



IDAHO WATER RESOURCE BOARD

C.L. "Butch" Otter
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Roger W. Chase
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Jeff Raybould
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St. Anthony
At Large

Vince Alberdi
Secretary
Kimberly
At Large

Peter Van Der Meulen
Hailey
At Large

Charles "Chuck" Cuddy
Orofino
At Large

Albert Barker
Boise
District 2

John "Bert" Stevenson
Rupert
District 3

Dale Van Stone
Hope
District 1

MINUTES MEETING NO. 5-16

Best Western Edgewater Resort
56 Bridge Street
SANDPOINT, ID

July 21, 2016
Work Session

Chairman Chase called the Work Session meeting to order at 8:04 a.m. All Board members were present. IDWR staff members present were: Brian Patton, Cynthia Bridge Clark, Neeley Miller, Rick Collingwood, Gary Spackman, Mathew Weaver, Meghan Carter, Jennifer Strange, Morgan Case, and Joe Carlson. Guests present were: Dave Nuss, Kevin Kirking, John Williams, Stephen Goodson, Paul Klatt, Steve Klatt, Erin Mader, Molly McCahon, and Todd Sudick.

During the Work Session the following items were discussed:

- A welcoming message from Commissioner Todd Sudick from Bonner County regarding Priest Lake.
- A presentation by Mr. Collingwood for a loan request by Dalton Water Association.
- A presentation on the history of Priest Lake by Ms. Bridge Clark and Mr. Steve Klatt from Bonner County Parks and Waterways.
- A presentation of the Priest Lake Water Management Study by Ms. Bridge Clark and Mr. Steve Klatt from Bonner County Parks and Waterways.

Around 10:00 a.m. the Board took a break to prepare for a tour of Priest Lake. They departed for Priest Lake around 10:30 a.m. The tour lasted until 6:00 p.m.

No action was taken by the Board during the Work Session.

July 22, 2016
Board Meeting No. 5-16

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
Chuck Cuddy

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

Staff Members Present

Gary Spackman, Director
Cynthia Bridge Clark, Water Projects Section Manager
Rick Collingwood, Planning Engineer
Clive Strong, Attorney General
Ann Vonde, Deputy Attorney General
Morgan Case, IDWR Northern Region Manager

Brian Patton, Planning Bureau Chief
Neeley Miller, Senior Planner
Randy Broesch, Planning Engineer
Meghan Carter, Deputy Attorney eneral
Joe Carlson, Staff Engineer

Guests Present

John Williams, BPA
Bob Carter, BPBC
Molly McCahon, Lakes Comm. Howard Stoddard
Stephen Goodson, Governor's Office
Sabrina Higdon
Shawn Keough, State Senate
Kevin Moore
Carla Woempner
James Hudson
Phil **illegible last name*
Ron Wilson
Ralph Sletager, Save Pend Oreille
Devin Dufenhorst
Steve Klatt, Bonner County
Bob Bruce, Stanley Consultants

Tim Page, BPBC
Erin Mader, Lakes Commission
Todd Glindeman
Jim Haynes
Beverly Friend
Caroline Troy, State House of Rep
Maureen Petersen
Roger & Ellen Berry
Herman Collin, BSCD
Alan Miller
Dennis Hall, Save Pend Oreille
Mike Galante, IWAC President
Eric Redman, State House of Rep
Randy Stolz

Agenda Item No. 2 Executive Session

Mr. Alberdi made a motion for the Board to resolve into Executive Session. Mr. Raybould seconded. Roll call vote: Mr. Alberdi: Yes; Mr. Barker: Yes; Mr. Cuddy: Yes; Mr. Raybould: Yes; Mr. Stevenson: Yes; Mr. Van Der Meulen: Yes; Mr. Van Stone: Yes; and Chairman Chase: Yes. 8 Ayes.

At approximately 8:05 a.m. the Board resolved into Executive Session by unanimous consent pursuant to Idaho Code Section 74-206(1) subsections (f), for the purposes of communicating 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. Topics discussed were: CSRBA Lake Level Claims & Swan Falls.

No actions were taken by the Board during the Executive Session. Mr. Alberdi moved to exit Executive Session. Mr. Barker seconded the motion. Voice vote: All were in favor. Motion carried. The Board resolved out of Executive Session at approximately 9:00 a.m.

Agenda Item No. 2: Agenda and Approval of Minutes 3-16 and 4-16

There was no need to adjust the Agenda. For the 3-16 Minutes, Mr. Stevenson moved to approve the minutes as written. It was seconded by Mr. Alberdi. Voice vote: all were in favor. The minutes were adopted.

