



# 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**  
Lewiston  
At Large

## MINUTES MEETING NO. 7-19

SpringHill Suites  
Conference Room  
1177 S. Yellowstone Hwy  
REXBURG

July 25, 2019  
**Work Session**

Chairman Chase called the work session meeting to order at 8:00 a.m.  
Roll Call: all Board members were present.

IDWR staff members present were: Brian Patton, Cynthia Clark Bridge, Neeley Miller, Wesley Hipke, Mathew Weaver, Matt Anders, and Mike McVay.

Guests present were: Michael Orr, Jerry Rigby, John Simpson, Roland Springer, Alan Kelsch, Mel Kunkel, Shaun Parkinson, Lynn Tominaga, Scott Breeding, Randy Brown, Shaun Maupin, and Rex Wade.

During the Work Session the following items were discussed:

- The Board convened into Executive Session pursuant to Idaho Code §74-206(1) subsection (f) to discuss the topic of Lemhi River Water Right Applications. Mr. Alberdi moved that the Board resolve into executive session. Mr. Van Stone seconded. 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. 8 ayes, motion passed.

At 8:50 a.m. Mr. Alberdi made a motion to resolve out of executive session. Chairman Chase seconded. 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. 8 ayes, motion passed.

- A presentation by Jerry Rigby, John Simpson, and Alan Kelsch from the Committee of Nine Tribal Rights Subcommittee.
- An update on the Boise River Feasibility Study by Cynthia Bridge Clark and Roland Springer.

- A presentation on the Cooperative Cloud Seeding Program was provided by Cynthia Bridge Clark, Matt Anders, and Mel Kunkel from Idaho Power.
- An update on Flood Management Grants by Neeley Miller.
- Information related to a loan request from Milner Irrigation District was provided by Rick Collingwood.
- A brief update on the Priest Lake Water Management Project by Neeley Miller.
- An update on Bear Lake by Vice Chair Raybould.
- A presentation on the North Fremont Canal System Project by Rick Collingwood, with comments from Shawn Maupin and Rex Wade.

No actions were taken by the Board during the Executive Session or the Work Session. The meeting adjourned at 11:45 a.m., after which, the Board broke for lunch and then went on a field trip to the North Fremont Canal System Project.

July 26, 2019  
**Board Meeting No. 7-19**

At 8:00 a.m. Chairman Chase called the meeting to order. All members were present.

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

*Board Members Present*

Roger Chase, Chairman  
 Vince Alberdi, Secretary  
 Bert Stevenson  
 Jo Ann Cole-Hansen

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

*Staff Members Present*

Mathew Weaver, Deputy Director  
 Cynthia Bridge Clark, Water Projects Section Manager  
 Rick Collingwood, Water Projects Staff Engineer

Brian Patton, Executive Officer  
 Neeley Miller, Senior Planner  
 Wesley Hipke, Recharge Project Mgr.

*Guests Present*

Representative Britt Raybould  
 Lynn Tominaga IGWA  
 Roland Springer, US Bureau of Reclamation  
 Megan Sloan, US Bureau of Reclamation  
 Brian Yeager, City of Hailey Public Works

John Williams, BPA  
 Shaun Parkinson, Idaho Power Company  
 David Stephenson, BWCC  
 Travis Thompson, A&B Irrigation  
 Paul Hansen, Island Park HOA

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

Travis Thompson, representing A & B Irrigation and Twin Falls Canal Company, informed the Board that a funding request will be coming for recharge purposes in the Mid-Snake.

Brian Yeager from the City of Hailey expressed gratitude to the Board for the 2018 Flood Control Grants provided. He gave some information on the projects and presented a brief video.

John Williams provided an update on Bonneville Power Administration activities.

Lynn Tominaga of the Idaho Ground Water Association thanked the Board for the hearing held and the work involved, and that IGWA would be supportive of the Board's decisions.

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

Mr. Barker moved to approve meeting minutes 5-19. Mr. Alberdi seconded. Voice vote. All in favor. Motion carried.

**Agenda Item No. 4: Financial Report**

Neeley Miller provided a financial report on the Board's funds. Mr. Patton stated the numbers were as of June 30, 2019.

**Agenda Item No. 5: Lemhi River Basin**

Mr. Patton reminded the Board that they received information on this agenda item in the previous day's meeting. There was a resolution presented for the Board's consideration.

