



AGENDA

IDAHO WATER RESOURCE BOARD

Board Meeting No. 10-26

Friday, September 18, 2026

Executive Session begins at 8:00 a.m. (MT) / 7:00 a.m. (PT)

Open Meeting begins at the conclusion of the Executive Session

Water Center

Conference Rooms 602 B – D

322 E. Front Street

BOISE

Livestream available at <https://www.youtube.com/@iwrp>

Brad Little
Governor

Jeff Raybould
Chairman
St. Anthony
At Large

Jo Ann Cole-Hansen
Vice Chair
Lewiston
At Large

Dean Stevenson
Secretary
Paul
District 3

Dale Van Stone
Hope
District 1

Albert Barker
Boise
District 2

Brian Olmstead
Twin Falls
At Large

Marcus Gibbs
Grace
District 4

Patrick McMahon
Sun Valley
At Large

1. Roll Call
2. Executive Session: Board will meet pursuant to Idaho Code § 74-206(1) subsection (f) to communicate with legal counsel regarding legal ramifications of and legal options for pending litigation or controversies not yet being litigated but imminently likely to be litigated. Topic: Water Right Application No. 63-34753 - Closed to the public.
3. Agenda and Approval of Minutes: 8-26 and 9-26 *
4. Public Comment
5. Financial Report
6. Fiscal Year 27 Water Management Account Amended Spending Plan *
7. Fiscal Year 27 Secondary Aquifer Planning and Management Fund Budget Amendment *
8. Upper Salmon Water Transactions: *
 - A. Iron Creek Water
 - B. Valley Creek SNRA Busterback Water Supply Bank Rental
 - C. Pahsimeroi River Water Supply Bank Lease/Rental
9. Measuring and Monitoring Grant Awards *
10. ESPA Groundwater to Surface Water Conversion Grant Awards *
11. Aging Infrastructure Grant Awards *
12. Idaho Water Resource Board Loan Applications: *
 - A. Kuna East Water Corporation Loan
 - B. Dalton Gardens Irrigation District Loan
13. Cloud Seeding Program Authorization and Reporting Criteria *
14. House Concurrent Resolution No. 34 - Bear River Legislative Report *
15. Administrative Rules Update *
16. Directors Report
17. Non-Action Items for Discussion
18. Next Meeting and Adjourn

* Action Item: A vote regarding this item may be made at this meeting. Identifying an item as an action item on the agenda does not require a vote to be taken on the item. **Americans with Disabilities:** If you require special accommodations to attend, participate in, or understand the meeting, please make advance arrangements by contacting Department staff by email mlin.ream@idwr.idaho.gov or by phone at (208) 287-4800.

MEMO



To: Idaho Water Resource Board (Board)
From: Planning & Projects Bureau Staff
Date: September 14, 2026
Subject: Executive Session

REQUESTED ACTION: Board will move to Executive Session to Meet Pursuant to Idaho Code § 74-206(1) subsection (f) to communicate with legal counsel regarding legal ramifications of and legal options for pending litigation or controversies not yet being litigated but imminently likely to be litigated. Topic: Water Right No. 63-34753. Closed to the public.

MEMO



To: Idaho Water Resource Board (IWRB/Board)
From: Planning & Projects Bureau Staff
Date: September 11, 2026
Subject: Agenda and Approval of Minutes: 8-26 and 9-26

REQUESTED ACTION: Approve the September 18, 2026, Agenda and IWRB Minutes, as Presented

The draft minutes, as identified below, are attached for the Board's review and approval.

Attachments:

- *Minutes from Board Meeting No. 8-26*
- *Minutes from Special Board Meeting No. 9-26*



IDAHO WATER RESOURCE BOARD

DRAFT - MINUTES **MEETING NO. 8-26**

Springhill Suites
Teton Room
1177 S. Yellowstone Hwy.
REXBURG, ID 83440

August 6, 2026
WORK SESSION

Brad Little
Governor

Jeff Raybould
Chairman
St. Anthony
At Large

Jo Ann Cole-Hansen
Vice Chair
Lewiston
At Large

Dean Stevenson
Secretary
Paul
District 3

Dale Van Stone
Hope
District 1

Albert Barker
Boise
District 2

Brian Olmstead
Twin Falls
At Large

Marcus Gibbs
Grace
District 4

Patrick McMahon
Sun Valley
At Large

At 8:30 AM (MT) Chairman Raybould called the meeting to order in Rexburg Idaho and on Zoom.

Agenda Item No. 1: Roll Call

Board Members Present:

Jeff Raybould, Chairman
Jo Ann Cole-Hansen, Vice Chairman
Marcus Gibbs
Patrick McMahon
Brian Olmstead
Dale Van Stone
Dean Stevenson, Secretary

IDWR Staff Members Present:

Mathew Weaver, Director
Brian Patton, Deputy Director and IWRB Executive Manager
Cynthia Bridge Clark
Wesley Hipke
James Cefalo
Mary Condon
Cooper Fritz
Milin Ream
Nick Miller, Online
Justin Ferguson, Online
Amy Cassel, Online
Benjamin Camp, Online
Mike Morrison, Online
Jake Vermas, Online

Others Present:

George Hitz, Idaho Soil and Water Conservation Commission
Brian Murdoc, Murdock Farms
John Williams, Bonneville Power Authority
Steve Stuebner

Michael Fuss, Stantec

Tammy Scardino, Idaho PBS
Sean Jordan, Hummingbird Engineering
Will Stubblefield, Friends of the Teton Range
Mike Hilliard, United States Bureau of Reclamation
Ryan Alcorn, United States Bureau of Reclamation
Jace Pulson, Bonneville-Jefferson Groundwater District
Rebekah Triolo, United States Bureau of Reclamation, Online
Kennan Arnold, United States Bureau of Reclamation, Online
Chris Regilsker, United States Bureau of Reclamation, Online

Agenda Item No. 2: Idaho Soil and Water Conservation Commission Agency Overview

George Hitz Idaho Soil and Water Conservation Commission (SWCC) Operations Manager/Deputy District Director provided a detailed PowerPoint presentation on the history and operations of the SWCC.

Agenda Item No. 3: Upper Snake River Basin Study Update

Joining the Work Session via Zoom, IDWR Project Manager Amy Cassel provided a brief introduction to the item and reviewed the project timeline and key events. Ms. Cassel then introduced Rebekah Triolo, Project Manager with the United States Bureau of Reclamation, who joined via Zoom and reviewed a PowerPoint presentation on the status of the Snake River Basin Study process and anticipated next steps.

With no further review or questions, Chairman Raybould moved to the next order of business.

Agenda Item No. 4: U.S. Bureau of Reclamation Teton Dam Presentation

Joining the meeting via Zoom, Kennan Arnold and Chris Regilsker with the U.S. Bureau of Reclamation (BOR) provided the Board with an in-depth review of the history and events surrounding the Teton Dam. Their presentation included an overview of the dam's planning, design, construction, and operation, as well as the events leading up to the June 5, 1976, failure of the dam. They discussed the circumstances surrounding the failure, the resulting impacts to downstream communities and infrastructure, and the lessons learned from the disaster that have influenced dam safety practices and the design, construction, and operation of dams and water infrastructure.

Following the presentation and discussion, Chairman Raybould moved to the next Agenda item.

Agenda Item No. 5: U.S. Bureau of Reclamation's Planning Program

Ryan Alcorn with the U.S Bureau of Reclamation provided an overview of its Planning Program, including the process and considerations associated with rebuilding Teton Dam, Basin Study elements and the overall study process, and the Planning Roadmap. The presentation also included a discussion of the differences between a Basin Study and an Appraisal Study.

Following review, Chairman Raybould continued to the next order of business.

Agenda Item No. 6: Anderson Ranch Dam Raise Project Update

Mike Hilliard, with the Bureau of Reclamation, provided the Board with an informational update on the status of the Anderson Ranch Dam Raise Project. He provided a brief overview of the project's status, progress to date, key project milestones, and anticipated dates and activities moving forward.

Following a brief question and answer period, Chairman Raybould moved to Agenda Item No. 7.

Agenda Item No. 7: House Concurrent Resolution No. 34 – Bear River Legislative Draft Report

By way of Zoom, IDWR Engineering Supervisor Mike Morrison provided a series of slides outlining staff's efforts in preparing the second legislative report due by September 30, 2026. Mr. Morrison reported that this second report builds upon the findings of the initial one, and provides additional analysis and refined recommendations, for prioritized projects for further development of Idaho's compact allocation. Mr. Morrison reported that the final draft report would be presented to the Board for their review and comments prior to submission.

After discussion of the item, Chairman Raybould proceeded to the next Agenda item.

Agenda Item No. 8: Schedule for Water District Creation in Priority Areas

IDWR Western Regional Manager Nick Miller provided the Board with an in-depth review of water district creation, including current priorities, the process and considerations involved in establishing water districts, and the challenges associated with the process. Mr. Miller also discussed potential options and opportunities for IDWR to improve and streamline the water district creation process.

Mr. Miller's PowerPoint presentation further addressed how IDWR prioritizes areas based on identified needs and available resources, as well as the Department's current priorities. He also discussed the need for creating water districts, the process and considerations involved in establishing a district, and the associated timelines and challenges.

Upon completion of the discussion, Chairman Raybould thanked staff for the review.

Agenda Item No. 9: IDWR Eastern Regional Manager Update

James Cefalo, Eastern Regional Manager with IDWR, provided a regional update highlighting activities and issues within the Eastern Region. His PowerPoint presentation included an overview of the Eastern Regional Office, summer water curtailment activities from 2023 through 2026, changes in drought conditions and related drought declarations, the creation and development of water districts in the Eastern Region, and an update on the Bear River Basin adjudication.

Following a brief question and answer period, Chairman Raybould moved to Adjournment.

Agenda Item No. 10: Adjourn

With no further business to come before the Board, Chairman Raybould adjourned the meeting at 12:25 PM.

The Board broke for lunch at noon. Following lunch, the group departed for a field trip to Teton Dam at 1:15 PM.

Respectfully submitted this 18th Day of September 2026.

Dean Stevenson, *Secretary*

Milin J. Ream, *Administrative Assistant II*

DRAFT



IDAHO WATER RESOURCE BOARD

DRAFT - MINUTES **MEETING NO. 8-26**

Brad Little
Governor

Springhill Suites
Teton Room
1177 S. Yellowstone Hwy.
Rexburg, ID 83440

Jeff Raybould
Chairman
St. Anthony
At Large

August 7, 2026
Board Meeting No. 8-26

Jo Ann Cole-Hansen
Vice Chair
Lewiston
At Large

At 08:00 AM (MT) Chairman Raybould called the meeting to order in Rexburg Idaho and on Zoom. The meeting was live streamed on the Board's YouTube Channel after the executive session.

Dean Stevenson
Secretary
Paul
District 3

Agenda Item No. 1: Roll Call

Board Members Present

Jeff Raybould, Chairman
Jo Ann Cole-Hansen, Vice Chairman
Albert Barker
Marcus Gibbs
Patrick McMahon
Brian Olmstead
Dale Van Stone
Dean Stevenson, Secretary

Dale Van Stone
Hope
District 1

Albert Barker
Boise
District 2

IDWR Staff Members Present

Mathew Weaver, Director
Brian Patton, IWRB Executive Manager/IDWR Deputy Director
Cynthia Bridge Clark
Wesley Hipke
Mary Condon
Cooper Fritz
Milin Ream
Matt Anders, Online
Justin Ferguson, Online
Mike Morrison, Online
Neeley Miller, Online

Brian Olmstead
Twin Falls
At Large

Marcus Gibbs
Grace
District 4

Others Present:

Ann Yribar, AG's Office, Online
George Hitz, Idaho Soil and Water Conservation Commission
Brian Murdock, Murdock Farms
John Williams, Bonneville Power Authority
Michael Fuss, Stantec
Steve Stuebner

Patrick McMahon
Sun Valley
At Large

Agenda Item No. 2: Executive Session

At 8:03 AM, Mr. Stevenson moved to resolve into executive session pursuant to Idaho Code § 74-206(1) subsection (f) to communicate with legal counsel regarding legal ramifications of and legal options for pending litigation or controversies not yet being litigated but imminently likely to be litigated. Topic: Water Right Application No. 63-34753. Ms. Cole-Hansen seconded. **Roll call vote**: Mr. Barker, aye; Ms. Cole-Hansen, aye; Mr. Gibbs, aye; Mr. McMahon, aye; Mr. Olmstead, aye; Mr. Stevenson, aye; Mr. Van Stone, aye; and Chairman Raybould, aye. 8 ayes. The motion passed.

Mr. Stevenson moved to resolve out of executive session at 9:35 AM. Ms. Cole-Hansen seconded. **Voice vote**: All in favor. The motion carried. The executive session was closed to the public, and no action was taken during the executive session.

Agenda Item No. 3: Agenda and Approval of Minutes No. 6-26 and 7-26

The agenda and minutes for Meeting Nos. 6-26 and 7-26 were presented for approval.

Mr. McMahon moved to approve the agenda for Meeting No. 8-26 and the minutes for Meeting Nos. 6-26 and 7-26. Mr. Gibbs seconded. **Voice Vote**. all ayes. The motion passed.

Agenda Item No. 4: Public Comment

At this time, Chairman Raybould called for anyone wishing to address the Board during public comment.

Brian Murdock of Murdock Farms provided comments to the Board as well as Mr. John Williams with Bonneville Power Authority (BPA), who provided an informational update related to BPA news and operations.

Agenda Item No. 5: Financial Report

IDWR Senior Planner Neeley Miller, via Zoom, provided the Board's financial report. The accounts as of June 30, 2026, were: Secondary Aquifer Fund: cash balance \$42,759,386, committed \$37,237,360, and uncommitted balance \$5,522,026; Revolving Development Account: cash balance \$35,795,203, committed balance \$30,244,945, loan principal outstanding and other obligations \$27,097,386, and uncommitted balance \$5,550,258; and Water Management Account: cash balance \$324,916,058, total obligated funds \$326,765,036, and unobligated funds \$(1,848,978). Total obligated \$250,000,000; total expended \$201,595,928; and total remaining committed balance \$48,404,072.

Agenda Item No.6: Idaho Water Resource Board Facility Maintenance Fund

IWRB Executive Manager, Brian Patton advised that the item and resolution were presented, reviewed, and discussed by the IWRB Finance Committee on July 23, 2026, with a due-pass recommendation for the Board's consideration.

IDWR Engineering Supervisor Mike Morrison reviewed the resolution with the Board and upon conclusion of discussion, Chairman Raybould entertained a motion.

Mr. Gibbs moved to approve the resolution Adopting a Consolidated Facilities Maintenance Fund and Budgeting Process for Board-Owned Facilities in the Matter of Funding for Operations and Maintenance. Ms. Cole-Hansen seconded. **Roll Call Vote**. Mr. Barker, aye; Ms. Cole-Hansen, aye; Mr. Gibbs, aye; Mr. McMahon, aye; Mr. Olmstead, aye; Mr. Stevenson, aye; Mr. Van Stone, aye; and Chairman Raybould, aye. 8 ayes. The motion passed.

Agenda Item No. 7: Fiscal Year 27 ARPA Spending Plan

IWRB Executive Manager, Brian Patton advised that the item and resolution were presented, reviewed, and discussed on July 23, 2026, by the IWRB Finance Committee with a due-pass recommendation for the Board's consideration.

At this time, IDWR Project Manager Supervisor Mary Condon reviewed the resolution with the Board and addressed any questions.

Mr. Cole-Hansen moved to adopt the resolution to Modify the Idaho Water Resource Board's ARPA Funding Spending Plan and Provide Spending Authorization in the Matter of the IWRB American Rescue Plan Act Funding Spending Plan. Mr. McMahon seconded. **Roll Call Vote**. Mr. Barker, aye; Ms. Cole-Hansen, aye; Mr. Gibbs, aye; Mr. McMahon, aye; Mr. Olmstead, aye; Mr. Stevenson, aye; Mr. Van Stone, aye; and Chairman Raybould, aye. 8 ayes. The motion passed.

Agenda Item No. 8: Cloud Seeding

A. Bear River Basin Year 2 Pilot Project Proposal (2026/2027)

IWRB Executive Manager, Brian Patton advised that the item and resolution were presented, reviewed, and discussed on August 5, 2026, by the IWRB Cloud Seeding Committee with a due-pass recommendation for the Board's consideration.

At this time, IDWR staff and Cloud Seeding Program personnel Caitlyn Swanson provided an overview of the Year 2 Pilot Project Proposal and presented the revised resolution incorporating the caveat language recommended by the Cloud Seeding Committee.

Mr. McMahon moved to adopt the resolution Authorizing the Expenditure of Funds for the Year 2 Collaborative Inter-State Bear River Basin Cloud Seeding Pilot Project in the Matter of Cloud Seeding in the State of Idaho, as presented. Mr. Barker seconded. **Roll Call Vote**. Mr. Barker, aye; Ms. Cole-Hansen, aye; Mr. Gibbs, aye; Mr. McMahon, aye; Mr. Olmstead, nay; Mr. Stevenson, aye; Mr. Van Stone, aye; and Chairman Raybould, aye. 7 ayes and 1 nay. The motion passed.

B. 2026-2027 Season Upper Snake Cloud Seeding Budget

IWRB Executive Manager, Brian Patton advised that the item and resolution were presented, reviewed, and discussed on August 5, 2026, by the IWRB Cloud Seeding Committee with a due-pass recommendation for the Board's consideration.

Mr. Gibbs moved to adopt the resolution to Approve Funds to Support Cloud Seeding in the USB in the Matter of Cloud Seeding in the State of Idaho. Mr. Olmstead seconded. **Roll Call Vote**. Mr. Barker, aye; Ms. Cole-Hansen, aye; Mr. Gibbs, aye; Mr. McMahon, aye; Mr. Olmstead, aye; Mr. Stevenson, aye; Mr. Van Stone, aye; and Chairman Raybould, aye. 8 ayes. The motion passed.

Agenda Item No. 9: Eastern Snake Plain Aquifer Recharge Program Infrastructure

IWRB Executive Manager, Brian Patton advised that the item and resolutions were presented, reviewed, and discussed on July 23, 2026, by the IWRB Aquifer Stabilization Committee with a due-pass recommendation for the Board's consideration.

At this time, IDWR Water Right Agent Cooper Fritz briefly reviewed the resolution(s) presented for the Board's consideration.

Mr. Stevenson moved to adopt the resolution to Approve Funds from the Water Management Account and Provide Signatory Authority in the Matter of the Snake River Valley Irrigation District Sugar Factory Basin Recharge Project and a Resolution to Approve Funds from the Secondary Aquifer Planning, Management, and Implementation Fund and Provide Signatory Authority in the Matter of the Bingham Groundwater District Weggland Ditch Recharge Basin Project. Mr. McMahon seconded. **Roll Call Vote.** Mr. Barker, aye; Ms. Cole-Hansen, aye; Mr. Gibbs, aye; Mr. McMahon, aye; Mr. Olmstead, aye; Mr. Stevenson, aye; Mr. Van Stone, aye; and Chairman Raybould, aye. 8 ayes. The motion passed.

Agenda Item No. 10: Flood Management Grant Awards

IWRB Executive Manager, Brian Patton advised that the item and resolution were presented, reviewed, and discussed by the IWRB Finance Committee on July 23, 2026, with a due-pass recommendation for the Board's consideration.

At this time, IDWR Senior Planner Neeley Miller reviewed a revised Attachment A to the Resolution presented for the Board's consideration.

Mr. Gibbs moved to adopt the resolution to Award Funds in the Matter of Flood Management Grants, as presented. Ms. Cole-Hansen seconded. **Roll Call Vote:** Mr. Barker, aye; Ms. Cole-Hansen, aye; Mr. Gibbs, aye; Mr. McMahon, aye; Mr. Olmstead, aye; Mr. Stevenson, aye; Mr. Van Stone, aye; and Chairman Raybould, aye. 8 ayes. The motion passed.

Agenda Item No. 11: Regional Water Sustainability Projects Priority List Requests

IWRB Executive Manager, Brian Patton advised that this item was presented, reviewed, and discussed in detail on July 23, 2026, by the IWRB Finance Committee with a due-pass recommendation for the Board's consideration.

Addressing the Board, IDWR Project Manager Supervisor Mary Condon summarized staff's recommendations.

Following Board discussion clarifying staff's requested action and recommendation, Chairman Raybould entertained a motion.

Mr. Gibbs moved to support the Finance Committee's recommendation for the following:

- A. Recommendation to **NOT** add Niagara Springs to the RWSP List.
- B. Recommendation to **NOT** add the Little Wood River ID to the RWSP List
- C. Recommendation to Table the review of the Big Wood Canal Company Project, pending additional information and research from the applicant. Mr. Mc Mahon seconded. **Voice Vote.** all ayes. The motion passed.

Agenda Item No. 12: Director's Report

IDWR Director Mathew Weaver provided the Board with an informative update on IDWR business including curtailments, department operations, related legislative matters, budgets, water supply bank updates, and administration priorities.

Agenda Item No. 13: Non-Action Items for Discussion

There were no items for discussion.

Agenda Item No. 14: Next Meeting and Adjourn

IWRB Executive Manager Brian Patton advised that the next meeting is an Aquifer Stabilization Committee scheduled for August 26 and the next regularly scheduled Board meeting will be September 17-18 in Boise. Mr. Stevenson moved to adjourn. Mr. Van Stone seconded. **Voice vote**: 8 ayes. Motion carried. Meeting adjourned at 11:40 AM.

Respectfully submitted this 18th day of September 2026.

Dean Stevenson, *Secretary*

Milin J. Ream, *Administrative Assistant II*



IDAHO WATER RESOURCE BOARD

MINUTES MEETING NO. 9-26

Brad Little
Governor

Jeff Raybould
Chairman
St. Anthony
At Large

Jo Ann Cole-Hansen
Vice Chair
Lewiston
At Large

Dean Stevenson
Secretary
Paul
District 3

Dale Van Stone
Hope
District 1

Albert Barker
Boise
District 2

Brian Olmstead
Twin Falls
At Large

Marcus Gibbs
Grace
District 4

Patrick McMahon
Sun Valley
At Large

Water Center
Conference Rooms 648A
322 E. Front Street
BOISE

August 31, 2026
Board Meeting No. 9-26

At 1:00 PM (MT) Chairman Raybould called the meeting to order in Boise, Idaho and on Zoom.

Agenda Item No. 1: Roll Call

Board Members Present

Jeff Raybould, Chairman, Online
Jo Ann Cole-Hansen, Vice Chairman, Online
Marcus Gibbs, Online
Patrick McMahon, Online
Brian Olmstead, Online
Dean Stevenson, Secretary, Online
Dale Van Stone, Online (Logged into meeting at 1.22 PM)

Staff Members Present

Brian Patton
Cynthia Bridge Clark
Garrett Hensley, Attorney General's Office
Garrick Baxter, Attorney General's Office
Ann Yirbar, Attorney General's Office, *Online*
Joy Vega, Attorney General's Office, *Online*
Michael Orr, Attorney General's Office, Online
Robert Follett, Attorney General's Office, *Online*
Mike Morrison, Online
Justin Ferguson
Milin Ream

Agenda Item No. 2: Executive Session

At 1:03 PM, Mr. Stevenson moved to resolve into executive session pursuant to Idaho Code 74-206(1) subsection (f) to communicate with legal counsel regarding legal ramifications of and legal options for pending litigation or controversies not yet being litigated but imminently likely to be litigated.

Mr. McMahon seconded. **Roll call vote**: Ms. Cole-Hansen, aye; Mr. Gibbs, aye; Mr. McMahon, aye; Mr. Olmstead, aye; Mr. Stevenson, aye; and Chairman Raybould, aye. 6 ayes. The motion passed.

At 1:22 PM Mr. Van Stone joined the Board Executive Session online.

Mr. Stevenson moved to resolve out of executive session at 1:57 PM. Mr. Gibbs seconded. **Voice vote**: 7 ayes. The motion carried. The executive session was closed to the public, and no action was taken during the executive session.

Agenda Item No. 3: Mountain Home Air Force Base Water Resilience Project

Following the executive session, no Board discussion or action was taken regarding Agenda Item No. 3.

Agenda Item No. 4: Adjourn

With no other business to come before the Board for discussion, Mr. Gibbs moved to adjourn. Mr. Stevenson seconded. **Voice vote**: 7 ayes. Motion carried. Meeting adjourned at 1:58 PM.

Respectfully submitted this 18th day of September 2026.

Dean Stevenson, *Secretary*

Milin J. Ream, *Administrative Assistant II*

MEMO



To: Idaho Water Resource Board
From: Mary Condon, IDWR Project Manager Supervisor
Date: September 11, 2026
Subject: Financial Status Report FY2026

INFORMATIONAL ITEM

As of June 30, 2026, the IWRB's available and committed balances are as follows:

	CURRENT FY2026	PRIOR FY2025
12901 - Secondary Aquifer Planning, Management & Implementation Fund:		
	<u>June 30, 2026</u>	<u>June 30, 2025</u>
Cash Balance	\$42,759,386	\$38,775,764
Committed	\$37,237,360	\$29,249,559
Uncommitted/Available Funds	\$5,522,026	\$9,526,204
 <u>Revenue</u>	 <u>FY2026</u>	 <u>FY2025</u>
Interest Earned	\$1,554,429	\$1,602,814
State Recharge & Aquifer Stabilization	\$5,000,000	\$5,000,000
Water Sustainability	\$5,000,000	\$5,000,000
Repayment Cloud Seeding	\$435,800	\$182,140
 49001 - Revolving Development Account:		
	<u>June 30, 2026</u>	<u>June 30, 2025</u>
Cash Balance	\$35,795,203	\$37,669,386
Committed Balance	\$30,244,945	\$26,341,564
Uncommitted Balance/Available Funds	\$5,550,258	\$11,327,822
 Loan principal outstanding	 \$27,097,386	 \$21,049,378
 <u>Revenue</u>	 <u>FY2026</u>	 <u>FY2025</u>
Interest Earned*	\$2,209,257	\$2,165,858
Power Sales - Dworshak	\$1,529,438	\$1,075,094
Rental Pool Admin Fee	\$1,013,573	\$1,025,612
Loan Repayments	\$3,138,567	\$3,305,831
 49002 - Water Management Account:		
	<u>June 30, 2026</u>	<u>June 30, 2025</u>
Cash Balance	\$324,916,058	\$319,670,663
Total Committed Funds	\$326,765,036	\$302,101,113
Uncommitted Funds/Available Funds	(\$1,848,978)	\$17,569,550
 Loan principal outstanding	 \$34,733,978	 \$20,565,699

<u>Revenue</u>	<u>FY2026</u>	<u>FY2025</u>
Interest Earned*	\$13,000,971	\$13,563,607
Water Projects	\$30,000,000	\$30,000,000
Flood Management	\$1,000,000	\$1,000,000
Misc Revenue	\$4,350,000	\$ -
Loan Repayments	\$ -	\$346,074

**Includes loan repayment interest received*

34430 - ARPA:

<u>Appropriations</u>	
Received per HB 769 (2022)	\$100,000,000
Received per SB 1181 (2023)	\$24,497,544
Received per SB 1411 (2024)	\$75,502,456
<u>Received per HB 248 (2025)</u>	<u>\$50,000,000</u>
Total	\$250,000,000
 Total Obligated	 \$250,000,000**
Expended	\$204,751,092
Remaining Committed Balance	\$45,248,908

***These projects have been authorized so that WMA or ARPA funds can be used for payment. Total ARPA cannot exceed \$250M.*

Attachment(s):

- None

MEMO



To: Idaho Water Resource Board
From: Mary Condon, IDWR Project Manager Supervisor
Date: September 11, 2026
Subject: Financial Status Report FY2027

INFORMATIONAL ITEM

As of July 31, 2026, the IWRB's available and committed balances are as follows:

	CURRENT FY2027	PRIOR FY2026
12901 - Secondary Aquifer Planning, Management & Implementation Fund:		
	<u>July 31, 2026</u>	<u>June 30, 2026</u>
Cash Balance	\$47,526,177	\$42,759,386
Committed	\$42,643,373	\$37,237,360
Uncommitted/Available Funds	\$4,882,804	\$5,522,026
<u>Revenue</u>	<u>FY2027</u>	<u>FY2026</u>
Interest Earned	\$133,271	\$1,554,429
HB 547 – State Recharge & Aquifer Stabilization	\$ -	\$5,000,000
HB 248 – Water Sustainability	\$5,000,000	\$5,000,000
Repayment Cloud Seeding	\$ -	\$435,800
49001 - Revolving Development Account:		
	<u>July 31, 2026</u>	<u>June 30, 2026</u>
Cash Balance	\$35,395,635	\$35,795,203
Committed Balance	\$28,780,486	\$30,244,945
Uncommitted Balance/Available Funds	\$6,615,149	\$5,550,258
Loan principal outstanding	\$27,037,295	\$27,097,386
<u>Revenue</u>	<u>FY2027</u>	<u>FY2026</u>
Interest Earned*	\$127,808	\$2,209,257
Power Sales	\$166,168	\$1,529,438
Rental Pool Admin Fee	\$ -	\$1,013,573
Loan Repayments	\$4,655	\$3,138,567
49002 - Water Management Account:		
	<u>July 31, 2026</u>	<u>June 30, 2026</u>
Cash Balance	\$356,246,465	\$324,916,058
Total Committed Funds	\$352,402,817	\$326,765,036
Uncommitted Funds/Available Funds	\$3,843,648	(\$1,848,978)
Loan principal outstanding	\$34,733,978	\$34,733,978

<u>Revenue</u>	<u>FY2027</u>	<u>FY2026</u>
Interest Earned*	\$1,032,626	\$13,000,971
Water Projects	\$30,000,000	\$30,000,000
Flood Management	\$1,000,000	\$1,000,000
Misc Revenue	\$ -	\$4,350,000
Loan Repayments	\$ -	\$ -

**Includes loan repayment interest received*

34430 - ARPA:

<u>Appropriations</u>	
Received per HB 769 (2022)	\$100,000,000
Received per SB 1181 (2023)	\$24,497,544
Received per SB 1411 (2024)	\$75,502,456
<u>Received per HB 248 (2025)</u>	<u>\$50,000,000</u>
Total	\$250,000,000
 Total Obligated	 \$250,000,000**
Expended	\$201,595,928
Remaining Committed Balance	\$48,404,072

***These projects have been authorized so that WMA or ARPA funds can be used for payment. Total ARPA cannot exceed \$250M.*

Attachment(s):

- None

MEMO



To: Idaho Water Resource Board
From: Mary Condon, Project Manager Supervisor
Date: September 11, 2026
Subject: Amend Fiscal Year (FY) 2027 Water Management Account Spending Plan

REQUESTED ACTION: Consider Resolution for Adoption

BACKGROUND:

The Idaho Legislature has appropriated approximately \$394 million to the IWRB's Water Management Account (WMA) since 2019, including FY 2027 appropriations, to support water project development and water sustainability initiatives.

