



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

Dale Van Stone
Hope
District 1

Albert Barker
Boise
District 2

Dean Stevenson
Paul
District 3

Peter Van Der Meulen
Hailey
At Large

Brian Olmstead
Twin Falls
At Large

MINUTES MEETING NO. 8-21

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

May 20, 2021

Work Session

Chairman Raybould called the work session meeting to order at 8:00 a.m. Board members present were Al Barker, Roger Chase, Jo Ann Cole-Hansen, Brian Olmstead, Dean Stevenson, Dale Van Stone, and Chairman Raybould; online was Pete Van Der Meulen. IDWR staff members present were: Brian Patton, Gary Spackman, Cynthia Bridge Clark, Wesley Hipke, John Loffredo, and Jennifer Strange; and online were Sean Vincent, Kala Golden, Alex Moody, Amy Cassel, Craig Tesch, David Hoekema, Gus Womeldorph, Kara Ferguson, Ethan Geisler, Mat Weaver, Matt Anders, Meghan Carter, Neeley Miller, Angie Grimm, Noah Stewart-Maddox, Steve Stuebner, Garrick Baxter, and Emily Skoro. Guests present online were: Kurt Newbry, Lynn Tominaga, Shaun Parkinson, Robert Turner, Connely Baldwin, J Gough, B. Liming, Ann Vonde, Darrell Early, Norman Semanko, TJ Budge, Bryan Horsburgh, Erin Whorton, Jim Taylor, Chris Keith, Scott King, Mike Lawrence, Claudia Cottle, Frank Gariglio, Kresta Davis, John Simpson, Sam Eaton, Scott Pugnud, Tom Bassista, and Robert Turner.

During the Work Session the following items were discussed:

- A training on Ethics and Open Meeting Law by Darrell Early of the Attorney General's Office.
- A presentation on the Bear River Planning Model by Matt Anders and David Hoekema.
- A presentation on Cloud Seeding Analysis by Kala Golden and Noah Stewart-Maddox.
- A water rights rental in the Sawtooth Valley by Amy Cassel.
- A loan for the Point Spings Grazing Association by Kala Golden.
- The board recessed for lunch around noon. They went on a field trip of the Boise Project Board of Control facilities from 1:00 p.m. – 4:00 p.m.

May 21, 2021
Board Meeting No. 8-21

At 8:32 a.m. Chairman Raybould called the meeting to order. All members were present.

Agenda Item No. 1: Roll Call

Board Members Present

Jeff Raybould, Chairman
Roger Chase, Vice-Chairman
Jo Ann Cole-Hansen, Secretary
Albert Barker
Dale Van Stone
Dean Stevenson
Brian Olmstead

Board Members Present Online

Pete Van Der Meulen

Staff Members Present

Gary Spackman, Director
Cynthia Bridge Clark, Water Projects Manager
Garriick Baxter
Jennifer Strange

Brian Patton, Executive Officer
Mathew Weaver, Deputy Director
Steve Stuebner

Staff Members Present Online

Neeley Miller
Kala Golden
Wesley Hipke
Amy Cassel

Emily Skoro
Meghan Carter
Remington Buyer

Guests Present

Clive Strong
David Ascuena
Al Hofer
Bud Corbus
Crystal Rodgers
Norm Semanko
Candice McHugh
Terry Scanlan
Kresta Davis

Ann Vonde
Mike McCain
Lynn Tominaga
Daniel Brennan
Dylan Lawrence
Josh Dison
Michael Lawrence
Marybeth Collins
Sen. Christy Zito

Guests Present Online

Kurt Newbry
John Simpson
Bryan Horsburgh
Kira Finkler
Claudia Cottle
M. Bundy
Travis Thompson
Megan Blanksma
Shanna Mathews
Christine Schuldheisz
Vic Conrad

Pat McMahon
Paul Arrington
Robin Lee-Beuson
Heather O'Leary
J. Gough
Brian Liming
Connely Baldwin
Brad Carlson
Tom Bassista
Jim Taylor

Agenda Item No. 2: Agenda and Approval of Minutes 5-21, 6-21, and 7-21

Chairman Raybould asked if the minutes had been reviewed and if there were any edits needed. Mr. Barker moved to adopt the minutes as presented for board meetings 5-21, 6-21, and 7-21. Mr. Olmstead seconded. Voice vote. All ayes. The motion carried.

Agenda Item No. 3: Public Comment

Chairman Raybould asked if there were any public comments. Mr. Lynn Tominaga stated he would be retiring from Idaho Ground Water Association (IGWA). Appreciation for Mr. Tominaga's work was expressed.

