



IDAHO WATER RESOURCE BOARD

Brad Little
Governor

Jeff Raybould
Chairman
St. Anthony
At Large

Roger W. Chase
Vice-Chairman
Pocatello
District 4

Jo Ann Cole-Hansen
Secretary
Lewiston
At Large

Peter Van Der Meulen
Hailey
At Large

Albert Barker
Boise
District 2

Vacant
District 3

Dale Van Stone
Hope
District 1

Vacant
At Large

MINUTES MEETING NO. 1-21

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

January 20, 2021
Work Session

Chairman Chase called the work session meeting to order at 1:05 p.m. Board members present were Al Barker, Jeff Raybould, and Roger Chase; online were Jo Ann Cole-Hansen, Pete Van Der Meulen, and Dale Van Stone. IDWR staff members present were: Brian Patton, Gary Spackman, Mathew Weaver, and Jennifer Strange; and online were David Hoekema, Garrick Baxter, Kala Golden, Jennifer Sukow, Cynthia Bridge Clark, Meghan Carter, Noah Stewart-Maddox, Remington Buyer, Craig Tesch, Neeley Miller, Angie Grimm, Steve Stuebner, Emily Skoro, Sean Vincent, Alex Moody, and Wesley Hipke. Guests present online were Scott King, Bryan Horsburgh, Kurt Newbry, Darrell Early, Jim Wrigley, Larry Schoen, Adam Sorensen, Bert Stevenson, Claudia Cottle, Marie Kellner, David Cottle, Travis Thompson, Christopher Keith, J. Rolden, Devin Stoker, Dylan Lawrence, Kresta Davis, Norman Semanko, Ann Vonde, Jaxon Higgs, Steve Hannula, Brandon McLean, Lynn Tominaga, Mark Limbaugh, and Mike Telford.

During the Work Session the following items were discussed:

- Mr. Mark Limbaugh of the Ferguson Group discussed federal issues as they related to board projects and water resource issues.
- Ms. Bridge Clark introduced Bryan Horsburgh who discussed an update on the Boise River Feasibility Study/Anderson Ranch Dam Raise. Also related to this topic, Ms. Bridge Clark shared a timeline of activities for the project over the upcoming year.
- Mr. Craig Tesch presented an update on the Big Lost Basin hydrologic investigations.
- Ms. Jennifer Sukow provided a presentation on the Big Lost groundwater level trends.
- Mr. Sean Vincent gave updates on the ESPA, Wood River, and Treasure Valley Groundwater models.

- Mr. David Hoekema provided the January water supply outlook report.
- Mr. Garrick Baxter discussed the most recent potential legislation of interest.
- Mr. Mat Weaver gave an update on Administrative Rules.

At the end of the work session, the Board moved into Executive Session. Topics discussed pursuant to Idaho Code §74-206(1) subsection (f) were: IWRB water right applications 01-10613, 21-7577, 21-7578, 21-7580, and 21-13160; and topics discussed pursuant to Idaho Code §74-206(1) subsection (d) were: Anderson Ranch Dam Raise and draft legislation to create Idaho Code §42-1765B. Ann Vonde of the Attorney General's office spoke on these topics.

Ms. Cole-Hansen moved to resolve into executive session; Mr. Raybould seconded. Roll call vote: Mr. Barker, aye; Ms Cole-Hansen, aye; Mr. Raybould, aye; Mr. Van Stone, aye; Mr. Van Der Meulen, aye; and Chairman Chase, aye. All ayes. Mr. Barker excused himself from the executive session. Closed to the public.

Ms. Cole-Hansen moved to resolve out of executive session. Mr. Raybould seconded. Voice vote. All ayes. No action was taken during the executive session.

Mr. Raybould moved to adjourn. Ms. Cole-Hansen seconded. Voice vote. All ayes. No action was taken by the Board during the Work Session. The meeting adjourned at 5:30 p.m.

January 21, 2021
Board Meeting No. 1-21

At 9:00 AM Chairman Chase called the meeting to order. All members were present.

