



AGENDA

IDAHO WATER RESOURCE BOARD

C.L. "Butch" Otter
Governor

Roger W. Chase
Chairman
Pocatello
District 4

Jeff Raybould
Vice-Chairman
St. Anthony
At Large

Vince Alberdi
Secretary
Kimberly
At Large

Peter Van Der Meulen
Hailey
At Large

John Rusche
Lewiston
At Large

Albert Barker
Boise
District 2

John "Bert" Stevenson
Rupert
District 3

Dale Van Stone
Hope
District 1

Board Meeting No. 3-18

March 23, 2018

8:00 a.m.

Idaho Water Center
Conference Rooms B, C & D
322 E Front Street
BOISE

1. Roll Call
2. Public Comment
3. Agenda & Approval of Minutes
4. Financial Report
5. Lost Valley Reservoir Enlargement
6. MHAFB Water Sustainability Project
7. Water Transaction
8. Bear River Basin
9. DOE Funding
10. Goose Lake Reservoir Co.
11. Rental Pool Procedures
12. ESPA Recharge
13. Hearing Officer Appointment for Dredging Applications
14. Update on Legislation of Interest
15. Director's Report
16. Non-Action Items for Discussion
17. Next Meeting & 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 nikki.regent@idwr.idaho.gov or by phone at (208) 287-4800.



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MINUTES **MEETING NO. 1-18**

Idaho Fish & Game
Large Conf. Room
324 S. 417 E. Ste. #1
JEROME, IDAHO

January 16, 2018
Board Meeting No. 1-18

At 10:00 a.m. Chairman Chase called the meeting to order. All members were present.

Agenda Item No. 1: Roll Call

Board Members Present

Roger Chase, Chairman
Vince Alberdi, Secretary
Bert Stevenson
John Rusche (phone)

Jeff Raybould, Vice-Chairman
Pete Van Der Meulen
Dale Van Stone
Albert Barker

Staff Members Present

Brian Patton, Bureau Chief Ann Vonde, Attorney General
Cynthia Bridge Clark, Water Projects Section Manager
Neeley Miller, Senior Planner

Agenda Item No. 2: Executive Session

Mr. Alberdi made a motion for the Board to resolve into Executive Session. Mr. Van Stone seconded. Roll call vote: Mr. Alberdi: Aye; Mr. Barker: Aye; Mr. Raybould: Aye; Mr. Rusche: Aye Mr. Stevenson: Aye; Mr. Van Der Meulen: Aye; Mr. Van Stone: Aye; and Chairman Chase: Aye. 8 Ayes.

At approximately 10:05 a.m. the Board resolved into Executive Session by unanimous consent pursuant to Idaho Code §74-206(1) subsection (d), to consider records that are exempt from disclosure as provided by law. Executive Session is closed to the public. Topic: Legal Analysis of Interstate Waters

No actions were taken by the Board during the Executive Session. Mr. Alberdi moved to exit Executive Session. Mr. Stevenson seconded the motion. Voice vote: All were in favor. Motion carried. The Board resolved out of Executive Session at approximately 11:00 a.m.

Agenda Item No. 3 Non-Action Items for Discussion

No items were discussed.

Agenda Item No. 4 Next Meeting and Adjourn

Mr. Alberdi motioned to adjourn the meeting. Mr. Van Der Meulen seconded. Voice vote: All were in flavor. Motion passed

Respectfully submitted this 23rd day of March, 2018.

Vince Alberdi, *Secretary*

Nikki Regent, *Administrative Assistant II*

Board Actions:

No actions were taken by the Board.



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MINUTES MEETING NO. 2-18

Idaho Water Center
Conference Rooms 602 B, C, D
322 East Front Street, 6th Floor
BOISE

January 25, 2018
Work Session No. 2-18

Chairman Chase called the work session meeting to order at 8:30 a.m. All Board members were present. IDWR staff members present were: Brian Patton, Cynthia Clark Bridge, Neeley Miller, Wesley Hipke, Rick Collingwood, Randy Broesch, Remington Buyer, Liz Cresto, Nikki Regent, Sean Vincent, Representative Gibbs, Garrick Baxter, Gary Spackman. Guests present were: Jon Bowling, Marie Kellner, Walt Poole, Billy Richey, Doug Meahuain, Doug McAlvein, Claudia Cottle, Krista, Jon Bowling, Marie Kellner, Devin Stoker, Walt Poole, Selena Moore, Roland Springer, Lynn Tominaga, Braden Jensen, John Baker, Shawn Parkinson.

During the Work Session the following items were discussed:

- Mr. Alberdi made a motion for the Board to resolve into Executive Session. Mr. pursuant to Idaho Code §74-206(1) subsection (d), to consider records that are exempt from disclosure as provided by law. Executive Session is closed to the public. Topics: Legal Analysis of Interstate Waters Mr. Van Stone seconded. Roll call vote: Mr. Alberdi: Aye; Mr. Barker: Aye; Mr. Raybould: Aye; Mr. Rusche: Aye Mr. Stevenson: Aye; Mr. Van Der Meulen: Aye; Mr. Van Stone: Aye; and Chairman Chase: Aye. 8 Ayes.

No actions were taken by the Board during the Executive Session. Mr. Alberdi moved to exit Executive Session. Mr. Van Stone seconded the motion. Voice vote: All were in favor. Motion carried. The Board resolved out of Executive Session at approximately 9:30 a.m.

- A presentation by Brian Patton regarding the Financial Update
- A presentation by Cynthia Bridge Clark regarding the Boise River
- Wesley Hipke presented on recharge during the past year and projections for the upper and lower valleys
- Brian Patton and Cynthia Bridge Clark updated the Board on the Lost

Valley Reservoir Expansion Project

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098
Phone: (208) 287-4800 Fax: (208) 287-6700 Website: idwr.idaho.gov/IWRB/

- Garrick Baxter provided the Board with an update on proposed legislation of interest
- Neeley Miller informed the Board of progress to the Priest Lake Reservoir as well as information provided by the approved study

January 26, 2018
Board Meeting No. 2-18

Agenda Item No. 1: Roll Call

Board Members Present

Roger Chase, Chairman
 Vince Alberdi, Secretary
 Bert Stevenson
 John Rusche

Jeff Raybould, Vice-Chairman
 Pete Van Der Meulen
 Dale Van Stone
 Albert Barker

Staff Members Present

Brian Patton, Bureau Chief
 Cynthia Bridge Clark, Water Projects Section Manager
 Neeley Miller, Senior Planner

Ann Vonde, Attorney General

Agenda Item No. 2: Public Comment

Chairman Chase opened the meeting for public comment. Mr. Mark Bowen, CH2MHill/Jacobs, updated the Board of the merge between CH2M and Jacobs and looks forward to a growing relationship the IWRB.

Mr. John Williams, Bonneville Power, gave the Board a brief update of BPA's ongoing projects and budget for 2018. Chairman Chase expressed his appreciation for BPA's efforts during the 2017 year.

Ms. Claudia Cottle and Mr. David Cottle gave the Board with a brief presentation of Bear River and expressed concerns with the water levels in the area.

Agenda Item No. 3: Agenda & Meeting Minutes

Mr. Patton presented the Board with five sets of meeting minutes 3-17, 4-17, 5-17, 6-17 and 7-17. Mr. Van Der Meulen suggested a change of the spelling of 'dams' on page four of meeting minutes 5-17.

Mr. Raybould made a motion to accept the meeting minutes with the change that was provided.. Mr. Van Der Meulen seconded the motion. Roll call vote: Alberdi: Aye; Barker: Aye; Raybould: Aye; Rusche: Aye; Stevenson: Aye; Van Der Meulen: Aye; Van Stone: Aye; Chairman Chase: Aye. Motion passed. The meeting minutes were adopted.

Agenda Item No. 4: MHAFB Water Sustainability Project

Mr. Broesch provided the Board with a brief update on the progress of the MHAFB Water Sustainability Project. Mr. Broesch is working on the Water Utility Service Contract negotiations with the Air Force Base establishing the long-term utility relationship between the Board and the MHAFB, and will serve as the revenue commitment needed to pursue the issuance of revenue bonds to finance the project.

Board staff and the MHAFB have been working together to move through the process of procuring the utility services. On December 21, 2017, the MHAFB issued "business clearance" (or authorization) to enter into negotiations with the Board. Negotiations are ongoing and staff anticipates execution of the WUSC by late March 2018.

Mr. Broesch also explained the Board is expected to retain the senior water rights and enter into a water utility service contract with the MHAFB for the delivery of the municipal water. The

Board will undertake the financing, design, construction, and maintenance methods to bring the project to fruition.

Agenda Item No. 5 Bear River

Chairman Chase proposed a discussion regarding the Board's future actions with the Bear River. Chairman Chase explained the possibility of adjudication and administration of the streamflow in Bear River, possibility of recharge sites along the Bear River and the possibility of the Board taking an active role in this water interest. Mr. Stevenson suggested interested parties look into the adjudication process of the Bear River, so the Board understand what water rights are currently present and expected in the future. Mr. Van Der Meulen agreed with Mr. Stevenson's suggestion to the interested parties. Mr. Raybould and Mr. Rusche suggested the Board look into the Basin Plan for the Bear River and see what the local stakeholders are interested in pursuing.

Agenda Item No. 6 Priest Lake Water Management Project

Mr. Miller gave a brief update on the Priest Lake Water Management project including the current process of the project, results of the study and recommendations and Governor's FY2019 Budget a proposing appropriation of \$2.4 million for the Priest Lake Water Management Project to the Board's Revolving Development Account.

Mr. Miller discussed the possibility of utilizing a 2005 CREP appropriation to the Board to be used to make loans to the ground water districts. Currently there is \$2.4 million remaining in 2005 CREP fund. Mr. Miller provided a resolution for the Board to consider.

Mr. Rusche made a motion to accept the resolution. Mr. Van Stone seconded the motion. Roll call vote: Alberdi: Aye; Barker: Aye; Raybould: Aye; Rusche: Aye; Stevenson: Aye; Van Der Meulen: Aye; Van Stone: Aye; Chairman Chase: Aye. Motion passed. The resolution was adopted.

Agenda Item No. 7 Committee Assignments

Mr. Patton proposed committee assignments adding Mr. Rusche to the Water Storage, Streamflow and Planning Committees. Chairman Chase asked the committee members from the Water Storage Committee to decide who will be the chair for the committee.

Agenda Item No. 8 Director's Report

Director Spackman reiterated his appreciation Board's accomplishments during the 2017 calendar year and how JFAC was satisfied with the work the Board had accomplished. The Director updated the Board about two positions that will be added to assist with the Board's projects: a position to assist with contracts and another to assist with the accounting staff. Chairman Chase expressed his appreciation to Director Spackman for taking on tough issues for the Board and Jon Bowling from Idaho Power Company.

Agenda Item No. 9 2018 Calendar

Mr. Patton proposed the IWRB calendar for 2018 with holding the July meeting in Moscow and September meeting in Salmon.

Agenda Item No. 13 Non-Action Items for Discussion

No items were discussed by the Board.

Agenda Item No. 15 Next Meeting and Adjourn

Mr. Van Der Meulen motioned to adjourn the meeting. Mr. Raybould seconded. Voice vote: All were in flavor. Motion passed

Respectfully submitted this 23rd day of March, 2018.

Vince Alberdi, *Secretary*

Nikki Regent, *Administrative Assistant II*

Board Actions:

- Approved Meeting Minutes 3-17, 4-17, 5-17, 6-17 and 7-17
- Passed a resolution appropriating funds to the Priest Lake Project

MEMO



To: Idaho Water Resource Board
From: Brian Patton
Subject: Financial Status Report
Date: March 9, 2018

As of **February 28** the IWRB's available and committed balances are as follows:

Secondary Aquifer Fund:

Committed/earmarked but not disbursed	\$18,212,704
Loan principal outstanding	\$0
Uncommitted Balance	\$9,879,988

Revolving Development Account:

Committed/earmarked but not disbursed	\$19,585,849
Loan principal outstanding	\$25,155,577
Uncommitted Balance	\$2,604,841
Anticipated loanable funds available next 1 year	\$6,104,841

Water Management Account

Committed/earmarked but not disbursed	\$111,376
Uncommitted Balance	\$9,915

Total committed/earmarked but not disbursed	\$37,909,929
Total loan principal outstanding	\$25,155,577
Total uncommitted balance	\$12,947,744

- The uncommitted balance in the Secondary Aquifer Fund is currently about \$9.9M. This is the result of 1) moving the ESPA Ground Water Districts/IGWA loan from the Secondary Aquifer Fund to the Revolving Development Account through the refinancing of the loan, repaying \$4M plus interest to the Secondary Fund, and 2) receipt of the \$5M in Cigarette Tax proceeds during the current fiscal year, which will be allocated by the IWRB in its FY19 budget for the Secondary Aquifer Fund.

- Loan applications that we are tracking include:

Potential Applicant	Project	Loan Amount	Comment
Goose Lake Reservoir Company	Goose Lake Dam repairs	\$200,000	Goose Lake Dam repair – March IWRB meeting
Salem Irrigation Canal Company	Exchange wells	\$140,000	
North Fremont Canal Company (Marysville)	Continue installing gravity-pressure delivery system (Phase 3)	\$2.5M	Anticipate NRCS match. IWRB financed prior phases of project.

Idaho Water Resource Board
Budget and Committed Funds
as of January 1, 2018

SECONDARY AQUIFER PLANNING, MANAGEMENT, & IMPLEMENTATION FUND

FYE 2017 Cash Balance..... 18,459,951.08

FY 2018 Revenue

Interest Earned State Treasury.....	214,245.12
HB547 - State Recharge & Aquifer Stabilization (SRAS).....	5,000,000.00
SB1176, Section 4 - Water Sustainability.....	5,000,000.00
Department of Energy Grant.....	73,750.00
Loan Interest.....	15,861.10
Loan Principal.....	4,000,000.00
TOTAL FY 2018 REVENUE.....	14,303,856.22

FY 2018 Expenditures

SRAS Equipment & Supplies - FY 17	(12,305.00)
SRAS Equipment & Supplies - FY 18	(41,325.81)
SRAS Conveyance Costs - FY 17	(2,190,015.28)
South Fork Engineering & Site Evaluation (CON01163, 1164, 1165).....	(82,311.89)
New Sweden Irrigation District (CON01212).....	(2,500.00)
Butte Market Lake (CON01168).....	(14,511.38)
Woodville Canal Company (CON01169).....	(7,536.69)
AFRD2 - Dietrich Drop Study (CON01139).....	(1,281.25)
Field Trip Costs.....	(3,190.00)
North Side Canal Company (CON01199).....	(144,535.54)
Big Wood Canal Company (CON01226).....	(17,060.95)
SRAS Site Monitoring	(64,497.34)
SRAS Regional Monitoring - FY 17	(61,417.28)
SRAS Regional Monitoring - FY 18	(54,468.34)
The Ferguson Group	(72,257.43)
Steve Stuebner - Media Services	(18,280.39)
WS Hydrology Monitoring - FY 17	(8,694.44)
WS Hydrology Monitoring - FY 18	(53,407.17)
Grants.....	(21,500.00)
University of Idaho - (CON01152)	(19,025.60)
ESHMC Meeting Refreshments	(65.85)
USGS - 6601 (Wood River Modeling)	(22,062.07)
USGS - 6605 (Treasure Valley Modeling)	(236,328.06)
Department of Energy Grant expenditures.....	(107,642.10)
Ralston Hydrologic Services.....	(26,230.07)
Washington State University.....	(2,040.00)
Egin Bench Canals Inc (CON01166).....	(95,275.75)
NRCS Snow Survey contribution (USDA CON01177).....	(50,000.00)
Quadrant Consulting Inc (CON01238, CON01240).....	(18,636.45)
Caribou Inc (CON01247).....	(11,800.00)
Southwest Irrigation District (CON01172).....	(600,000.00)
Brown & Caldwell (CON01234).....	(14,912.50)
Idaho Power - Cloudseeding Model (CON01254).....	(596,000.00)
TOTAL FY 2018 EXPENDITURES.....	(4,671,114.63)

FY 2018 Cash Balance..... 28,092,692.67

FY 2014 - FY 2017 Committed Funds	Budget	Amended	Obligated	Expenditures	Carry forward	Committed
Water User Contribution.....	109,493.16		109,493.16	(106,537.50)		2,955.66
Measurement devices for AWEPP conversion projects.....	200,000.00		200,000.00	(16,455.21)		183,544.79
Cooperative Weather Modification Program (Cloud Seeding - CON01109).....	492,000.00		492,000.00	(354,917.64)		137,082.36
 FY 2017 Conveyance Cost.....	1,500,000	1,150,000.00	2,650,000.00	(2,676,067.25)		(26,067.25)
FY 2017 Equipment & Supplies.....	87,000		87,000.00	(81,668.70)	25,331.30	0.00
FY 2017 Regional Monitoring.....	200,000		200,000.00	(200,000.00)		0.00
 ESPA Managed Recharge Infrastructure						
Milner-Gooding Dietrich Drop hydro plant bypass.....	50,000	1,450,000.00	1,500,000.00			1,500,000.00
NSCC Wilson Lake Infrastructure Project (CON01199).....	4,000,000	800,000.00	4,800,000.00	(144,535.54)		4,655,464.46
SWID Recharge Project (CON01172).....	1,000,000		1,000,000.00	(600,000.00)	400,000.00	0.00
Total ESPA Managed Recharge Infrastructure.....			7,300,000.00	(744,535.54)	400,000.00	6,155,464.46
 Managed Recharge Investigations						
South Fork Engineering & Site Evaluation (CON01163, 1164, 1165).....	200,000		200,000.00	(104,594.17)	34,000.00	61,405.83
NSID Recharge Feasibility (CON01212).....	200,000		200,000.00	(40,783.75)		159,216.25
Butte Market Lake.....	39,000		39,000.00	(31,302.46)		7,697.54
Woodville.....	17,000		17,000.00	(7,536.69)		9,463.31
Total Managed Recharge Investigations.....	456,000		456,000.00	(184,217.07)	34,000.00	237,782.93
 Treasure Valley Modeling (USGS 6605).....	500,000		500,000.00	(441,332.85)		58,667.15
Wood River Valley Aquifer GW Model (USGS 6601).....	200,000		200,000.00	(32,306.66)		167,693.34
Aquifer monitoring network enhancements in priority aquifers.....	100,000		100,000.00	(100,000.00)		0.00
NRCS Snow Survey contribution USDA CON01177.....	100,000	100,000.00	200,000.00	(100,000.00)		100,000.00
Mountain Home Air Force Base.....	1,000,000		1,000,000.00			1,000,000.00
TOTAL FY 2014 - FY 2017 COMMITTED FUNDS.....	10,450,493.16	100,000.00	21,250,493.16	(5,946,791.03)	893,331.30	8,017,123.44
 FY 2018 Budget	Budget	Amended	Obligated	Expenditures	Carry forward	Committed
ESPA Managed Recharge Operations						
Equipment & Supplies.....	100,000		100,000.00	(41,325.81)		58,674.19
Conveyance Cost.....	2,500,000		2,500,000.00			2,500,000.00
Site Monitoring.....	150,000		150,000.00	(64,497.34)		85,502.66
Regional Monitoring.....	200,000		200,000.00	(54,468.34)		145,531.66
Total ESPA Managed Recharge Operations.....	2,850,000	0.00	2,850,000.00	(118,965.68)	0.00	2,789,708.51
 ESPA Managed Recharge Infrastructure						
Northside Canal Recharge Site (CON01238, CON01240).....	1,600,000		1,600,000.00	(18,636.45)		1,581,363.55
Richfield Site Development (CON01234).....	150,000		150,000.00	(31,973.45)		118,026.55
AFRD2 MP 28 Hydro Plan Tailbay (CON01247).....	200,000		200,000.00	(11,800.00)		188,200.00
SF Recharge Site Development.....	250,000		250,000.00			250,000.00
Butte Market Lake Site Development.....	250,000		250,000.00			250,000.00
NSID Recharge Site Development.....	250,000		250,000.00			250,000.00
Egin Lakes Phase II.....	500,000	80,000.00	580,000.00	(95,275.75)		484,724.25
Reserved for Additional Recharge Projects.....	1,000,000	(80,000.00)	920,000.00			920,000.00
Total ESPA Managed Recharge Infrastructure.....	4,200,000	0.00	4,200,000.00	(157,685.65)	0.00	4,042,314.35
 Managed Recharge Investigations						
AFRD2 - MP 34 Investigation.....	100,000		100,000.00			100,000.00
BWCC Star Lake.....	60,000		60,000.00			60,000.00

Reserved for additional investigations and engineering.....	300,000		4,471.25	(4,471.25)		0.00
Total Managed Recharge Investigations.....	460,000	0.00	164,471.25	(4,471.25)	0.00	160,000.00
TREASURE VALLEY						
Treasure Valley Modeling (USGS 6605).....	500,000		500,000.00			500,000.00
Boise River Storage Studies.....	1,000,000		1,000,000.00			1,000,000.00
Treasure Valley DCMI Water Conservation Study.....	200,000		200,000.00			200,000.00
TREASURE VALLEY TOTAL.....	1,700,000	0.00	1,700,000.00	0.00	0.00	1,700,000.00
ELMORE COUNTY						
Canyon Creek Recharge Site.....	50,000	90,000.00	140,000.00			140,000.00
WOOD RIVER VALLEY TOTAL.....	50,000	90,000.00	140,000.00	0.00	0.00	140,000.00
WEISER BASIN						
Weiser River Basin Project.....	100,000		100,000.00			100,000.00
WEISER BASIN TOTAL.....	100,000	0.00	100,000.00	0.00	0.00	100,000.00
BEAR RIVER BASIN						
Bear River Aquifer Study.....	50,000		50,000.00			50,000.00
BEAR RIVER BASIN TOTAL.....	50,000	0.00	50,000.00	0.00	0.00	50,000.00
NORTHERN IDAHO AQUIFERS						
Lewiston Study Phase II.....	109,273		109,273.09	(28,270.07)		81,003.02
NORTHERN IDAHO AQUIFERS TOTAL.....	109,273	0.00	109,273.09	(28,270.07)	0.00	81,003.02
STATE-WIDE						
Aquifer monitoring network enhancements in priority aquifers.....	100,000		100,000.00	(53,407.17)		46,592.83
Cooperative Cloud Seeding Program.....						
Operations & Maintenance (1/3 of total).....	600,000	18,000.00	618,000.00			618,000.00
Cloud Seeding Modeling Project.....	540,000	56,000.00	596,000.00	(596,000.00)		0.00
Cloud Seeding Benefit Allocation Study.....	200,000		200,000.00			200,000.00
Ground water conservation grants in priority aquifers.....	200,000		200,000.00	(21,500.00)		178,500.00
Administrative expenses (public information, staff training, etc).....	80,000		80,000.00	(18,280.39)		61,719.61
Professional Assistance for securing Federal Funding.....	100,000		100,000.00	(72,257.43)		27,742.57
STATE-WIDE TOTAL.....	1,820,000	74,000.00	1,894,000.00	(761,444.99)	0.00	1,132,555.01
Unspecified Projects in Other Areas or Carry-over.....	1,368,166	(164,000.00)				1,204,166.00
NRCS Snow Survey contribution.....						
Boise Project Board of Control.....						
MP31 Check Dam.....						
TOTAL FY 2018 BUDGETED FUNDS.....	12,707,439	0.00	11,207,744.34			
TOTAL FY 2018 COMMITTED FUNDS.....						10,195,580.89
PROJECTED FY 2018 CARRY FORWARD.....					0.00	
PROJECTED TOTAL FUNDS AVAILABLE FOR FY 2019 BUDGET.....						9,879,988.34

IDAHO WATER RESOURCE BOARD
Sources and Applications of Funds
as of February 28, 2018
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.....	\$10,324,327.31
Interest Earned State Treasury (Transferred).....	\$1,868,017.01
Filing Fee Balance.....	\$47,640.20
Bond Fees.....	\$1,469,601.45
Arbitrage Calculation Fees.....	(\$12,000.00)
Protest Fees.....	(\$995.00)
Series 2000 (Caldwell/New York) Pooled Bond Issuers fees.....	\$43,657.93
2012 Ground Water District Bond Issuer fees.....	\$373,300.00
Bond Issuer fees.....	\$21,107.59
Attorney fees for Jughandle LID.....	(\$3,600.00)
Attorney fees for A&B Irrigation.....	(\$4,637.50)
Water Supply Bank Receipts.....	\$6,100,097.44
Legislative Appropriation FY01.....	\$200,000.00
Pierce Well Easement.....	\$2,000.00
Transferred to/from Water Management Account.....	\$317,253.80
Legislative Appropriation 2004, HB643.....	\$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.....	(\$1,533,047.30)
Boise River Storage Feasibility Study.....	(\$333,000.00)
Geotech Environmental (Transducers).....	(\$6,402.61)
Priest Lake Improvement Study (16-Mar-16).....	(\$285,119.35)
Treasuron Irrigation Ditch Co.....	(\$5,000.00)
Mountain Home AFB Water Sustainability Project	
Legislative Appropriation 2014, HB 479 Sec 1 and 2.....	4,000,000.00
JR Simplot - WR Purchase.....	(\$2,500,000.00)
LeMoyné Appraisal LLC.....	(\$10,500.00)
IWRB WSB Lease Application.....	(\$750.00)
Integrated Delivery Solutions - Mark Alpert.....	(\$34,459.18)
Brown & Caldwell - Owner's Advisor.....	(\$1,242,091.29)
SPF Engineering - WR Transfer.....	(\$118,531.75)
Skinner-Fawcett - Bond Counsel.....	(\$24,177.41)
Pillsbury, Winthrop, & Shaw - DBO Counsel.....	(\$59,247.30)
Project Costs (mailings, travel, teleconference calls).....	(\$1,690.94)
Publishing Costs.....	(\$1,648.16)
Water District 02 Assessments.....	(\$2,417.18)
Balance for Mountain Home AFB Water Sustainability Project.....	\$4,486.79
Galloway Dam & Reservoir Project	
Legislative Appropriation 2014, HB 479 Sec 1 and 2.....	\$2,000,000.00
Galloway Dam & Reservoir Project Costs (HB 479).....	(\$124,708.68)
Balance Galloway Dam & Reservoir Project.....	\$1,875,291.32
Boise River (Arrowrock Enlargement) Feasibility Study (HB479)	
Legislative Appropriation 2014, HB 479 Sec 1 and 2.....	\$1,500,000.00
Boise River (Arrowrock Enlargement) Feasibility Study Costs (HB479).....	(\$543,999.96)
Balance Boise River (Arrowrock Enlargement) Feasibility Study (HB479).....	\$956,000.04
Island Park Enlargement (HB 479)	
Legislative Appropriation 2014, HB 479 Sec 1 and 2.....	\$2,500,000.00
Island Park Enlargement Costs (HB 479).....	(\$181,690.15)
Balance Island Park Enlargement (HB 479).....	\$2,318,309.85
Water Supply Bank Computer Infrastructure (HB 479)	
Legislative Appropriation 2014, HB 479 Sec 1 and 2.....	\$500,000.00
Water Supply Bank Computer Infrastructure Costs (HB 479).....	(\$497,350.75)
Balance Water Supply Bank Computer Infrastructure (HB 479).....	\$2,649.25
Balance of Legislative Earmarked Appropriation 2014, HB 479 Sec 1 and 2.....	\$5,156,737.25
Aqualife Hatchery Sub-Account	
Aqualife Hatchery, HB644, 2014.....	(\$1,885,000.00)
Aqualife Lease receipt from Seapac.....	\$114,720.00
Tax Payments.....	(\$1,419.15)
Lemoyne Appraisal for Aqualife facility.....	(\$10,500.00)
Loan payments received.....	\$2,900,000.00
Loans Outstanding	
ESPA Ground Water Districts (Aqualife purchase).....	\$0.00
Total Loans Outstanding.....	\$0.00
Balance Aqualife Hatchery Sub-Account.....	\$1,117,800.85
Bell Rapids Water Rights Sub-Account	
Legislative Appropriation 2005, HB392.....	\$21,300,000.00
Interest Earned State Treasury.....	\$695,676.14
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 Water District 02 Assessments.....	(\$44,088.60)	
Payment for Ongoing Bell Rapids Finance Costs (trustee fees, water bank, etc.).....	(\$6,740.10)	
Commitments		
Ongoing Bell Rapids Finance Costs (trustee fees, WD02).....	\$139,446.98	
Committed for alternative finance payment.....	\$0.00	
Total Commitments.....	\$139,446.98	
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.....	\$52,657.06	
Loan Interest.....	\$2,119,124.67	
Transfer from ESPA 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.....	\$4,912,500.23	
Appraisal.....	(\$25,500.00)	
Insurance.....	(\$47,500.25)	
Recharge District Assessment.....	(\$26,605.25)	
Water District 130 Annual Assessment.....	(\$3,841.45)	
Hydro Plants Engineering Certification (Straubhar).....	(\$4,200.00)	
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)	
Payment to Dan Lafferty Construction.....	(\$16,846.68)	
Telemetry Station Equipment.....	(\$15,193.92)	
Rein Tech LLC (Satellite phone annual payment).....	(\$1,980.00)	
Standley Trenching (Trac system for communication equip).....	(\$2,863.99)	
Property Taxes and other fee assessments (Jerome County).....	(\$9,980.95)	
Rental Payments.....	\$1,767,694.18	
Payments to Scott Kaster.....	(\$180,196.67)	
Utility Payments (Idaho Power).....	(\$38,509.38)	
Costs for property maintenance.....	(\$203,267.04)	
Travel costs for property maintenance.....	(\$517.31)	
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)	
Transferred to Aquifer Planning Fund (2015 Legislature; HB 273).....	(\$716,000.00)	
Transferred to Aquifer Planning Fund (2016 Legislature; SB 1402, Sec 3).....	(\$716,000.00)	
Transferred to Aquifer Planning Fund (2017 Legislature; SB 1176, Sec 3).....	(\$716,000.00)	
Pristine Springs Hydropower Projects		
Net power sales revenues.....	\$721,375.59	
Pristine Springs Committed Funds		
To be transferred to Aquifer Planning Fund.....	\$716,000.00	
Repair/Replacement Fund.....	\$0.00	
TOTAL COMMITTED FUNDS.....	\$716,000.00	
Loans Outstanding		
North Snake and Magic Valley Ground Water Districts.....	\$5,087,499.77	
Total Loans Outstanding.....	\$5,087,499.77	
Funds to RP CAMP & TV CAMP Sub-Account.....	\$271,672.34	
Pristine Springs Revenues Into Main Revolving Development Account.....		\$547,850.23
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.....	(\$18,000.00)	
Treasure Valley Water Quality Summit.....	(\$500.00)	
Kootenai-Shoshone Soil & Water Cons. Dist. - Agrimet Station.....	(\$20,000.00)	
Rathdrum Prairie-Spokane Valley Aquifer Pumping Study (CON00989).....	(\$70,000.00)	
Idaho Washington Aquifer Collaborative.....	(\$10,000.00)	
Committed Funds.....		
Kootenai-Shoshone Soil & Water Cons. Dist. - Agrimet Station.....	\$0.00	
Spokane River Forum.....	\$0.00	
Rathdrum Prairie-Spokane Valley Aquifer Pumping Study.....	\$0.00	
Treasure Valley Water Quality Summit.....	\$0.00	
Idaho Washington Aquifer Collaborative.....	\$0.00	
TOTAL COMMITTED FUNDS.....	\$0.00	
Balance Rathdrum Prairie CAMP & Treasure Valley CAMP Sub-Account.....	\$153,745.45	
Upper Salmon/CBWTP Sub-Account		
Water Transaction Projects Payment Advances from CBWTP/Accord.....	\$4,575,064.82	
PCSRF Funds for Administration of Non-Diversion Easements on Lemhi River.....	\$222,257.16	
Interest Earned State Treasury.....	\$157,636.75	
Transfer to Water Supply Bank.....	(\$99,894.84)	
Change of Ownership.....	(\$600.00)	
Appraisals.....	(\$12,989.23)	

