



# IDAHO WATER RESOURCE BOARD

**Brad Little**  
Governor

## MINUTES MEETING NO. 6-23

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

Conference Rooms 602 C & D / Zoom Online  
322 E. Front St.  
BOISE

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

August 16, 2023  
**Special Board Meeting**

**Dean Stevenson**  
Secretary  
Paul  
District 3

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

Chairman Raybould called the special board meeting to order at 1:02 PM (MT) in Boise, Idaho and online. Board members present online 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, Erik Boe, Mike Morrison, Mathew Weaver, and Jennifer Strange. Online were: Meghan Carter, Kayleen Richter, Tim Luke, Sascha Marston, Nate Fischer, Heather Neace, and Steve Stuebner.

**Albert Barker**  
Boise  
District 2

Guests present online were: Jennifer Tessmer, Robert Heinse, and Ann Yribar.

**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 1:04 PM. 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.

Meghan Carter discussed Priest Lake Dam Modification Project Litigation.

At 1:23 PM, 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: Priest Lake Dam Modification Project**

Mr. Patton stated that a vote would be needed regarding the litigation discussed in the executive session.

Mr. Barker made a motion that the board authorize legal counsel to pursue a lawsuit against the bond issuer for Strider, which is Travelers, for recovery of the amounts due to the board because of Strider's breach of contract. Mr. McMahon seconded. Voice vote. All in favor. The motion carried.

Mike Morrison provided background on the money spent on the Priest Lake Dam Modification Project. There was discussion about additional costs and about pending contractors and bids received to complete the outlet dam. He stated that two companies had been selected by the evaluation committee to bid. The lower bid by Northbank Civil and Marine Inc. was accepted. The bid was for \$4,355,000 with a completion date of April 1, 2024.

Ms. Cole-Hansen made a motion to adopt the resolution to authorize the expenditure of funds not to exceed \$4,500,000.00 from the Water Management Account to cover the costs of construction and to establish a small contingency fund. Mr. Van Stone 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. 4 UIC Rule-Making**

Erik Boe discussed issues that the UIC (underground injection control) Program has faced during the rule-making process. Background information and current regulations were discussed. He provided proposed drafts of the rules and next steps. There was a discussion about PFAS chemicals. There will be subsequent meetings with DEQ and internal meetings to refine the rules. Chairman Raybould asked about the timeline for completion of the proposed rules. There was no action from the board.

**Agenda Item No. 5: Non-Action Items for Discussion**

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

**Agenda Item No. 10: Adjourn**

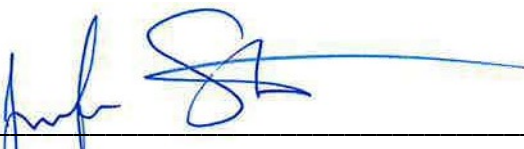
Al Barker moved to adjourn. Dean Stevenson seconded. Voice vote. All in favor. The motion carried. The meeting adjourned at 2:24 PM.

Respectfully submitted this 15<sup>th</sup> day of September 2023.



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Dean Stevenson, *Secretary*



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Jennifer Strange, *Administrative Assistant II*