



# IDAHO WATER RESOURCE BOARD

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District 4

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**John "Bert" Stevenson**  
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District 3

**Dale Van Stone**  
Hope  
District 1

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

## MINUTES MEETING NO. 8-19

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

September 19, 2019  
**Work Session**

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 Clark Bridge, Neeley Miller, Wesley Hipke, and Craig Tesch. Guests present were: Peter Anderson, Lynn Tominaga, Dan Temple, Bill Bosworth, and Fernando Castaneda.

During the Work Session the following items were discussed:

- The Board convened into Executive Session pursuant to Idaho Code §74-206(1) subsection (f) to discuss the topic of Lemhi River Water Right Applications.
- A training by Deputy Attorney General Darrell Early on Open Meeting Law and Ethics.
- A presentation on the Raft River Basin Hydrologic Investigation by Craig Tesch.
- An update on the ESPA Recharge by Wesley Hipke.
- An update on the Priest Lake Water Management Project by Neeley Miller.
- An update on the Boise River Feasibility Study was introduced by Cynthia Bridge Clark, with presentation planned during the board meeting by Roland Springer. There was some discussion among the board members.

No action was taken by the Board during the Work Session. The session adjourned at 11:45 a.m., after which, the Board broke for lunch and then on to a field trip to Anderson Ranch Dam.

September 20, 2019  
**Board Meeting No. 8-19**

At 8:30 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  
Jo Ann Cole-Hansen

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, Water Projects Staff Engineer  
Ann Vonde, Deputy Attorney General

Brian Patton, Executive Officer  
Neeley Miller, Senior Planner  
Wesley Hipke, Recharge Project Mgr.

*Guests Present*

Braden Jensen, ID Farm Bureau  
Alexis Clark, Idaho Geological Survey  
Roland Springer, US Bureau of Reclamation  
Megan Sloan, US Bureau of Reclamation

Peter Anderson, Trout Unlimited  
Lynn Tominaga IGWA  
David Stephenson, BWCC

**Agenda Item No. 2: Public Comment**

David Stephenson from the Big Wood Canal Company (BWCC) mentioned to the Board that they are planning to conduct a study to raise the dam at Magic Reservoir. BWCC has asked engineers to informally estimate the amount of increased storage (acre-feet) if the dam were raised. His company wanted any comments or recommendations from the Board. Mr. Alberdi commended the group on their initiative. There were questions and some discussion.

**Agenda Item No. 3: Financial Report**

Mr. Miller provided a financial report on the secondary aquifer fund, the revolving development fund and the water management account. Chairman Chase asked about Dworshak funds. Mr. Patton answered.

**Agenda Item No. 4: ESPA Recharge**

Mr. Hipke briefed the board on the two resolutions related to ESPA recharge. There was some discussion about the costs of the project. Mr. Stevenson had concerns that the irrigation companies were not putting any money in the projects. Mr. Hipke said he would check the amount of money contributed by other parties. The first resolution approves funds from the secondary aquifer fund and provide signatory authority in the matter of the A&B Irrigation district's recharge injection wells.

Mr. Van Stone moved to adopt the resolution. Mr. Raybould seconded. Roll call vote: Mr. Alberdi, aye; Mr. Barker, abstain; Ms. Cole-Hansen, aye; Mr. Raybould, aye; Mr. Stevenson, aye; Mr. Van Der Meulen, aye; Mr. Van Stone, aye; and Chairman Chase, aye. 7 ayes, motion passed.

The second recharge resolution approves funds from the secondary aquifer fund and provides signatory authority in the matter of the Twin Falls Canal Company's recharge injection wells. Mr. Raybould moved to adopt the resolution. Mr. Van Der Meulen seconded. Roll call vote: Mr. Alberdi, abstain; Mr. Barker, abstain; Ms. Cole-Hansen, aye; Mr. Raybould, aye; Mr. Stevenson, aye; Mr. Van Der Meulen, aye; Mr. Van Stone, aye; and Chairman Chase, aye. 6 ayes, motion passed.