Through Senate Bill (SB) 1363 (FY 2027 Natural Resources Maintenance Appropriation), the Legislature provided additional funding and direction for the Water Management Account (WMA):

Section 16 – Flood Management Program (\$1,000,000):

- Transfers \$1 million from the Idaho Department of Water Resources (IDWR) General Fund to the Water Management Fund for flood-related activities, including hydrologic data collection, monitoring and modeling, stream channel repair and improvement, flood risk reduction, and flood prevention projects.
- These funds are to be administered by the IWRB through a competitive, matching grant process prioritizing projects based on public benefit.

Section 17 – Water Projects (\$30,000,000): Transfers \$30 million from the IDWR General Fund to the WMA for water projects on or around July 1, 2026.

Section 18 – WMA Project Fund Criteria: Establishes legislative intent and constraints governing the use of the \$30 million appropriation.

- Funds must be used for planning, construction, rehabilitation, reconstruction, and improvement of water infrastructure statewide.
- Priority categories include: Aquifer recharge and groundwater management; Water storage and conveyance infrastructure (e.g., reservoirs, canals, pipelines); Water supply efficiency and conservation improvements; and Emergency infrastructure repairs to ensure system resilience.
- Geographic distribution of expenditures: No more than 50% of the funds may be used within a single IWRB district unless there are no competing applications.
- Requires reporting to the Joint Finance-Appropriations Committee and germane legislative committees by December 5, 2026.

DISCUSSION:

The IWRB's FY 2027 WMA spending plan incorporated the \$30 million ongoing appropriation authorized under Senate Bill 1363, enacted during the 2026 legislative session. It was adopted on May 21, 2026 (Resolution 29-2026) to reflect new IWRB funding obligations.

Funding requests for the FY 2027 Aging Infrastructure Grant and the Eastern Snake Plain Aquifer (ESPA) Groundwater to Surface Water Conversion Grant programs were presented to the IWRB Finance Committee on September 2, 2026:

- Aging Infrastructure Grants – 70 applications for \$39,366,435.66; FY2027 Budget \$30,274,363.55.
 - o IWRB Finance Committee recommend 67 eligible applications for \$35,644,991 be awarded.
- ESPA Groundwater to Surface Water Conversion Grants - 10 applications for \$1,332,152.67; FY2027 Budget \$14,669,375.00.
 - o IWRB Finance Committee recommend 9 eligible applications for \$616,499.67 be awarded.

RECOMMENDATION:

On September 2, 2026, the Finance Committee recommended the following changes to the spending plan:

- Reduce the FY 2027 Budget amount for ESPA Groundwater to Surface Water Conversion Grants from SB 1363 funding from \$8,000,000 to \$3,000,000 for a total budgeted amount of \$9,669,375 available for award.
- Increase the FY 2027 Budget amount for Aging Infrastructure Grants from SB 1363 funding from \$4,000,000 to \$9,000,000 and allocate the remaining \$370,627 requested from interest earned to the WMA in June for a total budgeted amount of \$35,644,991 available for award.

Attachment(s):

- *Draft Resolution with Attachment A: Amended Water Management Account Spending Plan – FY 2027*

IN THE MATTER OF THE IDAHO WATER
RESOURCE BOARD'S WATER MANAGEMENT
ACCOUNTRESOLUTION TO APPROVE AMENDED FISCAL
YEAR 2027 WATER MANAGEMENT ACCOUNT
SPENDING PLAN

1 WHEREAS, the Water Management Account (WMA) was created pursuant to Idaho Code § 42-
2 1760 and is administered by the Idaho Water Resource Board (IWRB); and
3

4 WHEREAS, the 2022 Idaho Legislature, through House Bill 769, appropriated \$75 Million to the
5 WMA for large water projects and directed the IWRB to use the funding for expenditures, loans, or grants
6 for water projects, including studies, to address water sustainability, rehabilitate or improve aging water
7 infrastructure, or support flood management, provided that no more than one-third of the funds be used
8 for grants and that grant awards be made through a competitive process that considers public input and
9 prioritizes projects based on public benefit; and
10

11 WHEREAS, the 2023 Idaho Legislature, through House Bill 361, appropriated an additional \$150
12 million to the WMA for purposes similar to House Bill 769 and subject to similar grant limitations and
13 requirements, pursuant to which the IWRB established the Aging Infrastructure Grant Program; and
14

15 WHEREAS, the 2024 Idaho Legislature, through Senate Bill 1411, appropriated \$30 Million to the
16 WMA to be used for large water projects at the direction of the IWRB; and
17

18 WHEREAS, the 2025 Idaho Legislature, through House Bill 445, appropriated \$30 million ongoing
19 to the WMA for the planning, construction, rehabilitation, reconstruction, and improvement of water
20 infrastructure throughout the state, while limiting the use of no more than fifty percent (50%) of the
21 annual appropriation within a single Idaho Water Resource Board district unless there are no competing
22 applications from other districts; and further directed that, for fiscal year 2026, fifty percent (50%) of the
23 appropriation be allocated to District 3 and fifty percent (50%) to District 4 to support the *2024 Stipulated*
24 *Mitigation Plan* entered into by surface and ground water users on the Eastern Snake Plain; and
25

26 WHEREAS, the 2026 Idaho Legislature, through Senate Bill 1363, appropriated \$30 Million to the
27 WMA to be used for planning, construction, rehabilitation, reconstruction, and improvement of water
28 infrastructure throughout the state, and directed that of the \$30 Million appropriated in a single year, no
29 more than fifty percent (50%) may be used within a single IWRB district, as defined in Idaho Code § 42-
30 1732 unless there are no competing funding applications for water infrastructure projects in other districts
31 for the current fiscal year; and
32

33 WHEREAS, Senate Bill 1363 also authorized the transfer of \$1 million from the Idaho Department
34 of Water Resources General Fund to the WMA for flood-related activities, including hydrologic data
35 collection, monitoring and modeling, flood-damaged stream channel repair and improvement, flood risk
36 reduction, and flood prevention projects, to be administered by the IWRB through a competitive matching
37 grant process prioritizing projects based on public benefit, bringing total legislative appropriations for
38 flood management activities since fiscal year 2019 to approximately \$8.4 million; and
39

40 WHEREAS, on May 21, 2026, the IWRB adopted a Fiscal Year (FY)2027 WMA Spending Plan
41 (Resolution No. 29-2026) that incorporated legislative appropriations made to the WMA, estimated

42 interest earnings, Regional Water Sustainability Program Priority List projects, statewide special projects,
43 grant programs, and certain IWRB-approved loans; and
44

45 WHEREAS, as of September 2, 2026, the total funding requested through the Aging Infrastructure
46 Grant Program for FY 2027 exceeded the amount budgeted and the funding requested through the
47 Eastern Snake Plain Aquifer (ESPA) Groundwater to Surface Water Conversion Program was less than the
48 budgeted amount; and
49

50 WHEREAS, on September 2, 2026, the IWRB's Finance Committee recommended amending the
51 FY 2027 WMA spending plan to increase the funds available for award under the Aging Infrastructure
52 Grant Program by reducing the funds available under the ESPA Groundwater to Surface Water Conversion
53 Program by \$5,000,000 and budgeting an additional \$370,627 from interest earned.
54

55 NOW, THEREFORE BE IT RESOLVED that the IWRB adopts the FY 2027 WMA Spending Plan
56 (Spending Plan) attached to this resolution (Attachment A), as recommended by the IWRB Finance
57 Committee.
58

59 BE IT FURTHER RESOLVED that the projects identified with an asterisk in the Spending Plan are
60 hereby obligated for the referenced purposes but remain subject to additional IWRB approval of the
61 project plan.
62

63 BE IT FURTHER RESOLVED that the IWRB authorizes its chairman or Executive Manager, Brian
64 Patton, to execute the necessary agreements or contracts for the purpose of this resolution.
65

66 BE IT FURTHER RESOLVED that the attached Spending Plan shall be automatically amended to
67 reflect WMA expenditures approved through future IWRB resolutions.
68

DATED this 18th day of September 2026.

JEFF RAYBOULD, Chairman
Idaho Water Resource Board

ATTEST _____
DEAN STEVENSON, Secretary

ATTACHMENT A
Idaho Water Resource Board - Water Management Account
FY 2027 Spending Plan
Amended 9/18/2026

Appropriations for Regional Water Sustainability Projects, Loans, Aging Infrastructure & Other Grants

FY 2020 (<i>HB 285, Sec 1, Leg 2019</i>)	\$20,000,000
FY 2022 (<i>SB 1121, Sec 1, Leg 2021</i>)	\$50,000,000
FY 2023 (<i>HB 769, Sec 6, Leg 2022 - 1/3 or \$25M to be used for AI Grants</i>)	\$75,000,000
FY 2024 (<i>HB 361, Sec 1, Leg 2023 - 1/3 or \$50M to be used for AI Grants</i>)	\$150,000,000
FY 2025 (<i>SB 1411, Sec 3, Leg 2024</i>)	\$30,000,000
FY 2026 (<i>HB 445, Sec 4, Leg 2025</i>)	\$30,000,000
FY 2027 (<i>SB 1363, Sec 17, Leg 2026</i>)	\$30,000,000
Flood Management Grant Appropriations (FY 2019 - FY 2027)	\$8,400,000
Water Quality Collection Program Appropriation (FY 2020 - FY 2022)	\$600,000
Interest Earned State Treasury (<i>as of July 31, 2026</i>)	\$43,788,664
Water Project Loan Interest (<i>as of July 31, 2026</i>)	\$5,276
Water Project Loan Repayments (<i>as of July 31, 2026</i>)	\$346,074
Misc. Revenue	\$4,350,000
	\$442,490,014

Idaho Water Resource Board - Water Management Account
FY 2027 Spending Plan
Amended 9/18/2026

STATEWIDE REGIONAL WATER SUSTAINABILITY PROJECTS & OTHER LARGE PROJECTS <i>(Projects listed in alphabetical order)</i>	Funds Obligated by IWRB Resolution (9/18/2026)	FY2027 (\$30M Approp.)	Specific Appropriation
Anderson Ranch Dam Raise **	\$15,000,000 *		-
Bear Lake Additional Storage & Bear River Basin Projects	\$4,000,000 *	\$2,000,000	-
City of Gooding - Little Wood River Channel Flood Control Project	\$5,197,000		-
City of Nampa Wastewater-to-Irrigation Reuse	\$3,000,000		-
Dworshak/Clearwater Pipeline (Governor's Initiative) & Other Statewide Special Projects	\$60,000,000 *		-
Lewiston Orchards Exchange Project **	\$1,287,000		-
Lost Valley Reservoir Enlargement - Planning	\$560,000		-
Milner Dam Rehabilitation Project	\$1,500,000		-
Mountain Home Air Force Base Water Resilience Project **	\$2,000,000		-
Mountain Home Plateau Aquifer RWS Program	\$8,000,000 *		-
Nampa Meridian Irrigation District Ridenbaugh Canal Diversion Modernization Project	\$9,169,047		-
Palouse Basin Aquifer Water Supply Planning	\$5,000,000 *		-
Statewide Recharge Infrastructure	\$9,508,860 *		-
Thousand Springs Area Water Subordination Agreements	\$8,000,000 *		-
Treasure Valley Water Supply Assessment Project (WD 63)	\$474,320		-
Upper Payette Basin Storage Water Project	\$5,000,000		-
Winchester Dam Repair Project	\$1,000,000 *	\$1,000,000	-
Total:	\$138,696,227	\$3,000,000	\$0

* Funds are obligated by IWRB resolution but require additional IWRB approval of project plan.

** IWRB ARPA funding also obligated to project.

ESPA REGIONAL WATER SUSTAINABILITY PROGRAM (Projects listed in alphabetical order)	Funds Obligated by IWRB Resolution (as of 9/18/2026)	FY2027 (\$30M Approp.)	FY2026 Earmark (\$30M Approp.)
Conservation Reserve Enhancement Program (CREP)	\$100,000	-	-
Eastern Snake Plain Aquifer (ESPA) Groundwater Measurement Database #	\$1,000,000 *	-	\$500,000
ESPA Groundwater to Surface Water Conversion Projects Grants #	\$41,621,296 *	\$3,000,000	\$6,626,001
ESPA Improvement Projects	\$5,000,000 *	-	-
ESPA Recharge Infrastructure ** #	\$36,040,727	\$10,000,000	\$13,314,500
IDWR Underground Injection Control (UIC) Program Support #	\$500,000 *	-	\$500,000
Measuring & Monitoring Support Grant #	\$815,102	-	\$815,102
Magic Valley Groundwater District Loan ^	\$10,000,000	-	-
Near Blackfoot to Minidoka Reach Gain Improvements Projects	\$5,000,000 *	-	-
Raft River Pipeline Project	\$7,000,000	-	-
Raft River Recharge Group Loan ^	\$14,111,000	-	-
Surface Water Coalition Operational Efficiencies Program #	\$31,332,574	\$4,000,000	\$8,244,397
Upper Snake River Basin Study	\$3,000,000 *	-	-
ESPA Regional Sustainability Program Total:	\$155,520,698	\$17,000,000	\$30,000,000

* Funds are obligated by IWRB resolution but require additional IWRB approval of project plan.

** IWRB ARPA funding also obligated to project.

Funded in part from FY 2026 \$30M Earmark (HB 445, Sec 4, Leg 2025) - IWRB Districts 3 & 4 each must receive 50% of appropriation.

^ Funds obligated for loans will be available for reallocation upon repayment.

STATEWIDE AGING INFRASTRUCTURE GRANTS ^	Funds Obligated by IWRB Resolution (as of 9/18/2026)	FY2027 (\$30M Approp.)	Specific Appropriation
FY 2023 (HB 769, Sec 6, 2022 - \$25M)	\$10,679,352	-	\$25,000,000
FY 2023 (Carryover funding from HB 769)	\$13,889,175	-	carryover
FY 2024 (HB 361, Sec 1, 2023 - \$50M)	\$9,033,074	-	\$50,000,000
FY 2024 (Carryover funding from HB 361)	\$6,843,940	-	carryover
FY 2025 (Carryover funding from HB 361)	\$9,789,588	-	carryover
FY 2026 (Carryover funding from HB 361)	\$22,919,008	-	carryover
FY 2027 (scheduled)	\$35,644,990 *	\$9,000,000	None
Total:	\$108,799,127	\$9,000,000	\$75,000,000

* Funds are obligated by IWRB resolution but require additional IWRB approval of project plan.

^ Additional funding has been committed to the AIG program, supplementing the initial \$75 million appropriated under HB 769 and HB 361.

Idaho Water Resource Board - Water Management Account
FY 2027 Spending Plan
Amended 9/18/2026

STATEWIDE FLOOD MANAGEMENT GRANTS #	Funds Obligated by IWRB Resolution (as of 9/18/2026)	FY2027 (\$30M Approp.)	Specific Appropriation
FY 2024 (SB 1181, Sec 5, Leg 2023 - \$1M)	\$831,015	-	\$1,000,000
FY 2025 (SB 1269, Sec 15, Leg 2024 - \$1M)	\$695,517	-	\$1,000,000
FY 2026 (HB 248, Sec 14, Leg 2025 - \$1M)	\$460,646	-	\$1,000,000
FY 2026 - Supplemental Round	\$559,358	-	\$695,004
FY 2027 (SB 1363, Sec 16, Leg 2026 - \$1M)	\$1,142,843	-	\$1,000,000
Carry Over	\$1,005,625 *	-	\$0
Total:	\$4,695,004	\$1,000,000	\$4,695,004

From FY 2019 - FY 2023, over \$3.6M in Flood Management Grant projects have been completed.

* Funds are obligated pursuant to the Flood Management Grant appropriation but are contingent upon IWRB approval of individual grant applications.

STATEWIDE LOANS AND OTHER PROGRAMS (Listed in alphabetical order)	Funds Obligated by IWRB Resolution (as of 9/18/2026)	FY2027 (\$30M Approp.)	Repayments (as of 6/30/2026)
Dalton Water Association Loan ^	\$797,000	-	\$0
North Side Pumping Co Loan ^	\$9,023,715 *	-	\$0
Lost Valley Reservoir Company Loan # ^	\$1,200,000	-	\$346,074
Statewide Measuring & Monitoring Support Grant	\$1,000,000 *	\$1,000,000	N/A
Total:	\$12,020,715	\$1,000,000	\$346,074

* Funds are obligated by IWRB resolution but require additional IWRB approval of project plan.

Loan may be funded from the WMA or RDA.

^ Funds obligated for loans will be available for reallocation upon repayment.

Idaho Water Resource Board - Water Management Account
FY 2027 Spending Plan
Amended, 9/18/2026

COMPLETED PROJECTS & PROGRAMS (Projects listed in alphabetical order)	Funds Expended As of 9/18/2026	FY2027	Specific Appropriation
Flood Management Grants (FY 2019 - FY 2023) #	\$3,704,996	-	\$3,704,996
North Fremont Canal Systems Phase 5 Pipeline Project	\$7,811,056	-	-
Priest Lake Water Management Project	\$4,854,477	-	-
Priest Lake Outlet Dam Litigation	\$2,427,830	-	-
Water Quality Collection Program (Mid-Snake River DOI-USGS Agreement FY 20-22) ^	\$600,000	-	\$600,000
Total:	\$19,398,358	\$0	\$4,304,996

Idaho HB 712, 2018; HB 285, 2019; HB 646, 2020; SB 1190, 2021; HB 769, 2022

^ HB 285, Sec 4, 2019; HB 646, Sec 6, 2020; SB 1190, Sec 6, 2021

In-Work Total:	\$419,731,772	\$30,000,000	-
Completed Total:	\$19,398,358	\$0	-
Remainder Available:	\$3,359,884		
Total Appropriations (FY 2020-2027)			

MEMO



To: Idaho Water Resource Board
From: Mary Condon, Project Manager Supervisor
Date: September 9, 2026
Subject: Amend Secondary Aquifer Planning, Management & Implementation Fund – Fiscal Year 2027 Budget

REQUESTED ACTION: Consider Resolution for Adoption

Planning and Projects Bureau staff will discuss proposed modifications to the Fiscal Year (FY) 2027 budget for the Secondary Aquifer Planning, Management & Implementation Fund (Secondary Aquifer Fund).

Background:

Staff with the Cloud Seeding Program presented two funding requests to the Idaho Water Resource Board (IWRB) Cloud Seeding Committee on August 5, 2026. The first request is to support Year 2 of the Bear River Basin pilot project for the 2026/2027 winter season, with a match of \$1.2 million to the Utah Division of Water Resources from the IWRB, an increase of \$200k from the FY 2027 adopted budget. The second request is for an additional aircraft for cloud seeding operations in the Upper Snake River Basin, with an expected amount of \$875k, as a new line item in the budget.

The total of \$2,075,000 in funding requested can be provided by first adjusting \$1,575,000 budgeted within the Cloud Seeding Program portion of the budget and then pulling the remaining \$500k from the Eastern Snake Plain Aquifer (ESPA) Recharge Infrastructure Improvement Projects portion of the budget. As an aside, the full IWRB recently approved the new Bingham Ground Water District Weggland Ditch Recharge Basin project for \$6,310,000 on August 7, 2026, from the Secondary Aquifer Fund. A balance of \$290k for future recharge infrastructure projects will remain in the Recharge Infrastructure Improvement Projects portion of the budget.

Both cloud seeding funding requests were recommended by the IWRB Cloud Seeding Committee to the IWRB Finance Committee on September 2, 2026, for an amendment to the FY 2027 Secondary Aquifer Fund budget, with a caveat that the resolution approving funding for the Bear River Basin Year 2 Pilot Project include language stating that authorized funding be contingent upon the IWRB retaining an opportunity to provide direction regarding cloud seeding operations as they relate to Bear Lake. The Finance Committee has recommended approval of the amended FY 2027 Secondary Aquifer Fund budget to the full IWRB.

Attachments:

- *Draft Resolution with Attachment A: Amended Secondary Aquifer Fund – FY 2027 Budget*

IN THE MATTER OF STATEWIDE WATER
SUSTAINABILITY AND AQUIFER
STABILIZATION, AND THE SECONDARY
AQUIFER PLANNING, MANAGEMENT, AND
IMPLEMENTATION FUND FISCAL YEAR 2027
BUDGET

RESOLUTION TO APPROVE AMENDED
FISCAL YEAR 2027 SECONDARY FUND
BUDGET

1 WHEREAS, the Idaho Legislature, pursuant to Idaho Code § 63-2520, directs certain Cigarette
2 Tax revenues to the Idaho Water Resource Board's (IWRB) Secondary Aquifer Planning, Management,
3 and Implementation Fund (Secondary Aquifer Fund); and
4

5 WHEREAS, through House Bill 547 (2014) the Legislature allocated \$5 million annually through
6 2019 from such revenues for aquifer stabilization, and through House Bill 256 (2019) established an
7 ongoing \$5 million General Fund appropriation to the Secondary Aquifer Fund for statewide water
8 sustainability and aquifer stabilization, with unallocated funds carried forward into Fiscal Year 2027; and
9
10

11 WHEREAS, many aquifers across Idaho—including the Eastern Snake Plain, Mountain Home,
12 Wood River Valley, Big Lost, Raft River, Malad Valley, Treasure Valley, Rathdrum Prairie, Palouse Basin,
13 and Lewiston Plateau aquifers—are declining or face existing or potential conjunctive administration
14 conflicts, resulting in groundwater conditions insufficient to sustain irrigation, hydropower, municipal,
15 industrial, and other uses, the curtailment of which would cause severe economic harm to Idaho's
16 economy; and
17

18 WHEREAS, Senate Concurrent Resolution 137 (2016) recognizes aquifer stabilization and
19 enhancement as in the public interest and directs the IWRB to take actions in aquifers across the state
20 to stabilize and enhance aquifer levels thereby maintaining water supply for consumptive and non-
21 consumptive uses and minimizing harm to Idaho's economy arising from water supply shortages; and
22

23 WHEREAS, the State of Idaho (State) relies on spring discharge from the Eastern Snake Plain
24 Aquifer (ESPA), including flows at Thousand Springs, to meet minimum streamflow water rights at the
25 Murphy Gage under the Swan Falls Agreement which have fallen below minimums in 2015 and 2026;
26 and
27

28 WHEREAS, the 2025 Idaho Legislature passed and approved Senate Concurrent Resolution 110
29 supporting the 2024 Stipulated Mitigation Plan entered into between the Surface Water Coalition and
30 participating Groundwater District and supporting the IWRB revising the State Water Plan and the ESPA
31 Comprehensive Aquifer Management Plan to establish a state-funded ESPA managed recharge goal of
32 an average annual 350,000 acre-feet; and

WHEREAS, the Department of Water Resources has designated Ground Water Management Areas in multiple basins, including the Eastern Snake Plain, Big Wood River, Malad Valley, Mountain Home and the Lewiston Plateau Aquifers, in response to declining ground water levels; and

WHEREAS, on May 21, 2026, the IWRB passed Resolution No. 28-2026, authorizing the Fiscal Year 2027 Budget for the use of available funds in the Secondary Aquifer Fund for statewide water sustainability and aquifer stabilization purposes; and

WHEREAS, on August 5, 2026, the IWRB Cloudseeding Committee recommended the IWRB Finance Committee consider amending the Fiscal Year 2027 budget for the Secondary Aquifer Fund for two funding proposals totaling \$2,075,000; and

WHEREAS, on September 2, 2026, the IWRB Finance Committee recommended amendments from the ESPA Managed Recharge Infrastructure Projects to the Cloud Seeding Program in the Fiscal Year 2027 Budget for the Secondary Aquifer Fund to the full IWRB to obligate funding for the following projects as reflected in Attachment A:

- An additional aircraft for cloud seeding operations in the Upper Snake River Basin
- Year 2 support of the Bear River Basin Pilot project for 2026/2027 winter season

NOW THEREFORE BE IT RESOLVED that the IWRB adopts the Amended Fiscal Year 2027 Secondary Fund Budget attached to this resolution (Attachment A), as recommended by the IWRB Finance Committee, with no changes to the conditions listed in Resolution No. 28-2026.

BE IT FURTHER RESOLVED that the Year 2 of the Bear River Basin Pilot Project funding is contingent upon the IWRB retaining an opportunity to provide direction regarding cloud seeding operations as they relate to the Bear Lake.

BE IT FURTHER RESOLVED that the IWRB authorizes its chairman or Executive Manager, Brian Patton, to execute the necessary agreements or contracts for the purpose of this resolution.

BE IT FURTHER RESOLVED that the IWRB may modify this budget during Fiscal Year 2027 at a properly noticed meeting of the IWRB.

DATED 18th day of September 2026

JEFF RAYBOULD, Chairman
Idaho Water Resource Board

ATTEST _____
DEAN STEVENSON, Secretary

DRAFT

ATTACHMENT A:

FY2027 BUDGET AMENDMENT 1 FOR THE SECONDARY AQUIFER FUND

Estimated Carry-Over From FY26

General Fund (2027)

HB547 funds - receipt of Cigarette Tax proceeds

Conveyance Carryover

Estimated interest

\$	7,463,919
\$	5,000,000
\$	5,000,000
\$	3,500,000
\$	750,000
\$	21,713,919

TOTAL

Category		Sub-Category	FY27	
ESPA MANAGED RECHARGE PROGRAM				
ESPA Recharge Operations		Conveyance Cost	3,500,000	
		O&M (equipment, supplies, operational fees, etc.)	225,000	
		Recharge Monitoring	975,000	
		TOTAL	\$4,700,000	
ESPA Managed Recharge Infrastructure Projects	Budgeted Infrastructure Projects	Infrastructure projects to improve IWRB recharge capacity	290,000	*
		Bingham GWD - Weggland Ditch Recharge Basin	6,310,000	
		TOTAL	\$6,600,000	
ESPA Recharge Investigations	Budgeted Investigations	Canal improvement and recharge site feasibility investigations	350,000	
		TOTAL	\$350,000	
ESPA MANAGED RECHARGE TOTAL			\$11,650,000	
CLOUD SEEDING PROGRAM				
Collaborative Program Operations & Maintenance	Upper Snake River Basin	2026-2027 Project Operations (=2/3 * \$2,031,900)	1,354,600	
		2026-2027 Additional Aircraft	875,000	
	Wood River Basin	2026-2027 Project Operations (=2/3 * \$831,750)	554,500	
	Boise River Basin	2026-2027 Project Operations (=2/3 * \$1,122,750)	748,500	
	Collaborative Program	Estimated Water User Contributions (11.13%)	-443,820	
Statewide Operations & Maintenance	Administration	Operational Modeling and Computing Support (\$290k total 50/50)	145,000	
	Bear River Basin	2026-2027 Pilot Project Operations	1,200,000	*
	HCRCD Program	2026-2027 Upper Snake Project Operations	120,000	*
	Administration	Partnership Collaborations, Staff Travel, WMA/NAWMC Memberships	20,000	
TOTAL			\$4,573,780	
Statewide Capital	Modeling	Model Improvements	225,000	
	Technology	Computing and Modeling Infrastructure (HPC)	500,000	*
	Studies	Target and Control Analysis	100,000	
TOTAL			\$825,000	
Reserve			\$135,000	
CLOUD SEEDING PROGRAM TOTAL			\$5,533,780	
TREASURE VALLEY				
Monitoring in support of the Treasure Valley model (annual)			170,000	
Treasure Valley Recharge Pilot Project			250,000	
Treasure Valley Groundwater Level Synoptic			150,000	
Star Watershed Project (2 of 2 years)			50,000	
TOTAL			\$620,000	
RAFT RIVER BASIN				
Raft River Hydrologic Studies and Monitoring			50,000	
RAFT RIVER TOTAL			\$50,000	
PORTNEUF BASIN				
Portneuf Hydrogeologic Study (Year4 of 4)			150,000	
TOTAL			\$150,000	
BEAR RIVER BASIN				
Water Sustainability			200,000	*
TOTAL			\$200,000	
LEMHI BASIN				
Support of Water Sustainability Initiatives per settlement			250,000	*
TOTAL			\$250,000	

MID-SNAKE BASIN		
Mid-Snake Water Quality Monitoring (annual)	50,000	
TOTAL	\$50,000	
PALOUSE BASIN		
Aquifer monitoring	100,000	
TOTAL	\$100,000	
MOUNTAIN HOME BASIN		
Groundwater Model Development Year 3 of 4	250,000	
TOTAL	\$250,000	
BIG LOST BASIN		
Monitoring in support of Big Lost model development (annual)	130,000	
TOTAL	\$130,000	
WOOD RIVER BASIN		
Conservation, infrastructure fund associated with settlement (year 2 of 3)	200,000	
Modeling and Analysis	100,000	
TOTAL	\$300,000	
HYDROLOGY ACTIVITIES		
ESPA monitoring	300,000	
Statewide surface water and aquifer monitoring	650,000	
Monitor Well Drilling Program (WeSPAM, ESPAM, Northern)	750,000	
TOTAL	\$1,700,000	
STATEWIDE		
Professional Services (includes media & federal outreach services) and administrative costs	250,000	
TOTAL	\$250,000	
GRAND TOTAL	\$21,233,780	
Reserve for Work in Other Priority Aquifers Total	\$ 480,139	*

*These items will require the IWRB pass an additional resolution to authorize funding.

**\$12,378,211 Total Recharge Conveyance Reserve

MEMO



To: Idaho Water Resource Board

From: John Loffredo, IDWR Transactions Program Manager

Date: September 17, 2026

Subject: Water Transaction Program – Iron Creek 2007 Phase 2 2027–2046 Renewal

REQUESTED ACTION: The Board is asked to consider the renewal of a long-term agreement not to divert from Iron Creek. With the Board's authorization, staff will proceed with the project approval and contracting through the Columbia Basin Water Transaction Program process.

Background

The Upper Salmon River and its numerous subbasins, in Central Idaho, support critical habitat for spawning and rearing of Endangered Species-Act listed Snake River Chinook salmon, Snake River steelhead, and resident bull trout. Since 2004, the IWRB has secured over 50 water right transactions and nearly 800 cfs instream through water transactions funded by the Columbia Basin Water Transaction Program to secure water instream in flow-limited reaches and reconnect tributary habitat.

One of the most widely used transaction tools by the IWRB in the Upper Salmon Basin over the last 20 years are source-switch POD transfers and administrative agreements not to divert. Since 2007, the IWRB has worked with partners in the Upper Salmon Basin Watershed Program to implement nearly a dozen source-switch projects on high-priority tributaries and mainstem river reaches. The first such project was on Iron Creek near the unincorporated city of Elk Bend in Lemhi County. Iron Creek historically supported spawning and rearing Chinook, steelhead, and fluvial bull trout but legal irrigation water withdrawals from senior PODs dewatered Iron Creek and disconnected it from the Salmon River.

In 2006, a water right transfer added a Salmon River POD immediately below the Iron Creek confluence, project partners installed a pump station and two center pivots on the original Iron Creek POU and an IWRB 20-yr agreement not to divert funded by the CBWTP compensated the water user for the increased pumping costs, 2007 – 2026. Over the last twenty years, the IWRB has monitored for contract compliance and collected continuous streamflow data while IDFG collected periodic fisheries data. From 2006-2025, the IWRB observed daily average flows between April 1 and Nov 1 at or above the 7 cfs target flow. Between 2007 and 2022, IDFG operated a seasonal picket weir within the primary beneficial reach to enumerate pre-spawn adult steelhead in Iron Creek and observed an average of 20 adult steelhead a year.

