



IDAHO WATER RESOURCE BOARD

MINUTES OF MEETING

MEETING NO. 04-05

Friday February 22, 2005 10:33 a.m., MDT
Idaho Water Center, 322 E Front Street, Boise, ID
6th Floor Conference Room A

Dirk Kempthorne
Governor

Jerry R. Rigby
Chairman
Rexburg
At Large

Terry T. Uhling
Vice Chairman
Boise
District 2

Dick Wyatt
Secretary
Lewiston
District 1

Leonard Beck
Burley
District 3

Bob Graham
Bonners Ferry
At Large

L. Claude Storer
Idaho Falls
District 4

Gary M. Chamberlain
Challis
At Large

Lawrence 'Vic' Armacost
New Meadows
At Large

Meeting No. 04-05 of the Idaho Water Resource Board was called to order via teleconference by Chairman Rigby
At the Idaho Water Center in Boise Idaho
(One Recording Tape)

Agenda Item No. 1, Roll Call – Informal Introduction

Board Members Attending

Jerry Rigby, Chairman	Claude Storer
Joe Jordan	Bob Graham – In Office
Dick Wyatt – Secretary	

Terry Uhling, Leonard Beck and Gary Chamberlain

Department of Water Resources Staff Present

Hal Anderson, Administrator	Bill Graham, Bureau Chief
Crystal Calais, Admin. Asst. II	Morgan Case, Aquatic Biologist
Liz Robbins, Hydrologist	

Guests

Clive Strong, Dep. Attorney General

Agenda Item No. 2, Public Comment

There was no public comment made.

Agenda Item No. 3 Amendment of Snake River Water Rights Agreement Term Sheet Resolution

Mr. Anderson gave a brief summary stating the reason for meeting being the Nez Perce tribe's desire to have the wording of the Term Sheet Resolution of December 17, 2004 modified to remove or change the Resolution in regard to language referring to the 30 year term of the agreement that is not consistent with other resolutions and/or legislation.

Proposed to change the resolution '*nunc pro tunc*' so changes would be effective as of the previous date approving the original resolution.

Mr. Strong explained the concerns of the Tribe regarding four streams. Two streams in the wild and scenic river stretches have been resolved. There are two left which are both on the North Fork of the Clearwater. One is in the middle of the reservoir and the other is below the dam.

Liz Robbins gave background on the issues, specifically relating to the Upper end of Dworshak and a small portion of the North Fork of the Clearwater River.

There was some discussion of individual streams and clearing up of any confusion as to exactly what streams were in question.

Mr. Anderson – Clarified that the only item on the agenda today is to modify the language of the Term Sheet Resolution to bring the two Resolutions into conformance with each other and in keeping with currently proposed legislation.

Mr. Strong advised that the differences in the Resolutions were simply an oversight and should be modified.

Mr. Anderson reviewed the proposed changes of removing the reference to the 30-year term. The same change was made previously to the February 8th Resolution.

Motion: Mr. Jordan moved to modify the Resolution with changes, *nunc pro tunc* to December 17th 2004, to remove the third paragraph and retain similar language to the resolution passed on February 8th 2005.

Mr. Graham seconded the motion.

Roll Call Vote: Uhling, Absent; Wyatt, Aye; Beck, Absent; Graham, Aye; Jordan, Aye; Chamberlain, Absent; Storer, Aye; Rigby, Aye – 5 Ayes, 0 Nays, 3 Absent. *Motion passed – Resolution Amended.*

Agenda Item No. 4, Other items

No other items.

Mr. Wyatt made a Motion to adjourn.

Mr. Graham seconded.

Meeting adjourned at 10:50 a.m.

Dated this 22nd day of February 2005.

D. Richard Wyatt, Secretary

Crystal Calais, Administrative Assistant II

Board Actions

1. Mr. Jordan moved to modify the Resolution with changes, *nunc pro tunc* to December 17th 2004, to remove the third paragraph and retain similar language to the resolution passed on February 8th 2005. Mr. Graham seconded the motion. *Motion Passed.*