



# Eastern Snake Plain Comprehensive Aquifer Implementation Committee

October 13, 2009



# On-going Role and Function of the Implementation Committee

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- The long-term role, purpose and composition of the Implementation Committee was discussed with the Board on September 25, 2009
- Board envisions a representative and engaged Committee throughout the life of the program to provide stakeholder engagement and informed recommendations.
- The Board recognizes that the composition and purpose of the Committee may change as the program becomes mature.
- Should the Board consider a 3-year renewable term for Committee members?
- After the program has been established, how many meetings per year should be held? When? Purpose?



# Proposed Funding Mechanism for the ESPA CAMP

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- Presented to the Interim Legislative Committee on September 24, 2008
- Positive indications from Interim Committee members regarding fee based approach
- Interim Committee passed motion directing the Implementation Committee to develop draft legislation with fee collected through the county treasurer and water district
- Idaho Association of Counties has as identified four county treasurers to assist in developing county collection mechanism
- Testimony and discussion focused on issue of incidental ground water recharge

1. The Legislature would approve the fee structure.
  - Essential to sustaining a legislative fee are findings demonstrating that the fee is reasonably related to the benefits received.
  - Simply describing the assessment as a fee is not enough.
2. The legislation must contain a clear statement of legislative findings supporting the proposed fee structure, which demonstrates the relationship between the fee assessed and the benefits received.
3. The legislation would require either each affected county or each affected water district to collect the CAMP fee.

4. Considerable effort will be required to determine the amount of the fee to be collected from individual water users or water delivery entities.

5. This effort will be required whether state water districts or counties are used to collect the fee.

- Each water district would by law be required to collect the CAMP fee.
- The fee would be collected annually as part of the water districts created by the director of the Department of Water Resources under chapter 6, title 42, Idaho Code.
- The fee would not be identified as an expense related to water distribution, but instead would be separately itemized as a CAMP implementation fee



- The treasurer of each affected county would be required by law to collect the CAMP fee as imposed by the Legislature.
- The county auditor would be required to make up a roll showing the fee amount to be collected and from whom and deliver the roll to the county treasurer for collection.
- The county treasurer would be required to mail a notice to each water delivery entity or affected water user stating the amount of the fee payable and the due date, and if not so paid, the amount of the penalty and monthly interest accruing until paid.

- The legislation would provide when the collected fees, whether collected by water districts or county treasurers, must be paid to the state and the fund to which the fees would be deposited.
- The legislation would authorize the retention of a percentage of the collected amount as the cost of administration for collection of the fee.
- The legislation would contain other provisions as determined necessary during the drafting process.

- The legislation would need to authorize the water districts, the county treasurers, or the Water Resource Board to collect any mandatory fees due and unpaid.
- Enforcement would be by civil action brought in a court of competent jurisdiction???
- Enforcement would include collection of any unpaid fee, penalty, interest and costs, together with reasonable attorney fees.

- The alternatives satisfy the CAMP Implementation Committee's desire for a funding mechanism that is mandatory with no added level of governance.
- Agreements between the Board and some individual participants will be necessary.
- For example, Idaho Power's share needs to be obtained by agreement because its use is largely outside the affected geographic area.
- Payments by municipalities also may be best handled with agreements.

**“That the Interim Natural Resource Committee accept the ESPA Implementation Committee’s conceptual plan to fund the ESPA Plan through a mandatory fee assessed either by the water districts and/or counties and/or other methods and request that the Implementation Committee develop legislation consistent with the conceptual plan for consideration at the next legislative session,” was introduced. The motion carried by unanimous voice vote.**

