



Amended **AGENDA** **IDAHO WATER RESOURCE BOARD**

Board Meeting No. 13-22

WORK SESSION

Thursday, November 17, 2022

8:30 a.m. (MT)

Brad Little
Governor

Jeff Raybould
Chairman
St. Anthony
At Large

Jo Ann Cole-Hansen
Secretary
Lewiston
At Large

Dale Van Stone
Hope
District 1

Albert Barker
Boise
District 2

Dean Stevenson
Paul
District 3

Peter Van Der Meulen
Hailey
At Large

Brian Olmstead
Twin Falls
At Large

Water Center
Conference Rooms 602 B, C & D / Zoom Online
322 E. Front St.
BOISE

Board Members & the Public may participate via Zoom

[Click here to join our Zoom Meeting](#)

Dial in Option: 1(253) 215-8782 Meeting ID: 828 6858 5841 Passcode: 289265

1. Roll Call
2. ESPA Recharge Program & Infrastructure Updates
3. Lemhi River Basin Settlement Implementation Update
4. Aging Infrastructure Grant Program
5. Regional Water Sustainability Projects Priority List
6. Big Lost Groundwater Flow Model Update
7. Loan Programs
 - a. Northside Energy Company
 - b. Northside Pump Company
 - c. Raft River Recharge Group
 - d. Blaine County Canal
8. Potential Legislation of Interest
9. IDWR Staffing Update
10. Non-Action Items for Discussion
11. Adjourn

The board will break for lunch at approximately noon.

* Action Item: A vote regarding this item may be made 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: jennifer.strange@idwr.idaho.gov or by phone at (208) 287-4800.



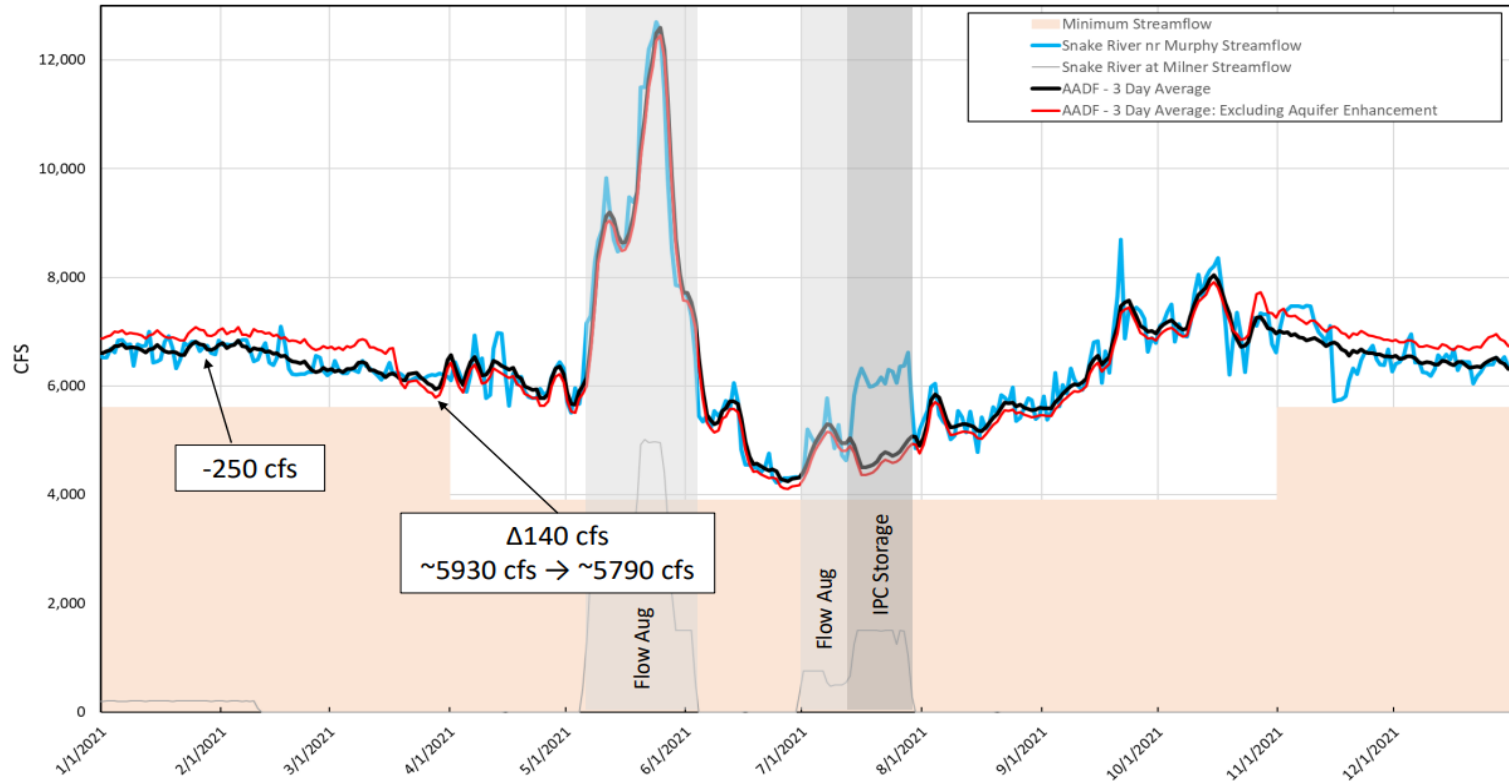
Idaho Water Resource Board – Working Session
November 17, 2022



1. Reach Gain Impacts

Impacts of Aquifer Enhancement Activities

2021: Streamflow at Snake River near Murphy



Reach Gain Impacts

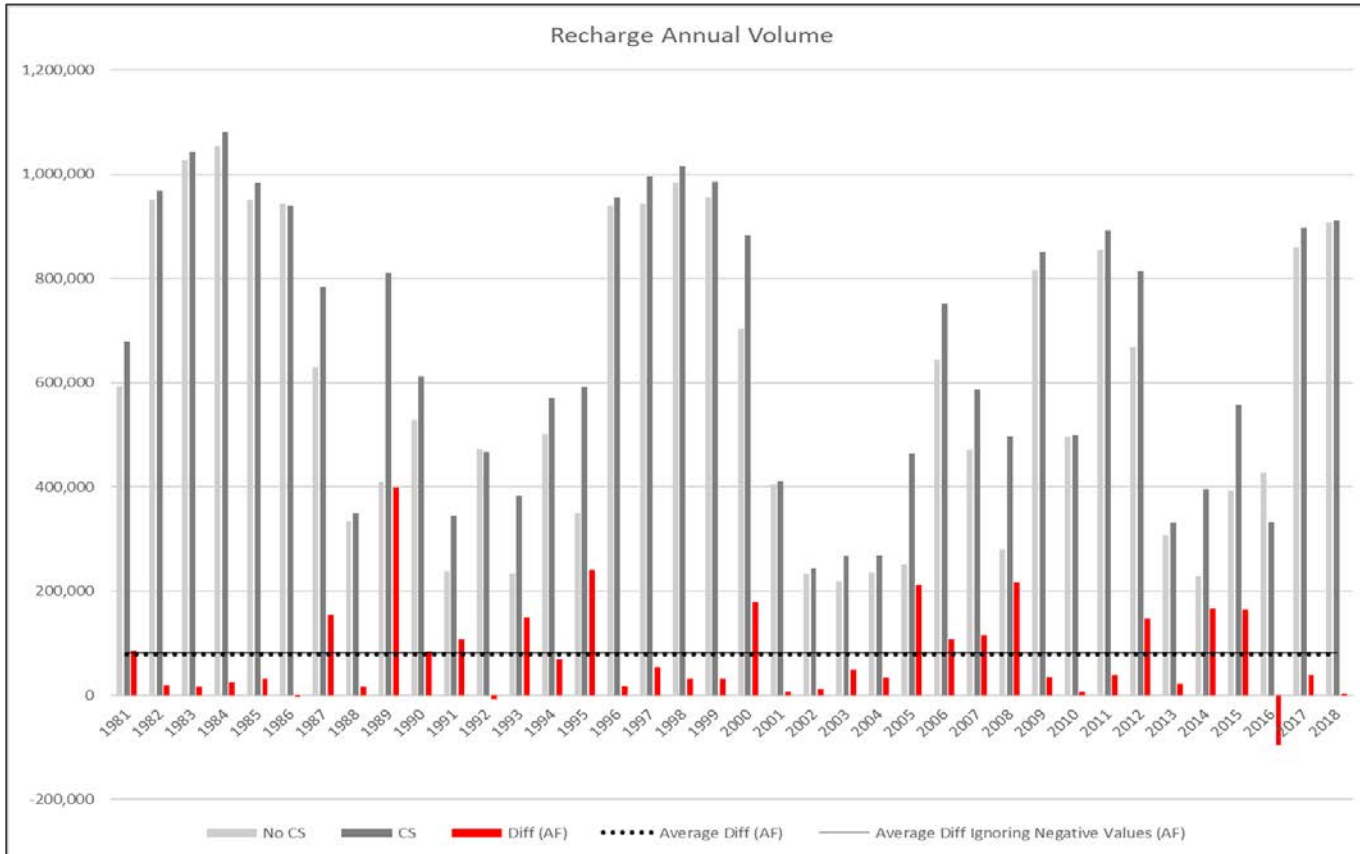
- Bypass at Milner
 - Approximately a 40/60 cfs split in December, January, and half of February
 - Bypass volume of approximately 37 KAF/year

| | | Reach Gain Difference Annual Volume (AF) | Annual Average Reach Gain Diff (cfs) | Annual Max Reach Gain Diff (cfs) | Annual Min Reach Gain Diff (cfs) |
|---------|------|---|--|--|--|
| Year 5 | 2017 | -8,700 | -12 | -10 | -14 |
| Year 10 | 2022 | -12,000 | -16 | -15 | -18 |
| Year 20 | 2032 | -15,000 | -20 | -19 | -22 |
| Year 30 | 2042 | -16,000 | -22 | -20 | -23 |



2. Cloud Seeding Benefits

Cloud Seeding Benefit to Recharge

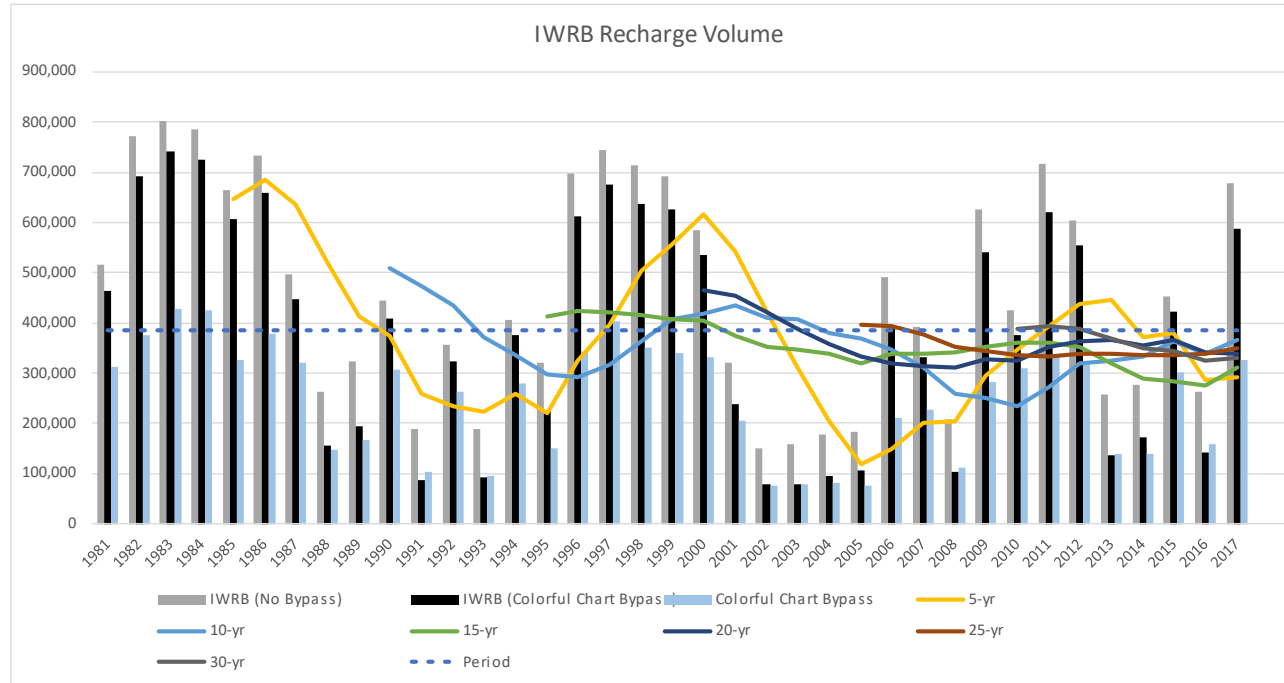


| 1981-2018 | Cloud Seeding Benefit (AF) |
|-----------|----------------------------|
| Average | 81,000 |
| Minimum | 0 |
| 10% | 5,000 |
| 30% | 23,000 |
| 50% | 38,000 |
| 70% | 110,000 |
| 90% | 190,000 |
| Maximum | 400,000 |



3. Averaging Period Comparison

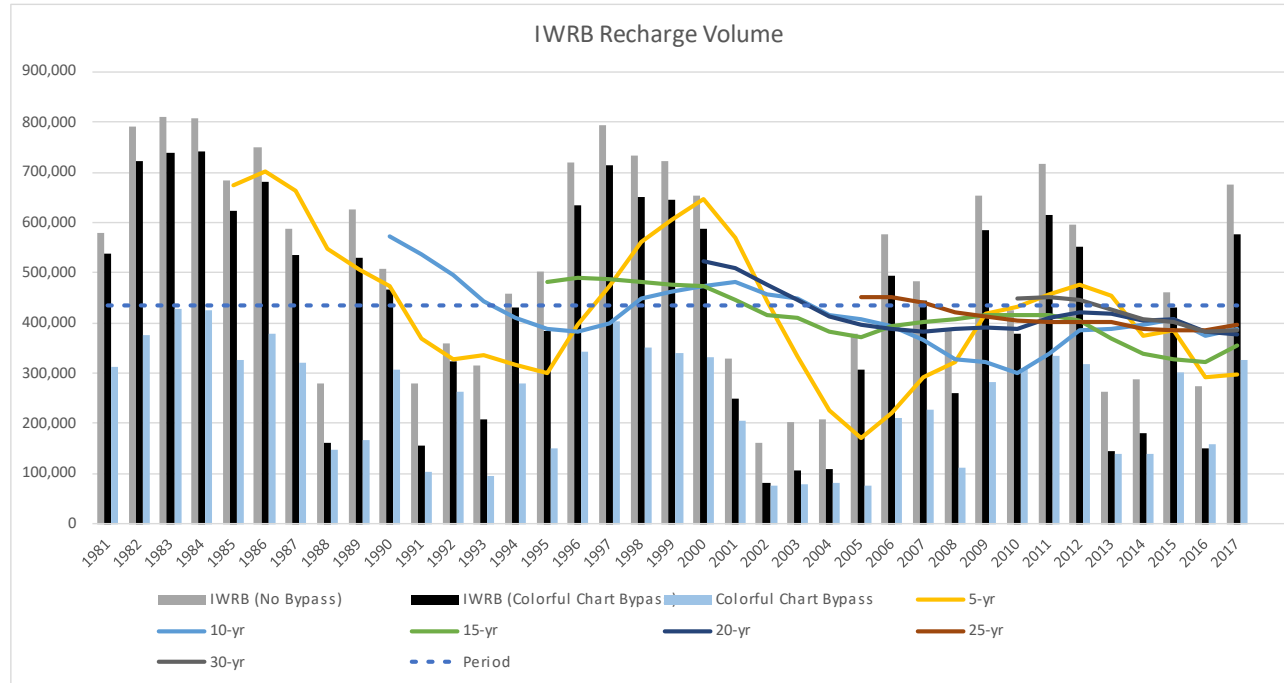
IWRB Recharge Volumes: Historical Hydrology



| | Average IWRB Recharge Volume at End of Period (AF) |
|--------|--|
| 5-yr | 291,851 |
| 10-yr | 365,283 |
| 15-yr | 310,270 |
| 20-yr | 338,353 |
| 25-yr | 349,936 |
| 30-yr | 330,716 |
| Period | 385,376 |

IWRB Recharge Volumes: Current Level

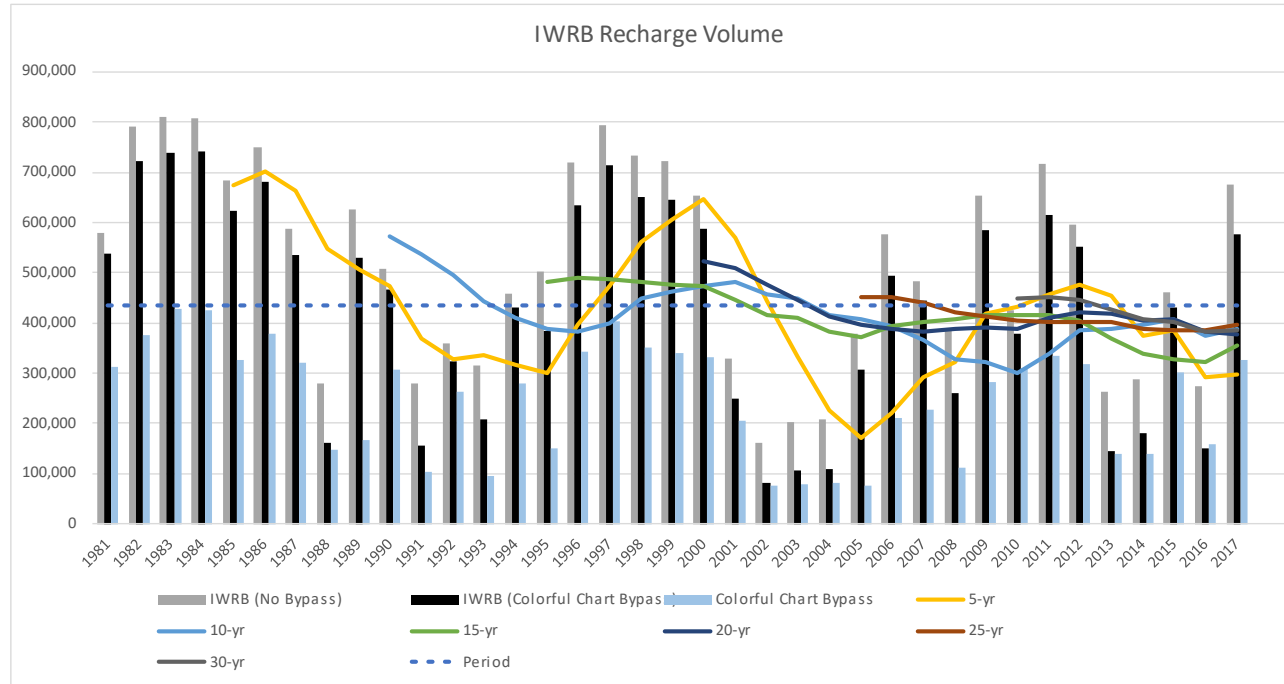
Cloud Seeding



| | Average IWRB Recharge Volume at End of Period (AF) |
|--------|--|
| 5-yr | 296,346 |
| 10-yr | 387,003 |
| 15-yr | 355,281 |
| 20-yr | 377,176 |
| 25-yr | 396,474 |
| 30-yr | 384,922 |
| Period | 435,910 |

IWRB Recharge Volumes: Current Level

Cloud Seeding



With Cloud Seeding

Without Cloud Seeding

| | Average IWRB Recharge Volume at End of Period (AF) | | Average IWRB Recharge Volume at End of Period (AF) |
|--------|--|--------|--|
| 5-yr | 296,346 | 5-yr | 291,851 |
| 10-yr | 387,003 | 10-yr | 365,283 |
| 15-yr | 355,281 | 15-yr | 310,270 |
| 20-yr | 377,176 | 20-yr | 338,353 |
| 25-yr | 396,474 | 25-yr | 349,936 |
| 30-yr | 384,922 | 30-yr | 330,716 |
| Period | 435,910 | Period | 385,376 |



Memorandum

To: Idaho Water Resource Board
From: Wesley Hipke
Date: November 9, 2022
Re: ESPA Managed Recharge Program Status Report



REQUIRED ACTION: No action is required.

I. IWRB Managed Recharge Summary

IWRB Natural Flow Managed Recharge

The 2022/2023 IWRB recharge season started on October 15th. A summary of recharge activities to-date is provided in Table 1 and can also be accessed at the following webpage:

<https://iwrbrecharge-idwr.hub.arcgis.com/>.

After another dry summer, the Upper Snake River reservoir system ended the irrigation season at 11% of capacity. The US Bureau of Reclamation's releases from Minidoka Dam have been averaging around 430 cfs, similar to the previous recharge season. Reach gains between Minidoka Dam and the Milner Pool are estimated to be a little over 100 cfs.

Comparable to previous years, IWRB recharge has fluctuated at the start of the season as maintenance is conducted on the reservoir and canal systems and reservoir operations stabilize to desired winter operating levels. The program is estimated to recharge approximately 550 cfs through November and December once the system has stabilized.

Table 1. IWRB Managed Recharge 2020/2021 Summary

| Water Source | Area | Start | # Days | Current Rate (cfs) | Median Rate (cfs) | Total Recharged (Acre-feet)* |
|--------------|--------------|---------|--------|--------------------|-------------------|------------------------------|
| Snake River | Lower Valley | Oct. 15 | 26 | 597 | 566 | 25,113 |

* As of November 9, 2022 – Reported recharge volumes are preliminary and subject to change.

II. ESPA Recharge Program Projects and Buildout Activities

The overall goal of the ESPA Managed Recharge Program (Program) is to assist in stabilizing and potentially enhancing aquifer levels, increasing reach gains in some river reaches, to increase water supply certainty for all users, and to decrease the demand for litigation and administrative remedies. Specific to the ESPA Managed Recharge Program the State of Idaho further defined the goal through Senate Concurrent Resolution No. 136 to establish a managed recharge goal of 250,000 af/year on average across the ESPA.

To meet the goals established in the ESPA CAMP and Senate Concurrent Resolution No. 136 the IWRB has been actively developing managed recharge capacity throughout the ESPA. The IWRB has significantly expanded the managed recharge capabilities since the start of the full-scale Program in 2014. Over the past eight years the IWRB has added over 2,300 cfs of managed recharge capacity, the majority being in the Lower Valley (2,100 cfs). Since the start of the full-scale program the Program is

currently averaging 248,000 af/yr. The last two years have been “dry”, and over this period the program has only averaged 144,000 af/yr of recharge. To assist in offsetting the “dry” years the IWRB is investing in projects to increase the recharge capacity expanding the Program’s ability to recharge excess water during the “wet” years.

Two new projects for the IWRB to consider are summarized in attached memos.

The following tables provide a summary and status of current ESPA recharge capacity projects (Table 2) and Program operations (Table 3).

Table 2. IWRB ESPA Managed Recharge Capacity/Site Projects

| IWRB Partner | Project Name | Project Type | Status | IWRB Funds | Scheduled Completion | Description / Key Items |
|----------------------|--|-----------------------|---------------|-------------------|-----------------------------|---|
| TFCC | TFCC Injection Wells | Construction | Active | \$178,000 | ?? | Construction of recharge wells <ul style="list-style-type: none"> TFCC is currently reviewing the project to determine the best path forward. |
| Enterprize Canal Co. | Willow Creek/Swan Hwy Recharge Site | Cost / Design | Planning | \$97,000 | Winter 2022 | Evaluation, design, & cost <ul style="list-style-type: none"> Complete preliminary design – June 2020 (final cost-\$63,794) Contracted to assist with final Cost/Design/Bid Docs –Sept. 2021 90% design for recharge site & pipeline – Dec. 2022 |
| Minidoka I.D. | Goyne Sump Recharge Project | Construction | Active | \$3,387,047 | Fall 2026 | Construction of recharge project <ul style="list-style-type: none"> Develop contract consistent with ARPA funding – Fall 2022 Build diversion channel, improve pumps, and additional infrastructure during winter months 2023-2026. |
| Egin Bench Canal Co. | Hamer Road Recharge Site | Final Design/ BLM ROW | Active | \$5,000,000 | 2025 | Final design, cost, & BLM easement <ul style="list-style-type: none"> Develop contract consistent with ARPA funding – Fall 2022 Start BLM easement – Fall/Winter 2022 Start final design Winter 2022/2023 |
| IWRB | Upper Valley Potential Recharge Projects | Feasibility Study | Planning | ---- | Winter 2022/2023 | Evaluation of potential recharge projects <ul style="list-style-type: none"> Area evaluations and general site characterizations – Spring/Summer 2022 Field visits with potential partners, IWRB members, & staff – Summer 2022 Test potential sites and concepts to develop full projects - Winter/Spring 2023 |

Table 3. IWRB ESPA Managed Recharge Program Projects

| Project | Purpose | Stage(s) | Status(s) | IWRB Funds | Scheduled Completion | Description / Key Items |
|--------------------------------|---|---------------------------------------|-----------|------------|----------------------|--|
| Recharge Program Website | Public Outreach & Data Accessibility | Development | Active | -- | 2023 | Development of IWRB Recharge Program Website <ul style="list-style-type: none"> • Phase 1 - basic content – complete - Summer 2022 • Phase 2 – Develop/expand Water Quality page – Spring 2023 • Link website to WISKI database – Spring/Summer 2023 |
| Recharge Program Database | Data Storage, Analysis, & Accessibility (website) | Data Preparation & Design | Active | -- | 2023 | Development of Program Database for Recharge water level, flow, water quality, & dye-testing data <ul style="list-style-type: none"> • Upload of historic water quality data – Spring 2022 • Develop report templates – Spring/Summer 2023 • Upload Dye-testing data – Summer 2023 • Integration with Recharge website – Spring/Summer 2023 |
| Program Standards & Procedures | Standardizing Processes and IWRB recharge requirements | Development | Active | -- | 2023 | Development of Program Standards & Procedures <ul style="list-style-type: none"> • Reintroduced key topics Aq. Stabilization committee – Aug 2021 • Development of supporting material – Fall 2021/Spring 2022 • Develop draft standards & Procedures – Spring 2023 |
| Program Analysis | Assist in policy development & demonstration of Program effectiveness | Development & Presentation of Results | Active | -- | Ongoing | Development & Update of Analysis for Planning <ul style="list-style-type: none"> • ESPA Recharge WQ summary/analysis – Summer 2023 • Develop ESPA animated water level change map tool – Winter 2022 • Incorporate RiverWare Model for ESPA Recharge forecasting and planning – Spring 2023 • ESPA Recharge benefit analysis – Utilizing RiverWare model – Spring/Summer 2023 |

Memorandum -Updated



To: Idaho Water Resource Board

From: Wesley Hipke

Date: November 15, 2022

Re: Southwest Irrigation District – Big Sky & Murtaugh Recharge Well Construction

REQUIRED ACTION: The Board will consider approval of a resolution to authorize expenditure of funds from the ARPA State Fiscal Recovery Fund (ARPA Funds).

Big Sky Recharge Project Summary:

Est. Cost: \$245,000

Potential Recharge Capacity: +22 cfs

Depth to Water: 122-184 feet

Project:

- Construct new injection well and replace old, partially plugged injection well.
- Summary of Proposed Work:
 - Construction of new wells.
 - Delivery infrastructure to new wells.

Request of the IWRB:

Authorize the expenditure of \$245,000 dollars from ARPA funding or the Secondary Fund to construct the Big Sky and Murtaugh recharge wells, increasing the recharge capacity of the Southwest Irrigation District (SWID) system.

Background

The overall goal of the ESPA Managed Recharge Program (Program) is to assist in stabilizing and potentially enhancing aquifer levels along with increasing spring flows and reach gains along the Snake River. To accomplish these goals the IWRB has been actively developing the managed recharge capacity throughout the ESPA. Since 2014, almost 2,300 cfs of recharge capacity has been added throughout the ESPA. Even though a significant portion of the recharge capacity that has been developed is in the Lower Valley, opportunities for additional recharge capacity at an economical cost should be considered. Since the start of the full-scale IWRB ESPA recharge program in 2014 the current average is 248,000 af/yr. However, the average of the last two years has only been 144,000 af/yr. Increased recharge capacity will assist the IWRB in meeting the long-term goals for the Program.

Big Sky & Murtaugh Recharge Wells:

Southwest Irrigation District (SWID) actively uses eight injection wells to participate in the Program through the West Cassia Pipeline and in cooperation with Twin Falls Canal Company a pipeline from Murtaugh Lake. SWID desires to replace lost capacity and add capacity by drilling additional injection / recharge wells.

Conducting managed recharge in this area provides numerous benefits to the ESPA. Water recharged in this area has long term benefits to the ESPA with a 5-year retention of 85%. Conducting recharge in areas with a high retention has an impact in stabilizing the aquifer over time and assists in providing increased drought resiliency.

ARPA Funding Expenditure Authorization

The American Rescue Plan Act (ARPA), Pub. L. 117-2 subtitle M (2021), appropriated \$219,800,000,000 to the Coronavirus State and Local Fiscal Recovery Fund (SLFRF) for making payments to the States to mitigate the fiscal effects stemming from the public health emergency with response to the Coronavirus disease. The SLFRF funds may be used include projects that would be eligible to receive financial assistance through the Clean Water State Revolving Fund (CWSRF), 40 CFR Part 35.3100—35.3170, and the Drinking Water State Revolving Fund (DWSRF), 40 CFR 35.3520. The CWSRF may be used for groundwater projects that protect and restore aquifers, including aquifer recharge projects. The DWSRF can fund aquifer recharge projects such as aquifer storage and recover wells and water reuse and recycling projects which can replace and offset potable water use and to develop new sources of water to increase drought resilience. This project falls into both categories.

In 2022 the Idaho Legislature passed House Bill 769 in which it expressed its intent to set aside approximately \$250,000,000 of ARPA funding to support projects managed by the IWRB, including for the continued identification, study, construction, or enlargement of managed aquifer recharge sites above Milner Dam. For Fiscal Year 2023, House Bill 769 appropriated \$100,000,000 from the ARPA State Fiscal Recovery Fund to support projects managed by the IWRB.

ATTACHMENTS

- A draft resolution to authorize expenditure of ARPA funding for the design and development of the Big Sky and Murtaugh injection wells.

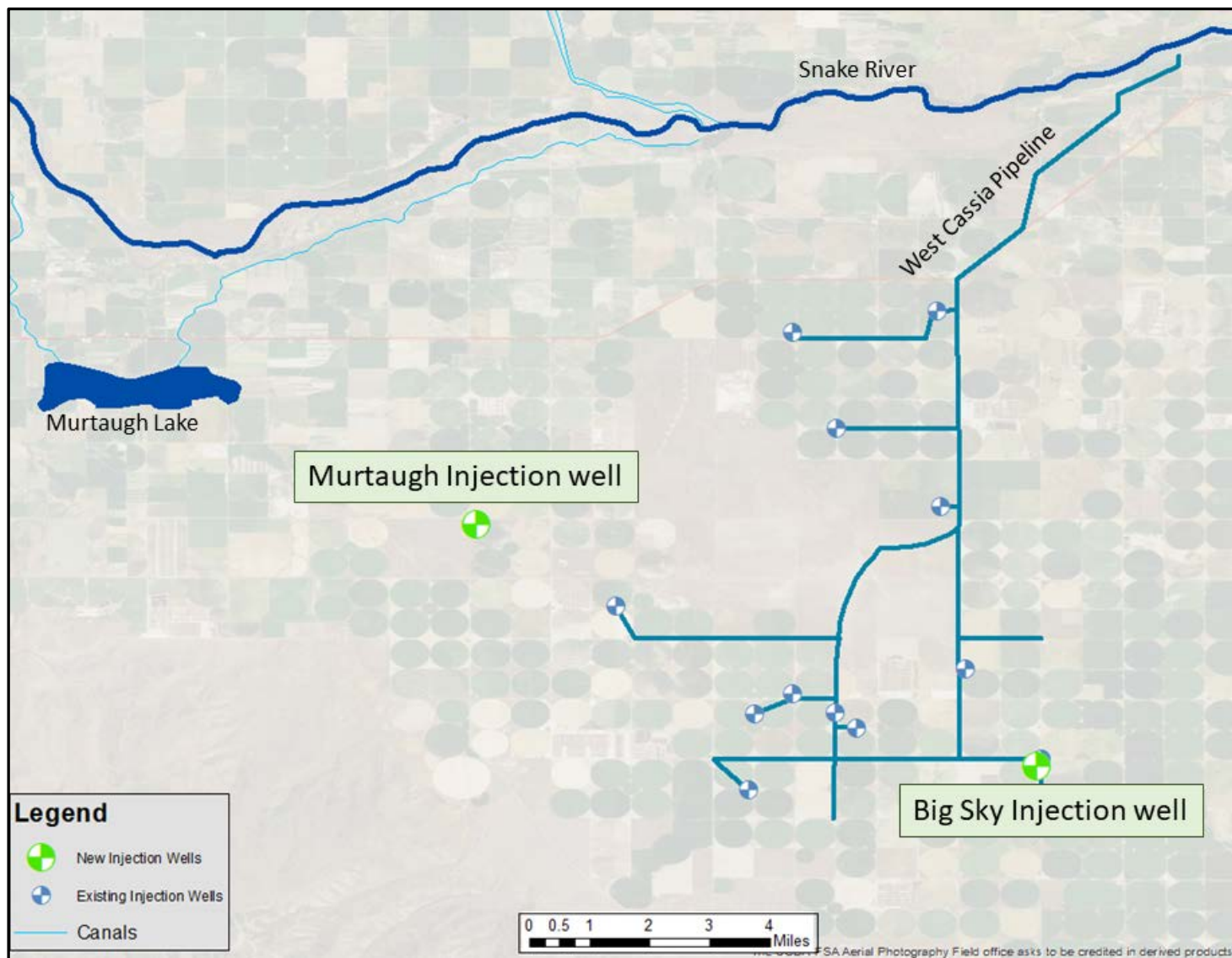


Figure 1. SWID new injection wells, West Cassia pipeline, and current injection wells.

BEFORE THE IDAHO WATER RESOURCE BOARD

IN THE MATTER OF THE BIG SKY AND
MURTAUGH RECHARGE WELL DEVELOPMENT

RESOLUTION TO APPROVE FUNDS FROM THE
ARPA STATE FISCAL RECOVERY FUND AND
PROVIDE SIGNATORY AUTHORITY

1 WHEREAS, about one-third of Idaho's population resides on the Eastern Snake Plain and the
2 Eastern Snake Plain Aquifer (ESPA) is the sole source of drinking water for both cities and most rural
3 residents of the Eastern Snake Plain; and
4

5 WHEREAS, due to numerous factors, including drought, the ESPA has been losing approximately
6 216,000 acre-feet annually from aquifer storage since the 1950's resulting in declining ground water levels
7 in the aquifer and reduced spring flows to the Snake River; and
8

9 WHEREAS, the State Water Plan includes a goal to accomplish managed recharge in the ESPA
10 averaging 250,000 acre-feet annually; and
11

12 WHEREAS, the 2016 Idaho Legislature passed and approved Senate Concurrent Resolution 136
13 directing the IWRB to develop the capacity to achieve 250,000 acre-feet of annual average managed
14 recharge to the ESPA by December 31, 2024; and
15

16 WHEREAS, implementation of managed recharge on the ESPA will meet the goals and objectives
17 of stabilizing and improving aquifer levels for, among other things, protecting municipal and domestic
18 drinking water supplies and addressing variability in climatic conditions, including drought; and
19

20 WHEREAS, the American Rescue Plan Act (ARPA), Pub. L. 117-2 subtitle M (2021), appropriated
21 \$219,800,000,000 to the Coronavirus State and Local Fiscal Recovery Fund (SLFRF) for making payments
22 to the States to mitigate the fiscal effects stemming from the public health emergency with response to
23 the Coronavirus disease; and
24

25 WHEREAS, the SLFRF funds may be used to, among other things, make necessary investments in
26 water, sewer, or broadband infrastructure. Pub L. 117-2 sec. 602(c)(1)(D), 42 U.S.C. § 802(c)(D); and
27

28 WHEREAS, eligible uses of the SLFRF include projects that would be eligible to receive financial
29 assistance through the Clean Water State Revolving Fund (CWSRF), 40 CFR Part 35.3100—35.3170, and
30 the Drinking Water State Revolving Fund (DWSRF), 40 CFR 35.3520; and
31

32 WHEREAS, the CWSRF may be used for groundwater projects that protect and restore aquifers,
33 including aquifer recharge projects; and
34

35 WHEREAS, the DWSRF can fund aquifer recharge projects such as aquifer storage and recover
36 wells and water reuse and recycling projects which can replace and offset potable water use and to
37 develop new sources of water to increase drought resilience; and
38

39 WHEREAS, in 2022 the Idaho Legislature passed House Bill 769 in which it expressed its intent to
40 set aside approximately \$250,000,000 of ARPA funding to support projects managed by the IWRB,
41 including for the continued identification, study, construction, or enlargement of managed aquifer
42 recharge sites above Milner Dam; and

43
44 WHEREAS, House Bill 769 appropriated \$100,000,000 for Fiscal Year 2023 to support projects
45 managed by the IWRB, including for the continued identification, study, construction, or enlargement of
46 managed aquifer recharge sites above Milner Dam; and

47
48 WHEREAS, Idaho Code § 42-1760 authorizes the IWRB to expend, loan, or grant moneys from the
49 water management account for water projects that conserve or increase water supply, improve drought
50 resiliency, address water sustainability, or support flood management, including the identification, study,
51 and construction of managed aquifer recharge sites above Milner dam; and

52
53 WHEREAS, the Southwest Irrigation District (SWID) submitted a proposal to IWRB in November
54 2022 detailing the construction of two injection wells to increase the SWID managed recharge capacity;
55 and

56
57 WHEREAS, the Big Sky and Murtaugh Injection Well Project will contribute to the IWRB goal of
58 achieving 250,000 acre-feet of annual average managed recharge to the ESPA by December 31, 2024 and
59 will meet the goals and objectives of stabilizing and improving aquifer levels for, among other things,
60 protecting municipal and domestic drinking water supplies and addressing variability in climatic
61 conditions, including drought; and

62
63 WHEREAS, the proposed total cost of SWID's Big Sky and Murtaugh Injection Well Project to
64 improve recharge capacity is \$245,000.

65
66 NOW THEREFORE BE IT RESOLVED that the IWRB authorizes expenditures up to \$245,000 from
67 the ARPA State Fiscal Recovery Fund for the development of the Big Sky and Murtaugh Injection Well
68 Recharge Project. Further authorizations may be required upon determination of total development and
69 construction costs; and

70
71 NOW THEREFORE BE IT FURTHER RESOLVED that the IWRB authorizes its chairman or designee,
72 to execute the necessary agreements or contracts for the purpose of this resolution.

DATED this 18th day of November 2022.

JEFF RAYBOULD, Chairman
Idaho Water Resource Board

ATTEST _____
JO ANN COLE-HANSEN, Secretary

Memorandum - Amended



To: Idaho Water Resource Board

From: Wesley Hipke

Date: November 8, 2022

Re: Enterprize Canal Co. - Swan Highway Recharge Site Construction

REQUIRED ACTION: The Board will consider approval of a resolution to authorize expenditure of funds from the ARPA State Fiscal Recovery Fund (ARPA Funds).

Swan Highway Recharge Project Summary:

Recharge Project Cost: \$3.4 million

| | |
|------------------------------|--------------|
| Potential Recharge Capacity: | 40-50 cfs |
| Basin Size: | 9.5 acres |
| Basin Depth: | ~10 feet |
| Depth to Water: | 122-184 feet |

Project:

- Overview: Utilize a new conveyance pipeline to develop two new recharge basins.
- Summary of Proposed Work:
 - Construction of new basins.
 - Increase the size of the new pipeline:
 - Max requirements for irrigation season 80 cfs,
 - New pipeline – 120 cfs capacity, a 40 cfs increase for dedicated recharge delivery.

The IWRB has currently invested \$97,000 in the investigation and design of this project.

Request of the IWRB:

Authorize the expenditure of \$3.4 million dollars from ARPA funding or the Secondary Fund to construct the Swan Highway project, increasing the delivery and recharge capacity of the Enterprize Canal system.

Background

The overall goal of the ESPA Managed Recharge Program (Program) is to assist in stabilizing and potentially enhancing aquifer levels along with increasing spring flows and reach gains along the Snake River. To accomplish these goals the IWRB has been actively developing the managed recharge capacity throughout the ESPA. Since 2014, almost 2,300 cfs of recharge capacity has been added throughout the ESPA, however, only 250 cfs of the capacity was in the Upper Valley (above American Falls Reservoir). Numerous factors played into this variance such as water availability, large natural basin with close proximity to high-capacity delivery systems (irrigation canals), and favorable hydrogeological conditions (infiltration rate, depth to water, subsurface geology, etc.).

