



# IDAHO WATER RESOURCE BOARD

**Brad Little**  
Governor

## MINUTES MEETING NO. 4-23

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

Hampton Inn  
Eagle Rock East Meeting Room / Zoom Online  
645 Lindsay Blvd.  
IDAHO FALLS

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

May 18, 2023  
**Work Session**

**Dean Stevenson**  
Secretary  
Paul  
District 3

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

Chairman Raybould called the work session meeting to order at 8:32 AM (MT) in Idaho Falls, Idaho and online. Board members present were Al Barker, Jo Ann Cole-Hansen, Marcus Gibbs, Patrick McMahon, Brian Olmstead, Dean Stevenson, Dale Van Stone, and Chairman Jeff Raybould.

**Dale Van Stone**  
Hope  
District 1

IDWR staff members present were: Brian Patton, Cynthia Bridge Clark, Neeley Miller, Wesley Hipke, James Cefalo, Remington Buyer, Cooper Fritz, and Jennifer Strange. Online were: Mary Condon, Josh Morell, Kala Golden, Meghan Carter, Mackenzie Kienholz, Mike Morrison, and Heather Neace.

**Albert Barker**  
Boise  
District 2

Guests present were: John Williams, Lyle Swank, Alan Kelsch, and Ann Yribar. Guests online were: Doug Jones, Hattie Zobott, J. McDermott, Ashley Sadorra, Mike Fuss, Dylan Lawrence, Dave Colvin, Jason Brown, and Bert Stevenson.

**Brian Olmstead**  
Twin Falls  
At Large

### **Agenda Item No. 2: 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 executive session was closed to the public.

**Marcus Gibbs**  
Grace  
District 4

**Patrick McMahon**  
Sun Valley  
At Large

Mr. Dean Stevenson moved to resolve into executive session at 8:33 AM. Mr. Barker seconded. Roll call vote: Mr. Barker, aye; Ms. Cole-Hansen, aye; Mr. Gibbs, aye; Mr. McMahon, aye; Mr. Olmstead, aye; Mr. Stevenson, aye; Mr. Van Stone, aye; and Chairman Raybould, aye. 8 ayes. The motion passed.

Ann Yribar discussed Pristine Springs. Mr. Barker recused himself from that topic. Meghan Carter discussed Priest Lake.

At 9:12 AM, Mr. Stevenson moved to resolve out of executive session. Mr. Van Stone seconded. Voice vote. All in favor. The motion carried. No action was taken during the executive session.

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

Mr. Neeley Miller provided the Board's financial report. The accounts as of March 31, 2023 were: Secondary Aquifer Fund: committed/earmarked but not disbursed \$21,879,655 and uncommitted balance \$14,004,536; Revolving Development Account: committed/earmarked but not disbursed \$32,444,852, loan principal outstanding \$17,739,221, uncommitted balance \$1,795,667, and anticipated loanable funds available next one year \$5,295,667; and Water Management Account: obligated \$113,431,557, and unobligated balance \$31,914,188. Total committed/earmarked but not disbursed \$167,756,064; total loan principal outstanding \$17,739,221; and total uncommitted balance \$47,714,391. ARPA: committed per HB 769 is \$100,000,000; obligated \$17,352,413; unobligated \$8,367,953; and expended is \$74,279,634.

The obligated balance in the Water Management Account includes the \$20M legislative appropriation per HB 285 (FY 2019) for the Anderson Reservoir Enlargement and/or Mountain Home Air Force Base Water Supply Project. The obligated balance also includes \$50M for large infrastructure projects per Senate Bill 1121 (FY 2021) for the Anderson Ranch enlargement, Mountain Air Force Base Water Supply Project, ESPA Managed Aquifer Recharge Program, other projects identified by the IWRB.

The Water Management Account unobligated balance includes \$75M per HB 769 (FY 2022) to be used for expenditures, loans, or grants for water projects, including studies, to address water sustainability, rehabilitate or improve aging water infrastructure or support flood management. The legislature provided that no more than one-third of these moneys shall be used for grants. At the September 2022 IWRB meeting the IWRB authorized \$12,500,000 in funds for Aging Infrastructure grants (round one). At the January 2023 IWRB meeting the IWRB authorized \$12,500,000 in funds for Aging Infrastructure grants (round two).

In FY 2023 the IWRB has approved \$20,811,000 in loans from the Water Management Account. In FY 2023 \$72,871,406 has been expended from the ARPA funds for the Anderson Ranch Reservoir Enlargement.

