



# IDAHO WATER RESOURCE BOARD

**Brad Little**  
*Governor*

## MINUTES MEETING NO. 5-19

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

Red Lion Hotel  
Conference Room  
621 21<sup>st</sup> St  
LEWISTON

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

May 9, 2019  
**Work Session**

**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

**Jo Ann Cole-Hansen**  
Lewiston  
At Large

Chairman Chase called the work session meeting to order at 9:30 a.m. Board members present were Roger Chase, Jeff Raybould, Vince Alberdi, Pete Van Der Meulen, Al Barker, Bert Stevenson (by phone), Dale Van Stone, and Jo Ann Cole-Hansen. IDWR staff members present were: Brian Patton, Cynthia Bridge Clark, Neeley Miller, Gary Spackman, Mat Weaver, Sean Vincent, Wesley Hipke, Remington Buyer, and Doug Jones. Guests Present were: Lanie Paquin, Barney Metz, Bobby Hills, Alan Higuard, Jason Halstead, John Simpson, and Dennis Hill.

During the Work Session the following items were discussed:

- Mr. Buyer presented an update on the Rental Pools.
- Mr. Miller gave an update on the Priest Lake Water Management Project.
- Chairman Chase and Vice Chair Raybould gave updates on Bear Lake.
- Mr. Miller presented a Proposed State Water Plan Assessment.
- Flood Management Grant updates were provided by Mr. Miller.
- Mr. Patton briefed the board on the ESPA Recharge program.
- Mr. Vincent gave a presentation on Mid-Snake Water Quality Monitoring and Modeling.
- Mr. Patton and Mr. Miller gave a Secondary Aquifer Planning Management and Implementation Fund FY 2020 update.
- Mr. Weaver discussed the Implementation of Red Tape Reduction Act.
- Ms. Bridge Clark provided a briefing and Ms. Paquin from the Bureau of Reclamation gave a presentation on the Boise River Feasibility Study.
- Lewiston Orchards Exchange Project update was provided by Bobby Hill and associates.

No action was taken by the Board during the Work Session. The Board attended a field trip hosted by Lewiston Orchards Irrigation District and Nez Perce Tribe.

May 10, 2019  
**Board Meeting No. 5-19**

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 (via phone)  
Albert Barker

Jeff Raybould, Vice-Chairman  
Pete Van Der Meulen  
Dale Van Stone  
Jo Ann Cole-Hansen

*Staff Members Present*

Gary Spackman, Director  
Mat Weaver, Deputy Director  
Cynthia Bridge Clark, Water Projects Section Manager  
Wesley Hipke, Program Manager  
Remington Buyer, Water Supply Bank Program Coordinator  
Doug Jones, IDWR Northern Regional Manager

Brian Patton, Bureau Chief  
Neeley Miller, Senior Planner  
Evan Roda, Water Rights Supervisor  
Sean Vincent, Hydrology Section Mgr  
Nikki Regent, Admin Assistant

*Guests Present*

Michael Orr  
Paul Kimmell  
Tyler Palmer  
Eugene Gussenhoven

Darrell Early (via phone)  
Korey Woodley  
Dennis Hill  
Doug Zenner

**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 (d), for the purpose of communicating with legal counsel regarding legal ramifications of and legal options for pending litigation. Topic: Boise River Water Projects. 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 Topic: Snake River and Lemhi Water Rights, and North Idaho Adjudication. Mr. Van Stone 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 8:00 a.m. the Board resolved into Executive Session by unanimous consent.

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

**Agenda Item No. 3: Elmore County Snake River Water Right Application**

Mr. Patton presented a resolution to approve a stipulation to withdraw the Board's protest to Water Right Application 02-10535 in the name of Elmore County.

Mr. Van Stone made a motion to accept the resolution in the matter of the Board's protest to Water Right Application No. 02-10535 to adopt a stipulation for withdrawal on the protest. Mr. Van Der Meulen seconded the motion. Voice vote: All were in flavor. The resolution was adopted.

#### **Agenda Item No. 4: Public Comment**

Dennis Hill with Water District 29d, appreciated recent efforts on moratorium on the new water. Doug Zenner the Nez Perce County Commissioner addressed the board.

#### **Agenda Item No. 5 Agenda & Approval of Meeting Minutes**

Mr. Patton presented the Board with a set of meeting minutes 2-19. Mr. Barker made a motion to accept the meeting minutes. Ms. Cole-Hansen seconded the motion. Voice vote: All were in flavor. Motion passed. The meeting minutes were adopted.

#### **Agenda Item No. 6 Financial Report**

Mr. Miller presented the Financial Status Report to the Board. The committed/earmarked but not disbursed balance in the Secondary Aquifer Fund was \$18,019,974, as of the March 31, 2019. The Revolving Development Account has a committed/earmarked but not disbursed balance of \$24,324,340, loan principle outstanding of \$25,838,435 and uncommitted balance of \$1,726,867. The Water Management Account has a committed/earmarked but not disbursed balance of \$653,559.

The committed/earmarked balance in the Water Management Account (WMA) included the \$1M legislative appropriation for the Flood Management Grant Program per HB 712. Mr. Miller noted the balance of the WMA will be adjusted as grant disbursements are made.