The IWRB funded an investigation in 2017 working with various canal companies to determine the potential of developing managed recharge projects in the South Fork area of the Upper Valley. Staff and IWRB members have subsequently been working with local canal companies and irrigation districts in this area to develop recharge projects. Among them was the Jones recharge site with Farmers Friend Irrigation Co. in 2018, which provided useful information related to developing the Swan Highway recharge site and estimating its potential capacity.

Swan Highway Project:

The Enterprize Canal Conveyance Improvement project is an aging infrastructure project replacing 1.6 miles of the historic canal system with a pipeline. The construction of the pipeline provides an opportunity to develop IWRB recharge capacity in the South Fork area. The project entails expanding the delivery capacity of the Enterprize Canal from 80 cfs to 120 cfs to increase recharge delivery capacity, before and during the irrigation season. The two recharge basins will have an estimated combined recharge capacity between 40 to 50 cfs. The extra capacity will also assist in the development of future recharge projects. Enterprize is planning to start construction in February 2023 and complete the project by April 2024.

Total cost for construction of the pipeline and recharge sites is estimated to be over \$10 million. Enterprize has been awarded a Bureau of Reclamation Water Energy Efficiency Grant for nearly \$2 million and an IWRB Aging Infrastructure Grant of \$2,736,277 for the pipeline portion of the project.

Conducting managed recharge in this area provides numerous benefits to the ESPA. The groundwater flow model developed for the ESPA (version 2.2) was utilized to determine the potential impact conducting recharge at this site would have on the aquifer and surface water flows. The model predicted fifty percent of the water recharged stays in the aquifer for over a year and over forty percent returns within 5 months. (Figure 2).

ARPA Funding Expenditure Authorization

The American Rescue Plan Act (ARPA), Pub. L. 117-2 subtitle M (2021), appropriated \$219,800,000,000 to the Coronavirus State and Local Fiscal Recovery Fund (SLFRF) for making payments to the States to mitigate the fiscal effects stemming from the public health emergency with response to the Coronavirus disease. The SLFRF funds may be used include projects that would be eligible to receive financial assistance through the Clean Water State Revolving Fund (CWSRF), 40 CFR Part 35.3100—35.3170, and the Drinking Water State Revolving Fund (DWSRF), 40 CFR 35.3520. The CWSRF may be used for groundwater projects that protect and restore aquifers, including aquifer recharge projects. The DWSRF can fund aquifer recharge projects such as aquifer storage and recover wells and water reuse and recycling projects which can replace and offset potable water use and to develop new sources of water to increase drought resilience. This project falls into both of these categories.

In 2022 the Idaho Legislature passed House Bill 769 in which it expressed its intent to set aside approximately \$250,000,000 of ARPA funding to support projects managed by the IWRB, including for the continued identification, study, construction, or enlargement of managed aquifer recharge sites above Milner Dam. For Fiscal Year 2023, House Bill 769 appropriated \$100,000,000 from the ARPA State Fiscal Recovery Fund to support projects managed by the IWRB.

ATTACHMENTS

- A draft resolution to authorize expenditure of ARPA funding for the design and development of the Swan Highway recharge site.

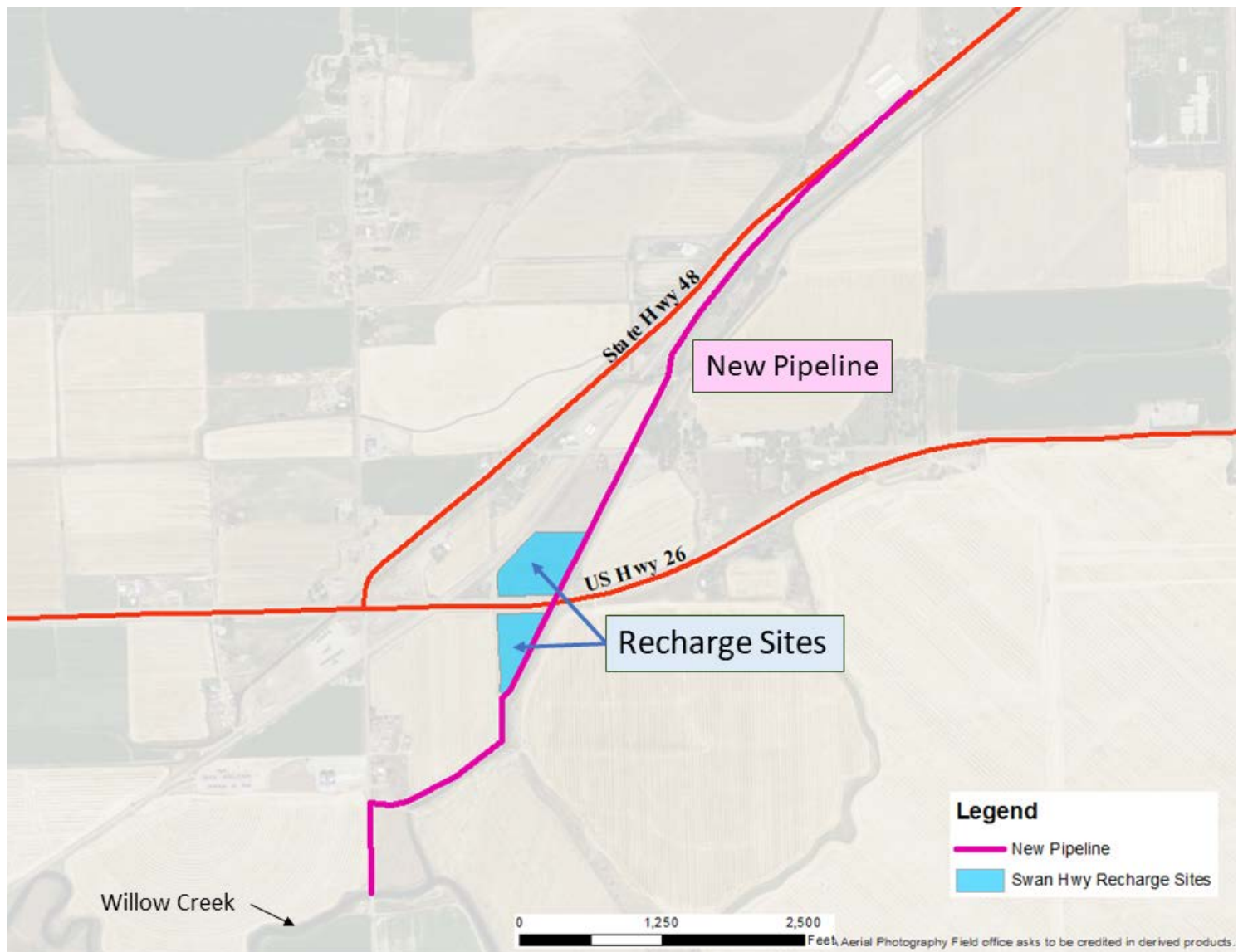


Figure 1. Enterprise Canal system, pipeline project, and proposed Swan Highway recharge sites.

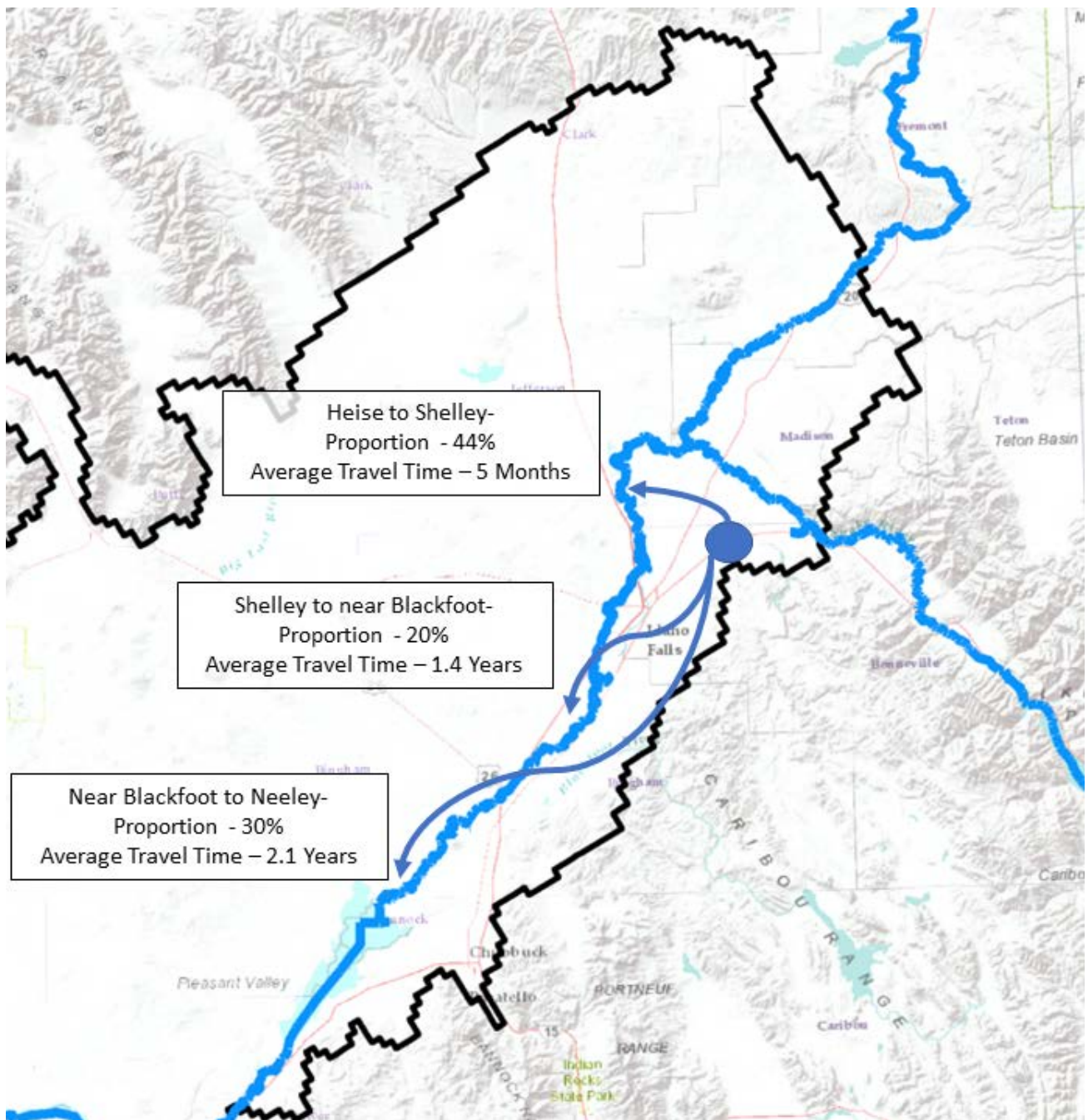


Figure 2. Potential impacts to surface water from recharge at the Swan Highway Site.

BEFORE THE IDAHO WATER RESOURCE BOARD

IN THE MATTER OF THE SWAN HIGHWAY
RECHARGE SITE DEVELOPMENT

RESOLUTION TO APPROVE FUNDS FROM THE
ARPA STATE FISCAL RECOVERY FUND AND
PROVIDE SIGNATORY AUTHORITY

1 WHEREAS, about one-third of Idaho's population resides on the Eastern Snake Plain and the
2 Eastern Snake Plain Aquifer (ESPA) is the sole source of drinking water for both cities and most rural
3 residents of the Eastern Snake Plain; and
4

5 WHEREAS, due to numerous factors, including drought, the ESPA has been losing approximately
6 216,000 acre-feet annually from aquifer storage since the 1950's resulting in declining ground water levels
7 in the aquifer and reduced spring flows to the Snake River; and
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9 WHEREAS, the State Water Plan includes a goal to accomplish managed recharge in the ESPA
10 averaging 250,000 acre-feet annually; and
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12 WHEREAS, the 2016 Idaho Legislature passed and approved Senate Concurrent Resolution 136
13 directing the IWRB to develop the capacity to achieve 250,000 acre-feet of annual average managed
14 recharge to the ESPA by December 31, 2024; and
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16 WHEREAS, implementation of managed recharge on the ESPA will meet the goals and objectives
17 of stabilizing and improving aquifer levels for, among other things, protecting municipal and domestic
18 drinking water supplies and addressing variability in climatic conditions, including drought; and
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20 WHEREAS, the American Rescue Plan Act (ARPA), Pub. L. 117-2 subtitle M (2021), appropriated
21 \$219,800,000,000 to the Coronavirus State and Local Fiscal Recovery Fund (SLFRF) for making payments
22 to the States to mitigate the fiscal effects stemming from the public health emergency with response to
23 the Coronavirus disease; and
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25 WHEREAS, the SLFRF funds may be used to, among other things, make necessary investments in
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44 WHEREAS, House Bill 769 appropriated \$100,000,000 for Fiscal Year 2023 to support projects
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49 water management account for water projects that conserve or increase water supply, improve drought
50 resiliency, address water sustainability, or support flood management, including the identification, study,
51 and construction of managed aquifer recharge sites above Milner dam; and

52
53 WHEREAS, the IWRB has financially assisted the Enterprize Canal Company (ECC) with determining
54 the feasibility and design of the delivery infrastructure and recharge sites resulting in a proposal to IWRB
55 on November 4, 2022 detailing the design of the Swan Highway recharge sites and an increase in delivery
56 capacity associated with recharge; and

57
58 WHEREAS, the Swan Highway Recharge Project will contribute to the IWRB goal of achieving
59 250,000 acre-feet of annual average managed recharge to the ESPA by December 31, 2024 and will meet
60 the goals and objectives of stabilizing and improving aquifer levels for, among other things, protecting
61 municipal and domestic drinking water supplies and addressing variability in climatic conditions, including
62 drought; and

63
64 WHEREAS, the proposed total cost of ECC's Swan Highway recharge sites and infrastructure to
65 improve recharge capacity is \$3,400,000 and total cost for the construction of the pipeline and the
66 recharge sites is estimated to be \$10,000,000.

67
68 NOW THEREFORE BE IT RESOLVED that the IWRB authorizes expenditures up to \$3,400,000 from
69 the ARPA State Fiscal Recovery Fund for the development of the Swan Highway Recharge Project. Further
70 authorizations may be required upon determination of total development and construction costs; and

71
72 NOW THEREFORE BE IT FURTHER RESOLVED that the IWRB authorizes its chairman or designee,
73 to execute the necessary agreements or contracts for the purpose of this resolution.

DATED this 18th day of November 2022.

JEFF RAYBOULD, Chairman
Idaho Water Resource Board

ATTEST _____
JO ANN COLE-HANSEN, Secretary

Resolution No. _____

ESPA Managed Recharge Program Update

IWRB Work Session

Wesley Hipke

Water Projects Section Supervisor

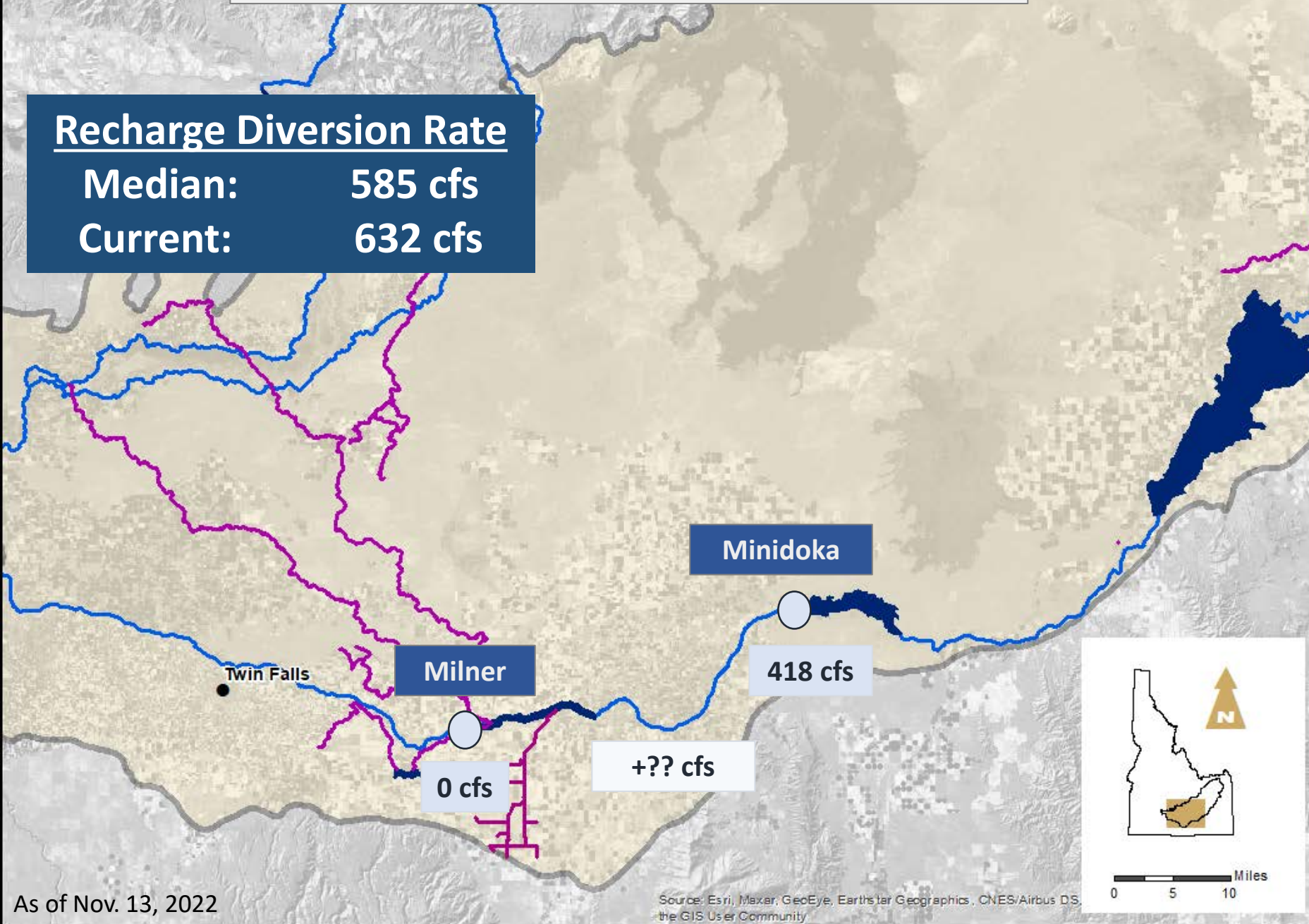
November 17, 2022



Current Conditions

Recharge Diversion Rate

Median: 585 cfs
Current: 632 cfs

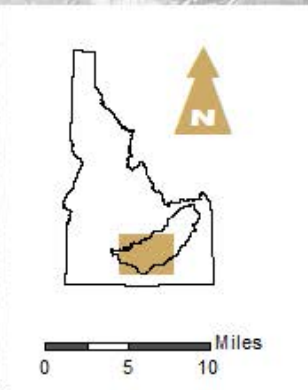


Minidoka to Milner Reach Gains

- Volume = ??
- Uncertainty with AFRD2 & SWID diversions
- Last season 50 - 75 cfs

As of Nov. 13, 2022

Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, the GIS User Community



IWRB Recharge



Total IWRB Recharge
30,317 af

2022/2023 Recharge Season

Started: Oct. 15th

Recharge Partners:

- NSCC – Start of the season only
- SWID
- TFCC
- AFRD#2

AFRD2

11,800 af

NSCC

10,400 af

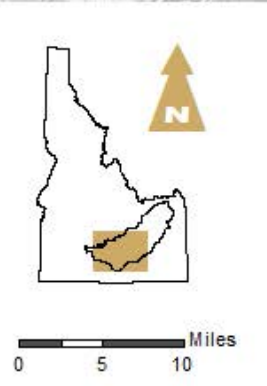
TFCC

6,600 af

SWID

1,500 af

Twin Falls



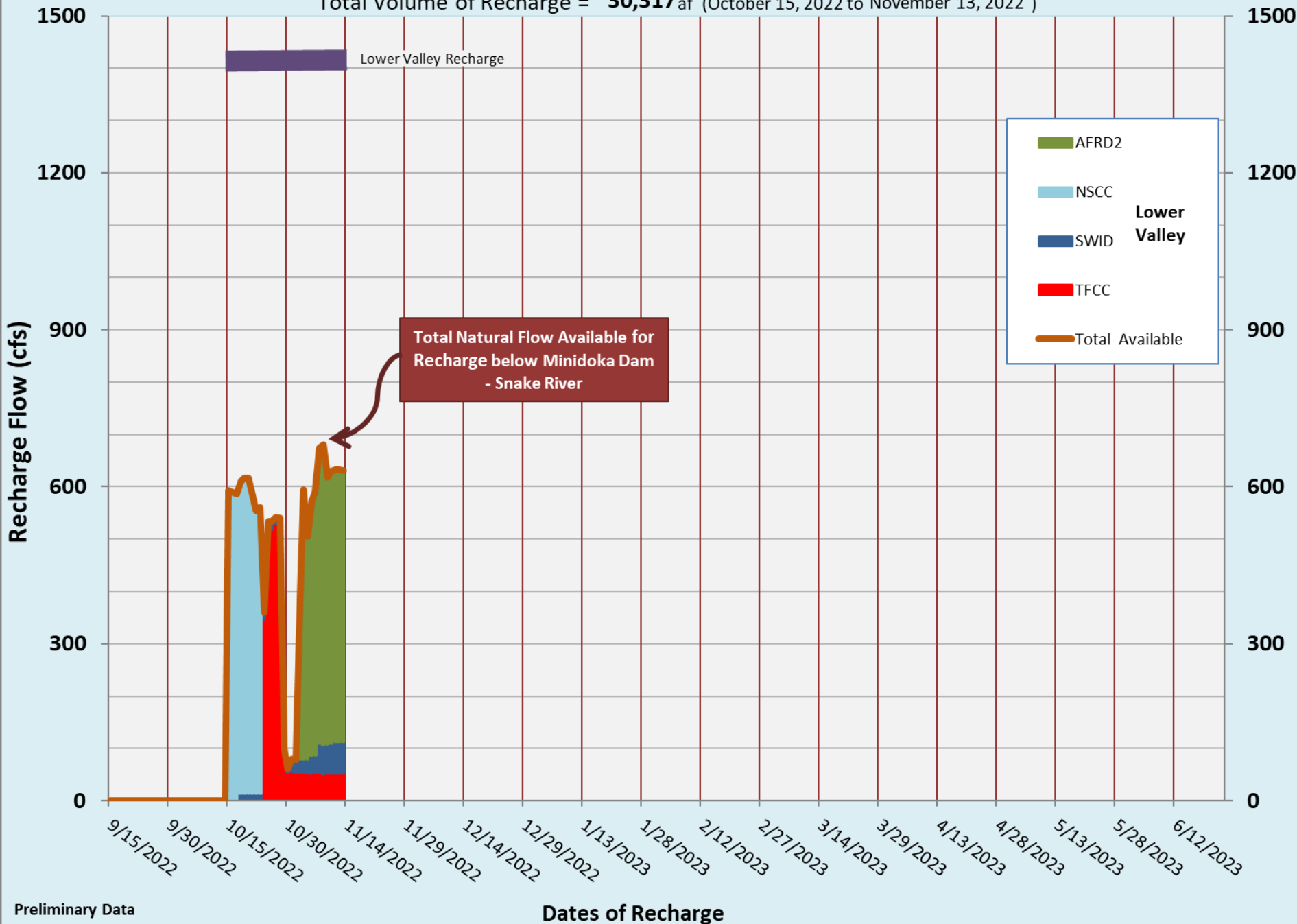
As of Nov. 13, 2022

Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus D.S., the GIS User Community



IWRB Natural Flow Recharge - 2022/2023 Season

Total Volume of Recharge = **30,317** af (October 15, 2022 to November 13, 2022)



2022/2023 Recharge Season

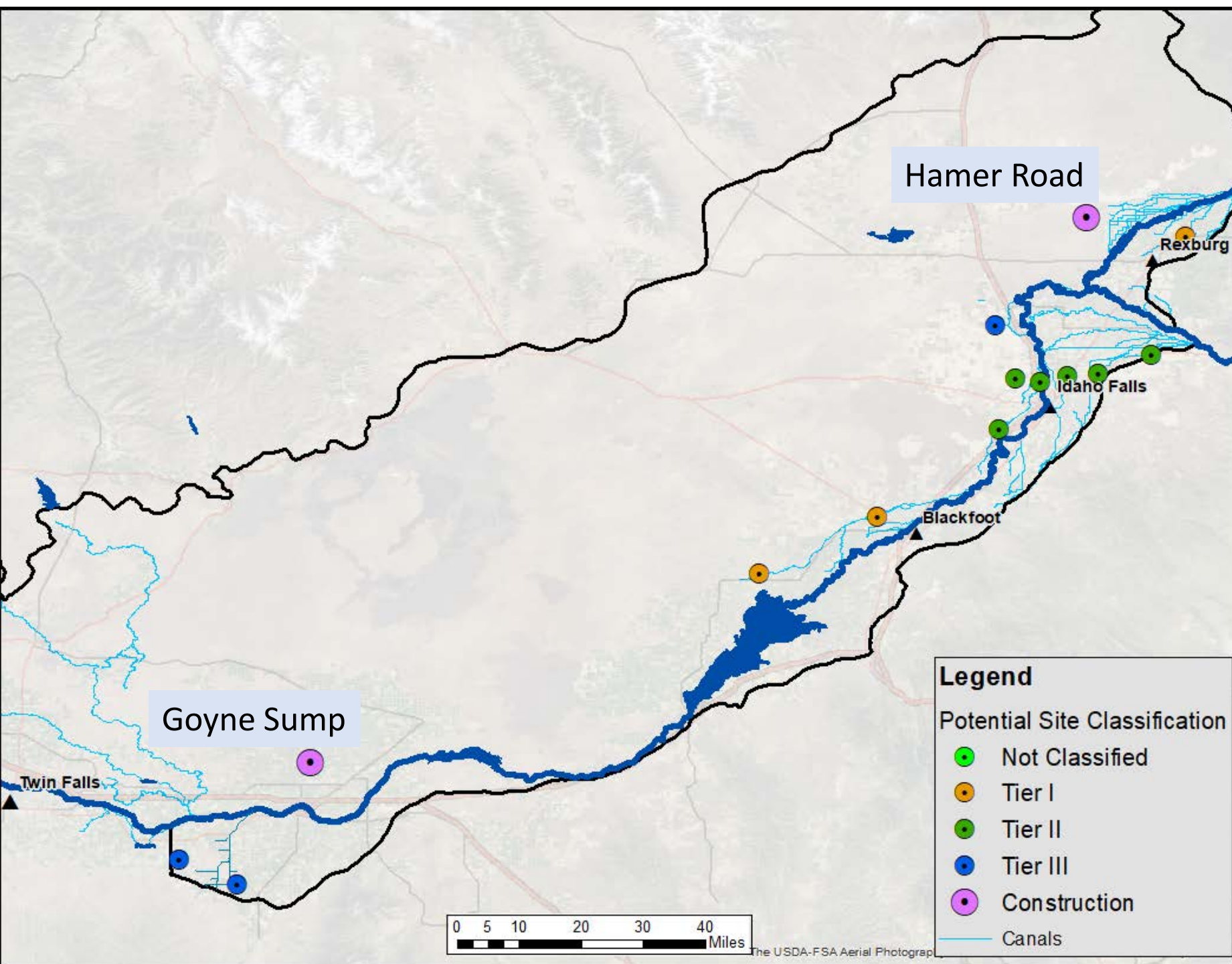
Normal irregularities due to:

- Maintenance and inspection on canals and reservoirs
- Adjusting reservoirs to winter operating levels



ESPA Recharge Capacity Projects

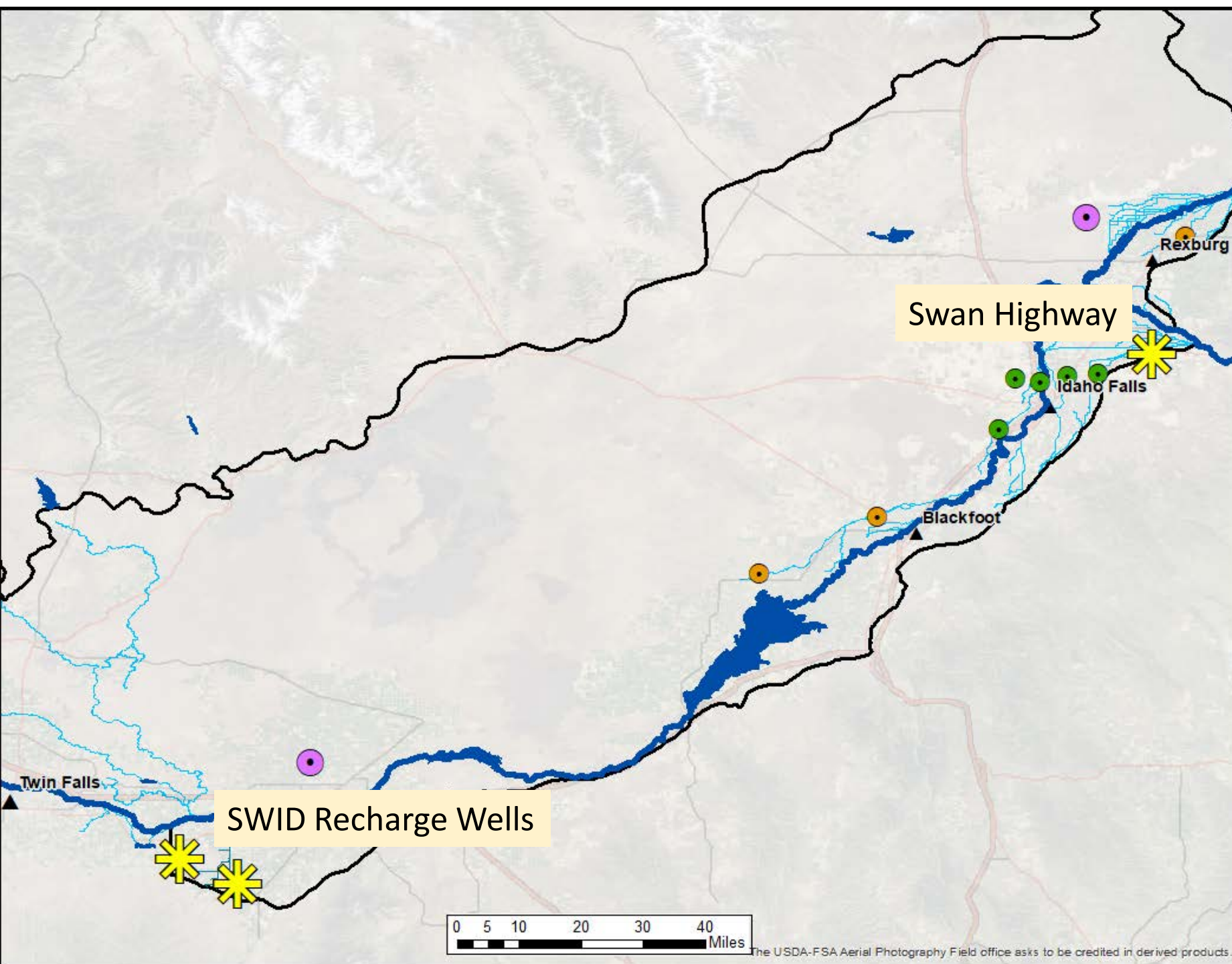
- Focus on the Upper Valley
- Diversify recharge sites – Long, Medium, Short-term benefits.
- 2 – Projects under construction.





New Potential Projects

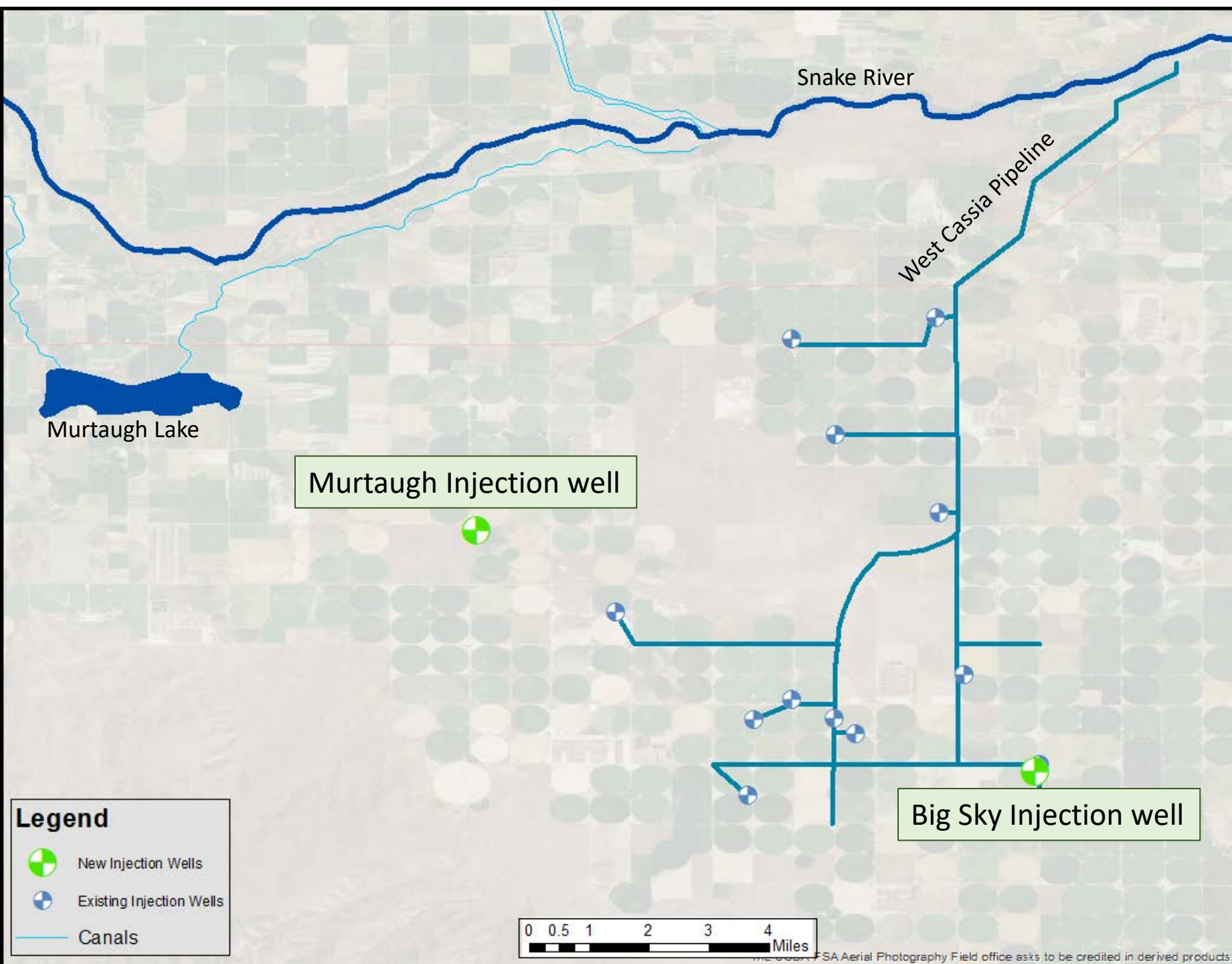
- Enterprize Canal - Swan Highway Recharge Project
- Southwest ID – Big Sky & Murtaugh Injection Wells





Big Sky & Murtaugh Injection Wells

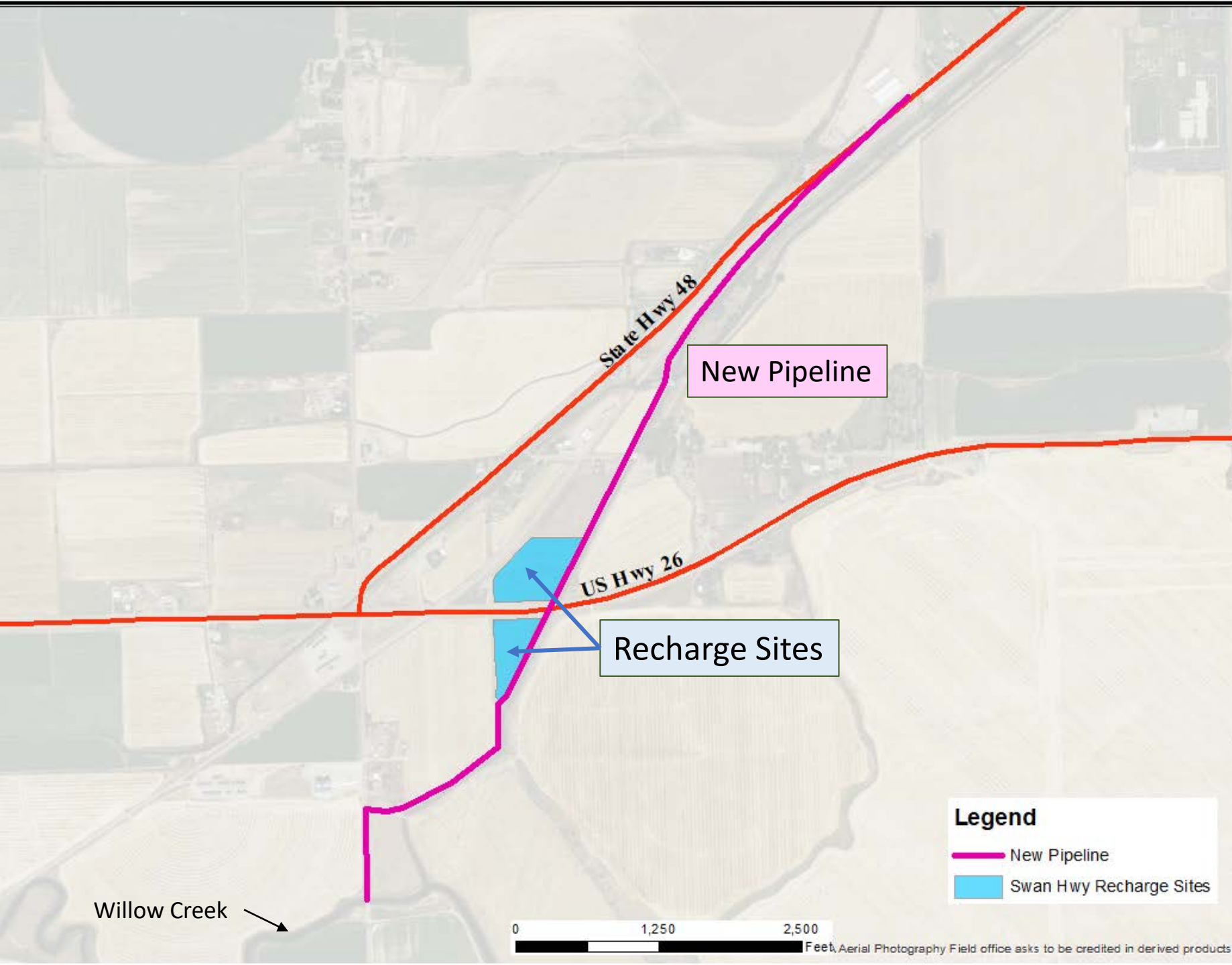
- 2 – Injection Wells
- Recharge Capacity: 22 cfs
- Total Cost: \$245,000





Swan Highway Recharge Project

- New Recharge Basins
- Expanded delivery capacity for recharge: 120 cfs
- Recharge Capacity: 40-50 cfs
- Additional recharge sites planned
- IWRB Cost: \$3.4 M