Mr. Barker recused himself from both votes. Mr. Stevenson made a statement that his son has water rights in A&B Irrigation, but that he would be voting. Mr. Alberdi recused himself from the vote of the second recharge resolution, as he is a stock holder in Twin Falls Canal Company.

#### **Agenda Item No. 5: Priest Lake Water Management Project**

Mr. Miller provided a brief update on the Priest Lake project. The Board had a resolution to commit funds and provide signatory authority in the matter of Priest Lake Water management project, final engineering and design. Mr. Van Stone made a motion to accept the resolution as recommended. Mr. Van Der Meulen 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; Chairman Chase, aye. 8 ayes, motion passed.

#### **Agenda Item No. 6: Boise River Feasibility Study**

Mr. Patton stated that the speaker for this agenda item had not yet arrived. There was discussion to move the agenda item until Mr. Springer arrived. Mr. Barker moved to push agenda item 6 back until Mr. Springer arrived. Mr. Alberdi seconded the motion. Voice vote: all in favor.

Rejoining of the topic: Following the completion of Agenda Item 7, Ms. Clark introduced Roland Springer of the Bureau of Reclamation (BOR). Mr. Springer updated the Board on the progress of the study. BOR issued notice of intent to prepare the Environmental Impact Statement, the deadline for comment was September 9. Public meetings were held in Pine, Boise, and Mt. Home. Most comments related to access during construction, recreation and fishery impacts, and water supply to Elmore County. The final installment of the Board's initial commitment of \$3M to share study costs was received and appreciated. He stated there are challenges with the federal budgeting process, but the project is included in the budget that is currently before the US Congress. If there are problems with the proposed budget, then regional budgets can cover BOR's project cost obligation.

BOR anticipates continued cooperation with the Board and IDWR as well as meeting the concerns of the tribes. During the next six-months they will prepare the draft feasibility study and environmental impact statement (EIS).

Ms. Clark and Mr. Springer spoke before the Board for action to commit additional funding for the feasibility study and EIS. The original project cost projection was \$6M. Mr. Springer explained that total estimated project costs had increased by \$1-1.5M, in part due to the accelerated project schedule and delays in the federal budgeting process. The resolution reflected authorization to commit up to an additional \$550,000 for project expenses from the Board. Chairman Chase asked if the numbers presented today are likely to remain. Mr. Springer indicated that they are reasonably confident the project will remain under \$7.5M total. Ms. Cole-Hansen asked about known endangered plant/animals. Mr. Barker added that there are some species of concern that will need to be evaluated. Mr. Springer said that other than Bull Trout, there were no known endangered plants or animals in the area. The US Fish and Wildlife Service is working with BOR to consult on those issues. Mr. Springer stated that they would know by next summer whether additional funds are needed. Concerns regarding campground space was discussed. BOR plans to address this issue in the study, by working with the Forest Service.

Before the Board was a resolution to commit additional funding for the feasibility study and provide signatory authority in the matter of the Boise River Basin Feasibility Study. Mr. Barker moved to adopt the resolution. 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; Chairman Chase, aye. 8 ayes, motion passed.

#### **Agenda Item No. 7: Mountain Home AFB Water Sustainability Project**

Mr. Patton updated the board on the status of this project. He described that the project is at an institutional impasse between the Federal and State governments. The Governor sent a follow-up letter (included in materials). As it stands, Mr. Patton stated that the next move related to a Memorandum of Agreement between the state and Air Force/DOD is currently with the Air Force Base. There was some discussion related to where Federal funding is still available.

The board moved back to agenda item 6, as the speaker had arrived.

#### **Agenda Item No. 8: Bear Lake Update**

Vice Chairman Raybould updated the Board on the Bear Lake activities. He stated there have been ongoing meetings with representatives from Wyoming, Utah and PacifiCorp. There is a late October meeting scheduled to review the status of the modeling work to date. Mr. Van Stone asked whether an adjudication has been scheduled for Bear River Basin. Mr. Patton said that an adjudication process has not been initiated. There was further discussion about Bear Lake issues related to flood releases and spinning reserves.

