



# IDAHO WATER RESOURCE BOARD

**Brad Little**  
*Governor*

**Roger W. Chase**  
*Chairman*  
Pocatello  
District 4

**Jeff Raybould**  
*Vice-Chairman*  
St. Anthony  
At Large

**Vince Alberdi**  
*Secretary*  
Kimberly  
At Large

**Peter Van Der Meulen**  
Hailey  
At Large

**Albert Barker**  
Boise  
District 2

**John "Bert" Stevenson**  
Rupert  
District 3

**Dale Van Stone**  
Hope  
District 1

**Jo Ann Cole Hansen**  
Hope  
District 1

## MINUTES MEETING NO. 1-19

Idaho Water Center  
Conference Rooms 602 B, C, D  
322 East Front Street, 6<sup>th</sup> Floor  
BOISE

January 24, 2019  
**Work Session**

Chairman Chase called the work session meeting to order at 1:55 p.m. All Board members were present (Vince Alberdi via phone). IDWR staff members present were: Brian Patton, Cynthia Bridge Clark, Neeley Miller, Sean Vincent, Emily Skoro, Kala Golden, Wesley Hipke, Craig Tesch, Rick Collingwood, Ann Vonde, Nikki Regent, and Remington Buyer. Guests present were: Mark Limbaugh, Selena Moore, David Cottle, Kira Finkler, Walt Poole, Chris Bromley, Brian Liming, Braden Jensen, Alexis Clark, Roland Springer, Dan Steenson, Mike Dimmick, Peter Anderson and Steve Stuebner.

During the Work Session the following items were discussed:

- A presentation by Mark Limbaugh of the Ferguson Group.
- An update on Boise River Feasibility Study by Cynthia Bridge Clark, IDWR, and Roland Springer, Bureau of Reclamation.
- A presentation of Treasure Valley Ground Water Model by Sean Vincent.
- A Big Lost Hydrologic Investigation Presentation by Craig Tesch.
- A Priest Lake Water Management Project Update by Neeley Miller, IDWR, and Mike Dimmick, Flood Control District # 10.
- A Water Supply Bank Annual Report presentation by Remington Buyer

No action was taken by the Board during the Work Session. The session adjourned at 5:00 p.m.

January 25, 2019  
**Board Meeting No. 1-19**

At 8:00 a.m. Chairman Chase called the meeting to order.

## **Agenda Item No. 1: Roll Call**

### *Board Members Present*

Roger Chase, Chairman  
Vince Alberdi, Secretary (via phone)  
Bert Stevenson  
Jo Ann Cole-Hansen

Jeff Raybould, Vice-Chairman  
Pete Van Der Meulen  
Dale Van Stone  
Albert Barker

### *Staff Members Present*

Brian Patton, Bureau Chief  
Cynthia Bridge Clark, Water Projects Section Manager  
Mat Weaver, Deputy Director  
Rick Collingwood, Water Projects Staff Engineer  
Garrick Baxter, Deputy Attorney General  
Steve Stuebner

Gary Spackman, Director  
Neeley Miller, Senior Planner  
Wesley Hipke, Recharge Project Mgr  
Meghan Carter, Dep. Attorney General  
Nikki Regent, Admin Asst.

### *Guests Present*

Keith Esplin, Eastern Snake Plain Aquifer Recharge  
Hal Anderson, Idaho Water Engineering  
Mike Faulkner, Cat Creek Energy  
Jack Faulkner, Cat Creek Energy  
John Williams, Bonneville Power Administration  
Braden Jensen, ID Farm Bureau  
Peter Anderson, Trout Unlimited  
Marie Callaway Kellner, Idaho Conservation League  
Alexis Clark, Idaho Geological Survey  
Lynn Tominaga Idaho Ground Water Association  
Darrell Early, Deputy Attorney General

Douglas Jones, Idaho Water Engineering  
Walt Poole, Idaho Fish and Game  
Josh Faulkner, Cat Creek Energy  
James Carkulis Cat Creek Energy  
Candice McHugh, Coalition of Cities  
Chris Bromley, McHugh-Bromley  
Karen Henderson, Evaqua Farms  
Brian Liming, Stantec  
Michael Orr, Attorney General  
Ann Vonde, Deputy Attorney General

## **Agenda Item No. 2: Public Comment**

Mr. Keith Esplin, Eastern Snake Plain Aquifer Recharge – Discussed interest in a private recharge partnership with the Board and asked for a conversation with IDWR staff in the near future.

Mr. Douglas Jones, Idaho Water Engineering –an update on the Lost Valley Ground Squirrels Study, provided from Board grant money.

Mr. Mike Faulkner, Cat Creek Energy – Requested an action or resolution from the Board committing help or support from the Board. The Board stated more information would be needed for consideration.

## **Agenda Item No. 3: Agenda & Approval of Minutes**

Mr. Patton presented the Board with two sets of meeting minutes 6-18 and 10-18. Mr. Van Stone made a motion to accept the meeting minutes. Mr. Stevenson seconded the motion. Voice vote: All were in favor. Motion passed. The meeting minutes were adopted.

## **Agenda Item No. 4: Board Elections**

Mr. Patton presented the Board with Board Elections. Mr. Van Der Meulen made a motion to keep elected seats the same for Chairman, Vice Chairman and Secretary. Mr. Van Stone seconded the motion. Voice vote: All were in flavor. Motion passed.