IWRB staff propose a 20-yr renewal of the Iron Creek agreement not to divert, 2027 – 2046. For the duration of this renewal, the landowner will continue to irrigate 163.6 acres from the Salmon River and the water pertinent to this land, 7.08 cfs, will remain in Iron Creek in a 1.25-mile primary beneficial reach. The water right owner will be paid an average of \$57.78 per acre foot of water not diverted for each day during the irrigation season up to 572.6 AF (the field headgate requirement for

163.6 acres at 3.5 AF/acre), provided that in no event will compensation exceed \$661,769.10 over the course of the renewed 20-year contract. Funds are available through the Columbia Basin Water Transaction Program and will be held in the CBWTP subaccount of the Board's Revolving Development Account.

Committee Recommendation

Staff has received a recommendation from the Streamflow Enhancement and Minimum Streamflow Committee regarding this transaction during a committee meeting held on September 3, 2026.

Attachments:

1. 2027–2046 Iron Creek AGNODIV Map
2. Draft Resolution

Transaction 1011

75-101, 75-102, 75-103, 75-2093,
75-4003, 75-14196, 75-14198

163.3 acres for 7.08 cfs; POD transferred
from Iron Creek to Salmon River per
Transfer No. 72536 in 2006

Landowner:

Iron Creek Cattle Company

Lemhi Co. Tax Lots:

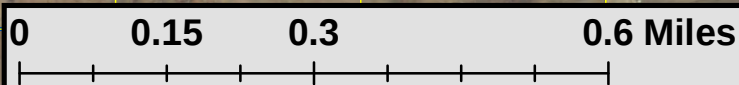
RP18N21E091800; RP18N21E106001;
RP18N21E152401

- ▲ ICCC Salmon River POD
- + #1 - IRON (stream gage)
- ▲ ICCC Iron Creek POD (closed)
- == Primary Beneficial Reach
- ICCC POU
- ▭ Township/Range
- ▭ Sections
- ▭ QQ

Primary Beneficial Reach
Upstream Endpoint
44.891389, -113.977780
River Mile: 1.25

Iron Creek

Primary Beneficial Reach
Downstream Endpoint
44.887638, -113.969042
River Mile: 0.0



BEFORE THE IDAHO WATER RESOURCE BOARD

IN THE MATTER OF THE
IRON CREEK WATER TRANSACTION

RESOLUTION TO MAKE A FUNDING
COMMITMENT

1 WHEREAS, Chinook salmon, steelhead, and bull trout habitat in the Upper Salmon River
2 Basin is limited by low streamflow as a result of lawful irrigation withdrawals; and
3

4 WHEREAS, it is in the interest of the State of Idaho to reconnect Iron Creek to the Salmon
5 River to encourage recovery of ESA-listed Chinook salmon, steelhead, and bull trout; and
6

7 WHEREAS, the Board has the authority to enter into agreements to improve flow for
8 anadromous and resident fish and the Board promotes voluntary water transactions that
9 maintain the local agricultural economy by retaining irrigated agriculture; and
10

11 WHEREAS, the Board is authorized to expend Bonneville Power Administration funds for
12 flow restoration through the Columbia Basin Water Transaction Program and the Bonneville Fish
13 Accord Water Transaction Fund; and
14

15 WHEREAS, the Board has an existing twenty-year agreement, 2007–2026, to not divert
16 from Iron Creek to improve streamflow for threatened anadromous and resident fish; and
17

18 WHEREAS, the water user has changed their points of diversion to pump from stream
19 reaches that are not flow-limited and funds paid under this agreement approximate the power
20 expenses incurred by changing original points of diversion; and
21

22 WHEREAS, Board staff has developed a renewal twenty-year agreement, 2027–2046, to
23 not divert from Iron Creek to perpetuate improvements to streamflow since 2007 that benefit
24 recovery of threatened anadromous and resident fish ; and
25

26 NOW THEREFORE BE IT RESOLVED that the Board authorizes the Chairman or designee to
27 enter into a twenty-year contract with the Iron Creek Cattle Company for an agreement to divert
28 out of Iron Creek using an amount not to exceed \$661,769.10; and
29

30 NOW THEREFORE BE IT FURTHER RESOLVED that this resolution is subject to the condition
31 that the Board receives the requested funding from the Bonneville Power Administration through
32 the Columbia Basin Water Transaction Fund in an amount up to \$661,769.10 and funds received
33 will be placed into the IWRB Revolving Development Account for annual payment to the water
34 right owner.

DATED this 18th day of September, 2026.

JEFF RAYBOULD, Chairman
Idaho Water Resource Board

ATTEST _____
DEAN STEVENSON, Secretary

MEMO

To: Idaho Water Resource Board
From: John Loffredo, Transactions Program Manager
Date: September 17, 2026
Subject: Water Transaction Program – WD71 Administration of USFS Water Right Permanent Rental



REQUESTED ACTION: The Board is asked to consider a six-year contract with Water District 71 for administration of Water Supply Bank Rental No. 654 on Valley Creek. With the Board's authorization, staff will proceed with project approval and contracting through the Idaho Water Transactions Program process.

Background:

The Upper Salmon River is utilized by Chinook salmon and steelhead, both listed as threatened under the Endangered Species Act (ESA). Sockeye salmon utilize the Salmon River for migration to Redfish Lake Creek and are listed as endangered under ESA. Additionally, Chinook salmon and steelhead utilize Alturas Lake Creek and Valley Creek, two tributaries to the Salmon River, for spawning, rearing, and migration.

The 2004 Snake River Water Rights Agreement (Nez Perce Agreement) established 27 minimum stream flow water rights in the Upper Salmon Basin including the minimum stream flow Valley Creek. The Nez Perce Agreement committed the state of Idaho to provide incentives for improving fish habitat, and the IWRB has the authority to meet those minimum stream flows through water right rentals or acquisitions under state law.

In 2021, the United States Forest Service (USFS) and IWRB worked together to permanently lease and rent 19 separate irrigation water rights in Basin 71 (Sawtooth Valley). The combined lease total for these water rights is 123.9 cfs and 2,490 acres. These rights are sourced by the Upper Salmon River, Alturas Lake Creek, Valley Creek, and several Salmon River tributaries. These rights were acquired by the USFS in the 1990s and subsequently leased into the Idaho Water Supply Bank for consecutive 5-yr terms but never rented for instream beneficial uses. The permanent rental of these water rights is in the public interest and is consistent with the State Water Plan and the intent of the Nez Perce Agreement. Resolution 16-2021 was adopted by the Board as a first step to protecting the USFS rights instream.

In late 2024, the Water Supply Bank finalized permanent rental agreements for all 19 water rights to three minimum streamflow water rights on Valley Creek, Alturas Lake Creek, and Salmon River. IWRB staff have engaged with Water District 71 staff at annual water district meetings since 2022 to determine the resources needed to assist with the administration of the water instream (watermaster time and stream gage costs).

Meeting Minimum Stream Flows:

Through discussions with water users, advisory committee members, and elected watermaster IWRB staff have determined that initial administration efforts should be focused on Valley Creek where the USGS operates a stream gage at the mouth of Valley Creek adjacent to MSF 71-10886. Analysis of Valley Creek flows indicate there are low flow years where the minimum stream flow is not met during the irrigation season. Those low flow years would benefit from the administration and delivery of the rented USFS water rights. A

detailed analysis of the USFS water rights and their priority dates relative to other active water rights in the basin indicate approximately 20 cfs could be subject to administration for the instream rental for 4.5 cfs. This includes junior water rights sourced from Valley Creek and tributaries to Valley Creek.

Instream administration of Water Supply Bank Rental No. 654 on Valley Creek will increase operational costs for WD71. Members of the water district are sensitive to increasing costs needed to retain competent watermasters and have raised annual water user assessments in 2025 and 2026 to address watermaster salary. Therefore, water district members are reluctant to a one-time compensation for permanent administration approach. IWRB staff have negotiated a six-year administration contract, 2027 – 2032 based on the watermaster salary adopted at the 2026 annual district meeting.

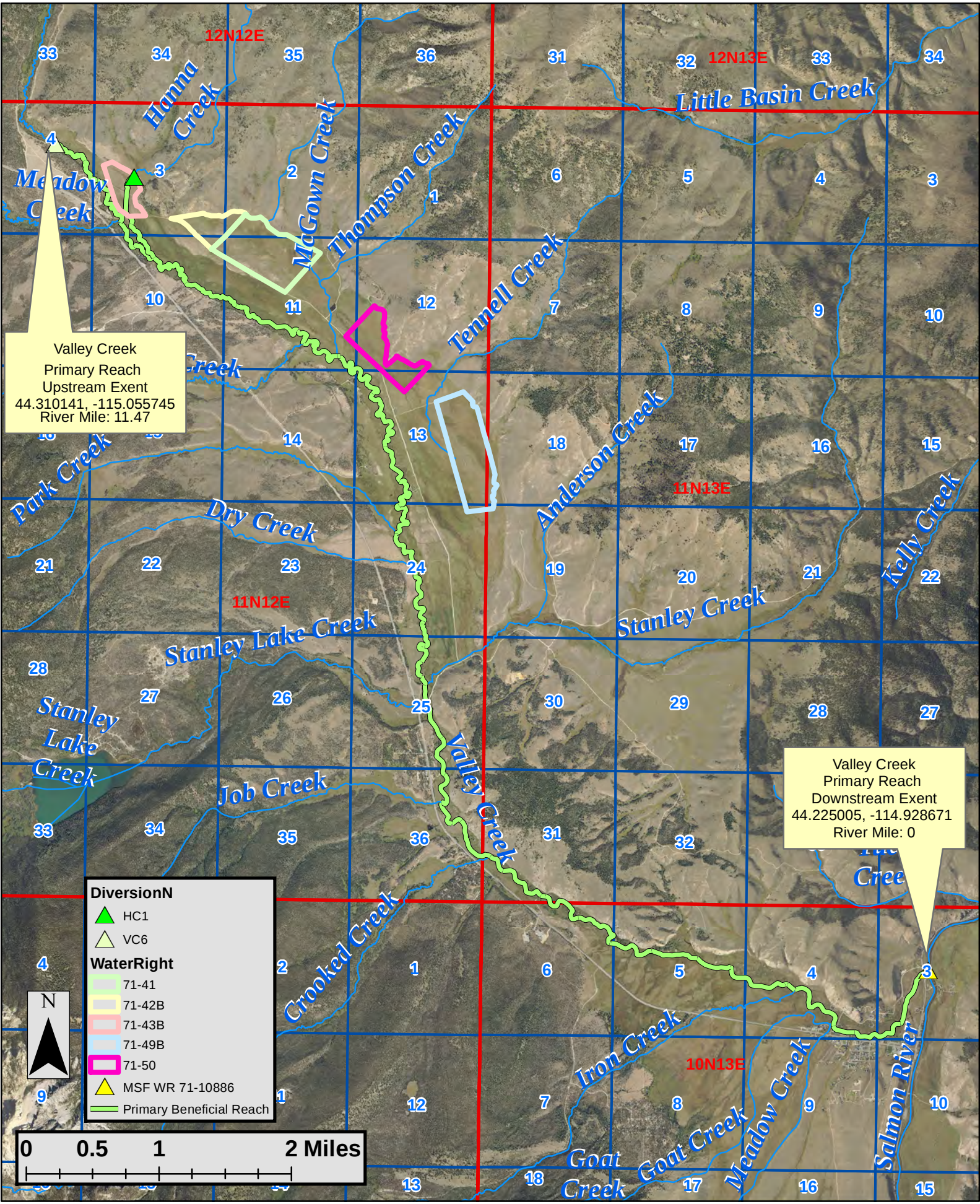
IWRB staff will submit a proposal to the Columbia River Basin Water Transactions Program to recover costs associated with water district compensation for administering USFS rented water to meet the Valley Creek minimum stream flow. The six-year administration contract with Water District 71 will not exceed **\$6,975.00**. Awarded funds will be managed in the IWRB's Revolving Development Account.

Committee Recommendation

Staff has received a recommendation from the Streamflow Enhancement and Minimum Streamflow Committee regarding this transaction during a committee meeting held on September 3, 2026.

Attachments:

1. Map of Valley Creek USFS Rental
2. Draft Resolution



BEFORE THE IDAHO WATER RESOURCE BOARD

DRAFT

IN THE MATTER OF THE PERMANENT RENTAL OF
SAWTOOTH VALLEY WATER RIGHTS

RESOLUTION TO MAKE A FUNDING
COMMITTMENT

1 WHEREAS, Chinook and Sockeye salmon, steelhead, and bull trout habitat in the Upper Salmon
2 River basin is limited by low flow conditions and high water temperatures; and
3

4 WHEREAS, it is in the interest of the State of Idaho to augment stream flows and provide habitat
5 in the Upper Salmon River Basin to encourage recovery of ESA-listed Chinook and Sockeye salmon,
6 steelhead, and bull trout fish; and
7

8 WHEREAS, the 2004 Snake River Water Rights ("Nez Perce") Agreement commits the state to
9 providing incentives for improving fish habitat which includes improving or protecting flow conditions to
10 augment stream flows; and
11

12 WHEREAS, Valley Creek has have been identified as a high priority stream for flow restoration
13 efforts, to provide high quality habitat for anadromous Chinook and Sockeye salmon, steelhead and
14 resident bull trout; and
15

16 WHEREAS, as provided for in the Nez Perce Agreement, the Idaho Water Resource Board (Board)
17 established minimum streamflow Water Right 71-10886 on Valley Creek to be met through water right
18 rentals or acquisitions under state law; and
19

20 WHEREAS, the United States Forest Service (USFS) owns Water Right Nos. 71-41, 71-42B, 71-43B,
21 71-49B, 71-50, (Water Rights) on Valley Creek and has permanently leased the referenced rights into the
22 Idaho Water Supply Bank; and
23

24 WHEREAS, the Board, pursuant to Section 42-1734, Idaho Code, has the authority to acquire,
25 purchase, lease, or exchange land, rights, water rights, easements, franchises, and other property deemed
26 necessary or proper for the construction, operation, and maintenance of water projects; and
27

28 WHEREAS, the Board adopted Resolution 16-2021, approving permanent rental of the Water
29 Rights for permanent delivery to Board minimum stream flow Water Right No. 71-10886 because it is in
30 the public interest, and is consistent with the State Water Plan and intent of the Nez Perce Agreement;
31 and;
32

33 WHEREAS, the Water Rights have been leased into the Idaho Water Supply Bank for several
34 decades, not subject to annual assessments, and permanent delivery of the Water Rights to Water Right
35 No. 71-10886 will result in an increased cost of operation for Water District 71; and
36

37 WHEREAS, the Board will compensate Water District 71 for administration of Water Supply Rental
38 Agreement No. 654 for a six-year term based on 2026 watermaster wages adopted at the annual water
39 district meeting; and
40

WHEREAS, funds are available from the Columbia Basin Water Transaction Program for the six-

41 year administration agreement with Water District 71 and will be managed in the Board's Revolving
42 Development Account; and
43

44 NOW THEREFORE BE IT RESOLVED that the Board authorizes the Chairman or his designee to enter
45 into a six-year contract, 2027 – 3032, with Water District 71 for administration of Water Supply Rental
46 Agreement No. 654 on Valley Creek in an amount to exceed six thousand nine hundred seventy-five dollars
47 (\$6,975.00); and
48

49 NOW THEREFORE BE IT FURTHER RESOLVED that this resolution is subject to the condition that
50 the IWRB receives the requested funding from the Bonneville Power Administration through the Columbia
51 Basin Water Transaction Program in the amount of six thousand nine hundred seventy-five dollars
52 (\$6,975.00).
53

DATED this 18th day of September 2026.

Jeff Raybould, Chairman
Idaho Water Resource Board

ATTEST _____
Dean Stevenson, Secretary

MEMO



To: Idaho Water Resource Board

From: John Loffredo, IDWR Transactions Program Manager

Date: September 17, 2026

Subject: Water Transaction Program – Pahsimeroi River SH 2027 – 2031 WSB Lease/Rental

REQUESTED ACTION: The Board is asked to consider the renewal of a short-term agreement lease/rental agreement at the P-12 Diversion on the Pahsimeroi River. With the Board's authorization, staff will proceed with project approval and contracting through the Idaho Water Transactions Program process.

Background

The Pahsimeroi River Basin, in Central Idaho, provides enormous potential for spawning and rearing habitat for Endangered Species Act-listed steelhead and Chinook salmon. Since 2008, the IWRB has secured nearly 40 cfs instream through water transactions funded through the Columbia Basin Water Transaction Program to reconnect critical habitat in the middle and upper Pahsimeroi River to the lower Pahsimeroi River. However, due to legal surface water withdrawals, instream flow remains a limiting factor for salmonid recovery goals in the Pahsimeroi River Basin above Dowton Lane, river mile 11.5.

The Board's recovery of instream flow in the Salmon River and its tributaries is a one-part of the overall ESA-recovery strategy for the State of Idaho. Recovery and de-listing of Chinook salmon, steelhead, and bull trout would put management of the resource back under State control. Implementation of approved restoration plans also adds some measure of a defense against a third-party "taking" lawsuit under the ESA. It is in the local public interest to recover the species for natural resource, recreational, and economic interests to maintain the viability of agricultural communities.

Scott Hayes irrigates approximately 350-acres using a variety of sources, including the Pahsimeroi River, Lawson Creek, and groundwater. Over 200 acres were historically irrigated by water diverted at the P-12 diversion, first by flood and later by pivot in a pressurized irrigation system. Mr. Hayes is located at the end of the 3+ mile ditch and has experienced conveyance issues that anyone at the end of an irrigation ditch can relate to. In 2023, the Custer and Soil Water Conservation District began working with Mr. Hayes on a WR Transfer to relegate the senior P-12 acres to the pivot corners and WR application for permit to acquire a new groundwater irrigation right for the pivot acres. This project is a win-win for the irrigator and instream flow recovery because it reduces lateral water user conflict and results in a WSB lease/rental of senior irrigation rights in a flow-limited reach of the mid-Pahsimeroi River.

This 2027-2031 5-year transaction will secure up to 2.0 cfs of flow in the Pahsimeroi River by leasing water right numbers 73-78, 73-116, and 73-12282 and renting 73-78 and 73-116 to the IWRB's MSF 73-7045.

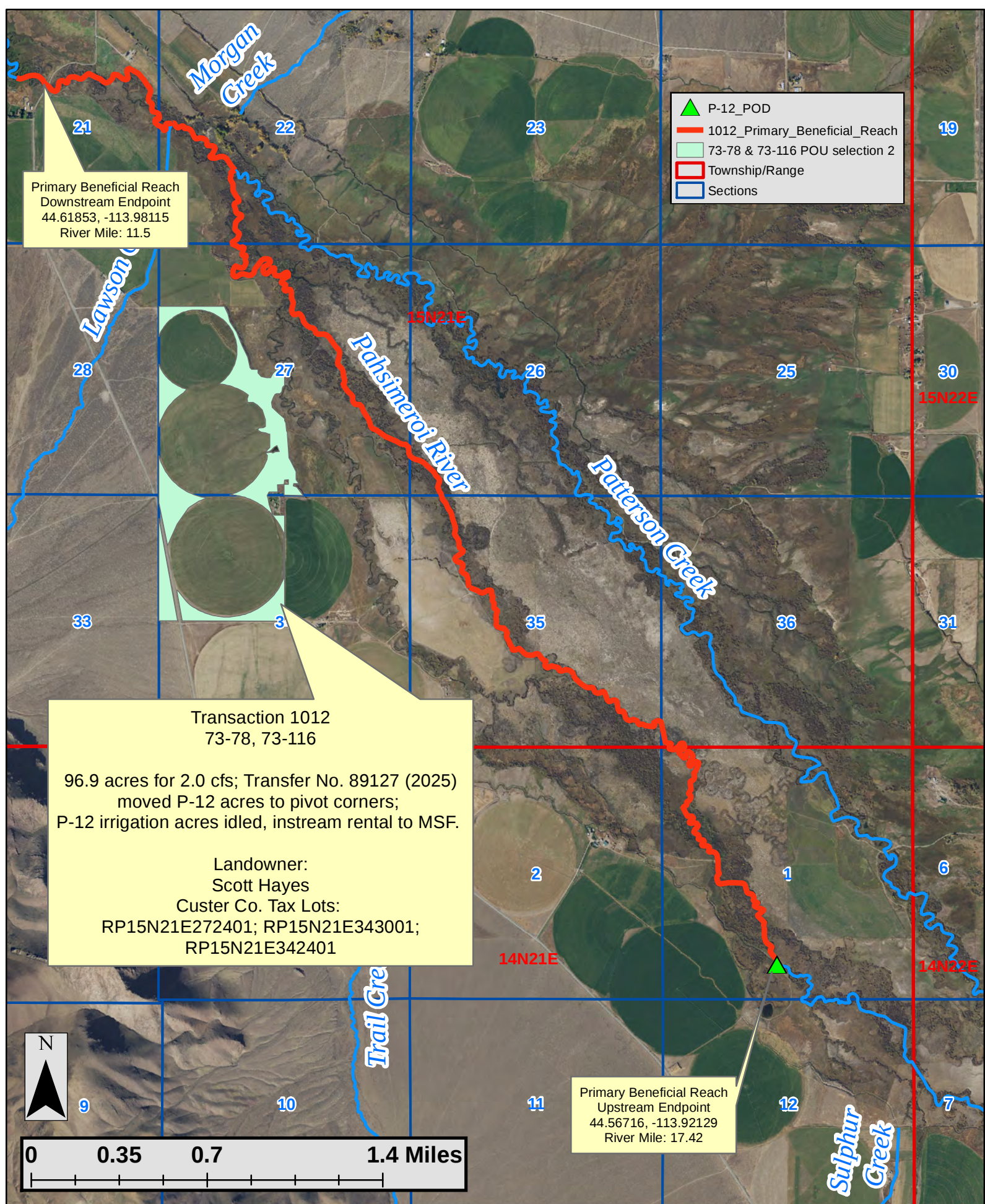
Staff proposes compensating the water right owner at a price of \$74.29 per acre over a 5-year term (2027 – 2031). Resource specialists with the Natural Resource Conservation Service in Salmon completed a detailed analysis to determine the cost per acre based on the soil productivity of the leased acres and current market rate for an animal unit month. Total transaction costs will be \$40,434.90 which includes water user compensation: \$36,030.65; WSB rental fee: \$3,904.25; and WSB lease application fee: \$500. Funds are available through the Columbia Basin Water Transactions Program and will be held in the CBWTP subaccount of the Board's Revolving Development Account.

Committee Recommendation

Staff has received a recommendation from the Streamflow Enhancement and Minimum Streamflow Committee regarding this transaction during a committee meeting held on September 3, 2026.

Attachments:

1. 2027–2031 Pahsimeroi P-12 Lease/Rental Map
2. Draft Resolution



BEFORE THE IDAHO WATER RESOURCE BOARD

IN THE MATTER OF THE 2027-2031 LITTLE
MUD CREEK AND PAHSIMEROI RIVER
WATER TRANSACTION

RESOLUTION TO MAKE A FUNDING
COMMITMENT

1 WHEREAS, the 2004 Snake River Water Rights Agreement (also known as the “Nez Perce
2 Agreement”) commits the state to providing incentives for improving fish habitat and improving
3 or protecting flow conditions to augment streams flows; and
4

5 WHEREAS, Chinook salmon and steelhead habitat in the Pahsimeroi River Basin is limited
6 by low flow in the main-stem and disconnected tributaries; and
7

8 WHEREAS, the Pahsimeroi River have been identified as high priority streams for flow
9 restoration efforts to provide high quality habitat for anadromous Chinook salmon and
10 steelhead; and
11

12 WHEREAS, in accordance with the Nez Perce Agreement, it is in the interest of the State
13 of Idaho to maintain the reconnection of Little Mud Creek to the Pahsimeroi River to encourage
14 recovery of ESA-listed Chinook salmon and steelhead; and
15

16 WHEREAS, Board staff have developed a short-term water transaction to lease and rent
17 water rights owned by SCOTT HAYES through the Board’s Water Supply Bank to enhance flows in
18 the Pahsimeroi River; and
19

20 WHEREAS, the Board will compensate SCOTT HAYES or its successors, \$74.29 per acre per
21 irrigation season for said rental for annual payment of \$7,206.13 for 96.9 acres and a 5-year total
22 of \$36,030.65; and
23

24 WHEREAS, the lease application fees (\$500) and rental fees (\$3,904.25) for said
25 agreement will not exceed \$4,404.25; and
26

27 WHEREAS, a proposal for \$40,434.90 has been submitted to the Columbia basin Water
28 Transactions Program for approval; and
29

30 WHEREAS, funding is available through the Columbia Basin Water Transaction Program
31 for said lease and rental agreements; and
32

33 WHEREAS, staff anticipates the funds being placed in the Idaho Water Resource Board
34 (IWRB) Revolving Development Account for annual payment to the water rights owners; and

35
36 WHEREAS, the Pahsimeroi River transaction is in the public interest and is in compliance
37 with the State Water Plan; and
38

39 NOW, THEREFORE BE IT RESOLVED that the IWRB authorizes the Chairman to enter into
40 5-year lease and rental agreements from 2027-2031 for water rights 73-78 & 733-116 for delivery
41 to minimum stream flow 73-7045, for an amount not to exceed \$40,434.90. Funds received will
42 be placed in the IWRB Revolving Development Account for annual payment to water user.
43

44 NOW THEREFORE BE IT FURTHER RESOLVED that this resolution is subject to the condition
45 that the Board receives the requested funding from the Bonneville Power Administration through
46 the Idaho MOA/Fish Accord Water Transaction Program or the Columbia Basin Water Transaction
47 Fund in an amount up to \$40,343.90.
48

DATED this 18th day of September 2026.

JEFF RAYBOULD, Chairman
Idaho Water Resource Board

ATTEST _____
DEAN STEVENSON, Secretary

MEMO



To: Idaho Water Resource Board
From: Planning & Projects Bureau Staff
Date: September 11, 2026
Subject: Fiscal Year 2027 Measuring & Monitoring Grant Applications

REQUESTED ACTION: Consider Funding Resolution

Staff received 3 applications for the IWRB's Measuring & Monitoring Grant Funding program. The applications were evaluated and scored according to criteria adopted by the Idaho Water Resource Board (IWRB). The total amount requested by the applications is \$499,217. The Fiscal Year 2027 Water Management Account Spending Plan shows the IWRB has \$1,000,000 available for Measuring & Monitoring grant awards.

The applications were reviewed and scored by Staff based on the current program criteria and were presented to the Finance Committee on September 2, 2026. All applications were reviewed by the Finance Committee, with a recommendation to forward them all for funding, totaling \$499,217.

Attachment(s):

- *Fiscal Year 2027 Scoring Sheet*
- *Draft Resolution*

District	Project	Score (avg)	Request	Cost	Percent	Summary
2	Black Canyon Irrigation District	58.00	\$125,000.00	\$267,110.00	47%	The project will build on Phase 1 already completed by the District to install 14 flowmeters on active siphon turnouts used for irrigation. The meters will allow the watermaster to better manage water share allocations, protect downstream users from shortages, reduce unnecessary spills, and reduce the District's pumping costs
2	Emmet Irrigation District	55.00	\$124,217.00	\$248,434.00	50%	The project will modernize critical infrastructure by installing advanced monitoring equipment, automated control structures, telemetry communications, and centralized data management capabilities at twelve strategic locations across the Emmett Main Canal and associated distribution facilities
4	Jefferson Clark GWD	76.67	\$250,000.00	\$608,462.70	41%	The project will replace Power Consumption Coefficient (PCC)-based diversion estimates with direct volumetric flow measurement at 172 groundwater pumping locations throughout the District with new McCrometer ProComm electromagnetic flowmeters & Ethos integrated telemetry units.

BEFORE THE IDAHO WATER RESOURCE BOARD

DRAFT

IN THE MATTER OF MEASURING &
MONITORING SUPPORT GRANTS

RESOLUTION TO AWARD FUNDS

1 WHEREAS, the Idaho Water Resource Board (IWRB) adopted criteria creating the Monitoring
2 Support Grant Program, through Resolution No. 24-2025 on May 23, 2025, to provide financial assistance
3 within the Eastern Snake Plain Aquifer (ESPA) Area of Common Ground Water Supply (ACGWS), to
4 increase the measurement and monitoring capability of irrigators within the ESPA ACGWS; and

5
6 WHEREAS, the Director of the Idaho Department of Water Resources (IDWR) has issued orders
7 requiring measuring devices (Measurement Orders) to specified water users within designated water
8 districts across the state of Idaho to better administer water resources, and there is a great number of
9 water users within water districts, including outside of the ESPA ACGWS, in need of funding assistance to
10 comply with measurement orders; and

11
12 WHEREAS, on May 21st 2026, the IWRB adopted updated criteria for the award of Measuring &
13 Monitoring Support grants (Resolution No. 27-2026) and will accept applications statewide and year-
14 round, to be funded at the next available IWRB meeting; and

15
16 WHEREAS, Three (3) measuring & monitoring grant applications were received for the September
17 timeframe and were evaluated, scored, and ranked according to the criteria adopted by IWRB; and

18
19 WHEREAS, on September 2, 2026 the Finance Committee met and discussed the projects, and
20 recommended that the IWRB approve Measuring & Monitoring Support Grant awards as specified in
21 Attachment A included with the resolution; and

22
23 NOW, THEREFORE BE IT RESOLVED that the IWRB approves the award of the Measuring &
24 Monitoring Support Grants from the Water Management Account as specified in Attachment A to this
25 resolution.

26
27 NOW, THEREFORE BE IT FURTHER RESOLVED that the IWRB authorizes its chairman or Executive
28 Manager, Brian Patton, to execute the necessary agreements or contracts for the purpose of this
29 resolution

DATED this 18th day of September 2026.

