

**Water District 37 (WD37)
ANNUAL MEETING MINUTES
Monday, January 9, 2023
1:30 p.m.**

Minnie Moore Room at the Community Center in Hailey and via zoom

Join the meeting by visiting: zoom.us, click JOIN A MEETING, enter Meeting ID 695 000 0345 and Passcode 2022. To participate by phone, call 669-900-6833 then enter Meeting ID 695 000 0345

(All meeting documents including agenda, previous meeting minutes, proposed budget, and proposed resolutions are posted on the Department's website at: www.idwr.idaho.gov > Water Rights > Water Districts > Active Districts > Water District 37, and then click on "Big and Little Wood River Drainages including Ground Water")

1:00 p.m. pre-meeting

- Roll call of attendees entering the Zoom meeting (via internet or phone) to establish total meeting attendance: Attendance was taken.
- Designation of voting eligibility from those in attendance.

1:30 p.m. meeting - To help this virtual meeting operate more smoothly, a "Nay" vote will be requested first on all voted items. The "Yay" vote will then be determined by subtracting the Nay vote number from the number of total eligible voters.

#1 CALL TO ORDER AND INTRODUCTION

2022 Board Chairperson Patrick McMahon called the meeting to order at 1:33pm, introducing the Water District Board Members, the Water District Staff and IDWR associates present for the Annual Meeting.

#2 SELECTION OF A CHAIRMAN

Nominations for a chairperson for the 2023 annual meeting were requested.

Motion: Sharon Lee nominated Pat McMahon as Chairman of the WD37 2023 Annual Meeting. Motion seconded by Fred Brossy. No other nominations were received. The motion passed unopposed.

#3 SELECTION OF MEETING SECRETARY/RECORDER

Nominations for a meeting secretary for the 2023 annual meeting were requested.

Motion: Patrick McMahon nominated Brittany Gailey as the secretary/recorder of the WD37 2023 Annual Meeting. No other nominations were received. A call for nay votes, none. The motion passed unopposed.

#4 IDWR PRESENTATION ON BWGWMA

Shelley Keen, IDWR Manager, introduced himself and spoke to the Big Wood Groundwater Management Plan which had been approved by the IDWR Director in May 2022. The 2022 irrigation season was year 1 of this three-year agreement.

Mr. Keen established a framework of information including actions historically taken in short water years when junior water rights are shut off for the benefit of senior water rights, the legal concept of 'First in Time...', why Water District 37 had been formed, stature reference for groundwater rights (42-7246), conjunctive management efforts, the impact of perception in relation to managing groundwater versus surface water, IDWRs use of the best available science and numeric modelling. Shelly spoke to the known impacts of groundwater pumping in the WRV, that these impacts show pretty quickly and this is quantifiable in current modelling. General reference to calls made in 2015 and 2017 which failed based on procedural rather than erroneous grounds, and the real challenge to IDWR about how the law should apply to facts. Legislative alternative (42-2233b) gives IDWR option to provide water right(s) holder(s)

participating in an approved groundwater management plan as not being subject to a call if they are in compliance. Surface water and ground water users were contacted to see if a community plan could stand in lieu of conjunctive oversight, given that the Director has a duty to meet surface water rights, groundwater users have to take meaningful action in order to be safe, or to have the water available for their own use. There was advantage in creating administration for and by community members in developing a management plan, which also included IDWR Staff (Tim Luke, Jennifer Sukow) and hopefully everyone in attendance at this meeting has had a change to review the BWGWMA. This plan includes fallowing land, a reduced irrigation season, a minimum of 32cfs flow at Station 10, acquire and deliver storage water, investment in cloudseeding, establish and investment into a CIEF fund, among other actions. The Director approved these serious meaningful mitigation measures that apply to surface water users' benefits.

Congratulations are in order as the result of efforts done in Year 1.

Secondly, there is progress to be made.

- Persistence in the management plan participation
- Plan to be implemented – in full (ex: fallow). The conjunctive administration On the Snake River is an example of 'in full', with strict adherence being the safest place to be.
- Adaptive management component, learning from this experience, so as to adjust the plan for the future (ex: is 32 CFS necessary? Is 1884 being met?) Ideas discussed thus far is about fine tuning versus wholesale change. Additional scientific insight (USGS will be developing a hydro/geo structure in Camas Creek)
- Moratorium needs to be finalized. Some rights are fully consumptive, upcoming exploration to solve these without lawsuit

IDWR wants to see water users persist in the full management plan.

Larry Schoen, CIEF Chair, spoke to the funds intent (conservation, infrastructure, efficiency), current funds available, upcoming application deadlines for proposed projects (March 1 and August 1) and the Committees discretion on such projects. Mr. Schoen additionally referenced the BWGWMA as a good interim solution which needs compliance, which the Director has the ability to implement.

