



IDAHO WATER RESOURCE BOARD

C.L. "Butch" Otter
Governor

Roger W. Chase
Chairman
Pocatello
District 4

Jeff Raybould
Vice-Chairman
St. Anthony
At Large

Vince Alberdi
Secretary
Kimberly
At Large

Peter Van Der Meulen
Hailey
At Large

Albert Barker
Boise
District 2

John "Bert" Stevenson
Rupert
District 3

Dale Van Stone
Hope
District 1

MINUTES MEETING NO. 3-18

Idaho Water Center
Conference Rooms 602 B, C, D
322 East Front Street, 6th Floor
BOISE

March 22, 2018
Work Session 3-18

Chairman Chase called the work session meeting to order at 8:00 a.m. All Board members were present. IDWR staff members present were: Brian Patton, Cynthia Bridge Clark, Neeley Miller, Gary Spackman, Sean Vincent, Wesley Hipke, Rick Collingwood, Remington Buyer, Randy Broesch, Amy Cassel, Meghan Carter, Sascha Marston, Janet Garrett, Nikki Regent, Liz Cresto, Emily Skoro, Mike McVay, and Mat Weaver. Guests present were: Ann Vonde, Jim Wrigley, Rex Barrie, Connely Baldwin, Mike Settell, Selena Moore, Douglas Jones, Hal Anderson, and Eric Herronsen,

During the Work Session the following items were discussed:

Agenda Item No. 1: Roll Call

Board Members Present

Roger Chase, Chairman
Vince Alberdi, Secretary
Bert Stevenson
Albert Barker

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

Agenda Item No. 2: Executive Session

Mr. Alberdi made a motion for the Board to resolve into Executive Session pursuant to Idaho Code pursuant to Idaho Code §74-206(1) subsection (f), for the purpose 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. Topic: Water Rights. Mr. Stevenson seconded. Roll call vote: Mr. Alberdi, aye; Mr. Barker, aye; Mr. Raybould, aye; Mr. Stevenson, aye; Mr. Van Der Meulen, aye; Mr. Van Stone, aye; and Chairman Chase, aye. 7 Ayes.

At about 8:05 a.m. the Board moved into Executive Session.

Mr. Alberdi moved to exit Executive Session. Mr. Raybould seconded the motion. Voice vote: All were in favor. Motion carried. The Board resolved out of Executive Session. No actions were taken by the Board during the Executive Session.

- Mr. Buyer presented an annual report for the Water Bank.
- Mr. Buyer presented the 2018 Rental Pool Procedures that were adopted by the water users and the Water District Advisory Committees of Districts 01, 63, and 65.
- Mr. Collingwood provided an update on a loan request from the Goose Lake Reservoir Company.
- Ms. Bridge Clark provided the Board with an update on the Lost Valley Reservoir Enlargement Project. Mr. Jones and Mr. Anderson answered questions on the project.
- Mr. Raybould moved to amend the agenda to move the Storage Projects Update to follow the ESPA Recharge update. Mr. Alberdi seconded. Voice vote: all in favor.
- Mr. Hipke presented an ESPA Recharge update.
- Ms. Bridge Clark gave a brief overview of the status of Storage Projects throughout Idaho. Selena Moore from the Bureau of Reclamation provided an update on the Boise River Feasibility Study.
- Mr. Vincent presented an update on the Treasure Valley Groundwater Model project.
- Ms. Cresto updated the Board on the Idaho Water Supply.
- Connely Baldwin of PacifiCorp/Rocky Mountain Power discussed Bear Lake updates.
- Mr. McVay provided an update on the Wood River Recharge potential.
- Mr. Settell provided a presentation on utilizing beavers for water storage in Idaho.

No action was taken by the Board during the Work Session. Mr. Raybould moved to adjourn the work session. Mr. Alberdi seconded. Meeting adjourned.

March 23, 2018
Board Meeting No. 3-18

At 8:00 a.m. Chairman Chase called the meeting to order.