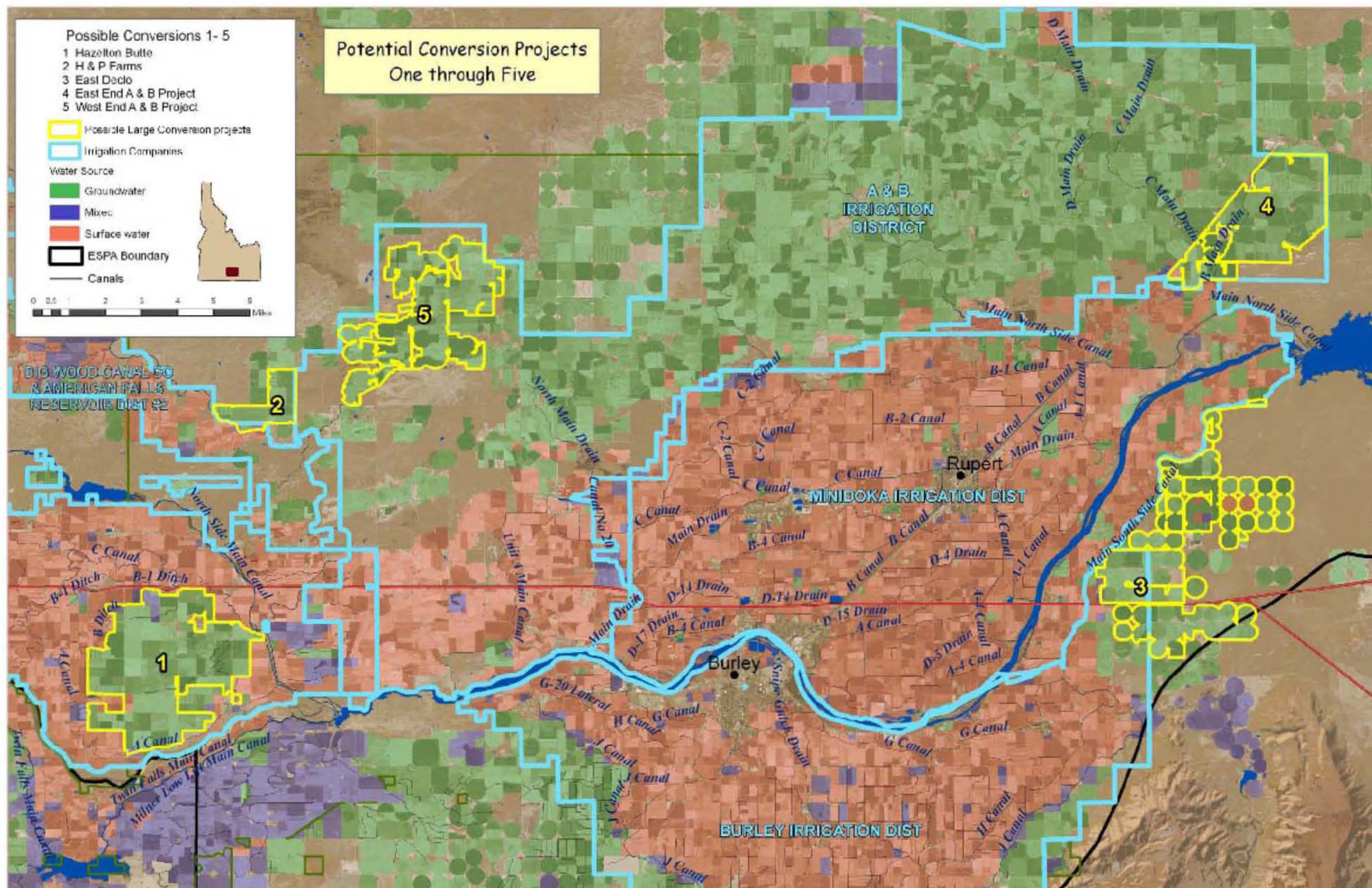
Funding Working Group will meet with County Treasurers on October 28 to begin drafting legislation



