

#### **IDAHO WATER RESOURCE BOARD**

#### Dirk Kempthorne Governor

#### Joseph L. Jordan Chairman Fruitvale At Large

# *Jerry R. Rigby* Vice Chairman Rexburg *At Large*

#### Dick Wyatt

Secretary Lewiston District 1

## Terry T. Uhling Boise District 2

Leonard Beck
Burley
District 3

### L. Claude Storer Idaho Falls District 4

# Gary Chamberlain Challis At Large

**Bob Graham**Bonners Ferry
At Large

#### IDAHO WATER RESOURCE BOARD MINUTES OF MEETING NO. 08-02 November 13, 2002

Meeting No. 08-02 of the Idaho Water Resource Board was called to order by Chairman Joe Jordan on Wednesday, November 13, 2002, 8:00 a.m. in the conference rooms at the Idaho Department of Water Resources, 1301 N. Orchard St., Boise, Idaho. (One Recording Tape)

#### Agenda Item No. 1, Roll Call

#### **Board Members Present**

Joe Jordan, Chairman

Bob Graham

Claude Storer

Jerry Rigby, Vice Chairman

Dick Wyatt, Secretary

Gary Chamberlain

Terry Uhling

Leonard Beck

#### Department of Water Resources Staff Present

Norman C. Young, Administrator Mark Slifka, Section Manager Mike Piechowski, Bill Graham, Bureau Chief Phillip Rassier, Deputy Attorney General Rita Fleck, Adm. Assistant

#### Guest

Travis Thompson, of the firm Baker, Rosholt & Simpson LaMar Barrus, well driller

### **Agenda Item No. 2, Rules for the Construction and Use of Injection** Wells

Norman Young, Administrator, introduced the purpose for changes to the rule. The *Notice of Rulemaking – Pending Rule* describes:

The Environmental Protection Agency promulgated revisions to the Class V Underground Injection Control (UIC) regulations, adding new federal requirements to the Idaho Department of Water Resources' Waste Disposal and Injection Well Program. The pending rule incorporates the new requirements and also incorporates certain standards and provisions of the Idaho Ground Water Rule.

These changes are found in Rule 003. Administrative Appeals and Rule 10 Definitions. The Board members discussed some of these changes at length and then voted on the resolution.

LaMar Barrus, well driller, appeared before the Board to present his comments. He was ill during the public meeting period and was unable to express his views. His concerns are that the rules keep the groundwater quality intact. Chairman Jordan agreed with him that Idaho's water quality is always a concern and assured him that the rule would address construction of injection wells to preserve water quality.

**Motion:** Gary Chamberlain moved adoption of the resolution (Attachment 1) revising the Rules of Construction and Use of Injection Wells. Terry Uhling seconded the motion.

**Roll Call Vote:** Beck, Aye; Chamberlain, Aye; Graham, Aye; Rigby, Absent; Storer, Aye; Uhling, Aye; Wyatt, Aye; 7 Ayes, 0 Nays, 1 Absent. *Motion passed*.

#### Agenda Item No. 3, Rules for Water Supply Bank

Norman Young introduced this topic. Presently, the Water Supply Bank rules allow for funds received from the U.S. Bureau of Reclamation to pay the rental cost of water for flow enhancement to be paid into the fee account under Rule 35. By this modification, the fees come directly to the Department of Water Resources to pay for the cost of monitoring and regulate the rental water.

By this action, the temporary rule adopted last summer will be come a pending rule and with legislation approval be permanent. Notice of this action shall be published in the January 2003 Administrative Bulletin, Docket No. 37-0203-0201.

**Motion:** Jerry Rigby moved the adoption of the resolution (Attachment 2) adopting the Water Supply Bank rules as pending rules along with the revision to Rule 35. Gary Chamberlain seconded the motion

**Roll Call Vote:** Beck Aye; Chamberlain, Aye; Graham, Aye; Rigby, Aye; Storer, Aye; Uhling, Aye; Wyatt, Aye; 8 Ayes, 0 Nays. *Motion passed*.

Meeting adjourned at 8:35 a.m.

Dated this 13<sup>th</sup> day of December, 2002.

D. Richard Wyatt, Secretary	

Rita I.	Fleck.	Administrative Assistant	

#### **Board Actions**

- 1. Moved to adopt the resolution for the Rules of Construction and Use of Injection Wells with the changes discussed at this meeting.
- 2. Moved to adopt the resolution that by temporary rulemaking amends the Stream Channel Alternation Rules, IDAPA37.03.07 effective as of September 23, 2002.

#### Attachments

- 1. Resolution that by temporary rulemaking amends the Stream Channel Alternation Rules, IDAPA37.03.07 effective as of September 23, 2002.
- 2. Resolution for to adopt the Rules of Construction and Use of Injection Wells with the changes discussed at this meeting.