



IDAHO WATER RESOURCE BOARD

MEETING MINUTES 5-12

C.L. "Butch" Otter
Governor

Best Western Burley Inn
800 N. Overland Ave.
Burley ID 83318
July 20, 2012

Terry T. Uhling
Chairman
Boise
District 2

Roger W. Chase
Vice-Chairman
Pocatello
District 4

Bob Graham
Secretary
Bonners Ferry
District 1

Charles "Chuck" Cuddy
Orofino
At Large

Leonard Beck
Burley
District 3

Vince Alberdi
Kimberly
At Large

Jeff Raybould
St. Anthony
At Large

Peter Van Der Meulen
Hailey
At Large

Chairman Uhling was absent. Vice Chairman Roger Chase called the meeting to order at 8:00 am. There were six Board members present. Mr. Cuddy and Mr. Uhling were absent. A quorum was present.

Agenda Item No. 1, Roll Call

Board Members Present

Roger Chase, Vice-Chairman
Vince Alberdi
Peter Van Der Meulen

Bob Graham, Secretary
Jeff Raybould
Leonard Beck

Staff Members Present

Brian Patton, Planning Bureau Chief
Diana Ball, Administrative Assistant
Mat Weaver, Engineer
Michael McVay, Hydrologist

Gary Spackman, Director
Matt Anders, UIC
Morgan Case, Biologist
Cynthia Bridge-Clark, Engineer

Guests Present

Sign in sheet not available

Agenda Item No. 2, Agenda and Approval of Minutes 4-12

Mr. Brian Patton requested that the UIC Proposed Rule Approval be moved up to item number 3 on the agenda, and that Pristine Springs Background immediately follow as item number 4. There were no objections to this.

Mr. Jeff Raybould moved to approve Minutes 4-12 as submitted. Mr. Vince Alberdi seconded the motion. Voice vote. All were in favor. Motion carried.

Agenda Item No. 3, UIC Proposed Rule Approval

Mr. Matt Anders from the Underground Injection Control program presented an update on the Proposed UIC rules. The rules are being changed to become

consistent with the State and Federal code and to regulate injection wells associated with oil and gas development in southwest Idaho. Five negotiated rule meetings have been held, and 103 written comments have been received. Responses have been made to all comments. Class V rule changes that have been proposed are updated definitions, removal of exemptions for roof and foundation drains and improved sinkholes, and relaxed permitting requirements for ground water source heat pumps injecting less than 50 gpm.

There are three types of Class II Injection Wells that will possibly be used in Idaho: disposal, pressure maintenance, and storage. To begin drafting the rules and to comply with federal regulatory requirements, UIC staff used existing federal rules and then adapted them to be Idaho specific. Examples of issues that are being addressed are: the protection of drinking water, permit application fees, public comment, aquifer re-categorization, mechanical integrity, and the well bonding provision.

Mr. Anders presented a resolution that approves the proposed rules, and discussed the timeline for the rules to go through Office of Administrative Rules and legislature. The Board and Mr. Anders further discussed the regulation of improved sinkholes, public response during the UIC negotiated rule-making meetings, and IDWR staff's ability to handle the additional responsibilities. Director Gary Spackman and Mr. Anders provided additional information regarding the regulation of improved sinkholes. The Board and Mr. Anders also further discussed the UIC proposed rule changes, including aquifer re-categorization, and the staffing costs and permit fees.

Lynn Tominaga from IGWA complimented IDWR staff for their efforts to work with the community and reach a consensus on the rule changes. He briefly spoke about EPA and the definition of a sinkhole, his support for the rule changes, and the need for proper well construction.

Mr. Raybould made a motion to accept the resolution adopting proposed negotiated rules. Mr. Graham seconded the motion. Voice Vote. All were in favor. Motion carried.

Agenda Item No. 4, Pristine Springs Background

Mr. Brian Patton gave a history of the Pristine Springs facility. The Board acquired the facility, located just north of Twin Falls, in 2008. The facility diverts fresh water from Alpheus Creek, and re-diverts water from Blue Lakes Trout Farm, and uses both of those water sources in fish production. Mr. Patton provided a description of the land and water rights, fish hatchery, hydropower, and farm facilities associated with the Pristine Springs facility. He also discussed partners associated with the facility's water use, as well financing and cash flow information. Mr. Patton discussed operational changes that have been made since the Board's purchase of the facility, as well as outcomes of the purchase.