#### **Agenda Item No. 5: Board Member Committees**

Mr. Patton presented the Board with a proposed list of Board Committees. Chairman Chase requested Ms. Cole-Hansen Chair the Water Supply Bank Committee and remove Ms. Cole-Hansen from the Aquifer Stabilization Committee. Mr. Barker was removed from the Water Supply Bank Committee. Mr. Van Stone made a motion to pass Board Member Committees. Mr. Van Der Meulen seconded the motion. Voice vote: All were in flavor. Motion passed.

#### **Agenda Item No. 6: Financial Report**

Mr. Miller presented the Financial Status Report to the Board. The committed/earmarked but not disbursed balance in the Secondary Aquifer Fund was \$22,232,251, as of the December 31, 2018. The Revolving Development Account has a committed/earmarked but not disbursed balance of \$24,381,732, loan principle outstanding of \$26,430,246 and uncommitted balance of \$756,008. The Water Management Account has a committed/earmarked but not disbursed balance of \$1,010,853.

The committed/earmarked balance in the Water Management Account (WMA) included the \$1M legislative appropriation for the Flood Management Grant Program per HB 712. Mr. Miller noted the balance of the WMA will be adjusted upon execution of grant awards and associated contracts.

#### **Agenda Item No. 7: ESPA Cities Settlement Agreement**

Ms. McHugh presented Coalition of Cities Settlement Agreement to the Board. There was discussion about metering; about wheeling fees; and a discussion about a flat fee.

Mr. Patton presented a resolution to approve accepting and recharging water as part of a settlement agreement between the Surface Water Coalition and various cities throughout the ESPA and provide signatory authority. Mr. Raybould made a motion to accept the resolution. Mr. Stevenson seconded the motion. Roll call vote: Mr. Alberdi, aye; Mr. Barker, aye; Ms. Cole-Hansen, aye; Mr. Raybould, aye; Mr. Stevenson, aye; Mr. Van Der Meulen, aye; Mr. Van Stone, aye; Chairman Chase, aye. Motion passed. The resolution was adopted.

#### **Agenda Item No. 8: ESPA Recharge Update**

Mr. Hipke presented an update on the ESPA Recharge Program for the Board. In the 2018-2019 recharge season a total of 92,249 acre-feet recharged as of January 24, 2019. Recharge was accomplished for 153 total days with some locations beginning recharge as early as August 16, 2018.

#### **Agenda Item No. 9: Legislation of Interest**

Mr. Baxter presented two pieces of legislation of interest to the Board. RS 26491 HB 1 adds a new section to Idaho Code § 42-115 to provide that the Director of Water Resources shall subordinate permits and licenses for water storage projects larger than 1,000 acre-feet issued after a specified date. This bill was passed January 22, 2019.

He also presented the status of RS 26431 SB 1001, amends existing law to remove obsolete rule making provisions regarding a cost-sharing program for the repair or plugging of wells. This bill was referred to Senate Resources and Environment Committee on January 16, 2019.

#### **Agenda Item No. 10: Director's Report**

Director Spackman mentioned a conversation that he had with Representative Burtenshaw regarding the Lemhi River Valley and potentially meeting with the Board to discuss this issue and his constituents. He expressed his appreciation for those involved with the Bear Lake conversations, including Claudia and Dave Cottle who represent the residents of Bear Lake.



**Agenda Item No. 11: Snake River Trust Water Right Discussion**

Mr. Orr from Attorney General's Office, presented a briefing on Trust Water under the Swan Falls Settlement Agreement.

Mr. Baxter presented on how IDWR processes water rights under existing rules and statutes.

**Agenda Item No. 12: Executive Session**

Ms. Cole-Hansen made a motion for the Board to resolve into Executive Session pursuant to Idaho Code §74-206(1) subsection (f), for the purpose of communicating with legal counsel regarding legal ramifications of and legal options for pending litigation, or controversies not yet being litigated, but immanently likely to be litigated. Topics: Basin 02 Water Right Protests, Water Rights. Mr. Raybould seconded. Roll call vote: Mr. Alberdi: Absent; Mr. Barker: Aye; Ms. Cole-Hansen: Aye; Mr. Raybould: Aye; Mr. Stevenson: Aye; Mr. Van Der Meulen: Aye; Mr. Van Stone: Aye; and Chairman Chase: Aye. 7 Ayes.

No actions were taken by the Board during the Executive Session. Ms. Cole-Hansen moved to exit Executive Session. Mr. Barker seconded the motion. Voice vote: All were in favor. Motion carried. The Board resolved out of Executive Session at approximately 10:00 a.m.

**Agenda Item No. 13: Non-Action Items for Discussion**

Mr. Barker discussed a pending Supreme Court case regarding the county of Maui that may have an impact to Idaho's Aquifer Recharge Program.

**Agenda Item No. 14: Next Meeting and Adjourn**

Next meeting will be held in Boise on March 21<sup>st</sup> and 22<sup>nd</sup>. Mr. Raybould moved to adjourn. Mr. Van Der Meulen seconded. All in favor. Meeting adjourned.

Respectfully submitted this 22<sup>nd</sup> day of March, 2019.

  
Vince Alberdi, *Secretary*

  
Nikki Regent, *Administrative Assistant II*

Board Actions:

- Approved meeting minutes 6-18 and 10-18.
- Approved Board Elections.
- Approved Board Committee Assignments.
- Approved accepting and recharging water as part of a settlement agreement between the Surface Water Coalition and various cities throughout the ESPA and provide signatory authority in the matter of Eastern Snake Plain Aquifer Stabilization and managed Recharge.