



Eastern Idaho Water Rights Coalition
Board of Directors Meeting Minutes
February 4th, 2010 - 11:30am – 1:00pm
American Title Board Room, 900 Pier View Drive

Committee Members Present: *Stan Clark, Rebecca Casper, Roger Warner, Mayor Fuhriman, Jeff Raybould, Craig Evans, Dave Richards, Scott Bruce, Harvey Walker, Randy Skidmore, John Millar, Jerry Rigby, Marvin Fielding, Alan Kelsch and Michele Hall. Guests attending were Steve Pinther and Eastern Idaho Field Representative Mike Webster. Nathan Olsen, Cortney Liddiard, Mayor Brad Anderson, Jack Barraclough, Bart Brown, Brent Crowther, Byron Evans, Lee Gagner, Rob Harris, Ralph Isom, Gerald Messerli, Larry Reinhart, Trent Summers, Louis Thiel, Bryan Wada and Garth Winter were unable to attend. Rep. Janice McGeachin, Rep. JoAn Wood and Rep. Dean Mortimer were attending the Legislative Session.*

- I. **Call to Order: Stan Clark, EIWRP President** – Meeting was called to order at 11:30 A.M.
 - A. Minutes from the May 28th 2009 Board of Directors meeting were approved with a unanimous vote.
 - B. Mr. Clark and Ms. Casper reviewed the EIWRP’s 2009 Annual Summary Report with Board Members. Topics covered were the Egin Lakes Recharge Pilot Project, Eastern Idaho Legislative Forum and Tour, IWUA Legislative Committee, ESPA Modeling Committee and the Comprehensive Aquifer Management Planning Project.

- II. **EWIRC Board Business**--Ms. Casper reviewed the 2010 Calendar, Budget Expenses, and Membership Issues.

- III. **Reports and Updates**
 - A. IWUA Convention
 1. Mr. Clark and Mr. Warner attended the IWUA convention and distributed EIWRP literature. Water issues and solutions were discussed with a number of people concerned with water issues in Idaho.
 2. Topics covered at the 2009 Legislative Forum were: Current Coalition Concerns, Eastern Idaho challenges with the Model, Coalition Highlights, updates and the next steps for the EIWRP Coalition.

 - B. Shelley Decision—Ms. Casper shared the results of the recent decision of the Department in the City of Shelley case the coalition has been following. Background: Since early 2007, the City of Shelley has been seeking a right to drill a new well for expected growth and development within the city. The application for the well was protested and the city was asked to provide water to mitigate for the well. The city turned to the developer to try to obtain the water. A proposal was made to recharge surface water by running it into nearby Jensen’s Grove in Blackfoot to mitigate for the well. This recharge proposal was intended to be run as a pilot project under the supervision of the IDWR. The proposal was challenged and a hearing was held last March before Gary Spackman, who then served as the hearing officer for IDWR. A ruling was issued in June 2009. The Surface Water Coalition sought reconsideration of that ruling. A final decision came out in late November 2009. This final ruling essentially affirmed the previous ruling but also included some administrative conditions that appear to be designed to make it easier for IDWR to oversee and monitor the proposed recharge mitigation.

 - C. ESPA Modeling Committee—Roger Warner

1. Research is under way to find ways to speed up Transfer applications to move water.
 2. Fremont/Madison and Milner/Gooding have been a great influence on recharge and among the top recharge producers in Eastern Idaho.
 3. The Water Board is moving toward making payment to the canal companies and recharge projects in the area.
 4. Municipalities will be assessed a fee, according to value, to help implement CAMP. A possible credit for recharge is being reviewed.
 5. Egin Lakes recharge needs to have further data assessment to ascertain the amounts of water recharging and when it reaches the recharge point.
 6. An analysis was displayed by Alan Wylie using various areas of the plain, using a single cell, which were not consistent in accuracy for the model. Work still needs to be done to bring about a consistent accuracy across the board.
 7. In 2010, data loggers need to be implemented and monitored and analysis made in the Rexburg Bench area.
 8. Interim Director Spackman has appointed a team headed by Jack Peterson to evaluate the Water Model.
- D. Egin Lakes—Jeff Raybould
1. IDWR did a second year of studies on the Egin Lakes Recharge Site and a report on the data collected is forthcoming. Comparison with last year’s data will be very helpful in determining its value as a recharge site.
 2. Spring recharge needs to be evaluated to make sure it is going to both the east and west sides of the river. Egin Lakes late fall recharge needs to be evaluated to make sure it goes west of the river.

IV. “What We Need to Know About CAMP” Guest Presentation— Jerry Rigby

- A. Complicating factors:
1. Litigation with Idaho Power since Swan Falls II dealing with the SRBA and water rights, but issues are being worked out.
 2. There is a pending Milner Hydro permit problem which is being addressed.
 3. Zero flow means water can’t be called to go below the Milner dam.
 4. The statute that was passed for water fees in the Legislature last year including contingencies were reviewed and discussed.
- B. Major issues to address are:
1. Incidental recharge credit
 2. Constitutional and Legal Issues.
 3. Another CAMP committee has been started in Northern Idaho.

V. Newdale Success Story – Mr. Warner

- Newdale had arsenic in their water and because of health issues the government asked them to drill a new well. Through Federal appropriations they were able to drill a new well for the city. The Water they found was three miles from the original site.
- The application was made, issues were worked out and their permit was accepted and the well was built.
- Leverage provided by the Newdale issue will help with upcoming issues in the Rexburg bench area.

VI. Adjournment. The Board of Directors’ Meeting was adjourned at 1:45 p.m. by unanimous vote.