#### **Agenda Item No. 9: Raft River Basin Hydrologic Investigation**

Mr. Patton reminded the Board that a presentation related to this topic had been given the previous day in the Work Session, and there was a resolution for consideration.

Mr. Barker moved to adopt the resolution. He further stated that if the DOE funding doesn't come through, then a strong justification will need to be presented. 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; Chairman Chase, aye. 8 ayes, motion passed.

#### **Agenda Item No. 10: IDWR Western Regional Manager Update**

Nick Miller addressed the Board on Western Regional activities. He noted an increase in permit filings and an increase in permit & transfer protests. He discussed some of the notable applications in the region, including: Board's Anderson Ranch Dam project, MHAFB, Cat Creek, Elmore County and Micron.

#### **Agenda Item No. 11: Director's Report**

Director Spackman reported on several issues and updates. He provided some history and discussed an ongoing issue with Ada County about outages at Barber Dam that affect Boise River flows and downstream irrigators. There have been discussions with Ada County. A Notice of Violation had been issued in response. Other options have been considered because the problem happened another time.

The Director and Mr. Springer from BOR discussed a problem with Arrowrock Dam gates. Some gates were not closing and upon further investigation, it appeared that 2-3 of the gates will need repair. As a result, water was released from Anderson Ranch Dam to maintain levels to protect Bull Trout. Mr. Springer confirmed that there is an issue and that gate repairs will need to be made. An extra



5,000-10,000 acre feet of storage will need to be released to facilitate the repairs, which will create a shortfall in storage water.

Next, the Director stated the refill settlement on the Boise River is almost concluded. IDWR is awaiting Judge Wildman's decision. Mr. Barker replied that absent any further protests, Judge Wildman will vacate, per very recent order.

There was a brief update about controversy related to "reset date" at the Walcott/Minidoka facility.

From public meetings in Northern Idaho, adjudications will move forward. Additionally, Mark Gibbs has stated he will bring forth Bear River Basin adjudication legislation.

Related to the ESPA GW Management Area, there is a pre-hearing scheduled.

Finally, an update on the Department's budget was provided. The Director reported that the Department had been asked to remove all enhancements from the General Fund, and further, a potential 5% reduction of the General Fund FY2020 budget was required.

**Agenda Item No. 12: Non-Action Items for Discussion**

No items were presented.

**Agenda Item No. 13: Next Meeting and Adjourn**

The meeting adjourned at 11:15 a.m. The next scheduled meetings were November 14-15, 2019.

Respectfully submitted this 14<sup>th</sup> day of November, 2019.

  
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Vince Alberdi, *Secretary*  
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Jennifer Struge, *Administrative Assistant II*

### Board Actions:

1. Mr. Van Stone moved to adopt Resolution #21-2019 approving funds up to \$202,000 to ABID to develop injection wells for recharge purposes. Mr. Raybould seconded. Roll Call Vote. 7 Ayes. 1 Abstain. Motion carried.
2. Mr. Raybould moved to adopt Resolution #22-2019 approving funds up to \$178,000 to TFCC to develop injection wells for recharge purposes. Mr. Van Der Meulen seconded. Roll Call Vote. 6 Ayes. 2 Abstain. Motion carried.
3. Mr. Van Stone moved to adopt Resolution #23-2019 approving funds up to \$653,000 for the final engineering and design phase of the Priest Lake Water Management Project. Mr. Van Der Meulen seconded. Roll Call Vote. 8 Ayes. Motion carried.
4. Mr. Barker moved to push Agenda Item 6 back until the presenter arrived. Mr. Alberdi seconded. Voice Vote. All Ayes. Motion passed.
5. Mr. Barker moved to adopt Resolution #24-2019 approving funds up to \$550,000 to continue the feasibility study of the Boise River Basin. Mr. Raybould seconded. Roll Call Vote. 8 Ayes. Motion carried.
6. Mr. Barker moved to adopt Resolution #25-2019 approving funds up to \$204,000 for one year of the Raft River Basin Hydrologic Project. Mr. Raybould seconded. Roll Call Vote. 8 Ayes. Motion carried.