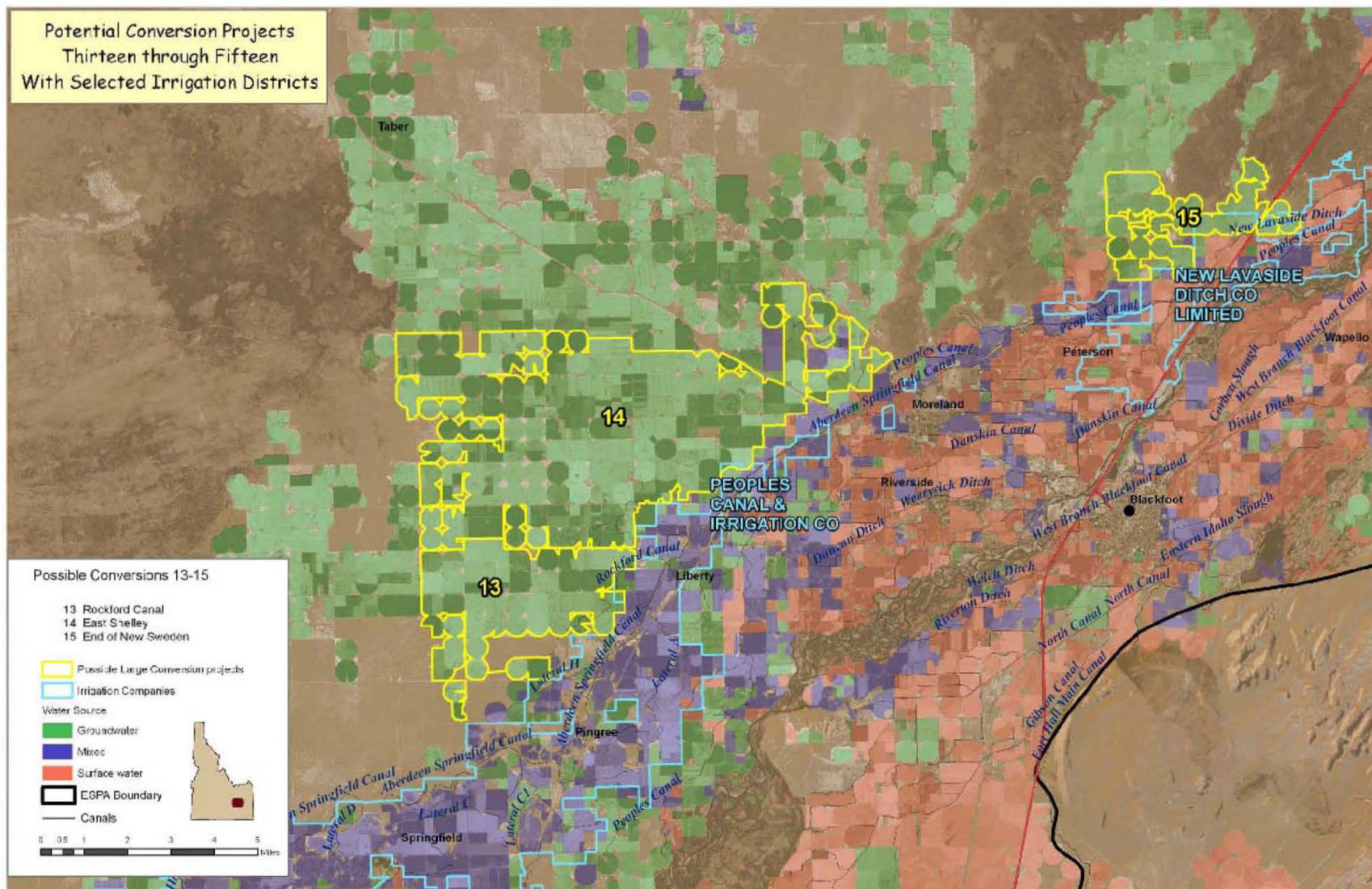
# Conversions Working Group Update

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1. Preliminary costs for selected project sites.
2. Review process for ranking, selection, and recommendation of conversion projects to the Implementation Committee.
3. Recommended large project sites
4. Memorandum of Understanding
5. Next Steps







