



IDAHO WATER RESOURCE BOARD

Brad Little
Governor

Jeff Raybould
Chairman
St. Anthony
At Large

Roger W. Chase
Vice-Chairman
Pocatello
District 4

Jo Ann Cole-Hansen
Secretary
Lewiston
At Large

Dale Van Stone
Hope
District 1

Albert Barker
Boise
District 2

Dean Stevenson
Paul
District 3

Peter Van Der Meulen
Hailey
At Large

Brian Olmstead
Twin Falls
At Large

MINUTES MEETING NO. 13-21

Idaho Water Center
Conference Rooms 602 C & D / Zoom Online
322 E. Front St
BOISE, ID

September 30, 2021

At 8:30 a.m. Chairman Raybould called the meeting to order. All members were present.

Agenda Item No. 1: Roll Call

Board Members Online

Jeff Raybould, Chairman
Roger Chase, Vice-Chairman
Jo Ann Cole-Hansen, Secretary
Albert Barker
Dale Van Stone
Dean Stevenson
Brian Olmstead
Pete Van Der Meulen

Staff Members Present

Brian Patton, Executive Officer
Gary Spackman, Director
Remington Buyer
Cynthia Bridge Clark, Water Projects Manager
Mathew Weaver, Deputy Director

Neeley Miller
Wesley Hipke
Jennifer Strange

Staff Members Present Online

Emily Skoro

Steve Stuebner

Guests Present Online

Ann Vonde, AG's Office
Chris Bromley
Scott King
Mike Lawrence
Robert Turner

Agenda Item No. 2: Executive Session

Board met pursuant to Idaho Code § 74-206(1) subsection (f) to communicate with legal counsel regarding legal ramifications of and legal options for pending litigation, or controversies not yet being litigated but imminently likely to be litigated. The executive session was closed to the public.

Ms. Cole-Hansen moved to resolve into executive session. Mr. Chase seconded. Roll call vote: Mr. Barker, aye; Mr. Chase, aye; Ms. Cole-Hansen, aye; Mr. Olmstead, aye; Mr. Stevenson, aye; Mr. Van Der Meulen, aye; Mr. Van Stone, aye; and Chairman Raybould, aye. 8 ayes. The motion passed. Ms. Ann Vonde of the Attorney General's Office discussed the following topics: IWRB Water Right Applications 01-10613, 21-13106, 21-7577, 21-7578, 21-7580, 21-13106, 37-23110, 37-23111, and 63-34753. Mr. Barker recused himself from the discussion that included the Upper Snake recharge permits.

Ms. Cole-Hansen moved to resolve out of executive session. Mr. Stevenson seconded. Voice vote. All ayes. Motion carried. No actions were taken during the executive session.

Agenda Item No. 3: Water Right Applications 37-23110 and 37-23111

Mr. Patton confirmed with Ms. Vonde that there were no actions for this topic. Ms. Vonde stated that they would continue negotiations as discussed in executive session.

Agenda Item No. 4: Water Right Applications 01-10613, 21-13106, 21-7577, 21-7578, 21-7580 & 21-13106

Ms. Vonde proposed the condition listed below as partial settlement of water right protests.

"The right holder agrees not to exercise this right unless there has been a determination made by the USBR in consultation with Water District 01 and the Committee of Nine as outlined in public law #115, that there is water available in excess of that needed to satisfy existing Minidoka Project storage rights and hydropower rights and ensure operational flexibility."

There was no discussion on the condition.

Mr. Olmstead moved to authorize Ms. Vonde to provide the condition to the protestants. Mr. Chase seconded. Voice vote. 7 ayes. Mr. Barker abstained from the vote. Motion carried.

Agenda Item No. 5: Administrative Rules

Deputy Director Mat Weaver provided an update on the Board's Administrative Rules. He offered a new resolution that he and Ms. Ann Vonde had created that would replace and supersede resolution No. 31-21 approved on September 16, 2021.

Mr. Barker moved to adopt the resolution that would supersede resolution No. 31-21. Ms. Cole-Hansen seconded. Voice vote. All ayes. The motion carried.

Agenda Item No. 6: Non-Action Items for Discussion

Director Spackman said he would be scheduling meetings with board members and legislators.

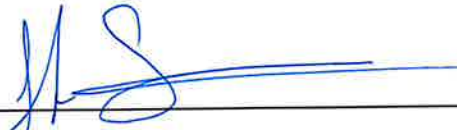
Agenda Item No. 7: Next Meeting and Adjourn

Mr. Chase moved to adjourn. Ms. Cole-Hansen seconded. Voice vote. All ayes. Motion carried. Meeting adjourned at 10:20 a.m.

Respectfully submitted this 19th day of November 2021.



Jo Ann Cole-Hansen, *Secretary*



Jennifer Strange, *Administrative Assistant II*

Board Actions:

1. Moved to accept proposed conditions from Attorney General Deputy Ann Vonde.
2. Adopted a resolution to supersede resolution No. 31-21 relating to administrative rules.