Agenda Item No. 1: Roll Call

Board Members Present

Roger Chase, Chairman

Jeff Raybould, Vice-Chairman

Albert Barker

Board Members Present Online

Pete Van Der Meulen

Dale Van Stone

Jo Ann Cole-Hansen

Staff Members Present

Gary Spackman, Director

Sascha Marston

Staff Members Present Online

Cynthia Bridge Clark, Water Projects Manager

Mathew Weaver, Deputy Director

Noah Stewart-Maddox

Wesley Hipke

Amy Cassel

Brian Patton, Executive Officer

Jennifer Strange

Neeley Miller, Water Resource Sr. Planner

Kala Golden

Steve Stuebner

Remington Buyer

Guests Present Online

Ann Vonde

Bert Stevenson

Devin Stoker

Shaun Parkinson

Bruce Sandoval

Dylan Lawrence

Scott Campbell

David Cottle

J. Roldan

Kurt Newbry
Larry Schoen
Robin Lee-Beusan
Mary Beth Collins

Clive Strong
Mike Lawrence
Pat McMahon
Tom Bassista

Norm Semanko
Scott King
Jaxon Higgs

Agenda Item No. 2: Board Elections

Mr. Van Der Meulen made a motion that the board adopt Jeff Raybould as Chairman; Roger Chase as Vice Chairman, and Jo Ann Cole-Hansen as Secretary. Mr. Van Stone seconded the motion. Mr. Barker moved that the nominations be closed. Mr. Van Stone seconded that motion. Roll call vote. Mr. Barker, aye; Ms. Cole-Hansen, aye; Mr. Raybould, aye; Mr. Van Der Meulen, aye; Mr. Van Stone, aye; and Chairman Chase, aye. The nominations were adopted.

Agenda Item No. 3: Agenda and Approval of Minutes 11-20

Chairman Raybould asked if there were any amendments to the agenda. There were none. Mr. Barker moved to adopt the minutes for board meeting 11-20. Ms. Cole-Hansen seconded. Voice vote. All ayes. The motion was adopted.

Agenda Item No. 4: Public Comment

Chairman Raybould asked if there were any public comments from guests online. Mr. Bert Stevenson made a comment of gratitude for the work of the Chair and Vice Chair.

Mr. Scott Campbell representing Elmore County stated he was especially interested in the upcoming agenda item 8b and requested that he be allowed to make a comment, depending on what is discussed. Chairman Raybould agreed to allow such comments at that time.

Agenda Item No. 5: Financial Report

Mr. Miller provided an updated financial report on the Board's accounts. As of November 30, 2020 the Board's available and committed balances were as follows: Secondary Aquifer Fund—committed but not disbursed \$21,716,491 and uncommitted \$2,538,824; Revolving Development—committed but not disbursed \$25,694,324, loan principle outstanding \$22,806,101, uncommitted \$6,066,173, and anticipated loanable funds available next 1 year \$9,566,173; Water Management—committed but not disbursed \$21,804,513 and uncommitted \$573,724. There were some discussion about Flood Management Grant money and about potential loans.

Agenda Item No. 6: IDWR Governor's Recommended Budget

Ms. Sascha Marston presented the Governor's recommended FY22 budget for the Department. She provided a summary of the budget and discussed more detailed decision units. Mr. Barker and Chairman Raybould expressed appreciation for her work and organization.

Agenda Item No. 7: Lemhi Basin Settlement Working Group Update

Mr. Clive Strong and Mr. Norm Semanko provided a brief update on the efforts related to the Lemhi Basin Settlement Working Group. Their most recent meeting lasted a full day on January 12th. They had produced a fifth version of the term sheet/settlement proposal and plan to update the same to include the latest discussions.

Agenda Item No. 8: Boise River Feasibility Study/Anderson Ranch Dam Raise

Ms. Bridge Clark stated there would be two resolutions for the board to consider related to the Boise River Feasibility Study/Anderson Ranch Dam Raise (see Agenda Items 8a and 8b).