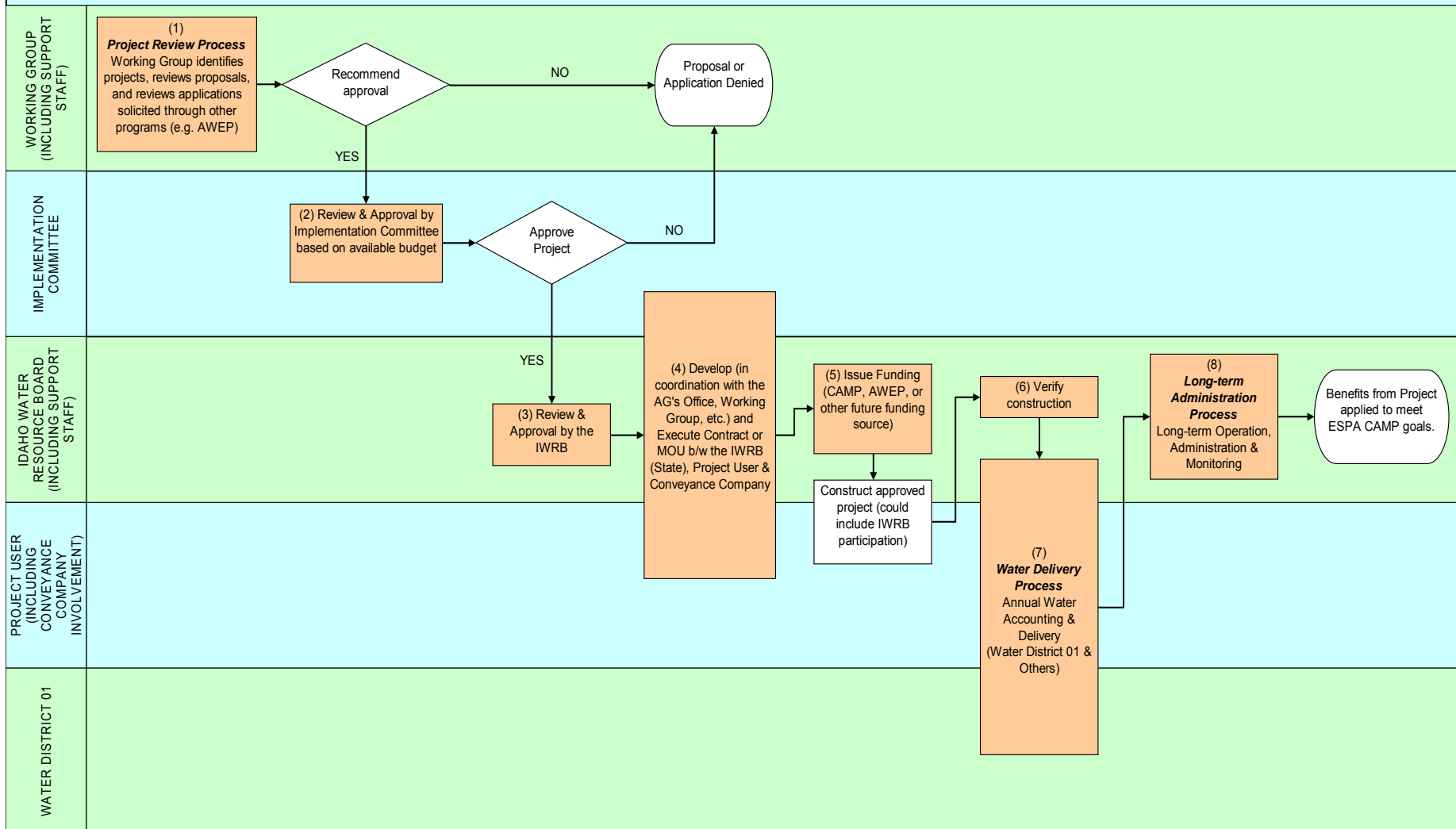
### Preliminary Project Cost Information