JEFF RAYBOULD, Chairman
Idaho Water Resource Board

ATTEST _____
DEAN STEVENSON, Secretary

Attachment A

2026 Measuring & Monitoring Grant Applications						
Entity	Project	IWRB District	Avg. Score	Funds Requested	Total Project Costs	Funding Award
Black Canyon Irrigation District	Main Canal Metering Project	2	58.00	\$125,000.00	\$267,110.00	\$125,000.00
Emmet Irrigation District	Monitoring & Measurment Modernization Project	2	55.00	\$124,217.00	\$248,434.00	\$124,217.00
Jefferson Clark Groundwater District	Telemetry Modernization & Direct Flow Measurment Conversion Project	4	76.67	\$250,000.00	\$608,462.70	\$250,000.00
				\$499,217.00	\$1,124,006.70	\$499,217.00

MEMO



To: Idaho Water Resource Board
From: Benjamin Camp, EIT, Planning & Projects Bureau
Date: September 14, 2026
Subject: Groundwater to Surface Water Conversion Grant Awards

REQUESTED ACTION: Consider a Resolution to Award Grant Funds

Background:

The Idaho Water Resource Board (IWRB) adopted Resolution No. 34-2025 for an amended FY 2026 Water Management Account (WMA) Spending Plan, which included a remainder of \$6,669,375 in funding budgeted for FY 2025 Round 2 of the Eastern Snake Plain Aquifer (ESPA) Groundwater to Surface Water Conversion (Conversion) Grant Program. The spending plan also included an additional \$20 million budgeted for the FY 2026 award cycle. On September 12, 2025, the IWRB approved Resolution No. 39-2025 to award \$18.7 million in ESPA Conversion grants from the \$20 million budgeted for FY 2026. There remains \$6,669,375 from the FY 2025 Round 2 available for award from the Conversion Grant Program. On May 21, 2026, the IWRB signed Resolution No. 21-2026, which includes an additional \$8 million budgeted for FY 2027 Conversion grant award cycle as part of the FY 2027 WMA Spending Plan. In total, there is \$14,669,375 budgeted for the Conversion Grant Program not yet under award.

On May 21, 2026, the IWRB further adopted Resolution No. 26-2026 into effect, adopting updated criteria for the ESPA Groundwater to Surface Water Conversion Grant program. The application deadline for the FY 2027 award cycle was July 10, 2026. Staff received nine (9) applications requesting \$1,271,263.17, plus one (1) additional application requesting \$60,889.50 received after the deadline, for a total of ten (10) applications with a requested amount of \$1,332,152.67.

The timely applications were scored based upon project benefits/effectiveness and proposal clarity and ranked against each other for percentage of pumping offset and for the impact of groundwater reduction. The late application did not receive points for percentage of pumping offset nor for the impact of groundwater reduction.

Staff Funding Recommendation

The Finance Committee does not recommend the Little Lost River Watershed Improvement District's (LLRWID) Pancheri project. The proposal is an efficiency project to convert 1.3 miles of the Little Lost River to a closed pipe system, as well as line the south pond capable of holding 46 acre-feet, to reduce seepage losses during delivery and storage. Currently, groundwater is pumped into the south pond and a second unlined pond (north) to make up lost surface water and for additional irrigation. The project area covers two farms, one of which has primary surface water rights covering 100% of the 1655 acres and supplemental groundwater rights covering 80% of the acres. The second farm has groundwater rights to cover all 1209 acres and surface water rights covering 30% of the acres. No additional surface water, other than the recovery of the reduced seepage, is

proposed to be delivered for the project to reduce groundwater pumping. The project as proposed will have zero net change in aquifer reach gain benefits, since the reduction to seepage losses of surface water will be equally offset with a reduction in groundwater pumping. The total project costs are \$1.4 million, with a request of \$715,653 in funding at 50%.

The Finance Committee recommends funding nine (9) out of ten (10) Conversion applications.

Action Item:

A resolution is attached, along with a funding recommendation (Attachment A) that has been approved by the Finance Committee. These applications meet all grant criteria. Total funds to be awarded would amount to \$616,499.67.

On September 2, 2026, the Finance Committee recommended reducing FY 2027 Budget amount of ESPA Conversion Grants from \$8,000,000 to \$3,000,000. Thus, there is a total of \$9,669,375 available for award.

Additionally, a FY 2025 Round 2 Conversion Project, the Magic Valley Ground Water District's *Brown Family Conversion Project*, has relinquished their \$618,723.84 that was awarded on September 12, 2025. This amount would cover Round 3's funding recommendation in full.

Attachment(s):

- *Groundwater to Surface Water Conversion Grant Application Summaries*
- *Draft Resolution w/ Attachment A*

FY 2027 - Groundwater to Surface Water Conversion Grant Application Summaries

Bingham GWD: Clawson		
Funds requested:	\$142,664.00	Installation of two system conversions 1. Pump, VFD, filter, sump box, approximately 3300' of pipe. 2. Pump, VFD, filter, sump box.
Total project costs:	\$285,328.00	
AF of GW offset:	898	
Bingham GWD: Clayson		
Funds requested:	\$34,903.00	Install a pump, filter, and approximately 1700' of pipe.
Total project costs:	\$69,806.00	
AF of GW offset:	518	
Bingham GWD: Hawker		
Funds requested:	\$63,093.89	Installation of a pump, VFD, filter, and sump box.
Total project costs:	\$126,187.78	
AF of GW offset:	150	
Bingham GWD: Sandoval		
Funds requested:	\$35,505.00	Installation of a pump, VFD, filter, sump box, and 60' of steel mainline.
Total project costs:	\$71,010.00	
AF of GW offset:	191	
Bingham GWD: Stecklein		
Funds requested:	\$36,595.18	Installation of a pump, filter, sump box, power, and approximately 1300' of pipe.
Total project costs:	\$73,190.37	
AF of GW offset:	759	
Bingham GWD: Thompson		
Funds requested:	\$60,494.60	Installation of a pump and filter with approximately 1980' of 12" pipeline and 1180' of 10" pipe.
Total project costs:	\$120,989.19	
AF of GW offset:	1874	
Bingham GWD: Tominoga		
Funds requested:	\$7,210.00	Installation of a pump, VFD, filter, and sump box.
Total project costs:	\$90,106.00	
AF of GW offset:	758	
Little Lost River Watershed Improvement District: Pancheri		
Funds requested:	\$715,653.00	Install a liner to an irrigation pond and approximately 6900' of 36" pipeline along the Little Lost River to reduce seepage losses and reduce supplemental groundwater pumping.
Total project costs:	\$1,431,308.00	
AF of GW offset:	0	

Upper Big Lost River GWD: Pehrson		
Funds requested:	\$175,144.50	Installation of a pump and two sections of pipeline to integrate the surface water into the existing irrigation system.
Total project costs:	\$350,289.00	
AF of GW offset:	338	
Bonneville Jefferson GWD: Lovell and Cook Ag		
Funds requested:	\$60,889.50	Installation of a pump, VFD, filter, sump box, a flow meter, and approximately 1,320' of pipe.
Total project costs:	\$121,779.00	
AF of GW offset:	1040	

*All projects have an estimated completion date in Spring 2027.

BEFORE THE IDAHO WATER RESOURCE BOARD

IN THE MATTER OF GROUNDWATER TO
SURFACE WATER CONVERSION GRANTS

RESOLUTION TO AWARD FUNDS

1 WHEREAS, the Idaho Water Resource Board (IWRB) adopted Resolution No. 29-2026 on
2 May 21, 2026, modifying the FY 2027 Water Management Account Spending Plan; and
3

4 WHEREAS, the IWRB's modified spending plan included a budget of \$14,669,375 for the
5 Groundwater to Surface Water Conversion Grant program within the Eastern Snake Plain Aquifer
6 (ESPA) Regional Water Sustainability (RWS) Project Priority List; and
7

8 WHEREAS, on May 21, 2026, the IWRB adopted updated criteria for the award of ESPA
9 Groundwater to Surface Water Conversion Grants (Resolution No. 26-2026) and set an
10 application deadline of July 10, 2026; and
11

12 WHEREAS, ten (10) ESPA Groundwater to Surface Water Conversion Grant applications
13 were evaluated, scored, and ranked according to the criteria adopted by the IWRB; and
14

15 WHEREAS, on September 2, 2026, the Finance Committee met and discussed the projects
16 and recommended the IWRB approve grant awards as specified in Attachment A to this
17 resolution.
18

19 NOW, THEREFORE BE IT RESOLVED that the IWRB approves the award of ESPA
20 Groundwater to Surface Water Grants from the Water Management Account as specified in
21 Attachment A to this resolution.
22

23 NOW, THEREFORE BE IT FURTHER RESOLVED that the IWRB authorizes its chairman or
24 Executive Manager, Brian Patton, to execute the necessary agreements or contracts for the
25 purpose of this resolution.
26

DATED this 18th day of September 2026.

JEFF RAYBOULD, Chairman
Idaho Water Resource Board

ATTEST _____
DEAN STEVENSON, Secretary

ATTACHMENT A

2026 Round 3 ESPA GW to SW Conversion Grant Awards					
Entity	Project	Funds Requested	Total Project Costs	Score	Funds Awarded
Bingham GWD	Thompson	\$ 60,494.60	\$ 120,989.19	61.67	\$ 60,494.60
Bingham GWD	Stecklein	\$ 36,595.18	\$ 73,190.37	56.33	\$ 36,595.18
Bingham GWD	Tominoga	\$ 7,210.00	\$ 90,106.00	56.00	\$ 7,210.00
Bingham GWD	Clawson	\$ 142,664.00	\$ 285,328.00	54.00	\$ 142,664.00
Bingham GWD	Clayson	\$ 34,903.00	\$ 69,806.00	50.67	\$ 34,903.00
Upper Big Lost River GWD	Pehrson	\$ 175,144.50	\$ 350,289.00	50.67	\$ 175,144.50
Bingham GWD	Sandoval	\$ 35,505.00	\$ 71,010.00	47.33	\$ 35,505.00
Bonneville Jefferson GWD	Lovell and Cook Ag	\$ 60,889.50	\$ 121,779.00	43.00	\$ 60,889.50
Bingham GWD	Hawker	\$ 63,093.89	\$ 126,187.78	39.67	\$ 63,093.89
TOTALS		\$ 1,332,152.67	\$ 2,739,993.34		\$ 616,499.67

MEMO



To: Idaho Water Resource Board
From: Planning & Projects Bureau Staff
Date: September 11, 2026
Subject: Fiscal Year 2027 Aging Infrastructure Grant Applications

REQUESTED ACTION: Consider Funding Resolution

Staff received 70 applications for Aging Infrastructure Grant Funding. The applications were evaluated and scored according to criteria adopted by the Idaho Water Resource Board (IWRB). The total amount requested by the applications is \$39,366,435.66. The Fiscal Year 2027 Water Management Account Spending Plan shows the IWRB has \$30,274,363 available for Aging Infrastructure grant awards.

The applications were reviewed and scored by Staff based on the current program criteria and were presented to the Finance Committee on September 2, 2026. Of the 70 received, three were determined by the Finance Committee to be Not Eligible for the program and were not recommended for funding. The Finance Committee recommended funding the remaining 67, totaling \$35,644,991.

Attachment(s):

- *Project Summaries*
- *Draft Resolution*

	Project	Score (avg)	Request	Cost	Percent	Summary
4	Aberdeen-Springfield Canal Company	101.50	\$1,167,800	\$2,335,600	50%	The Lavaside Siphon Replacement project will remove the existing inverted siphon and install a new cast-in-place structure along with two HDPE pipes and an updated trash rack.
1	Avondale Irrigation District	85.00	\$2,000,000	\$4,300,000	47%	Avondale will use the funding to replace approximately 8,200 linear feet of asbestos-concrete pipe within their existing distribution system.
3	Big Wood Canal Company	103.00	\$1,999,000	\$3,998,000	50%	The Big Wood Canal Company is seeking funds towards improvements at Magic Reservoir after FERC dam safety review. The improvements include a downstream toe drain, tailrace blanket drain, the construction of an embankment chimney filter drain, updates to the existing conveyance structures and additional dam safety evaluations
4	Bingham Groundwater District - Parsons	67.00	\$90,000	\$180,000	50%	The project would modernize the existing Snake River headworks southeast of Blackfoot. The existing headworks are manually operated and do not provide automation control or flow measurement, the updated structure will provide the district with a Rubicon FlumeGate
4	Bingham Groundwater District - Watson	78.00	\$177,500	\$355,000	50%	Existing headworks for Watson Slough water users has deteriorated and is in need of repair. This project would remove the existing structure, replace it with a reinforced concrete structure, and incorporate the installation of automated gates & telemetry equipment
2	Black Canyon Irrigation District	89.00	\$2,000,000	\$4,234,486	47%	The Black Canyon Irrigation District is seeking funds to replace the existing Beet Dump Siphon located along the Conway Gulch Lateral. The structure was completed in 1948 and has reached end of service life
2	Boise Project BOC - Golden Gate	92.00	\$216,809	\$481,798	45%	The Boise Project BOC is seeking funding to address a high-risk section of the existing canal that has, in the past, created flood hazards and damaged adjacent property. The project would replace the existing earthen liner and install 2,60 feet of 6" concrete
2	Boise Valley Irrigation District Company	79.50	\$173,296	\$346,592	50%	Boise Valley is seeking funds to convert open canal to pipe through their irrigation district. The project will help the District better maintain the system as the area to be piped is difficult to maintain
4	Caribou Soil Conservation District	Not Eligible	\$321,445	\$642,890	50%	Funding would be used to rehabilitate the City of Grace's potable water infrastructure. The project would address deteriorating transmission mains and outdated spring collection systems essential to the City's water supply
3	City of Eden	73.50	\$24,970	\$49,970	50%	The City of Eden is seeking funds to install a replacement mainline throughout the town. Much of the system has reached the end of servicable life, and these funds would help the City avoid potential emergency situations if there was a failure
2	City of Greenleaf	97.00	\$128,300	\$256,600	50%	Using a recently completed Facility Master Plan, the City has identified a list of improvements to the existing gravity irrigation system. The repairs include the replacement of leaking irrigation pipe, waste line modifications, additional pipe installation, and the installation of two mainline access points for maintenance and sediment removal
1	City of Lewiston	Not Eligible	\$1,400,000	\$3,200,000	44%	Funds would be used to decommission Well No. 4, which has confirmed PFOS & PFOA contamination. Additionally, the City is planning to construct their Water Treatment Alkalinity Additional Project to replace compromised groundwater infrastructure
3	City of Rupert	91.50	\$55,000	\$110,000	50%	The City of Rupert will rehabilitate and reconstruct three existing municipal irrigation wells to restore reliable operation and extend the life of the system. Work will include the removal or deteriorated infrastructure, well reconstruction, new casings and seals, and the installation of new pumps
4	Consolidated Irrigation Company	83.00	\$1,928,245	\$3,856,489	50%	The funds will be used to pipe an existing canal that conveys water from the hydro plant to the Johnson and Lamont reservoirs. The project would reduce incidental recharge and save the Company approximately 980 acre-feet annually
1	Dalton Gardens Irrigation District	101.50	\$989,000	\$5,505,200	18%	Pump house improvement project to demolish the existing pumphouse and pipeline. Post-demolition, a new expanded pump station will be constructed with modern pumps, replacement pipe, and electrical equipment
4	Davis Ditch Association	80.00	\$63,590	\$127,991	50%	Funding will be used to install approximately 6,000 feet of PVC to enhance water delivery. a new 100hp shared pump will also be installed, allowing the Assn. to abandon and demolish four existing structures
1	Drainage District No. 6	102.50	\$385,717	\$798,034	48%	The project will upgrade existing deteriorated steel pipes with PVC and replace the existing pumps with variable frequency drive motors. The project will also modernize the existing electrical switching at the pump station, reducing fire risk
1	East Greenacres Water District	91.00	\$1,990,000	\$3,980,000	50%	The project will replace aging electrical components, well controls, mechanical piping, check valves, and SCADA monitoring components.
2	Emmet Irrigation District	64.00	\$124,217	\$248,434	50%	Emmet Irrigation District is seeking funds to install modern monitoring and measurement equipment, including automated control structures, pressure transducers, water level sensors, flow measurement devices and telemetry communication equipment.
4	Enterprize Canal Company	95.00	\$663,194	\$1,326,388	50%	Enterprize will use funding to replace an existing syphon with several HDPE pipes and to construct a new concrete inlet and outlet structure. Trash racks will be installed to help the Company better serve their patrons

3	Fish Creek Irrigation District	98.00	\$1,340,209	\$2,680,418	50%	Fish Creek Irrigation District is seeking funds to replace existing checkboard diversion structures with a modern headgate and measurement devices, install solar-powered ultrasonic flowmeters at the Fish Creek Mutual Pipeline, and install a canal liner along four sections of the canal
4	Fremont - Madison Irrigation District	95.00	\$53,500	\$107,000	50%	FMID is seeking funds to repair the existing bladder dam on to of the Island Park Reservoir. This would provide approximately 7,500 acre-feet of storage potential in the Reservoir
4	Fremont - Madison Irrigation District - Consolidated	100.50	\$57,792	\$115,583	50%	Fremont - Madison has proposed to upgrade an existing check structure along the Consolidated Farmers Canal. Automation equipment will also be installed at the headworks to help the Irrigation District better manage flows through the canal
4	Fremont - Madison Irrigation District - Salem Union	98.50	\$58,044	\$116,088	50%	An existing splitter structure located along the Salem Union Canal has reached end of serviceable life and needs repaired. The project will install a new splitter structure along with the installation of automation equipment to better manage deliveries
4	Fremont - Madison Irrigation District - Teton Island	90.50	\$26,816	\$53,633	50%	Fremont - Madison has requested funding to automate an existing check structure critical to the Teton Island Canal. The replacement will prevent flood events that has experienced year over crop damage.
4	Garden Water Company	98.00	\$2,000,000	\$4,245,000	47%	This project will construct a pressurized pipeline within the footprint of the Penfold/Bowles Canal and include a diversion headgate, fish and debris screen, open channel flow measurement structure, turnout structures, and valves
2	Gold Fork Irrigating Company	89.50	\$25,000	\$50,000	50%	Applicant is seeking funding to complete a system study to determine an overall plan to repair the entire existing system. The study will include a scoping-level evaluation of existing headworks, conveyance alternatives (gravity vs pressurized), potential pump station installation, a hydraulic profile of the entire system, and costs for each studied component.
4	Grand Teton Canal Company	94.00	\$110,000	\$220,000	50%	The Grand Teton Canal Company is seeking funds to replace the main head gate structure, which has reached the end of its operational lifespan and presents an imminent risk of structural failure
1	Hayden Lake Irrigation District	100.50	\$984,000	\$1,986,000	50%	Funding to Hayden Lake will be used to upsize an existing transmission main. Works would include the installation of a standby generator, low-harmonic variable frequency drive pumps, modern SCADA controls, and a new well house for the equipment
4	Jefferson Clark GWD - Ball Canal	88.50	\$1,752,035	\$3,504,069	50%	The project would line approximately 5.15 miles of existing canal in the Jefferson Clark GWD. Through this improvement, systems would reduce seepage and delivery loss, allowing the entity to deliver the same amount of useable water with less overall groundwater pumping
4	Jefferson Clark GWD - Independent Canal	87.50	\$1,739,391	\$3,478,782	50%	The project would line approximately 4.8 miles of existing canal in the Jefferson Clark GWD. Through this improvement, systems would reduce seepage and delivery loss, allowing the entity to deliver the same amount of useable water with less overall groundwater pumping
4	Jefferson Clark GWD - Producers	82.50	\$1,644,835	\$3,289,671	50%	The project would line approximately 3.72 miles of existing canal in the Jefferson Clark GWD. Through this improvement, systems would reduce seepage and delivery loss, allowing the entity to deliver the same amount of useable water with less overall groundwater pumping
4	Jefferson Clark GWD - Stewart Canal	85.50	\$977,267	\$1,954,454	50%	The project would line approximately 3.56 miles of existing canal in the Jefferson Clark GWD. Through this improvement, systems would reduce seepage and delivery loss, allowing the entity to deliver the same amount of useable water with less overall groundwater pumping
4	Jefferson Irrigation Canal	80.00	\$128,492	\$256,984	50%	Funds would be used by the Irrigation Canal to convert an existing flood-irrigation operation to a pivot system. Currently, the Holdaway operation uses pumped groundwater to flood irrigate; this could potentially reduce the overall amount withdrawn
4	Jefferson Irrigation Canal	81.00	\$526,288	\$1,052,580	50%	Funds would be used by the Irrigation Canal to convert an existing flood-irrigation operation to a pivot system. Currently, the Krag Bare operation uses pumped groundwater to flood irrigate; this could potentially reduce the overall amount withdrawn
4	Jefferson Irrigation Company	80.50	\$779,574	\$1,559,148	50%	Funding will be used to line two miles of existing canal using 40-mil HDPE geomembrane liner. Funding will also be used to relocate an existing pump station and construct the necessary pump-station infrastructure at the new location
2	Kuna East Water Corporation	92.00	\$224,354	\$448,708	50%	Kuna East Water Corporation is seeking funds to replace a 62-year-old well that has began to fail. These funds will also be paired with a loan application for the same project; currently they have applied for the full project costs, these funds would offset 50% of the costs
4	Lenroot Canal Company	65.50	\$62,789	\$125,579	50%	The Lenroot headgate will be retrofitted with an Ethos level sensor telemetry unit and Dryer pressure transducer, allowing the canal company to monitor real-time diversions and better manage spills. The existing Screw Gate will be retrofitted with a new steel gate upstream of the existing wood structures and equipped with an Auma actuator motor and Ethos automation & telemetry equipment
2	Lost Valley Reservoir Company	Not Eligible	\$2,000,000	\$14,000,000	14%	This project would both repair and expand the existing Lost Valley Reservoir system, increasing the potential storage capacity to 30,000 acre-feet

4	Madison Groundwater District - Erikson	82.00	\$37,028	\$75,055	49%	An existing corroded steel mainline is proposed to be replaced with new PVC lines to reduce subsurface leaking and structural degradation. The replacement will eliminate leakage, improve irrigation efficiency, and reduce overall groundwater diversions for the District.
4	Madison Groundwater District - Gould	84.50	\$51,706	\$103,411	50%	An existing corroded steel mainline is proposed to be replaced with new PVC lines to reduce subsurface leaking and structural degradation. The replacement will eliminate leakage, improve irrigation efficiency, and reduce overall groundwater diversions for the District.
4	Madison Groundwater District - Huskinson	85.50	\$5,563	\$11,126	50%	An existing corroded steel mainline is proposed to be replaced with new PVC lines to reduce subsurface leaking and structural degradation. The replacement will eliminate leakage, improve irrigation efficiency, and reduce overall groundwater diversions for the District.
4	Madison Groundwater District - Jeppeson	83.50	\$45,100	\$90,200	50%	An existing corroded steel mainline is proposed to be replaced with new PVC lines to reduce subsurface leaking and structural degradation. The replacement will eliminate leakage, improve irrigation efficiency, and reduce overall groundwater diversions for the District.
4	Madison Groundwater District - Saurey	84.50	\$63,597	\$127,193	50%	An existing corroded steel mainline is proposed to be replaced with new PVC lines to reduce subsurface leaking and structural degradation. The replacement will eliminate leakage, improve irrigation efficiency, and reduce overall groundwater diversions for the District.
4	Madison Groundwater District - Webster	84.50	\$224,694	\$449,389	50%	An existing corroded steel mainline is proposed to be replaced with new PVC lines to reduce subsurface leaking and structural degradation. The replacement will eliminate leakage, improve irrigation efficiency, and reduce overall groundwater diversions for the District.
2	McKinley Water Users	88.00	\$2,000,000	\$5,220,000	38%	The project will replace an aging gravity irrigation distribution serving a small portion of Boise's Randolph-Robertson neighborhood with an expanded pressurized distribution system that serves the entire footprint of homes associated with the two Penninger Lateral diversions
2	Middleton Mill - Boise River Check Structure	86.00	\$18,000	\$36,000	50%	Middleton Mill will use the funds to pour a new 6" flow on the existing floor of the canal, pour new 3" concrete walls up to 5' and finish with a polyurea spray for protection.
2	Middleton Mill - Willow Creek	90.50	\$42,279	\$84,558	50%	Middleton Mill is seeking funds to replace an existing diversion structure at Willow Creek with a concrete pad and check board slots to measure and regulate flows. Middleton will also replace existing concrete headwalls with new headwalls and replace an overflow pipe that had reached end of service life
3	Milner Irrigation District	84.00	\$142,660	\$285,319	50%	Milner Irrigation District has requested funds to refurbish their existing main gates, purchase and install vertical turbine and variable frequency drive pumps, and replace 770' of cement delivery conduit that has begun to leak
4	Mud Lake Water Users Association	90.50	\$57,216	\$114,431	50%	The proposed project includes installing approximately 5,560 linear feet of 12-inch PVC irrigation pipeline, constructing a lined road crossing, installing the necessary fittings and valves, and installing a 60-horsepower pump capable of delivering approximately 1,000 gallons per minute
4	Mud Lake Water Users Association - Re-Application	88.50	\$800,000	\$1,600,000	50%	Mud Lake Water Users are seeking funds to rehabilitate and improve a major pump station. New pumps will be installed along the Owsley Canal that convey water across 24,000 acres
4	North Wapello Lateral Ditch	102.00	\$67,612	\$135,224	50%	Funds will be used to repair an existing check structure that has experienced significant deterioration, cracking, spalling, and erosion. The project is a partnership between North Wapello and the Blackfoot Irrigation Company, who will provide significant in-kind support
3	North Side Canal Company - A-Siphon		\$314,850	\$628,700	50%	North Side is seeking funds to reconstruct an existing steel pipe siphon along the A-Canal. The existing steel will be demolished and a new, fusion-welded HDPE pipeline will be installed. After fusion and installation, the pipe will then be buried to protect against weather
3	North Side Canal Company - C-Check Structure	96.00	\$260,325	\$520,650	50%	North Side Canal Co. is seeking funds to demolish and replace both the C-Canal C-1 and Greenwood check structures. New weir structures will be formed and installed after the existing structures are demolished; construction is expected to begin fall 2027
3	North Side Canal Company - Red Bridge	98.00	\$486,750	\$973,500	50%	North Side Canal Co. is seeking funds to demolish and rebuild the existing Red Bridge - Main Canal Structure weir gates and gates near Jerome. Construction is expected to begin fall/winter of 2027, depending on the design process and availability of funding
4	Parks And Lewisville	90.00	\$79,954	\$159,968	50%	Parks and Lewisville are seeking funds to install automation equipment at the Madsen Corner diversion, where flows split between two distribution branches. Two overshot gates will also be installed and operated by dual 5,000-pound motors
2	Payette Soil And Water Conservation District	97.00	\$60,470	\$123,235	49%	Funding will be used to replace an existing buried culvert along Kid Creek in New Plymouth. The project will also replace the adjacent irrigation drop structure to improve efficiency, reduce erosion, and improve reliability
3	Salmon River Canal	69.00	\$250,000	\$523,926	48%	The project would line an existing 1.8 mile concrete canal within the Salmon River Canal Company's system. The lining would save the Company approximately 10 acre-feet per day throughout the season

2	Sharver Lateral Water Users Assn	81.00	\$172,050	\$344,100	50%	Funding will be used to install cure-in-place pipe liner to rehabilitate the existing piped irrigation system. CCTV inspections, root cutting and cleaning, and post installation inspections will also be performed to verify installation success
4	Snake River Valley Irrigation District	89.00	\$761,610	\$1,523,220	50%	Funds will be used to replace the existing Cedar Point Splitter structure. A new, modern concrete structure will be cast in place and a new precast box culvert will be used to replace the existing wooden bridge
2	South Board of Control - Gem Irrigation District	81.50	\$780,594	\$1,561,187	50%	The South Board of Control, in partnership with the Gem Irrigation District, is seeking funds to replace pump motor starters that have significantly exceeded their serviceable life. A failure of these starter motors could significantly damage the pump and present a safety hazard to personnel
2	South Boise Water Company	88.00	\$144,360	\$288,720	50%	Funds will be used to replace 200' of existing pipeline, upgrade two existing catwalks and safety railings, automate three diversion headgates, and dredge the primary sediment forebay
4	Southeast Idaho Canal Company	86.50	\$10,398	\$20,797	50%	Southeast Idaho Canal Co. will replace an existing screw gate along a main lateral. The project will also include the installation of automation equipment and flow measurement devices to help resolve water charge conflicts between the Company and the water users
2	Squaw Creek Soil Conservation District	91.00	\$123,508	\$253,015	49%	Squaw Creek Soil Conservation District is seeking funding to install a new pump station along the Payette River with multiple pumps and metering equipment. The new installation will replace an existing system installed in the 1960s that has reached end of service life
3	Twin Falls Canal Company	75.50	\$317,151	\$634,303	50%	The project will provide a center pivot and the necessary infrastructure to the N Ranch, located along the existing TFCC canal. During the liner project undertaken by the TFCC, the reduction in seepage impacted the N Ranch's ability to irrigate, this project will help mitigate for the losses in seepage to the ranch.
4	Twin Lakes Canal Company	77.50	\$321,445	\$642,890	50%	Replacement of 1,020 feet of deteriorated siphon infrastructure will eliminate structural weaknesses, reduce failure risk, and protect downstream agricultural operations and public safety. The existing pump will also be replaced with a 300HP pump
4	United Canal Company	63.50	\$101,215	\$202,430	50%	The United Canal Company is seeking funding to replace an existing Aging Infrastructure grant award for work on the Danskin Canal. New diversion works, overshot gates, and automation equipment will be installed, reducing the risk of breaching into an adjacent canal and allowing the Company to better manage water supplies
2	Water District 65	83.50	\$99,748	\$199,496	50%	This will continue on the work done by the District to install real-time monitoring technology at 34 additional diversion locations along the Payette River basin. The new infrastructure will help the District replace the existing manual data collection system with automated, hourly telemetry data
2	Weiser River Soil Conservation District	93.50	\$310,750	\$636,500	49%	This project would install a new headgate and actuator valve at the Barton Reservoir. Additionally, a new 220' discharge pipe will be installed through the reservoir
4	Yellowstone Conservation District	70.00	\$827,335	\$1,654,671	50%	An existing corroded steel mainline is proposed to be replaced with new PVC lines. These mainlines are used to transport groundwater from wells to irrigation pivots and wheel lines and have developed significant underground leakage, increasing the overall groundwater withdrawals

BEFORE THE IDAHO WATER RESOURCE BOARD

DRAFT

IN THE MATTER OF AGING INFRASTRUCTURE
GRANTS

RESOLUTION TO AWARD FUNDS

1 WHEREAS, Idaho Code § 42-1760 authorizes the Idaho Water Resource Board's (IWRB) to grant
2 money from the Water Management Account to address aging water infrastructure; and
3

4 WHEREAS, Senate Bill 1363 passed and approved by the Idaho Legislature in 2026 transferred
5 \$30,000,000 from the General Fund to the Water Management Fund (Account) to be used for water
6 projects, including improvement of water infrastructure throughout the state; and
7

8 WHEREAS, on May 21, 2026, the IWRB adopted Resolution No. 29-2026 for the Water
9 Management Account FY 2027 Spending Plan (Spending Plan). The Spending Plan budgeted a total of
10 \$30,274,363 for Aging Infrastructure Grants for FY2027, including \$4,000,000 from the Senate Bill 1363
11 funding; and
12

13 WHEREAS, on May 21, 2026, the IWRB adopted updated criteria for the award of Aging
14 Infrastructure grants (resolution no. 25-2026) and set an application deadline of August 7, 2026; and
15

16 WHEREAS, Seventy (70) Aging Infrastructure grant applications were received by the deadline and
17 were evaluated, scored, and ranked according to the criteria adopted by IWRB; and
18

19 WHEREAS, on September 2, 2026, the Finance Committee met and discussed the projects, and
20 recommended that the IWRB approve Aging Infrastructure Grant awards as specified in Attachment A
21 included with the resolution; and
22

23 WHEREAS, on September 2, 2026, the Finance Committee recommended that the IWRB increase
24 the amount available for Aging Infrastructure Grant Awards in the Spending Plan to \$35,644,991; and
25

26 WHEREAS, on September 18, 2026, the IWRB adopted the Amended FY 2027 Water Management
27 Account Spending Plan to the higher amount for Aging Infrastructure Grant Awards requested.
28

29 NOW THEREFORE BE IT RESOLVED that the IWRB approves the award of Aging Infrastructure
30 Grants from the Water Management Account as specified in Attachment A to this resolution.
31

32 NOW THEREFORE BE IT FURTHER RESOLVED that the IWRB authorizes its chairman or Executive
Manager, Brian Patton, to execute the necessary agreements or contracts for the purpose of this resolution.