Questions

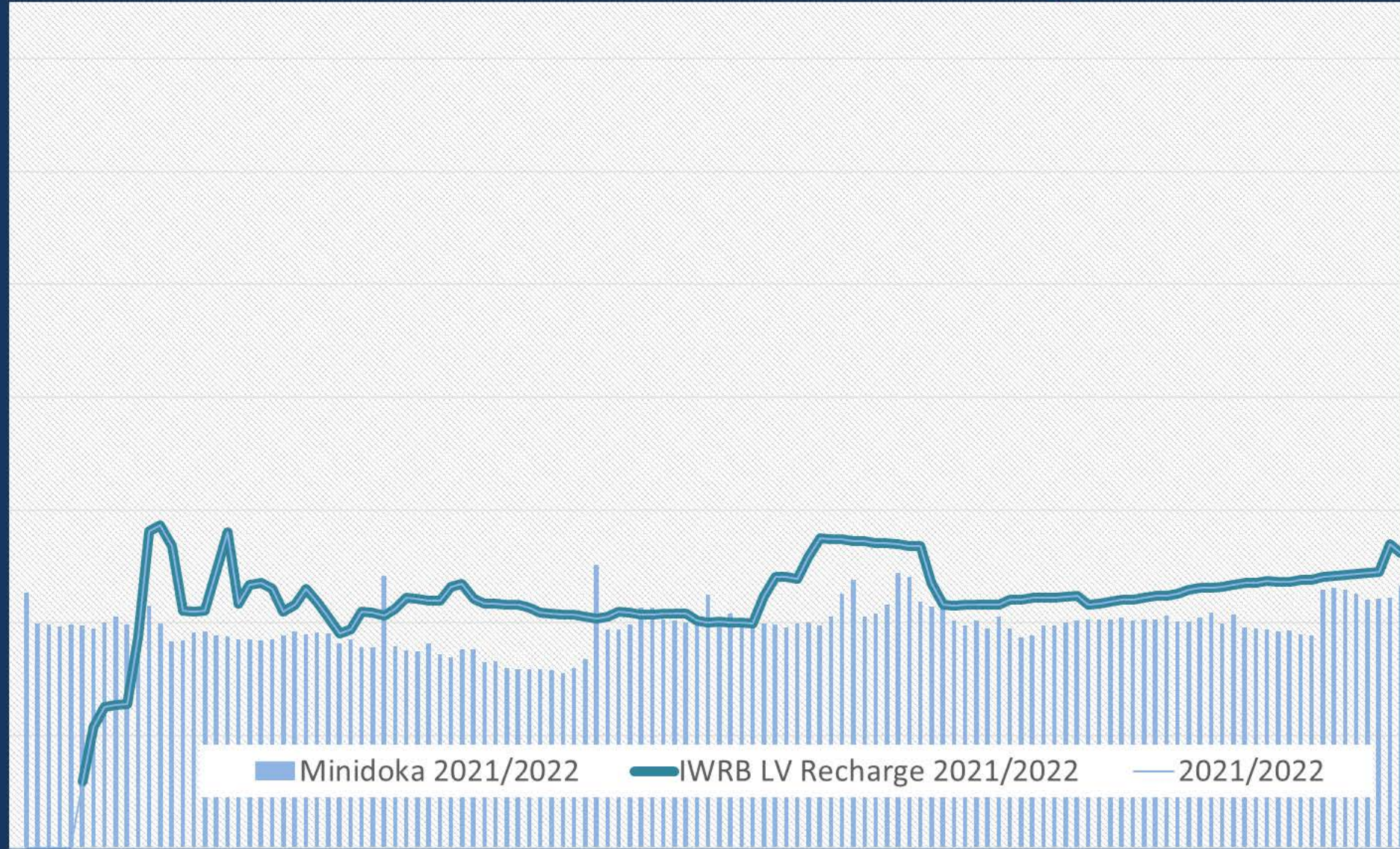


ESPA Water Available for Recharge



Water Available for Recharge (cfs)

1400
1200
1000
800
600
400
200
0



Flow from Minidoka Dam (cfs)

1400
1200
1000
800
600
400
200
0

Minidoka 2021/2022 IWRB LV Recharge 2021/2022 2021/2022

14-Oct 29-Oct 13-Nov 28-Nov 13-Dec 28-Dec 12-Jan 27-Jan 11-Feb

ESPA Water Available for Recharge



Water Available for Recharge (cfs)

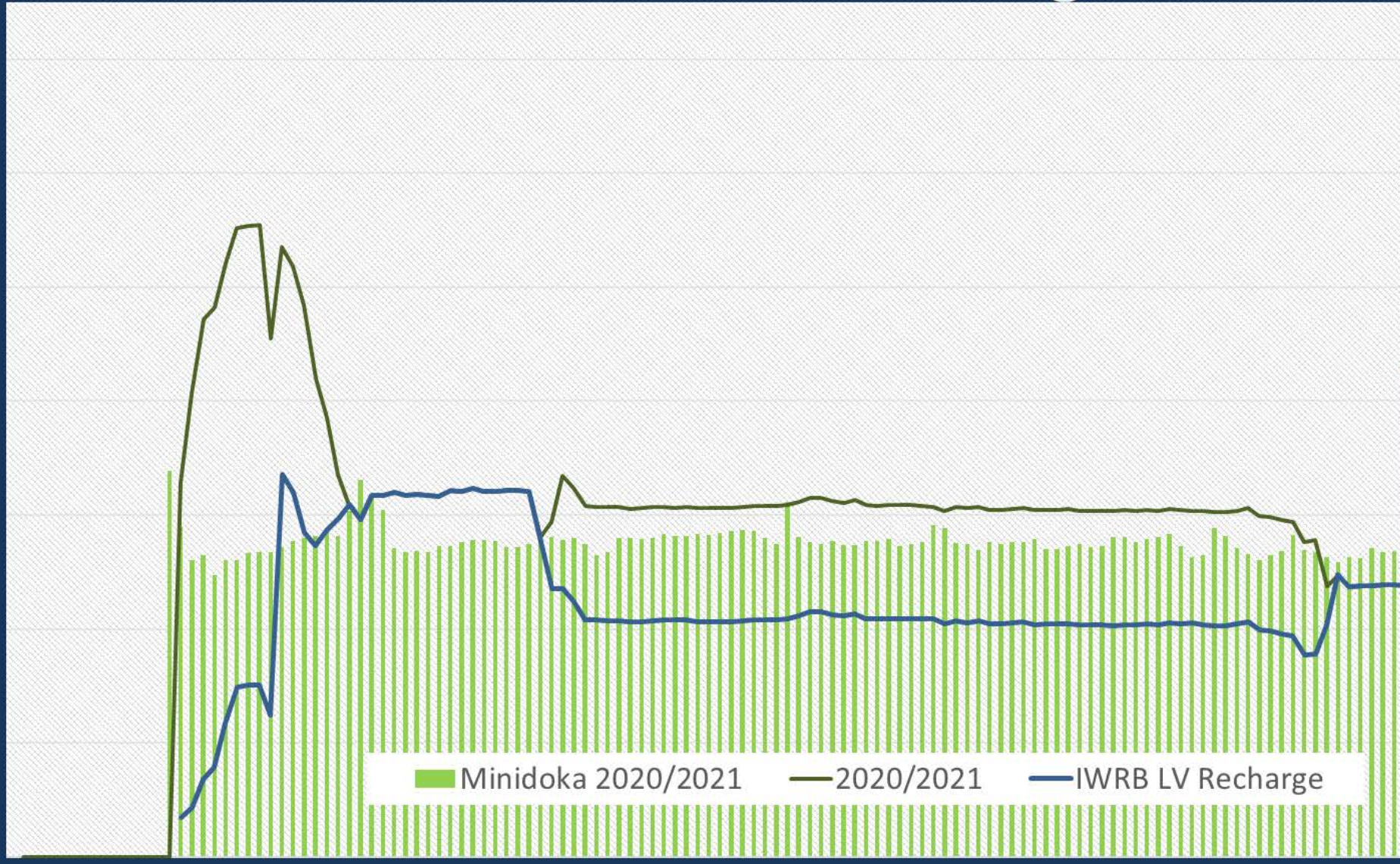
1400
1200
1000
800
600
400
200
0

1400
1200
1000
800
600
400
200
0

Flow from Minidoka Dam (cfs)

14-Oct 29-Oct 13-Nov 28-Nov 13-Dec 28-Dec 12-Jan 27-Jan 11-Feb

Minidoka 2020/2021 2020/2021 IWRB LV Recharge

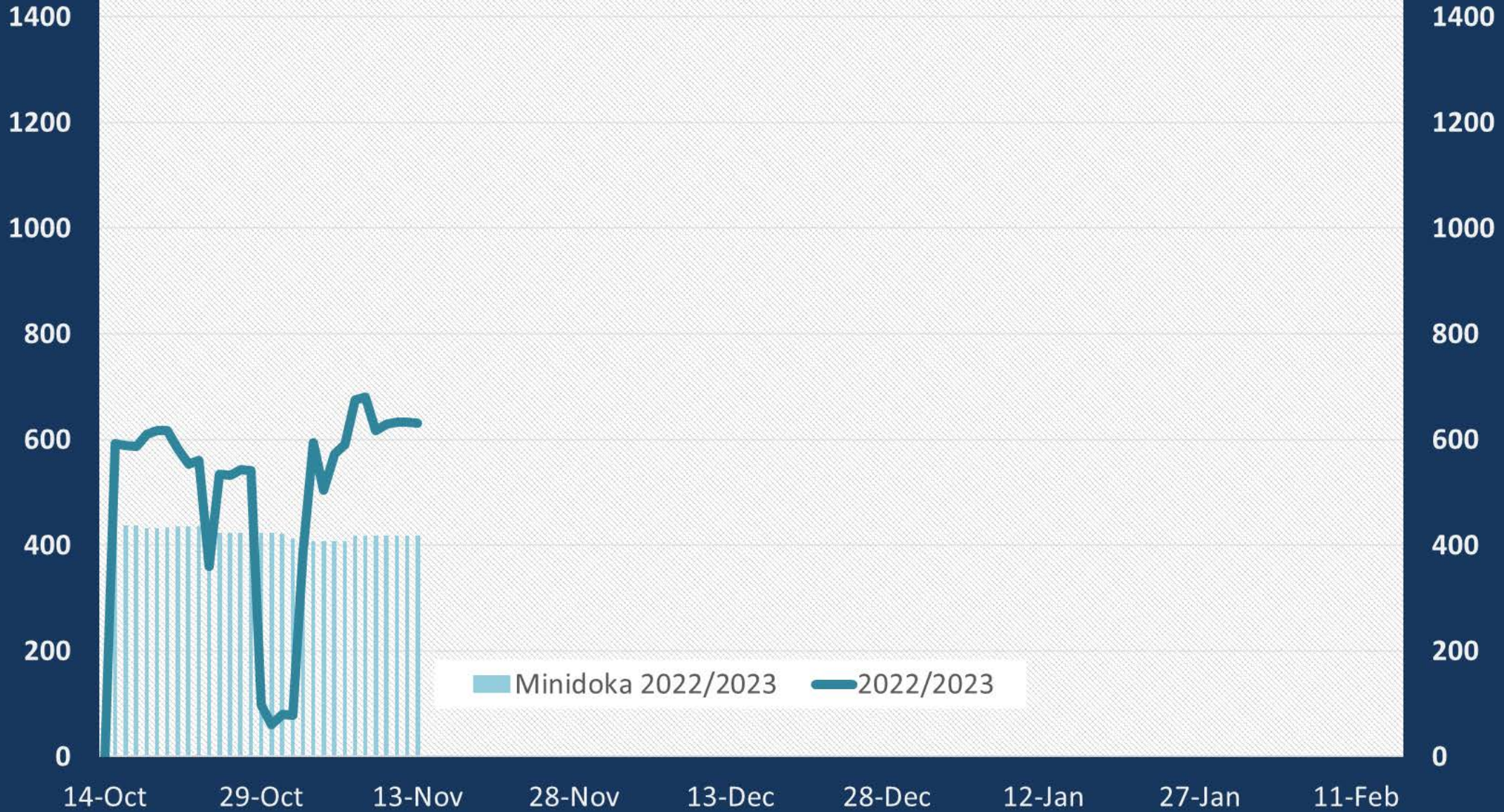




ESPA Water Available for Recharge

Water Available for Recharge (cfs)

Flow from Minidoka Dam (cfs)



Memorandum



To: Idaho Water Resource Board

From: Cynthia Bridge Clark

Date: November 7, 2022

Re: Lemhi Basin Comprehensive Settlement Implementation

REQUIRED ACTION: No action required

The Lemhi River Basin Comprehensive Settlement Agreement (Agreement), executed on February 24, 2022, sets forth a legal process for irrigators in the Lemhi River Basin who divert high flow ancillary to their decreed water rights under a General Provision in the Snake River Basin to perfect a water right for their 'high-flow' use. Parties to the Agreement include various Lemhi Basin water users, the Idaho Water Resource Board (IWRB), Idaho Department of Fish and Game, and Idaho Office of Species Conservation. Participation in the Agreement is voluntary and allows water users to continue to divert water under the General Provision if they do not choose to obtain a protectable a water right for high-flow use.

The attached Lemhi Basin Comprehensive Settlement Progress Report summarizes the status of the various actions required under the Agreement.

Clive Strong will provide an update on activities associated with the implementation of the Settlement at the November 18 IWRB meeting.

ATTACHMENT(S)

- Lemhi Basin Comprehensive Settlement Implementation Progress Report, November 9, 2022.

Idaho Water Resource Board
Lemhi Basin Comprehensive Settlement
Implementation Progress Report
November 18, 2022



| Settlement Actions | Major Milestones Completed | Recent Progress & Upcoming Work | Action Schedule |
|---|---|---|--|
| Resolve State and Private Protests to Pending Applications 74-16185, 74-16186, 74-16187, 74-16188, 74-16189, 74-16190, 74-16191, 74-16192, 74-16193, 74-16194, 74-16195, 74-16196, 74-16204, 74-16205 <i>(Settlement Agreement Sections II and XI.2)</i> | <ul style="list-style-type: none"> Application 74-16195 withdrawn. IDWR mailed draft permits to applicants and protestants on July 20, 2022. Settlement Conference held on August 11, 2022, in Leadore, Idaho. IDFG, LID, LSWD, and private protests to 74-16186, 74-16188, 74-16189, 74-16190, 74-16191, 74-16192, 74-16193, 74-16194, 74-16196, 74-16204, 74-16205 were resolved at Settlement Conference. | <ul style="list-style-type: none"> IWRB agreed to withdraw its protests to applications at Sept 16 IWRB meeting. | <ul style="list-style-type: none"> Issuance of permits for applications 74-16186, 74-16188, 74-16189, 74-16190, 74-16191, 74-16192, 74-16193, 74-16194, 74-16196, 74-16204, 74-16205 anticipated by the end of November 2022. |
| Lemhi Basin Stream Flow Maintenance Water Right Applications <i>(Settlement Agreement Sections II. and III.)</i> | <ul style="list-style-type: none"> IDWR held Application Filing Workshops in Salmon on Sept 14 & 15, 2022, and in Leadore on Sept 15, 2022, to assist users in filing applications. Notice of the opportunity to file applications was completed by IDWR: notice was published in the Salmon Herald Recorder; notification letters were mailed to irrigation water right holders; and notice was posted in the Lemhi County Courthouse on Aug 12, 2022. | <ul style="list-style-type: none"> IDWR provided notice of opportunity to file applications to the Lemhi County Treasurer in Oct 2023. Treasurer will send notice with tax statements in Dec 2023 mailing. | <ul style="list-style-type: none"> Application filing deadline is July 1, 2024. As of November 2022, IDWR has received approximately 130 applications. |

| Settlement Actions | Major Milestones Completed | Recent Progress & Upcoming Work | Action Schedule |
|---|--|--|--|
| McFarland Campground Minimum Stream Flow Application 74-16265 | <ul style="list-style-type: none"> ● Application filed on July 1, 2022. ● Hearing held on Sept 20, 2022. ● Preliminary Order approving the application for permit issued 11/7/2022. | <ul style="list-style-type: none"> ● Protocol for exercise of water right 74-16265 is being developed. | <ul style="list-style-type: none"> ● Permit will be submitted for review by 2023 Legislature. ● IWRB to adopt a protocol for exercise of water right 74-16265 prior to 2013 irrigation season. |
| Minimum Stream Flow Applications 84-16261 (Bohannon Creek), 74-16262 (Big Timber Creek), 74-16263 (Hayden Creek) and 74-16264 (Canyon Creek) (Settlement Agreement Section IV.) | <ul style="list-style-type: none"> ● Applications filed on July 1, 2022. ● Hearing held on Sept 20, 2022. ● Preliminary Order approving the applications for permit issued 11/7/2022. | | <ul style="list-style-type: none"> ● Permits will be submitted for review by 2023 Legislature. |
| Lemhi Basin Water Supply Program (<i>Settlement Agreement Section V.</i>) | <ul style="list-style-type: none"> ● RECHARGE FEASIBILITY STUDY: Preliminary site/field investigation to be scheduled in Spring 2023. IDWR staff will schedule field visits with local stakeholders to locate potential site to help scope the feasibility study. ● CLOUD SEEDING FEASIBILITY STUDY: IDWR and NCAR representatives toured the Lemhi Basin on October 14 to scope Cloud Seeding Feasibility Study. Results of the study are expected in fall 2023. ● IDWR will hold a meeting with Lemhi Settlement Working Group on Cloud Seeding basics and the Lemhi Basin Feasibility Investigation. ● WATER STORAGE FEASIBILITY STUDY: Preliminary site/field investigation to be scheduled in Spring 2023. IDWR staff will schedule field visits with local stakeholders to locate potential sites to help scope a feasibility study. | | <ul style="list-style-type: none"> ● Program options will be considered based on feasibility study results. |
| Miscellaneous Provisions (<i>Settlement Agreement Section VI.</i>) | <ul style="list-style-type: none"> ● IWRB has implemented enhanced process for notice of water transactions. | <ul style="list-style-type: none"> ● No further action required to implement Settlement Agreement Section V1. | <ul style="list-style-type: none"> ● No further action required to implement Settlement Agreement Section V1. |

| Settlement Actions | Major Milestones Completed | Recent Progress & Upcoming Work | Action Schedule |
|--|----------------------------|---|--|
| <p>Lemhi Settlement Agreement Steering Committee <i>(Settlement Agreement Section VII.) The Steering Committee will oversee implementation of the Agreement and shall consist of two reps of the Lemhi Irr Dist, two reps of the Upper Lemhi Basin Water Users, one rep of IDFG, one rep of OSC, and one rep of the IWRB. The Basin 74 water master or an IDWR employee shall serve as an ex officio member. Water User reps shall be parties to the Agreement.</i></p> | | <ul style="list-style-type: none"> ● Winter 2022/2023 – Representatives from IDFG, OSC, and IWRB will be identified. ● Winter 2022/2023 – Schedule a Settlement Working Group meeting to provide updates on the implementation of the Agreement and to discuss procedures for the Steering Committee. ● Develop charter for steering committee consistent with Settlement Agreement. | <ul style="list-style-type: none"> ● Steering Committee will be formed prior to the 2023 irrigation season. |
| <p>Administration <i>(Settlement Agreement Section VIII.)</i></p> | | <ul style="list-style-type: none"> ● IDWR to facilitate meeting with the watermaster for the local water districts before the 2023 irrigation season to familiarize them with the terms of the Settlement Agreement. ● Computerized Accounting will be implemented as needed. ● Watermaster instructions will be issued as needed upon implementation of the settlement. | |



IDAHO DEPARTMENT OF
WATER RESOURCES

Western Region • 2735 W Airport Way • Boise, ID 83705-5082

Phone: 208-334-2190 • Fax: 208-334-2348 • Email: westerninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Gary Spackman

November 7, 2022

IDAHO WATER RESOURCE BOARD
c/o BRIAN PATTON, EXECUTIVE DIRECTOR
322 E FRONT ST
PO BOX 83720
BOISE ID 83720-0098

RE: In the Matter of Applications for Permit to Appropriate Water for a Minimum Streamflow, No. 74-16261 through 74-16265, in the name of the Idaho Water Resource Board

Dear IWRB Members and Staff:

Enclosed are two Preliminary Orders issued in the matters of the five applications for permit referenced above.

The Department of Water Resources (Department) has issued the enclosed Preliminary Orders pursuant to section 67-5243, Idaho Code. They can and will become final orders without further action of the Department unless a party petitions for reconsideration or files an exception and/or brief as described in the enclosed information sheets.

If you have any questions, please do not hesitate to contact me.

Sincerely,

Nick Miller
Hearing Officer
Manager, IDWR Western Region

Enclosures

cc: See enclosed certificates of service

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE STATE OF IDAHO

IN THE MATTER OF APPLICATION)
FOR PERMIT NO. 74-16265)
IN THE NAME OF THE)
IDAHO WATER RESOURCE BOARD)

PRELIMINARY ORDER

On September 20, 2022, the Idaho Department of Water Resources ("Department") conducted a hearing for applications for permit to appropriate water for a minimum stream flow no. 74-16261 through 74-16265 as required by Idaho Code § 42-1503. This order is issued concerning only application 74-14265 ("Application"). The Idaho Water Resource Board ("Board") was represented by Idaho Deputy Attorney General Ann Yribar. No other persons or entities were formal parties to the hearing. Jerry Elzinga offered public witness testimony and comment as Watermaster of State Water District 74C (Bohannon Creek) and as a representative of Eagle Valley Ranch, LLC (a water user on Bohannon Creek and the Lemhi River).

The Hearing Officer took official notice of the application package and documents referenced in the application package, such as the Wild and Scenic Agreement.¹ The Board called Carter Borden of Centered Consulting International and Amy Cassel of IDWR as witnesses. The Board entered nine exhibits into the record.

Based on the evidence and information available, the hearing officer finds, concludes and orders as follows:

FINDINGS OF FACT

1. On July 1, 2022, the Board filed application for permit 74-16265 with the Department seeking to establish a minimum stream flow on a reach of the Lemhi River tributary to the Salmon River in Lemhi County, Idaho. The Application was filed pursuant to Chapter 15, Title 42, Idaho Code. The elements of the Application are further described as follows:

| | |
|-----------------------------|---|
| Priority | July 1, 2022 |
| Source, Quantity, and Reach | 420 cubic feet per second ("cfs") at McFarland Campground located on the Lemhi River in the NWSE of Section 14, Township 17 North, Range 24 East, Boise Meridian. |
| Period of Use | Limited to two years out of every five years for a duration of three days per year between March 15 and July 6. |

¹ The Wild and Scenic Agreement, for purposes of this hearing includes, "*Stipulation and Joint Motion for Order Approving Stipulation and Entry of Partial Decrees*, Consolidated Sub case No. 75-13316 Wild & Scenic Rivers Act Claims", and the partial decree for Federal Reserved Water Rights 75-13316 and 77-11941.

2. The purpose of the proposed minimum stream flow water right is to preserve the minimum amount of water necessary to maintain stream channel conditions in the Lemhi River sufficient for the spawning and rearing of fish. See Application Item 8e.
3. The place of use is the quantification point located at the McFarland Campground stream gage, located on the Lemhi River in the NWSE of Section 14, Township 17 North, Range 24 East, Boise Meridian.
4. The Application proposes a water right for an instream, non-consumptive use that is subject to all vested water rights, permits, or applications for permit having a date of priority earlier than July 1, 2022.
5. The Application proposes to establish a non-consumptive, instream water right in a tributary of the Salmon Wild & Scenic River. The water right proposed by the Application will benefit from the subordination provisions described in Paragraph 10.b of water rights 75-13316 and 77-11941, and shall not be deducted from the subordination amounts, because it is a non-consumptive use for instream flow purposes.
6. The Application proposes a minimum stream flow as contemplated in the Lemhi River Basin Comprehensive Settlement Agreement Between the Idaho Water Resource Board, Idaho Department of Fish and Game, Idaho Office of Species Conservation and Various Lemhi Basin Water Users ("Lemhi Settlement Agreement"). See Attachment B and Exhibit 5. The Lemhi Settlement Agreement included proposed legislation that was enacted as Section 42-1506A Idaho Code. Section 42-1506A Idaho Code authorizes and directs the Board to seek the minimum stream flow appropriation. Ex 1.
7. The mainstem Lemhi River's prime salmonid habitat for spawning and rearing is degraded. Periodic high discharge events are necessary to restore spawning and rearing habitat by mobilizing streambed materials to flush out fine sediments and increase channel morphology complexity. Ex 9. P8.
8. Based on an incipient motion analysis, fine sediments can be flushed, and gravels will loosen at discharges of 420 cfs or greater. Ex 9, P47. The proposed 420 cfs minimum stream flow is the amount required to clean and loosen 8.0 mm spawning gravels in riffles and runs. Ex 9, p 36. This flow is expected to mobilize approximately 50% of the bed in the absence of shielding effects.² Ex 9, P 33. In areas where shielding effects are significant, this flow is only expected to mobilize 6.5% of the bed. Ex 9, P 36.
9. Section 42-1506A, Idaho Code, states that the director of the department of water resources need not determine that the appropriation is capable of being maintained based upon records of existing stream flows because it is anticipated that the water right will be maintained through conditions on water rights acquired pursuant to section 42-251, Idaho Code.
10. Section 42-251(5), Idaho Code, states the following:

² Shielding effects are present where smaller particles are protected from mobilization due to large particles "shielding" the smaller particles from the full force of the water. Ex 9, P 20.

All applications filed under this section shall be subject to the terms and conditions of the Lemhi Basin Comprehensive Settlement Agreement Between the Idaho Water Resource Board, Idaho Department of Fish and Game, Idaho Office of Species Conservation and Various Lemhi Water Users, including but not limited to the following conditions:

(a) Regardless of their priority dates, stream flow maintenance water rights shall include a condition requiring them to cease diversion while the McFarland Campground minimum stream flow water right established pursuant to section 42-1506A, Idaho Code, is being exercised.

11. Section 42-1506A(2), Idaho Code, states the following:

This right may not call against water rights with points of diversion from streams administered as separate streams pursuant to the Partial Decree pursuant to I.R.C.P. 54(b) of the Basin 74 High Flow General Provision approved by the SRBA District Court on January 2, 2006, except as to Lemhi Basin stream flow maintenance water rights appropriated pursuant to section 42-251, Idaho Code.

12. There was no opposition at the hearing or submitted in writing to approval of the Application.

CONCLUSIONS OF LAW

1. Idaho Code § 42-1503 states:

Upon the conclusion of the hearings and completion of any investigation conducted by the director, he shall enter his findings in writing approving the application in whole, or in part, or upon conditions or rejecting said application. Approval of any such application must be based upon a finding that such appropriation of minimum stream flow:

(a) will not interfere with any vested water right, permit, or water right application with priority of right date earlier than the date of receipt in the office of the director of a complete application for appropriation of minimum stream flow filed under the provisions of this act;

(b) is in the public, as opposed to private, interest;

(c) is necessary for the preservation of fish and wildlife habitat, aquatic life, recreation, aesthetic beauty, navigation, transportation, or water quality of the stream;

(d) is the minimum flow or lake level and not the ideal or most desirable flow or lake level; and

(e) is capable of being maintained as evidenced by records of stream flows and water levels and the existing or future establishment of necessary gauging stations and bench marks.

2. The proposed minimum stream flow will not interfere with any vested water right, permit, or application for permit having a priority date earlier than July 1, 2022.
3. Recognition of this minimum stream flow in the Lemhi Settlement Agreement, passage of Section 42-1506A, Idaho Code into law, and absence of opposition to the minimum stream flow at the hearing establishes that the minimum stream flow is in the public, as opposed to the private, interest.
4. The periodic minimum stream flows sought by application for permit no. 74-16265 are necessary for the preservation of fish habitat.
5. The proposed minimum stream flow is not the ideal or most desirable flow, is less than the optimum or most desirable flow, and is a minimum flow.
6. Water that would otherwise be diverted under water rights established pursuant to section 42-251, Idaho Code, including rights on streams administered separately from the Lemhi River, will be made available to supply the proposed minimum stream flow water right.
7. The Department should approve the Application with certain conditions and should issue a permit.

ORDER

IT IS, THEREFORE, HEREBY ORDERED that Application for Permit No. 74-16265 in the name of the Idaho Water Resource Board seeking a minimum stream flow on the Lemhi River is **APPROVED** with conditions as shown in the accompanying approval document.

IT IS FURTHER HEREBY ORDERED that the application hereby approved by the Director shall be submitted to the Idaho Legislature by the fifth day of the next regular legislative session. The Director's approval shall not become finally effective until approved by the legislature pursuant to provisions of Section 42-1503, Idaho Code.

Dated this 7th day of November, 2022



Nick Miller
Hearing Officer

State of Idaho
Department of Water Resources
Permit to Appropriate Water
No. 74-16265

Priority: July 01, 2022

Maximum Diversion Rate: 420 CFS

This is to certify that

STATE OF IDAHO IDAHO WATER RESOURCE BOARD
322 E FRONT ST
PO BOX 83720 BOISE ID 83720-0098

has applied for a permit to appropriate water from:

Source : LEMHI RIVER

Tributary: SALMON RIVER

and a permit is APPROVED for development of water as follows:

| <u>Beneficial Use</u> | <u>Period of Use</u> | <u>Rate of Diversion</u> |
|-----------------------|----------------------|--------------------------|
| MINIMUM STREAM FLOW | 03/15 to 07/06 | 420 CFS |

Location of Point(s) of Diversion

LEMHI RIVER NW¼ SE¼, Sec. 14, Twp 17N, Rge 24E, B.M. LEMHI County (Ending of Stream Flow)

Conditions of Approval

1. Proof of application of water to beneficial use shall be submitted on or before **April 01, 2027**.
2. Subject to all prior water rights.
3. Use of water under this right shall recognize and allow the continued beneficial diversion of water under any prior existing water right established by diversion and application to beneficial use or by an application, permit, or license on file or issued by the director under the provisions of Chapter 2, Title 42, Idaho Code, with a priority of water right date earlier than the date of priority of this right.
4. This water right shall be measured at the Lemhi River at McFarland Campground gage, located within the NWSE, Section 14, T17N, R24E, Lemhi County. Upon further finding and order of the Director that gaging stations are required to maintain the approved minimum flows under the water right, such measuring devices shall be permanently installed and maintained as specified by the Director.
5. There are no diversions associated with this minimum stream flow water right. The quantification point for this instream flow water right is at the above location.
6. The place of use for this water right is at the quantification point.
7. This water right may be exercised only two (2) years out of every five (5) years. The five (5) year period shall be a rolling period.
8. The exercise of the right shall be limited to a duration of three (3) days, during the March 15 to July 6 period of use. The three (3) day period shall be timed to occur as near as possible to the peak of Lemhi runoff.
9. This right may not call against water rights with points of diversion from streams administered as

State of Idaho
Department of Water Resources
Permit to Appropriate Water
No. 74-16265

separate streams pursuant to the Partial Decree pursuant to I.R.C.P. 54(b) of the Basin 74 High Flow General Provision approved by the SRBA District Court on January 2, 2006, except as to Lemhi Basin stream flow maintenance water rights appropriated pursuant to section 42-251, Idaho Code.

10. Use of water under this right shall be non-consumptive.
11. This minimum stream flow is to preserve and protect habitat for fish.
12. The minimum stream flow may be satisfied and maintained through conditions on water rights acquired pursuant to Idaho Code § 42-251, and by other available methods consistent with Idaho law.
13. Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No.170 and sub-district 74.

This water right is established pursuant to Chapter 15, Title 42, Idaho Code.

Signed this 7th day of November, 2022.



NICK MILLER
Hearing Officer

EXPLANATORY INFORMATION TO ACCOMPANY A PRELIMINARY ORDER

(To be used in connection with actions when a hearing was held)

The accompanying order is a **Preliminary Order** issued by the Idaho Department of Water Resources (Department) pursuant to section 67-5243, Idaho Code. **It can and will become a final order without further action of the Department unless a party petitions for reconsideration or files an exception and brief as further described below:**

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the hearing officer within fourteen (14) days of the service date of the order as shown on the certificate of service. **Note: the petition must be received by the Department within this fourteen (14) day period.** The hearing officer will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after: (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding to the Director. Otherwise, this preliminary order will become a final order of the agency.

If any party appeals or takes exceptions to this preliminary order, opposing parties shall have fourteen (14) days to respond to any party's appeal. Written briefs in support of or taking exceptions to the preliminary order shall be filed with the Director. The Director retains the right to review the preliminary order on his own motion.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, request for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with Rules of Procedure 302 and 303.

FINAL ORDER

The Department will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The Department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its service date if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) The petition for reconsideration is disposed of; or
- (b) The petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 7th day of November 2022, I served a true and correct copy of the foregoing document on the following by the method(s) indicated below:

State of Idaho
Idaho Water Resource Board
c/o Brian Patton, Executive Officer
322 E Front St
PO Box 83720
Boise ID 83720-0098
208.287.4800
Brian.Patton@idwr.idaho.gov
Applicant

- ☐ U.S. Mail, Certified, postage prepaid
- ☒ U.S. Mail, postage prepaid
- ☐ Overnight Mail
- ☐ Facsimile
- ☒ Email

Office of Attorney General
Natural Resources Division
c/o Ann Yribar
PO Box 83720
Boise ID 83720-0010
208.334.4141
ann.yribar@ag.idaho.gov
Attorney for Applicant

- ☐ U.S. Mail, Certified, postage prepaid
- ☒ U.S. Mail, postage prepaid
- ☐ Overnight Mail
- ☐ Facsimile
- ☒ Email

Jerry Elzinga
700 Monroe St
Salmon ID 83467-3317
208.993.0998
Jelzinga0712@Gmail.Com

- ☐ U.S. Mail, Certified, postage prepaid
- ☒ U.S. Mail, postage prepaid
- ☐ Overnight Mail
- ☐ Facsimile
- ☒ Email



Nick Miller
Hearing Officer

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE STATE OF IDAHO

| | |
|--|--------------------------|
| IN THE MATTER OF APPLICATIONS) | |
| FOR PERMIT NO. 74-16261 THROUGH) | |
| 74-16264 IN THE NAME OF THE) | PRELIMINARY ORDER |
| IDAHO WATER RESOURCE BOARD) | |
| _____) | |

On September 20, 2022, the Idaho Department of Water Resources ("Department") conducted a hearing for applications for permit to appropriate water for a minimum stream flow no. 74-16261 through 74-16265 as required by Idaho Code § 42-1503. This order is issued concerning only applications 74-14261 through 74-16264 ("Applications"). The Idaho Water Resource Board ("Board") was represented by Idaho Deputy Attorney General Ann Yribar. No other persons or entities were formal parties to the hearing. Jerry Elzinga offered public witness testimony and comment as Watermaster of State Water District 74C (Bohannon Creek) and as a representative of Eagle Valley Ranch, LLC (a water user on Bohannon Creek and the Lemhi River).

The Hearing Officer took official notice of the application packages and documents referenced in the application packages, such as the Wild and Scenic Agreement.¹ The Board called Carter Borden of Centered Consulting International LLC and Amy Cassel of IDWR as witnesses. The Board entered nine exhibits into the record.

Based on the evidence and information available, the hearing officer finds, concludes and orders as follows:

FINDINGS OF FACT

1. On July 1, 2022, the Idaho Water Resource Board ("Board" or "Applicant") filed applications for permit 74-16261, 74-16262, 74-16263, and 74-16264 with the Department seeking to establish minimum stream flows on four streams tributary to the Lemhi River in Lemhi County, Idaho. The applications were filed pursuant to Chapter 15, Title 42, Idaho Code. The quantities and reaches for each application are further described as follows:

74-16261:

The minimum stream flow appropriation for Bohannon Creek shall be 13 cubic feet per second ("cfs") from March 15 to July 31 and 8.5 cfs from August 1 to March 14 from the headwaters of Bohannon Creek in the northwest quarter of Section 19, Township 22 North, Range 24 East, Boise Meridian to its confluence with the

¹ The Wild and Scenic Agreement, for purposes of this hearing includes, "*Stipulation and Joint Motion for Order Approving Stipulation and Entry of Partial Decrees*, Consolidated Sub case No. 75-13316 Wild & Scenic Rivers Act Claims", and the partial decree for Federal Reserved Water Rights 75-13316 and 77-11941.

Lemhi River in the northwest quarter of Section 33, Township 21 North, Range 23 East, Boise Meridian.

74-16262:

The minimum stream flow for Big Timber Creek shall be 18 cfs from March 15 to July 31 and 10 cfs from August 1 to March 14 from the headwaters of Big Timber Creek in Section 30, Township 14 North, Range 25 East, Boise Meridian to its confluence with the Lemhi River in the southeast quarter of Section 20, Township 16 North, Range 26 East, Boise Meridian.

74-16263:

The minimum stream flow for Hayden Creek shall be 60 cfs from March 15 to July 31 and 13 cfs from August 1 to March 14 from the headwaters of Hayden Creek in Section 14, Township 16 North, Range 22 East, Boise Meridian to its confluence with the Lemhi River in the southwest quarter, Section 21, Township 18 North, Range 24 East, Boise Meridian.

74-16264:

The minimum stream flow for Canyon Creek shall be 16 cfs from March 15 to July 31 and 4 cfs from August 1 to March 14 from the headwaters of Canyon Creek in Government Lot 5, Section 18, Township 17 North, Range 27 East, Boise Meridian to its confluence with the Lemhi River in the northwest quarter of Section 28, Township 16 North, Range 26 East, Boise Meridian.

2. The purpose of the proposed minimum stream flow water rights listed on the application forms and in the Attachment A to each application is to preserve and protect habitat for fish and provide water for fish passage.
3. The Applications propose water rights for instream, non-consumptive uses subject to all vested water rights, permits, and applications for permit having a date of priority earlier than July 1, 2022.
4. Section 42-1506B(3), Idaho Code, states the following:

The minimum stream flows provided for in this section shall be junior to all previously decreed, licensed, or permitted water rights. The minimum stream flows shall also be junior to all water right applications with a priority date before the effective date of this section and all Lemhi Basin stream flow maintenance water rights perfected pursuant to section 42-251, Idaho Code.
5. The Applications each propose to establish a non-consumptive, instream water right in a tributary of the Salmon Wild & Scenic River. The water rights proposed by the Applications will benefit from the subordination provisions described in Paragraph 10.b of water rights 75-13316

and 77-11941, and shall not be deducted from the subordination amounts, because each is a non-consumptive use for instream flow purposes.

6. The Applications proposes minimum stream flows as contemplated in the Lemhi River Basin Comprehensive Settlement Agreement Between the Idaho Water Resource Board, Idaho Department of Fish and Game, Idaho Office of Species Conservation and Various Lemhi Basin Water Users (“Lemhi Settlement Agreement”). See Attachment B to each application and Exhibit 5. The Lemhi Settlement Agreement included proposed legislation that was enacted as Section 42-1506B, Idaho Code. Section 42-1506B, Idaho Code specifically authorizes and directs the Board to file applications to establish minimum stream flows on Big Timber, Bohannon, Canyon, and Hayden Creeks. Ex 2.

7. The Applications propose minimum stream flows on streams that historically provided significant spawning and rearing habitat for anadromous spring/summer chinook salmon, steelhead trout, and bull trout. These fish continue to depend on spawning and rearing habitat in these streams. However, human development has modified the original flow and habitat conditions thereby affecting migration and/or access to suitable spawning and rearing habitat for these fish. Ex 6, P2, Ex7, P3, Ex 8, P2.

8. The flow needs for various life stages of the fish species of interest (anadromous spring/summer chinook salmon, steelhead trout, and bull trout) were characterized using the Physical Habitat Simulation (PHABSIM) model for several study sites on each stream. The proposed minimum stream flows in each application describe a quantity from March 15 through July 31 that is necessary to provide habitat for adult Steelhead and Chinook Salmon in the lowest reach modeled. Ex 6, P60, P69, Ex 7, P41, Ex 8, P56. Each application also describes a smaller quantity from August 1 through March 14 to provide water for fish passage between the stream and the Lemhi River. Testimony of Amy Cassel.

9. Section 42-1506B, Idaho Code, states that the director of the department of water resources need not determine that the appropriation is capable of being maintained based upon records of existing stream flows because it is anticipated the water rights will be maintained through voluntary agreements between the Idaho water resource board and Basin 74 water users in accordance with Idaho law.

10. Existing voluntary agreements between the Board and Basin 74 water users provide the flows shown in the table below that will contribute to maintaining the proposed minimum flows.

| Stream | Quantity |
|------------------|----------|
| Big Timber Creek | 7.2 cfs |
| Bohannon Creek | 8.58 cfs |
| Canyon Creek | 4.0 cfs |
| Hayden Creek | 0.0 cfs |

See Exhibit 5, P 12.

11. Each application proposes to utilize existing gaging stations to measure the flows under the proposed minimum stream flow rights at locations near the ending point of the minimum streamflow reaches. The locations of each gage are listed in the table below. See Ex 5, P 12.

| Right No. | Stream | Gage Location |
|------------------|------------------|-----------------------------|
| 74-16261 | Bohannon Creek | SENE S33, T21N, R23E, B.M. |
| 74-16262 | Big Timber Creek | SWNW S28, T16N, R26E, B.M.* |
| 74-16263 | Hayden Creek | SWSW S21, T18 N, R24E, B.M. |
| 74-16264 | Canyon Creek | NWNE S28, T16 N, R26E, B.M. |

* USGS 13304050 – Big Timber above mouth at Leadore, ID. PLSS location based on location described as Latitude 44°41' 19.65'', Longitude 113° 22' 13.46''.

12. There was no opposition at the hearing or submitted in writing to approval of the applications.

CONCLUSIONS OF LAW

1. Idaho Code § 42-1503 states:

Upon the conclusion of the hearings and completion of any investigation conducted by the director, he shall enter his findings in writing approving the application in whole, or in part, or upon conditions or rejecting said application. Approval of any such application must be based upon a finding that such appropriation of minimum stream flow:

- (a) will not interfere with any vested water right, permit, or water right application with priority of right date earlier than the date of receipt in the office of the director of a complete application for appropriation of minimum stream flow filed under the provisions of this act;
- (b) is in the public, as opposed to private, interest;
- (c) is necessary for the preservation of fish and wildlife habitat, aquatic life, recreation, aesthetic beauty, navigation, transportation, or water quality of the stream;
- (d) is the minimum flow or lake level and not the ideal or most desirable flow or lake level; and
- (e) is capable of being maintained as evidenced by records of stream flows and water levels and the existing or future establishment of necessary gauging stations and bench marks.

