Idaho Water Resource Board

March 2014 recharge at Mile Post 31
Photo courtesy of Alan Hansten

Meeting No. 11-14
November 5, 2014
Boise, Idaho

MEDIA

WORK SESSION IN PREPARATION FOR IWRB MEETING NO. 11-14

November 4, 2014 at 8:00 am
Idaho Water Center
Conference Rooms 602 B,C,D
322 East Front Street, Boise, Idaho 83720

WORK SESSION AGENDA

1. Financial Status Report
2. Project and Program Tracking and Reporting
3. UIC Rule Change (see Tab 6 under Board Meeting materials)
4. Northern Idaho
    a. Rathdrum Prairie Groundwater Pumping Study
    b. Rathdrum Prairie Future Demand Study
5. Clearview Water Co. Loan (see Tab 7 under Board Meeting materials)
6. Storage Studies
    a. Update
    b. Boise River Feasibility Study Agreement (see Tab 13 under Board Meeting materials)
7. Water Transactions (see Tab 8 under Board Meeting materials)
8. Water Supply Bank (see Tab 9 under Board Meeting materials)
9. Mountain Home Water Right Acquisition Update
10. Regional Conservation Partnership Program Update
11. ESPA Recharge
12. Statewide Aquifer Stabilization Prioritization

Americans with Disabilities

The meeting will be held in facilities that meet the accessibility requirements of the Americans with Disabilities Act. If you require special accommodations to attend, participate in, or understand the meeting, please make advance arrangements by contacting Department staff by email Mandi.Pearson@idwr.idaho.gov or by phone at (208) 287-4800.

MEMO

To: Idaho Water Resource Board
From: Brian Patton
Subject: Financial Status Report
Date: October 26, 2014

As of **September 1st** the IWRB's available and committed balances in the Revolving Development Account, Water Management Account, and the Secondary Aquifer Management Account are as follows.

Revolving Development Account (main fund)		
Committed but not disbursed		
Loans for water projects	$6,021,993	
Water storage studies	1,465,197	
Aqualife Hatchery, HB644 2014	1,635,000	
HB479 2014		
Mountain Home	1,495,500	
Galloway	2,000,000	
Boise/Arrowrock	1,500,000	
Island Park	2,500,000	
Water supply Bank	500,000	
Total committed but not disbursed		17,117,691
Loan principal outstanding		8,274,518
Uncommitted balance		646,428
Estimated revenues next 12 months		3,200,000
Commitments from revenues next 12 months		0
Estimated uncommitted funds over next 12 months		3,846,428
Rev. Dev. Acct. Bell Rapids Sub-Account		
Committed but not disbursed		$180,598
Estimated revenues next 12 months *(1)*		2,000
Commitments from revenues over next 12 months		2,000
Estimated uncommitted funds over next 12 months		0
Rev. Dev. Acct. Pristine Springs Sub-Account (5)		
Committed but not disbursed		
Repair fund	$1,007,428	
Total committed but not disbursed		$1,007,428
Loan principal outstanding		7,127,940
Uncommitted balance		0
Estimated revenues next 12 months		900,000
Commitments from revenues over next 12 months		900,000
Estimated uncommitted funds over next 12 months		0

Rev. Dev. Acct. Treasure Valley & Rathdrum Prairie CAMP Sub-Account

Committed but not disbursed	$58,453
Available for RP and TV CAMP projects	173,745
Estimated revenues next 12 months (5)	200,000
Estimated Available funds over next 12 months	373,745

Rev. Dev. Acct. Upper Salmon/CBWTP Sub-Account

Committed but not disbursed	$3,396,955
(Upper Salmon flow enhancement/reconnect projects)	
Estimated revenues next 12 months *(4)*	30,000
Commitments from revenues over next 12 months	30,000
Estimated available funds over next 12 months	0

Rev. Dev. Acct. Water District 02 Water Smart Grant Sub-Account (6)

Committed but not disbursed	$114,663
(Water District 02 Measurement Devices)	
Commitments from revenues over next 12 months	$114,663
Estimated available funds over next 12 months	0

Rev. Dev. Acct. Water Supply Bank Sub-Account (7)

Committed but not disbursed	$550,702
(Owners share – water bank lease/rentals)	
Estimated revenues next 12 months	1,000
Commitments from revenues over next 12 months	$550,702
Estimated available funds over next 12 months	$1,000

Rev. Dev. Acct. ESPA Sub-Account

Committed but not disbursed		
CREP	2,419,581	
Aquifer recharge	337,594	
Bell Rapids	361,620	
Palisades storage	10,000	
Black Canyon Exchange	529,445	
Total committed but not disbursed		$3,658,240
Loan principal outstanding		299,295
Uncommitted balance		440,745
Estimated revenues next 12 months		120,000
Commitments from revenues over next 12 months		0
Estimated uncommitted funds over next 12 months		560,745

Rev. Dev. Acct. Dworshak Hydropower (2)

Committed but not disbursed (repair fund, etc.)	$1,337,151
Estimated revenues next 12 months *(3)*	200,000
Commitments from revenues over next 12 months	200,000
Estimated uncommitted funds over next 12 months	0

Water Management Account

Committed but not disbursed:	$111,376
Loan principal outstanding	0
Uncommitted balance	9,915
Estimated revenues next 12 months	0
Commitments from revenues over next 12 months	0
Estimated uncommitted funds over next 12 months	$9,915

Secondary Aquifer Management Fund

Committed but not disbursed:	
HB 479 2014	
ESPA Managed Recharge Infrastructure	4,000,000
Northern Idaho Future Water Needs	500,000
Recharge wheeling fees	1,215,432
Recharge sites	130,615
Cloud Seeding	492,000
Other	212,937
Total Committed	$6,570,985
Uncommitted balance	2,032,903
Estimated revenues next 12 months (Cigarette Tax)	5,000,000
Commitments from revenues over next 12 months	0
Estimated uncommitted funds over next 12 months	7,032.903

Secondary Aquifer Fund Aquifer Mon. Meas. & Model Sub-Acct (8)

Committed but not disbursed	$716,000
Commitments from revenues over next 12 months	$716,000
Estimated available funds over next 12 months	0

Total committed but not disbursed	**$33,800,052**
Total loan principal outstanding	**15,701,753**
Total uncommitted balance	**3,303,737**
Total estimated uncommitted funds over next 12 months	**11,824,736**

(1) Exclusive of pass-through payments made by the U.S. Bureau of Reclamation.
(2) Excess funds generated by the Dworshak Hydropower Project are deposited into the Revolving Development Account (Main Fund) on a monthly basis. To the date of this report this has totaled $2,535,646.
(3) This line item includes power sales and interest income after removing debt service. Debt service is paid prior to the funds being deposited in the Revolving Development Account.
(4) Exclusive of project funds provided by Bonneville Power Administration or federal appropriation sources. These funds are provided to the Board based on individual project proposals and so are not included in the income projection.
(5) Excess funds generated by the Pristine Springs Project are deposited into the Revolving Development Account (Main Fund) or into the Rathdrum Prairie/Treasure Valley Sub Account. To the date of this report this has totaled $31,659 in the Revolving Development Account Main Fund and $271,672 into the RP/TV Sub-Account.
(6) Pass-through for Bureau of Reclamation grant to assist with installation of measurement devices in Water District 02.
(7) Pass-through for owners share of Water Supply Bank lease/rentals. Interest earned accrues to IWRB.
(8) Source is Pristine Springs loan repayments of $716,000 annually through 2027.

The following is a list of potential loans:

Potential Applicant	Potential Project	Preliminary Loan Amount	Comment
Northside Pumping Company	Rebuild pump plant and rehab system	$2 million	Project in planning. Applying for NRCS cost share grants
Raft River Ground Water District	Ground water-to-surface water conversion pipeline	$4 million	Project in planning. Applying for NRCS cost share grants.
Marysville Irrigation Company/North Fremont	Gravity pipeline system – next phase	$1.5 million	Project in planning and design. Applying for NRCS cost share grants
Big Wood Canal Co.	Gravity pipeline	$2 million	
Jefferson Irrigation Company	Ground water well reconstruction	$200,000	

Administrative Management of the Annual Cigarette Tax Receipts

Staff has been considering how best to administratively manage the $5 Million annual Cigarette Tax receipts for aquifer stabilization. We anticipate first $5 Million this coming July, with annual $5 Million receipts every July thereafter. Rather than have the IWRB authorize every expenditure, Staff is suggesting moving to the IWRB authorizing an annual budget for the use of these funds. This could works as follows:

- Every spring, Staff would work with the IWRB Finance Committee to develop an annual budget for the use of the annual $5 Million to be received in July, together with any other available funds the Secondary Aquifer Fund, for aquifer stabilization purposes. Any un-used funds remain in the Secondary Aquifer Funds for future use.

- Staff suggests that the budget be broken into broad categories, such as "ESPA recharge operations," or "ESPA recharge infrastructure development." There should be sideboards, however, as may be recommended by the Finance Committee.

- Every year prior to the receipt of the $5 Million in Cigarette Tax funds, the full IWRB would adopt a resolution approving the annual budget and authorizing Staff to spend the funds according to the budget.

- Significant changes to the approved budget would need to be approved by the IWRB.

Staff would like feedback from the IWRB on this idea.

IDAHO WATER RESOURCE BOARD
Sources and Applications of Funds
as of August 31, 2014
REVOLVING DEVELOPMENT ACCOUNT

Original Appropriation (1969)	$500,000.00
Legislative Audits	($49,404.45)
IWRB Bond Program	($15,000.00)
Legislative Appropriation FY90-91	$250,000.00
Legislative Appropriation FY91-92	$280,700.00
Legislative Appropriation FY93-94	$500,000.00
IWRB Studies and Projects	($249,067.18)
Loan Interest	$6,860,633.15
Interest Earned State Treasury (Transferred)	$1,656,678.41
Filing Fee Balance	$47,640.20
Bond Fees	$1,469,601.45
Arbitrage Calculation Fees	($12,000.00)
Protest Fees	($625.00)
Series 2000 (Caldwell/New York) Pooled Bond Issuers fees	$43,657.93
2012 Ground Water District Bond Issuer fees	$377,000.00
Bond Issuer fees	$39,999.59
Attorney fees for Jughandle LID	($3,600.00)
Water Supply Bank Receipts	$3,857,872.30
Legislative Appropriation FY01	$200,000.00
Pierce Well Easement	$2,000.00
Transferred to/from Water Management Account	$317,253.80
Legislative Appropriation 2004, HB843	$500,000.00
Legislative Appropriation 2009, SB 1511 Sec 2, Teton/Minidoka Studies	$1,800,000.00
Legislative Appropriation 2009, SB 1511 Sec 2, Teton/Minidoka Studies Expenditures	($1,229,460.18)
Weiser Galloway Study - US Army Corps of Engineers	($1,597,099.12)
Boise River Storage Feasibility Study	($74,861.09)
Geotech Environmental (Transducers)	($5,088.53)
Aqualife Lease receipt from Seapac	$9,000.00
Legislative Appropriation 2014, HB 479 Sec 1 and 2	$10,500,000.00
Appraisal (LeMoyne Appraisal LLC)	($4,500.00)
Payment to JR Simplot Co for water rights	($2,500,000.00)

Bell Rapids Water Rights Sub-Account

Legislative Appropriation 2005, HB392	$21,300,000.00
Interest Earned State Treasury	$692,738.59
Bell Rapids Purchase	($16,006,558.00)
Bureau of Reclamation Principal Amount Lease Payment Paid	$8,294,337.54
Bureau of Reclamation Interest Paid	$179,727.97
Bureau of Reclamation Remaining Amount Lease Payment Paid	$9,142,649.54
First Installment Payment to Bell Rapids	($1,313,236.00)
Second Installment Payment to Bell Rapids	($1,313,236.00)
Third Installment Payment to Bell Rapids	($1,313,236.00)
Fourth Installment Payment to Bell Rapids	($1,040,431.55)
Interest Credit due to Bureau of Reclamation (Part of Fourth Installment)	($19,860.45)
Fifth Installment Payment to Bell Rapids	($1,055,000.00)
Transfer to General Fund - Principal	($21,300,000.00)
Transfer to General Fund - Interest	($772,052.06)
BOR payment for Bell Rapids	$1,040,431.55
BOR payment for Bell Rapids	$1,313,236.00
BOR prepayment for Bell Rapids	$1,302,981.70
BOR prepayment for Bell Rapids	$1,055,000.00
BOR payment for Alternative Financing Note	$7,117,971.16
Payment to US Bank for Alternative Financing Note	($7,118,125.86)
Payment for Ongoing Bell Rapids Finance Costs (trustee fees, water bank, etc.)	($6,740.10)
Commitments	
Ongoing Bell Rapids Finance Costs (trustee fees, etc.)	$180,598.03
Committed for alternative finance payment	$0.00
Total Commitments	$180,598.03
Balance Bell Rapids Water Rights Sub-Account	**($0.00)**

Pristine Springs Project Sub-Account

Legislative Appropriation 2008, SB1511, Pristine Springs	$10,000,000.00
Legislative Appropriation 2006, HB870, Water Right Purchases	$5,000,000.00
Interest Earned State Treasury	$35,536.01
Loan Interest	$1,778,809.73
Transfer from ESP Sub-Account	$1,000,000.00
Payment for Purchase of Pristine Springs (3)	($16,000,000.00)
Payment from Magic Valley & Northsnake GWD for Pristine Springs	$3,252,948.42
Appraisal	($25,500.00)
Insurance	($33,662.25)
Recharge District Assessment	($24,171.45)
Water District 130 Annual Assessment	($3,841.45)
Hydro Plants Engineering Certification (Straubhar)	($3,000.00)
Payment to EHM Engineers for pipeline work	($1,200.00)
Payment to John Root for Easement Survey	($1,000.00)
Payment to MWH Americas Inc	($11,326.27)
Telemetry Station Equipment	($15,193.92)
Rein Tech LLC (Satellite phone annual payment)	($990.00)
Standley Trenching (Trac system for communication equip)	($2,783.99)
Property Taxes and other fee assessments (Jerome County)	($6,635.15)
Rental Payments	$1,443,407.46
Payments to Scott Kaster	($68,031.25)
Utility Payments (Idaho Power)	($33,421.57)
Costs for property maintenance	($31,512.60)
Travel costs for property maintenance	($351.30)
Pipeline repair (IGWA)	($170,000.00)

Transferred to Secondary Aquifer Fund (2011 Legislature; HB 291)		($2,465,300.00)	
Transferred to Secondary Aquifer Fund (2012 Legislature; SB 1389)		($1,232,000.00)	
Transferred to Secondary Aquifer Fund (2013 Legislature; HB 270)		($716,000.00)	
Transferred to Secondary Aquifer Fund (2014 Legislature; HB 618)		($716,000.00)	
Pristine Springs Hydropower Projects			
Net power sales revenues		$361,979.13	
Pristine Springs Committed Funds			
ESPA CAMP (to be transferred to Secondary Fund)	0.00		
Repair/Replacement Fund	$1,007,427.96		
TOTAL COMMITTED FUNDS	$1,007,427.96		
Loans Outstanding			
North Snake and Magic Valley Ground Water Districts	$7,127,940.18		
Total Loans Outstanding	$7,127,940.18		
Funds to RP CAMP & TV CAMP Sub-Account		**$271,672.34**	
Pristine Springs Revenues into Main Revolving Development Account			**$31,659.25**
Rathdrum Prairie CAMP & Treasure Valley CAMP Sub-Account			
Pristine Springs Hydropower and Rental Revenues		$271,672.34	
Interest Earned State Treasury		$573.11	
Spokane River Forum		($3,000.00)	
Treasure Valley Water Quality Summit		($500.00)	
Kootenai-Shoshone Soil & Water Cons. Dist. - Agrimet Station		($9,000.00)	
Rathdrum Prairie-Spokane Valley Aquifer Pumping Study		($27,547.44)	
Committed Funds			
Kootenai-Shoshone Soil & Water Cons. Dist. - Agrimet Station	$11,000.00		
Spokane River Forum	$5,000.00		
Rathdrum Prairie-Spokane Valley Aquifer Pumping Study	$42,452.56		
Treasure Valley Water Quality Summit	$0.00		
TOTAL COMMITTED FUNDS	$58,452.56		
Balance Rathdrum Prairie CAMP & Treasure Valley CAMP Sub-Account		**$173,745.45**	
Upper Salmon/CBWTP Sub-Account			
Water Transaction Projects Payment Advances from CBWTP/Accord		$2,846,171.47	
PCSRF Funds for Administration of Non-Diversion Easements on Lemhi River		$237,807.26	
Interest Earned State Treasury		$100,271.80	
Transfer to Water Supply Bank		($54,088.93)	
Change of Ownership		($600.00)	
Alturas Lake Creek Appraisal		($8,989.23)	
Payments for Water Acquisition		($478,804.14)	
Committed Funds			
Administration of Non-Diversion Easements on Lemhi River	$151,326.69		
Alturas Lake Creek (Breckenridge)	($0.00)		
Bayhorse Creek	$36,028.87		
Beaver Creek (DOT LLP)	$6,182.22		
Big Hat Creek	$96.89		
Big Timber Tyler (Leadore Land Partners)	$544,986.15		
Canyon Creek/Big Timber Creek (Beyeler)	$499,125.73		
Fourth of July Creek (Vanderbilt)	$19,754.10		
Iron Creek (Phillips)	$274,786.50		
Kenney Creek Source Switch	$27,256.06		
Lemhi - Big Springs	$67,338.50		
Lemhi River & Little Springs Creek (Kauer)	$23,930.78		
Little Springs Creek (Snyder)	$320,073.96		
Lower Eighteenmile Creek (Ellsworth Angus Ranch)	$3,555.56		
Lower Lemhi Thomas (Robert Thomas)	$2,400.00		
P-9 Bowles (River Valley Ranch)	$349,180.43		
P-9 Charlton (Sydney Dowton)	$23,112.36		
P-9 Dowton (Jim Dowton Ranch)	$276,959.57		
P-9 Elzinga (Elzinga)	$342,576.34		
Patterson-Big Springs (PBSC9)	$208,584.51		
Sulphur Creek	$2,171.52		
Spring Creek RE Beard	$3,182.76		
Whitefish (Leadore Land Partners)	$214,345.93		
Total Committed Funds	$3,396,955.43		
Balance CBWTP Sub-Account		**($755,187.20)**	
Water District 02 WaterSmart Grant Sub-Account			
Received from BOR		$37,336.76	
Payments made to contractors		($54,828.20)	
Committed Funds:			
Grant Approval	$114,663.24		
Total Committed Funds	$114,663.24		
Balance WaterSmart Grant Sub-Account		**($17,491.44)**	
Water Supply Bank Sub-Account			
Payments received from renters for 2013 season		$529,823.25	
Payments received from renters for 2014 season		$566,168.17	
Payments made to owners for 2013 season		($522,645.12)	
Payments made to owners for 2014 season		($9,792.00)	
Interest Earned State Treasury		$1,160.54	
Committed Funds:			
Owners Share	$550,701.83		
Total Committed Funds	$550,701.83		
Balance Water Supply Bank Sub-Account		**$14,013.01**	
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		$1,897,057.86	
Loan Interest		$207,230.67	
Bell Rapids Water Rights Closing Costs		($6,558.00)	
First Installment Payment to Bell Rapids Irr. Co. (Partial)		($361,800.00)	
Second Installment Payment to Bell Rapids Irr. Co. (Partial)		($361,800.00)	

Third Installment Payment to Bell Rapids Irr. Co. (Partial)			($361,800.00)
Fourth Installment Payment to Bell Rapids Irr. Co. (Partial)			($614,744.00)
Fifth Installment Payment to Bell Rapids Irr. Co. (Final)			($1,675,036.00)
Reimbursement from Commerce & Labor W-Canal			$74,709.77
Transfer to Pristine Springs Sub Account			($1,000,000.00)
Reimbursement from Magic Valley GWD - Pristine Springs			$500,000.00
Reimbursement from North Snake GWD - Pristine Springs			$500,000.00
Reimbursement from Water District 1 for Recharge			$159,764.73
Palisades (FMC) Storage Costs			($3,513,078.26)
Reimbursement from BOR for Palisades Reservoir			$2,381.12
W-Canal Project Costs			($326,834.11)
Black Canyon Exchange Project Costs			($71,680.00)
Black Canyon Exchange Project Revenues			$23,800.00
2008 Recharge Conveyance Costs			($14,580.00)
2009 Recharge Conveyance Costs			($355,253.00)
2010 Recharge Conveyance Costs			($484,231.62)
Additional recharge projects preliminary development			($12,405.89)
Pristine Springs Cost Project Costs			($6,863.91)
Loans and Other Commitments			
Commitment - Remainder of Bell Rapids Water Rights Purchase (1)			$361,620.00
Commitment - CREP Program (HB392, 2005)			$2,419,580.50
Commitment - Additional recharge projects preliminary development			$337,594.11
Commitment - Palasades Storage O&M			$10,000.00
Commitment - Black Canyon Exchange Project (fund with ongoing revenues)			$529,444.95
Total Loans and Other Commitments			$3,658,239.56
Loans Outstanding:			
American Falls-Aberdeen GWD (CREP)	$96,701.70		
Bingham GWD (CREP)	$0.00		
Bonneville Jefferson GWD (CREP)	$62,317.68		
Magic Valley GWD (CREP)	$92,072.19		
North Snake GWD (CREP)	$48,203.07		
TOTAL ESP LOANS OUTSTANDING	$299,294.64		
Uncommitted Balance Eastern Snake Plain Sub-Account			**$440,745.16**
Dworshak Hydropower Project			
Dworshak Project Revenues			
Power Sales & Other	$6,251,812.94		
Interest Earned State Treasury	482,496.47		
Total Dworshak Project Revenues			$6,734,309.41
Dworshak Project Expenses (2)			
Transferred to 1st Security Trustee Account	$148,542.63		
Construction not paid through bond issuance	$226,106.83		
1st Security Fees	$314,443.35		
Operations & Maintenance	$1,752,107.26		
Powerplant Repairs	$58,488.80		
Capital Improvements	$318,366.79		
FERC Payments	$43,456.05		
Total Dworshak Project Expenses			($2,861,511.71)
Dworshak Project Committed Funds			
Emergency Repair/Future Replacement Fund	$1,314,575.00		
FERC Fee Payment Fund	$22,576.30		
Total Dworshak Project Committed Funds			$1,337,151.30
Excess Dworshak Funds into Main Revolving Development Account			$2,535,646.40
TOTAL			**$26,038,636.93**

Loans Outstanding:	Amount Loaned	Principal Outstanding
Aberdeen-Springfield Canal Company (WRB-491; Diversion structure)	$329,761	$152,228.25
Boise City Canal Company (WRB-492)...Grove St Canal Rehab	$110,618	$29,997.00
Bonnie Laura Water Corporation (14-Jul-06; Well repairs)	$71,000	$24,101.33
Canyon County Drainage District No. 2 (28-Nov-12; Drain tile pipeline	$35,000	$32,054.85
Challis Irrigation Company (28-Nov-07; river gate replacement)	$50,000	$20,744.35
Chaparral Water Association	$90,154	$11,271.74
Chaparral Water Association (21-Jan-11; Well deepening & improvem	68,000	$27,853.56
Cloverdale Ridge Water Corp. (irrigation system rehab 25-sep-09)	106,400	$63,356.56
Consolidated Irrigation Company (July 20, 2012; pipeline project)	1,500,000.00	$690,650.00
Country Club Subdivision Water Association (18-May-07, Well Project).	$102,000	$47,040.57
Cub River Irrigation Company (18-Nov-05; Pipeline project)	$1,000,000	$692,203.48
Cub River Irrigation Company	$500,000	$374,620.59
Enterprise Irrigation District (14-Jul-06; Pipeline project)	$37,270	$13,309.58
Enterprise Irrigation District (North Lateral Pipeline)	$105,420	$44,658.95
Evergreen Terrace Water Association (water study; 25-sep-09)	$15,000	$0.00
Firth, City of	$112,888	$29,512.12
Foothills Ranch Homeowners Association (7-oct-11; well rehab)	$150,000	$122,566.54
Garden Valley Ranchettes Homeowners Association (25-Jan-05)	$2,716	$1,004.92
Genesee, City of (Storage tank, 22-Jan-10)	$250,000	$0.00
Georgetown, City of	$278,500	$0.00
Harvest Valley Homeowners Association (22-Mar-13; Pump Replacem	4,500.00	$3,288.95
Jefferson Irrigation Company (well deepenings)	$207,016	$24,043.73
Jefferson Irrigation Company (9-May-2008 Well Replacement)	$81,000	$49,420.63
Jughandle HOA/Valley County Local Improvement District No. 1 (well p	$907,552	$720,119.76
King Hill Irrigation District (24-Sep-10; Pipeline replacement_	$300,000	$106,730.14
Lake Reservoir Company (29-July-11; Payette Lake-Lardo Dam Outle	$594,000	$186,147.87
Last Chance Canal Company (WRB-497)	$500,000	$82,519.91
Lava Hot Springs, City of	$347,510	$165,572.78
Lindsay Lateral Association (22-Aug-03)	$9,600	$922.49
Lindsay Lateral Association (Engineering Design Project & Pipeline Stu	$19,700	$16,236.53
Live-More Lake Community (9-Jun-04)	$42,000	$14,084.43
Lower Payette Ditch Company (2-Apr-04; Diversion dam replacement)	$875,000	$277,725.68
Marsh Center Irrigation Company (13-May-05; Hawkins Dam)	$236,141	$134,768.26
Marysville Irrigation Company (18-May-07, Pipeline Project Phase 1)	$625,000	$331,877.80
Marysville Irrigation Company (9-May-08, Pipeline Project Phase 2)	$1,100,000	$551,866.10

McGuire Estates Water Users Association (4-Mar-05)	$60,851	$14,610.10	
Meander Point Subdivsion Homeowners Association (7-Sep-07; comn	$330,000	$33,905.66	
Meridian Heights Water & Sewer Association (18-May-07)	$350,000	$216,481.64	
Mores Creek Rim Ranches Water District	$221,400	$27,282.24	
New Hope Water Corporation	$151,460	$0.00	
North Fremont Canal Systems (25-Jan-13; Marysville Project)	$2,500,000	$2,000,000.00	
Point Springs Grazing Association (July 20, 2012; storck water pipeline)	48,280.00	$43,753.18	
Preston-Whitney Irrigation Company (29-May-09; Fairview Lateral Pipe	$800,000	$126,617.61	
Producers Irrigation Company (17-Mar-06; well replacements)	$185,000	$33,233.26	
Ranch Subdivision Property Owners Assoc	$24,834	$8,463.59	
Riverside Independent Water District	$350,000	$149,180.60	
Skin Creek Water Association	$188,258	$75,745.13	
Sourdough Point Owners Association (23-Jan-07; water supply & treat	$750,000	$2,999.04	
Spirit Bend Water Association	$92,000	$34,600.04	
Sunset Heights Water District (17-May-13; Exchange water project)	$48,000	$43,747.40	
Thunder Canyon Owners Association (6-Feb-04)	$92,416	$28,957.08	
Twin Lakes Canal Company - Winder Lateral Pipeline Project (13-Jul-0	$500,000	$350,383.45	
Twin Lakes Canal Company (2-Apr-04)	$90,000	$8,814.82	
Whitney-Nashville Water Company	$225,000	$33,243.94	
TOTAL LOANS OUTSTANDING			**$8,274,518.23**

Loans and Other Funding Obligations:		
Legislative Appropriation 2014, HB 479 Sec 1 and 2		
Mountain Home AFB Water Rights (HB479)	$1,495,500.00	
Galloway Dam & Reservoir Project (HB 479)	$2,000,000.00	
Boise River (Arrowrock Enlargement) Feasibility Study (HB479)	$1,500,000.00	
Island Park Enlargement (HB479)	$2,500,000.00	
Water Supply Bank Computer Infrastructure (HB 479)	$500,000.00	
Aqua Life Hatchery, HB644, 2014	$1,635,000.00	
Senate Bill 1511 - Teton Replacement and Minidoka Enlargement Studies	$678,161.82	
Boise River Storage Feasibility Study	$325,414.93	
Weiser-Galloway Study (28-May-10)	$461,620.87	
A&B Irrigation District (18-July-14; pipeline and conversion project)	$3,500,000.00	
Bee Line Water Association (Sep 23, 2014; System Improvements)	$400,000.00	
Clearwater Water District - pilot plant (13-jul-07)	$80,000.00	
Consolidated Irrigation Company (July 20, 2012; pipeline project)	$1,284,350.00	
Dover, City of (23-Jul-10; Water Intake project)	$194,063.00	
Lake Reservoir Company (29-July-11; Payette Lake-Lardo Dam Outlet Gates)	$0.00	
Lindsay Lateral Association	$15,300.00	
North Fremont Canal Systems (25-Jan-13; Marysville Project)	$500,000.00	
Point Springs Grazing Association (July 20, 2012; storck water pipeline)	$48,280.00	
TOTAL LOANS AND OTHER FUNDING OBLIGATIONS		**$17,117,690.62**
Uncommitted Funds		**$646,428.08**
TOTAL		**$26,038,636.93**

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

(2) Debt service on the Dworshak Project bonds is paid before the Dworshak monies are deposited into the Revolving Development Account and is therefore not shown on this balance sheet.

Idaho Water Resource Board
Sources and Applications of Funds
as of August 31, 2014
WATER MANAGEMENT ACCOUNT

Original Appropriation (1978)	$1,000,000.00
Legislative Audits	($10,645.45)
IWRB Appraisal Study (Charles Thompson)	($5,000.00)
Transfer funds to General Account 1101(HB 130, 1983)	($500,000.00)
Legislative Appropriation (6/29/1984)	$115,800.00
Legislative Appropriation (HB988, 1994)	$75,000.00
Turned Back to General Account 6/30/95, (HB988, 1994)	($35,014.25)
Legislative Appropriation (SB1260, 1995, Aquifer Recharge, Caribou Dam)	$1,000,000.00
Interest Earned	$120,475.04
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 FY01	$200,000.00
Western States Wate Council Annual Dues	($7,500.00)
Tranfer to/from Revolving Development Account	($317,253.80)
Legislative Appropriation (SB1239, Sugarloaf Aquifer Recharge Project)	$60,000.00
Legislative Appropriation (HB 843 Sec 6)	$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
TOTAL	**$4,497,489.85**

Grants Disbursed:

Completed Grants	$1,291,110.72
Arco, City of	$7,500.00
Arimo, City of	$7,500.00
Bancroft, City of	$7,000.00
Bloomington, City of	$4,254.86
Boise City Canal Company	$7,500.00
Bonners Ferry, City of	$7,500.00
Bonneville County Commission	$3,375.00
Bovill, City of	$2,299.42
Buffalo River Water Association	$4,007.25
Butte City, City of	$3,250.00
Cave Bay Community Services	$6,750.00
Central Shoshone County Water District	$7,500.01
Clearwater Regional Water Project Study, City of Orofino et al	$10,000.00
Clearwater Water District	$3,750.00
Cottonwood Point Water and Sewer Association	$7,500.00
Cottonwood, City of	$5,000.00
Cougar Ridge Water & Sewer	$4,661.34
Curley Creek Water Association	$2,334.15
Downey, City of	$7,500.00
Fairview Water District	$7,500.01
Fish Creek Reservoir Company, Fish Creek Dam Study	$12,500.00
Franklin, City of	$6,750.00
Grangeville, City of	$7,500.00
Greenleaf, City of	$3,000.00
Hansen, City of	$7,450.00
Hayden Lake Irrigation District	$7,500.00
Hulen Meadows Water Company	$7,500.00
Iona, City of	$1,425.64
Kendrick, City of	$7,500.00
Kooskia, City of	$7,500.00
Lakeview Water District	$2,250.00
Lava Hot Springs, City of	$7,500.00
Lindsay Lateral Association	$7,500.00
Lower Payette Ditch Company	$5,500.01
Maple Grove Estates Homeowners Association	$5,020.88
Meander Point Homeowners Association	$7,500.00
Moreland Water & Sewer District	$7,500.00
New Hope Water Corporation	$2,720.39
North Lake Water & Sewer District	$7,500.00

Northside Estates Homeowners Association	$4,492.00	
North Tomar Butte Water & Sewer District	$3,575.18	
North Water & Sewer District	$3,825.00	
Parkview Water Association	$4,649.98	
Payette, City of	$6,579.00	
Pierce, City of	$7,500.00	
Potlatch, City of	$6,474.00	
Preston Whitney Irrigation Company	$7,500.00	
Preston & Whitney Reservoir Company	$3,606.75	
Preston & Whitney Reservoir Company	$7,000.00	
Roberts, City of	$3,750.00	
Round Valley Water	$3,000.00	
Sagle Valley Water & Sewer District	$2,117.51	
South Hill Water & Sewer District	$3,825.00	
St Charles, City of	$5,632.88	
Swan Valley, City of	$5,000.01	
Twenty-Mile Creek Water Association	$2,467.00	
Valley View Water & Sewer District	$5,000.02	
Victor, City of	$3,750.00	
Weston, City of	$6,601.20	
Winder Lateral Association	$7,000.00	
TOTAL GRANTS DISBURSED		**($1,632,755.21)**
IWRB Expenditures		
Lemhi River Water Right Appraisals	$31,000.00	
Expenditures Directed by Legislature		
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)	$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	
TOTAL IWRB AND LEGISLATIVE DIRECTED EXPENDITURES		**($2,732,017.19)**
WATER RESOURCE BOARD RECHARGE PROJECTS		**($11,426.88)**
CURRENT ACCOUNT BALANCE		**$121,290.57**
Committed Funds:		
Grants Obligated		
Cottonwood Point Water & Sewer Association	$0.00	
Preston - Whintey Irrigation Company	$7,500.00	
Water District No. 1 (Blackfoot Equalizing Reservoir Automation)	$35,000.00	
Legislative Directed Obligations		
Sugarloaf Aquifer Recharge Project (SB1239)	$4,046.31	
ESPA Settlement Water Rentals (HB 843, 2004)	$16,000.00	
ESPA Management Plan (SB 1496, 2006)	$0.00	
ESP Aquifer Management Plan (HB320, 2007)	$48,829.24	
TOTAL GRANTS & LOANS OBLIGATED & UNDISBURSED		**$111,375.55**

Loans Outstanding:	Amount Loaned	Principal Outstanding	
Arco, City of	$7,500	$0.00	
Butte City, City of	$7,425	$0.00	
Roberts, City of	$23,750	$0.00	
Victor, City of	$23,750	$0.00	
TOTAL LOANS OUTSTANDING			**$0.00**
Uncommitted Funds			**$9,915.02**
CURRENT ACCOUNT BALANCE			**$121,290.57**

Idaho Water Resource Board
Sources and Applications of Funds
as of August 31, 2014
SECONDARY AQUIFER PLANNING, MANAGEMENT, & IMPLEMENTATION FUND

Legislative Appropriation (HB 291, Sec 2)		$2,465,300.00
Legislative Appropriation (SB 1389, Sec 5)		$1,232,000.00
Legislative Appropriation (HB270, Sec 3)		$716,000.00
Legislative Appropriation (HB479, Sec 1)		$4,500,000.00
Interest Earned State Treasury (Transferred)		$57,884.30
Water Users Contributions		$100.00
Conversion project (AWEP) measurement device payments		($16,455.21)
Contribution from GWD's for 2011 ESPA Managed Recharge		$71,893.16
Contribution from GWD's for Revenue Bond Prep Expenses		$14,462.50
American Falls Res. Dist#2 - MP31 Recharge Site Engineering		($1,593.75)
American Falls Res. Dist#2 - MP31 Recharge Site Construction		($34,435.44)
Bond issuer Fees		($3,500.00)
Payments for 2012 Recharge		($260,031.02)
Payments for 2013 Recharge		($8,133.00)
Payments for 2014 Recharge		($16,404.00)
Payment for Recharge		($80,000.00)
Payment for High Country RC&D Cloud Seeding		($20,000.00)
Payment for Idaho Irrigation District		($13,200.00)
Aquifer Monitoring, Measurement, and Modeling Sub-Account		
Legislative Appropriation/Funds Transfer (HB618, Sec 3)	$716,000.00	
Balance Aquifer Monitoring, Measurement, and Modeling Sub-Account	**$716,000.00**	
Committed Funds		
Legislative Appropriation (HB479, Sec 1, 2014)		
ESPA Managed Recharge Infrastucture (HB479)		$4,000,000.00
Northern Idaho Future Water Needs Studies (HB479)		$500,000.00
Measurement devices for AWEP conversion projects		$183,544.79
High Country RC&D Cloud Seeding		$20,000.00
Cooperative Weather Modification Program (Cloud Seeding)		$492,000.00
American Falls Res. Dist#2 - MP31 Recharge Site Engineering		$4,406.25
American Falls Res. Dist#2 - MP31 Recharge Site Construction		$564.56
Magic Valley GWD and A&B Irrig. Dist. - Walcott Recharge Engineering		$85,644.00
Five-Year Managed Recharge Pilot Program		$1,215,431.98
Contribution from GWD's for 2011 ESPA Managed Recharge		($8,106.84)
GWD Bond Prepatory Expenses		$37,500.00
Fremont-Madison Irrigation District Egin Recharge		$40,000.00
Total Committed Funds		**$6,570,984.74**

TOTAL UNCOMMITTED FUNDS **$2,032,902.80**

CURRENT ACCOUNT BALANCE **$9,319,887.54**

Project	Major Milestones Completed	Recent Progress & Upcoming Work	Project Schedule
ESPA Stabilization: Managed Aquifer Recharge (Milner-Area Efforts)			
Non-Irrigation Season/Winter Delivery Contracts with Existing Canal Systems			
Participating Canal Systems: Twin Falls Canal Company (TFCC), American Falls Reservoir District No. 2 (AFRD2), Southwest Irrigation District (SWID)		• 5-year contracts in place or under development	• Anticipate operational trial run of deliveries winter 2015
Infrastructure Modifications (associated with non-irrigation season delivery from Milner)			
Twin Falls Canal Company (TFCC): Milner-Murtaugh Reach		• Engineering study underway for making keeping ice off gates at Murtaugh Lake	• Proposals under development
American Falls Reservoir District No. 2 (AFRD2): Milner-Gooding Canal		• Winter-capable road to MP31 proposed • Engineering study for replacement of deteriorated concrete flume at Shoshone proposed	• Proposals under development
Southwest Irrigation District (SWID): West Cassia Pipeline		• Engineering study for making West Cassia Pipeline winter-capable proposed	• Proposals under development
Mile Post 31	• Initial construction phase complete (spring 2013) – operational to 125 cfs	• Dye tracer test performed Oct	• Expansion on hold pending results of 2014 winter recharge activity
Direct Pumping to Injection Systems			
Direct Pumping to injection Activities		• Pursuing test well drilling and injection at A&B Pumping Plant, NSCC Pumping Plant, SWID pumping plant, Nightengale private site, 2 USBOR sites, A&B at Milner pumping plant	• Several injection well permits being processed • Drilling and test injections at several locations anticipated fall 2014

Project	Major Milestones Completed	Recent Progress & Upcoming Work	Project Schedule
Other ESPA Stabilization Efforts			
Conversion Projects: Ground Water to Surface Water			
A&B Irrigation District Pipeline	• Project will provide new pumping plant and associated pipeline to offset ground water pumping • Partially funded through AWEP and land owners	• Estimated project costs increased from $7.8 mil to $12.5 mil • July 2014 – IWRB passed Resolution approving loan not to exceed $7 mil	
Demand Reduction			
End Gun Removal/Conversion to Dryland Farming Program	• First of 2-3 yr contracts complete	• Approximately 10 contracts in Teton Valley area	• Contracts expire in 2016 or 2017
Conservation Reserve Enhancement Program (CREP)	• 17,227 ac currently enrolled (goal of 100,000 ac or 200,000 af) in 10 counties	• On-going compliance review and review of new applications	• Contracts begin expiring 2021
Other Activities/Projects			
Regional Conservation Partnership Program (RCPP) Projects	• Invited to submit full proposal (targets conversion and demand reduction projects)	• Proposal submitted in coordination with contributing partners	• Nov 15, 2014 – Funding announcement
Hagerman Valley (Below-the-Rim)			
Aqualife Hatchery Acquisition	• In process of acquiring from IDPR • Letter of intent with IGWA for use of facility under consideration	• Negotiations underway for ownership and use of adjacent land underway with IDPR, SeaPAC & IGWA	
Pristine Springs	• Pristine Springs purchased by the IWRB 2008 • Agreements to sell water supplies to IGWA and City of Twin Falls executed	• Pursuing options for long-term lease or sale of assets	

Project	Major Milestones Completed	Recent Progress & Upcoming Work	Project Schedule
Cloud Seeding			
Expansion of Upper Snake cloud seeding program into tribs above Palisades Reservoir	• Existing program-19 remote operated ground generator stations installed since 2009 to supplement High Country RC&D efforts	• IWRB passed resolution at Sept meeting to fund portion of infrastructure for program expansion	
Establishment of program in Boise and Big Wood River basins		• IWRB passed resolution at Sept meeting to fund portion of infrastructure for proposed program	
Statewide Aquifer Modeling, Monitoring and Measurement			
Enhanced Snake Plain Aquifer Model (ESPAM)	• ESPAM Version 2.1 completed 2013	• Recommended enhancements have been issued by Eastern Snake Hydrologic Modeling Committee (ESHMC)	• Review by ESHMC ongoing
ESPA Well Depth Measurement Program	• Measurement sites include: ground water, managed recharge, geothermal, ground water quality, water level measurements • FY 2013 Water level mass measurement synoptic include wells across ESPA, Wood River Valley, Thousand-Springs area	• Investigating expansion of continuous monitoring network in Milner Dam area using existing USBOR wells	• Annual measurement activities on-going
ESPA Spring and Return Flow Measurement Program	• FY 2013 Surface Water measurement sites (USGS gages and return flow sites)	• Investigating expansion of return flow network between Blackfoot and Idaho Falls • Installing 3 new recorders in Little Lost Valley	• Annual measurement activities on-going
Hagerman Valley (Below-the-Rim)		• 3 new monitoring sites identified and equipment purchased	• Fall 2014 - Installation to be complete
Wood River Valley Groundwater Flow Model Project	• Spring 2013 - Modeling Tech Advisory Committee (MTAC) formed • April 2014 – Model framework constructed	• Ongoing model calibrations activities • Ongoing MTAC meetings	• End 2015 – Model completion

Project	Major Milestones Completed	Recent Progress & Upcoming Work	Project Schedule
Statewide Aquifer Modeling, Monitoring and Measurement			
Treasure Valley Groundwater Model	• Treasure Valley Hydrologic Project (TVHP) Model completed (2004) • 2010 IWRB funded evaluation of groundwater models for TV CAMP • 2013 USBOR completed Time-Dependent Model of the TV	• A technical advisory committee for the Treasure Valley Groundwater Model provided comments on the existing models	• 2014 – IDWR to complete evaluation of BOR time-dependent model to direct further model development
North Ada County Hydrogeologic Investigation	• Detailed investigation of hydrogeology to characterize the aquifer in North Ada County (initiated 2007)	• Ongoing monitoring and measurement efforts • Data integrated into TV Groundwater Model • Expanded to include new developments	
East Ada County Hydrologic Project	• Detailed investigation of aquifer system in East Ada County (initiated 2007)	• Ongoing monitoring and measurement efforts • Data integrated into TV Groundwater Model	
Spokane Valley Rathdrum Prairie (SVRP) Model	• Phase 1 – Data Collection and Groundwater flow model completed 2004-2008 • Phase 2 – Additional technical studies and modeling 2008-2010	• Monitoring and measurement activities are ongoing • Additional data collected when available to expand network for model calibration	
Lewiston Plateau Ground Water Management Area	• Ground Water Management Plan (August 2014)	• Developing a monitoring network in deep aquifer; data availability is limited	

Project	Major Milestones Completed	Recent Progress & Upcoming Work	Project Schedule
Surface Water Storage			
Weiser-Galloway Project (Weiser River Basin)	• Gap Analysis of previous project studies completed • Foundation and Geotechnical analysis completed	• Operations Analysis – ongoing • Hydropower Integration Study - ongoing • Initiating reservoir optimization, economic analyses • FERC preliminary permit application approved	• Spring 2015 – Present final results Operations Analysis and supplemental studies
Boise River Feasibility Study – Arrowrock Raise	• Storage project screening analysis completed; (Aug 2010) • Preliminary evaluation of Arrowrock Dam raise completed (Oct 2011)	• Corps finalizing SOW • Hydrologic modeling of Arrowrock raise ongoing • Real estate analysis ongoing	• Nov 2014 – Resolution before IWRB to execute agreement amendment • Fall 2015 – Draft feasibility rpt and EIS for public review • Summer 2017 - Final Feasibility Rpt/EIS for public review • Fall 2017 – Signed Record of Decision
Island Park Reservoir Enlargement (Henrys Fork Basin)	• Henrys Fork Basin Study complete (July 2014)	• Coordinating with BOR to initiate Real estate/lands assessment study	
Other Water Management Projects			
Mountain Home Water Rights	• Purchase and sale agreement executed	• Begin discussions with US Air Force Base.	
Water District 2 Measurement Project (WaterSMART Grant)	• 15 projects at various stages of completion • New grant (phase 2) approved to install measurement equip at 40+ sites • Phase 2 financial assistance with BOR in place	• Phase 1 - Ongoing coordination with water users, equip purchasing and installation • Phase 2 – Ongoing coordination, measurement device purchasing, dev of reimbursement contracts	• End 2015 – Complete Phase 1 • End 2016 – Complete phase 2
North Idaho Future Water Demand Study	• Executed contract for future demands study between U of I and IWRB	• July IWRB Mtg – Funding of North Idaho future demands study approved	• May 30, 2015 – Completion of future demands study
IWRB Financial Program New Applications			
Clearview Water Co Inc. Loan		• New loan application to replace existing irrigation delivery system	• Nov 2014 – Resolution before the IWRB

Program	Major Milestones Completed	Recent Progress & Upcoming Work	Project Schedule
Water Supply Bank			
IT Infrastructure Development	• April 2014 – Development Scope of Work Complete	• IT Development plan near completion - Sept 2014 • Generation of development documentation ongoing	• Nov 2014 – Expect to issue RFQ • Summer 2016 – Complete launch of WSB IT platform
Idaho Water Transactions Program			
Columbia Basin Water Transactions Program	Since program initiation in 2003: • 81 transactions • 23 Streams with Flow Restoration • 140 cfs/750k AF • 4 of10 Lemhi reconnects • 18.25 cfs of 35 cfs permanently protected in Lower Lemhi River • Currently compiling no. of miles of streams with restored flow	• Completion of 2014 transactions protecting 26.4 cfs and up to 5178 AF instream • Completed compliance and flow monitoring for 2014 • Continued approval and development of FY 2015 transactions on Beaver Creek, Pole Creek, Carmen Creek, Morgan Creek, Lemhi River, Badger Creek, and others	• Nov. 3, 2014 - Propose 2015 transactions • Dec. 1, 2014 – Compliance Monitoring Due • Spring 2015 Research, Monitoring, and Evaluation Reporting
Idaho Fish Accord	• Lower Lemhi 2014-2015 delivering 15.56 cfs instream	• Finalized Lower Lemhi Transactions for 2014-2015	• Sept. 2014 – Complete 2014 transactions

TO: Idaho Water Resource Board

FROM: Ken Neely

DATE: October 24, 2014

RE: Rathdrum Prairie Ground Water Pumping Study

This study was funded by the Idaho Water Resource Board in February 2013 for $70,000. The Contractor is Ralston Hydrologic Services, Inc., Principal Dale Ralston, PHD, PE, and PG. The study is to be completed by February 2015. As of October 7, 2014, payments to Ralston Hydrologic Services, Inc., have been made for a total of $40,101.04

The objective of this study is to complete three Products:

Product A: Gain an improved understanding of low-flow conditions in the Spokane River from water/ground water system and provide a basis to evaluate the results of the transient response function analysis.

Product B: Conduct a reconnaissance transient response-function analysis of pumping effects on the flow of the Spokane River at the Spokane Gage.

Product C: Create a River Depletion Spreadsheet.

Results to date:

Product A: Flow records from USGS gages were examined to attempt to identify river flow increases associated with the reduction of pumping at the end of annual irrigation seasons. Comparisons between the Post Falls and Spokane gage were made, and it was discovered that when June/July discharges at the Post Falls gage were low, the flows at the Spokane gage in late August were always low.

Product B: Graphs have been created to show the impact on flow in the Spokane River from pumping at various locations and with various pumping scenarios. Significant lag (days to weeks) in river depletion as a response to pumping was observed at many locations.

Product C: The spreadsheet has been created, and some pumping and river flow impacts scenarios have been conducted.

Future Plans:

Dale Ralston and Gary Johnson plan to present the findings to date at the Spokane River Forum in late November.

The study Deliverables will be as follows:

1. Written Report (7 chapters)
2. Powerpoint slideshow with audio
3. Screen Cast presentation of Spreadsheet Tools

Memorandum

To: Idaho Water Resource Board

From: Neeley Miller, IDWR Planning and Projects Bureau

Date: October 24, 2014

RE: North Idaho Future Water Demand

Rathdrum Prairie Future Water Demand Study

House Bill 479 authorized the one-time appropriation in the amount of $15 million to the Idaho Water Resource Board. Projects identified for the $15 million include $500,000 to conduct joint water need studies to determine extent of future water needs in coordination with Northern Idaho communities prior to any interstate water dispute with the State of Washington to ensure water availability for future economic development.

The Rathdrum Prairie Comprehensive Aquifer Management Plan (RP CAMP) identifies "studies necessary to support RAFN water right applications" as a critical action item for RP CAMP implementation. The Idaho Water Resources Research Institute (IWRRI) was asked by Rathdrum Prairie municipal water providers to develop a proposal to determine extent of future water needs to ensure availability for future economic development. IWRRI staff developed a proposal and shared it with IWRB and IDWR staff. Board staff determined that the proposal meets the Legislature's intent included in HB 479. IDWR staff familiar with RAFN applications indicated the tasks identified in the proposal appear to be useful for obtaining necessary information for RAFN applications.

The Board passed a resolution at the July 2014 Board meeting approving the expenditure of a total of $201,000 from the IWRB Secondary Aquifer Management Account for the Rathdrum Prairie Future Water Demand Study. The contract between IDWR and IWRRI was executed on September 8, 2014.

Task #1: Service Area Mediation
An initial project meeting was held on August 19 with twenty-six provider and agency representatives attending. Individual meetings with representatives from Avondale Irrigation District, City of Post Falls, East Greenacres Irrigation District, Greenferry Water, Hayden Lake Irrigation District, North Kootenai Water and Sewer District, Remington Water, and Ross Point Water were held to determine future service areas and potential areas of overlap with adjoining providers. Areas were mapped and overlaps identified. One mediation session was held to address an identified overlap between Avondale and Hayden Lake. The overlap was resolved. Several other identified overlaps were resolved by unilateral action. Two overlaps involving the City of Rathdrum's Area of City Impact are in process of resolution. This task is scheduled to be completed by the end of October.

Task #2: Update Existing Demand Study
An informal request for data was given at the August 19 project initiation meeting, followed by a formal request by mail or email to providers from SPF Water Engineering on September 8. IWRRI has provided SPF with provider service area GIS base layer and will be providing baseline population and economic sector data by service area shortly. SPF reports they are on track to deliver final report by contract deadline.

Task #3: 30-Year RPA Population Projection and Water Demand Projection
UI-IWRRI has collected and is analyzing data to characterize the current population and economic sectors by provider service area to inform SPF per capita calculations and serve as baseline for the 30-year population and water demand projection. Data is being built into a GIS layer.

Task #4: Water Rights Gap Analysis:
Existing provider water rights are being assembled in a single database for incorporation in a GIS layer.

Task #5: Integrated Water Resource Management Plan:
Initial discussions with potential consultants have been held. Contract negotiations are underway.

IDAHO WATER RESOURCE BOARD

October 2, 2014

Roy-Alan C. Agustin, Colonel, USAF
Director, Installation and Mission Support
Headquarters Air Combat Command
Joint Base Langley-Eustis VA 23665

Colonel Agustin,

I am pleased to report that the Purchase and Sale Agreement by the Idaho Water Resource Board (IWRB) for senior Snake River Water Rights for MHAFB was executed on 29 July 2014. This represents the culmination of a four year team effort by state, local, and private partners, strongly supported by the Idaho Legislature and Governor C.L. "Butch" Otter, to assure the sustainability of Mountain Home Air Force Base. The water currently is protected for MHAFB in the Idaho Water Bank which is governed by the IWRB.

The next step in the process will be to formalize our partnership and begin planning a project for water delivery to the base. I would recommend we convene a meeting this fall to accomplish that goal. The meeting should include the leadership and representatives of the IWRB and Department of Water Resources, Air Combat Command, 366th FW of MHAFB, City of Mountain Home, and Elmore County. In light of this historic action, and in response to your letter of 1 July 2014, I would like to invite you and your team to meet with the Idaho Water Resource Board and the leadership of the Idaho Department of Water Resources to chart a way forward on our joint project to deliver a secure, sustainable surface water supply for Mountain Home Air Force Base. It is important to note that the agreement has conditions that require that water be delivered to MHAFB in seven years. We are prepared to host the meeting at our headquarters in the Idaho Water Center located at 322 East Front Street, Boise, ID 83720. Please coordinate with Brian Patton, Executive Officer, IWRB, 208-287-4837, brian.patton@idwr.idaho.gov.

We look forward to moving this vital project forward.

Sincerely,

Roger Chase, Chairman

CC: Colonel David Iverson Commander, 366th Fighter Wing, MHAFB
Colonel John Balzano, Headquarters Air Combat Command
Governor C.L. "Butch" Otter
Mayor Tom Rist, City of Mountain Home
Elmore County Commissioners
Colonel Billy Ritchie, Idaho Special Assistant for Military Affairs
Senator Bert Brackett
Representative Pete Nielson
Senator Dean Cameron, Co-Chair, Joint Finance-Appropriations Committee
Representative Maxine Bell, Co-Chair, Joint Finance-Appropriations Committee
Gary Spackman, Director Idaho Department of Water Resources
Idaho Water Resource Board members

MT HOME

DEPARTMENT OF THE AIR FORCE
HEADQUARTERS AIR COMBAT COMMAND
JOINT BASE LANGLEY-EUSTIS VA

1 JUL 2014

Mr. Roger Chase
Chairman, Idaho Water Resource Board
322 East Front Street
Boise, ID 83720

Dear Mr. Chase

Thank you for your interest in pursuing an alternate water source for Mountain Home AFB as addressed in your 10 April 2014 letter, and as subsequently discussed with the Mountain Home Civic Leaders. We would like to express our interest in this initiative, subject to a more complete review and final Air Force approval.

As we partner with State and local representatives for the means to best provide potable water to meet the Air Force mission, Mountain Home AFB is always interested in examining alternative methods that are environmentally friendly and mitigate adverse impacts on the aquifer. The initiative, as we understand it, is for the Water Resource Board to acquire senior-priority Snake River water rights with State of Idaho appropriations. The Board proposes to subsequently use its bonding authority to finance private construction of a 5-mile pipeline and water treatment plant to serve the base and potentially other municipalities. The base could then connect to that infrastructure and purchase water in the conventional means at a competitive rate.

We would like to express our interest in pursuing this initiative. Please understand, however, that at this juncture we cannot commit to anything other than our expression of interest. We would welcome working with your Board, and the Civic Leaders to determine the potential for a way ahead suitable to all parties.

Once again, let me thank you for considering Mountain Home AFB as a partner in this initiative. My point of contact for this matter is Colonel John Balzano, who can be reached at (757) 764-3024, or email at john.balzano@us.af.mil. Please do not hesitate to contact him should you need further assistance.

Sincerely

ROY-ALAN C. AGUSTIN, Colonel, USAF
Director, Installations and Mission Support

Cc:
366 FW/CC

Agile Combat Power

DEPARTMENT OF THE AIR FORCE
HEADQUARTERS 366TH FIGHTER WING (ACC)
MOUNTAIN HOME AIR FORCE BASE IDAHO

Colonel David R. Iverson
Commander
366 Gunfighter Ave, Ste 331
Mountain Home AFB ID 83648

Idaho Water Resource Board
322 East Front Street, P.O. Box 83720
Boise ID 83720-0098

Dear Chairman Chase

Congratulations to you and the entire Water Resource Board on the recent purchase of surface water rights. The options this could provide for the Air Force and Mountain Home Air Force Base are critical to sustaining mission viability.

We know the actions of the Water Resource Board in obtaining the water rights in such a short amount of time were unprecedented. Our special thanks go out to Mr. John Homan of the Attorney General's Office for his hard work in making this historic acquisition happen. Thank you for your continued support to the United States Air Force and the Gunfighters.

Sincerely

DAVID R. IVERSON, Colonel, USAF

Memorandum

To: Idaho Water Resource Board

From: Cynthia Bridge Clark

Date: October 27, 2014

Re: Status of Storage Water Studies

The following is a status report on the surface water storage studies initiated by the Idaho Water Resource Board (IWRB). This memorandum describes activities and progress since the last IWRB meeting in September 2014.

Weiser-Galloway Project

- The evaluation of potential hydropower integration from the Galloway project with the Northwest power grid is ongoing. Results of the hydropower integration study will be incorporated into the Operational Analysis and a final report is scheduled for completion spring 2015.
- In September, the IWRB passed a resolution to authorize completion of additional analyses to support and expand on the Operations Analysis:
  - Galloway Project size optimization study: The study will refine the project size and corresponding design and project costs using the models, hydrologic data, operational constraints, water demands, and total benefits developed for the Operations Analysis. A cost-share agreement between the Corps and IWRB is being reviewed at this time.
  - Economic Benefits of Flow Augmentation Exchange: Given the importance of understanding the water supply benefits associated with the proposed project, a secondary economic analysis will build on the Corps recent work to provide a comprehensive evaluation of the use of Weiser River water to help offset flow augmentation obligations in different basins. A scope of work and contract are being developed with Dr. Garth Taylor from the University of Idaho.
  - Evaluation of Weiser River Trail impacts and relocation options: The project as proposed would inundate 15 miles of the Weiser River Trail (WRT). Given the level of concern by the public about potential impacts to the WRT and associated legal obligations, an analysis of potential relocation options will be evaluated to inform the IWRB and stakeholders. A study scope is currently being drafted, and staff and members of the IWRB are scheduled to meet with the Friends of the Weiser River Trail to discuss coordination of the study on October 30, 2014.
- On October 8, 2014, the Federal Energy Regulatory Commission (FERC) issued an order granting a preliminary permit and priority to file a license application for the Galloway project. Comments submitted in response to the application are included in the IWRB books.

REQUIRED ACTIONS: No action is required by the IWRB at this time.

Lower Boise River Feasibility Study

- Reservoir modeling of the Arrowrock Dam raise is ongoing to determine the expected refill frequency which will influence the optimum size of a potential raise. The Corps is coordinating with IDWR and U.S. Bureau of Reclamation (Reclamation) staff in this process. Initial analyses of structural considerations and costs have been conducted and will be expanded through the feasibility study.

- An Environmental Impact Statement (EIS) will be completed through the feasibility study process. The Corps has compiled comments received during the public scoping meetings and is finalizing a scope of the environmental analysis and alternatives for study with their internal team (Division and Headquarters).
- The Corps has also initiated the review of real estate issues associated with the proposed project alternatives. The Corps met with different federal and state agencies during the week of October 13, 2014 to identify and discuss potential real estate considerations.
- Agreement amendment:
  - On May 29, 2009, the IWRB and the Corps executed a Federal Cost Share Agreement (FCSA) to implement the Lower Boise River Interim Feasibility Study.
  - In 2012, the Corps implemented the SMART Planning initiative which modified the criteria by which the Corps implements the feasibility study process. SMART planning is intended to streamline the study process by adhering to a 3 year timeline, $3 million budget, and integration of a "vertical team" to expedite project decisions. The process requires that all on-going studies amend existing agreements to conform to modified planning requirements.
  - In the case of Boise Feasibility study, the project scope has been increased to include a more comprehensive evaluation of the Arrowrock Dam raise and other downstream measures to address flood risk and water supply, a final report with Environmental Impact Statement, and a Chief's Report to Congress if construction authorization is sought.
  - House Bill 479 passed and approved by the 2014 Idaho Legislature appropriated $1.5 million (the non-federal sponsor required contribution) to complete the Boise River Feasibility Study.
  - An amendment to the current FCSA is necessary to execute the full feasibility study. The total cost associated with the amended study is $3,524,000, fifty percent of which ($1,762,000) is the responsibility of the IWRB as the non-federal sponsor. Of this amount, a credit of $637,000 will be afforded for contributions and expenditures by the IWRB for the Interim Feasibility Study. The remaining $1,125,000 is the IWRB's projected obligation.

REQUIRED ACTIONS: A draft resolution is provided for the IWRB's consideration to authorize execution of an amendment to the original FCSA between the Corps and the IWRB and expenditure of the $1.5 million appropriated for the study under House Bill 479.

Island Park Reservoir Enlargement Project

IDWR staff is completing a scope of work for the Island Park Reservoir Enlargement Project Land and Real Estate Assessment. Staff anticipates this work will be completed in part by a private contractor in cooperation with Reclamation. To address access needs within Reclamation's existing flood easement as well as assistance with technical evaluation of the Island Park Dam facility (e.g. safety of dams issues related to the proposed reservoir enlargement), a memorandum of agreement between the IWRB and Reclamation is also being developed.

REQUIRED ACTIONS: No action is required by the IWRB at this time.

149 FERC ¶ 62,013
UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

Idaho Water Resource Board Project No. 14608-000

ORDER ISSUING PRELIMINARY PERMIT
AND GRANTING PRIORITY TO FILE LICENSE APPLICATION

(Issued October 8, 2014)

1. On March 24, 2014, the Idaho Water Resource Board (Water Board) filed an application for a preliminary permit, pursuant to section 4(f) of the Federal Power Act (FPA),[1] to study the feasibility of the proposed Weiser-Galloway Hydroelectric and Water Storage Project No. 14608 (Weiser-Galloway Project or project) to be located on the Weiser River near the city of Weiser, Idaho. The project is located on 2,017 acres of lands owned by the U.S. Bureau of Land Management (BLM).