Nick Purdy inquired about snowpack level, and if the agreement might be waived for the next year? Shelley confirmed that the Agreement established basic actions to be conducted every year and defined additional requirements in dry years.

#5 IDWR PRESENTATION ON CLOUDSEEDING

Kala Golden, IDWR Manager with several responsibilities, introduced herself and established that this innovative program was at a nexus, with changes looming and therefore conversation about the program, and its partnership agreements, was important.

Kala provided an overview of this 70+ year effort (started in 1951), with its expansion into the WRV in 2013 via the Big Wood canal Company. Cloudseeding efforts stem from collaboration by IDWR, Idaho Power and local water users in Basins. Idaho Power has its own project in the Payette Basin. The IWRB invested in 2014, and traditionally water user's contributions offset operational and maintenance cost (about \$4M). Investment in sophisticated modelling technologies is in process, there are 57+ ground generators and a shared aircraft which has resulted in the addition of 1.2M additional acre feet of water program-wide. Several statistics were presented including the WRV receiving an additional 112M ac ft at a cost of \$670,000. Statewide, with an annual operating cost of \$3.95M resulting in an estimated 1.24M ac ft of water, provides an average cost of \$3.19 per acre foot for this water. The goals being discussed for the program going forward include equitable distribution of program funding, securing long-term collaborative agreements, accessing opportunities for program expansion and ongoing monitoring.

Given that budgets are often passed in January, but the cloudseeding season itself starts in November, there is good reason for ongoing commitment for planning, application and dependable funding. Developing a long-term agreement prior to November 2023 is necessary.

Wood River makes up about 1/3rd of the total operational costs with others being lower. WRs portion has been adjusted to what the lowest payers fund with a one time offset until the analysis is completed to define who the beneficiaries are. Water supply benefits include reservoir storage, extended seasonal flows, flow augmentation, recreation, water quality, aquatic habitats.

Phase 1 of the cloudseeding project was completed in November 2020 and Phase 2, where results are refined, and new tools (Warf Hydra Model with Atmospheric Science and a river ware Planning Model, and adapted model originated by Bureau of Reclamation) are being developed at a project cost of \$350K. This entirely new modelling will aide in guiding who should be paying for cloudseeding based on benefits. Neither IWRB nor Idaho Power has asked for cloudseeding monies in 2022. A meaningful cost share is anticipated for Sept 2023, as well as a longer-term agreement (5yr) with opportunity to re-evaluate in yr. 6. This allows for budget planning. Note: this also modifies one of the resolutions to be approved at this Annual Meeting.

Questions from the members present included:

City of Hailey: municipality budget dates (earlier than Sept 2023), and how to plan costs accordingly;

Sharon Lee: Will water users be invited/involved in negotiations? Brian Olmstead confirmed that yes, this is the intent – referencing that there is value in storing water as snow rather than building reservoirs.

Larry Schoen: Revisited paying for costs in this basin versus the entirety of Idaho. Geography and climatology were discussed.

Larry Schoen: Amplification of existing storms, with drier years affording less opportunity. Kala noted that over the long-term water was being added to the basin, that historical and comparative efforts target control analysis and seeking better tools.

Cooper Brossy: Phase 2 – what is NCAR? This is a forecasting tool. And, is there further augmentation (additional sites, planes, etc.) planned? Part of the study underway is to locate additional areas to install new infrastructure, but given the issue of covering costs for existing sites much less new ones - there is no immediate plan to invest in capital expansion.

Carl Pendleton: The science is significant enough to consider this investment, with the goal of increase snowpack 5 – 15%. Actual results have often been much better (ex: a poor year, 2021 still saw a 6% increase in snowpack). This is a good alternative to digging a hole, and consider the real costs to raise the Anderson Dam. Encouraged peers to budget for this line item. Kala stated that the SNOWY project was a sophisticated project, at the cutting edge on a worldwide comparison. In Utah, water users fund 50% of operation and capital expenditures annually. Idaho water users are lucky to have Idaho Power as a contributor.

Fred Brossy: WX modelling and inquiry about historical information to be included? Kala confirmed yes. Carl also referenced some monthly reporting and Idaho Powers' daily & monthly cloudseeding report.

Pat McMahon referenced that the cloudseeding report, including the IWRB's confirmation that it will not to bill for 2022 operational expenses related to cloudseeding, changes the drafted Resolution #14 in the list of Resolutions to be approved. He also thanked Kala.