2. The proposed minimum stream flows will not interfere with any vested water right, permit, or application for permit having a priority date earlier than July 1, 2022.

3. Recognition of these minimum stream flow appropriations in the Lemhi Settlement Agreement, passage of Section 42-1506B, Idaho Code into law, and absence of opposition to the minimum stream flows at the hearing establishes that the minimum stream flows are in the public, as opposed to the private, interest.

4.

4. The minimum stream flows sought by the Applications are necessary for the preservation of fish habitat in the subject streams.
5. Each of the proposed minimum stream flows are not the ideal or most desirable flow, is less than the optimum or most desirable flow, and is a minimum flow.
6. It is likely that water will be made available to supply the proposed minimum stream flow water rights through existing and future voluntary agreements between the Board and Basin 74 water users in accordance with Idaho law.
7. The Department should approve the Applications with certain conditions and should issue permits.

ORDER

IT IS, THEREFORE, HEREBY ORDERED that Applications for Permit No. 74-16261, 74-16262, 74-16263, and 74-16264 in the name of the Idaho Water Resource Board seeking a minimum stream flow in Bohannon Creek, Big Timber Creek, Hayden Creek, and Canyon Creek, respectively, are **APPROVED** with conditions as shown in the accompanying approval documents.

IT IS FURTHER HEREBY ORDERED that the applications hereby approved by the Director shall be submitted to the Idaho Legislature by the fifth day of the next regular legislative session. The Director's approval shall not become finally effective until approved by the legislature pursuant to provisions of Section 42-1503, Idaho Code.

Dated this 7th day of November, 2022



Nick Miller
Hearing Officer

State of Idaho
Department of Water Resources
Permit to Appropriate Water
No. 74-16261

Priority: July 01, 2022

Maximum Diversion Rate: 13.0 CFS

This is to certify that

STATE OF IDAHO IDAHO WATER RESOURCE BOARD
322 E FRONT ST
PO BOX 83720 BOISE ID 83720-0098

has applied for a permit to appropriate water from:

Source : BOHANNON CREEK

Tributary: LEMHI RIVER

and a permit is APPROVED for development of water as follows:

| <u>Beneficial Use</u> | <u>Period of Use</u> | <u>Rate of Diversion</u> |
|-----------------------|----------------------|--------------------------|
| MINIMUM STREAM FLOW | 03/15 to 07/31 | 13.0 CFS |
| MINIMUM STREAM FLOW | 08/01 to 03/14 | 8.50 CFS |

Location of Point(s) of Diversion

BOHANNON CREEK NW¼ NW¼, Sec. 19, Twp 22N, Rge 24E, B.M. LEMHI County (Beginning of Stream Flow)
BOHANNON CREEK NW¼ NW¼, Sec. 33, Twp 21N, Rge 23E, B.M. LEMHI County (Ending of Stream Flow)

Conditions of Approval


1. Proof of application of water to beneficial use shall be submitted on or before **April 01, 2027**.
2. Subject to all prior water rights.
3. This minimum stream flow shall be junior to all previously decreed, licensed, or permitted water rights. The minimum stream flow shall also be junior to all water right applications with a priority date before July 1, 2022, and all Lemhi Basin stream flow maintenance water rights perfected pursuant to section 42-251, Idaho Code.
4. This minimum stream flow begins at the headwaters of Bohannon Creek in the NW1/4 of Sec. 19, Twp 22N, Rge 24E, B.M., Lemhi County, and ends at the confluence of Bohannon Creek with the Lemhi River in the NW1/4 of Sec. 33, Twp 21N, Rge 23E, B.M., Lemhi County.
5. The place of use is within the stream reach between the beginning instream point and the ending instream point described for the points of diversion for this right.
6. This water right shall be measured at the Bohannon Creek Gage, located within the SENE, Section 33, T21N, R23E, Lemhi County. Upon further finding and order of the Director that other gaging stations are required to maintain the approved minimum flows under the water right, such measuring devices shall be permanently installed and maintained as specified by the Director.
7. There are no diversions associated with this minimum stream flow water right. The quantification point for this instream flow water right is at the above location.

State of Idaho
Department of Water Resources
Permit to Appropriate Water
No. 74-16261

8. Use of water under this right shall be non-consumptive.
9. This minimum stream flow is to preserve and protect habitat for fish.
10. The minimum stream flow may be satisfied and maintained through voluntary agreements between the Idaho Water Resource Board and Basin 74 water users and/or other available methods consistent with Idaho law.
11. Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 170 and sub-district 74C.

This water right is established pursuant to Chapter 15, Title 42, Idaho Code.

Signed this 7th day of November, 2022.



NICK MILLER
Hearing Officer

State of Idaho
Department of Water Resources
Permit to Appropriate Water
No. 74-16262

Priority: July 01, 2022

Maximum Diversion Rate: 18.0 CFS

This is to certify that

STATE OF IDAHO IDAHO WATER RESOURCE BOARD
322 E FRONT ST
PO BOX 83720 BOISE ID 83720-0098

has applied for a permit to appropriate water from:

Source : BIG TIMBER CREEK

Tributary: LEMHI RIVER

and a permit is APPROVED for development of water as follows:

| <u>Beneficial Use</u> | <u>Period of Use</u> | <u>Rate of Diversion</u> |
|-----------------------|----------------------|--------------------------|
| MINIMUM STREAM FLOW | 03/15 to 07/31 | 18.0 CFS |
| MINIMUM STREAM FLOW | 08/01 to 03/14 | 10.0 CFS |

Location of Point(s) of Diversion

BIG TIMBER CREEK SW¼ SW¼, Sec. 30, Twp 14N, Rge 25E, B.M. LEMHI County (Beginning of Stream Flow)

BIG TIMBER CREEK NE¼ SE¼, Sec. 20, Twp 16N, Rge 26E, B.M. LEMHI County (Ending of Stream Flow)

Conditions of Approval


1. Proof of application of water to beneficial use shall be submitted on or before **April 01, 2027**.
2. Subject to all prior water rights.
3. This minimum stream flow shall be junior to all previously decreed, licensed, or permitted water rights. The minimum stream flow shall also be junior to all water right applications with a priority date before July 1, 2022, and all Lemhi Basin stream flow maintenance water rights perfected pursuant to section 42-251, Idaho Code.
4. This minimum stream flow begins at the headwaters of Big Timber Creek in the SW1/4 of Sec. 30, Twp 14N, Rge 25E, B.M., Lemhi County, and ends at the confluence of Big Timber Creek with the Lemhi River in the SE1/4 of Sec. 20, Twp 16N, Rge 26E, B.M., Lemhi County.
5. The place of use is within the stream reach between the beginning instream point and the ending instream point described for the points of diversion for this right.
6. This water right shall be measured at the Big Timber Gage 13304050, located at Latitude 44°41'19.65", Longitude 113°22'13.46", Lemhi County. Upon further finding and order of the Director that other gaging stations are required to maintain the approved minimum flows under this water right, such measuring devices shall be permanently installed and maintained as specified by the Director.
7. There are no diversions associated with this minimum stream flow water right. The quantification point for this instream flow water right is at the above location.

State of Idaho
Department of Water Resources
Permit to Appropriate Water
No. 74-16262

8. Use of water under this right shall be non-consumptive.
9. This minimum stream flow is to preserve and protect habitat for fish.
10. The minimum stream flow may be satisfied and maintained through voluntary agreements between the Idaho Water Resource Board and Basin 74 water users and/or other available methods consistent with Idaho law.
11. Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 170 and sub-district 74W.

This water right is established pursuant to Chapter 15, Title 42, Idaho Code.

Signed this 7th day of November, 2022.



NICK MILLER
Hearing Officer

State of Idaho
Department of Water Resources
Permit to Appropriate Water
No. 74-16263

Priority: July 01, 2022

Maximum Diversion Rate: 60.0 CFS

This is to certify that

STATE OF IDAHO IDAHO WATER RESOURCE BOARD
322 E FRONT ST
PO BOX 83720 BOISE ID 83720-0098

has applied for a permit to appropriate water from:

Source : HAYDEN CREEK

Tributary: LEMHI RIVER

and a permit is APPROVED for development of water as follows:

| <u>Beneficial Use</u> | <u>Period of Use</u> | <u>Rate of Diversion</u> |
|-----------------------|----------------------|--------------------------|
| MINIMUM STREAM FLOW | 03/15 to 07/31 | 60.0 CFS |
| MINIMUM STREAM FLOW | 08/01 to 03/14 | 13.0 CFS |

Location of Point(s) of Diversion

HAYDEN CREEK NW¼ NW¼, Sec. 14, Twp 16N, Rge 22E, B.M. LEMHI County (Beginning of Stream Flow)

HAYDEN CREEK SW¼ SW¼, Sec. 21, Twp 18N, Rge 24E, B.M. LEMHI County (Ending of Stream Flow)

Conditions of Approval

1. Proof of application of water to beneficial use shall be submitted on or before **April 01, 2027**.
2. Subject to all prior water rights.
3. This minimum stream flow shall be junior to all previously decreed, licensed, or permitted water rights. The minimum stream flow shall also be junior to all water right applications with a priority date before July 1, 2022, and all Lemhi Basin stream flow maintenance water rights perfected pursuant to section 42-251, Idaho Code.
4. This minimum stream flow begins at the headwaters of Hayden Creek in the NW1/4 of Sec. 14, Twp 16N, Rge 22E, B.M., Lemhi County, and ends at the confluence of Hayden Creek with the Lemhi River in the SW1/4 of Sec. 21, Twp 18N, Rge 24E, B.M., Lemhi County.
5. The place of use is within the stream reach between the beginning instream point and the ending instream point described for the points of diversion for this right.
6. This water right shall be measured at the Hayden Creek Gage, located within the SWSW, Section 21, T18N, R24E, Lemhi County. Upon further finding and order of the Director that other gaging stations are required to maintain the approved minimum flows under the water right, such measuring devices shall be permanently installed and maintained as specified by the Director.
7. There are no diversions associated with this minimum stream flow water right. The quantification point for this instream flow water right is at the above location.

State of Idaho
Department of Water Resources
Permit to Appropriate Water
No. 74-16263

8. Use of water under this right shall be non-consumptive.
9. This minimum stream flow is to preserve and protect habitat for fish.
10. The minimum stream flow may be satisfied and maintained through voluntary agreements between the Idaho Water Resource Board and Basin 74 water users and/or other available methods consistent with Idaho law.
11. Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 170 and sub-district 74.

This water right is established pursuant to Chapter 15, Title 42, Idaho Code.

Signed this 7th day of November, 2022.



NICK MILLER
Hearing Officer

State of Idaho
Department of Water Resources
Permit to Appropriate Water
No. 74-16264

Priority: July 01, 2022

Maximum Diversion Rate: 16.0 CFS

This is to certify that

STATE OF IDAHO IDAHO WATER RESOURCE BOARD
322 E FRONT ST
PO BOX 83720 BOISE ID 83720-0098

has applied for a permit to appropriate water from:

Source : CANYON CREEK

Tributary: LEMHI RIVER

and a permit is APPROVED for development of water as follows:

| <u>Beneficial Use</u> | <u>Period of Use</u> | <u>Rate of Diversion</u> |
|-----------------------|----------------------|--------------------------|
| MINIMUM STREAM FLOW | 03/15 to 07/31 | 16.0 CFS |
| MINIMUM STREAM FLOW | 08/01 to 03/14 | 4.00 CFS |

Location of Point(s) of Diversion

CANYON CREEK L5 (SW¼ SW¼), Sec. 18, Twp 17N, Rge 27E, B.M. LEMHI County (Beginning of Stream Flow)

CANYON CREEK NE¼ NW¼, Sec. 28, Twp 16N, Rge 26E, B.M. LEMHI County (Ending of Stream Flow)

Conditions of Approval

1. Proof of application of water to beneficial use shall be submitted on or before **April 01, 2027**.
2. Subject to all prior water rights.
3. This minimum stream flow shall be junior to all previously decreed, licensed, or permitted water rights. The minimum stream flow shall also be junior to all water right applications with a priority date before July 1, 2022, and all Lemhi Basin stream flow maintenance water rights perfected pursuant to section 42-251, Idaho Code.
4. This minimum stream flow begins at the headwaters of Canyon Creek in the SW1/4 of Sec. 18, Twp 17N, Rge 27E, B.M., Lemhi County, and ends at the confluence of Canyon Creek with the Lemhi River in the NW1/4 of Sec. 28, Twp 16N, Rge 26E, B.M., Lemhi County.
5. The place of use is within the stream reach between the beginning instream point and the ending instream point described for the points of diversion for this right.
6. This water right shall be measured at the Canyon Creek Gage, located within the NWNE, Section 28, T16N, R26E, Lemhi County. Upon further finding and order of the Director that other gaging stations are required to maintain the approved minimum flows under the water right, such measuring devices shall be permanently installed and maintained as specified by the Director.
7. There are no diversions associated with this minimum stream flow water right. The quantification point for this instream flow water right is at the above location.

State of Idaho
Department of Water Resources
Permit to Appropriate Water
No. 74-16264

8. Use of water under this right shall be non-consumptive.
9. This minimum stream flow is to preserve and protect habitat for fish.
10. The minimum stream flow may be satisfied and maintained through voluntary agreements between the Idaho Water Resource Board and Basin 74 water users and/or other available methods consistent with Idaho law.
11. Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 170 and sub-district 74W.

This water right is established pursuant to Chapter 15, Title 42, Idaho Code.

Signed this 7th day of November, 2022.



NICK MILLER
Hearing Officer

EXPLANATORY INFORMATION TO ACCOMPANY A PRELIMINARY ORDER

(To be used in connection with actions when a hearing was held)

The accompanying order is a **Preliminary Order** issued by the Idaho Department of Water Resources (Department) pursuant to section 67-5243, Idaho Code. **It can and will become a final order without further action of the Department unless a party petitions for reconsideration or files an exception and brief as further described below:**

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the hearing officer within fourteen (14) days of the service date of the order as shown on the certificate of service. **Note: the petition must be received by the Department within this fourteen (14) day period.** The hearing officer will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after: (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding to the Director. Otherwise, this preliminary order will become a final order of the agency.

If any party appeals or takes exceptions to this preliminary order, opposing parties shall have fourteen (14) days to respond to any party's appeal. Written briefs in support of or taking exceptions to the preliminary order shall be filed with the Director. The Director retains the right to review the preliminary order on his own motion.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, request for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with Rules of Procedure 302 and 303.

FINAL ORDER

The Department will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The Department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its service date if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) The petition for reconsideration is disposed of; or
- (b) The petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 20th day of November 2022, I served a true and correct copy of the foregoing document on the following by the method(s) indicated below:

State of Idaho
Idaho Water Resource Board
c/o Brian Patton, Executive Officer
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Applicant

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Nick Miller
Hearing Officer

Memorandum



To: Idaho Water Resource Board
From: Neeley Miller, Planning & Projects Bureau
Date: November 8, 2022
Re: Aging Infrastructure Grant Program Update

Action: No action needed at this time

During its 2022 session, the Idaho legislature appropriated \$75,000,000 to the IWRB to “be used for expenditures, loans, or grants for water projects, including studies, to address water sustainability, rehabilitate or improve aging water infrastructure or support flood management.” H.B. 769, §§ 6, 7. The legislature provided that “no more than one-third of these moneys shall be used for grants”, and directed the IWRB to develop criteria, taking into account the public's input for the expenditures of money for grants, which shall be competitive, matching grants that prioritize projects based on the public benefits they provide.

On June 7 the IWRB adopted the aging infrastructure grant criteria which set out the application guidelines, application due date of August 5th and the budget for round one of \$12.5 million.

The IWRB received 31 grant applications requesting approximately \$41 million in funding. These applications were evaluated, scored and ranked by the staff evaluation team according to the criteria adopted by IWRB. On September 16th the IWRB authorized a resolution awarding \$12.5 million for 12 aging infrastructure projects throughout Idaho.

| Aging Infrastructure Funded Applications - Round One | | |
|--|---------------------|-------------------|
| Entity | Total Project Costs | Awarded Funding |
| Bannock Feeder; Diversion Replacement | 885,110 | 250,000 |
| Big Lost; Dam Repair | 9,082,856 | 2,000,000 |
| Boise Project Board of Control - New York Canal Lining | 7,330,000 | 2,418,900 |
| Chester Canal & Irrigation Company; Diversion Headgate | 129,238 | 29,725 |
| Dalton Gardens Irrigation District; Delivery Improvements | 69,000 | 23,460 |
| Enterprize Canal Company; Converting Canal to Pipeline | 8,291,597 | 2,736,227 |
| Falls Irrigation District; Pump Station Rehab | 9,095,000 | 200,588 |
| Fremont Madison Irrigation District; Upgrades to Diversion | 232,874 | 58,200 |
| King Hill Irrigation District; Pump Station & Closed Conduit | 6,154,187 | 1,980,259 |
| Nampa-Meridian Irrigation District; Ridenbaugh Modernization | 9,637,000 | 1,820,048 |
| North Side Pumping Company; pump station/canal | 4,138,388 | 951,800 |
| Water District 63; Monitoring System Upgrades | 133,883 | 30,793 |
| | 55,179,133 | 12,500,000 |

On October 26th the IWRB passed a resolution updating the criteria for the award of aging infrastructure funds and set the round two application deadline for December 9, 2022.

Memorandum



To: Idaho Water Resource Board
From: Neeley Miller, Planning & Projects Bureau
Date: November 9, 2022
Re: Regional Water Sustainability Priority List

Action: No action required at this time

Background

In July 2021 the IWRB adopted an initial Regional Water Sustainability Priority List to help guide the Idaho Water Resource Board's (IWRB's) spending for large, regional water sustainability projects from ARPA funds, state general funds, or other applicable sources. The IWRB also, in January 2022, adopted a threshold criteria indicating that for a project to be included on the Regional Water Sustainability Priority List it must "help achieve water supply sustainability on a regional, basin-wide, or state wide basis."

State general funds made available for regional water sustainability projects are placed into the Water Management Account, which is managed by the IWRB. Idaho Code 42-1760(2)(d) requires that when authorizing the use of funds from the Water Management Account the IWRB "must protect all existing water rights and consider the effects of such projects on other water uses, such as water quality, fish and wildlife, recreation, and hydropower, that provide economic value, stability, water sustainability, drought resiliency, and other benefits to the citizens of the state.;" and

On April 20, 2022, staff presented the Finance Committee with a proposed criteria for inclusion on the Regional Water Sustainability Priority List. The Committee chose to open a 30-day public comment period on the draft criteria for funding water projects statewide. On September 8, 2022, staff presented the Finance Committee with an updated criteria and discussed the public comments that were received. The Committee chose to open a second 30-day public comment period on the updated draft criteria.

At the October 20th Finance Committee staff discussed the public comments received during the second public comment period. The Committee recommended criteria to be adopted by the IWRB. On October 26th the IWRB adopted criteria for the inclusion of projects on the Regional Water Sustainability Priority List. The criteria include a process for how projects can be added, types of information required to be submitted in requests, considerations for inclusion, and a process for removing projects from the list. At the October 26th meeting the IWRB also set a deadline of December 1 for requests to be submitted.

The IWRB Finance Committee will consider requests to be added to the list and make a recommendation to the IWRB. The Regional Water Sustainability Priority List will be updated annually at the regularly scheduled January IWRB meeting.

Memorandum



To: Idaho Water Resource Board (IWRB)
From: Brian Patton, Planning & Projects Bureau
Date: November 9, 2022
Re: Big Lost Groundwater Flow Model Update

ACTION: No action requested at this time

Sean Vincent will provide an update on the Big Lost Groundwater Flow Model.

MEMO



To: Idaho Water Resource Board

From: Kala Golden

Date: November 2, 2022

Subject: North Side Energy Company– New Water Project Loan Application

REQUESTED ACTION: Approve loan request of \$2,300,000

1.0 BACKGROUND

North Side Energy Company (NSEC), a subsidiary of North Side Canal Company (NSCC), is requesting a new loan in the amount of \$2,300,000 from the Idaho Water Resource Board (IWRB) to refinance an existing loan with Northwest Farm Credit Services (NWFCFS).

NSCC was first established in 1905, and currently provides water for 160,000 acres of irrigated land in Jerome, Gooding, and Elmore Counties. NSEC was later established in the 1990's to facilitate power generation, and currently operates 3 hydroelectric facilities producing 57,000 megawatt hours (MWH) that is sold to Idaho Power Company. NSCC also partners with Idaho West Energy on 2 other hydroelectric facilities, producing an additional 45,000 MWH.

2.0 PROJECT

The NSEC's existing variable rate loan with NWFCFS was used for the Head of the U Canal Hydro (Project), a project that replaced aging canal infrastructure and constructed a hydroelectric facility. Revenues generated from NSEC's hydropower facilities will be applied towards the loan, and will then be used to operate, maintain, and make improvements to NSCC facilities.

The Head of the U Canal project was constructed in 2013-2014, and the hydroelectric facility was brought online in 2015. The facility's current capacity is 1.28 megawatts, utilizing 8 siphon-type turbines that generate 150 kilowatt hours each.

3.0 PRIOR LOANS

NSCC currently holds an existing loan with IWRB with a balance of approximately \$1,486,500. The loan was approved for \$5,200,000 at 3.5% for a project to line its main canal. NSEC, as a subsidiary of NSCC, has not previously held a loan with the IWRB.

4.0 FINANCIAL ANALYSIS

| Debtor | Payment Amount | Current Balance | Remaining Term (Yrs) | |
|--------------------------------|-------------------|---------------------|----------------------|------|
| Northwest Farm Credit Services | \$ 254,336 | \$ 2,295,894 | 17 | |
| Northwest Farm Credit Services | \$ 106,422 | \$ 1,007,850 | 15 | |
| Idaho Water Resource Board | \$ 131,915 | \$ 1,486,566 | 14 | NSCC |
| Total | \$ 492,673 | \$ 4,790,310 | | |

NSEC proposes to refinance the existing loan with NWFCFS that currently holds a loan balance of approximately \$2,295,894.

| Term (Years) | Estimated Annual Payment | Total Annual Loan Payments | Average Annual Revenues | |
|--------------|--------------------------|----------------------------|-------------------------|------|
| 30 | \$145,380 | \$383,717 | \$10,850,000 | NSCC |

Other Sources of Revenue

| | | |
|------------------------------|---------------------|------|
| Conveyance- Managed Recharge | \$ 450,000 | |
| Wheeling- GW Conversion | \$ 200,000 | |
| Flow Augmentation (USBR) | \$ 500,000 | |
| Hydropower Generation | \$ 5,250,000 | NSEC |
| Total | \$ 6,400,000 | |

5.0 SECURITY

As collateral for the loan, the Board is authorized to hold lien against the Company's facilities and infrastructure. NSCC water rights are held under security to its existing loan.

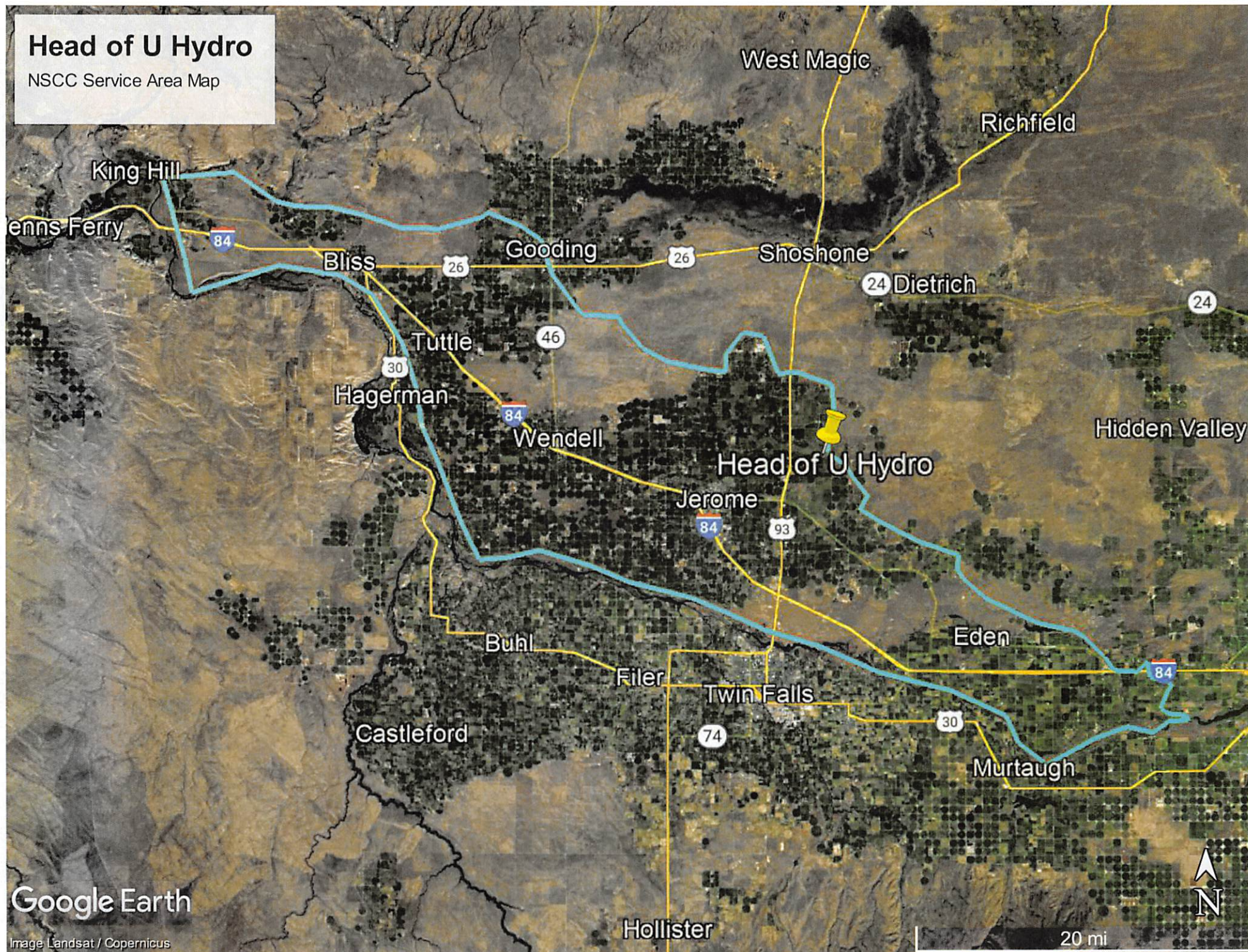
6.0 CONCLUSION AND RECOMMENDATION

This loan will be used to refinance an existing water project loan held with Northwest Farm Credit Services. The Company is a qualified applicant, and the project for which the initial loan funded is consistent with the goals of the Board as identified within the Idaho State Water Plan. Staff recommend approval of the loan request, for the total amount of \$2,300,000.

Attachments: NSEC Loan Resolution (Draft)

Head of U Hydro

NSCC Service Area Map



Google Earth

Image Landsat / Copernicus

BEFORE THE IDAHO WATER RESOURCE BOARD

IN THE MATTER OF THE NORTH SIDE ENERGY
COMPANY LOAN REQUEST

RESOLUTION TO AUTHORIZE LOAN FUNDING
FOR REFINANCING OF EXISTING WATER
PROJECT LOAN

1 WHEREAS, North Side Energy Company (Company) submitted a loan application to the Idaho
2 Water Resource Board (IWRB) in the amount of \$2,300,00 to refinance an existing water project loan
3 (Project); and
4

5 WHEREAS, the Company received loan funding from the Northwest Farm Credit Services
6 (NWFCFS) for a project to replace infrastructure and construct a hydropower facility; and
7

8 WHEREAS, the Company's loan with NWFCFS is currently under a variable rate and the company
9 would like to secure fixed rate financing; and
10

11 WHEREAS, the Company is a qualified applicant, and the proposed Project is eligible for a loan
12 from the IWRB's Revolving Development Account; and
13

14 WHEREAS, the proposed Project is in the public interest and is in compliance with the State
15 Water Plan.
16

17 NOW THEREFORE BE IT RESOLVED that the IWRB approves a loan not to exceed \$2,300,00 from
18 the Revolving Development Account at 4.75% interest with a 30-year repayment term.
19

20 NOW THEREFORE BE IT FURTHER RESOLVED that the IWRB provides authority to the Chairman
21 of the IWRB, or his designee, to enter into contracts, to effectuate the loan, on behalf of the IWRB.
22

23 NOW THEREFORE BE IT FURTHER RESOLVED that this resolution and the approval of the loan are
24 subject to the following conditions:
25

- 26 1) Prior to the disbursement of any funds, the Company will provide acceptable security for the
27 loan to the IWRB, including but not limited to its facilities and infrastructure.
28 2) The Company shall maintain a reserve fund equal to one annual loan payment until the loan
29 has been satisfied.
30

DATED this 18th day of November 2022.

JEFF RAYBOULD, Chairman

Idaho Water Resource Board

ATTEST _____
JO ANN COLE-HANSEN, Secretary

Resolution No. _____

MEMO



To: Idaho Water Resource Board

From: Kala Golden

Date: November 2, 2022

Subject: North Side Pump Company– New Water Project Loan Application

REQUESTED ACTION: Approve loan request of \$995,000

1.0 BACKGROUND

North Side Pump Company (NSPC) is requesting a new loan in the amount of \$995,000 from the Idaho Water Resource Board (IWRB) for a project to abandon 2 of its pump stations that are nearing a century old, and convert sections of its open channel system

NSPC was first established in 1915 and currently provides water for 12,000 acres of irrigated land in Jerome County, Idaho. The Company's pump system infrastructure is beginning to reflect its age and many components will need to be replaced or decommissioned in the near future.

2.0 PROJECT

The existing pumping plants will be replaced by a number of small-scale high efficiency pump stations optimized to individual landowner irrigation needs. The small-scale pump stations will be connected to existing on-farm irrigation infrastructure through a series of new pipelines, allowing for the abandonment of the canals. The Project is estimated to result in approximately 6,290 acre-feet of annual water savings, that will remain in storage on the Snake River system.

3.0 PRIOR LOANS

NSPC has not previously held a loan with the IWRB.

4.0 FINANCIAL ANALYSIS

| Term (Years) | Average Annual Income | Average Cash on Hand | Estimated Annual Payment | Current Assessments Cost/Share/Year | Total Shares |
|-----------------|-----------------------------|----------------------------|--------------------------------|---|--------------|
| 15 | \$392,094 | \$365,000 | \$94,250 | \$53 | 7,398 |

5.0 SECURITY

As collateral for the loan, the Board is authorized to hold lien against NSPC's shareholder assessments, water rights, and facilities and infrastructure.

6.0 CONCLUSION AND RECOMMENDATION

This loan will be used for a project to abandon aged pump infrastructure and convert sections of the system to individual pump stations. North Side Pumping Company is a qualified applicant, and the project for which the applicant has proposed is consistent with the goals of the Board as identified within the Idaho State Water Plan. Staff recommend approval of the loan request, for the total amount of \$995,000.

Attachments: NSPC Loan Resolution (Draft)

North Side Pump Company Map

The two existing pumping plants to be eliminated by the project are located at the following geographic coordinates.

Pumping Plant 1: 42°34'34.72"North Latitude, 114° 6'7.72"West Longitude

Pumping Plant 3: 42°33'39.13" North Latitude, 114°12'1.21"West Longitude

A project vicinity map is provided below in Figure 5.



Figure 5 – Project Vicinity Map

BEFORE THE IDAHO WATER RESOURCE BOARD

IN THE MATTER OF THE NORTH SIDE PUMPING
COMPANY LOAN REQUEST

RESOLUTION TO AUTHORIZE LOAN FUNDING
FOR PROJECT TO CONVERT CANALS AND
UPGRADE SYSTEM INFRASTRUCTURE

1 WHEREAS, North Side Pump Company (Company) submitted a loan application to the Idaho
2 Water Resource Board (IWRB) in the amount of \$995,000 for a project to covert open channel canals
3 and pump systems (Project); and
4

5 WHEREAS, the Company was founded in 1915 and currently delivers water for 12,000 acres of
6 irrigated lands in Jerome County, utilizing 5 pumping plants and network of open canals; and
7

8 WHEREAS, the Company will need to decommission 2 pumping plants nearing a century in age,
9 and proposes to convert to individual pump stations with closed pipe conveyance to those shareholders;
10 and
11

12 WHEREAS, the total Project costs are estimated to be \$4,139,000 and the applicant has secured
13 grant funding and in kind services to support the total Project costs; and
14

15 WHEREAS, the Company is a qualified applicant, and the proposed Project is eligible for a loan
16 from the IWRB's Revolving Development Account; and
17

18 WHEREAS, the proposed Project is in the public interest and is in compliance with the State
19 Water Plan.
20

21 NOW THEREFORE BE IT RESOLVED that the IWRB approves a loan not to exceed \$995,000 from
22 the Revolving Development Account at 3.33% interest with a 15-year repayment term.
23

24 NOW THEREFORE BE IT FURTHER RESOLVED that the IWRB provides authority to the Chairman
25 of the IWRB, or his designee, to enter into contracts, to effectuate the loan, on behalf of the IWRB.
26

27 NOW THEREFORE BE IT FURTHER RESOLVED that this resolution and the approval of the loan are
28 subject to the following conditions:
29

- 30 1) The Company shall comply with all applicable rules and regulations that apply to the
31 proposed Project.
32 2) Prior to the disbursement of any funds, the Company shall provide acceptable security for
33 the loan to the IWRB, including but not limited to its shareholder assessments, water rights,
34 and its facilities and infrastructure.
35 3) The Company shall maintain a reserve fund equal to one annual loan payment until the loan
36 has been satisfied.
37

DATED this 18th day of November 2022.

JEFF RAYBOULD, Chairman
Idaho Water Resource Board

ATTEST _____
JO ANN COLE-HANSEN, Secretary

DRAFT

Resolution No. _____

Page 2

MEMO



To: Idaho Water Resource Board

From: Kala Golden

Date: November 7, 2022

Subject: Raft River Recharge Group– New Water Project Loan Application

REQUESTED ACTION: Approve loan request of \$14,111,000

1.0 BACKGROUND

The Raft River Recharge Group (RRRG) is requesting a new loan in the amount of \$14,111,000 from the Idaho Water Resource Board (IWRB) for a project to construct a pump station, pipeline, and recharge basins, including bank stabilization, expanded electrical infrastructure, and improvements to existing flood diversions (Project).

RRRG was formed in 2015 to address declining groundwater levels in the Raft River Aquifer.

The RRRG is organized to conduct a reconnaissance level study of the feasibility of constructing one or more pipelines from the Snake River to deliver water to lands in the area of Malta, ID, and to carry out the actual construction of the pipeline if the project is deemed feasible.

2.0 PROJECT NEED

The Proposed Project is necessary to recharge groundwater in the Raft River aquifer.

Brockway Engineering studied the ground water levels in 2017 within the watershed.

Groundwater recharge is needed to raise groundwater levels and avoid additional State of Idaho administrative action that may be triggered if groundwater levels continue to decline in this Critical Ground Water Area (CGWA).

The depletion of groundwater elevations in the Raft River Basin has caused the Raft River to become a subterranean and intermittent surface water source. This has affected agricultural producers who once depended on the Raft River as their primary source of irrigation water. Many agricultural producers have transitioned to groundwater as their primary source of irrigation water, putting increased pressure on the aquifer due to increasing withdrawals. Since the river has become an intermittent surface water feature, the riverbed does not support riparian habitat to stabilize the streambanks and prevent erosion.

The Proposed Project is also needed to improve water quality. Flood events have produced high sediment load flooding, which has damaged crops, highways, livestock, and residential buildings. During flood events, suspended sediment is carried down to the confluence of the Raft River and the Snake River into the Minidoka National Wildlife Refuge. The high sediment load has filled in sensitive wetlands and is damaging fragile habitat in the refuge.

3.0 PROJECT PROPOSAL

The Proposed Project will provide flood protection for the Raft River Basin, provide recharge to a designated CGWA aquifer, and provide a sustainable source of irrigation water for agricultural producers. This project includes

- Construction of suction lines or an open channel from the Snake River,
- Construction of a pump station located on private property near the Snake River, and
- Installation of a 13-mile (68,872 feet) long north to south buried pipeline to deliver 70 cubic feet per second (cfs) of water for groundwater recharge and 30 cfs for agricultural irrigation.

- Construction of flood control and recharge basins along the Raft River floodplain to provide for 620 acre-feet (ac-ft) of floodwater detention while reducing flood risk and recharging the groundwater aquifer.
- Construction of an 85 ac-ft debris and storage facility along Heglar Creek for flood and sediment control.
- Construction of a 25-megawatt (MW) substation that includes a control building and associated equipment on a 1.5-acre site to supply power to the proposed pump station
- Improvements to the existing diversions to flood channels of the Raft River, Cassia Creek, and Middle Fork of Cassia Creek.
- Provisions for bank restoration and stabilization to protect against erosion and degradation and to decrease sediment load during flood events on Heglar Creek.

4.0 PRIOR LOANS

RRRG has not previously held a loan with the IWRB.

5.0 PROJECT FUNDING

The Project was selected by the USDA-NRCS Watershed Protection and Flood Prevention Program and is being sponsored by the Raft River Flood District No. 15, with the RRRG and Raft River Electric as Co-sponsors. The Project will receive funding in 3 phases. Phase 1 includes the development of a watershed plan environmental analysis (EA) and was completed Fall of 2022. The design phase is expected to be complete in 2023, and the construction phase will be completed through 2024.

| | | | |
|----------------------------|-----------|-------------------|----------------|
| Total Project Costs | \$ | 48,602,082 | |
| USDA-NRCS Phase 2 | \$ | 3,241,142 | |
| USDA-NRCS Phase 3 | \$ | 25,000,000 | |
| RRRG (Cash) | \$ | 6,250,000 | |
| | \$ | 14,110,940 | Remaining Need |

RRRG is seeking loan funding to cover the remaining project needs.

| Term (Years) | Estimated Annual Payment | Current Assessments Cost/Share/Year | Total Shares |
|-------------------------|---|--|---------------------|
| 20 | \$1,108,425 | Varies as Needed | 6 |

6.0 SECURITY

As collateral for the loan, the Board is authorized to hold lien against RRRG's shareholder assessments, water rights, and all facilities and infrastructure. The RRRG currently holds one 'Application for Water Right' under Permit No. 01-10644 with priority date 01/25/2017 for a total of 70CFS.

7.0 CONCLUSION AND RECOMMENDATION

This loan will be used for a project to construct recharge and flood control infrastructure. The project for which the applicant has proposed is consistent with the goals of the Board as identified within the Idaho State Water Plan. Staff recommend approval of the loan request, for the total amount of \$14,111,000.

Attachments: RRRG Loan Resolution (Draft)

BEFORE THE IDAHO WATER RESOURCE BOARD

IN THE MATTER OF THE RAFT RIVER RECHARGE
GROUP LOAN REQUEST

RESOLUTION TO AUTHORIZE LOAN FUNDING
FOR PROJECT TO CONSTRUCT RECHARGE
AND FLOOD CONTROL INFRASTRUCTURE

1 WHEREAS, Raft River Recharge Group (Group) submitted a loan application to the Idaho Water
2 Resource Board (IWRB) in the amount of \$14,111,000 for a project to construct aquifer recharge and
3 flood control infrastructure (Project); and
4

5 WHEREAS, the Group was formed in 2015 to address declining aquifer levels in the Raft River
6 Aquifer; and
7

8 WHEREAS, Group members collectively hold over 50,000 acres of land within the project area;
9 and
10

11 WHEREAS, the total Project costs are estimated to be \$48,602,082 and the applicant has
12 secured federal funding in the amount of \$28,241,142 to support the total Project costs; and
13

14 WHEREAS, the proposed Project is eligible for a loan from the IWRB's Revolving Development
15 Account; and
16

17 WHEREAS, the proposed Project is in the public interest and is in compliance with the State
18 Water Plan.
19

20 NOW THEREFORE BE IT RESOLVED that the IWRB approves a loan not to exceed \$14,111,000
21 from the Revolving Development Account at 4.75% interest with a 20-year repayment term.
22

23 NOW THEREFORE BE IT FURTHER RESOLVED that the IWRB provides authority to the Chairman
24 of the IWRB, or his designee, to enter into contracts, to effectuate the loan, on behalf of the IWRB.
25

26 NOW THEREFORE BE IT FURTHER RESOLVED that this resolution and the approval of the loan are
27 subject to the following conditions:
28

- 29 1) The Company shall comply with all applicable rules and regulations that apply to the
30 proposed Project.
- 31 2) Prior to the disbursement of any funds, the Company shall provide acceptable security for
32 the loan to the IWRB, including but not limited to its shareholder assessments, water rights,
33 and its facilities and infrastructure.
- 34 3) The Company shall maintain a reserve fund equal to one annual loan payment until the loan
35 has been satisfied.
36

DATED this 18th day of November 2022.