Three folks had comments on the Board's recharge rights in basin 37. Ms. Candace McHugh, attorney representing the City of Bellevue and the Sun Valley Company, encouraged the board to agree to mediation amongst the parties. Mr. Michael Lawrence, representing the City of Hailey requested mediation as well. Ms. Heather O'Leary, attorney representing Galena Groundwater District, also request mediation.

Agenda Item No. 4: Lemhi Basin Settlement Working Group Update

Mr. Norm Semanko provided some background on the Lemhi Basin Settlement Working Group's efforts for the benefit of the newer board members. Mr. Clive Strong provided an overview of the flushing flows. He provided a priority flow chart for the Upper Lemhi Basin Settlement. He discussed issues that had emerged from the meetings, including a concern for notice of water transactions in the basin. Mr. Olmstead asked about the length of the flushing events.

Agenda Item No. 5: Anderson Ranch Dam Raise

Ms. Bridge Clark introduced Bryan Horsburgh of the Bureau of Reclamation. He discussed the three stages of the design process. He provided an updated timeline for the project. Ms. Bridge Clark discussed a draft resolution to negotiate a contract with BOR for the completion of the Anderson Ranch Dam Raise Project. Mr. Olmstead stated the Water Storage Committee recommended the draft resolution at the meeting held on May 12, 2021.

Mr. Olmstead moved to adopt the resolution. Mr. Barker seconded. Roll call vote: Mr. Barker, aye; Mr. Chase, aye; Ms. Cole-Hansen, aye; Mr. Olmstead, aye; Mr. Stevenson, aye; Mr. Van Der Meulen, aye; Mr. Van Stone, aye; and Chairman Raybould, aye. 8 ayes. The motion passed.

Agenda Item No. 6: Presentation by Elmore County

Mr. Terry Scanlan from SPF Water Engineering, LLC presented on Elmore County's request to expand the Treasure Valley groundwater model to the Mountain Home Plateau. Several members of the Elmore County community spoke in support of the request that Mr. Scanlan presented. Those who addressed the board were: Mr. Bud Corbus, Elmore County Commissioners; Mr. Al Hofer, Elmore County Commissioners; Ms. Crystal Rodgers, Elmore County Commissioners; Mike McCain, Mountain Home City Council; Daniel Brennan, Mountain Home City Council; Josh Dison, Elmore County Assessor; David Ascuena, Mountain Home Irrigation District Chairman and Farm Bureau member; and Senator Christy Zito. All expressed concerns for the declining water levels throughout the Mountain Home Plateau and the many impacts

Agenda Item No. 7: Financial Report

Mr. Miller provided the Board's financial report. The accounts as of April 30, 2021 were: Secondary Aquifer Fund: committed/earmarked but not disbursed \$12,494,144 and uncommitted balance \$12,574,109; Revolving Development Account: committed/earmarked but not disbursed \$20,362,808, loan principal outstanding \$20,778,342, uncommitted balance \$12,199,331, and anticipated loanable

funds available next one year \$15,699,331; and Water Management Account: committed/earmarked but not disbursed \$21,680,681, and uncommitted balance \$219,170.

Agenda Item No. 8: Secondary Aquifer Planning Management & Implementation Fund Budget

Mr. Patton stated the budget being considered had been recommended to pass by the Finance Committee on May 10, 2021

Ms. Cole-Hansen moved to adopt the resolution. Mr. Van Stone seconded. Roll call vote: Mr. Barker, aye; Mr. Chase, aye; Ms. Cole-Hansen, aye; Mr. Olmstead, aye; Mr. Stevenson, aye; Mr. Van Der Meulen, aye; Mr. Van Stone, aye; and Chairman Raybould, aye. 8 ayes. The motion passed.

Agenda Item No. 9: Point Springs Grazing Association Loan

Mr. Patton introduced Ms. Kala Golden and members of the Point Springs Grazing Association who were requesting a loan to fund a new well.

Mr. Chase moved to adopt the resolution to authorize funding for a new well. Mr. Barker seconded. Roll call vote: Mr. Barker, aye; Mr. Chase, aye; Ms. Cole-Hansen, aye; Mr. Olmstead, aye; Mr. Stevenson, aye; Mr. Van Der Meulen, aye; Mr. Van Stone, aye; and Chairman Raybould, aye. 8 ayes. The motion passed.

Agenda Item No. 10: Sawtooth Valley Water Rights Rental

Mr. Patton stated there was a resolution in the matter of the permanent rental of Sawtooth Valley water rights which had been discussed at the Work Session.

