



IDAHO WATER RESOURCE BOARD

Brad Little
Governor

Jeff Raybould
Chairman
St. Anthony
At Large

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. 10-22

Community Campus
Minnie Moore Meeting Room
1050 Fox Acres Rd.
HAILEY

September 15, 2022
Work Session

Agenda Item No. 1: Roll Call

Chairman Raybould called the work session meeting to order at 8:06 AM (MT) in Hailey, Idaho and online. Board members present were Al Barker, Jo Ann Cole-Hansen, Brian Olmstead, Dean Stevenson, Dale Van Stone, Pete Van Der Meulen, and Chairman Raybould.

IDWR staff members present were: Brian Patton, Cynthia Bridge Clark, Neeley Miller, Wesley Hipke, Kala Golden, Gary Spackman, Mathew Weaver, Tim Luke, Corey Skinner, Megan Jenkins, Steve Stuebner and Shelley Keen. Online were: Remington Buyer, Sascha Marston, Neal Farmer, and Will Patterson.

Guests present were: Sunny Healey, Corey Allen, Carl Pendleton, Kevin Lakey, John Simpson, Scott Pugrud, Kristy Molyneux, Marybeth Collins, Nicholas Jensen, Ron Taylor, Douglas R. Jones, Harold Jones, John J. Williams, Pat McMahan, Lawrence Schoen, Janet Jessup, Parker Hinton, Darrel Ker, Hattie Zobott, Senator Michelle Stennett, and Nick Purdy. Guests online were: Tyler Pratt, Aaron Dalling, Cooper Brossy,

Agenda Item No. 2: Southern Region Manager's Report

Mr. Corey Skinner discussed activities in the Southern Region office which included water right permits, transfer applications, well drilling inspections, and future goals.

Agenda Item No. 3: Aging Infrastructure Loan Applications

Mr. Patton introduced Ms. Kala Golden to discuss the aging infrastructure loan applications. She discussed some challenges for the loan process and provided summaries for seven loan requests. Some loan applicant representatives spoke to the board as well.

The board took a brief break.

Agenda Item No. 4: BWRGWMA Management Plan Implementation Update

Mr. Brian Patton introduced Kevin Lakey, former water master of WD 37. He discussed the how water is delivered for the Big Wood system/ Water District 37.

Mr. Tim Luke provided an overview of the Big Wood River Groundwater Management Area (BWRGWMA) management plan, which he described as consistent with Idaho statute. He discussed several baseline actions including fallow irrigated acres, irrigation season limits, CIEF contributions, Snake River storage delivery, stream flow target, and cloud seeding.

Ms. Kristy Molyneux, chair of the South Valley Ground Water District addressed the board on groundwater reductions in the district.

Mr. Pat McMahon, chair of the Galena Ground Water District updated the board on activities for the district.

Mr. Bill Simon, representative of GW Association 37b/Camas Prairie, requested that the association have access to the USGS aquifer study of the valley.

Mr. Tim Luke provided some follow up information.

Mr. Corey Allen with the Sun Valley Company spoke on the company's CIEF contributions. There was some discussion on water usage for snow making efforts.

Mr. Cooper Brossy, representative of the Big and Little Wood Water Users Association, reported on water usage over the past season.

Mr. Carl Pendleton of the Big Wood Canal Company commented on CIEF contributions and stated more information on projects would be shared on the field trip.

Mr. Larry Schoen, Blaine County commissioner and Chairman for the CIEF Committee, spoke about the structure and function of the committee.

Senator Michelle Stennett commented that she holds a tremendous amount of respect for the agreement and acknowledged how difficult it was for all involved.

Mr. Stevenson stated the reason that the deal worked so well was because everyone was looking out for each other and not just themselves.

Agenda Item No. 5: Non-Action Items for Discussion

There were no other items for discussion from the board members.

Mr. Larry Schoen asked about an opportunity for public comments. Chairman Raybould allowed for Mr. Schoen to speak. He asked about what the state has planned to address population growth and drought. He discussed what Blaine County Commissioners had done to address the issue. Chairman Raybould listed some of the board's programs that address the issues of water supply and recharge.

Agenda Item No. 6: Adjourn

The meeting adjourned at 11:15 AM.

Following lunch, the board went on a field trip.

September 16, 2022
Board Meeting No. 10-22

At 8:05 AM (MT) Chairman Raybould called the meeting to order in Hailey, Idaho and online.