I. Project Proposal

2. The proposed project would consist of the following new facilities: (1) a 2,480-foot-long, 285-foot-high earthfill embankment dam with a single ungated emergency spillway and low-level outlet works; (2) a 6,719-acre reservoir with a total storage capacity of 752,500 acre-feet at a normal maximum operating elevation of 2,470 feet mean sea level; (3) a free-standing water intake tower in the reservoir; (4) a large or multiple 1,500-foot-long composite steel penstock in reinforced concrete; (5) a 75-foot by 150-foot powerhouse containing four Francis turbine/generation units rated for a total installed capacity of 60 megawatts; (6) a 50 to 100-foot-long open channel tailrace returning water to the Weiser River; (7) a 10-mile-long, 69-kilovolt transmission line extending from the powerhouse to an interconnection with an existing transmission line owned by the Idaho Power Company; and (8) appurtenant facilities. The estimated annual generation of the Weiser-Galloway Project would be 365 gigawatt-hours.

II. Background

3. The Commission issued public notice of the Water Board's permit application on July 17, 2014. The Idaho Department of Fish and Game, Idaho Department of Environmental Quality, the Idaho Department of Parks & Recreation, and the Idaho State Board of Land Commissioners filed, collectively as State of Idaho Agencies, a timely notice of intervention on September 4, 2014.[2] American Whitewater and Idaho Rivers

[1] 16 U.S.C. § 797(f) (2012).

[2] A timely notice of intervention filed by a state fish and wildlife agency is granted (continued)

United jointly filed a timely motion of intervention on September 12, 2014.[3] A timely motion to intervene and comments were also filed by the Nez Perce Tribal Executive Committee (Nez Perce Tribe) and Trout Unlimited on September 15, 2014.[3] Comments were filed by the U.S. Department of the Interior (Interior).

III. Discussion

4. The Interior noted that the applicant should coordinate and consult with the U.S. Bureau of Reclamation, BLM, the U.S. Fish and Wildlife Service (FWS), the Idaho Department of Fish and Game (Idaho DFG), the U.S. Bureau of Indian Affairs, and all Indian tribes or nations whose rights may be affected by the project. The Nez Perce Tribe would like the applicant to consult with the Nez Perce Tribal Historic Preservation Office during the feasibility study portion of the project, prior to engaging in any of these activities.

5. Potential development applicants are required to consult with appropriate state and federal resource agencies and affected Indian tribes, conduct all reasonable studies requested by the agencies, and solicit comments on the applications before they are filed.[4] Further, permit conditions have been framed to ensure that the permittee does not tie up a site without pursuing in good faith a study of the project's feasibility.[5]

6. Interior would like the Water Board to:

(a) Identify customary and traditional tribal uses of fish and wildlife in the Weiser River Basin including the potential reintroduction of anadromous salmon and steelhead into the Weiser basin.

(b) Develop a list of native species that have historically occurred in and adjacent to the project area; illustrate these species' geographic distribution (including habitat quantity and quality); identify actions that avoid, minimize, or compensate for losses in the quantity or quality of this habitat; and identify actions that can further enhance the existing habitat quantity and quality.

(c) Investigate and report on conceptual designs for the upstream and downstream passage of native game and non-game fish, corridors for uninterrupted movement of amphibians and other riparian dependent animals parallel to the

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by operation of Rule 214(a)(2).

[3] Timely, unopposed motions to intervene are granted by operation of Rule 214 of the Commission's regulations. 18 C.F.R. § 385.214 (2014).

[4] *See* 18 C.F.R. § 4.38 (2014).

[5] *See City of Richmond, Va.*, 53 FERC ¶ 61,342 at 62,247 (1990).

river, and corridors for animal movement across the river (especially for movement of the Southern Idaho ground squirrel).

(d) Determine optimum flows and habitat requirements for native cold water game and non-game fish should be studied, and estimates of instream flows needed to maintain fisheries during periods when water is limited.

(e) Reduce impacts of transmission line routes and designs on the greater sage-grouse, raptors, and migratory birds.

(f) Study the current and predicted nutrient concentrations of the river, including nitrogen and phosphorus. Additionally, assess how these nutrient concentrations may influence aquatic macrophyte establishment and abundance and algae concentrations in both the reservoir and the Weiser River.

(g) Study the post-project thermal conditions in the vicinity of the project and develop options to minimize increases in thermal loading and to reduce existing water temperatures, in an effort to enhance native cold water game and non-game fisheries.

(h) Study the potential effects of the new reservoir on bull trout abundance and distribution, and inform the agencies of yearly operation schemes to assist in assessing the potential for bull trout movement into the new reservoir.

(i) Contact the FWS to coordinate an evaluation of the possibility of translocating Southern Idaho ground squirrel colonies that may be impacted or destroyed by the project. Evaluate above-ground transmission lines for the potential to become perch sites for raptors that prey on this species. Additionally, study and evaluate additional methods to reduce potential conflict for the squirrels at developed sites.

(j) Coordinate with Idaho DFG, BLM and other entities to ensure that recreational use and development of the project area is consistent with existing conservation plans developed for the greater sage-grouse in and around the project area.

(k) Develop means for locating and controlling invasive aquatic species, including quagga and zebra mussels.

(l) Study and assess the potential for the development of methyl mercury in the reservoir. This assessment should include modeling of anticipated project operations, consultation with the FWS, the U.S. Geological Survey (USGS) Water Science office in Boise, and the USGS Mercury Research Team.

7. Trout Unlimited indicated that the project may: impact water quality and habitat connectivity by increasing temperature, decreasing dissolved oxygen content, and disconnecting the upper Weiser River fishery from the lower Weiser River; impact salmon and steelhead migrations on the Snake River depending on release of storage water used in the project; and reduce water available for hydropower projects downstream including the Hells Canyon Project and the Federal Columbia River Power System.

8. The Nez Perce Tribe is concerned that the project may affect the water quality and quantity of the Weiser River including in the reservoir which may have environmental and public health impacts from the high potential of methyl mercury; and expose or damage tribal cultural resources including burial grounds due to the extensive ground disturbing activities required for construction of the project.

9. A preliminary permit does not authorize a permittee to undertake construction of the proposed project. The purpose of a preliminary permit is to study the feasibility of the project, including studying potential impacts. The concerns raised in the comments are premature at the preliminary permit stage, in that they address the potential effects of constructing and operating the proposed project. Should the permittee file a license application, these issues will be addressed in the licensing process.

10. The Commission has not sought to place all relevant study requirements in preliminary permits.[6] Rather, the studies to be undertaken by a permittee are shaped by the Commission's filing requirements for development applications. Potential development applicants are required to consult with appropriate state and federal resource agencies and affected Indian tribes, conduct all reasonable studies requested by the agencies, and solicit comments on the applications before they are filed.[7] Further, permit conditions have been framed to ensure that the permittee does not tie up a site without pursuing in good faith a study of the project's feasibility.[8]

IV. Permit Information

11. Section 4(f) of the FPA authorizes the Commission to issue preliminary permits for the purpose of enabling prospective applicants for a hydropower license to secure the data and perform the acts required by section 9 of the FPA,[9] which in turn sets forth the material that must accompany an application for license. The purpose of a preliminary permit is to preserve the right of the permit holder to have the first priority in applying for

[6] *See, e.g., Continental Lands Inc.*, 90 FERC ¶ 61,355 at 62,177 (2000).

[7] *See* 18 C.F.R. § 4.38 (2014).

[8] *See City of Richmond, Va.*, 53 FERC ¶ 61,342 at 62,247 (1990).

[9] 16 U.S.C. § 802 (2012).

a license for the project that is being studied.[10] Because a permit is issued only to allow the permit holder to investigate the feasibility of a project while the permittee conducts investigations and secures necessary data to determine the feasibility of the proposed project and to prepare a license application, it grants no land-disturbing or other property rights.[11]

12. Article 4 of this permit requires the permittee to submit a progress report no later than the last day of each six-month period from the effective date of this permit. The late filing of a report or the supplementation of an earlier report in response to a notice of probable cancellation will not necessarily excuse the failure to comply with the requirements of this article.

13. During the course of the permit, the Commission expects that the permittee will carry out prefiling consultation and study development leading to the possible development of a license application. The prefiling process begins with preparation of a Notice of Intent (NOI) and Pre-Application Document (PAD) pursuant to sections 5.5 and 5.6 of the Commission's regulations.[12] The permittee must use the Integrated Licensing Process unless the Commission grants a request to use an alternative process (Alternative or Traditional Licensing Process). Such a request must accompany the NOI and PAD and set forth specific information justifying the request.[13] Should the permittee file a development application, notice of the application will be published, and interested persons and agencies will have an opportunity to intervene and to present their views concerning the project and the effects of its construction and operation.

14. Article 4 of this permit requires the permittee to submit a progress report no later than the last day of each six-month period from the effective date of this permit. A progress report must describe the nature and timing of what the permittee has done under the pre-filing requirements of section 4.38 and Part 5 of the Commission's regulations for

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[10] *See, e.g., Mt. Hope Waterpower Project LLP*, 116 FERC ¶ 61,232 at P 4 (2006) ("The purpose of a preliminary permit is to encourage hydroelectric development by affording its holder priority of application (i.e., guaranteed first-to-file status) with respect to the filing of development applications for the affected site.").

[11] Issuance of this preliminary permit is thus not a major federal action significantly affecting the quality of the human environment. A permit holder can only enter lands it does not own with the permission of the landholder, and is required to obtain whatever environmental permits federal, state, and local authorities may require before conducting any studies. *See, e.g., Three Mile Falls Hydro, LLC*, 102 FERC ¶ 61,301 at P 6 (2003); *see also Town of Summersville, W.Va. v. FERC*, 780 F.2d 1034 (D.C. Cir. 1986) (discussing the nature of preliminary permits).

[12] 18 C.F.R. §§ 5.5 and 5.6 (2014).

[13] *See* 18 C.F.R. § 5.3 (2014).

the specific reporting period. A permit may be cancelled if a permittee fails to file a timely progress report or if the report does not demonstrate that progress is being made by the permittee. The late filing of a report or the supplementation of an earlier report in response to a notice of probable cancellation will not necessarily excuse the failure to comply with the requirements of this article.

15. A preliminary permit is not transferable. The named permittee is the only party entitled to the priority of the application for license afforded by this preliminary permit. In order to invoke permit-based priority in any subsequent licensing competition, the named permittee must file an application for license as the sole applicant, thereby evidencing its intent to be the sole licensee and to hold all proprietary rights necessary to construct, operate, and maintain the proposed project. Should any other parties intend to hold during the term of any license issued any of these proprietary rights necessary for project purposes, they must be included as joint applicants in any application for license filed. In such an instance, where parties other than the permittee are added as joint applicants for license, the joint application will not be eligible for any permit-based priority.[14]

The Director orders:

(A) A preliminary permit is issued for the Weiser-Galloway Hydroelectric and Water Storage Project No. 14608 to the Idaho Water Resource Board for a period effective the first day of the month in which this permit is issued, and ending either 36 months from the effective date or on the date that a development application submitted by the permittee has been accepted for filing, whichever occurs first.

(B) This preliminary permit is subject to the terms and conditions of Part I of the Federal Power Act and related regulations. The permit is also subject to Articles 1 through 4, set forth in the attached standard form P-1.

(C) This order constitutes final agency action. Any party may file a request for rehearing of this order within 30 days of the date of its issuance, as provided in section 313(a) of the Federal Power Act, 16 U.S.C. § 825*l* (2012), and section 385.713 of the Commission's regulations, 18 C.F.R. § 385.713 (2014).

Jennifer Hill, Chief
Northwest Branch
Division of Hydropower Licensing

[14] *See City of Fayetteville*, 16 FERC ¶ 61,209 (1981).

Form P-1 (Revised April 2011)

FEDERAL ENERGY REGULATORY COMMISSION

TERMS AND CONDITIONS OF PRELIMINARY PERMIT

Article 1. The purpose of the permit is to maintain priority of application for a license during the term of the permit while the permittee conducts investigations and secures data necessary to determine the feasibility of the proposed project and, if the project is found to be feasible, prepares an acceptable application for license. In the course of whatever field studies the permittee undertakes, the permittee shall at all times exercise appropriate measures to prevent irreparable damage to the environment of the proposed project. This permit does not authorize the permittee to conduct any ground-disturbing activities or grant a right of entry onto any lands. The permittee must obtain any necessary authorizations and comply with any applicable laws and regulations to conduct any field studies.

Article 2. The permit is not transferable and may, after notice and opportunity for hearing, be canceled by order of the Commission upon failure of the permittee to prosecute diligently the activities for which a permit is issued, or for any other good cause shown.

Article 3. The priority granted under the permit shall be lost if the permit is canceled pursuant to Article 2 of this permit, or if the permittee fails, on or before the expiration date of the permit, to file with the Commission an application for license for the proposed project in conformity with the Commission's rules and regulations then in effect.

Article 4. No later than the last day of each six-month period from the effective date of this permit, the permittee shall file a progress report. Each progress report must describe, for that reporting period, the nature and timing of what the permittee has done under the pre-filing requirements of 18 C.F.R. sections 4.38 and 5.1-5.31 and other applicable regulations; and, where studies require access to and use of land not owned by the permittee, the status of the permittee's efforts to obtain permission to access and use the land. Progress reports may be filed electronically via the Internet, and the Commission strongly encourages e-filing. Instructions for e-filing are on the Commission's website at http://www.ferc.gov/docs-filing/efiling.asp. To paper-file instead, mail four copies of the progress report to the Secretary, Federal Energy Regulatory Commission, 888 First Street, N.E., Washington, D.C. 20426.

UPPER SNAKE RIVER TRIBES FOUNDATION, INC.

413 W. Idaho Street, Suite 101, Boise, Idaho 83702

Tel (208) 331-7880

August 14, 2014

Ms. Kimberly D. Bose, Secretary
Federal Energy Regulatory Commission
888 First Street, NE
Washington, DC 20426

RE: Comments on the Preliminary Permit Application from the Idaho Water Resources Board to Study the Feasibility of the Weiser-Galloway Hydroelectric and Water Storage Project (Project No. 14608-000)

Dear Ms. Bose:

The Upper Snake River Tribes (USRT) Foundation is composed of four Indian tribes of the Upper Snake River region in Idaho, Nevada, and Oregon: the Burns Paiute Tribe, Fort McDermitt Paiute-Shoshone Tribe, Shoshone-Bannock Tribes of the Fort Hall Reservation, and Shoshone-Paiute Tribes of the Duck Valley Reservation. The four tribes have common vested interests to protect rights reserved through the United States (U.S.) Constitution, federal treaties, federal unratified treaties (e.g. Fort Boise Treaty of 1864 and Bruneau Treaty of 1866), executive orders, inherent rights, and aboriginal title to the land, which has never been extinguished by USRT member tribes. USRT works to ensure the protection, enhancement, and preservation of the tribes' rights, resources, cultural properties, and practices and that they remain secured. These include but are not limited to hunting, fishing, gathering, and subsistence uses.

USRT appreciates the opportunity to provide comments to the Federal Energy Regulatory Commission (FERC) regarding the preliminary permit application from the Idaho Water Resources Board (IWRB) to study the feasibility of the Weiser-Galloway Hydroelectric and Water Storage Project (Project No. 14608-000). The comments provide herein have been thoroughly reviewed and approved by the four member tribes that compose USRT.

The Weiser River watershed is an important portion of the historic homeland of USRT's member tribes and within the Shoshone-Bannock Tribes treaty rights-reserved area as granted by the Fort Bridger Treaty of 1868. From time immemorial USRT's member tribes relied on the resources in the Weiser River Valley for hunting, fishing, gathering, and spiritual purposes. European settlement of the Weiser River Valley and the U.S. government's war on Indians resulted in the tribes being forced from this and many other portions of their historic homelands. However, USRT member tribes continue to consider the Weiser River Valley as a sacred landscape, culturally important, and part of their homeland. This area is

known as *Seewooki* by the Bannock and *Seeheewooki* by the Shoshone of the Fort Hall Reservation, who regularly visit the ancient burial grounds and harvest wild game and native plants in this region.

Forcible removal and relocation of USRT member tribes to remote and spatially-limited reservations was followed closely by another injustice; the building of dams, which systematically deprived the tribes of salmon, a First Food. Beginning with the construction of Swan Falls Dam in 1901, and concluding with the completion of Hells Canyon Dam in 1967, anadromous fish migration into the Upper Snake River watershed was completely blocked. The negative affect of blockage on USRT member tribes is immeasurable. At present the discussion should not be on the construction of new dams, but on the reestablishment of passage of anadromous fish at existing dams and the restoration of fish runs, fish and wildlife habitat, and water quality.

Unequivocally, USRT and its member tribes oppose the construction of the Weiser-Galloway Dam on the Weiser River. Not only do we oppose the construction of the dam, but IWRB's application to study the feasibility of the dam. Given that state and federal resources are currently stressed, it makes no practical sense to allocate time and resources to study the dam's feasibility. At 2,480 feet long, 285 feet high, a 6,719-acre reservoir with 752,500 acre-feet storage, and no mechanism proposed for fish passage, the Weiser-Galloway Dam would leave an enormous footprint on the landscape with little perceptible benefits. Associated negatives with the Weiser-Galloway Dam include: 1) inundation and destruction of cultural resources, 2) additional impediments to fish migration, 3) impairment of water quality, 4) loss of habitat for native fish and wildlife species, and 5) within stream water quantity reductions in the Boise and Upper Snake watersheds.

The Bannock, Northern Paiute, and Shoshone people all inhabited the Weiser River Valley for many millennia, leaving an indelible mark on the area. Construction of a dam and inundating the proposed reservoir with 752,500 acre-feet of water will cause irreparable damage to cultural and spiritual tribal resources. Damage to these resources at such a scale is unacceptable.

Idaho Power Company's Hells Canyon Complex (HCC) blocks fish passage into the Weiser River. However, USRT and its member tribes are actively engaged in the HCC relicensing process currently underway and are working to ensure that fish passage at HCC is incorporated into a new license issued by FERC. IRWB has not designed a mechanism for fish passage at the proposed Weiser-Galloway Dam. While USRT and its member tribes' opposition to the dam would not change if a means of fish passage were included, we opine that FERC should have a requirement that all new dam proposals and existing dams being considered for relicensing must have fish passage and tribal member access included in the project.

Portions of the Weiser River are impaired and on Idaho's 303(d) list. It is important to note that much of the current impairment on the Weiser River is at or near where the Weiser-Galloway Dam would be constructed. Idaho's 2012 Integrated Report, as required by the Clean Water Act, lists sedimentation/siltation, excessive temperature, fecal coliform, and E. coli as impairments on the Weiser

River. Clearly damming and impounding the Weiser River will only exacerbate impairment. Additional water quality concerns in the vicinity of the proposed dam are legacy mining contaminants and the inundation of up to 10 miles of the Weiser River Trail, which is a former rail line converted under the Rails-to-Trails Act. There is a closed mercury mine at the southern end of the Weiser River Canyon and the potential that cinnabar could lead to the mineralization of mercury in the water of a future reservoir is possible. Inundating up to 10 miles of a former rail line that is composed of creosote-laden soils may also have very significant detrimental impacts to animals, plants, and water quality.

The impoundment of 752,500 acre-feet of water will convert what is a cold water fishery capable of supporting native fish species into a warm water fishery dominated by non-native species such as bass and perch. Warming of Idaho waters is already a concern due to anthropogenic alterations to river flows and the effects of climate change. Further warming of Idaho waters by the construction of a dam with no environmental benefits is reckless at best. FERC also needs to consider closely what affect the loss of 6,719 acres of habitat will have on big game species such as elk and mule deer, small species such as the Southern Idaho ground squirrel and greater sage-grouse, both candidates for listing under the Endangered Species Act, and impacts to native plants and ethno-significant plants. Dams also disrupt natural fluctuations of water flow thereby damaging seasonal floodplains, which impacts deposition regimes of nutrients and lifecycles of species that depend upon these fluctuations. Most, if not all reservoirs and dams in Idaho have degraded water quality and many water bodies are highly contaminated with mercury, pesticides, and other toxins. Furthermore, many fish have become extinct, threatened, and endangered due to dam construction.

In its application, IWRB states that the Weiser-Galloway Dam will "increase water supplies across southern Idaho by relieving the Upper Snake River (upstream of Milner Dam) and the Boise River drainage of obligations to provide annual flow augmentation for anadromous fish in the Columbia River system." By using water from the proposed Weiser-Galloway Reservoir for flow augmentation for anadromous species, the IWRB states that an additional 40,000 and 200,000 acre-feet of water could be withdrawn annually from the Boise and Snake rivers, respectively. Currently flows in the Boise River, and particularly the Snake River, are significantly less than historic norms. It is irresponsible for the IWRB to propose additional withdraws from the Boise and Snake rivers for agricultural purposes. Water is a scarce resource that is becoming scarcer and the IWRB should be proposing and implementing measures to conserve and reduce water usage, not increase it at the further expense of natural resources. Finally, what anadromous fish realistically need is a return to more natural-like riverine systems that enhances survival and reproduction, not additional artificial, augmented flows as proposed by the IWRB.

From the perspectives of USRT's member tribes, new dam construction along the Weiser River represents a lack of innovation on behalf of the IWRB. The future for water management must focus upon: 1) improving technologies and practices that deliver equal or better services with less water, 2) improving water quality using ecosystem resilience to meet future drinking water demands, 3) addressing/regulating poor surface water management activities, 4) managing flood risks through

common sense land use zoning within floodplains, and 5) gaining a better understanding of how Idaho human behaviors impact the water environment.

USRT and its member tribes appreciate the opportunity to comment on the preliminary permit application from the IWRB to study the feasibility of the Weiser-Galloway Hydroelectric and Water Storage Project (Project No. 14608-000). We also implore the IWRB to be more open minded about new solutions and practices to conserve water and enhance water quality before using outdated methods of the early 20th century, that have had profound impacts upon the natural and cultural landscape of Idaho rivers. The impact of dams has had immeasurable adverse effects upon the tribes of the Upper Snake Region and the investment of scarce public funds on the construction of another dam would be anachronistic and further damaging to the tribes cultural and subsistence lifeways.

If after review of this letter you have comments or questions, please contact Heather Ray, USRT Executive Director, at the phone number on the letterhead or by cell at (208) 608-4131 and/or by e-mail at heather@usrtf.org. Thank you for your consideration of our comments.

Sincerely,

Heather Ray

Heather Ray
USRT Executive Director

Cc: Roger Chase, Chairman, Idaho Water Resource Board
Brian Patton, Administrator, Idaho Water Resource Board

LAWRENCE G. WASDEN
Attorney General
State of Idaho

CLIVE J. STRONG
Deputy Attorney General
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UNITED STATES OF AMERICA

FEDERAL ENERGY REGULATORY COMMISSION

In the Matter of Application for Preliminary Permit by the Idaho Water Resource Board for the Weiser-Galloway Hydroelectric and Water Storage Project	)	Project No. 14608-000
	)	STATE OF IDAHO AGENCIES' NOTICE OF INTERVENTION

TO: KIMBERLY D. BOSE, SECRETARY, FEDERAL ENERGY REGULATORY COMMISSION.

On March 24, 2014, the Idaho Water Resource Board filed an application with the Federal Energy Regulatory Commission ("Commission") for a preliminary permit for the proposed Weiser-Galloway Hydroelectric and Water Storage Project to be located on the Weiser River near Weiser, Washington County, Idaho. By notice dated July 17, 2014, the Commission solicited comments, motions to intervene, and competing applications.

The following agencies of the State of Idaho, the Idaho Department of Fish and Game ("IDFG"), the Idaho Department of Environmental Quality ("IDEQ"), the Idaho Department of Parks and Recreation ("IDPR"), and the Idaho State Board of Land Commissioners ("Land Board"), by and through the undersigned counsel, Tyson K. Nelson, Deputy Attorney General, hereby provide notice of intervention in this proceeding pursuant to 18 C.F.R. § 385.214(a)(2). (IDFG, IDEQ, IDRP, and the Land Board, collectively, "Intervening State Agencies.") The State of Idaho routinely intervenes in Commission proceedings involving preliminary permit applications for hydroelectric projects in Idaho to monitor the progress of the applications and provide comments to the applicants and the Commission. In this proceeding, the Intervening State Agencies will work with the Idaho Water Resource Board to address any resource issues relevant to the proposed project.

Pursuant to 18 C.F.R. § 385.2001(a)(1)(iii), this document has been filed electronically with the Commission this date, and thus all requirements for file copies have been met.

I. STATEMENTS OF INTEREST AND AGENCY POSITIONS

A. The Attorney General is a duly established executive officer of the State of Idaho and is authorized to represent the State in all legal proceedings. Idaho Code § 67-1401. The names and addresses of the persons designated for service of documents in connection with this notice and all further proceedings are as follows:

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B. The IDFG is a duly established executive department of the State of Idaho. Idaho Code §§ 36-101 and 67-2402(1). The statutory policy of the State of Idaho is to preserve, protect, perpetuate, and manage all fish and wildlife. Idaho Code § 36-103(a). The IDFG, acting under the supervision of the Idaho Fish and Game Commission, has the responsibility to carry out that policy. Idaho Code §§ 36-102(a) and -103(b). The IDFG assists the hydroelectric industry and the Commission by providing technical information addressing potential effects on fish and wildlife resources and how any adverse effects might be mitigated. It is not the purpose of IDFG to support or oppose the proposed project. The IDFG works with the hydroelectric industry and the Commission to ensure that hydroelectric development will have minimal impact on fish, wildlife, and plant resources in Idaho.

C. The IDEQ is a duly established executive department of the State of Idaho. Idaho Code §§ 39-104 and 67-2401(1). The statutory policy of the State of Idaho is to provide for the protection of human health and the environment. Idaho Code §§ 39-102 and -102A. The IDEQ implements these policies of the State of Idaho. *Id.* The IDEQ is the state agency responsible

for developing and implementing water quality standards and providing certification regarding federal licenses and permits pursuant to Sections 303 and 401 of the Clean Water Act and Idaho Code §§ 39-101 to -130 and 39-3601 to -3639. Consistent with these authorities, IDEQ must seek reasonable assurance that hydroelectric project operations will meet Idaho water quality standards.

D. The IDPR is a duly established executive department of the State of Idaho. Idaho Code §§ 67-2402(1) and -4222(a). The IDPR, acting under the supervision of the Park and Recreation Board, carries out recreational policies and programs of the State of Idaho. Idaho Code §§ 67-4221 and -4222. The IDPR is authorized by state statute to prepare and keep current a "Statewide Comprehensive Outdoor Recreation and Tourism Plan" referred to as "SCORTP," for the protection and maintenance of areas of scenic beauty, recreational utility, historical, archeological, or scientific interest for the enjoyment of the people. Idaho Code §§ 67-4219 and -4223(8). Consistent with these authorities, the IDPR participates in hydropower licensing proceedings to further the public interest in recreational, scenic, historical, and archeological values.

E. The Land Board, a constitutionally created body, has authority for the direction, control, and disposition of state public lands and endowment lands. Idaho Const. art. IX, §§ 7 and 8. The Land Board exercises its constitutional functions through the Department of Lands, a duly established executive department of the State of Idaho. Idaho Code §§ 58-101 and 67-2401(1). The Land Board has the power and duty "[t]o regulate and control the use or disposition of lands in the beds of navigable lakes, rivers and streams, to the natural or ordinary high water mark thereof, so as to provide for their commercial, navigational, recreational or other public use . . . ." Idaho Code § 58-104(9). Consistent with this authority, the Land Board

participates in licensing proceedings that involve the use of public and submerged lands owned by the State.

II. CONCLUSION

For the reasons given above, the Intervening State Agencies respectfully submit this Notice of Intervention. Please send a copy of all pleadings filed with the Commission in this matter to the persons designated for service on pages 2 and 3.

DATED this 4th day of September, 2014

Office of the Attorney General
State of Idaho

/s/
TYSON K. NELSON
Deputy Attorney General
Natural Resources Division

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I have on this 4th day of September, 2014, served the foregoing document, STATE OF IDAHO AGENCIES' NOTICE OF INTERVENTION, upon each person designated on the official service list compiled by the Secretary in this proceeding by U.S. Mail, postage prepaid.

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/s/
TYSON K. NELSON
Deputy Attorney General

United States Department of the Interior

OFFICE OF THE SECRETARY
Office of Environmental Policy and Compliance
620 SW Main Street, Suite 201
Portland, Oregon 97205-3026

9043.1
IN REPLY REFER TO:
ER14/0444

Electronically Filed

September 8, 2014

Honorable Kimberly D. Bose, Secretary
Federal Energy Regulatory Commission
888 First Street, NE
Washington, D.C. 20426

Subject: Review of Notice of Application for Preliminary Permit for the Weiser-Galloway Hydroelectric and Water Storage Project, FERC Project No. 14608, Weiser River

Dear Ms. Bose:

The U.S. Department of the Interior (Department) has reviewed the subject Application for Preliminary Permit (APP) filed with the Federal Energy Regulatory Commission (Commission) by the Idaho Water Resources Board (IWRB). The following comments are provided pursuant to the Fish and Wildlife Coordination Act (FWCA), as amended (16 U.S.C. § 661 el seq.); the Endangered Species Act (ESA), as amended (16 U.S.C. § 1531 *el seq*.); the Federal Power Act (FPA); as amended (16 U.S.C. § 791a, *el seq*.); the Migratory Bird Treaty Act, as amended (16 U.S.C. § 703, *el seq*.); and the National Environmental Policy Act (NEPA) (16 U.S.C. § 4321, *el seq*.). These comments reflect considerable concern about environmental impacts related to the issuance and exercise of the requested preliminary permit, and potential project-related impacts, should a license for the Weiser-Galloway Hydroelectric and Water Storage Project (project) construction and operation eventually be issued.

The Department has noted that the Burns-Paiute Tribe, Fort McDermitt Paiute-Shoshone Tribe, Shoshone-Bannock Tribe of the Fort Hall Reservation, and the Shoshone-Paiute Tribes of the Duck Valley Reservation have identified significant concerns with the potential issuance of a preliminary permit. We have also fielded similar concerns from the Nez Perce Tribe and other treaty tribes of the lower Columbia River. Theses tribes have common vested interests to protect rights reserved through the United States Constitution, federal treaties, federal unratified treaties (e.g., Fort Boise Treaty of 1864 and Bruneau Treaty of 1866), and executive orders. It is our responsibility, as federal trustees of these tribes, to ensure that all of their issues are addressed consistent with our obligations under the environmental laws listed above and all statutes and executive orders related to the treatment of tribes and their cultural heritages. If a preliminary permit is issued for this project, the Department recommends that the permittee consult with the Bureau of Reclamation (Reclamation),

the Bureau of Land Management (BLM), the U.S. Fish and Wildlife Service (Service), the Idaho Department of Fish and Game (IDFG), the Bureau of Indian Affairs (BIA), and all Indian Tribes or Nations whose rights may be affected by the project. These agencies and tribes can provide guidance in developing the project in a manner that seeks to preserve, protect, and enhance fish and wildlife resources and other environmental values in the project area. It is especially important for the permittee to initiate early consultation with these agencies and tribes so that studies may begin in a timely fashion and delays may be avoided.

In general, while performing project feasibility studies during the term of the permit, the permittee should ensure that damage to habitat resources, particularly aquatic habitat, wetlands, and riparian vegetation, is avoided or minimized. We recommend that the permittee be directed to contact the agencies and tribes prior to undertaking any scientific study, investigation, or other work required by the preliminary permit. This contact would be for the purpose of developing study measures to avoid, minimize or compensate for impacts on fish, wildlife, and cultural resources, including but not limited to federally-listed threatened or endangered species or critical habitat. Further, the permittee should be directed to request and secure from the agencies and tribes such permits and authorizations for conducting any required studies that may be necessary to conduct the identified work. For example, the Service should be contacted to ensure that affects to listed species are avoided and that none of the take provisions in Section 9 of the ESA are violated during the study process.

PROJECT COMPONENTS

The IWRB proposes to construct an earthfill or rockfill embankment dam on the Weiser River located approximately 13.5 miles upstream of the Weiser River/Snake River confluence. The following proposed project components and specifications may be modified based on additional studies and final recommendations:

- Dam crest of 285 feet
- Maximum surface reservoir area of 6,719 acres (~ 10.5 square miles)
- Full storage capacity of 752,500 acre-feet
- Power plant with 60 megawatt capacity and hydraulic capacity of between 50 to 3,000 cubic feet per second (cfs)
- Average head of 221 feet
- Normal maximum surface elevation of 2,470 feet, mean sea level

FWCA COMMENTS

The Department anticipates that multiple Federal agencies may be involved in this action. Federal agencies that anticipate assisting with project construction, permits or licenses during any portion of the planning, construction, operation, or maintenance of this project, are required to begin consultation with the Service and the IDFG as early as possible, per FWCA regulations. Please note that a FWCA consultation had been previously initiated for a prior Galloway Dam proposal with the U.S. Army Corps of Engineers, and this culminated in the production of a draft FWCA report and a draft amendment to the report. The records for those proposals became inactive after June of 1995 and August of 1997, respectively, and are no longer available for consideration. Consequently, a new report will be required.

The Service emphasizes the need to initiate coordination as early as possible to ensure that FWCA coordination is effective. The Service anticipates the proposed impoundment and potential modifications to the Weiser River could result in impacts to wildlife resources requiring mitigation and compensation. Opportunities for habitat enhancement are also anticipated, as habitat conditions

in the area have been degraded by past uses and development. Qualification and quantification of the habitat costs and benefits are essential in determining whether proposed alternatives are feasible for continued funding and support.

Compliance with the FWCA consultation requirements is important in that it ensures new water development projects are designed, built, operated, and maintained in a manner that conserves and enhances wildlife[1] resources. The FWCA ensures that the alternatives developed and selected (1) avoid loss of or damage to wildlife resources (mitigation); (2) provide compensation for unavoidable impacts (compensation); and (3) include measures to increase and improve the quantity and quality of wildlife resources (enhancement).

SPECIFIC COMMENTS

Fish and Wildlife Species in the Project Area

Bull Trout (*Salvelinus confluentus*)

Bull trout are listed as threatened under the ESA. Bull trout no longer occur in the Weiser River mainstem. They are found at higher elevation in the drainage, and bull trout critical habitat has been designated in the East Fork Weiser River and in the Little Weiser River.

A reasonable assumption is that establishment of a large reservoir will lead to the creation of a reservoir fishery, possibly with unofficially introduced species. If an adfluvial bull trout population establishes using the reservoir, and if game fish are present in the reservoir, then there would likely be predation on bull trout, an indirect effect of the project.

Southern Idaho Ground Squirrel (*Urocitellus endemicus*)

The southern Idaho ground squirrel is an Idaho state-protected non-game species, and a candidate for listing as threatened or endangered under the ESA. The Service will make a 12-month finding or proposed listing decision in the fall of 2015.

Southern Idaho ground squirrels are endemic to Idaho and occupy one of the smallest geographic ranges of squirrels in the *Urocitellus* genus. They are currently found in portions of Gem, Payette, and Washington Counties, Idaho. Their range is bounded by the Payette River to the south, the Snake River to the west, and basaltic soils to the north and east, which limits their ability to establish deep burrows needed for survival.

Rivers, especially those with intensive agriculture and urban/residential development adjacent to them, create barriers to ground squirrel dispersal, which then limits gene flow between populations. Most of the Payette and Weiser Rivers in the range of the southern Idaho ground squirrel have a combination of agriculture and urban/residential development adjacent to them. The Weiser River has been found to be a barrier to gene flow between populations of southern Idaho ground squirrels living on opposite sides of the river. However, some limited genetic exchange may be occurring near a section of the Weiser River that has not experienced stream-side development. This area begins just downstream of the proposed Galloway Dam and continues upstream and beyond the southern Idaho ground squirrels' geographic range. If the Galloway Dam is constructed, most of this

[1] For purposes of these discussions, for compliance with the FWCA, the terms "wildlife" and "wildlife resources" are defined at section 66c, to include birds, fishes, mammals, and all other classes of wild animals and all types of aquatic and land vegetation upon which "wildlife" is dependent.

undeveloped area will be inundated by the reservoir, potentially further limiting dispersal of squirrels and gene flow. The proposed reservoir also will eliminate one of the largest colonies of squirrels in the northern portion of their range, and could potentially eliminate dispersal corridors for squirrels attempting to expand farther north into their range.

Effects to southern Idaho ground squirrels from the construction of Galloway Dam would include loss of habitat, potential reductions in squirrel dispersal and gene flow, and disturbance and habitat degradation from increased recreation and infrastructure to facilitate recreation, increased roads, potential development of residential areas, and addition of power lines.

Greater Sage-Grouse (*Centrocercus urophasianus*)

The greater sage-grouse (sage-grouse) is also a candidate for listing as threatened or endangered under the ESA. Sage-grouse habitat in the project area is ranked by the BLM as general (i.e., not priority habitat). As of 2013 the nearest known active lek is located approximately five miles east of the project area. However, female sage-grouse may establish nests up to 20 miles from the lek where they bred.

Sagebrush habitat in the area to be inundated by the reservoir appears to be sparse and patchy in the lower reaches, becoming more dense and contiguous in the upper reaches of the proposed reservoir. Suitable sage-grouse nesting habitat may occur on ridge tops and plateaus above reservoir arms, with potential brood-rearing habitat present in any riparian areas in the arms and along the Weiser River. Inundation, followed by fluctuating water levels in the reservoir, would first flood existing riparian areas and then hinder or preclude their re-establishment. Potential project effects to sage-grouse would be loss of foraging and brood-rearing habitat.

Other wildlife resources proximate to the Project area include numerous migratory bird species protected under the MBTA.

Additional Environmental Concerns

Invasive, Exotic Species

An additional concern with the establishment of a large reservoir is the potential for introduction of aquatic invasive species. A large reservoir may attract boaters and fishermen from out of state, increasing the potential for carrying and introducing invasive species such as quagga mussels or zebra mussels into the Weiser River system, which would provide a direct invasive route to the Snake River mainstem.

Methyl Mercury

Mercury is a globally distributed pollutant, with much of the distribution airborne. Under appropriate conditions in aquatic systems, elemental mercury is converted microbially to the highly toxic and bioavailable form of methyl mercury. Methyl mercury biomagnifies through food webs and can reach toxicologically relevant levels in top predators, including humans.

A combination of seasonal discharge in the Weiser River, previously recorded total mercury concentrations in the river, past mercury mining activity in the Weiser River drainage, and certain project components suggests the creation of a large reservoir at this location would lead to the strong potential for production of methyl mercury in the reservoir. This is based on conditions and recent

(2011-2013) sampling and analysis of mercury by Idaho Power Company and the U.S. Geological Service (USGS) in Brownlee Reservoir, located in the Snake River about 20.5 miles downstream of the project dam site. Relevant to the Weiser-Galloway project, studies from Brownlee Reservoir and other dams in Hells Canyon indicate there are three primary conditions that to lead to production of high concentrations of methyl mercury in deep reservoirs:

- The presence of elemental mercury in the river;
- Annually recurring, long-term stratification leading to low oxygen or anoxic conditions below the epilimnion and in bottom sediments; and,
- Nutrient input supporting a high concentration of plankton. The latter decays to produce large amounts of dissolved organic carbon (DOC). DOC drifting downward below the epilimnion is utilized as a metabolic substrate by anoxic, sulfur-reducing bacteria, which produce methyl mercury as a byproduct of metabolism in both the water column and in anoxic sediments on the reservoir bottom.

The anticipated full storage capacity of the project reservoir is over half the volume of Brownlee Reservoir, and the estimated maximum reservoir surface elevation of the project indicates the maximum reservoir depth at the dam face would be comparable to that of Brownlee Reservoir. Data over a 14 year period (2000-2013) from USGS gage number 13266000 located upstream of the proposed dam site shows that mean monthly discharge in the Weiser River from July through October has typically ranged between 153 and 282 cfs, discounting exceptional high flow in July of 2011 as an outlier.

A deep reservoir of over 750,000 acre feet with a low inflow of between 153 and 282 cfs over a warm, four month period is highly likely to stratify over much of its length, creating low oxygen or anoxic conditions below the epilimnion and in bottom sediments. Flood-irrigated fields with drains to the Weiser River located near Midvale and Cambridge upstream of the reservoir within approximately five and 10 river miles, respectively, are likely to provide a nutrient source to the reservoir. Such nutrient input is likely to support plankton growth and subsequent DOC production in the reservoir.

Total mercury concentrations (total mercury includes both elemental mercury, and methyl mercury, if present) in surface waters of the Weiser River in four sampling events in 2006 (Brandt and Bridges 2007) ranged between 1.49 to 4.46 parts per trillion (ppt). These values are in the total mercury concentration range found in Brownlee Reservoir in 2011 and 2012, with 4.46 ppt similar to total mercury values recorded in Brownlee Reservoir in 2011 when methyl mercury concentrations there were highest (see last paragraph, this section).

The available project and other information suggest a strong probability that conditions for high methyl mercury production similar to Brownlee Reservoir may occur in the project reservoir:

- Presence of mercury in the Weiser River;
- Strong probability of stratification in a large, deep reservoir;
- Nutrient input supporting production of a source of DOC.

In addition, there may be potential for mercury migration to the proposed reservoir from the abandoned Almaden mercury mine, located about three miles southeast of the project dam site. Riparian vegetation visible in Google Earth images from June 2006 suggests a direct drainage connection from below the foot of the Almaden Mine tailings pile to the Weiser River via Bear Creek. Results of two inspections of the Almaden Mine, conducted by the Idaho Department of Environmental Quality (IDEQ) (2002) and the Idaho Geological Survey (Leppert and Gillerman

2007), should not be interpreted as indicating no migration of mercury is occurring from the site. The 2002 inspection was visual only. The 2007 inspection confirmed high mercury concentrations in rocks and soils at the mine site but did not clearly address potential for airborne mercury distribution, and was not tasked with obtaining water samples from the Bear Creek drainage. The authors stated that additional water or solid sampling might be warranted. Brandt and Bridges (2007) sampling was conducted from the USGS gage located upstream of the Weiser River/Bear Creek confluence, and would not have captured any mercury contributed to the river from Bear Creek. As the project is proposed, Bear Creek would drain into the Weiser River upstream of the dam site.

Methyl mercury concentrations recorded in Brownlee Reservoir in 2011 were in the 90th percentile of methyl mercury concentrations nationwide, although total mercury concentrations were only slightly higher than average. Methyl mercury levels have subsequently been found to vary seasonally and by water year, but remain high through the Hells Canyon complex of dams and downstream of Hells Canyon Dam. Methyl mercury produced in the Weiser-Galloway Reservoir may potentially add to methyl mercury produced in Brownlee Reservoir, with possible effects to designated bull trout critical habitat downstream of Hells Canyon Dam as methyl mercury travels through the Hells Canyon systems of dams. There would also be concerns for impacts to fisheries that may establish downstream of the project dam and in the reservoir, and also impacts to people consuming those fish.

RECOMMENDATIONS

Customary and Traditional Fish and Wildlife Uses

Consult with the Commission, the Service, the BIA, and any Indian Tribe or Nation whose rights may be affected by the project, to ensure that customary and traditional tribal uses of fish and wildlife of the Weiser River Basin are identified and conserved, including the potential reintroduction of anadromous salmon and steelhead into the Weiser basin.

Native Species Gains and Losses

The prospective permittee should review available literature and/or conduct censuses and surveys to a) Develop a list of native species of fish, wildlife, and plants that historically occurred in and adjacent the project area; b) Identity native species that currently occur in the project vicinity, and illustrate the species geographic distribution, habitat quantity, and habitat quality; c) Estimate expected gains or losses in post-project native species habitat quantities, and qualities; d) Identify components of the action needed to avoid, minimize, or compensate for losses in the quantity or quality of native species habitats; and e) Identify components of the action that can be included to further enhance the existing habitat quantity/quality for native species, including the restoration of native species/habitats that have been historically extirpated from the site.

Fish and Wildlife Movement

The prospective permittee should investigate and prepare a report that discusses conceptual designs for a) Upstream and downstream passage of native game and non-game fish; b) Corridors for uninterrupted movement of amphibians and other riparian dependent animals parallel the river; and c) Corridors for animal movement across the river (See discussion of Southern Idaho ground squirrel).

Instream Flows

The prospective permittee should design and implement a study to determine the optimum flows and habitat requirements to sustain and enhance native cold water game and non-game fish in the project area, and provide estimates of instream flows needed to maintain these fisheries during water-limited

years. The Service's Instream Flow Incremental Flow Methodology (IFIM) is an appropriate tool for this effort.

Birds and Transmission Line Corridors
The prospective permittee should evaluate potential transmission line routes and designs, with emphasis on reducing possible impacts to greater sage-grouse, raptors, and migratory birds.

Nutrients
The prospective permittee should conduct studies to assess the current and predicted nutrient (nitrogen/phosphorus) concentrations of the river and reservoir, and assess how these may influence aquatic macrophyte establishment and abundance and algae concentrations in the reservoir and the Weiser River.

Thermal Loading Assessment
The prospective permittee should design and implement a study to a) Determine the desired future, current pre-project, and predicted (including incorporation of projected climate changes effects) post-project thermal conditions immediately upstream, within, and downstream of the project, as needed to sustain a viable native cold water fisheries; b) Develop options to avoid, minimize or compensate for any increased thermal loading to the river; and c) Identify measures to further reduce existing water temperatures to enhance native cold water game and non-game fisheries.

Bull Trout
We recommend that the permittee consult with the Service and IDFG regarding the potential effects of the new reservoir on bull trout abundance and distribution. Proposed operations over a typical year, or based on water year, should be clearly described to the agencies in order that the potential for bull trout movement into the new reservoir and related effects can be assessed.

Southern Idaho Ground Squirrel
We recommend that the prospective permittee contact the Service to coordinate an evaluation by the Southern Idaho Ground Squirrel Working group (includes representatives from IDFG, BLM, the Service, and southern Idaho ground squirrel researchers) of the possibility of translocating southern Idaho ground squirrel colonies that would be impacted or destroyed by the project, including impacts from habitat loss due to inundation, and removal of soil and other material used to construct the dam. Cost of rehabilitating selected sites to restore native vegetation (if the site is predominately exotic annuals); translocation of squirrels using a soft-release method; and follow-up monitoring would be at the permittee's expense.

We recommend that proposed location of above-ground transmission lines associated with the project be evaluated for their potential to provide perch sites for raptors that would prey on southern Idaho ground squirrels.

We also recommend that the prospective permittee study and evaluate means to reduce conflicts between southern Idaho ground squirrels and post-construction management of the project at developed sites, including but not limited to planting areas around picnic areas, campgrounds, and boat access areas using native shrubs, grasses, and forbs. Southern Idaho ground squirrels create burrows—burrows are more likely to be acceptable if they are located in native habitat rather than irrigated grass lawns.

Greater Sage-Grouse

We recommend that the prospective permittee coordinate with the IDFG, BLM, and other appropriate entities to design recreational use and development of the project area to be consistent, to the extent possible, with existing or to be developed State and Federal greater sage-grouse conservation plans and components of BLM Resource Management Plans relevant to greater sage-grouse in the project area.

Invasive, Exotic Species

Assuming that a large reservoir will attract boaters and fishermen, we recommend that the permittee consult with the Idaho Invasive Species Council to develop means for inspecting, surveying, or controlling for introduction or presence of invasive aquatic species, including but not limited to quagga mussels and zebra mussels.

Methyl Mercury

The prospective permittee should conduct studies to assess the current mercury/methyl mercury concentrations of the Weiser River. We recommend that studies be conducted in more than one water year, and in all four seasons of each water year studied. Sampling for mercury should be conducted in Bear Creek, and we recommend that the potential for mercury migration from the Almaden Mine into the Weiser River and into the project reservoir be thoroughly assessed.

To estimate the project's potential for methyl mercury production, we recommend that the permittee conduct the following assessments, if the preliminary permit is issued:

Model anticipated project operations, to include but not be limited to:

- Power plant operations,
- inflow and discharge from the project,
- timing and duration of reservoir drawdowns and filling,
- supplemental water for salmon,
- predicted hydrology of the Weiser River, to include predictions based on projected climate change, and
- nutrient input to the river,

in order to model the potential for the extent and duration of reservoir stratification and associated planktonic and algal growth, rate of sedimentation, and potential for and extent of low oxygen and anoxic conditions in the reservoir and anoxic conditions in reservoir bottom sediments. This information, modeled with the mercury studies, may provide an estimate of the project's potential for methyl mercury production.

We strongly recommend that the permittee and appropriate Federal and State agencies coordinate closely with the Service, the USGS Water Science office in Boise, and the USGS Mercury Research Team (MRT) in Middleton, Wisconsin, to develop an understanding of the mercury issues in the Weiser River, and of project potential, if any, for affecting methyl mercury concentrations downstream in the Snake River through and below Hells Canyon. Both USGS offices have been working closely with Idaho Power Company to study mercury issues in the Hells Canyon complex of dams and reservoirs. Further, the MRT has technology that may be capable of determining if mercury in the Weiser River is derived all or in part from the Almaden Mine.

Most large reservoirs in the western United States were constructed before their propensity to produce methyl mercury was understood, and largely before the severe and wide-ranging toxic effects of methyl mercury to people, fish, and wildlife were known. With existing knowledge, it is incumbent on any entity proposing a large dam and reservoir to evaluate its potential to produce

methyl mercury; to make every effort to design the structures (dam, spillway and power plant intakes, etc.) and operations to minimize methyl mercury production or its transport; to make every effort to locate and minimize, if possible, mercury input to the aquatic system; and, to make every effort to work with local communities and municipalities to minimize nutrient input that creates reservoir conditions conducive to methyl mercury production.

SUMMARY COMMENTS

The prospective permittee should understand that the Department is interested in seeing the above concerns addressed during the term of the preliminary permit to prevent unnecessary delays and to assist in the creation of an environmentally acceptable project. If the Commission issues a preliminary permit for the project, the prospective permittee should then contact the the appropriate agencies and tribes to discuss these concerns in greater detail.

The Department appreciates the opportunity to comment on the APP. Questions or comments may be directed to Dwayne Winslow (208-378-5249) or Michael Morse (208-378-5261) with the Service to Bob Dach (503-231-6711) of the BIA. Also, please feel free to contact me at 503-326-2489 if I can be of any assistance.

We appreciate the opportunity to comment.

Sincerely,

Allison O'Brien
Regional Environmental Officer

LITERATURE CITED

Brandt, D., and M. Bridges. 2007. Evaluation for total mercury contamination in Brownlee Reservoir tributary streams, Snake River Hells-Canyon TMDL, Idaho and Oregon. TerraGraphics Environmental Engineering, Inc. Report prepared for Idaho Department of Environmental Quality.

Idaho Department of Environmental Quality (IDEQ). 2002. Almaden Mine preliminary assessment report, Washington County, Idaho.

Leppert, D.E., and V.S. Gillerman. 2007. Site inspection report for abandoned and inactive mines on land administered by the U.S. Bureau of Land Management in the Boise Resource Area: Idaho Almaden Mine, Washington County, Idaho. Idaho Geological Survey Staff Report 07-6.

Nez Perce

TRIBAL EXECUTIVE COMMITTEE
P.O. BOX 305 • LAPWAI, IDAHO 83540 • (208) 843-2253

15 September 2014

Hon. Kimberly D. Bose, Secretary
Federal Energy Regulatory Commission
888 First Street NE Rm. 1A
Washington, D.C 20426

RE: NEZ PERCE TRIBE'S MOTION TO INTERVENE
In the matter of the Weiser-Galloway Hydroelectric and Water Storage Project, FERC Project No. P-14608-000.

Dear Secretary Bose:

Attached for filing in the above matter is the Nez Perce Tribe's Motion to Intervene. Please advise if there is anything further needed to consider the motion. Thank you.

Sincerely,

Michael A. Lopez
Staff Attorney

Attachment: One original

cc: The official Service List compiled by the Secretary for Project No. P- 14608.

Michael A. Lopez
Staff Attorney
Office of Legal Counsel Nez Perce Tribe
P. 0. Box 305
Lapwai, ID 83540 (208) 843-7355
(208) 843-7377 (fax)
mikel@nezperce.org ISB #8356

UNITED STATES OF AMERICA

FEDERAL ENERGY REGULATORY COMMISSION

In the matter of the Issuance of Preliminary Permit to Idaho Water Resources Board, for the Weiser-Galloway Hydroelectric and Water Storage Project	))))	Project No. P-14608-000 NEZ PERCE TRIBE'S MOTION TO INTERVENE

TO: KIMBERLY D. BOSE, SECRETARY, FEDERAL ENERGY REGULATORY COMMISSION

On March 24, 2014, the Idaho Water Resource Board filed an application for a preliminary permit, pursuant to section 4(f) of the Federal Power Act, proposing to study the feasibility of the Weiser-Galloway Hydroelectric and Water Storage Project (Weiser-Galloway Project or project) to be located on Weiser River near Weiser, Idaho. The project would affect Weiser River headwaters located within lands determined by the United States in 1967, through the Indian Claims Commission (ICC), to have been an area of exclusive use and occupancy and aboriginal ownership of the Nez Perce Tribe, as against any other Indian tribe; an area that as a result is presently subject to the Nez Perce Tribe's treaty-reserved rights under Article III of the Nez Perce Treaty of 1855 with the United States: rights to hunt, to gather and to pasture animals on open and unclaimed lands, as well as fishing rights.

The Nez Perce Tribe now respectfully submits this Motion to Intervene in the matter of the Weiser-Galloway Project pursuant to 18 C.F.R. § 385.214. Pursuant to 18 C.F.R.

385.20001(a) (1)(iii), this document has been filed electronically on this date and thus all requirements for file copies have been met.

DESCRIPTION OF THE NEZ PERCE TRIBE'S INTERESTS AND POSITION

The Nez Perce Tribe (Tribe) is a federally recognized Indian tribe with headquarters in Lapwai, Idaho on the Nez Perce Reservation. The Tribe has occupied and used the natural resources within the area of the Applicant's proposed project area since time immemorial. In 1855, the Tribe entered into a treaty with the United States, in which the Tribe reserved to itself, and the United States secured, a permanent homeland and other rights including the following:

> The exclusive right of taking fish in all streams where running through or bordering said reservation is further secured to said Indians; as also the right of taking fish at all usual and accustomed fishing places in common with the citizens of the Territory; and of erecting temporary buildings for curing, together with the privilege of hunting, gathering roots and berries, and pasturing their horses and cattle upon open and unclaimed lands.

12 Stat. 957 (1859).

In 1946, Congress established the Indian Claims Commission (ICC) to hear claims by Indian tribes for, among other things, inequitable compensation for the taking of aboriginal lands by the United States. Compensation for aboriginal title required proof of "actual and exclusive use and occupancy 'for a long time' prior to the cession, transfer, or loss of the property." 18 Ind. Cl. Comm. 1, 128 (citations omitted). In 1967, the ICC made comprehensive findings, based on detailed competing anthropological evidence from the Nez Perce Tribe and the United States, of the area of exclusive use and aboriginal ownership of the Nez Perce Tribe. The Nez Perce Tribal exclusive use/aboriginal title area adjudicated by the ICC includes the headwaters of the Weiser River that would be affected by the proposed project. *Id.* at 117-18; *see also U.S. v. Oregon*, 29 F.3d 481, 487 (9th Cir. 1994) (relying on ICC's 1967 Nez Perce Tribe decision for historical determination of Nez Perce Tribe's 1855 Treaty fishing rights).

The Idaho Water Resources Board proposes to construct a dam on the Weiser River located approximately 13.5 miles upstream of the Weiser River/Snake River confluence. The project would consist of the following new facilities: (1) a 2,480-foot-long, 285-foot-high earthfill embankment dam with a single ungated emergency spillway and low-level outlet works; (2) a 6,719-acre reservoir with a total storage capacity of 752,500 acre-feet at a normal maximum operating elevation of 2,470 feet mean sea level; (3) a free-standing water intake tower in the reservoir; (4) a large or multiple 1,500-foot-long composite steel penstock in reinforced concrete; (5) a 75-foot by 150-foot powerhouse containing four Francis turbine/generation units rated for a total installed capacity of 60 megawatts; (6) a 50 to 100-foot-long open channel tailrace returning water to the Weiser River; (7) a 10-mile-long, 69-kilovolt transmission line extending from the powerhouse to an interconnection with an existing transmission line owned by the Idaho Power Company; and (8) appurtenant facilities. The estimated annual generation of the Weiser-Galloway Project would be 365 gigawatt-hours.

As stated above, the Weiser River headwaters originate in lands determined by the Indian ICC to have been an area of exclusive use and occupancy and aboriginal ownership of the Nez Perce Tribe, as against any other Indian tribe, an area that as a result is presently subject to Nez Perce Tribe's treaty-reserved rights under Article III of the Nez Perce Treaty of 1855 with the United States: rights to hunt, to gather and to pasture animals on open and unclaimed lands, as well as fishing rights. The Nez Perce Tribe therefore has a unique interest in the potential construction of a dam on the Weiser River. The Nez Perce Tribe, as co-manager of its fishery, has expressed its desire to have fish restored to all of the historically occupied habitats within its aboriginal territory. Construction of a dam would affect the Nez Perce Tribe's ability to realize this goal.

Treaty-reserved fish stocks such as Snake River fall Chinook salmon spawn and rear in the Snake River downstream of Hells Canyon Dam. Weiser River water quality, with specific focus on temperature, influences downstream water bodies that serve as core habitat for fish species directly related to the Tribe's exercise of treaty fishing rights. Outflow from Hells Canyon Dam currently exceeds Clean Water Act water quality standards for spawning and rearing temperatures for Snake River fall chinook. Hydroelectric facilities can potentially disrupt normal water flow, impair water quality and alter riverine habitats with potential impacts to fish and their habitats. Any increase in temperatures resulting from an additional impoundment on the Weiser River would further impact river temperatures in the Hells Canyon Complex of reservoirs; and downstream of Hells Canyon Dam.

In addition to temperature, a combination of seasonal discharge in the Weiser River, previously recorded total mercury concentrations in the river, past mercury mining activity in the Weiser River drainage, and certain project components suggests the creation of a large reservoir at this location would lead to the strong potential for production of methylmercury in the reservoir. Methylmercury produced in the Weiser-Galloway Reservoir may potentially add to methylmercury produced in Brownlee Reservoir within the Hells Canyon Complex, causing impacts to Nez Perce Tribal treaty-reserved fisheries downstream of the project dam and in the reservoir, posing potentially significant health concerns for Nez Perce Tribal members consuming those fish.

Moreover, Nez Perce cultural resource sites may be present in the project area. The proposed project would involve extensive ground disturbing activities, which raises the possibility of exposing or damaging tribal cultural resources including burial grounds. The

Applicant should consult with the Nez Perce Tribal Historic Preservation Office prior to conducting any ground disturbing activities during the feasibility studies.

The names and addresses of persons designated for service of documents in connection with this motion and further proceeding include the following:

Silas C. Whitman, Chairman
Nez Perce Tribe
P. 0. Box 305 Lapwai, ID 83540

Michael A. Lopez, Staff Attorney
Nez Perce Tribe, Office of Legal Counsel
P.O. Box 305 Lapwai, ID 83540

Pursuant to 18 CFR 385.214(a)(3) and (b), the Tribe respectfully requests that the Commission grant the Tribe's Motion to Intervene because:

1. The Nez Perce Tribe has stated its position, to the extent known, and its basis in fact and law for that position; and

2. The Nez Perce Tribe has stated in sufficient factual detail that it represents interests, obligations and treaty rights that may be directly affected by the outcome of the proceeding; and

3. As a sovereign government, the Nez Perce Tribe cannot be adequately represented by any other entity in this proceeding due to the unique nature of those interests, obligations and treaty rights.

PRAYER FOR RELIEF

For the reasons given above, the Nez Perce Tribe respectfully requests that its motion to Intervene be granted for all purposes.

DATED this 15th day of September, 2014

Michael A. Lopez
Staff Attorney
Office of Legal Counsel
Nez Perce Tribe

CERTIFICATE OF DELIVERY

I hereby certify that on September 15, 2014, a true and correct copy of the foregoing NEZ PERCE TRIBE'S MOTION TO INTERVENE was electronically filed with the Commission's electronic filing system, which will generate automatic service upon all contacts registered to receive such notice as follows:

Brian Patton
Idaho Department of Water Resources
322 E Front Street
Boise, IDAHO 83720-0098
UNITED STATES
brian.patton@idwr.idaho.gov

Cynthia Clark
Staff Engineer
Idaho Water Resource Board
322 East Front Street
PO Box 83720
Boise, IDAHO 83720
cynthia.clark@idwr.idaho.gov

Tyson Nelson
State of Idaho Agencies
Deputy Attorney General
Idaho Office of the Attorney General
700 W. State St. 2nd Fl.
Boise, IDAHO 83720
UNITED STATES
tyson.nelson@ag.idaho.gov

Michael A. Lopez
Staff Attorney

UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

Preliminary Permit Application Weiser-Galloway - Hydroelectric and Water Storage Project Idaho Water Resources Board	**FERC Project No. 14608**

MOTION TO INTERVENE AND COMMENTS OF TROUT UNLIMITED
(Submitted September 15, 2014)

I. Introduction

On March 21, 2014, Idaho Water Resource Board (IWRB or Applicant) filed an application for a preliminary permit with the Federal Energy Regulatory Commission (FERC or the Commission), proposing to study the feasibility of the Weiser-Galloway Hydroelectric and Water Storage Project; a proposed 285-foot-high earthfill embankment dam with a 6,719-acre reservoir, a total storage capacity of 752,500 acre-feet, and a powerhouse containing four Francis turbine/generation units rated for a total installed capacity of 60 megawatts.

