

**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, Amy McKoon (Zoom), Tony Dixey (Zoom), Don Dixon (Zoom), Tracy Bono (Zoom), Mayor August Christensen, Alan Jackson, Aaron Dalling, Dylan Anderson, Bob Turner, Brad Buttars, Leisa Moulton, John Moulton, Jeff Raybould, Keith Esplin, Roger Warner, Keith Davidson.

**1. Welcome**

- a. Roger Warner

**2. Administrative Business**

- a. Minutes of February 8, 2024, Board meeting
  - i. Keith Davidson moved to approve the minutes, Roger Warner noted a possible edit with Water District 001; Mayor August seconded; and the motion carried
- b. Bills to be approved
  - i. Brad Buttars moved to approve; Bob Turner seconded; and the motion carried.
- c. 2023 year-end financial report
  - i. Alan and Amy presented:
  - ii. Discussed obtaining sponsors for water college tours in the future to avoid running at a deficit in the future.
  - iii. Hard costs for the Coalition are the same year-to-year; but the soft costs (e.g., Keith and RMEA) change based upon what water battles occur that year.
  - iv. We do have a good cash position currently; but need to create a budget to determine what we can spend, and if something comes up, we should find a way to raise the money to finance additional activities.
  - v. Also, need to look at adding membership to grow income.
  - vi. Alan, Dave, Keith, and Roger will be part of a subcommittee to work on budgeting their expenses, Amy will assist; will discuss proposed budget for the next Board Meeting.
  - vii. Jeff Raybould moved to accept the report and form subcommittee as discussed; Mayor Christensen seconded; and the motion carried.

**3. Updates/Developments**

- a. Current Water Situation – Keith:
- b. Snowpack is average; which is good, but not great; reservoirs are also well-above average for the year.
- c. Toward the end of the month, flood control curve will be triggered, and water will be spilled out of Palisades and be available for recharge. BOR will evaluate this issue the 3<sup>rd</sup> or 4<sup>th</sup> week of March, so by first of April, there should be sufficient water flowing past Miler for recharge to occur in the upper valley.

- d. There is more precipitation this year than snow, b/c we had rain early on.
- e. Willow Creek and Portneuf areas have strong snowpack BOR expects 94% runoff at Heise.
- f. Although reservoirs will be full, other factors, like reach gains, impact whether there will be a demand shortfall for the Surface Water Coalition.
- g. Natural flow is better this year, than it was last year; but most of it is gobbled up above Blackfoot.

#### 4. **Water District 01 Annual Meeting**

- a. Water District 01 Watermaster regulates all the surface water in our area. Deputy watermasters work underneath the Watermaster.
- b. New water master Craig Chandler appointed for Water District 01.
- c. Craig should do a good job; some are hopeful he may be open to some new ideas.
- d. Paul Arrington spoke about legislation; Director Weaver spoke; 150K af of flow augmentation may go out this year.
- e. John Simpson and Jerry Rigby spoke about legal issues:
  - i. 10 years left on the Nez Peirce Agreement; but really only have 5 years because it takes 5 years to do an environmental impact study and statement. Coalition needs to monitor these discussions.

#### 5. **Legislative Issues**

- a. Domestic Well Issue
  - i. Legislation was bifurcated in attempt to try to get it through, but the issue is now dead for this session.
- b. Self-help
  - i. Arose for ISC case; if there was an easement, water users needed ability to go in and make system work.
  - ii. Large effort to consolidate multiple sections of code.
- c. Area of Common Groundwater Supply
  - i. SB 1341 deals with area of common groundwater
  - ii. Original area put into effect in the early 1990s. If in the area, you are regulated under conjunctive management rules.
  - iii. Agreed to move the boundary to the ESPAM modeled boundary, will do it via legislation, not rules; created a process for the Director to bring tributary basins in; allows for due process.
  - iv. Passed unanimously in the Senate; passed committee in the House and is on the House floor currently. Good indications that this Bill will pass.
  - v. Mayor Christensen testified to the Senate Committee requesting a voice for tributaries in the decision to conjunctively manage tributaries.
  - vi. Teton Basin Water Users (new members of the Coalition): present at the meeting for the day; preparing a plan that Rob Harris will review; it includes the county and cities and various surface and groundwater water users; they are gathering data and support preemptively to address being brought under conjunctive management plans.
- d. Penalties for Over Pumping
  - i. Bill raises the limit for over pumping from \$100 to \$300. Key language makes it non-mandatory.
- e. Irrigation District Delinquent Options

- i. Irrigation Districts, after 3 years of delinquency, were required to take a tax deed; but no distribution process was provided; so this legislation fills in the gaps and specifies processes after a tax deed is taken.
  - f. Hells Canyon Relicensing
    - i. All dams have to go through relicensing; recreationists have concerns over how river is operated below Hells Canyon because of the ways the power companies use water during peaking. Thus, recreationists want a minimum flow restriction in place below Hells Canyon.
    - ii. Problem with the resolution was the Idaho Legislature asked FERC to impose a minimum flow below Hells Canyon; it should be a limit on a state water right, not a regulation by FERC.
    - iii. Guides and outfitters (jet boat tours), claim some of their larger boats cannot get up the river when the flows are below a certain threshold. Rep. Shepherd is who raised the issue initially.
  - g. Invasive Species (Launch Requirements)
    - i. State did a great job tackling the mussels invading below Twin Falls in the Snake River.
    - ii. Local entities can get money from the State for inspections and other proactive measures to protect against invasive species.

#### **6. ESPA/GWMP Advisory Committee**

- a. Cities presented framework; want a 25-year measurement period
- b. Surface water folks requested that they submit their plans, and the ground water plans to the department. That idea was not generally accepted.
- c. No one wants to say what the actual target numbers will be.
- d. Stabilization versus recovery and in what amounts are still not agreed upon.
- e. These questions are made difficult where there have been recent changes in modeling and conjunctive management.

#### **7. Family Farm Alliance Report**

- a. Keith Presented:
- b. Lake Mead produces more power in the evening when the wind and solar dip off.
- c. Panel of Indian Tribes, own 25% of the Colorado River, much of which has not been used yet.
- d. Largest project in BOR is providing water to the Navajo (they haul it in trucks).
- e. Santa Clara River in Los Angeles; National Marine Fisheries Service wants to remove the dam so they can have steelhead in the River; 100 million in fish ladder; millions more in studies and fees; use the dam for recharge, but there is no evidence of there ever been Steelhead salmon in the River; Absence of evidence is not evidence of absence.

#### **8. East Idaho Water College Tour**

- a. August 26<sup>th</sup> most likely date
- b. Still working on ideas for the tours in the region.

#### **9. Next Meeting**

- a. IGWA offices on April 11, 2024.

## 10. Meeting Adjourns