Agenda Item No. 8a: Financial Advisor

A resolution was presented to the Board to contract with a financial advisor to develop and administer a plan to finance the non-federal costs for the Anderson Ranch Dam raise. Mr. Barker stated the resolution was an essential part to advancing the project. Ms. Bridge Clark named some edits to the resolution.

Mr. Barker moved to adopt the resolution with the suggested edits. Ms. Cole-Hansen seconded. Roll call vote. Mr. Barker, aye; Ms. Cole-Hansen, aye; Mr. Chase, aye; Mr. Van Der Meulen, aye; Mr. Van Stone, aye; and Chairman Raybould, aye. All ayes. The motion was adopted.

Mr. Jim Wrigley was available online. He expressed appreciation to work with the board.

Agenda Item No. 8b: Protected Rivers—Lime Creek & S. Fork Boise River

Ms. Bridge Clark introduced Deputy Attorney General, Ann Vonde to address a resolution before the board. Chairman Raybould asked Mr. Scott Campbell if he had concerns with the resolution before the board. He stated that he did not currently have any concerns.

Mr. Barker stated the board is not considering changing any protected river designations; but is reviewing what impact the proposed dam raise might have on protected river reaches. He further suggested that the resolution be discussed. Ms. Vonde went through the items in the resolution.

Mr. Barker moved to adopt the resolution. Mr. Chase seconded. Roll call vote. Mr. Barker, aye; Ms. Cole-Hansen, aye; Mr. Chase, aye; Mr. Van Der Meulen, aye; Mr. Van Stone, aye; and Chairman Raybould, aye. All ayes. The motion was adopted.

Agenda Item No. 9: Cloud Seeding Program Budget

Ms. Kala Golden provided a brief update. A draft resolution was presented to authorize funding for work related to Phase 2 of the Cloud Seeding Analysis. She also discussed the project schedule and timeline. There was a question about who might benefit from the extra water in the system.

An online guest asked to speak to the board on this topic. Mr. Larry Schoen, who identified himself as a Blaine county water user and former county commissioner, asked if the study will examine potential flood risks; what inter-basin effects might be; and any cumulative toxicity effects of silver iodide over time. Ms. Bridge Clark stated the study being proposed is more narrowly focused. She suggested it would be appropriate to address these questions in a Cloud Seeding Committee meeting.

Mr. Barker moved to adopt the resolution for the \$500,000 proposed resolution. Ms. Cole-Hansen seconded. Roll call vote. Mr. Barker, aye; Ms. Cole-Hansen, aye; Mr. Chase, aye; Mr. Van Der Meulen, aye; Mr. Van Stone, aye; and Chairman Raybould, aye. All ayes. The motion was adopted.

Agenda Item No. 10: Draft Legislation to Create Idaho Code §42-1765B

Ms. Cole-Hansen, the Chairman for the Water Supply Bank Committee, stated the committee reviewed this draft legislation and recommended it be brought before the full board. Subsequent to that, the Idaho Water Users recommended a committee to work on the same. The IWUA committee was still reviewing the legislation.

Ms. Cole-Hansen moved to send this draft legislation back to the WSB Committee to await the IWUA recommendation on the draft legislation. Mr. Chase seconded. Voice vote. Five ayes, one abstention. The motion carried.

Agenda Item No. 11: Idaho Code §42-1737

Mr. Chase moved to defer item 11 to a later date. Mr. Van Stone seconded. Voice vote. Five ayes; one abstention. The motion carried.

The board took a five minute break.

Agenda Item No. 12: ESPA Managed Recharge Update

Mr. Hipke gave an update of the managed recharge program. The total natural flow water recharged measured at 75,000 AF as of January 20th. Current conditions measured IWRB recharge at 407 cfs; Minidoka Dam flows at 544 cfs; and Milner flows at 200 cfs. Finally, he discussed capacity projects and investigations. Mr. Van Stone asked how our recharge is compared to the past. Mr. Hipke explained variables that influence the differences in annual recharge volumes. Chairman Raybould suggested that our current recharge is likely lower than in the past; but our steady recharge efforts are having an impact.