Mr. Stevenson moved to adopt the resolution. Mr. Olmstead seconded. Roll call vote: Mr. Barker, aye; Mr. Chase, aye; Ms. Cole-Hansen, aye; Mr. Olmstead, aye; Mr. Stevenson, aye; Mr. Van Der Meulen, aye; Mr. Van Stone, aye; and Chairman Raybould, aye. 8 ayes. The motion passed.

Agenda Item No. 11: WD01 Rental Pool Procedures

Director Spackman discussed his recommendation for amended WD01 rental pool procedures.

Mr. Van Stone moved to adopt the resolution. Mr. Olmstead seconded. Voice vote. All ayes. Motion carried. The resolution passed.

Agenda Item No. 12: Priest Lake Water Management Project Update

Mr. Miller discussed progress on the Priest Lake Water Management Study. The breakwater portion was complete and the final walk-through was April 2021. Mr. Van Stone asked about the status of the lake pool level for the upcoming recreational season.

Agenda Item No. 13: Bear Lake Economic Value Study

Mr. Patton introduced a resolution to provide funding in the matter of the Bear Lake Economic Study.

Mr. Chase moved to adopt the resolution for \$5,000. Mr. Van Stone seconded. Roll call vote: Mr. Barker, aye; Mr. Chase, aye; Ms. Cole-Hansen, aye; Mr. Olmstead, aye; Mr. Stevenson, aye; Mr. Van Der Meulen, aye; Mr. Van Stone, aye; and Chairman Raybould, aye. 8 ayes. The motion passed.

Agenda Item No. 14: Potential Legislation of Interest

Mr. Garrick Baxter provided final updates on key pieces of legislation.

Agenda Item No. 15: Administrative Rules

Mr. Mat Weaver provided a resolution for consideration to publish the IWRB's current pending administrative non-fee rules as temporary rules.

Mr. Van Stone moved to adopt the resolution. Mr. Stevenson seconded. Voice vote. All ayes. Motion carried. The resolution was adopted.

Agenda Item No. 16: Swan Falls/Snake River at Murphy Gage Flow Update

Mr. Ethan Geisler spoke on the Swan Falls/Snake River near Murphy Gage flows. His update included background on the 1984 Swan Falls Settlement Agreement; on methodology for calculating the adjusted average daily flow (AADF); and the flows for the year.

Agenda Item No. 17: Director's Report

Director Spackman discussed an administrative call on the Portneuf River. He said that notice was sent to users. He also discussed drought conditions for the state. Seven counties had drought orders declared.

Mat Weaver spoke on issues in the Wood River basin.

Agenda Item No. 18: Non-Action Items for Discussion

There were none.

Agenda Item No. 19: Executive Session

Board met pursuant to Idaho Code § 74-206(1) subsection (f) to communicate 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. The topic was Lemhi Settlement that Ann Vonde discussed.

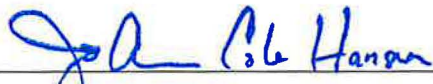
Ms. Cole-Hansen moved to resolve into executive session. Mr. Stevenson seconded. Roll call vote: Mr. Barker, aye; Mr. Chase, aye; Ms. Cole-Hansen, aye; Mr. Olmstead, aye; Mr. Stevenson, aye; Mr. Van Der Meulen, aye; Mr. Van Stone, aye; and Chairman Raybould, aye. 8 ayes. The motion passed.

Ms. Cole-Hansen moved to resolve out of executive session at 12:36 p.m. Mr. Van Stone seconded. Voice vote. All ayes. Motion carried. No actions were taken during the executive session.

Agenda Item No. 20: Next Meeting and Adjourn

Mr. Patton stated the next scheduled meetings were July 22-23, 2021 in Twin Falls and via an online platform. Mr. Barker moved to adjourn. Mr. Olmstead seconded. Voice vote. All ayes. Motion carried. Meeting adjourned at 12:40 p.m.

Respectfully submitted this 23rd day of July, 2021.



Jo Ann Cole-Hansen, *Secretary*



Jennifer Strange, *Administrative Assistant II*

Board Actions:

1. Meeting minutes 5-21, 6-21, and 7-21 were adopted.
2. Adopted a resolution to negotiate a contract with BOR for the completion of the Anderson Ranch Dam Raise Project.
3. Adopted a resolution to pass the FY 2022 Secondary Aquifer Stabilization Fund budget.
4. Adopted a resolution to authorize a loan for the Point Springs Grazing Association.
5. Adopted a resolution to make a funding commitment in the matter of the permanent rental of Sawtooth Valley water rights.
6. Adopted a resolution to adopt amended WD01 Rental Pool Procedures.
7. Adopted a resolution to provide funding for the Bear Lake Economic Study.
8. Adopted a resolution to publish the IWRB current pending administrative non-fee rules as temporary rules.