Agenda Item No. 1: Roll Call

Board Members Present

Roger Chase, Chairman
Vince Alberdi, Secretary
Bert Stevenson
Albert Barker

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

Staff Members Present

Brian Patton, Bureau Chief
Cynthia Bridge Clark, Water Projects Section Manager
Remington Buyer
Sean Vincent
Craig Tesch

Gary Spackman, Director
Randy Broesch
Rick Collingwood
Amy Cassel
Mat Weaver

Garrick Baxter, Deputy Attorney General
Nikki Regent

Neeley Miller, Senior Planner

Guests Present

Ann Vonde, Deputy Attorney General
Connely Baldwin
Kim Pierson
Douglas Jones
Sarah Lien
Nathan Rowland
Amanda Hoffman

Claudia Cottle
Vic Armacost
Hal Anderson
Braden Jensen
Peter Anderson
Colonel Richey

Agenda Item No. 2: Public Comment

Chairman Chase opened the meeting for public comment. No public comment was available.

Agenda Item No. 3: Agenda & Approval of Minutes

Mr. Patton presented the Board with two sets of meeting minutes for 1-18 and 2-18. Mr. Stevenson made a motion to accept the minutes. Mr. Van Der Meulen seconded the motion. Voice vote: all were in favor. Meeting minutes were adopted.

Agenda Item No. 4: Financial Report

Mr. Patton presented the Financial Status Report. The uncommitted balance in the Secondary Aquifer Fund was about \$9.9M, as of March 28, 2018. This was the result of: moving the ESPA Ground Water Districts/IGWA loan from the Secondary Aquifer to the Revolving Development Account through the refinancing loan, repaying \$4M plus interest to the Secondary Fund; and receipt of the \$5M in Cigarette Tax proceeds during the current fiscal year, which will be allocated by the IWRB in its FY19 budget for the Secondary Aquifer Fund.

Agenda Item No. 5: Lost Valley Reservoir Enlargement

Ms. Bridge Clark presented a resolution to contribute funding for the completion of the Lost Valley Reservoir Northern Idaho Ground Squirrel Study. The Lost Valley Reservoir Company obtained a proposal from the consulting firm Rio ASE to perform the Study. The total cost to complete the study including administrative costs is estimated to be \$35,000 (\$25,000 study and \$10,000 administrative costs). Kim Pierson of the U.S. Forest Service discussed some issues with the Board.

Mr. Raybould made a motion to accept the resolution with some language changes. Mr. Alberdi seconded the motion. Roll call vote: Mr. Alberdi, aye; Mr. Barker, aye; Mr. Raybould, aye; Mr. Stevenson, aye; Mr. Van Der Meulen, aye; Mr. Van Stone, aye; and Chairman Chase, aye. Motion passed. The resolution was adopted.

Agenda Item No. 6: MHAFB Water Sustainability Project

Mr. Stevenson moved to amend the agenda to accommodate the folks related to the MHAFB Water Sustainability Project. The Board will move this agenda item down until such time that the participants are available. Mr. Van Stone seconded. Voice vote: all in favor. Motion carried.

This topic was addressed after Agenda Item No. 7: Water Transaction.

Mr. Broesch presented a resolution requesting authorization from the Board to provide Gap Funding to continue with the project development phase of the project and provide monetary compensation to the U.S. Bureau of Land Management for enhancements associated with the construction activities of the project. Amanda Hoffman from the Bureau addressed the Board.

Mr. Van Der Meulen made a motion to accept the resolution. Mr. Alberdi seconded the motion. Roll call vote: Mr. Alberdi, aye; Mr. Barker, aye; Mr. Raybould, aye; Mr. Stevenson, aye; Mr. Van Der Meulen, aye; Mr. Van Stone, aye; and Chairman Chase, aye. Motion passed. The resolution was adopted.

Agenda Item No. 7: Water Transaction

Ms. Cassel presented four funding resolutions to the Board at the recommendation from the Streamflow Committee. The first was to approve and fund the lease and rental fees for the Hat Creek water transaction. The second was a resolution regarding 2018 Lower Lemhi Annual Transaction at the recommendation from the Streamflow Enhancement Committee to approve and fund agreements not to divert and funding for administration by Water District 74. She presented a resolution to approve and fund the lease and rental fees for the proposed Meadow Creek transaction. Also presented was a resolution for Morgan Creek to approve and fund a one-year agreement to not divert water.