#6 APPROVAL OF MINUTES FROM THE 2022 ANNUAL MEETING

Chairman McMahon called for a motion to approve the drafted Minutes from the January 10, 2022 annual meeting and called for a motion to approve. Larry Schoen inquired about access to this information, which is posted on the IDWR website.

Motion: Dave Bell made a motion to approve the WD37 Minutes for the 2022 Annual Meeting as presented. Motion seconded by Rod Hubsmith. Call for nay votes. The motion passed unopposed.

Chairman McMahon will take, under advisement, the issue of access to WD37 reporting information.

#7 ADOPTION OF 2023 BUDGET

Chairman McMahon called for discussion on the proposed budget, noting that designated account for cloudseeding (Acct #6340) reflected \$175,000 for 2023. This budget number is the sum of 2022 not yet paid, and 2023 estimated due. Given that IDWR will not be submitting invoice for 2022 cloudseeding, this number should be reduced to \$95,000. Discussion amongst the membership regarding the merit of this amount occurred, as well as legal requirements for funding in the year to be used. Additional budget line-item review was discussed, specifically

staffing hours for meter review. How often this occurs, who funds this effort, etc. were discussed. Experiences with previous WD37 labor hours and the hours reflected in this proposed budget, concepts of reserves and carryover were all voiced. Chairman McMahon called for any additional questions regarding the proposed budget.

Motion: Fred Brossy made a motion to adopt the WD37 2023 Budget with a change in the amount of line #6340 cloudseeding from \$175,000 to \$95,000. Motion seconded by Sharon Lee with an additional change that the reflected \$80,000 transfer from savings also be deleted for a budget expense total of \$557,941.24. Call for further discussion. Call for nay votes. The motion passed unopposed.

#8 ADOPTION OF 2023 RESOLUTIONS

Chairperson McMahon called for a motion for the fourteen (14) resolutions proposed for 2023, including the change to Resolution 14, reducing the total to \$95,000. Larry Schoen requested an update to Resolution 13A, incorporating the phrasing "...will be recorded NO LESS THAN three times per year. Some additional conversation from Tim Luke who stated that because of the increased pressure for data, he encourages as often as possible, which would also help to address misuse, devices not working, etc. Chairperson McMahon noted that this is incumbent on the watermaster.

Motion: Larry Schoen made a motion to include "no less than 3 x per year" in Resolution 13a. Seconded by Sharon Lee. Motion passed unopposed.

Motion: Fred Brossy made a motion to adopt the WD37 2023 Resolutions as amended. Motion seconded by Larry Schoen. Call for further discussion. Call for nay votes. The motion passed unopposed.

Some additional discussion regarding cloudseeding, the likelihood of a long-term commitment request from IWRB and possibly incorporating that into Resolution #14 as well was briefly considered.

#9 CURRENT ADVISORY BOARD MEMBERS

Watermaster Healy called for nomination to elect 2022 Advisory Board members. Chairman McMahon opened the floor for discussion.

2023 Advisory Board for Water District 37

- | | |
|---|------------------|
| (2) Big Wood River Representatives: | |
| 1- Above Magic | Sharon Lee |
| 1- Below Magic | Howard Morris |
| (1) Little Wood River/Silver Creek | Nick Purdy |
| (1) Hydropower | Bill Arkoosh |
| (2) Canal Companies/Irrigation Districts | |
| 1- 2023 Rep – American Falls Res. Dist #2 | Rod Hubsmith |
| 1- 2023 Rep – Big Wood Canal Company | Fred Brossy |
| (1) Groundwater Municipals | Pat McMahon |
| (1) Groundwater Small Users (Less / 40 Acres) | Dave Bell |
| (1) Groundwater Large Agricultural (Larger /40 Acres) | Justin Stevenson |

Motion: Carl Pendleton made a motion to affirm the slate of 2023 Advisory Board as proposed. Motion seconded by Rod Hubsmith. Call for nays. Motion passed unopposed.

#10 DISTRICT NEWS AND UPDATES

Sunny Healy, WD37 Watermaster, spoke to several staffing updates within the District. Long term associates who have retired include Skip Schaefer and Cindy McGowan. Additionally, Kevin Lakey has taken a new position with Big Wood Canal Company, though he remains very supportive of the District and its current staff. Great expression of gratitude for the good and loyal work these peers have provided to the Water District, and to its membership. Sunny also introduced new associates, Ryan Fuchs as Assistant Watermaster and Brittany Gailey as Office Manager.

#11 ADJOURN

Motion: **Carl Pendleton made a motion to adjourn the meeting. Motion seconded by Sharon Lee. Call for nays. Motion passed unopposed. Meeting adjourned at 3:13pm**

Respectfully,

Pat McMahon, Chairman

Brittany Gailey, Minutes Secretary

xxx, Treasurer

DRAFT