Site No. (Aug 3, 2009 Mtg Maps)	Project Name	Conveyance Company	Total Project Acres (ac)	Acres to Receive Assumed Application Rate (ac) <sup>1</sup>	Preliminary Project Cost Estimate <sup>2</sup>	Design Rate of Flow (cfs) <sup>3</sup>	Potential Volume of Reduced GW Pumping (af/yr) <sup>4</sup>	Volume of Surface Water Required to Deliver to Project (including Canal Losses) (af/yr) <sup>5</sup>	Estimated Annual Cost Savings from Reduced GW Pumping	Estimated Annual SW Pumping Costs <sup>6</sup>	Estimated Annual Conveyance Fees <sup>7</sup>	Total Project Cost/Acre (total project acres)	Total Project Cost/cfs	Total Project Cost/cfs/project acres
1(a)	Hazelton Butte (short design, reduced rate)	Milner-Gooding, North Side Canals	8600	4800	\$9,500,000	60	9,600	12,480	To Be Determined	\$167,720	\$37,440	\$1,105	\$158,333	\$18
1(b)	Hazelton Butte (long design, reduced rate)	Milner-Gooding, North Side Canals	8600	4800	\$15,000,000	60	9,600	9,600		\$220,580	\$0	\$1,744	\$250,000	\$29
1(c)	Hazelton Butte (long design, full rate)	Milner-Gooding, North Side Canals	8600	8600	\$30,000,000	108	17,200	17,200		Not Avail	\$0	\$3,488	\$277,778	\$32
2	H & P Farms	Milner-Gooding Canal	1200	1200	\$565,000	15	2,400	3,120		\$62,000	\$9,360	\$471	\$37,667	\$31
5	West End A&B Project	Milner-Gooding Canal	6400	4800	\$6,500,000	60	9,600	12,480		\$247,500	\$37,440	\$1,016	\$108,333	\$17
13	Rockford	Aberdeen Springfield Canal	6990	6990	\$1,000,000	88	13,980	18,174		\$194,560	\$54,522	\$1,073	\$85,227	\$12
14	Moreland	Peoples or Aberdeen Springfield Canals	2200	2200	\$2,100,000	7	4,400	5,720		\$76,330	\$17,160	\$909	\$74,074	\$34