### **Agenda Item No. 4: Regional Manager's Update**

James Cefalo provided an update on activities at the Eastern Regional office in Idaho Falls. He highlighted workload for water allocation processes, contested cases in the region, and some of the challenges for the region.

### **Agenda Item No. 5: Mountain Home Air Force Base Water Resilience Project**

Mike Morrison discussed updates on the Water Resilience Project at the Mountain Home Air Force Base. Current activities included: seeking Statements of Qualification (SOQs) from qualified Design-Build (DB) firms who will design and build the intake, pump station, and pipeline; a two-step process to select a qualified DB firm will be used. The Board will first evaluate Statements of Qualification (SOQs) submitted by interested firms and then invite the top ranked DB firms meeting the Board's criteria to submit proposals for designing and building the project. The Board will evaluate the proposals and enter into negotiations with the top ranked DB firm in late October or early November. They were working with easements and rights of way.

Ms. Clark stated that the Board intends to design and construct and then gift the intake, pump station, and pipeline (Transmission System) to the Air Force. The Board will retain ownership of the Snake River water rights acquired for the new water system and enter into a long-term water use agreement with the DAF for Mountain Home AFB's use. A draft proffer letter and resolution was discussed. Mr. Barker commented that the process seemed unnecessarily difficult. He suggested a token lease instead of a gift or to place a condition on the gift for reacquisition. Chairman Raybould agreed with Mr. Barker's concerns but stated that such would likely postpone or delay the process. There was more discussion.

**Agenda Item No. 6: ESPA Managed Recharge**

Wesley Hipke provided an update on the ESPA Managed Recharge Program. Total natural flow water recharged was 138,653 acre-feet. He discussed future capacity for the upper and lower valleys. He gave an overview of current infrastructure projects and discussed potential infrastructure projects. Cooper Fritz provided some information on groundwater sampling in the Butte Market Lake Projects.

Mr. Hipke shared a proposed recharge project that requested \$1.33 million to construct the Head of the Basalt Project to increase recharge capacity along the main stem of the Snake River. He shared a draft resolution for the board to consider which would allow expenditures to come from the ARPA State Fiscal Recovery Fund.

**Agenda Item No. 7: IGWA/SWC Proposals for Managed Recharge Program**

Jaxon Higgs with Water Well Consultants introduced Dave Colvin of LRE Water who discussed proposals for top recharge sites to benefit IGWA/SWC.

**Agenda Item No. 8: Ririe Reservoir Rule Curve Analysis Update**

Lyle Swank discussed the background of the Ririe Reservoir rule curve analysis. The goal was 20,000 - 28,000 acre feet of additional storage space. He shared the next steps in the Ririe proposal review. Alan Kelsch, project coordinator for Mitigation Inc., discussed financials for the project. He mentioned the 3 different phases of the project.

Remington Buyer explained the field trip details.

**Agenda Item No. 9: Non-Action Items for Discussion**

There were no other items for discussion from the board members.

**Agenda Item No. 10: Adjourn**

Dean Stevenson moved to adjourn. Marc Gibbs seconded. Voice vote. All in favor. The motion carried. The meeting adjourned at 12:06 PM.

The board broke for lunch. Following lunch, the board departed for a field trip of Ririe Dam and other selected locations.

May 19, 2023

**Board Meeting No. 4-23**

At 8:30 AM (MT) Chairman Raybould called the meeting to order in Idaho Falls, Idaho and online.

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

*Board Members Present*

Jeff Raybould, Chairman  
Jo Ann Cole-Hansen, Vice Chairman  
Albert Barker  
Marcus Gibbs  
Patrick McMahon  
Dale Van Stone  
Brian Olmstead  
Dean Stevenson, Secretary

*Staff Members Present*

Mathew Weaver, Deputy Director  
Cynthia Bridge Clark  
Neeley Miller  
Steve Stuebner  
Brian Patton, Executive Officer  
Wesley Hipke  
Remington Buyer  
Jennifer Strange

*Staff Members Present Online*

Meghan Carter  
Kala Golden  
Mary Condon  
Justin Ferguson  
Cooper Fritz

*Guests Present*

John Williams  
Kresta Davis  
Ann Yribar  
Scott Pugrud  
Bob Turner

*Guests Present Online*

Dave Tuthill  
Paul Arrington  
Bruce Johnstone  
Bryan Horsburgh  
D. Stoker  
Chris Keith  
Marc Ayalin  
Braden Jensen  
Lanie Paquin  
Bert Stevenson  
Brad Carlson  
Margaret Major  
Doug Jones  
Dylan Lawrence  
Mark Zirschky  
Hattie Zobott  
Bingham GWD  
Kyle & Julie Radek  
Allison Lebeda  
George Prentice  
JB Taylor

