



# IDAHO WATER RESOURCE BOARD

**C.L. "Butch" Otter**  
Governor

## MINUTES MEETING NO. 7-18

**Roger W. Chase**  
Chairman  
Pocatello  
District 4

Idaho Water Center  
Director's Conference Room  
322 East Front Street, 6<sup>th</sup> Floor  
BOISE

**Jeff Raybould**  
Vice-Chairman  
St. Anthony  
At Large

September 20, 2018  
**Board Meeting No. 7-18**

**Vince Alberdi**  
Secretary  
Kimberly  
At Large

At 9:00 a.m. Chairman Chase called the meeting to order.

### **Agenda Item No. 1: Roll Call**

**Peter Van Der Meulen**  
Hailey  
At Large

*Board Members Present*  
Roger Chase, Chairman (via phone)  
Jeff Raybould, Vice-Chairman (via phone)  
Vince Alberdi, Secretary (via phone)  
Pete Van Der Meulen (via phone)  
Bert Stevenson (via phone)  
Dale Van Stone (via phone)  
Albert Barker (via phone)  
Jo Ann Cole-Hansen (via phone)

**Albert Barker**  
Boise  
District 2

**John "Bert" Stevenson**  
Rupert  
District 3

*Staff Members Present*  
Brian Patton, Bureau Chief  
Cynthia Bridge Clark, Water Projects Section Manager  
Ann Vonde, Attorney General  
Darrell Early, Attorney General

**Dale Van Stone**  
Hope  
District 1

*Guests Present*  
Ann Vonde, Attorney General  
Darrell Early, Attorney General  
Steve West, Stantec

**Jo Ann Cole Hansen**  
Lewiston  
At Large

### **Agenda Item No. 2: Executive Session**

Mr. Alberdi made a motion for the Board to resolve into Executive Session. 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 immanently likely to be litigated. Topics: Amicus Participation in Clean Water Act litigation.

Mr. Raybould seconded. Roll call vote: Mr. Alberdi: Aye; Mr. Barker: Aye; Ms. Cole-Hansen: Aye; Mr. Raybould: Aye; Mr. Stevenson: Aye; Mr. Van Der Meulen: Aye; Mr. Van Stone: Aye; and Chairman Chase: Aye. 8 Ayes.

At approximately 9:05 a.m. the Board resolved into Executive Session by unanimous consent. 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 9:35 a.m.

**Agenda Item No. 3: Amicus Participation in Clean Water Act Litigation**

Mr. Patton introduced the Board to two options to move forward in regards to Amicus participation in the Clean Water Act Litigation.

Mr. Stevenson made a motion to join the Water Users in their Amicus Brief having the Attorney General's office working with the Water Users contingent on the citation correction. Mr. Alberdi seconded the motion. Roll call vote: Mr. Alberdi: Aye; Mr. Barker: Aye; Ms. Cole-Hansen: Aye; Mr. Raybould: Aye; Mr. Stevenson: Aye; Mr. Van Der Meulen: Aye; Mr. Van Stone: Aye; and Chairman Chase: Aye. Motion passed. The motion was adopted.

Mr. Stevenson made a motion to support the efforts of the State if it chooses to join with West Virginia's Amicus Brief and provide additional support that the State deems appropriate. Mr. Barker seconded the motion. Roll call vote: Mr. Alberdi: Aye; Mr. Barker: Aye; Ms. Cole-Hansen: Aye; Mr. Raybould: Aye; Mr. Stevenson: Aye; Mr. Van Der Meulen: Aye; Mr. Van Stone: Aye; and Chairman Chase: Aye. Motion passed. The motion was adopted.

**Agenda Item No. 4: Non-Action Items for Discussion**

Mr. Patton informed the Board of an Interim Legislative Committee scheduled for October 12<sup>th</sup> in Boise. The Committee meeting will address several water issues of interest including a Recharge Program Presentation.

**Agenda Item No. 5 Next Meeting & Adjourn**

Next meeting is scheduled for September 27<sup>th</sup> at 10:00 a.m.

Respectfully submitted this 28<sup>th</sup> day of November, 2018.

  
Vince Alberdi, *Secretary*

  
Nikki Regent, *Administrative Assistant II*

Board Actions:

- The Board adopted a motion to join the Water Users in their Amicus Brief having the Attorney General's office working with the Water Users contingent on a citation correction.
- The Board adopted a motion to support the efforts of the State if it chooses to join with West Virginia's Amicus Brief and provide additional support that the State deems appropriate.