

Galena Groundwater District Meeting

Hybrid: Sun Valley City Hall Meeting Room and via zoom
June 1, 2021

Call to Order: 11:01am

In attendance: Pat McMahon (Board), Judd McMahan (Board), Pete Atkinson (Board), Chuck Matthiesen, Jim Laski (GGW counsel), Lisa Davitt (GGWD bookkeeping), Dave Bell (GGWD website), Laura Gvozdaz, Marybeth Collins.

The meeting was called to order at 11:01am at the Sun Valley City Hall public meeting room, with quorum being established.

Proof of notice was confirmed by Pat McMahon as posted, and Dave confirmed that the agenda and drafted minutes were included and available on the GGWD website, last week, in advance of the meeting.

Minutes:

Approval of the minutes as presented for the April 6, 2021 meeting and the May 4, 2021 meeting was motioned by Judd, seconded by Pete and passed unanimously.

Engineering Update:

No engineering specific updates. Mr Laski provided some legal updates, in conjunction with engineering, which are noted below.

Financials

Lisa provided information that past due statements were sent out last month. Info for an invoice to the Board members present, totaling \$12,480.75, which includes billing from Brockway for \$7,656. Additional conversation regarding accounts receivable of some significance, which includes Blaine County as well as Flying Heart. Receipt from Blaine County is anticipated for this month, however Flying Heart remains unresponsive. Given property transfers, this is something to remain aware of. Discussion of solutions occurred. Lawson Laski, who represent Flying Heart in other matters, will provide suggested solutions to the Board for next steps.

MOTION: To approve the bills presented at the meeting was proposed by Pete, seconded by Judd, and passed unanimously.

Legal Updates and Authorization for Approval

The IDWR's curtailment of supplemental well use in the South Valley and its enforcement of AFRD rights in the Magic Valley basin have prompted immediate and legal response. GGWD, in partnership/joint defense with SoVWSD, has been participating in a series of depositions related to an upcoming hearing about a possible error or inaccurate use of authority by IDWR in its efforts to aide in a solution for drought conditions and active concerns in Basin 37. Concurrent depositions are underway, and in a very short time – which has been difficult for all involved. The hearing commences June 7th, and will likely cover about 10 business days. There may be more depositions this week, conducted in the evenings. And, some informal depositions too. Erick Powell has been running modelling reports based on information from depositions, to aide legal questions. A general report about curtailment involving 22 GGWD members and 4.04 CFS. Discussion of boundary lines, and maybe lack of clarity (and therefore

impacts), the juggling of the legal team to participate in all of the immediate depositions, the great work being accomplished by the South Valley legal team, several actions being taken by the various legal representatives (temporary restraining ordered & subsequent dismissal) which will be helpful in appellate purposes. Discussion of in person attendance for the hearing at IDWR, and whom would be participating. Note about the Watermasters estimate of shortfall being +/- 1,000 CFS, which might have been an addressable amount for all parties within the BWGWMD Committee. As part of this speedy process of review, conversation around the GGWD's ability to be nimble with direction to its legal counsel came up. Given that Pat McMahon has been involved in the BWGWMD Committee conversations, in attendance at IDWR meetings and recent depositions – it was thought that Pat might be the best equipped to work with counsel on next steps requiring timely response.

MOTION: To authorize Pat McMahon to direct counsel on litigation issues specific to the IDWR 2021 directives in Basin 37 was motioned by Judd and seconded by Pete. The motion passed unanimously.

Executive Session.

None

Next Meeting Date

The Board confirmed Tuesday, July 6, 2021.

The meeting was adjourned at 11:16am.