**Agenda Item No. 2: Agenda and Approval of Minutes 3-23**

Chairman Raybould asked if any changes to the agenda were needed. Ms. Cole-Hansen moved to amend the agenda to add an item just after Public Comment for the topic of Cloud Seeding. Mr. Van Stone seconded. Chairman Raybould explained the reason for the amendment was to bring newly discovered information to the Board. Voice vote. All in favor. The motion carried.

The minutes for meetings 3-23 were available for approval. Ms. Cole-Hansen moved to adopt the amended agenda and to approve the minutes for meetings 3-23. Mr. Stevenson seconded. Voice vote. All in favor. The motion carried.

**Agenda Item No. 3: Public Comment**

John Williams of Bonneville Power Administration provided updates during public comment.

#### **Agenda Item No. 4: Cloud Seeding**

Kresta Davis of Idaho Power Company shared the results of a completed benefits analysis for the cloud seeding program. A range of snowpack increases included Henry's Fork with a 9% increase and the Boise Basin with a 19% increase. She stated the following acre feet increases for the following basins: 190,000 acre feet for Henry's Fork; 400,000 acre feet for the Upper Snake; 107,000 acre feet for the Wood River; 270,000 acre feet for the Boise; and 250,000 acre feet for the Payette. The total added acre feet was 1.2 million. There was a question about data criteria.

#### **Agenda Item No. 5: Anderson Ranch Dam Raise Update**

Cynthia Bridge Clark introduced Lanie Paquin of the Bureau of Reclamation. She updated the board on project activities. The timeline shared put the project at the 30% design stage. Mr. Barker asked about the timing of reservoir restrictions for water users and stakeholders. Ms. Paquin stated that information had not been given yet but was expected in the next few weeks. Construction cost estimates at 30% design were shared as: 65 million for the dam raise and 39 million for the reservoir rim projects. There was discussion about contingencies. Updated total project cost estimate was \$124.8 million which included updated construction and non-contract cost estimates and did not include estimates for potential mitigation water during construction.

Ms. Clark asked if the board would be interested in a future meeting to specifically address the reservoir restrictions and stakeholders. Chairman Raybould suggested that a Water Storage Committee meeting might be appropriate for that discussion.

#### **Agenda Item No. 6: Mountain Home Air Force Base Water Resilience Project**

Cynthia Bridge Clark presented the board with a resolution and proffer letter. She mentioned that Ashley Sadorra with the Air Force would relay concerns shared at the work session to her staff. She outlined some workshops planned.

Mr. Olmstead moved to adopt the resolution and authorize the Chairman to sign the proffer letter. Mr. Gibbs seconded. Roll call vote: Mr. Barker, aye; Ms. Cole-Hansen, aye; Mr. Gibbs, aye; Mr. McMahon, aye; Mr. Olmstead, aye; Mr. Stevenson, aye; Mr. Van Stone, aye; and Chairman Raybould, aye. 8 ayes. The motion passed.

#### **Agenda Item No. 7: Aging Infrastructure Grant 2024**

Brian Patton introduced Neeley Miller for the agenda item and noted that the name should reflect that these criteria are for Fiscal Year 2024. Mr. Miller presented criteria that the Finance Committee had recommended for the Aging Infrastructure Grant program. He highlighted one small change and discussed a draft resolution.

Ms. Cole-Hansen moved to adopt the resolution to adopt the criteria for the Aging Infrastructure Grant Program. Mr. Barker seconded. Voice vote. All in favor. The motion carried.

Mr. Miller shared a timeline for the different grant programs and rounds. The Finance Committee had also recommended this timeline.

Ms. Cole-Hansen moved to adopt the dates of August 4<sup>th</sup> for Round One and December 1<sup>st</sup> for Round Two with a dollar amount for each round of \$12,500,000 for the Aging Infrastructure Grant Program. Mr. Stevenson seconded. Voice vote. All in favor. The motion carried.