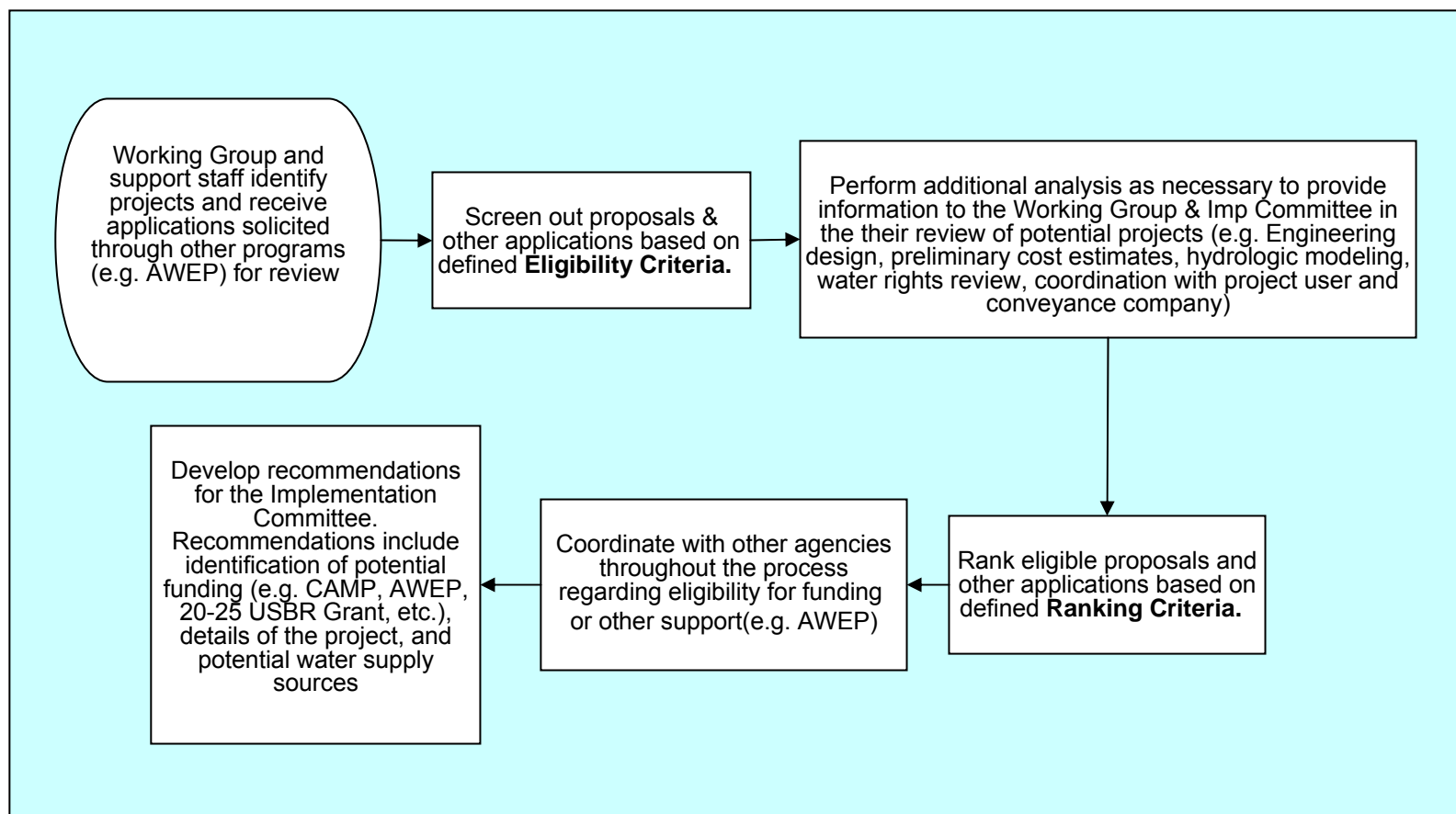
- The design rate for each project was based on an assumed application requirement of 1 cfs per 80 acres or 5/8 inches per acres. Designs were developed based on a reduced flow rate for the Hazelton Butte 1(a) and 1(c), and West End A&B Projects to reduce project costs and to distribute excess canal capacity among multiple conversion projects. The reduced design rate of 60 cfs is expected to provide coverage at the assumed application rate to approximately 4800 acres.
- Preliminary Project Cost Estimates generally include design of a mainline and pump system, but do not include costs associated with laterals to individual farms. The following system elements are included in the costs: Pipe materials, valves and connections, pond and trench excavation, rock saw, pumps, pump station or "vault" construction, road crossings, site survey, 30% contingency and engineering fees. Costs that are not included: Easements, measuring devices and monitoring wells, backflow protection devices (check valves), laterals. Note, costs referenced in this table are based on the high end of an estimated cost range.
- The design rate for each project was based on an assumed application requirement of 1 cfs per 80 acres or 5/8 inches per acre.
- The potential annual volume of reduced ground water pumping in acre-feet was calculated based on two (2) acre-feet per acre times the number of project acres expected to receive the full assumed application rate.
- Volume of surface water required to be delivered to the specified conversion site includes the estimated volume of ground water replaced plus 30% for conveyance losses. Conveyance losses were not applied to designs with diversions directly from Milner Lake.
- Estimated pumping costs are based on a period of 3600 hours and a cost of six cents per kilowatt-hour.
- Estimated conveyance fees are based on the current rate of conveyance for recharge at sites within the ESPA: \$3.00 per acre-foot per year.