On July 17, 2014, the Commission issued a Notice of Preliminary Permit Application Accepted for Filing and Soliciting Comments, Motions to Intervene, and Competing Applications.[1] This notice established a 60-day period for submission of filings. In accordance with FERC's rules for practice and procedure 18 C.F.R. § 385.214 (Rule 214), Trout Unlimited ("TU") hereby moves to intervene in this proceeding. Service of process and other communications should be made to:

Kate Miller
Trout Unlimited
1326 5th Ave., Suite 450
Seattle, WA 98101
(206) 790-3358
kmiller@tu.org

Peter Anderson
Trout Unlimited
910 W. Main St., Suite 342
Boise, ID 83702
(208) 345-9800
panderson@tu.org

[1] FERC Accession # 20140717-3056.

II. Motion to Intervene

A. Grounds for Intervention

i. TROUT UNLIMITED has a direct interest, which may be directly affected by the outcome of this proceeding.

TU is the nation's largest coldwater conservation organization dedicated to the protection of trout and salmon populations and the watersheds upon which they depend. TU has approximately 150,000 members nationwide, including more than 2,000 members in Idaho, who participate in local partnerships with landowners and state and federal resource agencies to protect and restore trout, salmon, and steelhead habitat in freshwater streams and lakes. TU members recreate within the affected project area, the surrounding watershed and the Snake and Columbia River system. TU staff and members work to restore and protect Snake River redband trout, which are genetically similar to threatened Snake River steelhead, and endangered bull trout; both of which are located in the Weiser River and would be affected by this proposed project.[2] TU also works to restore and protect Snake River resident fish, including Yellowstone cutthroat trout, brown trout and rainbow trout, as well as other Snake River anadromous fish, including sockeye salmon, chinook salmon and coho salmon, all of which would be affected by this project.

Construction and operation of the Weiser-Galloway project as proposed would result in numerous adverse impacts to the Weiser River, as well as the entire Snake and Columbia River system. Local impacts include significant potential water quality changes associated with the construction of the project (including dissolved oxygen and temperature modifications) and a permanent break in habitat connectivity – disconnecting the upper Weiser River fishery from the lower Weiser River, and the Snake and Columbia Rivers.

Additionally, although the water stored in the proposed reservoir would still flow down the Weiser River to the Snake River, it would occur at a later time of the year; perhaps to be consumed by new downstream water uses or to flow through the Hells Canyon Complex to the Columbia River. The storage water in the project would have timing impacts on Snake River salmon and steelhead migration and could materially impact the spring

[2] Development of the Weiser-Galloway project may well result in the recognition that Weiser River red band trout are threatened steelhead, trapped above the Hells Canyon complex on the Snake River:

> It was the consensus of NMFS scientists and regional fishery biologists that based on available genetic information, resident fish should generally be considered part of the steelhead ESUs (Schmitten 1997).Where Snake River redband trout once shared their gene pool with the listed anadromous steelhead producing both residual and anadromous forms, they now have the potential to provide the native genetic diversity necessary for the Snake River steelhead ESU to survive. Listing these resident redband trout in desert drainages, where they were once sympatric with the listed anadromous Snake River basin steelhead, would contribute to the maintenance and restoration of these unique trout and their aquatic ecosystems, as well as preserve a gene pool that could contribute to future steelhead runs (Schmitten 1997).

Johnson and Fite, *The Status of Desert Redband Trout in Southwestern Idaho, 53* American Fisheries Society Symposium 85, 88-89 (2007)

freshet down the Snake River. Such operations will require the issuance of a biological opinion by NOAA under the Endangered Species Act.

Proposed operation of the Project includes use of Weiser River storage as a substitute for salmon flow augmentation water from the upper Snake, Boise and Payette River Basins, which would allow for increased consumption of water in Idaho and would lessen total water flows down the Snake and Columbia River systems. In its Preliminary Permit Application the Idaho Water Resource Board explicitly states:

> [T]he project provides a significant opportunity to increase water supplies across southern Idaho by relieving the Upper Snake River (upstream of Milner Dam) and the Boise River drainage of obligations to provide annual flow augmentation for anadromous fish in the Columbia River system.

Preliminary Permit Application, Exhibit 1, p. 9. This flow augmentation "trade" will define how and when hydropower will be generated at the Project, and will have far reaching impacts. When water captured by the Galloway Project is used for salmon flow augmentation, additional water in the upper Snake River Basin may be consumed above Milner Dam on the Snake River, with resulting fisheries and water quality impacts on the mid-Snake River and a reduction in the total amount of water flowing out of the Snake River Basin. Again, this Snake and Columbia River flow reduction must be considered and may require a biological opinion by NOAA under the Endangered Species Act. Additionally, such a reduction may have impacts on the benefit of the bargain received by the Nez Perce Tribe under the 2004 Snake River Water Rights Agreement.

Finally, the changes in water storage and use that would result from the proposed Galloway Project would impact existing downstream hydropower projects – including Idaho Power's FERC-licensed Hells Canyon Project and projects in the Federal Columbia River Power System (FCRPS). By enabling increased consumption of water, the proposed project could reduce overall power generation in the Snake River system. For instance, the salmon flow augmentation trade could allow for increase water consumption in the far upper reaches of the Snake River. Flow changes resulting from increased upstream consumption will reduce the hydropower generated at downstream hydropower facilities – including impacts to the fisheries above and below those projects and the fish and wildlife conditions under which those downstream hydropower projects operate.

Given the focus and goals of our organization and membership, TU has a direct interest which may be directly affected by the outcome of this proceeding.

ii. Participation by TROUT UNLIMITED is in the Public Interest

Intervention of TU is in the public interest as required by 18 C.F.R. § 385.214(b)(2)(iii). As described above, TU has a direct interest in the protection and restoration of the natural resources of the Weiser River and other rivers and streams across Snake and Columbia River basins. The proposed development has the potential to significantly impact these resources. As such, TU has a direct interest in the outcome of this proceeding. No other party to the proceeding will be able to adequately represent these interests. Participation by TU will enable a more complete record to be developed, will lead to more informed decision making, and will be in the public interest.

B. Statement of Position

Trout Unlimited opposes the project as envisioned by the Applicant, unless substantial and significant conditions are imposed to prevent or mitigate the impacts discussed above and any further impacts revealed by additional investigation and consultation. If FERC determines that issuance of a preliminary permit is appropriate, we urge the Commission to include strong terms and requirements to ensure adequate protection of fish, wildlife and other non-power resources during the permit term.

III. Conclusion

For the foregoing reasons, TU respectfully requests that the Commission grant this motion for intervention and consider our comments and concerns in its permitting determination.

Respectfully submitted this 15th day of September 2014.

Kate Miller
Western Water & Energy Counsel
Trout Unlimited

1326 5th Ave., Suite 450
Seattle, WA 98101
kmiller@tu.org

UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

Preliminary Permit Application Weiser-Galloway - Hydroelectric and Water Storage Project Idaho Water Resources Board	FERC Project No. **14608**

CERTIFICATE OF SERVICE

I hereby certify that I have this day served the foregoing document upon each person designated on the official service list compiled by the Secretary in this proceeding.

Dated this 15th day of September 2014.

Kate Miller
Western Water & Energy Counsel
Trout Unlimited

Service List for P-14608-000 Idaho Water Resource Board

Contacts marked ** must be postal served
(Current as of Monday, September 15, 2014)

Party	Primary Person or Counsel of Record to be Served	Other Contact to be Served
Idaho Rivers United	Kevin Lewis Contact/Addr No Longer Valid Idaho Rivers United UNITED STATES Inactive	
Idaho Water Resource Board	Brian Patton Idaho Department of Water Resources 322 E Front Street Boise, IDAHO 83720-0098 UNITED STATES brian.patton@idwr.idaho.gov	Cynthia Clark Staff Engineer Idaho Water Resource Board 322 East Front Street PO Box 83720 Boise, IDAHO 83720 cynthia.clark@idwr.idaho.gov
State of Idaho Agencies	Tyson Nelson Deputy Attorney General Idaho Office of the Attorney General 700 W. State St. 2nd Fl. Boise, IDAHO 83720 UNITED STATES tyson.nelson@ag.idaho.gov	

UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

	)	Project No. 14608-000
	)	
Idaho Water Resources Board	)	**MOTION TO INTERVENE BY**
	)	**THE IDAHO CONSERVATION**
Preliminary Permit Application	)	**LEAGUE**
_____	)	

The Idaho Conservation League hereby submits this Motion to Intervene in the Preliminary Permit Application for Project No. 14608 before the Federal Energy Regulatory Commission (Commission).

On March 24, 2014, the Idaho Water Resource Board filed an application for a preliminary permit, pursuant to section 4(f) of the Federal Power Act, proposing to study the feasibility of the Weiser-Galloway Hydroelectric and Water Storage Project (Weiser-Galloway Project) to be located on the Weiser River in Idaho. On July 17, 2014, the Commission issued the Notice of Preliminary Permit Application Accepted for Filing and Soliciting Comments, Motions to Intervene, and Competing Application.

This Motion is timely filed within sixty days from the Commission's notice of acceptance. *See* 18 C.F.R. § 385.214. And the Idaho Conservation League's intervention is in the public interest under 18 C.F.R. § 385.214(b)(2)(iii), as set forth below.

Since 1973, the Idaho Conservation League has been Idaho's voice for clean water, clean air, wildlife, and wilderness—values that are the foundation for Idaho's extraordinary quality of life. The Idaho Conservation League works to protect these values through public education, outreach, advocacy, and policy development. The Idaho Conservation League is Idaho's largest

state-based conservation organization and represents over 20,000 supporters who have a deep personal interest in clean, abundant, and free-flowing water in Idaho and healthy ecosystems.

Historically and in recent years, the Idaho Conservation League has worked with the Idaho legislature as well as state and federal agencies, nonprofits, and businesses in numerous forums to protect water resources in Idaho. Through this work, the Idaho Conservation League has developed special knowledge regarding water management in Idaho and the effects water management can have on water supplies, people, and ecosystems in Idaho that will benefit the public interest in the Weiser-Galloway Project proceedings.

The Idaho Conservation League has a special interest in the Weiser River drainage. Members of the Idaho Conservation League rely on the Weiser River drainage for their recreational, scientific, educational, conservation, and economic interests. Members live and work in the Weiser River drainage. The Weiser River drainage provides drinking water to members. Members enjoy boating, fishing, hunting, wildlife viewing, hiking, biking, and other outdoor activities in the Weiser River drainage.

The Weiser-Galloway Project would directly affect these interests. The reservoir above the proposed dam would flood and inundate the Weiser River and adjacent trails, wetlands, and land. The dam would alter water flows in the Weiser River below the dam. The dam would also block fish passage.

The Weiser River is tributary to the Snake River, and the Idaho Conservation League also has a special interest in water management of the Snake River basin. Members of the Idaho Conservation League rely on the Snake River basin for their recreational, scientific, educational, conservation, and economic interests. Members live and work in the Snake River basin. The basin provides drinking and agricultural water to members. Members enjoy boating, fishing,

hunting, wildlife viewing, hiking, biking, and other outdoor activities in and near waters in the Snake River basin.

The Weiser-Galloway Project would directly affect these interests related to water management in the Snake River basin. The Project would alter water management in the Snake River Basin both upstream and downstream of where the Weiser River flows into the Snake River, which would result in changes to the amount of water in the Snake River and its tributaries at different times.

For the forgoing reasons, the Idaho Conservation League requests that the Commission grant this Motion to Intervene.

DATED: September 15, 2014

Respectfully Submitted

_____

Marie Callaway Kellner
Idaho Conservation League
P.O. Box 844
Boise, ID 83701
mkellner@idahoconservation.org
(208) 345-6933 x32

UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

Idaho Water Resources Board	)	Project No. 14608
	)	Weiser-Galloway Project

MOTION TO INTERVENE OF AMERICAN WHITEWATER AND IDAHO RIVERS UNITED ON APPLICATION FOR PRELIMINARY PERMIT

On March 24, 2014, The Idaho Water Resource Board (IWRB) filed an application for a preliminary permit proposing the construction of a new dam and hydropower facility on the Weiser River in southwestern Idaho.

On July 17, 2014, the Federal Energy Regulatory Commission (FERC) issued a public notice of the application and solicited comments, motions to intervene and/or competing applications.

Pursuant to 18 C.F.R. § 385.214 and the Notice of Preliminary Permit Application dated July 17, 2014, American Whitewater and Idaho Rivers United respectfully moves to intervene.

INTERESTS OF THE PARTIES

American Whitewater is a national non-profit 501(c)(3) river conservation organization founded in 1954 with over 5,800 members and 100 local-based affiliate clubs, representing whitewater paddlers across the nation. American Whitewater's mission is to conserve and restore America's whitewater resources and to enhance opportunities to enjoy them safely. As a conservation-oriented paddling organization, American Whitewater has a significant percentage of members residing in southern Idaho in close proximity to the proposed project.

Idaho Rivers United is Idaho's only statewide, non-profit, 501(c)(3) conservation organization dedicated to protecting and restoring the rivers of Idaho. Founded in 1990, in response to proposed hydropower development on the Payette River, Idaho Rivers United has grown to over 3,500 members throughout Idaho and across America. For nearly twenty five years, Idaho Rivers United has participated in hydropower licensing projects throughout the state of Idaho. Our members live and recreate throughout Idaho including in the vicinity of this project and have a direct interest in ensuring that hydropower production is balanced with other public interests.

No other party to this proceeding will be able to adequately protect the interests outlined above. Accordingly, American Whitewater and Idaho Rivers United have a direct and substantial interest in the outcome of this proceeding, and our intervention in this proceeding is in the public interest as required by 18 C.F.R. § 385.214(b)(2)(iii). In short, American Whitewater and Idaho Rivers United's participation in this proceeding will enable a more complete record to be developed, will lead to better informed decision making, and will serve the public interest.

Additionally, American Whitewater and Idaho Rivers United have broad organizational interests in the Commission's equal consideration of power and non-power values in hydropower licensing pursuant to Sections 4(e) and 10(a) of the Federal Power Act. American Whitewater and Idaho Rivers United have intervened in numerous projects throughout Idaho and other western states in order to assure that the Federal Power Act is administered in a manner that protects and restores natural resources impacted by hydropower projects. These organizational interests are consistent with the above-captioned proceeding.

Please and add the following representatives to the service list in this proceeding:

Tom O'Keefe
Pacific Northwest Stewardship Director
American Whitewater
3537 NE 87th St.
Seattle, WA 98115-3639
okeefe@americanwhitewater.org

Kevin Lewis
Conservation Director
Idaho Rivers United
P.O. Box 633
Boise, ID 83701
kevin@idahorivers.org

Rich Bowers
Western Region Coordinator
Hydropower Reform Coalition
830 Reveille St.
Bellingham, WA 98229-8804
rich@hydroreform.org

Respectfully submitted this 12th day of September, 2014.

Kevin Lewis, Conservation Director
Idaho Rivers United

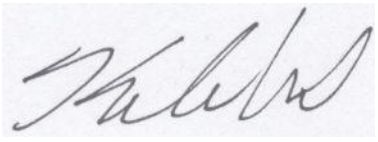
Certificate of Service

I certify that on September 12, 2014, a copy of the foregoing document was delivered to the following by email:

Brian Patton
Idaho Department of Water Resources
322 E Front Street
Boise, ID 83720-0098
brian.patton@idwr.idaho.gov

Tyson Nelson
Deputy Attorney General
Idaho Office of the Attorney General
700 W. State St. 2nd Fl.
Boise, ID 83720
tyson.nelson@ag.idaho.gov

Cynthia Clark
Staff Engineer
Idaho Water Resource Board
322 East Front Street
PO Box 83720
Boise, ID 83720
cynthia.clark@idwr.idaho.gov



Kevin Lewis, Conservation Director
Idaho Rivers United

3116 Wagon Wheel Road
Boise, Idaho 83702
September 9, 2014

Idaho Water Resource Board
322 East Front Street
Boise, Idaho 83720

Gentleman:

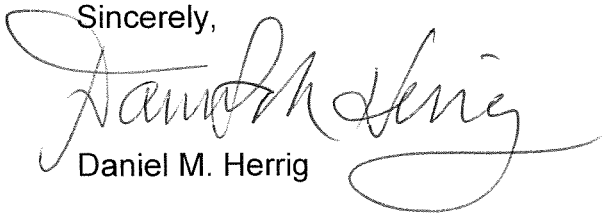
I have been monitoring your Water Storage Projects Committee's studies of the Weiser River Galloway Project. The following are questions and issues I believe must be addressed if studies continue:

- How will structural issues be addressed to ensure the dam can withstand the water pressure of a 300-foot high reservoir with substantial annual fluctuations?
- Provide an estimate the probability of dam failure.
- Estimate damages to the Weiser River valley, City of Weiser and surrounding areas should the dam fail catastrophically.
- What Weiser River channel modifications will be required to convey the reservoir releases necessary for irrigation, flood control and various proposed downstream (Snake R.) benefits?
- Estimate the number years a Galloway Reservoir will actually be able to offset the Upper Snake R. salmon flow augmentation commitments and measurably reduce Snake River water temperatures.
- Illustrate reservoir water levels on various dates (e.g. July 1) using water level exceedance curves (e.g. for 25%, 50%, 75%). Providing average or "normal" water levels on given dates is meaningless information which does not portray what will occur.
- Estimate recreation and fisheries potential of the reservoir using the exceedance curves mentioned above and compare it to the existing recreation and stream fisheries.
- How will upland wildlife habitat losses be mitigated?

Finally and most important, a thorough cost:benefit analysis (including planning costs) must be completed before proceeding with any further planning. Let's not waste limited tax dollars studying projects that will not have clear long term benefits.

It takes courage to reverse decisions in the face of political pressure. Don't throw more good money at a bad investment. Thank you for the opportunity to comment.

Sincerely,



Daniel M. Herrig

Pearson, Mandi

From: atlatl_1@yahoo.com howard [atlatl_1@yahoo.com]
Sent: Thursday, September 11, 2014 8:43 AM
To: Pearson, Mandi
Cc: John Robison; Don Anderson; Idaho Statesman; Bobby Save Our Wild Salmon Coalition
Subject: : Comments on the Weiser-Galloway Project

To the Water Storage Projects Committee:

First let me state this is a letter opposed to the Galloway Dam. I oppose the Galloway Dam because of its obvious and inherent deficiencies. This is just another piece of litany for BPA, Corp of Engineers and the Idaho Water Resources Board to tinker with Idaho water and to justify it in the name of salmon conservation. This proposal, if actually developed, will be just another means of squandering huge sums of water conservation money.

Lets look at other dam failures in Idaho. We can start with the Teton disaster. But for a scholarly treatment of this subject, I refer you to the recently published book titled "Defending Idaho's Natural Heritage" by Ken Robinson. Each committee member should buy a copy and one for the IWRB office and send one to the Governor. Read Chapters 3 and 4 which are titled "Salmon and steelhead lose habitat to dams" and "Fighting for the Clearwater." The Weiser use to be one of those great salmon and steelhead rivers and it was a productive contributor to the overall Snake River system of tributaries that supported these fish. That was over fifty years ago.

Now the Galloway Project would be one means of contributing to flushing flows for these fish. But what other priorities would be placed on the water before flushing flows for salmon? I submit that five or six other uses would be in line. There is high probability that Galloway might contribute flushing flows only two or three years within each decade. How does this justify building the dam? This proposal is just a bad idea with antiquated thinking behind it.

Why spend the research and development money on this proposal. Lets get serious and look upstream at a dam proposal that will benefit the entire Weiser drainage, the enlargement of Lost Valley Reservoir. This dam could be enlarged by a factor of 3 to 5 times over what exists there today. Storage for it could restore minimum stream flows to the Weiser, preserve a resident fishery, provide appropriated funds and revenue sharing dollars for riparian habitat improvements while providing more reliable irrigation flows.

To conclude, buy a copy of the book, read chapters 3 and 4, ponder the history of dams built in Idaho, ponder their failure to meet expectations and then make an

intelligent decision...make several of them...and consider the Lost Valley Reservoir an option.

Thank you for taking the time to read and consider my comments.

Rich Howard
"Never give up on the sagebrush sea."

Pearson, Mandi

From: Mary David Dudley [dmdudley@cableone.net]
Sent: Thursday, September 11, 2014 7:01 AM
To: Pearson, Mandi
Subject: Dam

Dear Ms. Pearson:

Thank you for this opportunity to comment regarding the proposed damming of the Weiser River. Constructing a dam on the Weiser River is and always has been a silly idea and a total waste of taxpayer's money.

The reasons for a dam today are even worse than ones touted thirty+ years ago. Damming the Weiser River is a non- starter for this Idahoan who has lived in Idaho for 60 years.

Please include my strong opposition to this proposal. Thank you.

Sincerely,
Mary Dudley
P.O. Box 37
Ola, ID 83657

Pearson, Mandi

From: samlarkin17@gmail.com
Sent: Saturday, September 13, 2014 4:38 PM
To: Pearson, Mandi
Subject: Please Reject the Galloway Dam

Dear Idaho Water Resource Board,

I have enjoyed biking along the Weiser River Trail with my family every summer for years. The Weiser River is a valuable resource, economically, recreationally, and ecologically. I have seen trout rise in its free-flowing waters and a plethora of wildlife and plants on its banks. With so many of Idaho's rivers dammed and their scenic value destroyed, we cannot afford to lose the Weiser River to this same fate. The reasons for the construction of the proposed dam are hardly justifiable. Dairies in the Snake River drainage are currently polluting the Snake and are not sustainable. To further allow such development by destroying a resource such as the free-flowing Weiser River would be most irresponsible. Please do what is right and protect this wonder of Idaho.

Sincerely,

Samuel Larkin

Pearson, Mandi

From: Mike Ihli [mikeihli@gmail.com]
Sent: Friday, September 12, 2014 7:31 AM
To: Pearson, Mandi
Subject: Weiser River dam

Really? Another dam. Haven't we learned our lessons about the scarce benefits and great harm done by existing dams. And you want to build another? Totally opposed to the Weiser River proposal.

Mike Ihli
625 S. School Ave.
Kuna, Idaho 83634

From: JACQUE WRAY
To: Pearson, Mandi; Clark, Cynthia (Bridge); Jeremy Giovando; Dave Tuthill
Subject: GALLOWAY DAM PROJECT
Date: Friday, October 03, 2014 11:56:46 AM

Dear members of the Water Storage Project Committee, Cynthia, Jeremy and Dave:

After reading the two articles appearing in the Weiser Signal-American regarding the meeting on September 11th, I had to write the following response. If you have not received copies of the articles and would like to have them, I would be happy to scan them in and provide them to you. Just let me know. If I had not been limited to 350 words, I'm afraid my article in favor of the dam would have been longer that Mr. Eichelberger's articles. I have included my Letter to the Editor at the end of this e-mail.

I again want to thank the Board, Cynthia and Dave for their assistance in getting the measuring devices on the Galloway, Sunnyside Ditch and Crane Creek Reservoir. This the first year that we have tried to enforce the adjudicated rights and even though a lot more measuring devices are needed to do it more effectively, with the aid of the above-mentioned devices, we turned what could have been a very bad year for the farmers, into a very successful year. At the beginning of the 2013 irrigation season, Crane Creek Reservoir had failed to fill, but we started the year off with 100% of the Class A water and 22% of the B water. Unfortunantely, I had to turn the Weiser Irrigation District (Galloway Ditch) off on August 28th as they had used their prorata share. We ended the season with a reserve of less than 25% left in the reservoir.

We began the 2014 irrigation season with only 97% of the A water in Crane Creek Reservoir, but we enforced the adjudicated rights, and, with the aid of the devices, had very accurate measurements of what was being used and where. We all worked closely together and I am proud to say that at the end of the season (Crane Creek Reservoir was turned off at 7:00 a.m. on 10/2), no users had been turned off early and we have 34% or 17,800 acre feet left in the reservoir.

Thank you all again.

The following is my letter to the editor.

LETTER TO THE EDITOR

WEISER SIGNAL-AMERICAN

RE PROPOSED GALLOWAY DAM PROJECT

October 3, 2014

After talking to five or six people who also attended the meeting held by the Water Storage Projects Committee of the Idaho Water Resource Board held at the Vendome Events Center on September 11, 2014, we're all wondering what meeting you attended because after reading your article starting in the 9/17 issue and ending in the 9/24 issue, we don't think you attended the same meeting we did. Did we miss something? I don't think we did, but you missed a lot as it appears your ears only heard what the opposers to the building of the dam had to say.

I'm limited to 350 words although you allowed Don Anderson's comments to take up 11 inches of your column. I find a lot of errors in his comments, but am not allowed enough words to point them out. He's a fish biologist, not an engineer. In his prior letter to the editor, he brings out the disaster of the Teton Dam 48 years ago and you again bring it up in the second part of your article, but neither of you bother to point out that Brownlee, Lucky Peak, Anderson Ranch, Palisades and Ririe Dams are all earthen dams, just to name a few here in Idaho. I called one of the Idaho Dam Safety Inspectors and was told that most of the dams build throughout the world are earthen dams and that a lot was learned from the Teton disaster and steps are being taken to see that it doesn't happen again. As far as caulking goes, he told me that whether a dam is earthen or concrete, there is caulking in EVERY dam constructed.

I've been involved with irrigation water in Washington County for 47 years and for only 13 of those years has Crane Creek Reservoir failed to fill. I've had to call farmers and tell them they were out of irrigation water in August when they desperately needed water through September. Your quote of Ryan Kerby saying, "Water is the new gold", was the only part of your article I could agree with.

Jacque Wray, Secretary
Crane Creek Reservoir Administration Board
Weiser Cove Irrigation District
Sunnyside Ditch Company
Crane Creek Independent Water Users Company, Inc.
District 67 Deputy Watermaster

cc: Cynthia Bridge Clark
Jeremy Giovando
Water Storage Projects Committee
Dave Tuthill, Idaho Water Engineering, LLC

Sorry, I went over with 359 words. To say everything I wanted to, my article would have been longer than yours. My phone number is 549-0765 or 739-1082.
Sent from Windows Mail

Additional comments to those presented to The Water Storage Committee of the Idaho Water Resource Board September 11, 2014 in Weiser, Idaho

September 30, 2014

Idaho Water Resource Board Members:

I very much appreciate that the Water Storage Committee of the Idaho Water Resource Board held a meeting in Weiser, Idaho to provide information and take public comment on the proposed Weiser-Galloway Project. The large turnout demonstrated the high level of interest and concern regarding the proposal. In response to the presentations, I feel it necessary to augment my written testimony presented at the meeting.

First of all, I would like to add my support for enlarging the existing dam at Lost Valley Reservoir. I worked closely with Joe Jordan in the late 1990's, before I retired from my position with the Idaho Department of Fish and Game, to promote this important project. I am currently working with Dave Tuthill to make the project a reality. It is an excellent dam site because of its geology and its advantageous position in the watershed. It is a safe and efficient way to provide irrigation water to the Weiser River basin and add to the values of the Weiser River for 85 miles. It would improve water quality and quantity as well as improve fish and wildlife habitat and recreation opportunities. And, it could do all this for less than 1% of the proposed Weiser-Galloway project.

The presentations on possible Galloway dam/reservoir operations by IDWR staff and the USACE displayed some significant changes from the limited information available prior to the meeting. I found the presentations confusing and even contradictory. Especially unclear was the reservoir operation/drawdown. IDWR staff said no more than 25-35 feet of reservoir draw down. The USACE graph depicted 52 feet of draw down annually for salmon flows, and it showed another 125-250 KAF available for other uses making me think the draw down could easily be 100 feet or more. The projected 4000 cfs maximum release to the Weiser River below the dam was not explained or substantiated. The Board members said that Galloway would allow "flexibility" in Snake River reservoir operations but the possible scenarios for Galloway were not addressed. But most importantly, there was no mention of dam safety at the meeting. That is why my additional comments focus on this matter.

My main concern is dam safety. My comments and concerns presented in written testimony at the meeting are unchanged. I believe it was unfortunate that dam safety was not addressed so that the many who attended could understand the geotechnical challenges the proposed Galloway site presents. I attended the IWRB meeting in Boise on September 19, 2013 when the USACE presented the results of their geotechnical investigations, and was able to obtain and study the accompanying *Foundation Investigation and Evaluation Weiser-Galloway Potential Dam Site Weiser, Idaho* dated September 2013. I now fully understand that even thought the USACE deemed it a "suitable" site provided special construction techniques are successfully implemented, that it is not a good site or a safe site for the proposed high dam.

Most people downstream of the Galloway site are still unaware of the unstable geology and the geotechnical challenges of a high dam at the proposed site. The “special construction techniques” are not the industry standard and are fraught with uncertainty, assumptions and depend on best case scenarios. Preventing the very real threat of air-slaking of the prevalent tuff rock types relies on covering excavated areas nearly immediately to prevent it from drying and “almost immediately disaggregating when the rock is rewetted”. Execution of the complicated technique relies on error-free performance by hundreds of workers over years of labor.

Building a high dam at the Galloway site presents horrendous risk to thousands of people and their homes, property and businesses, witness the Teton Dam collapse of June 5, 1976. It killed 11 Idahoans, 13,000 head of cattle and resulted in billions of dollars of property damage. It relied on the same grout curtain special construction technique that is proposed for Galloway. The grout curtain failed and caused the disaster which would have been far greater if it hadn’t occurred while workers were present to alert the communities or if it had tragically happened at night.

The Idaho Water Resource Board, as decision-makers and funders, have enormous responsibility for dam safety. Any error, miscalculation, bowing to economic or political pressure, or being swayed by the needs of mid-Snake water users and junior groundwater pumpers could literally mean death to hundreds, if not thousands of Idaho residents. This is a heavy burden and each IWRB member has a moral and legal responsibility to obtain the level of certainty commensurate to the level of risk. The *Foundation Investigation and Evaluation Weiser-Galloway Potential Dam Site Weiser, Idaho* does not provide that level of assurance.

With no federal agency participation, who would be liable for loss of life or property? How could the State of Idaho compensate 5-10 billion dollars of claims? Would private investors survive potentially huge losses? All Idahoans face economic risks if the dam is built, but we who live downstream of the dam face life changing and life threatening risks.

Investors, public and private, know the relationship between risk and reward. The project, as proposed, inequitably directs the rewards to private investors and focuses the risk on the people downstream of the dam. Idaho citizens have little say in the decision to build the Weiser-Galloway project except through comment and persuasion of the Idaho Water Resource Board. Please appreciate these informed and heartfelt concerns.

Respectfully submitted,

Donald R. Anderson Jr
1125 E Court Street
Weiser, Idaho 83672

Friends of the
WEISER RIVER TRAIL
Desert Canyons to Alpine Meadows

July 18, 2014

Roger W. Chase, Chairman
Idaho Water Resource Board
322 East Front Street
Boise, ID 83720

Dear Chairman Chase:

I am vice president on the board of the Friends of the Weiser River Trail (FWRT), the group that was formed to protect and preserve the Union Pacific Railroad right of way from Weiser to New Meadows. On behalf of the FWRT board, I would like to thank you for your time and attention during my presentation to you at your November 2013 meeting.

As you may recall from my presentation, FWRT was deeded the rail corridor property after the railroad was decommissioned. In 1997, the Surface Transportation Board, an agency of the United States Department of Transportation, transferred management and title of the rail corridor to FWRT under The National Trails System Act, often called the "Rail Banking Act", which was enacted by Congress in 1983. The rail banking law provides that, in the event that Union Pacific or its successor reactivates rail service, FWRT would have to transfer the rail corridor back to the railroad in such condition that trains could resume use of the corridor. Today, the 84-mile long Weiser River Trail is a beloved, non-motorized, recreational pathway maintained and protected by FWRT for public use.

It is my understanding that the Idaho Department of Water Resources (IDWR) is considering an application to FERC for a new dam at the Galloway site on the Weiser River. As I pointed out in my presentation in November, the proposed reservoir from this dam would inundate approximately 293 acres, or 15.7 miles of Trail property. For the dam proposal to move forward, there would be a cost of land acquisition required to meet FWRT's obligation under federal law to relocate and reroute the rail corridor to railroad standards. This rerouting would have to include maximum grade and minimum curve radius, rail continuity and corridor right of way.

As you continue through this study of the Weiser-Galloway Dam proposal, FWRT would like to express our desire to be involved with the process. We respectfully ask that you keep us apprised with updates and the status of the project as it moves forward.

Thank you.

Sincerely,

Gayle B. Poorman

Gayle B. Poorman
Vice President
Friends of the Weiser River Trail

cc: Governor C.L. Otter
Senator Michael Crapo
Senator James Risch
Representative Rau-'l Labrador
Mark Mendenhall, US Army Corp of Engineers
Philip Gordon, Attorney

Friends of the
WEISER RIVER TRAIL
Desert Canyons to Alpine Meadows

August 29, 2014

RECEIVED
SEP 02 2014
DEPARTMENT OF
WATER RESOURCES

Cynthia Bridge Clark
Department of Water Resources
322 East Front Street
Boise, ID 83720

Dear Cynthia:

Thank you for calling me regarding the Galloway dam proposal and its impact on the Weiser River Trail (WRT). I have spoken with several of our board members, and none of us feel qualified to meet with you to provide you with the legal and additional technical information you requested as to the implications that the proposed dam and reservoir would have on relocating the trail. I am sending you this letter to provide you with as much information as I can to assist you with your research.

As you may recall from my presentation to the Idaho Water Resource Board, the Friends of the Weiser River Trail (FWRT) is a group of volunteers who formed to accept the deeded rail corridor property after the railroad was decommissioned. In 1997, the Surface Transportation Board, an agency of the United States Department of Transportation, transferred management and title of the rail corridor to FWRT under The National Trails System Act, often called the "Rail Banking Act", which was enacted by Congress in 1983. The rail banking law provides that in the event that Idaho Pacific and Union Railroad, or its successor, reactivates rail service, FWRT would have to transfer the rail corridor back to the railroad in such condition that trains could resume use of the corridor. I would urge you to research this law on the Rails-to-Trails Conservancy website, www.railstotrails.org. Their telephone number is (202) 331-9696.

As I pointed out in my presentation last November, the proposed reservoir from this dam would inundate approximately 293 acres, or 15.7 miles of Trail property. For the dam proposal to move forward, there would be a cost of land acquisition required to meet FWRT's obligation under federal law to relocate and reroute the rail corridor to railroad standards. This rerouting would have to include maximum grade and minimum curve radius, rail continuity and corridor right of way. For more detailed information, I would ask that you contact FWRT's attorney, Philip Gordon of Gordon Law Offices in Boise. His telephone number is (208) 345-7100.

As you continue through this study of the Weiser-Galloway Dam proposal, FWRT would like to express our desire to be involved with the process. We respectfully ask that you keep us apprised with updates and the status of the project as it moves forward. FWRT has regular board meetings every third Tuesday of the month at the Vendome in Weiser, Idaho, at 6:00 pm. We welcome you as a guest.

Thank you.

Sincerely,

Gayle B. Poorman

Gayle B. Poorman
Vice President
Friends of the Weiser River Trail

cc: Philip Gordon, Attorney at Law

BEFORE THE IDAHO WATER RESOURCE BOARD

IN THE MATTER OF THE	)	RESOLUTION TO COMMIT
LOWER BOISE RIVER	)	FUNDS AND PROVIDE
FEASIBILITY STUDY	)	SIGNATORY AUTHORITY

WHEREAS, House Joint Memorial No. 8 passed and approved by the 2008 Idaho legislature encouraged the Idaho Water Resource Board (IWRB), in coordination with other public and private entities, to initiate and complete the study of additional water storage projects in the state of Idaho including, but not limited to, the study of the Twin Springs Dam in the Boise River drainage;

WHEREAS, House Bill 428 passed and approved by the 2008 Idaho Legislature directed the IWRB to conduct the statewide comprehensive aquifer planning and management effort, including evaluation of additional surface water storage, and house Bill 644, also passed and approved by the 2008 Idaho Legislature, created the Aquifer Planning and Management Fund and provided funds to carry out the statewide comprehensive aquifer planning and management effort; and

WHEREAS, the IWRB initiated the Treasure Valley Comprehensive Aquifer Management Plan, and the Lower Boise River Interim Feasibility Study (Interim Feasibility Study) was one of the associated technical studies designed to assess water storage potential in the Boise River drainage; and

WHEREAS, on May 29th, 2009, the IWRB and the U.S. Army Corps of Engineers (Corps) was executed a Federal Cost Share Agreement to implement the Interim Feasibility Study with the IWRB as the non-federal study sponsor; and

WHEREAS, a portion of the Interim Feasibility Study was fulfilled and documented through the *Water Storage Screening Analysis* and *Lower Boise River Interim Feasibility Study, Preliminary Evaluation of Arrowrock Site* reports, completed August 2010 and October 2011 respectively; and

WHEREAS, in 2012 the Corps implemented the SMART Planning initiative which modified the criteria by which the Corps implements the feasibility study process. SMART planning is intended to streamline the study process and requires that all on-going studies amend existing agreements to conform to modified planning requirements. Compliance with the modified planning process would result in an increase in the scope of the Interim Feasibility Study; and

WHEREAS, House Bill 479 passed and approved by the 2014 Idaho Legislature appropriated $1.5 million to complete the Boise River Feasibility Study; and

WHEREAS, the total cost associated with the amended study is $3,524,000, fifty percent of which ($1,762,000) is the responsibility of the IWRB as the non-federal

sponsor. Of this amount, a credit of $637,000 will be afforded for contributions and expenditures by the IWRB for the Interim Feasibility Study. The remaining $1,125,000 is the IWRB's projected obligation; and

NOW, THEREFORE, BE IT RESOLVED that the IWRB authorizes the expenditure of up to $1.5 million from the Revolving Development Account for completion of the Boise River Feasibility Study.

NOW, THEREFORE, BE IT RESOLVED that the IWRB authorizes its chairman or designee to execute the necessary agreements with the U.S. Army Corps of Engineers to carry out the Boise River Feasibility Study.

Dated this 5th day of November, 2014.

_____
ROGER W. CHASE
Chairman

Attest: _____
BOB GRAHAM
Secretary

TO: Idaho Water Resource Board

FROM: Neeley Miller, IDWR Planning and Projects Bureau

DATE: October 27, 2014

RE: Regional Conservation Partnership Program

ESPA RCPP Proposal

At the March 2014 Idaho Water Resource Board ("Board") meeting, Board members were briefed on the Regional Conservation Partnership Program (RCPP) that was included in the 2014 Farm Bill. The RCPP replaced the Agricultural Water Enhancement Program (AWEP) that was authorized under the 2008 Farm Bill. In June 2014, NRCS released the RCPP announcement for program funding and proposal guidelines. The RCPP is a five year program (2015-2019) and projects and strategies similar to what was available through the IWRB's AWEP program are eligible under RCPP.

A proposal drafting committee consisting of IWRB staff, NRCS, and other interested parties has been meeting since 2013 to identify eligible future projects and develop a framework for a proposal focused on ESPA stabilization. The drafting committee met on a weekly basis during June and early July 2014 to develop and submit a pre-proposal prior to the July 14th deadline. The Board's pre-proposal was evaluated by NRCS, and in August staff was informed that the Board had been selected to submit a full RCPP proposal.

The RCPP drafting committee met regularly throughout August and September to develop a full RCPP proposal. The Board is the lead partner on the RCPP proposal. There are several collaborating partners, including: Idaho Department of Water Resources, Trout Unlimited, Wood River Land Trust, The Nature Conservancy, Idaho Department of Fish and Game, Ag Spring, Center for Management of Professional and Scientific Work, Idaho Ground Water Appropriators, Ducks Unlimited, Thousand Springs Water Users Association, MillerCoors, General Mills, and Idaho Soil and Water Conservation Commission. These partners have committed to providing approximately $824,000 in financial assistance and technical assistance for RCPP projects each year, totaling $4,121,000 over five years. These entities all provided letters of support for the RCPP proposal.

The Board's RCPP proposal requests $20,000,000 in NRCS EQIP funds over five years to target high priority actions identified by the State of Idaho to stabilize and recover ground water levels in the Eastern Snake River Plain Aquifer ("ESPA"), which will support irrigated agriculture on the Eastern Snake Plain and stabilize and recover spring discharges from the ESPA into the Snake River that provide water for irrigated agriculture, aquaculture, fish and wildlife, industries, municipalities, and help maintain the minimum stream flows in the Snake River.

The projects outlined within this proposal to support the State of Idaho's on-going efforts to stabilize and recover the ESPA include: 1) Ground to Surface Water Conversions and Surface Water Delivery Improvements, 2) End Gun Removal and Pivot Enhancements, 3) Flood Irrigation Enhancements, 4) Pump Back and Storage Systems, 5) Fallowing/Conversion to Dryland for Ground Water Irrigated Lands, 6) Thousand Springs Conservation Program.

The Board's full RCPP proposal was submitted prior to the October 2, 2014 due date. NRCS will announce proposals that have been selected for funding on November 14, 2014.

Prior to submission of the Board's RCPP proposal, Board staff spoke with Jeff Burwell, NRCS State Conservationist for the State of Idaho, and he indicated that competition for RCPP funds nationally is higher than expected. Jeff anticipated the higher level of interest would impact State funding levels. Jeff informed us that he had reviewed our draft proposal and fully supports it, but added that due to high levels of competition awards may be less than requested.

The Board's RCPP proposal is attached.

Upper Salmon Basin RCPP Proposal

In addition to the IWRB's RCCP proposal, the Upper Salmon Basin Watershed Program (USBWP) also submitted a proposal for RCPP funds. They requested RCPP program funding over five years to move habitat actions forward in the Upper Salmon Basin Watershed (USB). The Board is a collaborating partner on this RCPP proposal and provided a letter of support for the proposal. Board water transaction activities and expenditures in the Upper Salmon Basin can be counted as financial and technical assistance matching dollars for the RCPP proposal.

The overall goal of the project is to promote water quality and management of water quantity to benefit recovery of Chinook salmon and steelhead through a partnership approach that addresses natural resource concerns as identified by NRCS, USBWP Technical Team, the Salmon Subbasin Management Plan, and the Federal Colombia River Power System Expert Panel. Specific activities to address these resource concerns may include: 1) Improving, eliminating or consolidating irrigation diversions, 2) Screening of irrigation diversions, 3) Converting open ditches to pipe, 4) Converting from flood irrigation to pivots or pods, 5) Replacing road culverts, 6) Creating or rehabilitating riparian habitat, 7) Reconnecting tributaries, 8) Developing new side channels, 9) Increasing instream habitat complexity, 10) Improving floodplain connectivity, 11) Securing instream flow through changes in points of diversion and places of use, 12) Leasing or purchasing water rights, and 13) Securing conservation easements.

The USBWP RCCP proposal will not compete for funding with the IWRB's RCCP proposal. The IWRB's proposal is competing under the State Funding pool. The USBWB RCPP qualifies to compete for the Columbia River Basin Critical Conservation Area (CCA) RCPP Funding pool.

REGIONAL CONSERVATION PARTNERSHIP PROGRAM

V.B.1 Application Cover

Project Information

Project Title: Eastern Snake Plain Aquifer Stabilization

Funding Pool: State Funding Pool

Lead Partner Contact Info:
State of Idaho through the
Idaho Water Resource Board
Neeley Miller, Project Manager
322 E. Front Street
P.O. Box 83720
Boise ID 83720-0098
(208) 287-4831
Neeley.Miller@idwr.idaho.gov
Brian.Patton@idwr.idaho.gov (alternate)
Lead Partner DUNS: 825017403

Project Details

Length of Project: 5 years

Start Date: 2015

End Date: 2019

States Included: Idaho

Request for Adjustment of Terms: Two; see project #2 and project #5

Alternative Funding Request: Requested adjustment for project #2 and project #5

Total Producers In Project Area: Approximately 11,000 farms.

Percent Producers Who May Participate: 6.5%

Resource Concerns:
- **Primary:** Water Quantity
- **Secondary:** Water Quality, Fish and Wildlife
- **Tertiary:** Soil Conservation, Energy

Executive Summary:

This proposal for the Regional Conservation Partnership Program ("RCPP") funds targets high priority actions identified by the State of Idaho to stabilize and recover ground water levels in the Eastern Snake River Plain Aquifer ("ESPA"), which will support irrigated agriculture on the Eastern Snake Plain and stabilize and recover spring discharges from the ESPA into the Snake River that provide water for irrigated agriculture, aquaculture, fish and wildlife, industries, municipalities, and help maintain the minimum stream flows in the Snake River.

The ESPA is the essential natural resource at the heart of the Idaho Economy, in 2012 producing approximately 33 percent of all goods and services within the State of Idaho resulting in an estimated value of $14.9 billion annually. The decline of the ESPA has had a multifaceted impact on the economy of southern Idaho. Decreases in water supply directly affect agricultural and aquaculture productivity and generation of hydropower, of which Idaho is reliant upon to meet 50 percent of its power needs. Indirectly, decreased water supplies have lead to a host of large scale regional water delivery calls that have resulted in millions of dollars spent on more than a decade's worth of litigation between water user interests. For these reasons, stabilization of the ESPA water levels and spring discharges are essential to avoid additional wide spread economic hardship.

The projects outlined within this proposal are specifically designed to support the State of Idaho's on-going efforts to stabilize and recover the ESPA. These projects include: 1) Ground to Surface Water Conversions and Surface Water Delivery Improvements, 2) End Gun Removal and Pivot Enhancements, 3) Flood Irrigation Enhancements, 4) Pump Back and Storage Systems, 5) Fallowing/Conversion to Dryland for Ground Water Irrigated Lands, 6) Thousand Springs Conservation Program.

Collaborating Partners and Collaboration Descriptions: *See Attachment 1*

Geographic Focus:
The ESPA stretches from southeastern to south central Idaho and underlies more than 10,000 square miles of semi-arid desert and fertile agricultural land. It is the largest aquifer in the Snake/Columbia River system, containing roughly 1 billion acre-feet of water. The ESPA is surrounded by hundreds of tributary streams and is bordered to the southeast by the Snake River. The ESPA naturally discharges its water at spring complexes that flow into the Snake River. The most significant spring complex is Thousand Springs, highlighted by the red arrows in *Attachment 2*. Just above Thousand Springs (at Milner Dam) almost the entire flow of the Snake River is diverted for consumptive use and the flow of the river reaches nearly zero cubic feet per second ("cfs") for much of the year. However, spring water from the ESPA almost completely reconstitutes the flow of the Snake River. Below Thousand Springs, the Snake River flows through southwestern Idaho, enters Oregon, and then flows back through the hydroelectric complex in Hells Canyon, eventually joining the Columbia River in the state of Washington. *See Attachment 2.*

Federal Forms:
Form SF-424: *Attachment 3*
Form 424A Budget Information**:** *Attachment 4*
Form SF-424B: *Attachment 5*
Form AD-1052: *Attachment 6*
Form AD-1047: *Attachment 7*

Intended Producer Participants: Irrigated agricultural producers in project area

Land that will be
Focus of the Project: ESPA Agricultural Land

Budget Table: *See Attachment 8*

V.B.2 Letter of Support from STC:

See Attachment 9

V.B.3 Natural Resource Objective and Actions

Natural Resource Concerns:

Water Quantity

Between 1912 and 1952, ESPA water levels rose because of increased incidental recharge from flood irrigation and unlined canal systems and climactic factors. These increased aquifer levels resulted in higher spring discharges into the Snake River. After 1952, a combination of extended periods of drought, conversion from flood irrigation to sprinkler irrigation, increased ground water development, and more efficient water delivery systems contributed to decreasing aquifer levels in the ESPA and decreased spring discharges. *Attachment 10* shows change in the ESPA storage content. The State of Idaho is also required by law to meet certain minimum stream flows on the Snake River. Meeting the minimum stream flows is directly dependent on spring water discharging from the ESPA. Stabilization of ESPA water levels will be essential for continuing to meet the minimum stream flows on the Snake River and avoiding regulatory actions seeking to enforce the minimum flows. Flows in the Snake River at the Murphy Gage are currently at risk of dropping below the minimum stream flows as can be seen in *Attachment 11*.

In 2009, the Idaho Legislature adopted the ESPA Comprehensive Aquifer Management Plan ("CAMP"). The goal of the CAMP is to sustain the economic, social, and environmental health of the ESPA by adaptively managing water use and water supplies. Strategies established in the CAMP for

aquifer stabilization include aquifer recharge, ground water-to-surface water conversions, water demand reductions, and weather modification. Phase 1 of CAMP seeks to effect 200,000–300,000 acre feet water budget change and Phase 2 seeks to effect 600,000 acre feet water budget change. Those efforts are ongoing. In 2014 the Idaho Legislature directed $5 million annually to the IWRB for aquifer stabilization, with an emphasis on aquifer recharge. The RCPP will assist the State of Idaho in implementing the ESPA CAMP strategies.

Water Quality

The Idaho Department of Environmental Quality ("DEQ") has developed Total Maxiumum Daily Loads ("TMDLs") for phosphorus, sedimentation/siltation, fecal coliform, and temperature on several segments of the Snake River. To avoid regulatory action, fish farms, municipalities, Idaho Power Company, and irrigated agriculture have already made significant financial investments to enhance water quality in the Snake River. Spring discharges from the ESPA provide clean, cold water that is critical to maintaining water quality in the Snake River.

Fish and Wildlife

ESPA spring discharges, and the resulting minimum stream flows in the Snake River, benefit Endangered Species Act ("ESA")-listed Salmon and Steelhead species downstream of the Hell's Canyon Dam complex and helps meet the ESA Biological Opinion on the Columbia River. Spring-fed creeks and spring water mixing zones or "estuaries" in the Snake River provide high quality habitat for native aquatic species, including redband trout, blue-headed sucker, Shoshone sculpin, and several ESA-listed threatened/endangered snail species. Tributaries to the Snake River and ESPA support significant populations of Yellowstone cutthroat trout, as well as rainbow trout, brown trout and mountain whitefish.

Proposed Objectives and How they Will Address Resource Concerns:

Stabilize and Recover Aquifer Levels

Stabilization and recovery of aquifer levels will help achieve the goal of 600,000 acre feet water budget change set forth in the ESPA CAMP. Stabilization and recovery of aquifer levels will help prevent future regulatory actions by the Idaho Department of Water Resources ("IDWR") associated with administrative water delivery calls on the ESPA.

Stabilize and Recover Spring Flows

Stabilization and recovery of spring flows will help prevent future regulatory action by IDWR associated with spring water/ground water administrative delivery calls on the ESPA. Additionally, stabilizing and recovering the ESPA-fed spring complexes will provide improved water quality that will benefit several ESA-listed species by providing them with clean, cold water and avoid regulatory action on river segements with TMDLs.

Stabilize and Recover Minimum Stream flows

Stabilization and recovery of ESPA-fed spring flows will help avoid future regulatory actions for failure to meet minimum stream flows on the Snake River. Additionally, stabilizing and recovering the ESPA-fed spring complexes will provide improved water quality that will benefit several ESA-listed species by providing them with clean, cold water and avoid regulatory action on river segments with TMDLs.

Project Actions to be Completed to Achieve Objectives:

Ground to Surface Water Conversions and Surface Water Delivery Improvements: Convert or improve surface water delivery to 15,000 acres

End Gun Removal and Pivot Enhancements: Remove pivot endguns or enhance pivot through variable rate irrigation (VRI) and nozzle changes for 9,000 acres
Flood Irrigation Enhancements: Retain a minimum of 16,000 acres of flood irrigated crop land.
Pump Back and Storage Systems: Reuse of surface water on 3,500 acres
Fallowing/Conversion to Dry Land Farming: Fallow up to 5,000 acres of ground water irrigated lands.
Thousand Springs Conservation Program: Improve irrigation efficiency through infrastructure upgrades. Increase water availability for up to 2,500 spring-water irrigated acres in the Thousand Springs reach.

V.B.4 Detailed Application Requirements

Project 1: Ground Water to Surface Water Conversions and Surface Water Delivery Improvements.

General Project Description:
Encourage producers to convert ground water sources to surface water sources in areas where ground water levels are declining, and improve surface water delivery efficiencies in areas where surface water is limited. Objectives are to reduce ground water withdrawals from the aquifer and increase delivery efficiencies. Result will be stabilization of aquifer levels, tributary inflows, spring flows, and Snake River reach gains.

Detailed Map: *See Attachment 12*

Location and Size of Project Area: *Attachment 12*

Describe Major Land Use:
Major land use within this area is agricultural cropping consisting of alfalfa, barley, potatoes, wheat, corn, and sugar beets. There is also rangeland interspersed within the location.

Describe Why Area was Chosen:
This geographic area was chosen because it has experienced significant ground water level declines. These declines have created a high likelihood that producers in this area will be subject to regulatory action associated with administrative delivery calls on the ESPA.

Describe Areas Needing Treatment and Number of Acres:
Areas needing treatment are those experiencing significant ground water level declines and those that have significant surface water irrigation delivery inefficiencies. The goal is to assist producers on approximately 15,000 acres.

Cost Effectiveness of Proposed Approach:
A combination of in-kind services, cash contributions from partners and producers, and EQIP funds make this a cost-effective approach. Cost sharing will allow producers to implement projects that would otherwise be cost prohibitive. Projects converting from ground water to surface water will result in energy savings. Technical assistance will be provided at no cost by partners. And, in some cases, cost savings will result because research and design work has already been completed and producer will install systems themselves.

How Partners Will Collaborate: *Attachment 13*

Project Timeline: *Attachment 14*

Conservation Practices:
This project will utilize standard EQIP practices. These may include, but are not limited to: Cover Crop (340); Irrigation Water Management (449); Structure for Water Control (587); Irrigation System (443); Diversion (362);Irrigation Canal (320); Irrigation Ditch Lining (428); Pumping Plant (533); Irrigation System Sprinkler (442); Upland Wildlife Habitat Management (645); Irrigation Water Conveyance Pipeline (430DD).

General Sequence of Implementation:
Partners will assist NRCS with education and outreach. Projects will be solicited for initial sign-up. Partners and NRCS will evaluate and rank projects. Partners and NRCS will assist producer to create plans for proposed project. Additional project funds will be contributed by producers or partner fundraising. Project implementation will be followed by annual monitoring, evaluation, and quantification of results.

TA Efforts by Partners and TA Effort Requests to NRCS:
IWRB: Identify potential producer participants, provide outreach and education, and provide overall project coordination. IGWA and ISCC: Provide outreach and education. IDWR: Monitoring, evaluation, and quantification of results. Wood River Land Trust (WRLT) and Trout Unlimited (TU): Identify potential producer participants, provide outreach, provide overall project coordination, act as liaison between NRCS, producers, engineers, and contractors, provide fundraising, monitoring, evaluation, and quantification of results.

Innovative Activities:
Conversion of ground to surface water in Idaho is not a common practice, and is not typically done in a coordinated effort. Many of the surface water delivery systems are antiquated; upgrading infrastructure with automated systems and recent technology to conserve ground and surface water is innovative. Use of this strategy on a regional scale in combination with other strategies towards a common goal of ESPA stabilization is new.

Outcome-Based Performance Measures:
The outcome-based performance measures for this project are:

- Reduction of Consumptive Ground Water Use: Converting from ground water irrigation to surface water irrigation will reduce the demand for ground water.
- Reduced Ground Water Pumping Costs: Energy savings because ground water would no longer be pumped from the aquifer
- Increased Water Supply Reliability: Producers will have a more reliable water supply because they have access to multiple sources of water during the irrigation season.
- Increased Efficiency in Irrigation Water Delivery: Automated headgates and diversions will allow canal operators to immediately respond to fluctuations in water supply and demand and will reduce demand for supplemental ground water and enhance water supply reliability.
- Increased Tributary Stream Flows and Duration: Improvement in surface water delivery infrastructure will increase water use efficiency resulting in increased stream flows for longer durations available for ground to surface water conversions. Increased streamflow in tributaries will benefit fish and wildlife.

Plans for Assessing Outcomes:
Local impacts and outcomes will be measured, recorded and evaluated by local water districts and IDWR and through assistance by partners. Irrigation entities will measure the amount of water delivered from the diversion structure to the conversion site; the Ground Water District will report the

amount of water pumped for that season and will report it to IDWR. IDWR will use data to make the determination regarding the amount of water used or saved.

Regional impacts will also be monitored and modeled. The IDWR, in cooperation with the US Geological Service ("USGS"), DEQ, Water Districts 01, 02, 36, 37, 130, Canal Companies and Irrigation Districts, Idaho Power Company, Spring Users, Shoshone Bannock Tribes, US Fish and Wildlife Service, and the Cities of Pocatello and Twin Falls have an extensive network of monitoring wells, stream gauging stations, and other devices that are capable of accurately measuring aquifer changes. A regional-scale model, known as the Eastern Snake Plain Aquifer Model ("ESPAM') allows for estimation of impacts between ground water use and surface water resources to support water management decisions. These modeling and monitoring tools will be used to evaluate the regional impacts and benefits of the projects. Science staff at partner organizations will assist NRCS and IDWR in evaluating impacts in ESPA tributary basins and on a regional basis.[1]

Consider Different Approaches:

This project will provide producers FA funds to convert ground water source to surface water sources in areas where ground water levels are declining, and to improve surface water management and delivery efficiencies in areas where surface water supplies are limited. This flexibility will allow for development of targeted solutions and will be a better use of taxpayer funds.

Potential Ranking Criteria:

Proposed projects must be located within project area. For conversion projects a higher priority will be given to projects with greater depths to ground water. Priority will be given to projects that will have a greater hydrologic benefit to the ESPA, its tributaries, and/or spring flows. Priority will be given to surface water delivery improvements that provide seasonal flexibility and reliability from tributary water sources and the ESPA. Projects with existing engineering plans and/or financial resources will also be given priority.

Estimate of Percentage of Eligible Producers/Landowners in the Area:

Approximately 11,000 farms on 2,000,000 acres.

Number of Producers Expected to Participate:

Approximately 250 producers and landowners are expected to participate. The goal is to assist producers and landowners with converting to surface water and/or improving surface water delivery for approximately 15,000 acres.

Provisions for Partner Outreach to Producers:

Staff at IWRB, the Idaho Soil and Water Conservation Commission ("ISWCC"), WRLT, TU, and local soil conservation districts will provide outreach through workshops and community meetings with producers. Partners will coordinate outreach with NRCS field officers.

Partners' History of Working with Landowners:

From 2009–2013, the IWRB staff worked with producers to convert approximately 12,842 acres from ground water to surface water supplies, resulting in ground water use reduction of about 19,240 ac-ft/yr. These achievements were made possible because of a partnership between the USDA-NRCS, the IWRB, and Idaho Ground Water Appropriators ("IGWA") that leveraged AWEP funds.[2] Partners also have a history of working with producers to implement other NRCS programs, such as EQIP, FRPP, and GRP. Partners provided outreach to producers through community meetings, individual site visits, and publications. Partners worked with NRCS field offices and producers to complete applications and

[1] Unless otherwise noted, these plans for assessing outcomes apply to all RCPP projects.
[2] Unless otherwise noted, this history of working with producers applies to all RCPP projects.

address issues. Throughout the project, partners communicated with NRCS and producers, assisted with documents, provided cost-share funding, and monitored the project's progress.

Barriers Expected in Working with Landowners:
No significant barriers in working with producers and landowners are anticipated.

Joint Applications by Producers:
A few joint application projects have been identified (*see Attachment 12*, Raft River/A&B pipelines). IWRB staff has experience handling joint applications according to NRCS policy.

How Partner Will Assist Producer in Applying for Project Funding:
Partners will work to identify potential projects. Partners will provide outreach and assist producers in the applications process by attending local meetings with conservation districts, irrigation districts, and groups of producers to explain the RCPP funding and application process. Partners will help producers obtain necessary documentation for the application and will work with NRCS staff to resolve application issues.

Assistance in Meeting or Avoiding Need for Regulatory Requirements:
Conversion from ground water to surface water will reduce ground water withdrawals from the ESPA and will help stabilize and maintain ground water levels, spring flows into the Snake River, and, consequently Snake River surface water flows. Improvements to the efficiency of surface water delivery systems will reduce demand on surface water and will alleviate water management and administration issues that arise between surface water and ground water in the ESPA. These efforts in combination will reduce the likelihood of administrative delivery calls on the ESPA, violation of minimum stream flows on the Snake River, violation of TMDLs, ESA conflicts.

Requested Adjustment of Terms:
Adjustment of terms and alternative funding arrangements are not requested.

Alternative Funding Arrangements:
No alternative funding arrangement is being proposed.

Activities Not Covered by NRCS:
No new activities are being proposed.

Project 2: End Gun Removal / Pivot Enhancements

General Project Description:
Facilitate the removal of pivot end guns by providing technical assistance and payments to producers to retire end guns and remaining land in the corner area of pivot. Producers would convert irrigated corners to dry land farming or rangeland use resulting in reduced demand on ground water supply of the ESPA. Implement pivot enhancements to optimize water delivery by incorporating innovative sprinkler nozzle technology and variable rate irrigation ("VRI") methods. Producers will be encouraged to implement a combination of practices that enhance soil health, wildlife habitat, and water quality.

Detailed Map: *See Attachment 15*

Location and Size of Project Area: *See Attachment 15*

Describe Major Land Use:
Major land use within this area is agricultural cropping consisting of alfalfa, barley, potatoes, wheat, corn, and sugar beets. There is also rangeland interspersed within the location.

Describe Why Area was Chosen:
This geographic area was chosen because it has experienced significant ground water level declines. These declines have created a high likelihood that producers in this area will be subject to regulatory action associated with administrative delivery calls on the ESPA. Reduced ground water demand and increased efficiencies in this area would have significant impacts on ground water levels.

Describe Areas Needing Treatment and Number of Acres:
Areas needing treatment are those experiencing significant ground water level declines and those that have significant surface water irrigation delivery inefficiencies. The goal is to assist producers on approximately 9,000 acres.

Cost Effectiveness of Proposed Approach:
A combination of in-kind services, cash contributions from partners and producers, and EQIP funds make this a cost-effective approach. Cost sharing will allow producers to implement projects that would otherwise be cost prohibitive. Projects converting from ground water to surface water will result in energy savings. Technical assistance will be provided at no cost by partners. And, in some cases, cost savings will result because research and design work has already been completed and producer will install systems themselves.