The resolution would authorize staff and counsel to retain technical consultants and experts to support the Board's protests to applications for permits to divert from tributaries to the Upper Lemhi River. Mr. Barker made a motion to accept the resolution. Mr. Van Stone seconded. 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. 8 ayes, motion passed.

**Agenda Item No. 6: Flood Management Grants**

Mr. Miller provided a brief recap of the current status of the Flood Management Grants program.

Before the Board was a resolution to award funds through the Flood Management Grants Program. Mr. Raybould moved to adopt the resolution with an attached table listing the 2019 projects and a note that item 3 information will be used in making land use planning decisions. Mr. Barker seconded. Roll call vote: Mr. Alberdi, aye; Mr. Barker, aye—abstain with regard to Item 6, as it pertains to Board of Controls Irrigation; Ms. Cole-Hansen, aye; Mr. Raybould, aye; Mr. Stevenson, aye; Mr. Van Der Meulen, aye; Mr. Van Stone, aye; Chairman Chase, aye. 8 ayes, motion passed.

**Agenda Item No. 7: Milner Irrigation District Loan Request**

Mr. Patton and Mr. Collingwood provided a summary of the loan request by Milner Irrigation District.

Before the Board was a resolution to authorize funding to construct new main irrigation conveyance pipelines for the Milner Irrigation District. Mr. Alberdi moved to adopt the resolution. Mr. Stevenson seconded. Roll call vote: Mr. Alberdi, aye; Mr. Barker, abstain; Ms. Cole-Hansen, aye; Mr. Raybould, aye; Mr. Stevenson, aye; Mr. Van Der Meulen, aye; Mr. Van Stone, aye; Chairman Chase, aye. 7 ayes, motion passed.

**Agenda Item No. 8: Series 2005 Revenue Bonds**

Mr. Patton provided history on the Bonds. New owners of some properties would like to enter into an agreement with the Board and the bond trustee. A resolution would authorize negotiations. Mr. Raybould asked if this action would affect the Board's future ability to issue revenue bonds. Mr. Patton affirmed that this action would not negatively impact the Board.. There was some discussion and clarification.

Mr. Raybould moved to adopt the resolution. Mr. Alberdi seconded. 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. 8 ayes, motion passed.

#### **Agenda Item No. 9: ESPA Managed Recharge**

Mr. Hipke reminded the Board that a presentation related to this topic had been given at the recent committee meeting, and there was a resolution for consideration. Mr. Barker asked about a timeline for the resolution price structures. There was discussion about setting a time. Mr. Hipke suggested adding a line that these go for 5 years.

Mr. Alberdi moved to adopt the resolution with the added clarification of up to 5 years. Mr. Raybould seconded. Roll call vote: Mr. Alberdi, aye; Mr. Barker, nay; Ms. Cole-Hansen, aye; Mr. Raybould, aye; Mr. Stevenson, aye; Mr. Van Der Meulen, aye; Mr. Van Stone, aye; Chairman Chase, aye. 7 ayes. 1 nay. Motion passed.

An Upper Valley resolution was provided to the Board. There was discussion on whether to table the resolution or just not act. Mr. Raybould said more information was needed and recommended that the current fee structure remain in place for the Upper Valley. Mr. Stevenson asked about the length of the contracts in the Upper Valley. Mr. Hipke confirmed that the contracts are for one year. Mr. Raybould advised that the memorandum of intent related to those contracts are longer term. Mr. Hipke added that term is 20 years. The Board moved on to the next agenda item without action.

#### **Agenda Item No. 10: Cooperative Cloud Seeding Program**

Ms. Clark summarized the resolution before the Board to commit additional funds for the Cooperative Cloud Seeding Program which was the topic of a lengthy discussion during the work session. She provided program budget information and Shaun Parkinson provided additional data. There was discussion about the commitment and the funding for the program.

Mr. Raybould moved to adopt the resolution to approve funds for the Cooperative Cloud Seeding Program on a year-to-year basis and a statement about benefits. Ms. Cole-Hansen seconded. 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. 8 ayes, motion passed.

#### **Agenda Item No. 11: Mountain Home AFB Sustainable Water Project Update**

Mr. Patton updated the Board on the Mountain Home AFB Sustainable Water Project. Included in the board books were a memo, a letter, and a draft MOA received from the Federal government. He listed some of the concerns with the memorandum.

