



Meeting Minutes - November 15, 2023

The meeting of the commission was called to order by Chairman Lew Pence at 1:01 pm.

Present:

Commissioners

Brent Reinke – Twin Falls County
Ron Buhler – Gooding County
Nathan Schutte – Lincoln County
Dan Shaeffer – Minidoka County
Charles Howell – Jerome County (call in)

Commission Members

Lew Pence – Chair - Gooding
Arlen Morgan – Jerome
Bethany Muffley – Acting Ex Director
Duane Turner – TF P&Z
Dan Suhr - Jerome
Kerry McMurray - Cassia
Gale Kleinkopf – Twin Falls
Dean Edgar - Cassia

Agency/Other

Nicholas Howell – IDEQ – Twin Falls
Curtis Cooper – IDEQ – Boise (virtual)
Josh Morell – IDWR – Boise (virtual)

Prospective Member

Roger Morley – Jerome Commissioner - Retired

Lew Pence began the meeting and asked if there were any changes or corrections to the minutes of the previous meeting. The minutes were approved with a motion made by Kerry McMurray and seconded by Arlen Morgan.

Lew asked Bethany for the account balance and she indicated that she has not been able to get that information because the clerk handling that activity is on medical leave. Bethany estimated based on withdrawals made since the previous meeting that the balance was at ~\$21,000. Bethany indicated that bills for this month include her compensation of \$550 along with mileage reimbursements for members who are present. A motion was made by Dean Edgar and seconded by Kerry McMurray to approve.

Lew asked if there had been any correspondence since the previous meeting. Bethany relayed correspondence with Josh Morell from IDWR and that he had offered to come in as our December presenter to talk about recharge.

Lew introduced our guest speakers, Curtis Cooper and Nick Howell with IDEQ, who would be speaking with us about the Source Water Protection Program and how it relates to ground and drinking water quality in the Magic Valley. Curtis began with the 30,000 ft perspective of what source water protection is beginning with the Safe Drinking Water Protection Act which indicates that the state must have an approved Source Water Protection program. The Idaho Resource Water Assessment Plan was generated based on that requirement which indicated regulations on any aquifer, surface waterbody or water course from which water was taken by a public water system for drinking or food purposes, not including homeowners who have a private well. Source water protection is a voluntary, regulatory activity that the individual does to protect water before it gets pulled into the system. Source water protection and delivering clean water is less expensive and easier than treating the water. Curtis then went on to discuss his years working as a consultant in Colorado and explained that 20 years ago, Colorado was experiencing what Idaho is today in relation water availability and urban/rural interface. Curtis stressed

that it is important to know your source of water, where it is coming from, and where potential problems that can start. He indicated that the more you know, the more you can protect it. He also stated that water rights don't necessarily equal and guarantee a high quality of water, so it is up to us to protect that water quality for public water systems. He expressed that IDEQ's mandate is to think about potential issues that could come about as in potential sources of contamination. He described that their process is a circular process that starts with an assessment, then going through planning and implementation. In the assessment process, this begins with the idea of knowing where your water is coming from and what sources might be contaminating it. He presented to the group several maps showing source water assessment areas that can be accessed via the IDEQ website as examples. He went on to describe that after the assessment comes protection planning and emergency response plans. He then pulled up a link to the Source Water Protection Planning Tool and explained that in terms of an emergency response, it is a tool you can view as a "starter package" as far as starting the process, however with cybersecurity concerns, it would not be all encompassing. Curtis moved from planning into implementation and what DEQ can do. He mentioned Source Water Protection Grants where funding can be used to help install, build, and promote source water protection (well head security, properly decommissioning injections wells or unused system wells). He reported that the grant amount is \$24,000 with no match required, and then went on to describe eligibility requirements. Curtis finished in saying that after going through the assessment, planning and implementation, it becomes that cyclical process because as the population grows, the process will all have to begin again.