Mr. Van Stone made a motion to accept the resolutions for Hat Creek Water Transaction Contracts, Lower Lemhi Water Rights Subordination Agreements, Meadow Creek Water Transaction Contracts, and Morgan Creek Water Transaction Contracts. Mr. Van Der Meulen seconded the motion. Roll call vote: Mr. Alberdi, aye; Mr. Barker, aye; Mr. Raybould, aye; Mr. Stevenson, aye; Mr. Van Der Meulen, aye; Mr. Van Stone, aye; and Chairman Chase, aye. Motion passed. The resolutions were adopted.

Ms. Lien presented two funding resolutions proposing a lease of water rights for instream flow purposes for the term of five years for two water right owners. These resolutions had been before the Streamflow Committee.

Mr. Raybould made a motion to accept the Spring Creek Water Donation and Water Rental resolutions. Mr. Van Stone seconded the motion. Roll call vote: Mr. Alberdi, aye; Mr. Barker, aye; Mr. Raybould, aye; Mr. Stevenson, aye; Mr. Van Der Meulen, aye; Mr. Van Stone, aye; and Chairman Chase, aye. Motion passed. The resolutions were adopted.

Agenda Item No. 8: Bear River Basin

Chairman Chase led a discussion of the Bear River Basin. Mr. Patton presented a resolution authorizing the Board to file a water right, which would allow for the State of Utah to file jointly. The water right would seek to store water in Bear Lake for multiple purposes. Chairman Chase allowed for some comments from the audience.

Mr. Van Der Meulen made a motion to accept the resolution. Mr. Van Stone seconded the motion. Roll call vote: Mr. Alberdi, aye; Mr. Barker, abstain; Mr. Raybould, aye; Mr. Stevenson, aye; Mr. Van Der Meulen, aye; Mr. Van Stone, aye; and Chairman Chase, aye. Motion passed. The resolution was adopted.

Agenda Item No. 9: DOE Funding

Mr. Tesch presented a resolution to the Board authorizing an agreement with the Department of Energy to fund supplemental environmental projects on the ESPA and within the Big Lost River Basin. The Aquifer Stabilization Committee has recommended the resolution.

Mr. Stevenson made a motion to accept the resolution. Mr. Alberdi seconded the motion. Roll call vote: Mr. Alberdi, aye; Mr. Barker, aye; Mr. Raybould, aye; Mr. Stevenson, aye; Mr. Van Der Meulen, aye; Mr. Van Stone, aye; and Chairman Chase, aye. Motion passed. The resolution was adopted.

Agenda Item No. 10: Goose Lake Reservoir Co.

Mr. Collingwood gave a brief overview of the Goose Lake Reservoir Company funding request that was presented at the Work Session. He explained that Goose Lake Company requested an increase in the loan amount of \$200,000 to \$300,000 for the repair of their retaining walls in the spillway. The increase was needed due to bids received, supervising construction, and construction costs. Mr. Armacost addressed the Board.

Mr. Van Der Meulen made a motion to accept the resolution. Mr. Van Stone seconded the motion. Roll call vote: Mr. Alberdi, aye; Mr. Barker, aye; Mr. Raybould, aye; Mr. Stevenson, aye; Mr. Van Der Meulen, aye; Mr. Van Stone, aye; and Chairman Chase, aye. Motion passed. The resolution was adopted.

Agenda Item No. 11: Rental Pool Procedures

Mr. Buyer proposed three updated resolutions to the Board approving the updated procedures for Water Districts 01, 63, and 65.

Mr. Raybould made a motion to accept the resolutions. Mr. Van Der Meulen seconded the motion. Roll call vote: Mr. Alberdi, aye; Mr. Barker, aye; Mr. Raybould, aye; Mr. Stevenson, aye; Mr. Van Der Meulen, aye; Mr. Van Stone, aye; and Chairman Chase, aye. Motion passed. The resolutions were adopted.