Payments for Water Acquisition		(\$1,625,553.76)
Committed Funds		
Administration of Non-Diversion Easements on Lemhi River.....	\$129,089.39	
Alturas Lake Creek (Breckenridge).....	\$0.00	
Bayhorse Creek (Peterson Ranch).....	\$30,508.94	
Badger Creek (OWBP).....	\$18,634.10	
Beaver Creek (DOT LLP).....	\$120,558.78	
Big Hat Creek.....	\$0.28	
Big Timber Tyler (Leadore Land Partners).....	\$445,695.89	
Canyon Creek/Big Timber Creek (Bayeler).....	\$415,872.49	
Carmen Creek (Bill Slavin).....	\$205,121.60	
Carmen Creek (Bruce Slavin).....	\$128,715.39	
Fourth of July Creek (Vanderbilt).....	\$15,671.59	
Iron Creek (Phillips).....	\$0.00	
Iron Creek (Koncz).....	\$207,922.32	
Kenney Creek Source Switch (Gail Andrews).....	\$23,409.27	
Lemhi - Big Springs (Merrill Bayeler).....	\$57,834.88	
Lemhi River & Little Springs Creek (Kauer).....	\$19,969.16	
Little Springs Creek (Snyder).....	\$266,686.22	
Lower Eighteenmile Creek (Ellsworth Angus Ranch).....	\$1,777.78	
Lower Lemhi Thomas (Robert Thomas).....	\$1,200.00	
Pahsimeroi-Little Mud Creek (Bar G Farm).....	\$4,978.71	
P-9 Bowles (River Valley Ranch).....	\$272,388.78	
P-9 Charlton (Sydney Downton).....	\$18,029.50	
P-9 Downton (Western Sky LLC).....	\$218,050.70	
P-9 Elzinga (Elzinga).....	\$267,237.07	
Patterson-Big Springs (PBSC9).....	\$176,627.56	
Pole Creek (Salmon Falls Land).....	\$634,475.70	
Pratt Creek (Mulkey).....	\$80,306.87	
Spring Creek (Richard Beard).....	\$542.88	
Spring Creek (Ella Beard).....	\$795.69	
Whitefish (Leadore Land Partners).....	\$162,188.81	
Total Committed Funds.....	\$3,922,290.13	
Balance CBWTP Sub-Account.....		(\$706,369.23)
Water District 02 WaterSmart Grant Sub-Account		
Received from BOR for BORWS2.....	\$118,058.42	
Received from BOR for BORWS3.....	\$59,960.43	
Payments made to contractors for BORWS2.....	(\$118,058.42)	
Payments made to contractors for BORWS3.....	(\$59,960.43)	
Committed Funds:		
Grant Approval for BORWS2.....	\$0.00	
Grant Approval for BORWS3.....	\$0.00	
Total Committed Funds.....	\$0.00	
Balance WaterSmart Grant Sub-Account.....		\$0.00
Water Supply Bank Sub-Account		
Interest Earned State Treasury.....	\$9,851.88	
Payments received from renters.....	\$3,297,423.45	
Payments made to owners.....	(\$2,859,652.73)	
Water Supply Bank Sub-Account Subtotal.....		\$447,622.60
Committed Funds:		
Owners Share.....	\$437,770.72	
Total Committed Funds.....	\$437,770.72	
Balance Water Supply Bank Sub-Account.....		\$9,851.88
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.....	\$1,969,997.63	
Loan Interest.....	\$246,084.05	
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.....	(\$3,518,216.22)	
Reimbursement from BOR for Palisades Reservoir.....	\$2,381.12	
W-Canal Project Costs.....	(\$326,834.11)	
Black Canyon Exchange Project Costs.....	(\$158,872.00)	
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.....	(\$28,909.30)	
Pristine Springs 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.....	\$337,584.00	
Commitment - Palisades Storage O&M.....	\$10,000.00	
Commitment - Black Canyon Exchange Project (fund with ongoing revenues).....	\$442,252.95	
Total Loans and Other Commitments.....	\$3,571,047.45	
Loans Outstanding:		
American Falls-Aberdeen GWD (CREP).....	\$68,065.91	
Bonneville Jefferson GWD (CREP).....	\$42,625.18	

Magic Valley GWD (CREP).....	\$64,949.29	
North Snake GWD (CREP).....	\$32,129.59	
TOTAL ESP LOANS OUTSTANDING.....	\$207,769.97	
Uncommitted Balance Eastern Snake Plain Sub-Account.....		\$622,421.72
Dworshak Hydropower Project		
Dworshak Project Revenues		
Power Sales & Other.....	\$8,885,878.73	
Interest Earned State Treasury.....	\$574,770.18	
Total Dworshak Project Revenues.....		\$9,460,648.91
Dworshak Project Expenses		
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.....	\$2,437,071.86	
Powerplant Repairs.....	\$58,488.80	
Bond payoff.....	\$391,863.11	
Capital Improvements.....	\$318,366.79	
FERC Payments.....	\$74,332.91	
Total Dworshak Project Expenses.....		(\$3,969,216.28)
Dworshak Project Committed Funds		
Emergency Repair/Future Replacement Fund.....	\$1,364,651.60	
FERC Fee Payment Fund.....	\$6,039.00	
Total Dworshak Project Committed Funds.....		\$1,370,690.60
Excess Dworshak Funds into Main Revolving Development Account.....		\$4,120,742.03
TOTAL.....		\$26,657,362.27
Loans Outstanding:	Amount Loaned	Principal Outstanding
A&B Irrigation District (Pipeline & Pumping Plant, Dec).....	\$3,500,000.00	\$3,108,449.84
A&B Irrigation District (Pipeline & Pumping Plant, Sept).....	\$3,500,000.00	\$3,240,797.39
Aberdeen-Springfield Canal Company (WRB-491; Diversion structure)	\$329,781.00	\$71,665.88
Bee Line Water Association (Sep 23, 2014; System Improvements).....	\$600,000.00	\$560,341.34
Canyon County Drainage District No. 2 (28-Nov-12; Drain tile pipeline	\$36,000.00	\$19,733.66
Challis Irrigation Company (28-Nov-07; river gate replacement).....	\$50,000.00	\$3,725.59
Chaparral Water Association (21-Jan-11; Well deepening & improvem	\$68,000.00	\$13,795.21
Clearview Water Company.....	\$50,000.00	\$41,261.58
Cloverdale Ridge Water Corp. (irrigation system rehab 25-sep-09).....	\$106,400.00	\$19,226.65
Consolidated Irrigation Company (July 20, 2012; pipeline project).....	\$500,000.00	\$468,835.82
Country Club Subdivision Water Association (18-May-07, Well Project)	\$102,000.00	\$0.00
Enterprise Irrigation District (14-Jul-06; Pipeline project).....	\$37,270.00	\$660.60
Enterprise Irrigation District (North Lateral Pipeline).....	\$105,420.00	\$8,438.62
Evans Water Corporation & HOA.....	\$20,000.00	\$20,000.00
Foothill Ranch Homeowners Association (7-oct-11; well rehab).....	\$150,000.00	\$101,088.16
Goose Lake Reservoir Corp.....	\$20,000.00	\$20,000.00
Idaho Ground Water Appropriators (IGWA).....	\$3,208,115.35	\$3,208,115.35
Jefferson Irrigation Company (9-May-2008 Well Replacement).....	\$81,000.00	\$22,994.95
King Hill Irrigation District (24-Sep-10; Pipeline replacement).....	\$300,000.00	\$31,129.93
Lake Reservoir Company (29-July-11; Payette Lake-Lardo Dam Outle	\$594,000.00	\$61,094.80
Last Chance Canal Company (14-July-2015, diversion dam rebuild)....	\$2,500,000.00	\$2,053,889.63
Lava Hot Springs, City of.....	\$347,510.00	\$51,346.67
Lindsay Lateral Association (Engineering Design Project & Pipeline Stu	\$19,700.00	\$10,353.68
Marsh Center Irrigation Company (13-May-05; Hawkins Dam).....	\$236,141.00	\$73,615.13
Marysville Irrigation Company (18-May-07, Pipeline Project Phase 1)...	\$625,000.00	\$94,810.32
Marysville Irrigation Company (9-May-08, Pipeline Project Phase 2)....	\$1,100,000.00	\$299,829.27
North Fremont Canal Systems (25-Jan-13; Marysville Project).....	\$2,000,000.00	\$1,337,693.80
North Side Canal Company (16-sep-16; canal rehab project).....	\$5,200,000.00	\$2,400,302.64
Outlet Water Association (22-Jan-16; new well & improvements).....	\$100,000.00	\$94,024.52
Pinehurst Water District (23-Jan-15).....	\$100,000.00	\$66,171.05
Point Springs Grazing Association (July 20, 2012; stock water pipeline)	\$48,280.00	\$31,403.98
Preston-Whitney Irrigation Company (29-May-09; Fairview Lateral Pipe	\$800,000.00	\$0.00
Producers Irrigation Company.....	\$173,000.00	\$95,682.38
Skin Creek Water Association.....	\$188,258.00	\$27,551.12
Spirit Bend Water Association.....	\$92,000.00	\$0.00
St. Johns Irrigating Company (14-July-2015; pipeline project).....	\$1,429,775.00	\$1,417,905.22
Sunset Heights Water District (17-May-13; Exchange water project)...	\$48,000.00	\$20,597.40
Twin Lakes Canal Company (Winder Lateral Pipeline Project).....	\$500,000.00	\$203,423.58
Valley County Local Improvement District No. 1/Jughandle HOA (well p	\$907,552.00	\$560,351.45
TOTAL LOANS OUTSTANDING.....		\$19,860,307.21
Loans and Other Funding Obligations:		
Senate Bill 1511 - Teton Replacement and Minidoka Enlargement Studies.....	\$678,161.82	
Boise River Storage Feasibility Study.....	\$13,578.15	
Weiser-Galloway Study (28-May-10).....	\$461,620.87	
Priest Lake Improvement Study (16-Mar-16).....	\$85,273.91	
Bee Line Water Association (Sep 23, 2014; System Improvements).....	\$39,658.66	
Dover, City of (23-Jul-10; Water Intake project).....	\$194,063.00	
Evans Water Corporation & HOA.....	\$0.00	
Goose Lake Reservoir Corp.....	\$0.00	
Idaho Ground Water Appropriators (IGWA).....	\$0.00	
North Side Canal Company (16-sep-16; canal rehab project).....	\$2,716,764.77	
Producers Irrigation Company (23-May-16; new wells).....	\$70,872.50	
St. Johns Irrigating Company (14-July-2015; pipeline project).....	\$11,869.78	
TOTAL LOANS AND OTHER FUNDING OBLIGATIONS.....		\$4,271,863.46
Uncommitted Funds.....		\$2,525,191.60
TOTAL.....		\$26,657,362.27

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

Idaho Water Resource Board
Sources and Applications of Funds
as of February 28, 2018
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
Bonnars 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).....	\$65,953.69	
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 - Whitney 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

Memorandum



To: Idaho Water Resource Board

From: Cynthia Bridge Clark

Date: March 9, 2018

Re: Lost Valley Reservoir Expansion Project – Proposal by Idaho Water Engineering

REQUIRED ACTION: Consideration of a Resolution to contribute funding for the completion of the Lost Valley Reservoir Northern Idaho Ground Squirrel Study.

Doug McAlvain, with the Lost Valley Reservoir Company (LVRC) Board, and LVRC's consultant, Idaho Water Engineering (IWE), presented a proposal to the Idaho Water Resource Board (IWRB) on November 7, 2017 regarding the IWRB's participation in the proposed Lost Valley Reservoir Enlargement (project) and submitted a revised proposal dated November 17, 2017 in response to comments and questions from the Idaho Water Resource Board (IWRB).

Since that time, IWRB staff met with representatives from LVRC and its consultant to discuss alternatives for the IWRB's participation in advancing the project. A revised proposal is described below and a draft resolution is attached for the IWRB's consideration.

Project Background

Lost Valley is an existing 10,000 acre-foot (AF) reservoir located in the headwaters of the Weiser River Basin near Council. It is owned by the LVRC, whose shareholders include both individuals and canal companies throughout the Weiser Basin, mostly in the Council, Cambridge, and Midvale areas. The water is used on about 10,000 acres and is mostly supplemental to natural flow rights owned by the shareholders.

Lost Valley Reservoir has long been recognized as having potential to be expanded from 10,000 AF to approximately 30,000 AF. An expansion has been studied at various times by the U.S. Bureau of Reclamation, IWRB, and the LVRC. In water short years, this additional water would benefit existing irrigators as well as recreation and fish and wildlife associated with the reservoir and Lost Creek downstream of the dam.

There are at least two major factors that make raising Lost Valley Dam challenging: 1) the reservoir enlargement would inundate U.S. Forest Service land, and 2) the reservoir enlargement would inundate portions of the ESA listed Northern Idaho Ground Squirrel (NIGS) habitat around the reservoir. In the project's favor, a relatively small dam enlargement would be required, and there is likely a need for additional water in the Weiser Basin for the right price. The total enlargement is assumed to be 20,000 AF.

Lost Valley Reservoir Company Proposed Actions

To better understand the viability of the project, LVRC, in coordination with its consultant IWE, proposes to hire a qualified consultant to complete a study of options for the mitigation of impacts to the NIGS as well as associated costs. If reasonable options are identified, LVRC would pursue completion of a full Environmental Impact Statement (EIS) which would need to consider inundation of adjacent federal lands as well as the presence of a listed species. A separate consultation under the Endangered Species Act would also be required.

The LVRC obtained a proposal from the consulting firm Rio ASE to perform the Lost Valley Reservoir Northern Idaho Ground Squirrel Study (NIGS Study). The total cost to complete the NIGS Study including administrative costs is estimated to be \$35,000 (\$25,000 study and \$10,000 administrative costs). LVRC is requesting partial funding from the IWRB complete this initial study, or phase 1 of the EIS.

Previous proposals from the LVRC and IWE anticipated the following:

- 1) Subordination of the IWRB's Galloway reservoir water right should the Lost Valley Reservoir expansion is completed.
- 2) Contribution by the IWRB of \$20,000 toward Phase 1 of the EIS.
- 3) IWRB Participation in Phase 2 of the EIS if warranted based on the results of Phase 1.
- 4) Provide IWRB option to acquire a minimum of 20 percent of the total new storage in the enlarged reservoir from IWE (a minimum of 4,000 acre-feet).

The IWRB raised a number of questions about the proposal at its January meeting. After discussing the project further with IWRB staff, representatives for the LVRC request consideration of an alternate proposal to focus on the completion of the NIGS Study to better understand the feasibility of the project.

- 1) Contribution by the IWRB of \$30,000 toward completion of the NIGS Study (Phase 1 of the EIS).
- 2) The LVRC and its consultants will submit a final report and present results of the study, including potential costs of identified mitigation options, to the IWRB upon its completion.
- 3) Funding contributed by the IWRB for the NIGS study will not obligate the IWRB to future funding for the project.
- 4) The IWRB will enter into a contract with the LVRC directly to administer and complete the NIGS Study. The remaining costs to complete the study will be assumed by LVRC or other study participants.

Action Items

IWRB staff and representatives from the LVRC and its consultants will be prepared to discuss the project and NIGS study implementation at the March IWRB meeting. A draft resolution based on the terms described above is provided for IWRB consideration.

Attachment(s)

For reference, the following information has been included in the meeting materials.

- Draft Resolution to contribute funding for the completion of the Lost Valley Reservoir Northern Idaho Ground Squirrel Study.
- Proposal Regarding Storage Space in the Enlarged Lost Valley Reservoir (November 17, 2017)
- Lost Valley Reservoir Enlargement Proposal PPT presentation (November 7, 2017)
- Lost Valley Reservoir Northern Idaho Ground Squirrel Study Proposal, Rio ASC (November 6, 2017)



Lost Valley Reservoir Enlargement Proposal



Dave Tuthill
Doug McAlvain
November 7, 2017





Outline

- Brief History
- Hydrology
- Subordination
- Next Steps
- Proposal



Proposed Enlargement

- Raise water level by 30 feet
- Increase storage from 10,000 acre-feet to 30,000 acre-feet
- Provide a minimum pool of 3,000 to 5,000 acre-feet

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Ident. No. 67-7938

To appropriate the public waters of the State of Idaho

1. Name of applicant Lost Valley Reservoir Co. Phone 253-4751
253-1103
Post office address PO Box 10 Fruitvale ID 83620
2. Source of water supply Lost Creek. which is a tributary of Weiser River West. Fr
3. Location of point of diversion is _____ $\frac{1}{4}$ of SE $\frac{1}{4}$ of NW $\frac{1}{4}$, Govt. Lot _____
Sec. 28 Township 19N Range 1W B.M. Adams County; additional
points of diversion if any: _____
4. Water will be used for the following purposes:
- Amount 20,000 for Irrigation Storage purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or ~~acre-feet~~ per annum)
- Amount 20,000 for Irrigation from Storage. purposes from 4/15 to 10/15 (both dates inclusive)
(cfs or ~~acre-feet~~ per annum)
- Amount 20,000 for Recreation Storage purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)
- Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) _____ and/or (b) 20,000
cubic feet per second acre feet per annum

Images from the Water Right Application File

Images of Lost Valley*



The existing dam at Lost Valley was built in 1910 to provide irrigation water to the orchards in nearby Mesa



Lost Valley Reservoir is a popular recreation spot, with good fishing, although camping around the lake is lacks the facilities of developed campgrounds

Projected Flows in Weiser River From the Lost Valley Expansion

Average Water Year

Location of Measurement*	July		August		September	
	Current	<i>Proposed</i>	Current	<i>Proposed</i>	Current	<i>Proposed</i>
Lost Creek	43	109	60	129	41	93
Cambridge	195	262	84	154	86	138
Mouth of Crane Cr.	381	448	264	334	203	255
Below Galloway***	185	252	85	154	74	126

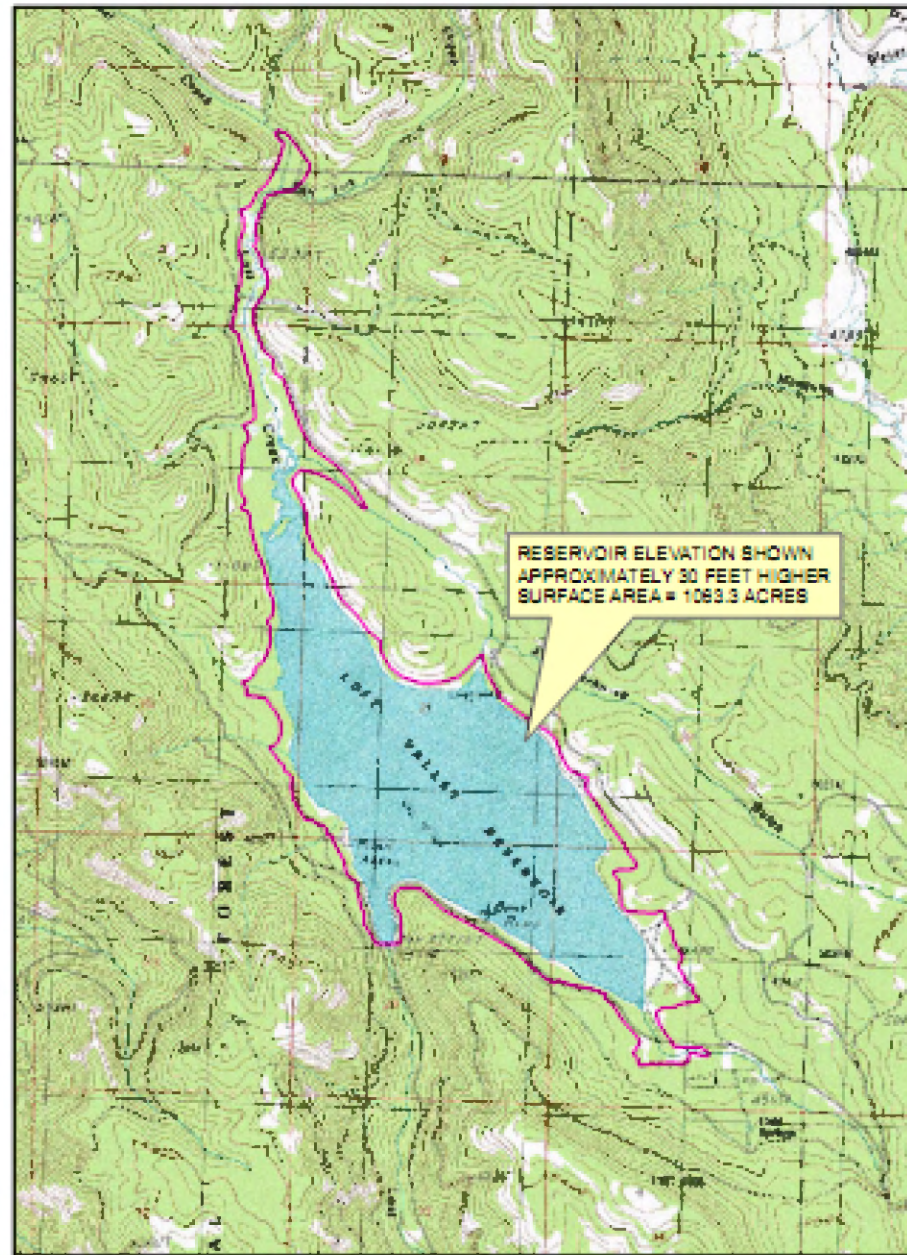
Very Low Water Year**

Location of Measurement*	July		August		September	
	Current	<i>Proposed</i>	Current	<i>Proposed</i>	Current	<i>Proposed</i>
Lost Creek	45	48	50	56	48	47
Cambridge	43	48	12	19	35	35
Mouth of Crane Cr.	104	109	62	68	46	46
Below Galloway***	4	9	0	7	2	2

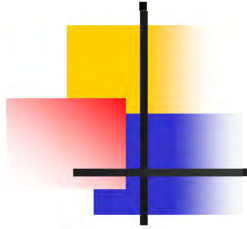
* All flows are expressed in "cubic feet per second" (cfs)

**1937 for Lost Creek and 1977 for Cambridge and Mouth of Crane Cr.
Apparently, 1977 was drier than 1939, but there is no '77 data for Lost Creek
and no '39 data for Cambridge or Mouth of Crane Cr.

***Below Galloway flows do not reflect any irrigation returns



Timeline of Lost Valley Reservoir

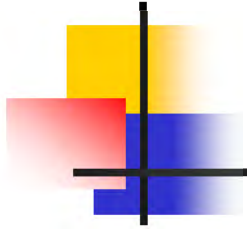


- Jun 2, 1993 Application filed
- Dec 20, 1993 Protest filed by US Forest Service
- Mar 5, 1999 IDWR Prehearing Conference
- Apr 1, 2013 Lost Valley Reservoir Company (LVRC) signs Agreement with Idaho Water Engineering (IWE)
- 2013, 2014 Meetings with USFS, Northern Idaho Ground Squirrel Recovery Team and Adams County Commissioners (including one on-site meeting for all, on July 24, 2014)

Timeline of Lost Valley Reservoir (cont.)

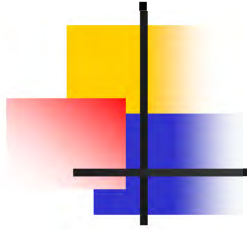
- Sep 14, 2014 Presentations before the Idaho Water Resource Board Water Storage Project Committee Meeting in Weiser
 - Some comments in favor
 - One presentation opposed
 - Middle Valley Ditch Corp.
 - Issues of Concern identified in a letter dated Sep 9, 2014
 - Inadequate water for annual fill
 - Bypass flows will be required
 - High costs of the project – could put the project in financial risk

Timeline of Lost Valley Reservoir (cont.)



