclusion of flow augmentation in any biological opinion or assessment is political in nature. Such decisions are contrary to the provisions of the Endangered Species Act and the Multi-Species Framework. Framework principles include the principles that fish management is rational. Rational management has been defined as a science-based approach based on a system of logic that explains how intended actions will be transferred into desired outcomes. Flow augmentation with water duly appropriated for other purposes in places that have not been designated as critical habitat for endangered or threatened anadromous fish does not fall within this principle. These long-established beneficial uses of waters of the State of Idaho by landowners and others within the State of Idaho constitute a part of the cultural and historical resources of the upper Snake River. As previously indicated, this prior appropriation of the waters of the State of Idaho in the State of Idaho for use in the State of Idaho has not and will not result in the destruction or adverse modification of critical habitat of anadromous fish. Flow augmentation with water from the upper Snake River should be removed as an element of any biological opinion, assessment or recovery plan for anadromous fish in the Columbia River basin.

Representing:

Leonard M. Beck

Committee of Nine

We, the undersigned, being water users of Water District No. One, hereby support the above Committee of Nine Statement:

Representing:

A+B I.D., F.I.D., A.S.C.C. + B.I.D.

Representing:

A+B I.R.R. Dist.

Representing:

Bendy Irrigation District

Representing:

Clark + Educators

Representing:

Islands Irrigation Co.

Representing:

Heat Feeders Club

Representing:

Mit. Club

Representing:

Beor Trap

Representing:

NFPA

Representing:

F.M.I.D.

Representing:

\_\_\_\_\_

Roger D. King

Sam Moore

Leonard M. Beck

Austin Clarnett

Gail Sheppard

Ted Hanson

Ted Hanson

Hugh Munn

Keith Erickson

D. W. \_\_\_\_\_

Representing:

John Brueck

Representing:

Way Baldwin

Representing:

Steuw Muddok

Representing:

North Salisbury

Representing:

Programe Area

Tom Tawzer

Representing:

Hillsdale Inv. Dist.

[Signature]

Representing:

North Side Pumping Co

Joe Cooper

Representing:

North side Canal Co

Bruce Mussman

Representing:

Milner Low Lift

H. Bob Peters

Representing:

North Side Pump Co

Harold L. Grant

Representing:

Milner Inv. Dist

Bill Sargent

Representing:

Blackfoot Irrigation Co.

Representing:

Watson Slough Co.

Representing:

Peoples Canal

Representing:

Rugby

Representing:

Rugby Canal

Representing:

Squirrel Creek Irr.

Representing:

North Fork Res. Co.

Representing:

Egin Bench Canals Inc.

Representing:

Salmon Union Canal Co.

Representing:

Hicks & Louisville Canal Co.

Representing:

ROXANA CANAL CO.

Lynn Evans

Neil L. Williams

Kenneth Shawver

Don Walker

R. Lynn Shalko

Walter Scapp

F. Dale Gylak

Michael Rasmussen

Laron R. Brown

Harold J. Kinghorn

Winston Sarsen

Representing:

Chester Canal

Representing:

Park & Lewisville

Representing:

Park & Sunnyside Canal

Representing:

Park & Lewisville Canal

Representing:

Park & Sunnyside Canal

Representing:

Texas Slough Canal

Representing:

Texas Slough Canal

Representing:

Hansen Canal

Representing:

Dancker Canal

Representing:

Barley Irrigation District

Representing:

Barley Irrigation District

Larry Jacobson

J. Nyle Horn

Daryl Walker

Justin Shae

John & Jackson

John O. W. Smith

Arvid Johnson

Re Wilcox

Larry Row

Jim Taylor

Darryl & Benjamin

Harley L. Howard

Representing:

B.I.D

Representing:

Ready Canal Co.

Representing:

MARYSUCHE IRRIGATION Co, INC

Representing:

FARMERS OWN DITCH Co, LTD

Representing:

LOROOT CANAL

Representing:

Trego Ditch Co

Representing:

~~Black~~ Black Root area comm. head 9

Representing:

Trego Ditch Co

Representing:

New Sweden

Representing:

North Side Canal Co

Representing:

Ella M. Mink  
AFRD #1

Carl F Blann

Fred Price VP

Normie S. Adley

Normie S. Adley

~~Alan W. Munn~~

Keith Espe

~~Dean Twitchell~~

Dean Twitchell

C. Bobb Holquist

Russell Woolley

Representing:

Consolidated Farmers Canal

Lorin F. Harris

Wenston Garson

Representing:

Manitoba Irrigation District

Mike Wilkins

Representing:

Manitoba Irrigation Dist.