Curtis turned the time over to Nicholas Howell, Source Water Protection Analyst out of the Twin Falls office. Nick discussed the statewide view and the five Twin Falls regional Nitrate Priority Areas. He described the MOU that allows IDEQ to identify, prioritize, develop, evaluate and possibly remove contamination in the future and he explained that IDEQ partners with USGS, IDWR, ISDA to collect and share data. He expressed that when scoring nitrate priority areas, 5 mg/l is considered a max contamination level, and if 25% of the groundwater samples are greater than or equal to that amount, a priority area will be assigned. He then showed a ranking list and stated that the Magic Valley shows up 5 times: Minidoka ranked 3rd, Marsh Creek ranked 5th, Twin Falls ranked 9th, SW Jerome ranked 10th, and Bliss ranked 32nd (Minidoka and Marsh Creek – High Priority, Twin Falls and Jerome – Moderate-High Priority, Bliss – Moderate Priority). In Minidoka, the average was 5.1 mg/L with a high of 83. Marsh Creek average nitrate was 6.8mg/l. Twin Falls average was 5.9mg/l. SW Jerome average at 7.4 mg/l. Bliss had an average of 4.6mg/l. Nic explained that trend data is compiled every 5 years and that they began collecting data between 2000-2008 to use that information to establish trends over time. Gale Kleinkopf asked if they sampled anything other than nitrates and Nick indicated that the most recent samples included chloride, sulfate, and bacteria (E coli). Dean Edgar asked if samples collected could register as more diluted based on the time of year taken, like when irrigation canals fill versus when they aren't being used? Nick did not have an answer at the time but indicated he could look back on ISDA's yearly samples and see if there is a correlation. Commissioner Reinke asked if different forms of watering systems (irrigation or pivot) could impact levels observed. Nick responded that nitrates could come from a lot of things like septic systems, feedlots, fertilizers, etc. but that they didn't have enough information yet to answer that question. Lew asked, in relation to the scale, at what concentration does IDEQ really get concerned? Nick responded that it was anything above 10mg/l and stated that this is the level when one should start looking at filtration systems for their water. Nick went on to explain that their shapefiles are also creating statistical analysis of the geology and how hydrology works in the area to give information on which wells could be impacted by the contaminants detected. Dean asked if there is an

amount, in relation to domestic wells, that a landowner is required to do something about it. Nick responded that with private wells, DEQ does not have the authority to require action and indicated that it is the landowners well, water, and right. IDEQ can give ideas and recommendations on how to filter and make the water safe. Public Water Systems have filtration systems when they hit alert levels.

Nick showed the group several interactive maps which are located on the IDEQ website and available for public access. (<https://mapcase.deq.idaho.gov/npa/> - <https://mapcase.deq.idaho.gov/gwq/> - <https://www.deq.idaho.gov/water-quality/groundwater/source-water/> - <https://www.gethealthy.dhw.idaho.gov/idaho-ground-water-quality>). He indicated that these can be good tools to access when looking at specific areas. He also displayed a layer that shows possible paths of contamination based on how and where the water is flowing. Dan Suhr asked why IDEQ has not begun looking at phosphate levels. Nic indicated that they are currently looking into it and trying to get something going. Curtis explained to the group that even though ISDA, IDWR, USGS and IDEQ are coordinating activities and sharing information, agency mandates are different for each, so they do their best to accomplish what they can with the funding available. Nick went on to report that they are trying to give private landowners the ability to take samples on their own wells so that they could start using that data to build better water quality in the future. They are looking at creating a how-to tutorial on how to sample and get it to the appropriate source and they are working with Idaho Bureau of Labs to put it all together on a map.

Commissioner Reinke asked Curtis a question about some of the lessons learned during his time in Colorado as far as how it could translate to Idaho in this current time frame. Curtis started with a shout out to Josh Morell with IDWR and the help they provided with identifying groundwater rights and priority to help understand when certain wells could be shut off so that the water priority is maintained. He indicated that Colorado hadn't done that. This gives Idaho a step ahead of Colorado in terms of the planning. Curtis gave an example of a subdivision being put in with their own well in Colorado and the argument during planning was that there was not sufficient water. It went to the courts, and they decided that as long as they had 100 years of water, it was good enough to move forward with the subdivision. He expressed that keeping an idea of water availability is really important. He went on to report that Denver had old water rights, but the irrigation companies had older rights. When they went to court, Denver received a forced exchange, so they were able to get water out of priority because it was better water quality and in return. The irrigation company lost the court case and were then getting wastewater in return. The water that was then moving into the lake had major algal blooms that were so high it was changing the pH, and the farmers downstream reported their crops being burned. He also went on to report that several communities were caught without water because they didn't have the funds to purchase water rights when they were available, and that impacted any growth potential. There were also issues with interstate compacts with neighboring states where wells were being shut off and groundwater was being pumped to ensure that the other states got their water. He finished with the sentiment of planning for the long term and looking at what that means in community planning. Knowing what effects water quality changes is sometimes more important than making decisions on what is expedient in the moment. Curtis believes that planning for the worst-case scenario is a better option, and that we have to be able to work with our neighboring communities (up and downstream) and understand our impact on each other. He stated that he is beginning to see some of these types of issues crop up in Idaho. Growth brings a lot of things but is also means that what is already a limited resources becomes more limited, and the quality can diminish greatly as it's being used and reused.