**Agenda Item No. 8: Regional Water Sustainability Priority List Project Preliminary Ranking and Funding Stipulations**

Neeley Miller discussed that the Finance Committee had recommended four presentations at three Finance Committee meetings in June for ranked projects of the Regional Water Sustainability Priority List.

Ms. Cole-Hansen moved to host the presentations at a series of Finance Committee meetings based on their ranking, their district, and if they are ARPA fundable. Mr. Van Stone seconded. Voice vote. All in favor. The motion carried.

**Agenda Item No. 9: Secondary Aquifer Planning, Management, and Implementation Fund**

Neeley Miller stated that the Finance Committee recommended adopting the Secondary Aquifer Planning, Management, and Implementation Fund budget. He walked through the budget numbers.

Mr. Olmstead moved to adopt the resolution to adopt the recommended budget for the Secondary Aquifer Planning, Management, and Implementation Fund. Ms. Cole-Hansen seconded. Roll call vote: Mr. Barker, aye; Ms. Cole-Hansen, aye; Mr. Gibbs, aye; Mr. McMahan, aye; Mr. Olmstead, aye; Mr. Stevenson, aye; Mr. Van Stone, aye; and Chairman Raybould, aye. 8 ayes. The motion passed.

**Agenda Item No. 10: State Water Plan**

Brian Patton stated a resolution had been approved at the March board meeting which authorized funds to retain Clive Strong to assist with the revision process for the State Water Plan. Since, the Attorney General's office requested that a new resolution be presented that would recognize that Mr. Strong would not be providing any services as an attorney as that is the role of the AG's office. Mr. Strong's role would be as advisor based solely on his knowledge of the State Water Plan. The resolution also was modified from \$100,000 down to \$30,000 and was meant to supersede the previous resolution passed.

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

**Agenda Item No. 11: ESPA Managed Recharge**

Wesley Hipke presented the resolution for managed recharge with New Sweden that had been discussed at the work session.

Mr. Van Stone moved to adopt the resolution which would authorize the use of ARPA funds. Mr. McMahan seconded. Roll call vote: Mr. Barker, aye; Ms. Cole-Hansen, aye; Mr. Gibbs, aye; Mr. McMahan, aye; Mr. Olmstead, aye; Mr. Stevenson, aye; Mr. Van Stone, aye; and Chairman Raybould, aye. 8 ayes. The motion passed.

**Agenda Item No. 12: Conant Creek Canal Company Loan Request**

Justin Ferguson provided a resolution to approve a loan of up to \$90,000 for the Conant Creek Canal Company.

Mr. Stevenson moved to adopt the resolution to approve the loan at 7.5% interest for a 15-year repayment term. Ms. Cole-Hansen seconded. Roll call vote: Mr. Barker, aye; Ms. Cole-Hansen, aye; Mr. Gibbs, aye; Mr. McMahon, aye; Mr. Olmstead, aye; Mr. Stevenson, aye; Mr. Van Stone, aye; and Chairman Raybould, aye. 8 ayes. The motion passed.

**Agenda Item No. 13: Administrative Rules Update**

Mathew Weaver provided an update on rule making. Guidance from the Division of Financial Management is still expected related to legislative changes regarding rule making. Two rule making negotiations were currently underway.

**Agenda Item No. 14: Director’s Report**

Mat Weaver provided an update on behalf of the Director. He discussed the Surface Water Coalition Delivery Call. In April Director Spackman issued the 5<sup>th</sup> Amended Methodology Order and set a hearing for the same for June 6-10, 2023. More decisions were expected in July. Chairman Raybould asked if the folks not covered under a mitigation plan were aware that they could be in jeopardy. Notifications had been sent out. There was more discussion. He provided information on the Swan Falls flows. The final update was related to boundary expansion of Water District 120 and public meetings related to creating new groundwater districts in the area.

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

Mr. Gibbs mentioned an email that had been received from a citizen in Inkom relating to flooding in that area. Mr. Barker mentioned an update on the Cat Creek Project.

**Agenda Item No. 16: Next Meeting and Adjourn**

Mr. Patton stated the next scheduled meetings would be July 20-21, 2023 in Moscow and via an online platform. He also shared a list of several upcoming committee meetings. Mr. Van Stone moved to adjourn. Mr. Stevenson seconded. Voice vote. All ayes. Motion carried. Meeting adjourned at 10:17 AM (MT).

Respectfully submitted this 21<sup>st</sup> day of July 2023.

  
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Dean Stevenson, *Secretary*

  
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Jennifer Strange, *Administrative Assistant II*