DATED this 18th day of September 2026.

JEFF RAYBOULD, Chairman
Idaho Water Resource Board

ATTEST _____
DEAN STEVENSON, Secretary

Attachment A – Proposed Aging Infrastructure Funding

2026 Aging Infrastructure Grant Applications - Provisional Scoring						
Entity	Project	IWRB District	Funds Requested	Total Project Costs	Avg. Score	Total Award
Big Wood Canal Company	Magic Reservoir Dam Repair Project	3	\$1,999,000.00	\$3,998,000.00	103.00	\$1,999,000.00
Drainage District No. 6	Diversion Works Rehabilitation & Pump Station Modernization	1	\$385,717.00	\$798,034.00	102.50	\$385,717.00
North Wapello Lateral Ditch	Headgate And Diversion Works Repair	4	\$67,612.00	\$135,224.00	102.00	\$67,612.00
Aberdeen-Springfield Canal Company	Lavaside Siphon Replacement Project	4	\$1,167,800.00	\$2,335,600.00	101.50	\$1,167,800.00
Dalton Gardens Irrigation District	Pump Station & Mainline Replacement Project	1	\$989,000.00	\$5,505,200.00	101.50	\$989,000.00
Fremont - Madison Irrigation District	Island Park Reservoir Bladder Dam Repair	4	\$53,500.00	\$107,000.00	100.50	\$53,500.00
Hayden Lake Irrigation District	Irrigation Transmission Upsize and Rehabilitation	1	\$984,000.00	\$1,986,000.00	100.50	\$984,000.00
Fremont - Madison Irrigation District	Salem Union Splitter Repair & Modernization	4	\$58,044	\$116,088	98.50	\$58,044
Fish Creek Irrigation District	Check Structure Repair & Equipment Installation	3	\$1,340,209.00	\$2,680,418.00	98.00	\$1,340,209.00
Garden Water Company	Penfold Bowles Canal Pipeline Conversion & Headgate Works	4	\$2,000,000.00	\$4,245,000.00	98.00	\$2,000,000.00
North Side Canal Company	Red Bridge Replacement Project	3	\$486,750.00	\$973,500.00	98.00	\$486,750.00
City of Greenleaf	Greenleaf Wise Water - Gravity Irrigation System Rehab	2	\$128,300.00	\$256,600.00	97.00	\$128,300.00
Payette Soil And Water Conservation District	Kid Creek Culvert Repair and Rehabilitation	2	\$60,470.05	\$123,235.15	97.00	\$60,470.05
North Side Canal Company	C-Check Structure Replacement Project	3	\$260,325.00	\$520,650.00	96.00	\$260,325.00
Enterprize Canal Company	Siphon Repair Project	4	\$663,194.00	\$1,326,388.00	95.00	\$663,194.00
Fremont - Madison Irrigation District	Consolidated Canal Headworks Replacement	4	\$57,791.50	\$115,583.00	95.00	\$57,791.50
Grand Teton Canal Company	Main Headgate Repair	4	\$110,000.00	\$220,000.00	94.00	\$110,000.00
Weiser River Soil Conservation District	Barton Reservoir Headgate Repair Project	2	\$310,750.00	\$636,500.00	93.50	\$310,750.00
Boise Project Board of Control	Lower Golden Gate Liner Project	2	\$216,809.00	\$481,798.00	92.00	\$216,809.00

Kuna East Water Corporation	Well Replacement Project	2	\$224,354.00	\$448,708.00	92.00	\$224,354.00
City of Rupert	Municipal Irrigation System Repair & Well Reconstruction	3	\$55,000.00	\$110,000.00	91.50	\$55,000.00
East Greenacres Water District	Pump Station Electrical Modernization	1	\$1,990,000.00	\$3,980,000.00	91.00	\$1,990,000.00
Squaw Creek Soil Conservation District	Payette River Pump Station Replacement	2	\$123,507.50	\$253,015.00	91.00	\$123,507.50
Fremont - Madison Irrigation District	Teton Island Check Structure Replacement	4	\$26,816.00	\$53,633.00	90.50	\$26,816.00
Middleton Mill	Diversion Works Replacement	2	\$42,279.00	\$84,558.00	90.50	\$42,279.00
Mud Lake Water Users Association	Pump Station Rehabilitation	4	\$800,000.00	\$1,600,000.00	90.50	\$800,000.00
North Side Canal Company	A-Siphon Rebuild Project	3	\$314,850	\$628,700	90.00	\$314,850
Parks And Lewisville	Madsen Corner Diversion Automation & Gate Installation	4	\$79,953.50	\$159,967.50	90.00	\$79,953.50
Gold Fork Irrigating Company	Irrigation Modernization Study	2	\$25,000.00	\$50,000.00	89.50	\$25,000.00
Black Canyon Irrigation District	Beet Dump Siphon Replacement	2	\$2,000,000.00	\$4,234,486.00	89.00	\$2,000,000.00
Snake River Valley Irrigation District	Cedar Point Splitter Structure Repair	4	\$761,610.00	\$1,523,220.00	89.00	\$761,610.00
Jefferson Clark GWD	Ball Canal Lining Project	4	\$1,752,034.96	\$3,504,069.00	88.50	\$1,752,034.96
Mud Lake Water Users Association	Pump Station Repairs and Pipeline Installation	4	\$57,215.50	\$114,431.00	88.50	\$57,215.50
McKinley Water Users	Irrigation Delivery System Repair And Expansion	2	\$2,000,000.00	\$5,220,000.00	88.00	\$2,000,000.00
South Boise Water Company	Pipeline Rehabilitation & Infrastructure Repairs	2	\$144,360.00	\$288,720.00	88.00	\$144,360.00
Jefferson Clark GWD	Independent Canal Lining Project	4	\$1,739,391.30	\$3,478,782.00	87.50	\$1,739,391.30
Southeast Idaho Canal Company	Screw Gate Repair and Automation Retrofit	4	\$10,398.00	\$20,797.00	86.50	\$10,398.00
Middleton Mill	Boise River Check Structure Repairs	2	\$18,000.00	\$36,000.00	86.00	\$18,000.00
Jefferson Clark GWD	Stewart Canal Lining Project	4	\$977,266.99	\$1,954,453.99	85.50	\$977,266.99
Madison Groundwater District - Huskinson	Huskinson Mainline Replacement Project	4	\$5,562.84	\$11,125.69	85.50	\$5,562.84
Avondale Irrigation District	Asbestos-Concrete Removal And Replacement Project	1	\$2,000,000.00	\$4,300,000.00	85.00	\$2,000,000.00
Madison Groundwater District - Gould	Gould Mainline Replacement Project	4	\$51,705.62	\$103,411.25	84.50	\$51,705.62

Madison Groundwater District - Saurey	Saurey Mainline Replacement Project	4	\$63,596.63	\$127,193.26	84.50	\$63,596.63
Madison Groundwater District - Webster	Webster Mainline Replacement Project	4	\$224,694.37	\$449,388.75	84.50	\$224,694.37
Milner Irrigation District	Main Gate Rehabilitation and Pump Installation	3	\$142,659.55	\$285,319.00	84.00	\$142,659.55
Madison Groundwater District - Jeppeson	Jeppeson Mainline Replacement Project	4	\$45,100.00	\$90,200.00	83.50	\$45,100.00
Water District 65	Real-Time Monitoring Implementation Project - Phase 2	2	\$99,748.00	\$199,496.00	83.50	\$99,748.00
Consolidated Irrigation Company	Canal to Pipeline Conversion Project	4	\$1,928,244.50	\$3,856,489.00	83.00	\$1,928,244.50
Jefferson Clark GWD	Producers Canal Lining Project	4	\$1,644,835.30	\$3,289,670.61	82.50	\$1,644,835.30
Madison Groundwater District - Erikson	Erikson Mainline Replacement Project	4	\$37,027.50	\$75,055.00	82.00	\$37,027.50
South Board of Control & Gem Irrigation District	Pump Starter Motor Replacement and Rehabilitation	2	\$780,593.55	\$1,561,187.17	81.50	\$780,593.55
Jefferson Irrigation Canal	Holdaway Flood To Pivot Conversion	4	\$128,492.05	\$256,984.10	81.00	\$128,492.05
Sharver Lateral Water Users Assn	Cure-In-Place Pipeline Repair Project	2	\$172,050.00	\$344,100.00	81.00	\$172,050.00
Jefferson Irrigation Company	Canal Lining Project & Pump Station Construction	4	\$779,574.21	\$1,559,148.42	80.50	\$779,574.21
Davis Ditch Association	Pipeline Installation & Pump Replacement	4	\$63,590.45	\$127,990.90	80.00	\$63,590.45
Jefferson Irrigation Canal	Bare Flood To Pivot Conversion	4	\$526,288.45	\$1,052,579.90	80.00	\$526,288.45
Boise Valley Irrigation District Company	Canal to Pipeline Conversion Project	2	\$173,296.00	\$346,592.00	79.50	\$173,296.00
Bingham Groundwater District - Parsons	Snake River Headworks Modernization	4	\$90,000.00	\$180,000.00	78.00	\$90,000.00
Twin Lakes Canal Company	Existing Siphon Infrastructure Repair And Pump Installation	4	\$321,445.22	\$642,890.43	77.50	\$321,445.22
Twin Falls Canal Company	Kinsey Irrigation Improvement Project	3	\$317,151.44	\$634,302.89	75.50	\$317,151.44
City of Eden	Mainline Replacement Project	3	\$24,970.00	\$49,970.00	73.50	\$24,970.00
Yellowstone Conservation District	Mainline Replacement Project	4	\$827,335.00	\$1,654,671.00	70.00	\$827,335.00
Salmon River Canal	Canal Lining Project	3	\$250,000.00	\$523,925.66	69.00	\$250,000.00
Bingham Groundwater District	Watson Slough Diversion Reconstruction & Automation	4	\$177,500.00	\$355,000.00	67.00	\$177,500.00
Lenroot Canal Company	Lenroot Canal Efficiency Project	4	\$62,789.47	\$125,578.94	65.50	\$62,789.47

Emmet Irrigation District	Measurement Equipment Purchase & Installation	2	\$124,217.00	\$248,434.00	64.00	\$124,217.00
United Canal Company	Danskin & South Town Structure Repairs and Rehabilitation	4	\$101,215.00	\$202,430.00	63.50	\$101,215.00
	Total Funding Requested		\$35,644,990.45	Total Funding Proposed		\$35,644,990.45

MEMO



To: Idaho Water Resource Board Finance Committee
From: Jake Vermaas, IDWR, Engineer in Training
Date: September 18, 2026
Subject: Kuna East Water Corporation – New Water Project Loan Application

REQUESTED ACTION: Consider A Resolution Approving a Loan of \$448,708 to the Kuna East Water Corporation.

INTRODUCTION

The Kuna East Water Corporation (KEWC) is requesting a new loan in the amount of \$448,708 from the Idaho Water Resource Board (IWRB) to replace its failed 62-year-old well and update its equipment to better serve the people while improving water and energy use.

BACKGROUND

The Kuna East Water Corporation is a small, member-owned irrigation entity established in 1962 to provide reliable agricultural water delivery to its eight shareholders in the area around the City of Kuna. Their distribution system currently delivers water to 130 irrigated acres across nine member farms.

PRIOR LOANS

KEWC has not held any prior loans with the IWRB in the past. While they have received grant funds, this will be their first loan, and they currently possess no outstanding debt.

PROPOSED PROJECT

The Project will drill and construct a new deep irrigation well to replace KEWC's existing well that failed after 62 years and install a new turbine pump and motor, along with small electrical upgrades and surface plumbing replacement. The existing well and turbine pump delivers water to 9 property owners over 130 acres of farmland via underground pipelines to wheel lines and hand lines. Upon award, KEWC is prepared to proceed with engineering, permitting, and construction.

BENEFITS

The replacement of KEWC's 1964 irrigation well and modernization of its pumping system provides clear and measurable benefits to the local community, the agricultural economy, and Idaho's long-term water resource sustainability. As a small, member-owned cooperative serving nine farms south of the Boise Airport, KEWC plays an important role in supporting agricultural production, land stewardship, and responsible groundwater use in the region.

FINANCIAL ANALYSIS

The total Project costs were estimated at \$390,181, adding a contingency of \$58,527, so the total requested was \$448,708. Currently, KEWC charges their water users per share at

\$22.36 per year, with one share equal to 10 acres.

Kuna East Water Corporation has passed a resolution to cover the full estimated payment with shareholder assessments and, as part of the loan terms, establish a reserve account equal to one annual payment. In addition, KEWC will be applying for an IDWR Aging Infrastructure grant. If this is approved, the grant amount will be applied directly to the project and the loan request will be reduced accordingly prior to final loan execution. Based on the financial information provided in the application, there are no concerns at this time as to KEWC's ability to repay the loan. The estimated annual payment, based on a 10-year term and an estimated 3 equal disbursements, is approximately \$59,000 at a 5.5% interest rate. If the AIG grant is approved, the estimated payment will be reduced to \$29,000 and total loan amount reduced to \$224,354

The funds will be allocated from the Revolving Development Account with an estimated available balance of \$2,971,000 (*As of July 2026, rounded*)

WATER RIGHTS

Water Right	Source	Priority Date	Rate	Process
63-33169	Groundwater	09/06/1960	2.7	License
63-10813	Groundwater	06/13/1989	0.54	License

SECURITY

As security for the loan, the Kuna East Water Corporation has offered all water rights of KEWC through bylaws, liens on property, pump equipment, and controls. The estimated value of the property, together with the water rights offered, was sufficient to cover the amount requested by KEWC.

CONCLUSION AND RECOMMENDATION

The requested funds will be used to replace Kuna East Water Corporation's failed 62-year-old irrigation well and update its equipment to better serve its member farms while improving its water and energy use. The Corporation has not held any loans in the past but has received IWRB grants before, currently holds no outstanding debt and has passed a resolution with unanimous consent to increase annual member assessments, as well as establish and maintain a reserve account to ensure the loan is paid in full.

The applicant meets the qualification criteria, and the proposed project is consistent with the Board's goals established in the Idaho State Water Plan. On September 2, 2026, the IWRB's Finance Committee met and discussed the loan application and recommended the IWRB approve and adopt a resolution authorizing loan funding for the total amount of \$448,708, for costs related to irrigation well replacement in the matter of the Kuna East Water Corporation.

Attachment(s):

- *Draft Resolution*

BEFORE THE IDAHO WATER RESOURCE BOARD

IN THE MATTER OF THE KUNA EAST WATER
DISTRICT LOAN REQUEST

RESOLUTION TO AUTHORIZE LOAN FUNDING
FOR COSTS RELATED TO TRANSMISSION LINE
REPAIRS

1 WHEREAS, Kuna East Water Corporation (Corporation) submitted a loan application to the Idaho
2 Water Resource Board (IWRB) in the amount of \$448,708 to cover costs associated with replacement of
3 its aging irrigation well and installation of a new turbine pump and motor; and
4

5 WHEREAS, the Corporation is a small, member-owned irrigation entity established in 1962 to
6 provide reliable agricultural water delivery to its eight shareholders across approximately 130 irrigated
7 acres; and
8

9 WHEREAS, the existing irrigation well's casing has failed after 62 years of service, causing the
10 well's structural integrity to be severely compromised and making its continued functioning no longer
11 reliable; and
12

13 WHEREAS, the proposal is requesting funds to drill and construct a new deep irrigation well and
14 install a new turbine pump and motor, improving both safety and reliability for the Association's users;
15 and
16

17 WHEREAS, alternative options were explored but did not provide the Corporation with an
18 adequate long-term solution to deliver irrigation water for its members and address potential future
19 growth; and
20

21 WHEREAS, the Corporation has approved a resolution to raise shareholder assessments and will
22 establish a reserve account for the costs of the project; and
23

24 WHEREAS, the Corporation is a qualified applicant, and the proposed Project is eligible for a loan
25 from the Board's Revolving Development Account; and
26

27 WHEREAS, the proposed Project is in the public interest and fully complies with the State Water
28 Plan.
29

30 NOW THEREFORE BE IT RESOLVED that the IWRB provides authority to the Chairman of the Idaho
31 Water Resource Board, or his designee, to enter into contracts, to effectuate the loan, with the
32 Association on behalf of the IWRB.
33

34 NOW THEREFORE BE IT FURTHER RESOLVED that the IWRB approves a loan not to exceed
35 \$448,708 from the Revolving Development Account at 5.5% interest with a 10-year repayment term to
36 the Kuna East Water Corporation.
37

38 NOW THEREFORE BE IT FURTHER RESOLVED that this resolution and the approval of the loan are
39 subject to the following conditions:
40

- 41 1) The Corporation shall comply with all applicable rules and regulations that apply to the
42 proposed Project.
43 2) Prior to the disbursement of any funds, the Corporation shall comply with all statutory
44 requirements for incurring debt.
45 3) Prior to the disbursement of any funds, the Corporation will provide acceptable security for
46 the loan to the IWRB.
47

DATED this 18th day of September 2026.

JEFF RAYBOULD, Chairman
Idaho Water Resource Board

ATTEST _____
DEAN STEVENSON, Secretary

MEMO



To: Idaho Water Resource Board
From: Jake Vermaas, IDWR, Engineer in Training
Date: September 18, 2026
Subject: Dalton Gardens Irrigation District – New Water Project Loan Application

REQUESTED ACTION: Consider a Resolution Approving a Loan of \$5,299,235 to the Dalton Gardens Irrigation District.

INTRODUCTION

Dalton Gardens Irrigation District (DGID) is requesting a new loan in the amount of \$5,299,235 from the Idaho Water Resource Board (IWRB) to refurbish their existing transmission main by putting in a Cured-in-Place Pipe (CIPP) liner to extend the life of the main. DGID also intends to demolish and construct a new pumphouse and install new pumps, valves, motors and controls. These improvements would allow the district to deliver irrigation water to its customers in the city of Dalton Gardens, Idaho.

BACKGROUND

The Dalton Gardens Irrigation District, established in 1917, began diverting and delivering water from Hayden Lake through a pumphouse at Honeysuckle Beach and a tank located on Honeysuckle Hill, in 1956. Since then, they have grown, serving 724 property owners with a total of 944 irrigated acres.

OTHER FUNDING SOURCES

The district is not currently holding any outstanding debts but currently holds two grants with the IWRB for \$1,369,165, and \$1,404,500, from the Water Management account, for work on this project.

PROPOSED PROJECT

The Project will refurbish the district's transmission main by putting in a CIPP liner to extend the life of the main, as well as demolish and construct a new pumphouse at the site, installing new pumps, valves, motors and controls. The existing transmission main is well past its service life and has significant corrosion and spalling of the asbestos concrete interior. There was a recent failure of the transmission line, underscoring the need to refurbish the line as there is no pumping redundancy and a failure of a pump or other equipment may be difficult or impossible to repair due to a lack of repair parts.

PROJECT ALTERNATIVES

The project considered full replacement of the transmission line between the pumphouse and the tank, and from the tank to the feeder lines in Dalton Gardens. As an alternative, lining the existing mains with CIPP was explored and it was decided to go with the CIPP alternative due to reduced cost and time to place in service.

Pumps, motors and electrical gear run on a 2300-volt system. The current capacity of the system is such that if any one pump fails, service to the members of the district would be severely restricted if not terminated due to an inability to find suitable repair parts. This project will replace the existing pumping infrastructure with modern system providing slightly increased capacity, improved efficiency, and redundancy.

FINANCIAL ANALYSIS

The total Project cost is estimated at \$7,368,002 with a \$704,998 contingency for a total of \$8,072,900.

The DGID currently assesses shareholders at \$240 per acre. Currently, there are 724 hookups serving 944 irrigated acres for a total estimated income of \$226,560.

Per the application information, DGID has passed a special resolution designating a Local Improvement District (LID) to start at the completion of this project and be coterminous with the loan. This designation will permit them to use their assessment authority to collect fees through local improvement district bonds, to finance the design and construction costs of system improvements.

FLIC has also received two Aging Infrastructure grant awards from the IWRB. These grants offset 34% of the project costs equal to approximately \$2,773,665.

Based on the financial information provided in the application, there are no concerns at this time as to DGID's ability to repay the loan. The estimated annual payment on the total loan amount of \$5,299,235, based on a 20-year term and an estimated 3 equal disbursements, would be \$443,436 at a 5.5% interest rate.

WATER RIGHTS

Water Right	Source	Priority Date	Amount	Beneficial Use
95-467	Hayden Lake	6/27/1906	1,146 acres	Domestic
95-467A	Hayden Lake	5/1/1958	1,146 acres	Domestic

SECURITY

As security for the loan, the applicant has established a Local Improvement District for the Project. The applicant has authorized the Board to levy the LID's assessment authority to repay the loan. An attorney's statement has also been provided, advising the applicant of their responsibilities as to the incurrence of indebtedness.

CONCLUSION AND RECOMMENDATION

The funds requested will be used for refurbishment of the district's transmission main by installing a CIPP liner to extend the life of the main, as well as the demolition and construction of a new pumphouse at the site, and the installation of new pumps, valves, motors, and controls. This project will allow the district to resume delivering irrigation water to its customers in the city of Dalton Gardens. As a non-profit organization, the district has established a Local Improvement District to assess shareholders to meet the estimated annual payment.

The applicant meets the qualification criteria, and the proposed project is consistent with the goals established by the Board in the Idaho State Water Plan.

On September 2, 2026, the IWRB's Finance Committee met and discussed the loan application and recommended the IWRB approve and adopt a resolution authorizing loan funding for the total amount of \$5,299,235, for costs related to refurbishment of the district's transmission main and replacement of its pumphouse in the matter of the Dalton Gardens Irrigation District.

Attachment(s):

- Draft Resolution
- PowerPoint Slides

BEFORE THE IDAHO WATER RESOURCE BOARD

IN THE MATTER OF THE DALTON GARDENS
IRRIGATION DISTRICT LOAN REQUEST

RESOLUTION TO AUTHORIZE LOAN FUNDING
FOR COSTS RELATED TO THE INSTALLATION OF
AUTOMATION HARDWARE AND LOAN
CONSOLIDATION

1 WHEREAS, Dalton Gardens Irrigation District (District) submitted a loan application to the Idaho
2 Water Resource Board (IWRB) in the amount of \$5,299,235 to cover costs associated with the
3 refurbishment of their existing transmission main by putting in a Cured-in-Place Pipe (CIPP) liner to extend
4 the life of the main; and

5
6 WHEREAS, the IWRB previously approved two Aging Infrastructure grants to the District for
7 \$1,369,165, and \$1,404,500, for work on this project; and

8
9 WHEREAS, the District was established in 1917 and currently serves 724 property owners with a
10 total of 944 acres in the city of Dalton Gardens; and

11
12 WHEREAS, the original pumphouse at Honeysuckle Beach and its associated water tank on
13 Honeysuckle Hill were constructed in 1956; and

14
15 WHEREAS, the District is requesting funds to refurbish its existing transmission main by putting in
16 a CIPP liner to extend the life of the main and to demolish and construct a new pumphouse and install
17 new pumps, valves, motors and controls; and

18
19 WHEREAS, the District established a Local Improvement District (LID) to start at the completion
20 of this project and be coterminous with the loan, that will permit them to increase their assessment
21 through local improvement district bonds; and

22
23 WHEREAS, the District is a qualified applicant, and the proposed project is eligible for a loan from
24 the Board's Water Management Account; and

25
26 WHEREAS, the proposed project is in the public interest and complies with the State Water Plan.

27
28 NOW THEREFORE BE IT RESOLVED that the IWRB provides authority to the Chairman of the Idaho
29 Water Resource Board, or his designee, to enter into contracts, to effectuate the loan, with the Company
30 on behalf of the IWRB.

31
32 NOW THEREFORE BE IT FURTHER RESOLVED that the IWRB approves a loan not to exceed
33 \$5,299,235 from the Revolving Development Account at 5.5% interest with a 20-year repayment term.

34
35 NOW THEREFORE BE IT FURTHER RESOLVED that this resolution and the approval of the loan are
36 subject to the following conditions:

- 37
38 1) The Company shall comply with all applicable rules and regulations that apply to the
39 proposed Project.

- 40 2) Prior to the disbursement of any funds, the Company shall comply with all statutory
41 requirements for incurring debt.
42 3) Prior to the disbursement of any funds, the Company will provide acceptable security for the
43 loan to the IWRB.
44

DATED this 18th day of September 2026.

JEFF RAYBOULD, Chairman
Idaho Water Resource Board

ATTEST _____
DEAN STEVENSON, Secretary

IWRB Loan Program

September 18, 2026



Jake Vermaas, EIT
IDWR Planning/Projects
Staff Engineer

Proposal

The Kuna East Water Corporation (KEWC) and Dalton Gardens Irrigation District (DGID) are requesting new loans from the Idaho Water Resource Board (IWRB) for water infrastructure projects:

Entity	Project	Request
Kuna East Water Corporation	Well Replacement	\$448,708
Dalton Gardens Irrigation District	Refurbish Transmission Main, New Pumphouse	\$5,299,235

KEWC Location



Kuna East Water Corporation

- Established in 1962
- 9 member farms, 130 irrigated acres
- Existing 62-year old well failed
- Scope of Work:
 - Refurbish transmission main
 - Demolish and construct new pumphouse
- Approved resolution to raise shareholder assessments to pay for project
- Also applying for IWRB Aging Infrastructure grant to cover half
- Offered water rights plus liens on property, pump equipment, controls

KEWC Budget

Project Component	Total Cost
New Well Drilling & Construction	\$234,000
New Turbine Pump, Column, Motor	\$81,180
Electrical & Control Upgrades	\$52,500
Discharge Plumbing, Header, Tie-Ins, Concrete Pad	\$15,000
Engineering, Permitting, Oversight	\$5,000
Testing, Development, Camera Verification	\$2,500
Contingency (12–15%)	\$58,527
TOTAL PROJECT COST	\$448,708

BEFORE THE IDAHO WATER RESOURCE BOARD

IN THE MATTER OF THE KUNA EAST WATER
DISTRICT LOAN REQUEST

RESOLUTION TO AUTHORIZE LOAN FUNDING
FOR COSTS RELATED TO TRANSMISSION LINE
REPAIRS

1 WHEREAS, Kuna East Water Corporation (Corporation) submitted a loan application to the Idaho
2 Water Resource Board (IWRB) in the amount of \$448,708 to cover costs associated with replacement of
3 its aging irrigation well and installation of a new turbine pump and motor; and
4

5 WHEREAS, the Corporation is a small, member-owned irrigation entity established in 1962 to
6 provide reliable agricultural water delivery to its eight shareholders across approximately 130 irrigated
7 acres; and
8

9 WHEREAS, the existing irrigation well's casing has failed after 62 years of service, causing the
10 well's structural integrity to be severely compromised and making its continued functioning no longer
11 reliable; and
12

13 WHEREAS, the proposal is requesting funds to drill and construct a new deep irrigation well and
14 install a new turbine pump and motor, improving both safety and reliability for the Association's users;
15 and
16

17 WHEREAS, alternative options were explored but did not provide the Corporation with an
18 adequate long-term solution to deliver irrigation water for its members and address potential future
19 growth; and
20

21 WHEREAS, the Corporation has approved a resolution to raise shareholder assessments and will
22 establish a reserve account for the costs of the project; and
23

24 WHEREAS, the Corporation is a qualified applicant, and the proposed Project is eligible for a loan
25 from the Board's Revolving Development Account; and
26

27 WHEREAS, the proposed Project is in the public interest and fully complies with the State Water
28 Plan.
29

30 NOW THEREFORE BE IT RESOLVED that the IWRB provides authority to the Chairman of the
31 Idaho Water Resource Board, or his designee, to enter into contracts, to effectuate the loan, with the
32 Association on behalf of the IWRB.
33

34 NOW THEREFORE BE IT FURTHER RESOLVED that the IWRB approves a loan not to exceed
35 \$448,708 from the Revolving Development Account at 5.5% interest with a 10-year repayment term to
36 the Kuna East Water Corporation.
37

Resolution No. _____

Page 1

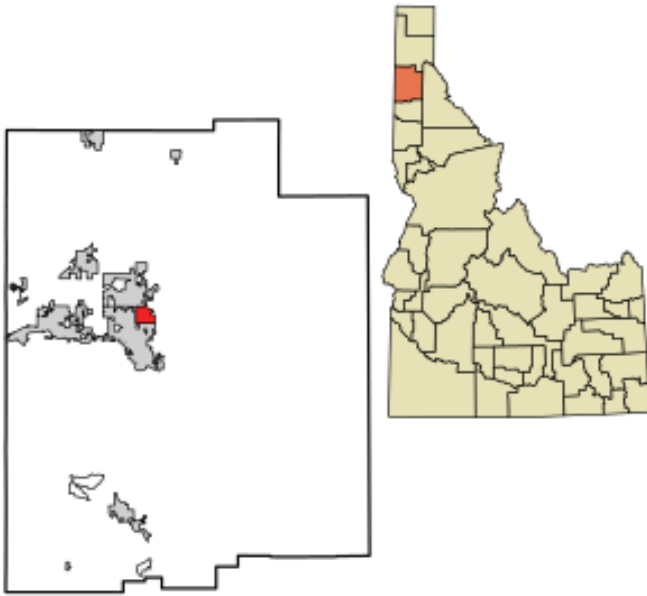
37 NOW THEREFORE BE IT FURTHER RESOLVED that this resolution and the approval of the loan are
38 subject to the following conditions:
39

- 40 1) The Corporation shall comply with all applicable rules and regulations that apply to the
41 proposed Project.
- 42 2) Prior to the disbursement of any funds, the Corporation shall comply with all statutory
43 requirements for incurring debt.
- 44 3) Prior to the disbursement of any funds, the Corporation will provide acceptable security for
45 the loan to the IWRB.
46

DATED this 18th day of September, 2026.

