

## November 1, 2022 Minutes from Galena Groundwater District Meeting

Hybrid: Sun Valley Water & Sewer District General Meeting Room and via zoom  
November 1, 2022

Call to Order: 11:01am

In attendance: Pat McMahan (Board), Judd McMahan (Board), Peter Atkinsons (Board), Jim Laski (GGW counsel), Marybeth Collins. Also present: Chuck Matthiesen.

The meeting was called to order at 11:01am at the Sun Valley City Hall and via zoom. Quorum was established.

Proof of notice was confirmed by Dave (via email) that notice was posted to the website that a meeting will be held, and Pat also confirmed that the agenda was posted at City Hall and the SV USPS Office – in advance of today's meeting.

### Minutes:

Minutes for the September 2022 drafted minutes were redistributed, and October 2022 meeting minutes were distributed.

**MOTION:** Judd motioned to approve as drafted the minutes for September 6, 2022 and for October 4, 2022. Peter seconded the motion and it passed unanimously.

### IDWR & Term Sheet Information

A discussion amongst those present ranged through several local items including the City of Bellevue's legal filing addressing the nature of consumptive use and general curiosity regarding the Water Departments' position on domestic wells. Counsel confirmed that there would be a review and drafted response for the GGWD Board to consider.

Pat referenced the most recent CIEF meeting, and that Committee authorizing a Big Wood Canal proposal application for infrastructure repair in the amount of \$100,000.

Discussion occurred regarding the IDWR's mid October letter regarding 'safe harbor' invitation which was sent out to local water rights holders, rights which are not 'irrigation' (ex: municipal, commercial, etc.). The IDWR has requested Year 1 reporting from GGWD, as well as all of the other participating entities. Other date-based actions were referenced.

Brief Board discussion, regarding a water bank plan proposed by a Bellevue group with water rights holders, defined no District concerns. Additional consideration about the possibility of dovetailing fallow opportunities and water bank agreements occurred, and Counsel was directed by the Board to review statute for clearer guideline.

### Financials

Financials for October 2022 and for year-to-date were sent along to the Board under separate cover. The net account balance reflects \$88,712.42 in available funds, an accounts payable list totaling \$6,131.95. Items referenced included an unplanned credit for the re-sale of unused storage water, pending invoicing for storage water, accounts receivable and some decisions.

**MOTION:** Judd motioned to approve (a) current payables totaling \$6,131.95, (b) write off erroneous or bad debts for Martin (\$18.00), Stewart (\$36.45) (c) Sluder reconciliation related to 'commercial' and 'irrigation' water rights and reimburse any overages, (d) continue to assess 'Eastfield' for supplemental right in the near term, and (e) direct Counsel to speak with City of Hailey counsel related to #37-8118. Peter seconded the motion and it passed unanimously.

General results of certified mailing for remaining accounts receivable items have provided that the current accounts receivable list exists based on lack of payment rather than lack of knowledge or communication efforts. Of 24 certified mailed items, and as of Nov 1<sup>st</sup> – 19 confirmations have been received back.

Question regarding two separate bonds which are funded by the District on behalf of the Treasurer found that a single bond was necessary and the Board defined \$125,000 to be the amount of the bond, in keeping with statute.

Given the parameter for assessments and collection of same – an LGIP account will be explored, to ensure all GGWD funds are insured.

#### Public Comment

Chuck Matthiesen, participating via zoom, thanked the Board for their good work in support of irrigation water right holders to ensure viable use of these water rights. Mr. Matthiesen referenced a non-consumptive water right which might seek to participate as a GGWD member in good standing. Discussion regarding how the right is sourced and used, and how this might impact neighboring right holders took place. The Board expressed gratitude for Mr. Matthiesen's own participation, and interest in incorporating the water right in question. An 'opt in' document can be completed and submitted for the Boards review and approval.

#### Legal

Additional discussion about the 'fallow' component of the BWGWMA Term Sheet was conducted, with optimism related to a link between water bank agreements, the inherent fallow component, water right protections, the fiscal component of rented water, and term sheet fallow acreage. Experience around purchase water latitudes, inherent protections provided by water bank partnerships, etc.

Counsel noted that there was some support to contract with Brockway to aerial review to define actual fallowed locations.

**MOTION:** Judd motioned to approve have Counsel research water bank rental, protections, statute, etc. Peter seconded and the motion carried unanimously.

#### Executive Session

None.

#### Next Meeting Date

The Board confirmed Tuesday, December 6, 2022 at 11am for the next regular meeting.

Judd will draft a letter to the membership to be included with the annual assessment invoice. Pat will draft a GGWD report to be submitted to IDWR by the deadline. Marybeth requested timing awareness for a membership letter, given the statute dates of mailing prior to December 1<sup>st</sup>, existing commitments & holidays in November and will also follow up on the legal requirement for GGWD notice of assessment in the local newspaper.

The meeting was adjourned at 12:10pm.