- 2015 Efforts to Install Measuring Devices
- Apr 29, 2016 Measuring Device installed on Lost Valley Creek
- Aug 3, 2016 Onsite Meeting
- Oct 25, 2016 Initial Planning Meeting, Adams County Courthouse

Timeline of Lost Valley Reservoir (cont.)



- Fall 2016 Survey of reservoir topography collected using drone technology
- Spring 2017 Telemetered devices adjusted for measurement of reservoir level and outflow, and remote outlet control
- 2017 Measurements collected and remote operation refined
- 2017 Hydrology recalculated

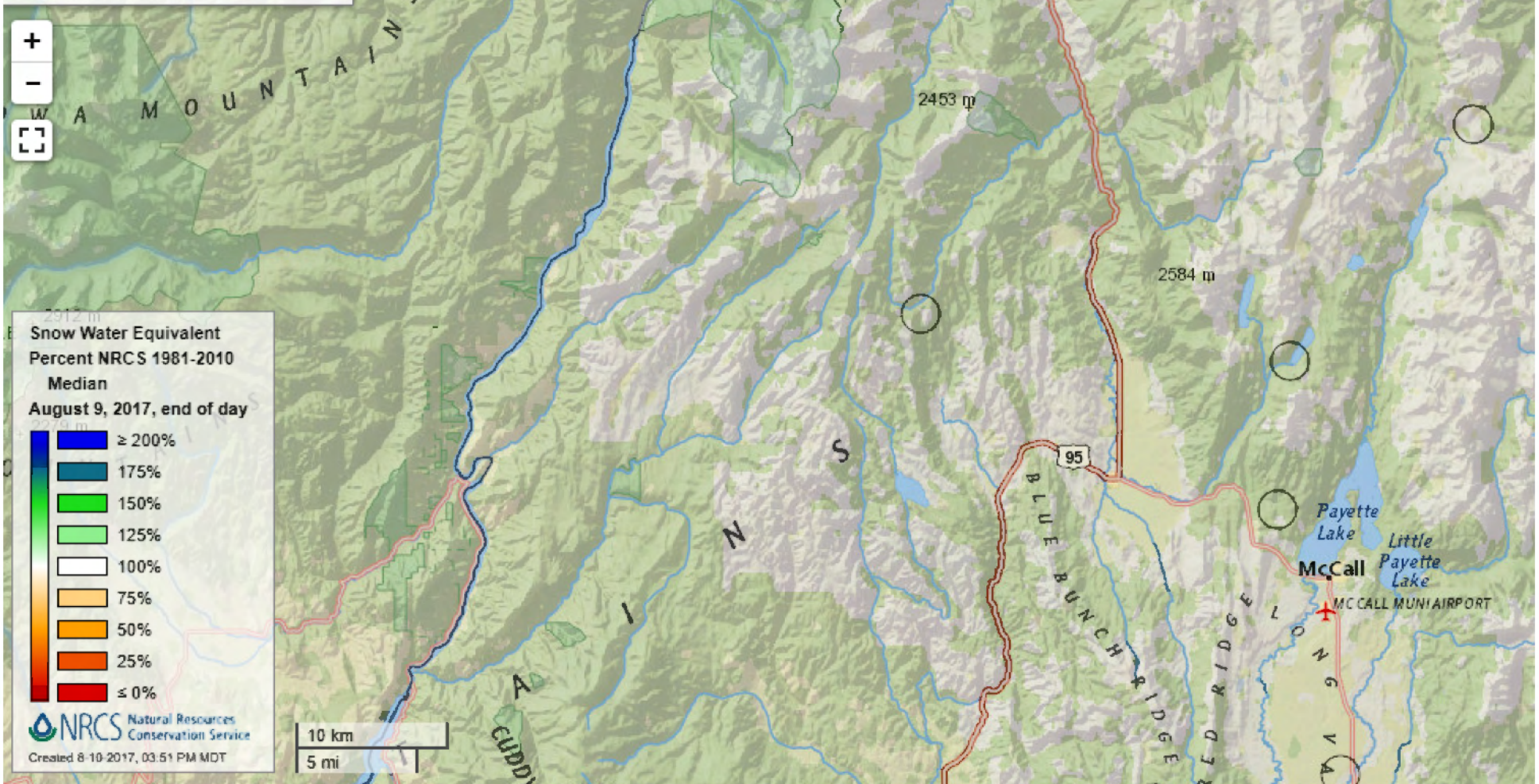






			Water District									
CANAL NAME- Lost Valley Res.						CANAL NO:						2017
OWNER												
DATE	JAN	FEB	MAR	APR	MAY	JUN	JULY	AUG	SEP	OCT	NOV	DEC
1				90	175	73	4	75				
2				90	169	68	5	75				
3				90	165	58	9	75				
4				91	166	58	5	81				
5				91	181	58	6	85				
6				91	215	58	3	85				
7				101	238	59	20	85				
8				120	238	58	46	85				
9			4	125	229	58	50	84				
10			4	129	219	57	47					
11			4	127	221	57	49					
12			4	126	237	48	53					
13			4	135	226	3	55					
14			4	157	209	3	62					
15			4	164	189	3	64					
16			4	165	172	3	65					
17			5	166	163	3	72					
18			15	168	153	3	75					
19			46	170	142	3	76					
20			47	178	100	3	75					
21			64	184	78	3	78					
22			88	181	78	5	80					
23			90	182	76	6	80					
24			91	192	72	5	80					
25			90	213	72	5	79					
26			89	220	73	5	75					
27			89	220	72	5	75					
28			89	211	72	5	70					
29			89	197	73	5	71					
30			88	182	72	4	75					
31			89		73		75					
Total	0	0	1101	4556	4618	782	1679	730	0	0	0	
MEAN			48	152	149	26	54	81				
ACRE FT	0	0	2184	9037	9160	1551	3330	1448	0	0	0	
YEARLY CFS						13466						
YEARLY ACRE FEET						26710						
TOTAL NO OF DAYS						154						
YEARLY MEAN						87						

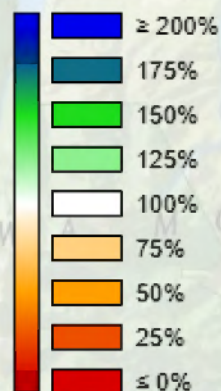
Selected Stations: 118



Selected Stations: 118



**Snow Water Equivalent
 Percent NRCS 1981-2010
 Median
 August 9, 2017, end of day**



DEER LAKE RIDE
 AD HORSERIDGE
 TAIN S
 OUN

10 km
 5 mi

West Branch

Station ID: 855
 State: Idaho
 Network: SNOTEL
 County: Adams
 Elevation: 5560 ft.
 Latitude: 45.07
 Longitude: -116.45
 HUC: 170501240201



Snow Water Equivalent (inches) on August 9, 2017, end of day

Value:	0.2	Anomaly (POR):	0.2
POR Median:	0	NRCS 1981-2010 Median:	0
% of POR Median:		% of NRCS 1981-2010 Median:	
POR Average:	0.01	NRCS 1981-2010 Average:	0
% of POR Average:	3,700%	% of NRCS 1981-2010 Average:	
% of WY Peak:	1%	% of Average WY Peak (POR):	1%
		% of Median WY Peak (POR):	1%
Percentile (POR):	100	# of Observations (POR):	37
Maximum (POR) (year):	0.2 (2017)	Maximum Rank (POR):	1
Minimum (POR) (year):	0 (2014, 2015, 2016, more)	Minimum Rank (POR):	37

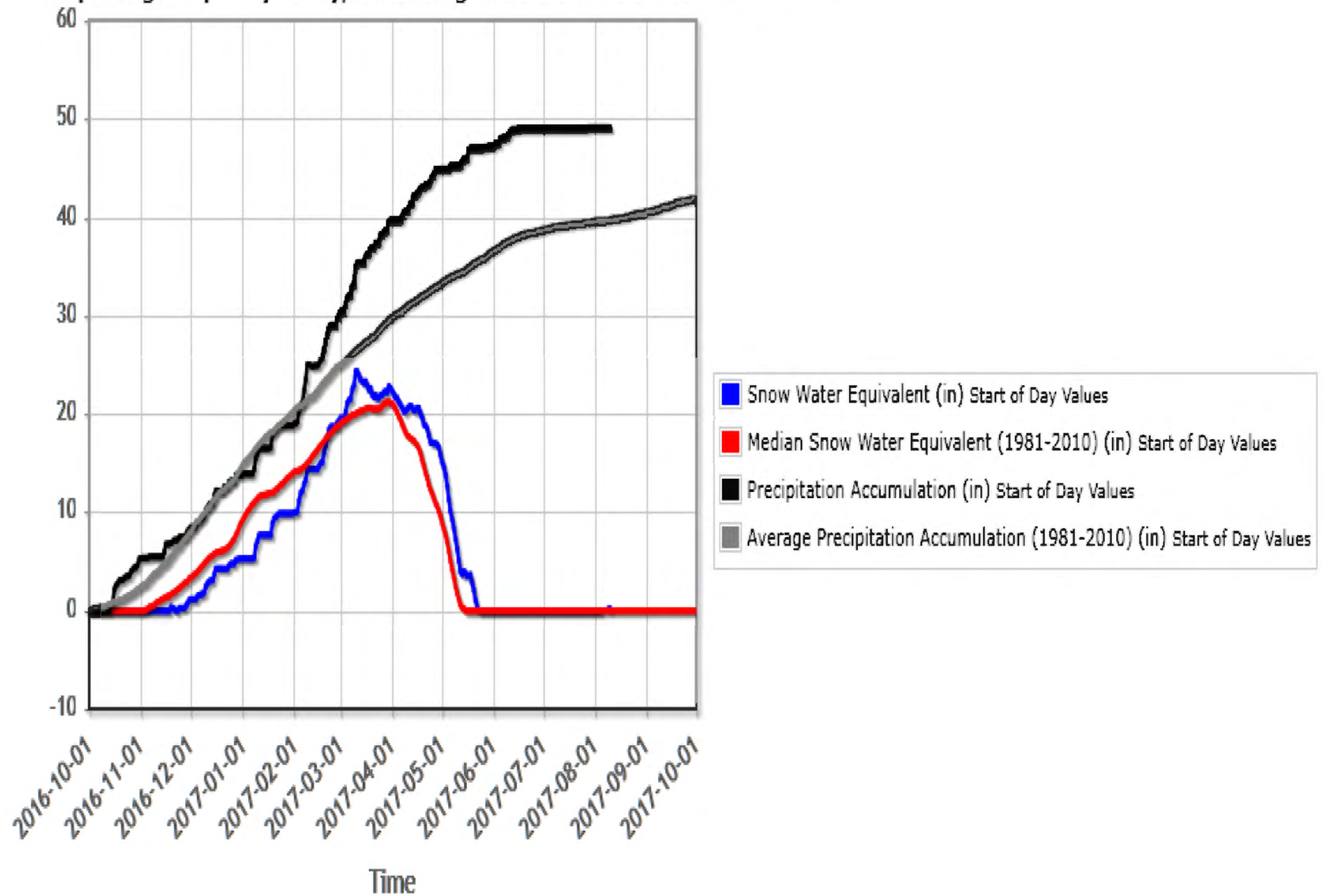
Data Reports

[30-Day Daily Table](#)
[7-Day Hourly Table](#)
[Water Year Chart \(SWE and Precip\)](#)
[Site Page](#)

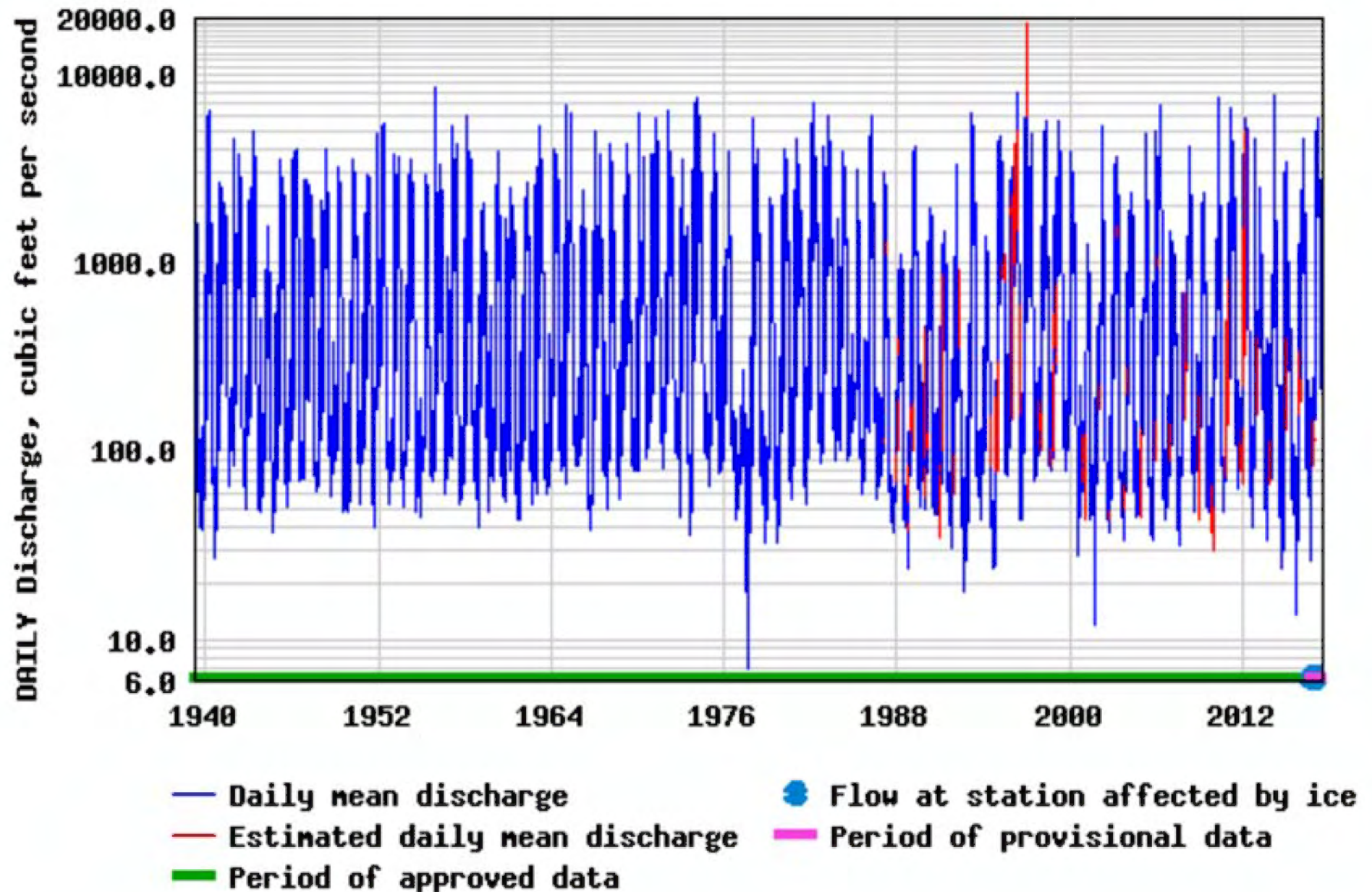
[Export CSV](#)

West Branch (855) Idaho SNOTEL Site - 5560 ft

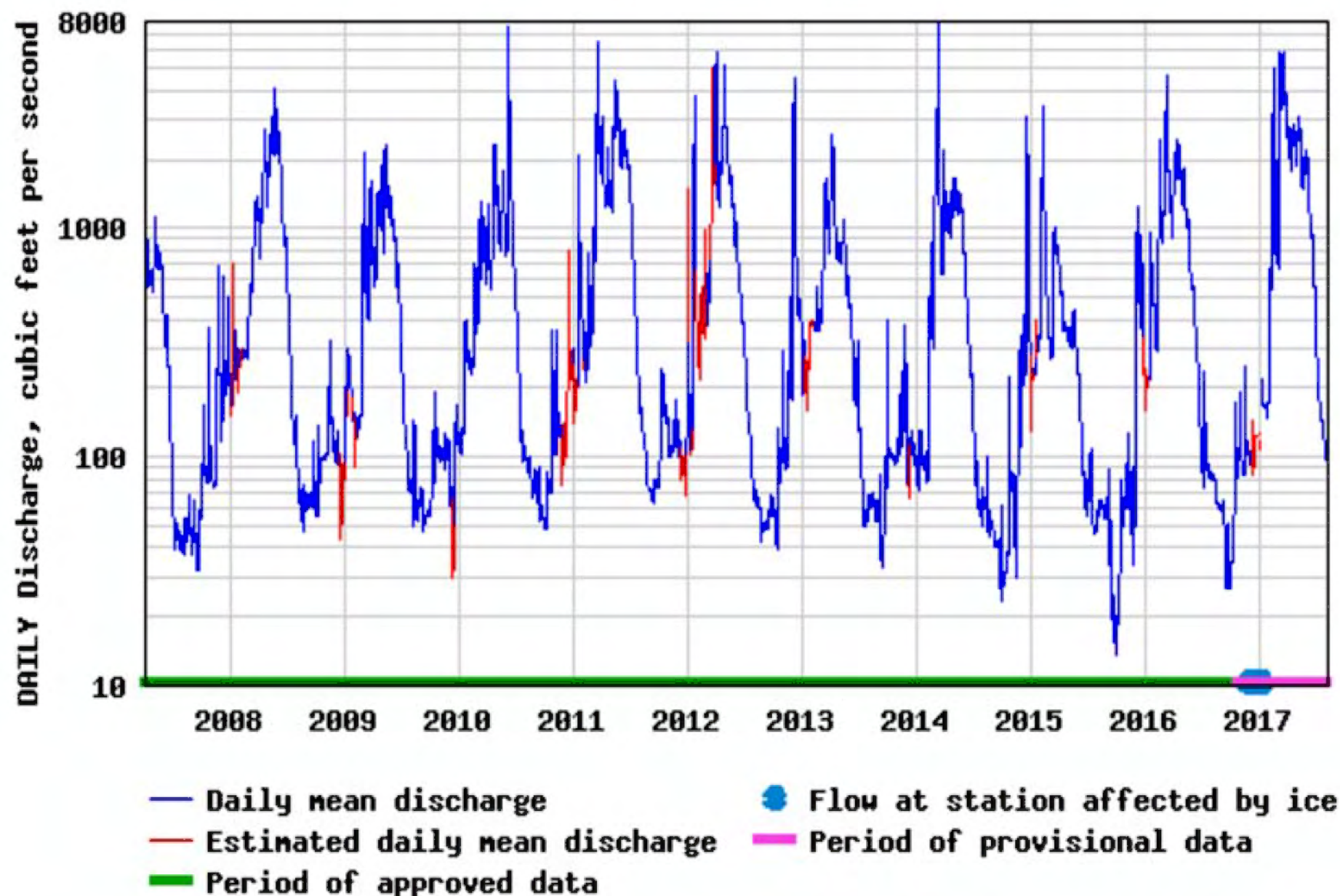
Reporting Frequency: Daily; Date Range: 2016-10-01 to 2017-09-30



USGS 13258500 WEISER RIVER NR CAMBRIDGE ID



USGS 13258500 WEISER RIVER NR CAMBRIDGE ID





StreamStats Version 3.0 : ID



Zoom To: ▼

Select on a tool on the toolbar. If the icon remains depressed, click on the map to perform the desired action.

Map Layers

- ☒ Streamgages
- ☒ Regional Studies
- ☒ Availability
- ☒ State Applications
- ☐ Study Area Bndys

Base Layers

- ☐ Imagery
- ☐ Street Map
- ☐ World Topo
- ☐ USA Topo
- ☐ Canadian Topo
- ☒ TNM Topo

0 0.5 1mi

Scale: 1 : 72,224

Latitude: 44.95754

Longitude: -116.53600

StreamStats

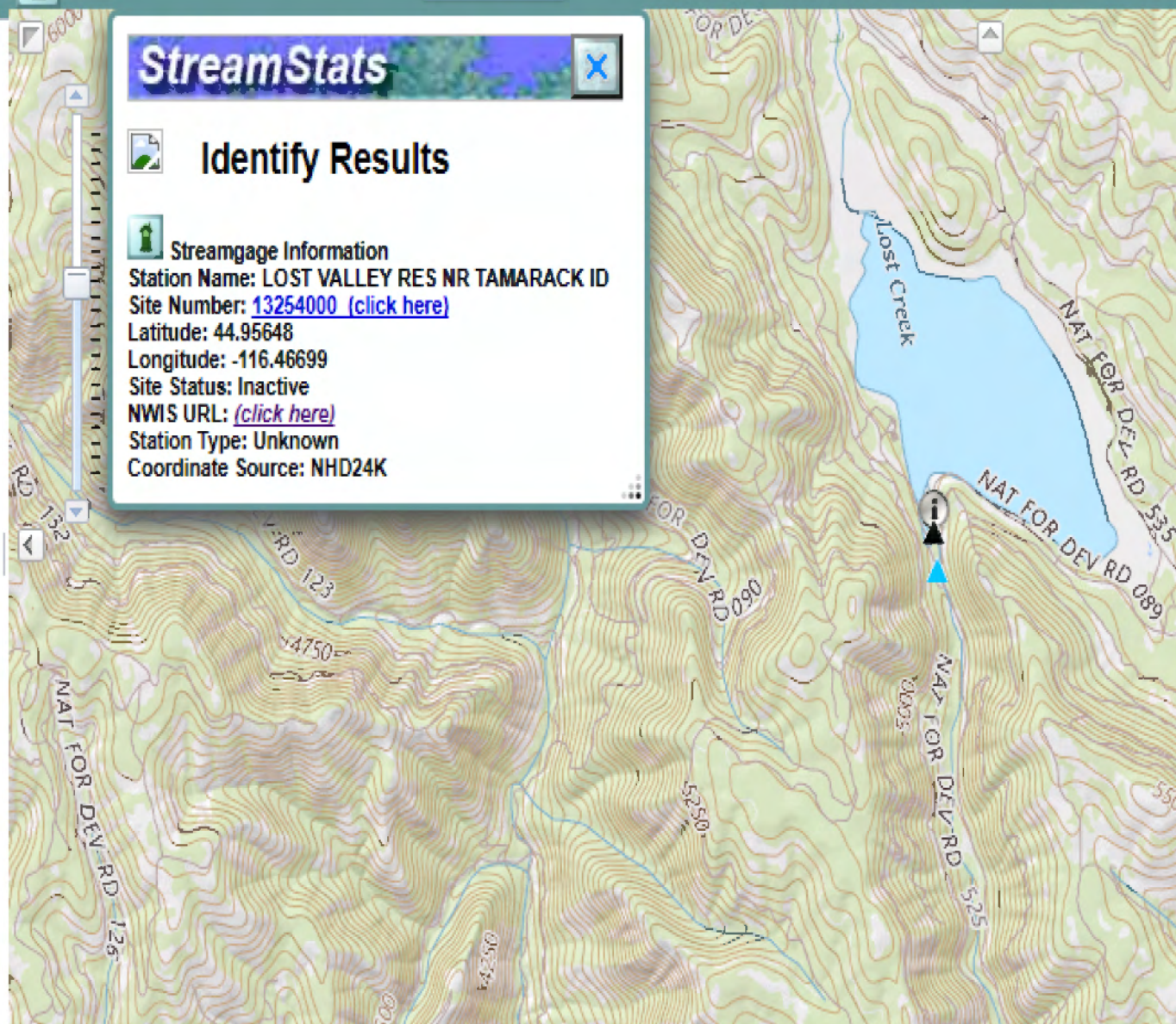


Identify Results



Streamgage Information

Station Name: LOST VALLEY RES NR TAMARACK ID
Site Number: [13254000](#) [\(click here\)](#)
Latitude: 44.95648
Longitude: -116.46699
Site Status: Inactive
NWIS URL: [\(click here\)](#)
Station Type: Unknown
Coordinate Source: NHD24K





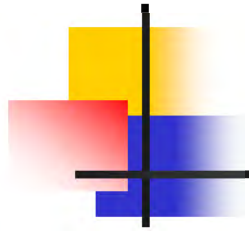
Results of New Hydrographic Study

- 1993 Report predicts the average annual yield of the basin above Lost Valley Reservoir Dam is 29KAF.
- Mr. Steve Lipscomb (former Director of USGS Water Center in Idaho) computed the average annual yield to be 28KAF and 27KAF using two different techniques.

Subordination of Galloway to Lost Valley

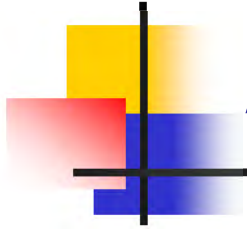
- Date of Priority of Galloway – 7/9/1982
- Date of Priority of Lost Valley – 6/2/1993

Options	Type ?	Basin	Sequence	Suffix	Application Number	Basis	Status	Priority Date	Div. Rate (cfs)	Source	Water Use	Owner
Details More Options	Water Application	67	7590		44040		Active	07/09/1982	7800	WEISER RIVER	FISH PROPAGATION FROM STORAGE, FISH PROPAGATION STORAGE, IRRIGATION FROM STORAGE, IRRIGATION STORAGE, POWER, POWER FROM STORAGE, POWER STORAGE, RECREATION STORAGE	STATE OF IDAHO
Details More Options	Water Application	67	7938		43593		Active	06/02/1993	20000	LOST CREEK	IRRIGATION FROM STORAGE, IRRIGATION STORAGE, RECREATION STORAGE	LOST VALLEY RESERVOIR CO



Subordination

- Lost Valley Reservoir requests subordination of Galloway by the IWRB.
- Without this subordination further studies for Lost Valley Reservoir are not warranted.



Advantages to IWRB

- Beneficial to summer flows.
- Carry-over storage will enhance the fishery in Lost Valley Reservoir and downstream.
- Additional storage to work in tandem with Galloway, if built.
- This is a low-cost storage project for Idaho, and provides an opportunity for the IWRB to acquire some of the storage.

Lost Valley Reservoir Trout Improvement Project Planned

Story of Fish Kill for this Year

By Evin Oneale, Regional Conservation Educator

Tuesday, September 26, 2017 - 10:06 PM MDT



Lost Valley Reservoir, located 16 miles north of Council Idaho, is nearly dry and Fish and Game plans to take advantage of that condition to improve trout populations at the popular fishing hole.

The Lost Valley Reservoir Company has lowered the reservoir to the lowest pool possible for outlet valve repairs and is cooperating to keep the pool down until later in October.

A large population of yellow perch now occupies the reservoir, effectively limiting the growth of rainbow trout stocked by Fish and Game. "Lost Valley is simply too small to support a quality yellow perch population," Fish and Game fisheries biologist Paul Janssen noted. "The perch can never grow to acceptable size for anglers and by consuming nearly all of the available food supply in the reservoir, perch also limit trout growth." Trout fishing is also made more difficult by perch that quickly consume baits intended for trout.



Offerings of the 20,000 acre-feet of additional storage

1. Existing shareholders
2. Dead storage to the State of Idaho
3. Other water users in the Weiser River Basin
4. IWRB
5. Others



Lost Valley Reservoir Projected Construction Costs, for 20KAF of Additional Storage

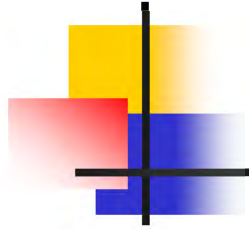
- 1992 -- \$2.3M
- 2017 -- \$4.0 M (per Govt Consumer price index from <https://data.bls.gov>)

Per former IWRB Chairman: “Enlargement of Lost Valley Reservoir is the least cost new storage in Idaho”



Process

- Discuss recreation, wildlife, fishery and infrastructure alternatives if reservoir is expanded.
- Discuss tradeoffs between moving recreation areas and providing an increased water supply.
- Discuss potential mitigation strategies for Northern Idaho Ground Squirrels.
- Result in a proposal for USFS.