JEFF RAYBOULD, Chairman
Idaho Water Resource Board

ATTEST _____
JO ANN COLE-HANSEN, Secretary

Resolution No. _____

Page 2

MEMO



To: Idaho Water Resource Board Finance Committee

From: Kala Golden

Date: November 5, 2022

Subject: Blaine County Canal Company– Loan Increase

REQUESTED ACTION: Increase existing loan to an amount not to exceed \$1,800,000

1.0 BACKGROUND

On November 19, 2021, the Idaho Water Resource Board (Board) approved a loan to Blaine County Canal Company (Company) in the amount of \$250,000 for a project to replace its diversion structure and convert a section of its open canals to closed pipe (Project).

The total project costs were estimated to be approximately \$1,500,000. The Company was awarded grant funding in the amount of \$900,000 from NRCS, \$100,000 from Trout Unlimited, and will additionally receive a savings incentive from Rocky Mountain Power Company for approximately \$240,000. The Board approved a loan to the Company in the amount of \$250,000 to cover the remaining portion of the Project costs, at 2.6% for a 15-year term. The Company currently holds a reserve fund and has no other outstanding debt.

Due to market conditions, it was necessary for the Company to purchase pipe well in advance to secure project costs and ensure timely delivery. Grant funds awarded for the project cannot be released until the pipe and associated project materials have been installed. The Company needed to cover costs for the pipe until grant funds could be released. As such, the Company requested an increase of \$900,000 to temporarily cover the cost of materials, with the intent to pay back the loan as soon as grant awards had been disbursed.

The Company promptly repaid \$686,250 to the loan upon receipt of grant disbursements and has since received an additional grant award notice to continue converting sections of its

canal system with a second phase. The Company would again like to use loan funds to cover materials until the second grant can be disbursed.

2.0 PRIOR LOANS

The Company has not previously held any other loans with the IWRB.

3.0 FINANCIAL SUMMARY

| Total Disbursements To-Date | Total Payments Received | Loan Balance To-Date | Available Undisbursed Funds | Available Funds with Loan Increase |
|------------------------------------|--------------------------------|-----------------------------|------------------------------------|---|
| \$ 772,188 | \$686,253 | \$ 85,935 | \$371,270 | \$1,021,270 |

4.0 SECURITY

As collateral for the loan, the Board is authorized to hold lien against the Company's membership assessments, water rights, and all Project infrastructure.

5.0 CONCLUSION AND RECOMMENDATION

This loan will be used to replace the Company's deteriorated diversion structure and pipe sections of its canals. Staff recommends approval of the Company's request to increase the total approved loan amount to \$1,800,000.

Attachments: BCCC Loan Amendment Resolution (Draft)

BEFORE THE IDAHO WATER RESOURCE BOARD

IN THE MATTER OF THE BLAINE COUNTY CANAL
COMPANY LOAN REQUEST

RESOLUTION TO AUTHORIZE INCREASED
FUNDING FOR COSTS RELATED TO
INFRASTRUCTURE IMPROVEMENTS

1 WHEREAS, Blaine County Canal Company (Company) submitted a loan application to the Idaho
2 Water Resource Board (IWRB) in the amount of \$250,000.00 to cover costs associated with a project to
3 move its point of diversion, install a new diversion structure, and pipe open canals (Project); and
4

5 WHEREAS, the Company delivers water for approximately 4,880 acres of irrigated lands in Butte
6 County near Howe, Idaho; and
7

8 WHEREAS, the Company's delivery system was originally constructed in the early 1900s, with
9 few improvements made since the system was developed; and
10

11 WHEREAS, considerable systemwide improvements are required to ensure long-term reliable
12 water delivery and reduce water loss due to seepage; and
13

14 WHEREAS, the total estimated cost for the first Phase of the Project was approximately
15 \$1,500,000 and was supported by grant funding and an energy savings; and
16

17 WHEREAS, in May of 2022, the IWRB approved an increase to the Company's existing IWRB loan
18 in the amount of \$900,000 to cover the cost of materials until the installation of pipe was complete and
19 grant funds could be disbursed; and
20

21 WHEREAS, the Company promptly applied grant funds in the amount of \$686,250 towards its
22 loan upon receipt of the disbursement; and
23

24 WHEREAS, the Company has since received additional grant funding to continue into the second
25 phase of infrastructure improvements, and is requesting an increase of \$650,000 to its existing loan with
26 the IWRB, to match grant funds; and
27

28 WHEREAS Blaine County Canal Company is a qualified applicant, and the proposed project
29 qualifies for a loan from the IWRB's Revolving Development Account; and
30

31 WHEREAS, the proposed project is in the public interest and is in compliance with the State
32 Water Plan.
33

34 NOW THEREFORE BE IT RESOLVED that the IWRB approves an increase of \$650,000 to the
35 existing approved loan, for a total amount not to exceed \$1,800,000 from the Revolving Development
36 Account at 2.6 % interest with a 15-year repayment term.
37

38 NOW THEREFORE BE IT FURTHER RESOLVED that the IWRB authorizes its chairman or designee
39 to modify existing contracts with the Company.
40

41 NOW THEREFORE BE IT FURTHER RESOLVED that this resolution and the approval of the loan
42 remain subject to the following conditions:
43

- 44 1) The Company shall comply with all applicable rules and regulations that apply to the
45 proposed Project.
- 46 2) The Company shall maintain the existing securities to the loan to the IWRB under the
47 current loan contract.
- 48 3) The Company shall maintain a reserve fund equal to one annual loan payment, based on the
49 total amount disbursed, until the loan has been satisfied.
50

DATED this 18th day of November 2022.

JEFF RAYBOULD, Chairman
Idaho Water Resource Board

ATTEST _____
JO ANN COLE-HANSEN, Secretary

Memorandum



To: Idaho Water Resource Board (IWRB)
From: Brian Patton, Planning & Projects Bureau
Date: November 9, 2022
Re: Potential Legislation of Interest

ACTION: No action requested at this time

Garrick Baxter of the Attorney General's office will provide an update on potential legislation of interest.


Memorandum

To: Idaho Water Resource Board (IWRB)
From: Brian Patton, Planning & Projects Bureau
Date: November 9, 2022
Re: IDWR Staffing Update



ACTION: No action requested at this time

Deputy Director Mathew Weaver will provide an update on current staffing efforts for IDWR.



Summary of IDWR Hiring Status and Employee Demographics

IWRB November Work Session

Nov. 17, 2022

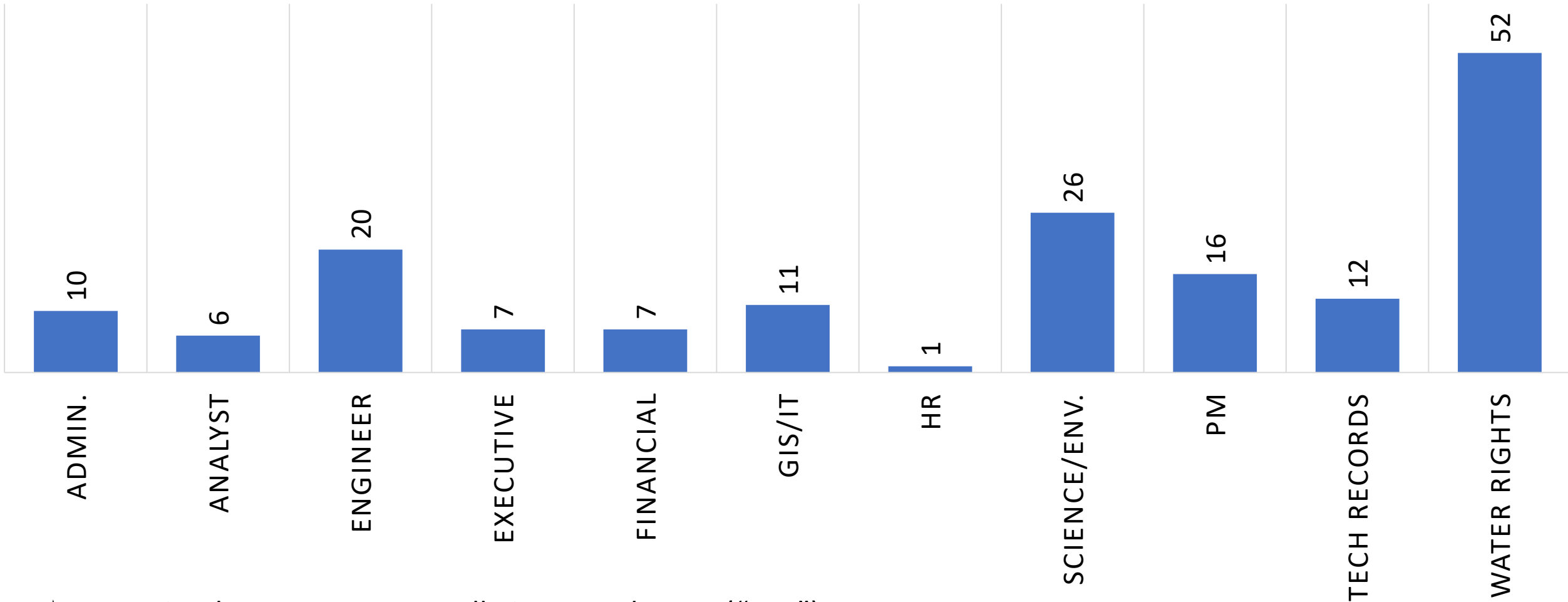
Mat Weaver

*Char Falls on Lightning
Creek near Hope, ID.
July 2022*



IDAHO DEPARTMENT OF
WATER RESOURCES

SUMMARY OF IDWR JOB CLASSES



- 💧 Last Fiscal Year 2022: 153 Full Time Employees (“FTE”)
- 💧 Current Fiscal Year 2023: 168 FTEs, 15 new FTEs added to agency budget.
- 💧 IDWR Current Status: 148 FTEs Filled (88%), 20 FTEs Vacant (12%)
- 💧 State FY2022 Status: 23,184 Positions Filled (92%), 2,062 Positions Unfilled (8%)

| NEW POSITIONS | STATUS | SUP/MGR | JOB# | NOTES |
|--|-----------------------------|---------|-------------|--|
| 221 | | | | |
| 222 TECH SERVICES BUREAU CHIEF | WIP | WEAVER | | JD/ANNOUNCEMENT DRAFT TO DHR 11/1/22 |
| 223 FINANCIAL TECHNICIAN | DRAFT TO → | MARSTON | | |
| 224 TECH RECORDS SPECIALIST (BRBA) | OFFER? | HOLMES | 15740 | |
| 225 Stream Channel Protection Specialist | FILLED! | GOLART | 15730 | Katie Gobble Start 12/5/22 |
| 226 HYDROGEOLOGIST (GW) | DRAFT to → | BOE | 16696 | |
| 227 WRA/SR (BRBA) | FILLED! | HOLMES | 15520 | Jill Woodhouse |
| 228 WRA/SR (BRBA) | FILLED! | HOLMES | 15521 | Kyle McMurRAY |
| 229 HYDROLOGIST STAFF/TECH (HYDROLOGY) | INTERVIEWS COMPLETE | ANDERS | 15586/15587 | |
| 230 WRA, PRINCIPAL (WATER DISTRIBUTION) | FILLED! | WATTNEY | 15246 | STEVE VISOSKY |
| 231 WRA, PRINCIPAL (WATER RIGHTS) | CLOSED 10/12/NO APPLS | HUMMER | 16185 | POSTED/NO APPLICANTS/MAY NEED TO RE-POST |
| 232 PROJECT MANAGER (PLANNING) | OFFER | HIPKE | 15156 | |
| 233 PROJECT MANAGER (PLANNING) | OFFER | HIPKE | 15156 | |
| 234 PROJECT MANAGER (HYDROLOGY) | REFERRS TO PLANNING MANAGER | TESCH | 16188 | |
| 235 ENGINEER TECH I (WATER ALLOCATION) | | KEEN | | |

HR Hiring Status Board for New Positions.
October 2022

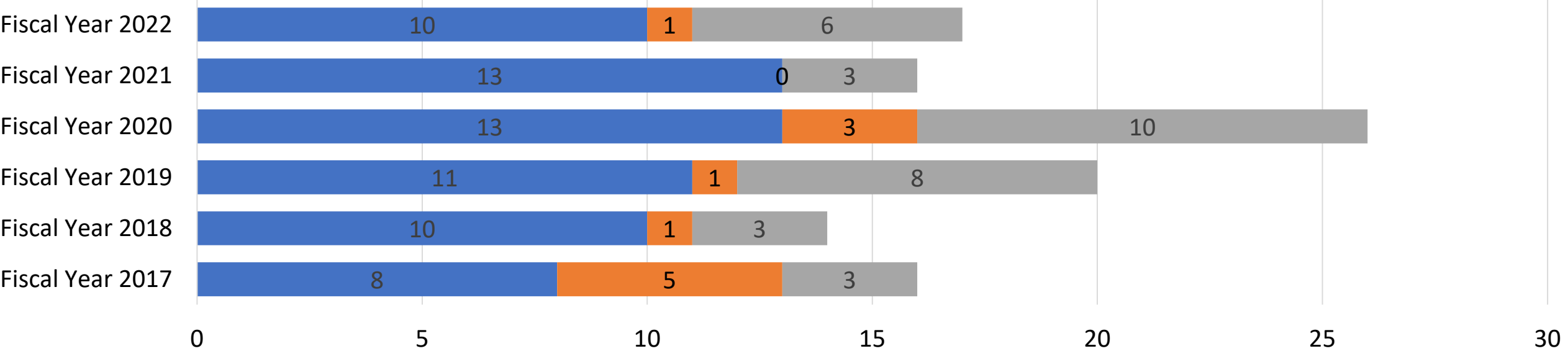
FISCAL YEAR 2023 NEW POSITIONS

| PCN | Title | Status | Group | Hiring Manager |
|-----|--------------------------------------|--|---------------------------|----------------|
| 221 | Regional Operations Bureau Chief | Pending/DHR | Executive | Keen |
| 222 | Technical Services Bureau Chief | Pending/DHR | Executive | Weaver |
| 223 | Financial Technician | Draft Announcement | Financial | Marston |
| 224 | Technical Records Specialist | Filled (Marion Beck) | Adjudication | Holmes |
| 225 | Stream Channel Protection Specialist | Filled (Katie Gibble) | Stream Channel Protection | Golart |
| 226 | Hydrogeologist | Draft Announcement | Ground Water Protection | Boe |
| 227 | Water Resource Agent, Sr. | Filled (Kyle McMurray) | Adjudication | Holmes |
| 228 | Water Resource Agent, Sr. | Filled (Joe Woodhouse) | Adjudication | Holmes |
| 229 | Hydrologist | Filled (Heidi Smith) | Hydrology | Anders |
| 230 | Water Resource Agent, Principal | Filled (Steve Visosky) | Water Distribution | Whitney |
| 231 | Water Resource Agent, Principal | Advertised 1x; pending 2 nd Advertisement | Water Rights | Hummer |
| 232 | Project Manager | Filled (Justin Ferguson) | Planning & Projects | Hipke |
| 233 | Project Manager | Filled (Amy Cassel) | Planning & Projects | Hipke |
| 234 | Project Manager | Filled (Amy Steimke) | Hydrology | Tesch |
| 235 | Staff Engineer | Pending | Water Rights | Keen |

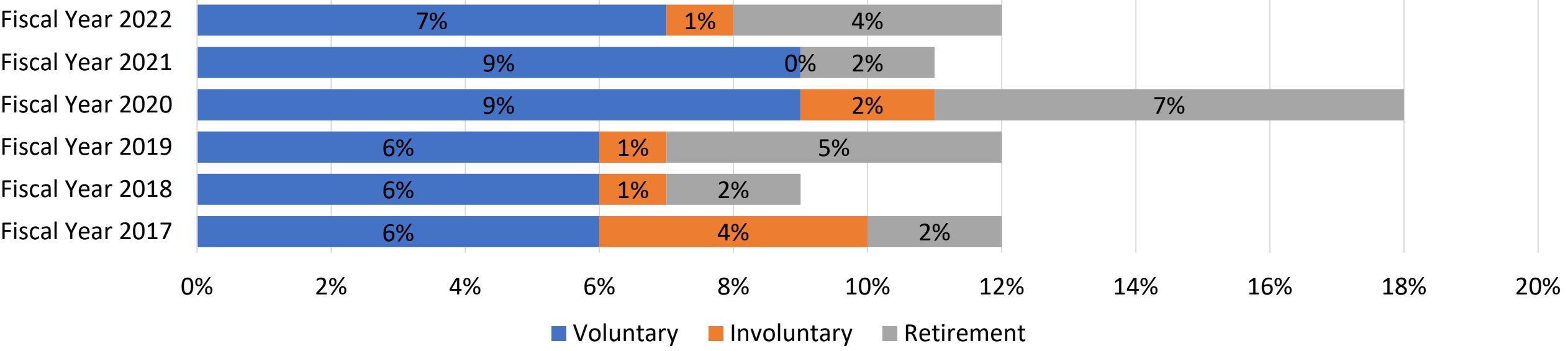
UNFILLED POSITIONS - NOVEMBER 15, 2022

| PCN | Title | Status | Group | Hiring Manager |
|-----------------------------------|-----------------------------|--|---------------------|-------------------------|
| 0113 | Engineer, Tech 1 | Open since Jan 2022 | Planning & Projects | Clark |
| 0079 | Engineer, Tech 1 | Open since Jan 2022 | Planning & Projects | Clark |
| 0006 | Engineer, Tech 1 | Open since Mar 2022 | Northern Region | Richman |
| 0103 | Hydrogeologist, Tech. | Interviews | Water Distribution | Whitney |
| 0066 | Water Resource Agent, Sr. | Advertised 3x; currently readvertised | Adjudication | Saxton |
| 0050 | Analyst 3 | Advertised 1x; pending 2 nd advertisement | Water Rights | Keen |
| 0035 | Hearing Officer Coordinator | SME | Executive | Spackman/Weaver |
| 0024 | Water Resource Agent, Sr. | SME | Water Distribution | Visosky |
| 0118 | Hydrologist, Tech | New | Hydrology | Tesch |
| 0207 | Buyer | New | Financial | Roberts |
| 0109 | Office Specialist | New | Western Region | Miller |
| 0056 | Program Manager | New | Planning & Projects | Clark |
| Vacant Positions – Hiring On Hold | | | | |
| 0192 | GIS Analyst 3 | Hold | GIS | Tech. Srv. Bureau Chief |
| 0171 | GIS Section Manager | Hold | GIS | Tech. Srv. Bureau Chief |
| 0077 | Water Rights Supervisor | Hold | Northern Region | Richman |

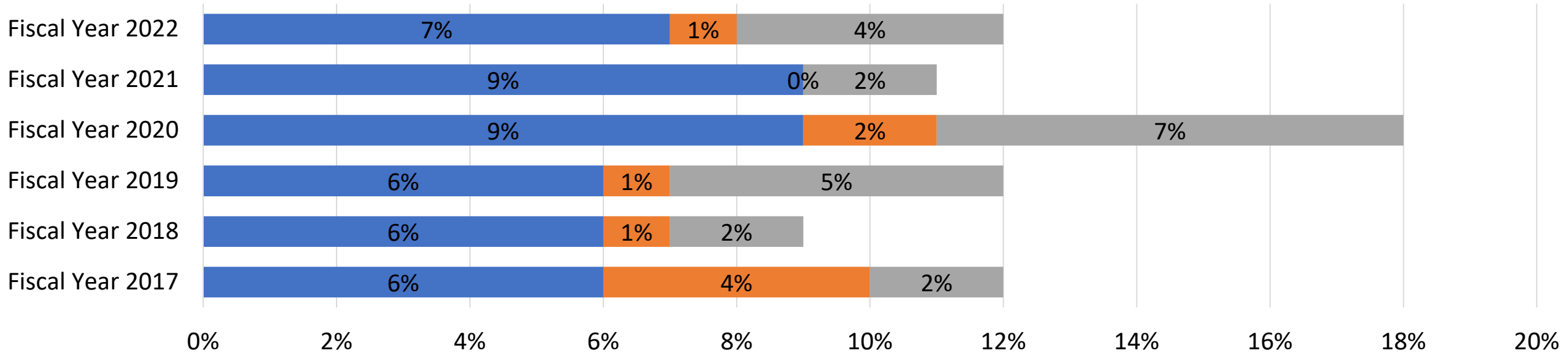
IDWR TURNOVER: EMPLOYEE SEPARATIONS



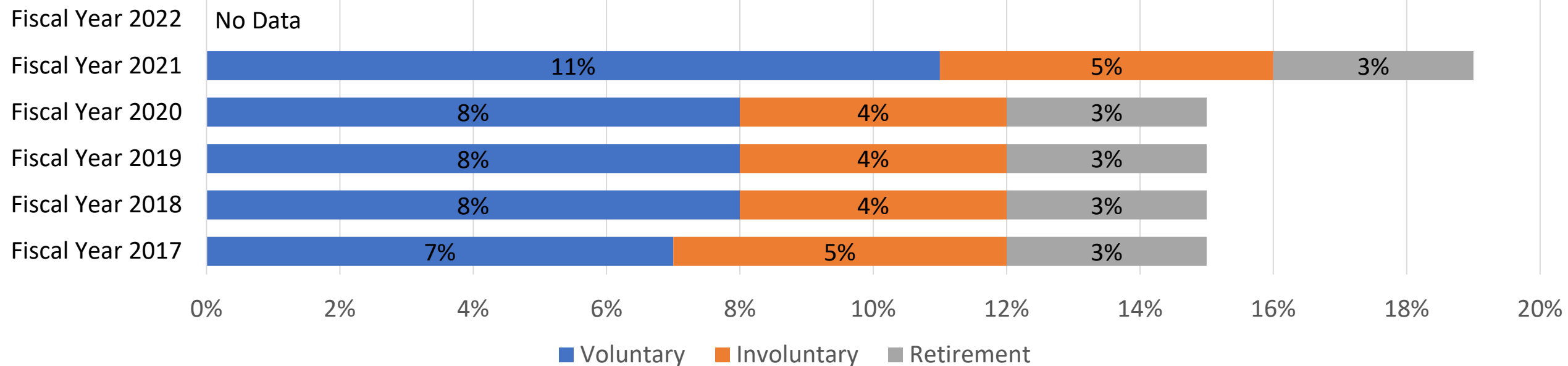
IDWR TURNOVER: EMPLOYEE SEPARATION RATES



IDWR TURNOVER: EMPLOYEE SEPARATION RATES



STATEWIDE TURNOVER: EMPLOYEE SEPARATION RATES



AGENCY TURNOVER – FY2023 CEC REPORT “HARD TO FILL JOB CLASSES”

| | |
|----|--------------------------------------|
| 1 | Psychiatric Technician Trainee |
| 2 | Transportation Technician Apprentice |
| 3 | Nurse, Registered |
| 4 | Liquor Store Clerk |
| 5 | Psychiatric Technician |
| 6 | Transportation Technician Senior |
| 7 | Nursing Assistant, Certified |
| 8 | Program Manager |
| 9 | Grants/Contracts Operations Analyst |
| 10 | Liquor Store Manager |
| 11 | Self-Reliance Specialist |
| 12 | Agriculture Investigator, Senior |
| 13 | Research Analyst, Principal |
| 14 | Research Analyst, Senior |
| 15 | Financial Examiner / Investigator 1 |
| 16 | Tax Automated System Specialist |
| 17 | Engineer, Manager 1 |

| | |
|----|--|
| 18 | Biologist, Wildlife Regional |
| 19 | Mechanic |
| 20 | Purchasing Agent |
| 21 | Buyer, Senior |
| 22 | Water Resource Agent |
| 23 | Human Services Field Program Manager |
| 24 | Probation and Parole Officer, Lead |
| 25 | Parole Investigator |
| 26 | Probation and Parole Section Supervisor |
| 27 | Public Health Program Manager 2 |
| 28 | Engineer, Technical 1 |
| 29 | Fish Hatchery Manager 2 |
| 30 | Fish Hatchery Assistant Manager |
| 31 | Transportation Technician Principal, Maintenance |
| 32 | Medical Assistant, Registered |
| 33 | Maintenance and Operations Supervisor |
| 34 | Traffic Signal Technician |



REPORT TO THE GOVERNOR
FY 2023 Change in Employee Compensation and Benefits Report

Submitted by Lori Wolff, Administrator
DHR Idaho Division of
Human Resources
Executive Office of the Governor

Report Link: <https://dhr.idaho.gov/wp-content/uploads/FY2023CECReport.pdf>

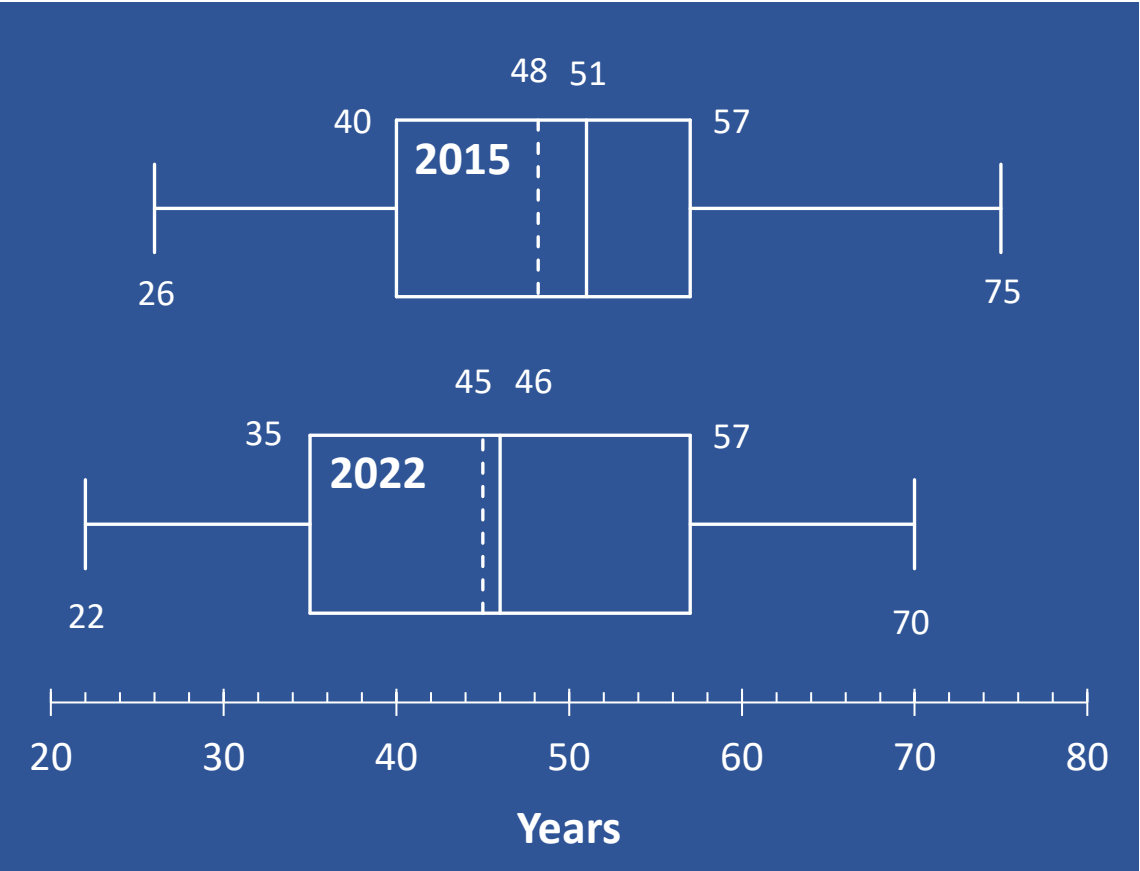
AGENCY HIRING & RETENTION STRATEGIES

- 💧 DHR Recruiting Manager
- 💧 Raised hire-on salaries from 80% of policy to 83% of policy.
- 💧 Raised Min. Agency Salary - \$17/hour
- 💧 Bonuses
- 💧 Tuition Reimbursement
- 💧 Modified Promotional Requirements



*Dworshak powerhouse.
May 2022*

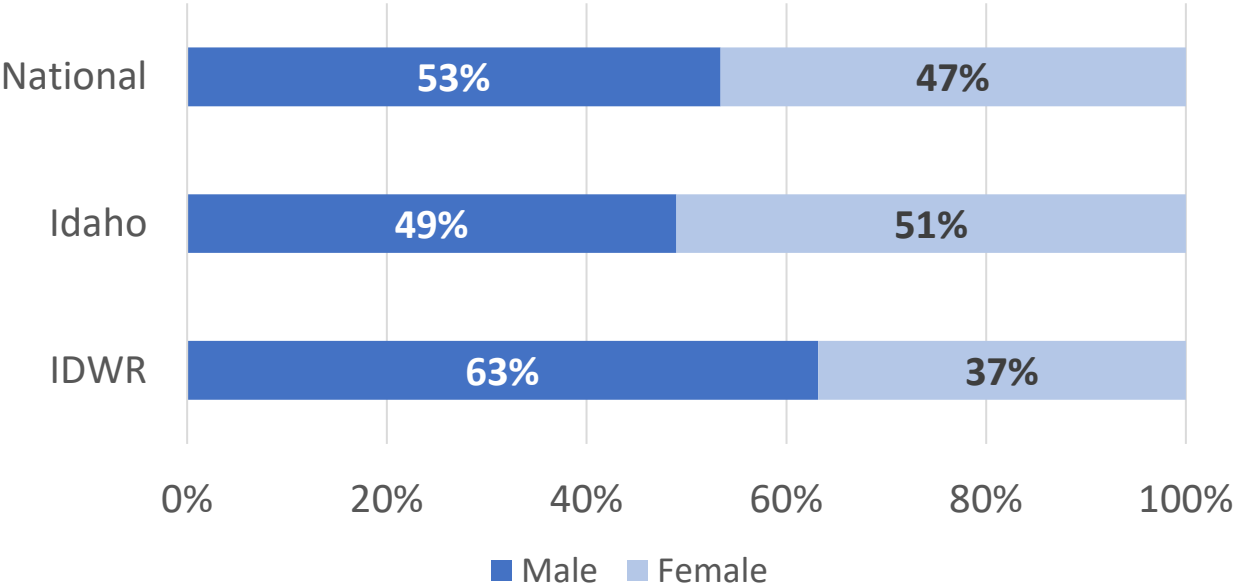
FISCAL YEAR 2015 & 2022 – BOXPLOT* SUMMARY OF IDWR EMPLOYEE AGES



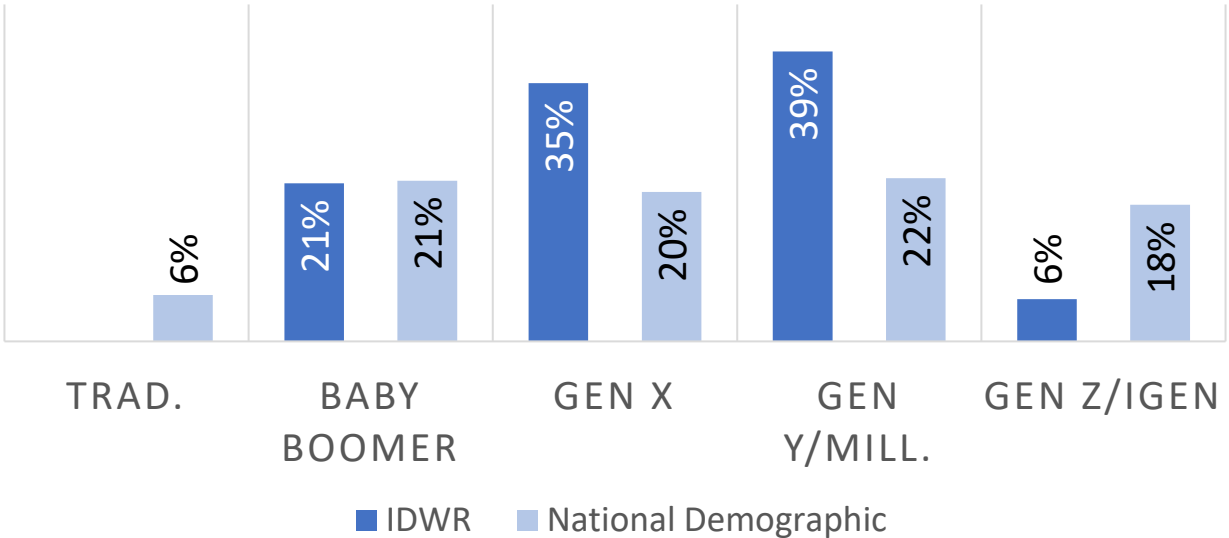
*Box Plot depicts minimum, 1st quartile, average (dashed line), median, 3rd quartile, and maximum values.

- Traditionalist: 1928-1945
- Baby Boomers: 1946-1964
- Generation X: 1965-1980
- Generation Y (Millennials): 1981-1996
- Generation Z: 1997-2012

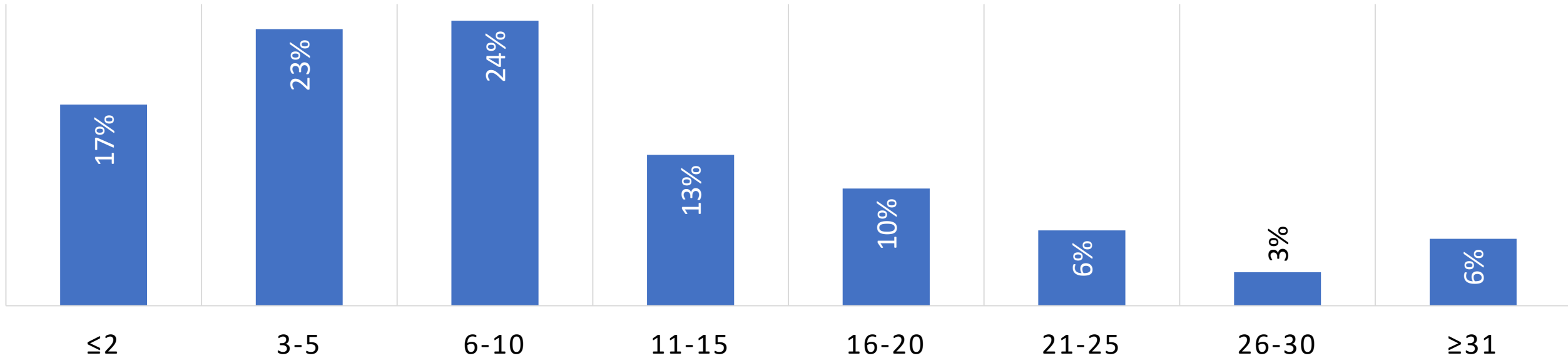
EMPLOYEE GENDER COMPARISON



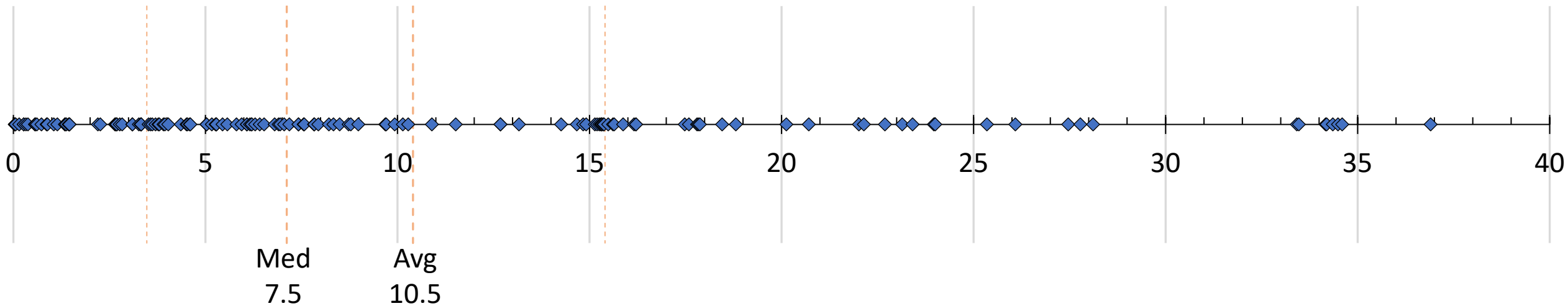
PERCENTAGE BREAKDOWN OF IDWR EMPLOYEES BY GENERATION



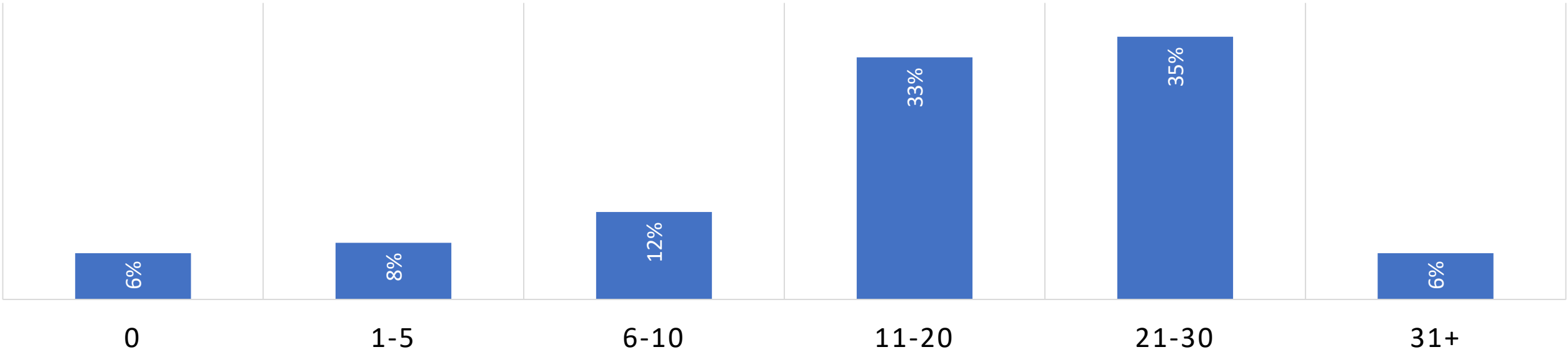
IDWR EMPLOYEES - YEARS OF SERVICE



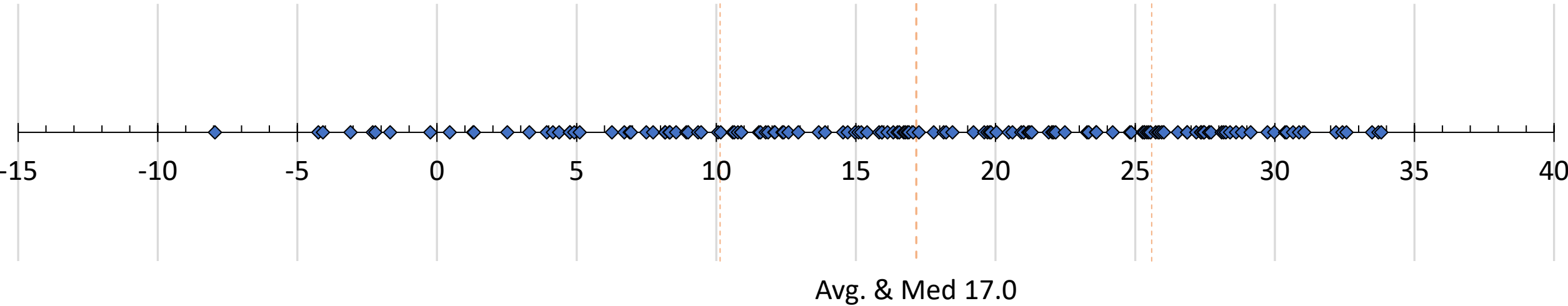
IDWR EMPLOYEES - YEARS OF SERVICE



RETIREMENT PROJECTION: PERCENTAGE OF IDWR EMPLOYEES BY YEARS TO RETIREMENT



RETIREMENT PROJECTIONS: IDWR EMPLOYEES YEARS TO RETIREMENT





AGENDA

IDAHO WATER RESOURCE BOARD

Board Meeting No. 13-22
Friday, November 18, 2022
Executive Session 8:00 a.m. (MT)
Open Meeting 8:30 a.m. (MT)

Brad Little
Governor

Jeff Raybould
Chairman
St. Anthony
At Large

Jo Ann Cole-Hansen
Secretary
Lewiston
At Large

Dale Van Stone
Hope
District 1

Albert Barker
Boise
District 2

Dean Stevenson
Paul
District 3

Peter Van Der Meulen
Hailey
At Large

Brian Olmstead
Twin Falls
At Large

Water Center
Conference Rooms 602 B, C & D / Zoom Online
322 E. Front St.
BOISE

Board Members & the Public may participate via Zoom

[Click here to join our Zoom Meeting](#)

Dial in Option: 1(253) 215-8782

Meeting ID: 821 5856 2537 Passcode: 299937

1. Roll Call
2. Executive Session: Board will meet pursuant to Idaho Code § 74-206(1) subsection (d) to consider records that are exempt from disclosure as provided in Chapter 1, Title 74, Idaho Code. Topics: MHAFB Water Rights and Amended Snake River Moratorium Order. Closed to the public; no actions taken during executive session.
3. Agenda & Approval of Minutes 10-22, 11-22, and 12-22*
4. Public Comment
5. Financial Report
6. Anderson Ranch Dam Raise Project Update*
7. Mountain Home Air Force Base Water Resilience Project*
8. Priest Lake Dam Modification Project Update
9. Loan Programs
 - a. Northside Energy Company*
 - b. Northside Pump Company*
 - c. Raft River Recharge Group*
 - d. Blaine County Canal*
10. ESPA Recharge Program & Infrastructure*
11. Regular Board Meeting Dates for 2023*
12. Director's Report
13. Non-Action Items for Discussion
14. Next Meeting & Adjourn

* Action Item: A vote regarding this item may be made 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 jennifer.strange@idwr.idaho.gov or by phone at (208) 287-4800.