Agenda Item No. 1: Roll Call

Board Members Present

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

Staff Members Present

Gary Spackman, Director
Brian Patton, Executive Officer
Neeley Miller
Steve Stuebner
Kala Golden
Ann Yribar

Mathew Weaver, Deputy Director
Cynthia Bridge Clark
Megan Jenkins
Wesley Hipke
Corey Skinner

Staff Members Present Online

Meghan Carter
Neal Farmer

Mike Morrison
Sascha Marston

Guests Present

John Williams
Hattie Zobot
Darrel Ker
Janet Jessup

Douglas Jones
Parley Hinton
Harold Jones
Pat McMahan

Guests Present Online

Darrell Early
Clive Strong
Lanie Paquin

Meghan Carter
Norm Semanko

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 at 8:06 AM. Mr. Barker seconded. Roll call vote: Mr. Barker, aye; Mr. Chase, absent; Ms. Cole-Hansen, aye; Mr. Olmstead, aye; Mr. Stevenson, aye; Mr. Van Der Meulen, aye; Mr. Van Stone, aye; and Chairman Raybould, aye. 7 ayes. The motion passed.

Mr. Darrell Early discussed Lemhi River Basin Settlement. Ms. Meghan Carter discussed Priest Lake Outlet Dam.

At 9:00 AM, Ms. Cole-Hansen moved to resolve out of executive session. Mr. Barker seconded. Voice vote. All in favor. The motion carried. No actions were taken during the executive session.

Agenda Item No. 3: Priest Lake Outlet Dam

Mr. Patton introduced a resolution for consideration in the matter of Priest Lake construction litigation. Mr. Barker said that because of the Strider lawsuit, the Attorney General's office had asked for outside assistance and had recommended Stephen B. Andersen of the Kirton McConkie firm.

Mr. Barker moved to adopt the resolution to approve the contract for outside counsel with an edit: in the second "Whereas" clause it stated Strider terminated the contract; he moved to amend the resolution to state that Strider sent a notice of termination. Mr. Van Stone seconded. Roll call vote: Mr. Barker, aye; Mr. Chase, absent; Ms. Cole-Hansen, aye; Mr. Olmstead, aye; Mr. Stevenson, aye; Mr. Van Der Meulen, aye; Mr. Van Stone, aye; and Chairman Raybould, aye. 7 ayes. The motion passed.

Agenda Item No. 4: Public Comment

Chairman Raybould asked if there were any public comments.

John Williams of Bonneville Power Administration provided a brief update on BPA activities. There was discussion about the four lower Snake dams.

Douglas Jones of Idaho Water Engineering commented about the Lost Valley Reservoir project.

Hattie Zobot of T-O Engineers, representing Bannock feeder canal, expressed gratitude for the board's assistance through the grant programs.

Agenda Item No. 5: Lemhi River Basin Settlement

Ms. Ann Yribar provided an update on twelve water right applications that would require full approval from the board per the Lemhi River Basin Settlement Agreement.

Mr. Olmstead moved to approve water right applications 74-16185, 74-16186, 74-16188, 74-16189, 74-16190, 74-16191, 74-16192, 74-16193, 74-16194, 74-16196, 74-16204, 74-16205. Mr. Stevenson seconded. Voice vote. All in favor. The motion carried.

Mr. Clive Strong provided a progress report on Lemhi Basin Comprehensive Settlement Implementation. He highlighted three key parts of the report. He stated that protests had been resolved; that 88

applications had been filed for high flow water rights from the workshop that was held in Salmon; and a hearing was scheduled for those applications.

Agenda Item No. 6: Financial Report

Mr. Neeley Miller provided the Board's financial report. The accounts as of August 31, 2022 were: Secondary Aquifer Fund: committed/earmarked but not disbursed \$23,386,711 and uncommitted balance \$8,524,836; Revolving Development Account: committed/earmarked but not disbursed \$19,821,833, loan principal outstanding \$17,508,607, uncommitted balance \$15,984,952, and anticipated loanable funds available next one year \$19,484,952; and Water Management Account: obligated \$71,298,511, and unobligated balance \$76,144,937. Total committed/earmarked but not disbursed \$189,675,241; total loan principal outstanding \$17,508,607; and total uncommitted balance \$25,486,539. ARPA: committed per HB 769 \$100,000,000 and unobligated \$100,000,000.