Composition of Proposal Team

- Lost Valley Reservoir Company
- Weiser Basin Water Users
- Adams and Washington Counties
- US Forest Service
- Northern Idaho Ground Squirrel Recovery Team
- Idaho Water Resource Board
- USDA – Rural Development
- Facilitated by Idaho Water Engineering

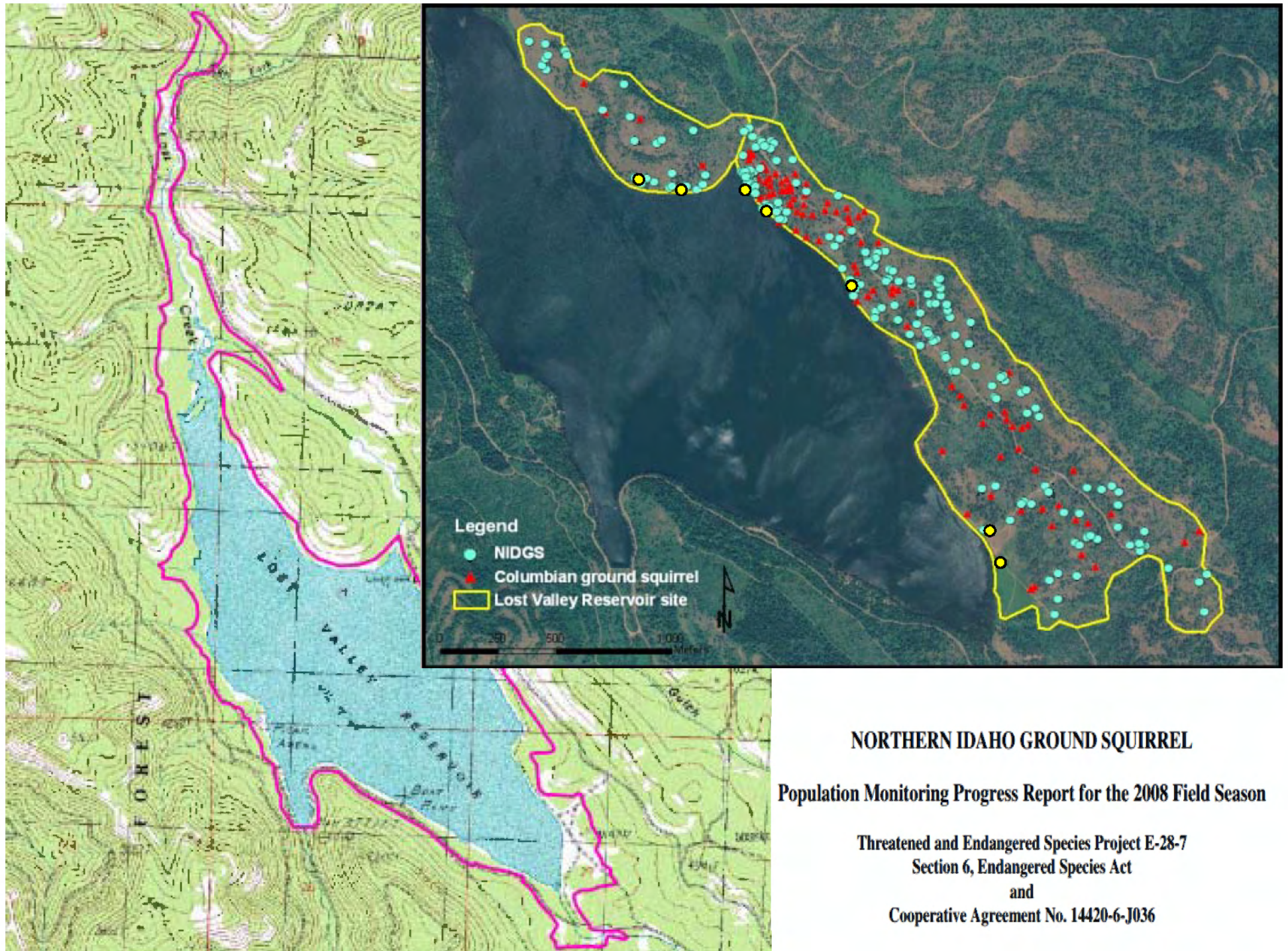


Assistance Needed from the US Forest Service and the Idaho Water Resource Board

- Participate in the proposal development process as a stakeholder (beneficiary of carry-over pool and higher summer flows)

Northern Idaho Ground Squirrel





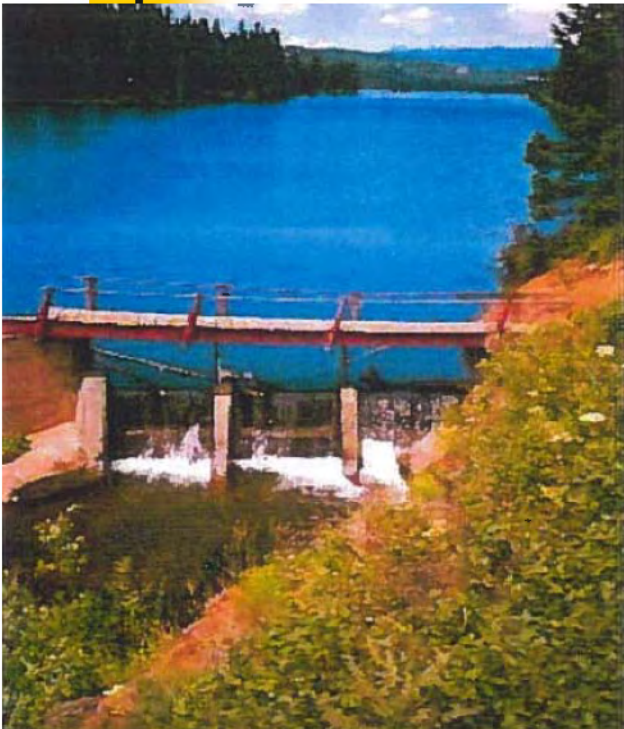


Next Steps

- Initiate a two part Environmental Impact Statement process:
 1. Northern Idaho Ground Squirrel mitigation opportunities -- 2018
 2. Remainder of EIS -- 2019
- IWRB is invited to participate (Public Private Partnership)



Thank you.



208-378-1513

Website:

Idahowaterengineering.com

Email:

info@idahowaterengineering.com

Proposal by Lost Valley Reservoir Company -- 2018

- Subordination of this project to the Galloway
- Financial participation in the project:
 - Requests participation by IWRB in the 2018 Squirrel Study
 - Total proposed cost - \$35,000
 - Cost of Squirrel Study -- \$25,000
 - All other Admin costs -- \$10,000
 - IWRB – \$20,000
 - Water Users of New Storage -- \$10,000
 - IWE in-kind: \$5,000

BEFORE THE IDAHO WATER RESOURCE BOARD

**IN THE MATTER OF THE LOST VALLEY
RESERVOIR EXPANSION – NORTHERN
IDAHO GROUND SQUIRREL STUDY**

**RESOLUTION TO APPROVE FUNDS AND
PROVIDE SIGNATORY AUTHORITY**

WHEREAS, House Joint memorial No. 8 (HJM 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; and

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, Senate Bill 1176 passed and approved by the 2017 Legislature allocated \$5 million in ongoing General Fund dollars to the IWRB's Secondary Aquifer Planning, Management, and Implementation Fund (Secondary Aquifer Fund) for statewide water sustainability and aquifer stabilization; and

WHEREAS, the Idaho State Water Plan recognizes that surface water development will play a role in meeting Idaho's future water needs; it supports assessment and development of new high potential storage facilities, and supports the creation of collaborative partnerships with private entities, concerned stakeholders, local governments, and federal agencies to evaluate, design and construct water storage projects; and

WHEREAS, an enlargement of the Lost Valley Reservoir, located in the Weiser River Basin north of Council, Idaho is identified in the 2012 Idaho State Water Plan as a reservoir site with apparent high potential for development; and

WHEREAS, the Lost Valley Reservoir Company Board (LVRC) is investigating a potential raise of the Lost Valley Dam (project) to increase reservoir capacity by as much as 30,000 acre-feet to provide approximately 20,000 acre-feet of additional water supply for irrigation by existing shareholders, other water users in the Weiser River Basin, recreation, fish and wildlife, and other purposes based on interest; and

WHEREAS, the LVRC filed a water right application for the additional storage water in 1993, completed initial design and cost estimates for construction of the project, and in 2013, the LVRC began investigating environmental compliance requirements and updating hydrologic analyses; and

WHEREAS, the reservoir is surrounded by U.S. Forest Service property and includes populations of the Northern Idaho Ground Squirrel (NIGS), a federally listed as a Threatened Species under the Endangered Species Act; therefore, various environmental compliance analyses would be required to complete the proposed project; and

WHEREAS, to better understand environmental impacts and potential mitigation requirements for the project, LVRC proposes to complete an evaluation of potential mitigation options for the NIGS as in initial phase of a larger Environmental Impact Statement (EIS); and

WHEREAS, the LVRC submitted a proposal in cooperation with consulting firms Idaho Water Engineering and Rio ASE to complete the evaluation; the cost of the analysis is estimated to be \$35,000; and

WHEREAS, on May 19, 2017, the IWRB adopted the Secondary Aquifer Fund Fiscal Year 2018 Budget, which included \$100,000 for project development in the Weiser River Basin; and

NOW, THEREFORE BE IT RESOLVED that the IWRB authorizes expenditures not to exceed \$30,000 from the Secondary Aquifer Fund, for the Lost Valley Reservoir Northern Idaho Ground Squirrel Study; and

NOW, THEREFORE BE IT RESOLVED that the LVRC and its consultants will submit a final report and present results of the study, including potential costs of identified mitigation options, to the IWRB upon its completion; and

NOW, THEREFORE BE IT RESOLVED that funding contributed by the IWRB through this resolution does not obligate the IWRB to future funding for the Lost Valley Reservoir Enlargement Project; and

NOW, THEREFORE BE IT RESOLVED that the IWRB authorizes its chairman or designee, Brian Patton, to execute the necessary agreements or contracts to complete the improvements proposed for the Canyon Creek Recharge Project.

DATED this 23th day of March, 2018.

ROGER W. CHASE, Chairman
Idaho Water Resource Board

ATTEST _____
VINCE ALBERDI, Secretary

Memorandum



To: Idaho Water Resource Board
From: Randall Broesch P.E.
Date: March 12, 2018
Re: Mountain Home Air Force Base Water Sustainability Project

The following is a status report on the Mountain Home Air Force Base (MHAFB, base) Water Sustainability Project (Project).

Project Concept

The MHAFB currently relies on groundwater for its water supply, but diverts its water from a critical declining aquifer. The Idaho Water Resource Board (Board) intends to develop a pipeline and water treatment facility to deliver water from the Snake River to the MHAFB as an alternate water supply to their existing use of groundwater. In 2014, with support from the Governor and Idaho State Legislature, the Board purchased senior Snake River water rights from the Simplot Corporation to provide a water supply to the MHAFB. The surface water will be diverted out of the C.J. Strike Reservoir and delivered to the MHAFB where it will be treated and used for municipal purposes on the base. The Board is expected to retain the senior water rights and enter into a water utility service contract with the MHAFB for the delivery of the municipal water. The Board will undertake the financing, design, construction, and maintenance methods to bring the project to fruition. The Governor's office, the State Legislature, and the Board recognize and are committed to supporting the MHAFB as a \$1 Billion annual economic generator in the local Idaho economy.

Project Status

The following project components are progressing in parallel:

IDEQ/Raw Water Characteristic Study/Pilot Study-Board Staff continues to coordinate with the Idaho Department of Environmental Quality (IDEQ) to complete identified project requirements and processes required to deliver the proposed project. Priority project development activities include completion of a facility plan report, identification of the raw water characteristics for the C.J. Strike Reservoir, completion of a pilot study of various treatment technologies, and preparation of a preliminary engineering report. IDEQ continues to support the project by providing technical guidance to both Board staff and the Brown & Caldwell team (the Board's Owner's Advisor).

Brown & Caldwell is finalizing the raw water characterization study this spring that is required by the IDEQ, and is continuing to prepare for pilot testing in 2018.

The data collected from the pilot testing in 2017, 2018, and from the raw water characteristic study will be used by the Design-Build-Operator contractor to identify the necessary treatment processes to deliver a safe and reliable municipal water supply to the MHAFB.

Design-Build-Operator (DBO) Procurement-In August 2017, the Board initiated a two-part procurement process to secure a DBO for the project. Short listed respondents to the Request for Qualifications (RFQ) process were CH2M, McMillen Jacobs, and RSCI. These respondents have been invited to participate in the Request for Proposal phase of the procurement. Staff is currently working with Brown and Caldwell to prepare the RFP. Based on the current revised schedule, the RFP will be released once pilot testing in 2018 is complete. The notice of award is currently scheduled to be issued in January/February 2019.

Environmental Assessment (EA)-The majority of the property between the Snake River and the MHAFB is federal land administered by the U.S. Bureau of Land Management (BLM). Since the Board holds the water rights and is responsible for developing the infrastructure to convey water to the base, it is required to submit an application to the BLM to secure an easement for the project. The MHAFB rules require an Environmental Assessment (EA) be completed as the recipient of the Board's water. To expedite the EA process, the MHAFB and the BLM entered into a cooperative agreement to co-lead the EA for the project, and the MHAFB hired a private consultant to prepare the EA for both agencies. A draft EA and draft Findings of No Significant Impact (FONSI) was issued for public comment by the BLM and the MHAFB on July 12, 2017 and a final EA was issued on December 6, 2017 with the signed FONSI and Record of Decision. The 30-day public comment period on the Final EA ended on January 6, 2018.

Staff has been working with the BLM to issue the Right-of-Way (ROW) grant that will allow construction of the pipeline from the C.J. Strike Reservoir to the MHAFB. As part of the enabling legislation that established the Morley Nelson Birds of Prey National Conservation Area (NCA) in 1993, activities occurring within the NCA are required to enhance the purposes for which it was created. Using an established enhancement framework plan, the BLM was able to calculate a monetary value associated with the construction activities for the alignments assessed through the NEPA process. BLM determined the cost to construct 14.34 miles of pipeline for the selected alignment was \$58,219. Staff has prepared a resolution requesting the required \$58,219 for construction activities associated with the project.

Water Utility Service Contract (WUSC) and Project Financing-The WUSC will establish the long-term utility relationship between the Board and the MHAFB, and will serve as the revenue commitment needed to pursue the issuance of revenue bonds to finance the project. Though IWRB staff have been working closely with the MHAFB over the last year to define the function of the WUSC, negotiations with the base officially began on December 21, 2017 when the MHAFB issued "business clearance" (or authorization) to enter into negotiations with the Board.

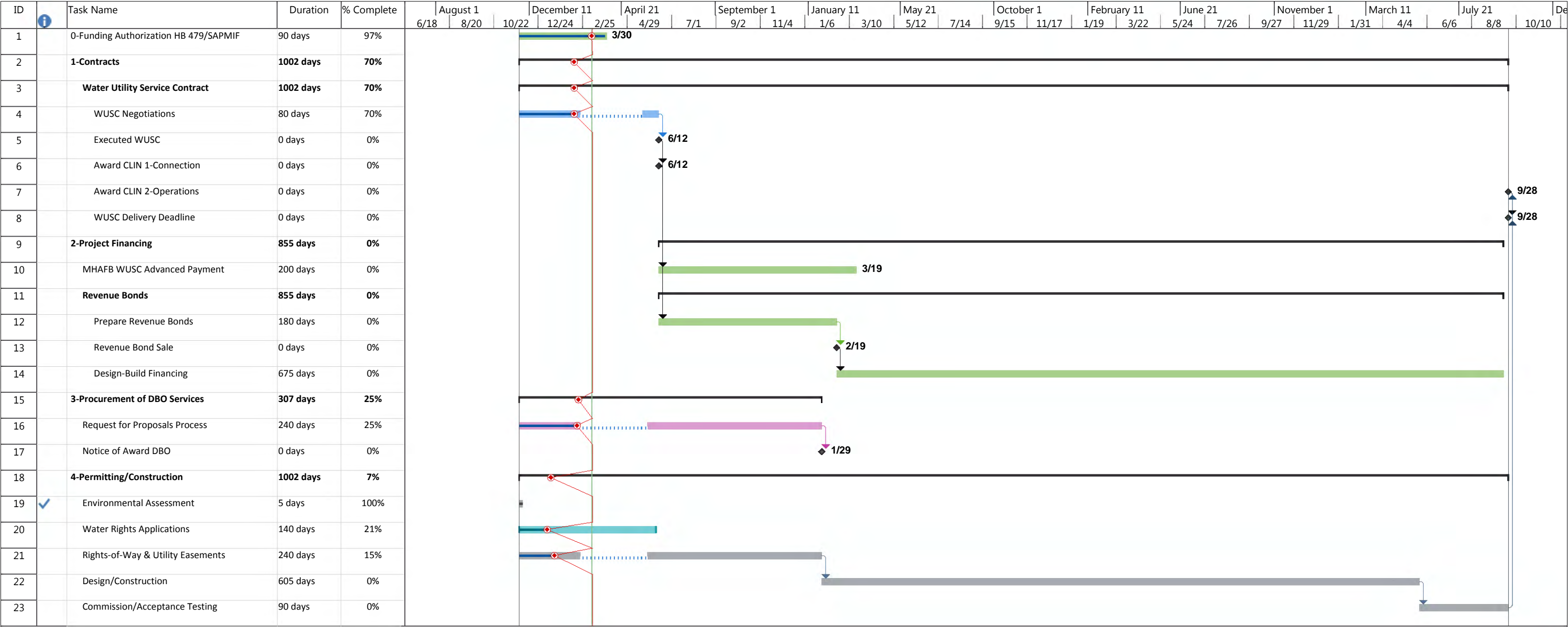
On January 16, 2018, staff met with the Board's Finance Committee to discuss the terms, conditions and layout of the WUSC and to discuss anticipated financing approaches with the project financing team. Board staff and the MHAFB continue to develop the WUSC and are scheduled to report progress to the Board at another Finance Committee meeting on March 22, 2018. Staff will introduce a resolution to approve funding ("Gap Funding") to finalize project development activities prior to execution of the WUSC and receipt of the initial payment by the MHAFB.

Permits and Easements-Staff is submitting applications for permits to the following agencies or entities: ITD encroachment permit, Mountain Home Highway District utility permit, Idaho Department of Lands Utility Easement, Simplot Utility Easement, Idaho Power-Project Planning for Power Supply, and the U.S. Army Corps 404 permit.

Water Right Transfer-Applications for a water right transfer of water right numbers 2-10300A, 2-10300B, and 2-10506, and an application for permit were filed with the Idaho Department of Water Resources (IDWR). IDWR is currently reviewing the applications and has indicated it may request additional information prior to advertising the applications. IWRB staff will continue to coordinate with IDWR.

Schedule –Please refer to the schedule provided after this memo.

REQUIRED ACTIONS: Staff is requesting authorization from the Board to provide Gap Funding to continue with the project development phase of the project and provide monetary compensation to the BLM for enhancements associated with the construction activities of the Project.



Project: 1800115 Schedule for Finance
Date: Sat 3/10/18

Task

Split

Milestone

Summary

Project Summary

Inactive Task

Inactive Milestone

Inactive Summary

Manual Task

Duration-only

Manual Summary Rollup

Manual Summary

Start-only

Finish-only

External Tasks

External Milestone

Deadline

Progress

Manual Progress

BEFORE THE IDAHO WATER RESOURCE BOARD

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

RESOLUTION TO APPROVE FUNDS
AND PROVIDE SIGNATORY
AUTHORITY

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

WHEREAS, the Mountain Home Air Force Base (“Base”), as well as surrounding agricultural wells and municipal wells, draw their supply from the Mountain Home Aquifer; and

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

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

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

WHEREAS, House Bill 479 passed and approved by the 2014 Idaho legislature allocated \$4 million in one-time funds for acquisition of senior priority Snake River water rights to supply the Base; and

WHEREAS, on July 25, 2014, the Board purchased senior Snake River water right nos. 2-10300A, 2-10330B and 225/240ths of 2-10472 for the purpose of obtaining a water supply for the Base; and

WHEREAS, the Board previously authorized expenditure of \$6.365 Million for project development services including the Owner’s Advisor, legal services, and Consultant Services for water right permitting and technical project planning efforts, and

WHEREAS, the funding for project development services is disbursed from the following

accounts: \$1.365 Million from the Revolving Development Account, \$1.0 Million from the Secondary Aquifer Planning Management and Implementation Fund, and the remaining \$4.0 Million would be paid from the revenue bonds; and

WHEREAS, the Board intends to recover all funds for the project development services authorized to date that have been disbursed from the Secondary Aquifer Planning Management and Implementation Fund and Revolving Development Account in the amount of \$2.365 Million; and

WHEREAS, through negotiations with the Base, the Board will receive a connection fee from the Base upon signing the water utility service contract; and

WHEREAS, \$2.365 Million of the connection fee from the Base will reimburse the Secondary Aquifer Planning Management and Implementation Fund and the Revolving Development Account for previously authorized project development services; and

WHEREAS, gap funding from the Secondary Aquifer Planning Management and Implementation Fund will be necessary to cover the project development costs from March 27, 2018 through the notice of award being issued to the design-build-operator which is scheduled for spring 2019; and

WHEREAS, the Final Environmental Assessment issued by the U.S. Bureau of Land Management ("BLM") and the Base identify a monetary calculation for enhancements in the amount of \$58,219 to be provided by the Board for the purposes of the 25th Anniversary Activities for the Morley Nelson Birds of Prey National Conservation Area;

NOW, THEREFORE BE IT RESOLVED that the Board authorizes the disbursement of up to \$_____, not to exceed actual costs, from the Secondary Aquifer Planning and Management Implementation Fund to assist staff and the Board with completing the project development phase of the project and to successfully procure a design-build-operator; and

NOW, THEREFORE BE IT RESOLVED that \$58,219 of the requested \$900,000 be disbursed from the Secondary Aquifer Planning Management and Implementation Fund to the Birds of Prey Partnership upon the issuance of the Right-of-Way Grant from the BLM. The Birds of Prey Partnership is an established General Non-Profit Corporation in the State of Idaho with a status of good standing and was established on November 5, 2015; and

NOW, THEREFORE BE IT RESOLVED that the Board intends to recover \$2.365 Million from previous authorizations and \$900,000 from this authorization from two sources in whole or in part from: 1. the connection fee from the Base or 2. from the issuance of revenue bonds.

NOW, THEREFORE BE IT FURTHER RESOLVED that the Board authorizes its chairman or designee, Brian Patton, Board Executive Officer, to execute the necessary agreements or contracts to continue with project development services and for the project enhancement costs associated with the Final Environmental Assessment.

DATED this 23th day of March, 2018.

ROGER CHASE, Chairman
Idaho Water Resource Board

ATTEST:

VINCE ALBERDI, Secretary

Memorandum



To: IWRB – Streamflow Enhancement and Minimum Streamflow Committee

From: Amy Cassel

Date: March 9, 2018

Re: Water Transaction Program – 2018-2019 Rental Hat Creek

REQUIRED ACTION: Recommendation from Committee to approve and fund the lease and rental fees for the proposed transaction.

The 2004 Snake River Water Rights (“Nez Perce”) Agreement commits the state to providing incentives for improving fish habitat which includes improving or protecting flow conditions to augment stream flows. The Hat Creek Basin supports the spawning, migration and rearing of ESA-listed resident bull trout. Big Hat Creek, a tributary of Hat Creek, and Hat Creek provide thermal refuge and rearing habitat for juvenile bull trout. The only diversion on Big Hat Creek can dewater the stream, thereby blocking the movement of bull trout and decreasing rearing habitat. The lower section of Hat Creek provides thermal refuge for adult Chinook salmon, and flows left instream from the higher, colder reaches of the Hat Creek basin may provide the necessary cooler temperatures for Chinook spawning habitat.

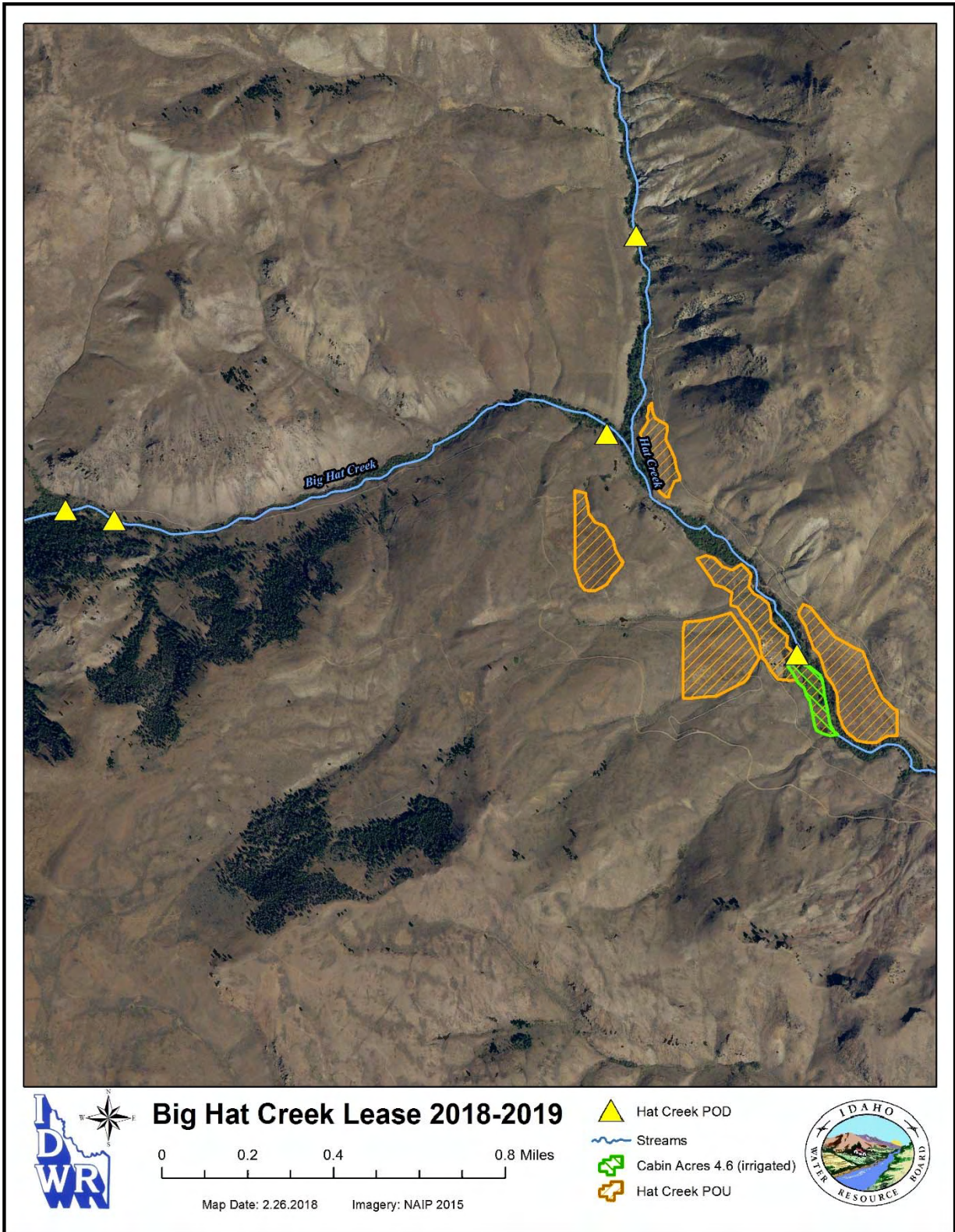
Erik Storlie and Tamara Kaiser have the only water rights from Big Hat Creek (75-2137 and 75-4199 - 1.23 cfs irrigating 43.6 acres). From 2004 to 2008, the Board rented 0.52 cfs from the Storlie-Kaisers for delivery to the minimum stream flow water right on Hat Creek. In 2009, the irrigators leased their water rights into the Idaho Water Supply Bank for an indefinite period of time. In 2010, the Board passed a resolution to make a funding commitment to cover the fees associated with a five year rental of Water Rights Nos. 75-2137 and 75-4199 for delivery to the minimum stream flow on Hat Creek, but declined to approve funding for water right owner compensation.