#### **Agenda Item No. 7 Secondary Aquifer Planning Mgmt & Implementation Fund FY 2020**

Mr. Patton presented a budget resolution in the matter of Statewide Sustainability and the Secondary Aquifer Stabilization, and Secondary Aquifer Planning, Management, and Implementation Fund Fiscal Year 2020 Budget

Mr. Raybould made a motion to accept the resolution. 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. 8 Ayes. Motion carried.

#### **Agenda Item No. 8 Rental Pools**

Mr. Patton presented five rental pool resolutions to the Board. The rental pool resolutions were to reappoint Water District 63 Advisory Committee for the Boise River Rental Pool, Water District 65k Advisory Committee for the Lake Fork Rental Pool, Water District 74 Advisory Committee for the Lemhi River Basin Rental Pool, Water District 65 for the Payette River Rental Pool, and to reappoint local rental pool committee and approve rental pool procedures for the Upper Snake River Rental Pool.

Mr. Van Der Meulen made a motion to accept the resolutions. Mr. Raybould 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. 8 Ayes. Motion carried.

#### **Agenda Item No. 9 ESPA Recharge**

Mr. Patton presented an update on the ESPA Recharge Program for the Board. In the 2018-2019 recharge season has a total of 340,646 acre-feet has been recharged as of April, 2019. Recharge was accomplished for 258 total days with some locations beginning recharge as early as August 16, 2018.

Mr. Patton presented a resolution to the Board that would approve funds from the Secondary Aquifer Planning, Management, and Implementation Fund and Provide signatory authority in the matter of construction of the MP 29 recharge site off American Falls Reservoir District No. 2 Milner –Gooding Canal. Mr. Raybould made a motion to accept the resolution. Mr. Van Der Meulen 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. 8 Ayes. Motion carried.

**Agenda Item No. 10 Palouse Basin Aquifer Committee Update**

Ms. Woodley and Mr. Kimmell from the Palouse Basin Aquifer Committee updated the Board about local efforts to ensure a long-term, quality water supply for the Palouse Basin region.

**Agenda Item No. 11 Mid-Snake Water Quality Monitoring and Modeling**

Mr. Patton presented a resolution to execute agreements and authorize expenditures in the matter of Mid-Snake River Quality Monitoring and Modeling.

Mr. Al Barker made a motion to accept the resolutions. Ms. Cole-Hansen 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. 8 Ayes. Motion carried.

**Agenda Item No. 12 North Idaho Adjudication Update**

Mr. Roda from IDWR, Northern Region, gave a North Idaho Adjudication update to the Board with a brief history of adjudication and current status of Phase 1: Basins 91, 92, 93, 94 and 95; Phase 2: Basin 87 and Phase 3: Basins 96 and 97.

**Agenda Item No. 13 IDWR Northern Regional Manager Update**

Mr. Jones provided an update of the Northern Region to the Board. He explained an increase in the number of water right permits and ownership changes due to recent population growth.

**Agenda Item No. 14 Director's Report**

Director Spackman spoke to the Board about adjudication efforts in the Ponderay Basin. He received support from Senator Woodward regarding adjudication in the Ponderay, as well as promoting adjudication in other areas of Northern Idaho such as Boundary County and Basin 98.

He spoke of a pending application from Elmore County to divert water from the Snake River. He mentioned that Deputy Director Weaver, who served as hearing officer, issued a preliminary order for the application.

**Agenda Item No. 15 Non-Action Items for Discussion**

Chairman Chase informed the Board of a request from the Speaker of the House requesting a report of what has been done for the ESPA Comprehensive Aquifer Management Plan. Chairman Chase suggested that he meet with the Speaker in the near future to facilitate that request.

**Agenda Item No. 12 Next Meeting & Adjourn**

Next meeting was scheduled for July 25<sup>th</sup> and 26<sup>th</sup> in Rexburg.



Respectfully submitted this 26<sup>th</sup> day of July, 2019.

  
Vince Alberdi, *Secretary*

  
Nikki Regent, *Administrative Assistant II*

Board Actions:

- A resolution to adopt stipulation for withdrawal of the Board's protest in the matter of the Board's protest to Water Right No. 02-10535
- A budget resolution in the matter of Statewide Sustainability and the Secondary Aquifer Stabilization, and Secondary Aquifer Planning, Management, and Implementation Fund Fiscal Year 2020 Budget
- A resolution to reappoint a rental pool local committee and approve rental pool procedures in the matter of approving rental pool procedures for the Upper Snake River Rental Pool
- A resolution to reappoint a rental pool local committee in the matter of renewing the appointment of the Water District No. 63 Advisory Committee as the local committee for the Boise River Rental Pool
- A resolution to reappoint a rental pool local committee in the matter of renewing the appointment of the Water District No. 65 Advisory Committee as the local committee for the Payette River Rental Pool
- A resolution to reappoint a rental pool local committee in the matter of renewing the appointment of the Water District No. 65k Advisory Committee as the local committee for the Lake Fork Rental Pool
- A resolution to reappoint a rental pool local committee in the matter of renewing the appointment of the Water District No. 74 Advisory Committee as the local committee for the Lemhi River Basin Rental Pool
- A resolution to execute agreements and authorize expenditures in the matter of the Mid-Snake water Quality Monitoring and Modeling