IDAHO WATER RESOURCE BOARD

Dirk Kempthorne
Governor

Jerry R. Rigby
Chairman
Rexburg
At Large

Terry T. Uhling
Vice Chairman
Boise
District 2

Dick Wyatt
Secretary
Lewiston
District 1

Joseph L. Jordan
Fruitvale
At Large

Leonard Beck
Burley
District 3

Bob Graham
Bonners Ferry
At Large

L. Claude Storer
Idaho Falls
District 4

Gary M. Chamberlain
Challis
At Large

IDAHO WATER RESOURCE BOARD
MINUTES OF MEETING NO. 03-03

April 24, 2003, 8:30 a.m.
Boise, Idaho

Meeting No. 03-03 of the Idaho of Water Resource Board was called to order by Chairman Jerry Rigby on Friday, April 24, 2003, 8:30 a.m. in the conference room at the Idaho Department of Water Resources, 1301 N. Orchard St., Boise, Idaho. This was a telephonic meeting. (One recorded tape).

Agenda Item No. 1, Roll Call

Board Members Present

Jerry Rigby, Chairman
Bob Graham
Gary Chamberlain
Leonard Beck
Terry Uhling, Vice Chairman
Dick Wyatt, Secretary
Claude Storer
Joe Jordan *(on site)*

Department of Water Resources Staff Present

Karl Dreher, Director
Rita Fleck, Admin. Asst.
Brian Patton, Engineer
Mark Slifka, Resource Protection Sec. Mgr.
Hal Anderson, Administrator
Scott Short, Planning Sec. Mgr.

Guests

Debra Cline, Department of Environmental Quality; Norm Semanko, Idaho Water Users Association; Steve Howser, Aberdeen-Springfield Canal Company; Ivan Wedell and Charlotte Branscum, Bee Line Water Association; Clive Strong, Idaho Attorney General's Office

Executive Session *Not open to the public.*

Motion: Dick Wyatt moved the Board to enter into Executive Session with Clive Strong, Deputy Attorney General, to discuss federal reserved water rights, possible litigation and other legal matters, pursuant to Section 67-2345, Idaho Code. Gary Chamberlain seconded the motion.

Voice Vote: Motion passed by voice vote; 8 Ayes, 0 Nay, 0 Absent

No action was taken on these matters.

1301 North Orchard Street, Boise, ID 83706 Tel: (208) 327-7900 Fax: (208) 327-7866

Motion: Gary Chamberlain moved the Board to exit out of Executive Session. Dick Wyatt seconded the motion.

Voice Vote: Motion passed by voice vote; 8 Ayes, 0 Nay, 0 Absent

Agenda Item No. 2, Approval of the Minutes of Meeting No. 02-03

Motion: Gary Chamberlain moved approval of the minutes for meeting No. 02-03. Dick Wyatt seconded the motion.

Voice Vote: 8 Ayes, 0 Nays. *Motion passed.*

Added an Item to the Agenda

Joe Jordan added Item 5d under the Board's financial program. Mr. Jordan will discuss the motion taken at the last meeting regarding the transfer of funds to maximize the Board's interest-bearing account.

In remembrance of Clarence Parr, former chairman of the Idaho Water Resource Board the Board members took a moment of silence.

Agenda Item No. 3, Public Comment

No public comment received.

Agenda Item No. 4, Dworshak Small Hydropower Project Status Report

Brian Patton, staff engineer, reviewed the status of the Board's hydropower project.

- The project has produced 56 million kilowatts hours for a total average of 98 percent availability.
- The Operations and Maintenance Contract with C. L. Malm Engineers expires on June 30. The subcommittee will meet to review the contract changes/modifications and bring recommendations to the next Board meeting.
- The fiscal year budget has been drafted and will be brought to the June meeting.
- Mr. Patton reviewed the cash flow/expense status of the project. Another category will be added to the report next month – reserve fund for repair and replacement.
- Bob Graham asked about the Federal Energy Regulatory Commission annual licensing. The fee is $1000. Funds will be set aside to cover this expense in the future.

Agenda Item No. 5, IWRB Financial Program

a. Status Report

Mr. Patton reviewed the financial program accounts, reviewed projected funding requests and income sources, and briefed the Board regarding completed projects.

b. Aberdeen–Springfield Canal Company

Steve Howser, general manager for the Aberdeen-Springfield Canal Company, presented information about the project and outlined the request. The canal company delivers irrigation water from the Snake River for about 60,000 acres of land located between Blackfoot and American Falls. The diversion structure, built in 1930 and vital to the system, has deteriorated over the years and must be replaced. The canal company is asking for a loan of $400,000.

Motion: Terry Uhling moved the Board to adopt the resolution (Attachment 1) to approve a $400,000 loan to the Aberdeen-Springfield Canal Company to replace a diversion structure. Gary Chamberlain seconded the motion.

Roll Call Vote: Beck, aye; Chamberlain, aye; Graham, aye; Jordan, aye; Storer, aye; Uhling, aye; Wyatt, aye; and Rigby, aye; 8 ayes, 0 nays. *Motion passed.*

c. Bee Line Water Association – Loan Increase

Ivan Wedel, Vice President, informed the Board of the progress of this project. The association received a loan for $102,500 in September 2000 to improve its water supply for the small community of 140 residents and 7 commercial connections. To date, minor improvements at the tie-in point with Three-Mile Water District, installation of the weir at the slow sand filter treatment plant and replacement of Kings Row water line have been accomplished. The work left is a tie-in to the 230 gallons per minute well. The total costs for the project are now available and an additional $55,000 is needed to complete the project funding.

