

3-10-2020

63-34326 Annual Meeting

9:00

Name

Representing

Contact

Notes Shelley Keen

IDWR

Shelley-Keen@IDWR.IDM
208-287-4947

Bob Maynard led off and summarized the sections of the agreement.

Mike McVay - Summarized WY 2019 Report for Downtown - East.

- No "thermal breakthrough" yet, i.e. temperature decline

- Question about the delivery of State water to City of Boise. Fall of 2019

City needed to replace a pump. State gave 12 million gallons to City during that time. There are agreements between City + State and also City and WSWP.

Bob suggests reporting based on who produced water over who used water.

Long Discussion of whether the WRs authorize State to give water to City. And also reporting to IDWR when such inter-system uses occur. And also where use occurred.

So... Mike's Reports need where production occurred and where use occurred so we can reconcile diversion

+ injection volumes.

(P.1)

SCANNED

MAR 19 2020

State's production meter is down, so injection data is being used to estimate production.

Led into discussion on Exhibit C from the agreement. IDWR will review compliance and contact the producers to make sure the required measured + monitoring is occurring. Dana-Edwards will support ~~the~~ IDWR recommendations for monitoring and reporting.

IDWR recommends to all the producers that they internally review their own compliance.

- Stated review of City production

A. Bob M. shared John Gunnerson's HDD sales

B. New buildings added - 2 buildings at BSU + ^{state police} ~~Madison~~

C. WY 2020 - Warmest ~~year~~ winter on record

Also Boral Post Office + a new USGS building
Maybe - Cathedral of Rocks + Grove Hotel

D. Estimates why ~~is~~ WY 2020 around 270 mmg/yr.

E. If WY 2021 were a cold year, maybe 330 mmg/yr.

Dana - Edwards concern is gradual ^{incremental} increases and assessments are better than big jumps.

Table 5 of Downtown Report, downward is not statistically significant, but it could be if there were a big jump.

Discussion of 340 mmg/year threshold ~~is~~ next year.
City unlikely to meet it.

63-S Report

Charlie - p.9. Figure 8. Concern to his client.

Dana - See table 4. p.11

WD-63S meeting. ~~Water~~ Water users were concerned, but there's not a lot of record. Heavily influenced by last data point.

Bruce Smith - Suggested City share its estimate of future demand to justify 370.

Bruce - Okay. Give us 2 weeks

March 24 - City report

April 7 - Responses to IDWR

May 10 - IDWR ~~decision~~ on or about

OUTCOMES + NEXT STEPS

- ① City will submit a future use projection report by 3/24/2020
- ② Parties will respond to IDWR regarding the City's report by 4/7/2020
- ③ IDWR's decision is due about May 10, 2020
- ④ IDWR will review the measuring, monitoring, and reporting requirements in Exhibit C of the stipulated agreement and communicate with the parties about needed improvements. Likely team members are S. Kean, M. McVay, A. Ritter, E. Boe.
- ⑤ IDWR should consider ~~how~~ how the state's well can be used to supply water to the City (i.e. water right changes) and communicate thought.

City of Boise Geothermal Heating System

Water Right Permit 63-34326

Heating Degree Day Calculations

RECEIVED

MAR 10 2020

DEPARTMENT OF
WATER RESOURCES

	2018	2019 (City Calculated Volume)	2019 (IDWR Calculated Volume)
Actual Production Volume	312.5 MG	263.9 MG	276.4 MG
Recorded Heating Degree Days	5063	5184	5184
Average Heating Degree Days	5297	5297	5297
Adjusted Production Volume	326.9 MG	269.7 MG	282.4 MG

- City Calculated Volume (263.9 MG):
 - Two Year Average = 288.2 MG
 - Two Year Average (HDD Adjusted) = 298.3 MG

- IDWR Calculated Volume (276.4 MG):
 - Two Year Average = 294.5 MG
 - Two Year Average (HDD Adjusted) = 304.7 MG

SCANNED

MAR 19 2020

3-10-2019 Boise City et al gettman Meeting

NAME

ORGANIZATION

Bob Maynard

Perkins Coie LLP

GARECK BAXTER

IDWR

JON GUNNERTSON

CITY OF BOISE

Alley Germaine

City of Boise

Ashley Ritter

IDWR

Erik Boe

IDWR

Charlie Haggins

The Terteling Co.