In 2015, the Storlie-Kaisers leased an additional water right (Hat Creek 75-4200 - 1.28 cfs irrigating 24.7 acres) to the Idaho Water Supply Bank for three years. The water right owners are interested in more long-term options, so staff is exploring the possibility of a purchase or long-term rental of all three water rights (75-2137, 75-4199, and 75-4200), with the exception of the portion used to water 4.6 acres near their cabin. While the risk of resumption of use is small if the rights are only rented from the current owners, the Storlie-Kaisers are considering listing the property and a change in ownership could result in resumption of use. An acquisition of the water rights would permanently protect the flows in Big Hat Creek and Hat Creek but would likely affect the value of the property.

Funding for the appraisal and the expected appraisal value have delayed progress on a purchase of the water rights. However, a purchase is still being considered as are other funding sources. In the interim, the water right owners have agreed to donate the water rights to the Board for a rental to the Hat Creek minimum stream flow. Funding is available through the CBWTP to cover two years of lease application and rental fees. Total transaction costs would be \$1391.00.

Request for Committee Recommendation:

Staff requests comments and a recommendation from the Committee regarding the transaction. Recommendations from the Committee will be introduced to the full Board at the March 23, 2018 IWRB meeting. A draft resolution is attached for the Committee's consideration.



BEFORE THE IDAHO WATER RESOURCE BOARD

IN THE MATTER OF THE 2018-2019 HAT
CREEK WATER TRANSACTION
CONTRACTS

RESOLUTION TO MAKE A FUNDING
COMMITMENT

WHEREAS, bull trout and juvenile Chinook salmon habitat in Hat Creek is limited by low flow in the lower reaches of Hat Creek; and

WHEREAS, Hat Creek provides bull trout and juvenile Chinook salmon habitat and the 2004 Snake River Water Rights (“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 increase flow in Hat Creek to encourage recovery of ESA-listed bull trout and Chinook Salmon; and

WHEREAS, the Idaho Water Resource Board (IWRB) owns a minimum streamflow water right on Hat Creek; and

WHEREAS, Erik Storlie and Tamara Kaiser have agreed to donate a portion of their water rights (water right nos. 75-2137, 75-4199, and 75-4200) to the IWRB for delivery to the Hat Creek minimum stream flow water right; and

WHEREAS, Idaho Department of Water Resources staff has developed a 2-year Lease and Rental Agreement through the Idaho Water Supply Bank (lease and rental) to leave water in Big Hat Creek and Hat Creek to improve stream flow for anadromous and resident fish (Hat Creek Transaction); and

WHEREAS, a proposal for \$1,391.00 has been submitted to the Columbia Basin Water Transaction Program to fund the lease and rental of said water rights through the Idaho Water Supply Bank; and

WHEREAS, the Hat Creek transaction 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 rent water right nos. 75-2137, 75-4199, and 75-4200 for the purpose of increasing flows in Big Hat Creek and Hat Creek.

NOW THEREFORE BE IT FURTHER RESOLVED that the Board will pay up to \$500 in lease application fees and \$891.00 in Water Supply Bank rental fees to facilitate this transaction.

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 \$1,391.00.

DATED this 23rd day of March 2018.

ROGER CHASE, Chairman
Idaho Water Resource Board

ATTEST: _____
VINCE ALBERDI, Secretary

The Memorandum



To: IWRB – Streamflow Enhancement and Minimum Streamflow Committee

From: Amy Cassel, IWTP Program Coordinator

Date: March 9, 2018

Re: Water Transaction Program – 2018 Lower Lemhi Annual Transaction

REQUIRED ACTION: Recommendation from Committee to approve and fund agreements not to divert and funding for administration by Water District 74.

Background

The Lemhi River Basin is an important basin for the spawning, migration and rearing of Chinook salmon, summer steelhead, westslope cutthroat trout, and bull trout. During the irrigation season, low flows at the L-6 diversion can cause migration barriers for out-migrating juvenile Chinook salmon and in-migrating adult Chinook salmon and steelhead. The State of Idaho has committed to maintaining flows between 25 and 35 cfs at the L-6 diversion (See attached map) through the 2004 Snake River Water Rights Agreement. The 35 cfs flows are needed for out-migration in the spring and 25 cfs is needed for in-migrating adults in the mid- to late-summer.

For the past 12 years, the IWRB has been working to meet the 35 cfs target through agreements between the IWRB and water users “not to divert” from the Lemhi River. As identified below, a total of 19.39 cfs is currently protected permanently or through long-term agreements:

Flow Target (cfs)	35
Flow Currently Protected Permanently (cfs):	
Permanent Easements	(15.53)
Thomas Agreement	(1.14)
TNC Donation	(0.30)
City of Salmon	(2.42)
Unmet Target (cfs):	15.61

These agreements have been administered in accordance with a contract between the IWRB and Water District 74. As permanent agreements have been acquired the amount of water needed through annual leases has decreased.

Staff proposes development of additional annual agreements to reduce or eliminate the gap of 15.61 cfs between the permanent and long-term transactions and the 35 cfs flow target. Funding is available through the BPA Idaho Fish Accord. IWRB currently has a one-year contract to expend funds, therefore, staff recommends entering into one-year agreements with various water users and the Water District.

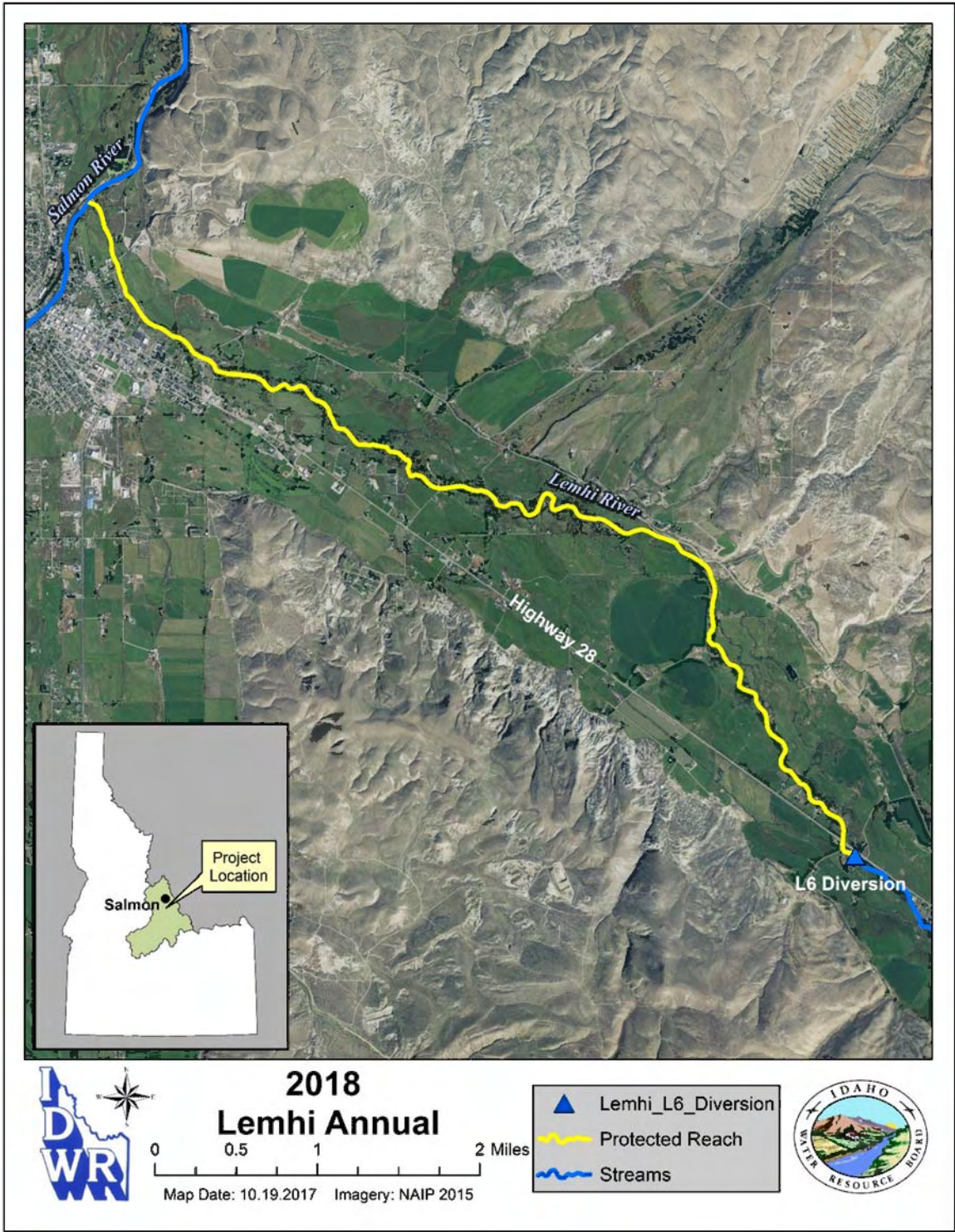
As in previous years, payment will be based on the number of days the irrigators are turned off with compensation of \$90.00/24-hour cfs. Irrigators will only be curtailed when the flow targets are not being met and up to a maximum of 100 days, which is unlikely unless severe, unprecedented drought conditions persist throughout the entire irrigation season. The agreement not to divert contracts will not exceed \$105,105.00 and the Water District 74 contract will not exceed \$12,800. Funding for

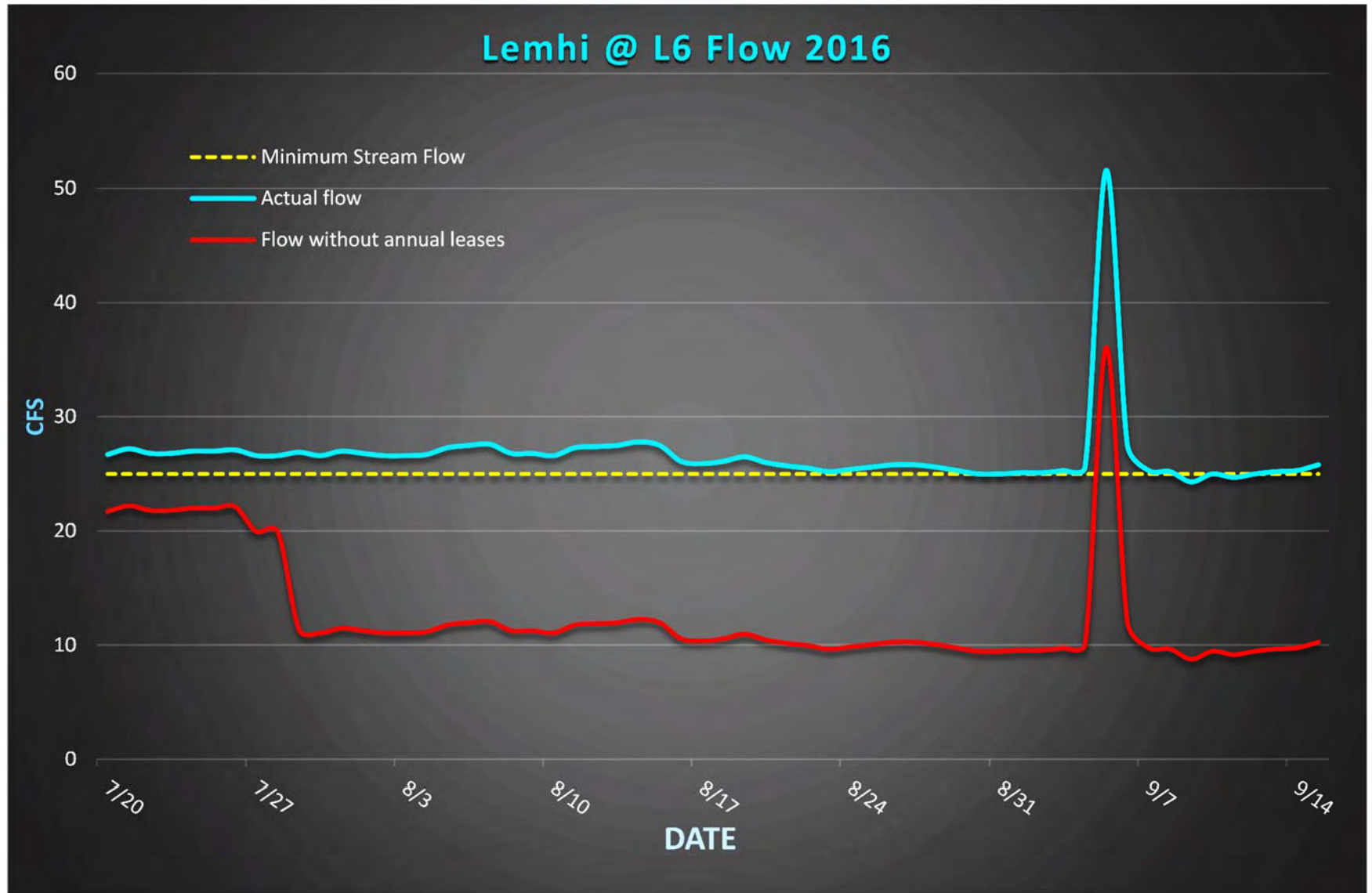
administration by the Water District 74 Watermaster and payment to the irrigators will come from the 2018 Idaho Fish Accord contract.

The Streamflow Enhancement and Minimum Streamflow Committee initially reviewed and approved pursuit of this transaction at a meeting held on November 7, 2017.

Request for Committee Recommendation:

Staff requests comments and a recommendation from the Committee regarding the transaction. Recommendations from the Committee will be introduced to the full Board at the March 23, 2018 IWRB meeting. A draft resolution is attached for the Committee's consideration.





BEFORE THE IDAHO WATER RESOURCE BOARD

IN THE MATTER OF THE LOWER LEMHI
2018 WATER RIGHT SUBORDINATION
AGREEMENTS

RESOLUTION TO MAKE A FUNDING
COMMITMENT

WHEREAS, Chinook salmon, steelhead, and bull trout habitat in the Lemhi River basin is limited by low flow in the Lower Lemhi River; and

WHEREAS, it is in the interest of the State of Idaho to permanently reconnect the Lower Lemhi River to encourage recovery of ESA-listed Chinook salmon, steelhead, and bull trout; and

WHEREAS, the State of Idaho committed to maintaining flows of 25 cfs to 35cfs at the L-6 Diversion on the Lower Lemhi River in the Lemhi Framework which was developed as part of the 2004 Snake River Water Rights Agreement; and

WHEREAS, the Lemhi Framework carries forward target goals which were included in earlier conservation agreements developed and approved by local water users, and state and federal agencies; and

WHEREAS, though enacting Idaho Code 42-1506 and 42-1765A, the Idaho Legislature directed the Idaho Water Resource Board (Board) to establish a minimum streamflow water right of 35 cfs in the Lower Lemhi River to be met through water right rentals or other appropriate methods under state law; and WHEREAS, the Board has the authority to enter into agreements to improve flow for anadromous and resident fish; and

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

WHEREAS, the Board promotes water transactions that maintain the local agricultural economy by retaining irrigated agriculture; and

WHEREAS, Idaho Department of Water Resources staff has developed short-term subordination agreements, also known as the Lemhi Subordination Agreements (agreements) with local water users to improve stream flow for anadromous and resident fish; and

WHEREAS, for all agreements, the water users have agreed to limit their diversions during times of low flow; and

WHEREAS, for all agreements, the water users will continue to irrigate their full place of use when flows exceed the flow targets; and

WHEREAS, funding in the amount of \$117,905.00 is available through the Idaho Fish Accord – Idaho Water transactions Fund or the Columbia Basin Water Transaction Program to fund the cost of said agreements; and

WHEREAS, the Lemhi Subordination Agreements are in the public interest and in compliance with the State Water Plan.

NOW THEREFORE BE IT RESOLVED that the Board authorizes the Chairman to enter one-year agreements with lower Lemhi River irrigators to not divert out of the Lemhi River, using an amount not to exceed \$105,105.00.

NOW THEREFORE BE IT FURTHER RESOLVED that the Board authorizes the Chairman to enter into contract with Water District 74 to administer said agreements and previous subordination easements using an amount not to exceed \$12,800 over a two-year period.

NOW THEREFORE BE IT FURTHER RESOLVED that this resolution is subject to the condition that the Board receives the requested funding from the Bonneville Power Administration through the Idaho Fish Accord – Idaho Water Transactions Fund in an amount up to \$117,905.00.

DATED this 23rd day of March, 2018.

ROGER CHASE, Chairman
Idaho Water Resource Board

ATTEST: _____
VINCE ALBERDI, Secretary

Memorandum



To: IWRB – Streamflow Enhancement and Minimum Streamflow Committee

From: Amy Cassel

Date: March 9, 2018

Re: Water Transaction Program – Meadow Creek 36 donation

REQUIRED ACTION: Recommendation from Committee to approve and fund the lease and rental fees for the proposed transaction.

Background:

Meadow Creek, located in the Sawtooth Valley, is tributary to Valley Creek and classified as a B-list stream under the Snake River Basin Adjudication (SRBA) Settlement Term Sheet. Meadow Creek is classified as a B-list, developed stream because it exhibits the following: 1) chronic dewatering, 2) passage barriers due to irrigation diversions, 3) unscreened irrigation diversions, and 4) impacts due to grazing and residential development. While Meadow Creek is a relatively small drainage, its hydrological contribution is considered important thermal refugia for Chinook salmon, and has been designated critical habitat for steelhead and Chinook salmon. Juveniles of both species are presently utilizing Goat Creek for rearing habitat. Goat Creek has Minimum Stream Flow water rights held by the Idaho Water Resource Board (IWRB).

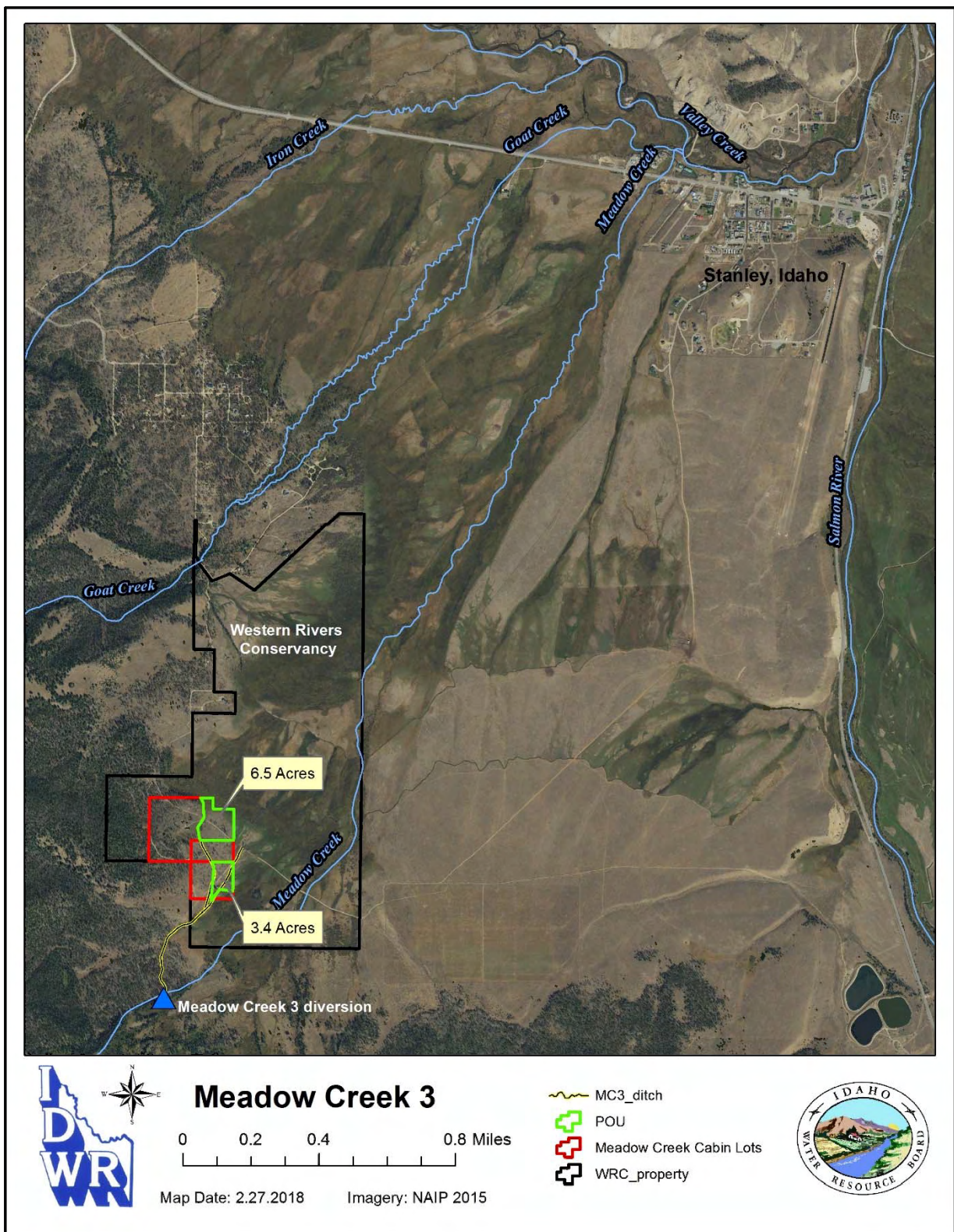
In May 2017, IWRB approved a funding resolution to acquire the water rights associated with Goat Falls Ranch (GFR). GFR consists of approximately 280 acres and 12 cfs of water rights from Goat Creek and Meadow Creek. IWRB entered into a purchase and sale agreement for the ranch in August 2017 and closing is scheduled for March 2018. After the sale closes, IWRB staff will file a change of ownership and the water rights will be in the name of the IWRB and permanently rented to meet the minimum stream flow water rights on Goat and Meadow Creek. The land associated with GFR will ultimately be conveyed to the Sawtooth National Recreation Area (SNRA) and will be managed in perpetuity by the SNRA. That change in ownership is expected in April 2018.

Once the acquisition of GFR is completed, approximately 0.6 cfs will remain in Meadow Creek-3 (MC-3), the uppermost and unscreened diversion on Meadow Creek. In an effort to close MC-3, the Custer Soil and Water Conservation District has been working with the two remaining water users to switch their source from MC-3 surface water to groundwater. Wells are scheduled to be drilled in spring 2018 and pod systems will be installed to irrigate approximately 20 acres. The water users would like to lease their MC-3 rights into the bank for a period of 20 years. Their motivation to retain ownership of the surface rights is to mitigate their groundwater permits in the unlikely event that Basin 71 becomes a closed basin and there is an injury call on their groundwater rights.

Total project cost is \$2294.95 for lease and rental fees only as there will be no payment to the water users. Funding for the one-time lease application fee and the 20-year rental fee would come from the Columbia Basin Water Transaction Fund.

Request for Committee Recommendation:

Staff requests comments and a recommendation from the Committee regarding the transaction. Recommendations from the Committee will be introduced to the full Board at the March 23, 2018 IWRB meeting. A draft resolution is attached for the Committee's consideration.



BEFORE THE IDAHO WATER RESOURCE BOARD

IN THE MATTER OF THE 2018-2019
MEADOW CREEK WATER
TRANSACTION CONTRACTS

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, the 2004 Snake River Water Rights (“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, the Nez Perce Agreement directed the Idaho Water Resource Board (Board) to establish minimum streamflow water rights on Meadow Creek to be met through water right rentals or acquisitions under state law; and

WHEREAS, Meadow Creek has been identified as high priority streams for flow restoration efforts, to provide high quality habitat for anadromous Chinook salmon and steelhead and resident bull trout, and

WHEREAS, it is in the interest of the State of Idaho to reconnect Meadow Creek to Valley Creek to encourage recovery of ESA-listed Chinook salmon, steelhead, and bull trout fish; and

WHEREAS, the Idaho Water Resource Board (IWRB) owns a minimum streamflow water right on Meadow Creek; and

WHEREAS, Idaho Department of Water Resources staff has developed a 20-year lease/rental agreement to leave water in Meadow Creek to improve stream flow for anadromous and resident fish; and

WHEREAS, Pat Furey and Dennis Thornock have agreed to donate their water rights to the Board for delivery to the Meadow Creek minimum stream flow; and

WHEREAS, a proposal for \$2,294.95 has been submitted to the Columbia Basin Water Transaction Program to be used to fund the lease and rental of said water rights through the Idaho Water Supply Bank; and

WHEREAS, the Meadow Creek transaction 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 rent water right nos. 71-14, 71-15, 71-17, 71-18, 71-10960, 71-10961, 71-10962, and 71-10963 for the purpose of increasing flows in Meadow Creek.

NOW THEREFORE BE IT FURTHER RESOLVED that the Board will pay up to \$1000 in lease application fees and \$1,294.95 in Water Supply Bank rental fees to facilitate this transaction.

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 \$2,294.95.

DATED this 23rd day of March, 2018.

ROGER CHASE, Chairman
Idaho Water Resource Board

ATTEST: _____
Vince Alberdi, Secretary
Idaho Water Resource Board

Memorandum



To: IWRB – Streamflow Enhancement and Minimum Streamflow Committee

From: Amy Cassel

Date: March 9, 2018

Re: Water Transaction Program – 2018 Morgan Creek Transaction

REQUIRED ACTION: Recommendation from Committee to approve and fund the one-year agreement not to divert.

The 2004 Snake River Water Rights (“Nez Perce”) Agreement commits the state to providing incentives for improving fish habitat which includes improving or protecting flow conditions to augment stream flows. Morgan Creek, a tributary to the Salmon River near Challis, is important for the spawning, migration and rearing of ESA-listed steelhead and bull trout. It also supports the rearing of ESA-listed juvenile Chinook salmon. Morgan Creek typically becomes dewatered below the lowest two diversions (SMC 2-4 and SMC 1) during the irrigation season, blocking access to those fish species. For the past 12 years, the IWRB has held agreements not to divert with the two water users on those diversions from Morgan Creek. Rather than divert from Morgan Creek, they left at least 2 cfs in the creek during the low flow periods to maintain adequate flows in Morgan Creek to the confluence with the Salmon River. The water was instead pumped out of a Salmon River ditch that carries existing Salmon River water rights appurtenant to the same ground. In return, the irrigators were compensated based on the cost of pumping water from the Salmon River ditch.

While the agreements have sustained a minimum flow over the past 12 years, the approach to flow restoration over that time has changed. Instead of addressing only flow limitations, Board staff works with Upper Salmon Basin partners to develop transactions that can complement projects addressing all limiting factors, while maintaining the local economy. Morgan Creek has been on a back burner the last 7 years, while work has focused on the Lemhi and Pahsimeroi River Basins.

High flows on Morgan Creek in 2017 caused physical damage to a portion of the transacted reach and as a result one of the water users is interested in a longer-term, more holistic solution to his irrigation practices. IWRB staff is working with Idaho Fish and Game, Bureau of Reclamation, and the Custer Soil and Water Conservation District on a long term plan, which involves re-locating a fish screen and siphoning Salmon River ditch water under Morgan Creek. In the meantime, it is important to secure the gains that have already been made.

