



IDAHO WATER RESOURCE BOARD

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Brian Olmstead
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Marcus Gibbs
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Patrick McMahon
Sun Valley
At Large

MINUTES MEETING NO. 5-23

Best Western Plus University Inn
Palouse Room / Zoom Online
1516 Pullman Rd.
Moscow

July 20, 2023
Work Session

Agenda Item No. 1: Roll Call

Chairman Raybould called the work session meeting to order at 9: 03 AM (PT) in Moscow, 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.

IDWR staff members present were: Brian Patton, Cynthia Bridge Clark, Neeley Miller, Wesley Hipke, Mathew Weaver, Gary Spackman, Michelle Richman, Daniel Sturgis, and Jennifer Strange. Online were: Mary Condon, Josh Morell, Kala Golden, Meghan Carter, Justin Ferguson, Mike Morrison, Heidi Smith, and Ethan Geisler.

Guests present were: Jeff Allen, Douglas Jones, John Williams, John Simpson, Robin Nimmer, David Hall, Tyler Palmer, Sean Wells, Jake Garringer, Paul Kimmell, Kresta Davis, Scott Pugnud, and Ann Yribar. Guests online were: Cassidey Plum, Rachel Cohen, Bob Pierce, Jon Leman, Art Troutner, Bryan Horsburgh, Norm Semanko, Kira Finkler, Robin Lee-Beusan, Chris Keith, Kyle Radek, and Dylan Lawrence.

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.

Mr. Dean Stevenson moved to resolve into executive session at 9:04 AM (PT). 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.

Meghan Carter discussed Priest Lake. Ann Yribar discussed City of Pocatello vs. IWRB.

At 9:24 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: Anderson Ranch Dam Raise Update

Cynthia Bridge Clark introduced Lanie Paquin of the Bureau of Reclamation. Ms. Paquin spoke on design activities for rim projects. She stated that water operations during construction would include a 28,000 acre feet restriction. There was some discussion. Mr. Barker suggested the BOR provide a presentation of hydrologic conditions to the board and space holders related to the restriction. A supplemental draft EIS was a key next step for BOR. Ms. Bridge Clark ended the topic with a discussion about a possible Water Storage Committee meeting.

Agenda Item No. 4: Cloud Seeding Program

Kala Golden shared several areas of the cloud seeding program where funding could be considered--including the following: develop a statewide calibration of the WRF-Hydro model, expand WRF-WxMod domain to include the Bear River and Lemhi River Basins; authorize expenditure of funds for necessary computing to support modeling projects; authorize expenditure of funds for the collection and post processing of weather radar data; and authorize expenditure of funds for LES modeling. There was discussion about cost shares and about ongoing or one-time costs. She discussed a draft resolution to fund instrumentation and computing.

Agenda Item No. 5: Aging Water Infrastructure Grants Update

Neeley Miller provided a brief history of the Aging Water Infrastructure Grant Program. He added that during the 2023 session the Idaho legislature appropriated up to \$50,000,000 to the IWRB to be used to improve aging water infrastructure. On May 19, 2023, the IWRB Board set new timelines for soliciting applications for the next two rounds of Aging Water Infrastructure Grant proposals in fiscal year 2024. The first-round applications had a due date of Aug. 4 and the second round is due Dec. 1, 2023. Both rounds are for \$12.5 million in projects statewide. The IWRB anticipates holding an additional two rounds (\$12.5 million each round) of grant funding in FY 2025. He also stated the program webpage had been updated with these dates, and project profiles for each funded project have been added.

Agenda Item No. 6: Proposed Dworshak/Clearwater Pipeline Presentation

Brian Patton introduced Jeff Allen. Mr. Allen discussed a recommendation for the Clearwater Fish Hatchery. Mr. Patton talked about the conceptual cost estimate for the pipeline. A map displayed both proposed pipelines for the Clearwater Fish Hatchery and the Dworshak National Fish Hatchery. The total construction costs came to \$69.6 million. There was some discussion on the project and on financing.

Agenda Item No. 7: Regional Manager's Update

Michelle Richman provided a report on the Northern Region of IDWR.

Agenda Item No. 8: Status of Northern Idaho Aquifers

Daniel Sturgis a hydrogeologist from the Coeur d'Alene office discussed Northern Idaho aquifers, ground water monitoring, and areas of interest for the region.

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

Jo Ann Cole-Hansen moved to adjourn. Al Barker seconded. Voice vote. All in favor. The motion carried. The meeting adjourned at 12:15 PM.