IDAHO WATER RESOURCE BOARD

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Chairman
St. Anthony
At Large

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Albert Barker
Boise
District 2

Dean Stevenson
Paul
District 3

Peter Van Der Meulen
Hailey
At Large

Brian Olmstead
Twin Falls
At Large

MINUTES MEETING NO. 10-22

Community Campus
Minnie Moore Meeting Room
1050 Fox Acres Rd.
HAILEY

September 15, 2022
Work Session

Agenda Item No. 1: Roll Call

Chairman Raybould called the work session meeting to order at 8:06 AM (MT) in Hailey, Idaho and online. Board members present were Al Barker, Jo Ann Cole-Hansen, Brian Olmstead, Dean Stevenson, Dale Van Stone, Pete Van Der Meulen, and Chairman Raybould.

IDWR staff members present were: Brian Patton, Cynthia Bridge Clark, Neeley Miller, Wesley Hipke, Kala Golden, Gary Spackman, Mathew Weaver, Tim Luke, Corey Skinner, Megan Jenkins, Steve Stuebner and Shelley Keen. Online were: Remington Buyer, Sascha Marston, Neal Farmer, and Will Patterson.

Guests present were: Sunny Healey, Corey Allen, Carl Pendleton, Kevin Lakey, John Simpson, Scott Pugrud, Kristy Molyneux, Marybeth Collins, Nicholas Jensen, Ron Taylor, Douglas R. Jones, Harold Jones, John J. Williams, Pat McMahon, Lawrence Schoen, Janet Jessup, Parker Hinton, Darrel Ker, Hattie Zobott, Senator Michelle Stennett, and Nick Purdy. Guests online were: Tyler Pratt, Aaron Dalling, Cooper Brossy,

Agenda Item No. 2: Southern Region Manager's Report

Mr. Corey Skinner discussed activities in the Southern Region office which included water right permits, transfer applications, well drilling inspections, and future goals.

Agenda Item No. 3: Aging Infrastructure Loan Applications

Mr. Patton introduced Ms. Kala Golden to discuss the aging infrastructure loan applications. She discussed some challenges for the loan process and provided summaries for seven loan requests. Some loan applicant representatives spoke to the board as well.

The board took a brief break.

Agenda Item No. 4: BWRGWMA Management Plan Implementation Update

Mr. Brian Patton introduced Kevin Lakey, former water master of WD 37. He discussed the how water is delivered for the Big Wood system/ Water District 37.

Mr. Tim Luke provided an overview of the Big Wood River Groundwater Management Area (BWRGWMA) management plan, which he described as consistent with Idaho statute. He discussed several baseline actions including fallow irrigated acres, irrigation season limits, CIEF contributions, Snake River storage delivery, stream flow target, and cloud seeding.

Ms. Kristy Molyneux, chair of the South Valley Ground Water District addressed the board on groundwater reductions in the district.

Mr. Pat McMahon, chair of the Galena Ground Water District updated the board on activities for the district.

Mr. Bill Simon, representative of GW Association 37b/Camas Prairie, requested that the association have access to the USGS aquifer study of the valley.

Mr. Tim Luke provided some follow up information.

Mr. Corey Allen with the Sun Valley Company spoke on the company's CIEF contributions. There was some discussion on water usage for snow making efforts.

Mr. Cooper Brossy, representative of the Big and Little Wood Water Users Association, reported on water usage over the past season.

Mr. Carl Pendleton of the Big Wood Canal Company commented on CIEF contributions and stated more information on projects would be shared on the field trip.

Mr. Larry Schoen, Blaine County commissioner and Chairman for the CIEF Committee, spoke about the structure and function of the committee.

Senator Michelle Stennett commented that she holds a tremendous amount of respect for the agreement and acknowledged how difficult it was for all involved.

Mr. Stevenson stated the reason that the deal worked so well was because everyone was looking out for each other and not just themselves.

Agenda Item No. 5: Non-Action Items for Discussion

There were no other items for discussion from the board members.

Mr. Larry Schoen asked about an opportunity for public comments. Chairman Raybould allowed for Mr. Schoen to speak. He asked about what the state has planned to address population growth and drought. He discussed what Blaine County Commissioners had done to address the issue. Chairman Raybould listed some of the board's programs that address the issues of water supply and recharge.

Agenda Item No. 6: Adjourn

The meeting adjourned at 11:15 AM.

Following lunch, the board went on a field trip.

September 16, 2022
Board Meeting No. 10-22

At 8:05 AM (MT) Chairman Raybould called the meeting to order in Hailey, Idaho and online.

Agenda Item No. 1: Roll Call

Board Members Present

Jeff Raybould, Chairman
Jo Ann Cole-Hansen, Secretary
Albert Barker
Dale Van Stone
Brian Olmstead
Dean Stevenson
Pete Van Der Meulen

Staff Members Present

Gary Spackman, Director
Brian Patton, Executive Officer
Neeley Miller
Steve Stuebner
Kala Golden
Ann Yribar

Mathew Weaver, Deputy Director
Cynthia Bridge Clark
Megan Jenkins
Wesley Hipke
Corey Skinner

Staff Members Present Online

Meghan Carter
Neal Farmer

Mike Morrison
Sascha Marston

Guests Present

John Williams
Hattie Zobot
Darrel Ker
Janet Jessup

Douglas Jones
Parley Hinton
Harold Jones
Pat McMahon

Guests Present Online

Darrell Early
Clive Strong
Lanie Paquin

Meghan Carter
Norm Semanko

Agenda Item No. 2: Executive Session

Board met 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. The executive session was closed to the public.

Ms. Cole-Hansen moved to resolve into executive session at 8:06 AM. Mr. Barker seconded. Roll call vote: Mr. Barker, aye; Mr. Chase, absent; Ms. Cole-Hansen, aye; Mr. Olmstead, aye; Mr. Stevenson, aye; Mr. Van Der Meulen, aye; Mr. Van Stone, aye; and Chairman Raybould, aye. 7 ayes. The motion passed.

Mr. Darrell Early discussed Lemhi River Basin Settlement. Ms. Meghan Carter discussed Priest Lake Outlet Dam.

At 9:00 AM, Ms. Cole-Hansen moved to resolve out of executive session. Mr. Barker seconded. Voice vote. All in favor. The motion carried. No actions were taken during the executive session.

Agenda Item No. 3: Priest Lake Outlet Dam

Mr. Patton introduced a resolution for consideration in the matter of Priest Lake construction litigation. Mr. Barker said that because of the Strider lawsuit, the Attorney General's office had asked for outside assistance and had recommended Stephen B. Andersen of the Kirton McConkie firm.

Mr. Barker moved to adopt the resolution to approve the contract for outside counsel with an edit: in the second "Whereas" clause it stated Strider terminated the contract; he moved to amend the resolution to state that Strider sent a notice of termination. Mr. Van Stone seconded. Roll call vote: Mr. Barker, aye; Mr. Chase, absent; Ms. Cole-Hansen, aye; Mr. Olmstead, aye; Mr. Stevenson, aye; Mr. Van Der Meulen, aye; Mr. Van Stone, aye; and Chairman Raybould, aye. 7 ayes. The motion passed.

Agenda Item No. 4: Public Comment

Chairman Raybould asked if there were any public comments.

John Williams of Bonneville Power Administration provided a brief update on BPA activities. There was discussion about the four lower Snake dams.

Douglas Jones of Idaho Water Engineering commented about the Lost Valley Reservoir project.

Hattie Zobot of T-O Engineers, representing Bannock feeder canal, expressed gratitude for the board's assistance through the grant programs.

Agenda Item No. 5: Lemhi River Basin Settlement

Ms. Ann Yribar provided an update on twelve water right applications that would require full approval from the board per the Lemhi River Basin Settlement Agreement.

Mr. Olmstead moved to approve water right applications 74-16185, 74-16186, 74-16188, 74-16189, 74-16190, 74-16191, 74-16192, 74-16193, 74-16194, 74-16196, 74-16204, 74-16205. Mr. Stevenson seconded. Voice vote. All in favor. The motion carried.

Mr. Clive Strong provided a progress report on Lemhi Basin Comprehensive Settlement Implementation. He highlighted three key parts of the report. He stated that protests had been resolved; that 88

applications had been filed for high flow water rights from the workshop that was held in Salmon; and a hearing was scheduled for those applications.

Agenda Item No. 6: Financial Report

Mr. Neeley Miller provided the Board's financial report. The accounts as of August 31, 2022 were: Secondary Aquifer Fund: committed/earmarked but not disbursed \$23,386,711 and uncommitted balance \$8,524,836; Revolving Development Account: committed/earmarked but not disbursed \$19,821,833, loan principal outstanding \$17,508,607, uncommitted balance \$15,984,952, and anticipated loanable funds available next one year \$19,484,952; and Water Management Account: obligated \$71,298,511, and unobligated balance \$76,144,937. Total committed/earmarked but not disbursed \$189,675,241; total loan principal outstanding \$17,508,607; and total uncommitted balance \$25,486,539. ARPA: committed per HB 769 \$100,000,000 and unobligated \$100,000,000.

The obligated balance in the Water Management Account includes the \$20M legislative appropriation per HB 285 (FY 2019) for the Anderson Reservoir Enlargement and/or Mountain Home Air Force Base Water Supply Project. The obligated balance also includes \$50M for large infrastructure projects per Senate Bill 1121 (FY 2021) for the Anderson Ranch enlargement, Mountain Air Force Base Water Supply Project, ESPA Managed Aquifer Recharge Program, other projects identified by the IWRB.

The Water Management Account unobligated balance includes \$75M per HB 769 (FY 2022) to be used for expenditures, loans, or grants for water projects, including studies, to address water sustainability, rehabilitate or improve aging water infrastructure or support flood management. The legislature provided that no more than one-third of these moneys shall be used for grants.

Mr. Patton provided an update on ARPA fund allocations. He mentioned that funding resolutions relating to these funds would be presented within the next agenda items. He also stated that the Finance Committee may wish to reallocate funds in the Water Management Account that had been set aside for projects that could be receiving ARPA funds. There was discussion about fund availability in the future.

Agenda Item No. 7: Anderson Ranch Dam Raise Project

Ms. Cynthia Bridge Clark introduced Lanie Paquin from Bureau of Reclamation. Ms. Paquin stated that they are moving forward with the spillway design, that they have scheduled DSAT (Dam Safety Advisory Team) meetings, with plans to report at the board's November meetings, and that road closures for geotechnical work have been re-opened.

Ms. Bridge Clark discussed next steps on the board's water right application and a funding resolution for the board to consider.

Mr. Barker moved to adopt a resolution to approve funds from the ARPA State Fiscal Recovery Fund in the matter of the raise of Anderson Ranch Dam with an amendment to add a "therefore be it resolved" clause prior to the final "therefore be it resolved" clause to essentially state that if the board elects not to proceed with the project then funding would be returned to the board and reallocated by the board, subject to approval. Mr. Olmstead seconded. Roll call vote: Mr. Barker, aye; Mr. Chase, absent; Ms. Cole-Hansen, aye; Mr. Olmstead, aye; Mr. Stevenson, aye; Mr. Van Der Meulen, aye; Mr. Van Stone, aye; and Chairman Raybould, aye. 7 ayes. The motion passed.

Agenda Item No. 8: MHAFB Water Resilience Project

Mr. Mike Morrison discussed the status on locating an owner's advisor, project timeline, the MOA and a proposed resolution, and a draft resolution to appropriate ARPA funds for the project. Ms. Bridge Clark discussed two draft resolutions for consideration.

Mr. Barker moved to adopt the resolution to authorize the Chairman to execute the MOA with the United States of America. Ms. Cole-Hansen seconded. Roll call vote: Mr. Barker, aye; Mr. Chase, absent; Ms. Cole-Hansen, aye; Mr. Olmstead, aye; Mr. Stevenson, aye; Mr. Van Der Meulen, aye from vote; Mr. Van Stone, aye; and Chairman Raybould, aye. 7 ayes. The motion passed.

Mr. Olmstead moved to adopt the resolution to authorize ARPA funding for the MHAFB Water Resilience Project. Mr. Van Stone seconded. Roll call vote: Mr. Barker, aye; Mr. Chase, absent; Ms. Cole-Hansen, aye; Mr. Olmstead, aye; Mr. Stevenson, aye; Mr. Van Der Meulen, aye; Mr. Van Stone, aye; and Chairman Raybould, aye. 7 ayes. The motion passed.

Agenda Item No. 9: ESPA Recharge Infrastructure Funding

Mr. Wesley Hipke summarized recharge projects that had been discussed at the last Aquifer Stabilization Committee meeting. He presented a resolution for consideration on the Goyne Sump. An edit on line 66 was suggested to state "up to" 3.3 and "may" not "will."

Mr. Van Der Meulen moved to adopt the resolution to provide funding for the Goyne Sump with the minor edits mentioned. Mr. Olmstead seconded. Roll call vote: Mr. Barker, aye; Mr. Chase, absent; Ms. Cole-Hansen, aye; Mr. Olmstead, aye; Mr. Stevenson, aye; Mr. Van Der Meulen, aye; Mr. Van Stone, aye; and Chairman Raybould, aye. 7 ayes. The motion passed.

Mr. Hipke discussed the Hamer Road recharge site. Mr. Barker asked about the benefits of the chosen site. Mr. Stevenson supported the site by saying that making the numbers will require all viable sites. There was discussion about finding more upper valley sites. There were minor edits discussed for the resolution. Chairman Raybould stated he has conflicts and will abstain from the vote.

Mr. Stevenson moved to adopt the resolution to provide funding for the Hamer Road recharge site. Mr. Van Stone seconded. Roll call vote: Mr. Barker, aye; Mr. Chase, absent; Ms. Cole-Hansen, aye; Mr. Olmstead, aye; Mr. Stevenson, aye; Mr. Van Der Meulen, aye; Mr. Van Stone, aye; and Chairman Raybould, abstain. 6 ayes. The motion passed.

Agenda Item No. 10: Aging Infrastructure Grant Funding Award

Mr. Neeley Miller stated that on October 20th the Finance Committee discussed the rankings and recommended the IWRB approve grant awards as specified in the draft resolution and attached grant applications ranking spreadsheet. He highlighted a minor typo on line 21 and 22.

Mr. Van Stone moved to adopt the resolution with the mentioned edits and attached ranking sheet. Ms. Cole-Hansen seconded. Mr. Olmstead noted that Parley Henton with Northside Pumping Company was in attendance. Mr. Henton expressed appreciation. Roll call vote: Mr. Barker, aye but abstained for conflict on the following awards: Boise Project Board of Control, Falls Irrigation District, Nampa-Meridian Irrigation District, Northside Pumping Company, and Water District 63; Mr. Chase, absent; Ms. Cole-Hansen, aye; Mr. Olmstead, aye; Mr. Stevenson, aye; Mr. Van Der Meulen, aye; Mr. Van Stone, aye; and

Chairman Raybould, aye but abstained for conflict on the award to Fremont Madison Irrigation District. 7 ayes. The motion passed.

Agenda Item No. 11: Aging Infrastructure Loan Applications

Ms. Kala Golden provided seven resolutions to provide loan funding for select aging infrastructure projects. There was discussion about loan totals and interest rates. The Chairman recommended bundling all the resolutions together for one vote.

Mr. Van Der Meulen moved to adopt all seven resolutions. Mr. Olmstead seconded. Roll call vote: Mr. Barker, aye; Mr. Chase, absent; Ms. Cole-Hansen, aye; Mr. Olmstead, aye; Mr. Stevenson, aye; Mr. Van Der Meulen, aye; Mr. Van Stone, aye; and Chairman Raybould, aye but abstained for conflict on the loan to Southeast Idaho Canal Company. 7 ayes. The motion passed.

Agenda Item No. 12: Director's Report

Director Spackman expressed gratitude for the board's work. He appreciated the staff's work on the MHAFB project. Related to the ESPA, SWC, and IGWA Settlement Agreement, he said that IDWR staff would start a technical review of the Methodology Order.

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

There were no items for discussion.

Agenda Item No. 14: Next Meeting and Adjourn

Mr. Patton stated the next scheduled meetings would be November 17-18, 2022 in Boise and via an online platform. Mr. Van Stone moved to adjourn. Mr. Barker seconded. Voice vote. All ayes. Motion carried. Meeting adjourned at 11:38 AM (MT).

Respectfully submitted this 18th day of November 2022.

Jo Ann Cole-Hansen, *Secretary*

Jennifer Strange, *Administrative Assistant II*

Board Actions:

1. Adopted a resolution in the matter of Priest Lake construction litigation to approve contract for outside counsel.
2. Adopted a motion to approve water right applications 74-16185, 74-16186, 74-16188, 74-16189, 74-16190, 74-16191, 74-16192, 74-16193, 74-16194, 74-16196, 74-16204, 74-16205.
3. Adopted a resolution in the matter of the raise of the Anderson Ranch dam to approve funds from the ARPA State Fiscal Recovery Fund.
4. Adopted a resolution in the matter of the construction of a water transmission system and a water treatment plant for the MHAFB to provide signatory authority for a MOA between the IWRB and the USA.
5. Adopted a resolution in the matter of the construction of a water pipeline to the MHAFB to approve funds from the ARPA State Fiscal Recovery Fund.
6. Adopted a resolution in the matter of the Goyne Sump recharge site development to approve funds from the ARPA State Fiscal Recovery Fund.
7. Adopted a resolution in the matter of the Hamer Road recharge site development to approve funds from the ARPA State Fiscal Recovery Fund.
8. Adopted a resolution in the matter of aging infrastructure grants to award funds.
9. Adopted seven loan request resolutions.



IDAHO WATER RESOURCE BOARD

Brad Little
Governor

Jeff Raybould
Chairman
St. Anthony
At Large

Jo Ann Cole-Hansen
Secretary
Lewiston
At Large

Dale Van Stone
Hope
District 1

Albert Barker
Boise
District 2

Dean Stevenson
Paul
District 3

Peter Van Der Meulen
Hailey
At Large

Brian Olmstead
Twin Falls
At Large

MINUTES MEETING NO. 11-22

Water Center
Conference Room 648A / Online Zoom
322 E. Front St.
BOISE

October 26, 2022

Special Board Meeting No. 11-22

Agenda Item No. 1: Roll Call

Chairman Raybould called the meeting to order at 1:00 PM (MT) in Boise and online. Board members present online were Al Barker, Jo Ann Cole-Hansen, Brian Olmstead, Dean Stevenson, Dale Van Stone, and Chairman Raybould.

IDWR staff members present were: Brian Patton, Neeley Miller, Steve Stuebner, and Jennifer Strange. Online were: Amy Cassel, John Loffredo, Wesley Hipke, Mary Conon, Mackenzie Kienzholz, Glyn Roberts, and Sascha Marston.

Guests present: Hattie Zobott. Online were: Jerry Otto, Robin Lee-Beusan, Bryan Horsburgh, Niko Lostra, Clive Strong, Hal Anderson, Braden Jensen, C. Beyenka, Dan Stanaway, Robert Newbry, Meghan Brookher, J. Roldan, Ashlynn Goody, Dylan Lawrence, and Cindy Gooch.

Agenda Item No. 2: Approval of Minutes 7-22, 8-22 and 9-22

Mr. Olmstead moved to approve the meeting minutes of 7-22, 8-22 and 9-22. Mr. Stevenson seconded. Voice vote. All ayes. The motion carried.

Agenda Item No. 3: Regional Water Sustainability Criteria

Mr. Neeley Miller briefed the board on the recommendation from the Finance Committee, made on October 20, 2022.

Ms. Cole-Hansen moved to adopt a resolution in the matter of Regional Water Sustainability Priority List and the attached criteria. Mr. Van Stone seconded. Roll call vote: Mr. Barker, aye; Ms. Cole-Hansen, aye; Mr. Olmstead, aye; Mr. Stevenson, aye; Mr. Van Der Meulen, absent; Mr. Van Stone, aye; and Chairman Raybould, aye. 6 ayes. The motion passed.

Agenda Item No. 4: Aging Infrastructure Criteria

Mr. Neeley Miller discussed the Aging Infrastructure Grant Criteria. The Finance Committee discussed and recommended the criteria presented. Mr. Olmstead had subsequent comments about adding language related to identifying environmental concerns. There was some discussion.

Mr. Barker made a motion to amend the project description criteria in bullet three under grant application requirements to include the same language that is in the Regional Sustainability Priority List Criteria. Mr. Olmstead seconded. Voice vote. All ayes. The motion carried.

Chairman Raybould called for discussion on the resolution. Mr. Barker asked about the difference in the points system.

Mr. Barker moved to adopt a resolution in the matter of Aging Water Infrastructure and the criteria as amended. Mr. Olmstead seconded. Roll call vote: Mr. Barker, aye; Ms. Cole-Hansen, aye; Mr. Olmstead, aye; Mr. Stevenson, aye; Mr. Van Der Meulen, absent; Mr. Van Stone, aye; and Chairman Raybould, aye. 6 ayes. The motion passed.

Mr. Miller discussed deadlines. For the Regional Water Sustainability Priority List the deadline is December 1st. He stated there would be a press release and webpage supporting this information. Then for the Aging Infrastructure application deadline, that date needed to be set by the board for each round.

Ms. Cole-Hansen made a motion to adopt December 9th as an applications deadline for Aging Water Infrastructure Grants. Mr. Barker seconded. Voice vote. All ayes. The motion carried.

Agenda Item No. 5: Renewal of Certain Upper Salmon Transaction Leases

Ms. Amy Cassel discussed two water transaction renewals.

Mr. Barker moved to adopt a resolution in the matter of the IWRB lease of water right 77-4208 on Knapp Creek. Mr. Stevenson seconded. Roll call vote: Mr. Barker, aye; Ms. Cole-Hansen, aye; Mr. Olmstead, aye; Mr. Stevenson, aye; Mr. Van Der Meulen, absent; Mr. Van Stone, aye; and Chairman Raybould, aye. 6 ayes. The motion passed.

Mr. Stevenson moved to adopt a resolution in the matter of the 2023-2027 Hat Creek water transaction contracts. Mr. Van Stone seconded. Roll call vote: Mr. Barker, aye; Ms. Cole-Hansen, aye; Mr. Olmstead, aye; Mr. Stevenson, aye; Mr. Van Der Meulen, absent; Mr. Van Stone, aye; and Chairman Raybould, aye. 6 ayes. The motion passed.

Agenda Item No. 6: Non-Action Items for Discussion

There were no other items for discussion from the board members.

Agenda Item No. 7: Next Meeting & Adjourn

Mr. Patton stated the next board meetings will be in Boise November 17-18, 2022. Mr. Barker moved to adjourn. Mr. Stevenson seconded. Voice vote: all ayes. Motion carried. The meeting adjourned at 1:32 PM.

Respectfully submitted this 18th day of November 2022.

Jo Ann Cole-Hansen, *Secretary*

Jennifer Strange, *Administrative Assistant II*

Board Actions:

1. Approved meeting minutes 7-22, 8-22, and 9-22.
2. Adopted a resolution to approve criteria for the Regional Water Sustainability Priority List.
3. Approved a motion to amend criteria for the Aging Water Infrastructure Grants.
4. Adopted a resolution to approve amended criteria for the Aging Water Infrastructure Grants.
5. Approved a motion to adopt December 9th as an applications deadline for Aging Water Infrastructure Grants.
6. Adopted a resolution to make a funding commitment in the matter of the IWRB lease of water right no. 77-4208 on Knapp Creek.
7. Adopted a resolution to make a funding commitment in the matter of the 2023-2027 Hat Creek water transaction contracts.



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Paul
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Peter Van Der Meulen
Hailey
At Large

Brian Olmstead
Twin Falls
At Large

MINUTES MEETING NO. 12-22

Water Center
Conference Rooms 602 B / Online Zoom
322 E. Front St.
BOISE

November 4, 2022

Special Board Meeting No. 12-22

Agenda Item No. 1: Roll Call

Chairman Raybould called the meeting to order at 3:01 PM (MT) in Boise and online. Board members present online were Al Barker, Jo Ann Cole-Hansen, Brian Olmstead, Dean Stevenson, Pete Van Der Meulen, and Chairman Raybould. Dale Van Stone joined the meeting during agenda item 2.

IDWR staff members present were: Mathew Weaver, Brian Patton, Tim Luke, and Jennifer Strange. Online were: Neeley Miller, Josh Morell, Cynthia Bridge Clark, and Mary Condon.

Guests present online were: Robert Turner, Kurt Newbry, Niko Lostra, Sydney O'Connor, and ESI.

Agenda Item No. 2: Administrative Rules

Mr. Mat Weaver provided an update on rulemaking activities. There had been a public meeting held on October 28, 2022, to allow for comments on Mine Tailings Impoundment Structures Rules and Safety of Dams Rules. There was some discussion on hazard classification.

Mr. Stevenson moved to adopt a resolution and attachment to publish five IDAPA 37 chapters as pending rules in the December 7, 2022, Idaho Administrative Bulletin Vol. 22-12. Mr. Olmstead seconded. Roll call vote: Mr. Barker, aye; Ms. Cole-Hansen, aye; Mr. Olmstead, aye; Mr. Stevenson, aye; Mr. Van Der Meulen, absent; Mr. Van Stone, aye; and Chairman Raybould, aye. 6 ayes. The motion passed.

Agenda Item No. 3: Other Items

There were no other items for discussion from the board members.

Agenda Item No. 4: Adjourn

Mr. Barker moved to adjourn. Chairman Raybould seconded. Voice vote: all ayes. Motion carried. The meeting adjourned at 3:26 PM.

Respectfully submitted this 18th day of November 2022.

Jo Ann Cole-Hansen, *Secretary*

Jennifer Strange, *Administrative Assistant II*

Board Actions:

1. Adopted a resolution to publish five IDAPA 37 Chapters as pending rules in the December 7, 2022, Idaho Administrative Bulletin Vol. 22-12.

Memorandum



To: Idaho Water Resource Board
From: Neeley Miller, Planning & Projects Bureau
Date: November 9, 2022
Re: Financial Status Report

As of **October 31, 2022** the IWRB's available and committed balances are as follows:

Secondary Aquifer Fund:

| | |
|---------------------------------------|--------------|
| Committed/earmarked but not disbursed | \$23,086,836 |
| Uncommitted Balance | \$10,330,962 |

Revolving Development Account:

| | |
|--|--------------|
| Committed/earmarked but not disbursed | \$31,709,886 |
| Loan principal outstanding | \$17,999,950 |
| Uncommitted Balance | \$2,834,147 |
| Anticipated loanable funds available next 1 year | \$6,334,147 |

Water Management Account

| | |
|---------------------|--------------|
| Obligated | \$83,596,599 |
| Unobligated Balance | \$64,075,919 |

| | |
|--|----------------------|
| Total committed/earmarked/obligated but not disbursed | \$138,393,321 |
| Total loan principal outstanding | \$17,999,950 |
| Total uncommitted/unobligated balance | \$77,241,028 |

ARPA

| | |
|----------------------|---------------|
| Committed per HB 769 | \$100,000,000 |
| Obligated | \$13,415,581 |
| Unobligated | \$13,712,953 |
| Expended | \$72,871,000 |

- The obligated balance in the Water Management Account includes the \$20M legislative appropriation per HB 285 (FY 2019) for the Anderson Reservoir Enlargement and/or Mountain Home Air Force Base Water Supply Project. The obligated balance also includes \$50M for large infrastructure projects per Senate Bill 1121 (FY 2021) for the Anderson Ranch enlargement, Mountain Air Force Base Water Supply Project, ESPA Managed Aquifer Recharge Program, other projects identified by the IWRB.
- The Water Management Account unobligated balance includes \$75M per HB 769 (FY 2022) to be used for expenditures, loans, or grants for water projects, including studies, to address water sustainability, rehabilitate or improve aging water infrastructure or support flood management. The legislature provided that no more than one-third of these moneys shall be used for grants. At the September IWRB

meeting the IWRB authorized \$12,500,000 in funds for Aging Infrastructure grants.

- At the September IWRB meeting the IWRB approved \$15,148,255 in loans from the Revolving Development Account to accompany the Aging Infrastructure Grants awarded from the Water Management Account.
- Since the September IWRB meeting \$72,871,406 has been expended from the ARPA funds for the Anderson Ranch Reservoir Enlargement.

Idaho Water Resource Board
Sources and Applications of Funds
as of October 31, 2022

SECONDARY AQUIFER PLANNING, MANAGEMENT, & IMPLEMENTATION FUND

| | |
|--|---------------------|
| Legislative Appropriation (HB 291, Sec 2) Transfer from Rev Dev FY2011..... | 2,465,300.00 |
| Legislative Appropriation (SB 1389, Sec 5) Transfer from Rev Dev FY 2012..... | 1,232,000.00 |
| Legislative Appropriation (HB 270, Sec 3) Transfer from Rev Dev FY2013..... | 716,000.00 |
| Water User Contributions..... | 109,493.16 |
| Interest Earned State Treasury..... | 1,998,531.65 |
| Loan Interest..... | 15,861.10 |
| Magic Valley/North Snake GWD Principal Payment (Magic Springs Pipeline Project loan)..... | 4,000,000.00 |
| Magic Valley/North Snake GWD (Magic Springs Pipeline Project loan)..... | (4,000,000.00) |
| Water User Contribution Expenditures..... | (106,537.50) |
| Conversion Project (AWEP) measurement devices..... | (16,455.21) |
| Cloud Seeding Project..... | (20,000.00) |
| Public Information Services..... | (13,641.25) |
| Five-Year Managed Recharge Pilot Program..... | (1,424,113.56) |
| Cooperative Weather Modification Program (CON01109)..... | (483,997.64) |
| Mountain Home Air Force Base (MHAFB) Water Sustainability Project..... | (1,212,531.15) |
| Carryforward to SRAS Sub-Account..... | (1,222,548.45) |
| Total Expenditures for HB291, Sec 2; SB1389, Sec 5; HB270, Sec 3; Other Contributions..... | (8,499,824.76) |
| Balance of HB291, Sec 2; SB1389, Sec 5; HB270, Sec 3; Other Contributions..... | 2,037,361.15 |

| Committed Funds | <u>Committed</u> | <u>Expended</u> | <u>Carryforward</u> | <u>Balance</u> |
|---|-------------------------|------------------------|----------------------------|-----------------------|
| HB291 Sec 2, SB1389 Sec 5 & HB270 Sec 3 | | | | |
| Cooperative Weather Modification Program (CON01109)..... | 492,000.00 | (483,997.64) | (8,002.36) | 0.00 |
| MHAFB Water Sustainability Project..... | 1,900,000.00 | (1,212,531.15) | 0.00 | 687,468.85 |
| Balance of Committed Funds for HB291, SB1389, HB270..... | 2,392,000.00 | (1,696,528.79) | (8,002.36) | 687,468.85 |

State Recharge & Aquifer Stabilization (SRAS) Sub-Account

| | |
|--|----------------------|
| Legislative Appropriation (HB547) State Recharge & Aquifer Stabilization..... | 41,690,321.90 |
| Recharge Payments - City of Pocatello..... | 91,364.00 |
| Carryforward from Recharge Infrastructure Projects Sub-Account..... | 2,151,238.59 |
| SRAS Operations - 29822..... | (394,878.81) |
| SRAS Recharge Conveyance - 29823..... | (15,688,416.17) |
| SRAS Studies - 29824..... | (765,258.13) |
| SRAS Projects - 29825..... | (11,545,853.13) |
| SRAS Monitoring - 29826..... | (1,911,840.68) |
| SRAS Hydrology Monitoring - 29827..... | (1,216,242.92) |
| SRAS Grants - 29828..... | 0.00 |
| Total Expenditures for HB547 - SRAS..... | (31,522,489.84) |
| Balance for State Recharge & Aquifer Stabilization Sub-Account..... | 12,410,434.65 |

| Committed Funds | <u>Committed</u> | <u>Expended</u> | <u>Carryforward</u> | <u>Balance</u> |
|--|-------------------------|------------------------|----------------------------|-----------------------|
| HB547 | | | | |
| SRAS Operations - 29822..... | 1,233,880.00 | (394,878.81) | (625,439.35) | 213,561.84 |
| SRAS Recharge Conveyance - 29823..... | 24,250,000.00 | (15,688,416.17) | (816,351.70) | 7,745,232.13 |
| SRAS Studies - 29824..... | 6,923,568.00 | (765,258.13) | (4,630,809.87) | 1,527,500.00 |
| SRAS Projects - 29825..... | 37,817,958.50 | (11,545,853.13) | (25,938,466.36) | 333,639.01 |
| SRAS Monitoring - 29826..... | 3,184,500.00 | (1,911,840.68) | (777,571.43) | 495,087.89 |
| SRAS Hydrology Monitoring - 29827..... | 1,675,000.00 | (1,216,242.92) | (260,990.17) | 197,766.91 |
| SRAS Grants - 29828..... | 0.00 | 0.00 | 0.00 | 0.00 |
| Total HB547 Commitments..... | 75,084,906.50 | (31,522,489.84) | (33,049,628.88) | 10,512,787.78 |

Water Sustainability (WS) Sub-Account

| | |
|---|--------------|
| Legislative Appropriation (SB1190, Sec 3) Water Sustainability..... | 500,000.00 |
| Legislative Appropriation (SB1402, Sec 4) Water Sustainability..... | 2,500,000.00 |
| Legislative Appropriation (SB1402, Sec 5) Water Sustainability..... | 5,000,000.00 |
| Legislative Appropriation (SB1176, Sec 4) Water Sustainability..... | 5,000,000.00 |
| Legislative Appropriation (HB677, Sec 4) Water Sustainability..... | 5,000,000.00 |
| Legislative Appropriation (HB256, Sec 4) Water Sustainability..... | 5,000,000.00 |
| Legislative Appropriation (HB646, Sec 4) Water Sustainability..... | 4,750,000.00 |
| Legislative Appropriation (SB1190, Sec 4) Water Sustainability..... | 5,000,000.00 |
| Legislative Appropriation (HB769, Sec 4) Water Sustainability..... | 5,000,000.00 |
| Carryforward from North Idaho Studies Sub-Account..... | 109,351.82 |
| WS Administration - 29840..... | (956,691.51) |

| | |
|---|----------------------|
| WS Operations - 29842..... | 0.00 |
| WS Recharge Conveyance - 29843..... | 0.00 |
| WS Studies - 29844..... | (4,345,899.19) |
| WS Projects - 29845..... | (449,046.20) |
| WS Monitoring - 29846..... | 0.00 |
| WS Hydrology Monitoring - 29847..... | (1,467,176.31) |
| WS Hydrology Modeling - 29848..... | (2,518,412.98) |
| WS Grants - 29849..... | (119,196.03) |
| WS Programs - 29850..... | (109,583.72) |
| WS Clouds - 29860..... | (8,923,343.98) |
| Total Expenditures for Water Sustainability..... | (18,889,349.92) |
| Balance for Water Sustainability (WS) Sub-Account..... | 18,970,001.90 |

| Committed Funds | <u>Committed</u> | <u>Expended</u> | <u>Carryforward</u> | <u>Balance</u> |
|---|-------------------------|------------------------|----------------------------|-----------------------|
| SB1190 & SB1402 | | | | |
| WS Admin & Operations - 29840 & 29842..... | 1,285,000.00 | (956,691.51) | (70,976.70) | 257,331.79 |
| WS Recharge Conveyance - 29843..... | 0.00 | 0.00 | 0.00 | 0.00 |
| WS Studies - 29844..... | 8,124,403.00 | (4,345,899.19) | (1,021,827.63) | 2,756,676.18 |
| WS Projects - 29845..... | 3,474,659.00 | (449,046.20) | (1,838,652.31) | 1,186,960.49 |
| WS Monitoring - 29846..... | 0.00 | 0.00 | 0.00 | 0.00 |
| WS Hydrology Monitoring - 29847..... | 3,463,352.82 | (1,467,176.31) | (972,832.50) | 1,023,344.01 |
| WS Hydrology Modeling - 29848..... | 2,700,000.00 | (2,518,412.98) | 0.00 | 181,587.02 |
| WS Grants - 29849..... | 600,000.00 | (119,196.03) | (480,803.97) | 0.00 |
| WS Programs - 29850..... | 200,000.00 | (109,583.72) | 0.00 | 90,416.28 |
| WS Clouds - 29860..... | 16,287,000.00 | (8,923,343.98) | (1,164,400.00) | 6,199,256.02 |
| Balance for SB1190 & SB1402..... | 36,134,414.82 | (18,889,349.92) | (5,549,493.11) | 11,695,571.79 |

Department of Energy SEP Grants Sub-Account - 29870 & 29871

| | |
|---|----------------|
| Department of Energy Grant Reimbursement (\$251K)..... | 251,000.00 |
| Department of Energy Grant Reimbursement (ESPA)..... | 928,000.00 |
| Department of Energy Grant Reimbursement (Big Lost)..... | 1,140,000.00 |
| Department of Energy Grant Reimbursement (Raft River)..... | 640,992.24 |
| Department of Energy Grant Expenditures (\$251K)..... | (251,000.00) |
| Department of Energy Grant Expenditures (29871 - ESPA)..... | (928,000.00) |
| Department of Energy Grant Expenditures (29872 - Big Lost)..... | (1,140,000.00) |
| Department of Energy Grant Expenditures (29874 - Raft River)..... | (640,992.24) |
| Balance of DOE SEP Grants Sub-Account..... | 0.00 |

| Funds Awarded | <u>Total Award</u> | <u>Expended</u> | <u>Carryforward</u> | <u>Balance</u> |
|--|---------------------------|------------------------|----------------------------|-----------------------|
| Dept of Energy SEP Award | | | | |
| DOESEP (2017-2018)..... | 251,000.00 | (251,000.00) | 0.00 | 0.00 |
| ESPA Hydrologic Monitoring (DOE - Years 1-3 = \$928,000)..... | 928,000.00 | (928,000.00) | 0.00 | 0.00 |
| Hydrologic Monitoring (DOE - Years 1-3 = \$1.14M)..... | 1,140,000.00 | (1,140,000.00) | 0.00 | 0.00 |
| Raft River Hydrologic Monitoring (DOE - Years 1-3 = \$832K)..... | 832,000.00 | (640,992.24) | 0.00 | 191,007.76 |
| Balance of DOE Funds Awarded..... | 3,151,000.00 | (2,959,992.24) | 0.00 | 191,007.76 |

Secondary Aquifer Planning, Management, and Implementation Committed Funds..... 23,086,836.18

Secondary Aquifer Planning, Management, and Implementation Available Funds..... 10,330,961.52