How Partners Will Collaborate: *See Attachment 16*

Project Timeline: *See Attachment 17*

Conservation Practices:
This project will utilize standard EQIP practices. These may include, but are not limited to: Cover Crop (340); Irrigation Water Management (449); Structure for Irrigation System (443); Upland Wildlife Habitat Management (645); Conservation Crop Rotation (328); Cover Crop (340); Conservation Cover (327).

General Sequence of Implementation:
Partners will assist NRCS with education and outreach. Projects will be solicited for initial sign-up. Partners and NRCS will evaluate and rank projects. Partners and NRCS will assist producer to create plans for proposed project. Additional project funds will be contributed by producers or partner fundraising. Project implementation will be followed by annual monitoring, evaluation, and quantification of results.

TA Efforts by Partners and TA Requests of NRCS:
IWRB: Identify potential producer participants, provide outreach and education, and provide overall project coordination. IGWA, The Nature Conservancy ("TNC"), TU, WRLT, and ISCC: Provide outreach and education. IDWR, TU, TNC, WRLT: Monitoring, evaluation, and quantification of results. NRCS: Outreach, monitoring and enforcement assistance.

Innovative Activities:
VRI is a water application system that adjusts to variations in soil, slope, and field aspect. The enhanced efficiency resulting from VRI has shown to bring measurable agronomic improvements. This VRI system varies from the typical cell-type VRI because it is based on pivot speed and pie shapes—requiring minimal hardware changes and reducing the price dramatically. This VRI in combination with the other

activities outlined in this strategy creates an innovative and cost effective way for producers to maximize water efficiency and farm sustainability.

Outcome-Based Performance Measures:

The outcome-based performance measures for this project are:

Reduction of Consumptive Ground Water Use: End gun removal and pivot enhancements will reduce demand for ground water.

Reduced Ground Water Pumping Costs: Reduction in ground water irrigated acres and more efficient application will result in energy savings.

Increased Efficiency in Irrigation Water Delivery: VRI will respond to fluctuations in water demand and will enhance water supply reliability.

Plans for Assessing Outcomes:

VRI systems come with integrated monitoring systems. Yield data will be collected before and after project implementation and analyzed using the Fieldprint Calculator. This will allow for validation and correlation of results and implementation of best management practices. These results can then be shared with other producers to incentivize adoption of more projects. Partner agronomists will help gather information through the season to minimize effort from the producers. *See also footnote 1.*

Consider Different Approaches:

This project will provide producers FA funds to remove end guns and install pivot enhancements in areas where ground water levels are declining. The combination of the two approaches will allow for development of targeted solutions and will be a better use of taxpayer funds.

Potential Ranking Criteria:

For VRI priority will be given to projects located in two priority areas noted on Attachment 15. For VRI and end gun removal priority will be given to projects that will have a greater hydrologic benefit to the ESPA.

Estimate of Percentage of Eligible Producers/Landowners in the Area: Approximately 11,000 farms on 2,000,000 acres.

Number of Producers Expected to Participate:

For end gun removal, we estimate 75 producers on will participate on 5,000 acres. For VRI, we estimate 60 producers will participate on 4,000 acres.

Provision for Partner Outreach to Producers:

AgSpring and Thresher Artisan Wheat Corp. will hire a part time sustainability agronomist to get producers enrolled and develop plans.

Partners' History of Working with Landowners:

TNC has worked extensively with ranchers and farmers in Idaho and has partnered successfully with NRCS in the past. MillerCoors has worked with landowners in the Wood River Valley to implement best management practices on over 6000 acres as a test case for larger sustainability efforts. AgSpring and Thresher Artisan Wheat are committed to working with their producers in Idaho to improve the viability and sustainability of their operations. *See also footnote 2.*

Barriers Expected in Working with Landowners: No significant barriers are anticipated.

Joint Applications by Producers: No joint applications are anticipated.

How Partner will Assist Producer in Applying for Project Funding:
Partners will work to identify potential projects. Partners will provide outreach and assist producers in the applications process by attending local meetings with conservation districts, irrigation districts, and groups of producers to explain the RCPP funding and application process. Partners will help producers obtain necessary documentation for the application and will work with NRCS staff to resolve application issues.

Assistance in Meeting or Avoiding Need for Regulatory Requirements:
End gun removal and VRI will reduce ground water withdrawals from the ESPA and will help stabilize and maintain ground water levels, spring flows into the Snake River, and, consequently Snake River surface water flows. These efforts in combination will also assist producers in avoiding administrative delivery calls on the ESPA, violation of minimum stream flows on the Snake River, violation of TMDLs, ESA conflicts.

Requested Adjustment of Terms: We are requesting that the End Gun program be adjusted to a 5 year term. Previously this program under AWEP ran as a 2 or 3 year program.

Alternative Funding Arrangements:
We request that the End Gun program be adjusted to a 5 year term with payments in years 1 through 4 with year 5 being the maintenance year. Our modeling efforts demonstrate that a longer period of time is required to achieve the desired aquifer response. We propose a payment of $250/acre/year be used for the area under the end gun and the remaining corner acres. Our polling of producers indicates the average cost to rent this ground is $405/acre/year and a minimum of $250/acre/year would be needed to incentivize them to utilize the proposed project.

Activities Not Covered by NRCS: No new activities are being proposed.

Project 3: Flood Irrigation Enhancements

General Project Description:
Partner with producers to retain and improve surface water flood irrigation systems in geographic areas that are susceptible to aquifer recharge and that will provide quality wildlife habitat. This will provide increased recharge to the ESPA and will create habitat for at-risk species such as white-faced ibis, Franklin's gull, avocet, long-billed curlew, black-necked stilt, and greater sage grouse. Improvement of infrastructure will also increase water-use efficiency resulting in greater stream flow and duration, and temperature amelioration for at-risk aquatic species such as Bull Trout and Wood River sculpin.

Detailed Map: *See Attachment 18*

Location and Size of Project Area: *See Attachment 18*

Describe Major Land Use:
Major land use within this area is row crop agriculture, primarily hay, barely, alfalfa, and grazing pasture. There is also rangeland interspersed with the region.

Describe Why Area was Chosen:
Locations were selected based on importance to waterfowl/waterbirds, historic flood irrigation cultural practices of landowners, and potential to positively affect aquifer recharge.

Describe Areas Needing Treatment and Number of Acres:
The project will focus on perennial small-grain crops, alfalfa and native pastures/wet meadows within the historic floodplain. The goal is to work to retain and/or improve a minimum of 16,000 acres.

Cost Effectiveness of Proposed Approach:
By providing cost-share funding, producers will be able to implement projects that would otherwise be cost-prohibitive. The cultural practice of flood-irrigation is a low-cost, relatively energy-free method of irrigating agricultural land. Funding for this project will remain consistent with the other projects within this proposal. NRCS funding will cover 65% of project costs based on the NRCS payment schedule. Remaining costs will be covered with contributions from the Idaho Department of Fish and Game ("IDFG"), irrigation districts, and landowners. Non-Governmental Organization (NGO) partners will donate in-kind technical assistance and will be responsible for all remaining costs.

How Partner Will Collaborate: *See Attachment 19*

Project Timeline: *See Attachment 20*

Conservation Practices:
This project will utilize standard EQIP practices. These may include, but are not limited to: Irrigation Water Management (449); Structure for Water Control (587); Irrigation Land Leveling (464); Above Ground Multi-Outlet Pipeline (431); Irrigation System (443); Diversion (362); Irrigation Canal (320); Irrigation Ditch Lining (428); Irrigation Field Ditch (388); Wetland Wildlife Habitat Management (644).

General Sequence of Implementation:
Projects will be solicited in the first year. Upon project approval it is anticipated it will take each producer about one to two years to go through the process of contracting, engineering, construction, and implementation. Monitoring will follow project implementation.

TA Efforts by Partners and TA Effort Requests to NRCS:
IDFG and Ducks Unlimited ("DU") will provide TA in the form of evaluating projects and enhancement recommendations. DU will also provide engineering assistance to producers and NRCS. *See also footnote 2.*

Innovative Activities:
Historically, the practice has been to encourage producers to convert from flood to sprinkler irrigation. While this practice saved water, it had a negative impact on wildlife that depend on wetland systems and did not consider aquifer recharge in historic floodplains. This project seeks to use long-standing EQIP practices in a new way to benefit fish and wildlife. Preservation of floor irrigation, in combination with the other projects proposed herein will create a multi-layered approach to conservation that is innovative.

Outcome-Based Performance Measures:
The outcome-based performance measures for this project are:

- Maintain Cultural Practices that Enhance Wildlife Habitat: Flood irrigation is a historic agricultural practice that provides critical habitat to important waterfowl and waterbird species and mimic and maintain floodplain ecosystem processes that provide critical community values and services. In turn, these species provide enhanced recreational and aesthetic opportunities within these rural communities.
- Reduce Consumptive Ground Water Use: Preservation of flood irrigation will reduce ground water use, will increase incidental recharge to the ESPA, and will promote streamflow recirculation.

Reduced Programmatic Costs and Ground Water Pumping Costs: Preservation of existing flood irrigation infrastructure will be more cost effective than converting to ground water center pivots. Producers will not have to incur new energy costs related to powering pumps and pivots.

Increased Stream Flows and Duration, Stream Temperature Amelioration: Improvement in flood irrigation infrastructure will increase water use efficiency resulting in increased stream flows for longer durations. Increased distribution of flood-irrigated water across the floodplain will increase ground water recirculation for stream systems contributing to stream temperature amelioration.

Plans for Assessing Outcomes:

IDWR, USGS, Idaho State Department of Agriculture ("ISDA"), and DEQ have collaborated to develop long-term data collections stations that monitor ground water and stream flows in the project area. The influence of enhanced flood-irrigation on landscape hydrology will be detected by these stations and subsequently analyzed and reported. Baseline data assessment and monitoring of migratory bird use across the project area has already been collected by IDFG and Idaho Bird Conservation Partnership (10+ agencies and NGOs). New data will be collected after projects are completed and will allow for comparison of multi-year waterbird use in project area. *See also footnote 1.*

Consider Different Approaches:

This approach provides significant benefits over an as-is scenario. This project will focus on lands that were historically floodplain/wet meadow landscapes. Therefore, it is already known that these areas are capable of supporting functional waterbird/waterfowl habitats. Refurbishment of flood irrigation infrastructure will improve operating efficiency, providing operators with incentives to maintain their flood irrigation practices. This approach is also cost effective because it alleviates the costs associated with conversion from flood irrigation to center pivot sprinkler irrigation.

Potential Ranking Criteria:

IDFG and partners have completed a two-year assessment of agricultural lands identifying those that are a priority for waterbird use. This priority information will be used to rank projects. Lands showing documented use by at-risk waterbirds, lands close to nesting colonies, and lands in historic floodplains will be given priority. Secondary priority will be given to lands with soils favorable for allowing surface water to percolate into the aquifer and those with early-season water rights.

Estimate of Percentage of Eligible Producers/Landowners in the Area: Approximately 1,400 farms on 345,000 acres.

Number of Producers Expected to Participate: Approximately 80 producers on 16,000 acres.

Provision for Partner Outreach to Producers:

IDFG and partners have invested in maintaining flood irrigation practices for several years. During this time, IDFG and partners have established relationships with landowners and have implemented several successful projects already. Momentum for and interest in these projects has increased. The RCPP grant will allow IDFG and partners to continue with and build upon the success of these previous projects.

Partners' History of Working with Landowners:

Partners have a long standing history of working with landowners. IDFG has shared biologists within NRCS field offices for over 10 years. NGO partners also have staff dedicated to the ESPA and whose primary responsibility is working to implement conservation activities with private landowners.

Barriers Expected in Working with Landowners:
We are not anticipating any significant barriers in working with landowners. All partners have extensive experience implementing private lands projects and the objectives of this project are mutually beneficial to agriculture, fish and wildlife habitat, and aquifer recharge.

Joint Applications by Producers: We are not expecting many joint applications by producers.

How Partner Will Assist Producer in Applying for Project Funding:
IDFG have several Farm Bill biologists located within the project area. This staff is located within NRCS field offices. Staff and Partners will provide outreach in the form of site visits, landowner workshops and outreach materials. Staff will also be available when producers come into NRCS field office to assist them in completing their applications.

Assistance in Meeting or Avoiding Need for Regulatory Requirements:
Continuing flood irrigation practices will improve aquifer recharge and will help stabilize aquifer levels alleviating water management and administration issues on the ESPA and will provide important habitat for migratory birds. These efforts will help avoid future water delivery calls, involuntary water use curtailment, violation of minimum stream flows on the Snake River, violation of TMDLs, and ESA conflicts.

Requested Adjustment of Terms: No adjustment of terms is requested.

Alternative Funding Arrangements: No alternative funding arrangement is being proposed.

Activities Not Covered by NRCS: No new activities are being proposed.

Project 4: Storage and Pump Back Systems

General Project Description:
Pay producers to reuse surface water irrigation return flows through reapplication to fields. Reuse of irrigation return flows reduces surface water demand, increases the quantity of water available for junior water users, and reduces return flow to the river, which carries sediment and other pollutants. Re-regulating ponds will also create artificial wetlands for waterfowl along the river system.

Detailed Map: *See Attachment 21*

Location and Size of Project Area: *See Attachment 21*

Describe Major Land Use:
Major land use within this area is agricultural cropping consisting of alfalfa, barley, potatoes, wheat, corn, and sugar beets. There is also rangeland interspersed within the location.

Describe Why Area was Chosen:
The area was chosen because reuse of irrigation return flows in this location would reduce surface water diversions and create additional water availability for junior water users.

Describe Areas Needing Treatment and Number of Acres: 10,000 ac-ft of water could be saved and reused on 3,500 acres.

Cost Effectiveness of Proposed Approach:
The proposed approach is cost effective because it will allow reuse of water where the cost for leasing water ranges in price from $17–$15/acre foot. Using pump back water, rather than leasing water could save irrigation users from $170,000–$250,000 per year on a permanent basis. Amortized over ten years it is expected the projects will cost less than the price of leasing water, making the projects cost effective.

How Partners Will Collaborate: *See Attachment 22*

Project Timeline: *See Attachment 23*

Conservation Practices:
This project will utilize standard EQIP practices. There may include, but are not limited to: Irrigation Reservoir (436); Irrigation Tailwater Recovery (447); Structure for Water Control (587); Diversion (362); Irrigation Canal (320); Pumping Plant (533); Wetland Wildlife Habitat Management (644); Irrigation Water Conveyance Pipeline (430DD).

General Sequence of Implementation:
Projects will be solicited within the first year. Approved projects will take one to two years to implement. Monitoring of outcomes will follow project implementation.

TA Efforts by Partners and TA Effort Requests to NRCS:
Partners will provide TA to producers to help obtain easements and rights of way from irrigation/canal companies for construction of reregulating ponds. Partners will also provide TA for engineering design and other documents associated with maintenance and operation agreements with the irrigation/canal entity.

Innovative Activities:
By providing cost-share funding, producers will be able to implement projects that would otherwise be cost prohibitive. Irrigation return flows are not regulated under the Clean Water Act. Irrigation waters reapplied to agricultural land will reduce return flows to navigable waters subject to TMDLs.

Outcome-Based Performance Measures:
Local impacts and outcomes will be measured, recorded and evaluated by local water districts and IDWR. The ground water districts will measure and monitor conservation practices and water on the ESPA. Monitoring and evaluation will be conducted by irrigation entities, IDWR, and Ground Water Districts whose water use measurements will show the success of the program.

Plans for Assessing Outcomes:
IDWR and DEQ have water quality monitoring stations on the Snake River that will be used to assess water quality improvements IGWA and irrigation entities will monitor water quantity and return flows before and after project implementation. *See also footnote 1.*

Consider Different Approaches:
A different approach could be to provide settling ponds at the end of the irrigation drain, but it does not save water or provide a buffer against administrative curtailment.

Potential Ranking Criteria: Priority would be given to river segments with listed TMDLs.

Estimate of Percentage of Eligible Producers/Landowners in the Area: Approximately 3,500 farms on 961,000 acres.

Number of Producers Expected to Participate: Approximately 150 producers on approximately 3,500 acres.

Provisions for Partner Outreach to Producers: IGWA outreach to individual irrigation entities to encourage their participation.

Partners' History of Working with Landowners:
Partners have a long standing history of working with landowners. IGWA has a record of working with NRCS field offices for over 7 years and putting together workshops and information meetings with producers to inform private landowners and producers of Agricultural Water Enhancement Programs ("AWEP") and other water conservation programs.

Barriers Expected in Working with Landowners:
We are not anticipating any significant barriers in working with landowners. All partners have extensive experience implementing private lands projects and the objectives of this project are mutually beneficial for both agriculture and the partners.

Joint Applications by Producers:
Because these projects must be organized through canal/irrigation entities it is anticipated that most applications will be joint applications by producers. Partners have experience handling joint applications according to NRCS policy.

How Partner Will Assist Producer in Applying for Project Funding:
Partners will assist producers by organizing local meetings with conservation districts, irrigation districts, and groups of producers to explain the RCPP funding and application process. Partners will help producers obtain necessary documentation for the application and will work with NRCS staff to resolve application issues.

Assistance in Meeting or Avoiding Need for Regulatory Requirements:
Reuse of irrigation return flows reduces surface water demand, increases the quantity of water available for junior water users, and reduces return flow to the river, which carries sediment and other pollutants. Re-regulating ponds will also create artificial wetlands for waterfowl along the river system. These efforts, in combination with the other projects listed herein, will help avoid future water delivery calls, violation of minimum stream flows on the Snake River, violation of TMDLs, and ESA conflicts.

Requested Adjustment of Terms: No adjustment of terms is requested.

Alternative Funding Arrangements: No alternative funding is being proposed.

Activities Not Covered by NRCS: No new activities are being proposed.

Project 5: Fallowing and Conversion to Dry Land Farming

General Project Description:
Pay producers to implement a two to three year program of rotational crop fallowing over a four year period with participants planting cover crops on fallowed fields. This will reduce demand for ground water and improve soil quality by adding organic matter back into the soil. During years of fallow, cover crops will provide increased habitat for at-risk species such as Franklin's gull, sandhill crane, long-billed curlew, and greater sage grouse.

Detailed Map: *See Attachment 24*

Location and Size of Project Area: *See Attachment 24*

Describe Major Land Use:
Major land use within this area is agricultural cropping consisting of alfalfa, barley, potatoes, wheat, corn, and sugar beets. There is also rangeland interspersed within the location.

Describe Why Area was Chosen:
This geographic area was chosen because it has experienced significant ground water level declines. These declines have created a high likelihood that producers in this area will be subject to regulatory action associated with administrative delivery calls on the ESPA. Reduced ground water demand and increased efficiencies in this area would have significant impacts on ground water levels. Locations were selected based on importance to waterfowl/upland game, cultural practices of landowners, and the need to reduce ground water withdrawals.

Outline/Describe Areas Needing Treatment and Number of Acres: The goal is to enroll a minimum of 5,000 acres of crop land.

Cost Effectiveness of Proposed Approach:
By providing funding, producers will be able to implement projects that would otherwise be cost prohibitive because of fixed overhead costs such as: local & state taxes and water fees which are required on a yearly basis. If water savings are not realized then the alternative is administrative curtailment of the junior water right holders.

How Partners Will Collaborate: *See Attachment 25*

Project Timeline: *See Attachment 26*

Conservation Practices:
This project will utilize standard EQIP practices. These may include, but are not limited to: Conservation Cover (327); Conservation Crop Rotation (328); Cover Crop (340); Critical Area Planting (342); Fence (382); Prescribed Grazing (528); Upland Wildlife Habitat Management (645); Critical Area Planting (342); Residue and Tillage Management (329).

General Sequence of Implementation:
In Year 1, a row crop would be raised and harvested. The green manure or cover crop would be planted in the fall. In Year 2, irrigation of the cover crop would be allowed until May 1st. Then the cover crop would be plowed under in the fall. In Year 3 a row crop would be raised and harvested, and the protocols listed above would be repeated. Payments would only apply in fallow years.

TA Efforts by Partners and TA Effort Requests to NRCS:
IWRB: Provide project coordination, outreach and monitoring. WRLT, TNC: Provide project coordination, producer TA and FA, outreach, monitoring. TU, TNC: Provide project coordination, assist in identifying lands, producer TA and FA, outreach, monitoring. University of Idaho Extension, Soil Conservation Districts, and NRCS have technical information to help producers in planting green manures and cover crops

Innovative Activities:
A fallowing program specifically focused on ESPA stabilization while providing upland habitat has not been previously implemented. Use of partner resources to provide outreach and implementation is also

new. While this project will utilize long-standing EQIP practices, the focus of targeting at-risk species habitat, upland game, and reduced aquifer withdrawals is new and could become a common practice for the entire ESPA.

Outcome-Based Performance Measures:

The performance of this project will be based on its impacts on the three following outcomes:

Cost-Effective Fallowing: Reduce ground water use while ensuring producers remain financially stable.

Reduce Consumptive Ground Water Use: Reduce ground water withdrawals by 15,000 ac-ft from the ESPA. Improve foraging habitat for wildlife such as water birds and upland game birds.

Reduced Programmatic Costs and Ground Water Pumping Costs: Producers will see reduced electrical and pumping costs during fallow years. Fund provide to producers would pay overheard expenses, local taxes, and water fees. Reduced water use during fallow years. Maintain agricultural status during production years to keep lands on local tax role and maintain validity of water right.

Plans for Assessing Outcomes:

IDWR, USGS, ISDA, DEQ will monitor ground water and stream flows. Analyze influence of fallowing on area's hydrology and ground water supply. *See also Footnote 1.*

Consider Different Approaches:

Groundwater shortages within the ESPA boundary and tributaries are a resource concern for the entire state of Idaho. There have been efforts to stabilize the ESPA aquifer through long-standing EQIP practices and other means which has worked in some areas but not in areas where there are major shortages. By providing funding, producers will be able to implement projects that would otherwise be cost prohibitive.

Potential Ranking Criteria:

Priority will be given to areas identified by IDWR and its partners as having unstable aquifer levels. Priority will be given to applications where unstable aquifer levels are documented and upland game birds and sage grouse populations are documented and could be affected.

Estimate of Percentage of Eligible Producers/Landowners in the Area: Approximately 4,100 farms on 836,000 acres.

Number of Producers Expected to Participate: Approximately 75 producers on 5,000 acres.

How partner will provide for outreach to producers:

Staff at IWRB, WRLT, and TU will provide outreach through workshops and community meetings with producers. Partners will coordinate outreach with NRCS field officers during initial sign-up.

Partners' History Working with Landowners:

Between 2007 and 2014, partners assisted NRCS to conserve over 70,000 acres of land in the Pioneer Mountains—Craters of the Moon landscape through easements funded through the Sage-Grouse Initiative. Partners assisted producers with documents, provided cost-share funding, and monitored the project's progress. Implementation of these conservation strategies had measurable impacts on sage-grouse habitat throughout the landscape.

Barriers Expected in Working with Landowners: No significant barriers are anticipated.

Joint Applications by Producers: Joint applications are not anticipated.

How Partner will Assist Producers in Applying:
Partners will provide outreach and assist producers by organizing local meetings with conservation districts, irrigation districts, and groups of producers to explain the RCPP funding and application process. Partners will help producers obtain necessary documentation for the application and will work with NRCS staff to resolve application issues.

How project assists producer in meeting or avoiding need for regulatory requirements:
This strategy will improve habitat for at-risk wildlife species and will assist in avoiding the need for listing under the ESA. In addition, it will help avoid water delivery calls, violation of minimum stream flows on the Snake River, and associated regulatory programs. *See footnote 2.*

Requested Adjustment of Terms: The fallowing payment of $250/acre would only apply to the year of the fallow crop and not the years in which rotation crops are raised.

Alternative Funding Arrangements: The fallowing payment of $250/acre would only apply to the year of the fallow crop and not the years in which rotation crops are raised.

Activities Not Covered by NRCS: No new activities are being proposed

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Project 6: Thousand Springs Conservation Program

General Project Description:
Reduce spring water users' incidental water losses by replacing leaky canals and diversion structures and converting users to pressurized sprinkler systems to improve water deliveries. Captured ditch losses will partially replace water lost due to increased pumping and historical changes in irrigation on the ESPA and will provide spring users with an alternate water supply to supplement their declining spring water supplies.

Detailed Map: *See Attachment 27*

Location and Size of Project Area: *See Attachment 27.* The project area extends from the Kimberly area east of Twin Falls, below-the-rim along the Snake River to King Hill, close to Glenns Ferry.

Describe Major Land Use: There are approximately 6,000 acres of cropland and over 60 aquaculture facilities.

Describe Why Area was Chosen:
Spring water users in the Thousand Springs reach are "at the end of the ditch." Because they intercept spring flows immediately before they return to the Snake River, these spring users are most affected by depletive actions on the ESPA. This program will provide interim relief to spring users giving other actions seeking to stabilize the ESPA time to take effect.

Outline/Describe Areas Needing Treatment and Number of Acres: This project targets up to 5 ditch companies that irrigate approximately 2,500 acres.

Cost Effectiveness of Proposed Approach:
These are emergency efforts that will allow spring water users to remain in business while they await stabilization of the spring flows. By providing cost-share funding, producers will be able to implement

structural improvements that would otherwise be cost prohibitive. Producers are willing to assist with project design and implementation to reduce overall cost.

How Partner Will Collaborate: *See Attachment 28*

Project Timeline: *See Attachment 29*

Conservation Practices:
This project will utilize standard EQIP practices. These may include, but are not limited to: Irrigation Ditch Lining (428); Irrigation Pipeline (430); Irrigation Reservoir (436); Irrigation System, Sprinkler (442); Irrigation Water Management (449); Structure for Water Control (587); Irrigation Land Leveling (464); Lined Waterway or Outlet (468); Pumping Plant (533); Above Ground Multi-Outlet Pipeline (431); Diversion (362); Irrigation Canal (320); spring development (574); access road (560).

General Sequence of Implementation:
Partners will assist NRCS with education and outreach. Projects will be solicited for initial sign-up. Partners and NRCS will evaluate and rank projects. Partners and NRCS will assist producer to create plans for proposed project. Additional project funds will be contributed by producers or partner fundraising. Project implementation will be followed by annual monitoring, evaluation, and quantification of results.

TA Efforts by Partners and TA Effort Requests to NRCS:
IWRB: Provide project coordination, outreach and monitoring. Thousand Springs Water Users Association ("TSWUA"): provide outreach and education, provide TA and assist with reporting.

Innovative Activities:
Lining and piping open ditches is generally frowned upon because it reduces incidental recharge to the ESPA. Because spring water users in this project area are the last ones to use the water before it enters the Snake River the negative effects of incidental loss to the local aquifer will be negligible. Losses to users who divert from the Snake River downstream of this reach will be offset by separate actions both within and outside this proposal to increase recharge to the ESPA upstream of the Thousand Springs.

Outcome-Based Performance Measures:
The outcome-based performance measures for this project are:

Increased Water Supply Reliability: Producers will have a more reliable water supply due to replacement of unlined canals and headgates improvements.

Increased Efficiency in Irrigation Water Delivery: Reduced incidental loss in the delivery of spring water.

Plans for Assessing Outcomes:
Quantification of spring water savings will be measured at diversion structures by water users and reported annually to the Water Master of the Water District. *See also footnote 1.*

Consider Different Approaches:
This approach is favorable over an as-is scenario. Impacts of ground water pumping can take a long time to become evident in spring water flows. It is paramount that immediate actions be taken to sustain family farms and businesses while they await larger restoration actions, such as large-scale managed recharge and conversions, to increase water at the springs. The actions proposed in this project are preferable to the widespread ground water curtailment that is currently being used to address the problem.

Potential Ranking Criteria:
Priority will be given to a spring water source or a surface water replacement for spring water. Groups of users on common source will be prioritized over individual users. Systems that can divert recovered water to a down gradient system will be prioritized.

Estimate of Percentage of Eligible Producers/Landowners in the Area: Approximately 230 producers on 2,500 acres.

Number of Producers Expected to Participate:
Although as many as 230 shareholder/producer landholders own property along the 5 targeted irrigation ditches, only 5–20 producers would be needed to sign up.

Partner Outreach to Producers:
TSWUA will send a representative to meet with the Board of Directors of the ditch companies to explain the program and assist with project planning, and will mail information material or meet with individual producers as requested by the Boards.

Partners' History Working with Landowners:
Partners have a long standing history of working with landowners. TWWUA, IWRB and Water District personnel assisted producers with applications, planning and implementation for IWRB AWEP program.

Barriers Expected in Working with Landowners: No significant barriers are anticipated.

Joint Applications by Producers:
We anticipate multiple producers along the ditch will apply jointly so the benefits of the project will be available to and the financial obligation will be borne by all users along the ditch.

How Partner will Assist Producers in Applying:
TSWUA will provide outreach and assist producers in the applications process by attending local meetings with conservation districts, irrigation districts, and groups of producers to explain the RCPP funding and application process. TSWUA will help producers obtain necessary documentation for the application and will work with NRCS staff to resolve application issues.

How project assists producer in meeting or avoiding need for regulatory requirements:
These actions are intended to delay or eliminate the need for administrative water calls on the ESPA.

Requested Adjustment of Terms: Adjustment of terms is not requested

Alternative Funding Arrangements: No alternative funding arrangement is being proposed

Activities Not Covered by NRCS: No new activities are being proposed.

Attachments include the following:

Attachment #1: Collaborating Partners/Descriptions Table and Letters of Funding Support
Attachment #2: General Map of IWRB Proposed RCPP Project Area
Attachment #3: Federal Form SF-424
Attachment #4: Federal Form SF424A Budget Information for Non-Construction Programs
Attachment #5: Federal Form SF424B Assurances for Non-Construction Programs
Attachment #6: Federal Form AD-1052
Attachment #7: Federal Form AD-1047
Attachment #8: IWRB RCPP Budget Table
Attachment #9: Letter of Support from NRCS State Conservationist (STC)
Attachment #10: Cumulative Volume Change of Water Stored within ESPA Aquifer and Thousand Springs Discharge
Attachment #11: Snake River Flows Near Murphy Gage (just below Swan Falls Dam) highlighting periods where flows are approaching minimum levels
Attachment #12: Project Area Map for Ground Water to Surface Water Conversions and Surface Water Delivery Improvements
Attachment #13: Partner Collaboration Table for Ground Water to Surface Water Conversions and Surface Water Delivery Improvements
Attachment #14: Project Timeline for Ground Water to Surface Water Conversions and Surface Water Delivery Improvements
Attachment #15: Project Area Map for End Gun Removal and Pivot Enhancements
Attachment #16: Partner Collaboration Table for End Gun Removal and Pivot Enhancements
Attachment #17: Project Timeline for End Gun Removal and Pivot Enhancements
Attachment #18: Project Area Map for Flood Irrigation Enhancement
Attachment #19: Partner Collaboration Table for Flood Irrigation Enhancement
Attachment #20: Project Timeline for Flood Irrigation Enhancement
Attachment #21: Project Area Map for Storage and Pumpback Systems
Attachment #22: Partner Collaboration Table for Storage and Pumpback Systems
Attachment #23: Project Timeline for Storage and Pumpback Systems
Attachment #24: Project Area Map for Fallowing and Conversion to Dryland Farming
Attachment #25: Partner Collaboration Table for Fallowing and Conversion to Dryland Farming
Attachment #26: Project Timeline for Fallowing and Conversion to Dryland Farming
Attachment #27: Project Area Map for Thousand Springs Conservation Program
Attachment #28: Partner Collaboration Table for Thousand Springs Conservation Program
Attachment #29: Project Timeline for Thousand Springs Conservation Program

Attachment #1:

Collaborating Partners/Descriptions Table and Letters of Funding Support

Partner Collaboration/Contribution/Contact Information

Collaboration Descriptions (Please Answer for Each Category (Yes/No))							
Partner Organization Name	**Partner Type**	**Project Coordination**	**Producer Technical Assistance**	**Lead Outreach & Education**	**Conduct Monitoring**	**Funding for Conservation**	**Funding for Administrative Costs**
Idaho Water Resource Board	SG	Yes	No	Yes	Yes	No	No
Idaho Dept. of Water Resources	SG	Yes	No	No	Yes	No	No
Trout Unlimited	NP	Yes	Yes	Yes	Yes	No	No
Wood River Land Trust	NP	Yes	Yes	Yes	Yes	Yes	No
The Nature Conservancy	NP	Yes	Yes	Yes	Yes	Yes	No
Ag Spring	FP	Yes	Yes	Yes	No	Yes	No
Center for Management of Professional and Scientific Work	FP	Yes	Yes	Yes	No	Yes	No
Idaho Dept. Fish and Game	SG	Yes	Yes	Yes	Yes	Yes	No
Idaho Groundwater Users Assoc.	NP	Yes	No	Yes	Yes	No	No
Ducks Unlimited	NP	Yes	Yes	Yes	No	No	No
Thousand Springs Water User Assoc.	NP	Yes	Yes	Yes	No	No	No

Partner Organization Name	**Other**	**Total FA Contributed**	**Total TA Contributed**	**Admin Cost**
Idaho Water Resource Board	$25,000,000*	$0	$0	$0
Idaho Dept. of Water Resources	$0	$0	$3,500,000	$0
Trout Unlimited	$0	$37,500	$37,500	$0
Wood River Land Trust	$0	$0	$50,000	$0
The Nature Conservancy	$0	$50,000	$50,000	$0
Ag Spring	$0	$0	$100,000	$0
Center for Management of Professional and Scientific Work	$0	$0	$21,000	$0
Idaho Dept. Fish and Game	$0	$0	$75,000	$0
Idaho Groundwater Users Assoc.	$3,750,000**	$170,000	$0	$0
Ducks Unlimited	$0	$0	$15,000	$0
Thousand Springs Water User Assoc.	$0	$0	$15,000	$0
Total		**$257,500.00**	**$3,863,500.00**	**$0.00**

Partner Organization Name	**Partner Contact First Name**	**Parnter Contact Last Name**	**Email**	**Phone Number**	**Street Address**	**City**	**State**	**Zip Code**
Idaho Water Resource Board	Neeley	Miller	neeley.miller@idwr.idaho.gov	208-287-4831	322 East Font Street PO BOX 83720	Boise	ID	83721-0098
Idaho Dept. of Water Resources	Neeley	Miller	neeley.miller@idwr.idaho.gov	208-287-4831	322 East Font Street PO BOX 83720	Boise	ID	83721-0098
Trout Unlimited	Mark	Davidson	Mdavidson@tu.org	208-345-9800	300 North Main Street	Hailey	ID	83333
Wood River Land Trust	Keri	York	kyork@woodriverlandtrust.org	208-788-3947	119 E. Bullion Street	Hailey	ID	83333
The Nature Conservancy	Dayna	Gross	dayna_gross@tnc.org	208-788-7910	950 W Bannock Street	Boise	ID	83702
Ag Spring	Dayna	Gross	dayna_gross@tnc.org	208-788-7910	950 W Bannock Street	Boise	ID	83702
Center for Management of Professional and Scientific Work	Dayna	Gross	dayna_gross@tnc.org	208-788-7910	950 W Bannock Street	Boise	ID	83702
Idaho Dept. Fish and Game	Sal	Palazzolo	sal.palazzolo@idfg.idaho.gov	208-287-2752	600 South Walnut PO BOX 25	Boise	ID	83707
Idaho Groundwater Users Assoc.	Lynn	Tominaga	lynn_tominaga@hotmail.com	208-381-0294	PO BOX 2624	Boise	ID	83701-2624
Ducks Unlimited	Chris	Cholson	ccolson@ducks.org	208-344-6002	3074 Gold Canal Drive	Rancho Cordova	CA	95670
Thousand Springs Water User Assoc.	Linda	Lemmon	lsrard@northrim.net	208-837-4808	PO BOX 178	Hagerman	ID	83332

*Funding for ESPA Aquifer Stablization: $5 million annually from House Bill 547 for Aquifer Stabilization Projects

**IGWA annual cost to purchase water for pre-existing ground water to surface water conversions

Mike Crapo
United States Senator
239 Dirksen Senate Office Bldg.
Washington, D.C. 20510

James E. Risch
United States Senator
483 Russell Senate Office Building
Washington, D.C. 20510

IDAHO CONGRESSIONAL DELEGATION

Mike Simpson
Member of Congress
2312 Rayburn House Office Bldg.
Washington, D.C. 20515

September 29, 2014

Jason Weller, Chief
USDA, NRCS Office of the Chief
1400 Independence Ave. SW, Room 5105-A
Washington, DC 20250

Dear Mr. Weller:

We write to share our support for the Idaho Water Resource Board's (IWRB) application for funding under the Regional Conservation Partnership Program (RCPP). The IWRB's application seeks funding for stabilization of the Eastern Snake Plain Aquifer (ESPA), which has experienced significant water level declines over the past decade. Maintaining and stabilizing the aquifer is essential because the ESPA is a vital resource for the State of Idaho. It provides water for Idaho's agriculture producers, community drinking water systems, industrial users, fish and wildlife--including several endangered species--and for the maintenance of legally recognized minimum stream flows.

The State of Idaho has prioritized stabilization of the ESPA ground water levels. In 2009, the State Legislature adopted the ESPA Comprehensive Management Plan and recently allocated additional financial resources to assist the state in recharging the ESPA. The IWRB has also leveraged Agricultural Water Enhancement Program funds in the past and has successfully implemented many water conservation measures. Aquifer stabilization efforts have been conducted cooperatively by a broad coalition of local stakeholders and the RCPP funding sought by the IWRB would enable continued progress in this effort.

Ground water in the ESPA is essential to the economy, wildlife, industry, and people of Idaho. As such, we urge you to give this proposal all due consideration.

Sincerely,

Mike Crapo
United States Senator

Jim Risch
United States Senator

Mike Simpson
Member of Congress

cc: Jeff Burwell, Idaho State Conservationist, USDA NRCS

IDAHO WATER RESOURCE BOARD

September 29, 2014

Jeffrey Burwell, STC
Natural Resources Conservation Service
9173 West Barnes Drive, Suite C
Boise, Idaho 83709
Phone:208/378-5700
Fax: 208/378-5735

RE: IWRB Eastern Snake Plain Aquifer Stabilization RCPP Proposal

Dear Mr. Burwell:

On behalf of the Idaho Water Resource Board (Board) I would like to thank you for the opportunity to submit this Regional Conservation Partnership Program (RCPP) proposal. The projects outlined within the Board's RCPP proposal are specifically designed to support the State of Idaho's on-going efforts at stabilization of the Eastern Snake Plan Aquifer (ESPA).

The ESPA is the essential natural resource at the heart of the Idaho Economy, producing approximately 33 percent of all goods and services within the State of Idaho in 2012 resulting in an estimated value of $14.9 billion annually (previously estimated in 2009 at $10 billion comprising 21 percent of the state total). From 1912 to 1952, 17 million acre-feet of water was added to storage in the ESPA, primarily through incidental recharge from the flood irrigation of hundreds of thousands of acres of agricultural land and the conveyance of large diversions of water for irrigation use through unlined canal systems. Increased aquifer levels resulted in larger spring discharges into the Snake River. However, since 1952, the aquifer has been in a continual state of decline, losing on average approximately two hundred thousand acre-feet a year from aquifer storage. There are a number of causes for this decline including climatic changes, the ever increasing efficiency of surface water-supplied irrigation practices and conveyance systems, and consumptive use by ground water diversions. Because aquifer levels are directly related to the spring flows through the Thousand Springs, declines in aquifer levels have resulted in decreased spring discharges and lower Snake River flows below Milner Dam. Because the majority of Snake River flows are diverted for irrigation or held in reservoirs upstream of Milner Dam, spring flows from the ESPA through the Thousand Springs are relied upon in meet minimum flow obligations at the Murphy Gage established under the Swan Falls Agreement between the State of Idaho and the Idaho Power Company.

The decline of the ESPA has had a multifaceted impact on the economy of

southern Idaho. Decreases in water supply directly affect agricultural and aquaculture productivity and generation of hydropower, of which Idaho is reliant upon to meet 50% of its power needs. Indirectly, decreased water supplies have led to a host of large scale regional delivery calls that have resulted in millions of dollars spent on more than a decade's worth of litigation between water user interests. There appears to be no immediate end in sight to the litigation. Because of these reasons, the stabilization of the ESPA water levels and spring discharges is essential in avoiding additional wide spread economic hardship.

In 2009, the Idaho Legislature adopted the ESPA Comprehensive Management Plan ("CAMP"). The goal of the CAMP is to sustain the economic, social, and environmental health of the ESPA by adaptively managing a balance between water use and supplies to stabilize the ESPA water levels. The CAMP established strategies for stabilization and recovery of the ESPA including managed aquifer recharge, ground water-to-surface water conversion projects, water demand reductions, and weather modification. Phase 1 of CAMP (200,000–300,000 acre feet water budget change) is designed to stabilize aquifer storage and correlated spring flows. Phase 2 of the CAMP (600,000 acre feet water budget change) is designed to recover some additional aquifer storage and correlated spring flows.

From 2009–2013 approximately 12,842 acres were converted from ground water to surface water supplies. These projects resulted in a combined ground water use reduction of about 19,240 ac-ft/yr. These achievements were made possible because of a partnership between the USDA-NRCS, the Board, and Idaho water users that leveraged Agricultural Water Enhancement Program ("AWEP") funds.

In 2014 the Idaho Legislature directed $5 million annually to the IWRB for aquifer stabilization. The priority for aquifer stabilization funds is to develop sites and infrastructure for recharge on the ESPA. The RCPP will assist the State of Idaho in implementing the ESPA CAMP for the purpose of stabilizing the EPSA by pursuing conservation strategies such as groundwater to surface water conversions and demand reduction, and other actions that support the CAMP effort.

Should you have any questions about this proposal please feel free to contact me at (208) 287-4837. Thank you for your consideration.

Sincerely,

Brian Patton, P.E.
Executive Officer,
Idaho Water Resource Board

State of Idaho
DEPARTMENT OF WATER RESOURCES
322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098
Phone: (208) 287-4800 • Fax: (208) 287-6700 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

September 19, 2014

Jeffrey Burwell, STC
Natural Resources Conservation Service
9173 West Barnes Drive, Suite C
Boise, Idaho 83709
Phone:208/378-5700
Fax: 208/378-5735

RE: IWRB Eastern Snake Plain Aquifer Stabilization RCPP Application

Dear Mr. Burwell,

On behalf of the Idaho Department of Water Resource (Department) and the Idaho Water Resource Board (Board) I would like to thank you for the opportunity to work with you on the Regional Conservation Partnership Program (RCPP). Please be aware that the projects outlined within the Board's RCPP application are specifically designed to support the State of Idaho's on-going efforts at stabilization of the Eastern Snake Plan Aquifer (ESPA).

As you may be aware, the ESPA is the largest aquifer in the contiguous United States west of the Continental Divide. It has a current volume of approximately seven million acre-feet and is comparable in size to Lake Erie. The ESPA is the essential natural resource at the heart of the Idaho Economy, producing approximately 21 percent of all goods and services within the State of Idaho resulting in an estimated value of $10 Billion annually. From 1912 to 1952, 17 million acre-feet of water was added in storage to the ESPA primarily through incidental recharge from the flood irrigation of hundreds of thousands of acres of agricultural land and the conveyance of large diversions of water for irrigation use through unlined canal systems. Increased aquifer levels resulted in larger spring discharges into the Snake River. However, since 1952, the aquifer has been in a continual state of decline losing on average approximately two hundred thousand acre-feet a year of storage. There are a number of causes for this decline including climatic changes, an ever increasing efficiency in irrigation practices and conveyance systems, and consumptive use by ground water diversions. Declines in aquifer levels have resulted in decreased spring discharges and lower Snake River flows below Milner Dam.

The decline of the ESPA has had a multifaceted impact on the economy of southern Idaho. Decreases in water supply directly affect agricultural and aquaculture productivity, and generation of hydropower, of which Idaho is reliant upon to meet 50% of its power needs. Indirectly, decreased water supplies have lead to a host of large scale regional delivery calls that have resulted in millions of dollars spent on more than a decade's worth of litigation between water user interests. There appears to be no immediate end in sight to the litigation. Because of these reasons, the stabilization of the ESPA water levels and spring discharges is essential in avoiding additional wide spread economic hardship.

The Department, in cooperation with a number of partners, including the Shoshone Bannock Tribes, the United States Geological Survey, the United States Fish and Wildlife Service, the City of Twin Falls, the City of Pocatello, the Idaho Department of Environmental Quality, Water Districts 01, 02, 36, 37, 130, a host of irrigation entities responsible for delivering water to more than two million acres of farm land, and a myriad of aquaculture facilities, has developed and maintained an extensive network of ground water monitoring wells, stream gauging stations, spring discharge measurement sites, and return flow measurement sites. This large array of measurement sites enables the Department to accurately measure water use and changes in the ESPA water budget. In addition, the Department has developed a regional-scale numerical ground water model, known as the Eastern Snake Plain Aquifer Model, which allows for the modeling of affects between ground water and surface water uses and has become an invaluable tool in supporting and guiding many of the States water management decisions. The State of Idaho has spent millions of dollars in developing our current measurement array and ground water model. We spend on average $700,000 a year to operate, maintain, and grow these essential resources.

To reiterate, the Department and the Board appreciate this opportunity to partner on this important project. Without hesitation, we are willing to commit to an on-going expenditure of at least $700,000 a year for the life of the RCPP program in technical assistance to maintain our current measurement array and ground water model for use in evaluating the regional impacts and benefits of the projects outlined in the Board's RCPP application.

Respectfully,

Mat Weaver, Deputy Director

Idaho Department of Water Resources

TROUT UNLIMITED

September 18, 2014

Jeff Burwell, STC
9173 West Barnes Drive
Suite C
Boise, Idaho 83709

RE: Eastern Snake River Plain Aquifer (ESPA) Stabilization RCPP

Dear Jeff:

Please accept this letter detailing Trout Unlimited's support for the Idaho Water Resource Board's (Board) proposal to direct Regional Conservation Partnership Program ("RCPP") funds to Eastern Snake Plain Aquifer ("ESPA") stabilization. Trout Unlimited served on the advisory committee that developed the State of Idaho's 2009 ESPA Comprehensive Aquifer Management Plan ("CAMP") and fully supports the CAMP's goals and implementation strategies. Demonstrating that support Trout Unlimited was a partner in the Idaho Water Resource Board/NRCS Agricultural Water Enhancement Program ("AWEP") program that allowed for early implementation of many of the CAMP programs. The Board's current RCPP application is an important next step in achieving ESPA stabilization under the CAMP. Implementation of the diverse strategies outlined, will help secure water at the right time and the right place for agriculture, people, and the environment throughout the ESPA and its tributaries and help to stabilize the ESPA

Of particular interest to Trout Unlimited is that maintaining the ESPA-fed spring complexes and the resulting minimum stream flows in the Snake benefits ESA-listed Salmon and Steelhead species downstream of the Hell's Canyon Dam complex and helps meet the Biological Opinion on the Columbia River. Spring-fed creeks and spring water mixing zones or "estuaries" in the Snake River provide high quality habitat for native aquatic species, including redband trout, Shoshone sculpin, and several rare snail species. The spring discharges from the ESPA provide cool and clean water that is critical to maintaining the water quality of the Snake River. Further, tributaries to the Snake River and ESPA support significant populations of native Redband trout, Shoshone sculpin, Yellowstone cutthroat trout, as well as rainbow trout, brown trout and mountain whitefish. The RCPP aquifer stabilization strategies will provide a direct benefit to all of these interests.

The proposed project will stabilize and recover ground water levels in the ESPA, improve spring flows and improve tributary inflows by:

- Implementing irrigation technology (variable rate irrigation) and adjustments (end gun removal) to reduce consumptive use of ground water,
- Encourage the re-use of surface water to reduce demand (pump back),

- Enhance flood irrigation in particular places where recharge is important,
- Encourage crop fallowing and rotation to reduce ground water demand,
- Improve tributary flows to provide surface water supply for downstream conversions of ground water irrigation to surface water irrigation.

Trout Unlimited appreciates the opportunity to partner on this important project. As a partner, we commit to expend a partner contribution of at least $15,000 a year for the life of the grant in technical assistance and cash match towards the project.

Sincerely,

Mark Davidson
Director, Idaho Water Project
Trout Unlimited

WOOD RIVER LAND TRUST

20 years!

September 11, 2014

Jason Weller, Chief
Natural Resources Conservation Service
1400 Independence Ave., SW, Room 5105-A
Washington, DC 20250

Dear Mr. Weller:

As a partner applicant, Wood River Land Trust supports the Idaho Water Resources Board application for the 2014 Regional Conservation Partnership Program. This partnership program will help stabilize the Eastern Snake Plain Aquifer (ESPA) and its tributaries, which have been depleted by economically important uses and changes in irrigation practices. Since 1952, extended periods of drought, irrigation changes and increased ground water development, have all contributed to decreasing aquifer levels in the ESPA, decreased spring discharges, and lower flows on the Snake River.

Stabilizing the ESPA and its tributaries is vitally important to maintaining water resources for farming, municipal and domestic use, and natural aquatic habitat. There are roughly 2.1 million irrigated acres on the ESPA and agriculture is the largest segment of the local economy and largest consumptive user of water. The ESPA also supplies drinking water for the approximately one third of Idahoans. Through the strategies outlined, we will secure water that is necessary for these needs.

Wood River Land Trust commits in-kind staff time for education and outreach to producers, coordinating projects with NRCS field offices, and raising matching funds where applicable. We anticipate committing $10,000 per year in staff time to develop water conservation projects that will impact at least 5,000 acres over 5 years.

Thank you for your consideration of this application.

Sincerely,

Scott Boettger
Executive Director

ACCREDITED LAND TRUST ACCREDITATION COMMISSION

119 E. Bullion Street
Hailey, Idaho 83333
Phone: 208.788.3947
Fax: 208.788.5991

www.WoodRiverLandTrust.org
Federal ID: 82-0474191

The Nature Conservancy
Protecting nature. Preserving life.™

Southwest Office
950 W. Bannock St.
Suite 210
Boise, ID 83702

Tel (208) 343-8826
Fax (208) 343-8892

nature.org

Jeffrey Burwell, STC
9173 West Barnes Drive, Suite C
Boise, Idaho 83709

September 23, 2014

RE: Eastern Snake River Plain Aquifer (ESPA) Stabilization RCPP

Dear Mr. Burwell,

We look forward to working with the agricultural community and the Natural Resource Conservation Service on this important project toward aquifer stabilization in the Snake River Plain in Idaho. This project impacts water users and the public throughout the Snake Plain because through the implementation of the diverse strategies outlined, we will secure enough water at the right time and the right place for agriculture, people, and the environment. Since 1952, extended periods of drought, irrigation changes and increased ground water development, have all contributed to decreasing aquifer levels in the ESPA, decreased spring discharges, and lower flows on the Snake River.

There are roughly 2.1 million irrigated acres on the ESPA and agriculture is the largest segment of the local economy and largest consumptive user of water. Water from the ESPA also supports aquaculture and food processing facilities. The ESPA supplies drinking water for the approximately one third of Idahoans. ESPA spring discharges and the Snake River also provide Idahoans with affordable hydropower electricity, outdoor recreation opportunities, and wildlife habitat for many species of conservation concern.

The proposed project will stabilize and recover ground water levels in the ESPA by:

- Implementing irrigation technology (variable rate irrigation) and adjustments (end gun removal) to reduce consumptive use of ground water,
- Encourage the re-use of surface water to reduce demand (pump back),
- Enhance flood irrigation in particular places where recharge is important,
- Encourage crop fallowing and rotation to reduce surface water demand,
- Implementing more efficient delivery systems in key areas where recharge is not effective.

The Nature Conservancy appreciates the opportunity to partner on this project. We commit at least $20,000 a year in technical assistance and cash match towards this project for a total of $100,000 partner contribution.

Sincerely,

Toni Hardesty

Toni Hardesty
State Director

AGSPRING

5250 West 116th Place, Ste 200
Leawood, Kansas 66211

September 22, 2014

Jeffrey Burwell, STC
9173 West Barnes Drive Suite C
Boise, Idaho 83709

RE: Eastern Snake River Plain Aquifer (ESPA) Stabilization RCPP

Mr Burwell:

Thank you for the opportunity to work with you on this important project toward aquifer stabilization in the Snake River Plain. This project impacts water users and the public throughout the Snake Plain because through the implementation of the diverse strategies outlined, we will secure enough water at the right time and the right place for agriculture, people, and the environment. Since 1952, extended periods of drought, irrigation changes and increased ground water development, have all contributed to decreasing aquifer levels in the Eastern Snake Plain Aquifer (ESPA), decreased spring discharges, and lower flows on the Snake River.

There are roughly 2.1 million irrigated acres on the ESPA and agriculture is the largest segment of the local economy and largest consumptive user of water. Water from the ESPA also supports aquaculture and food processing facilities. The ESPA supplies drinking water for the approximately one third of Idahoans. ESPA spring discharges and the Snake River also provide Idahoans with affordable hydropower electricity, outdoor recreation opportunities, and wildlife habitat for many species of conservation concern.

The proposed project will stabilize and recover ground water levels in the ESPA by:

- Implementing irrigation technology (variable rate irrigation) and adjustments (end gun removal) to reduce consumptive use of ground water,
- Encourage the re-use of surface water to reduce demand (pump back),
- Enhance flood irrigation in particular places where recharge is important,
- Encourage crop fallowing and rotation to reduce surface water demand,
- Implementing more efficient delivery systems in key areas where recharge is not effective.

Thresher Artisan Wheat, an Agspring company, appreciates the opportunity to partner on this important project. We commit at least $20,000 a year for the life of the grant in technical assistance towards the project.

AGSPRING

5250 West 116th Place, Ste 200
Leawood, Kansas 66211

Sincerely,

Bradford Warner
Vice President, Marketing
Agspring

September 15, 2014

Linda Marek, President CMP
1045 South 1550 East
Bountiful, UT 84010

RE: Eastern Snake River Plain Aquifer (ESPA) Stabilization RCPP

To whom it may concern:

Thank you for the opportunity to work with you on this important project toward aquifer stabilization in the Snake River Plain. This project impacts water users and the public throughout the Snake Plain because through the implementation of the diverse strategies outlined, we will secure enough water at the right time and the right place for agriculture, people, and the environment. Since 1952, extended periods of drought, irrigation changes and increased ground water development, have all contributed to decreasing aquifer levels in the ESPA, decreased spring discharges, and lower flows on the Snake River.

There are roughly 2.1 million irrigated acres on the ESPA and agriculture is the largest segment of the local economy and largest consumptive user of water. Water from the ESPA also supports aquaculture and food processing facilities. The ESPA supplies drinking water for the approximately one third of Idahoans. ESPA spring discharges and the Snake River also provide Idahoans with affordable hydropower electricity, outdoor recreation opportunities, and wildlife habitat for many species of conservation concern.

The proposed project will stabilize and recover ground water levels in the ESPA by:

- Implementing irrigation technology (variable rate irrigation) and adjustments (end gun removal) to reduce consumptive use of ground water,
- Encourage the re-use of surface water to reduce demand (pump back),
- Enhance flood irrigation in particular places where recharge is important,
- Encourage crop fallowing and rotation to reduce surface water demand,
- Implementing more efficient delivery systems in key areas where recharge is not effective.

CMP appreciates the opportunity to partner on this important project. We commit at least $21,000 for the 5-year life of the grant in technical assistance and cash match towards the project.

Sincerely,

Linda Marek

Linda Marek, President CMP

IDAHO DEPARTMENT OF FISH AND GAME
600 South Walnut / P.O. Box 25
Boise, Idaho 83707

C.L. "Butch" Otter / Governor
Virgil Moore / Director

September 11, 2014

Jason Weller, Chief
USDA, NRCS, Office of the Chief
1400 Independence Ave., SW, Room 5105-A
Washington, DC 20250

RE: Eastern Snake River Plain Aquifer (ESPA) Stabilization RCPP

Chief Weller:

Thank you for the opportunity to work with you on this important project toward aquifer stabilization in the Snake River Plain. The projects outlined within this RCPP grant proposal will positively impact at-risk wildlife as well as water users and the public throughout the Snake Plain because through the implementation of the diverse strategies outlined.

There are roughly 2.1 million irrigated acres on the ESPA and agriculture is the largest segment of the local economy and largest consumptive user of water. The ESPA supplies drinking water for the approximately one third of Idahoans. ESPA spring discharges and the Snake River also provide Idahoans with affordable hydropower electricity, outdoor recreation opportunities, and wildlife habitat for many at-risk species.

The Idaho Department of Fish and Wildlife appreciates the opportunity to partner on this important project. We commit at least $15,000 a year for the life of the grant in technical assistance and cash match towards the projects within the grant that will improve habitat for at-risk wildlife species.

Sincerely,

for Virgil Moore, Director

IDAHO GROUND WATER APPROPRIATORS, INC.

P.O. Box 2624, Boise, ID 83701
Phone: 208.381.0294
Fax: 208.381-5272

Jeffery Burwell, STC
Nature Resource Conservation Service (NRCS)
9173 West Barnes Dr.
Suite C
Boise ID 83709

Re: Regional Conservation Coordination Program (RCCP)

Dear Jeff:

As you know, Idaho Ground Water Appropriators (IGWA) represents over one million acres of ground water pumped lands within the Eastern Snake Plain aquifer and its tributaries. IGWA is committed to resolving the conflicts between senor surface water users and junior ground water users.

I am writing to state my support of the Idaho Water Resource Board's ("IWRB") Application for Program Funding under the Regional Conservation Partnership Program. The IWRB's Application seeks funding for stabilization of the Eastern Snake Plain Aquifer ("ESPA"). During the next five year period, IGWA is committing $170,000 dollars to be used towards different programs under the Idaho RCPP.

.

The State of Idaho has prioritized stabilization of the ESPA ground water levels. The State legislature has adopted the ESPA Comprehensive Management Plan ("CAMP") and recently earmarked additional financial resources to assist the State in recharging the ESPA.

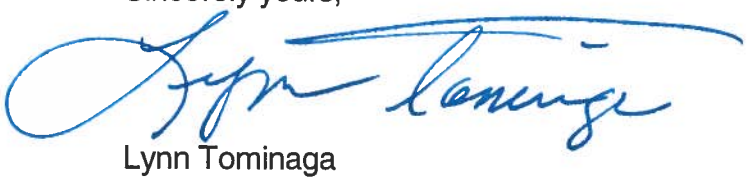
The ESPA provides water for Idaho's agricultural economy, cities drinking water systems, industrial uses, important fish and wildlife species, including several endangered species, and finally for the maintenance of legally recognized minimum stream flows. . The ESPA has experienced significant water level declines over the past decade. Maintaining and stabilizing the ESPA ground water levels is essential because the ESPA is a vital resource for the people of the State of Idaho.

Aquifer stabilization efforts have been conducted cooperatively by a broad base of constituents. The RCPP funding and the state of Idaho's funding will be essential in allowing these constituents to continue their efforts to stabilize the ESPA and maintain it for future Idahoans.

It has been Idaho Ground Water Appropriator's pleasure working with NRCS to help implement projects over the last five years. The last USDA farm bill (2008-2012) has provided funds which has helped avoid major curtailment of IGWA members and helped relieve some of the tensions between ground water and surface water users.

Ground water in the ESPA is essential to the economy, wildlife, industry, and people of the State of Idaho. I support the IWRB's Application for RCPP funding to stabilize the ESPA.

Sincerely yours,



Lynn Tominaga
Executive Director

Lst: p

DUCKS UNLIMITED *Leader in Wetlands Conservation*

September 25, 2014

Jason Weller, Chief
Natural Resources Conservation Service
USDA/NRCS
1400 Independence Avenue SW, Suite 5103
Washington, DC 20250

Chief Weller,

This letter of support serves to demonstrate our commitment to the Idaho Water Resource Board's (IWRB) RCPP proposal: *Eastern Snake River Plain Aquifer Stabilization.* Ducks Unlimited and other natural resource conservation partners have teamed with water resource entities to recognize the mutual benefits of water conservation and fish and wildlife habitat. Our specific interest in the proposal is the contributions of flood-irrigation to both aquifer stabilization and wildlife habitat, specifically migratory staging habitat for waterfowl.

The eastern Snake River Plain is a continentally important staging area for spring migrating waterfowl, particularly dabbling ducks. Furthermore, it is becoming an increasingly critical breeding ground for white-faced ibis and greater sandhill cranes. These birds are strongly associated with and dependent upon flood-irrigated wet meadows for their foraging needs. Conversion of these resources to sprinkler-irrigated systems represents a significant threat to regional populations and a continued reduction in aquifer recharge.

Ducks Unlimited has been dedicated to working with private landowners and other partners to implement conservation measures across the eastern Snake River Plain working landscape. To demonstrate our support for the proposal, we have committed to a contribution of $3,000 a year over five years collectively totaling $15,000. This contribution will be recognized in the form of technical assistance for landowner outreach and project coordination implemented by our conservation staff dedicated to this region

Presently, landowner interest and demand far exceeds available project funding. Landowner outreach efforts have matured to where implementation of conservation measures is necessary to maintain our forward momentum. The requested financial assistance funds will be critical to the future success of waterfowl conservation efforts in the eastern Snake River Plain.

Thank you for your time and consideration of our proposal. We look forward to this potential opportunity to expand our relationship with the NRCS.

Respectfully,

Mark Biddlecomb
Western Regional Director

Thousand Springs Water Users Association
PO Box 178
Hagerman, ID 83332
tswua@northrim.net

20 September 2014

Jeffrey Burwell, STC
NRCS-Idaho State Office
9173 West Barnes Drive, Suite C
Boise, Idaho 83709

Dear Mr. Burwell,

The Thousand Springs Water Users Association Inc. (TSWUA) is pleased to lend support for the Idaho RCPP Application entitled "Eastern Snake Plain Aquifer Stabilization" submitted by the Idaho Water Resource Board.