Lew thanked Curits and Nic and expressed they gave the group a lot to think about.

At 2:15pm, Lew went on to report on the Executive Committee meeting on October 27th and turned the floor over to Commissioner Reinke for a recap. He reported that the meeting had set out to address the next steps needed relating to Bethany's announcement of stepping down as executive director. Roger Morley had been identified as a potential candidate and was in attendance. Commissioner Reinke did a round-the-room to the commissioners present and asked them to express their thoughts. Commissioner Buhler, Commissioner Schutte, Commissioner Shaeffer all agreed that the meeting went well and that they all sought to move forward with Roger in the Executive Director capacity. Commissioner Shaeffer expressed that the decision to do this had not been made at the meeting because they wanted to comply with open meeting laws and have it listed as an agenda item. Commissioner Howell had a conflicting meeting and joined in via text to express his approval. Commissioner Reinke asked for a motion to approve Roger Morley as Executive Director. Commissioner Buhler motioned and Commissioner Schutte seconded. Commissioner Reinke when on to introduce the subject of Bethany Muffley staying on in a secretarial type of capacity. He asked Bethany to explain what that role could look like and asked her to explain the spreadsheets she had compiled of meeting expenses in relation to adding an additional expense for that service and totals in the amended proposed budget. Bethany explained that milage totals for member reimbursements were estimates based on a full roster of attendance at each meeting. She also indicated that Roger Morely had requested the compensation for the Executive Director be increased from \$550 to \$750 per month. She also suggested that the ED position retain treasurer duties and that secretarial duties could be contracted out. Bethany is interested in providing that secretarial service and would also take on duties as media generator/web support and proposed an hourly rate of \$20/hr. Bethany went through the proposed amended budget line by line and a discussion was sparked as to what counties would need to pledging moving forward. Bethany articulated that the reserve amount could supplement the increase in ED compensation and additional secretarial position for this fiscal year. Commissioner Reinke expressed that a 5% increase for county funds would probably be the most to expect (spreadsheet examples included below). Bethany suggested that as time moves forward, she will be able to spend less time/effort completing commission duties as she will become more efficient as she learns and helps develop systems that will make things easier. Commissioner Reinke asked for a motion to approve the amended proposed budget and a motion was made by Duane Turner with Dan Suhr seconding it. Bethany indicated that she would send out the new proposed budget to the executive committee that could be taken to each county for an approval signature. Moving on, Rodger explained a few of his ideas on moving forward and spoke of making the rounds to each county to introduce himself.

Lew thanked the commissioner for being in attendance and expressed how much it means to the commission for them to be there. He asked for any other business, hearing none, Arlen Morgan gave the motion to adjourn, and Duane Turner seconded it. The meeting was adjourned at 2:46pm.

Respectfully Submitted

A handwritten signature in black ink, appearing to read 'Bethany Muffley', written in a cursive style.