Bruce Smith

BUSBY

Robin Lee-Burson

City of Boise

John Roldan

City of Boise

LYNDON NGUYEN

BOISE WARM SPRINGS WATER DISTRICT

Mike Milby

IDWR

Shelley Keen

IDWR

Julie Weaver

OAG - Dept. of Admin.

DANA HOFSTETTER

EDWARDS

Will Fletcher

EDWARDS

BY
PHONE

SCANNED

MAR 19 2020

UPDATED DRAFT AGENDA

Meeting - City of Boise Geothermal Water Right Permit 63-34326; License 63-9139

March 10, 2020 @ 9:00 a.m.

IDWR Room 602 B

1. Introductions
2. Permit 63-34326, 2017 Stipulated Agreement annual meeting:
 - a. Stipulated Agreement Section II.C.4 to II.C.6 review and criteria
 - b. Review Boise Low Temperature Geothermal Monitoring Data for Water Year 2018 (IDWR WY 2019 Reports, 2-15-2020)
 - 1) Discuss Monitoring Plan and compliance going forward
 - 2) Discuss City of Boise-State and City of Boise-BWSWD interconnections
 - c. Review WY 2018 and WY 2019 actual production and as adjusted for heating degree days (City 2-13-2020 report)
 - d. Projected production/demand, WY 2020 and beyond (City)
 - e. Production limit review; City request for increase to 370 million gallons per year starting WY 2021
3. 63-9139 license annual meeting
 - a. Any discussion items not covered under #2 above
4. Wrap up discussion

SCANNED
MAR 19 2020



PUBLIC WORKS DEPARTMENT

MAYOR: Lauren McLean | DIRECTOR: Stephan Burgos

February 13, 2020

Gary Spackman, Director
Idaho Department of Water Resources
322 E Front Street
Boise, ID 83702

Idaho Department of Water Resources
Chief, Water Allocation Bureau
c/o Shelley Keen
322 E Front Street
Boise, ID 83702

Boise Warm Springs Water District
c/o Lyndon Nguyen
600 E. Warm Springs Ave.
Boise, ID 83712

State of Idaho Department of Administration
c/o Julie Weaver
Deputy Attorney General
Office of the Attorney General
Contracts & Administrative Law Div
954 W. Jefferson St.
PO Box 83720
Boise, ID 83720-0010

Edwards Family LLC
c/o Dana Hofstetter
Hawley Troxell
877 West Main Street
Suite 1000
Boise, ID 83702

Mike McVay
Idaho Department of Water Resources
322 E Front Street
Boise, ID 83720

Garrick Baxter
Legal
Idaho Department of Water Resources
322 E Front Street
Boise, ID 83720

The Terteling Co Inc
c/o Charles L. Honsinger
Honsinger Law, PLLC
PO Box 517
Boise, ID 83701

State of Idaho, Department of Lands
c/o Angela Kaufmann
Deputy Attorney General
Natural Resources Division
Office of the Attorney General
PO Box 83720
Boise, ID 83720

Robert A. Maynard
Perkins Coie LLP
1111 W Jefferson St., Ste 500
Boise, ID 83702

SCANNED

MAR 19 2020

RE: City of Boise Geothermal Heating System; Stipulated Agreement for Water Right Permit 63-34326; City's Yearly Report

In an October 16, 2017 Order, the Idaho Department of Water Resources ("IDWR") accepted the Stipulated Agreement regarding the City of Boise application for Water Right Permit 63-34326 signed by each of the Parties in the above referenced matters ("2017 Agreement"), and in an October 24, 2017 Permit Approval Notice, issued Permit 63-34326. Section II.C.3 of the Agreement provides for the City, each calendar year on or before February 15, to provide a report to IDWR and the other Parties summarizing the actual City production and injection volumes from its geothermal heating system wells for the prior two water years. This letter provides you that report for 2019, as follows:

The City geothermal production and injection for the last two years, as recorded on well meters, were:

Water Year	Production (mmg)	Injection (mmg)
2018	312.5	297.1
2019	263.9*	262.3*

("mmg" = million gallons)

*The production and injection volumes were calculated from the City's meter readings as the IDWR Annual Report has not been received to date.