Director Spackman introduced the College of Southern Idaho president, Mr. Jerry Beck. Mr. Jerry Beck introduced the Chairman of the College of Southern Idaho Board, Dr. Thad Scholes. Mr. Jerry Beck shared the College's interest in the Pristine Springs facility and their desire to work with the Board regarding the property. Mr. Alberdi encouraged the Board members to seriously consider moving this direction.

Agenda Item No. 5, Public Comment

Chairman Chase asked for public comment regarding any items not included on the agenda. There were no comments.

Agenda Item No. 6, Director's Report

Director Spackman addressed the Board with a written assignment from the Governor to develop a sustainability policy. Discussion followed regarding the responsibility of the IWRB Board in developing this policy, and the involvement of a sub-committee. Director Spackman also received a written assignment from the Governor to develop a succession plan with language to amend the requirement for the Director of IDWR to be a hydraulic or civil engineer.

Director Spackman also discussed his anticipation that there will be legislation proposed for water-banking of mitigation credits for present use of water or anticipated/future uses of water. This is due to recent efforts to divert water for managed recharge and an associated request for recognition of mitigation credits. Director Spackman suggested a discussion to clarify the management of recharge efforts and banking.

Director Spackman spoke about water supply banking and the limited resources of staff to handle the responsibilities of the program, and also discussed pressure from various entities to relax the temperature threshold of low-temperature geothermal resources in the state. There was discussion with the Board regarding the anticipated proposed legislation and the initiating body.

Agenda Item No. 7, IWRB Committee and Other Reports

a. Stream Flow Enhancement and Minimum Stream Flow

Ms. Helen Harrington stated that the Stream Flow Committee has not met recently but will be meeting immediately following the Board meeting. Morgan Case and Sarah Rupp (Friends of the Teton River) will present an update on the activities of Friends of the Teton River regarding opportunities for putting the water transactions program into that basin.

Ms. Harrington updated the Board regarding the Northern Idaho Adjudication Claims and filing status. The claims will be filed as the claim fees become available in the budget.

b. Upper Snake River Advisory (Operations Forum)

Mr. Mat Weaver reported on the last committee meeting which was well-attended. Presentations on reach gains above American Falls, and reports on the state of the water in the Upper Snake were given at that meeting. The next meeting will be scheduled for September 5th, in which fall operations will likely be discussed.

Agenda Item No. 8, Bear River Bond Update

Mr. Jim Wrigley provided an update on the Bear River Bond process. This project began in 2009 and bonds were issued in 2011 to repay interim financing that had been advanced by Ireland Bank for 5 local improvement districts that had been created in the Bear River Basin. A summary of the project costs and funding sources was provided, as well as the status of the loan payoff. There was discussion regarding the dates on the handouts.

Ms. Lyla Dittmer from Franklin Soil & Water Conservation District addressed the Board and introduced Scott Workman, a Franklin County Commissioner. Mr. Workman addressed the Board with concerns regarding the complications and seeming misrepresentation of the costs. There was further discussion among the parties regarding the unexpected fee amounts. Mr. Miles Gettis from Treasureton Irrigation Co also addressed the Board on this matter. Chairman Chase asked for a written request from them describing the action they would like the Board to take on this matter.

Agenda Item No. 9, Water Transactions Program

Ms. Morgan Case provided an update on the Alturas Lake Creek Appraisal, and discussed the steps to be taken following the completion of the appraisal. Ms. Case also reported on the CBWTP Spring Check-In Meeting. This meeting occurred on June 25th. The meeting agenda included discussions about the recent partnership with Friends of the Teton River, funding sources, development of strategic planning, as well as the expansion of the scope of the National Fish and Wildlife Foundation to include areas outside the Columbia River Basin.