Mr. Stevenson also moved to approve the 4-16 Meeting Minutes. Mr. Alberdi seconded. Voice vote: all were in favor. The minutes were adopted.

Agenda Item No. 4: Public Comment

Some members of the community had requested time to speak during public comment. Chairman Chase recommended a five minute maximum per commenter. The following individuals addressed the Board:

Mr. John Williams provided updates on Bonneville Power Administration. Some rate increases are expected in the future. He announced a new Deputy Administrator Dan James. BPA noted a normal water year this year, compared to last year.

Mr. Jim Haines from Bonner County: comments on lake levels and aquifers.

Mr. Kevin Moore: comments on private property rights.

Ms. Maureen Peterson: comments related to the Sustainability document.

Ms. Carla Woempner: comments on Idaho water rights and Adjudication of Northern Idaho water rights.

Mr. Dennis Hall: presentation on the Lake Pend Oreille Alliance.

Agenda Item No. 5: Financial Status

Mr. Patton provided updates as of June 1st on the Board's account balances. He recommended an upcoming Finance Committee Meeting be scheduled. Financial Programs Chair, Mr. Alberdi agreed to that suggestion. Also some upcoming loans were discussed. Mr. Alberdi asked if IGWA is on track to repay their loan. There was some discussion among board members. It was suggested that this issue be added to the upcoming Financial Programs Committee meeting.

No actions were taken by the Board.

Agenda Item No. 6 State Water Plan Sustainability Policy Update

Mr. Miller provided an update on the Public Hearings that have been held across the state to gain input on the proposed Sustainability Policy that will be updated in the State Water Plan. He discussed the process for people to provide comment and a general overview of the types of

comments given thus far. He announced that the next hearings are August 23, August 30, and September 14, 2016 and that the public comment period would conclude on September 30, 2016.

No actions were taken by the Board.

Agenda Item No. 7 Briefing from IDWR Northern Regional Manager

Ms. Morgan Case updated the Board on the Northern Region. She discussed the status of processes at the Coeur D'Alene office, including water allocations, stream channel alterations, recreational dredging, and adjudication. She introduced the newest members of the Northern Region team and discussed the upcoming position to be filled.

No actions were taken by the Board.

Agenda Item No. 8 Rathdrum Prairie CAMP Funding Request

Mr. Miller introduced a funding match request for the Idaho Washington Aquifer Collaborative (IWAC) which the Rathdrum Prairie CAMP recommended.

Mike Galante and Alan Miller, members of IWAC and the Rathdrum Prairie CAMP, gave the Board a presentation on a water stewardship education project. The goal for the project is to educate the public on water stewardship on the Spokane Valley-Rathdrum Prairie Aquifer and is focused on the following key areas: ensure water quality; ensure adequate water supply; and effectively deal with storm water and runoff water.

Mr. Van Stone moved to adopt the resolution authorizing a funding request of \$10,000 to the IWAC for a water stewardship education project. Mr. Cuddy seconded the motion. Roll call vote: Alberdi: Aye; Barker: Aye; Cuddy: Aye; Raybould: Aye; Stevenson: Aye; Van Der Meulen: Aye; Van Stone: Aye; Chairman Chase: Aye. 8 Ayes. Motion passed. The resolution was adopted.

Agenda Item No. 9 Dalton Water Loan

Mr. Patton provided an overview on a loan request by the Dalton Water Association of Kootenai County. The Association requested funding to install a larger water main line, to improve water services, to add fire hydrants, to provide well pump house piping and to construct road surface repairs. Mr. Collingwood further explained the project. One day earlier, the Board had reviewed this proposal at the Work Session. There were no questions.

Mr. Van Stone moved to adopt the Resolution to authorize a loan of \$1,036,900 to the Dalton Water Association. Mr. Raybould seconded the motion. Roll call vote: Alberdi: Aye; Barker: Aye; Cuddy: Aye; Raybould: Aye; Stevenson: Aye; Van Der Meulen: Aye; Van Stone: Aye; Chairman Chase: Aye. 8 Ayes. Motion passed. The resolution was adopted.

Agenda Item No. 10 Northern Idaho Adjudication Update

Ms. Meghan Carter provided a presentation on activities with the Northern Idaho Adjudication, the Coeur d'Alene Spokane River Basin Adjudication, and the Palouse River Basin Adjudication. There was a listing of claim totals and objections. Mr. Van Stone asked if Boundary

County would be adjudicated. Ms. Carter replied that it was not currently being considered, but could be.

No actions were taken by the Board.