The Thousand Springs Water Users Association, Inc. was formed in 2004 as a 501(c)4 non-profit, tax exempt organization for the purpose of protecting and restoring water supplies along the Thousand Springs reach of the Snake River and hydraulically connected Eastern Snake Plain Aquifer (ESPA) by providing a unified voice to speak for and represent the many spring water users located along the Snake River, and to obtain mitigation and other forms of relief for losses resulting from declining spring water supplies. Membership in the TSWUA is voluntary. It remains the TSWUA's task to serve as the watchdog for the spring water users, to assimilate information and State actions and disseminate information and action items to water users, to draft relative correspondence and comments to the State regarding water resource issues affecting member's spring water rights and negotiate where appropriate, and to legally represent water users in such matters as needed. TSWUA was actively involved in the preparation of the 2009 Idaho AWEP application and producer participation outreach.

TSWUA represents water users who utilize spring water for irrigation, aquaculture, stockwater, domestic and commercial uses, hydropower, wildlife enhancement, storage, aesthetics and fire protection. Water right owners have over 500 permitted rights for about 4000 cfs of spring water, with priorities dating to 1878. The TSWUA service area extends from the Kimberly area east of Twin Falls, along the Snake River, to King Hill, close to Glenns Ferry. Land ownership may reside in one or more locations in Twin Falls, Jerome, Gooding or Elmore Counties, below the canyon rim along the Snake River. Spring users are either individual entities, such as a single farm or fish rearing facility, or are members of an organized irrigation or ditch association serving a number of shareholders or water right owners.

As with the previous Idaho AWEP, TSWUA's in-kind staff assistance for Idaho's RCPP application will be to coordinate informational meetings and mailings, to serve as a liaison between landowners and agencies, and to provide technical assistance as needed. We anticipate committing up to $3,000 per year in staff time toward this project. Funding matches for projects benefiting specific producer groups will be collected through assessments made by the respective ditch associations rather than by the TSWUA to avoid duplication; however, the TSWUA will solicit and forward donations toward specific projects as they become available.

Respectively Submitted,

John W. Jones Jr.

John W. "Bill" Jones Jr.
President

MillerCoors

3939 W. HIGHLAND BLVD., P.O. BOX 482
MILWAUKEE, WI 53201-0482
414.931.2000
www.MillerCoors.com

September 22, 2014

Kim Marotta
MillerCoors
3939 W. Highland Blvd.
Milwaukee, WI 53208

Jeffrey Burwell, STC
9173 West Barnes Drive Suite C
Boise, Idaho 83709
Phone: 208/378-5700
Fax: 208/378-5735

RE: Eastern Snake River Plain Aquifer (ESPA) Stabilization RCPP

Dear Mr. Burwell,

We look forward to working with the agricultural community and the Natural Resource Conservation Service on this important project toward aquifer stabilization in the Snake River Plain in Idaho. This project impacts water users and the public throughout the Snake Plain because through the implementation of the diverse strategies outlined, we will secure enough water at the right time and the right place for agriculture, people, and the environment. Since 1952, extended periods of drought, irrigation changes and increased ground water development, have all contributed to decreasing aquifer levels in the ESPA, decreased spring discharges, and lower flows on the Snake River.

There are roughly 2.1 million irrigated acres on the ESPA and agriculture is the largest segment of the local economy and largest consumptive user of water. Water from the ESPA also supports aquaculture and food processing facilities. The ESPA supplies drinking water for the approximately one third of Idahoans. ESPA spring discharges and the Snake River also provide Idahoans with affordable hydropower electricity, outdoor recreation opportunities, and wildlife habitat for many species of conservation concern.

The proposed project will stabilize and recover ground water levels in the ESPA by:

- Implementing irrigation technology (variable rate irrigation) and adjustments (end gun removal) to reduce consumptive use of ground water,
- Encourage the re-use of surface water to reduce demand (pump back),
- Enhance flood irrigation in particular places where recharge is important,
- Encourage crop fallowing and rotation to reduce surface water demand,
- Implementing more efficient delivery systems in key areas where recharge is not effective.

MillerCoors appreciates the opportunity to partner and contribute however we can on this project.

Sincerely,

Kim Marotta

Kim Marotta
Director Sustainability
MillerCoors

ELLEN SILVA, Ph.D.
Applied Sustainability Senior Manager

GENERAL MILLS

September 25, 2014

Mr. Jeffrey Burwell, STC
State Conservationist, NRCS
9173 West Barnes Drive, Suite C
Boise, Idaho 83709

RE: Eastern Snake River Plain Aquifer (ESPA) Stabilization RCPP

Dear Mr. Burwell,

General Mills supports the RCPP proposal for stabilization of the Eastern Snake Plane Aquifer which is being put forth by the State of Idaho and The Nature Conservancy, along with other partners from the Idaho agricultural and conservation communities. Implementation of the diverse actions outlined in this project, which is consistent with many of the elements of the widely-affirmed Comprehensive Aquifer Management Plan developed by the Idaho Water Resources Board, will help secure enough water at the right time and the right place for agriculture, people, and the environment.

Agriculture is the largest segment of the local economy and largest consumptive user of water on the ESPA. General Mills sources a great deal of wheat from this productive agricultural region and so is keenly interested in the sustainability of the water supply. We recognize that water from the ESPA also supports aquaculture, drinking water, hydropower, recreation and wildlife habitat. In recent decades, drought, changes in irrigation practices, and increased use of groundwater have caused aquifer levels to decrease, which in turn has decreased spring discharges and lower flows on the Snake River. Successful stabilization of the aquifer is essential to ensure the many needs for water in the region can be met.

General Mills will seek opportunities to support the efforts of the contributing partners to this proposal should it be funded. Thank you for considering our input to the process.

Best regards,

Ellen M. Silva, Ph.D.

ES:PKP

September 15, 2014

Jeffrey Burwell, STC
9173 West Barnes Drive Suite C
Boise, Idaho 83709
Jeffrey.burwell@id.usda.gov

RE: Eastern Snake River Plain Aquifer (ESPA) Stabilization RCPP

Dear Jeff,

I'm writing to express support for the above RCPP proposal which seeks to further aquifer stabilization efforts in the Eastern Snake River Plain Area (ESPA). Due to extended periods of drought, changes to irrigation practices, crop rotations, and increased ground water development, aquifer levels in the ESPA have decreased along with spring discharges, resulting in lower flows on the Snake River. As detailed in the concept proposal, this project will benefit water quality and quantity, agriculture, people, and the environment in general.

This RCPP project, if funded, will be a huge boost toward reaching Idaho's goals for water savings and water quality improvements to the Snake River. The proposed project will stabilize and recover ground water levels in the ESPA by:

- Implementing irrigation technology (variable rate irrigation) and adjustments (end gun removal) to reduce consumptive use of ground water,
- Encourage the re-use of surface water to reduce demand (pump back),
- Enhance flood irrigation in particular places where recharge is important,
- Encourage crop fallowing and rotation to reduce surface water demand, and
- Implement more efficient delivery systems in key areas where recharge is not effective.

The Idaho Soil and Water Conservation Commission stands ready to provide technical assistance as requested by the districts and to provide opportunities to help individual producers with the unfunded portions of the components through our low interest loan program. We encourage your strong support for this important project.

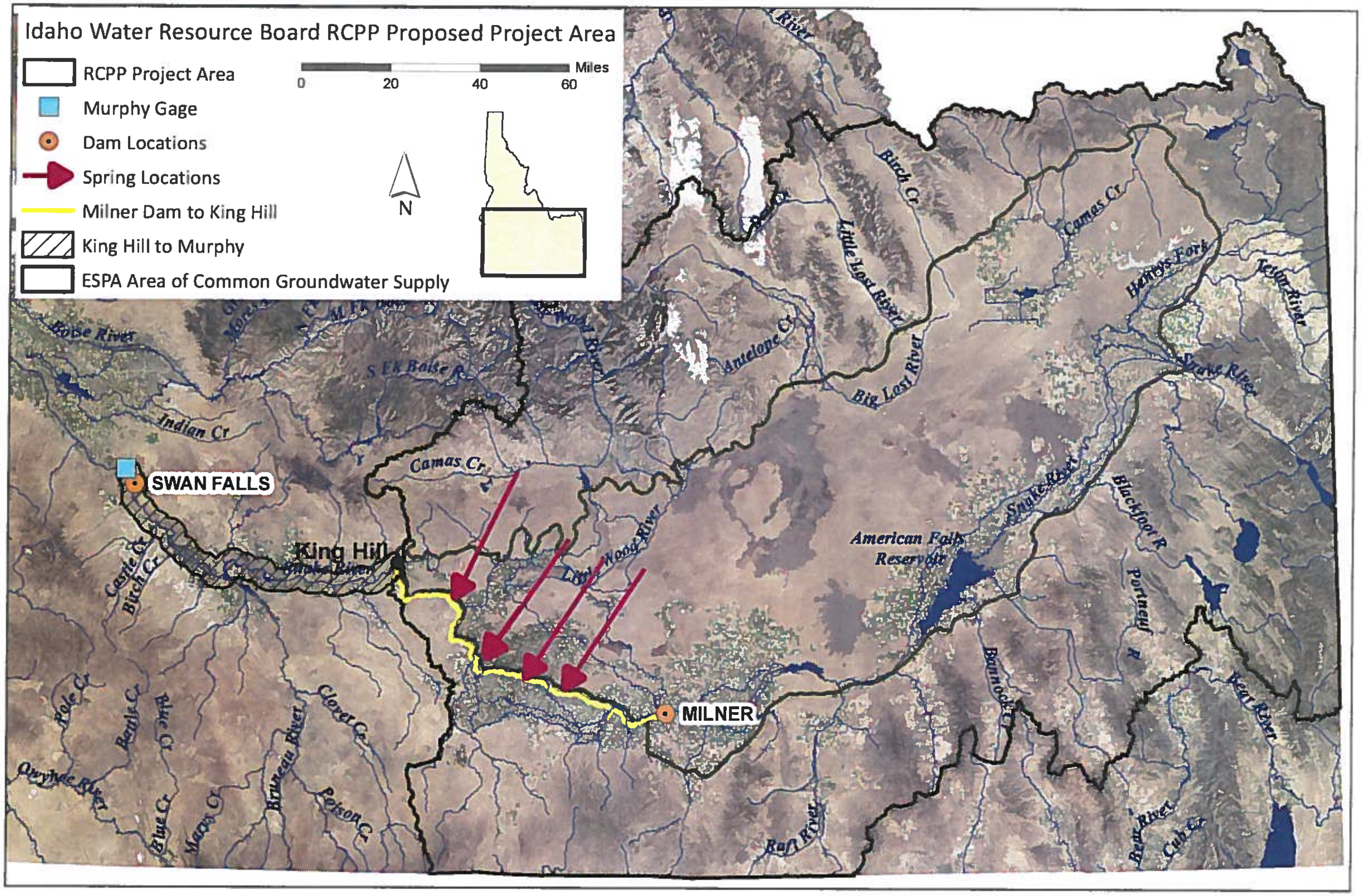
Please don't hesitate to contact me if you have questions.

Sincerely,

TERI A. MURRISON
Administrator

Attachment #2:

General Map of IWRB Proposed RCPP Project Area


Idaho Water Resource Board RCPP Proposed Project Area
RCPP Project Area
Murphy Gage
Dam Locations
Spring Locations
Milner Dam to King Hill
King Hill to Murphy
ESPA Area of Common Groundwater Supply
Miles
0
20
40
60
N
SWAN FALLS
King Hill
MILNER
Boise River
Indian Cr
S Fk Boise R
Camas Cr
Big Lost River
Little Lost River
Birch Cr
Antelope Cr
Henrys Fork
Teton River
Snake River
American Falls Reservoir
Blackfoot R
Portneuf R
Bannock Cr
Bear River
Cub Cr
Raft River
Bruneau River
Clover Cr
Poison Cr
Owyhee River
Castle Cr
Birch Cr
Pole Cr
Battle Cr
Blue Cr
Marys Cr

Attachment #3:

Federal Form SF-424

OMB Number: 4040-0004
Expiration Date: 8/31/2016

Application for Federal Assistance SF-424

* 1. Type of Submission:
- [ ] Preapplication
- [x] Application
- [ ] Changed/Corrected Application

* 2. Type of Application:
- [x] New
- [ ] Continuation
- [ ] Revision

* If Revision, select appropriate letter(s):

* Other (Specify):

* 3. Date Received:

4. Applicant Identifier:

5a. Federal Entity Identifier:

5b. Federal Award Identifier:

State Use Only:

6. Date Received by State:

7. State Application Identifier:

8. APPLICANT INFORMATION:

* a. Legal Name: State of Idaho through the Idaho Water Resource Board (IWRB)

* b. Employer/Taxpayer Identification Number (EIN/TIN): 800368944

* c. Organizational DUNS: 8250174030000

d. Address:

* Street1: 322 East Front Street
Street2: PO Box 83720
* City: Boise
County/Parish:
* State: ID: Idaho
Province:
* Country: USA: UNITED STATES
* Zip / Postal Code: 83720-0098

e. Organizational Unit:

Department Name:

Division Name:

f. Name and contact information of person to be contacted on matters involving this application:

Prefix: Mr.
* First Name: Neeley
Middle Name:
* Last Name: Miller
Suffix:

Title: Water Resource Planner, Senior

Organizational Affiliation: Staff for the Idaho Water Resource Board

* Telephone Number: (208) 287-4831
Fax Number: (208) 287-6700

* Email: Neeley.Miller@idwr.idaho.gov

Application for Federal Assistance SF-424

*** 9. Type of Applicant 1: Select Applicant Type:**

A: State Government

Type of Applicant 2: Select Applicant Type:

Type of Applicant 3: Select Applicant Type:

* Other (specify):

*** 10. Name of Federal Agency:**

USDA - National Resources Conservation Servoce

11. Catalog of Federal Domestic Assistance Number:

10.932

CFDA Title:

Regional Conservation Partnership Program (RCPP)

*** 12. Funding Opportunity Number:**

USDA-NRCS-NHQ-RCPP-14-01FP

* Title:

Regional Conservation Partnership Program (RCPP)

13. Competition Identification Number:

Title:

14. Areas Affected by Project (Cities, Counties, States, etc.):

Add Attachment | Delete Attachment | View Attachment

*** 15. Descriptive Title of Applicant's Project:**

Eastern Snake Plain Aquifer Stabilization Project

Attach supporting documents as specified in agency instructions.

Add Attachments | Delete Attachments | View Attachments

Application for Federal Assistance SF-424

16. Congressional Districts Of:

* a. Applicant

* b. Program/Project

Attach an additional list of Program/Project Congressional Districts if needed.

Add Attachment | Delete Attachment | View Attachment

17. Proposed Project:

* a. Start Date: 01/01/2015

* b. End Date: 09/30/2019

18. Estimated Funding ($):

* a. Federal	20,000,000.00
* b. Applicant	4,121,000.00
* c. State	
* d. Local	
* e. Other	
* f. Program Income	
* g. TOTAL	24,121,000.00

*** 19. Is Application Subject to Review By State Under Executive Order 12372 Process?**

☐ a. This application was made available to the State under the Executive Order 12372 Process for review on .

☐ b. Program is subject to E.O. 12372 but has not been selected by the State for review.

☒ c. Program is not covered by E.O. 12372.

*** 20. Is the Applicant Delinquent On Any Federal Debt? (If "Yes," provide explanation in attachment.)**

☐ Yes ☒ No

If "Yes", provide explanation and attach

Add Attachment | Delete Attachment | View Attachment

21. *By signing this application, I certify (1) to the statements contained in the list of certifications and (2) that the statements herein are true, complete and accurate to the best of my knowledge. I also provide the required assurances** and agree to comply with any resulting terms if I accept an award. I am aware that any false, fictitious, or fraudulent statements or claims may subject me to criminal, civil, or administrative penalties. (U.S. Code, Title 218, Section 1001)**

☒ ** I AGREE

** The list of certifications and assurances, or an internet site where you may obtain this list, is contained in the announcement or agency specific instructions.

Authorized Representative:

Prefix:	Mr.
* First Name:	Neeley
Middle Name:	
* Last Name:	Miller
Suffix:	
* Title:	Water Resource Planner, Senior
* Telephone Number:	208-287-4831
Fax Number:	208-287-6700
* Email:	Neeley.Miller@idwr.idaho.gov
* Signature of Authorized Representative:	
* Date Signed:	09/30/2014

Attachment #4:

Federal Form SF424A Budget Information for Non-Construction Programs

BUDGET INFORMATION - Non-Construction Programs

OMB Number: 4040-0006
Expiration Date: 06/30/2014

SECTION A - BUDGET SUMMARY

Grant Program Function or Activity (a)	Catalog of Federal Domestic Assistance Number (b)	Estimated Unobligated Funds		New or Revised Budget		
		Federal (c)	Non-Federal (d)	Federal (e)	Non-Federal (f)	Total (g)
1. RCPP Federal Portion	10.932	$ 20,000,000.00	$	$	$	$ 20,000,000.00
2. RCPP Non-Federal Portion	10.932		4,121,000.00			4,121,000.00
3.						
4.						
5. Totals		$ 20,000,000.00	$ 4,121,000.00	$	$	$ 24,121,000.00

SECTION B - BUDGET CATEGORIES

6. Object Class Categories	GRANT PROGRAM, FUNCTION OR ACTIVITY (1) RCPP Federal Portion	(2) RCPP Non-Federal Portion	(3)	(4)	Total (5)
a. Personnel	$	$	$	$	$
b. Fringe Benefits					
c. Travel					
d. Equipment					
e. Supplies					
f. Contractual					
g. Construction					
h. Other	20,000,000.00	4,121,000.00			24,121,000.00
i. Total Direct Charges (sum of 6a-6h)	20,000,000.00	4,121,000.00			$ 24,121,000.00
j. Indirect Charges					$
k. TOTALS (sum of 6i and 6j)	$ 20,000,000.00	$ 4,121,000.00	$	$	$ 24,121,000.00
7. Program Income	$	$	$	$	$

SECTION C - NON-FEDERAL RESOURCES

(a) Grant Program	(b) Applicant	(c) State	(d) Other Sources	(e)TOTALS
8. RCPP Non-Federal Portion	$	$ 4,121,000.00	$	$ 4,121,000.00
9.				
10.				
11.				
12. TOTAL (sum of lines 8-11)	$	$ 4,121,000.00	$	$ 4,121,000.00

SECTION D - FORECASTED CASH NEEDS

	Total for 1st Year	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter
13. Federal	$ 2,714,866.00	$	$	$ 2,714,866.00	$
14. Non-Federal	$				
15. TOTAL (sum of lines 13 and 14)	$ 2,714,866.00	$	$	$ 2,714,866.00	$

SECTION E - BUDGET ESTIMATES OF FEDERAL FUNDS NEEDED FOR BALANCE OF THE PROJECT

(a) Grant Program	FUTURE FUNDING PERIODS (YEARS) (b)First	(c) Second	(d) Third	(e) Fourth
16. RCPP Federal (year one captured above in 13-15; this line 16 captures year two through year 5)	$ 2,714,866.00	$ 4,959,800.00	$ 2,110,468.00	$ 7,500,000.00
17.				
18.				
19.				
20. TOTAL (sum of lines 16 - 19)	$ 2,714,866.00	$ 4,959,800.00	$ 2,110,468.00	$ 7,500,000.00

SECTION F - OTHER BUDGET INFORMATION

21. Direct Charges: NA

22. Indirect Charges: NA

23. Remarks: NA

Attachment #5:

Federal Form SF424B Assurances for Non-Construction Programs

OMB Number: 4040-0007
Expiration Date: 06/30/2014

ASSURANCES - NON-CONSTRUCTION PROGRAMS

PLEASE DO NOT RETURN YOUR COMPLETED FORM TO THE OFFICE OF MANAGEMENT AND BUDGET. SEND IT TO THE ADDRESS PROVIDED BY THE SPONSORING AGENCY.

NOTE: Certain of these assurances may not be applicable to your project or program. If you have questions, please contact the awarding agency. Further, certain Federal awarding agencies may require applicants to certify to additional assurances. If such is the case, you will be notified.

As the duly authorized representative of the applicant, I certify that the applicant:

1. Has the legal authority to apply for Federal assistance and the institutional, managerial and financial capability (including funds sufficient to pay the non-Federal share of project cost) to ensure proper planning, management and completion of the project described in this application.

2. Will give the awarding agency, the Comptroller General of the United States and, if appropriate, the State, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the award; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.

3. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.

4. Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.

5. Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. §§4728-4763) relating to prescribed standards for merit systems for programs funded under one of the 19 statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5 C.F.R. 900, Subpart F).

6. Will comply with all Federal statutes relating to nondiscrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C.§§1681-1683, and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. §794), which prohibits discrimination on the basis of handicaps; (d) the Age Discrimination Act of 1975, as amended (42 U. S.C. §§6101-6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) §§523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. §§290 dd-3 and 290 ee- 3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. §§3601 et seq.), as amended, relating to nondiscrimination in the sale, rental or financing of housing; (i) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and, (j) the requirements of any other nondiscrimination statute(s) which may apply to the application.

7. Will comply, or has already complied, with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal or federally-assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchases.

8. Will comply, as applicable, with provisions of the Hatch Act (5 U.S.C. §§1501-1508 and 7324-7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.

9. Will comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. §§276a to 276a-7), the Copeland Act (40 U.S.C. §276c and 18 U.S.C. §874), and the Contract Work Hours and Safety Standards Act (40 U.S.C. §§327-333), regarding labor standards for federally-assisted construction subagreements.

10. Will comply, if applicable, with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is $10,000 or more.

11. Will comply with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (d) evaluation of flood hazards in floodplains in accordance with EO 11988; (e) assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. §§1451 et seq.); (f) conformity of Federal actions to State (Clean Air) Implementation Plans under Section 176(c) of the Clean Air Act of 1955, as amended (42 U.S.C. §§7401 et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended (P.L. 93-523); and, (h) protection of endangered species under the Endangered Species Act of 1973, as amended (P.L. 93-205).

12. Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. §§1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.

13. Will assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. §470), EO 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. §§469a-1 et seq.).

14. Will comply with P.L. 93-348 regarding the protection of human subjects involved in research, development, and related activities supported by this award of assistance.

15. Will comply with the Laboratory Animal Welfare Act of 1966 (P.L. 89-544, as amended, 7 U.S.C. §§2131 et seq.) pertaining to the care, handling, and treatment of warm blooded animals held for research, teaching, or other activities supported by this award of assistance.

16. Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. §§4801 et seq.) which prohibits the use of lead-based paint in construction or rehabilitation of residence structures.

17. Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act Amendments of 1996 and OMB Circular No. A-133, "Audits of States, Local Governments, and Non-Profit Organizations."

18. Will comply with all applicable requirements of all other Federal laws, executive orders, regulations, and policies governing this program.

19. Will comply with the requirements of Section 106(g) of the Trafficking Victims Protection Act (TVPA) of 2000, as amended (22 U.S.C. 7104) which prohibits grant award recipients or a sub-recipient from (1) Engaging in severe forms of trafficking in persons during the period of time that the award is in effect (2) Procuring a commercial sex act during the period of time that the award is in effect or (3) Using forced labor in the performance of the award or subawards under the award.

SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL	TITLE
Completed on submission to Grants.gov	Water Resource Planner, Senior
APPLICANT ORGANIZATION	**DATE SUBMITTED**
Idaho Water Resource Board	9/30/14 Completed on submission to Grants.gov

Standard Form 424B (Rev. 7-97) Back

Attachment #6:

Federal Form AD-1052

Print Form

AD-1052- CERTIFICATION REGARDING DRUG-FREE WORKPLACE REQUIREMENTS, STATE AND STATE AGENCIES

AD-1052, Certification Regarding Drug-Free Workplace

U.S. DEPARTMENT OF AGRICULTURE
CERTIFICATION REGARDING DRUG-FREE WORKPLACE REQUIREMENTS
STATES AND STATE AGENCIES
FEDERAL FISCAL YEAR 2015-2019

This certification is required by the regulations implementing Sections 5151-5160 of the Drug-Free Workplace Act of 1988 (Pub. L. 100-690, Title V, Subtitle D; 41 U.S.C. 701 et seq.), 7 CFR Part 3017, Subpart F. The regulations, published as Part II of the May 25, 1990 Federal Register (pages 21681-21691), require certification by grantees, prior to award, that they will maintain a drug-free workplace. Section 3017.630(c) of the regulation provides that a grantee that is a State may elect to make one certification to the Department of Agriculture in each Federal fiscal year in lieu of certificates for each grant during the Federal fiscal year covered by the certification. The certificate set out below is a material representation of fact upon which reliance is placed when the agency awards the grant. False certification or violation of the certification shall be grounds for suspension of payments, suspension or termination of grants, or Governmentwide suspension or debarment (see 7 CFR Part 3017, Sections 3017.615 and 3017.620). States and State agencies using this form should send it to: U.S. Department of Agriculture, Office of Finance and Management, Federal Assistance and Fiscal Policy Division, Federal Assistance Team, Room 3031 South Building, Washington, D.C. 20250.
(BEFORE COMPLETING CERTIFICATION, READ INSTRUCTIONS ON PAGE 3)

A. The grantee certifies that it will or will continue to provide a drug-free workplace by:
   (a) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;
   (b) Establishing an ongoing drug-free awareness program to inform employees about --
      (1) The dangers of drug abuse in the workplace;
      (2) The grantee's policy of maintaining a drug-free workplace;
      (3) Any available drug counseling, rehabilitation, and employee assistance programs; and
      (4) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;
   (c) Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph (a);
   (d) Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will –

29.35 - Exhibit 01--Continued

(1) Abide by the terms of the statement; and
(2) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;

(e) Notifying the agency in writing, within ten calendar days after receiving notice under subparagraph (d) (2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to every grant officer on whose grant activity the convicted employee was working, unless the Federal agency has designated a central point for the receipt of such notices. Notice shall include the identification number(s) of each affected grant;

(f) Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph (d) (2), with respect to any employee who is so convicted --
(1) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or
(2) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;

(g) Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (a), (b), (c), (d), (e) and (f).

This certification is for a (check one) ☐ State (All State Agencies) ☑ Single State Agency

B. The grantee may insert in the space provided below the site(s) for the performance of work done in connection with the specific grant:

Place of Performance (Street address, city, county, State, zip code)

322 East Front Street, PO Box 83720
Boise, Idaho 83720

Check ☐ if there are workplaces on file that are not identified above.

IDAHO Department of Water Resources
State / State Agency Name

Holly Wimer, Human Resources Officer
Name and Title of Authorized Representative

Holly Wimer 9/24/2014
Signature Date

Revised 1-07

ALCOHOL AND DRUG FREE WORKPLACE POLICY

Purpose

Alcohol and drug abuse in the workplace has many detrimental effects on any organization and its individuals. Alcohol and drug abuse impacts morale, lowers productivity, and increases health care costs. The Department of Water Resources is committed to maintaining a working environment free from illegal drugs and alcohol abuse.

Statement of Policy

It is the policy of the Department that the consumption of alcohol, misuse of medication or unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance is prohibited in the workplace or during an employee's hours of work. Employees may not work if their performance is impaired by the use of alcohol and/or drugs. It is a condition of employment with the Department that employees abide with this policy.

Violations of Criminal Alcohol/Drug Statutes Convictions

As required by Federal law, employees must notify the director of any criminal drug statute conviction for a violation occurring in the workplace or during work hours not later than five (5) calendar days after the employee is convicted.

A report will be filed with the Division of Human Resources and Drug Czar during the period in which the violation occurs. The Division of Human Resources will file a statewide report with the Governor's Office.

Enforcement

Persons convicted of certain criminal drug offenses could face fines and imprisonment under Idaho Law.

Division of Human Resources Rule 190.01.f. prohibits intoxication on work duty. Intoxication means being under the influence of alcohol, misuse of medication or controlled substances. Any employee in state service may be dismissed, suspended, demoted or reduced in pay for intoxication on duty.

Violations of this policy will result in disciplinary action up to and including dismissal.

This policy complies with the requirements of PL 100-690, Title V, Section 5153 and the Governor's Executive Order No. 2006-42. **(1-07)**

I hereby certify that I have read the Department's Alcohol and Drug Free Workplace Policy, understand, and will abide by the terms of the policy.

Employee Signature _____ Date 9/29/14

Attachment #7:

Federal Form AD-1047

U.S. DEPARTMENT OF AGRICULTURE

Certification Regarding Debarment, Suspension, and Other Responsibility Matters - Primary Covered Transactions

This certification is required by the regulations implementing Executive Order 12549, Debarment and Suspension, 7 CFR Part 3017, Section 3017.510, Participants' responsibilities. The regulations were published as Part IV of the January 30, 1989 Federal Register (pages 4722-4733). Copies of the regulations may be obtained by contacting the Department of Agriculture agency offering the proposed covered transaction.

(BEFORE COMPLETING CERTIFICATION, READ INSTRUCTIONS ON REVERSE)

(1) The prospective primary participant certifies to the best of its knowledge and belief, that it and its principals:

(a) are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency;

(b) have not within a three-year period preceding this proposal been convicted of or had a civil judgement rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;

(c) are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and

(d) have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State or local) terminated for cause or default.

(2) Where the prospective primary participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

Idaho Department of Water Resources
Organization Name

PR/Award Number or Project Name

Sascha Marston, Financial Manager
Name(s) and Title(s) of Authorized Representative(s)

Sascha Marston
Signature(s)

9-24-14
Date

Form AD-1047 (1/92)

Instructions for Certification

1. By signing and submitting this form, the prospective primary participant is providing the certification set out on the reverse side in accordance with these instructions.

2. The inability of a person to provide the certification required below will not necessarily result in denial of participation in this covered transaction. The prospective participant shall submit an explanation of why it cannot provide the certification set out on this form. The certification or explanation will be considered in connection with the department or agency's determination whether to enter into this transaction. However, failure of the prospective primary participant to furnish a certification or an explanation shall disqualify such person from participation in this transaction.

3. The certification in this clause is a material representation of fact upon which reliance was placed when the department or agency determined to enter into this transaction. If it is later determined that the prospective primary participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department or agency may terminate this transaction for cause or default.

4. The prospective primary participant shall provide immediate written notice to the department or agency to whom this proposal is submitted if at any time the prospective primary participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.

5. The terms "covered transaction," "debarred," "suspended," "ineligible," "lower tier covered transaction," "participant," "person," "primary covered transaction," "principal," "proposal," and "voluntarily excluded," as used in this clause, have the meanings set out in the Definitions and Coverage sections of the rules implementing Executive Order 12549. You may contact the department or agency to which this proposal is being submitted for assistance in obtaining a copy of those regulations.

6. The prospective primary participant agrees by submitting this form that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency entering into this transaction.

7. The prospective primary participant further agrees by submitting this form that it will include the clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion - Lower Tier Covered Transactions," provided by the department or agency entering into this covered transaction, without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.

8. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that is not debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the Nonprocurement List.

9. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

10. Except for transactions authorized under paragraph 6 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency may terminate this transaction for cause or default.

Attachment #8:

IWRB RCPP Budget Table

IWRB RCPP Budget Table

	Total TA Requested	Total TA Requested	Total NRCS Assistance Requested	Total FA Contributed	Total TA Contributed	Total Partner Contribution
EQIP	$20,000,000	$0	$20,000,000	$257,500	$3,863,500	$4,121,000
CSP	$0	$0	$0	$0	$0	$0
ACP-ALE	$0	$0	$0	$0	$0	$0
ACEP-WRE	$0	$0	$0	$0	$0	$0
HFRP	$0	$0	$0	$0	$0	$0
PL-566	$0	$0	$0	$0	$0	$0
Total	**$20,000,000**	**$0**	**$20,000,000**	**$257,500**	**$3,863,500**	**$4,121,000**

Program	Fiscal Year	Total FA Requested	Total TA Requested	Total NRCS Assistance Requested	Total FA Contributed	Total TA Contributed	Total Partner Contribution
EQIP	2015	$2,714,866		$2,714,866	$51,500	$772,700	$824,200
EQIP	2016	$2,714,866		$2,714,866	$51,500	$772,700	$824,200
EQIP	2017	$4,959,800		$4,959,800	$51,500	$772,700	$824,200
EQIP	2018	$2,110,468		$2,110,468	$51,500	$772,700	$824,200
EQIP	2019	$7,500,000		$7,500,000	$51,500	$772,700	$824,200
				$0			$0
				$0			$0
				$0			$0

Attachment #9:

Letter of Support from NRCS State Conservationist (STC)

USDA

United States Department of Agriculture

Neeley Miller
Project Manager
Idaho Department of Water Resources
322 E Front Street
PO Box 83720
Boise, ID 83720-0098

Dear Neeley:

The Idaho Water Resources Board Eastern Snake Plain Aquifer Stabilization RCPP project will greatly benefit resources in the State of Idaho and I am writing to express my full support.

The project will continue the efforts that were started through the Agricultural Water Enhancement Program and will advance the goals set in the East Snake Plain Comprehensive Aquifer Management Plan.

I eagerly anticipate collaborating on this project.

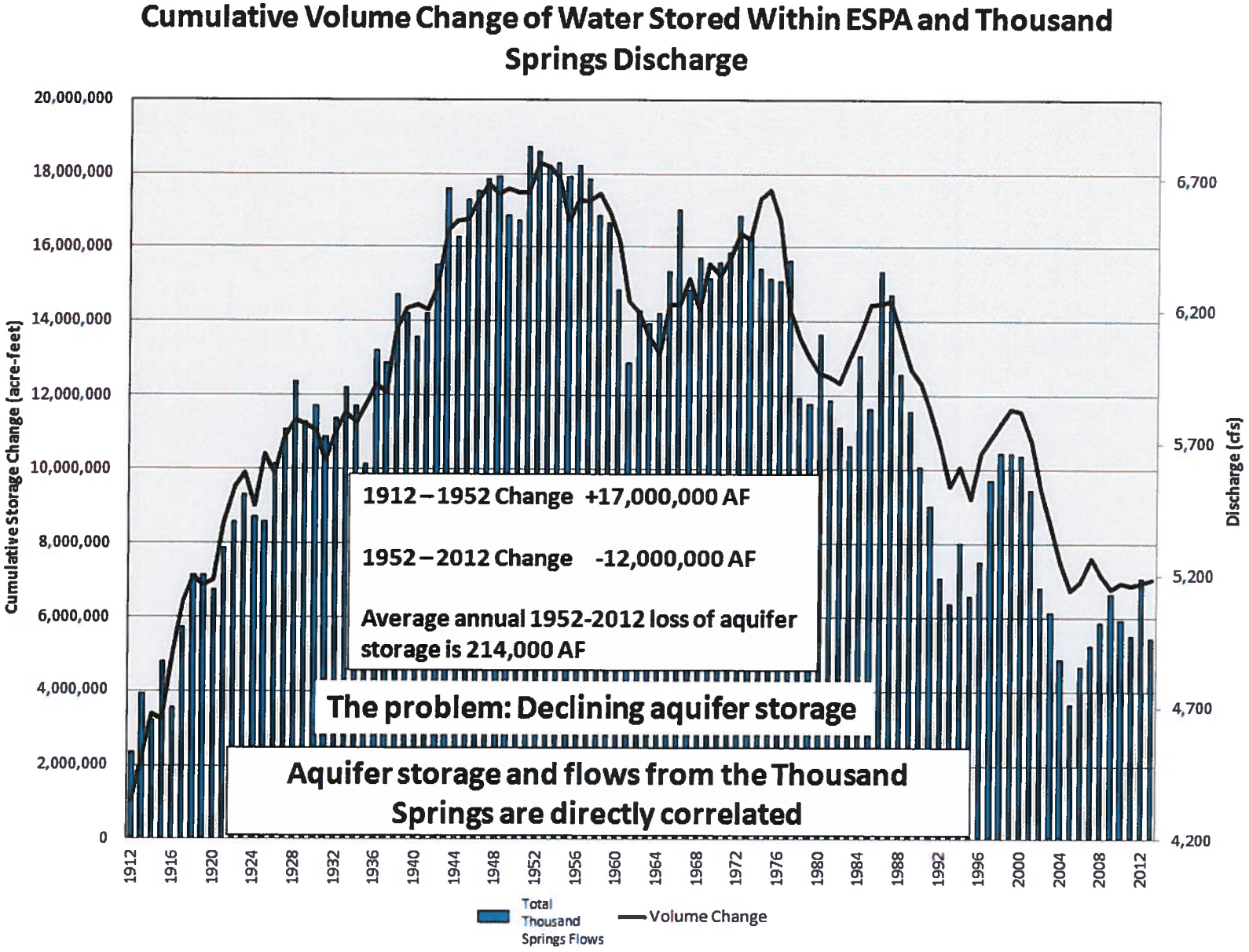
Sincerely,

Jeff Burwell
STATE CONSERVATIONIST

Natural Resources Conservation Service
9173 W. Barnes Dr., Suite C, Boise, ID 83709
Voice: (208) 378-5700 Fax: (208) 378-5735

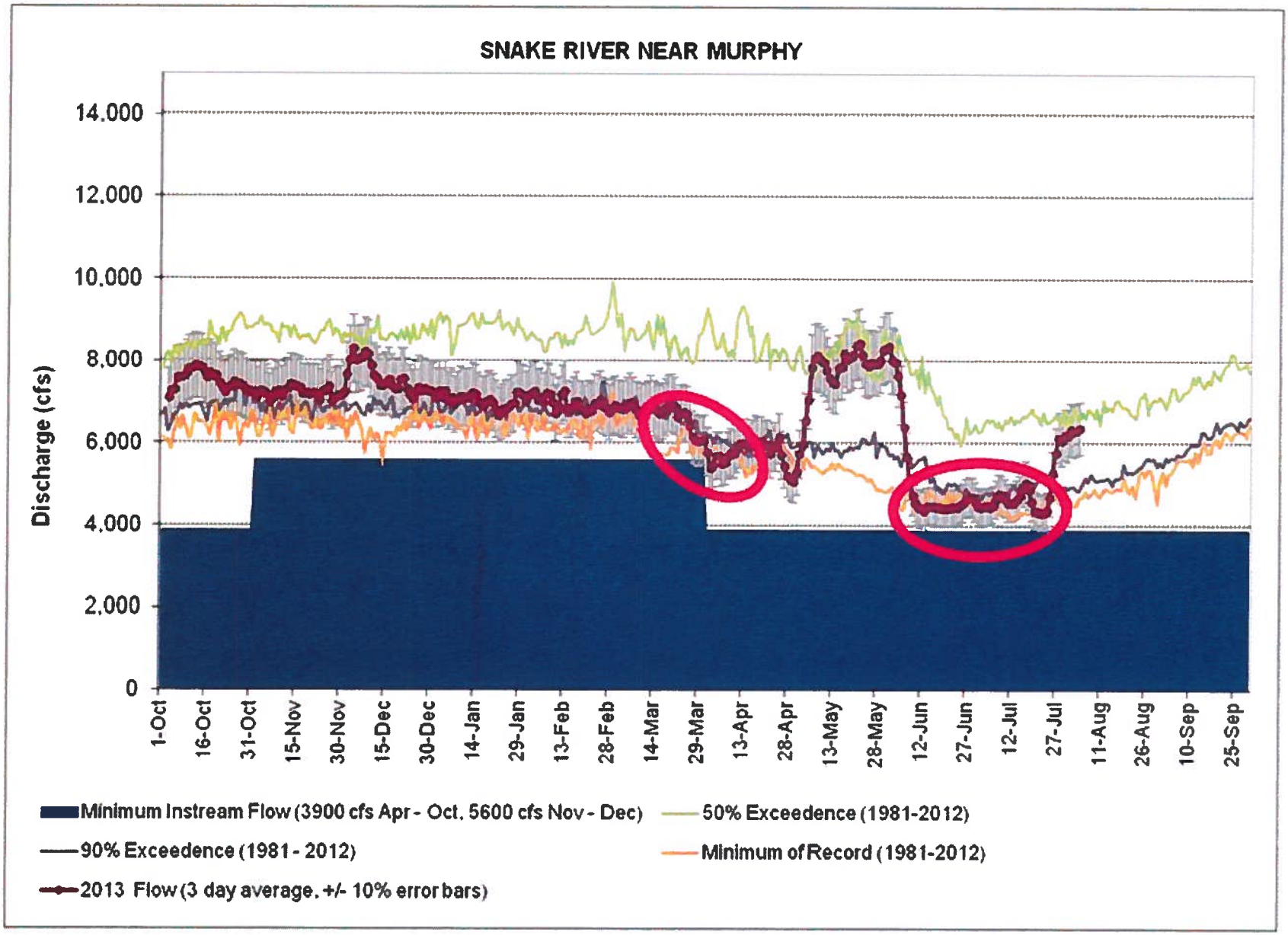
Attachment #10:

Cumulative Volume Change of Water Stored within ESPA Aquifer and Thousand Springs Discharge


Cumulative Volume Change of Water Stored Within ESPA and Thousand Springs Discharge
Cumulative Storage Change (acre-feet)
Discharge (cfs)
20,000,000
18,000,000
16,000,000
14,000,000
12,000,000
10,000,000
8,000,000
6,000,000
4,000,000
2,000,000
0
6,700
6,200
5,700
5,200
4,700
4,200
1912
1916
1920
1924
1928
1932
1936
1940
1944
1948
1952
1956
1960
1964
1968
1972
1976
1980
1984
1988
1992
1996
2000
2004
2008
2012
1912 – 1952 Change +17,000,000 AF
1952 – 2012 Change -12,000,000 AF
Average annual 1952-2012 loss of aquifer storage is 214,000 AF
The problem: Declining aquifer storage
Aquifer storage and flows from the Thousand Springs are directly correlated
Total Thousand Springs Flows
Volume Change

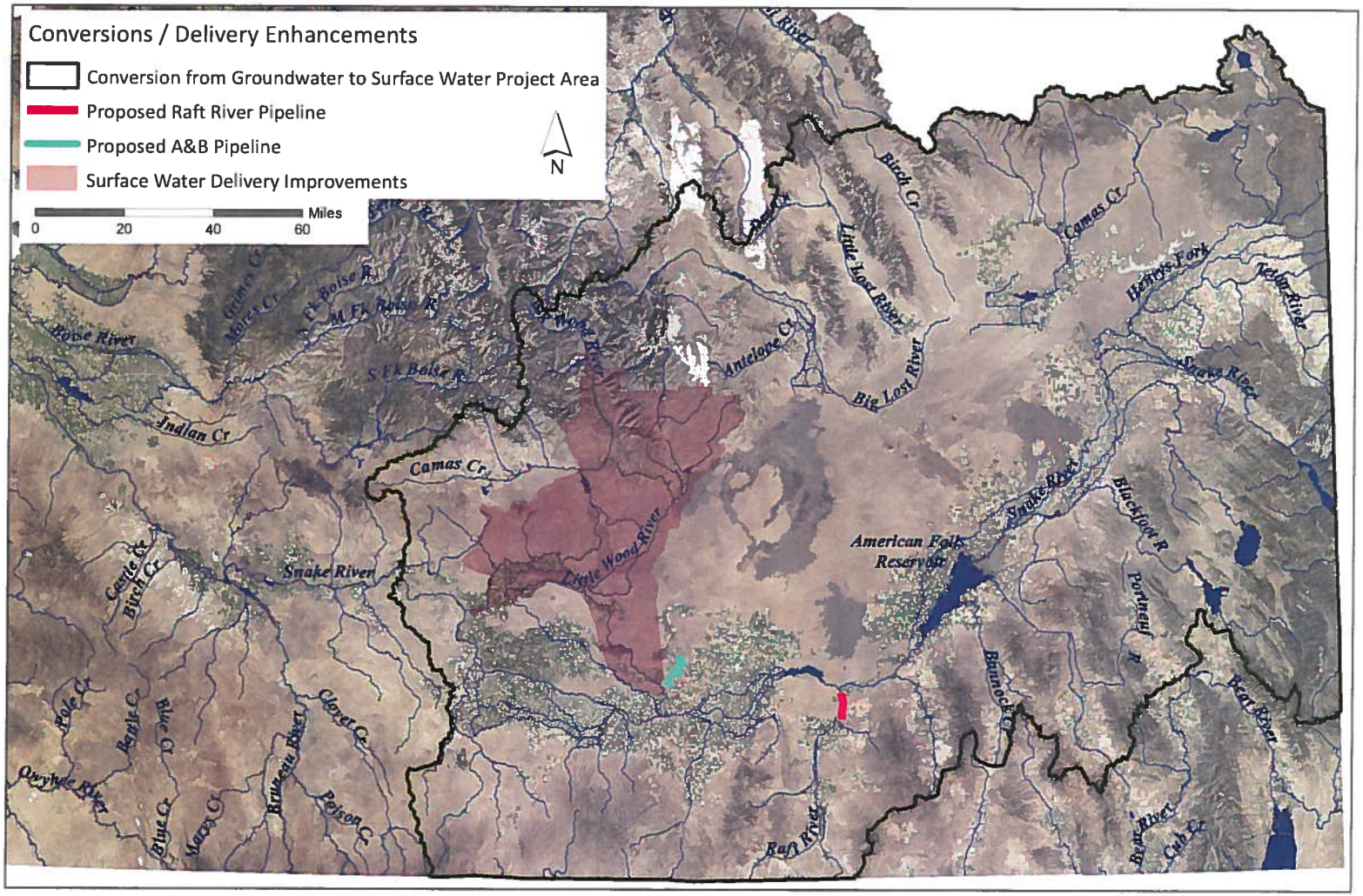
Attachment #11:

Snake River Flows Near Murphy Gage (just below Swan Falls Dam) highlighting periods where flows are approaching minimum levels


SNAKE RIVER NEAR MURPHY
Discharge (cfs)
14,000
12,000
10,000
8,000
6,000
4,000
2,000
0
1-Oct
16-Oct
31-Oct
15-Nov
30-Nov
15-Dec
30-Dec
14-Jan
29-Jan
13-Feb
28-Feb
14-Mar
29-Mar
13-Apr
28-Apr
13-May
28-May
12-Jun
27-Jun
12-Jul
27-Jul
11-Aug
26-Aug
10-Sep
25-Sep
Minimum Instream Flow (3900 cfs Apr - Oct, 5600 cfs Nov - Dec)
50% Exceedence (1981-2012)
90% Exceedence (1981 - 2012)
Minimum of Record (1981-2012)
2013 Flow (3 day average, +/- 10% error bars)

Attachment #12:

Project Area Map for Ground Water to Surface Water Conversions and Surface Water Delivery Improvements


Conversions / Delivery Enhancements
Conversion from Groundwater to Surface Water Project Area
Proposed Raft River Pipeline
Proposed A&B Pipeline
Surface Water Delivery Improvements
Miles
0
20
40
60
N
Boise River
Grimes Cr
Moores Cr
Ft Boise R
M Fk Boise R
S Fk Boise R
Indian Cr
Camas Cr
Castle Cr
Birch Cr
Snake River
Little Wood River
Pole Cr
Beaver Cr
Blue Cr
Owyhee River
Marys Cr
Bruneau River
Poison Cr
Raft River
Antelope Cr
Big Lost River
Little Lost River
Birch Cr
Camas Cr
Henrys Fork
Teton River
Snake River
American Falls Reservoir
Blackfoot R
Portneuf R
Bannock Cr
Bear River
Cub Cr

Attachment #13:

Partner Collaboration Table for Ground Water to Surface Water Conversions and Surface Water Delivery Improvements

Partner Collaboration Table for Ground Water to Surface Water Conversions and Surface Water Delivery Improvements

Partner Name	**Type**	**Partner Role and Responsibilities**
IWRB	SG	- Provide overall project coordination - Provide Producer Technical Assistance - Lead outreach and education - Conduct monitoring - Provide administrative services - Other similar activities
Wood River Land Trust	NP	- Provide overall project coordination - Provide producer technical assistance - Outreach and education - Conduct monitoring - Provide funding for conservation practices.
Trout Unlimited	NP	- Provide overall project coordination - Provide producer technical assistance - Outreach and education. - Conduct monitoring - Provide funding for conservation practices

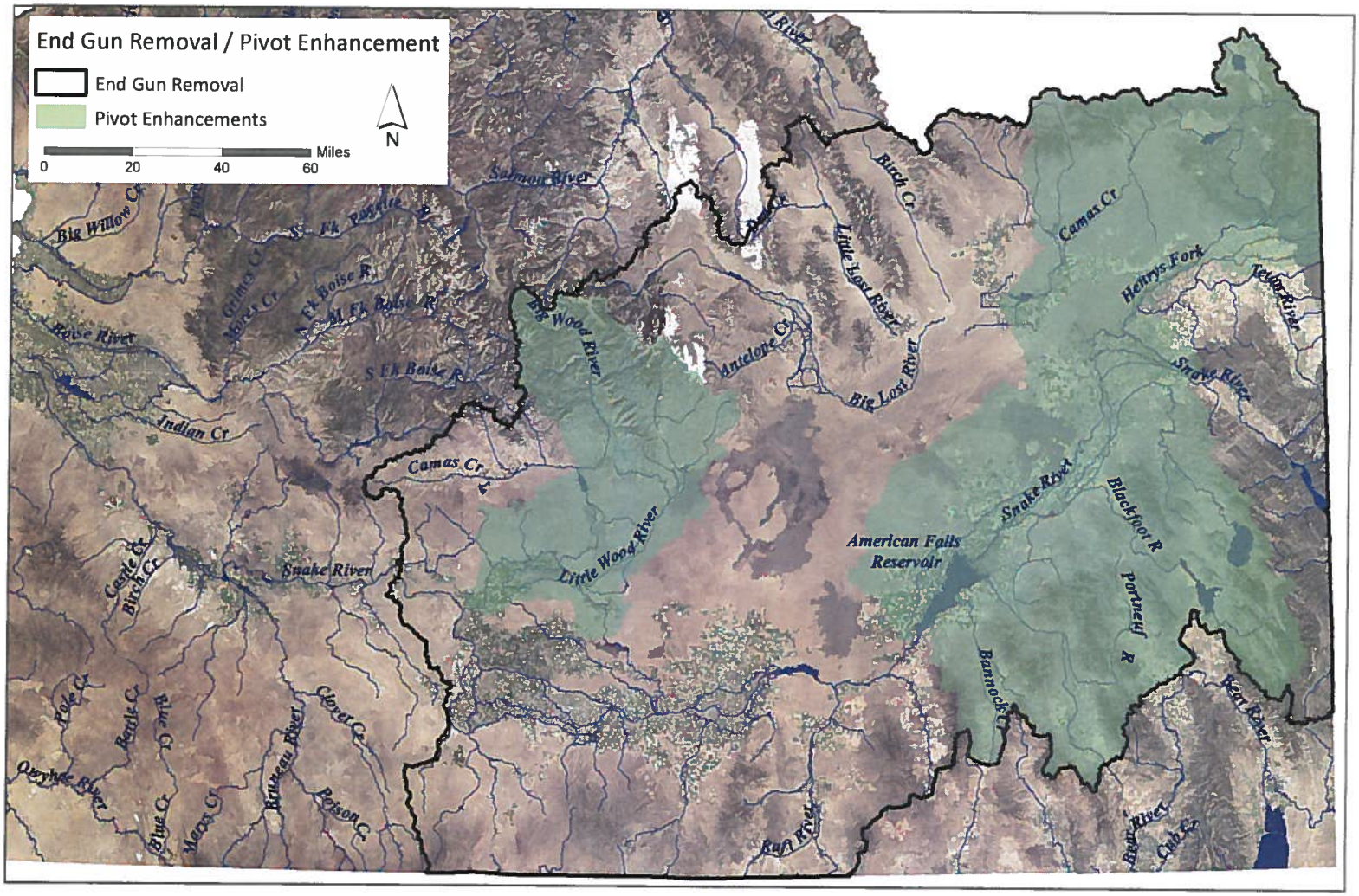
Attachment #14:

Project Timeline for Ground Water to Surface Water Conversions and Surface Water Delivery Improvements

ID	GW to SW Conversions and SW Delivery Improvements	2015				2016	2017	2018	2019	2020
		Q1	Q2	Q3	Q4					
1	Outreach/applications									
2	Monitoring and Reporting									

Attachment #15:

Project Area Map for End Gun Removal and Pivot Enhancements


End Gun Removal / Pivot Enhancement
End Gun Removal
Pivot Enhancements
Miles
0
20
40
60
N
Salmon River
Big Willow Cr
S Fk Payette R
Grimes Cr
Mores Cr
E Fk Boise R
M Fk Boise R
S Fk Boise R
Boise River
Indian Cr
Camas Cr
Big Wood River
Little Wood River
Snake River
Castle &
Birch Cr
Pole Cr
Rattle Cr
Blue Cr
Owyhee River
Blue Cr
Mores Cr
Bruneau River
Clover Cr
Poison Cr
Antelope Cr
Birch Cr
Little Lost River
Big Lost River
Camas Cr
Henrys Fork
Teton River
Snake River
Snake River
American Falls
Reservoir
Blackfoot R
Portneuf R
Bannock Cr
Raft River
Bear River
Crab Cr
Kent River

Attachment #16:

Partner Collaboration Table for End Gun Removal and Pivot Enhancements

Partner Collaboration Table for End Gun Removal/Pivot Enhancements

Partner Name	**Type**	**Partner Role and Responsibilities**
IWRB (Lead Partner)	SG	- Provide overall project coordination - Provide Producer Technical Assistance - Lead outreach and education - Conduct monitoring - Provide administrative services - Other similar activities
The Nature Conservancy	NP	- Provide project coordination support - Provide Producer Technical Assistance - Assist with outreach and education - Conduct monitoring - Provide funding for conservation practices - Provide administrative services - Provide monitoring/enforcement for end gun shut offs projects
AgSpring/ Thresher Corp.	FP	- Conduct monitoring - Provide funding for conservation practices - Provide Producer Technical Assistance - Provide monitoring/enforcement for end gun shut offs projects - Hire sustainability agronomist.
CMP	FP	- Assist in outreach and education

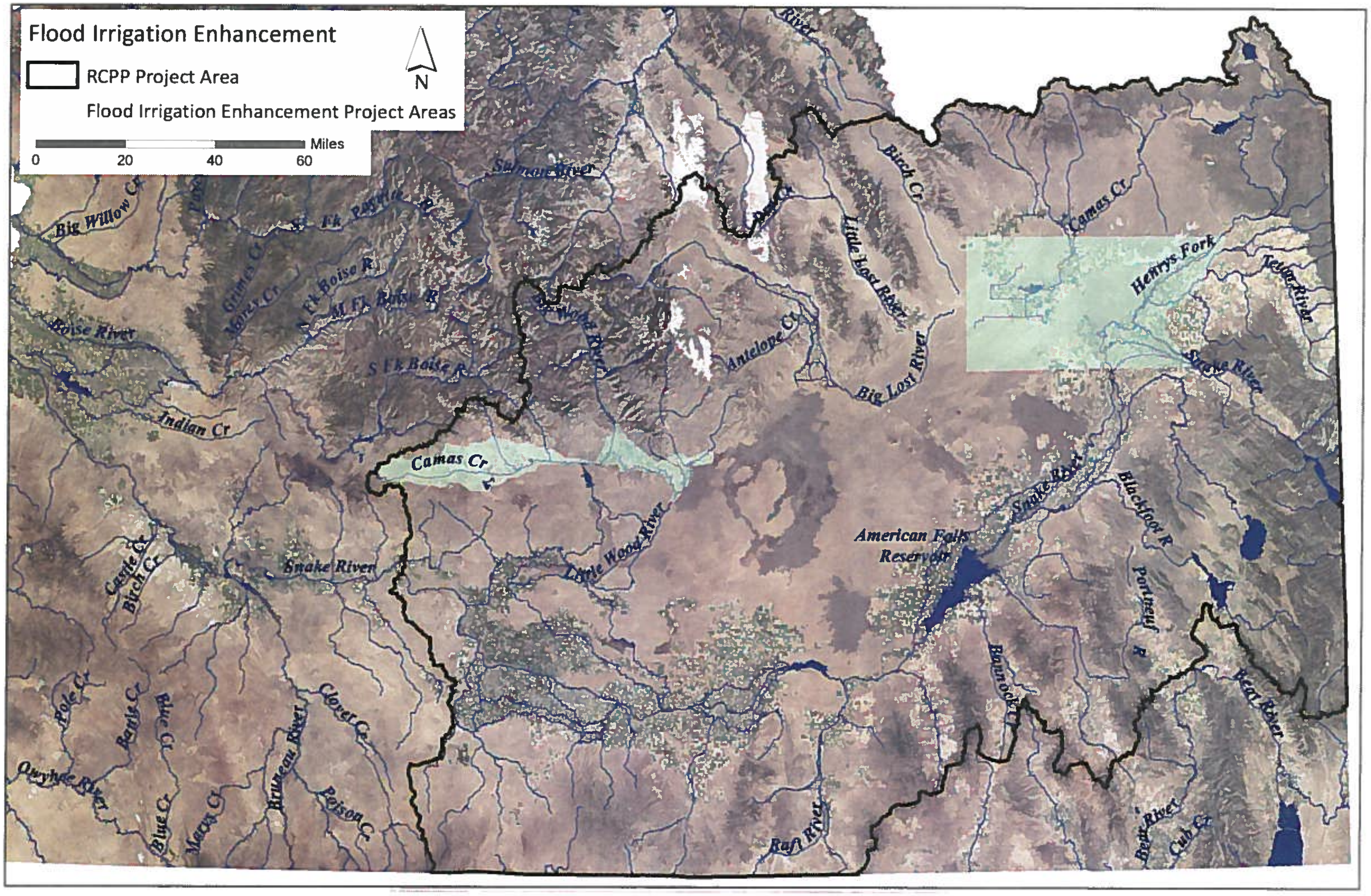
Attachment #17:

Project Timeline for End Gun Removal and Pivot Enhancements

ID	End Gun Removal and Pivot Enhancements	2015				2016	2017	2018	2019	2020
		Q1	Q2	Q3	Q4					
1	Outreach/Education/Final Planning/Signups									
2	Monitoring and Reporting									

Attachment #18:

Project Area Map for Flood Irrigation Enhancement


Flood Irrigation Enhancement
RCPP Project Area
Flood Irrigation Enhancement Project Areas
N
0
20
40
60
Miles
Big Willow Cr
Boise River
Indian Cr
Grimes Cr
Mores Cr
N Fk Boise R
M Fk Boise R
S Fk Boise R
Salmon River
Camas Cr
Snake River
Castle Cr
Birch Cr
Pole Cr
Battle Cr
Blue Cr
Owyhee River
Marys Cr
Bruneau River
Clover Cr
Poison Cr
Little Wood River
Antelope Cr
Big Lost River
Little Lost River
Birch Cr
Camas Cr
Henrys Fork
Teton River
Snake River
American Falls
Reservoir
Blackfoot R
Portneuf R
Bannock Cr
Raft River
Bear River
Cub Cr

Attachment #19:

Partner Collaboration Table for Flood Irrigation Enhancement

Partner Collaboration Table for Flood Irrigation Enhancements

Partner Name	Type	Partner Role and Responsibilities
IWRB	**SG**	- Provide overall project coordination - Provide Producer Technical Assistance - Lead outreach and education - Conduct monitoring - Provide administrative services
IDFG	**SG**	- Provide Producer Technical Assistance - Lead Outreach and Education - Conduct Monitoring - Provide funding for Conservation Practices
Ducks Unlimited	**NP**	- Provide Producer Technical Assistance - Lead Outreach and Education - Conduct Monitoring - Provide funding for Conservation Practices

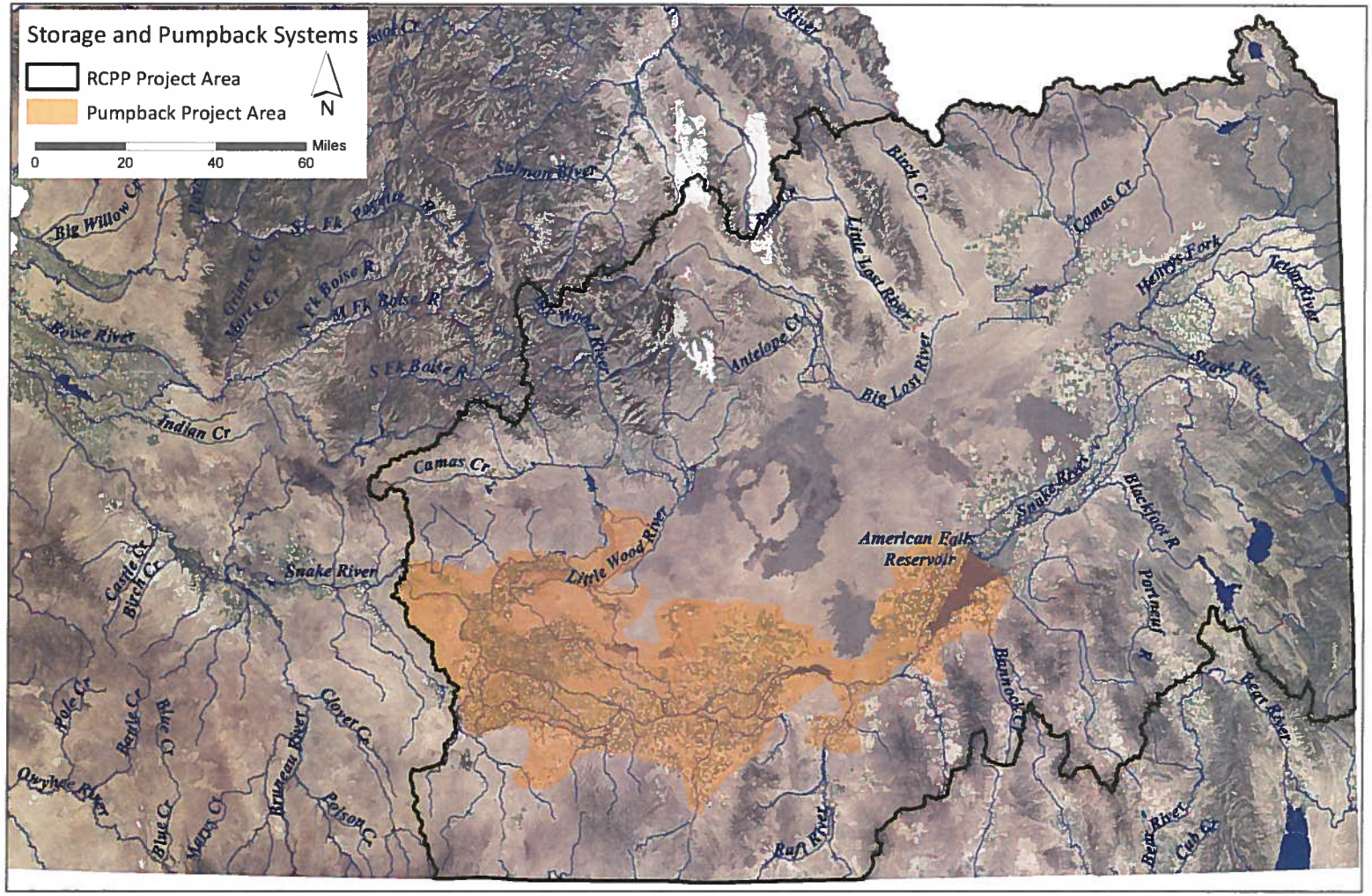
Attachment #20:

Project Timeline for Flood Irrigation Enhancement

ID	Flood Irrigation Enhancements	2015				2016	2017	2018	2019	2020
		Q1	Q2	Q3	Q4					
1	Outreach/applications									
2	Engineering/construction									
3	Monitoring outcomes									

Attachment #21:

Project Area Map for Storage and Pumpback Systems


Storage and Pumpback Systems
RCPP Project Area
Pumpback Project Area
N
Miles
0
20
40
60
Big Willow Cr
Grimes Cr
Moore Cr
N. Fk Boise R.
M. Fk Boise R.
S. Fk Boise R.
Boise River
Indian Cr
Camas Cr
Wood River
Antelope Cr
Little Lost River
Big Lost River
Birch Cr
Camas Cr
Henrys Fork
Teton River
Snake River
Blackfoot R
American Falls Reservoir
Little Wood River
Snake River
Castle Cr
Birch Cr
Hole Cr
Rattle Cr
Blue Cr
Owyhee River
Blue Cr
Meadow Cr
Bruneau River
Clover Cr
Poison Cr
Portneuf R
Bannock Cr
Bear River
Club Cr
Raft River

Attachment #22:

Partner Collaboration Table for Storage and Pumpback Systems

Partner Collaboration Table for Storage and Pumpback Systems

Partner Name	Type	Partner Role and Responsibilities
IWRB	SG	- Provide overall project coordination - Provide Producer Technical Assistance - Lead outreach and education - Conduct monitoring - Provide administrative services - Other similar activities
Idaho Ground Water Appropriators and Irrigation Entities	NP	- Provide project coordination support - Provide producer technical assistance - Assist with outreach and education - Provide administrative services - Other similar activities
Idaho Department of Fish and Game	SG	- Provide funding for conservation practices and other similar activities.