The obligated balance in the Water Management Account includes the \$20M legislative appropriation per HB 285 (FY 2019) for the Anderson Reservoir Enlargement and/or Mountain Home Air Force Base Water Supply Project. The obligated balance also includes \$50M for large infrastructure projects per Senate Bill 1121 (FY 2021) for the Anderson Ranch enlargement, Mountain Air Force Base Water Supply Project, ESPA Managed Aquifer Recharge Program, other projects identified by the IWRB.

The Water Management Account unobligated balance includes \$75M per HB 769 (FY 2022) to be used for expenditures, loans, or grants for water projects, including studies, to address water sustainability, rehabilitate or improve aging water infrastructure or support flood management. The legislature provided that no more than one-third of these moneys shall be used for grants.

Mr. Patton provided an update on ARPA fund allocations. He mentioned that funding resolutions relating to these funds would be presented within the next agenda items. He also stated that the Finance Committee may wish to reallocate funds in the Water Management Account that had been set aside for projects that could be receiving ARPA funds. There was discussion about fund availability in the future.

Agenda Item No. 7: Anderson Ranch Dam Raise Project

Ms. Cynthia Bridge Clark introduced Lanie Paquin from Bureau of Reclamation. Ms. Paquin stated that they are moving forward with the spillway design, that they have scheduled DSAT (Dam Safety Advisory Team) meetings, with plans to report at the board's November meetings, and that road closures for geotechnical work have been re-opened.

Ms. Bridge Clark discussed next steps on the board's water right application and a funding resolution for the board to consider.

Mr. Barker moved to adopt a resolution to approve funds from the ARPA State Fiscal Recovery Fund in the matter of the raise of Anderson Ranch Dam with an amendment to add a "therefore be it resolved" clause prior to the final "therefore be it resolved" clause to essentially state that if the board elects not to proceed with the project then funding would be returned to the board and reallocated by the board, subject to approval. Mr. Olmstead seconded. Roll call vote: Mr. Barker, aye; Mr. Chase, absent; Ms. Cole-Hansen, aye; Mr. Olmstead, aye; Mr. Stevenson, aye; Mr. Van Der Meulen, aye; Mr. Van Stone, aye; and Chairman Raybould, aye. 7 ayes. The motion passed.

Agenda Item No. 8: MHAFB Water Resilience Project

Mr. Mike Morrison discussed the status on locating an owner's advisor, project timeline, the MOA and a proposed resolution, and a draft resolution to appropriate ARPA funds for the project. Ms. Bridge Clark discussed two draft resolutions for consideration.

Mr. Barker moved to adopt the resolution to authorize the Chairman to execute the MOA with the United States of America. Ms. Cole-Hansen seconded. Roll call vote: Mr. Barker, aye; Mr. Chase, absent; Ms. Cole-Hansen, aye; Mr. Olmstead, aye; Mr. Stevenson, aye; Mr. Van Der Meulen, aye from vote; Mr. Van Stone, aye; and Chairman Raybould, aye. 7 ayes. The motion passed.

Mr. Olmstead moved to adopt the resolution to authorize ARPA funding for the MHAFB Water Resilience Project. Mr. Van Stone seconded. Roll call vote: Mr. Barker, aye; Mr. Chase, absent; Ms. Cole-Hansen, aye; Mr. Olmstead, aye; Mr. Stevenson, aye; Mr. Van Der Meulen, aye; Mr. Van Stone, aye; and Chairman Raybould, aye. 7 ayes. The motion passed.

Agenda Item No. 9: ESPA Recharge Infrastructure Funding

Mr. Wesley Hipke summarized recharge projects that had been discussed at the last Aquifer Stabilization Committee meeting. He presented a resolution for consideration on the Goyne Sump. An edit on line 66 was suggested to state "up to" 3.3 and "may" not "will."

Mr. Van Der Meulen moved to adopt the resolution to provide funding for the Goyne Sump with the minor edits mentioned. Mr. Olmstead seconded. Roll call vote: Mr. Barker, aye; Mr. Chase, absent; Ms. Cole-Hansen, aye; Mr. Olmstead, aye; Mr. Stevenson, aye; Mr. Van Der Meulen, aye; Mr. Van Stone, aye; and Chairman Raybould, aye. 7 ayes. The motion passed.

Mr. Hipke discussed the Hamer Road recharge site. Mr. Barker asked about the benefits of the chosen site. Mr. Stevenson supported the site by saying that making the numbers will require all viable sites. There was discussion about finding more upper valley sites. There were minor edits discussed for the resolution. Chairman Raybould stated he has conflicts and will abstain from the vote.