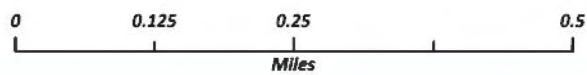
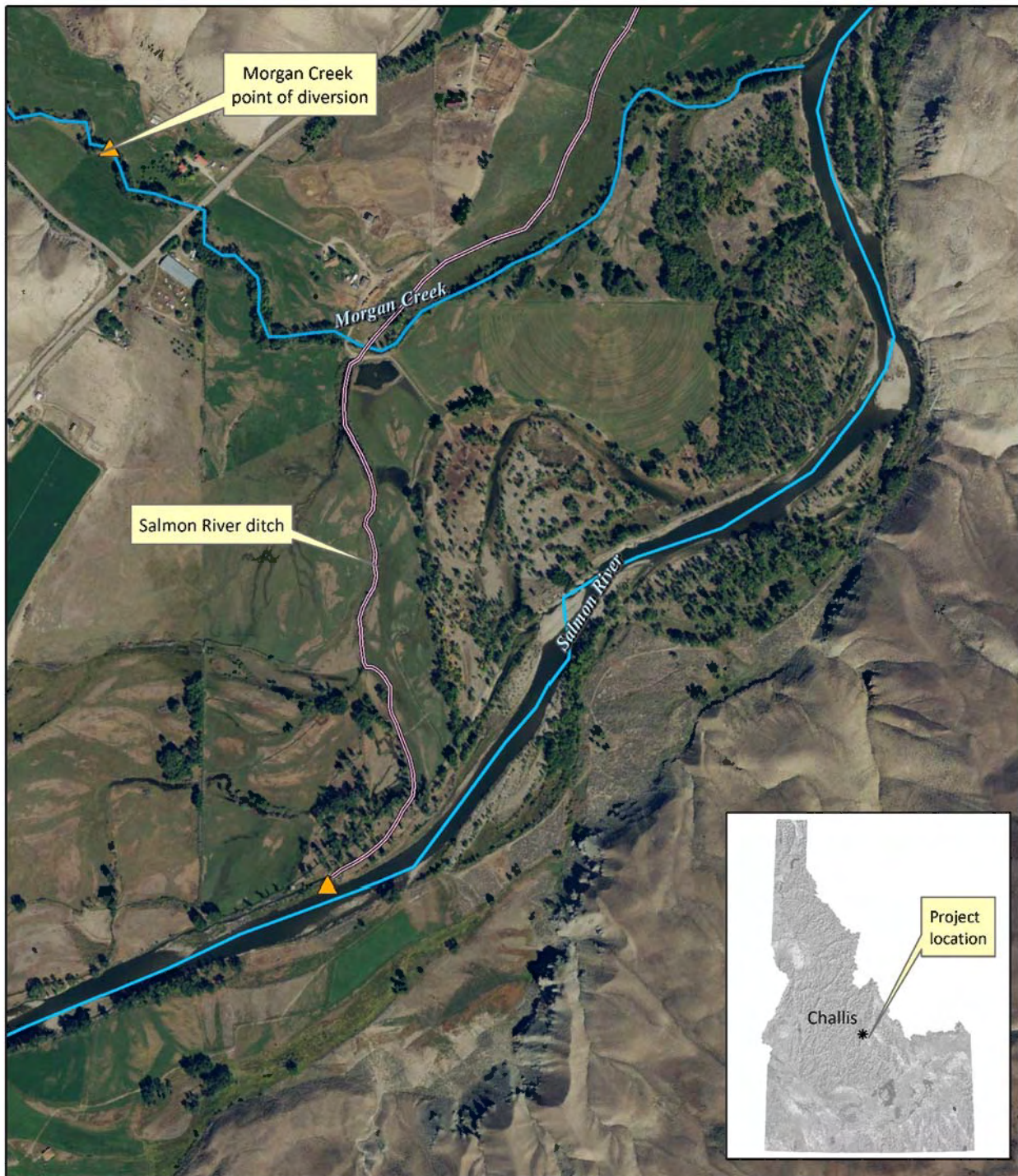
The proposed one year agreement not to divert would be an extension of the same terms and pricing structure of the previous agreements. The Morgan Creek water users will be compensated only when they are required to pump to maintain the 2 cfs flow. The maximum payment is based upon an annual five percent increase from the 2017 payment, with the total not to exceed \$9,719.19. Funding for the transaction would come from the Columbia Basin Water Transaction Fund.

The Streamflow Enhancement and Minimum Streamflow Committee initially reviewed and approved pursuit of this transaction at a meeting held on November 7, 2017.

Request for Committee Recommendation:

Staff requests comments and a recommendation from the Committee regarding the transaction. Recommendations from the Committee will be introduced to the full Board at the March 23, 2018 IWRB meeting. A draft resolution is attached for the Committee's consideration.

Morgan Creek 2018 Water Transaction



BEFORE THE IDAHO WATER RESOURCE BOARD

IN THE MATTER OF THE 2018 MORGAN
CREEK WATER TRANSACTION
CONTRACTS

RESOLUTION TO MAKE A FUNDING
COMMITMENT

WHEREAS, steelhead, bull trout, and juvenile Chinook salmon habitat in Morgan Creek is limited by low flow in the lower reaches of Morgan Creek; and

WHEREAS, Morgan Creek provides steelhead, bull trout, and juvenile Chinook salmon habitat and the 2004 Snake River Water Rights (“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 Morgan Creek to encourage recovery of ESA-listed steelhead, bull trout, and Chinook Salmon; and

WHEREAS, Idaho Department of Water Resources staff has developed a series of agreements not to divert water from Morgan Creek at the SMC-2/4 and SMC-1 diversions to improve stream flow for anadromous and resident fish; and

WHEREAS, staff has now negotiated one-year agreements with the Morgan Creek water users not to divert water at the SMC2/4 and SMC 1 diversions; and

WHEREAS, a proposal for \$9,719.19 has been submitted to the Columbia Basin Water Transactions Program to be used to fund said agreements; and

WHEREAS, instead of diverting from Morgan Creek, the water users have agreed to pump from Salmon River sources that are not flow-limited and the funds paid under these agreements will approximate the power expenses incurred, by changing the points of diversion; and

WHEREAS, the Morgan Creek transactions are in the public interest and in compliance with the State Water Plan.

NOW THEREFORE BE IT RESOLVED that the IWRB authorizes the Chairman to enter into contracts with Ronald Jones and Donna Hughes, or their successors, for agreements not to divert out of Morgan Creek in an amount not to exceed \$9,719.19.

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 \$9,719.19.

DATED this 23rd day of March 2018.

ROGER CHASE, Chairman
Idaho Water Resource Board

ATTEST: _____
VINCE ALBERDI, Secretary

DRAFT



MEMORANDUM

To: Idaho Water Resource Board

From: Sarah Lien

Date: March 7, 2018

Re: Teton River Basin Water Transactions Program – Spring Creek Transaction Renewals

Action Requested: Funding resolution vote

Spring Creek is a tributary to the upper Teton River, located near Teton, Idaho. The tributary offers excellent fish and wildlife habitat and historically supported a robust Yellowstone cutthroat trout population. There are several active diversions on Spring Creek that annually create low flow conditions. Low flow conditions impact both adult and juvenile Yellowstone cutthroat trout by inhibiting successful out-migrating to the Teton River, reducing valuable rearing habitat, increasing stream temperatures, and presenting passage barriers.

In 2012 the IWRB, in partnership with the Columbia Basin Water Transactions Program, funded four water transactions on Spring Creek. The transactions were each structured as 5 year leases, with a term extending from 2013-2017. These four transactions are now eligible for renewal, and each of the four water holders would like to renew their lease, thereby committing their water rights instream for another 5 year term.

To date, the transactions have proved beneficial to the Yellowstone cutthroat trout fishery. In fact, Friends of the Teton River received reports of fluvial Yellowstone cutthroat trout in North Leigh Creek in both 2016 and 2017 (North Leigh Creek is a headwaters to Spring Creek). Previously, North Leigh Creek was thought to be inhabited exclusively by resident Yellowstone cutthroat trout. The existence of fluvial fish indicates that flow conditions are sufficient to provide large Yellowstone cutthroat trout the opportunity to migrate into Spring Creek, and its headwaters in North Leigh Creek, to spawn and hold. There is still work to be done to further support native fish populations in this tributary, but these flow transactions serve as a positive step in the right direction and are certainly worthy of renewal.

Two of the water right owners – the City of Teton and Mitchell Smaellie – propose once again donating their rights for instream flow purposes for a term of five years. Approximately 128.5 acres of land will be fallowed throughout the five year term - 125 acres of land (4.0 cfs) irrigated by the City of Teton and 3.5 acres of land (0.07 cfs) irrigated by Mitchell Smaellie. Renewal of these two transactions was recommended by the Minimum Streamflow and Enhancement Committee on November 6, 2017, and a proposal to fund the transactions was submitted to the Columbia Basin Water Transaction Program in the amount of \$5,298. The requested funds will be used to pay the fees associated with the lease/rental of water in the Idaho Water Supply Bank (the \$250/water right application fee and 10% administrative fee).

The other two water right owners – Richard LaVere Beard and Ella Beard – propose leasing their rights for instream flow purposes for a term of five years. Approximately 14.3 acres of land will be fallowed

throughout the five year term - 5.8 acres of land (0.11 cfs) irrigated by Richard LaVere Beard and 8.5 acres of land (0.17 cfs) irrigated by Ella Beard. In 2011 Bob Loucks valued these water rights at \$87.65/acre. This valuation remains relevant and will continue to be used through this renewal term. The valuation is based upon the historical use of the water rights, which included one cutting of hay and pasturing the aftermath. Renewal of these two transactions was recommended by the Minimum Streamflow and Enhancement Committee on November 6, 2017, and a proposal to fund the transactions was be submitted to the Columbia Basin Water Transaction Program in the amount of \$7,318. The requested funds will be used to make annual payments to the water right owners and to cover the fees associated with the lease/rental of water in the Idaho Water Supply Bank (the \$250/water right application fee and 10% administrative fee).

Summary of Proposed Spring Creek Water Transaction Renewals

City of Teton

- Water Right # 22-11579 & # 22-13536
 - Quantity: 1.5 cfs & 2.5 cfs
 - Acreage: 125 acres
 - Lease Term: 5 years
 - Price: Water Supply Bank Application Fee (\$500) + Board's 10% Fee (\$4,375) + Teton County Recording Fee (\$25) = \$4,900

Mitchell Smaellie

- Water Right # 22-00380B
 - Quantity: 0.07 cfs
 - Acreage: 3.5 acres
 - Duration: 5 years
 - Price: Water Supply Bank Application Fee (\$250) + Board's 10% Fee (\$123) + Teton County Recording Fee (\$25) = \$398

Richard Lavere Beard

- Water Right # 22-00380C
 - Quantity: 0.11 cfs
 - Acreage: 5.8 acres
 - Duration: 5 years
 - Price: Water Supply Bank Application Fee (\$250) + Board's 10% Fee (\$203) + Teton County Recording Fee (\$25) + Water Right Holder Payment (\$2,541.85) = \$3,019.85
- Price: Ella Beard
 - Water Right #22-11993
 - Quantity: 0.17 cfs
 - Acreage: 8.5 acres
 - Duration: 5 years
 - Price: Water Supply Bank Application Fee (\$250) + Board's 10% Fee (\$298) + Teton County Recording Fee (\$25) + Water Right Holder Payment (\$3,725.15) = \$4,298.15

BEFORE THE IDAHO WATER RESOURCE BOARD

IN THE MATTER OF THE)	A RESOLUTION TO MAKE
SPRING CREEK WATER)	A FUNDING COMMITMENT
DONATION TRANSACTIONS)	
_____)	

WHEREAS, Spring 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 five-year donation agreement with the City of Tetonia to improve stream flow for fish in Spring Creek; and

WHEREAS, staff has developed a five-year donation agreement with Mitchell Smaellie to improve stream flow for fish in Spring Creek; and

WHEREAS, the donated water rights shall be leased into the Board's Idaho Water Supply Bank, to be rented by the Idaho Water Resource Board (IWRB) for the beneficial use of instream flow in the Teton River, for a period of five years; and

WHEREAS, a proposal to fund the City of Tetonia donation in the amount of \$4,900.00 has been submitted to the Columbia Basin Water Transaction Program; and

WHEREAS, a proposal to fund the Smaellie donation in the amount of \$398.00 has been submitted to the Columbia Basin Water Transaction Program; and

WHEREAS, staff anticipates the funds being placed into the IWRB Revolving Development Account for payment to the Idaho Water Supply Bank; and

WHEREAS, the Spring Creek donation transactions are in the public interest and in compliance with the State Water Plan.

NOW THEREFORE BE IT RESOLVED that the IWRB authorizes the Chairman to enter into lease/rental agreements with the City of Tetonia, and/or its successors, and Mitchell Smaellie, and/or his successors, for water rights 22-11579, 22-13536, and 22-00380B for delivery to minimum stream flow 22-7369, using an amount not to exceed \$5,298.00.

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 Transaction Program in the amount of \$5,298.00.

DATED this 23rd day of March, 2018.

ROGER CHASE, Chairman
Idaho Water Resource Board

ATTEST: _____
VINCE ALBERDI, Secretary

DRAFT

BEFORE THE IDAHO WATER RESOURCE BOARD

IN THE MATTER OF THE)	A RESOLUTION TO MAKE
SPRING CREEK RENTAL WATER)	A FUNDING COMMITMENT
TRANSACTION AGREEMENT)	
_____)	

WHEREAS, Spring 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 five-year lease/rental agreement with Richard LaVere Beard to improve stream flow for fish in Spring Creek; and

WHEREAS, staff has developed a five-year lease/rental agreement with Ella Beard to improve stream flow for fish in Spring Creek; and

WHEREAS, the water rights shall be leased into the Board's Idaho Water Supply Bank, to be rented by the Idaho Water Resource Board (IWRB) for the beneficial use of instream flow in the Teton River, for a period of five years; and

WHEREAS, a proposal in the amount of \$3,019.85 has been submitted to the Columbia Basin Water Transaction Program to be used to fund the Richard LaVere Beard lease/rental agreement; and

WHEREAS, a proposal in the amount of \$4,298.15 has been submitted to the Columbia Basin Water Transaction Program to be used to fund the Ella Beard lease/rental agreement; and

WHEREAS, staff anticipates the funds being placed into the IWRB Revolving Development Account for annual payment to the water right owners and the Idaho Water Supply Bank; and

WHEREAS, the Spring Creek transactions are in the public interest and in compliance with the State Water Plan.

NOW THEREFORE BE IT RESOLVED that the IWRB authorizes the Chairman to enter into lease/rental agreements with Richard LaVere Beard, and/or his successors, and Ella Beard, and/or her successors, for water rights 22-00380C and 22-11993 for delivery to minimum stream flow 22-7369, using an amount not to exceed \$7,318.00.

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 Transaction Program in the amount of \$7,318.00.

DATED this 23rd day of March, 2018.

ROGER CHASE, Chairman
Idaho Water Resource Board

ATTEST: _____
VINCE ALBERDI, Secretary

DRAFT

Memorandum

To: Idaho Water Resource Board
From: Brian Patton
Date: March 9, 2017
Re: Bear River Basin



This will be a follow-up discussion of the presentation provided by PacifiCorp at the work session.

Bear River water system



For more than a century, Rocky Mountain Power has managed the Bear Lake and Bear River system for the benefit of agricultural irrigation, fish and wildlife habitat, and electric customers in Utah, Idaho and Wyoming. The company acquired the rights to divert and store water from Bear River into Bear Lake in 1907. The company's rights and obligations are described in the Bear River Compact, an agreement among the states of Wyoming, Idaho, and Utah through which Bear River flows. Older court decrees and more recent formal agreements further govern the company's operations and the use of the water in the Bear River.

Our role in operating this system is generally defined by those agreements but also places the company in a position of being a water steward of this valuable resource among the

often-competing interests on the river. These interests include irrigation companies and farmers, other private property owners along the river, fish and wildlife managers, fishermen, boaters and other recreational users. Conditions on Bear River are highly variable year to year. Rocky Mountain Power has helped these groups manage several severe droughts, as well as high flows to reduce flooding in spring when snowpack is plentiful. While this role is often difficult, it has given the company long experience and expertise in this river system.

As water has become more valuable and important among these diverse and competing stakeholders, Rocky Mountain Power believes there are options that should be considered to more effectively use and protect this resource for the next 100 years. Because Rocky Mountain Power holds significant storage rights

continued



in Bear Lake, and as an operator of water distribution, we see our role as helping facilitate that discussion. We want to explore opportunities to perform this role better in a rapidly changing environment. Our ideas are conceptual at this point, prompted by this question:

Given our experience as the river operator and steward over the last century, what can we do better to facilitate wise management of the Bear River among competing water users?

The company is seeking to gauge interest and prompt input from all the stakeholders who have an interest in Bear River. By considering some changes to operation of the Bear River system, together with facilitating water conservation projects,

Rocky Mountain Power sees the potential to improve operations throughout the system. We envision increased benefits for the river's many interests, including sustaining existing water uses and perhaps creating additional flexibility to help with improving the Bear River system.

Our thoughts for initiating this dialogue include four main concepts:

- Increase the capacity of Bear River channels in order to provide reserve power from the Soda hydroelectric project. Increasing Soda's flexibility will better integrate solar and wind power to benefit electric customers. No additional releases from Bear Lake would be required.
- The increased capacity in the Bear River channels also provides increased water storage capability in Bear Lake by reducing flood control storage requirements. These changes would require modifications to multiple legal agreements.
- Increased water storage at the Cutler hydroelectric project. Increasing the height of spill gates could allow an additional 15,000 acre-feet to be stored. Wildlife habitat and recreation opportunities could be enhanced.
- Substantial conservation measures for agricultural irrigation users. New irrigation technologies, plus canal lining could save 30 percent from current use. This would reduce irrigation demand on Bear Lake storage.

As we exchange information, ideas and develop these possibilities, we intend to invite open discussion with our partners and neighbors on Bear River, plus others who may have an interest.



Southeast Idaho Data Collection and Monitoring Project Supplemental Environmental Project Proposal

**Idaho Department of Water Resources
Craig Tesch, P.G.
February 27, 2018**

Total Amount Requested from DOE/DEQ \$2,190,000

Proposed Project Period 07/01/2018 – 10/1/2021

Background

The eastern Snake Plain Aquifer (ESPA) is a federally designated sole source aquifer that provides drinking water for southeast Idaho residents and is a vital resource for farmers and industry. The ESPA was designated a Ground Water Management Area (GWMA) in November 2016 due to an ongoing period of declining groundwater levels that began in the mid-1950s.

The Idaho Water Resource Board (IWRB) has identified managed recharge as a means of restoring the health of the ESPA and established a goal of recharging an average annual volume of 250,000 acre-feet. The Enhanced Snake Plain Aquifer Model (ESPAM) has been applied to optimize the IWRB's Managed Recharge Program (<http://www.idwr.idaho.gov/files/publications/201511-OFR-Limitations-Prioritization-of-Aquifer-Recharge-Sites-EPAM21.pdf>).

In September 2016, the Director of the Idaho Department of Water Resources (IDWR) was petitioned by a group of water users to designate a Critical Ground Water Area in the Big Lost River basin (<https://idwr.idaho.gov/files/legal/P-CGWA-2016-001/P-CGWA-2016-001-20160919-Petition-to-designate-the-Big-Lost-River-Basin-as-a-CGWA.pdf>). In the petition, the water users express concerns about declining groundwater levels, declining streamflow in the Big Lost River, and drought.

The Big Lost River basin is tributary to the eastern Snake Plain. The portion of the basin below Mackay dam is within the domain of the ESPAM. The hydrogeology of the valley fill aquifer system is complex and the availability of surface water and groundwater is affected by hydraulic communication between the alluvial aquifer system, the Big Lost River and canal system, and the ESPA. The last comprehensive study of the water resources in the Big Lost River basin was conducted almost 50 years ago (Crosthwaite et al., 1970). Additional hydrologic data would allow for more accurate representation of the Big Lost River in the ESPAM and would be beneficial for the ongoing process of developing a new water right accounting model.

Purpose and Objectives

The purpose of this Supplemental Environmental Project (SEP) is to better characterize the hydrogeology of the eastern Snake Plain with emphasis on the Big Lost River basin. The general

objective is to collect geologic and hydrologic data for improving the ESPAM. Specific objectives are to provide support to the ESPA Managed Recharge Program, develop a hydrogeologic framework and water budget for the Big Lost River basin, and provide streamgaging data to facilitate development of an improved water right accounting model for the Big Lost River basin.

Project Components

1. Expand the ESPA Monitoring Network

IDWR proposes bolstering the ESPA groundwater monitoring network to support managed recharge efforts, improve the ESPAM, and fill in gaps in the water level monitoring network. Monitoring network upgrades will include the installation of new monitoring wells and upgrades to existing wells. Where possible, IDWR will deploy electronic data loggers in new and existing wells to automate daily water level collection. Water quality samples will be collected from newly drilled wells.

IDWR has identified 20 potential locations as the highest priorities for drilling new monitoring wells (Attachment A). Locations were selected to meet the following criteria:

- Improve ESPAM calibration
- Improve ESPA storage-change calculation
- Facilitate data collection to improve understanding of the relationship between the regional ESPA and perched aquifers in the Henry's Fork, South Fork, and Burley areas
- Provide water quality sampling points
- Provide data to help characterize the relationship between the ESPA and tributaries

It is anticipated that land access constraints will control the sequence of drilling. Thirteen well locations are on State of Idaho land and are desirable due to ease of access. Six wells are proposed on BLM land; however, the BLM requires that these wells also be useable for fire suppression and located next to a road. One of the selected well locations is on private land. For cost estimating purposes, it is assumed that wells will be cased to total completed depth, with seal depths of 100 feet for regional wells.

Drilling, drilling oversight, and water sampling will be completed through contracted work, possibly with multiple contractors. The oversight contractor will oversee well drilling, collect chip samples, and develop well logs. The water sampling contractor will collect baseline water quality samples semiannually for the grant duration. Sampling will require the installation, purchase, or rental of a submersible pump. Discharge pipes will be installed for wells located on BLM land. Pressure transducers, direct read cables, and/or telemetry equipment will be deployed in new wells to automate daily water level collection (Attachment B).

2. Characterize the Surface and Groundwater Hydrology of the Big Lost River Basin

IDWR proposes to develop a water budget and hydrogeologic framework for the Big Lost River basin. This will require a comprehensive hydrologic investigation including well drilling, water

level monitoring, borehole geophysics, seepage runs, and stream gages. New wells will be professionally logged, and borehole geophysical surveys will be collected to correlate geologic units. Water quality samples will be collected from newly drilled wells.

IDWR plans to contract with the United States Geological Survey (USGS) to perform multi-year seepage studies to quantify reach gains and losses along the Big Lost River. IDWR will also hire a contractor to install and/or improve stream gages on Warm Springs Creek, Thousand Springs Creek, Lower Cedar Creek, and the Big Lost River below the following diversions: Moore, Arco, Pence, and Donahue. If the contractor is the USGS, data will be available in real-time via the USGS National Water Information System (NWIS). The seepage runs and gage work will help improve IDWR water right accounting efforts, water budget calculations, and representation of the Big Lost River basin below Mackay Dam in the ESPAM. Other Big Lost River basin projects IDWR proposes include installing an Agrimet weather station and performing a groundwater level mass measurement event.

IDWR has identified nine potential well locations for drilling new monitoring wells in the Big Lost Basin (Attachment A). Locations were selected to meet the following criteria:

- Facilitate the collection of information to help characterize the hydrogeology of the basin
- Provide for quantification of groundwater-surface water interactions between the Big Lost River and aquifer
- Improve ESPAM calibration
- Provide water quality sampling points

Six of the wells are shallow (approximately 50 feet deep or less) and three of the wells are deep (150 feet deep or greater). Three of the six shallow wells will be drilled in tandem with the three deep wells; shallow wells will be distributed along the Big Lost River with corresponding deep wells farther from the river. Three additional shallow wells will be drilled and paired with three existing deep wells already monitored. In total, six pairs of shallow and deep wells will be available for monitoring along the Big Lost River.

Six of the nine wells are located on Idaho Department of Transportation access locations at bridge crossings. Three of the nine wells are on private land and landowner participation will be required. Water quality samples and water level measurements will be collected as discussed in the previous ESPA project activities section. Drill cuttings from new wells will be professionally logged, and borehole geophysical surveys will be conducted to correlate geologic units.

In addition to regular water level monitoring, the USGS will conduct a one-time groundwater mass measurement event. Water levels in all available groundwater wells will be measured over a two-week period. During the mass measurement, the USGS will also collect elevations for all well measurement points using high accuracy GPS equipment.

A contractor will install seven stream gages on Warm Springs Creek, Thousand Springs Creek, Lower Cedar Creek, and the Big Lost River below the Moore, Arco, Pence, and Donahue diversions (Attachment C). Gage locations were selected to help improve IDWR water right

accounting efforts and water budget calculations. Existing structures will be improved, and new measurement devices installed. If the contractor is the USGS, telemetry equipment will be installed to directly serve data to NWIS.

The USGS will conduct two seepage studies per year (spring and fall) for two years to quantify reach gains and losses along the Big Lost River. Each study will consist of measuring surface water flows (stream flows, diversion rates, return flows, and tributary inputs) over several days. The USGS will work with local landowners and irrigators to identify diversions and return flows.

The USGS will develop a water budget and hydrogeologic framework for the Big Lost River basin. Both efforts will run in parallel to the hydrologic fieldwork being done to fill in data gaps. An Agrimet weather station will be installed near the city of Moore, Idaho, to provide precipitation, evapotranspiration, and barometric data essential to the water budget and other monitoring efforts.

Cost Estimates

The below cost estimates are based on past IDWR contracts with drillers, government agencies, laboratories, and consulting firms. Cost estimates for drilling oversight were calculated using a rate of \$100 per hour multiplied by estimated hours to complete the work; assumptions included 80 hours per deep well completion and 60 hours per shallow well.

1. Expand the ESPA Monitoring Network

- a. **Monitoring Wells** – Twenty wells are estimated to be drilled and completed for \$985,000 depending on individual well cost and conditions encountered during drilling. This cost includes full casing depth, 100-foot seals, mobilization, datalogger and direct read cable setup, telemetry, pump installs, discharge pipes for BLM sites, and contracted oversight. A contractor will provide drilling oversight, collect chip samples, and develop well logs.

Subtotal: \$985,000

- b. **Water Quality** – Semiannual analytical lab tests for 20 wells are estimated to cost approximately \$81,000 over three years (six sampling events). Analytes will include nutrients, metals, bacteria, and select organic compounds. Personnel time to collect samples semiannually over three years through the Idaho Bureau of Labs is estimated at \$24,000.

Subtotal: \$105,000

2. Characterize the Surface and Groundwater Hydrology of the Big Lost River Basin

- a. **Well Drilling** – The estimated cost to drill, install, and instrument nine wells is \$217,000. This cost includes full casing depth, full-depth seals, mobilization, datalogger and direct read cable setup, telemetry, pump installs, and discharge pipes. A contractor will provide drilling oversight, collect chip samples, and develop well logs.

Borehole geophysical surveys will be conducted as part of the drilling process prior to well completion at an estimated cost of \$54,000. Geophysical work will include downhole video surveys, borehole resistivity and natural gamma logging, and borehole caliper logging.

Note that well drilling estimates are somewhat uncertain and the actual cost will depend on geologic conditions encountered during drilling.

Subtotal: \$271,000

- b. Water Quality** – Semiannual analytical lab tests for nine wells are estimated to cost approximately \$36,000 over three years (six sampling events). Tests will include nutrients, metals, bacteria, and select organic compounds. Personnel time to collect samples semiannually over three years through the Idaho Bureau of Labs is estimated at an additional \$16,000.

Subtotal: \$52,000

- c. Stream Gages** – The installation of seven stream gages is estimated to cost \$77,000. This cost includes installation of new measurement devices and telemetry equipment, and minor improvements to existing structures. Three years of operation and maintenance is estimated to cost \$168,000.

Subtotal: \$245,000

- d. Seepage Runs** – Four seepage studies by the USGS over two years are estimated to cost \$100,000. This cost includes measuring surface water flows and working with local landowners and irrigators to identify diversions and return flows.

Subtotal: \$100,000

- e. Agrimet Station** – An Agrimet weather station will be installed near the city of Moore, Idaho, by the Bureau of Reclamation at an estimated cost of \$10,000.

Subtotal: \$10,000

- f. Water Budget** – The USGS will develop a water budget at an estimated cost of \$125,000. This cost includes water budget development and a comprehensive report.