### Administration of Selection, Construction and Long-Term Management of Conversion Projects



## Conversion Project Proposal Review



## Conversion Project Eligibility Criteria

Working Group and support staff screen project proposals based on the following Eligibility Criteria:

	Eligibility Criteria (Yes/No) <sup>1</sup>	Hazelton Butte	H & P Farms	West End of A&B Irrigation District	Rockford	Moreland
1	Wells associated with a conversion project must be located within the ESPA boundary.	Yes	Yes	Yes	Yes	Yes
2	Conversion projects must result in a benefit to the ESPA through the reduction of ground water pumping.	Yes	Yes	Yes	Yes	Yes
3	Lands to receive conversion surface water must have valid ground water rights. <sup>2</sup>	Yes	Yes	Yes	Yes	Yes
4	Lands to receive surface water through a conversion project may not injure other existing water rights or adversely impact existing shareholders on the corresponding canal system.	Yes	Yes	Yes	Yes	Yes
5	Conveyance Company has indicated it is willing to cooperate in delivering water to conversion projects (capacity and infrastructure requirements to be determined).	Yes	Yes	Yes	Yes	Yes
Eligibility Determination		Yes	Yes	Yes	Yes	Yes

1. Proposed Projects must qualify under all identified Eligibility Criteria (all Yes).

2. A preliminary review shall be performed by support staff to determine eligibility. Action may be required by individual owners within a group system to clarify or resolve potential water right issues.

(Scores and data are provided for discussion purposes and do not illustrate the actual project scores)

TOTAL SCORE

- **Additional considerations by the Working Group that may not be reasonable to score can be included in the final ranking.**
- **Is additional information necessary to generate recommendations for the Implementation Committee?**

[illegible]



- Hazleton Butte
- H & P Farms
- West End A & B Project
- Rockford Canal
- East Shelley

- The Working Group is recommending two MOU for implementation of ESPA conversions projects
  - Between the IWRB and the property owner
  - Between the IWRB and the conveyance company

- ✓ Circulate draft of the two MOU for Working Group review and finalization
- ✓ Finalize the administrative mechanism for managing projects from application stage to construction to water delivery and monitoring (including eligibility and ranking criteria)
- ✓ Design public outreach and education strategy in order to get letters of interest for large scale conversions projects and possible partnerships
- ✓ Incorporate environmental factors

# Demand Reduction Update

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- PERC Program (CREP Incentives)
- Leasing and Agreements not to Divert
- Surface Water Conservation
- Next Steps



- In recent calls, the Demand Reduction WG has developed a proposal for a PERC Program to incentivize further enrollments in the existing CREP program. *Please see the handout of the PERC Program overview*
- The Demand Reduction Working Group is recommending the PERC Program as both a stand-alone program and as additional incentives for CREP enrollment.

- Morgan Case, IWRB Staff, updated the Demand Reduction WG on leasing and agreements not to divert in the Upper Salmon Basin
- The Working Group is recommending these two strategies, but do not wish to actively pursue these projects. The goal is to hold small group meetings to determine interest and then move forward with any interested parties before exploring these two demand reduction strategies any further.

➤ Surface water conservation on the Twin Falls Canal Company tract. Four opportunities for surface water conservation were emphasized:

- *Seepage reduction.* Seepage can be reduced without impacting other, senior water rights.
- *Late season reduction.* Installation of a check structure and diverting less at Milner
- *Pump backs.* Reduce evaporation off the rim.
- *Aquatic reed control.* Aquatic reed herbicide (Cascade) that to date shows no significant side effects.