Billy R. Thompson

Representing:

Falls Irrigation Dist.

Donell Larson

Representing:

Progrescic Dist

Jack R. Hamilton

Representing:

Aberdeen-Springfield Canal Company

Steven J. Hower

Representing:

Amenca Falls Reservoir Dist 2

Lynn Harmon

Representing:

Pool # 1

Nicky J. Olson

Representing:

IDA No 3 Irrigation District

Barry L. Christensen

Representing:

Idaho Irrigation District

William Hampton

Representing:

Snake River Irr.

Representing:

Long Island Inc. Co.

Representing:

Long Island Canal Co.

Representing:

Long Island Canal Co.

Representing:

Steele Canal

Representing:

FMID

Representing:

Enterprise Irrigation

Representing:

Ameyon Creek

Representing:

Consolidated Farmers

Representing:

Consolidated Farmers Canal

Representing:

Salem Irrigation 1976 Co.

Representing:

\_\_\_\_\_

Clude R. Beck

Elmo L. Hall

Robert W. Eames

Lee Bauer

J

Heland E. Clark

Jim Seelberg

Alvin J. Little

Brent Sawrey

Alex Peterson

Diana S. Beckman

Representing:

FMID NFPA  
Mitigation and  
Representing: 79 Canal & Irr.

Districts on Committee of Nine

Lebara Seaman

Ray W. Logby

Representing:

New Sweden Irrig. Dist.

Representing:

"

John Skil

Representing:

Snake River Valley Irrigation  
District

Representing:

New Sweden Irrigation Dist.

Representing:

SARVF

Paul R. Berggren

Julie Snow

DeLillian Reed

Representing:

Snake River Irrigation Dist.

Representing:

Snake River Valley Irr. Dist.

Representing:

"

Representing:

Twin Falls Canal Co

Blaine Hillman

Carlos S. Nielsen

Nathan Hjelm

Paul H. Combs

Representing:

Wayne Linder

Wayne Linder

Jim Clark

Don Dixon

loyd Hill

Ron Carter

Steve K. Linn

Jim Boulter

Carlene Schroeder

Steel Chapman

Lloyd Hill

Alcee Raymond

Representing:

Comm of nine

Representing:

North Fremont Irrigation Inc.

Representing:

Nelson Slough Trng

Representing:

Fremont Madison Irrigation Dist

Representing:

Progressive Irr. Dist.

Representing:

Progressive Irr Dist

Representing:

FARMERS FRIEND CANAL

Representing:

Enter Prize Canal

Representing:

Enterprise Canal Company

Representing:

Enterprise Canal  
WAYNE COOPER

Representing:

\_\_\_\_\_

Dale Rockwood

Rex A. Wade

Weldon J. Jeff

Art Raymond

Alan [unclear]

John Muller

Robert Davis

[Signature]

[Signature]

WAYNE COOPER

Representing:

Devout - Madison Dr.

Representing:

Island Wood Canal

Representing:

MARXSVILLE FBR

Representing:

BUTTE & MARKET LAKE

Representing:

Canyon Creek Federal

Representing:

Freemont Madison & Teton Island Canal

Representing:

Corner of 9

Representing:

AFRD #1

Representing:

N5CC

Representing:

Long Island Canal

Representing:

\_\_\_\_\_

George M. Cazo

R. D. Jones

Gordon Smith

Thompson

Mark Sebastian

Scott Hill

Claude Stover

Ella M. Wick

Jeel D. Dily

Brent Thomas

Representing:

Representing:

Woodman Johnson Canal

Representing:

Clark & Edwards

Representing:

North Side Canal Co.

Representing:

NSCC Com of 9

Representing:

NSCC

Representing:

Spring Island Canal

Representing:

Flement-Madison Irrig. Dist

Representing:

Representing:

Representing:

\_\_\_\_\_

\_\_\_\_\_

O. Russell Welling

Jerry Downing

Larry Penney

Alfred Johnson

Russell Woolley

Jude W. Scott

Dale L. Swanson

\_\_\_\_\_

\_\_\_\_\_