Bethany Muffley, Executive Assistant

Proposed ED and Secretary/Media Manager Reimbursement

Position	Monthly Wage	Yearly Total
Executive Director	\$750 / month	\$9,000.00
Executive Director - Travel	60 miles @.655 / month	\$471.60
*Secretary - Media Manager	\$20 @ ~20hrs / month	\$4,800.00
*Secretary - Media Manager Travel	260 miles @.655 / Month	\$2,043.60
Total		\$16,315.20

Proposed Member Mileage Reimbursements (estimates for when we get all seats filled)

Members					Reimbursement Estimates			
Name	County	Occupation	Begin	End (4 years)	Travel	Travel Rate	Total/Month	Total/year
Lew Pence	Gooding County	Farmer and retired from NRCS	April 2020	2024	68	0.655	\$44.54	\$534.48
*vacant	Gooding County				68	0.655	\$44.54	\$534.48
Gale Kleinkopf	Twin Falls County	Ph.D, Plant Science with U of I	October 2019	2023	10	0.655	\$6.55	\$78.60
Duane Turner	Twin Falls County	Retired Planning and Zoning	April 2021	2025	42	0.655	\$27.51	\$330.12
Arlen Morgan	Jerome County	Livestock Producer	April 2021	2025	75	0.655	\$49.13	\$589.50
Dan Suhr	Jerome County	Farmer and retired real estate agent	April 2020	2024	20	0.655	\$13.10	\$157.20
Dean Edgar	Cassia County	Farmer	April 2020	2024	104	0.655	\$68.12	\$817.44
Kerry McMurray	Cassia County	Building and Zoning Director	April 2019	2023	90	0.655	\$58.95	\$707.40
*vacant	Lincoln				70	0.655	\$45.85	\$550.20
*vacant	Lincoln				70	0.655	\$45.85	\$550.20
							\$404.14	\$4,849.62

Yearly Website Services

Service	Cost/Month	Cost/year	About
Google Workspace	\$6.00	\$72.00	This service is for 1 user (right now that is just me but can add new ED to have @ midsnakewater.org email), includes Website Email and storage, billed monthly - Bethany's Credit Card FNBO
Squarespace		\$276.00	Yearly charge - Renews Aug 5th - Bethany's Credit Card FNBO?
Domain		\$20.00	Yearly Charge - Renews on June 2nd - Bethany's Credit Card FNBO
Total / Year		\$368.00	
Total if we add a second user		\$440.00	

MIDDLE SNAKE REGIONAL WATER
 RESOURCE COMMISSION
PROPOSED BUDGET (Amended)

2023-2024

	Current year 2022 – 2023	Proposed 2023-2024
Executive Director contract	\$ 6,600.00	\$ 9,000.00
Executive Director travel	600.00	600.00
Postage and supplies	500.00	500.00
Hearings-publications	-0-	\$1,000.00
Attorney fee (if any)	-0-	-0-
Mileage reimbursement (member)	3,400.00	4,900.00
Manage web site	650.00	500.00
Other expenses	200.00	200.00
Special projects/public education/secretarial assistance/ supplemental funds (from reserves)	<u>18,000.00</u>	<u>21,000.00</u>
TOTAL Annual Budget	\$29,950.00	\$37,700.00

The proposed budget was amended based on future expenditures identified within the transition period after our previous Executive Director’s passing. It accounts for changes in the commission’s website hosting, increased federal mileage compensation and a proposed increase to Executive Director compensation (will be voted upon in the November meeting). It also includes a deletion of Minidoka County who decided not to participate. The commission’s reserve account will stand at about \$21,000.00 which can be used for many things. In the past we have given money to various agencies to work on expanding our knowledge of our region’s water resources for both water quality and quantity issues. We have also previously offered help to the IDWR, IDEQ, USGS, and the U. of I. extension Service. There have been other instances when we have joined with others to offer educational opportunities to the public. Our reserve grew substantially in the past two years due to the covid virus and health-related issues. Some meetings were canceled, and others were virtual. This saved considerable funds that would have been used for mileage. If the reserve funds are subtracted from the total annual budget the expected budget is considerably larger than the budget request from the counties. The reserve budget could also be used to provide supplementary funds for a secretarial/media manager services to aid in jumpstarting the commission as we transition over to a new Executive Director. It would allow county commitments to remain as previously requested and also give time to re-evaluate county commitment pledges in 2024-2025.

Budget request from each member county 2023-2024

	2022/2023	2023/2024
Cassia County	\$2,552.00	\$2,552.00
Gooding County	2,552.00	2,552.00
Jerome County	2,552.00	2,552.00
Lincoln County	1,392.00	1,392.00
Twin Falls County	2,552.00	<u>2,552.00</u>
TOTAL	\$11,600.00	\$11,600.00