Section II.C.3 of the 2017 Agreement provide for IDWR each calendar year on or before February 15 to provide a report to the Parties summarizing geothermal monitoring data for the prior water year as described in the Agreement. This is the same or similar report that IDWR has prepared and provided the Parties annually for the past several years. The report had not been received as of February 13, 2020.

Section II.C.4 of the 2017 Agreement provides, as a next step, for the Parties to meet with IDWR each calendar year prior to March 30 to review the City and IDWR reports referenced above, and review whether the City meets the criteria described in Section II.C.5 of the 2017 Agreement for a further increase in the City geothermal well production limit.

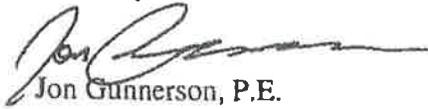
In a December 5, 2017 Interlocutory Order, pursuant to the 2017 Agreement, IDWR authorized an increase in the production limit for the City geothermal heating system under Permit 63-34326 in conjunction with Permits 63-9138 (relinquished in 2018) and 63-9139 (replaced in 2018 by License 63-9139) to 325 million gallons per water year (mmg/yr), commencing in Water Year 2018, subject to the condition that the City is not authorized to actually produce at a level of 325 mmg/yr or more until such time as the City has actually produced at a level of at least 310 mmg/yr in a prior single water year. The City did not request a further increase in the system production limit for Water Year 2019, but in calendar year 2019 requested an increase pursuant to the 2017 Agreement to 355 million gallons per water year commencing in Water Year 2020, which IDWR authorized in a May 3, 2019 Interlocutory Order. (In a June 6, 2019 Order, IDWR denied the petition for reconsideration of the May 3, 2019 Order submitted by Edwards Family LLC.) We calculate that per Section II.C.5 of the 2017 Agreement, the City's production limit would increase to 370 mmg/yr commencing in Water Year 2021. If the Water Years 2018 and 2019 production numbers shown above are adjusted for average heating degree days (HDDs), the production numbers yield a two-year adjusted average of 298.3 mmg/year, meeting the threshold in Section II.C.5 for an increase in the production limit to 370 mmg/year under Section II.C.6 of the 2017 Agreement.

Accordingly, the City is requesting that IDWR and the other Parties consider at the upcoming meeting that the production limit be increased to 370 mmg/yr commencing in Water Year 2021. We of course do anticipate discussing the 2019 IDWR report and other items of interest to IDWR and the Parties regarding the City geothermal heating system and the Boise Front geothermal aquifer system. If the

City has any additional information for IDWR and the other Parties to consider, we plan to provide it to you prior to or at the meeting.

If you have any questions, please contact me by phone at (208) 608-7150 or email jgunnerson@cityofboise.org, or our counsel for this matter, Bob Maynard, Perkins Coie LLP at (208)343-3434 or rmaynard@perkinscoie.com.

Sincerely,



Jon Gunnerson, P.E.
Geothermal Coordinator

cc: Boise Warm Springs Water District, 2440 Old Penitentiary Road, Boise, ID 83712
Edwards Greenhouse, Garnette Edwards, 4106 W Sand Creek St, Boise, ID 83703
Idaho Dept of Administration, Div Public Works, Ric Johnston, Fac Svcs Mgr, PO Box 83720, Boise, ID 83720
The Terteling Co Inc, 4988 Peaceful Cove, Boise, ID 83714
Jim Pardy – City of Boise, City Engineer
Steve Burgas, City of Boise, Public Works Director
John Roldan, City of Boise, Strategic Water Resources Manager
Abigail Germaine, City of Boise, Attorney
SF GEO 100

I:\PWASubjects\Geothermal\IDWR\IDWR Petition\2020 Pumping Increase Notification.doc

SCANNED
MAR 19 2020