Agenda Item No. 12: ESPA Recharge

Mr. Patton presented a resolution to authorize staff to prepare and file new water right applications for groundwater recharge in the Big and Little Wood Rivers.

Mr. Barker made a motion to accept the resolution. Mr. Raybould seconded the motion. Roll call vote: Mr. Alberdi, aye; Mr. Barker, aye; Mr. Raybould, aye; Mr. Stevenson, aye; Mr. Van Der Meulen, aye; Mr. Van Stone, aye; and Chairman Chase, aye. Motion passed. The resolution was adopted.

Agenda Item No. 13: Hearing Officer Appointment for Dredging Applications

Mr. Patton presented a resolution appointing Nick Miller as hearing officer to preside over the hearings requested by Gay Richardson (permit no. S82-20066) and John Stickley (permit no. S82-20067) for dredge mining applications within the Red River, a tributary of the South Fork Clearwater River, after the original hearing officer, Hon. John M. Melanson resigned due to health issues.

Mr. Raybould made a motion to accept the resolution. Mr. Alberdi seconded the motion. Roll call vote: Mr. Alberdi, aye; Mr. Barker, aye; Mr. Raybould, aye; Mr. Stevenson, aye; Mr. Van Der Meulen, aye; Mr. Van Stone, aye; and Chairman Chase, aye. Motion passed. The resolution was adopted.

Agenda Item No. 14: Update on Legislation of Interest

Mr. Baxter updated the Board about legislation of interest and provided the Board a detailed list of legislation related to State water interests.

Senate Bill 1261, Section 70-507, Idaho Code to transfer supervision and control of the Priest Lake outlet structure from Director Spackman.

Agenda Item No. 15: Director's Report

Director Spackman discussed the Board operating the Priest Lake outlet instead of the Director owning the property. He discussed the amount of funds available for flood repair. Also, he expressed appreciation for the efforts to assist the residents of Bear Lake.

Agenda Item No. 16: Non-Action Items for Discussion

No items were discussed.

Agenda Item No. 17: Next Meeting and Adjourn

Next meeting was announced as May 17th and 18th, 2018. Mr. Van Stone moved to adjourn. Mr. Raybould seconded the motion. Voice vote: all in favor. Meeting adjourned.

Respectfully submitted this 18th day of May, 2018.



Vince Alberdi, *Secretary*

Nikki Regent, *Administrative Assistant II*

Board Actions:

- Approved meeting minutes 1-18 and 2-18.
- Adopted a resolution to approve funds and provide signatory authority in the matter of the Lost Valley Reservoir Northern Idaho Ground Squirrel Study.
- Adopted a resolution to approve funds and provide signatory authority in the matter of Mountain Home Air Force Base Sustainability Water Supply Project.
- Adopted a resolution to make a funding commitment in the matter of the 2018-2019 Hat Creek Water Transaction Contracts.
- Adopted a resolution to make a funding commitment in the matter of the Lower Lemhi 2018 Water Right Subordination Agreements.
- Adopted a resolution to make a funding commitment in the matter of the 2018-2019 Meadow Creek Water Transaction Contracts.
- Adopted a resolution to make a funding commitment in the matter of the 2018 Morgan Creek Water Transaction Contracts.
- Adopted a resolution to make a funding commitment in the matter of Spring Creek rental water transaction agreement.
- Adopted a resolution authorizing the filing of a water right application or applications to store water in the Bear Lake for multiple purposes.
- Adopted a resolution in the matter of the U.S. Department of Energy Idaho Operations Office funding to support ESPA recharge and modeling efforts.
- Adopted a resolution in the matter of approving rental pool procedures for the Water District No. 01 rental pool.
- Adopted a resolution in the matter of approving rental pool procedures for the Water District No. 63 rental pool.
- Adopted a resolution in the matter of approving rental pool procedures for the Water District No. 65 rental pool.
- Adopted a resolution in the matter of application for Stream Channel Alteration Permit Nos. S82-20066 and S82-20067.