

EIWRC BOARD MEETING
Thursday, February 8, 2024, 11:30 a.m.
Idaho Fall City Council Chambers
680 Park Avenue, Idaho Falls
Minutes

Present: Skyler Johns, Steve Adams, Kacy Starks, Mayor Carroll, Princeton Lee, Mayor August Christensen, Adam Young, Brad Buttars, Bob Turner, Alan Jackson, David Richards, Roger Warner, Keith Esplin, Aaron Dalling, Keith Davidson, Mayor Rebecca Casper, Leisa M, Connie Christensen, Dave Cottle, Tony Dixey.

1. Welcome

- a. Roger Warner

2. Administrative Business

- a. Minutes of January 4 Board meeting
 - i. Mayor Carrol moved to approve minutes; Dave Richards seconded; and the motion carried.
- b. Bills to be approved
 - i. Brad Buttars moved to approve; Mayor Adams seconded; and the motion carried.
- c. 2023 year-end financial report
 - i. Need to work on new members, for example, businesses, and some of the upper valley ground water districts.

3. Updates/Developments

- a. Current Water Situation – Keith
 - i. Water supply has improved over the past week as storms have hit the area.
 - ii. Recent storms helped in the Southern Basins, bringing them above normal snowpack.
 - iii. Central Idaho snowpack really increased this past week.
 - iv. Overall, snowpack for the upper basin is around 87%.
 - v. Reservoirs are at 77% of normal. 1.54 million af more storage this time this year than we were last year. BOR is predicting reservoirs will fill and spill past Milner in April and recharge available in April. However, a hot dry spring and summer will shorten time for recharge.
 - vi. Water supply in Water District #01 is predicted to be good for the year.
 - vii. Baseflows have been good, partly due to the rains starting in August. This is keeping the river flows healthy.
 - viii. Atomic City measuring well is already higher this year than it was last year.
 - ix. Question: What does the BOR do when determining releases for flood control?
 - 1. They have complicated flood control curves; if they hit the curve, they have to release water, e.g., in December, they release water from Ririe and captured it in American Falls. Where the reservoirs

will fill this year, they may need to release. There is some guessing involved because weather can change supply and demand after flood waters are released.

- x. Questions: Is there any coordination to capture flood water in recharge?
 - 1. There are canal companies in the upper valley that can open up and recharge once water spills over Milner. If they changed this rule (spills over Milner) then we could probably recharge more water. A lot of the accounting of water is done after it has already passed through the upper valley. There are some efforts to change in the BOR the flood control curves on Ririe Reservoir because they are a bit conservative, but cities below may not like that.
 - 2. Discussion on policy of the state shifting to make recharge more of a priority.
 - a. For example, after flood control measures are met, should there be more of a focus on recharge? It will take a lot of money to improve recharge capability in the upper valley. The low hanging fruit projects have already been completed. Currently, there is not enough capacity to fully capture all flood waters.
 - b. Need to continue having these conversations to move the ball forward on recharge projects.
- b. Report on latest meeting of ESPA Ground Water Management Plan Advisory Committee. Jan. 29
 - i. There are some areas of common ground, but the goals and targets, which will determine the extent of any activities are disputed between the surface and ground water folks.
 - ii. There are conversations involving the tributary basin obligations. May need tributaries to participate in the meeting.
- c. Report on IWUA Annual Meeting
 - i. Roger moderated a discussion on ground water management.
 - ii. Keith and Roger both voted back on the Legislative Committee.
 - iii. Conference overall addressed ground water issues that affect East Idaho in a positive way. This is the most involved EIWRC has been involved in a IWUA conference.
- d. Vote on 2024 Coalition Goals
 - i. Reviewed goals
 - ii. Mayor Casper moved to approve the 2024 goals; Mayor Carrol seconded; and the motion carried.
- e. Coalition ESPA Conjunctive Management Key Tenants - Vote
- f. 2024 Legislative Water College Tour Preliminary Plans
 - i. Discussed objective of the college tour. Question: What does the Coalition want to teach legislators and why?
 - 1. What is lacking in infrastructure; measurement; value of infrastructure; what are we doing recharge for (water deliver call or ESPA management)
 - 2. Formed planning committee for Legislative Water College Tour comprised of Brad Buttars, Bob Turner, Mayor Casper (or city representative), Aaron Dalling, and Keith Esplin.

- ii. Discussed various proposed projects.
- g. Legislative issues
 - i. Domestic Wells
 - 1. Added a mitigation opportunity, so developers can move in water rights rather than drill domestic wells. Did get some pushback from folks with a lot of questions.
 - 2. Surface water use in subdivision, taking advantage of what is already in existence.
 - 3. The Legislative committee voted on it and it passed. Then almost immediately requested a voice count on the legislation because one legislator got dropped out of the phone call during the initial vote; so they did a voice vote, which produced 9 abstentions and 3 opposed, so the measure did not pass.
 - ii. Self Help
 - 1. This is something for the cities to pay attention to. Cities and canal companies in a new ruling of the Idaho Supreme Court, took away the right of canal companies to take self-help measures to protect themselves. So this legislation is trying to streamline the ability of canal companies and cities to work to resolve issues arising from this case.
 - iii. Areas of Common Groundwater (Rule 50 Elimination)
 - 1. There are still discussions over procedural issues.
 - iv. Penalties for over-pumping
 - 1. Increases penalty for non-compliance with mitigation plans.
 - 2. “Up to” language is okay, so long as it does not mandate increased penalty.
 - 3. IGWA is fine if it is a “may” and not a “shall”.
 - v. Britt Raybould – Modification of Administrative Procedures
 - 1. Kent Fletcher and John Simpson had big concerns. They have forwarded extensive comments opposing the measure.
 - 2. Issue of having hearing before issuance of methodology order will prevent another 2023 situation.
 - vi. Rob Harris mitigation concept
 - vii. Other bills
- h. Other business from board members

4. **Goals for 2024 – Vote on**

- a. Participate actively in water legislation development and related political actions
- b. Conduct water education for legislators including ESPA/ Ground Water Management Plan and a Legislative Water College Tour in Eastern Idaho
- c. Monitor and participate in the ESPA Groundwater Management Area process
- d. Continue to fund an expert to participate on the ESPA Aquifer Modeling Committee, but with abbreviated reports.
- e. Help non-city municipal water providers find a better path to be a part of the SWC agreement and ESPA GMA

5. **EIWRC Directors’ 2024 Schedule:**

- a. Family Farm Alliance Annual Conference Feb. 22 & 23.
 - b. Next Board meeting March 7, at the Fremont Madison Offices.
6. **Meeting Adjourns**