

**BEFORE THE IDAHO WATER RESOURCE BOARD**

IN THE MATTER OF THE MOUNTAIN HOME AIR  
FORCE BASE WATER SUPPLY PROJECT

A RESOLUTION TO AMEND APPLICATION 02-  
10556 AND PURSUE A WATER SUPPLY BANK  
RENTAL

1 WHEREAS, the Idaho Water Resource Board ("Board") is a constitutional agency of the State of  
2 Idaho and empowered by Idaho Code § 42-1734 to acquire, purchase, lease or exchange land, rights,  
3 water rights, easements, franchises and other property deemed necessary or proper for construction,  
4 operation, and maintenance of water projects, and

5  
6 WHEREAS, the Mountain Home Air Force Base ("Base"), as well as surrounding agricultural wells  
7 and municipal wells, draw their supply from the Mountain Home Aquifer;

8  
9 WHEREAS, the Idaho Department of Water Resources ("IDWR") estimates that the rate of  
10 withdrawal from the Mountain Home Aquifer exceeds the rate of natural recharge to the aquifer and due  
11 to declining ground water levels, IDWR established the Cinder Cone Butte Critical Ground Water Area in  
12 1981 and the Mountain Home Ground Water Management Area in 1982; and

13  
14 WHEREAS, the State of Idaho recognizes the economic value of the Base to the local and state  
15 economy and supports the United States Military in achieving its national security functions; and

16  
17 WHEREAS, the State of Idaho intends to coordinate with the Military to develop a long-term  
18 sustainable water supply to support the Base and its mission; and

19  
20 WHEREAS, House Bill 479 passed and approved by the 2014 Idaho legislature allocated \$4 million  
21 in one-time funds for acquisitions of senior priority Snake River water rights to supply the Mountain Home  
22 Air Force Base; and

23  
24 WHEREAS, on July 25, 2014, the Board purchased senior Snake River water right nos. 02-10300A,  
25 02-10330B and 225/240ths of 02-10472 ("Snake River Water Rights") for the purpose of obtaining a water  
26 supply for the Base; and

27  
28 WHEREAS, it is necessary to change the Snake River Water Rights from their agricultural use to  
29 municipal purposes, change the season of use, and to change the point of diversion; and

30  
31 WHEREAS, the Board determined to seek a transfer of the Snake River Water Rights for the  
32 irrigation season (April 1–October 31) and to pursue a new water right application to cover the Base's  
33 wintertime water needs (November 1–March 31); and

34  
35 WHEREAS, the Board filed water right application 02-10556 for wintertime water use on the  
36 MHAFB and water right Transfer 82123 to change the Snake River Water Rights to municipal use on the  
37 MHAFB during the irrigation season; and

38  
39 WHEREAS, water right application 02-10556 was filed for Reasonably Anticipated Future Needs  
40 as defined by I.C. § 42-202B(8); and

41  
42 WHEREAS, the Board has determined that it does not need to pursue a RAFN water right for the  
43 MHAFB, but would like to pursue a standard municipal water right instead; and  
44

45 WHEREAS, the approval of a rental of water from the water supply bank under I.C. § 42-1764(1)  
46 may be a substitute for a water right transfer under I.C. § 42-222; and  
47

48 WHEREAS, because the procedures for a transfer under I.C. § 42-222 and a water right rental  
49 under I.C. § 42-1764(1) are interchangeable, the Board has determined that it will pursue a water supply  
50 bank rental to change the Snake River Water Rights to suit the needs of the MHAFB; and  
51

52 NOW, THEREFORE BE IT RESOLVED the Board directs its Executive Officer Brian Patton to amend  
53 water right application 02-10556 to remove the request for RAFN; and  
54

55 NOW, THEREFORE BE IT RESOLVED the Board will pursue a water supply bank rental to change  
56 the Snake River Water Rights to suit the needs of the MHAFB.

DATED this 18th day of November 2022.

  
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JEFF RAYBOULD, Chairman  
Idaho Water Resource Board

ATTEST   
\_\_\_\_\_  
JO ANN COLE-HANSEN, Secretary

**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 convert 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 Water Management 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 18<sup>th</sup> 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 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 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 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 and the ability of the Group to collect the  
39 assessments.

40  
41  
42  
43

- 5) On or before November 1, 2023, the Group will submit to the IWRB, updated project costs, including a summary of any additional funds secured for the project and any changes to the amount of loan funds needed to support the project.

DATED this 18<sup>th</sup> day of November 2022.

  
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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 18<sup>th</sup> day of November 2022.

  
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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.

  
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JEFF RAYBOULD, Chairman  
Idaho Water Resource Board

ATTEST   
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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