



IDAHO WATER RESOURCE BOARD

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Brian Olmstead
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Marcus Gibbs
Grace
District 4

Patrick McMahon
Sun Valley
At Large

MINUTES MEETING NO. 8-24

Cobblestone Inn & Suites
Conference Room
341 W. Second Street
SODA SPRINGS

July 25, 2024
Work Session

Agenda Item No. 1: Roll Call

Chairman Raybould called the work session meeting to order at 8:02 AM (MT) in Soda Springs, Idaho. The meeting was livestreamed on the Board's YouTube Channel online. Board members present were Al Barker, Jo Ann Cole-Hansen, Marcus Gibbs, Patrick McMahon (online), Brian Olmstead, Dean Stevenson, Dale Van Stone, and Chairman Jeff Raybould.

IDWR staff members present were: Brian Patton, Cynthia Bridge Clark, Wesley Hipke, Mathew Weaver, Matt Anders, James Cefalo, Jose Pacheco, Brian Wunsch, Steve Stuebner, and Jennifer Strange. Online was Kala Golden.

Guests present were: John Williams, Don Barnett, Mark Mathews, Travis Gilbert, Claudia Cottle, David Cottle, Brady Levy, Kevin Payne, Mark McCullough, Connely Baldwin, Jordan Stoddard, Jake Serago, and Ann Yribar. Online were Allison Lebeda, Bobby Hills, and Jonathan Jennings.

Agenda Item No. 2: Nez Perce Tribe Presentation

Allison Lebeda discussed Nez Perce Tribe concerns related to unmet minimum stream flows. The tribe has been active in protesting new applications due to unmet MSF, which is not seen as a sustainable way to address concerns. Director Weaver stated that adjudication had been complete in the basins and that the formation of water districts has been a slow process for that area due to lack of interest from water users. Bobby Hills added that there are two to three new applications that the tribe deals with each month.

Agenda Item No. 3: Bear River Basin 101

Matt Anders discussed Bear River geography, hydrology, and Bear Lake storage levels. He provided information on the unique ways that water rights are administered and accounted for in the basin. He listed several projects that the Board has funded over the years.

Agenda Item No. 4: Bear River Compact

Don Barnett, the engineer-manager for the Bear River Commission, provided an overview of the Bear River Compact, listed major provisions, and discussed how the Commission operates the amended compact.

Agenda Item No. 5: PacifiCorp Bear River & Lake Water Operations

Connely Baldwin discussed Bear Lake history, geology, and water management.

Agenda Item No. 6: Bear River Basin Adjudication

Jose Pacheco provided background information and updates on the Bear River water right adjudication.

Agenda Item No. 7: Bear River Basin Cloud Seeding Update

Kala Golden provided a review of the cloud seeding feasibility study on the Bear River Basin. She provided project recommendations with cost estimates.

Jonathan Jennings, a meteorologist with the Utah Division of Water Resources, provided the Utah perspective on cloud seeding. He provided Bear River Basin project information as well.

Agenda Item No. 8: Utah Water Resource Issues

Jake Serago, a hydrologist with the Utah Division of Water Resources, spoke on the conditions of the Great Salt Lake, including ecological importance and potential threats.

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

There were no other items for discussion.

Agenda Item No. 10: Adjourn

The meeting adjourned at 11:50 AM (MT). After lunch, the board went on a tour of the Bear Lake region.

July 26, 2024
Board Meeting No. 8-24

At 8:31 AM (PT) Chairman Raybould called the meeting to order in Soda Springs, Idaho. The meeting was livestreamed on the Board's YouTube Channel online upon adjournment of the executive session.

Agenda Item No. 1: Roll Call

Board Members Present

Albert Barker

Jo Ann Cole-Hansen, Vice Chairman

Marcus Gibbs

Patrick McMahan--online

Brian Olmstead

Dean Stevenson, Secretary
Dale Van Stone
Jeff Raybould, Chairman

Staff Members Present

Mathew Weaver, Director
Cynthia Bridge Clark
Neeley Miller
Jennifer Strange

Brian Patton, Deputy Director/Exec. Manager
Wesley Hipke
Matt Anders
Steve Stuebner

Staff Members Online

Meghan Carter
Mike Morrison
Garrett Hensley

Justin Ferguson
Erik Boe

Guests Present

Ann Yribar
Josh Sorensen
Renee Richardson

John Williams
Claudia Cottle

Guests Online

Bryan Horsburgh
Charity Staggs
Brandon Hobbs
Meghan Brooksher

Tom Points
Mark Zirschky
Chris Keith
John Spencer

Agenda Item No. 2: Executive Session

Mr. Stevenson moved to resolve into executive session 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. 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.

Ann Yribar spoke on water right application for permit 2-10556. Meghan Carter spoke on Priest Lake Dam Construction Litigation.

Mr. Stevenson moved to resolve out of executive session at 9:00 AM (MT). Mr. Van Stone seconded. Voice vote. All in favor. The motion carried. The meeting was closed to the public, and no actions were taken during the executive session.

Agenda Item No. 3: Agenda and Approval of Minutes 6-24 and 7-24

The agenda did not have changes. The minutes for meetings 6-24 and 7-24 were available for approval.

Mr. Stevenson moved to approve the minutes presented. Mr. Van Stone seconded. Voice vote. All in favor. The motion carried.