Subtotal: \$125,000

- g. Hydrogeologic Framework** – The USGS will develop a hydrogeologic framework for the Big Lost River basin at an estimated cost of \$216,000. This cost includes framework development and a comprehensive report.

Subtotal: \$216,000

- h. USGS Synoptic Measurement and Well GPS Survey** – The USGS will conduct a mass measurement of groundwater levels in Big Lost basin wells, and simultaneously collect GPS elevation data from the same wells, at an estimated cost of \$80,000.

Subtotal: \$80,000

Total: \$2,190,000

(Includes all subtotals from items 1a through 2h, see table below)

The following table summarizes cost estimates detailed above, and are listed in order from highest priority to lowest. Although proposed projects are prioritized in the below table, all are essential to developing a better hydrologic understanding of the ESPA and Big Lost River basin.

Cost Estimates

#	Project	Summary	Total Cost
	ESPA		
1a	Wells	20 wells drilled and instrumented	\$985,000
1b	Water Quality	20 wells sampled semiannually	\$105,000
	Subtotal		\$1,090,000
	Big Lost		
2a	Wells & Geophysics	9 wells drilled, instrumented, and geophysically logged	\$271,000
2b	Water Quality	9 wells sampled semiannually	\$53,000
2c	Stream Gages	7 new gages installed, 3 years O&M	\$245,000
2d	Seepage Runs	2 seepage runs per year on the Big Lost River	\$100,000
2e	Agrimet Station	1 station installed at Moore, Idaho	\$10,000
2f	Water Budget	USGS water budget and report	\$125,000
2g	Hydrogeologic Framework	USGS framework and report	\$216,000
2h	Water Level Synoptic & Well GPS	Approximately 40 wells measured and elevations collected	\$80,000
	Subtotal		\$1,100,000
	Total		\$2,190,000

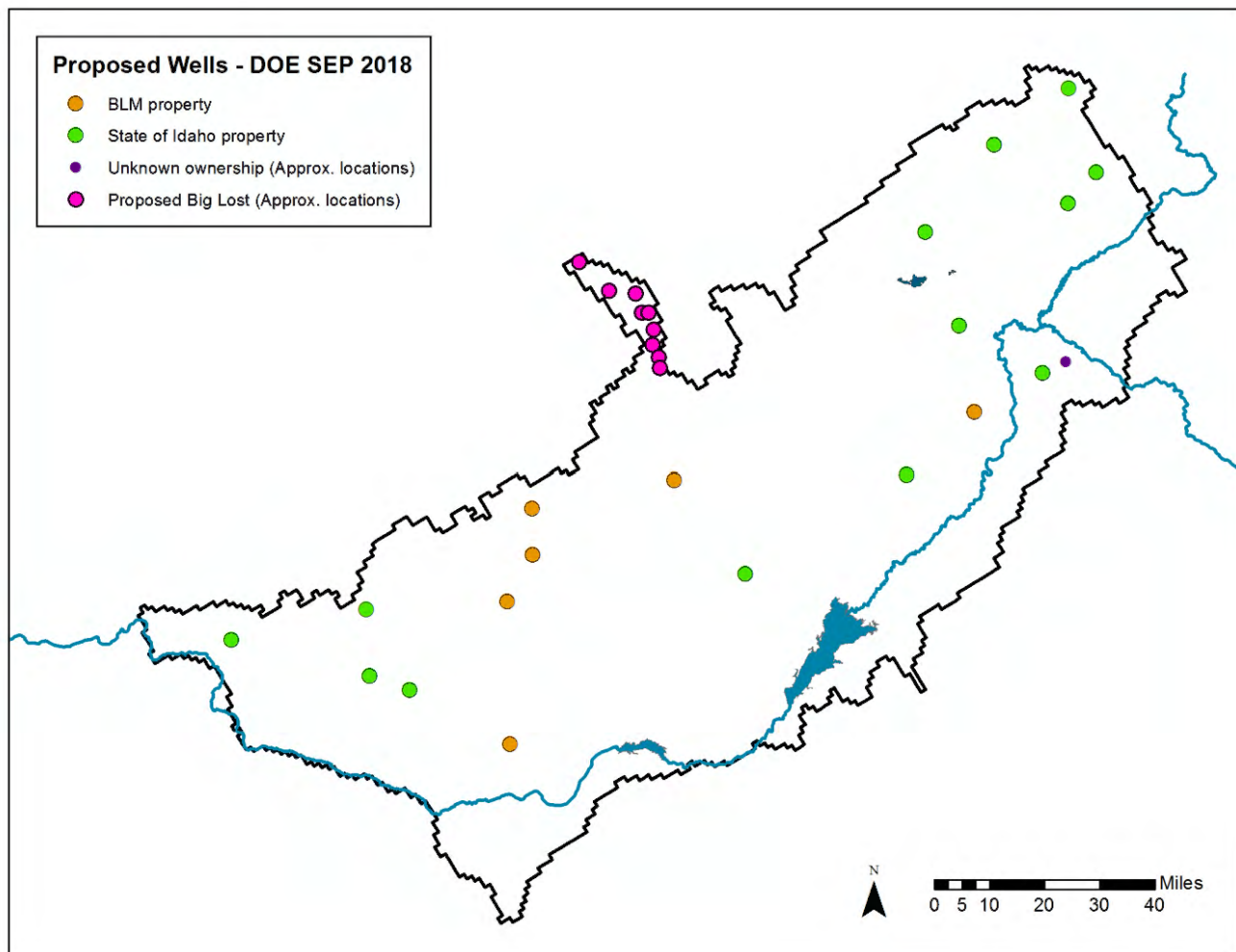
Estimated Schedule

The proposed project length is approximately three years, from 7/1/2018 to 10/1/2021. New well drilling requires considerable preparation time to secure permissions, develop contracts, schedule work, and complete drilling. Delays due to weather can also play a major role in completing drilling work. In July 2018, IDWR will begin contract development to secure drilling oversight services in the ESPA and Big Lost basin. It is anticipated drilling work will commence in spring 2019 after contracts are signed and permissions are obtained. Water quality sampling will commence after individual wells are installed.

Big Lost stream gage installations will depend on contractor availability and field conditions, but are targeted to be installed from fall 2018 to spring 2019. Big Lost seepage runs are targeted to

be conducted in spring 2019, fall 2019, spring 2020, and fall 2020 after all stream gages are installed.

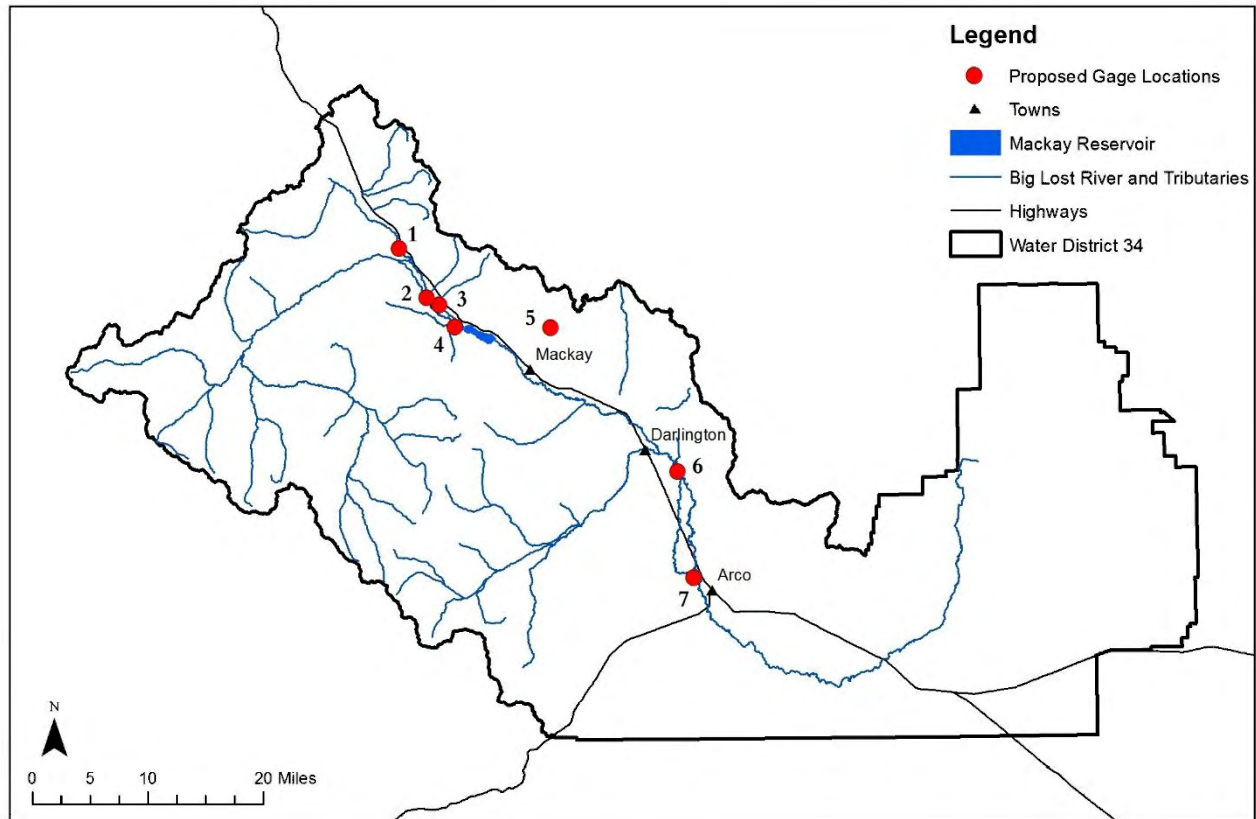
The Agrimet weather station will be installed by spring 2019. The Big Lost basin groundwater mass measurement event is targeted for spring 2020. The Big Lost basin water budget and hydrogeologic framework are final products that will be delivered by the USGS near project end in September 2021.



ATTACHMENT A: Proposed locations for 20 new monitoring wells in the ESPA and nine new wells in the Big Lost River basin. The black line represents the ESPA model boundary.



ATTACHMENT B: Photographs of (a) well drilling, (b) the completed well, (c) installed groundwater telemetry equipment, and (d) a water level pressure transducer.



ATTACHMENT C: Proposed stream gages in the Big Lost River basin. Traveling northwest to southeast, the gage locations are: (1) Thousand Springs Creek, (2) Donahue Diversion, (3) Pence Diversion, (4) Warm Springs Creek, (5) Lower Cedar Creek, (6) Big Lost River below the Moore Diversion, and (7) Big Lost River below the Arco Diversion.

BEFORE THE IDAHO WATER RESOURCE BOARD

IN THE MATTER OF THE U.S. DEPARTMENT OF)	
ENERGY IDAHO OPERATIONS OFFICE FUNDING TO)	
SUPPORT ESPA RECHARGE AND MODELING)	A RESOLUTION
EFFORTS)	

WHEREAS, Governor Otter directed the Idaho Water Resource Board (IWRB) to develop a water sustainability policy and support water sustainability and aquifer stabilization projects across Idaho to address declining groundwater levels, existing or potential conjunctive administration water use conflicts, alternative water supplies and long-term water management needs; and

WHEREAS, the Eastern Snake Plain Aquifer (ESPA) has been losing approximately 216,000 acre-feet annually from aquifer storage since the 1950's resulting in declining ground water levels in the aquifer and declining spring flows from the aquifer; and

WHEREAS, the State Water Plan, approved by the 2012 Legislature, recognized that measurement, data collection, quantification and monitoring of Idaho's water supply and use are essential for sound water resource planning, management and administration; and

WHEREAS, the Sustainability Policy Section of the State Water Plan identifies the need to obtain more accurate water supply, water measurement and forecasting information, and a need to disseminate water supply forecast to water users in cooperation with other federal and state agencies; and

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

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

WHEREAS, the Idaho Department of Environmental Quality (IDEQ) may allow a facility that has been found in violation of an environmental regulation to implement supplemental environmental projects (SEP) in lieu of or to reduce a cash penalty; and

WHEREAS, the U.S. Department of Energy Idaho Operations Office (DOE) is undertaking SEPs in connection with the settlement of an enforcement action taken by the IDEQ for alleged violations of the requirements of the Hazardous Waste Management Act; and

WHEREAS, the IWRB previously entered into a contract with DOE in 2017 to implement an SEP to drill ESPA monitoring wells and install a stream gage; and

WHEREAS, at the suggestion of IDEQ, the IWRB in collaboration with Idaho Department of Water Resources proposed a three-year SEP to DOE for the addition of up to 20 new aquifer monitoring wells in the ESPA, and various projects in the Big Lost River basin including installing monitoring wells and stream gages, conducting seepage runs and a mass measurement, and developing a water budget and hydrogeologic framework for a total cost of \$2,190,000; and

NOW THEREFORE BE IT RESOLVED that if DEQ approves this SEP for DOE, the IWRB authorizes the execution of an agreement with DOE for the funding of this SEP; and

NOW THEREFORE BE IT RESOLVED that the IWRB authorizes its chairman or designee, Brian Patton, to execute the necessary agreements or contracts to implement the SEP.

DATED this 23rd day of March, 2018.

ROGER W. CHASE, Chairman
Idaho Water Resource Board

ATTEST

VINCE ALBERDI, Secretary

MEMO



To: Idaho Water Resource Board

From: Rick Collingwood

Date: March 23, 2018

Subject: Goose Lake Reservoir Company - Loan Request

Action Item: \$200,000.00 Loan Request

1.0 INTRODUCTION

The Goose Lake Reservoir Company (Company) is requesting a \$200,000 loan from the Idaho Water Resource Board (IWRB) at 4.5% interest with a 20-year term for the design and construction of two new retaining walls and associated embankment reconstruction at the Goose Lake Dam's spillway structure. The Goose Lake Dam, which is located approximately 8 miles northeast of the city of New Meadows, was constructed in 1920, and was later raised in 1951 and 1972. The reservoir was formed at the site of a natural lake, Goose Lake. Goose Lake has 4,600 acre-feet of water storage capacity and is the primary source of water for irrigating approximately 4,600 acres in the northern portion of the Meadows Valley (See Attachments).

The Company, formed in 1919 and incorporated in 1973, is located in Adams County in the City of New Meadows. The Company's 4,600 shares are held by its 25 shareholders. On June 3, 2017, the Company's elected officers passed a resolution authorizing the Company to seek loans from the IWRB to finance the structural evaluation of the dam and structural improvements to the spillway retaining walls and embankment.

On July 28, 2017, the IWRB approved a \$20,000 loan request from the Company to hire a consultant to perform the structural evaluation. The consultant concluded that the spillway retaining walls have experienced significant cracking and deterioration, and recommended that both spillway retaining walls be replaced.

2.0 PROPOSED PROJECT

During the last four (4) years, the Company has spent nearly \$20,000 on dam improvements. It is concerned that failure of a spillway retaining wall would drain Goose Lake and create a serious safety hazard for the occupants of a campground adjacent to the dam. The loss of irrigation water from Goose Lake would severely impact the Company's shareholders and the economy of the Meadows Valley.

Upon completion of the structural evaluation, the Company directed the consultant to prepare the design documents for the repairs. The design plans and specifications have been completed and approved by the IDWR Dam Safety Department. The total estimated construction cost of the project is \$200,000. Construction is scheduled to begin in August when water levels in Goose Lake are low, and project completion by the middle of October.

The Company proposes to finance the project using funds from an IWRB loan. Historically, the Company operated with an annual budget of \$3,500. The total annual assessment to the shareholders was \$3,300, or \$0.75 per share. On February 9, 2018, the Company Board of Directors voted to increase the current annual share assessment to \$27,600, or \$6.00 per share to ensure that the Company can meet its annual loan payment obligation to the IWRB.

4.0 BENEFITS

The recommended structural improvements to the spillway retaining walls and embankment are necessary for the integrity and safety of the structure, and maintain a reliable water delivery source for the Company's shareholders.

5.0 FINANCIAL ANALYSIS

The Company is requesting a loan of \$200,000.00 at 4.5% interest for a 20-year term. The following analysis reflects the IWRB's current interest rate of 4.5% for this type of project. As stated above, the Company approved an increase in the yearly assessments to fund the dam improvements from \$0.75 per share to \$6.00 per share. If the IWRB approves the Company's \$200,000 loan request, this loan will be combined with the \$20,000 loan approved on July 28, 2017, bringing the total loan repayment amount to \$220,000.

Payment Analysis

Term (Years)	Estimated Annual Assessment After Loan	Current Assessment Cost/Share/Year	After Assessment Cost/Share/Year
20	\$27,604.05	\$0.75	\$6.00

Loan History:

In July, 2017, the IWRB approved a \$20,000 loan request from the Company to initiate a structural evaluation of the Goose Lake Dam spillway retaining walls. If the IWRB approves this new loan request, the two loans will be consolidated to allow the Company to make one annual loan payment instead of two annual payments for each loan.

6.0 WATER RIGHTS

Goose Lake Reservoir Company water rights are as follows:

WATER RIGHT	SOURCE	VOLUME (af)	WATER USE	BASIS	PRIORITY DATE
78-4006A	Goose Creek	3,500	Irrigation Storage/Irrigation from Storage	Decreed	9/26/1922
78-4006B	Goose Creek	1,150	Irrigation Storage/Irrigation from Storage	Decreed	10/1/1925

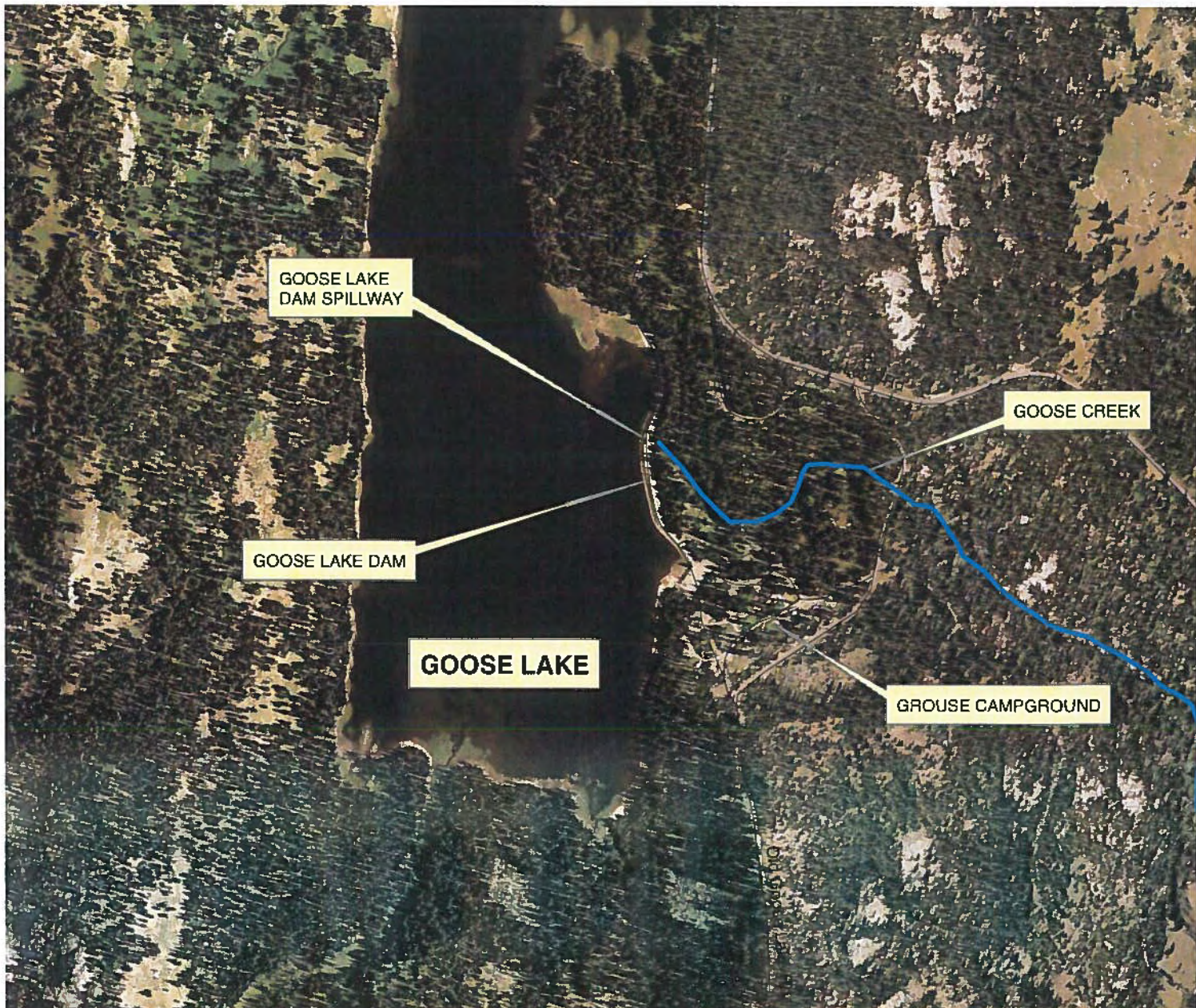
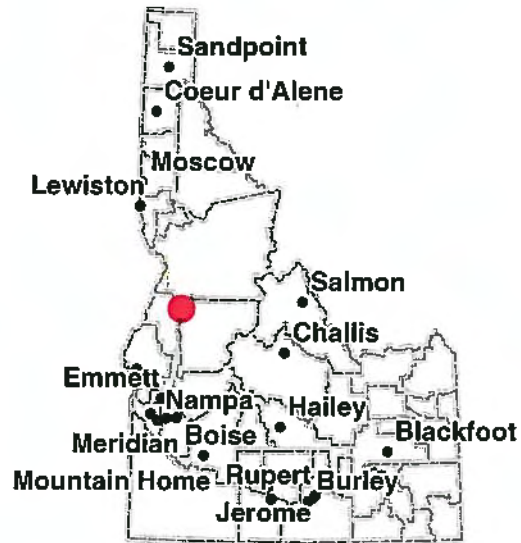
7.0 SECURITY

The IWRB is authorized to hold the Company's water rights and facilities as collateral for the loan.

8.0 CONCLUSION AND RECOMMENDATION

This loan will be used for the design and construction of new spillway retaining walls and embankment reconstruction at the Goose Lake Dam.

Improvements to the facility are needed to stabilize the dam, reduce risks to downstream life and property, and to ensure that irrigation water is available for the water users in the Meadows Valley. Staff recommends approval of the requested loan. A draft resolution is in your workbooks for your consideration.



BEFORE THE IDAHO WATER RESOURCE BOARD

IN THE MATTER OF GOOSE LAKE
RESERVOIR COMPANY FUNDING
REQUEST

RESOLUTION TO AUTHORIZE
FUNDING TO REPLACE DAM
SPILLWAY RETAINING WALLS AND
EMBANKMENT RECONSTRUCTION

WHEREAS, the Goose Lake Reservoir Company (Company) owns, operates, and maintains the Goose Lake Dam to deliver irrigation water to 4,600 acres of land in the northern portion of Meadows Valley, located in Adams County; and

WHEREAS, during the past four years, the Company has spent approximately \$20,000 for dam repairs and improvements; and

WHEREAS, on July 28, 2017, the IWRB approved a loan to the Company for \$20,000 to perform a structural evaluation of the dam's spillway retaining walls and embankment; and

WHEREAS, the evaluation concluded that both spillway retaining walls have experienced significant deterioration and are in need of replacement; and

WHEREAS, failure of the spillway retaining walls and embankment may result in safety hazards to campers in a campground adjacent to the dam, costly damage to the dam and lake embankment, and significant economic impacts to the shareholders and residents of Meadows Valley due to considerable water loss from Goose Lake; and

WHEREAS, the Company submitted a loan application to the Idaho Water Resource Board (IWRB) for the amount of \$200,000 to replace the deteriorating Goose Lake Dam spillway retaining walls and reconstruct the associated embankment; and

WHEREAS, the Company will use the loan funds to complete design and construction of the new spillway retaining walls and associated embankment reconstruction; and

WHEREAS, the Company is a qualified applicant and the proposed evaluation qualifies for a loan from the Revolving Development Account; and

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

NOW THEREFORE BE IT RESOLVED that the IWRB approves a loan not to exceed \$200,000 from the Revolving Development Account at 4.5% interest with a 20-year repayment term and provides authority to the Chairman of the Idaho Water Resource Board, or his designee, to enter into contracts with the Company on behalf of the IWRB. The 20-year term of the loan will commence in April, 2018, with obligation of funds and payment requirements as outlined in Condition No.3 below.

NOW, THEREFORE BE IT FURTHER RESOLVED, the previously approved \$20,000 loan, including accrued interest, and this new loan of \$200,000 will be consolidated to establish a single annual loan payment; and

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

- 1) The Company shall comply with all applicable rules and regulations that apply to the proposed project.
- 2) The Company will provide acceptable security for the loan to the IWRB including, but not limited to, the Company's water rights and Goose Lake Reservoir Company facilities.
- 3) The Company shall establish a reserve account in an amount equal to one annual payment.

DATED this 23^h day of March, 2018.

ROGER CHASE, Chairman
Idaho Water Resource Board

ATTEST _____
VINCE ALBERDI, Secretary
Idaho Water Resource Board

2/26/18

RECEIVED
FEB 27 2018
DEPARTMENT OF
WATER RESOURCES

Idaho Water Resource Board
322 East Front Street
PO Box 83720
Boise, ID

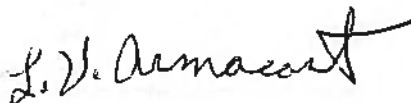
Attn: Rick Collingwood,

Enclosed with this letter are documents requesting a loan of \$200,000 from the IWRB. The Goose Lake Reservoir Company needs this loan to pay to construct the project that assures our dam is safe. Please know we really appreciate the previous loan you provided. Your earlier loan made it possible to do necessary investigation and project design. We believe it would be beneficial to combine the two loans.

During the investigation phase we found that both retaining walls were failing. This made our design effort costlier than we expected. We have a few things to complete, but it appears the investigation and design will cost about \$25,000. As I reported in our earlier loan request, during the past 3 or 4 years we have made Dam improvements which cost about \$20,000.

Based on the best information we have; preparing bids, supervising construction, and doing the actual retaining wall construction will cost approximately \$200,000. At your current interest rate, this \$200,000 loan will require an annual payment for 20 years of \$15,375. We are prepared to make this payment because we do not have a better alternative. Allowing loss of our irrigation water or dam failure is not an acceptable option. We have been fortunate through the years that our capital investments have been minimal.

Thank you for considering our request. If additional information is needed, please let me know.



Lawrence V. Armacost
President Goose Lake Reservoir Co. Inc.

Revision 1

RECEIVED

FEB 27 2018



DEPARTMENT OF
WATER RESOURCES

IDAHO WATER RESOURCE BOARD

322 East Front Street, Statehouse Mail

Boise, Idaho 83720

Tel: (208) 287-4800

FAX: (208) 287-6700



**APPLICATION FOR FINANCIAL ASSISTANCE FOR NON-POTABLE WATER SYSTEM
CONSTRUCTION PROJECT**

Answer the following questions and provide the requested material as directed. All pertinent information provided. Additional information may be requested by the Idaho Water Resource Board (IWRB) depending on the scope of the project and amount of funding requested. For larger funding amounts an L.I.D. may be required.

Incomplete documents will be returned and no further action taken will be taken by IWRB staff. All paperwork must be in twenty eight (28) working days prior to the next bi-monthly Board meeting.

Board meeting agendas can be found at: <http://www.idwr.idaho.gov/waterboard/>

I. Prepare and attach a "Loan Application Document".

The Loan Application Document requirements are outlined in the Water Project Loan Program Guidelines. The guidelines can be found at:

<http://www.idwr.idaho.gov/waterboard/Financial%20program/financial.htm>.

You can also obtain a copy by contacting IWRB staff.