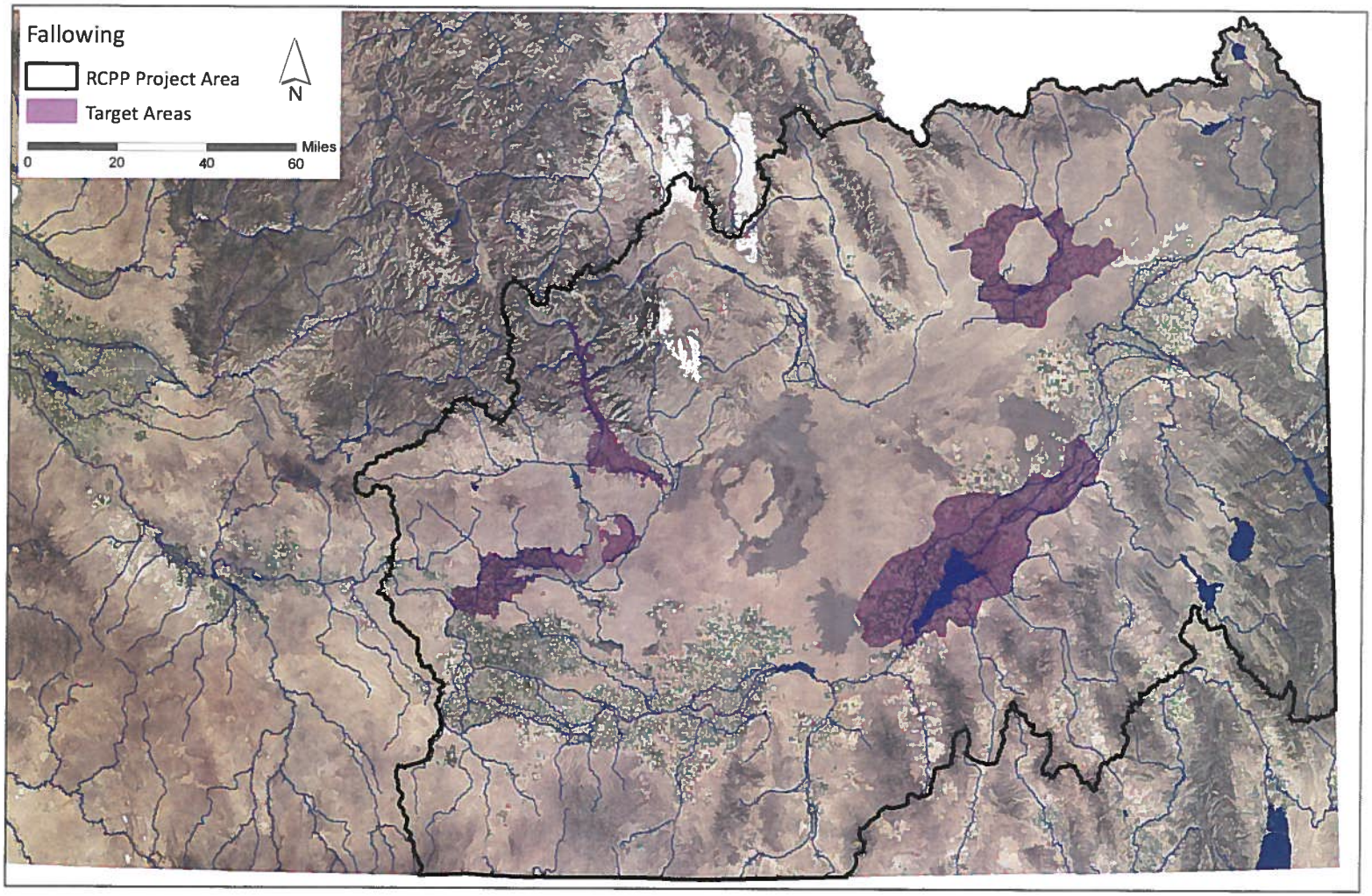
Attachment #23:

Project Timeline for Storage and Pumpback Systems

ID	Storage and Pumpback Systems	2015				2016	2017	2018	2019	2020
		Q1	Q2	Q3	Q4					
1	Outreach/applications									
2	Engineering									
3	Easements and Rights of Way									
4	Construction									
5	Implementation and Monitoring									

Attachment #24:

Project Area Map for Fallowing and Conversion to Dryland Farming


Fallowing
RCPP Project Area
Target Areas
N
Miles
0
20
40
60

Attachment #25:

Partner Collaboration Table for Fallowing and Conversion to Dryland Farming

Partner Collaboration Table for Fallowing and Conversion to Dry Land Farming

Partner Name	**Type**	**Partner Role and Responsibilities**
IWRB	SG	- Provide overall project coordination - Provide Producer Technical Assistance - Lead outreach and education - Conduct monitoring - Provide administrative services - Other similar activities
Wood River Land Trust	NP	- Provide overall project coordination - Provide producer technical assistance - Lead outreach and education - Conduct monitoring - Provide funding for conservation practices
Trout Unlimited	NP	- Provide overall project coordination - Provide producer technical assistance - Lead outreach and education - Conduct monitoring - Provide funding for conservation practices

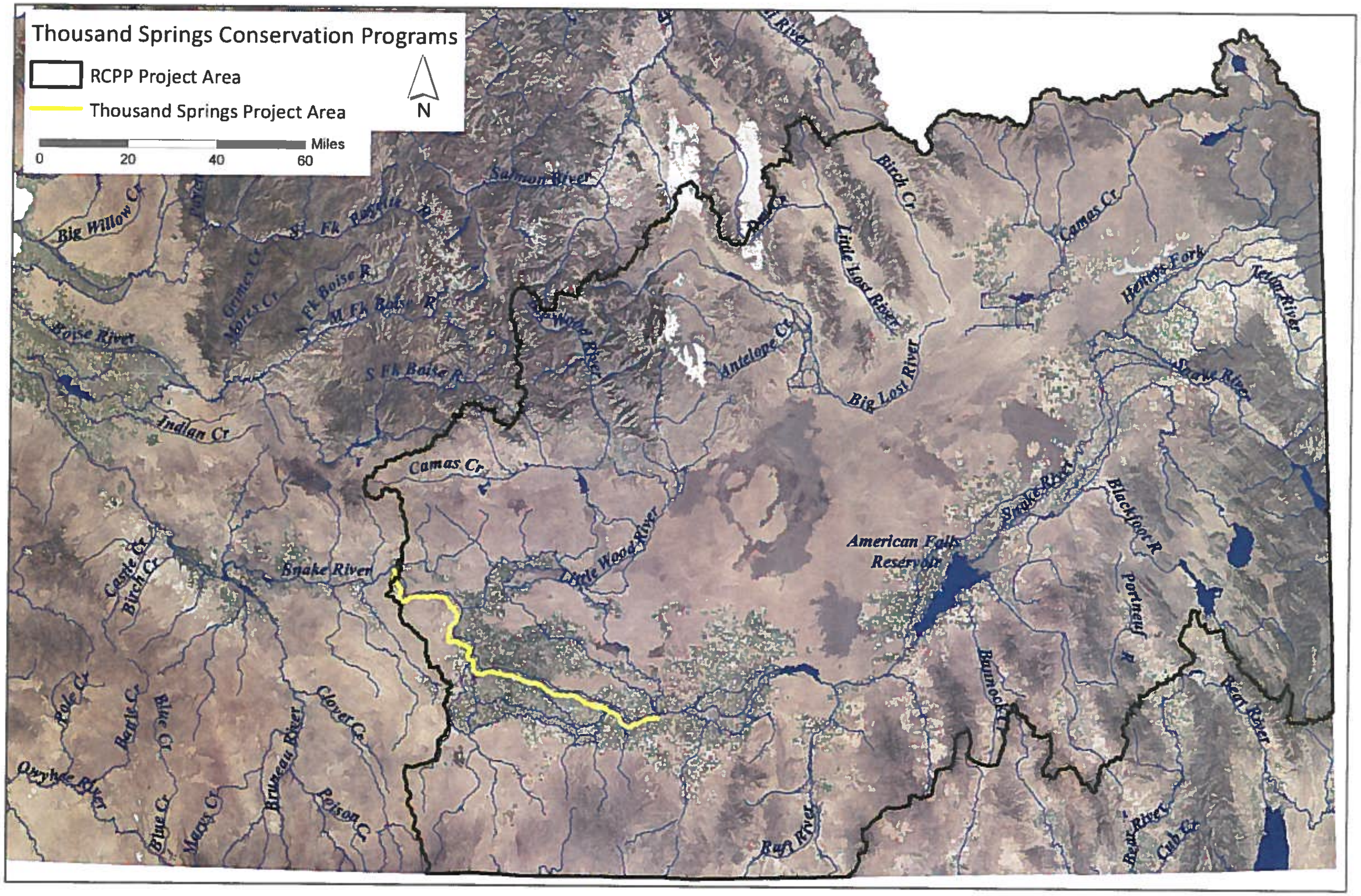
Attachment #26:

Project Timeline for Fallowing and Conversion to Dryland Farming

ID	Fallowing and Conversion to Dryland Farming	2015				2016	2017	2018	2019	2020
		Q1	Q2	Q3	Q4					
1	Outreach/applications									
2	Implementation									
3	Monitoring outcomes									

Attachment #27:

Project Area Map for Thousand Springs Conservation Program



Thousand Springs Conservation Programs
RCPP Project Area
Thousand Springs Project Area
Miles
0
20
40
60
N
Big Willow Cr
Salmon River
Boise River
Indian Cr
Camas Cr
Snake River
Little Wood River
Antelope Cr
Big Lost River
Little Lost River
Birch Cr
Henrys Fork
Teton River
American Falls Reservoir
Blackfoot R
Portneuf R
Bear River
Cub Cr
Raft River
Bruneau River
Clover Cr
Poison Cr
Owyhee River
Pole Cr
Castle Cr
Birch Cr
Blue Cr
Marys Cr
S Fk Boise R
M Fk Boise R
N Fk Boise R
Grimes Cr
Mores Cr

Attachment #28:

Partner Collaboration Table for Thousand Springs Conservation Program

Partner Collaboration Table for Thousand Springs Conservation Program

Partner Name	**Type**	**Partner Role and Responsibilities**
IWRB	SG	- Provide project coordination - Provide Producer Technical Assistance - Provide administrative services - Conduct Monitoring - Other similar activities
Thousand Springs Water Users Association (TSWUA)	NP	- Lead outreach & education - Provide overall project coordination - Provide Producer Technical Assistance - Assist landowners with reporting requirements

Attachment #29:

Project Timeline for Thousand Springs Conservation Program

ID	Thousand Springs Conservation Program	2015				2016	2017	2018	2019	2020
		Q1	Q2	Q3	Q4					
1	Outreach/applications									
2	Engineering/construction									
3	Monitoring outcomes									

Memorandum

To: Idaho Water Resource Board

From: Brian Patton, Mat Weaver, Neal Farmer, Cynthia Bridge Clark

Date: October 25, 2014

Re: ESPA Managed Recharge Status Report

Goal: Develop program to recharge 250,000 acre-feet on average annual basis to stabilize and recover the Eastern Snake Plain Aquifer (ESPA is currently losing about 200,000 af/yr from aquifer storage). This is necessary to 1) assist with resolving existing and future water use conflicts, and 2) maintain the minimum flows at the Murphy Gage under the Swan Falls Agreement.

Current Status: Since 2009 ESPA recharge has averaged about 74,000 af/yr. This has been achieved on an opportunistic basis and not all accomplished recharge has taken place at high ranking locations with respect to long-term aquifer storage.

Key to Achieving Goal: Maximize diversion of flows spilling past Milner during the non-irrigation season, including winter-time diversions, which are available for recharge under the IWRB's current water right for recharge and which have not been utilized to a significant degree in the past. Even in the driest years there is at least 500 cfs spilling past Milner when irrigation diversions have ceased. In addition, the IWRB will continue current opportunistic recharge efforts throughout the basin.

IWRB Funds Available for ESPA Recharge:

$1,215,432	Currently committed for delivery costs
$3,823,222	Currently committed for infrastructure costs
$337,594	Currently committed for preliminary development
$2,032,903	Unallocated funds available for recharge and other aquifer stabilization activities
$5,000,000/yr	Ongoing annual funds from Cigarette for "statewide aquifer stabilization" (beginning July 2015)

Milner-Area Efforts:
The Idaho Water Resource Board (IWRB) to date has only utilized a portion of water to which it has access to recharge at Milner, so efforts are focused on ways to utilize more of this water supply (see attached map).

1) Non-irrigation season delivery with existing canal systems:

   a) Recharge Delivery Operations: we anticipate TFCC and AFRD2 will begin recharge deliveries on October 27th. AFRD2 is planning to run 300 cfs down the Milner Gooding Canal and TFCC is planning to run 50 cfs in the upper reach of the Twin Falls Canal. Additional information will be provided as operations progress.

   b) Payment Structure: A new incentivized payment structure has been put in place to encourage canals to divert available recharge water as long as possible during the non-irrigation season.

Table 1: Payment Structure

Number of Days Recharge Water Delivered *	Payment Rate per AF Delivered
1-to-25 days	$3/AF
26-to-50 days	$5/AF
51-to-80 days	$7/AF
81-to-120 days	$10/AF
More than 120 days	$14/AF

* Number of days between when recharge permit turns on in fall and when it turns off following spring.

c) Delivery Contracts: A number of winter delivery contracts have been or are expected to be executed shortly with canal systems that divert from Milner. The upcoming non-irrigation season will be a trial run for winter recharge activities.

Table 2: Delivery Contract Summary

Canal System	Contract Status	Expected Recharge Rate	Aquifer Retention
Twin Falls Canal Company (TFCC): Milner-Murtaugh reach	In place with 5-year term	50 cfs	~50% after 5 years
American Falls Reservoir District No. 2 (AFRD2): Milner-Gooding Canal	In place with 5-year term	250 cfs in canal and in MP31	~40% after 5 years
Southwest Irrigation District (SWID): West Cassia Pipeline	In progress-expect to be signed with 5-year term	25 cfs through pipeline to injection wells	~55% after 5 years

d) Infrastructure Modifications Associated with the Winter/Non-irrigation Season Deliveries from Milner: The IWRB has offered to help pay for infrastructure modifications needed for winter recharge deliveries.

Table 3: Infrastructure Modification Activity Summary

Activity *	Cost	Status
American Falls Reservoir District No. 2		
Winter-capable road to MP31	$177,000	Resolution passed at Sept IWRB meeting
Engineering study for replacement of deteriorated concrete flume at Shoshone	To be determined (should be cost-share)	Can be executed under IWRB authorization to support engineering work
Complete replacement of concrete flume at Shoshone (would open up more canal and Shoshone Recharge Site to winter deliveries and increase capacity by ~250 cfs)	To be determined (total cost could be about $4M for 2 miles of flume)	To be determined
Twin Falls Canal Company		
Engineering study for keeping ice off gates at Murtaugh Lake	$20,000	In progress – executed under prior IWRB authorization for eng work
De-icing bubblers at Murtaugh gates	To be determined	To be determined
Southwest Irrigation District		
Engineering study for making West Cassia	$50,000	Can be executed under IWRB

Pipeline winter-capable		authorization to support engineering work
Execute actions required to make West Cassia winter-capable	To be determined	To be determined
Northside Canal Company		
Engineering study for allow winter flows to Wilson Lake (3 existing system hydropower plants will require modifications)	To be determined	Study scope is under development

* Standard clause inserted in agreements through which IWRB funds infrastructure modifications: If the canal system fails to deliver a specified amount of recharge over the 5-year contract term, the IWRB's infrastructure investment becomes repayable to the IWRB at loan terms.

e) General Recharge Activities:

- IDWR staff is prepared to provide support for a recharge test at the Gooding Site when it is undertaken.
- Mile Post 31- LSRARD and IDWR staff performed field measurements on 41 wells for a recharge tracer test at MP31. Water samples were also collected for lab analysis. Preliminary results indicated that recharge water has travelled 6.5 miles in 6 months. Defining the flow path has helped reduce water quality sampling costs.
- Additional updates on recharge activity will be provided at the November IWRB meeting.

2) Direct Pump-to-Injection systems: The possibility of direct pump-to-injection systems that would divert surface water from the Milner Pool is also being investigated. These projects, if built, would be independent of irrigation delivery systems. Water would be diverted by dedicated pumping plants (possibly IWRB-owned), similar to the proposed Walcott Project. All identified locations around the Milner pool would retain approximately 50% of recharged water after 5 years, assuming the water is injected into the regional aquifer. Locations under investigation are identified in Table 4 below.

Table 4: Direct Pump-to-Injection Activities

A&B Pumping Plant Location
• The permit from the U.S. BOR and IDWR approved to perform a test injection at an existing large diameter deep well owned by BOR near A&B pump plant. • Preparation for injection test included water level measurements, installation of water level loggers, well head modifications, and pre-injection water sampling for quality and dye tracer testing. • Test injection completed October 9 (4 hrs, 4 cfs). Dye tracer released with injected water. Dye sampling is weekly up to 5 weeks, then bi-weekly thereafter up to 3 months. Water quality samples will be collected if dye is detected at nearby sampling wells. • Test included coordination between IDWR, IPCo, LSRARD, BLM and A&B Irrigation District.
NSCC Pumping Plant
• The NSCC approved drilling a test well at their Milner pump station. • Final Injection permit from IDWR being processed and a U.S. BOR special use permit to drill at this location received for review. • LSRARD coordinating drilling contractor and water quality samples will be taken during injection test, and A&B and NSCC coordinating to prepare a domestic well in the vicinity to allow for water quality sampling in preparation for the injection test.
Southwest Irrigation District Pumping Plant

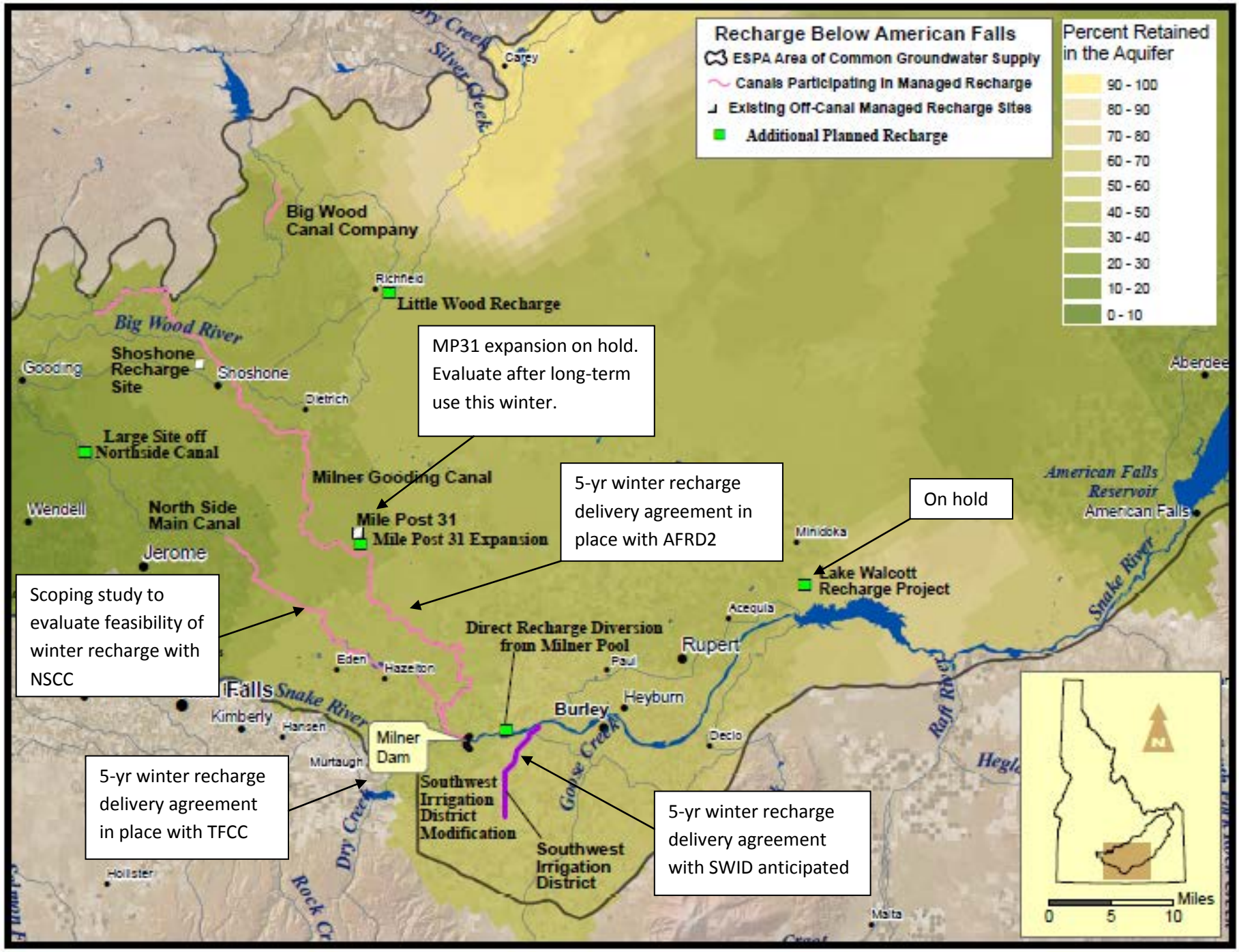
• An injection well application is under review by IDWR. Arrangements have been made to seek assistance from A&B Irrigation District to help with drilling well for SWID. • SWID reviewing draft contract for an engineering study of SWID system to accommodate winter recharge.
Nightengale Private Property Site
• Permission to drill was provided by landowner. • LSRARD located driller and preparation of drill site is proceeding.
US BOR Site Upstream from A&B Pump Plant
• BOR currently processing an application to drill submitted by IDWR on June 16, 2014. • IDWR is processing a permit for an injection well test.
3rd Site – BOR Land
• Site has been scoped and evaluated for another possible test well located on north side of reservoir downstream of A&B's pumping plant.
A&B Test Well at Milner Pumping Plant
• A&B will evaluate test injection data from the BOR well to help determine where to drill a test well at their Milner pumping plant.

Upper Valley Recharge:
We currently anticipate the Upper Valley (upstream of American Falls Reservoir) will have an important place in ESPA recharge efforts, but on an intermittent basis as our analysis indicates water is available for recharge only about 50% of years and that most locations have shorter retention characteristics than areas near the Milner Pool. Regardless, the recharge capacity in the Upper Valley is considered to be important during high flow years. Upper Valley considerations for recharge include:

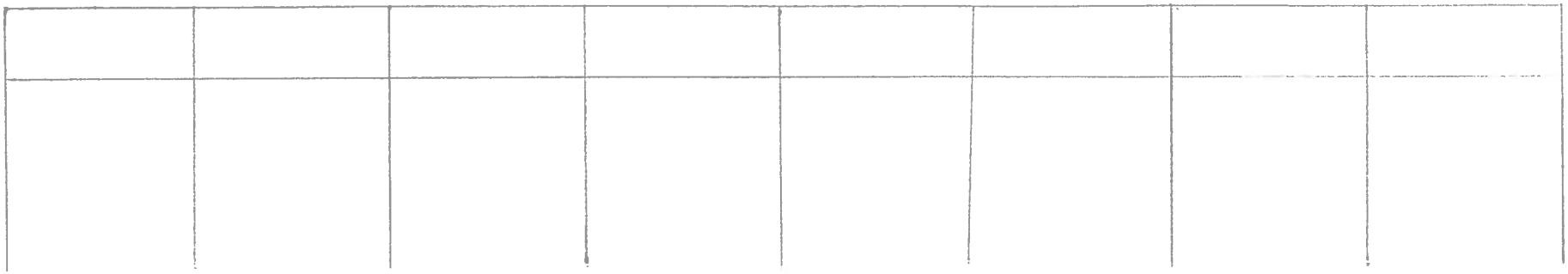
1) Reservoir Re-fill: The re-fill issue currently complicates recharge above American Falls Reservoir, because recharge diverting in priority could potentially intercept water that historically has been used to re-fill storage space evacuated for flood control and other reservoir operations. Negotiations are on-going to resolve this issue and define "re-fill water rights". These refill WRs include elements and conditions that, if decreed, will clearly establish when natural flow water is available for recharge above the Minidoka Dam. The IWRB's position has been that it will support maximum reservoir fill by ensuring that recharge does not occur at the expense of reservoir fill.

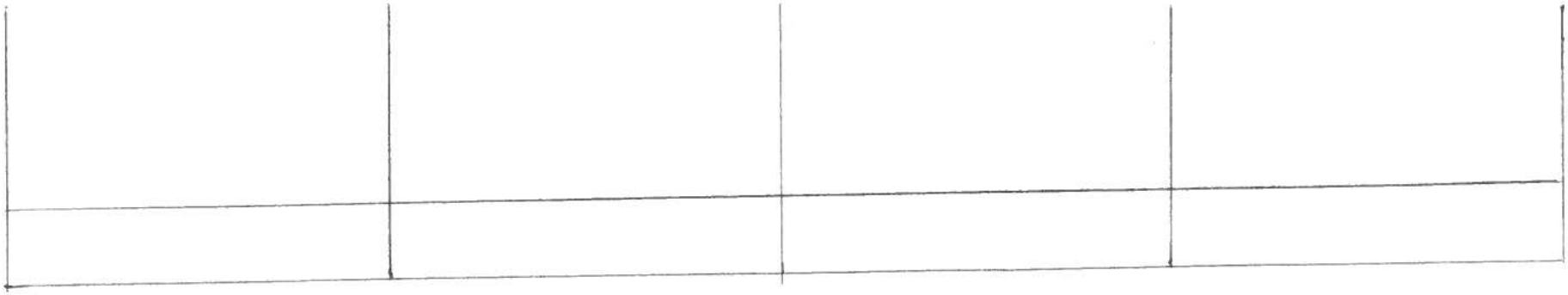
2) Payment Structure for Upper Valley Canals: The incentivized payment structure was approved only for those canals that divert from the Milner Pool, as there is water supply available for recharge at Milner during the non-irrigation season that has not been utilized. The water availability in the Upper Valley has different characteristics. It is intermittent and available in about 50% of years. When it occurs, it is usually in large volumes for short durations. Therefore, the payment structure designed to encourage winter deliveries at Milner may not work for the Upper Valley. The IWRB needs to give some thought to what an Upper Valley payment structure might look like.

3) Proposal from the Great Feeder system for recharge improvements: Representatives of the Great Feeder system have been working with the IWRB on a proposal for recharge conveyance and capacity improvements in their system. Representatives from the Great Feeder plan to present this proposal at the IWRB's November meeting.

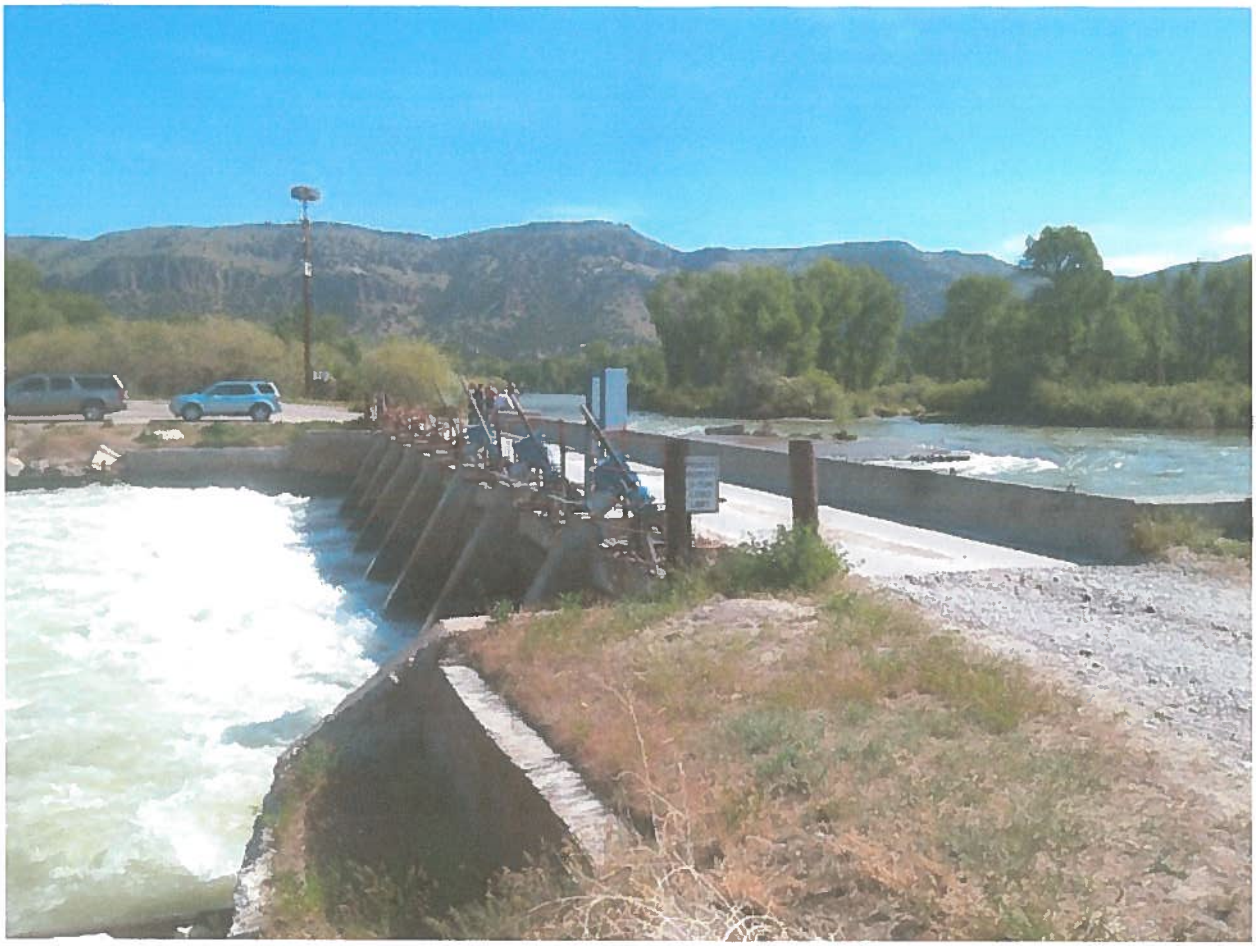

Recharge Below American Falls
ESPA Area of Common Groundwater Supply
Canals Participating in Managed Recharge
Existing Off-Canal Managed Recharge Sites
Additional Planned Recharge
Percent Retained in the Aquifer
90 - 100
80 - 90
70 - 80
60 - 70
50 - 60
40 - 50
30 - 40
20 - 30
10 - 20
0 - 10
Big Wood Canal Company
Little Wood Recharge
Big Wood River
Shoshone Recharge Site
Large Site off Northside Canal
Milner Gooding Canal
Mile Post 31
Mile Post 31 Expansion
North Side Main Canal
Direct Recharge Diversion from Milner Pool
Lake Walcott Recharge Project
American Falls Reservoir
Snake River
Raft River
Milner Dam
Southwest Irrigation District Modification
Southwest Irrigation District
Dry Creek
Silver Creek
Goose Creek
Carey
Richfield
Gooding
Shoshone
Dietrich
Aberdee
Wendell
Jerome
Minidoka
American Falls
Acequia
Rupert
Paul
Heyburn
Burley
Declo
Eden
Hazelton
Kimberly
Hansen
Murtaugh
Hollister
Malta
Miles
0
5
10
MP31 expansion on hold. Evaluate after long-term use this winter.
5-yr winter recharge delivery agreement in place with AFRD2
On hold
Scoping study to evaluate feasibility of winter recharge with NSCC
5-yr winter recharge delivery agreement in place with TFCC
5-yr winter recharge delivery agreement with SWID anticipated

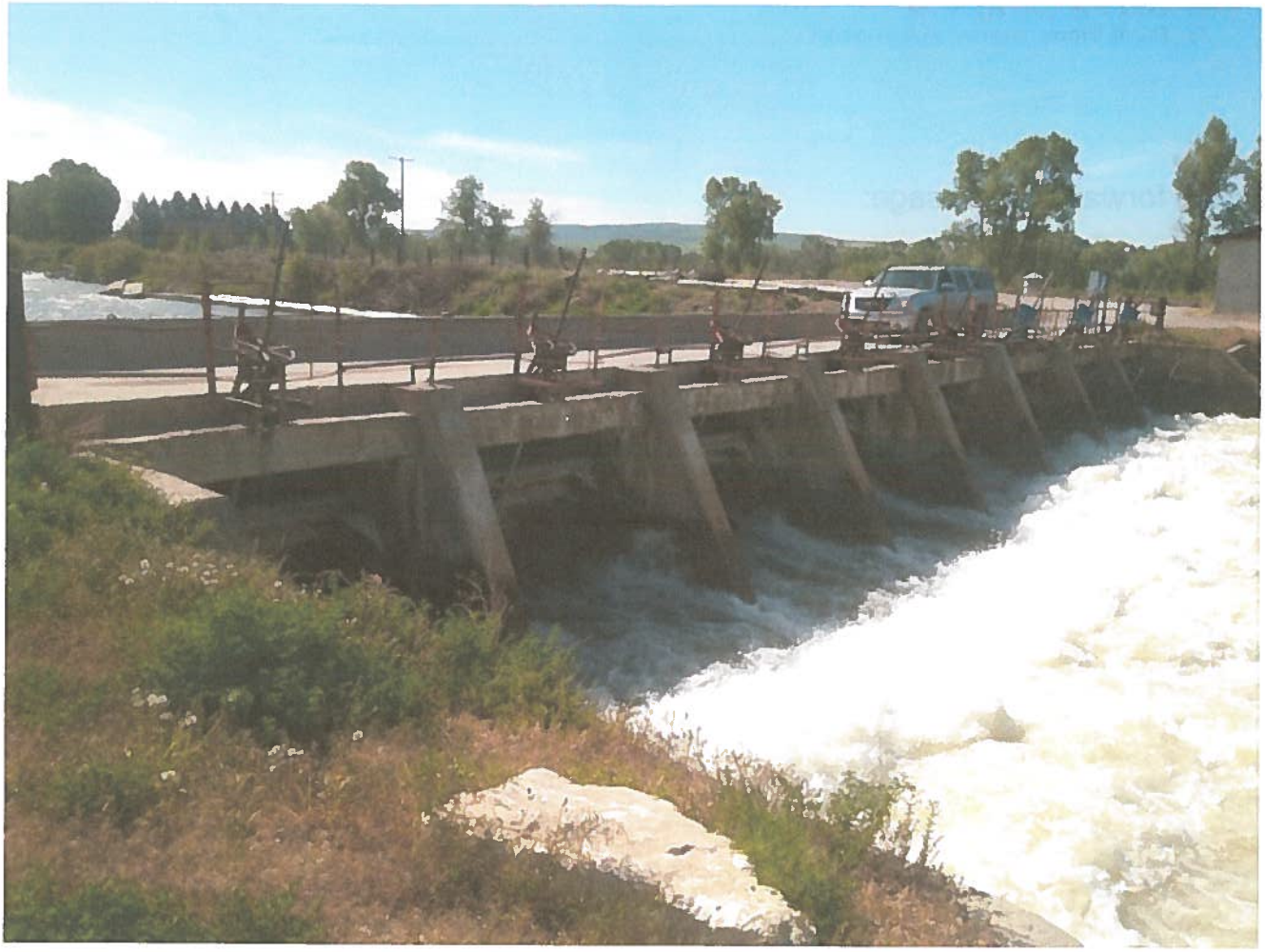
Existing Headgate





Proposed Headgate





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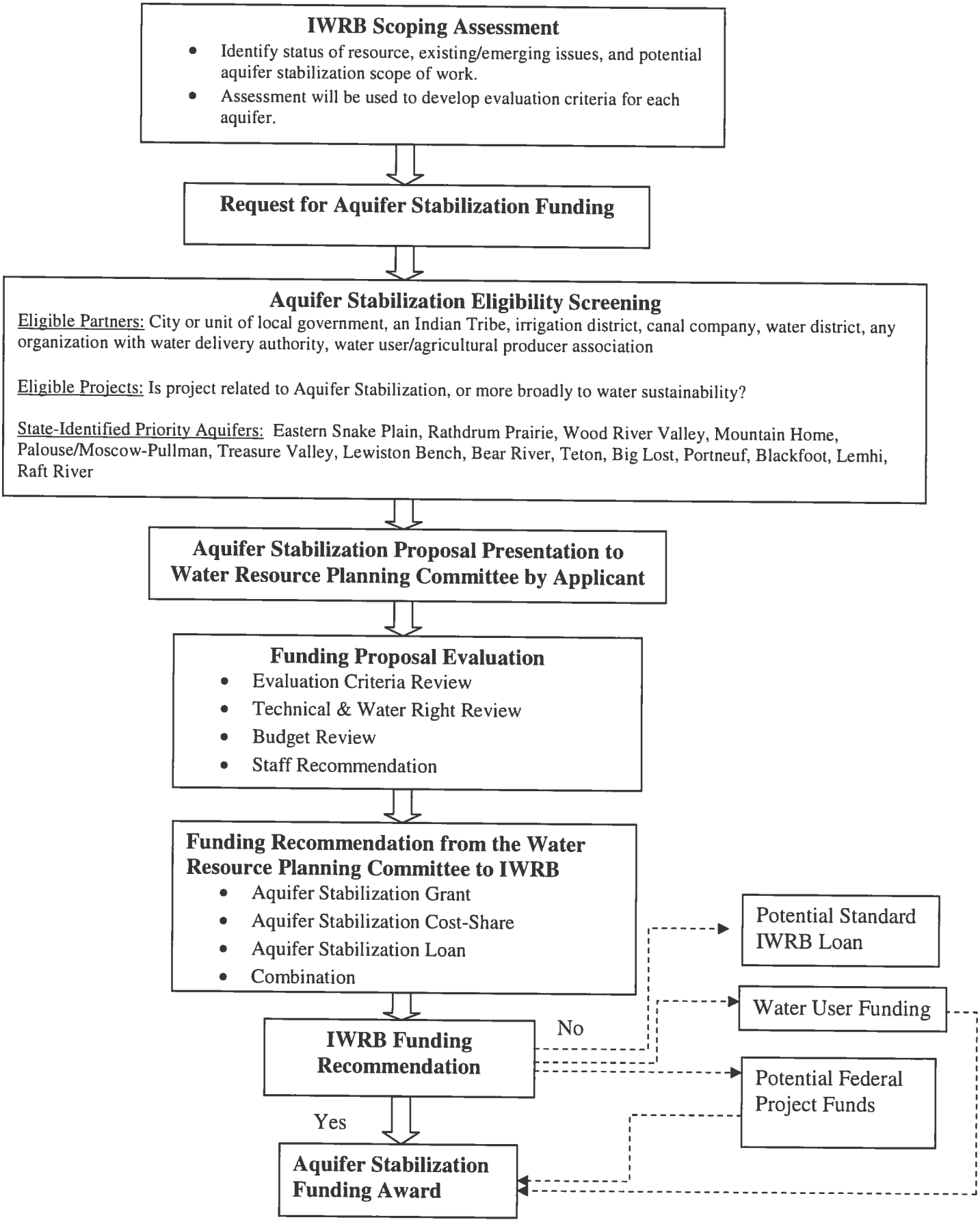
IWRB Scoping Assessment
• Identify status of resource, existing/emerging issues, and potential aquifer stabilization scope of work.
• Assessment will be used to develop evaluation criteria for each aquifer.
Request for Aquifer Stabilization Funding
Aquifer Stabilization Eligibility Screening
Eligible Partners: City or unit of local government, an Indian Tribe, irrigation district, canal company, water district, any organization with water delivery authority, water user/agricultural producer association
Eligible Projects: Is project related to Aquifer Stabilization, or more broadly to water sustainability?
State-Identified Priority Aquifers: Eastern Snake Plain, Rathdrum Prairie, Wood River Valley, Mountain Home, Palouse/Moscow-Pullman, Treasure Valley, Lewiston Bench, Bear River, Teton, Big Lost, Portneuf, Blackfoot, Lemhi, Raft River
Aquifer Stabilization Proposal Presentation to Water Resource Planning Committee by Applicant
Funding Proposal Evaluation
• Evaluation Criteria Review
• Technical & Water Right Review
• Budget Review
• Staff Recommendation
Funding Recommendation from the Water Resource Planning Committee to IWRB
• Aquifer Stabilization Grant
• Aquifer Stabilization Cost-Share
• Aquifer Stabilization Loan
• Combination
IWRB Funding Recommendation
No
Yes
Potential Standard IWRB Loan
Water User Funding
Potential Federal Project Funds
Aquifer Stabilization Funding Award

Statewide Aquifer Stabilization

Neeley Miller, Planning and Projects Bureau

November 4, 2014

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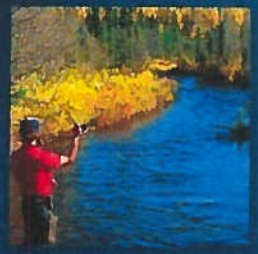

Aquifer Stabilization Funding HB547

- Directs $5 million annually to the Idaho Water Resource Board for statewide aquifer stabilization
- Funds had been used to pay for Capital renovation project – paid off this year
- Will receive 1st disbursement in July of 2015
- Sponsored by Speaker of the House, approved by 2014 Legislature

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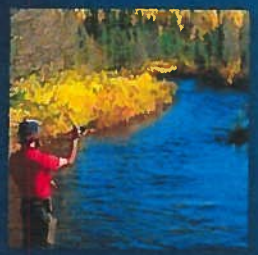
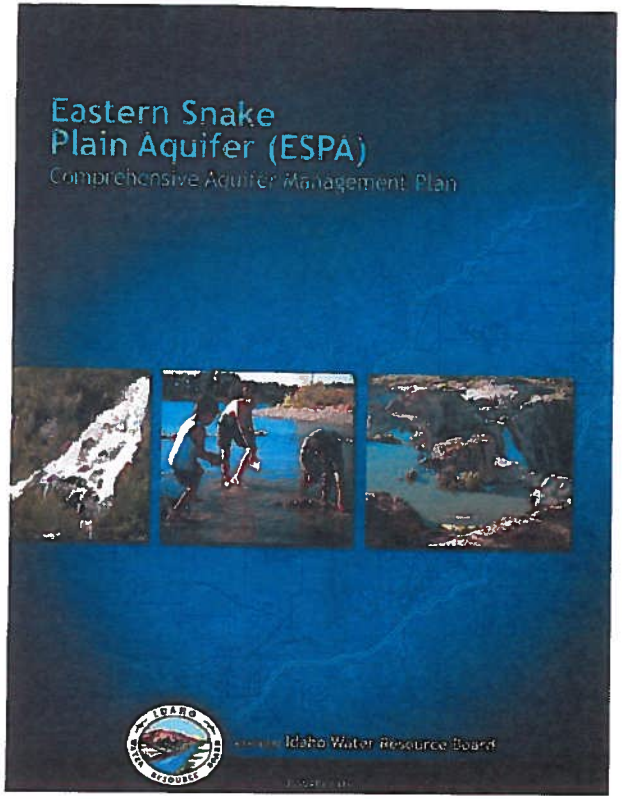


First Priority… ESPA

The Eastern Snake Plain Aquifer has been identified as the first priority for the Board's statewide aquifer stabilization effort.



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ESPA Comprehensive Aquifer Management Plan

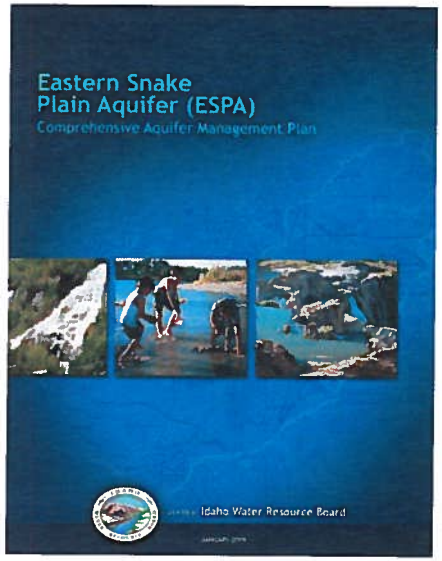
✓CAMP lays out a goal for ESPA stabilization and recovery (water budget change) through a series of management actions

✓Phase 1 of CAMP (200-300 KAF water budget change) is designed to stabilize aquifer storage - this should stabilize spring flows

✓Phase 2 (600 KAF water budget change) is designed to recover some aquifer storage – this should recover some spring flows

✓CAMP funding system not enacted in 2009 when CAMP was approved

✓Progress being made by using some Water Board funds to leverage water user funds and securing federal funds – now have additional funds



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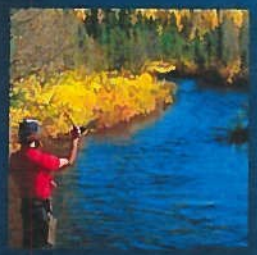
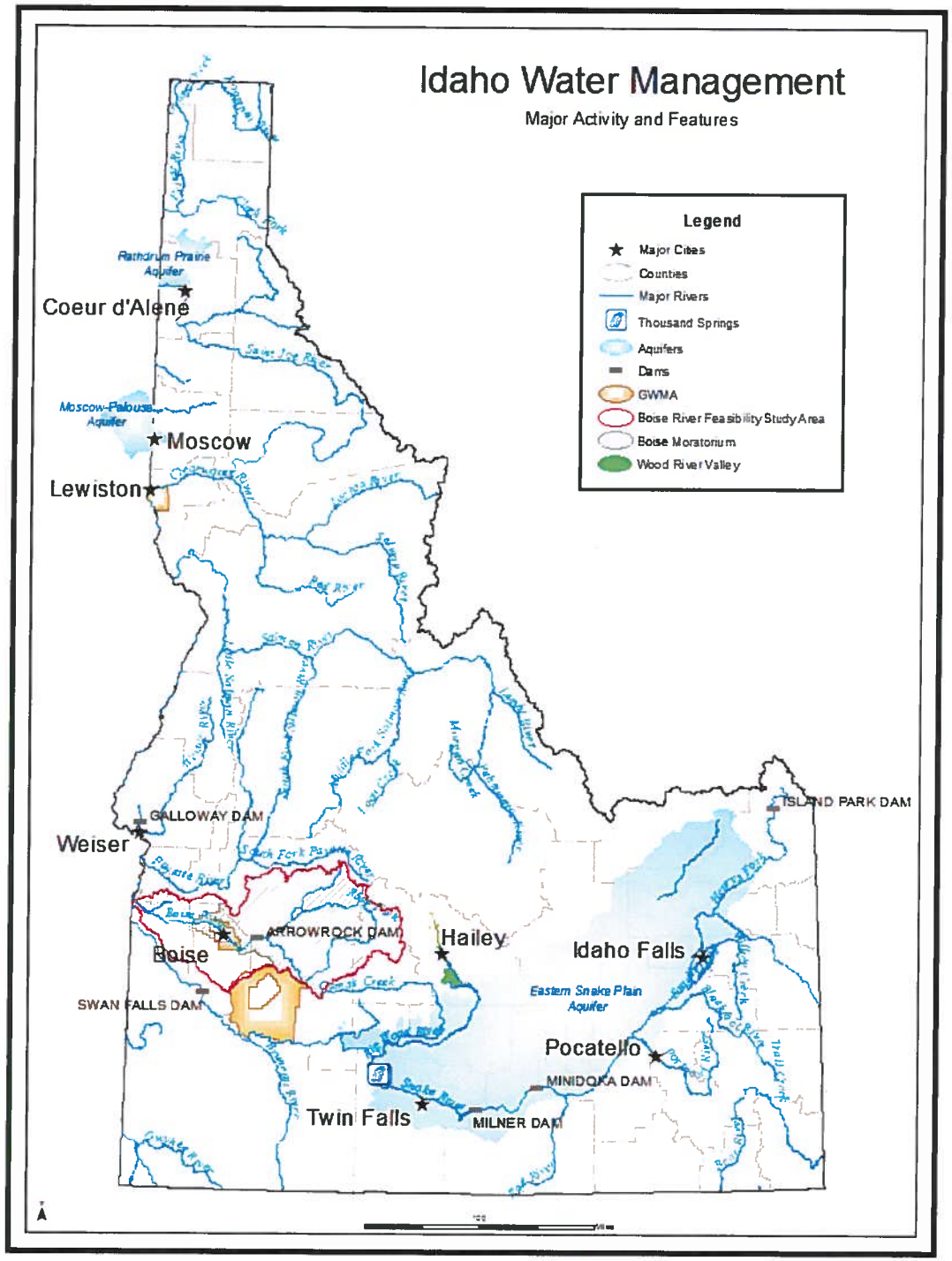


While the first priority for aquifer stabilization is the ESPA, other aquifers in the state also have needs.



- Wood River Valley – transient GW model under development similar to models in ESPA and RPA
- Mt Home – sustainable replacement water supplies for Air Force Base from Snake River & evaluating further use of surface water for aquifer stabilization
- Treasure Valley – transient GW model under development & evaluating use of surface water to meet future needs; new surface storage
- Lewiston Bench – enhancement of aquifer monitoring system
- Rathdrum Prairie Aquifer – determining extent of Idaho's future needs from Aquifer prior to any interstate water conflict with downstream states
- Other areas – Moscow-Palouse Aquifer

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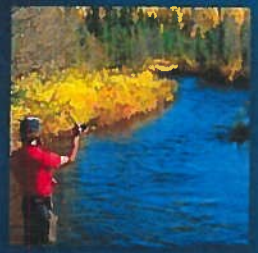

There may be an opportunity for the Board to support aquifer stabilization projects in these aquifers, and potentially others.

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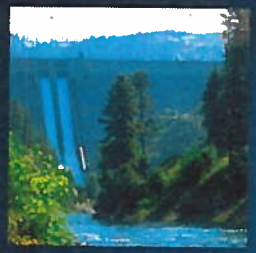

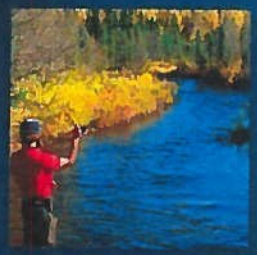

Aquifer Stabilization Prioritization

- Staff has been working to develop a two-track approach for prioritizing aquifer stabilization projects statewide.

- The two-track approach was selected to give the IWRB flexibility to act when needed.

Different paths leading to the same end goal.

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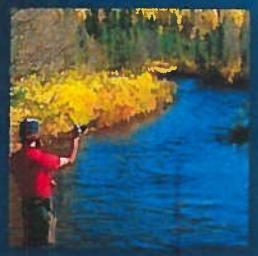

Aquifer Stabilization Prioritization

- The first track would be a Board-initiated approach similar to the Board's use of aquifer stabilization funds to enhance recharge activities on the ESPA where the Board directly identifies projects and undertakes them to accomplish aquifer stabilization.

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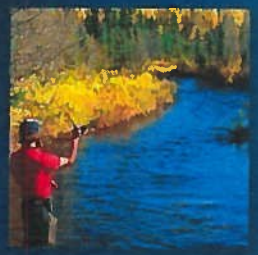

Aquifer Stabilization Prioritization

- For the second track staff is developing a process where the Board could provide aquifer stabilization funds to local aquifer stakeholders to investigate and/or undertake water resource projects that support the stabilization of a State-Identified Priority Aquifer.

- Under this approach, the Board would solicit proposals for aquifer stabilization targeting State-Identified Priority Aquifers.

- Let's take a look at the proposed approach. See flowchart handout.

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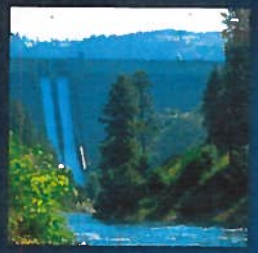

IWRB Scoping Assessment

- Identify status of resource, existing/emerging issues, and potential aquifer stabilization scope of work.
- Assessment will be used to develop evaluation criteria for each aquifer.

•Should a completed CAMP be the threshold for qualifying for aquifer stabilization funding? Should aquifers with completed CAMPs be given priority for aquifer stabilization funding (prioritize but not exclude)?

•Most State-Identified Priority Aquifers will not have a completed CAMP. Without a CAMP or some other water management plan to guide actions, how do we determine strategies for aquifer stabilization?

•Prior to requesting funding proposals staff could develop a high-level scoping assessment to determine potential status of resource, existing issues/emerging issues, and identify potential elements for plan of study for work on each aquife

•Staff could identify several aquifer stabilization indicators to measure the needs of an aquifer.

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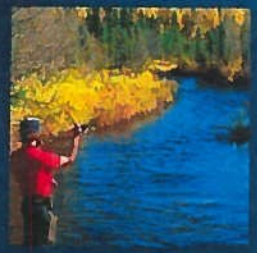

Request for Aquifer Stabilization Funding

Aquifer Stabilization Eligibility Screening

Eligible Partners: City or unit of local government, an Indian Tribe, irrigation district, canal company, water district, any organization with water delivery authority, water user/agricultural producer association

Eligible Projects: Is project related to Aquifer Stabilization, or more broadly to water sustainability?

State-Identified Priority Aquifers: Eastern Snake Plain, Rathdrum Prairie, Wood River Valley, Mountain Home, Palouse/Moscow-Pullman, Treasure Valley, Lewiston Bench, Bear River, Teton, Big Lost, Portneuf, Blackfoot, Lemhi, Raft River

- Above is the list of State-Identified Priority Aquifers sufficient for now, or is there a desire to develop an expanded list? The Board may want to consider proposals from anywhere in the state.

- Request for proposals (RFP's) could target one specific aquifer rather than multiple aquifers.

- Do we want to consider requests for aquifer stabilization funding for all State-Identified Priority Aquifers at the same time, or address them one by one over several years?

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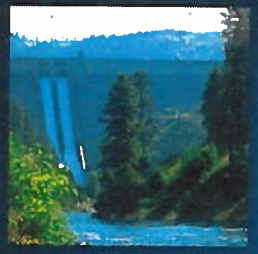

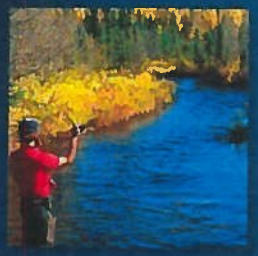

Aquifer Stabilization Proposal Presentation to Water Resource Planning Committee by Applicant

Funding Proposal Evaluation

- Evaluation Criteria Review
- Technical & Water Right Review
- Budget Review
- Staff Recommendation

•The IWRB scoping assessment for each aquifer will be used to develop a criteria for evaluating aquifer stabilization proposals. The scoping assessment will identify status of resource, existing/emerging issues, and potential aquifer stabilization scope of work. Staff-developed aquifer stabilization indicators will help to guide the evaluation.

•CAMP documents will be used to develop evaluation criteria for those aquifers that have completed CAMPs.

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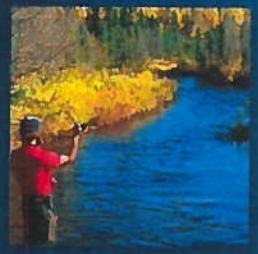

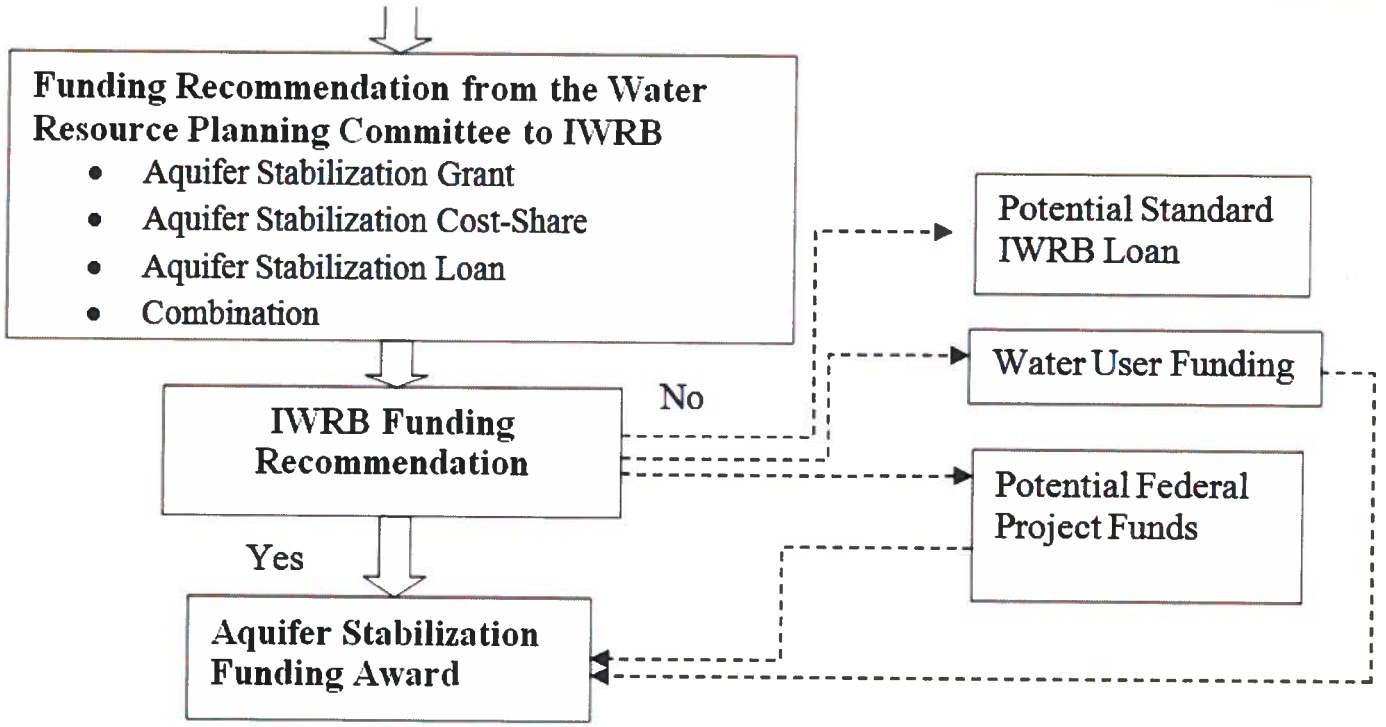

•The Board could provide aquifer stabilization funding via grants, cost-share funding, and loans. Funding package maybe be combination of grants/cost-share/loans.

•Projects that are not selected to receive aquifer stabilization funding could potentially qualify for standard IWRB loan.