IDAHO WATER RESOURCE BOARD
Sources and Applications of Funds
as of October 31, 2022
REVOLVING DEVELOPMENT ACCOUNT

| | |
|---|-----------------------|
| Original Appropriation (1969)..... | \$500,000.00 |
| Legislative Appropriation FY90-91..... | \$250,000.00 |
| Legislative Appropriation FY91-92..... | \$280,700.00 |
| Legislative Appropriation FY93-94..... | \$500,000.00 |
| Legislative Appropriation 2001, SB1239..... | \$200,000.00 |
| Legislative Appropriation 2004, HB843, Sec 12..... | \$500,000.00 |
| Loan Interest..... | \$13,981,723.94 |
| Interest Earned State Treasury (Transferred)..... | \$2,508,779.79 |
| Water Supply Bank Receipts..... | \$9,251,787.17 |
| Transferred to/from Water Management Account..... | \$317,253.80 |
| Filing Fee Balance..... | \$47,640.20 |
| Bond Fees..... | \$1,467,101.45 |
| Series 2000 (Caldwell/New York) Pooled Bond Issuers fees..... | \$43,657.93 |
| 2012 Ground Water District Bond Issuer fees..... | \$366,000.00 |
| Bond Issuer fees..... | \$21,107.59 |
| Pierce Well Easement..... | \$2,000.00 |
| Transfer from Aqualife Hatchery Sub-Account..... | \$1,117,800.85 |
| Transfer from Pristine Springs Sub-Account..... | \$554,882.10 |
| Legislative Audits..... | (\$49,404.45) |
| IWRB Bond Program..... | (\$22,300.00) |
| IWRB Studies and Projects..... | (\$249,067.18) |
| Arbitrage Calculation Fees..... | (\$14,000.00) |
| Protest Fees..... | (\$995.00) |
| Attorney fees for Jughandle LID (Skinner Fawcett)..... | (\$3,600.00) |
| Attorney fees for A&B Irrigation (Skinner Fawcett)..... | (\$4,637.50) |
| Lemhi Basin Protest Costs - (Attorney General's Office)..... | (\$32,279.54) |
| Weiser Galloway Study - US Army Corps of Engineers..... | (\$1,555,450.71) |
| Boise River Storage Feasibility Study..... | (\$333,000.00) |
| Geotech Environmental (Transducers)..... | (\$6,402.61) |
| Priest Lake Improvement Study (16-Mar-16)..... | (\$917,725.21) |
| Priest Lake Construction Project Contribution..... | (\$830,864.50) |
| Treasureton Irrigation Ditch Co..... | (\$5,000.00) |
| Mountain Home AFB Water Sustainability Project (29514) | |
| Legislative Appropriation 2014, HB 479 Sec 1 and 2..... | \$4,000,000.00 |
| JR Simplot - WR Purchase..... | (\$2,500,000.00) |
| LeMoyné Appraisal LLC..... | (\$10,500.00) |
| IWRB WSB Lease Application..... | (\$750.00) |
| Integrated Delivery Solutions - Mark Alpert..... | (\$34,459.18) |
| Brown & Caldwell - Owner's Advisor..... | (\$1,218,298.11) |
| SPF Engineering - WR Transfer..... | (\$118,715.75) |
| Skinner-Fawcett - Bond Counsel..... | (\$31,602.41) |
| Pillsbury, Winthrop, & Shaw - DBO Counsel..... | (\$79,839.30) |
| Project Costs (mailings, travel, teleconference calls)..... | (\$1,769.91) |
| Publishing Costs..... | (\$1,648.16) |
| Water District 02 Assessments..... | (\$2,417.18) |
| Balance for Mountain Home AFB Water Sustainability Project..... | \$0.00 |
| Galloway Dam & Reservoir Project (29517) | |
| Legislative Appropriation 2014, HB 479 Sec 1 and 2..... | \$2,000,000.00 |
| Galloway Dam & Reservoir Project Costs (HB 479)..... | (\$124,649.52) |
| Balance Galloway Dam & Reservoir Project..... | \$1,875,350.48 |
| Boise River (Arrowrock Enlargement) Feasibility Study (29518) | |
| Legislative Appropriation 2014, HB 479 Sec 1 and 2..... | \$1,500,000.00 |
| Boise River (Arrowrock Enlargement) Feasibility Study Costs (HB479)..... | (\$1,500,000.00) |
| Balance Boise River (Arrowrock Enlargement) Feasibility Study (HB479)..... | \$0.00 |
| Island Park Enlargement (29520) | |
| Legislative Appropriation 2014, HB 479 Sec 1 and 2..... | \$2,500,000.00 |
| Island Park Enlargement Costs (HB 479)..... | (\$174,170.00) |
| Transfer to Ririe Reservoir Flood Control (SB1190, Sec 7)..... | (\$1,470,000.00) |
| Balance Island Park Enlargement (HB 479)..... | \$855,830.00 |
| Water Supply Bank Computer Infrastructure (29519) | |
| Legislative Appropriation 2014, HB 479 Sec 1 and 2..... | \$500,000.00 |
| Water Supply Bank Computer Infrastructure Costs (HB 479)..... | (\$497,350.75) |
| Balance Water Supply Bank Computer Infrastructure (HB 479)..... | \$2,649.25 |
| Cash Balance of Legislative Appropriation 2014, HB 479 Sec 1 and 2..... | \$2,733,829.73 |
| Ririe Reservoir Flood Control | |
| Rule Curve Modification (Mitigation Inc CON01561)..... | \$731,122.00 |
| Cash Balance Ririe Reservoir Flood Control Project..... | \$731,122.00 |
| Minidoka Dam Enlargement/Teton Dam Replacement Studies (29510) | |
| Legislative Appropriation 2008, SB1511 Sec 2, Minidoka/Teton Studies..... | \$1,800,000.00 |
| Legislative Appropriation 2008, SB1511 Sec 2, Minidoka Studies Expenditures..... | (\$1,229,460.18) |
| Balance for Minidoka Dam Enlargement/Teton Dam Replacement Studies..... | \$570,539.82 |
| Priest Lake Water Management Project (29521) | |
| Legislative Appropriation (2018, HB 677 Sec 5)..... | \$2,400,000.00 |
| Legislative Approval (2018, HB 677 Sec 6)..... | \$2,419,580.50 |
| Transfer to Priest Lake Construction Project..... | (\$4,169,135.50) |
| Bonner County Contribution..... | \$160,000.00 |
| Sandpiper Shores Contribution..... | \$10,000.00 |
| Legislative Approval (2020, HB 645 Sec 7)..... | \$410,000.00 |

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| Interest Earned State Treasury..... | \$184,933.16 | |
| Total Priest Lake Water Management Project Revenue..... | | \$1,415,378.16 |
| Contract Expenditures - Mott MacDonald (CON01426)..... | (\$638,162.35) | |
| Dam Operator Contracts..... | (\$23,971.92) | |
| Misc Expenditures..... | (\$12,150.96) | |
| Total Priest Lake Water Management Project Expenditures..... | | (\$674,285.23) |
| Cash Balance Priest Lake Water Management Project..... | | \$741,092.93 |
| Committed Funds | | |
| Dam Operator Contracts (CON01445, CON01453, CON01454)..... | \$0.00 | |
| Dam Operator Contracts (CON01541, CON01542)..... | \$31,110.14 | |
| Mott MacDonald Contract (CON01426)..... | \$0.00 | |
| TOTAL COMMITTED FUNDS..... | \$31,110.14 | |
| Uncommitted Priest Lake Water Management Project Balance..... | | \$709,982.79 |
| Priest Lake Construction Project (29522) | | |
| Transfer to Priest Lake Construction Project..... | \$4,169,135.50 | |
| Contribution from Uncommitted Funds..... | \$830,864.50 | |
| Local Contribution..... | \$0.00 | |
| Total Priest Lake Construction Project Revenue..... | | \$5,000,000.00 |
| Mott MacDonald Expenditures (CON01484)..... | (\$971,967.81) | |
| Strider Construction - Outlet Dam Expenditures (CON01480)..... | (\$1,184,270.75) | |
| Strider Construction - Thorofare Expenditures (CON01481)..... | (\$2,052,265.86) | |
| Builder's Risk Insurance..... | (\$8,015.00) | |
| Butler Spink LLP (CON01597)..... | (\$2,175.00) | |
| IDL Mineral Lease..... | (\$2,160.00) | |
| Total Priest Lake Construction Project Expenditures..... | | (\$4,220,854.42) |
| Cash Balance Priest Lake Construction Project..... | | \$779,145.58 |
| Committed Funds | | |
| Mott MacDonald Contract (CON01484)..... | \$28,792.19 | |
| Strider Construction - Outlet Dam (CON01480)..... | \$416,838.25 | |
| Strider Construction - Thorofare (CON01481)..... | \$0.00 | |
| Construction Contingency..... | \$335,690.14 | |
| TOTAL COMMITTED FUNDS..... | \$781,320.58 | |
| Uncommitted Priest Lake Construction Project Balance..... | | (\$2,175.00) |

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| Bell Rapids Water Rights Sub-Account | | |
| Legislative Appropriation 2005, HB392..... | \$21,300,000.00 | |
| Bureau of Reclamation Payments Received..... | \$29,446,335.46 | |
| Remaining balance in ESPA Sub-Account..... | \$341,759.55 | |
| Water Supply Bank Payments - Owner's Share..... | \$70,740.00 | |
| Interest Earned State Treasury..... | \$698,613.04 | |
| Total Bell Rapids Water Rights Sub-Account Revenue..... | | \$51,857,448.05 |
| Bell Rapids Purchase..... | (\$22,041,697.55) | |
| Transfer to General Fund - P&I..... | (\$22,072,052.06) | |
| Payment to US Bank for Alternative Financing Note..... | (\$7,118,125.86) | |
| Payment for Water District 02 Assessments..... | (\$120,157.04) | |
| Payment for Ongoing Bell Rapids Finance Costs (trustee fees, water bank) | (\$6,740.10) | |
| Total Bell Rapids Water Rights Sub-Account Expenditures..... | | (\$51,358,772.61) |
| Cash Balance Bell Rapids Water Rights Sub-Account..... | | \$498,675.44 |
| Committed Funds | | |
| Ongoing Bell Rapids Finance Costs (trustee fees, WD02)..... | \$427,935.44 | |
| TOTAL COMMITTED FUNDS..... | \$427,935.44 | |
| Uncommitted Bell Rapids Water Rights Sub-Account Balance..... | | \$70,740.00 |
| Pristine Springs Project Sub-Account | | |
| Rental Payments to be Transferred to Secondary Aquifer Fund..... | \$961,675.10 | |
| Loan Interest..... | \$2,958,793.54 | |
| Loan Principal from Magic Valley & North Snake GWD..... | \$6,936,859.52 | |
| Total Pristine Springs Project Revenue to be Transferred..... | | \$10,857,328.16 |
| Total Pristine Springs Project Revenue Transferred to 0129-01..... | (\$5,129,300.00) | |
| Total Pristine Springs Project Revenue Transferred to 0129..... | (\$5,728,000.00) | |
| Total Pristine Springs Project Sub-Account Transfers..... | | (\$10,857,300.00) |
| Cash Balance Pristine Springs Sub-Account..... | | \$28.16 |
| Pristine Springs Committed Funds | | |
| Loan Payments to be transferred to 0129..... | \$0.00 | |
| TOTAL COMMITTED FUNDS..... | \$0.00 | |
| Loans Outstanding for Purchase of PS Water Rights | | |
| Loan to North Snake & Magic Valley GWD..... | \$10,000,000.00 | |
| Payments from North Snake & Magic Valley GWD..... | (\$6,936,859.52) | |
| Total Loans Outstanding..... | \$3,063,140.48 | |
| Uncommitted Pristine Springs Sub-Account..... | | \$28.16 |
| Rathdrum Prairie CAMP & Treasure Valley CAMP Sub-Account | | |
| Pristine Springs Hydropower and Rental Revenues..... | \$271,672.34 | |
| Interest Earned State Treasury..... | \$573.11 | |
| Rathdrum Prairie CAMP & Treasure Valley CAMP Sub-Account Revenue..... | | \$272,245.45 |
| Spokane River Forum..... | (\$23,000.00) | |
| Treasure Valley Water Quality Summit..... | (\$500.00) | |
| Kootenai-Shoshone Soil & Water Cons. Dist. - Agrimet Station..... | (\$20,000.00) | |
| Rathdrum Prairie-Spokane Valley Aquifer Pumping Study (CON00989)..... | (\$70,000.00) | |
| Idaho Washington Aquifer Collaborative..... | (\$10,000.00) | |
| Rathdrum Prairie CAMP & Treasure Valley CAMP Sub-Account Expenditures..... | | (\$123,500.00) |
| Cash Balance Rathdrum Prairie CAMP & Treasure Valley CAMP Sub-Account..... | | \$148,745.45 |
| Committed Funds | | |
| Spokane River Forum..... | \$0.00 | |
| TOTAL COMMITTED FUNDS..... | \$0.00 | |
| Uncommitted Rathdrum Prairie CAMP & TV CAMP Sub-Account..... | | \$148,745.45 |
| Upper Salmon/CBWTP Sub-Account | | |
| Water Transaction Projects Payment Advances from CBWTP/accord..... | \$6,752,814.03 | |
| PCSRF Funds for Admin of Non-Diversion Easements on Lemhi River..... | \$207,837.16 | |
| Interest Earned State Treasury..... | \$397,094.24 | |
| Upper Salmon/CBWTP Sub-Account Revenue..... | | \$7,357,745.43 |
| Transfer to Water Supply Bank..... | (\$113,279.97) | |
| Change of Ownership..... | (\$600.00) | |
| Appraisals/Closing Costs..... | (\$14,155.98) | |
| Payments for Water Acquisition..... | (\$3,601,557.03) | |
| Upper Salmon/CBWTP Sub-Account Expenditures..... | | (\$3,729,592.98) |
| Cash Balance CBWTP Sub-Account..... | | \$3,628,152.45 |
| Committed Funds | | |
| Administration of Non-Diversion Easements on Lemhi River..... | \$133,160.61 | |
| Bar G Farms (Pahsimeroi- Little Mud)..... | \$10,852.70 | |
| Bayhorse Creek (Peterson Ranch)..... | \$23,799.42 | |
| Badger Creek (OWBP) WSB..... | \$2,389.10 | |
| Beaver Creek (DOT LLP)..... | \$98,302.78 | |
| Big Timber Tyler Phase I(Leadore Land Partners)..... | \$325,007.97 | |
| Big Timber Tyler Phase II (Leadore Land Partners)..... | \$84,182.61 | |
| Bohannon Creek DJ (Barbara Stokes)..... | \$776,939.88 | |
| Bohannon Creek BS (Betty Stokes)..... | \$382,064.78 | |
| Canyon Creek/Big Timber Creek (Beyeler)..... | \$313,841.65 | |
| Carmen Creek (Bill Slavin)..... | \$181,643.46 | |
| Carmen Creek (Bruce Slavin)..... | \$113,982.70 | |
| Fourth of July Creek (Defiance Investments)..... | \$12,115.84 | |
| Iron Creek (Koncz)..... | \$126,648.48 | |
| Knapp Creek (Cape Horn Ranch LLC)..... | \$14,891.76 | |
| Kenney Creek Source Switch (Gail Andrews)..... | \$18,733.48 | |
| Lemhi - Big Springs (Merrill Beyeler)..... | \$46,282.72 | |
| Lemhi River & Little Springs Creek Kauer (McFarland Livestock Co)..... | \$15,087.34 | |
| Little Springs Creek (Snyder)..... | \$201,793.10 | |
| Lower Eighteenmile Creek (Ellsworth Angus Ranch)..... | \$1,777.78 | |
| Lower Lemhi Thomas (Robert Thomas)..... | \$900.00 | |
| P-9 Bowles (River Valley Ranch)..... | \$178,240.05 | |
| P-9 Charlton (Sydney Downton)..... | \$11,851.25 | |
| P-9 Downton (Western Sky LLC)..... | \$142,015.61 | |

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| P-9 Elzinga (Elzinga)..... | \$175,661.69 | |
| Patterson-Big Springs PBSC9 (Silver Bit Angus/S Whitworth)..... | \$137,783.69 | |
| Pole Creek (Salmon Falls Land)..... | \$557,407.12 | |
| Pratt Creek (Mulkey)..... | \$72,997.50 | |
| Spring Creek (Richard Beard)..... | \$1,562.61 | |
| Spring Creek (Ella Beard)..... | \$2,285.76 | |
| Whitefish (Leadore Land Partners)..... | \$98,791.54 | |
| Total Committed Funds..... | \$4,262,994.98 | |
| Uncommitted CBWTP Sub-Account Balance..... | | (\$634,842.53) |
| Water Supply Bank Sub-Account | | |
| Interest Earned State Treasury..... | \$39,726.82 | |
| Payments received from renters..... | \$5,926,816.88 | |
| Payments made to owners..... | (\$5,694,300.58) | |
| Cash Balance Water Supply Bank Sub-Account..... | | \$272,243.12 |
| Committed Funds: | | |
| Owners Share..... | \$232,516.30 | |
| Total Committed Funds..... | \$232,516.30 | |
| Uncommitted Water Supply Bank Sub-Account Balance..... | | \$39,726.82 |
| Eastern Snake Plain Sub-Account | | |
| Legislative Appropriation 2005, HB392..... | \$7,200,000.00 | |
| Legislative Appropriation 2005, HB392, CREP Program..... | \$3,000,000.00 | |
| Interest Earned State Treasury..... | \$2,093,772.81 | |
| Loan Interest..... | \$296,051.40 | |
| Reimbursement from Commerce & Labor W-Canal..... | \$74,709.77 | |
| Reimbursement from MVGWD & NSGWD-Pristine Springs..... | \$1,000,000.00 | |
| Reimbursement from Water District 1 for Recharge..... | \$159,764.73 | |
| Reimbursement from BOR for Palisades Reservoir..... | \$2,381.12 | |
| Black Canyon Exchange Project Revenues..... | \$23,800.00 | |
| Eastern Snake Plain Sub-Account Revenue..... | | \$13,850,479.83 |
| Installment payments to Bell Rapids Irr Co..... | (\$3,375,180.00) | |
| Interest Credit due to Bureau of Reclamation (Part of Fourth Installment) .. | (\$19,860.45) | |
| Pristine Springs Project Costs..... | (\$6,863.91) | |
| Palisades (FMC) Storage Costs..... | (\$3,526,359.11) | |
| W-Canal Project Costs..... | (\$326,834.11) | |
| Additional recharge projects preliminary development..... | (\$7,919.75) | |
| Transfer to Bell Rapids Sub Account..... | (\$341,759.55) | |
| Transfer to Pristine Springs Sub Account..... | (\$1,000,000.00) | |
| Transfer to Priest Lake Sub-Account (2018 HB 677, Sec 6)..... | (\$2,419,580.50) | |
| Eastern Snake Plain Sub-Account Expenditures..... | | (\$12,139,774.00) |
| Cash Balance Eastern Snake Plain Sub-Account..... | | \$1,710,705.83 |
| Loans and Other Commitments | | |
| Commitment - Additional recharge projects preliminary development..... | \$337,594.00 | |
| Commitment - Palasades Storage O&M..... | \$3,221.64 | |
| Commitment - Black Canyon Exchange Project (fund with ongoing revenue) | \$442,252.95 | |
| Total Loans and Other Commitments..... | \$783,068.59 | |
| Eastern Snake Plain Sub-Account Balance after Commitments..... | | \$927,637.24 |
| CREP Loans Outstanding: | | |
| American Falls-Aberdeen GWD (CREP)..... | \$12,754.55 | |
| Bonneville Jefferson GWD (CREP)..... | \$13,192.81 | |
| Magic Valley GWD (CREP)..... | \$0.00 | |
| North Snake GWD (CREP)..... | \$0.00 | |
| TOTAL ESP CREP LOANS OUTSTANDING..... | \$25,947.36 | |
| Uncommitted Eastern Snake Plain Sub-Account Balance..... | | \$901,689.88 |
| Dworshak Hydropower Project | | |
| Power Sales & Other..... | \$14,786,839.73 | |
| Interest Earned State Treasury..... | \$1,009,102.26 | |
| Total Dworshak Project Revenue..... | | \$15,795,941.99 |
| Operations & Maintenance..... | \$3,556,156.45 | |
| Powerplant Repairs..... | \$180,409.72 | |
| Capital Improvements..... | \$318,366.79 | |
| FERC Payments..... | \$148,076.88 | |
| Transferred to 1st Security Trustee Account FINAL..... | \$148,542.63 | |
| Construction not paid through bond issuance FINAL..... | \$226,106.83 | |
| First Security Fees FINAL..... | \$314,443.35 | |
| Bond payoff FINAL..... | \$391,863.11 | |
| Total Dworshak Project Expenditures..... | | (\$5,283,965.76) |
| Cash Balance Dworshak Hydropower Project..... | | \$10,511,976.23 |
| Dworshak Project Committed Funds | | |
| Emergency Repair/Future Replacement Fund..... | \$6,030,507.03 | |
| FERC Fee Payment Fund..... | \$0.00 | |
| Total Dworshak Project Committed Funds..... | \$6,030,507.03 | |
| Uncommitted Dworshak Hydropower Project Sub-Account Balance..... | | \$4,481,469.20 |
| TOTAL..... | | \$32,367,177.32 |
| Loans Outstanding: | Amount Loaned | Principal Balance |
| A&B Irrigation District (Pipeline & Pumping Plant, Dec)..... | \$3,500,000.00 | \$2,528,516.48 |
| A&B Irrigation District (Pipeline & Pumping Plant, Sept)..... | \$3,500,000.00 | \$2,527,630.02 |
| Bee Line Water Association (Sep 23, 2014; System Improvements)..... | \$600,000.00 | \$487,807.72 |
| Bennington Irrigation Company (Infrastructure replacement)..... | \$200,000.00 | \$65,139.96 |
| Blaine County Canal Co..... | | \$772,188.50 |
| Canyon County Drainage District No. 2 (28-Nov-12; Drain tile pipeline repla | \$35,000.00 | \$0.00 |
| Clearview Water Company..... | \$50,000.00 | \$16,576.12 |
| Cloverdale Ridge Water Corporation (Irrigation infrastructure)..... | \$56,615.00 | \$56,615.00 |
| Consolidated Irrigation Company (July 20, 2012; pipeline project)..... | \$500,000.00 | \$363,797.86 |
| Dalton Water Association..... | \$1,036,900.00 | \$872.76 |

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| Evans Water Corporation & HOA..... | \$20,000.00 | \$13,215.91 | |
| Foothill Ranch Homeowners Association (7-oct-11; well rehab)..... | \$150,000.00 | \$55,606.80 | |
| Goose Lake Reservoir Corp..... | \$320,000.00 | \$220,132.27 | |
| King Hill Water Corporation (Irrigation infrastructure replacement)..... | \$1,500,000.00 | \$750,000.00 | |
| Lakeview Estate Subdivision HOA..... | | \$17,743.48 | |
| Last Chance Canal Company (14-July-2015, diversion dam rebuild)..... | \$2,500,000.00 | \$1,613,179.75 | |
| Marysville Irrigation Company (9-May-08, Pipeline Project Phase 2)..... | \$1,100,000.00 | \$93,312.68 | |
| Milner Irrigation District (pipeline replacement)..... | \$2,000,000.00 | \$1,844,421.56 | |
| North Side Canal Company (Phase 1 - canal rehab project)..... | \$1,846,092.61 | \$1,466,889.98 | |
| Outlet Water Association (22-Jan-16; new well & improvements)..... | \$100,000.00 | \$48,966.35 | |
| Picabo Livestock Co Inc..... | \$95,000.00 | \$95,000.00 | |
| Pinehurst Water District (23-Jan-15)..... | \$100,000.00 | \$17,110.66 | |
| Point Springs Grazing Association (July 20, 2012; stock water pipeline)..... | \$48,280.00 | \$6,276.90 | |
| Point Springs Grazing Association..... | \$47,335.53 | \$30,000.00 | |
| Producers Irrigation Company..... | \$102,127.50 | \$20,861.08 | |
| Reynolds Irrigation District..... | | \$250,000.00 | |
| South Valley Ground Water District..... | \$150,000.00 | \$150,000.00 | |
| St. Johns Irrigating Company (14-July-2015; pipeline project)..... | \$1,417,905.22 | \$1,049,698.70 | |
| Twin Lakes Canal Company (Winder Lateral Pipeline Project)..... | \$500,000.00 | \$9,551.25 | |
| Valley County Local Improvement District No. 1/Jughandle HOA (well project)..... | \$907,552.00 | \$339,750.57 | |
| TOTAL LOANS OUTSTANDING..... | | | \$14,910,862.36 |
| Loans and Other Funding Obligations: | | | |
| Reserved for Future Loans..... | | \$0.00 | |
| Bannock Feeder Canal..... | | \$335,110.00 | |
| Barber Pool Hydro..... | | \$850,670.00 | |
| Bennington Irrigation Company..... | | \$82,815.18 | |
| Chester Canal & Irrigation Company..... | | \$34,895.00 | |
| Cloverdale Ridge Water Corporation..... | | \$36,000.00 | |
| Enterprize Canal Company..... | | \$3,588,856.00 | |
| Falls Irrigation District..... | | \$8,894,500.00 | |
| King Hill Water Corporation (Irrigation infrastructure replacement)..... | | \$750,000.00 | |
| North Fremont Canal Company..... | | \$500,000.00 | |
| Point Springs Grazing Association..... | | \$17,335.53 | |
| Southeast Idaho Canal Company..... | | \$58,074.00 | |
| TOTAL LOANS AND OTHER FUNDING OBLIGATIONS..... | | | \$15,148,255.71 |
| Uncommitted Funds..... | | | \$2,308,059.25 |
| TOTAL..... | | | \$32,367,177.32 |

(1) Actual amount needed may vary depending on final determination of water actually purchased and interest income received.

Idaho Water Resource Board
Sources and Applications of Funds
as of October 31, 2022
WATER MANAGEMENT ACCOUNT

| | | | |
|---|-----------------|-------------------------|-------------------------|
| Original Appropriation (1978)..... | | \$1,000,000.00 | |
| Transfer funds to General Account 1101(HB 130, 1983)..... | | (\$500,000.00) | |
| Legislative Appropriation (6/29/1984)..... | | \$115,800.00 | |
| Legislative Appropriation (SB1239, 2001)..... | | \$200,000.00 | |
| Interest Earned..... | | \$125,178.09 | |
| Filing Fee Balance..... | | \$2,633.31 | |
| Water Supply Bank Receipts..... | | \$841,803.07 | |
| Bond Fees..... | | \$277,254.94 | |
| Funds from DEQ and IDOC for Glenns Ferry Water Study..... | | \$10,000.00 | |
| Legislative Appropriation (HB988, 1994)..... | | \$75,000.00 | |
| Reverted to General Account 6/30/95, (HB988, 1994)..... | | (\$35,014.25) | |
| Legislative Appropriation (SB1260, 1995, Aquifer Recharge, Caribou Dam)..... | | \$1,000,000.00 | |
| Legislative Appropriation (SB1239, 2001, Sugarloaf Aquifer Recharge Project)..... | | \$60,000.00 | |
| Reverted to General Fund 1/22/19, (SB1239, 2001, Sugarloaf Aquifer Recharge Project)..... | | (\$4,046.31) | |
| Legislative Appropriation (HB 843 Sec 6, 2004, ESPA Settlement Water Rentals)..... | | \$520,000.00 | |
| Legislative Appropriation (SB1496, 2006, ESP Aquifer Management Plan)..... | | \$300,000.00 | |
| Legislative Appropriation (HB 320, 2007, ESP Aquifer Management Plan)..... | | \$849,936.99 | |
| Lemhi River Water Right Appraisals..... | | (\$31,000.00) | |
| Legislative Audits..... | | (\$10,645.45) | |
| IWRB Appraisal Study (Charles Thompson)..... | | (\$5,000.00) | |
| Western States Water Council Annual Dues..... | | (\$7,500.00) | |
| Transfer to/from Revolving Development Account..... | | (\$317,253.80) | |
| Recharge Projects..... | | (\$11,426.88) | |
| Grants Disbursed..... | | (\$1,632,755.21) | |
| Obligated 1994 (HB988)..... | | (\$39,985.75) | |
| SB1260, Aquifer Recharge..... | | (\$947,000.00) | |
| SB1260, Soda (Caribou) Dam Study..... | | (\$53,000.00) | |
| Sugarloaf Aquifer Recharge Project (SB1239, 2001)..... | | (\$55,953.69) | |
| ESPA Settlement Water Rentals (HB 843, 2004)..... | | (\$504,000.00) | |
| ESP Aquifer Management Plan (SB1496, 2006)..... | | (\$300,000.00) | |
| ESP Aquifer Management Plan (HB320, 2007)..... | | (\$801,077.75) | |
| CASH BALANCE..... | | | \$121,947.31 |
| Other Funding Obligations | | | |
| ESPA Settlement Water Rentals (HB 843, 2004)..... | \$16,000.00 | | |
| Other Funding Obligations..... | | \$16,000.00 | |
| Original Water Mgmt Account Unobligated Funds..... | | | \$105,947.31 |
| Large Water Projects Program Sub-Account | | | |
| Legislative Appropriation (HB 285, Sec 1, 2019)..... | \$20,000,000.00 | | |
| Legislative Appropriation (SB 1121, Sec 1, 2021)..... | \$50,000,000.00 | | |
| Legislative Appropriation (HB 769, Sec 6, 2022)..... | \$50,000,000.00 | | |
| Legislative Appropriation (HB 769, Sec 6, 2022-1/3 portion to be used for Aging Infrastructure Grants)..... | \$25,000,000.00 | | |
| Interest Earned State Treasury..... | \$1,454,828.02 | | |
| Total Revenue for Large Water Projects Program Sub-Account..... | | \$146,454,828.02 | |
| Municipal Capital Markets Group Inc (CON01518)..... | | (\$8,102.50) | |
| DOI-BOR Agreement..... | | (\$1,223,944.00) | |
| Total Expenditures for Large Water Projects Program Sub-Account..... | | (\$1,232,046.50) | |
| Cash Balance for Large Projects Program Sub-Account..... | | | \$145,222,781.52 |
| Large Water Projects Program Obligated Funds | | | |
| Anderson Ranch Dam Raise Interim Funding..... | \$16,367,953.50 | | |
| Mountain Home Air Force Base Sustainable Water Project..... | \$28,000,000.00 | | |
| Eastern Snake Plain Aquifer Recharge Infrastructure..... | \$22,400,000.00 | | |
| Bear Lake Additional Water Storage..... | \$2,000,000.00 | | |
| Total Large Water Projects Program Obligated Funds..... | | \$68,767,953.50 | |
| Aging Infrastructure Program Grants | | | |
| Bannock Feeder (Diversion Replacement)..... | \$250,000.00 | | |
| Big Lost (Dam Repair)..... | \$2,000,000.00 | | |
| Boise Project Board of Control (New York Canal Lining)..... | \$2,418,900.00 | | |
| Chester Canal & Irrigation Company (Diversion Headgate)..... | \$29,725.00 | | |
| Dalton Gardens Irrigation District (Delivery Improvements)..... | \$23,460.00 | | |
| Enterprize Canal Company (Rehabilitation of Conveyance System)..... | \$2,736,227.00 | | |
| Falls Irrigation District (Pump Station Rehab)..... | \$200,588.00 | | |
| Fremont Madison Irrigation District (Headgate Modernization & Automation)..... | \$58,200.00 | | |
| King Hill Irrigation District (Pump Station & Closed Conduit)..... | \$1,980,259.00 | | |
| Nampa-Meridian Irrigation District (Ridenbaugh Canal Modernization)..... | \$1,820,048.00 | | |
| North Side Pumping Company (Pump Station/Canal Abandonment)..... | \$951,800.00 | | |
| Water District 63 (Monitoring System Upgrades)..... | \$30,793.00 | | |
| Total Aging Infrastructure Program Obligated Funds..... | | \$12,500,000.00 | |
| Large Water Projects Program Unobligated Funds..... | | | \$63,954,828.02 |
| Water Quality Collection Program Sub-Account | | | |
| Legislative Appropriation (HB 285, Sec 3, 2019)..... | \$200,000.00 | | |
| Legislative Appropriation (HB 646, Sec 5, 2020)..... | \$200,000.00 | | |
| Legislative Appropriation (HB 646, Sec 5, 2021)..... | \$200,000.00 | | |
| Interest Earned State Treasury..... | \$6,899.10 | | |
| Total Revenue for Water Quality Collection Program Sub-Account..... | | \$606,899.10 | |
| DOI-USGS Agreement FY 2020 - Mid-Snake River..... | | (\$200,000.00) | |
| DOI-USGS Agreement FY 2021 - Mid-Snake River..... | | (\$200,000.00) | |
| DOI-USGS Agreement FY 2022 - Mid-Snake River..... | | (\$41,637.07) | |
| Total Expenditures for Water Quality Collection Program Sub-Account..... | | (\$441,637.07) | |
| Cash Balance for Water Quality Collection Program Sub-Account..... | | | \$165,262.03 |
| Water Quality Collection Program Obligated Funds | | | |
| DOI-USGS Agreement FY 2022 - Mid-Snake River..... | \$158,362.93 | | |
| Total Water Quality Collection Program Obligated Funds..... | | \$158,362.93 | |

Water Quality Collection Program Unobligated Funds.....

\$6,899.10

Flood Management Program Sub-Account

| | | |
|--|----------------|-------------------------|
| Legislative Appropriation (HB 712, Sec 1, 2018, Flood Management Program)..... | \$1,000,000.00 | |
| Legislative Appropriation (HB 285, Sec 3, 2019, Flood Management Program)..... | \$800,000.00 | |
| Legislative Appropriation (HB 646, Sec 5, 2020, Flood Management Program)..... | \$800,000.00 | |
| Legislative Appropriation (SB1190, Sec 5, 2021, Flood Management Program)..... | \$800,000.00 | |
| Legislative Appropriation (HB 769, Sec 5, 2022, Flood Management Program)..... | \$1,000,000.00 | |
| Interest Earned State Treasury..... | \$46,042.35 | |
| Total Revenue for Flood Management Program Sub-Account..... | | \$4,446,042.35 |
| Grants Disbursed for Leg Approp (HB 712, Sec 1, 2018, Flood Mgmt Pg)..... | (\$901,677.56) | |
| Grants Disbursed for Leg Approp (HB 285, Sec 3, 2019, Flood Mgmt Pg)..... | (\$624,251.34) | |
| Grants Disbursed for Leg Approp (HB 646, Sec 5, 2020, Flood Mgmt Pg)..... | (\$536,156.24) | |
| Grants Disbursed for Leg Approp (SB1190, Sec 5, 2021, Flood Mgmt Pg)..... | (\$221,430.85) | |
| Grants Disbursed for Leg Approp (HB 769, Sec 5, 2022, Flood Mgmt Pg)..... | \$0.00 | |
| Total Expenditures for Flood Management Program Sub-Account..... | | (\$2,283,515.99) |
| Cash Balance for Flood Management Program Sub-Account..... | | \$2,162,526.36 |

Flood Management Grant Program Obligated Funds

| | Grant Amount | Expenditures | Remaining Balance |
|---|---------------------|---------------------|----------------------|
| Flood Management Program grants - Year 1 (HB712, Sec 1, 2018) | | | |
| <i>Flood Control District 9 (CON01303).....</i> | <i>90,000.00</i> | <i>(84,851.70)</i> | <i>5,148.30</i> |
| <i>Blaine County (CON01304).....</i> | <i>121,331.00</i> | <i>(121,331.00)</i> | <i>0.00</i> |
| <i>Cassia County (CON01305).....</i> | <i>42,336.38</i> | <i>(19,618.16)</i> | <i>22,718.22</i> |
| <i>Flood Control District 10 (CON01306 - New Dry Creek River Bank).....</i> | <i>78,400.00</i> | <i>(62,156.50)</i> | <i>16,243.50</i> |
| <i>Flood Control District 10 (CON01307 - Duck Alley Pit Capture).....</i> | <i>153,550.00</i> | <i>(105,470.43)</i> | <i>48,079.57</i> |
| <i>Flood Control District 10 (CON01308 - Porter & Mulchay Gravel Removal).....</i> | <i>38,808.00</i> | <i>(35,250.77)</i> | <i>3,557.23</i> |
| <i>Clearwater Soil & Water Conservation Dist (CON01309).....</i> | <i>155,220.00</i> | <i>(155,219.00)</i> | <i>1.00</i> |
| <i>Flood Control District 10 (CON01310 - Leighton & Wells Gravel Removal).....</i> | <i>22,000.00</i> | <i>(22,000.00)</i> | <i>0.00</i> |
| <i>Flood Control District 11 (CON01311).....</i> | <i>57,675.00</i> | <i>(55,100.00)</i> | <i>2,575.00</i> |
| <i>Twin Lakes/Flood Control Dist 17 (CON01312).....</i> | <i>7,750.00</i> | <i>(7,750.00)</i> | <i>0.00</i> |
| <i>Twin Falls Canal Company (CON01327).....</i> | <i>85,340.00</i> | <i>(85,340.00)</i> | <i>0.00</i> |
| <i>Nez Perce Soil & Water Conservation Dist (CON01328).....</i> | <i>115,460.00</i> | <i>(115,460.00)</i> | <i>0.00</i> |
| <i>Riverside Village HOA (CON01329).....</i> | <i>6,025.00</i> | <i>(6,025.00)</i> | <i>0.00</i> |
| <i>City of Pocatello (CON01330).....</i> | <i>26,105.00</i> | <i>(26,105.00)</i> | <i>0.00</i> |
| <i>Uncommitted from HB712 Year 1.....</i> | <i>(98,322.82)</i> | <i>0.00</i> | <i>(98,322.82)</i> |
| Balance for Year 1 Flood Mgmt Grants..... | 901,677.56 | (901,677.56) | 0.00 |
| Flood Management Program grants - Year 2 (HB285, Sec 3, 2019) | | | |
| <i>City of Boise (CON01396).....</i> | <i>6,371.00</i> | <i>(6,371.00)</i> | <i>0.00</i> |
| <i>Blaine County (CON01397).....</i> | <i>100,000.00</i> | <i>(96,555.00)</i> | <i>3,445.00</i> |
| <i>Board of Controls Irrigation (CON01398).....</i> | <i>59,050.00</i> | <i>(57,827.50)</i> | <i>1,222.50</i> |
| <i>Clearwater Soil & Water Conservation District (CON01399).....</i> | <i>190,492.37</i> | <i>(190,490.18)</i> | <i>2.19</i> |
| <i>Clearwater Soil & Water Conservation District (CON01400).....</i> | <i>72,727.39</i> | <i>(72,629.03)</i> | <i>98.36</i> |
| <i>City of Hailey (CON01401).....</i> | <i>50,000.00</i> | <i>(19,841.33)</i> | <i>30,158.67</i> |
| <i>Flood Control District No. 10 (CON01402).....</i> | <i>160,000.00</i> | <i>(160,000.00)</i> | <i>0.00</i> |
| <i>Idaho Soil and Water Conservation District (CON01403) - CANCELLED.....</i> | <i>159,436.00</i> | | <i>159,436.00</i> |
| <i>Idaho Soil and Water Conservation District (CON01404).....</i> | <i>21,619.50</i> | <i>(20,537.30)</i> | <i>1,082.20</i> |
| <i>Blaine County (CON01405) - NOT EXECUTED.....</i> | <i>50,000.00</i> | | <i>50,000.00</i> |
| <i>Uncommitted from HB285 Year 2.....</i> | <i>(245,444.92)</i> | <i>0.00</i> | <i>(245,444.92)</i> |
| Balance for Year 2 Flood Mgmt Grants..... | 624,251.34 | (624,251.34) | 0.00 |
| Flood Management Program grants - Year 3 (HB646, Sec 5, 2020) | | | |
| <i>Flood Control District 10 - Boise River North Channel (CON01510).....</i> | <i>47,500.00</i> | <i>(47,500.00)</i> | <i>0.00</i> |
| <i>Flood Control District 10 - Boise River Canyon Reach 1 (CON01509).....</i> | <i>175,000.00</i> | <i>(91,735.00)</i> | <i>83,265.00</i> |
| <i>Idaho Soil & Water Conservation District - Sill Creek (CON01488).....</i> | <i>10,960.28</i> | <i>(10,960.28)</i> | <i>0.00</i> |
| <i>Idaho Soil & Water Conservation District - Lower Cottonwood Creek (CON01489).....</i> | <i>27,935.20</i> | | <i>27,935.20</i> |
| <i>Idaho Soil & Water Conservation District - Clear Creek (CON01490).....</i> | <i>18,570.60</i> | <i>(11,838.06)</i> | <i>6,732.54</i> |
| <i>City of Bellevue - Lower Howard Preserve (CON01491).....</i> | <i>57,880.00</i> | <i>(57,880.00)</i> | <i>0.00</i> |
| <i>Clearwater Soil & Water Conservation District - Louse Creek (CON01492).....</i> | <i>24,687.00</i> | <i>(20,600.00)</i> | <i>4,087.00</i> |
| <i>Pioneer Irrigation District - Mason Creek (CON01493).....</i> | <i>148,500.00</i> | | <i>148,500.00</i> |
| <i>Raft River Flood Control District 15 - (CON01494).....</i> | <i>80,525.00</i> | <i>(26,255.60)</i> | <i>54,269.40</i> |
| <i>Lewis Soil Conservation District - Alpine Road (CON01495).....</i> | <i>18,425.30</i> | <i>(18,425.30)</i> | <i>0.00</i> |
| <i>City of Orofino - Orofino Creek (CON01496).....</i> | <i>200,000.00</i> | <i>(200,000.00)</i> | <i>0.00</i> |
| <i>Twin Falls Canal Company & City of Twin Falls (CON01497).....</i> | <i>50,962.00</i> | <i>(50,962.00)</i> | <i>0.00</i> |
| <i>Uncommitted from HB646 Year 3.....</i> | <i>0.00</i> | | <i>0.00</i> |
| Balance for Year 3 Flood Mgmt Grants..... | 860,945.38 | (536,156.24) | 324,789.14 |
| Flood Management Program grants - Year 4 (SB1190, Sec 5, 2021) | | | |
| <i>North Side Canal Company - Red Bridge Flood Mgmt Storage Pond (CON01564).....</i> | <i>200,000.00</i> | | <i>200,000.00</i> |
| <i>Flood District 9 - Bellevue Side Channel Project (CON01565).....</i> | <i>111,508.00</i> | | <i>111,508.00</i> |
| <i>Nez Perce County & NPSWCD - Streambank Project.....</i> | <i>100,000.00</i> | <i>(100,000.00)</i> | <i>0.00</i> |
| <i>Flood District 17 - Rathdrum Creek Debris Project (CON01567).....</i> | <i>6,375.00</i> | <i>(6,375.00)</i> | <i>0.00</i> |
| <i>Adams Soil & Water Conservation District - Grays Creek Project (CON01568).....</i> | <i>17,606.00</i> | <i>(17,227.40)</i> | <i>378.60</i> |
| <i>Clearwater Soil & Water Conservation District - Heywood Bridge Project (CON01569).....</i> | <i>37,475.00</i> | <i>(37,475.00)</i> | <i>0.00</i> |
| <i>Clearwater Soil & Water Conservation Dist - Swanson's Loop Project (CON01563).....</i> | <i>200,000.00</i> | | <i>200,000.00</i> |
| <i>Reid Canal Company - Bannock Feeder Project (CON01570).....</i> | <i>200,000.00</i> | | <i>200,000.00</i> |
| <i>Lewis Soil & Water Conservation District - Tiede Road Flood Project (CON01571).....</i> | <i>71,910.00</i> | <i>(56,936.57)</i> | <i>14,973.43</i> |
| <i>Idaho Soil & Water Conservation District - Clear Creek Project (CON01572).....</i> | <i>36,062.00</i> | <i>(3,416.88)</i> | <i>32,645.12</i> |
| <i>Uncommitted from SB1190 Year 4.....</i> | <i>0.00</i> | | <i>0.00</i> |
| Balance for Year 4 Flood Mgmt Grants..... | 980,936.00 | (221,430.85) | 759,505.15 |
| Flood Management Program grants - Year 5 (HB769, Sec 5, 2022) | | | |
| <i>Goose Creek Flood Project.....</i> | <i>200,000.00</i> | | <i>200,000.00</i> |
| <i>City of Lewiston Flood Project.....</i> | <i>106,352.00</i> | | <i>106,352.00</i> |
| <i>Madison County Flood Control Diversion Project.....</i> | <i>126,392.00</i> | | <i>126,392.00</i> |
| <i>Boise River Flood Control District 10.....</i> | <i>125,000.00</i> | | <i>125,000.00</i> |
| <i>Madison County Teton River Splitter Gate Project.....</i> | <i>47,859.00</i> | | <i>47,859.00</i> |
| <i>Twin Lakes Flood Control District.....</i> | <i>8,000.00</i> | | <i>8,000.00</i> |
| <i>Squaw Creek Ditch Company.....</i> | <i>125,000.00</i> | | <i>125,000.00</i> |
| <i>Riverside Water & Sewer District.....</i> | <i>200,000.00</i> | | <i>200,000.00</i> |
| <i>ESPAR & Madison County Flood Diversion Project.....</i> | <i>47,300.00</i> | | <i>47,300.00</i> |
| <i>Clearwater SWCD Garden Creek Project.....</i> | <i>84,085.00</i> | | <i>84,085.00</i> |

| | | | |
|--|----------------|------------------|-----------------|
| Uncommitted from SB1190 Year 4..... | 0.00 | | 0.00 |
| Balance for Year 5 Flood Mgmt Grants..... | 1,069,988.00 | 0.00 | 1,069,988.00 |
| Obligated for Flood Management Grants..... | \$4,437,798.28 | (\$2,283,515.99) | \$2,154,282.29 |
| Flood Management Grants Unobligated Funds..... | | | \$8,244.07 |
| TOTAL OBLIGATED FUNDS BALANCE..... | | | \$83,596,598.72 |
| Unobligated Funds..... | | | \$64,075,918.50 |

Bold and italicized indicates that project is completed and entity has received final payment

Idaho Water Resource Board
Sources and Applications of Funds
as of October 31, 2022
AMERICAN RESCUE PLAN ACT ACCOUNT

| | | |
|--|-----------------|----------------|
| Legislative Appropriation (HB 769, Sec 8)..... | | 100,000,000.00 |
| USDOI/BLM - Anderson Ranch CON 21WN102130..... | (72,871,406.00) | |
| Mountain Home Air Force Base pipeline..... | (59.92) | |
| Total ARPA Fund Expenditures..... | (72,871,465.92) | |
| | | |
| Obligated ARPA Funds | | |
| USDOI/BLM - Anderson Ranch CON 21WN102130..... | 28,594.00 | |
| Mountain Home Air Force Base pipeline..... | 4,999,940.08 | |
| Goyne Sump Recharge Project..... | 3,387,047.00 | |
| Hamer Road Recharge Project..... | 5,000,000.00 | |
| Total Obligated ARPA Funds..... | | 13,415,581.08 |
| | | |
| TOTAL UNOBLIGATED ARPA FUNDS..... | | 13,712,953.00 |

Memorandum



To: Idaho Water Resource Board
From: Remington Buyer, Cynthia Bridge Clark
Date: November 8, 2022
Re: Anderson Ranch Dam Raise

REQUIRED ACTION: The Board will consider clarifying its position with respect to the ownership of the non-federal portion of application for permit 63-34753.