JEFF RAYBOULD, Chairman
Idaho Water Resource Board

ATTEST _____
DEAN STEVENSON, Secretary



Dalton Gardens ID Location

Dalton Gardens Irrigation District

- Organized as Irrigation District in 1917.
- Current system built in 1954.
- Serves 724 property owners with 944 acres total.
- Scope of work:
 - Refurbish transmission line by installing CIPP liner
 - Demolish and construct a new pumphouse
 - Install new pumps, valves, motors, controls
- District has no debt, approved LID (Local Improvement District) to finance this project, and received two IEWB Aging Infrastructure grants totaling \$2,773,665

Dalton Gardens ID Budget

Project Component	Total Cost
Transmission Main Construction	\$2,426,091
Pump House Construction	\$3,372,600
Planning / Engineering / Admin	\$1,033,900
Legal / Admin	\$260,100
Regulation / Permitting	\$40,000
Interim Interest	\$235,200
Contingency (12–15%)	\$704,998
TOTAL PROJECT COST	\$8,072,900

BEFORE THE IDAHO WATER RESOURCE BOARD

IN THE MATTER OF THE DALTON GARDENS
IRRIGATION DISTRICT LOAN REQUEST

RESOLUTION TO AUTHORIZE LOAN FUNDING
FOR COSTS RELATED TO THE INSTALLATION
OF AUTOMATION HARDWARE AND LOAN
CONSOLIDATION

1 WHEREAS, Dalton Gardens Irrigation District (District) submitted a loan application to the Idaho
2 Water Resource Board (IWRB) in the amount of \$5,299,235 to cover costs associated with the
3 refurbishment of their existing transmission main by putting in a CIPP liner to extend the life of the
4 main; and

5
6 WHEREAS, the IWRB previously approved two Aging Infrastructure grants to the District for
7 \$1,369,165, and \$1,404,500, for work on this project; and

8
9 WHEREAS, the District was established in 1917 and currently serves 724 property owners with a
10 total of 944 acres in the city of Dalton Gardens; and

11
12 WHEREAS, the original pumphouse at Honeysuckle Beach and its associated water tank on
13 Honeysuckle Hill were constructed in 1956; and
14

12 WHEREAS, the original pumphouse at Honeysuckle Beach and its associated water tank on
13 Honeysuckle Hill were constructed in 1956; and
14

15 WHEREAS, the proposal is requesting funds to refurbish their existing transmission main by
16 putting in a CIPP liner to extend the life of the main and to demolish and construct a new pumphouse
17 and install new pumps, valves, motors and controls; and
18

19 WHEREAS, the District passed a special resolution designating a Local Improvement District (LID)
20 to start at the completion of this project and be coterminous with the loan, that will permit them to
21 increase their assessment through local improvement district bonds; and
22

23 WHEREAS, the District is a qualified applicant, and the proposed Project is eligible for a loan
24 from the Board's Water Management Account; and
25

26 WHEREAS, the proposed Project is in the public interest and is in compliance with the State
27 Water Plan.
28

29 NOW THEREFORE BE IT RESOLVED that the IWRB provides authority to the Chairman of the
30 Idaho Water Resource Board, or his designee, to enter into contracts, to effectuate the loan, with the
31 Company on behalf of the IWRB.
32

33 NOW THEREFORE BE IT FURTHER RESOLVED that the IWRB approves a loan not to exceed
34 \$5,299,235 from the Revolving Development Account at 5.5% interest with a 20-year repayment term.
35

36 NOW THEREFORE BE IT FURTHER RESOLVED that this resolution and the approval of the loan are
37 subject to the following conditions:
38

- 39 1) The Company shall comply with all applicable rules and regulations that apply to the
40 proposed Project.
41 2) Prior to the disbursement of any funds, the Company shall comply with all statutory
42 requirements for incurring debt.
43 3) Prior to the disbursement of any funds, the Company will provide acceptable security for the
44 loan to the IWRB.
45

DATED this 18TH day of September, 2026.

JEFF RAYBOULD, Chairman
Idaho Water Resource Board

ATTEST _____
DEAN STEVENSON, Secretary



Questions?

MEMO



To: Idaho Water Resource Board
From: Nick Banish, IDWR Cloud Seeding Program Manager
Date: September 14, 2026
Subject: IWRB Vote on Cloud Seeding Program's *Authorization and Reporting Criteria*

REQUESTED ACTION: IWRB to Vote on Cloud Seeding Committee's Recommendation to Adopt Updated Authorization and Reporting Criteria

At the August 5, 2026, Idaho Water Resource board (IWRB/Board) Cloud Seeding Committee (Committee) Meeting, IWRB staff at the Department of Water Resources presented an updated *Authorization and Reporting Criteria* to the Committee for review. Board staff's efforts to incorporate the updated Code into the document will ensure the IWRB's Cloud Seeding Program meets the requirements of the Idaho Cloud Seeding Code, §42-4301.

Staff's suggestion to the IWRB Cloud Seeding Committee that they recommend to the full Idaho Water Resource Board to consider voting on adopting the document was considered and discussed. After discussion, the Committee voted to recommend to the Board that a vote be made to adopt the document at the September IWRB meeting. At the September 18th meeting, the Board shall consider a vote on whether to adopt said document.

Attachment(s):

- *Final Draft Version of the IWRBs updated Authorization and Reporting Criteria*
- *Slide deck overview Authorization and Reporting Criteria*
- *Draft Resolution*

Idaho Water Resource Board

Cloud Seeding Program

Authorization for Cloud Seeding Operations in Idaho



EXECUTIVE SUMMARY

In accordance with Idaho Code § 42-4301, the Idaho Water Resource Board (IWRB) is statutorily designated as the agency responsible for authorizing all cloud seeding activities in Idaho. The IWRB requires compliance with specified operational, safety, and reporting criteria to ensure transparency, public trust, and effective water resource management associated with cloud seeding projects and programs.

Authorization by the IWRB is required prior to conducting cloud seeding in Idaho. The purpose of this document is to provide interested parties or entities with a framework for obtaining and maintaining the required authorization. This document details the requisite authorization and reporting criteria requirements for any cloud seeding project or program within the State of Idaho.

A Request for Authorization is not required for any party or entity already authorized by the IWRB. However, entities possessing authorization should review all sections in this document. If the IWRB updates this document, all authorized parties must comply with the most current version.

I. Request for Authorization

- a. Requests for authorization shall be submitted using the “[Request for Authorization to Conduct Cloud Seeding Operations](#)” form (Attachment A) to the IWRB at least three (3) months ahead of proposed operations. The request for authorization shall include:
 - i. Primary applicant contact information and name of subcontractor.
 - ii. Proposed Project or Program name.
 - iii. A schedule with start and end date; any applicant requesting authorization to conduct operations outside of the range of October 1 - April 30th (“Operational Period”) shall include a narrative justification for proposed activity.
 - iv. A summary of the proposed project and how its outcomes may meet one or more of the various public benefits of cloud seeding in Idaho listed in [Idaho Code § 42-4301, Section 1 \(c\)](#).
 - v. Method(s) of seeding (e.g., aircraft, ground-based, unmanned aerial systems (UAS), or other).
 - vi. Active seeding agent(s) or material(s) to be used.
 - vii. Map(s) of the project area that shall include:
 1. Operational and target area boundaries.
 2. HUC-8-level watershed boundaries for the target area.
 3. General location of any ground-based generators.
 4. Flight paths of any aircraft used for cloud seeding.
 5. General location of any UAS launch sites.
 6. General location of weather instrumentation.
 - viii. A description of any cloud seeding infrastructure and/or equipment used in the project or program, that shall include:

Idaho Water Resource Board

Cloud Seeding Program

Authorization for Cloud Seeding Operations in Idaho

1. Quantity and type (e.g., 1 aircraft, 10 ground generators, 2 UAS) and their make and model.
2. An estimate of the release rate (grams per hour) of seeding material for any method and the total amount (grams or pounds) to be released during the operational period.
3. For operations proposing use of pyrotechnic flares, provide the:
 - a. Flare make and model.
 - b. Estimated quantity needed for an operational period.
- ix. A list of weather instruments to be used in the project or program.
- x. A list of meteorologists supporting the project or program.
- xi. A summary of relevant cloud seeding experience and/or certifications held by the applicant party and any subcontractor(s), that shall include at least one of the following:
 - a. Proof of Certification as a Weather Modification Association (WMA) Cloud Seeding Operator.
 - b. Description of at least five years of relevant operational experience.
- xii. Operational Suspension Criteria that indicate specific thresholds for suspending operations and that, minimally address:
 1. Avalanche Risks.
 2. Flood Risks.
 3. Severe Weather Risks.

II. Conditions for Maintaining Authorization

- a. Within 60 calendar days of the date of authorization by the IWRB and prior to commencing operations, authorized entities shall have the following on file with the IWRB:
 - i. Material Safety Data Sheet (MSDS), when available, for the active seeding material(s) to be used during the operational period.
 - ii. Proof of liability insurance coverage from an Idaho-licensed insurer, valid for the entire operational period.
- b. Operators shall comply with all applicable local, state, and federal laws and regulations that pertain to cloud seeding operations including:
 - i. Aviation laws or regulations.
 - ii. Site access requirements, restrictions, and agreements.
- c. If requested by the Board, provide informational presentation(s) about their project or program to IDWR staff and/or the Board.
- d. Authorized entities shall notify the IWRB in writing within 24 hours of:
 - i. Any suspension of operations including the reason for and expected duration of the suspension and notice of when operations resume.
 - ii. Any hazardous conditions resulting from operations.

Idaho Water Resource Board

Cloud Seeding Program

Authorization for Cloud Seeding Operations in Idaho

- e. Any modifications to the project or program approved by the Board under the original Request for Authorization are to be submitted in writing to Board staff for evaluation within 30 days of implementation. Modifications that may require reauthorization may be subject to consideration by the Board.

III. Revocation of Authorization

- a. The IWRB reserves the right to revoke authorization for cloud seeding operations if the authorized entity:
 - i. Fails to meet the conditions in Section II.
 - ii. Violates local, state, or federal laws or regulations.
 - iii. Operates in a manner that poses risks to public safety or the environment.
- b. Authorized parties will be notified in writing of any violations or non-compliance and will be given an opportunity to address deficiencies before revocation is enforced.

IV. Reporting Criteria: Monthly

- a. The previous month's activity shall be submitted by the end of the next calendar month using the IWRBs "Cloud Seeding Monthly Report of Operations" tables. The monthly report shall include:
 - i. A summary table of the previous month's operational activity:
 - 1. Total number of days that cloud seeding occurred.
 - 2. Number of days cloud seeding by ground-generator(s) occurred.
 - 3. Number of days aircraft (or UAS) cloud seeding occurred.
 - 4. Total generator runtime.
 - 5. Total flight time (aircraft and UAS).
 - 6. Number and type of flares consumed.
 - 7. The total quantity of material released by each method of seeding.
 - ii. Detailed monthly operational data specific to each method(s) used during the previous month:
 - 1. Infrastructure or equipment used, corresponding to Site ID on project map.
 - 2. The date(s) (e.g., MM-DD-YYYY) cloud seeding occurs by each method's infrastructure or equipment.
 - 3. The amount of cloud seeding material released by each method's infrastructure or equipment.
 - 4. The total number of seeding hours by each method's infrastructure or equipment.
 - iii. Summary of suspension periods including dates, times, and reason(s) for each suspension.

V. Reporting Criteria: Annual

- a. An annual report covering cloud seeding operations during the previous winter's Operational Period for each project or program shall be submitted within 90 days of the end of operational cloud seeding:

Idaho Water Resource Board

Cloud Seeding Program

Authorization for Cloud Seeding Operations in Idaho

- i. Copies of NOAA 17-4 and 17-4A forms.
 - ii. A project or program map(s)
 - iii. Start and end date of operations.
 - iv. Total number of operational hours for each method used during the Operational Period.
 - v. Total amount of seeding material released (grams) by each method.
 - vi. Average release rate (grams/hour) of seeding material for each method.
 - vii. Quantity and type (ejectable, burn in place, other) of any flares consumed.
 - viii. A summary of any suspension periods.
 - ix. A summary of the effectiveness of the program effectiveness, including an estimate of water produced from cloud seeding during the operational period (in units of acre-feet) and the methods used to develop that estimate.
- b. The IWRB may at any time require project or program operational data or supporting information to be provided to an independent third party solely for the purposes of analysis, evaluation and monitoring.
 - i. For the protection and security of a project or programs operational infrastructure, all related data shall be treated as confidential business information.
 - c. Authorized parties shall retain all operational records and data to be provided to the IWRB or an independent third party upon request.

VI. Requesting Authorization and Submittal of Monthly and Annual Reports

- a. Requests for authorization and all operator monthly and annual reporting data shall be submitted in writing to the IWRB or its designated representative at one of the following:
 - i. Email: CloudSeedingProgram@idwr.idaho.gov
 - ii. Mail: PO Box 83720, Boise, ID 83720-0098.
 - iii. In Person: Any Idaho Department of Water Resources (IDWR) office.

Idaho Water Resource Board

Cloud Seeding Program

Authorization for Cloud Seeding Operations in Idaho

Attachment A

Idaho Water Resource Board

Request for Authorization to Conduct Cloud Seeding Operations



Operator Information

Operator Name: _____

Subcontractor Company Name: _____

Phone Number: _____

Mailing Address: _____

Email Address: _____

Project Information

Project Name: _____

Project Summary: _____

Geographical Area: _____

Operational Schedule (Anticipated Start and End Dates): _____

Proposed Seeding Agent(s):

- ☐ Silver Iodide (AgI)
- ☐ Liquid Propane (LP)

- ☐ Dry Ice
- ☐ Other: _____

Proposed method(s) for seeding:

- ☐ Aircraft
- ☐ Ground-Based Remote Generator(s)
- ☐ Ground-Based Manual Generator(s)

- ☐ Unmanned Aerial System (UAS)
- ☐ Other: _____

Equipment Information

Equipment Type and Quantity:

- ☐ #: _____ Remote Ground-Based Generator (AgI)
- ☐ #: _____ Manual Ground-Based Generator (AgI)
- ☐ #: _____ Remote Ground-Based Generator (LP)
- ☐ #: _____ Aircraft and Model: _____
- ☐ #: _____ UAS and Model: _____
- ☐ #: _____ Other and Model: _____

CS-Request

Idaho Water Resource Board

Request for Authorization to Conduct Cloud Seeding Operations



Estimated Rate(s) of Dispersion (grams per hour) for any equipment proposed:

Manufacturer and Type (ejectable, burn in place, other) of Pyrotechnics (if applicable): _____

Number of Meteorologists: _____

Weather Instrumentation: _____

Description of Relevant Experience: _____

Documentation to be Attached

- ☐ Detailed map of project area with target basins
- ☐ Weather Modification Association Cloud Seeding Operator Proof of Certification attached (if applicable)
- ☐ Suspension Criteria for the proposed project or program

Request Agreement

I certify that I have read and agree to the authorization application criteria outlined in the "Authorization for Cloud Seeding Operations in Idaho" (CS-Authorization) and that the information provided is complete and accurate to the best of my knowledge.

Authorized Signature: _____

Printed Name: _____

Title: _____

Date: _____

CS-Request

Idaho Water Resource Board

Request for Authorization to Conduct Cloud Seeding Operations



CS-Request

Board Meeting No. 10-26 IWRB Cloud Seeding Program



Nick Banish, Cloud Seeding Program Manager
Idaho Water Resource Board Meeting
September 18, 2026

Photo Courtesy of Idaho Power Company



To meet the requirements of SB 1269, Board staff updated the *Authorization and Reporting Criteria*, the Cloud Seeding Program’s guiding document.

Updates Accomplish:

For entities seeking the authorization to cloud seed in Idaho, this document asks for a little more detail on proposed projects and programs

Reporting criteria included will ensure transparency and accountability in the IWRB’s Cloud Seeding Program

Allowed Board staff a way to collate monthly operational data

Ensures the IWRBs Cloud Seeding Program will meet the letter of the law; information will be compiled into an annual Cloud Seeding Report

Cloud Seeding Monthly Aircraft Report of Operations							
Operator Name:							
Phone Number:							
Email Address:							
Project Name:							
Operational Region/Basin:							
	November	December	January	February	March	April	Total
Aircraft Flight Time (hours)							
Number of Flights							
Number of BIPs							
Number of Ejs							
Amount of Seeding Material Dispersed (grams)							
Number of Days Seeding Occurred by Aircraft							

Cloud Seeding Monthly Ground-Based Generator Report of Operations				
Operator Name:				
Phone Number:				
Email Address:				
Project Name:				
Operational Region/Basin:				
Month of Operations Covered:				
Date	Site ID	Total Material Dispersed (grams)	Total Seeding Time (hours)	Notes:



To meet the requirements of SB 1269, Board staff updated the *Authorization and Reporting Criteria*, the Cloud Seeding Program's guiding document.

Action Item: IWRB vote to adopt the updated *Authorization and Reporting Criteria*



Questions?

Cloud Seeding Program
cloudseedingprogram@idwr.idaho.gov

Nick Banish : (208) 287 4862

<https://idwr.idaho.gov/iwrb/programs/cloud-seeding-program/>

IN THE MATTER OF CLOUD SEEDING IN THE
STATE OF IDAHO

RESOLUTION TO AMEND CRITERIA FOR THE
AUTHORIZATION AND REPORTING OF CLOUD
SEEDING PROGRAMS

1 WHEREAS, House Bill 266 (HB 266), passed and approved by the 2021 legislature, recognized
2 that cloud seeding has provided a unique and innovative opportunity to support sustainable water
3 supplies for the State of Idaho, and designated the Idaho Water Resource Board (IWRB) as the agency
4 responsible for authorization of cloud seeding programs within the State; and

5
6 WHEREAS, HB 266 defines “cloud seeding” as all acts undertaken to artificially distribute or create
7 nuclei in cloud masses for the purposes of inducing precipitation, cloud forms, or other meteorological
8 parameters.

9
10 WHEREAS, HB 266 further requires the IWRB to authorize local or statewide cloud seeding
11 programs within the State of Idaho, excluding cloud seeding for the suppression of fog and frost
12 prevention measures; and

13
14 WHEREAS, cloud seeding activities have occurred in the State of Idaho for several decades; and

15
16 WHEREAS, the 2021 Idaho Legislature acknowledged that additional research and analysis are
17 necessary to determine the extent of water supply increases resulting from cloud seeding, and the IWRB
18 recognizes the need for cloud seeding programs to be implemented using current and developing industry
19 operational and reporting standards; and

20
21 WHEREAS, the 2026 Idaho Legislature further defined the IWRB’s statutory obligations for
22 programmatic reporting, accountability, and transparency within the Authorization and Reporting
23 Requirements section of the updated Idaho Cloud Seeding Code §42-4301; and

24
25 WHEREAS, the IWRB defined general program authorization criteria to ensure cloud seeding
26 programs operating within the state of Idaho meet basic industry standards; and

27
28 NOW THEREFORE BE IT RESOLVED that the IWRB hereby approves the attached criteria for the
29 authorization and monthly and annual reporting requirements for cloud seeding programs operating
30 within the State of Idaho; and

31
32 NOW THEREFORE BE IT FURTHER RESOLVED that the IWRB authorizes its chairman or designated
33 representative to authorize cloud seeding programs within the state of Idaho based on the established
34 criteria.

43
44

DATED this 18th day of September 2026.

JEFF RAYBOULD, Chairman
Idaho Water Resource Board

ATTEST _____

DEAN STEVENSON, Secretary

MEMO

To: Idaho Water Resource Board
From: Mike Morrison, IDWR Engineer Supervisor
Date: September 14, 2026
Subject: House Concurrent Resolution No. 34 – Bear River Legislative Report



REQUESTED ACTION: Provide Direction to Staff Prior to Finalization and Submission of a Report to the Idaho Legislature on September 30, 2026.

Pursuant to House Concurrent Resolution No. 34 (HCR-34), Staff has prepared a report for submission to the Idaho Legislature on September 30, 2026. This is the second of two reports required by HCR-34.

The first report, due June 1, 2026, included:

- A description of the current development of the compact allocation waters for Idaho and Utah.
- The frequency and timing of water supplies in the Lower Division are available for future development.
- Preliminary opportunities for further development of Idaho's compact allocation to address Idaho's statewide water obligations, including estimated costs and timelines for completing projects related to the opportunities identified in the report.

This report includes:

- Recommended and prioritized projects for further development of Idaho's compact allocation.
- An outline of the necessary steps for the Idaho Water Resource Board, the Idaho Department of Water Resources, and the Idaho Legislature to secure future development of Idaho's compact allocation waters.

Staff requests that the Board recommend any changes before the report is submitted to the Legislature on September 30, 2026.

Attachment(s):

- *Draft HCR-34 Report: Water Development Opportunities in the Lower Bear River Basin.*
- *HCR-34 Board Presentation*

WATER DEVELOPMENT OPPORTUNITIES IN THE LOWER BEAR RIVER BASIN

DRAFT

House Concurrent
Resolution – 34
September 2026



IDAHO WATER RESOURCE BOARD

Bear River

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DRAFT



IDAHO WATER RESOURCE BOARD

September 30, 2026

Brad Little
Governor

Jeff Raybould
Chairman
St. Anthony
At Large

Jo Ann Cole-Hansen
Vice Chair
Lewiston
At Large

Dean Stevenson
Secretary
Paul
District 3

Dale Van Stone
Hope
District 1

Albert Barker
Boise
District 2

Brian Olmstead
Twin Falls
At Large

Marcus Gibbs
Grace
District 4

Patrick McMahon
Sun Valley
At Large

Idaho Legislature
State Capitol, 700 W. Jefferson St.
P.O. Box 83720
Boise, Idaho 83720

Subject: House Concurrent Resolution No. 34: Second Report on Water Development Opportunities in the Lower Bear River Basin

Dear Members of the Legislature:

Please find enclosed the second of two reports prepared by the Idaho Water Resource Board in accordance with the 2026 Idaho Legislature's House Concurrent Resolution No. 34 regarding the allocation and development of water resources in the Lower Division of the Bear River under the Amended Bear River Compact of 1980.

This report updates the previous report to include recommendations and priorities of potential opportunities for further development of Idaho's Compact allocation. The report identifies areas that may warrant additional evaluation, and it outlines the necessary steps for the Idaho Water Resource Board, the Idaho Department of Water Resources, and the Idaho Legislature to support further consideration of Idaho's Compact allocation waters. Given the importance of the Bear River to agriculture, communities, and economic stability in the region, careful management of this shared resource remains essential.

We would welcome the opportunity to discuss the report's findings or provide any additional information that may assist in your review.

Sincerely,

Jeff Raybould, Chairman
Idaho Water Resource Board

Cc: Governor Brad Little
Idaho Legislature
Bear River Commission
Idaho Water Resource Board Members
Mat Weaver, Director, Idaho Department of Water Resources

DRAFT

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Executive Summary

The Idaho Water Resource Board (IWRB/Board) identified the following four projects as potential opportunities for pursuing additional development of Idaho's Compact allocation:

1. Increase Bear Lake Target Elevation
2. Small Reservoir Infrastructure Projects
3. Managed Aquifer Recharge
4. Bear-Portneuf Interconnect with Additional Storage

Caribou Dam was removed from consideration as a stand-alone project; however, given its location on the Bear River, it could provide the storage needed to enable the Bear-Portneuf Interconnect, or alternatively, it could provide buffer capacity that could enable an increase in Bear Lake Target Elevation. Therefore, the proposed Caribou Dam project should be evaluated in conjunction with the proposal to Increase Bear Lake Target Elevation and the proposed Bear-Portneuf Interconnect.

A preliminary analysis conducted by the Idaho Water Resource Board (IWRB/Board) determined that during the driest years, an additional 60,000 acre-feet of water could have been used by crops. Given typical delivery and application losses, this would have required a water supply increase of approximately 100,000-acre feet.



Map of the Bear River Basin showing the Divisions within Wyoming, Idaho, and Utah.



Bear River

As of 2019, there are approximately 108,000 AF of remaining Compact allocation waters that could be developed in the Lower Division of the Bear River in Idaho; however, the full compact allocation is seldom available. On average, only about 35,000 AF (32%) of excess water is available from the Bear River at the Idaho-Utah border.

Based on the timing of water availability, additional opportunities for consumptive use are most reliably present during the winter and spring, primarily during flood-risk management releases and excess runoff in wet years. Once the irrigation season begins, surplus water for additional consumptive use is generally unavailable. Additional storage could allow this excess water to remain in the Lower Division for use later in the season, or it could be held for use in subsequent years. Thus, securing and

developing additional storage is likely to be a key part of any strategy to fully develop Idaho's Compact allocation waters.

Increases in storage capacity will not, of themselves, increase Idaho's ability to consume water from the Bear River; however, increased storage will enable more arable land to be put into production, and it will enable cultivation of more water intensive, but higher value crops.

Increase Bear Lake Target Elevation: Current efforts to make more efficient use of Bear Lake's storage capacity could make Idaho's entire compact allocation available for agricultural use. These efforts could enable an average 138,000 AF increase in storage water that could be carried over from one year to the next but enabling these efforts requires the purchase of property and easements and the modification of existing roads and bridges to mitigate the risks of flooding in the Gentile Valley.

This particular project is relatively inexpensive and the additional storage it will provide would benefit agriculture in Idaho's Bear River Basin even if no additional Compact Allocation were available.

Small Reservoir Infrastructure Projects: There are numerous small, privately owned reservoirs along the Lower Bear River and its tributaries. These are connected to the Bear River via a system of canals. With some modification, it is possible that some of these reservoirs and their associated canals could be used to store and distribute a portion of Idaho's Bear River Compact Allocation.

Managed Aquifer Recharge (MAR) is a promising use for Idaho's remaining Compact allocation waters. Water can be recharged any time excess water is available on the Bear River, and recharged water could be used to mitigate ground water rights for new acres of agricultural land as required by the Bear River Ground Water Management Plan.



IWRB Members and staff touring the Bear Lake System, 2024

Geologic maps and well driller logs indicate that the valley bottoms near the Bear River in the Lower Division consist of gravel, sand, silt, and clay deposited in river and lake environments, as well as basalt and cinders erupted from volcanic vents in the area. Recharge sites constructed in these types of geologic deposits on the Eastern Snake Plain Aquifer (ESPA) have proven capable of infiltrating at least 10 cubic feet per second (CFS) per day or 600 acre-feet per month for MAR.

However, because there currently is no ground water model for the Lower Division, detailed geological and hydrologic studies will be needed to confirm the geological setting and infiltration capacity of sites selected for MAR.

Bear-Portneuf Interconnect with Additional Storage: There currently exists a need for additional water in the Snake River Basin. The Board examined the feasibility of transferring Idaho Compact Allocation waters from the Bear River to the Snake River via either the Portneuf or Blackfoot Rivers. Although possible, it is unlikely that either river has sufficient capacity to carry enough water to make the project economically viable; however, when coupled with increased storage, it may be possible to reduce the costs of conveying all of Idaho's excess Compact allocation waters to the American Falls Reservoir via the Portneuf River.

It should be understood that diverting Idaho's excess Compact allocation waters into the Portneuf River makes them unavailable for any other use in the Bear River Basin, so it will be necessary to determine whether this project represents the most beneficial use of Compact allocation waters to Idaho.

To make this decision, the Board should conduct full feasibility studies, including Level IV engineering studies and economic cost-benefit analyses, for each of the four projects prioritized in this report. In particular, the Board should develop a hydrologic map of the aquifer between Grace and the Idaho-Utah Border. And, of course, the Board should engage with stakeholders in the Bear River Basin and in the ESPA.

Conducting these studies and developing a groundwater flow model will require technical expertise and support from the IDWR. The Board will require IDWR's assistance developing and calibrating a groundwater flow model for the Lower Division of the Bear River Basin, assistance evaluating each project, assistance evaluating water availability and water rights that may be impacted by each project, and assistance determining the impact that transporting water from the Bear River to the ESPA would have on the ESPA.

This report identifies projects that appear to warrant further evaluation based on the preliminary screening factors described in the report. The legislature should provide clear guidance regarding development of Idaho's remaining Bear River Compact Allocation, and as appropriate, direct additional appropriations for project planning, feasibility studies, engineering, environmental compliance, and construction of the projects ultimately determined to be the highest priority.

Introduction

Purpose

This is the second of two reports submitted by the IWRB to the leadership of the House and Senate in accordance with House Concurrent Resolution No. 34 (HCR-34), passed by the 2026 Idaho Legislature. The first report provided an overview of the Bear River and the Bear River Compact ("Compact"), and it included a description of current Idaho and Utah allocations under the Compact. The first report also included information about the frequency and timing of developable Lower Division water supplies and it summarized projects that could be used to develop those waters. This report revises and updates the first report and will:

- I. Recommend and prioritize projects for further development of Idaho's compact allocation; and
- II. Outline the necessary steps for the Idaho Water Resource Board, Idaho Department of Water Resources, and the Idaho Legislature to secure future development of Idaho's Compact allocation waters.

Background

The Bear River (the "River" or "The Bear") originates in Utah's Uinta mountains and meanders over 500 miles, crossing state lines five times before emptying into the Great Salt Lake at a point just 90 miles from the River's headwaters. The Bear supplies approximately 60% of all the freshwater flowing into the Great Salt Lake. It has the distinction of being the longest North American river that does not ultimately flow into an ocean.

Until the late Pleistocene epoch, the Bear River was a tributary of the Portneuf River, which flows northward into the Snake River. About 60,000 years ago, a series of orogenic and volcanic events blocked the Bear River's northward flow, causing it to be diverted southward into Old Lake Bonneville, a precursor to today's Great Salt Lake.

The Bear River is a vital water source for Idaho, Wyoming, and Utah. Its distribution is governed by the Amended Bear River Compact of 1980 (the Compact), which was ratified by all three states and approved by the United States Congress. For administrative purposes, the Compact divides the river into three segments: the Upper Division, the Central Division, and the Lower Division. This report focuses on the allocation and development of water in the Lower Division, which extends from Stewart Dam, just north of Bear Lake in Idaho, to the Great Salt Lake in Utah.

Diversion of water from the Bear River for irrigation began in the 1860s, and irrigation is still by far the largest consumptive use of water taken from the River. By the early 1900s, electric utilities had begun construction of a series of hydroelectric dams and reservoirs that now control flow through the entire Lower Division. Today, PacifiCorp operates these dams to produce inexpensive electricity, and although power generation is not a consumptive use of water, PacifiCorp has entered into several storage agreements with agricultural users that obligate the company to deliver water when required by contract

holders. The Board notes that the timing of water deliveries needed for agricultural users is not always optimal for power generation.

Bear River Ground Water Management Area

The Idaho Department of Water Resources (IDWR) designated the Bear River Basin in Idaho as a Ground Water Management Area in 2001. Excluded from this designation is the Bancroft-Lund Ground Water Management Area near Grace, Idaho. A Ground Water Management Area is defined as any ground water basin that the director of IDWR has determined may be approaching the conditions of a Critical Ground Water Area. A Critical Ground Water Area is defined as any ground water basin not having sufficient ground water to provide a reasonably safe supply for irrigation of cultivated lands, or other uses in the basin at the then current rates of withdrawal, or rates of withdrawal projected by consideration of valid and outstanding applications and permits.

IDWR determined that management of water appropriations within the Bear River Ground Water Management Area would be guided by a management plan adopted by IDWR in 2003. The plan requires that the impact on senior water rights of proposed new ground water use must be determined before a water right permit is issued. If the new use depletes the supply of water available to senior water rights when water is needed, the new use cannot be permitted unless the injury to the senior water right is fully mitigated.