Agenda Item No. 11 Palouse Basin Water Supply Alternatives Project Update

Mr. Paul Kimmell, Chairman of the Palouse Basin Aquifer Committee (PBAC) presented an update on the Palouse Ground Water Basin Water Supply Alternatives Project. He discussed the work that had been completed, the alternatives being evaluated, and the next steps for the project. The project report and results are expected by early 2017.

He invited board members to attend the 12th Annual Palouse Water Summit held on Wednesday, October 5th. No actions were taken by the Board.

Agenda Item No. 12 ESPA Recharge

Mr. Patton provided a timeline of ESPA Recharge events, including the 250,000 acre-feet per year recharge goal. He introduced three resolutions for recharge efforts. There was some discussion among board members. All three projects were previously included in the FY2017 budget. There was discussion about recharge timelines and project commitments. Mr. Barker suggested adding a 20-year clause to the first MP31 resolution.

Mr. Van Der Meulen moved to adopt the Resolution as amended above to authorize funding up to 1.8 million. Mr. Stevenson seconded the motion. Roll call vote: Alberdi: Aye; Barker: Aye; Cuddy: Aye; Raybould: Aye; Stevenson: Aye; Van Der Meulen: Aye; Van Stone: Aye; Chairman Chase: Aye. 8 Ayes. Motion passed. The resolution was adopted.

Mr. Stevenson moved to adopt the Resolution for the North Side Canal to authorize expenditures not to exceed \$4.8 million from the Secondary Aquifer Fund. Mr. Alberdi seconded the motion. Roll call vote: Alberdi: Aye; Barker: Aye; Cuddy: Aye; Raybould: Aye; Stevenson: Aye; Van Der Meulen: Aye; Van Stone: Aye; Chairman Chase: Aye. 8 Ayes. Motion passed. The resolution was adopted.

Mr. Raybould moved to adopt the Resolution to approve funds not to exceed \$600,000 for recharge infrastructure improvements for the Southwest Irrigation District pipeline system. Mr. Cuddy seconded the motion. Roll call vote: Alberdi: Aye; Barker: Aye; Cuddy: Aye; Raybould: Aye; Stevenson: Aye; Van Der Meulen: Aye; Van Stone: Aye; Chairman Chase: Aye. 8 Ayes. Motion passed. The resolution was adopted.

Chairman Chase addressed the Legislators in the audience and provided them opportunities to comment. Senator Keough offered thanks to the Board for holding the meetings in Northern Idaho. Representatives Troy, Redman and Dixon also expressed appreciation to the Board. Likewise, Board Members expressed appreciation for the opportunity to hear about water issues from the people of the region and to see the area first-hand.

Agenda Item No. 13 Water Transactions

Ms. Case introduced two resolutions for the Water Transactions program on the Lower Lemhi. One resolution would change ownership of a water right to the Board. The other resolution would fund administrative fees.

Mr. Van Stone moved to adopt the Resolution accepting the assignment of all interests held by David Lewis in Water Right No. 74-15948. Mr. Van Der Meulen seconded the motion. Voice Vote: all were in favor. Motion passed. The resolution was adopted.

Mr. Raybould moved to adopt the Resolution authorizing funding of \$460 to pay for the administrative fees to lease Water Right No. 74-15948 into the Lemhi Rental Pool. Mr. Cuddy seconded the motion. Roll call vote: Alberdi: Aye; Barker: Aye; Cuddy: Aye; Raybould: Aye; Stevenson: Aye; Van Der Meulen: Aye; Van Stone: Aye; Chairman Chase: Aye. 8 Ayes. Motion passed. The resolution was adopted.

Agenda Item No. 14 MHAFFB Water Supply Project

Mr. Broesch presented a resolution to provide funding for a consultant to facilitate workshops that will lead to the selection of a project delivery type and develop a draft scope of services for the Owner's Representative to be solicited in a request for qualifications.

Mr. Stevenson moved to adopt the Resolution authorizing funding not to exceed \$65,000. Mr. Van Stone seconded the motion. Roll call vote: Alberdi: Aye; Barker: Aye; Cuddy: Aye; Raybould: Aye; Stevenson: Aye; Van Der Meulen: Aye; Van Stone: Aye; Chairman Chase: Aye. 8 Ayes. Motion passed. The resolution was adopted.

Agenda Item No. 15 SW Idaho Water Sustainability Projects

Mr. Collingwood introduced a proposal by the Boise Project Board of Control to design and construct the lower embankment drain pump back project in Canyon County. The project is expected to recapture an estimated volume of 6,205 AF of seepage/waste water.