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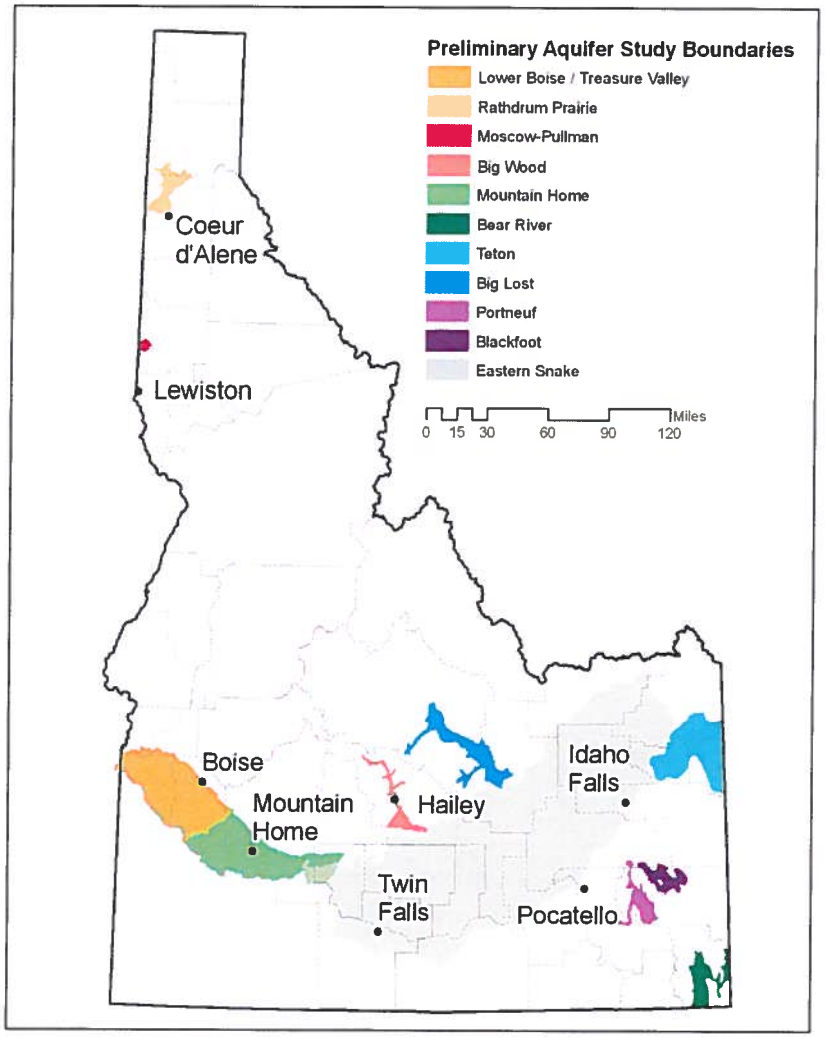
Water Resource Board

Discussion/Questions?

Ten Priority Basins



AGENDA

IDAHO WATER RESOURCE BOARD
MEETING NO. 11-14

November 5, 2014 at 8:00 am

Idaho Water Center
Conference Rooms 602 B,C,D
322 East Front Street, Boise, Idaho 83720

1. Roll Call
2. Executive Session – Board will meet pursuant to Idaho Code § 67-2345 (1) subsections (d) and (f), for the purposes of considering records that are exempt from disclosure under Idaho Code § 9-340D, and 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. Executive Session is closed to the public.
   Topics: Owyhee Federal Reserved Water Right Claims
   Basin 36 Conjunctive Management Litigation
   Following adjournment of Executive Session -- meeting reopens to the public
3. Agenda and Approval of Minutes 10-14
4. Public Comment
5. Update on Negotiated Rule Making Process for Rule 50
6. UIC Rule Change
7. Clearview Water Co. Loan
8. Water Transactions
9. Water Supply Bank
10. Fall River Fishery Enhancement Project
11. Hells Canyon Relicensing Update
12. Aqua Life Update
13. Boise River Feasibility Study Agreement
14. IDWR Director's Report
15. Other Non-Action Items for Discussion
16. Next Meetings and Adjourn

Americans with Disabilities

The meeting will be held in facilities that meet the accessibility requirements of the Americans with Disabilities Act. If you require special accommodations to attend, participate in, or understand the meeting, please make advance arrangements by contacting Department staff by email Mandi.Pearson@idwr.idaho.gov or by phone at (208) 287-4800.

MATERIALS FOR THIS SECTION WILL BE PROVIDED AT THE MEETING.

IDAHO WATER RESOURCE BOARD

MEETING MINUTES 10-14

Idaho Water Center
Conference Rooms 602 B,C,D
322 East Front Street, Boise, Idaho 83702

September 22, 2014
Work Session

Chairman Roger Chase called the meeting to order at approximately 8:00 am. Mr. Bob Graham and Mr. Jeff Raybould were absent. All other Board members were present.

During the Work Session the following items were discussed:

- Financial Status Report by Brian Patton
- Water Supply Bank IT Infrastructure by Remington Buyer
- Bee Line Water Association Loan by Brian Patton
- Storage Studies Update by Cynthia Bridge Clark
- Cloud-Seeding Update by Brian Patton
- Recharge by Brian Patton
- Statewide Aquifer Stabilization Effort Prioritization by Neeley Miller

No action was taken by the Board during the Work Session.

September 23, 2014
IWRB Meeting

Chairman Roger Chase called the meeting to order at approximately 8:00 am. Mr. Bob Graham was absent. All other Board members were present.

Agenda Item No. 1, Roll Call

Board Members Present

Roger Chase, Chairman
Peter Van Der Meulen, Vice-Chairman
Chuck Cuddy
Jeff Raybould
Vince Alberdi
Bert Stevenson
Albert Barker

Staff Members Present

Mat Weaver, Deputy Director
Brian Patton, Bureau Chief
Neeley Miller, Senior Planner
Cynthia Bridge Clark, Section Manager
Morgan Case, Biologist
Amy Cassel, Project Coordinator
Sandy Thiel, Water Resource Agent
Mandi Pearson, Admin. Assistant

Harriet Hensley, Deputy Attorney General

Guests Present

Stephen Goodson, Special Assistant to the Governor
Alton Huyser, Big Wood Canal Company
Lynn Tominaga, Idaho Ground Water Appropriators
Peter Anderson, Trout Unlimited
Sarah Lien, Friends of the Teton River/Trout Unlimited
Ivan Wedel, Beeline Water Association
Marie Kellner, Idaho Conservation League
Walt Poole, Idaho Fish and Game
Jake Robertson, Pivotrac Monitoring
John Simpson, Barker Rosholt & Simpson
Mark Davidson, Trout Unlimited
Teresa Molitor, Great Feeder Canal Co.
Mike Klaus, Beeline Water Association
Bob Geddes, Idaho Farm Bureau

Agenda Item No. 2, Executive Session

At approximately 8:00 am the Board resolved into Executive Session by unanimous consent pursuant to Idaho Code Section 67-2345 (1) subsection (f), for the purpose of communicating 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. Topics discussed were North Idaho water issues, conjunctive management, and the Galloway project. No action was taken by the Board during the Executive Session. The Board resolved out of Executive Session and into Regular Session at approximately 9:15 am.

Agenda Item No. 3, Agenda and Approval of Minutes

Mr. Patton noted that the representatives for Bee Line Water Association are delayed, so the agenda may need to be modified to accommodate their schedule. Mr. Barker made a motion that the minutes for meetings 8-14 and 9-14 be approved as printed. Mr. Stevenson seconded the motion. Voice Vote. All were in favor. Motion passed.

Agenda Item No. 4, Public Comment

Chairman Chase opened up the meeting for public comment. Mr. Alton Huyser of the Big Wood Canal Company addressed the Board. He discussed a pipeline project called the 702 project. This project replaces 23 miles of open laterals. Mr. Huyser asked the Board to consider assisting with funding for the project through grants or a low-interest loan. There was further discussion among the parties regarding the project and potential funding sources.

Agenda Item No. 5, Project and Program Tracking and Reporting

Ms. Cynthia Bridge Clark discussed the overall purpose of the Progress Report. An updated Progress Report summarizing the status and progress of projects and programs associated with the Board's sustainability and aquifer stabilization initiative was provided to the Board. There was discussion among the parties regarding posting the report online and linking pertinent documents to the report.

Agenda Item No. 6, State-Protected River- Fall River Fishery Enhancement Project

Ms. Sandy Thiel discussed the proposed Fall River Fish Habitat Enhancement Project. Because this is a state-protected river, stream channel alteration would require the Board's approval to move forward. Ms. Thiel also discussed a letter from Idaho Fish and Game providing comment on the proposed project. There was discussion among the parties regarding public meetings for this project and the joint application for permit.

Mr. Dave Rosgen presented information regarding the proposed plan to the Board. He discussed overall project objectives, the current conditions of the river, and the proposed enhancements. There was

discussion among the parties regarding the Board's review of the proposal, public access to the river, the goals of the property owners, and public meetings. Mr. Raybould moved to table the Fall River Fishery Enhancement Project issue until the Office of the Attorney General could provide guidance on the amendment process for the Henrys Fork Basin Comprehensive State Water Plan. Mr. Barker seconded the motion. Voice Vote. All were in favor.

Agenda Item No. 7, ESPA Recharge

Mr. Patton discussed the Board's efforts to maximize diversion of flows spilling past Milner during the non-irrigation season, including winter time diversions. He discussed agreements with canal companies and irrigation districts to participate in this effort. There was discussion among the parties regarding potential winter-time diversions during the upcoming winter and infrastructure modifications needed. Mr. Patton discussed the funding request from American Falls Reservoir District No. 2 (AFRD2) to improve the canal bank access road which is needed to manage recharge deliveries during the non-irrigation season. He discussed test well drilling and test injections around the Milner Pool and Upper Valley recharge issues. There was discussion among the parties regarding the canal bank road improvements and the payments to AFRD2.

Mr. Alberdi moved to approve the resolution to approve funds for recharge infrastructure improvements. Mr. Stevenson seconded the motion.

Roll Call Vote: Mr. Cuddy: Aye; Mr. Alberdi: Aye; Mr. Stevenson: Aye; Mr. Raybould: Aye; Mr. Van Der Meulen: Aye; Mr. Graham: Absent; Mr. Barker: Aye; Chairman Chase: Aye. Motion passed.

Agenda Item No. 8, Weiser-Galloway Project

Ms. Clark discussed the draft resolution that would provide authorization to initiate three additional small-scale studies to supplement the ongoing Operations Analysis. These studies include an optimal sizing study, economic analysis of water supply, and the Weiser River Trail relocation study. There was discussion among the parties regarding public outreach.

Mr. Cuddy moved to approve the resolution to commit funds and provide signatory authority in the matter of the Weiser-Galloway Dam and Reservoir Project. Mr. Stevenson seconded the motion.

Roll Call Vote: Mr. Cuddy: Aye; Mr. Alberdi: Aye; Mr. Stevenson: Aye; Mr. Raybould: Aye; Mr. Van Der Meulen: Aye; Mr. Graham: Absent; Mr. Barker: Aye; Chairman Chase: Aye. Motion passed.

Agenda Item No. 9, Cloud-Seeding

Mr. Patton discussed the Cloud Seeding Committee meeting held on August 15, during which committee members heard a proposed cooperative cloud seeding program from Idaho Power Company. The proposal includes Board funding in the amount of $492,000 for capital costs for expansion of cloud seeding efforts in the Upper Snake Basin and development of programs in the Wood and Boise River Basins. The estimates for increased water supplies are 115 KAF in the Upper Snake (added to the existing average from cloud seeding for a total of 398 KAF), 100 KAF in the Wood, and 196 KAF in the Boise. The water users in the Wood and Boise basins will also contribute funding. The Cloud Seeding Committee provided a recommendation that the Board invest $492,000 into the Cooperative Cloud Seeding Program in the Upper Snake, Wood, and Boise River basins, for capital costs during the 2015-2019 period.

Mr. Stevenson moved to adopt the resolution to approve funds for a Cooperative Cloud Seeding Program. Mr. Raybould seconded the motion. Mr. Barker disclosed that he has clients in favor of the cloud seeding program, but does not see it as a conflict. There was discussion among the parties regarding the benefits and results of the cloud seeding program.

Roll Call Vote: Mr. Cuddy: Aye; Mr. Alberdi: Aye; Mr. Stevenson: Aye; Mr. Raybould: Aye; Mr. Van Der Meulen: Aye; Mr. Graham: Absent; Mr. Barker: Aye; Chairman Chase: Aye. Motion passed.

Agenda Item No. 10, Bee Line Water Association Loan

Mr. Patton discussed a loan request from Bee Line Water Association in the amount of $400,000 to construct several needed water system improvements. Staff recommends approval of the loan. Mr. Ivan Wedel of Bee Line Water Association thanked the Board for their consideration of this loan. He provided information about the project. There was discussion among the parties regarding water conservation, the repayment period, coordination with Idaho Department of Environmental Quality, and water quality.

Mr. Cuddy moved to approve the resolution in the matter of the funding commitment to Bee Line Water Association, with a 15-year repayment term. Mr. Alberdi seconded the motion.

Roll Call Vote: Mr. Cuddy: Aye; Mr. Alberdi: Aye; Mr. Stevenson: Aye; Mr. Raybould: Aye; Mr. Van Der Meulen: Aye; Mr. Graham: Absent; Mr. Barker: Aye; Chairman Chase: Aye. Motion passed.

Agenda Item No. 11, IDWR Director's Report

Mr. Mat Weaver discussed new staff hires and funding for the new positions. There has been agreement from all parties to move forward in this issue.

Agenda Item No. 12, Other Non-Action Items for Discussion

There were no non-action items for discussion.

Agenda Item No. 13, Next Meetings and Adjourn

The next Board meeting is currently scheduled for November 4th and 5th in Boise, in coordination with the Idaho Water Users Association (IWUA) seminar on November 6th and 7th. A subsequent meeting was scheduled for January 22 - 23, 2015 in coordination with the IWUA seminar on January 20-22, 2015. A Planning Committee meeting will be scheduled during the week of October 23rd in Rexburg. A Water Supply Bank Committee meeting is scheduled for October 9th. Mr. Stevenson made a motion to Adjourn, and Mr. Barker seconded the motion. Voice Vote. All were in favor. Motion Carried.

The IWRB Meeting 10-14 adjourned at approximately 11:30 am.

Respectfully submitted this _____ day of November, 2014.

_____
Bob Graham, Secretary

_____
Mandi Pearson, Administrative Assistant II

Board Actions:

1. Mr. Barker made a motion that the minutes for meetings 8-14 and 9-14 be approved as printed. Mr. Stevenson seconded the motion. Voice Vote. All were in favor. Motion passed.
2. Mr. Raybould moved to table the Fall River Fishery Enhancement Project issue until the Office of the Attorney General could provide guidance on the amendment process for the Henrys Fork Basin Comprehensive State Water Plan. Mr. Barker seconded the motion. Voice Vote. All were in favor.
3. Mr. Alberdi moved to approve the resolution to approve funds for recharge infrastructure improvements. Mr. Stevenson seconded the motion. Roll Call Vote. 7 Ayes, 1 Absent. Motion passed.
4. Mr. Cuddy moved to approve the resolution to commit funds and provide signatory authority in the matter of the Weiser-Galloway Dam and Reservoir Project. Mr. Stevenson seconded the motion. Roll Call Vote. 7 Ayes, 1 Absent. Motion passed.
5. Mr. Stevenson moved to adopt the resolution to approve funds for a Cooperative Cloud Seeding Program. Mr. Raybould seconded the motion. Roll Call Vote. 7 Ayes, 1 Absent. Motion passed.
6. Mr. Cuddy moved to approve the resolution in the matter of the funding commitment to Bee Line Water Association, with a 15-year repayment term. Mr. Alberdi seconded the motion. Roll Call Vote. 7 Ayes, 1 Absent. Motion passed.

Comments for the Idaho Water Resource Board
Nov. 5, 2014

My name is Julia Page. I live in Boise and I am a member of the Idaho Organization of Resource Councils, a community-based group organized to give members the information and opportunity they need to affect the decisions that impact their communities. I am here to support our members in Washington and Payette counties who are opposed to building a high dam on the Weiser River above the town of Weiser.

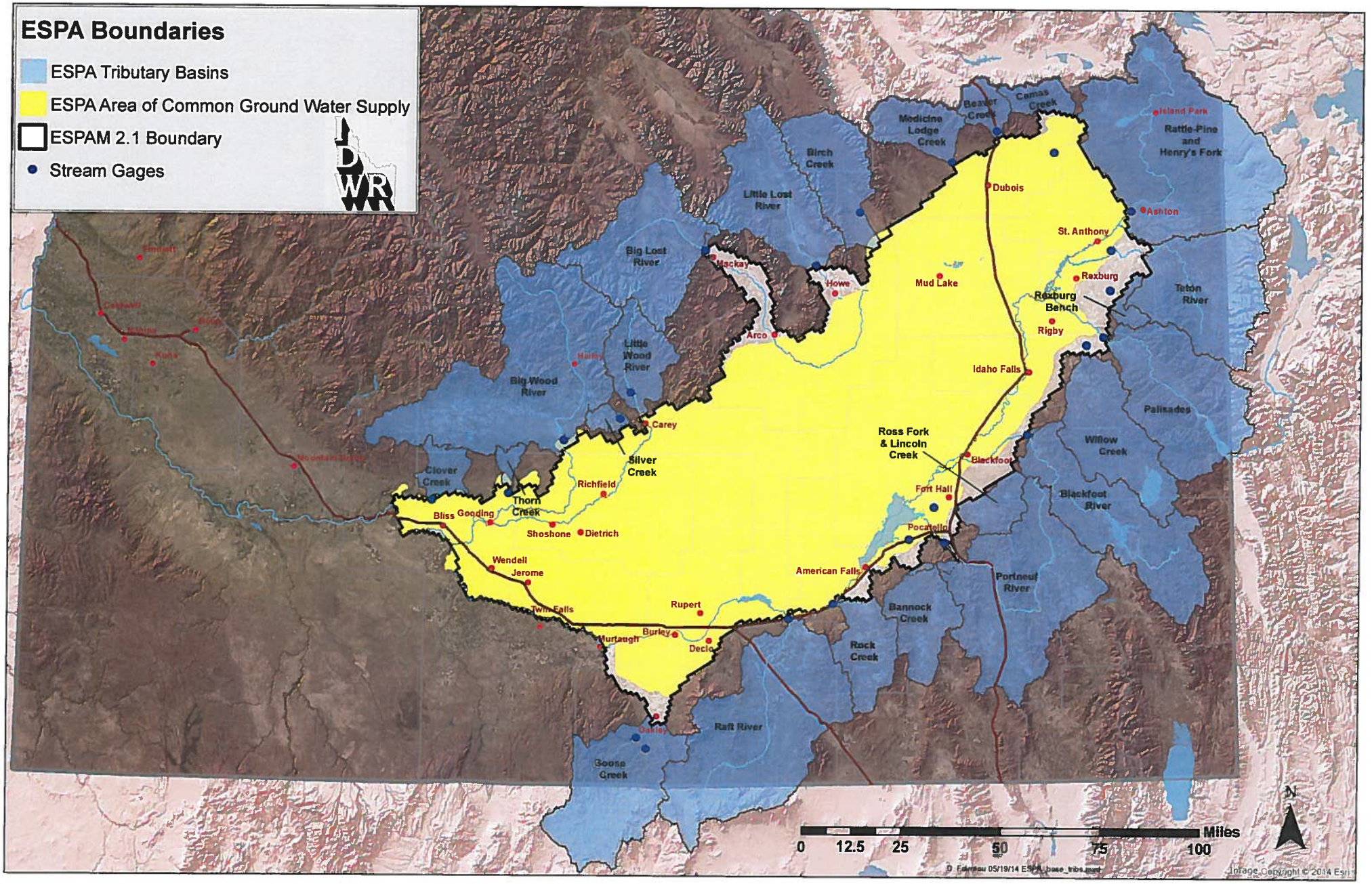
Our concerns start with dam safety and are based on an understanding of the Army Corps of Engineers geotechnical studies of the area where the dam will be constructed. The geology requires special construction techniques that add cost and unacceptable risk to the project. Recent failures of earthen dams are fresh in our memories. The failure of the Teton Dam over 30 years ago also offers some lessons.

We don't believe that spending $500 million dollars for this risky project with dubious public benefit is the best use of Idaho's limited taxpayer money. Local residents are being asked to shoulder the risk of dam failure. We face the flooding and therefore loss of 15 miles of an increasingly popular free flowing river and the loss of 15 miles of river grade trail. We face the loss of important fish and wildlife habitat.

The IWRB has received a preliminary permit for the Weiser-Galloway project. There are still many questions that need to be answered and many impacts that need to be studied. The impact of shifting the salmon flow augmentation from the upper Snake River to the Weiser River needs to be evaluated. Are there benefits? To whom would they accrue? Do they justify a $500 million dollar cost to taxpayers and the loss of the present and future value of the Weiser River corridor? We don't think so, but we also look forward to finding the answers to these questions.

Thank you.

Julia Page
2317 N. 19 St.
Boise, ID 82702


ESPA Boundaries
ESPA Tributary Basins
ESPA Area of Common Ground Water Supply
ESPAM 2.1 Boundary
Stream Gages
IDWR
Medicine Lodge Creek
Beaver Creek
Camas Creek
Island Park
Rattle-Pine and Henry's Fork
Birch Creek
Little Lost River
Dubois
Ashton
St. Anthony
Big Lost River
Mackay
Howe
Mud Lake
Rexburg
Rexburg Bench
Teton River
Rigby
Arco
Little Wood River
Hailey
Big Wood River
Idaho Falls
Palisades
Carey
Ross Fork & Lincoln Creek
Willow Creek
Blackfoot
Silver Creek
Clover Creek
Richfield
Fort Hall
Blackfoot River
Thorn Creek
Bliss
Gooding
Shoshone
Dietrich
Pocatello
Wendell
Jerome
American Falls
Portneuf River
Rupert
Twin Falls
Bannock Creek
Burley
Murtaugh
Declo
Rock Creek
Raft River
Oakley
Goose Creek
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Memorandum

To: Idaho Water Resource Board

From: Brian Ragan, UIC Coordinator

Date: November 4, 2014

Re: Pending Rule change to the Underground Injection Control rules of IDAPA 37.03.03

Action Item: Approve resolution request for submittal of pending rule change to 2015 Idaho Legislature

An abbreviated explanation of the background and motivation for this Pending Rule change is provided here, but for a more thorough explanation, please the attached document "Draft IDWR Response to ICL Comments".

This Pending Rule change is being proposed in order to make the reinforcing regulation match the statute adopted in 2014 to avoid any conflict between the statute and the rule.

The motivation for revising the statute, and subsequently this rule, was to address a concern expressed by the U.S. Environmental Protection Agency (EPA) over the definition of "injection well" which included the term "drilled." EPA was concerned that by using the term "drilled" in the definition, the Department would never have jurisdiction over those oil and gas wells which were "drilled" for oil and gas production purposes and later converted to injection wells. While not agreeing with the EPA's interpretation, the Department agreed that it would be willing to work on revised language with the EPA. After communications on this issue, it was agreed the Department would seek to have the term "drilled" replaced with the term "used."

The Department prepared draft legislation wherein there was only one substantive change to the statute: the term "drilled" was struck and replaced with "used." The express purpose behind the legislative change was to ensure the Department had jurisdiction over "oil and gas production wells that are converted to injection wells and used for the injection of waste fluid." Ultimately, the change was approved by both houses of the legislature and signed by the Governor on March 18, 2014.

BEFORE THE IDAHO WATER RESOURCE BOARD

OF THE STATE OF IDAHO

IN THE MATTER OF RULES FOR THE CONSTRUCTION AND USE OF INJECTION WELLS, IDAPA 37.03.03	**RESOLUTION ADOPTING PENDING RULE**

WHEREAS, Sections 43-3913, 42-3914, and 42-3915, Idaho Code authorize the Idaho Water Resource Board ("Board") to promulgate rules for the construction and use of injection wells.

WHEREAS, Section 67-5224, Idaho Code and IDAPA Rule 04.11.01.835 provide for the adoption of a pending rule.

WHEREAS, the Board authorized the Director of the Department of Water Resources ("Director") to promulgate rulemaking concerning 37.03.03.010.49 to revise the definition of an "injection well" to match that found in Section 42-3902(10), Idaho Code, which was amended during the 2014 legislative session.

WHEREAS, it was determined that negotiated rulemaking for this rule revision was not necessary because negotiations regarding the parent statue revision were held prior to its adoption by the 2014 Idaho Legislature under House Bill 410.

WHEREAS, the Notice of Rulemaking – Proposed Rule was published in the Idaho Administrative Bulletin on September 3, 2014, Vol. 14-9, page 359.

WHEREAS, the Board has reviewed the comments received regarding the proposed rulemaking.

IT IS FURTHER RESOLVED, that the Board adopts the revised definition of "injection well" of the Rules and Minimum Standards for the Construction and Use of Injection Wells as attached hereto.

DATED this ____ day of November, 2014.

_____

ROGER CHASE
Chairman

Attest:_____

BOB GRAHAM
Secretary

IDAPA 37.03.03.010 Definitions.

49. **Injection Well**. Any feature that is operated to allow injection which also meets at least one (1) of the following criteria:

a. A bored, or driven shaft whose depth is greater than the largest surface dimension;

b. A dug hole whose depth is greater than the largest surface dimension;

c. An improved sinkhole; or

d. A subsurface fluid distribution system.

e. Provided however, that “injection well” does not mean or include any well used~~drilled~~ for oil, gas, or geothermal production activities, other than one into which diesel fuels are injected pursuant to hydraulic fracturing operations.

www.idahoconservation.org

Idaho Conservation League
PO Box 844, Boise, ID 83701
208.345.6933

September 8, 2014

Brian Ragan
Idaho Department of Water Resources
Underground Injection Control Program
322 East Front St.
Boise, ID. 83720

-- Delivered via email --

RE: ICL comments on IDWR rulemaking docket # 37-0303-1401, Rules and Minimum Standards for the Construction and Use of Injection Wells

Dear Mr. Ragan;

Since 1973, the Idaho Conservation League (ICL) has been Idaho's voice for clean water, clean air, wildlife, and wilderness—values that are the foundation for Idaho's extraordinary quality of life. ICL works to protect these values through public education, outreach, advocacy, and policy development. ICL is Idaho's largest state-based conservation organization and represents over 25,000 supporters who have a deep personal interest in protecting Idaho's clean water and the health of all Idahoans from the impacts of groundwater contamination. As such, our membership is very interested in ensuring that the State of Idaho is adequately regulating the use of underground injection wells to disposal of potentially harmful pollutants. The failure to adequately regulate this practice could have long-term, detrimental impacts on the quality and availability of groundwater needed for direct consumption, irrigation and industry.

The 2014 Legislature passed into law (HB 410) the following language:

> Provided however, that "injection well" does not mean or include any well ~~drilled~~ used for oil, gas or geothermal production activities, other than one into which diesel fuels are injected pursuant to hydraulic fracturing operations.

Docket No. 37-0303-1401 proposes that this identical language be adopted into IDWR's rules via the definition of 'injection well' found in ADAPA 37.03.010.49

As we noted and conveyed to both the Department and the Legislature during the 2014 legislative session, we do not believe that this language fixes the issues that were previously identified.

This 2014 language exempts *any well that was ever used for oil and gas production activities from regulation as an injection well*. This exemption is not limited to the act of active hydraulic fracturing and it is not limited to the requirement that the well in question is being used currently for oil and gas production.

Pursuant to the language proposed in this docket, a well once used for oil and gas production is forever exempt from consideration as an injection well irrespective of how it is used in the future. This sweeping exemption of all wells initially used for oil and gas protection is unacceptable and inconsistent with federal statutory and regulatory requirements. As such, we believe that the Department should not adopt the language proposed in this docket.

We believe that the following language is needed to clarify that this exemption is narrowly limited to wells that are *currently* in use for oil and gas production.

> Provided however, that "injection well" does not mean or include any well ~~used~~ currently in use for oil, gas or geothermal production activities, other than one into which diesel fuels are injected pursuant to hydraulic fracturing operations.

If the Department wishes to move forward on this matter, we ask that the Department adopt the language that we have identified above and then ask the Legislature to true up the statute accordingly.

Thank you for your consideration, please do not hesitate to contact me if you have any questions.

Justin Hayes
Program Director

State of Idaho
DEPARTMENT OF WATER RESOURCES
322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098
Phone: (208) 287-4800 • Fax: (208) 287-6700 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

<DATE> To be submitted to ICL upon IWRB approval of resolution request during 11_4th, 5th_2014 Meeting

Justin Hayes
Program Director
Idaho Conservation League
PO Box 844
Boise, Idaho 83701

Re: IDWR Response to ICL comments on IDWR rulemaking docket #37-0303-1401 "Rules and Minimum Standards for the Construction and Use of Injection Wells"

Dear Mr. Hayes,

Thank you for submitting comments regarding the Department's proposed Rule revision to the definition of "Injection Well" found in IDAPA 37.03.03.010.49(e).

Your letter raises a concern regarding the interpretation of the definition of "Injection Well" as provided in both the proposed rule revision and in Idaho Code. I will first provide some background information on how both the statutory and proposed rule change came about as this background is informative. Concerns regarding the definition of injection well were first brought to the Department's attention back in 2013 by the U.S. Environmental Protection Agency (EPA) after the Idaho legislature amended Idaho Code § 42-3902(10). The EPA contacted the Department with concerns regarding the statutory definition and asked the Department to amend the statutory definition to close what the EPA perceived as a shortcoming in the definition. Specifically, EPA was concerned that by using the term "drilled" in the definition, the Department would never have jurisdiction over those oil and gas wells which were "drilled" for oil and gas production purposes and later converted to injection wells. While not agreeing with the EPA's interpretation, the Department agreed that it would be willing to work on revised language with the EPA. After communications on this issue, it was agreed the Department would seek to have the term "drilled" replaced with the term "used." The Department prepared draft legislation wherein there was only one substantive change to the statute: the term "drilled" was struck and replaced with "used." See 2014 House Bill 410. The express purpose behind the legislative change was to ensure the Department had jurisdiction over "oil and gas production wells that are converted to injection wells and used for the injection of waste fluid." Statement of Purpose, 2014 House Bill 410. Ultimately, the change was approved by both houses of the legislature and signed by the Governor on March 18, 2014.

As you are aware, the purpose of the proposed rule change is to make the rule match the statutory change adopted in 2014 in order to avoid any conflict between the rule and statute. In your comments, you have voiced concern that the use of the term "used" is not sufficient to ensure the Department's jurisdiction over oil and gas wells that are converted to injection wells. The Department respectfully disagrees. The statutory revision (and the proposed rule) includes the term "*used*" which is defined by Merriam Webster's Dictionary as: "employed in accomplishing something." Thus, under the plain reading of the statute, once an oil and gas well is no longer employed in accomplishing the production of oil and gas, it is no longer "used" for oil and gas production activities. At that point, if the well is being used for injection purposes, it would be subject to the Department's jurisdiction. While the Department believes the language is clear on this issue, to the extent someone could argue there is ambiguity in this definition, a court would look to the

legislative history surrounding the definition. As the statement of purpose for the legislation expressly provides that that the change in 2013 was to ensure that oil and gas production wells that are converted to injection wells would be subject to regulation by the Department pursuant to the Underground Injection Rules, any argument that the Department lacks jurisdiction over a converted well is contrary to the legislative history. Given the plain reading of the statute and the support for the Department's interpretation found in the legislative history, the Department does not feel the need to make any further changes to the proposed rule.

Respectfully,

Brian Ragan, P.G.
UIC Coordinator

MEMO

To: Idaho Water Resource Board
From: Stuart VanGreuningen
Brian Patton
Subject: Clearview Water Company Inc. – System Improvement Projects
Date: November 5, 2014

The Clearview Water Company Inc. is requesting a residential irrigation project construction loan in the amount of $50,000 to replace the existing mainline, hookups and pump.

1.0 BACKGROUND

The Clearview Water Company Inc. (CWC) is located in north-western part of Boise and services 27 hookups on 5 acres. When the subdivision was originally developed in the 1950's this system provided both drinking water and irrigation water. About 1990 the homes switched over to the municipal water system for in-home uses, and retained this system for irrigation purposes. The water source for this system is a ground water well.

2.0 THE PROJECT

The water delivery system for the irrigation water was originally built in the 1950's and has since deteriorated and in need of replacement. The project is to replace the system, including mainline, hookups and pumping plant.

3.0 PROJECT COST ESTIMATE

The project cost estimate is as follows:

Replace main line and service lines	$40,776	(based on proposal)
Replace pump, mechanical, & electrical	$11,619	(based on proposal)
TOTAL	$52,395	

CWC plans to cover project costs that are in excess of the $50,000 loan from their reserve funds.

4.0 FINANCIAL ANALYSIS

The yearly monthly charge for irrigation water is $125.00/share with each residence having one share. For a $50,000 loan at 3.5%:

Annual payment for a 10 year term: $6,012 (with annual cost per share of $347.67)

CWC has a solid financials, and CWC will increase the rates to cover the cost of the loan payment required. CWC has received approval from its members by an 89% margin to incur this debt and increase the rates..

6.0 WATER RIGHTS

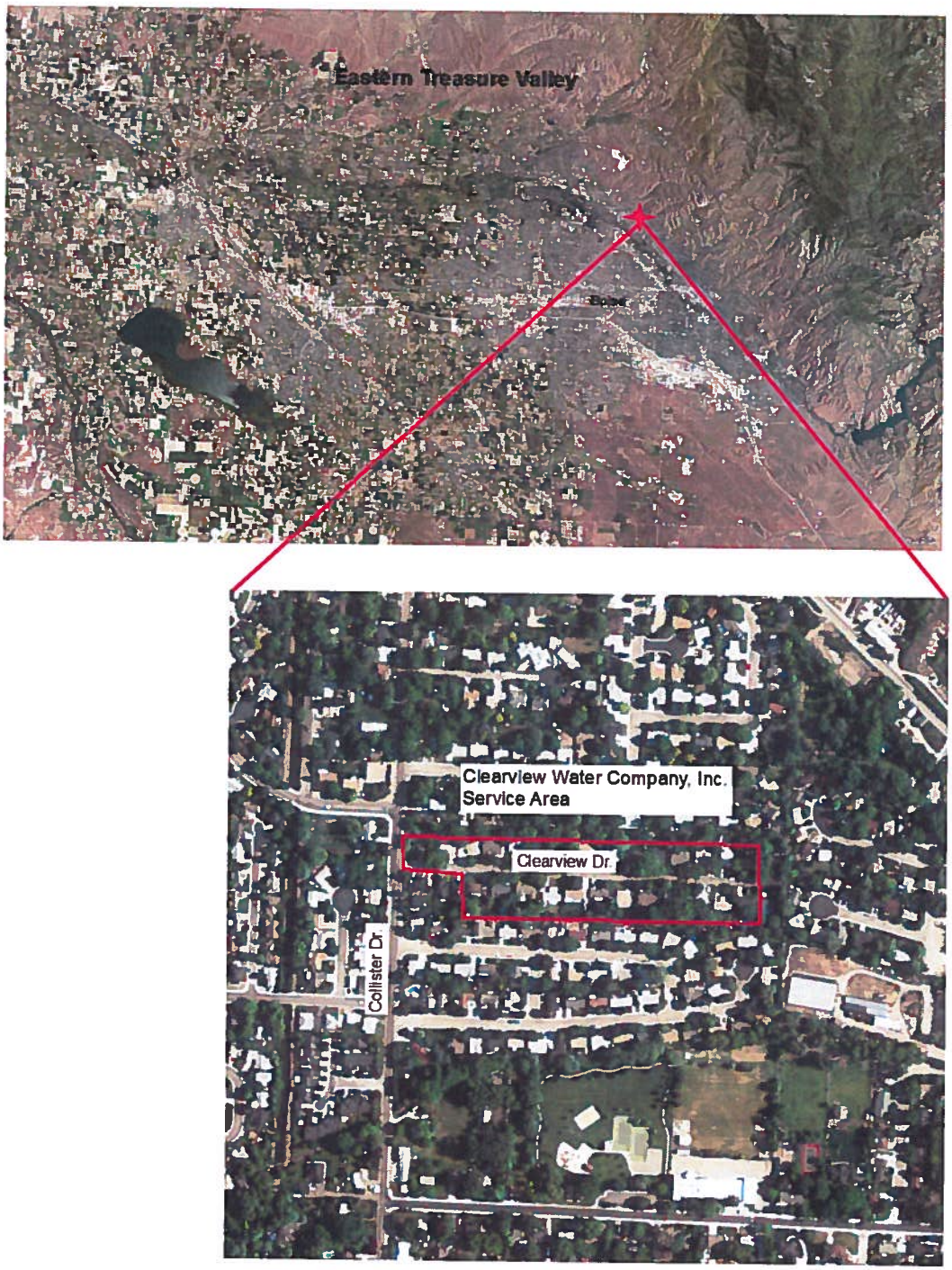
CWC holds decreed water right 63-16488 with uses of 0.1 cfs for irrigation and 0.25 cfs for domestic use from groundwater.

7.0 SECURITY

The IWRB will all hold CWC water right, equipment and newly constructed mainline and hookups associated with this loan as security.

8.0 CONCLUSION AND RECOMMENDATION

This is a good project which will replace aging infrastructure and assure an irrigation water supply for the Clearview subdivision. In addition it helps relieve the municipal water system of the burden of providing high-quality treated water for irrigation uses for these homes. **Staff is recommending that a loan for $50,000 for the Clearview Water Company Inc. for a term of 10 years at 3.5% interest.**



BEFORE THE IDAHO WATER RESOURCE BOARD

IN THE MATTER OF THE CLEARVIEW WATER COMPANY, INC.	)	A RESOLUTION TO MAKE A FUNDING COMMITMENT

WHEREAS, a letter of Intent from the CLEARVIEW WATER COMPANY, Inc. (Company) has been submitted to the IDAHO WATER RESOURCE BOARD (Board) requesting a loan in the amount of $50,000; and,

WHEREAS, the Company provides irrigation water service to 27 connections within Boise; and,

WHEREAS, the Company needs to undertake an improvement project to replace the existing irrigation mainline and pumping plant; and,

WHEREAS, these funds will be used to undertake the needed improvements; and,

WHEREAS, the Company is a qualified applicant and the proposed project qualifies for a loan from the Revolving Development Account; and,

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

NOW THEREFORE BE IT RESOLVED that the Board approves a loan not to exceed $50,000 at 3.5% interest with a 10 - year repayment term, and provides authority to the Chairman or his designee to enter into contracts with the Company.

BE IT FURTHER RESOLVED that this resolution and the approval of the loan is subject to the following conditions:

1. The Company shall provide collateral for the loan that is acceptable to the Board.

2. The Company shall establish a reserve account in an amount equal to one annual payment within one year.

DATED this 5th day of November, 2014.

_____

ROGER W. CHASE, Chairman
Idaho Water Resource Board

ATTEST _____

BOB GRAHAM, Secretary

October 21, 2014

Idaho Water Resource Board
322 E Front St.
Boise, Idaho 83702

Gentlemen:

The Clearview Water Corporation (also known as Clearview Water Co.) hereby requests a loan in the amount of Fifty Thousand ($50,000) dollars. We are requesting a loan with an interest rate 3.5% per annum to be repaid over ten (10) years. The first payment is to be due one year from the date of the completed project.

The proceeds from this loan will be used to replace the irrigation system for the twenty-seven (27) homes that are currently being served by the Clearview Water Company. Also to be included in the project will be the replacement of one pump and all related equipment needed to connect the well to the delivery system. All electrical wiring and monitoring systems and related equipment are also to be replaced.

The project is located in Boise, Idaho on Clearview Drive which is east of Collister Drive between Samara Street to the south and Castlebar Drive to the north.

The system was originally built in the mid to late 1950s and served the domestic water needs of the homes on Clearview Drive until the late 1980s or early 1990s. At this time it was converted over to an irrigation system.

If you have any questions regarding this project, please contact:
Richard Kindall
4720 W. Clearview Drive
Boise, Idaho 83703-3624
(208)342-2386

Thank you for your consideration of our project.

Sincerely,

Melinda Moreno
President
Clearview Water Company

Memorandum

To: Idaho Water Resource Board

From: Morgan Case

Date: November 5, 2014

Re: Water Transactions Program – Beaver Creek Lease Renewal

Action Item: A funding resolution for $140,039 to enter into a twenty-year lease/rental agreement to maintain 9.88 cfs in Beaver Creek and the Salmon River. Funds will come through the Columbia Basin Water Transactions Program.

Beaver Creek is a headwater tributary in the Upper Salmon River basin. The Upper Salmon Watershed Program technical team identified it as a priority tributary for restoration of Chinook salmon and bull trout habitat. Low flow, temperature, and degraded riparian habitat are limiting factors in the creek. In 2005, the IWRB entered into a 10-year rental for 9.38 cfs of water rights from Beaver Creek and the Salmon River, formerly irrigating 278.2 acres. The rental was intended to improve flows in Beaver Creek and the Upper Salmon River headwaters to address flow and temperature limitations for ESA-listed Chinook salmon and bull trout.

With flow improvements and a reduction in grazing, the Beaver Creek riparian habitat has seen a marked improvement in riparian vegetation (see photos), which contributes to bank stabilization and provides shade and cover.

DOT LLP has expressed interest in renewing the transaction for an additional 20 year period. The agricultural value of the property is fairly low due to high labor costs, pumping costs, and naturally limited flow later in the irrigation season. The 2005-2014 transaction compensated the water right owners at a price of $20 per acre, which remains fair compensation. Staff proposes using the same price for the 2015-2034 rental. To be consistent with the Board's 20-year water right rental on Fourth of July Creek, the rental agreement would contain language indicating that any rental payments would be credited towards a purchase if the water rights were ultimately purchased by the Board.

The total transaction costs would be $140,039 ($111,280 rental payment, $23,759 rental fees, and up to $5000 application fees) to be received at a discounted rate from CBWTP and held in the Water Transaction Subaccount of the Board's Revolving Development Account for annual payment to the water right owner through the Water Supply Bank.

The IWRB Streamflow and Flow Enhancement Committee reviewed this transaction and has recommended that it be approved by the full board.

Beaver Creek above highway 2004

Beaver Creek above highway 2010.

BEFORE THE IDAHO WATER RESOURCE BOARD

IN THE MATTER OF THE BEAVER CREEK RENTAL FOR THE WATER TRANSACTION AGREEMENT	)))))	A RESOLUTION TO MAKE A FUNDING COMMITMENT

WHEREAS, Chinook salmon, steelhead, and bull trout habitat in the Upper Salmon River basin is limited by seasonally disconnected tributaries; and

WHEREAS, Beaver Creek has been identified as a high priority stream for flow restoration efforts, to provide high quality habitat for anadromous Chinook salmon and steelhead and resident bull trout, and the 2004 Snake River Water Rights Agreement (Also known as the Nez Perce Agreement) commits the state to providing incentives for improving fish habitat which includes improving or protecting flow conditions to augment stream flows, and

WHEREAS, it is in the interest of the State of Idaho to maintain the reconnection of Beaver Creek to encourage recovery of ESA-listed Chinook salmon, steelhead, and bull trout; and

WHEREAS, the Idaho Water Resource Board (Board) has contracted with DOT LLP to rent their water rights from Beaver Creek and Salmon River for instream purposes since 2004; and

WHEREAS, there is funding available to secure 20-year lease and rental agreements with DOT LLP, or its successors, to protect 9.88 cfs instream in Beaver Creek and the Salmon River, and

WHEREAS, the Board will compensate DOT LLP or its successors, $20 per acre per irrigation season for said rental for an annual payment of $5564 for 278.2 acres and a 20-year total of $111,280; and

WHEREAS, the lease and rental fees for said agreement will not exceed $28,758.28, and

WHEREAS, a proposal for $140,039 has been submitted to the Columbia Basin Water Transactions Program to be used to fund said lease/rental agreement; and

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

WHEREAS, the Beaver Creek transaction is in the public interest and is in compliance with the State Water Plan.

NOW THEREFORE BE IT RESOLVED that the IWRB authorizes the Chairman to enter into a lease/rental agreement for water rights 71- 2091C, 71-2091D, 71-7008, 71-7009, 71-7083,

71-10665A, and 71-10665B for delivery to minimum stream flow 72-16668, using an amount not to exceed $140,039.

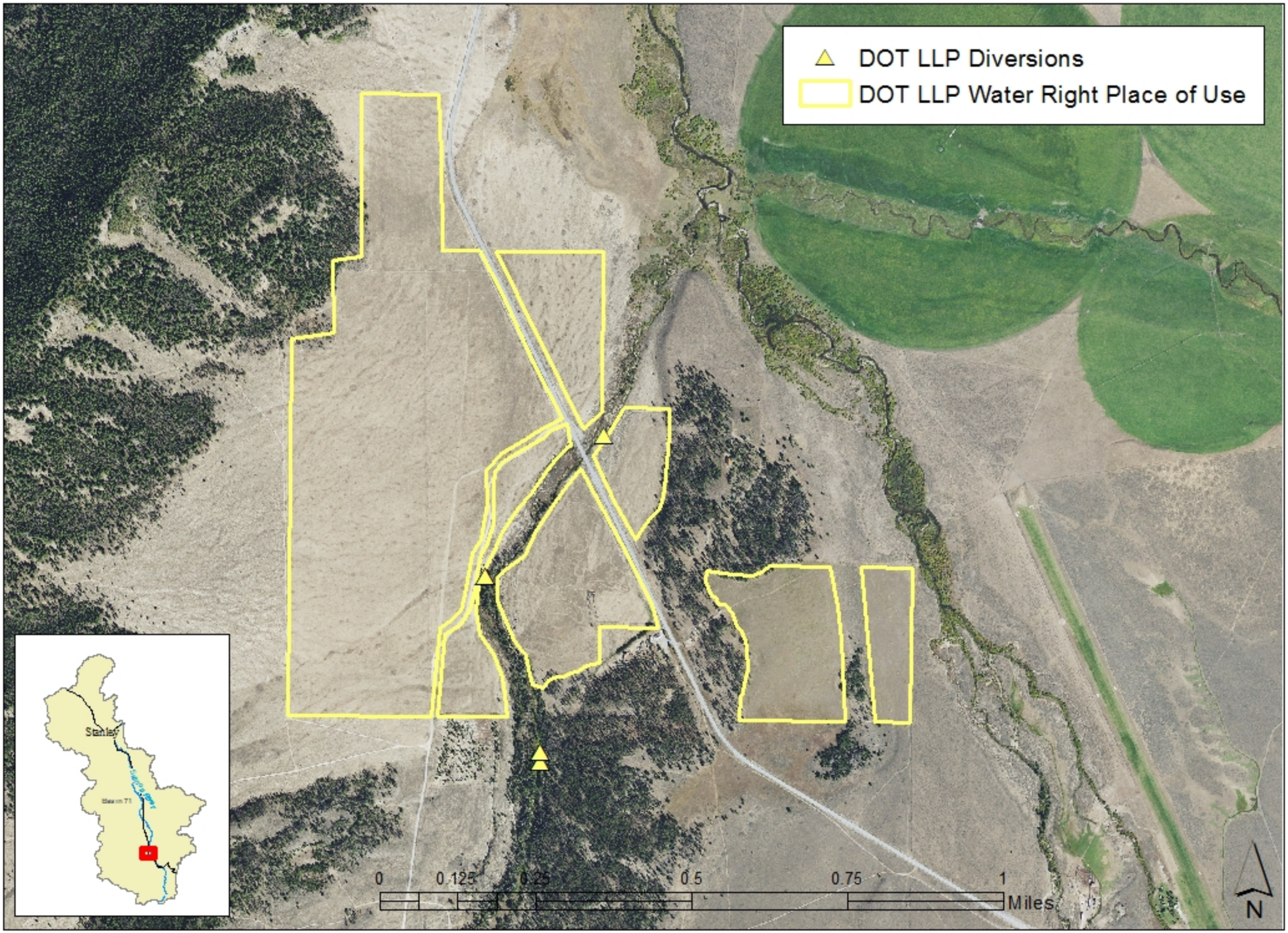
NOW THEREFORE BE IT FURTHER RESOLVED that this resolution is subject to the condition that the IWRB receives the requested funding from the Bonneville Power Administration through the Columbia Basin Water Transaction Program in the amount of $140,039.

DATED this 5th day of November, 2014.

_____
Roger Chase, Chairman
Idaho Water Resource Board

ATTEST: _____
BOB GRAHAM, Secretary

Beaver Creek Rental



Memorandum

To: Idaho Water Resource Board

From: Morgan Case

Date: November 5, 2014

Re: Water Transactions Program – Carmen Creek Reconnect

Action Item: A funding resolution for $148,605 to enter into twenty-year agreements not to divert up to 4 cfs from Carmen Creek 3 Funds will come through the Columbia Basin Water Transactions Program.

Carmen Creek is a tributary that flows into the Salmon River north of Salmon, Idaho. It is seasonally de-watered due to irrigation withdrawals. It has been identified as a high priority stream for flow restoration efforts, to provide high quality habitat for anadromous Chinook salmon and steelhead and resident bull trout. Partner agencies have been working on a project with water users (William and Derrold Slavin) who divert from the Carmen Creek 3 diversion to move the point of diversion downstream in Carmen Creek to a point just above the confluence with the Salmon River (map below).

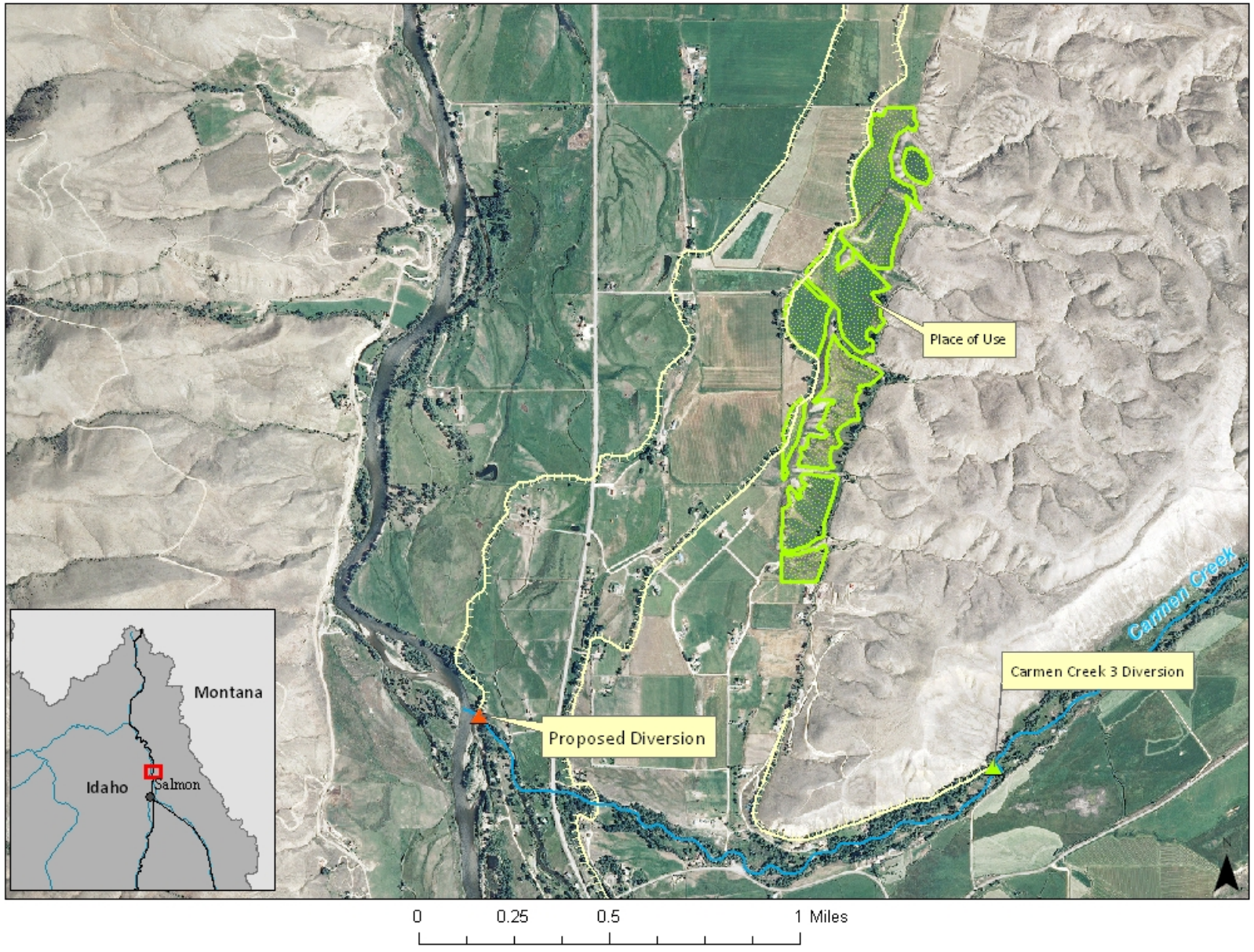
Moving the point of diversion would allow up to 4 cfs to remain instream in Carmen Creek from the Carmen Creek 3 diversion to the new diversion near the mouth of Carmen Creek. The lowest reaches of Carmen Creek are not dewatered due to the addition of approximately 1 cfs from a Salmon River diversion fish screen return and the reach gains in the Carmen Slough. Improving flows in the dewatered reach will protect incubating steelhead eggs early in the season and improve habitat for Chinook salmon, steelhead, and bull trout in the basin. Flow improvements would also complement passage, screening, and irrigation efficiency project implemented by partners.

In May of 2013, the Committee advised staff to pursue the development of transactions with Bill and Derrold Slaving to protect up to 4 cfs instream in the lower reaches of Carmen Creek. Since that time, staff and project partners have completed irrigation system design, assisted the water users with water right transfers, received approval for EQIP funding, and developed power estimates. With those power estimates the transaction can now be submitted to the Columbia Basin Water Transaction Program for Bonneville Power Administration funding.

The total transaction costs will be $148,605 ($54,999 for Derrold Slavin and $93,606 for Bill Slavin) to be received at a discounted rate from CBWTP and held in the Water Transaction Subaccount of the Board's Revolving Development Account for annual payment to the water right owner.

The IWRB Streamflow and Flow Enhancement Committee reviewed this transaction and has recommended that it be approved by the full board.

Carmen Creek - POD Transfer



BEFORE THE IDAHO WATER RESOURCE BOARD

IN THE MATTER OF THE CARMEN CREEK WATER TRANSACTIONS	)))	A RESOLUTION TO MAKE A FUNDING COMMITMENT

WHEREAS, Chinook salmon and steelhead habitat in the Carmen Creek basin is limited by seasonally disconnected stream reaches; and

WHEREAS, Carmen Creek has been identified as a high priority stream for flow restoration efforts, to provide high quality habitat for anadromous Chinook salmon and steelhead and resident bull trout, and the 2004 Snake River Water Rights Agreement (Also known as the Nez Perce Agreement) commits the state to providing incentives for improving fish habitat, which includes improving or protecting flow conditions to augment stream flows, and

WHEREAS, it is in the interest of the State of Idaho to reconnect of Carmen Creek to encourage recovery of ESA-listed Chinook salmon, steelhead, and bull trout; and

WHEREAS, staff has developed two twenty-year agreements not to divert up to 4 cfs of water from the Carmen Creek 3 Diversion to reconnect stream flow for anadromous and resident fish; and

WHEREAS, the water users will change the point of diversion to divert from stream reaches that are not flow-limited and the funds paid under the agreement will approximate the power expenses incurred, over a 20-year period, by changing the points of diversion; and

WHEREAS, funds are available from the Bonneville Power Administration through the Columbia Basin Water Transaction Program; and

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

WHEREAS, the Carmen Creek transactions are in the public interest and consistent with the State Water Plan.

NOW THEREFORE BE IT RESOLVED that the IWRB authorizes the Chairman to enter into contracts with Derrold Slavin and William Slavin or subsequent owners for agreements not to divert out of the Carmen Creek 3 diversion in the amount of one hundred forty-eight thousand six hundred five dollars ($148,605) over a twenty-year period.

NOW THEREFORE BE IT FURTHER RESOLVED that this resolution is subject to the condition that the IWRB receives the requested funding from the Bonneville Power Administration through the Columbia Basin Water Transaction Program in the amount of one hundred forty-eight thousand six hundred five dollars ($148,605).

DATED this 5th day of November, 2014.

_____
ROGER CHASE, Chairman
Idaho Water Resource Board

ATTEST: _____
BOB GRAHAM, Secretary

MEMORANDUM

To: **Idaho Water Resource Board**

From: **Sarah Lien, Friends of the Teton River**

Date: **October 23, 2014**

Re: **Water Transactions Program – Teton River Basin – Badger Creek Transactions**

Action Item: Attached are two expenditure of funds resolutions. The first resolution authorizes the Board to expend **$46,338.00** to fund the five year lease/rental of a Badger Creek water right. The second resolution authorizes the Board to expend **$7,000.00** to fund a water rights appraisal of Badger Creek water rights which are currently available for permanent acquisition.

Background and Ecological Significance of Badger Creek

Badger Creek is a tributary to the Teton River located in the upper Teton Valley, north of Tetonia, Idaho. The tributary runs from east to west, originating in the Teton Mountain Range and flowing towards the Teton River.

Yellowstone cutthroat trout (YCT) are currently listed as a "species of greatest concern" for the Teton River Basin in the Idaho Comprehensive Wildlife Conservation Strategy (February 2006), and by consequence garner management priority throughout their historic range, including the Teton Basin. Badger Creek offers excellent fish and wildlife habitat and supports a *genetically pure* YCT population.

The natural stream hydrology and geology of the Badger Creek drainage results in the annual dewatering of the stream, a problem that is exacerbated by irrigation withdraws. Specifically the middle section of Badger Creek dries up each year, whereas both the upper and lower reaches flow perennially. (See attached map, titled “Badger Creek Hydrology.”) YCT in the Badger Creek system have adapted to the annual dewatering of the stream by either: (1) migrating to the lower reaches of Badger Creek and into the Teton River canyon; or (2) migrating upstream onto US Forest Service land. Often fish, particularly those attempting to migrate upstream onto US Forest Service land, are stranded in isolated pools.

One particular location where YCT are commonly stranded in isolated pools is between two irrigation structures, the Badger Splitter and the Ricks Diversion. In recent years each of these diversions has been retrofitted to be more fish friendly. Historically the Badger Splitter (located at the upper end of the dewatered reach) served to entrain a great number of YCT each year. This issue was resolved in 2010 when FTR and the local irrigators worked to rebuild that diversion structure, installing two new headgates and rotating belt fish screens. The Ricks Diversion (located downstream of the Badger Splitter) was subsequently retrofitted in 2012. The check structure associated with the diversion historically served as a fish passage barrier and was structurally compromised by high water in 2010 and 2011. These issues were addressed by FTR and the local irrigators by rebuilding the wing wall of the check structure, and installing a fish ladder allowing fish to move upstream past the check structure. (See attached map titled “Badger Creek Transaction Overview.”)

With the barrier and entrainment issues resolved, water availability is the single factor preventing the successful movement of YCT into perennially flowing reaches of the stream late summer, when water becomes short and the middle reach of Badger Creek begins to go dry. Recently FTR has identified two water right holders interested in committing their rights in stream. One is interested in pursuing a 5 year lease and the other is interested in selling the water rights such that they are permanently committed in stream.

The purpose of the water transactions discussed below is to increase the quantity of water in stream between the Badger Splitter and the Ricks Diversion, approximately a 0.55 mile stretch of stream. Increasing the quantity of water in this stream reach will increase the probability that YCT can successfully migrate upstream onto US Forest Service land when Badger Creek becomes dewatered. This will help ensure that YCT do not become stranded in isolate pools of water, becoming subject to predation or death when the pools dry up.

Description of Proposed Transactions

a. Old West Business Park – 5 Year Lease

Old West Business Park has one water right (22-12775) that it proposes leasing in stream through the Idaho Water Transactions Program for a period of 5 years. Through this transaction 108.3 acres of land will be fallowed or dry land farmed.

The water right held by Old West Business Park allows for the diversion of 1.91 cfs. It is one of twelve water rights with a June 1, 1891 priority date. These twelve water rights are the most senior water rights on Badger Creek. Because of its relative seniority on the stream, the water right owned by Old West Business Park is deliverable throughout the entire irrigation season.

Because Badger Creek is seasonally disconnected from the Teton River it is not possible to deliver the water right to the Teton River minimum stream flow right, nor is that necessary to reach the desired ecological goal. Therefore, Staff proposes leasing the water right into the Water Supply Bank, and renting it to water users at the Ricks Ditch. It is proposed that the lease/rental will be coupled with a bypass agreement under which the water users at the Ricks Ditch agree to maintain at least 1.91 cfs in Badger Creek, which is a sufficient quantity of water to ensure that the fish ladder functions properly and facilitates the movement of fish upstream. Structuring the transaction in this manner will ensure that the water right is deliverable through the stream reach of concern (between the Badger Splitter and the Ricks Ditch), down the fish ladder, and protect the right from risk of forfeiture.

In order to ensure that the water right can be physically delivered down the Ricks Ditch, the ditch must be cleaned and maintained. Therefore, a onetime payment of $750.00 will be requested from the Columbia Basin Water Transactions Program, to be placed in the Board's revolving development subaccount, to be dispersed to the Rick's Ditch water users. The payment will be used to rent necessary ditch cleaning equipment, but does not cover the cost of labor.

The water has been valued at $75/acre. The valuation is based upon irrigated vs. non-irrigated land rental values, the difference between the two being the proposed value of the water. University of Idaho's Teton County Extension Agent, Ben Eborn, and University of Idaho's District Extension Economist, Paul Patterson, determined that in the Teton area, dryland grain rent generally ranges from $50-$75/acre, while irrigated grain rent generally ranges from $100-$175/acre. Given those numbers, the water would have a value ranging between $50-$100/acre. The median value of $75/acre was presented to the water right holder and found acceptable. At $75/acre the landowner will receive an annual payment of $8,122.50,

amounting to $40,612.50 over the course of the lease term. Given the seniority of the water right and the direct environmental benefit associated with the transaction this seems reasonable.

Monitoring and contract compliance will be conducted by the local water district (WD 01) and Friends of the Teton River. WD01 has expressed concern about the additional staffing resources necessary to conduct monitoring of the proposed transaction. Therefore, funding for administration by the WD01 Watermaster, in an amount up to $250.00 per year, will be requested from the Columbia Basin Water Transactions Program to be placed in the Board's revolving development subaccount and dispersed annually. Ecological and fisheries benefits will be monitored by Friends of the Teton River, in conjunction with Idaho Fish and Game.