Agenda Item No. 10, Financial Program

a. Status Report

Mr. Patton provided a quick status update on financial programs. As of June 1, the Board has a total uncommitted balance of approximately \$4,018,240. Robertson Ditch Company, Dalton Water Association, and Picabo Livestock Company have repaid their loans in full. Potential loans the Board may be considering include Consolidated Irrigation Company pipeline project, Point Springs Grazing Association pipeline replacement, Cub River Irrigation Company open lateral replacement, Marysville Canal Company Phase 3 gravity pressure pipeline project, and Canyon County Drainage District No. 2 drainage pipeline replacement project.

b. Consolidated Canal Co. Loan

Ms. Harrington addressed the Board with a loan request from Consolidated Irrigation Company for \$1,500,000 at 5% interest with a U.S. Bureau of Reclamation grant for \$1,468,181. The loan will be used to convert 6 miles of unlined canal to 3.5 miles of pressurized pipeline with a small hydro-plant at the end. It is estimated that the water savings from the installation of the pipeline will be approximately 9500 acre-feet per year upon project completion. Lyle Porter and other representatives from Consolidated Irrigation Company were present. There was discussion among the parties regarding the amount of water being delivered to each acre, the cost estimates, the hydropower facility, revenue stream, and federal grant funds. Mr. Alberdi made a motion to accept the resolution to make a funding commitment to Consolidated Irrigation Company in the amount of \$1,500,000 at 5.5% interest with a 20 year repayment term, contingent upon the fact that no monies go out until concrete cost estimates and the power sales contract are obtained. Mr. Beck seconded the motion. Further discussion ensued regarding the contingencies of the loan.

Roll Call Vote: Mr. Cuddy: Absent; Mr. Alberdi: Aye; Mr. Chase: Aye; Mr. Beck: Aye; Mr. Raybould: Aye; Mr. Van Der Meulen: Aye; Mr. Graham: Absent; Mr. Uhling: Absent. Motion carried.

c. Point Springs Grazing Association Loan

Ms. Harrington addressed the Board with a loan request from Point Springs Grazing Association for \$48,276.62. The loan will be used to replace an existing 6 miles of pipeline. The pipeline is located on BLM ground in the Meadow Creek Canyon and is used for the watering of livestock. Ms. Harrington provided further information on the background of the Association and project, the proposed project, and financing. Several members of the Association were present at the meeting. There was discussion among the parties regarding the size of the pump and pipe, the cost estimate, other financing options, and security. Mr. Raybould made a motion to accept the resolution authorizing a loan for Point Springs Grazing Association in the amount of \$48,276.62 at 5.5% interest with a 10 year repayment term. Mr. Beck seconded the motion.

Roll Call Vote: Mr. Cuddy: Absent; Mr. Alberdi: Aye; Mr. Chase: Aye; Mr. Beck: Aye; Mr. Raybould: Aye; Mr. Van Der Meulen: Aye; Mr. Graham: Absent; Mr. Uhling: Absent. Motion carried.

Agenda Item No. 11, RP CAMP Update

Ms. Harrington provided an update on the Rathdrum Prairie Comprehensive Aquifer Management Plan. At the RP CAMP Advisory Committee meetings, administrative concerns and implementation issues were addressed.

Agenda Item No. 12, TV CAMP Update

Ms. Harrington provided an update on the Treasure Valley Comprehensive Aquifer Management Plan. IDWR staff has been planning two public hearings and a public comment period.

Agenda Item No. 13, State Water Plan

Ms. Harrington provided an update on the Idaho State Water Plan, and provided a timeline of informational meetings and public hearings.

Agenda Item No. 14, ESPA CAMP and Aquifer Management Efforts

a. Modeling of Actual Recent Managed Recharge

Mr. McVay presented material summarizing modeling efforts and analysis of aquifer recharge sites. He covered additional sites not covered in his previous presentation and discussed impacts from Managed Aquifer Recharge efforts in the years 2007-2011. Mr. McVay also provided analysis of Lower Valley recharge locations in comparison to Upper Valley recharge locations. He discussed actual storage change due to recharge. Mr. Hal Anderson asked if there was information provided about reach gains and flows. There was further discussion among the parties regarding the data presented.