Project Background

The Idaho Water Resource Board (IWRB) partnered with the U.S. Bureau of Reclamation (Reclamation) to complete a feasibility study of new surface water storage options on the Boise River. Reclamation issued the Final Feasibility Study and Draft Environmental Impact Statement (DEIS) in 2020 which recommended a six-foot raise of the Anderson Ranch Dam (project) and approximately 29,000 acre-feet of new storage space. The recommended plan was deemed feasible by the Secretary of Interior in December 2020 which met a required deadline for authorization under the Water Infrastructure Improvements for the Nation Act (WIIN Act). Fiscal Year 2021 appropriations legislation secured \$12.88 million in WIIN Act funding as the federal cost share for completion of the Feasibility Study, environmental compliance, and construction.

The WIIN Act also required an agreement between Reclamation and a partner capable of funding the non-federal share of the project costs through initiation of construction or final design activities prior to December 16, 2021. On November 19, 2021, the IWRB passed a resolution authorizing execution of a cost-share agreement (contract) between Reclamation and the IWRB to continue development of the Anderson Ranch Dam Raise through construction. The Feasibility Study estimate for total design and construction cost of the project is \$83.3 million, not including applicable interest during construction. In accordance with the contract, the non-federal share of the total project construction cost is 88.95%, or approximately \$74.1 million, and will be the responsibility of the IWRB. The federal share of the total construction cost is 11.05% and will be paid by Reclamation appropriations. The contract was executed on November 19, 2021 and Reclamation initiated dam raise design activities. The Anderson Ranch Dam Raise project met the December 16, 2021 WIIN Act construction initiation deadline.

Project Funding

In 2021 the IWRB advanced \$1,223,944 to Reclamation to partially fund the non-federal cost share for final design and construction activities associated with the project. Pursuant to House Bill 769 of the 2022 Idaho Legislative Session, the IWRB authorized expenditure of the remainder of the current non-federal cost obligation, approximately \$72.9 million in September 2022.

Water Right Ownership

The IWRB's contract with Reclamation affirms that Reclamation will retain sole ownership of 10% of the water accruing to the new storage space created in Anderson Ranch Reservoir, through this project. The contract also provides that Reclamation and the IWRB may negotiate the IWRB's ownership of the remaining non-federal balance of the new space created in Anderson Ranch Reservoir. The IWRB will discuss at the November 18 IWRB meeting whether it intends to retain sole ownership of the full balance of the non-federal portion of this project, which is 90% of the new storage space created in Anderson Ranch Reservoir .

Ongoing Project Activities

- IWRB staff continues to coordinate with Reclamation and provide support where appropriate. This includes supporting reservoir rim projects by coordinating with stakeholders as needed. Staff are also tracking post-feasibility study design work in anticipation of an update to the spillway design, potential reservoir elevation restriction and mitigation during construction. Staff are also providing support for a Supplemental Draft Environmental Impact Statement (SDEIS) which is currently being prepared by Reclamation;
- Reclamation is preparing to complete dam spillway overlay feasibility design work in the coming weeks;
- IWRB staff are working with IDWR Hydrology staff, using the Boise River water right accounting model, to better understand Reclamation's hydrologic analysis and estimates of the frequency of fill of storage in the new reservoir space, created through a raise of the dam;
- IWRB staff will meet with protestants to application 63-34753 during the coming months, through informal settlement discussions, to address concerns raised by protestants.

Reclamation will provide an update on project activities at the November 18, 2022 IWRB meeting. A briefing letter from Reclamation and copy of its preliminary project development schedule are attached.

ATTACHMENTS

- Boise River Basin Feasibility Study / Anderson Ranch Dam Raise Status Update Letter from USBOR to IWRB (dated November 10, 2022).



United States Department of the Interior
BUREAU OF RECLAMATION
Snake River Area Office
230 Collins Road
Boise, ID 83702-4520



IN REPLY REFER TO:

SRA-1308
2.2.4.21

VIA ELECTRONIC MAIL ONLY

Mr. Jeff Raybould
Chairman
Idaho Water Resource Board
322 East Front Street
Boise, ID 83702

Ms. Melanie Paquin
Area Manager
Snake River Area Office
230 Collins Road
Boise, ID 83702

Subject: Boise River Basin Feasibility Study / Anderson Ranch Dam Raise Status Update,
Boise Project, Idaho

Dear Mr. Raybould and Ms. Paquin:

This status update is being sent in preparation for the Idaho Water Resource Board (IWRB) meeting on November 18, 2022.

The IWRB and the Bureau of Reclamation (Reclamation) partnered to complete a feasibility study of new surface water storage opportunities in the Boise River Basin (Study). Authorized under Water Infrastructure Improvements for the Nation (WIIN) Act of 2016, the Study focused on a 6-foot raise of Anderson Ranch Dam in Idaho, to achieve approximately 29,000 acre-feet of new water storage.

Current Status

Recent project activities include:

- Completed field explorations at the dam and began field explorations at certain rim project locations. Completed on-site survey work for the rim projects.
- Began preparations for reinitiating environmental compliance activities.
- Received the remaining non-federal project funding based on the feasibility level total project cost estimate.
- Dam raise designer engineers conducted a site visit viewing and collecting data of the dam and related features.

Ongoing project activities include:

- Reservoir rim projects design activities.
- Detour route design analysis and stakeholder coordination.
- Standing monthly oversight team meetings between Reclamation and IWRB staff.

Completed Key Milestones

| | |
|-----------------------|--|
| Nov. 2017 – Jan. 2019 | Reclamation completed initial screening of the three potential dam raise alternatives and developed a project management plan. |
| July 27, 2018 | IWRB passed a resolution supporting the narrowed focus of the Study to a raise at Anderson Ranch Dam. |
| August 28, 2018 | Reclamation and IWRB hosted a Legislative Infrastructure Tour to discuss large water infrastructure projects in Idaho with representatives from Idaho's Congressional delegation. |
| November 8, 2018 | Reclamation and IWRB hosted an informational public open house on the Study in Boise, Idaho. |
| December 3-7, 2018 | Reclamation conducted a Value Planning Study with a final Accountability Report received in February 2019. |
| December 25, 2018 | Reclamation awarded an Indefinite Delivery / Indefinite Quality contract for architect and engineering services to Sundance-EA Joint Venture (Consultant) to complete the Study and environmental compliance activities. |
| April 30, 2019 | Consultant submitted land, structure, infrastructure, and real estate impact assessment (Rim Analysis) for Anderson Ranch Reservoir. |
| June 7, 2019 | IWRB filed a water right permit application for the potential additional storage (Water Right No. 63-34753). |
| June 19, 2019 | Reclamation's TSC completed feasibility-level design and cost estimates completed for Anderson Ranch Dam raise. |
| August 9, 2019 | Reclamation published the Notice of Intent for an environmental impact statement (EIS) in the Federal Register. |
| August 27-29, 2019 | Reclamation conducted Public Scoping Open Houses in Pine, Boise, and Mountain Home, Idaho. |
| February 3-7, 2020 | Reclamation completed the Design, Estimate, and Construction review of the feasibility-level designs. |
| April 6-10, 2020 | Reclamation completed the Peer Review of the Water Operations Technical Memorandum. |
| July 31, 2020 | Reclamation released the Draft EIS and Draft Feasibility Report. |
| October 30, 2020 | Reclamation initiated formal Endangered Species Act consultation with National Oceanic and Atmospheric Administration National Marine Fisheries Service and submitted its biological assessment. |

| | |
|--------------------|--|
| December 2020 | The Secretary of the Interior determined the Study's recommended plan to be feasible in accordance with the WIIN Act. |
| December 2020 | Reclamation transmitted the Final Feasibility Report to Congress. |
| December 2020 | Fiscal Year 2021 Appropriations legislation secured \$12.88 million in WIIN Act funding for completing the Study, environmental compliance, and construction. |
| May 2021 | Initiated pause in environmental compliance process pending further development of final design. |
| July / August 2021 | Reclamation's Columbia-Pacific Northwest Region requested delegation of authority and received approval from the Commissioner to negotiate, execute, and administer a cost-share agreement pursuant to section 4007 of the WIIN Act with the IWRB. |
| Sept. / Oct. 2021 | Reclamation and IWRB completed cost-share contract negotiation sessions: Sept. 22, Oct. 5, Oct. 19, and Oct. 28. |
| November 2021 | IWRB and Reclamation signed and executed cost-share contract. IWRB provided first interval payment of advanced funds. TSC initiated final design activities. |
| June 2022 | Reclamation's Technical Service Center completed dam spillway overlay feasibility design and conducted risk neutrality and construction risk workshop. |
| September 2022 | Reclamation's risk neutrality and construction risk analysis, Dam Safety Advisory Team (DSAT) review and concurrence. |

Key Critical Path Milestones

| | |
|-------------|---|
| Summer 2022 | Complete risk neutrality and construction risk analysis process |
| Spring 2023 | Complete dam raise 30% Design and Cost Estimate |
| Summer 2024 | Complete environmental compliance |
| Summer 2024 | Complete final design |

Thank you for this opportunity to provide an update on the Boise River Basin Feasibility Study / Anderson Ranch Dam Raise Project. If you have any questions, please contact me at (208) 378-5360 or via email at ckeith@usbr.gov.

Sincerely,

Chris Keith
Project Manager

Memorandum

To: Idaho Water Resource Board
From: Mike Morrison
Date: November 7, 2022
Re: Mountain Home Air Force Base Water Resilience Project



REQUIRED ACTION: No action is required.

Project Update

On November 4th, an IDWR/IWRB evaluation committee completed its evaluation of the three firms who responded to the Board's Request for Qualifications for an Owner's Advisor. Staff currently is negotiating a contract with Brown and Caldwell to provide Owner's Advisor services to the Board for the duration of the project.

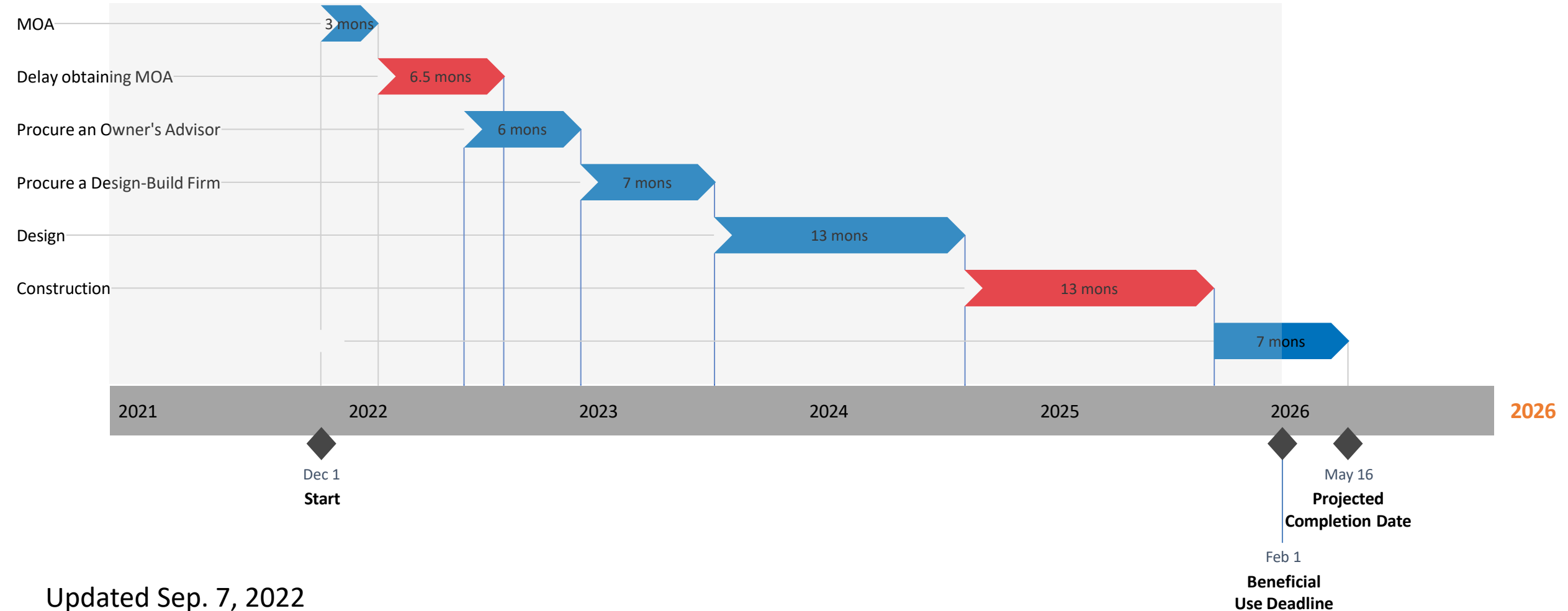
The Owner's Advisor will assist staff with the following:

- Writing RFQs, RFPs, and other documentation needed to procure a design-build firm.
- Administering and managing the contract.
- Providing on-site project quality assurance.
- Providing geotechnical surveys, material testing, securing permits and easements, and providing other technical assistance as required.

At September's Board meeting, I presented a timeline indicating that the project was three months behind schedule (attached). I also estimated that given current market conditions, project costs could be as much as \$61.7 Million. I plan to work with our new Owner's Advisor to develop an updated schedule and cost estimates that we will present at January's Board meeting.



MHAFB pipeline and pumping station estimated completion dates



Memorandum

To: Idaho Water Resource Board
From: Mike Morrison
Date: November 7, 2022
Re: Priest Lake Outlet Dam Improvement Project



REQUIRED ACTION: No action is required.

Project Update

Summary: Staff has verified that the dam is stable and continues to work with the dam operators and the Engineering firm of Record (Mott MacDonald) to assure that the dam remains safe and in operable condition this winter.

Staff is working toward a project completion date in late Spring, 2024. To this end, Staff negotiated an amendment with its construction manager, Mott MacDonald, to survey the current condition of the dam site and to produce the design package and other documents needed to procure the construction contractors who will complete this project.

Under the amendment, Mott MacDonald will also produce the operations plan needed to renew the dam's certificate of continued operations and provide limited support for the Board's ongoing litigation with the previous construction contractor, Strider Construction Co., LLC.

Milestones and Tentative Timeline: Staff anticipates that the project will progress according to the following timeline:

- February/March 2023: Design package and other bidding documents complete. Board will begin soliciting qualified contractors to complete the project.
- August/September 2023: Contractor(s) selected.
- September/October 2023: Board issues a Notice to Proceed (NTP). Construction work begins.
- April/May 2024: Project Completion.

BEFORE THE IDAHO WATER RESOURCE BOARD

IN THE MATTER OF THE NORTH SIDE ENERGY
COMPANY LOAN REQUEST

RESOLUTION TO AUTHORIZE LOAN FUNDING
FOR REFINANCING OF EXISTING WATER
PROJECT LOAN

1 WHEREAS, North Side Energy Company (Company) submitted a loan application to the Idaho
2 Water Resource Board (IWRB) in the amount of \$2,300,00 to refinance an existing water project loan
3 (Project); and
4

5 WHEREAS, the Company received loan funding from the Northwest Farm Credit Services
6 (NWFCFS) for a project to replace infrastructure and construct a hydropower facility; and
7

8 WHEREAS, the Company's loan with NWFCFS is currently under a variable rate and the company
9 would like to secure fixed rate financing; and
10

11 WHEREAS, the Company is a qualified applicant, and the proposed Project is eligible for a loan
12 from the IWRB's Water Management Account; and
13

14 WHEREAS, the proposed Project is in the public interest and is in compliance with the State
15 Water Plan.
16

17 NOW THEREFORE BE IT RESOLVED that the IWRB approves a loan not to exceed \$2,300,000
18 from the Water Management Account at 4.75% interest with a 30-year repayment term.
19

20 NOW THEREFORE BE IT FURTHER RESOLVED that the IWRB provides authority to the Chairman
21 of the IWRB, or his designee, to enter into contracts, to effectuate the loan, on behalf of the IWRB.
22

23 NOW THEREFORE BE IT FURTHER RESOLVED that this resolution and the approval of the loan are
24 subject to the following conditions:
25

- 26 1) Prior to the disbursement of any funds, the Company will provide acceptable security for the
27 loan to the IWRB, including but not limited to its facilities and infrastructure.
28 2) The Company shall maintain a reserve fund equal to one annual loan payment until the loan
29 has been satisfied.
30

DATED this 18th day of November 2022.

JEFF RAYBOULD, Chairman
Idaho Water Resource Board

ATTEST _____
JO ANN COLE-HANSEN, Secretary

Resolution No. _____

BEFORE THE IDAHO WATER RESOURCE BOARD

IN THE MATTER OF THE NORTH SIDE PUMPING
COMPANY LOAN REQUEST

RESOLUTION TO AUTHORIZE LOAN FUNDING
FOR PROJECT TO CONVERT CANALS AND
UPGRADE SYSTEM INFRASTRUCTURE

1 WHEREAS, North Side Pumping Company (Company) submitted a loan application to the Idaho
2 Water Resource Board (IWRB) in the amount of \$1,200,000 for a project to covert open channel canals
3 and pump systems (Project); and
4

5 WHEREAS, the Company was founded in 1915 and currently delivers water for 12,000 acres of
6 irrigated lands in Jerome County, utilizing 5 pumping plants and network of open canals; and
7

8 WHEREAS, the Company will need to decommission 2 pumping plants nearing a century in age,
9 and proposes to convert to individual pump stations with closed pipe conveyance to those shareholders;
10 and
11

12 WHEREAS, the total Project costs are estimated to be \$4,139,000 and the applicant has secured
13 grant funding and in kind services to support the total Project costs; and
14

15 WHEREAS, the Company is a qualified applicant, and the proposed Project is eligible for a loan
16 from the IWRB's Water Management Account; and
17

18 WHEREAS, the proposed Project is in the public interest and is in compliance with the State
19 Water Plan.
20

21 NOW THEREFORE BE IT RESOLVED that the IWRB approves a loan not to exceed \$1,200,000
22 from the Revolving Development Account at 3.33% interest with a 15-year repayment term.
23

24 NOW THEREFORE BE IT FURTHER RESOLVED that the IWRB provides authority to the Chairman
25 of the IWRB, or his designee, to enter into contracts, to effectuate the loan, on behalf of the IWRB.
26

27 NOW THEREFORE BE IT FURTHER RESOLVED that this resolution and the approval of the loan are
28 subject to the following conditions:
29

- 30 1) The Company shall comply with all applicable rules and regulations that apply to the
31 proposed Project.
- 32 2) Prior to the disbursement of any funds, the Company shall provide acceptable security for
33 the loan to the IWRB, including but not limited to its shareholder assessments, water rights,
34 and its facilities and infrastructure.
- 35 3) The Company shall maintain a reserve fund equal to one annual loan payment until the loan
36 has been satisfied.
37

DATED this 18th day of November 2022.

JEFF RAYBOULD, Chairman
Idaho Water Resource Board

ATTEST _____
JO ANN COLE-HANSEN, Secretary

DRAFT

Resolution No. _____

Page 2

BEFORE THE IDAHO WATER RESOURCE BOARD

IN THE MATTER OF THE RAFT RIVER RECHARGE
GROUP LOAN REQUEST

RESOLUTION TO AUTHORIZE LOAN FUNDING
FOR PROJECT TO CONSTRUCT RECHARGE
AND FLOOD CONTROL INFRASTRUCTURE

1 WHEREAS, Raft River Recharge Group (Group) submitted a loan application to the Idaho Water
2 Resource Board (IWRB) in the amount of \$14,111,000 for a project to construct aquifer recharge and
3 flood control infrastructure (Project); and
4

5 WHEREAS, the Group was formed in 2015 to address declining aquifer levels in the Raft River
6 Aquifer; and
7

8 WHEREAS, Group members collectively hold over 50,000 acres of land within the project area;
9 and
10

11 WHEREAS, the total Project costs are estimated to be \$48,602,082 and the applicant has
12 secured federal funding in the amount of \$28,241,142 to support the total Project costs; and
13

14 WHEREAS, the proposed Project is eligible for a loan from the IWRB's Water Management
15 Account; and
16

17 WHEREAS, the proposed Project is in the public interest and is in compliance with the State
18 Water Plan.
19

20 NOW THEREFORE BE IT RESOLVED that the IWRB approves a loan not to exceed \$14,111,000
21 from the Water Management Account at 3.33% interest with a 20-year repayment term.
22

23 NOW THEREFORE BE IT FURTHER RESOLVED that the IWRB provides authority to the Chairman
24 of the IWRB, or his designee, to enter into contracts, to effectuate the loan, on behalf of the IWRB.
25

26 NOW THEREFORE BE IT FURTHER RESOLVED that this resolution and the approval of the loan are
27 subject to the following conditions:
28

- 29 1) The Group shall comply with all applicable rules and regulations that apply to the proposed
30 Project.
- 31 2) Prior to the disbursement of any funds, the Group shall provide acceptable security for the
32 loan to the IWRB, including but not limited to its shareholder assessments, water rights, and
33 its facilities and infrastructure.
- 34 3) The Company shall maintain a reserve fund equal to one annual loan payment, based on the
35 amount of funds disbursed, until the loan has been satisfied.

- 36 4) Prior to the disbursement of funds, the Group shall submit documentation of membership
37 equities, demonstrating the financial feasibility to meet the increase in assessments
38 required to support the loan payments.
39 5) On or before November 1, 2023, the Group will submit to the IWRB, updated project costs,
40 including a summary of any additional funds secured for the project and any changes to the
41 amount of loan funds needed to support the project.
42 6) If by November 1, 2023, the Group is able to secure alternative funding to support the
43 project, the total approved amount of the loan will be reduced to actual project needs.
44

DATED this 18th day of November 2022.

JEFF RAYBOULD, Chairman
Idaho Water Resource Board

ATTEST _____
JO ANN COLE-HANSEN, Secretary

BEFORE THE IDAHO WATER RESOURCE BOARD

IN THE MATTER OF THE BLAINE COUNTY CANAL
COMPANY LOAN REQUEST

RESOLUTION TO AUTHORIZE INCREASED
FUNDING FOR COSTS RELATED TO
INFRASTRUCTURE IMPROVEMENTS

1 WHEREAS, Blaine County Canal Company (Company) submitted a loan application to the Idaho
2 Water Resource Board (IWRB) in the amount of \$250,000.00 to cover costs associated with a project to
3 move its point of diversion, install a new diversion structure, and pipe open canals (Project); and
4

5 WHEREAS, the Company delivers water for approximately 4,880 acres of irrigated lands in Butte
6 County near Howe, Idaho; and
7

8 WHEREAS, the Company's delivery system was originally constructed in the early 1900s, with
9 few improvements made since the system was developed; and
10

11 WHEREAS, considerable systemwide improvements are required to ensure long-term reliable
12 water delivery and reduce water loss due to seepage; and
13

14 WHEREAS, the total estimated cost for the first Phase of the Project was approximately
15 \$1,500,000 and was supported by grant funding and an energy savings; and
16

17 WHEREAS, in May of 2022, the IWRB approved an increase to the Company's existing IWRB loan
18 in the amount of \$900,000 to cover the cost of materials until the installation of pipe was complete and
19 grant funds could be disbursed; and
20

21 WHEREAS, the Company promptly applied grant funds in the amount of \$686,250 towards its
22 loan upon receipt of the disbursement; and
23

24 WHEREAS, the Company has since received additional grant funding to continue into the second
25 phase of infrastructure improvements, and is requesting an increase of \$650,000 to its existing loan with
26 the IWRB, to match grant funds; and
27

28 WHEREAS Blaine County Canal Company is a qualified applicant, and the proposed project
29 qualifies for a loan from the IWRB's Revolving Development Account; and
30

31 WHEREAS, the proposed project is in the public interest and is in compliance with the State
32 Water Plan.
33

34 NOW THEREFORE BE IT RESOLVED that the IWRB approves an increase of \$650,000 from the
35 Revolving Development Account, to the Company's existing water project loan, for a total approved loan
36 amount not to exceed \$1,800,000 at 2.6 % interest with a 15-year repayment term.
37

38 NOW THEREFORE BE IT FURTHER RESOLVED that the IWRB authorizes its chairman or designee
39 to modify existing contracts with the Company.
40

41 NOW THEREFORE BE IT FURTHER RESOLVED that this resolution and the approval of the loan
42 remain subject to the following conditions:
43

- 44 1) The Company shall comply with all applicable rules and regulations that apply to the
45 proposed Project.
- 46 2) The Company shall maintain the existing securities to the loan to the IWRB under the
47 current loan contract.
- 48 3) The Company shall maintain a reserve fund equal to one annual loan payment, based on the
49 total amount disbursed, until the loan has been satisfied.
50

DATED this 18th day of November 2022.

JEFF RAYBOULD, Chairman
Idaho Water Resource Board

ATTEST _____
JO ANN COLE-HANSEN, Secretary

BEFORE THE IDAHO WATER RESOURCE BOARD

IN THE MATTER OF THE BIG SKY AND
MURTAUGH RECHARGE WELL DEVELOPMENT

RESOLUTION TO APPROVE FUNDS FROM THE
ARPA STATE FISCAL RECOVERY FUND AND
PROVIDE SIGNATORY AUTHORITY

1 WHEREAS, about one-third of Idaho's population resides on the Eastern Snake Plain and the
2 Eastern Snake Plain Aquifer (ESPA) is the sole source of drinking water for both cities and most rural
3 residents of the Eastern Snake Plain; and
4

5 WHEREAS, due to numerous factors, including drought, the ESPA has been losing approximately
6 216,000 acre-feet annually from aquifer storage since the 1950's resulting in declining ground water levels
7 in the aquifer and reduced spring flows to the Snake River; and
8

9 WHEREAS, the State Water Plan includes a goal to accomplish managed recharge in the ESPA
10 averaging 250,000 acre-feet annually; and
11

12 WHEREAS, the 2016 Idaho Legislature passed and approved Senate Concurrent Resolution 136
13 directing the IWRB to develop the capacity to achieve 250,000 acre-feet of annual average managed
14 recharge to the ESPA by December 31, 2024; and
15

16 WHEREAS, implementation of managed recharge on the ESPA will meet the goals and objectives
17 of stabilizing and improving aquifer levels for, among other things, protecting municipal and domestic
18 drinking water supplies and addressing variability in climatic conditions, including drought; and
19

20 WHEREAS, the American Rescue Plan Act (ARPA), Pub. L. 117-2 subtitle M (2021), appropriated
21 \$219,800,000,000 to the Coronavirus State and Local Fiscal Recovery Fund (SLFRF) for making payments
22 to the States to mitigate the fiscal effects stemming from the public health emergency with response to
23 the Coronavirus disease; and
24

25 WHEREAS, the SLFRF funds may be used to, among other things, make necessary investments in
26 water, sewer, or broadband infrastructure. Pub L. 117-2 sec. 602(c)(1)(D), 42 U.S.C. § 802(c)(D); and
27

28 WHEREAS, eligible uses of the SLFRF include projects that would be eligible to receive financial
29 assistance through the Clean Water State Revolving Fund (CWSRF), 40 CFR Part 35.3100—35.3170, and
30 the Drinking Water State Revolving Fund (DWSRF), 40 CFR 35.3520; and
31

32 WHEREAS, the CWSRF may be used for groundwater projects that protect and restore aquifers,
33 including aquifer recharge projects; and
34

35 WHEREAS, the DWSRF can fund aquifer recharge projects such as aquifer storage and recover
36 wells and water reuse and recycling projects which can replace and offset potable water use and to
37 develop new sources of water to increase drought resilience; and
38

39 WHEREAS, in 2022 the Idaho Legislature passed House Bill 769 in which it expressed its intent to
40 set aside approximately \$250,000,000 of ARPA funding to support projects managed by the IWRB,
41 including for the continued identification, study, construction, or enlargement of managed aquifer
42 recharge sites above Milner Dam; and
43

44 WHEREAS, House Bill 769 appropriated \$100,000,000 for Fiscal Year 2023 to support projects
45 managed by the IWRB, including for the continued identification, study, construction, or enlargement of
46 managed aquifer recharge sites above Milner Dam; and
47

48 WHEREAS, Idaho Code § 42-1760 authorizes the IWRB to expend, loan, or grant moneys from the
49 water management account for water projects that conserve or increase water supply, improve drought
50 resiliency, address water sustainability, or support flood management, including the identification, study,
51 and construction of managed aquifer recharge sites above Milner dam; and
52

53 WHEREAS, the Southwest Irrigation District (SWID) submitted a proposal to IWRB in November
54 2022 detailing the construction of two injection wells to increase the SWID managed recharge capacity;
55 and
56

57 WHEREAS, the Big Sky and Murtaugh Injection Well Project will contribute to the IWRB goal of
58 achieving 250,000 acre-feet of annual average managed recharge to the ESPA by December 31, 2024 and
59 will meet the goals and objectives of stabilizing and improving aquifer levels for, among other things,
60 protecting municipal and domestic drinking water supplies and addressing variability in climatic
61 conditions, including drought; and
62

63 WHEREAS, the proposed total cost of SWID's Big Sky and Murtaugh Injection Well Project to
64 improve recharge capacity is \$245,000.
65

66 NOW THEREFORE BE IT RESOLVED that the IWRB authorizes expenditures up to \$245,000 from
67 the ARPA State Fiscal Recovery Fund for the development of the Big Sky and Murtaugh Injection Well
68 Recharge Project. Further authorizations may be required upon determination of total development and
69 construction costs; and
70

71 NOW THEREFORE BE IT FURTHER RESOLVED that the IWRB authorizes its chairman or designee,
72 to execute the necessary agreements or contracts for the purpose of this resolution.

DATED this 18th day of November 2022.

JEFF RAYBOULD, Chairman
Idaho Water Resource Board

ATTEST _____
JO ANN COLE-HANSEN, Secretary

BEFORE THE IDAHO WATER RESOURCE BOARD

IN THE MATTER OF THE SWAN HIGHWAY
RECHARGE SITE DEVELOPMENT

RESOLUTION TO APPROVE FUNDS FROM THE
ARPA STATE FISCAL RECOVERY FUND AND
PROVIDE SIGNATORY AUTHORITY

1 WHEREAS, about one-third of Idaho's population resides on the Eastern Snake Plain and the
2 Eastern Snake Plain Aquifer (ESPA) is the sole source of drinking water for both cities and most rural
3 residents of the Eastern Snake Plain; and
4

5 WHEREAS, due to numerous factors, including drought, the ESPA has been losing approximately
6 216,000 acre-feet annually from aquifer storage since the 1950's resulting in declining ground water levels
7 in the aquifer and reduced spring flows to the Snake River; and
8

9 WHEREAS, the State Water Plan includes a goal to accomplish managed recharge in the ESPA
10 averaging 250,000 acre-feet annually; and
11

12 WHEREAS, the 2016 Idaho Legislature passed and approved Senate Concurrent Resolution 136
13 directing the IWRB to develop the capacity to achieve 250,000 acre-feet of annual average managed
14 recharge to the ESPA by December 31, 2024; and
15

16 WHEREAS, implementation of managed recharge on the ESPA will meet the goals and objectives
17 of stabilizing and improving aquifer levels for, among other things, protecting municipal and domestic
18 drinking water supplies and addressing variability in climatic conditions, including drought; and
19

20 WHEREAS, the American Rescue Plan Act (ARPA), Pub. L. 117-2 subtitle M (2021), appropriated
21 \$219,800,000,000 to the Coronavirus State and Local Fiscal Recovery Fund (SLFRF) for making payments
22 to the States to mitigate the fiscal effects stemming from the public health emergency with response to
23 the Coronavirus disease; and
24

25 WHEREAS, the SLFRF funds may be used to, among other things, make necessary investments in
26 water, sewer, or broadband infrastructure. Pub L. 117-2 sec. 602(c)(1)(D), 42 U.S.C. § 802(c)(D); and
27

28 WHEREAS, eligible uses of the SLFRF include projects that would be eligible to receive financial
29 assistance through the Clean Water State Revolving Fund (CWSRF), 40 CFR Part 35.3100—35.3170, and
30 the Drinking Water State Revolving Fund (DWSRF), 40 CFR 35.3520; and
31

32 WHEREAS, the CWSRF may be used for groundwater projects that protect and restore aquifers,
33 including aquifer recharge projects; and
34

35 WHEREAS, the DWSRF can fund aquifer recharge projects such as aquifer storage and recover
36 wells and water reuse and recycling projects which can replace and offset potable water use and to
37 develop new sources of water to increase drought resilience; and
38

39 WHEREAS, in 2022 the Idaho Legislature passed House Bill 769 in which it expressed its intent to
40 set aside approximately \$250,000,000 of ARPA funding to support projects managed by the IWRB,
41 including for the continued identification, study, construction, or enlargement of managed aquifer
42 recharge sites above Milner Dam; and

43
44 WHEREAS, House Bill 769 appropriated \$100,000,000 for Fiscal Year 2023 to support projects
45 managed by the IWRB, including for the continued identification, study, construction, or enlargement of
46 managed aquifer recharge sites above Milner Dam; and

47
48 WHEREAS, Idaho Code § 42-1760 authorizes the IWRB to expend, loan, or grant moneys from the
49 water management account for water projects that conserve or increase water supply, improve drought
50 resiliency, address water sustainability, or support flood management, including the identification, study,
51 and construction of managed aquifer recharge sites above Milner dam; and

52
53 WHEREAS, the IWRB has financially assisted the Enterprize Canal Company (ECC) with determining
54 the feasibility and design of the delivery infrastructure and recharge sites resulting in a proposal to IWRB
55 on November 4, 2022 detailing the design of the Swan Highway recharge sites and an increase in delivery
56 capacity associated with recharge; and

57
58 WHEREAS, the Swan Highway Recharge Project will contribute to the IWRB goal of achieving
59 250,000 acre-feet of annual average managed recharge to the ESPA by December 31, 2024 and will meet
60 the goals and objectives of stabilizing and improving aquifer levels for, among other things, protecting
61 municipal and domestic drinking water supplies and addressing variability in climatic conditions, including
62 drought; and

63
64 WHEREAS, the proposed total cost of ECC's Swan Highway recharge sites and infrastructure to
65 improve recharge capacity is \$3,400,000 and total cost for the construction of the pipeline and the
66 recharge sites is estimated to be \$10,000,000.

67
68 NOW THEREFORE BE IT RESOLVED that the IWRB authorizes expenditures up to \$3,400,000 from
69 the ARPA State Fiscal Recovery Fund for the development of the Swan Highway Recharge Project. Further
70 authorizations may be required upon determination of total development and construction costs; and

71
72 NOW THEREFORE BE IT FURTHER RESOLVED that the IWRB authorizes its chairman or designee,
73 to execute the necessary agreements or contracts for the purpose of this resolution.

DATED this 18th day of November 2022.

JEFF RAYBOULD, Chairman
Idaho Water Resource Board

ATTEST _____
JO ANN COLE-HANSEN, Secretary

Resolution No. _____

Page 2

Memorandum

To: Idaho Water Resource Board
From: Jennifer Strange
Date: October 24, 2022
Re: Proposed Meeting Dates 2022



ACTION: Approval of regular board meeting dates requested.

The following dates for 2023 Regular Meetings are proposed for consideration by the Board.

- January 20, 2023 in Boise
- March 30-31, 2023 in Boise
- May 18-19, 2023 in Idaho Falls
- July 20-21, 2023 in Moscow
- September 14-15, 2023 in Salmon
- November 16-17, 2023 in Boise