Bob Graham, Board member from Northern Idaho, praised the efforts of the association, expressed support for this project and urged the Board to approve the loan increase.

Motion: Gary Chamberlain moved the Board to adopt the resolution (Attachment 2) to approve a $55,000 loan increase to the Bee Line Water Association to cover the improvement costs to the water system. Bob Graham seconded the motion.

Roll Call Vote: Beck, aye; Chamberlain, aye; Graham, aye; Jordan, aye; Storer, aye; Uhling, aye; Wyatt, aye; and Rigby, aye; 8 ayes, 0 nays. *Motion passed.*

d. Water Management Account

The Board rescinded the motion made at the last board meeting to remove the limited amount of money that will be kept in this account. Specifically, the motion read: *Bob Graham moved to set a ceiling of $1,000 in the Water Management Account and authorized Mr. Patton to*

shift funds to the Revolving Development Account when it exceeds that sum and shift funds back when necessary.

Motion: Joe Jordan moved to rescind the motion which set a ceiling of $1,000 in the Board's Water Management Account recognizing that the Board has the option to review the status at each meeting. Terry Uhling seconded the motion.

Discussion: The board members asked staff to review the account balance at pertinent meetings.

Roll Call Vote: Beck, aye; Chamberlain, aye; Graham, aye; Jordan, aye; Storer, aye; Uhling, aye; Wyatt, aye; and Rigby, aye; 8 ayes, 0 nays. *Motion passed.*

Motion: Leonard Beck moved to reduce the amount in the Water Management Account by $75,000 and transfer the funds to the Revolving Development Account. Gary Chamberlain seconded the motion.

Roll Call Vote: Beck, aye; Chamberlain, aye; Graham, aye; Jordan, aye; Storer, aye; Uhling, aye; Wyatt, aye; and Rigby, aye; 8 ayes, 0 nays. *Motion passed.*

Agenda Item No. 6, Comprehensive State Water Plan

Scott Short, Planning Section Manager, gave a status report.

a. Lower Boise River Basin

Comments from the Board members were incorporated into the draft plan then presented to members of the Idaho Water Users Association and the Idaho Farm Bureau separately. Minor changes were made and forwarded to Mr. Uhling for review. All revisions will be completed and copies forwarded to Board members early in June.

b. South Fork of the Clearwater River Basin

In April, the basin overview and resource descriptions for the South Fork Clearwater Plan will be completed. Bob Rohrer and Thomas Grant are currently working on the resources screening which will continue into May. In addition, staff is coordinating with Tim Page of the U.S. Forest Service Adjudication Team regarding instream flows. A draft of the actions and recommendations will be developed in May.

c. Water Transaction Program

Hal Anderson and Bill Graham presented information on the Idaho's Water Transaction Program and how water can be acquired under Idaho law. The audience consisted of qualified local entities. There are projects that are included in this program and we are working with the Department's Adjudication Bureau to prepare preliminary reports prior to implementation. The Upper Salmon River Basin Watershed Project had made recommendations on several projects, specifically, Little Morgan Creek and the Pahsimori River at Furey Lane and Fourth of July Creek.

Agenda Item No. 7, Director's Report

Karl Dreher reviewed the Department's budget for the next fiscal year, the Idaho Water Center building, license and recommendation in the Snake River Basin Adjudication for the water right held by the Bureau of Reclamation for storage in Lucky Peak Reservoir.

Agenda Item No. 8, Other Items Board Members Wish to Present and Future Meetings

Hal Anderson reviewed future scheduled meetings: June 26 & 27 in Northern Idaho to include a hearing on the amendments to the Priest River Basin Plan, August 21 and 22 in Boise, and October 9 and 10 in Grangeville to include a hearing on the South Fork of the Clearwater River Plan.

Dick Wyatt asked for clarification from Brian Patton regarding funding community studies. Mr. Patton advised that the Board must decide what to do about grants for future water studies. However, loans are still available. Mr. Wyatt mentioned he would be meeting with agencies and present a summary of what funding is available from the state, Rural Development, and block grants.

Bob Graham proposed the Board renaming the Dworshak Small Hydropower after Clarence Parr. It will be an agenda item for the next meeting.

Meeting adjourned at 10:37 a.m.

Dated this 27th day of June, 2003.

Dick Wyatt, Secretary

Rita I. Fleck, Administrative Assistant

Board Action

1. Dick Wyatt moved the Board to enter into Executive Session with Clive Strong, Deputy Attorney General, to discuss federal reserved water rights, possible litigation and other legal matters, pursuant to Section 67-2345, Idaho Code. *Motion passed.*

2. Gary Chamberlain moved the Board to exit out of Executive Session. *Motion passed.*

3. Gary Chamberlain moved approval of the minutes for meeting No. 02-03. *Motion passed.*

4. Terry Uhling moved the Board to adopt the resolution (Attachment 1) to approve a $400,000 loan to the Aberdeen-Springfield Canal Company to replace a diversion structure. *Motion passed.*

5. Gary Chamberlain moved the Board to adopt the resolution (Attachment 2) to approve a $55,000 loan increase to the Bee Line Water Association to cover the improvement costs to the water system. *Motion passed.*

6. Joe Jordan moved to rescind the motion, which set a ceiling of $1,000 in the Water Management Account recognizing that the Board has the option to review the status at each meeting. *Motion passed.*

7. Leonard Beck moved to reduce the amount in the Water Management Account by $75,000 and transfer the funds to the Revolving Development Account. *Motion passed.*

Attachments

1. Resolution to approve a $400,000 loan to the Aberdeen-Springfield Canal Company to replace a diversion structure.

2. Resolution to approve a $55,000 loan increase to the Bee Line Water Association to cover the improvement costs to the water system.