*Recommendations expected in December.*

- ✓ Continue the WG discussion on surface water conservation projects near the Twin Falls Canal and identify other possible sites
- ✓ Hold small group meetings to discuss leasing and agreements not to divert
- ✓ Individual working group members to contact Brian Olmstead if interested in a tour of the areas where the aquatic reed herbicide has been applied.
- ✓ Initiate discussions on buy-downs and buy-outs and how they fit into the ESPA Plan

# Weather Modification Update

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- 5-Year Pilot Weather Modification Program in the Upper Snake
- Role of Idaho Power Company (IPC) in Cloud Seeding in the Upper Snake
- Role of Counties in Cloud Seeding in the Upper Snake
- Next Steps



- At a recent meeting, IPC presented a budget for a 5-Year Cloud Seeding Pilot Program in the Upper Snake. At this meeting, several modifications were requested.
- Please see the handout of the estimated budget for the proposed cloud seeding program
- The Working Group is recommending that the ESPA Plan implement the proposed cloud seeding program presented in the draft budget.

- IPC has committed itself to cloud seeding in the Upper Snake.
  - *Seeding already has occurred in the 2008/9 winter season and was successful*
  - *IPC is committed to continuing and expanding cloud seeding operations in the Upper Snake*
  - *A formal agreement is to be developed between the IWRB and IPC for its cloud seeding program and how IPC's financial contributions for cloud seeding fit under the ESPA umbrells*



- Counties are committed to a continued role in cloud seeding projects in the Upper Snake River.
- Continued coordination will occur between the counties and IPC to implement efforts in the Upper Snake
- A formal agreement needs to be developed between IWRB and the counties to determine the financial contribution of the counties under the ESPA umbrella

- Part of outreach and education, the Weather Modification WG developed an FAQ document that explains weather modification in plain terms, without the use of jargon
- The document provides an overview of the program, how it fits into the ESPA Plan, and addresses the benefits and concerns of such a program

- Finalize the FAQ document
- Develop formal agreements between the IWRB and IPC and between the IWRB and counties (including how their financial contribution will fit under the ESPA Plan umbrella)



# Recharge Working Group Update

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## **Late Season Recharge Plan recognizes:**

CAMP goal of equal distribution above and below American Falls

That recharge below American Falls with the possible exception of the West Egin site generally has a longer aquifer retention time than recharge in canals above American Falls

That *early season* recharge above American Falls generally benefits base flows and storage opportunities in the Snake River

That natural flow water will be available below American Falls in October 2009

As a result of these conditions, this late season recharge plan primarily focuses on recharge below American Falls through the North Side canal, the Milner-Gooding canal and the Southwest Irrigation District

# Late Season Recharge Plan

Canal	water source	volume (a-f)	unit price (\$/a-f)	cost (\$)
<u>Below American Falls</u>				
Milner-Gooding natural flow available	up to 1500 cfs of after Oct. 20 <sup>th</sup>	42,000	3.00	126,000
North Side	up to 1500 cfs of natural flow available after Oct. 20 <sup>th</sup>	10,000	3.00	30,000
<u>Above American Falls</u>				
Egin Bench (Recharge Canal)	leased Fremont-Madison storage	5,000	3.00	15,000
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Total		57,000	3.00	171,000

Note: Southwest I.D. expects to participate in late season program , but volume estimate unknown at this time

## Constructed Recharge Sites

**Mile Post 31** Estimated construction cost: \$1.25 million

Phased development of three 36-inch pipelines capable of delivering approximately 105 cfs (210 afd)

**West Egin** Estimated construction cost: \$880 thousand

Increase diversion rate from St. Anthony Canal into the Recharge Canal to approx. 150 cfs (300 afd) to deliver approx. 80 cfs (160 afd) to West Egin recharge area

Both sites would be operated passively with minimal O & M costs

**Big/Little Wood River** site still to be determined





Recharge Canal at W Egin

2008/11/06 12:52





**Mile Post 31  
and Milner-Gooding Canal  
July 2009**



## **Recharge Liability**

**Jim Peterson - RSDIS/Glatfelter Public Practice**

**"Recharge activities, in my view, are part of normal operations. Coverage should exist." E-mail received October 7, 2009**

**Awaiting official letter from underwriter**

# Additional Plan Components

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