IWRB Members and Staff Touring the Bear Lake System, 2024

Bear River Compact Water Allocations

Remaining Compact Allocation Waters Available for Development

Some 108,000 AF remain of Idaho's compact allocation waters; however, it should be remembered that actual flows in the Bear River seldom approach this value. Idaho would have been able to use its full compact allocation in only 4 of the 27 years between 2000 and 2026 (15%). The average compact allocation water available to Idaho over this period would have been 34,848 AF, or 32% of Idaho's full compact allocation.

Even if the exceptionally wet period between 1990 and 1999 is included in this analysis, in only 7 of the past 37 years (19%) would Idaho's full compact allocation have been available, and the average volume of compact allocation waters would have been 40,159 AF (37%).

Note that to include all compact allocation waters potentially available to Idaho, the preceding hydrologic analysis was conducted using stream flows at the Idaho-Utah border. It is possible that the available water up-river from the Idaho-Utah border could vary somewhat from these values, and it will be necessary to conduct an in-depth hydrologic analysis for each of the projects prioritized in this report.

Despite only a fraction of Idaho's compact allocation being available in most years, fully developing these waters will still require transmission and conveyance infrastructure capable of handling the full 108,000 Acre-Feet during the relatively brief spring season when most of Idaho's available compact waters flow through the Bear River.

In some cases, it may be desirable to oversize storage facilities to fully take advantage of instances when two or more abnormally wet years occur back-to-back; however, we note that such a coincidence occurred only once during the period between 2000 and 2026, and only three times during the 1990-2026 period. Determining the optimal size of storage facilities will require a site-specific hydrologic analysis and engineering-economic analysis.



Idaho, Wyoming, and Utah Bear River Basin Map Illustration

State Allocations in the Bear River Compact

The Amended Bear River Compact (Compact) allocates the waters of the Bear River among Idaho, Utah, and Wyoming and divides the river into three segments: the Upper Division (headwaters to Pixley Dam), the Central Division (Pixley Dam to Stewart Dam), and the Lower Division (Stewart Dam to the Great Salt Lake). The Compact recognizes and grandfathers all consumptive use in the basin developed

prior to January 1, 1976, and establishes the allowable consumptive use in acre-feet (AF) to be developed after January 1, 1976, that is available to each state in each division.

The Compact authorizes Idaho, Utah, and Wyoming to develop consumptive use after January 1, 1976, in the Upper Division and Central Division as follows:

- Idaho 2,000 AF
- Utah 13,000 AF
- Wyoming 13,000 AF

The Compact also authorizes Idaho and Utah to develop consumptive use after January 1, 1976, in the Lower Division in a tiered priority system:

- Idaho holds the first right to use remaining water, resulting in an annual consumptive use of not more than 125,000 AF.
- Utah holds the second right to use remaining water, resulting in an annual consumptive use of not more than 275,000 AF, satisfied only after Idaho's first right has been met.
- Idaho and Utah each hold additional right to annual consumptive use, on an equal basis, of 75,000 AF of the remaining water after the first and second rights have been satisfied.
- Any water remaining after the above allocations are satisfied is divided 30% to Idaho and 70% to Utah.

Use of Allocations by States

The Bear River Commission periodically determines the development of Compact Allocations by each state in the Bear River Basin. Studies are completed by the Technical Advisory Committee (TAC) of the Bear River Commission. The TAC is composed of technical staff from each state. Under the Bear River Commission's adopted Depletion Procedures, consumptive use estimates since January 1, 1979, are updated every 10 years in the Lower Division and every five years in the Upper and Central Divisions. Studies were completed for 1990, 2009, and 2019.

The current development of Compact Allocations was last analyzed in the 2019 Depletion Update¹. The TAC evaluated changes in consumptive use since January 1, 1976; to quantify the amount each state has developed of its allocation in the Bear River Basin (Table 1). Idaho has approximately 800 AF of its allocation remaining to be developed in the Central Division and approximately 108,000 AF of its allocation remaining to be developed in the Lower Division. Due to the minimal remaining allocation in

¹ 2019 Bear River Commission Depletion Update:
[https://www.bearrivercommission.org/docs/BRC%202019%20Depletions%20Report%20\(Final%20Adopted%202023-04-18\)%20\(w%20appendices\).pdf](https://www.bearrivercommission.org/docs/BRC%202019%20Depletions%20Report%20(Final%20Adopted%202023-04-18)%20(w%20appendices).pdf)

the Central Division, this report will focus on opportunities for developing consumptive use in the Lower Division in Idaho.

Bear River Commission
Estimated Annual Depletions (Acre-Feet)¹
Changes from January 1, 1976, to December 31, 2019

ABOVE STEWART DAM

State	Allocation	Agricultural Depletions	M&I Depletions	Reservoir Evaporation	Total Depletions	Remaining Allocation
Utah	13,000	5,839	-8	582	6,413	6,587
Wyoming	13,000	5,058	826	140	6,024	6,976
Idaho	2,000	1,150	3	0	1,153	847

LOWER DIVISION

State	Allocation	Agricultural Depletions	M&I Depletions	Reservoir Evaporation	Total Depletions	Remaining Allocation
Idaho	125,000 ²	16,387	245	11	16,643	108,357
Utah	275,000 ³	-16,879	11,543	0	-5,336	275,000

¹Any reductions in pre-1976 depletions are reflected in the above numbers.

²First right under Compact. Compact grants additional rights.

³Second right under Compact. Compact grants additional rights.

Table 1. Summary table of depletion amounts from the Bear River Commission's 2019 Depletion Update.

Bear River Basin Adjudication

The Bear River Basin Adjudication (BRBA), initiated on June 15, 2021, is a general stream adjudication to determine the nature, extent, and priority of all surface-water and ground water rights in IDWR Administrative Basins 11, 13, 15, and 17 (portions of Bannock, Bear Lake, Caribou, Cassia, Franklin, Oneida, and Power Counties). Approximately 14,000 water-right claims are expected. Water right partial decrees for Basins 11 and 13 are anticipated to be complete in 2031, with Basins 15 and 17 scheduled for 2034.

The consumptive use (depletion) values in Table 1 provide the best available estimates of annual consumptive use developed in the Bear River Basin since January 1, 1976. The BRBA introduces uncertainty into these consumptive use estimates because water rights in the Bear River Basin have not been adjudicated for many years. The review process during the BRBA may confirm or revise individual water rights which could impact consumptive use estimates.

Frequency and Timing of Developable Water in the Lower Division

A preliminary estimate of Idaho's remaining water development potential in the Lower Division was completed using historical daily streamflow records from 1990 to 2026 for the streamflow gage on the Bear River near Collinston, Utah² and the Bear River at the Idaho-Utah State Line³. The analysis calculated the minimum daily flow between the two gages. The Collinston stream gage represents outflow from Cutler Reservoir and is effectively the end of the regulated system for Lower Division deliveries. This gage is assumed to represent surplus streamflow that exited the Bear River system. Based on Water Delivery Schedule No. 1, the only senior water right downstream of Cutler Reservoir and the Collinston stream gage is the Bear River Migratory Bird Refuge water right (29-1014), which has a 1928 priority date and diverts before the river enters the Great Salt Lake. To account for this senior obligation, the method subtracts 1,000 CFS from the surplus flow.

The surplus was calculated on a daily timestep and converted to an annual volume for each water year (October–September) (Table 2, Table 3, Figure 1). It represents a preliminary estimate of water that could be available for upstream storage or development during high-flow periods, absent additional legal, operational, or infrastructure constraints. This estimate at the Idaho-Utah State line may exceed the amount available for upstream development due to ground water or tributary inputs to the Bear River.



Aerial View of Bear Lake

² Daily streamflow data for the Bear River near Collinston: <https://waterdata.usgs.gov/monitoring-location/USGS-10118000/#dataTypeId=daily-00060-0&period=periodOfRecord&showFieldMeasurements=false> Data were only available through the end of the 2022 water year.

³ Daily streamflow data for the Bear River at the Idaho-Utah State Line: <https://waterdata.usgs.gov/monitoring-location/USGS-10092700/#dataTypeId=daily-00060-0&period=periodOfRecord&showFieldMeasurements=true>

Table 2. Bear River water available at the Idaho-Utah State Line, Water Years 1990–2026

Water Year	Bear River Water Available (AF)	Water Year	Bear River Water Available (AF)
1990	200	2008	1,400
1991	17,500	2009	35,800
1992	0	2010	0
1993	86,100	2011	176,500
1994	3,000	2012	73,700
1995	28,400	2013	0
1996	85,800	2014	0
1997	350,900	2015	7,400
1998	421,800	2016	12,000
1999	326,800	2017	285,600
2000	64,900	2018	166,400
2001	300	2019	48,100
2002	100	2020	39,100
2003	0	2021	0
2004	1,000	2022	0
2005	78,100	2023	154,400
2006	95,700	2024	45,400
2007	2,300	2025	3600
		2026	0

Note: Water Years 1990 through 1999 were excluded from subsequent analyses.

Table 3. Likelihood that new reservoir space fills based on water available at the Idaho-Utah State line.

Reservoir Space (AF)	Number of Years Space Would Have Filled (2000 2026)	% of Years Filled (2000 2026)
0	27	100%
20,000	12	44%
40,000	10	37%
60,000	8	30%
80,000	5	19%
108,000	4	15%

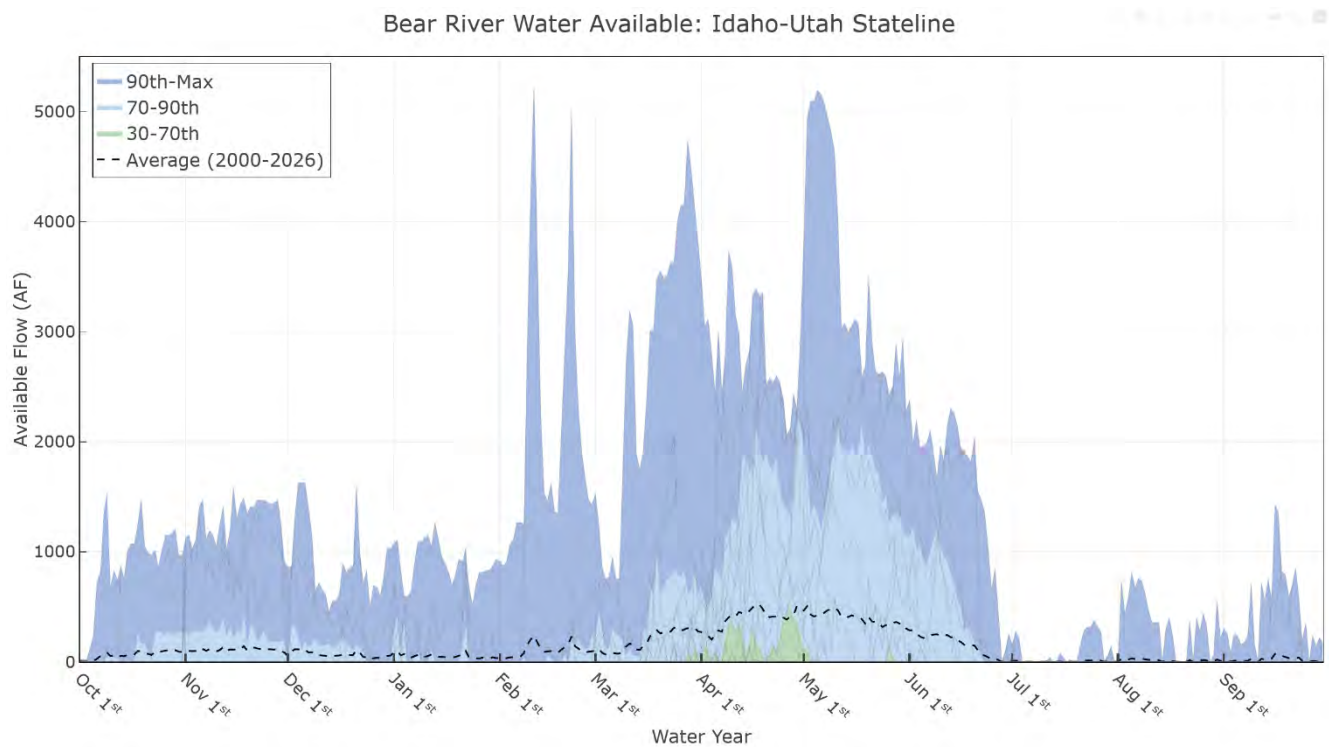


Figure 1. Hydrograph of Bear River Water Available at the Idaho-Utah State Line by water year, 2000 to 2026 (amount in acre-feet and timing of availability).

Water Deficit in the Lower Division in Idaho

The IWRB completed a preliminary analysis to estimate the amount of additional water that could be utilized by water users in the Lower Division in Idaho. The analysis compared the amount of water used in a year with a full water supply to that used in the year with the lowest water supply. The resulting estimate is that in the driest year, an additional 60,000 AF of water supply could have been used by crops to eliminate stress.

The United States Geological Survey estimated that in 2015, crops in Idaho consumed 58% of the total water withdrawn for irrigation. The remaining 42% were returned to the water cycle by conveyance losses, surface runoff, and infiltration. Assuming that losses for irrigation water deliveries in the Lower Division in Idaho are roughly the same as the statewide average, it would take approximately 40,000 AF to deliver the 60,000 AF of additional water that could be used by crops.

A “ballpark” estimate of approximately 100,000 AF could be utilized by water users in the Lower Division in Idaho to meet full crop requirements in years with the lowest water supply. This consists of approximately 60,000 AF for crop use and approximately 40,000 AF for delivery and application losses.

Utilizing the Remaining Compact Allocation in the Lower Division

Idaho has approximately 108,000 acre-feet (AF) remaining of its 125,000 AF of Bear River Compact allocation in the Lower Division in Idaho. The rural nature of this area of Idaho means that new uses for this water will primarily be for irrigating agricultural crops. Several options exist for utilizing Idaho’s remaining allocation:

- Irrigate existing or new agricultural acres using new surface water rights:

Water users would develop new surface water rights for irrigation. These new water rights would have very junior priority dates. They would accrue natural flow during spring months in some years and then be curtailed nearly every year during the summer months. These water rights would provide an unreliable water supply for irrigating agricultural crops.

- Irrigate existing or new agricultural acres using new reservoir storage:

An entity would develop a new water right for reservoir storage. This new water right would have a relatively junior priority date. It would accrue natural flow during spring runoff events and outside the irrigation season when there is excess water flowing in the Bear River. The new storage water would be delivered during the irrigation season to water users for the irrigation of new acres of agricultural land.

- Mitigate new ground water rights for existing or new agricultural acres using new reservoir storage:

An entity would develop a new water right for reservoir storage. This new water right would have a relatively junior priority date. It would accrue natural flow during spring runoff events and outside the irrigation season when there is excess water flowing in the Bear River. Storage

water would be delivered to senior water right holders during the irrigation season to mitigate new ground water rights as required by the Bear River Ground Water Management Plan.

- Mitigate new ground water rights for existing or new agricultural acres using managed aquifer recharge:

The water recharged would be used to mitigate ground water rights for new acres of agricultural land, as required by the Bear River Ground Water Management Plan.

Value of Storage

Aside from evaporative losses, new storage will not consume a significant portion of Idaho's allocation under the Bear River Compact; however, properly managed storage can enable development of additional agricultural lands and enable cultivation of high-value, water-intensive crops on lands that are already under cultivation. As discussed in the previous section, new storage can also be used to enable aquifer recharge and mitigate new ground water rights.

As a general rule, there are more opportunities to use water stored at higher river elevations than there are for water stored at lower elevations: Water stored in Bear Lake could, potentially, be delivered at any point between Stewart Dam and the Idaho-Utah border and is thus the most flexible location for storage in the Lower Bear River.



*Bear River at Idaho-Utah State Line
Photo Courtesy of NOAA*

Evaluation and Prioritization of Development Opportunities in the Lower Division

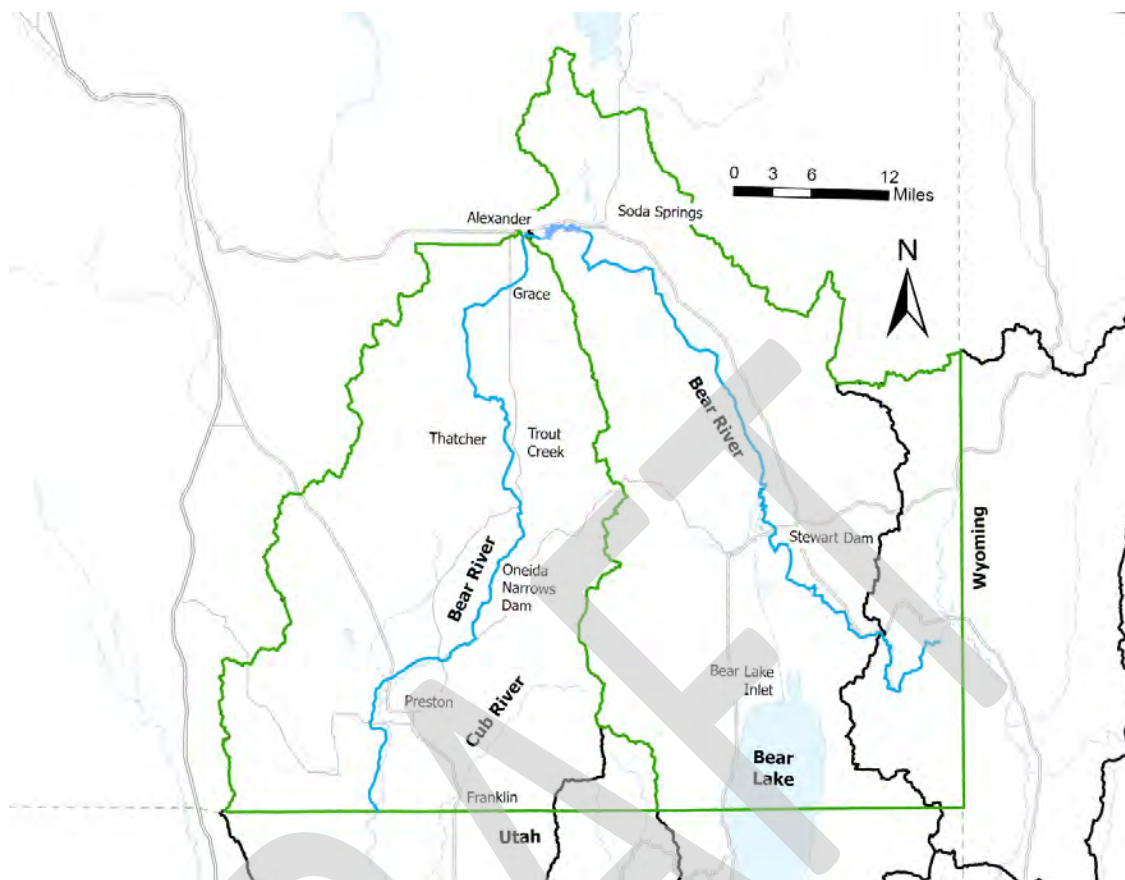


Figure 2. Development Opportunities in the Lower Division in Idaho.

Project Evaluation and Prioritization

Evaluation Factors

The IWRB considered the following factors when evaluating and prioritizing potential projects for further development of Idaho's Compact allocation: Effectiveness, Cost per Acre-Foot, Timeline, and Risk. Each of these factors is discussed more fully below:

Effectiveness: The IWRB considered the ability of each project to fully develop Idaho's remaining 108,000 Acre-Foot Compact allocation. Projects capable of using the full allocation were rated ahead of projects that could not. Projects that were unable to develop a significant portion of Idaho's remaining compact allocation were removed from further consideration.

Cost per Average Acre-Foot: The IWRB considered project cost per Acre-foot of average available compact allocation waters for the period 2000 – 2026. This simple analysis allows the relative cost of projects to be ranked, but it does not consider whether a project will be cost effective. The distinction between cost effectiveness and cost per Acre-Foot is discussed more fully below.

Timeline: The IWRB ranked projects that could be implemented quickly over projects that would require long lead times. All other things being equal, it is desirable to obtain the benefits of using Compact allocation waters sooner rather than later.

Risk: The IWRB considered the risks of environmental review, land acquisition, permitting, litigation, and obtaining needed agreements from stakeholders. The IWRB removed from further consideration projects deemed extremely risky.

Cost Effectiveness

Broadly speaking, a project can be considered cost effective if its lifetime benefits exceed its lifetime costs. The simple cost per acre-foot analysis conducted for this report considers only the unit costs of each project, but not each project's benefits. Thus, cost per acre-foot is not an absolute indicator of whether-or-not a particular project is cost effective.

The State of Idaho has not adopted a uniform method for analyzing the costs and benefits of state-funded water projects; however, it should be possible to adapt a simplified variant of the rubric used by the U.S. Bureau of Reclamation to Idaho's needs. Such an analysis would inform the IWRB, Legislature, and other stakeholders of a project's benefits, beneficiaries, and economic viability, and it would identify those stakeholders who would bear the costs of proposed projects. If there is interest in pursuing any of the opportunities identified in this report, the Board recommends that the applicable projects in Table 5 on the following page undergo a thorough cost-benefit analysis before decisions are made regarding further development or implementation.

Table 5. Summary: Projects Evaluated by the Idaho Water Resource Board

Project Name	Type	Project Capacity*	Timeline (yrs)	Cost \$Millions (2025)	Cost \$/AF of Annual Average Available Compact Allocation Water**	Project Capacity Cost \$/AF***	Risk
Increase Bear Lake Target Elevation	Storage	450,000	5	10.3	285	95	Moderate
Small Reservoir Infrastructure Projects	Storage	Varies	5	Varies	Varies	Varies	Low
Aquifer Recharge	Recharge	108,000	10	85	2,349	787	Low
Bear-Portneuf with Storage	Diversion	77,252	10	112	3,095	1,450	High
<i>Caribou Dam</i>	<i>Storage</i>	<i>47,500</i>	<i>10</i>	<i>50</i>	<i>1,382</i>	<i>1,053</i>	<i>Moderate</i>
<i>Trout Creek</i>	<i>Storage</i>	<i>18,000</i>	<i>7</i>	<i>40</i>	<i>1,105</i>	<i>2,222</i>	<i>Low</i>
<i>Mapleton Dam Project</i>	<i>Storage</i>	<i>34,500</i>	<i>20</i>	<i>120</i>	<i>3,316</i>	<i>3,478</i>	<i>High</i>
<i>High Oneida Dam</i>	<i>Storage</i>	<i>435,000</i>	<i>10</i>	<i>220</i>	<i>6,079</i>	<i>2,037</i>	<i>Moderate</i>
<i>Low Oneida Dam</i>	<i>Storage</i>	<i>140,000</i>	<i>10</i>	<i>320</i>	<i>8,843</i>	<i>2,963</i>	<i>Moderate</i>
<i>Pumped Storage Projects</i>	<i>Pumped Storage</i>	<i>Small</i>	<i>10</i>	<i>unk</i>	<i>unk</i>	<i>Small</i>	<i>Low</i>
<i>Bear-Portneuf Diversion Project</i>	<i>Diversion</i>	<i>108,000</i>	<i>20</i>	<i>380</i>	<i>10,501</i>	<i>3,519</i>	<i>Very High</i>
<i>Bear Lake Inlet Modification</i>	<i>Storage</i>	<i>100,000</i>	<i>5</i>	<i>4</i>	<i>111</i>	<i>40</i>	<i>Extreme</i>
<i>Rocky Point Dam</i>	<i>Storage</i>	<i>300,000</i>	<i>20</i>	<i>350</i>	<i>9,672</i>	<i>3,241</i>	<i>Extreme</i>
<i>Bear-BlackFoot Diversion Project</i>	<i>Diversion</i>	<i>108,000</i>	<i>20</i>	<i>500 - 1,000</i>	<i>13,817 - 27,634</i>	<i>9,259</i>	<i>Extreme</i>

Projects recommended for further consideration are in **Bold** font.

Projects removed from further consideration are in *Italicized* font.

*Actual used storage is limited to the lesser of actual available water or Idaho's remaining 108,000 AF Compact Allocation Waters.

**Cost per AF of project capacity or annual average available compact allocation water, whichever is lower.

***Cost per acre foot of System Capacity up to Idaho's remaining compact allocation of 108,000 AF.

Recommended Potential Projects

Increase Bear Lake Target Elevation (PTE):

This is the lowest cost project investigated by the Board that is capable of fully utilizing Idaho's Compact allocation waters. It does not require the construction of any additional infrastructure, and the estimated \$10.3 Million needed to implement it would be spent on flood easements in the Gentile Valley, development and implementation of improved techniques for forecasting springtime flows, and other permits and permissions needed to implement the plan.

We should note that even without the imperative to develop Idaho's remaining Compact allocation waters, increasing Bear Lake storage can provide considerable benefit to existing water right holders by assuring the continued availability of water during dry years, and the Board has been working with stakeholders to enable increased Target Elevation for several years.

There are moderate risks to this project: There is no guarantee that all critical stakeholders will grant the necessary permissions to enable increased storage, and as explained below, ownership and allocation of storage water rights in Bear Lake is complicated.

Increasing storage efficiency in Bear Lake is the largest opportunity for increasing storage in the Lower Division of the Bear River System. The lake could be filled to an elevation of 5923.65'; however, the 1968 Bear Lake National Refuge Operations Agreement sets an upper operating height of 5920.5 +/- 0.5 feet. To minimize the risk of flooding the Gentile Valley, PacifiCorp's March 31st target elevation is two and a half feet less (5918.0'), providing reserve capacity capable of absorbing higher-than-expected springtime flows. This practice has successfully precluded flooding in the Gentile Valley, but it has also resulted in reduced water storage during dry years.

It is estimated that increasing PacifiCorp's Target Elevation (PTE) by 1.5 feet (5919.5') would result in an increase of 455,000 acre-feet of storage, with an average of 84,000 acre-feet available for carryover from one year to the next. Increasing the PTE by 2.5 feet to the 5920.5-foot operating limit imposed by the 1968 Bear Lake Refuge Operations Agreement would permit storage of 680,000 acre-feet with an average of 138,000 acre-feet available for carryover.

Questions regarding the potential for additional storage in Bear Lake were addressed through a joint modeling effort involving the Utah Division of Water Resources, the Idaho Department of Water Resources (on behalf of the IWRB), and PacifiCorp. The 2020 study, *Impacts on Bear Lake Storage Under Alternative High-Runoff Management Operations*⁴, evaluated changes to PacifiCorp's high-runoff management operations at Bear Lake and concluded that modest adjustments to the March 31 Target

⁴ Impacts on Bear Lake Storage Under Alternative High-Runoff Management Operations: <https://water.utah.gov/wp-content/uploads/2020/12/BearLakeReport.pdf>

Elevation and Gentile Valley flow targets could allow for substantial additional storage without exceeding the lake's Ordinary High-Water Mark. Implementation of any such operational changes would require continued coordination with PacifiCorp, Utah, Wyoming, and the Bear River Commission.

PacifiCorp has existing reservoir storage water rights in Bear Lake. Any additional water captured by changing flood control operations and accrued to these existing water rights will be allocated to existing PacifiCorp storage contracts. Since the storage allocations are limited each year by the 2004 Amended and Restated Bear Lake Settlement Agreement⁵. New water would not count against Idaho's allocation under the Bear River Compact.

The Board has filed for a new reservoir storage water right. If new water is stored under this water right rather than PacifiCorp's existing water rights, the additional water captured by changing flood control operations at Bear Lake could be used for new uses under Idaho's allocation under the Bear River Compact.

Small Reservoir Infrastructure Projects

There are numerous small, privately owned reservoirs along the Lower Bear River and its tributaries. These are connected to the Bear River via a system of canals. With some modification, it is possible that some of these reservoirs and their associated canals could be used to store a portion of Idaho's Bear River Compact Allocation; however, this option has not been studied in-depth.

It is unlikely that the aggregated available storage volume from all small reservoirs in the Lower Division would be able to enable full utilization of Idaho's Compact allocation waters; however, because the storage and transport infrastructure already exists, it is likely that these projects will be very cost effective.

We should note that even without the imperative to develop Idaho's remaining Compact allocation waters, making efficient use of existing small reservoirs can provide considerable benefit to existing water right holders by maximizing water stored throughout the Lower Division.

Aquifer Recharge Opportunities

Since 2003, much of the Lower Division of the Bear River Basin has been subject to a Ground Water Management Plan (GWMP) under which the impact on senior water rights of any proposed new groundwater use must be determined and mitigated before any new water right permit may be issued. By mitigating injury to senior water rights, Managed Aquifer Recharge could enable new groundwater use in the Lower Bear River Basin in Idaho.

⁵ 2004 Amended and Restated Bear Lake Settlement Agreement:
<https://bearrivercommission.org/docs/Amended%20and%20Restated%20Bear%20Lake%20Settlement%20Agreement.pdf>

In 1997, PacifiCorp and the Bear River Water Users Association filed petitions with the Idaho Department of Water Resources (IDWR) seeking the establishment of a moratorium on the issuance of permits or applications to appropriate ground water or surface water in the Bear River Basin. IDWR determined that unappropriated surface water and groundwater exist in the basin, but nearly every year, the flow of the Bear River is insufficient to satisfy all existing water rights. Studies found that groundwater and surface water in the Bear River Basin are interconnected, and that groundwater withdrawals in some areas reduced the flow of the Bear River.

The present analysis was conducted assuming a Managed Aquifer Recharge Plan similar to that currently operated on the Eastern Snake Plain Aquifer (ESPA) by the IWRB. Under the ESPA Managed Aquifer Recharge (MAR) Program, the Board owns no infrastructure but instead uses existing private infrastructure such as canals to transport water to aquifer recharge sites. Recharge sites and other infrastructure that are unique to the IWRB's MAR are funded through contracts with canal companies that actually operate the program on behalf of the IWRB. By maximizing the use of existing infrastructure, MAR can reliably supply low-cost groundwater.

Depending on local and regional site conditions, recharged groundwater may be retained in the aquifer for days, months, or years before it is either consumed by local groundwater users or until it flows out of the aquifer. Aquifers with very short retention times are usually undesirable since water may flow out of them before it can be withdrawn by groundwater users. Similarly, low permeability aquifers may retain water near the recharge site for many years before the benefits of recharge become apparent to groundwater users. It will be necessary to create a detailed model of the aquifer to determine retention times and permeability to identify suitable recharge sites.

A cursory survey of Lower Division infrastructure has found that infrastructure suitable for a MAR exists in many areas, so it should be possible for MAR to fully use Idaho's remaining compact allocation. Based on the Board's experience in the ESPA, it should be possible to implement a significant recharge program within 5 years. Because most of the infrastructure for MAR in the Lower Bear River Basin already exists, risks to project implementation are quite low.