#### **Agenda Item No. 12: Henry's Fork Stream Alteration Approval**

Mr. Miller presented a resolution to grant a stream channel alteration permit application. IDWR stream channel alteration staff had reviewed the project and indicated that they would issue the permit, pending Board approval. Two members of the HOA who applied for the permit were in attendance. Dr. Paul Hansen appeared before the Board and provided more details for the requested permit. There was some discussion about private and public use.

Mr. Van Stone moved to adopt the resolution to approve stream alteration permit No. 21-20108. Mr. Barker seconded. Voice vote: all were in favor. Motion carried.

#### **Agenda Item No. 13: IDWR Eastern Regional Manager Update**

Mr. Cefalo provided an update in Eastern Regional activities. Bear Lake has become an increasingly busier area for new water right applications; flow meter installation for the ESPA groundwater

agreement has kept Eastern staff busy; and transfer applications have increased for the region, resulting in an increase in application protests. Finally, he suggested that the Bear River needs to be adjudicated.

**Agenda Item No. 14: Administrative Rules Process Update**

Mat Weaver updated the Board on the administrative rules process and the Red Tape Reduction Act. He shared the public comments that had been received related to the proposed rules, which prompted the scheduling of three hearings. Public hearing requests were included in the book materials.. Board members had been invited to participate in the hearings.

**Agenda Item No. 15: Director's Report**

Deputy Director Mat Weaver provided an update on IDWR activities. He supported Mr. Cefalo's comments that staff across the state have been very busy. He discussed the fact that several retirements were pending, and he informed the Board of the Office of IT Services (OITS) plan to centralize IT across state agencies. There was discussion about potential problems and issues of uncertainty. Next, there was an update on the ESPA groundwater management order. He identified the three oppositional parties, to which the Director requested supporting briefs related to the opposition. Finally, there was an update on the Northern adjudication activities.

**Agenda Item No. 16: Non-Action Items for Discussion**

No items were presented.

**Agenda Item No. 17: Next Meeting and Adjourn**

The next scheduled meetings were September 19-20, 2019 and November 14-15, 2019. Mr. Stevenson moved to adjourn. Mr. Raybould seconded. Voice vote. All in favor. The meeting adjourned.

Respectfully submitted this 14<sup>th</sup> day of November, 2019.



Vince Alberdi, *Secretary*



Jennifer Strange, *Administrative Assistant II*

## Board Actions:

1. Mr. Barker moved to approve meeting minutes 5-19. Mr. Alberdi seconded. Voice Vote. All in favor. Motion passed.
2. Mr. Barker moved to adopt Resolution #14-2019 approving funds up to \$40,000 to retain technical consultants and experts to support the Board's protests. Mr. Van Stone seconded. Roll Call Vote. 8 Ayes. Motion carried.
3. Mr. Raybould moved to adopt Resolution #15-2019 to award Flood Management Grants. Mr. Barker seconded. Roll Call Vote. 8 Ayes, with an Abstention related to attached table item number 6. Motion carried.
4. Mr. Alberdi moved to adopt Resolution #16-2019 approving a loan up to \$2,000,000 to Milner Irrigation District to construct new main irrigation conveyance pipelines. Mr. Stevenson seconded. Roll Call Vote. 7 Ayes. 1 Abstain. Motion carried.
5. Mr. Raybould moved to adopt Resolution #17-2019 to enter into an agreement to release certain development revenue bonds. Mr. Alberdi seconded. Roll Call Vote. 8 Ayes. Motion carried.
6. Mr. Alberdi moved to adopt Resolution #18-2019 approving ESPA managed recharge program standards and processes for the Lower Valley. Mr. Raybould seconded. Roll Call Vote. 7 Ayes. 1 Nay. Motion carried.
7. Mr. Raybould moved to adopt Resolution #19-2019 approving funds for the Cooperative Cloud Seeding Program in the Upper Snake, Wood and Boise River Basins. Ms. Cole-Hansen seconded. Roll Call Vote. 8 Ayes. Motion carried.
8. Mr. Van Stone moved to adopt Resolution #20-2019 approving stream alteration permit no. 21-20108. Mr. Barker seconded. Voice Vote. All were in favor. Motion carried.