The Streamflow Enhancement and Minimum Streamflow Committee met on September 23, 2014 to review and make recommendations on several water transactions. The Committee recommended this transaction for approval, pending a favorable review by WD01 on the question of injury to other surface water users. Mr. Olenichak, of WD01, did not perceive any issues with the aforementioned transaction structure, either from an injury or delivery perspective. Correspondence from Mr. Olenichak is attached to this briefing memorandum.

A funding resolution authorizing the expenditure of $46,338.00 to support this transaction has been prepared for the Board's consideration. If approved by the Board, a proposal to fund this transaction will be submitted to the Columbia Basin Water Transactions Program in the amount of $46,338.00. The requested funds will be placed into the Board's revolving development water transaction subaccount which will be used to compensate the water right owner, cover the recording fee, pay the Idaho Water Supply Bank application and administrative fees, assist with ditch cleaning, and assist with monitoring, as follows: Idaho Water Supply Bank Water Right Application Fee ($250.00); 10% Administrative Fee ($3,450.00); Payment to Water Right Holder ($40,613.00); Recording Fee ($25.00); Ditch Cleaning ($750.00); and WD01 Monitoring ($1,250.00).

Public Outreach

FTR hosted an informational open house on Tuesday, September 9, 2014 in Driggs, Idaho at the Driggs City Center to provide members of the public with an opportunity to learn about the water transactions discussed in this memorandum. The event was publicized in the Teton Valley Citizen on September 3, 2014, one of Teton Valley's local newspapers. This paper is published weekly and made available to the public free of charge at venues throughout Driggs, Victor, and Tetonia. FTR did not receive any inquiries, at the meeting or otherwise.

FTR also sent a letter to each water right holder on the shared ditch to notify them of the proposed transaction. At the time this memorandum was prepared no response had been received.

Letter of Support

This water transaction has been reviewed by Dan Garren, Regional Fisheries Manager for Idaho Fish and Game, as well as Rob Gipson, Regional Fisheries Manager for Wyoming Game and Fish. Both expressed support for the transaction, and Mr. Garren submitted a letter of support which is attached to this briefing memorandum.

b. Later – Permanent Acquisition

Kolene Later has three stacked water rights that she proposes permanently committing to the Idaho Water Transactions Program – two surface water rights and a groundwater right. Through this transaction 10.8 acres of land will be fallowed or used for dryland grazing.

One of the surface water rights held by Kolene Later, water right no. 22-13376, has a June 1, 1891 priority date. This water right allows for the diversion of 0.24 cfs. As discussed above, there are twelve water rights on the stream with this priority date and they comprise the most senior water rights on Badger Creek. Because of its relative seniority on the stream, this water right is deliverable throughout the entire irrigation season.

The other surface water right held by Kolene Later is water right no. 22-13379. This water right has a January 18, 1905 priority date, and allows for the diversion of 0.24 cfs. This is effectively a high water right which is only deliverable through approximately early July of each year. Nonetheless, permanent acquisition of this water right will help restore a more natural hydrograph to Badger Creek, something which favors native Yellowstone cutthroat trout.

The groundwater right held by Kolene Later is water right no. 22-13382. It allows for the diversion of 0.16 cfs, or 37.7 acre-feet annually, and has an October 31, 1960 priority date. While acquisition of this water right will not directly result in increased stream flow in Badger Creek, acquisition of the right will likely support flow restoration goals in Badger Creek due to the adverse impact that groundwater withdraws can have on surface water flows.

A purchase price of $3,000/acre has been proposed by the water right holder. This would make for a total purchase price of $32,400, and would allow for acquisition of all three water rights. It is my understanding that there has been a comparable sale in the Badger Creek area in the past year which supports the proposed price.

The Streamflow Enhancement and Minimum Streamflow Committee met on September 23, 2014 to review and make recommendations on several water transactions. The Committee had questions regarding the potential for Ms. Later to development her land and how weeds will be dealt with if the water rights are sold. Sarah Lien spoke to Ms. Later about both issues on October 13, 2014. Ms. Later does not intend to subdivide or sell her property. Not only are the current planning and zoning regulations in Teton County, Idaho a significant deterrence and cost prohibitive for a land parcel of this size, but there is a very limited market for the sale of residential lots in the area. Additionally, the acreage owned by Ms. Later is part of her family homestead and has significant sentimental value to her in that regard. Ms. Later intends to maintain the property as she historically has, and address any weed issues which arise. In the past Ms. Later has pastured a donkey and a goat to deal with weeds, and when necessary has utilized pesticide spray. She intends to utilize these techniques in the future.

The next step in advancing this transaction proposal is to have the water rights appraised. Mr. Henri LeMoyne of LeMoyne Realty and Appraisals, Inc. has been contacted to conduct the appraisal. It is estimated that the appraisal will cost $7,000.00. Columbia Basin Water Transactions Program funds may be used to cover the cost of the appraisal.

A funding resolution authorizing the expenditure of $7,000.00 to conduct an appraisal of the water rights discussed above has been prepared for the Board's consideration.

BEFORE THE IDAHO WATER RESOURCE BOARD

IN THE MATTER OF THE BADGER CREEK WATER RIGHTS APPRAISAL	)))))	A RESOLUTION TO APPROVE FUNDING OF AN APPRAISAL FROM NATIONAL FISH AND WILDLIFE FOUNDATION

WHEREAS, Badger Creek is a tributary to the Teton River that provides quality spawning and rearing habitat for Yellowstone cutthroat trout and other fish, but is flow and passage limited at certain times of the year; and

WHEREAS, it is in the interest of the State of Idaho to increase stream flow in the Teton River and its tributaries to encourage recovery of Yellowstone cutthroat trout, which are currently designated as an Idaho Species of Greatest Conservation Need; and

WHEREAS, staff has identified an opportunity to permanently acquire water rights from Kolene Later to improve stream flow for native fish in Badger Creek; and

WHEREAS, it is necessary for the water rights to be appraised by an Idaho licensed appraiser; and

WHEREAS, National Fish and Wildlife Foundation has agreed to fund the appraisal; and

WHEREAS, appraisal of the water rights is in the public interest and in compliance with the State Water Plan.

NOW THEREFORE BE IT RESOLVED that the IWRB authorizes the Chairman to approve National Fish and Wildlife Foundation to fund an appraisal of water right nos. 22-13376, 22-13379, and 22-13382 on the Board's behalf, in an amount not to exceed $7,000.00.

NOW THEREFORE BE IT FURTHER RESOLVED that this resolution is subject to the condition that the IWRB receives funding from the National Fish and Wildlife Foundation in the amount of $7,000.00.

DATED this 5th day of November, 2014.

_____
ROGER CHASE, Chairman
Idaho Water Resource Board

ATTEST: _____
BOB GRAHAM, Secretary

BEFORE THE IDAHO WATER RESOURCE BOARD

IN THE MATTER OF THE BADGER CREEK WATER TRANSACTION	))))	A RESOLUTION TO MAKE A FUNDING COMMITMENT

WHEREAS, Badger Creek is a tributary to the Teton River that provides quality spawning and rearing habitat for Yellowstone cutthroat trout and other fish, but is flow and passage limited at certain times of the year; and

WHEREAS, it is in the interest of the State of Idaho to increase stream flow in the Teton River and its tributaries to encourage recovery of Yellowstone cutthroat trout, which are currently designated as an Idaho Species of Greatest Conservation Need; and

WHEREAS, staff has developed a five-year water lease with Old West Business Park, LLC to improve stream flow for native fish in Badger Creek; and

WHEREAS, the water rights shall be leased into the Board's Idaho Water Supply Bank and be rented for delivery at the Ricks Ditch, for a period of five years; and

WHEREAS, a proposal to fund the Old West Business Park, LLC lease/rental in the amount of $46,338.00 will be submitted to the Columbia Basin Water Transactions Program, to be used to pay the Idaho Water Supply Bank Application Fee ($250.00), 10% Administrative Fee ($3,450.00), Payment to Water Right Holder ($40,613.00), Recording Fee ($25.00), Ditch Cleaning ($750.00), and WD01 Monitoring Fee ($1,250.00); and

WHEREAS, staff anticipates the funds being placed into the IWRB Revolving Development Account to be dispersed accordingly; and

WHEREAS, the Badger Creek transaction is in the public interest and is in compliance with the State Water Plan.

NOW THEREFORE BE IT RESOLVED that the IWRB authorizes the Chairman to enter into a water lease/rental agreement with Old West Business Park, LLC, and/or its successors, for water right 22-12775, using an amount not to exceed $45,588.00.

NOW THEREFORE BE IT RESOLVED that the IWRB authorizes the Chairman to enter into a bypass agreement with the water users of the Ricks Ditch on Badger Creek, using an amount not to exceed $750.00.

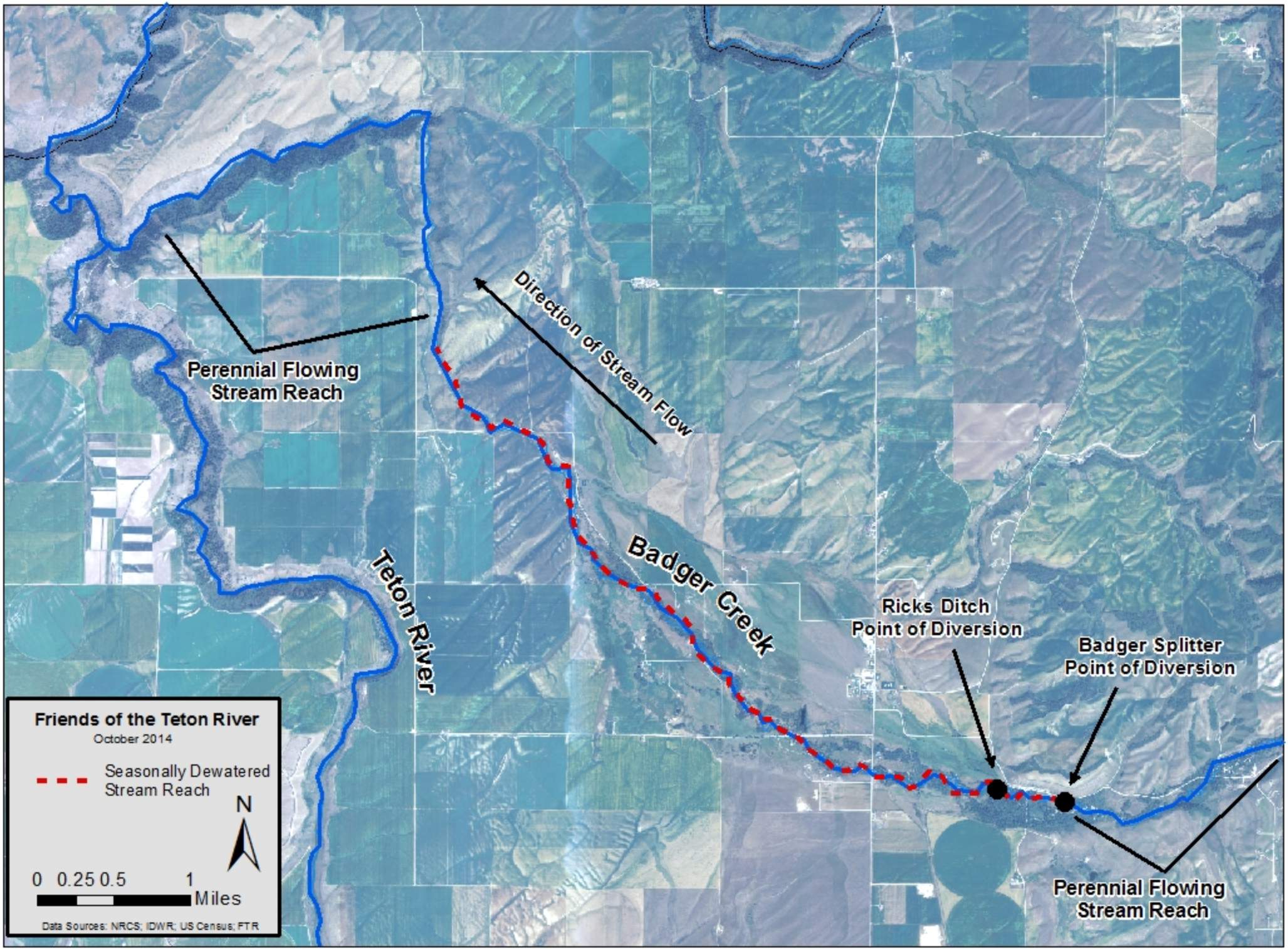
NOW THEREFORE BE IT FURTHER RESOLVED that this resolution is subject to the condition that the IWRB receives the requested funding from the Columbia Basin Water Transactions Program in the amount of $46,338.00.

DATED this 5th day of November, 2014.

_____
ROGER CHASE, Chairman
Idaho Water Resource Board

ATTEST: _____
BOB GRAHAM, Secretary

Badger Creek Hydrology



Badger Creek Transaction Overview

Ricks Diversion: FTR installed a fish ladder and new wing wall on the check dam structure in 2012

Direction of Flow

Badger Creek

Purchased and leased water will increase flow in this seasonally dewatered reach of stream between the Badger Splitter and Ricks Diversion (~ 0.55 miles). Transaction will prevent stranding of YCT attempting to move upstream onto the forest where Badger flows year round.

~3 miles from Badger Splitter to Forest Boundary

Badger Splitter: FTR installed a new headgate & fish screens at this location in 2010

Teton River

Friends of the Teton River
January 2014
N
0 0.025 0.05 0.1
Miles
Data Sources: NRCS; IDWR; US Census; FTR

From: Olenichak, Tony
To: Sarah Rupp
Cc: Case, Morgan
Subject: RE: Badger Creek Transaction Review
Date: Tuesday, October 21, 2014 4:09:02 PM

Sarah,

If the point-of-diversion is moving from the Phillips Ditch to the Ricks Ditch to be used for irrigation from the Ricks Ditch. I think that takes care of all my concerns. I'm not aware of anyone who would object to a water transfer from a water user on the Phillips Ditch to a water user on the Ricks Ditch. It also does not cause any additional work or data collection from the water district staff monitoring instream discharges, yet it could accomplish what you are trying to accomplish. I still think Old West Business will still get an annual assessment from $50 up to $250 from the water district each year, so you may want to build something into the agreement that says someone will compensate Old West Business for paying their annual assessment.

Tony

From: Sarah Rupp [mailto:sarah@tetonwater.org]
Sent: Tuesday, October 21, 2014 2:29 PM
To: Olenichak, Tony
Cc: Case, Morgan
Subject: Badger Creek Transaction Review

Tony,
I spoke to Morgan yesterday at length about the water transaction analysis you did on Badger Creek. We have devised an alternative means to deliver the water.

We discussed exclusively the 5 year lease of Old West Business Park water right 22-12775. We propose leasing the water right into the Water Supply Bank, and renting it to water users at the Ricks Ditch. The rental would authorize a couple water users who divert at the Ricks Ditch to utilize the water right.

We would then couple the lease/rental described above with a bypass agreement under which the water users at the Ricks Ditch agree to maintain some water in Badger Creek, when flows get low, to flow down the fish ladder. This would be an agreement negotiated exclusively between the water users and IWRB.

This structure would meet the ecological goals we are trying to attain, namely - ensure that the water right is deliverable through the stream reach of concern, down the fish ladder, and protect the right from risk of forfeiture.

Do you perceive any potential injury to other surface water users or perceive issues with delivering the water right to the rented location? To assist you, I have attached a map showing where the water right was historically diverted from Badger Creek (at the Badger Splitter, then delivered down the Phillips Ditch) and its new proposed diversion location (the Ricks Ditch).

Your thoughts would be greatly appreciated.

Best,
Sarah

Sarah Lien (Rupp)
Water Resources Director and Staff Attorney
Friends of the Teton River
PO Box 768
18 North Main Street Suite 310
Driggs, Idaho 83422
208.354.3871 ext. 11
sarah@tetonwater.org

IDAHO DEPARTMENT OF FISH AND GAME
UPPER SNAKE REGION
4279 Commerce Circle
Idaho Falls, Idaho 83401

C.L. "Butch" Otter / Governor
Virgil Moore / Director

September 12, 2014

Dear Sarah:

Idaho Department of Fish and Game is charged with the Preservation, Protection, Perpetuation and Management of all of Idaho's fish and wildlife. As such, we are continually trying to increase the abundance of our fish and wildlife resources across the state. We do this through a variety of means, but one key mechanism we implement is the creation and improvement of habitat.

The water transaction project you have proposed on Badger Creek should result in more wetted channel within Badger, downstream of the Splitter to the Ricks Diversion. This habitat can then be used by the allopatric population of native Yellowstone cutthroat trout often trapped between the Ricks Diversion and the Badger Creek splitter upstream. Because Badger Creek does not connect to the Teton River consistently, the fish population in upper Badger consists only of native cutthroat trout, and they would be the species that would benefit from this increased habitat/connectivity. The single species nature of upper Badger Creek also makes this stream a high priority for management actions and protective measures that ensure this population remains allopatric.

As your water transaction program grows in the future, it is important to keep in mind that connecting the few allopatric populations of cutthroat in the Teton drainage to the Teton River is not in the best interest of our native fish. More consistent connectivity with the mixed species found in the Teton River could jeopardize the pure, single species populations isolated above these dry reaches, and would not be supported by the Department. However, your project appears to only increase flows between the Badger Creek splitter and the Ricks Diversion (assuming the additional water is diverted at the Ricks Diversion), and as such, should improve survival of cutthroat that would otherwise be stranded in this reach as it is dewatered during the summer.

The Department recognizes the benefits to our cutthroat populations by doing this work, and supports your efforts. In-stream programs that improve cutthroat habitat without increasing risks to allopatric cutthroat populations are very worthwhile, and the Department supports additional, strategically thought-out work like you have outlined in this project.

Please feel free to contact me at the number below if you have any additional thoughts or comments on this. Thank you for your contribution to Idaho's fishery and wildlife resources.

Sincerely,

Dan Garren
Regional Fisheries Manager
208-525-7290

MEMORANDUM

To: **Idaho Water Resource Board**

From: **Sarah Lien, Friends of the Teton River**

Date: **October 22, 2014**

Re: **Water Transactions Program – Teton River Basin – South Leigh Creek Lease Renewal**

Action Item: Attached is an expenditure of funds resolution in the amount of **$4,019.00** to fund the lease of South Leigh Creek water rights for a term of 1 year.

Background and Ecological Significance of South Leigh Creek

South Leigh Creek is a tributary to the Teton River located in the upper Teton Valley. The tributary runs from east to west, originating in the Teton Range and flowing towards the Teton River. The tributary offers excellent fish and wildlife habitat and supports a genetically pure population of Yellowstone cutthroat trout (YCT) in the perennial, mountain reaches of the stream.

Currently, irrigation withdraws and the natural stream hydrology result in the annual dewatering of the stream. Pervasive yearly dewatering serves to restrict fish movement and migration, reduce valuable habitat, and elevate stream temperatures. As such, restoring flow to specific portions of South Leigh Creek has a positive impact on the YCT fishery in that tributary, serving to create valuable habitat, allowing for fish passage and migration, decreasing stream temperatures, and ultimately helping to encourage the recovery of YCT populations in the upper Teton Valley.

A great deal of effort has been committed to resorting and improving fish habitat and preventing fish entrainment in canal diversions on South Leigh Creek. Friends of the Teton River (FTR) has conducted three stream restoration projects on South Leigh Creek, restoring and stabilizing over 1,350 feet of stream and re-vegetating over 6,755 square feet of stream bank. Substantial stream restoration work has also been conducted by private landowners. Additionally, FTR recently worked with irrigators to rebuild the Hog Canal diversion, which is the largest diversion on South Leigh Creek. The rebuild not only incorporated new headgates but also solar operated fish screens, thereby addressing fish entrainment issues. Commencing in October of 2014, FTR and other partners will begin construction of a similar project with irrigators on the Desert Canal diversion.

South Leigh Creek is listed under Section 303(d) of the Clean Water Act. The stream is currently listed for sediment and for failing to support one of its designated beneficial uses, cold water aquatic life. Flow restoration efforts in South Leigh Creek will help address sediment and stream temperature issues, as well as increase available habitat for aquatic species, all of which are important to restoring water quality in this stream.

Overall, the flow restoration strategy on South Leigh Creek aims to provide additional in stream habitat for native YCT, as flow is the primary limiting factor preventing development of a more robust YCT

population in this particular tributary. However, it is critically important that flow restoration efforts are conducted in close coordination with IDF&G to ensure that the genetically pure population of YCT that resides in the mountains on US Forest Service land is not jeopardized by non-native fish invasion. It is agreed that the transaction discussed below reaches those goals.

Description of Proposed Transaction

A. Osagia, LLC

In 2014 Osagia, LLC entered into a one year water lease and agreement not to divert through the Idaho Water Transactions Program, to help restore flow in the upper reach of South Leigh Creek. Osagia, LLC proposes renewing the lease and agreement not to divert for an additional one year term.

Osagia, LLC has one surface water right (22-13817) with an April 1, 1889 priority date. This surface water right is one of five water rights with an April 1, 1889 priority date, the most senior priority on the stream, and is therefore deliverable throughout the irrigation season. Through this transaction 37 acres of land will be fallowed during the one year term. This transaction will add 0.74 cfs of flow to South Leigh Creek.

Osagia, LLC also has a groundwater right (22-13815). Osagia, LLC proposes leasing this water right into the Idaho Water Supply Bank for an additional one year term as well. This will serve to protect the water right from claims of forfeiture, ensure that neither ground nor surface water sources are utilized to irrigate the property, and have an overall positive impact on the water budget in Teton Valley.

As a result of the 2014 lease, stream flow was maintained in South Leigh Creek from the stream's headwaters down to the Desert Canal diversion throughout the entire irrigation season. This served to open up about a mile of additional habitat for YCT. Additionally, during the summer of 2014, the first fluvial YCT was captured in South Leigh Creek just upstream of the Desert Canal diversion. This seems to indicate that the transaction has had a positive impact on the YCT fishery in South Leigh Creek and is worth renewing in 2015.

Bob Loucks valued the water rights at $87.65/acre, amounting to a payment of $3,244.00 to the water right holder. The valuation is based upon the historical use of the water rights, which included generating one cutting of hay and then pasturing the aftermath. The valuation was presented to the water right owner and found acceptable. This is the same valuation and pricing structure utilized to value the water rights in 2014.

Monitoring and contract compliance will be conducted by the local water district (WD 01), Friends of the Teton River and Idaho Fish and Game. WD01 has expressed concern about the additional staffing resources necessary to conduct administration of the transaction. Therefore, funding for administration by the WD01 Watermaster, in an amount up to $250.00, will be requested from the Columbia Basin Water Transactions Program to be placed in the Board's revolving development subaccount to be dispersed to WD01. Ecological and fisheries benefits will be monitored by Friends of the Teton River, in conjunction with Idaho Fish and Game.

The Streamflow Enhancement and Minimum Streamflow Committee met on September 23, 2014 to review and make recommendations on several water transactions. The Committee unanimously recommended this transaction for approval at that time.

Since the Committee met on September 23rd, 2014, the transaction was discussed with Tony Olenichak of WD 01. While Mr. Olenichak raised no concerns about this transaction, from either a water delivery or

injury perspective in 2013 (email correspondence dated to 2013 has been attached to this briefing memorandum), it appears that clarification is now needed from the IDWR Director to determine if the water right can be delivered as intended in future years. In short, clarification is needed to determine if a water right leased into the Idaho Water Supply Bank, without an according rental, can be called for delivery to its historic point of diversion and then subsequently left in the stream. Clarification from the Director is expected sometime during the winter of 2014/2015.

A funding resolution authorizing the expenditure of $4,019.00 to support this transaction has been prepared for the Board's consideration. The resolution is contingent upon the IDWR Directors determination on the question of deliverability, discussed above. If the resolution is approved, a proposal to fund this transaction will be submitted to the Columbia Basin Water Transaction Program in the amount of $4,019.00. The requested funds will be placed into the Board's revolving development water transaction subaccount to be used to compensate the water right owner, cover the recording fee, pay the Water Supply Bank Application Fee, and assist with monitoring, as follows: Water Right Application Fee ($500.00); Payment to Water Right Holder ($3,244.00); Recording Fee ($25.00); and WD01 Monitoring ($250.00).

Letters of Support and Public Outreach

Idaho Fish and Game: The water transaction was reviewed by Dan Garren, Regional Fisheries Manager for Idaho Fish and Game, in 2013. Mr. Garren submitted a letter of support in 2013 which is attached to this briefing memo.

Informational Open House: FTR hosted an informational open house on Wednesday, December 4, 2013 in Driggs, Idaho at the Driggs City Center to provide members of the public with an opportunity to learn about the specific water lease discussed in this memorandum. The event was publicized in the Teton Valley Citizen on November 27, 2013. The Teton Valley Citizen is one of Teton Valley's local newspapers, and is made available to the public free of charge at venues throughout Driggs, Victor, and Tetonia. FTR received no inquiries in regard to this lease, either at the 2013 open house or otherwise.

Another open house was recently held at the same venue on Tuesday, September 9, 2014, to once again provide the public with an opportunity learn about the Idaho Water Transaction Program. FTR did not receive any inquiries as a result of this outreach event.

BEFORE THE IDAHO WATER RESOURCE BOARD

IN THE MATTER OF THE SOUTH LEIGH CREEK WATER USE AGREEMENT	))))	A RESOLUTION TO MAKE A FUNDING COMMITMENT

WHEREAS, South Leigh Creek is a tributary to the Teton River that provides quality spawning and rearing habitat for Yellowstone cutthroat trout and other resident fish, but is flow and passage limited at certain times of the year; and

WHEREAS, it is in the interest of the State of Idaho to increase stream flow in the Teton River and its tributaries to encourage recovery of Yellowstone cutthroat trout, which are currently designated as an Idaho Species of Greatest Conservation Need; and

WHEREAS, staff has developed a one-year water use agreement with Osagia, LLC to improve stream flow for native fish in South Leigh Creek; and

WHEREAS, the water rights shall be leased into the Board's Idaho Water Supply Bank, for a period of one year; and

WHEREAS, a proposal to fund the Osagia, LLC lease and water use agreement in the amount of $4,019.00 will be submitted to the Columbia Basin Water Transactions Program, to be used to pay the Idaho Water Supply Bank Application Fee ($500.00), Recording Fee ($25.00), WD01 Monitoring Fee ($250.00); and make payment to the Water Right Holder ($3,244.00); and

WHEREAS, staff anticipates the funds being placed into the IWRB Revolving Development Account to be dispersed accordingly; and

WHEREAS, the South Leigh Creek transaction is in the public interest and is in compliance with the State Water Plan.

NOW THEREFORE BE IT RESOLVED that the IWRB authorizes the Chairman to enter into a water use agreement and lease with Osagia, LLC and/or its successors for water rights 22-13815 and 22-13817, using an amount not to exceed $3,769.00.

NOW THEREFORE BE IT RESOLVED that the IWRB authorizes the Chairman to compensate WD01 for watermaster services in an amount not to exceed $250.00.

NOW THEREFORE BE IT FURTHER RESOLVED that this resolution is subject to the condition that the IWRB receives the requested funding from the Columbia Basin Water Transactions Program in the amount of $4,019.00 and that the Director of the Idaho Department of Water Resources determines that water right no. 22-13817 can be delivered in such a manner so as to improve stream flow for native fish in South Leigh Creek.

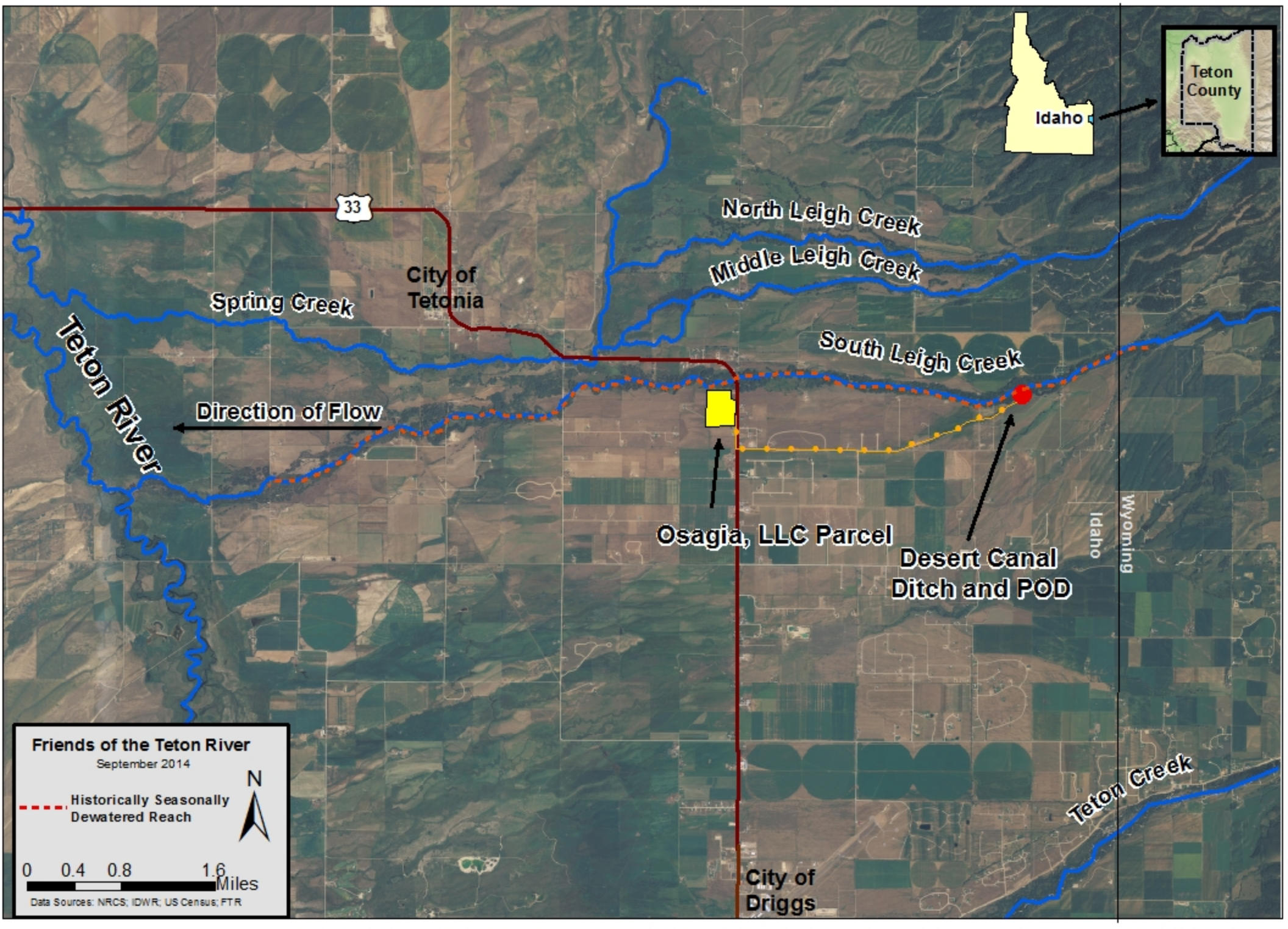
DATED this 5th day of November, 2014.

_____

ROGER CHASE, Chairman
Idaho Water Resource Board

ATTEST: _____
BOB GRAHAM, Secretary

South Leigh Creek - Osagia, LLC Transaction Map



To:	Olenichak, Tony; Case, Morgan
Cc:	Swank, Lyle
Subject:	RE: South Leigh Creek Water Transactions

From: Olenichak, Tony [mailto:Tony.Olenichak@idwr.idaho.gov]
Sent: Thursday, November 07, 2013 5:17 PM
To: Case, Morgan
Cc: Sarah Rupp; Swank, Lyle
Subject: RE: South Leigh Creek Water Transactions

Case,

Reviewing the information sent to me by Sarah Rupp indicates the two water rights 22-13436 and 22-13437 currently assigned to the Bell-McCracken Ditch on South Leigh Creek will be deposited into the Idaho Water Supply Bank and then rented by the IWRB for delivery to the Teton River point of diversion described in minimum stream flow right 22-7369. The intent of the transaction appears to be to increase the flow in South Leigh Creek in the reach from the Bell-McCracken Ditch on South Leigh Creek to the point(s) of diversion on the Teton River for water right 22-7369 resulting from not diverting water rights 22-13436 and 22-13437 through the Bell-McCracken Ditch for irrigation when they are in priority. It does not appear that this transaction would interfere with the delivery to other water rights on South Leigh Creek or the Teton River.

Changing the point of diversion for water rights 22-13436 and 22-13437 so that these rights are not delivered to the Bell-McCracken Ditch may result in additional water in the reach from the Bell-McCracken Ditch to the Teton River but does not necessarily guarantee this result. If the flow at the mouth of South Leigh Creek is greater or equal to the flow rates of water rights 22-13436 and 22-13437, it wouldn't be necessary for the Watermaster to curtail any other South Leigh Creek water rights to provide additional water to the lower reach on South Leigh Creek because the IWRB would be receiving its entire amount of South Leigh Creek water delivered to the Teton River for water rights 22-13436 and 22-13437, even if the South Leigh Creek channel was dry at some point between the Bell-McCracken Ditch and the mouth of South Leigh Creek.

The transaction also includes depositing water right 22-13817 into the Idaho Water Supply Bank and then rented by the IWRB for the purpose of changing the nature of use from irrigation to insteam flow without changing the point of diversion. Water right 22-13817 is for diverting South Leigh Creek water for irrigation through the Desert Ditch. The intent of the transaction is to keep the flow rate and priority for water right 22-13817 assigned to the Desert Ditch ensuring that the water right flow rate will be delivered in the South Leigh Creek channel to the point where the Desert Ditch diverts water from the creek, as it has been delivered to that point in the past for irrigation. It does not appear that this transaction would interfere with the delivery to other water rights on South Leigh Creek.

One final thought……Because the land irrigated by water right 22-13817 is also covered by ground water right 22-13815, and the proposal indicates the owner of the water rights will not irrigate the 36 acres described in both water rights, perhaps both water rights owned by Osagia, LLC for the 36 acres should be included in the transaction.

Tony Olenichak
Program Manager
Water District #1
208-525-7171

From: Case, Morgan
Sent: Tuesday, November 05, 2013 5:13 AM
To: Olenichak, Tony
Subject: South Leigh Creek Water Transactions

Tony,

As you are aware, Friends of the Teton River has been developing water transactions in the Teton River Basin in partnership with the IWRB. Sarah Rupp will be presenting two proposed transactions on South Leigh Creek to the IWRB Streamflow Enhancement and Minimum Stream Flow Committee on November 18th. As a local expert on water administration and delivery in the Upper Snake, I would like to request your opinion on the proposed transactions. I believe that Sarah spoke to you of the transactions in detail, but to refresh your memory...

South Leigh Creek Burr - A five-year lease/rental of 0.11 cfs of water rights irrigating 5 acres.

South Leigh Creek Osagia - A one-year agreement not to divert 0.74 cfs of water rights irrigating 36 acres.

Thank you for your help.

Morgan Case

IDAHO DEPARTMENT OF FISH AND GAME
UPPER SNAKE REGION
4279 Commerce Circle
Idaho Falls, Idaho 83401

C.L. "Butch" Otter / Governor
Virgil Moore / Director

November 6, 2013

Dear Sarah:

The Idaho Department of Fish and Game is charged with the Preservation, Protection, Perpetuation and Management of all of Idaho's fish and wildlife. As such, we are continually trying to increase the abundance of our fish and wildlife resources across the state. We do this through a variety of means, but one key mechanism we implement is the creation and improvement of habitat.

The water transaction project you have proposed on South Leigh Creek should result in more wetted channel within South Leigh, downstream to the Desert Canal diversion. This habitat can then be utilized by the allopatric population of native Yellowstone cutthroat trout. Because South Leigh does not connect to the Teton River consistently, the fish population in South Leigh consists only of native cutthroat trout, and they would be the species that would benefit from this increased habitat.

As your water transaction program grows in the future, it is important to keep in mind that connecting the few allopatric populations of cutthroat in the Teton drainage to the Teton River is not in the best interest of our native fish. However, in-stream programs that improve cutthroat habitat without creating additional connectivity are very worthwhile, and the Department supports additional work like you have outlined in this project.

Please contact me at 208-525-7290 if you have additional thoughts or comments on this. Thank you for your contribution to Idaho's fishery and wildlife resources.

Sincerely,

Dan Garren
Regional Fisheries Manager

From: Mike Edmondson [mailto:Mike.Edmondson@osc.idaho.gov]
Sent: Wednesday, October 22, 2014 11:27 AM
To: rwchase33@gmail.com
Cc: Stephen Goodson; Dustin T. Miller
Subject: Yellow Stone Cutthroat and CBWTP funds

Roger,
To summarize our telephone discussion of Trout Unlimited's request of the Idaho Water Board to support habitat and/or flow improvement projects to help Yellowstone Cutthroat Trout (YCT) in the Portneuf and Blackfoot drainages, it is OSC's position that benefitting this non-listed species now poses little risk to a potential future ESA listing actions by the US Fish and Wildlife Service. More to the point actions taken now and a track record further built by the state to conserve YCT should aide to preclude future listing threats and aide the State should we need to litigate. Some salient points:

1) YCT are already present in the drainages in question;
2) increasing connectivity of suitable habitats now, in a completely voluntary manner, is preferable to a potential regulatory framework imposed on the state should a listing action succeed;
3) YCT are mainly present in the upper reaches of the drainages in question but do occur around American Falls Reservoir;
4) YCT are already documented as present in river reaches with irrigation diversions;
5) our office and the NWPCC Idaho members support increased efforts to secure additional Columbia Basin Water Transaction Program funds in Idaho;
6) we support the Idaho Water Board as Idaho's sole Qualified Local Entity (CLE)

Some details of interest from the Management Plan for Conservation of Yellowstone Cutthroat Trout in Idaho (YCT Plan), IDFG 2007:
Found here: (https://fishandgame.idaho.gov/public/fish/planYellowCutthroat.pdf)

From page 9 of the YCT Plan:

Blackfoot River
The Blackfoot River GMU (Figure 3) is described in detail in LaBolle and Schill (1988) and in Thurow (1980a, 1980b) and is approximately 2,794 km2 in size. The Blackfoot River and tributaries total 554 km. Blackfoot Reservoir covers 7,692 hectares and contains nearly 432 million cubic feet (350,000 acre-feet) of water at full pool. The Blackfoot River is the major tributary to Blackfoot Reservoir and has a mean annual inflow of 4.7 cubic meters per second (168.cubic feet/second). The river upstream from the reservoir extends 56 km to its origin at the confluence of Lane and Diamond creeks.

Habitat conditions generally are fair in the upper river basin and tributaries with a few exceptions due to livestock grazing and irrigation diversions. One of the largest phosphate ore reserves in the United States is located in this drainage. Environmental problems associated with phosphate mining were first documented in the 1990s with die offs of domestic horses and sheep that grazed in watersheds below Blackfoot drainage phosphate mines. Investigation of potential effects of selenium generated from phosphate mines on the fish and wildlife in the upper Blackfoot River drainage is ongoing.

Large (>457 mm long) YCT that are occasionally caught downstream from Blackfoot Reservoir probably escape from the reservoir. Good rearing conditions in tributaries and reduced bag limits for YCT have allowed numbers of fish to increase in the lower river especially above Wolverine Creek. Mountain

whitefish (Prosopium williamsoni) are the dominant game fish species in the river downstream from Wolverine Creek.

The Blackfoot River, its tributaries, and Blackfoot Reservoir play integral roles in the life history and ecology of YCT. Mature YCT from the reservoir ascend the river mainly in May and enter upper tributaries or the main river channel to spawn in late May and June. Most of the progeny of both fluvial and adfluvial YCT rear in Blackfoot River tributaries for varying periods of up to two years. Many juvenile YCT then migrate to Blackfoot Reservoir until they are ready to return to the river to spawn. Other juveniles migrate from tributaries to the river where they rear to adulthood.

From page 22 of the YCT Plan:

Portneuf River
The Portneuf River (Figure 7) and tributaries total 478 km of stream and drain nearly 3,487 km2. In addition, there are four irrigation storage reservoirs in the drainage covering 690 hectares.

The Portneuf River flows in a U-shape, beginning and ending on the Fort Hall Indian Reservation. The upper end of Chesterfield Reservoir is also on the Fort Hall Indian Reservation. From the Portneuf River confluence with American Falls Reservoir upriver to Siphon Road, the Portneuf River is on the Fort Hall Indian Reservation. The Shoshone- Bannock Tribes manage the reaches of the river and reservoir that are on the Fort Hall Indian Reservation, which is approximately 91 km2 in size. From American Falls Reservoir upstream to Pocatello, the river receives considerable spring water additions and has desirable water temperature for trout.

The Portneuf River within the city of Pocatello was channelized in the early 1960s and replaced with 2.4 km of a flat-bottom, vertical-sided concrete flume that is a barrier at most flows to upstream fish movement and another 7.6 km of riprap lined channel which borders both ends of the concrete channel. The concrete channel is 12-m wide with 3-m high walls. During mid-summer when most of the upriver flow is diverted, river depth in the channel is extremely shallow.

The reach from Pocatello upstream to Marsh Creek has low flows during the irrigation season due to water withdrawals. This reach contains very few YCT and moderate numbers of brown trout and receives very little fishing pressure. This reach is adversely affected by sediment, irrigation withdrawals eroding stream banks, and elevated water temperatures.

From the confluence of Marsh Creek upstream to the Portneuf/Marsh Valley Canal diversion, sediment impacts are less, but low flows caused by irrigation withdrawal adversely affect the populations of brown trout, the main game species in this reach. Much of the sediment in the lower Portneuf River comes from Marsh Creek.

From page 29 of the YCT Plan:

Snake River Proper
The Snake River from Shoshone Falls upstream to Massacre Rocks is highly regulated with variable flows controlled by releases from Milner Dam, American Falls Dam, and Minidoka Dam (Figure 10). The only known self-sustaining YCT population within this reach is in Vinyard Creek, a short spring-fed tributary that flows into the Snake River from the north side less than

one kilometer upstream of Twin Falls Dam. This population of YCT is small in size and extensively hybridized with rainbow trout (Warren and Partridge 1994).

The Snake River from Massacre Rocks upstream to the confluence of the Henrys and South forks encompasses a variety of habitat types. This section extends about 201 km of which approximately 32 km is flooded by American Falls Reservoir. The 10 km of river from Eagle Rock upstream to American Falls Dam is considered an excellent trout stream. In 1998, fishing effort was an estimated 63,555 hours with and estimated catch of 34,066 fish, of which 26,912 were trout. Almost all the trout were hatchery produced, with an estimated catch of only 238 native/natural YCT. This section is noted for trophy size trout; numerous trout taken were between 508 mm and 610 mm long. To reduce harvest of large trout, a fishing rule of six trout, of which only two may be over 406 mm long, was implemented in 1998. Only two of the daily bag limit of trout may be YCT. Individual fish size and fish population size are influenced by the amount of water retained in American Falls Reservoir and the amount of minimum winter flow provided by the U.S. Bureau of Reclamation. Many of the large trout in the river reach are reared in the reservoir before passing through the dam.

From page 31 of the YCT Plan:

Snake River/American Falls Reservoir
The Snake River from the backwaters of American Falls Reservoir upstream to Tilden Bridge, a distance of approximately 32.2 km, supports an exceptional trout fishery. Most of the trout are hatchery rainbow trout, with lesser numbers of brown trout and YCT. The river in this area has limited public access because of private land on the west and the Fort Hall Indian Reservation on the east. Numerous natural springs begin on the reservation in the area known as the Fort Hall Bottoms located near the upper end of American Falls Reservoir between the Portneuf River on the south and the Snake River on the north. The springs produce approximately 2.2 billion cubic meters (1,800,000 acre-feet) of water annually, more than enough to fill American Falls Reservoir. The two largest of the reservation springs are Clear Creek (11.2 km long) and Spring Creek (18 km long). These high quality trout spawning and rearing streams are managed by the Shoshone-Bannock Tribes.

The Snake River flows 60 km from Gem State Power Dam to Tilden Bridge and runs through a mixed cottonwood riparian community. Large volumes of water are diverted from the river at numerous points in this reach for irrigation purposes. During the April through October irrigation season, river flows vary depending on amount released from upriver storage and on
amount diverted at each canal. Occasionally, more water is diverted than released from upriver dams and the river flow becomes very low or ceases temporarily. Between 1987 and 1988, the IDFG documented catch rates of 0.08 to 0.25 trout/hour between American Falls Reservoir and the Gem State Dam. Hatchery rainbow trout comprised the majority of the catch. However, large wild rainbow trout, brown trout, and YCT are also caught in this reach. Large numbers of rainbow trout and brown trout have been stocked in this reach since 1991, and the fisheries in the Snake River and American Falls Reservoir below have improved. Brown trout stocking was discontinued in 1999.

From page 68 of the YCT Plan:

ESA Listing Status: http://www.fws.gov/mountain-prairie/species/fish/yct/
After a thorough review of all available scientific and commercial information, the FWS found that listing of the YCT as either threatened or endangered is not warranted (Federal Register Doc.06-1539, Filed 2-17-06).

There is a notable discussion of water diversion on page 69 of the YCT Plan.

I hope you find this background information useful.
-Mike

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P: 208-334-2189/ F: 208-334-2172
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species.idaho.gov

Memorandum

To: Idaho Water Resource Board

From: Remington Buyer

Date: November 4, 2014

Re: A Summary of Water Supply Bank and Mitigation Bank Committee Meeting 2-14

Action Items: The Board may approve a resolution authorizing an expenditure of funds in support of development of computer infrastructure for the Water Supply Bank

The Water Supply Bank and Mitigation Bank Committee met October 9, 2014 to discuss the following topics of importance to the Board's water supply bank:

1. Management of leased water rights subject to curtailment,
2. Rental rates and fees associated with rentals from the Bank,
3. Increased demand for rental water in the Wood River Valley,
4. Management of water rights that are indefinitely leased to the Bank,
5. Timelines for receiving applications to rent water from the Bank,
6. Project managing the development of Computer Infrastructure for the Water Supply Bank

The Water Supply Bank committee discussed policy options for the Water Supply Bank regarding the rental of water from leased water rights that are subject to curtailment orders. The Committee supported the development of policy for the Bank regarding requests to rent water from water rights subject to curtailment. Policy options for the Board's consideration will be further discussed at the next meeting of the Water Supply Bank and Mitigation Bank Committee. Additionally, rental rates and administrative fees associated with Bank transactions were also discussed and the Committee approved the Water Supply Bank to investigate and bring before the Committee options for their consideration regarding how the Bank might adjust current rental rates and fees to better balance operational expenses with revenue sources.

The Committee was informed that, in consideration of the potential for increased demand for rental water in the Wood River Valley, the Bank has asked IDWR's Hydrology Section to inform the Bank regarding what documentation should be required and requested of groundwater rental applicants to ensure groundwater rental requests can continue to be considered in 2015. Fifty one leased water rights were actively being rented in Basin 37 at the beginning of 2014. The Bank received eleven new rental requests in 2014, eight of which were approved for a total of 2.9 cfs and 189 acre feet.

With respect to water rights leased indefinitely to the Water Supply Bank, the Committee was supportive of a Bank effort to update all water right contracts that are for an indefinite duration, so that they may aligned with the majority of water right leases that are for five years or less. Committee members provided the Bank with guidance on how the Bank might best contact indefinite lessors, basin by basin, to allow them to update their contracts without having to release them from the Bank. A plan for updating indefinite lease contracts will be further discussed with Committee members at the next Water Supply Bank and Mitigation Bank Committee meeting.

Committee members learned as well about key administrative activities of the Bank, including how the Bank currently prioritizes the review of lease proposals, rental requests and other important activities. A copy of the Bank calendars shared with Committee members can be found in your Board Books. The Committee was receptive to the Bank's expressed intent to more expeditiously conclude all transactions during late summer of the current year so that the Bank can begin prioritizing rentals for the next year during the fall and winter. Improvements to Bank administrative activities will be further discussed at the next Committee meeting.

Finally, the Committee was presented with an update on how the Department intends to contract manage the development of computer infrastructure for the Water Supply Bank. It was shared with committee members that, following the selection of a contractor, work orders will be utilized to provide the contractor with specified tasks and expected deliverables, and that a continued release of funding for hours contracted will be managed based on the completion of expected tasks and deliverables within specified timeframes. Committee members expressed concerns about whether the Bank would need to contract with the contractor who offers the lowest bid in response to the Department's request for qualifications (RFQ). The Department confirmed that it will not evaluate RFQ responses based primarily on the cost of development, but that contractors will instead be evaluated based on their RFQ responses, which must clearly demonstrate that they understand the project scope and that they possess the skills and knowledge necessary to accomplish the project assigned within the time provided.

The Department is reading to issue an RFQ in November. The Board is therefore called upon to considering authorizing an expenditure of funds from the Revolving Development Fund in support of development of computer infrastructure for the Water Supply Bank. A resolution has been drafted for approval by the Board and can be found in your Board materials.

BEFORE THE IDAHO WATER RESOURCE BOARD

IN THE MATTER OF DEVELOPMENT OF COMPUTER INFRASTRUCTURE FOR THE WATER SUPPLY BANK	))))	A RESOLUTION TO ALLOCATE FUNDS

WHEREAS, the Idaho Water Resource Board (Board) operates the Water Supply Bank pursuant to Idaho Code 42-1761; and

WHEREAS, the Water Supply Bank is an exchange market for water rights, the goal of which is to obtain the highest beneficial use for water, provide a source of water for new and supplemental uses, and provide a source of funding for improving water user facilities and efficiencies; and

WHEREAS; the use of the Water Supply Bank has increased by approximately a factor of five since 2008; and

WHEREAS, due to this increased use, Water Supply Bank operations will benefit from development and implementation of improved computer infrastructure; and

WHEREAS, the 2014 Idaho Legislature appropriated $500,000 to the Board for the development of computer infrastructure, through House Bill No. 479; and

WHEREAS, the Department of Water Resources has developed a plan for the development of computer infrastructure for the Water Supply Bank;

NOW THEREFORE BE IT RESOLVED that Board hereby authorizes expenditure of a total of up to $500,000 from the Revolving Development Fund, to be allocated for the development of computer infrastructure for the Water Supply Bank; and

NOW THEREFORE BE IT FURTHER RESOLVED that Board may provide the Department with guidance regarding development of computer infrastructure for the Water Supply Bank.

DATED this 5th day of November, 2014.

_____

Roger Chase, Chairman
Idaho Water Resource Board

ATTEST _____

Bob Graham, Secretary

Water Supply Bank Calendar

The Water Supply Bank operates year round. Seasons dictate programmatic priorities.
The start/continuation of a process is marked by a green dot. A yellow triangle denotes de-prioritization of a process while a red hexagon denotes a process end.
Heavy lines indicate significant human resource (staff) allocations, whereas thinner lines indicate lower staff allocations and the dotted line is indicative of a low priority, low staff allocation activity.

	Winter			Spring			Summer			Fall		
Priority	***Rental & Lease Applications***			***Rental Applications***			***Rentals & Special Projects***			***Finish one year, prepare for next***		
Activity / Month	**December**	**January**	**February**	**March**	**April**	**May**	**June**	**July**	**August**	**September**	**October**	**November**
Accept lease proposals												
Process lease proposals												
Accept rental requests												
Process rental requests												
Generate warrant payout list												
Request warrants & pay owners												
Process lease release requests												
QC / audit Bank transactions												
Identify expiring leases & rentals												
Send expiration notices to clients												
Close expiring leases & rentals												
Issue annual rental fee requests												
Process receipted annual rental fees												
Cancel delinquent rental agreements												

Memorandum

To: Idaho Water Resource Board

From: Neeley Miller, IDWR Planning and Projects Bureau

Date: October 24, 2014

RE: Fall River Fish Habitat Enhancement Project

At the September Board meeting Mr. Dave Rosgen presented information regarding the proposed project. There was discussion among the Board members regarding the process for amending a component of the plan. The Board moved to table this item until the Office of the Attorney General could provide guidance on the amendment process for the Henrys Fork Basin Comprehensive State Water Plan.

Background

The Henrys Fork Basin Comprehensive State Water Plan was adopted by the Board in 1992 and approved by the legislature in 1993. The Plan designates the Fall River from 100 feet upstream of the Yellowstone Diversion Dam to Kirkham Bridge as a recreational river. Under this designation pursuant to Idaho Code 42-1734A(6) the Plan outlines activities allowed in the 11 miles of the recreational river: *Stream channel alterations are prohibited except those necessary to maintain, improve, or relocate existing utilities, roadways, diversion works, fishery enhancement facilities and managed stream access facilities; for the maintenance of private property; for new off-stream storage projects; and for public agencies to construct public access facilities and fishery enhancement facilities.*

The Henrys Fork Comprehensive State Water Plan includes a provision that allows individuals or groups to request amendments to the Plan. According to the Plan, the Board will consider requests from individuals to amend a component of the comprehensive state water plan on a case-by-case basis.

<u>Proposed Project</u>

Jay Ellis, a land owner in Teton County, submitted a stream channel alteration permit application in June 2014. Dave Rosgen with Wildland Hydrology designed and engineered the proposed project. According to the Joint Application for Permits submitted by Ellis and Rosgen the purpose of the project is fish habitat enhancement.

<u>Comments</u>

Steve Schmidt, regional supervisor with the Idaho Department of Fish and Game provided comments on July 1, 2014. In the letter Mr. Schmidt states:

As the state agency responsible for fisheries management, IDFG does not recommend un-natural modification of the reach based on the justification of fisheries enhancement. We

recommend that the reach be left in its current functioning state mid-channel and be modified only in the instance of protection of real property (bank stabilization as proposed) should in-stream work be permitted.

Update

On October 23, 2014 the Water Resource Planning Committee met to consider the Fall River Fish Habitat Enhancement Project and to receive guidance on the amendment process for the Henrys Fork Basin Comprehensive State Water Plan. Attorney General guidance indicated the Board does not have the authority to approve individual projects that do not fall within the exemptions identified within plan. Harriet Hensley, Deputy Attorney General, is here today to discuss her guidance with the Board.

MEMO

To: Idaho Water Resource Board
From: Brian Patton
Subject: Aqua Life Aquaculture Facility Status Report
Date: October 26, 2014

- As of the 3rd week of October the Idaho Water Resource Board (IWRB) has acquired the Aqua Life Aquaculture Facility.

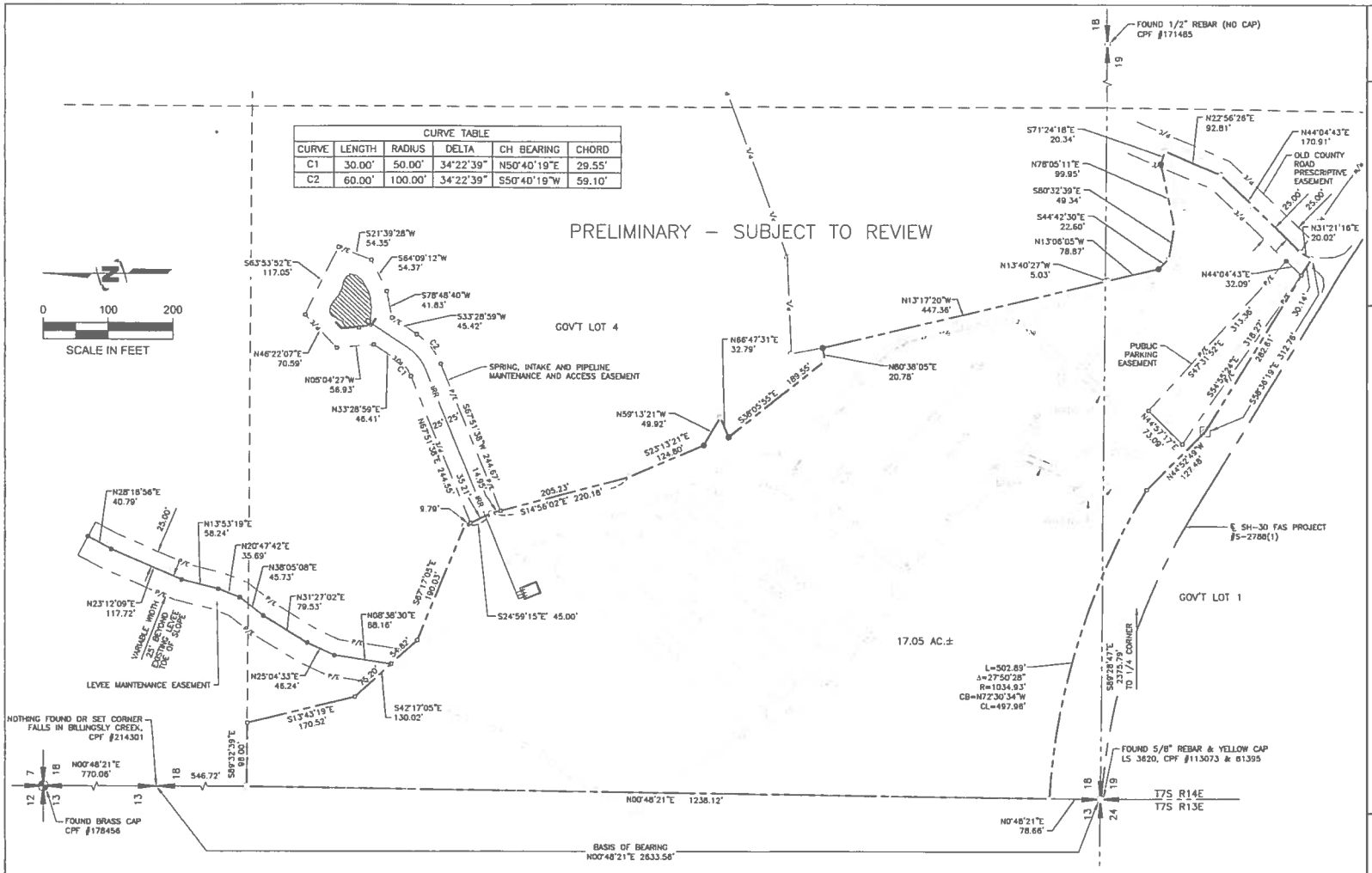
- As you may recall, House Bill 644 passed by the 2014 Legislature directed the IWRB to acquire the Aqua Life facility from the Idaho Department of Parks and Recreation for $1.635 Million, and use the facility and associated assets to assist in resolving water-use conflicts in the Hagerman Valley.

- The process of acquiring the facility has been completed, and $1.635M has been transferred to Parks and Recreation.

- Pursuant with legislative direction, we are negotiating with IGWA for a long-term lease of the facility.

EX-1	DESIGNED: PZC DRAWN: PZC CHECKED:	PROJECT: 5350120	SCALE: 1" = 200'	REVISIONS ITEM / DESCRIPTION / DATE	PRELIMINARY DRAFT, NOT FOR CONSTRUCTION	AQUA LIFE SPRINGS PROJECT IGWA IWRB CONCEPT PROPERTY LINE

SPF WATER ENGINEERING
300 East Mallard Drive, Suite 350
Boise, Idaho 83706
Tel (208) 383-4140 Fax (208) 383-4156



PREVIOUS SURVEYS

ROS FOR LYNDEN OSBORNE & RON SMITH – INST. #214801
ROS FOR CLIFF JENSEN – FISHER PROPERTY – INST. #163666
ROS FOR STATE OF IDAHO – LAND PURCHASE – INST. #192838
ROS FOR JOHN TUPPER – INST. #172130
ROS FOR BOB TUPPER – INST. #171487
ROS FOR NATIONAL TROUT FEEDS AND NUTRITION RESEARCH FACILITY – INST. #218589
ROS FOR BOB TUPPER – INST. #73672

LEGEND

- BOUNDARY LINE
- SECTION LINE
- R/W — R/W — RIGHT OF WAY
- P/E — P/E — PERMANENT EASEMENT
- EXISTING FENCE
- TOP OF BANK
- EDGE OF GRAVEL
- ● 1/2" REBAR w/ CAP SET (PLS 8077)
- ○ 1/2" REBAR FOUND
- ○ 5/8" REBAR FOUND
- ⊙ NOTHING SET OF FOUND
- ⊡ RIGHT OF WAY MONUMENT FOUND

CERTIFICATE OF SURVEYOR

I DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR, LICENSED BY THE STATE OF IDAHO, AND THAT THIS MAP HAS BEEN PREPARED FROM AN ACTUAL SURVEY MADE ON THE GROUND UNDER MY DIRECT SUPERVISION, AND THAT THIS MAP IS AN ACCURATE REPRESENTATION OF SAID SURVEY, AND IS IN CONFORMITY WITH THE CORNER PERPETUATION AND FILING ACT, STATE OF IDAHO CODE 55-1601 THROUGH 55-1613 AND TO THE IDAHO CODE RELATING TO SURVEYS.

PRELIMINARY – SUBJECT TO REVIEW

PROFESSIONAL LAND SURVEYOR REGISTERED 8077 STATE OF IDAHO BERT J. NOWAK

J-U-B ENGINEERS, INC.

J-U-B ENGINEERS, Inc.
115 Northstar Avenue
Twin Falls, Idaho 83301
Phone: 208.733.2414
Fax: 208.733.9455
www.jub.com

RECORD OF SURVEY FOR IDAHO DEPARTMENT OF PARKS & RECREATION

LOCATED IN PART OF GOVERNMENT LOT 4 OF SECTION 18 AND PART OF GOVERNMENT LOT 1 OF SECTION 19
T.7S., R.14E., BOISE MERIDIAN, GOODING COUNTY, IDAHO

FILE 60-14-043-V SP
JUB PROJ # 60-14-040
DRAWN BY KCK
DESIGN BY BJN
CHECKED BY TRR
ONE INCH
AT FULL SIZE. IF NOT ONE INCH, SCALE ACCORDINGLY.
LAST UPDATED 8/11/2014

SHEET NUMBER:
1