The board broke for lunch. Following lunch, the board departed for a field trip of points of interest related to the Palouse Basin Aquifer.

July 21, 2023

Board Meeting No. 5-23

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

Agenda Item No. 1: Roll Call

Board Members Present

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

Staff Members Present

- | | |
|-------------------------|---------------------------------|
| Gary Spackman, Director | Brian Patton, Executive Officer |
| Cynthia Bridge Clark | Wesley Hipke |
| Neeley Miller | Mathew Weaver, Deputy Director |
| Steve Stuebner | Jennifer Strange |

Staff Members Present Online

- | | |
|-----------------|-----------------|
| Remington Buyer | Justin Ferguson |
| Kala Golden | Kara Ferguson |
| Mary Condon | |

Guests Present

- | | |
|---------------|--------------|
| John Williams | Scott Pugrud |
| Kresta Davis | Paul Kimmell |
| Ann Yribar | Doug Jones |
| John Simpson | Jeff Frank |
| Mike Faupel | |

Guests Present Online

- | | | |
|-----------------|----------------|----------------|
| Bert Stevenson | Roger Batt | Larry Bybee |
| Cassidy Plum | Jake Garringer | Dylan Lawrence |
| Daniel Steenson | Michael Fuss | Celine Acord |
| Norm Semanko | Neil Jenkins | Keith Esplin |

Hattie Zobott

Agenda Item No. 2: Agenda and Approval of Minutes 4-23

Chairman Raybould asked if any changes to the agenda were needed. There were no changes.

The minutes for meetings 4-23 were available for approval. Mr. Stevenson moved to approve the minutes. Mr. Van Stone seconded. Voice vote. All in favor. The motion carried.

Agenda Item No. 3: Public Comment

There was no public comment.

Agenda Item No. 4: Financial Report

Mr. Neeley Miller provided the Board's financial report. The accounts as of May 31, 2023 were: Secondary Aquifer Fund: committed/earmarked but not disbursed \$18,775,351 and uncommitted balance \$14,191,317; Revolving Development Account: committed/earmarked but not disbursed \$34,858,660, loan principal outstanding \$17,377,005, uncommitted balance \$2,811,739, and anticipated loanable funds available next one year \$6,311,739; and Water Management Account: obligated \$112,062,716, and unobligated balance \$182,509,906. Total committed/earmarked but not disbursed \$165,696,727; total loan principal outstanding \$17,377,005; and total uncommitted balance \$199,512,962. ARPA: committed per HB 769 is \$100,000,000; obligated \$17,301,327; unobligated \$8,367,953; and expended is \$74,330,719.

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). The Water Management Account unobligated balance also includes \$150M per HB 1181 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 the IWRB may provide up to one-third of these moneys for grants. In FY 2023 \$72,871,406 expended from the ARPA funds for the Anderson Ranch Reservoir Enlargement.

Agenda Item No. 5: Priest Lake Outlet Dam Modification

Mike Morrison presented two resolutions. The first resolution would provide funding for the construction manager with Mott MacDonald in an amount not to exceed \$500,000.

Mr. Van Stone moved to adopt the resolution to fund engineering services and construction management for the Priest Lake Outlet Dam Improvements Project. 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.

The second resolution would authorize expenditure of up to \$815,000 to defray costs of litigation in the Strider matter.

Mr. Barker moved to adopt the resolution to approve funds for outside counsel in the Priest Lake construction litigation. Mr. McMahon 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. 6: Mountain Home Air Force Base Water Resilience Project Update

Mike Morrison provided an update on the Mountain Home Air Force Base Water Resilience Project. The Board used a two-step process to select a qualified Design-Build (DB) firm to design and build the inlet, pumping station, and 14.4-mile pipeline from CJ Strike Reservoir to Mountain Home Air Force Base. A five-member evaluation committee completed its review of Statements of Qualification received from three DB firms. All three DB firms were found to be qualified by the evaluation committee and have been invited to submit proposals and bids for designing and building the project. In November, a DB contractor is expected to be awarded.

Agenda Item No. 7: Lost Valley Galloway Subordination

Cynthia Bridge Clark shared that Lost Valley Reservoir Company had requested that the board modify terms of a resolution passed in 2020. She provided some background information on the request. Ms. Cole-Hansen asked Doug Jones with the Lost Valley Reservoir if he was aware of the conditions of the new resolution. Mr. Jones stated that his consulting group had no objections.