Mr. Tim Page of the BPBC presented more information to the Board. Mr. Alberdi asked who would fund the annual operating costs. BPBC would cover the operating costs. This would be a one-time funding request. Mr. Alberdi asked that the motion read that the Resolution is adopted upon the understanding that BPBC is expected to cover all operating costs and for the amount of up to \$86,168.28.

Mr. Alberdi moved to adopt the Resolution as amended above to authorize funding of \$86,168.28 to the Boise Project Board of Control. Mr. Raybould seconded the motion. Roll call vote: Alberdi: Aye; Barker: Abstain; Cuddy: Aye; Raybould: Aye; Stevenson: Aye; Van Der Meulen: Aye; Van Stone: Aye; Chairman Chase: Aye. 7 Ayes. 1 Abstain. Motion passed. The resolution was adopted.

Agenda Item No. 16 Director's Report

Director Spackman expressed appreciation for the level of engagement in water issues by the citizens and the legislators of Northern Idaho. He mentioned the influence that the Ralston report, which was funded by the Board, has had in the area. He reminded the Board that several Hearings were going to occur in the coming weeks across the ESPA. Finally, he suggested that the Board and Department present a report on the recharge efforts to the legislature. Senator Keough, who was in the audience, mentioned that a Natural Resources Interim Committee meeting was scheduled for October 11th.

Agenda Item No. 17 Non-Action Items for Discussion

Mr. Alberdi wished to reiterate appreciation for the local support of Idaho water issues. Mr. Raybould would like a report on where the Board is on recharge water rights at the October meeting. Mr. Barker informed the Board about an issue on the Snake River above Hells Canyon Dam.

Agenda Item No. 18 Next Meeting and Adjourn

The next Board meeting was set for September 15 and 16, 2016 in Pocatello. That meeting will host a field trip to Last Chance Canal Diversion Dam on the Bear River. Mr. Alberdi moved to adjourn. Mr. Raybould seconded. All were in favor. Chairman Chase adjourned the meeting at approximately 12:00 p.m.

Respectfully submitted this 16th day of September, 2016.



Vince Alberdi, Secretary



Jennifer Strange, Administrative Assistant II

Board Actions:

1. Mr. Stevenson moved to adopt Minutes 3-16. Mr. Alberdi seconded the motion. Voice Vote. All were in favor. Motion passed.
2. Mr. Stevenson moved to adopt Minutes 4-16. Mr. Alberdi seconded the motion. Voice Vote. All were in favor. Motion passed.
3. Mr. Van Stone moved to adopt the resolution allocating funds up to \$10,000 to the Idaho Washington Aquifer Collaborative for a water stewardship education project. Mr. Cuddy seconded the motion. Roll Call Vote. 8 Ayes. Motion carried.
4. Mr. Van Stone moved to adopt the resolution authorizing a loan of \$1,036,900.00 to the Dalton Water Association. Mr. Raybould seconded the motion. Roll Call Vote. 8 Ayes. Motion carried.
5. Mr. Van Der Meulen moved to adopt the resolution authorizing funds not to exceed \$1,800,000.00 to construct the MP31 box diversion and flow control project. Mr. Stevenson seconded the motion. Roll Call Vote. 8 Ayes. Motion carried.
6. Mr. Stevenson moved to adopt the resolution for the North Side Canal Company to authorize expenditures not to exceed \$4.8 million from the Secondary Aquifer Fund. Mr. Alberdi seconded the motion. Roll Call Vote. 8 Ayes. Motion carried.
7. Mr. Raybould moved to adopt the resolution to approve funds not to exceed \$600,000 for recharge infrastructure improvements for the Southwest Irrigation District pipeline system. Mr. Cuddy seconded the motion. Roll Call Vote. 8 Ayes. Motion carried.
8. Mr. Van Stone moved to adopt the resolution accepting without cost the assignment of all interests held by David Lewis in Water Right No. 74-15948. Mr. Van Der Meulen seconded the motion. Voice Vote. All were in favor. Motion passed.
9. Mr. Raybould moved to adopt the resolution authorizing funding of \$460 to pay for the administrative fees to lease Water Right No. 74-15948 into the Lemhi Rental Pool. Mr. Cuddy seconded the motion. Roll Call Vote. 8 Ayes. Motion carried.
10. Mr. Stevenson moved to adopt the resolution authorizing funding not to exceed \$65,000. Mr. Van Stone seconded the motion. Roll Call Vote. 8 Ayes. Motion carried.
11. Mr. Alberdi moved to adopt the resolution as amended above to authorize funding of \$86,168.28 to the Boise Project Board of Control. Mr. Raybould seconded the motion. Roll Call Vote. 7 Ayes. 1 Abstention. Motion carried.