Mr. Stevenson moved to adopt the resolution to provide funding for the Hamer Road recharge site. Mr. Van Stone seconded. Roll call vote: Mr. Barker, aye; Mr. Chase, absent; Ms. Cole-Hansen, aye; Mr. Olmstead, aye; Mr. Stevenson, aye; Mr. Van Der Meulen, aye; Mr. Van Stone, aye; and Chairman Raybould, abstain. 6 ayes. The motion passed.

Agenda Item No. 10: Aging Infrastructure Grant Funding Award

Mr. Neeley Miller stated that on October 20th the Finance Committee discussed the rankings and recommended the IWRB approve grant awards as specified in the draft resolution and attached grant applications ranking spreadsheet. He highlighted a minor typo on line 21 and 22.

Mr. Van Stone moved to adopt the resolution with the mentioned edits and attached ranking sheet. Ms. Cole-Hansen seconded. Mr. Olmstead noted that Parley Henton with Northside Pumping Company was in attendance. Mr. Henton expressed appreciation. Roll call vote: Mr. Barker, aye but abstained for conflict on the following awards: Boise Project Board of Control, Falls Irrigation District, Nampa-Meridian Irrigation District, Northside Pumping Company, and Water District 63; Mr. Chase, absent; Ms. Cole-Hansen, aye; Mr. Olmstead, aye; Mr. Stevenson, aye; Mr. Van Der Meulen, aye; Mr. Van Stone, aye; and

Chairman Raybould, aye but abstained for conflict on the award to Fremont Madison Irrigation District. 7 ayes. The motion passed.

Agenda Item No. 11: Aging Infrastructure Loan Applications

Ms. Kala Golden provided seven resolutions to provide loan funding for select aging infrastructure projects. There was discussion about loan totals and interest rates. The Chairman recommended bundling all the resolutions together for one vote.

Mr. Van Der Meulen moved to adopt all seven resolutions. Mr. Olmstead seconded. Roll call vote: Mr. Barker, aye; Mr. Chase, absent; Ms. Cole-Hansen, aye; Mr. Olmstead, aye; Mr. Stevenson, aye; Mr. Van Der Meulen, aye; Mr. Van Stone, aye; and Chairman Raybould, aye but abstained for conflict on the loan to Southeast Idaho Canal Company. 7 ayes. The motion passed.

Agenda Item No. 12: Director's Report

Director Spackman expressed gratitude for the board's work. He appreciated the staff's work on the MHAFB project. Related to the ESPA, SWC, and IGWA Settlement Agreement, he said that IDWR staff would start a technical review of the Methodology Order.

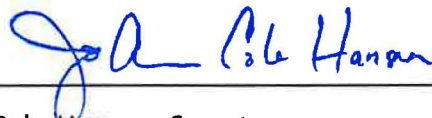
Agenda Item No. 13: Non-Action Items for Discussion

There were no items for discussion.

Agenda Item No. 14: Next Meeting and Adjourn

Mr. Patton stated the next scheduled meetings would be November 17-18, 2022 in Boise and via an online platform. Mr. Van Stone moved to adjourn. Mr. Barker seconded. Voice vote. All ayes. Motion carried. Meeting adjourned at 11:38 AM (MT).

Respectfully submitted this 18th day of November 2022.



Jo Ann Cole-Hansen, Secretary



Jennifer Strange, Administrative Assistant II

Board Actions:

1. Adopted a resolution in the matter of Priest Lake construction litigation to approve contract for outside counsel.
2. Adopted a motion to approve water right applications 74-16185, 74-16186, 74-16188, 74-16189, 74-16190, 74-16191, 74-16192, 74-16193, 74-16194, 74-16196, 74-16204, 74-16205.
3. Adopted a resolution in the matter of the raise of the Anderson Ranch dam to approve funds from the ARPA State Fiscal Recovery Fund.
4. Adopted a resolution in the matter of the construction of a water transmission system and a water treatment plant for the MHAFB to provide signatory authority for a MOA between the IWRB and the USA.
5. Adopted a resolution in the matter of the construction of a water pipeline to the MHAFB to approve funds from the ARPA State Fiscal Recovery Fund.
6. Adopted a resolution in the matter of the Goyne Sump recharge site development to approve funds from the ARPA State Fiscal Recovery Fund.
7. Adopted a resolution in the matter of the Hamer Road recharge site development to approve funds from the ARPA State Fiscal Recovery Fund.
8. Adopted a resolution in the matter of aging infrastructure grants to award funds.
9. Adopted seven loan request resolutions.