Agenda Item No. 4: Public Comment

John Williams with Bonneville Power Administration spoke on sockeye runs, mentioned an update on the Columbia River Treaty, and provided the peak usage in July at just under 1100 megawatts on the 8th and 9th.

Claudia Cottle with the Bear Lake Watch shared appreciation for the board visit to Bear Lake.

Agenda Item No. 5: Financial Report

Neeley Miller provided the Board's financial report. The accounts as of June 30, 2024, were: Secondary Aquifer Fund: cash balance \$34,597,697, committed/earmarked but not disbursed \$24,396,775, and uncommitted balance \$10,200,922; Revolving Development Account: cash balance \$38,154,238, committed balance \$32,602,282, loan principal outstanding \$18,603,981, and uncommitted balance \$5,551,955, and Water Management Account: cash balance \$293,130,493, total obligated funds \$178,430,325, and unobligated funds \$114,700,167.

Total committed/earmarked/ obligated but not disbursed \$235,429,382; total loan principal outstanding \$18,603,981; and total uncommitted/unobligated balance \$130,453,044.

ARPA: committed per HB 769 is \$100,000,000; committed per SB 1181 (2023) is \$24,497,543; committed per SB 1411 (2024) had not been allocated; and total received to date is \$124,497,543. Total expended \$89,956,697; obligated (but not yet expended) \$70,311,350; and total obligated \$160,268,047. Obligated (but appropriation not yet received) is (\$35,770,503).

Agenda Item No. 6: Administrative Rules

Erik Boe provided an updated on administrative rulemaking activities. Public meetings had been completed and deadlines for publishing were pending.

Agenda Item No. 7: Appointment of Hearing Officer in Hastings Matter

Meghan Carter presented a resolution to appoint a hearing officer, Pete Wood, in a stream channel alteration matter for application for permit no. S37-20565.

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. McMahan, aye; Mr. Olmstead, aye; Mr. Stevenson, aye; Mr. Van Stone, aye; and Chairman Raybould, aye. 8 ayes. The motion passed.

Agenda Item No. 8: Anderson Ranch Dam Raise Update

Bryan Horsburgh stated that he was promoted to Snake River Area Manager for BOR. He updated the board on the dam raise project, highlighting recent design milestones and contingency costs. He discussed modifications to the dam raise and rim projects. Total project cost estimates based on the 60% design were \$125.8 million, not including the cost of mitigation water. There was a question about the current schedule.

Agenda Item No. 9: Flood Management Grant Awards

Blake Burkard introduced a resolution to award flood management grant awards to ten projects. The Finance Committee recommended approval of funding at the July 16th meeting. Ms. Cole-Hansen mentioned a change to line 28 of the draft resolution. The resolution that Mr. Burkard shared on his screen was the updated resolution.

Mr. Van Stone moved to adopt the resolution to award grant money in the total cost of \$702, 303.50 for ten projects. 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.

Agenda Item No. 10: Groundwater to Surface Water Conversion Projects Grant Criteria

Neeley Miller discussed a resolution to adopt criteria in the matter of Groundwater to Surface Water Conversions Grant Program. The Finance Committee had recommended the criteria at the July 16th meeting. The resolution attachment was discussed. He proposed a timeline and October 4th deadline for submittals. There was discussion about the entity criteria.

Ms. Cole-Hansen moved to adopt the resolution to adopt the grant criteria. Mr. Stevenson 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. 11: MHAFB Water Sustainability Project Update

Mike Morrison provided an update on the MHAFB Water Sustainability Project. He stated the project was on-schedule and under budget. Work on the pipeline was being performed along Highway 167 and Strike Dam Road. Work on the inlet and pump station in the canyon at CJ Strike Reservoir was on hold pending construction permits from Federal agencies. He shared some pictures of construction.

Agenda Item No. 12: Director's Report

Director Weaver provided an overview of the ESPA water curtailment issues related to the SWC and IGWA mitigation plans. He provided analysis of the Department's response, mentioned a stipulated agreement made on June 20th, and discussed misconceptions that arose from the curtailment. He read from the Governor's Executive Order No. 2024-06 Protecting Idaho Water Sovereignty Act.

He also discussed the Department's FY2026 budget. He stated that submittal to DFM would be September 1st.

Agenda Item No. 13: Non-Action Items for Discussion

Mr. Olmstead mentioned that Idaho Power Company had asked him to sit on an IRP committee. Mr. Gibbs mentioned some upcoming projects for the area. Ms. Cole-Hansen stated an importance for promoting the new Groundwater to Surface Water Grant program.

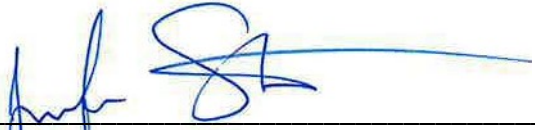
Agenda Item No. 14: Next Meeting and Adjourn

Mr. Patton stated the next meetings would be in September in Pocatello. Mr. Van Stone moved to adjourn. Mr. Stevenson seconded. Voice vote. All ayes. Motion carried. Meeting adjourned at 10:39 AM (MT).

Respectfully submitted this 13th day of September 2024.



Dean Stevenson, *Secretary*



Jennifer Strange, *Administrative Assistant II*