Bear-Portneuf Diversion and Bear-Portneuf Diversion with Storage

Bear-Portneuf Diversion: The Board explored the possibility of using Idaho's excess Bear River Compact Allocation to relieve water shortages in the Snake River Basin. The idea of diverting flow from the Bear River northward into the Snake River has been studied several times, most recently in 1985 by the State of Utah's Division of Water Resources, *Bear River to Portneuf River Diversion Project Feasibility Study* ("Utah Study"). At that time, the Great Salt Lake was rising and threatening proposed development along the shores of the Great Salt Lake. The Utah Study looked at several alternatives including various canal and pipeline routes. Not all the alternatives explored in the Utah Study would fully utilize Idaho's compact allocation waters.

The shortest and likely the most cost-effective method of transporting water from the Bear to the Portneuf would require a lift station at or near Grace Dam. Water would then be pumped to a point 1 mile West of Alexander, Idaho from which the water would flow via gravity canal to the Portneuf River near Bancroft. The difference in elevation between the proposed lift station location and the delivery point near Alexander is less than 20 feet. The terrain slopes gently downward between this point and Bancroft. The Board notes that this alignment is quite close to the route that was most likely taken by the Ancestral Bear River until approximately 60,000 years ago, when it is believed that a shield volcano in the Alexander area blocked the river's northward flow, diverting it southward into what was then Lake Bonneville.

Most compact allocation waters are available each year in April. Diverting Idaho's entire unused 108,000 AF allocation during one month would require extensive channelization of the Portneuf River, relocation of roads, and reconstruction of more than 20 road and railroad bridges at a construction cost of approximately \$380 Million, not including the costs of obtaining the necessary easements and permissions. The environmental impacts of such large increases in springtime flows are unknown. The Board conservatively estimates that conducting the required environmental studies and obtaining the necessary permits and easements will require two or more decades. It is also quite likely that this project would face substantial legal challenges. Overall, there is a Very High risk that this project would not ever be realized.

Bear-Portneuf Diversion with Storage: Adding storage to the Bear River above the proposed Grace Dam diversion point would allow water to be diverted over a longer period, eliminating the need for costly and potentially disruptive channelization and infrastructure relocation along the Portneuf River. This would also reduce, but not eliminate, project risks due to environmental concerns, so the Board rated this as a High-Risk project.

For this analysis, we assumed a reduced version of the Bear-Portneuf Diversion project described above in conjunction with construction of a dam at Caribou; however, storage for this project could also be obtained by increasing Bear Lake's Target Elevation. The decrease in required volumetric flow rate would allow considerable reduction in the sizes of the lift station and canal between Alexander and Bancroft. As already noted, little or no alteration of the Portneuf River would be required. Construction costs, including the costs of constructing the Caribou Dam, would be about \$112 Million.

We note that the Caribou site is not the only site that could be used in conjunction with the Bear-Portneuf Diversion. For example, any increase at Bear Lake could potentially be used in conjunction with a Bear-Portneuf Diversion.

Projects Evaluated but Not Recommended

Caribou Dam

This is a plan to build a storage reservoir approximately 2 miles upstream from Soda Springs, Idaho. The cost of the dam itself is estimated at approximately \$50 Million. This does not include the costs of compensating PacifiCorp for lost Power Generation at its downstream hydroelectric facilities. Not only would Caribou Dam provide additional storage, but if operated in conjunction with Bear Lake Dam, it could enable Pacificorp to increase its March 31st target elevation. Also, as noted previously, Caribou Dam could enable a substantial cost reduction to the Bear-Portneuf diversion project.

By itself, this project will not accommodate Idaho's full compact allocation, and so it was removed from consideration as a stand-alone project; however, this project should be considered as a means for enabling either the Bear-Portneuf Diversion project or an increase in the Bear Lake Target Elevation.

Trout Creek Reservoir

The Trout Creek Reservoir is a water storage project proposed by the Last Chance Canal Company. The proposed 18,000 AF reservoir would be located about 1 mile northeast of Thatcher, Idaho and it would store water from the Last Chance Canal Company's East Branch and Bench B's Canals. No formal design study has been completed; however, construction costs could be \$40 Million or more. This project is relatively expensive and would not be able to accommodate Idaho's full compact allocation, so it was removed from further consideration.

Mapleton Dam Project

The Mapleton Dam site is located approximately 3 miles northeast of the town of Franklin on the Cub River. The proposed 160-foot dam would have a total storage capacity of 34,500 AF. Construction costs are estimated to be \$120 Million. This does not include the costs of relocating East Cub River Road and purchasing the numerous homes and commercial businesses that have been built in the location of the proposed reservoir. This project will not accommodate Idaho's full compact allocation, and it is relatively expensive. Because of its location near the Utah Border, there is relatively little opportunity to use water from this project in Idaho. This project was removed from further consideration.

High Oneida and Low Oneida Dam Projects

The High Oneida and Low Oneida Dam Projects are two different proposals to build dams at the same site downstream from the existing Oneida Narrows Dam. The High Oneida Dam proposal is for a 315-foot dam with a total capacity of 435,000 AF and 295,000 AF of active capacity. The estimated construction cost is \$320 Million.

The Low Oneida Dam proposal is for a 265-foot-high dam with a total storage capacity of 140,000 AF and an active storage capacity of 120,000 AF. The estimated construction cost is \$220 Million.

These storage projects could accommodate Idaho's entire excess compact allocation waters; however, they are expensive, and because of their proposed location, may not be able to fully enable consumptive use of Idaho's Compact allocation waters within the state of Idaho. The Board excluded both projects from further consideration.

Pumped Storage

Pumped storage facilities store excess electrical energy by pumping water uphill into a reservoir when system demand is low and excess energy is available. This water can then be used to generate electricity during times of peak demand. By its nature, however, pumped storage is not a consumptive use of water and would not consume a significant portion of Idaho's Bear River Compact allocation, so pumped storage was removed from further consideration.

Bear Lake Inlet Modification

The Lifton Pumping Station can draw water from lake levels as low as 5902.0 feet. Modifying the Lifton pumps by extending the penstocks deeper into the lake would permit greater usable capacity of the lake without the need to increase PacifiCorp's target elevation. It is likely that this modification will require larger pumps than currently exist at Lifton. Reducing lake levels below 5902 feet would violate the 2004 Amended and Restated Bear Lake Settlement Agreement and it would violate the minimum lake level water right held by the Idaho Water Resource Board (Water Right 11-7406). It should also be noted that reducing lake elevation below 5902.0 feet would reduce marina drafts to the point that some boats would no longer be able to operate, and this reduction is likely to have substantial negative environmental impacts. The Board determined that the risks to this project were extreme and excluded it from further consideration.

Rocky Point Dam

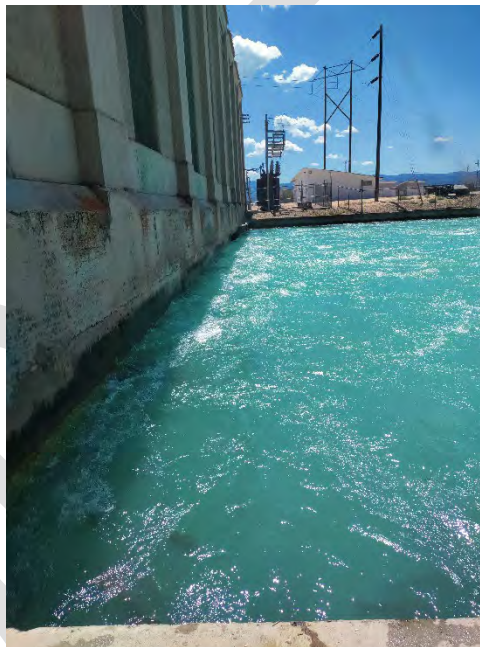
The proposed Rocky Point Dam project would replace the storage volume lost when PacifiCorp decreased Bear Lake target elevations from 5920.5' to 5918.0'. The 90-foot tall rockfill dam would be located about 3 miles north of Bear Lake Dam and have a total storage capacity of 300,000 AF. It should be noted that substantial infrastructure would need to be relocated for this project, including portions of Highway 30, a railroad, power transmission lines, a natural gas pipeline, and numerous homes and farms. It should also be noted that in the event that PacifiCorp resumes use of the 5920.5' target elevation in Bear Lake, the additional storage capacity of the Rocky Point Dam would be rendered superfluous. This project is extremely risky and was removed from further consideration.

Bear-Blackfoot Diversion Project

The Bear-Blackfoot Diversion project would divert water from the Bear River to the Blackfoot River. The Blackfoot River ultimately empties into the Snake River near Blackfoot, Idaho. The additional water provided from the Bear River could be used to augment the water supply in the Snake River.

This project has not received as much attention as the Bear-Portneuf diversion project; however, a preliminary investigation has revealed two significant challenges that this project would face. First, it is unlikely that the Blackfoot River could accommodate the additional flow from the Bear River, and so there would need to be substantial modification of the existing river channel and nearby highway infrastructure. The second challenge would be the need to pump water over a 400-foot elevation between the two rivers. This would require the construction of substantial lift stations and would also consume substantial amounts of electric power.

As with the Bear-Portneuf diversion project, any diversion of water from the Bear is likely to negatively impact PacifiCorp's electrical production at dams below the point of diversion. The proposed Bear-Portneuf diversion is a much less expensive way to divert water from the Bear to the ESPA, and given the necessary modifications to the Blackfoot River and associated infrastructure, there is an extreme risk that the project would never be started. This project was removed from further consideration.



Bear River System

Next Steps

Next Steps for the Idaho Water Resource Board

Subject to legislative direction regarding development of Idaho's remaining Bear River Compact allocation, the IWRB's next step would be to identify a recommended plan for development. This should include evaluating the relative benefits, beneficiaries, costs, and practicability of the opportunities identified in this report, including whether each uses the remaining allocation in a manner that provides the greatest overall benefit to Idaho.

The proposed Bear-Portneuf project illustrates the importance of this evaluation because it would commit water to the Snake River and render Idaho's remaining Compact allocation waters unavailable for any other use in the Bear River Basin. This project would also be relatively expensive. Thus, it will be necessary to determine whether-or-not this project uses remaining Compact allocation waters in a way that is most beneficial to Idaho.

The information required to compare the four projects prioritized in this report and make this determination can best be obtained by conducting full feasibility studies of all four projects. These feasibility studies should include Level IV engineering studies, economic cost-benefit analyses, and input obtained by engaging stakeholders from the Bear River Basin and, in the case of the proposed Bear-Portneuf project, stakeholders from the ESPA.

Specific actions for each of the four prioritized projects are enumerated below:

- Increase Bear Lake Target Elevation
 - Continue current efforts to obtain easements within the Gentile Valley.
 - Continue discussions with PacifiCorp to maximize available storage in Bear Lake.
 - Complete engineering, environmental, and economic feasibility evaluations necessary to determine long-term implementation options.
- Small Reservoir Infrastructure Projects
 - Develop criteria for determining suitability of existing small reservoirs and canals to store additional water.
 - Engage with potential stakeholders to identify opportunities and constraints.
 - Conduct feasibility assessments of the most promising candidate sites including engineering, permitting, environmental, cost evaluations, and water right considerations.
 - Construct necessary upgrades and infrastructure modifications to enable existing small reservoirs and canals to store additional water.

- Aquifer Recharge
 - Work with IDWR to develop a groundwater flow model of the Bear River Aquifer between Grace and the Idaho/Utah border.
 - Determine the extent to which Managed Aquifer Recharge will support development of mitigation credits to allow more groundwater use under the GWMP.
 - Evaluate recharge feasibility, expected water supply benefits, operational constraints (including water right considerations), and costs.
 - Work with stakeholders to determine whether a Managed Aquifer Recharge program could be an effective management tool and determine how it could be implemented.
 - Implement a Managed Aquifer recharge program and construct necessary infrastructure if hydrologic conditions are satisfactory and there is stakeholder support.
- Bear-Portneuf Diversion with Storage
 - Refine timing and quantities of water to be delivered to the Snake River and determine the benefits of such a project to the Eastern Snake Plain Aquifer
 - Evaluate alternatives that involve a regulating reservoir in the Bear River Basin to allow Idaho to move the same volume of water using a much smaller diversion system, reducing costs, environmental impacts, and implementation risk while improving operational flexibility.
 - Complete a comprehensive feasibility study, including alternatives analysis, engineering, environmental review, permitting requirements, stakeholder coordination, and Level IV engineering cost estimates, and a comprehensive project implementation plan.

Next Steps for the Idaho Department of Water Resources

The Board will require the expertise of the Idaho Department of Water Resources. In particular, the Board will require the following support from the IDWR:

- Provide technical and hydrologic expertise for evaluation of prioritized projects.
- Assist IWRB in development and calibration of a Bear River groundwater flow model.
- Evaluate water availability, water rights administration, and operational considerations.
- Support feasibility studies through hydrologic analysis and modeling.
- Quantify expected groundwater recharge and ESPA benefits associated with priority projects.
- Assist with environmental review and permitting coordination as appropriate.
- Solicit and manage contract support as needed.

Next steps for the Idaho Legislature

- Provide clear guidance regarding development of Idaho's remaining Bear River Compact allocation and continue appropriations, as appropriate, for planning, comparative analysis, feasibility studies, engineering, and environmental compliance necessary to identify and evaluate a recommended path forward and, following that evaluation, consider additional appropriations for construction of projects determined to be the highest priority.

DRAFT

HCR-34 Report Update

Dr. Mike Morrison, P.E.
Water Planning/Projects
Bureau Engineer



HCR-34

A CONCURRENT RESOLUTION STATING FINDINGS OF THE LEGISLATURE AND
REAFFIRMING IDAHO'S RIGHTS PURSUANT TO THE BEAR RIVER COMPACT

- Directs the Idaho Water Resource Board to prepare two reports for the Idaho Legislature.
 - The first report was due June 1st, 2026.
 - The second report is due September 30th, 2026.

First Report (Submitted June 1st, 2026)

The first report included:

- A description of current development of Compact Allocation Waters for Idaho and Utah.
- The frequency and timing of water supplies in the Lower Division that are available for further development.
- Preliminary opportunities for further development of Idaho's compact allocation to address Idaho's statewide water obligations, including estimated costs and timelines for completing projects related to the opportunities identified in the report.

Second Report (Due Sept. 30th, 2026)

The second report will include:

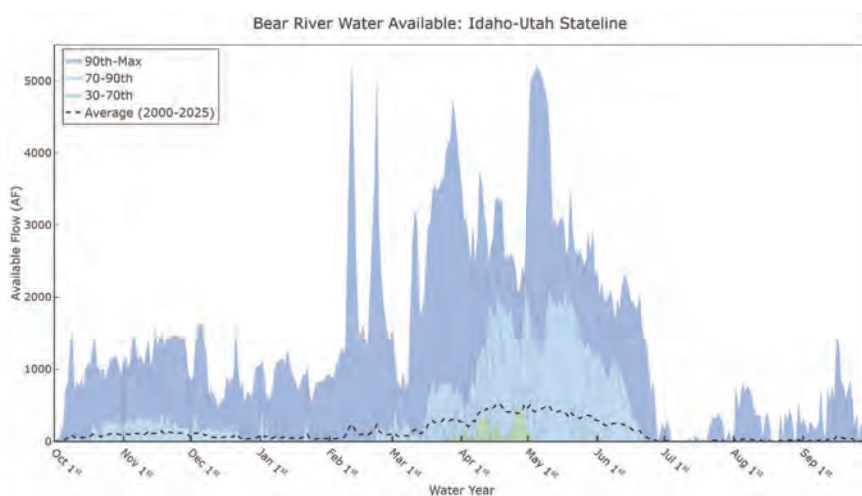
- Recommended and prioritized projects for further development of Idaho's compact allocation; and
- An outline of the necessary steps for the Idaho Water Resource Board, the Idaho Department of Water Resources, and the Idaho Legislature to secure future development of Idaho's compact allocation waters.

Evaluation Factors

Factors considered when evaluating projects

- Effectiveness—How much of Idaho's compact allocation will be developed by the project?
- Cost/Benefit—Expressed as Cost/Acre-Foot
- Timeline—All other things being equal, we ranked short timeline projects ahead of long timeline projects.
- Risks—Environmental review, land acquisition, permitting, litigation, and obtaining needed agreements from stakeholders. We removed projects deemed extremely risky from project ranking.

Hydrologic Considerations



Reservoir Space (AF)	Number of Years Space Would Have Filled (2000 - 2026)	% of Years Filled (2000 - 2026)
0	27	100%
20,000	12	44%
40,000	10	37%
60,000	8	30%
80,000	5	19%
108,000	4	15%

Average Annual Available Compact Water at Idaho/Utah border was 34,848 AF (2000-2026)

Recommendations

Project Name	Type	Project Capacity*	Timeline (yrs)	Cost \$Millions (2025)	Cost \$/AF of Annual Average Available Compact Allocation Water**	Project Capacity Cost \$/AF***	Risk
Increase Bear Lake Target Elevation	Storage	450,000	5	10.3	285	95	Moderate
Small Reservoir Infrastructure Projects	Storage	Varies	5	Varies	Varies	Varies	Low
Aquifer Recharge	Recharge	108,000	10	85	2,349	787	Low
Bear-Portneuf with Storage	Diversion	77,252	10	112	3,095	1,450	High
<i>Caribou Dam</i>	<i>Storage</i>	<i>47,500</i>	<i>10</i>	<i>50</i>	<i>1,382</i>	<i>1,053</i>	<i>Moderate</i>
<i>Trout Creek</i>	<i>Storage</i>	<i>18,000</i>	<i>7</i>	<i>40</i>	<i>1,105</i>	<i>2,222</i>	<i>Low</i>
<i>Mapleton Dam Project</i>	<i>Storage</i>	<i>34,500</i>	<i>20</i>	<i>120</i>	<i>3,316</i>	<i>3,478</i>	<i>High</i>
<i>High Oneida Dam</i>	<i>Storage</i>	<i>435,000</i>	<i>10</i>	<i>220</i>	<i>6,079</i>	<i>2,037</i>	<i>Moderate</i>
<i>Low Oneida Dam</i>	<i>Storage</i>	<i>140,000</i>	<i>10</i>	<i>320</i>	<i>8,843</i>	<i>2,963</i>	<i>Moderate</i>
<i>Pumped Storage Projects</i>	<i>Pumped Storage</i>	<i>Small</i>	<i>10</i>	<i>unk</i>	<i>unk</i>	<i>Small</i>	<i>Low</i>
<i>Bear-Portneuf Diversion Project</i>	<i>Diversion</i>	<i>108,000</i>	<i>20</i>	<i>380</i>	<i>10,501</i>	<i>3,519</i>	<i>Very High</i>
<i>Bear Lake Inlet Modification</i>	<i>Storage</i>	<i>100,000</i>	<i>5</i>	<i>4</i>	<i>111</i>	<i>40</i>	<i>Extreme</i>
<i>Rocky Point Dam</i>	<i>Storage</i>	<i>300,000</i>	<i>20</i>	<i>350</i>	<i>9,672</i>	<i>3,241</i>	<i>Extreme</i>
<i>Bear-BlackFoot Diversion Project</i>	<i>Diversion</i>	<i>108,000</i>	<i>20</i>	<i>500 - 1,000</i>	<i>13,817 - 27,634</i>	<i>9,259</i>	<i>Extreme</i>
*Actual used storage is limited to the lesser of actual available water or Idaho's reemaining 108,000 AF Compact Allocation Waters.							
**Cost per AF of project capacity or annual average available compact allocation water, whichever is lower.							
***Cost per acre foot of System Capacity up to Idaho's remaining compact allocation of 108,000 AF.							
Recommend that the Board pursue projects in Bold font.							
Recommend that the Board take no further action on projects in <i>Italicized</i> font.							

Recommendations Notes

- Annual average available compact allocation water at the Idaho/Utah Border is 34,848 AF, or about 32% of Idaho's 108,000 AF remaining available compact allocation.
- The average available compact allocation at each proposed project location is likely to be less than 34,848AF.

New to this report

Bear-Portneuf Diversion with Storage

- Without additional storage, the Bear-Portneuf diversion project would need to accommodate an additional 1,800 cfs over one month. This exceeds the Portneuf's current carrying capacity and would require substantial infrastructure modification and relocation. Total cost: \$380 MM.
- Storage at the Caribou Dam site would allow diversion to occur over a longer period of time (~3 months), reducing the diversion rate to approximately 500 cfs, obviating the need to modify and relocate infrastructure along the Portneuf. Total cost: \$112 MM.

Next Steps: IWRB

- Increase Bear Lake Target Elevation
 - Continue current efforts to obtain easements within the Gentile Valley.
 - Continue discussions with PacifiCorp to maximize available storage in Bear Lake.
 - Complete engineering, environmental, and economic feasibility evaluations necessary to determine long-term implementation options.

Next Steps: IWRB

- Small Reservoir Infrastructure Projects

- Develop criteria for determining suitability of existing small reservoirs and canals to store additional water.
- Engage with potential stakeholders to identify opportunities and constraints.
- Conduct feasibility assessments of the most promising candidate sites including engineering, permitting, environmental, cost evaluations, and water right considerations.
- Construct necessary upgrades and infrastructure modifications to enable existing small reservoirs and canals to store additional water.

Next Steps: IWRB

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- Work with IDWR to develop a groundwater model of the Bear River Aquifer between Grace and the Idaho/Utah border.
- Determine the extent to which Managed Aquifer Recharge will support development of mitigation credits to allow more groundwater use under the GWMP.
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Next Steps: IWRB

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 - Refine timing and quantities of water to be delivered to the Snake River and determine the benefits of such a project to the Snake Plain Aquifer
 - Evaluation of alternatives that involve a regulating reservoir in the Bear River Basin to allow Idaho to move the same volume of water using a much smaller diversion system, reducing costs, environmental impacts, and implementation risk while improving operational flexibility.
 - Complete a comprehensive feasibility study, including alternatives analysis, engineering, environmental review, permitting requirements, stakeholder coordination, and Level IV engineering cost estimates, and a comprehensive project implementation plan.

Next Steps: IDWR

- Provide technical and hydrologic expertise for evaluation of prioritized projects.
- Assist IWRB in development and calibration of the Bear River groundwater model.
- Evaluate water availability, water rights administration, and operational considerations.
- Support feasibility studies through hydrologic analysis and modeling.
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- Assist with environmental review and permitting coordination as appropriate.
- Solicit and manage contract support as needed.

Next Steps: Idaho Legislature

- Provide clear guidance regarding development of Idaho's remaining Bear River Compact allocation and continue appropriations, as appropriate, for planning, comparative analysis, feasibility studies, engineering, and environmental compliance necessary to identify and evaluate a recommended path forward and, following that evaluation, consider additional appropriations for construction of projects determined to be the highest priority



Questions?

MEMO



To: Idaho Water Resource Board (Board)
From: Planning & Projects Bureau Staff
Date: September 14, 2026
Subject: Administrative Rules Update

INFORMATIONAL ITEM

IDWR Resource Protection Bureau Chief Erik Boe will provide an update to the Board on the Administrative rulemaking efforts.

IDWR East Region Manager James Cefalo will present the rule changes and the draft resolution for the Board's consideration.

Attachments:

- *Redlined Version of Rule Change*
- *Clean Version of Rule Change*
- *Draft Resolution.*

37.01.01 – RULES OF PROCEDURE OF THE IDAHO DEPARTMENT OF WATER RESOURCES AND THE WATER RESOURCE BOARD

205. STANDARDS OF CONDUCT.

01. Participant Standards. All persons participating in or attending a contested case proceeding before the agency must conduct themselves in an ethical, courteous, and respectful manner during all phases of the proceeding. The presiding officer may exclude a person from a proceeding who in manner or appearance is disruptive or disrespectful. Disruptive conduct or appearance that is serious in nature may be cause for dismissal of the disrupting party from the proceeding.

02. Presiding Officer Standards. Presiding officers must maintain neutrality, independence, and freedom from outside influence. The agency head shall establish a presiding officer code of conduct that, among other things, provides for independent and unbiased decision-making by presiding officers both as perceived and in fact. Failure of a presiding officer to comply with the code of conduct or applicable rules of procedure may result in corrective action.

414. EX PARTE COMMUNICATIONS.

Unless required for the disposition of a matter specifically authorized by statute to be done ex parte, upon commencement of formal proceedings under Rule 100 the following restrictions apply:

01. Presiding Officer Communications. Thea presiding officer ~~serving in a contested case, the agency head, and any attorney allowed to provide counsel to the presiding officer~~ shall not communicate, directly or indirectly, regarding any substantive issue in the contested case with any party, agency staff, government official, or member of the general public, except upon notice and opportunity for all parties to participate in the communication. The presiding officer may communicate ~~ex parte with a party concerning~~ strictly about procedural or scheduling matters (e.g., scheduling) with any party, agency staff, government official, or member of the general public, provided no substantive issue is discussed. ~~Communications with a presiding officer regarding non-substantive issues from members of the general public not associated with any party are not required to be reported by this rule. This rule does not prohibit the presiding officer from requesting and receiving agency staff reports or memoranda as provided in Rule 602, provided all requirements of Rule 602 are followed.~~

02. Party Communications. A party to a contested case ~~before the agency~~ shall not communicate directly or indirectly with the presiding officer or the agency head regarding any substantive issue in the contested case, except upon notice and opportunity for all parties to participate in the communication. Written communications from a party showing service upon all other parties are not ex parte communications.

03. Prohibited Communications. When a presiding officer becomes aware of a communication regarding any substantive issue from a party or representative of a party or a member of the general public during a contested case, If a prohibited communication occurs, the presiding officer shall place a copy or written summary of the communication in the case file, for the case and order the party providing the communication to serve a copy of the communication or written summary upon all parties of record serve it upon all parties of record, and provide an opportunity for parties to respond. Repeated violations of this rule are cause for the presiding officer to dismiss an action or to dismiss a party from a contested case. ~~Written communications from a party showing service upon all other parties are not ex parte communications.~~

415. PRESIDING OFFICER LEGAL COUNSEL.

The presiding officer may be assisted by legal counsel provided by the Idaho Office of Attorney General. The role of such legal counsel is limited to providing legal assistance to the presiding officer in connection with the contested case. An attorney providing legal assistance to the presiding officer shall not consult with or represent any agency

employee or contractor in connection with the contested case, examine witnesses, present oral argument, or provide to the presiding officer any factual information that is not in the agency record created under section 67-5249, Idaho Code.

4156. -- 509. (RESERVED)

551. VENUE, FACILITIES ~~AT OR~~ FOR HEARING, AND A.D.A. REQUIREMENTS.

01. Venue. In general, in-person hearings should be held in the county where the subject matter of the contested case arises, unless the parties agree to hold the hearing in a different location. Hearings may be conducted in Department offices. The presiding officer has the discretion to select a venue for hearing that ensures a fair, efficient, and economical determination of the issues presented in the contested case.

02. Facilities and A.D.A. Requirements. All hearings must be held in facilities meeting the accessibility requirements of the Americans with Disabilities Act, and all notices of hearing must inform the parties that the hearing will be conducted in facilities meeting the accessibility requirements of the Americans with Disabilities Act. All notices of hearing must inform the parties and other persons notified that if they require assistance of the kind that the agency is required to provide under the Americans with Disabilities Act in order to participate in or understand the hearing, the agency will supply that assistance upon request a reasonable number of days before the hearing. The notice of hearing shall explicitly state the number of days before the hearing that the assistance request must be made.

**37.01.01 – RULES OF PROCEDURE OF THE IDAHO DEPARTMENT OF WATER RESOURCES AND
THE WATER RESOURCE BOARD**

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BEFORE THE IDAHO WATER RESOURCE BOARD

IN THE MATTER OF THE BOARD'S 2026
NEGOTIATED RULEMAKING OF IDAPA 37.01.01
RULES OF PROCEDURE

RESOLUTION TO PUBLISH THE PROPOSED
RULES IN THE OCTOBER 2026 IDAHO
ADMINISTRATIVE BULLETIN

WHEREAS, the Idaho Water Resource Board ("IWRB") and the Idaho Department of Water Resources ("Department") are the executive branch entities with statutory oversight and authority over the Administrative Rules in IDAPA 37.01.01, which contains the Rules of Procedure of the Department and IWRB; and

WHEREAS, Idaho Code § 67-5292 requires the Legislature to review all administrative rules on a staggered, periodic schedule, beginning in 2026; and

WHEREAS, the Legislature asked the Department and IWRB to review IDAPA 37.01.01 and prepare report evaluating the rules under the criteria set forth in Idaho Code § 67-5292; and

WHEREAS, the Department prepared the requested report and determined that the rules contained in IDAPA 37.01.01 are still necessary; and

WHEREAS, the Department issued a Notice of Intent to Promulgate Rules – Negotiated Rulemaking on May 1, 2026, with the following Descriptive Summary and Statement of Purpose:

In accordance with Idaho Code Section 67-5292, the Department of Water Resources is reviewing "Rules of Procedure," IDAPA 37.01.01 to assess whether the content of the rule chapter is still necessary. This rulemaking will explore updating this chapter to include provisions intended to promote fairness and efficiency and to prevent bias in contested case proceedings before the agency. The Rules of Procedure establish the standards and requirements for parties to participate in contested case proceedings before the Idaho Department of Water Resource or the Idaho Water Resource Board. In general, the Rules of Procedure address topics related to contested cases such as pleadings, motions, discovery, witnesses, hearings, orders, and appeals. The scope of this rulemaking will be limited to determining whether the content of the rule chapter is necessary, incorporating language to improve fairness and efficiency, to prevent bias, and to address grammatical errors in the existing rules that were identified after the rules were last revised.

WHEREAS, the Department conducted negotiated rulemaking public meetings on July 8, 2026, and August 12, 2026, and no comments were provided during or after the public meetings; and

WHEREAS, IWRB has reviewed the proposed changes to IDAPA 37.01.01 and has determined that the changes are necessary to improve fairness and efficiency and to prevent bias in contested cases before IWRB; and

39 WHEREAS, IWRB has reviewed the proposed changes to IDAPA 37.01.01 and has determined that
40 the changes are necessary to improve fairness and efficiency and to prevent bias in contested cases before
41 IWRB.
42

43 NOW, THEREFORE BE IT RESOLVED that the IWRB adopts the proposed changes to IDAPA
44 37.01.01, authorizes the notice and publication of the proposed rules in the Idaho Administrative
45 Bulletin, and requests that the Legislature and the Idaho Office of Administrative Rules adopt
46 the proposed rules.

DATED this 18th day of September 2026.

JEFF RAYBOULD, Chairman
Idaho Water Resource Board

ATTEST _____
DEAN STEVENSON, Secretary

MEMO

To: Idaho Water Resource Board (Board)
From: Planning & Projects Bureau Staff
Date: September 18, 2026
Subject: Director's Report



INFORMATIONAL ITEM

This item is presented to provide the Idaho Department of Water Resources Director, Mathew Weaver, with an opportunity to share any updates or relevant information with the Board.

Attachments:

- *None*

MEMO



To: Idaho Water Resource Board (Board)
From: Planning & Projects Bureau Staff
Date: September 14, 2026
Subject: Non-Action Items for Discussion

INFORMATIONAL ITEM

This item is presented to provide an opportunity for discussion of non-action items and general Board updates.

Attachments:

- *None*