Agenda Item No. 13: Priest Lake Water Management Project Update

Mr. Miller provided a brief update on the previous phases of the Priest Lake Water Management Study. He stated that there had been an issue with the current construction during the de-watering. Additionally, some expected change orders were discussed. There was some discussion about the construction issue, and it was determined that more information would be needed to discuss that issue. He shared several project construction photos. The Thorofare is anticipated to be completed by February 1.

Agenda Item No. 14: Ririe Reservoir Rule Curve Modification

Mr. Patton directed the Board's attention to a draft Senate Concurrent Resolution from Senator Bair. The draft resolution seeks to authorize a change to the flood control rule curves presently in place on Ririe Dam and Reservoir to properly balance Ririe Reservoir water supply and irrigation supplies with adequate flood control as was intended in the settlement contained in the 1990 Fort Fall Agreement. It specifically resolves and "encourages the Idaho Water Resource Board to provide adequate financial resource to Mitigation, Inc in finalizing the studies and projects necessary to change the Ririe Reservoir flood control rule curves." There was some discussion about funding sources. Chairman Raybould said the Water Users were also reviewing this legislation. Ms. Cole-Hansen requested that the issue be addressed in more detail in a future meeting. Chairman Raybould suggested a presentation by Mitigation, Inc could happen at a near future Storage Committee meeting.

Agenda Item No. 15: Director's Report

Director Spackman reflected on the JFAC Hearing that he and Chairman Raybould participated in. At the hearing, some questions were asked about the \$50 million appropriation to the Board. Director Spackman suggested that there is an urgency for directing where the extra funds are allocated.

He provided updates on groundwater management. He expects to create an ESPA Groundwater Advisory Committee in late spring/early summer. Areas where groundwater management are or will be occurring consist of the Big Lost, the Big Wood, and the Bruneau area. Finally, he discussed adjudication efforts. The Department's budget includes funding for Bear River adjudication.

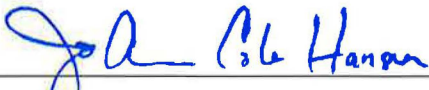
Agenda Item No. 16: Non-Action Items for Discussion

Mr. Barker suggested we be aware that some environmental groups have sued on the mid-Snake operations. Chairman Raybould stated he appreciated the work of former board Chairman, Roger Chase who had served as Chairman for the past eight years.

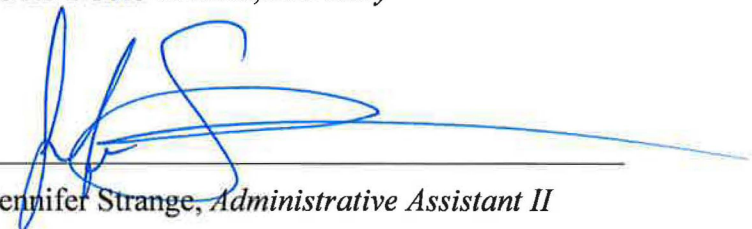
Agenda Item No. 17: Next Meeting and Adjourn

Mr. Patton stated the next scheduled meetings are March 18 and 19, 2021 in Boise and via an online platform. He also stated that Director Spackman and Chairman Raybould will be participating in the IWUA meeting. Mr. Chase moved to adjourn. Mr. Barker seconded. Voice vote. All ayes. Motion carried. Meeting adjourned around 11:30 a.m.

Respectfully submitted this 19th day of March, 2021.



Jo Ann Cole-Hansen, *Secretary*



Jennifer Strange, *Administrative Assistant II*

Board Actions:

1. Adopted nominations for Chair, Vice Chair and Secretary.
2. Meeting minutes 11-20 were adopted.
3. Adopted a resolution to contract with a financial advisor to develop and administer a financing plan for the non-federal project costs.
4. Adopted a resolution regarding Lime Creek & South Fork of the Boise River protected river segments.
5. Adopted a resolution to approve funds for a modeling effort to support the study of cloud seeding impacts on the water supply.
6. A motion to send Draft Legislation to Create Idaho Code §42-1765B back to the WSB Committee and await further analysis by the Idaho Water Users Association.
7. A motion to defer any action on Idaho Code §42-1737.