Mr. Barker moved to adopt the resolution to subordinate a portion of the IWRB's Water Right Application No. 67-7590 to Lost Valley Reservoir Company's Water Right Application No. 67-7938. Mr. Van Stone seconded. Voice vote. All in favor. The motion carried.

Agenda Item No. 8: Flood Management Grant Awards

Neeley Miller shared the spreadsheet of Flood Management Grant Awards. The same had been recommended at the July 12th Finance Committee meeting.

Ms. Cole-Hansen moved to adopt the resolution to award 2024 funds in the matter of Flood Management Grants. Mr. Olmstead seconded. Roll call vote: Mr. Barker, abstain on voting for Twin Falls Canal Co.; Ms. Cole-Hansen, aye; Mr. Gibbs, aye; Mr. McMahon, aye; Mr. Olmstead, aye; Mr. Stevenson, aye; Mr. Van Stone, aye; and Chairman Raybould, aye. 7 ayes. The motion passed.

Agenda Item No. 9: Cloud Seeding Program

Kala Golden discussed the line items of a resolution to authorize funding for instrumentation and computing in the matter of cloud seeding in the State of Idaho. Funding requested was as follows: not to exceed \$750,000 for a project to complete a Statewide Calibration of the WRF-Hydro model; not to exceed \$210,000 for work to expand the WRF-WxMod model to cover the Lemhi and Bear River Basins; not to exceed \$100,000 for the purchase of computing resources to support existing and on-going IWRB projects; not to exceed \$450,000 for the deployment of a weather radar, and the collection and post processing of data; and not to exceed \$465,000 for costs related to LES modeling. The resolution also

stated that all remaining funds allocated to the Cloud Seeding Program in FY24 are authorized for expenditure from the Secondary Aquifer Planning, Management, and Implementation Fund, and are subject to approval by the IWRB's Cloud Seeding Committee.

Mr. Gibbs moved to adopt the resolution. Mr. Olmstead seconded. Roll call vote: Mr. Barker, aye; Ms. Cole-Hansen, aye; Mr. Gibbs, aye with a recognition that he is a member of the Bear River water users group; 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. 10: Lemhi River Settlement

Brian Patton gave a brief update on the McFarland minimum stream flow water right. Some concerns had surfaced about exercising that right, and it was decided to not exercise those rights.

Agenda Item No. 11: Pinehurst Water District Loan Request

Justin Ferguson shared a loan request for Pinehurst Water District in the amount not to exceed \$87,000 at 8.0% interest with a 10-year repayment term. Mr. Jeff Frank from Pinehurst had no comments for the board but was in attendance.

Mr. Barker moved to adopt the resolution. 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. 12: Regional Water Sustainability Projects

Neeley Miller provided some background on the Regional Water Sustainability Projects. He walked through a ranking spreadsheet attached to a resolution. Mr. Patton discussed another resolution that would modify the Board's ARPA spending plan that had been recommended by the Finance Committee.

Mr. Olmstead moved to adopt the resolution to approve ARPA spending modification. Mr. McMahon 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.

Mr. Miller discussed a resolution to award funds in the matter of the Regional Water Sustainability Priority List according to the attachment A spreadsheet. Chairman Raybould mentioned there were a couple of typos that needed to be corrected in the final version.

Ms. Cole-Hansen moved to adopt the resolution to award funds. Mr. Stevenson seconded. Roll call vote: Mr. Barker, aye, but abstain due to conflict with NY Canal and American Falls Projects; 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 stated there was no action needed on administrative rules. He briefed the board that action could be likely in late August.

Agenda Item No. 14: Director's Report

Director Gary Spackman’s report mentioned the following: SWC/IGWA delivery calls, three orders issued, Governor’s Water Summit planned, ESPA steering/advisory committee, and staffing updates at the department.

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

Mr. Barker suggested that revising the State Water Plan should likely be postponed due to the Governor’s Water Summit.

Agenda Item No. 16: Next Meeting and Adjourn

Mr. Patton provided the next scheduled meetings: July 25th Aquifer Stabilization Committee Meeting; August 7th Governor’s Water Summit at the Capitol; August 28-29 IWUA Legislative Water College in Burley; and the next regular board meetings on September 14-15, 2023 in Salmon. Mr. Stevenson moved to adjourn. Mr. Olmstead seconded. Voice vote. All ayes. Motion carried. Meeting adjourned at 10:17 AM (PT).

Respectfully submitted this 15th day of September 2023.



Dean Stevenson, *Secretary*



Jennifer Strange, *Administrative Assistant II*