b. Update on ESPA Management Activities

Mr. Mat Weaver reported on Eastern Snake Plain Aquifer Management efforts. He discussed areas of activity, the status of the AWEPP project, conversion projects, water savings efforts in the Thousand Springs Area, End Gun Removal Project, and recharge efforts. Mr. Weaver compared lower valley recharge locations to upper valley recharge locations and described the benefit based on aquifer water levels and volume. Mr. Weaver recommended prioritization of the lower valley for future recharge sites over the next two years. There was discussion among the parties regarding the prioritization of the lower valley for future recharge and the consideration of the upper valley for recharge. Direction was given to IDWR staff to maximize the lower valley for future recharge and to distribute unused supply to the upper valley.

c. Idaho Power Cloud Seeding Efforts Update

Mr. Jon Bowling of Idaho Power presented Mr. Derek Blestrud, a meteorologist with Idaho Power. Mr. Blestrud gave a presentation on Idaho Power's Cloud Seeding Program. He described the process of cloud seeding for snowpack enhancement, using generators and also aircraft seeding. He also provided history of Idaho's Power involvement with cloud seeding, and also gave an overview of the organization's current cloud seeding projects, specifically in the Upper Snake area. Mr. Blestrud discussed the possible downwind effects of cloud seeding and the importance of well-designed and responsibly-run programs. There was discussion regarding aircraft as a method of cloud seeding and the cost as well as the regression equation for the Upper Snake.

Agenda Item No. 15, Water Storage Studies Update

Ms. Cynthia Bridge-Clark provided an update on the Henrys Fork Basin Study. The US Bureau of Reclamation has developed draft technical reports for alternatives to improve water supply conditions and made these reports available to stakeholders for comment. It plans to provide recommendations for a short list of alternatives to move forward for appraisal level analysis at an IWRB Storage Committee meeting in August 2012.

Ms. Clark also provided an update on the Lower Boise River Interim Feasibility Study. The US Army Corps of Engineers (Corps) has made a concerted effort to advance the study and scoping process. Some hurdles to overcome are lack of procedures to identify partners to work with and lack of prioritization with the division. Ms. Clark asked the Board for feedback regarding communication to the Corps headquarters and division expressing the importance of the study to the State.

Ms. Clark updated the Board on the Weiser-Galloway Project. A geologic investigation is currently underway. The Corps has begun drilling holes and collecting core samples. The Bureau of Reclamation will provide updates every 11 days. The Operational Analysis will be completed after the geologic survey. There was discussion among the parties regarding a possible pump-back site, as well as public opinion of the project.

Agenda Item No. 16, Other Items IWRB Members May Wish to Present

There were no other items presented by IWRB members.

Agenda Item No. 14, Next Meeting and Adjourn

A Storage Committee meeting is scheduled for August 20. All Board members are encouraged to attend. The next regular IWRB Meeting is scheduled for September 6 and 7 in Lewiston, Idaho. There are State Water Plan public hearings throughout August and September that various Board members will attend.

Mr. Raybould made a motion to Adjourn, and Mr. Beck seconded the motion. Voice Vote. All were in favor. Motion Carried.

The IWRB Meeting 5-12 adjourned at approximately 1:30 pm.

Respectfully submitted this 25th day of January, 2013



Bob Graham, Secretary



Mandi Pearson, Administrative Assistant

Board Actions:

1. Mr. Jeff Raybould moved to approve Minutes 4-12 as submitted. Mr. Vince Alberdi seconded the motion. Voice vote. All were in favor. Motion carried.
2. Mr. Raybould made a motion to accept the resolution adopting proposed negotiated rules for the construction and use of injection wells. Mr. Graham seconded the motion. Voice Vote. All were in favor. Motion carried.
3. Mr. Alberdi made a motion to accept the resolution to make a funding commitment to Consolidated Irrigation Company, contingent upon the fact that no monies go out until concrete cost estimates and the power sales contract are obtained. Mr. Beck seconded the motion. Roll Call Vote. Motion Carried.
4. Mr. Raybould made a motion to accept the resolution authorizing a loan for Point Springs Grazing Association. Mr. Beck seconded the motion. Roll Call Vote. Motion Carried.