II. General Information:

A. Type of organization: (Check box)

- ☐ Irrigation District
- ☐ Canal/Irrigation Company
- ☐ Lateral Association
- ☐ Flood Control District
- ☐ Homeowners Association

- ☐ Water User's Association
- ☐ Municipality
- ☒ Reservoir Company
- ☐ Other

Explain: _____

Goose Lake Reservoir Co.

Organization name

PO Box 232

PO Box/Street Address

New Meadows, ID 83654

City, County, State, Zip Code

Vic Armacost, President

Name and title of Contact Person

2083472336

Contact telephone number

cmcv7@frontier.com

e-mail address

Project location legal description S14T20NR2E

B. Is your organization registered with the Idaho Secretary of State's office? Yes ☒ No ☐

IWRB Non-drinking loan form 2/08

C. Purpose of this loan application.

- ☐ New Project
☒ Rehabilitation or replacement of existing facility
☐ DEQ requirement
☐ Other: _____

D. Briefly describe the project:

See Attachment B

III. WATER SYSTEM:

A. Source of water:

- ☒ Stream ☐ Groundwater
☒ Reservoir ☐ Other

B. Water Right Numbers:

Water Right	Stage	Priority Date	Source	Amount
784006A	decree	1919	Goose Lake	3500 AF
784006B	decree	1925	Goose Lake	1150 AF

Note: Stage refers to how the water right was issued. (License, Decree, or Permit)

C. If irrigation/lateral system:

Number of acres served: _____
Number of shareholders served: _____
Water provided annually (acre-feet) _____

D. If flood control system, drainage system, groundwater recharge, or other type of system:

Number of acres within District or service area: _____
Number of people within District or service area: _____

E. If an Association/Municipality the number of residences served by the system:

Number of residences served: _____
Number of hookups possible: _____

IV. USER RATES:

A. How does your organization charge users rates?

- ☐ Per acre ☐ Per hook up
☒ Per share ☐ Tax assessment

Explain what a share is: 1 acre-feet of water storage in reservoir

☐ Other, explain _____

B. Current rate? \$ 6.00 per share
(Share, hook-up, month, year, etc.)

C. When was the last rate change? 2/9/18 (month/year)

D. Does your organization measure water use? Yes ☒ No ☐
If yes, explain how: _____

E. Does your organization have a regular assessment for a reserve fund? Yes ☒ No ☐
If yes, explain how it is assessed:
per share _____

F. Does your organization have an assessment for some future special need? Yes ☒ No ☐
If yes, explain for what purpose and how it is assessed:
Dam repair _____

V. PROPOSED METHOD FOR REVENUE FOR REPAYMENT OF LOAN

How will you plan to assess for the annual loan payments?

Check revenue sources below:

- ☐ Tax Levies
☐ Capital Improvement Reserve Account or Sinking Fund
☐ User Fees and Tap/Hookup Fees
☒ Other (explain) per share _____

Will an increase in assessment be required? Yes ☒ No ☐

When will new assessments start and how long will they last?
2/9/18 20 years

VI. SECUREMENT OF LOAN

List all land, buildings, waterworks, reserve funds, and equipment with estimated value that will be used as collateral for the loan:

Property	Estimated Value
<u>4600 acres of irrigated land</u>	<u>18 million (estimate)</u>

For property Securement, attach a legal description of the property being offered along with a map referencing the property.

VII. FINANCIAL INFORMATION:

A. Attach a copy of each of the last 3 year's financial statement. **(Copies must be attached)**

B. Reserve fund (current) 6515 see attachment A

C. Cash on hand 6515 (see attachment A)

D. Outstanding indebtedness:

To Whom	Annual Payment	Amt. Outstanding	Years Left
IWRB	1538	20,000	20

E. What other sources of funding have been explored to fund the project? (example: NRCS, USDA Rural Development, Banks, Local Government, etc.)

NRCS

VIII. ORGANIZATION APPROVAL:

Is a vote of the shareholders, members, etc. required for loan acquisition? Yes ☐ No ☒

If yes, a record of the vote must be attached.

Amount of funds requested: \$200,000

By signing this document you verify that all information provided is correct and the document is filled out to the best of your ability.

Authorized signature& date: L.V. Armacost 2/24/18

LOAN DOCUMENT FOR REPAIR OF GOOSE LAKE DAM

Introduction (need for project)

Goose lake Dam was originally built in 1920. It was subsequently raised in 1951 and 1972. The dam and reservoir are on US Forest Service land. Enclosure 1 is a topographic map showing the location of the Reservoir and Dam. The project elevation is nearly 6400 feet and it is surrounded by mountains that are over 7000 feet in elevation. The reservoir fills in the spring and water for irrigation is released during the summer. The reservoir is de-watered by early September.

Enclosure 2 is a picture of the dam and spillway looking up stream. On each side of the spillway are retaining walls that retain the earthen embankment. Enclosure 3 is a closer look at the south wall with a closer look at the cracks in the wall. These walls are not structurally sound. With the help of a \$20,000 loan from IWRB we hired GeoEngineers and they have found a solution for us. Now we need an expanded loan from IWRB to construct the project and assure the Dam is structurally sound.

PROJECT SPONSOR

The project sponsor is the Goose Lake Reservoir Company Inc. The company was founded in 1919. It was incorporated in 1973. It is a 503c corporation. There are approximately 25 shareholders for 4600- acre feet of water storage. The number of shares per share holder varies. The Company By-Laws provide for the Board of Directors to pass a resolution allowing for a corporate loan. Enclosure 4 is a copy of the resolution. Enclosures 5,6 and 7 are copies our 2016,2017, and 2018 financial statements.

PROJECT SERVICE AREA AND FACILITIES

The project is a major source of irrigation for the northern portion of Meadows Valley. Enclosure 8 is a digital map of the irrigation boundaries. This is the map used in the Snake River adjudication. The stored water is released into Goose Creek at the Goose Lake Dam and most of the water is diverted out of Goose Creek into the Goose Creek canal. The Canal flows north along the east side of Meadows Valley. There are diversions to the various shareholders along the total length of the canal. All irrigation is surface water irrigation. The town of New Meadows has been severely affected by the elimination of logging on

Federal land. Many of the commercial buildings are closed. The Irrigation provided by Goose Lake Reservoir is in important economic factor for the area.

HYDROLOGY AND WATER RIGHTS

Goose Lake Reservoir and Dam are in Section 14, Township 20N, Range 2E approximately 8 miles northeast of New Meadows, Idaho. The reservoir is at an elevation of approximately 6400 feet. It was formed at the site of a natural Lake Goose Lake. The major tributary is Goose Creek a tributary to Little Salmon River. Snow melt is the major source of water to fill the reservoir. April and May are normally when the runoff occurs. The reservoir fills before irrigation starts in Meadows Valley. During Irrigation season water is released from the Dam into Goose Creek in an amount the users ask the water master to release. The reservoir is completely emptied each year. The reservoir has always filled.

The water Rights are 78400A and 784006B.

PROJECT DESCRIPTION

As previously discussed we have retaining walls that are failing. With the support of the IWRB loan, we now have a replacement project designed by professional engineers. This project will insure the integrity of the dam. The project requires demolition of the upper 4 feet or so of the existing retaining walls and building a new retaining wall approximately 10 feet high and 35 feet long. These walls will be 10 or 15 feet downstream from the existing walls. Additional fill material will be required on the embankment because the new walls open new areas of embankment. This material most likely can come from the reservoir area. The new walls adjacent to the spillway, will parallel the spillway but will not be attached to them. This will prevent damage that might occur if there is differential settling. The walls are concrete with rebar. The foundations will be 3 feet or more below the ground surface. Pit run rock will be placed under the wall foundations to provide wall support. A Nearby USFS rock quarry can be a source of this material. The upstream face of the walls will be lined with drain rock and have a 6- inch imbedded drain pipes the full length of the walls. They will drain into an area filled with rock. There is no work in the stream although silt fences around the work area are required. The project is in Adams County. The County will rely on the engineer inspections and only require they have a final inspection report for their files. A review and approval of the design by the Idaho

Department of Water of Resources is required. A permit to use the USFS material will be required. The Payette Region Supervisors Office of the USFS in McCall, ID is our point of contact. When IDWR approves the design, we will provide design information to USFS.

Attachment A

VII B. Reserve fund

This is the balance in our Reservoir repair account as of Feb 9, 2018. We are in the process of collecting a \$6.00 per share assessment which will provide($\$6.00 \times 4600$)= \$27,600. The annual payment for the loan we are requesting is \$15,375 but we need additional funds to cover our current loan and the 5% portion of the construction cost.

Attachment B

II. General information

D. project description: Goose Lake Dam is an earthen structure with a concrete spillway. On each side of the spillway there are retaining Walls. These retaining walls are cracking and moving. If the walls fail the earthen embankment behind them will also fail and we could have a large amount of water released. An engineering firm, GeoEngineers, has designed a new retaining walls that assures the dam will remain safe. This loan is for construction of these retaining walls.

Financial Ratios

Entity Name: Goose Lake Reservoir Company

Loan amount requested: \$200,000

Information is required for the loan application with the Idaho Water Resource Board. Please fill out as completely as possible in this sheet. The sheet will do the calculations based on your input. This sheet will not save so you must print it out and attach it to the Loan Document. If you have any questions please contact the loan staff.

Units serviced (acres or residences)

4600

4.5%

(use 6% for residential and 5.5% for agriculture)

\$20,000.00

Assessment \$27,600.00

Assessment Charged by

share

How is current assessment charged? By share, acre, residence, etc.)

Yearly Expenditures, Revenues, and Cash - last 3 years required

Year	Revenue	Expenditures	Cash
2015	\$4,670.00	\$3,330.00	\$1,365.00
2016	\$16,649.00	\$14,587.00	\$3,086.00
2017	\$23,723.00	\$14,079.00	\$5,100.00
Average:	\$15,014.00	\$10,665.33	\$3,183.00

Is the assessment 1

(use 1 for yearly and 12 for monthly)

Assessment after loan	Estimated Payment
\$27,609.90	\$45,558.33
\$27,605.49	\$25,275.76
\$27,604.05	\$18,622.76
\$27,603.34	\$15,375.23
\$27,602.93	\$13,487.81
\$27,602.67	\$12,278.31

	5 year	10 year	15 year	20 year	25 year	30 year
Expenses	1.08	1.12	1.15	1.17	1.18	
Debt ratio	1.10	1.17	1.23	1.28	1.32	
Debt service	0.87	0.79	0.74	0.71	0.69	
	\$9.90	\$5.49	\$4.05	\$3.34	\$2.93	

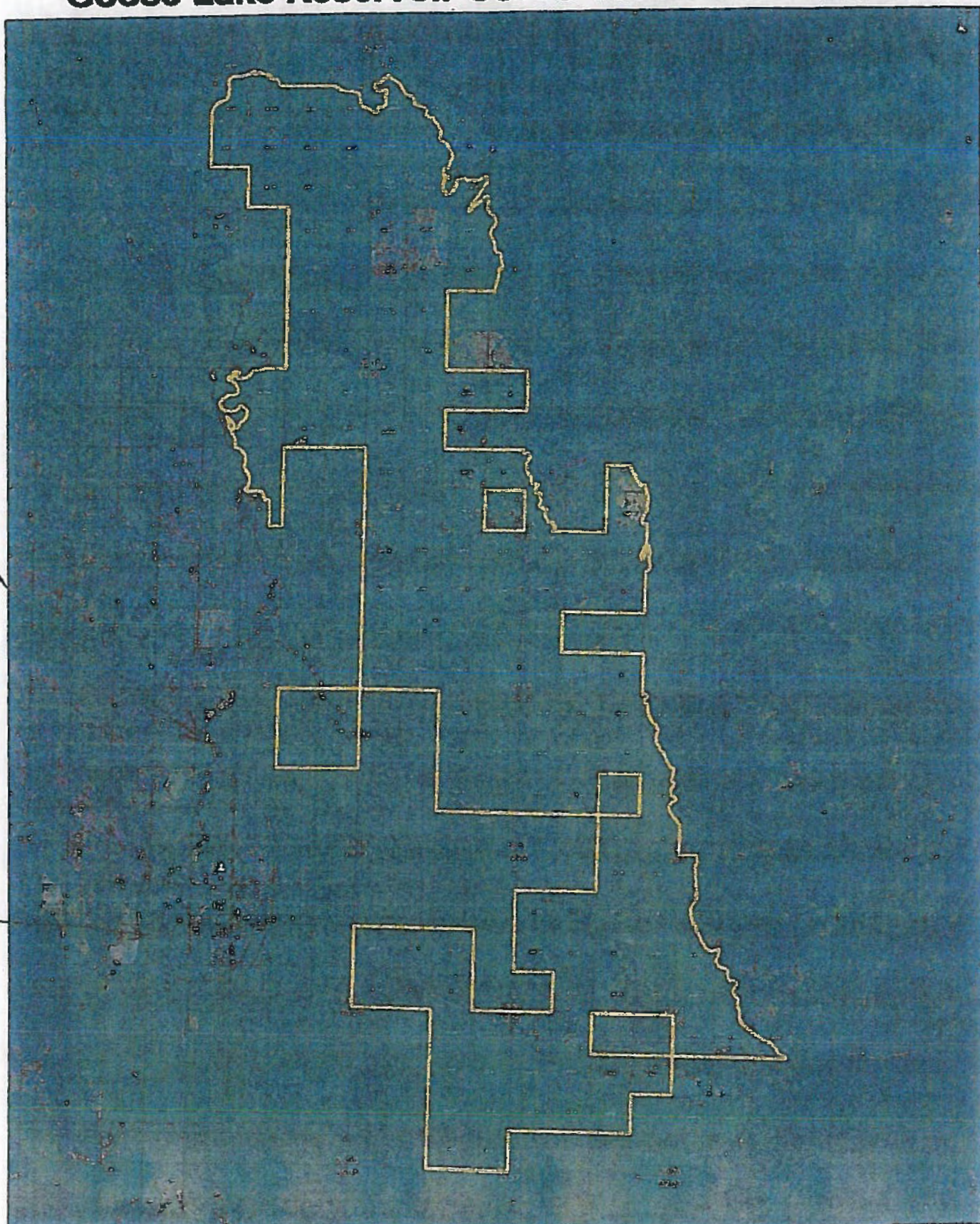
2018 LIST OF ENCLOSURES

- 1. Goose Lake Dam drainage area and vicinity**
- 2. Spillway picture**
- 3. Close up of damaged area picture**
- 4. Resolution**
- 5. 2016 Financial Statement**
- 6. 2017 Financial Statement**
- 7. 2018 Financial Statement**
- 8. Boundary of Irrigated area**
- 9. Minutes of 2/9/18 Goose Lake Reservoir Board of Directors Special Meeting**

Inclosure B Boundary of Irrigated Area
Goose Lake Reservoir Co. 78-4006A & 78-4006B

Little Salmon River

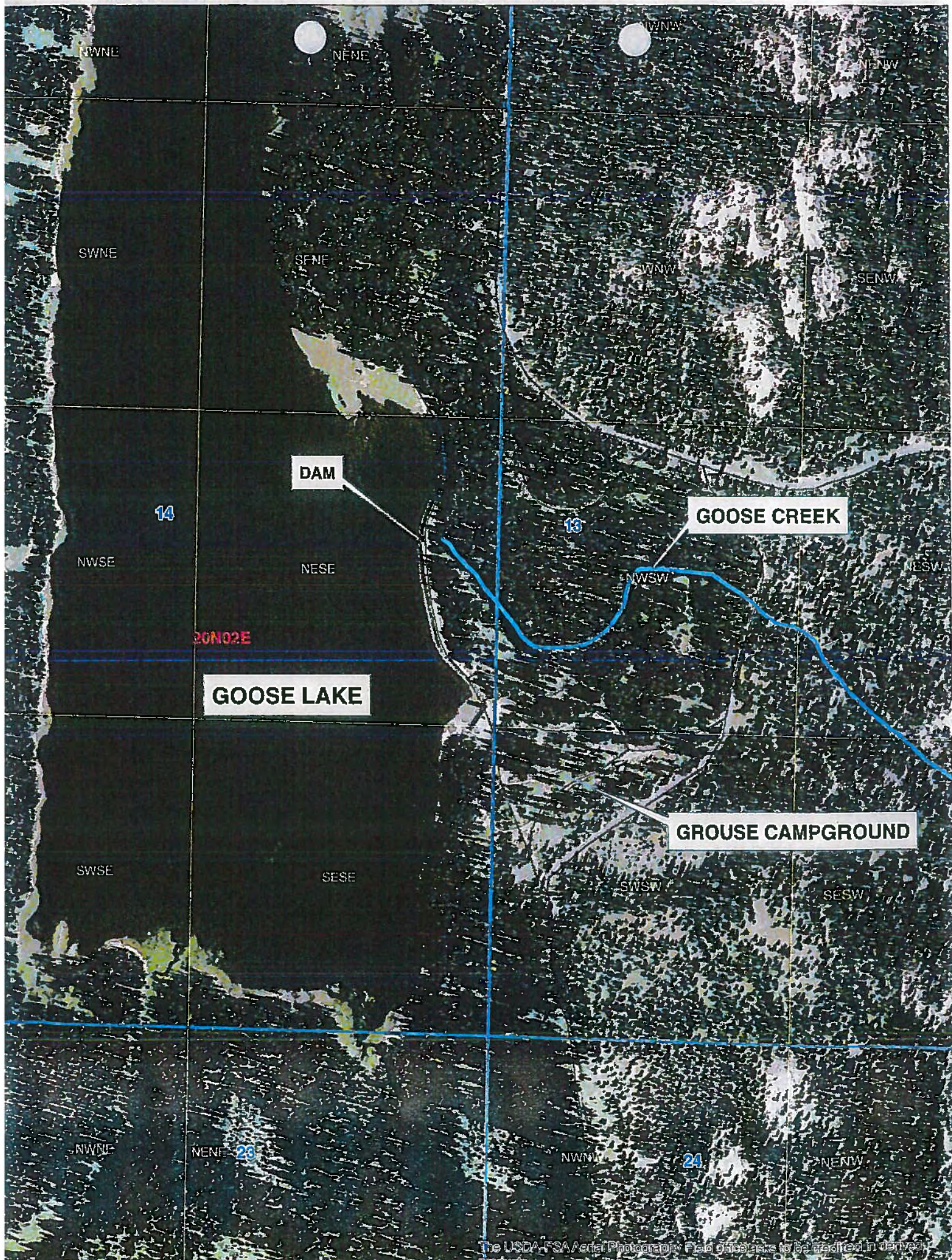
New Meadows



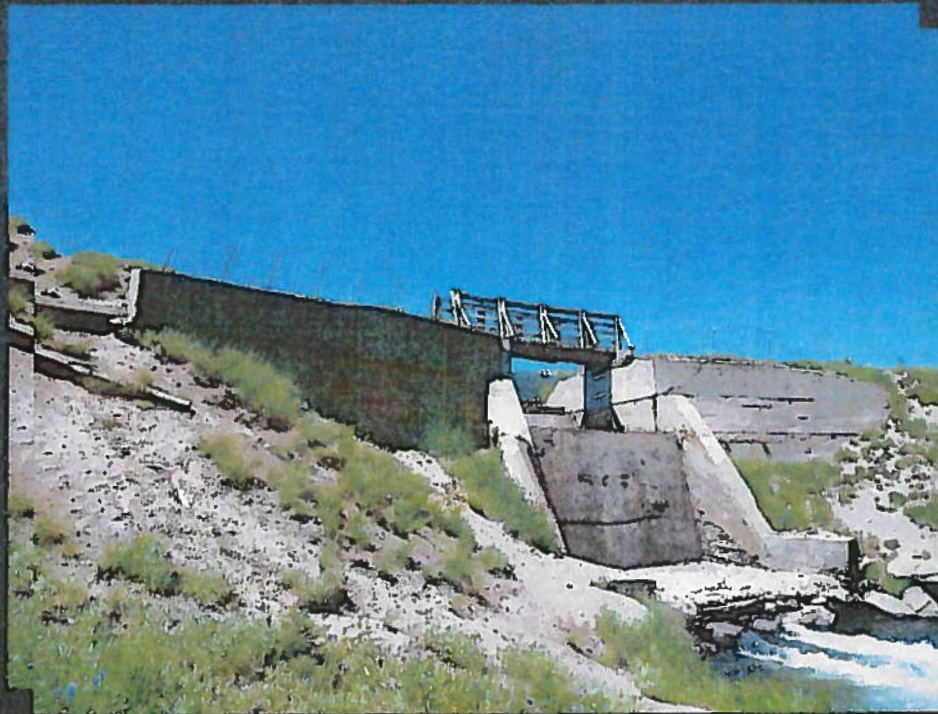
1 0.5 0 1 2 3 Miles



2004 NAIP Photography



Spillway



Incl. 2

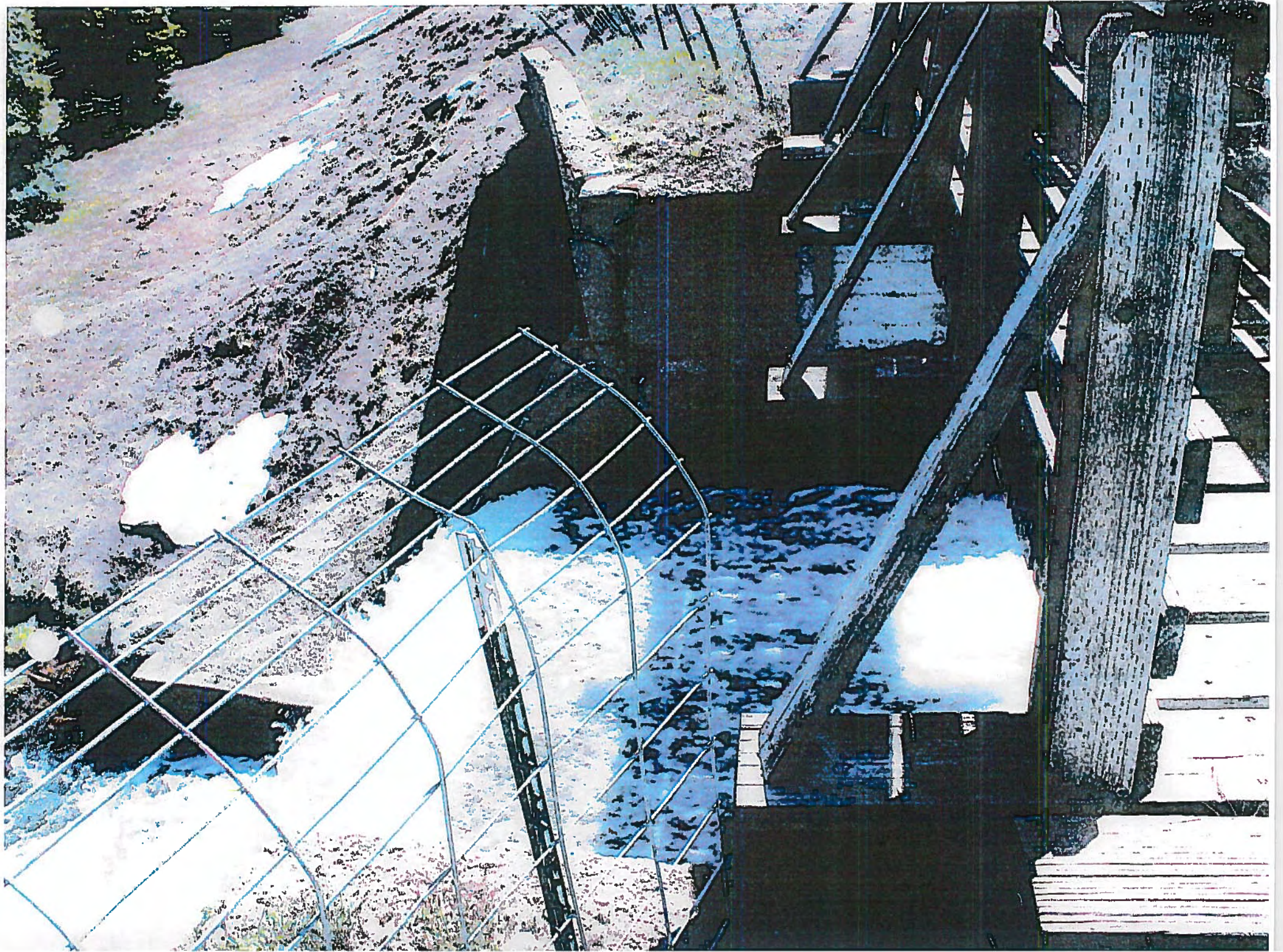
Close up of damaged area



Incl. 3







Incl. #4

We the 2017 elected officers of the Goose Lake Reservoir Company understand that the Goose Lake Dam needs repairs. We further recognize that Engineering expertise is needed to help us most effectively determine the best solution, prepare engineering drawings that can be used to guide dam repairs and supervise the execution of repairs that make the dam safe. We further have concluded getting a loan at 4.5% interest rate from the Idaho Water Resource Board(IWRB) is needed for us to best get the funds necessary for Dam repairs. Further this resolution gives us authority to under "ARTICLE V. CONTACTS, LOANS, CHECKS, AND DEPOSITS; SECTION 2. LOANS" of the BY-LAWS of the Goose Lake Reservoir Company to execute loans for the Reservoir Company.

Therefore, we authorize Goose Lake Reservoir Company President, Lawrence V. Armacost, to obtain loans as necessary to repair Goose Lake Dam.

L.V. Armacost

Lawrence V. Armacost, President

6/3/17

date

Neal Osborn

Neal Osborn, Vice President

6/03/2017

date

Charlotte M. Armacost

Charlotte M. Armacost, Secretary/Treasurer

6/3/2017

date

Dean Dryden

Dean Dryden, Director

6/3/17

date

Marion Vance

Marion Vance, Director

6-7-17

date

inc. 9

**GOOSE LAKE RESERVOIR COMPANY
BOARD OF DIRECTORS**

Meeting Minutes

February 9, 2018 – 3:30 p.m.

Meadows Valley Public Library Meeting Room
SPECIAL MEETING ON DAM REPAIR

ATTENDEES:

President: Vic Armacost

Vice President: Neal Osborn

Secretary/Treasurer: Charlotte Armacost

Directors: Dean Dryden and Marion Vance were absent

OTHERS PRESENT: Pam McGarry, Ed Osborn, Jeffrey Luff

CALL TO ORDER

Meeting called to order by President Armacost at 3:23 p.m.

Vic began the meeting by reviewing what has been completed by GeoEngineers to date regarding the repairs to the dam. He went on to say GeoEngineers has proposed to construct a retaining wall on the north and south sides of the spillway. He reviewed drawings that showed the wall location and design. He also explained that rock from a US Forest Service quarry and material from the reservoir area could be used to construct the walls.

Vic reported the \$20,000.00 loan from the Idaho Water Resource Board had been used to pay JI Morgan and GeoEngineers to design the proposed retaining walls and provide estimated construction cost. He went on to say GeoEngineers had recently informed him they do not solicit contractors or provide construction oversight. He was referred to Keller Associates and has signed a \$45,477 contract with them. Keller will review the wall design, gather bids from various contractors, recommend a contractor, and provide construction administration services. He has sent Keller Associates a \$10,500 retainer. GeoEngineers has estimated their cost for construction supervision will be \$10,160. He explained that there is a strong demand for contractors, so it is important to get our project to them as soon as possible.

Discussion followed regarding the estimated \$147,000 to complete the dam repairs as estimated by GeoEngineers. Vic has a meeting in Boise on March 22nd to secure a loan with Idaho Water Resource Board(IWRB). Vic would like to get a loan in place as soon as possible so interest rates do not increase. The total cost estimate to complete the project is \$212,137. This includes the existing loan of \$20,000. Vic would like a 20-year loan for \$200,000. He went on to report the Idaho Water Resource Board, requires we hold one year's payment in reserve and we pay a 5% portion of the loan demand. Vic stated, "we don't pay interest on money we don't use". The annual cost for a \$200,000 loan is \$15,375 and the 5% portion will be \$9,000 or \$10,000. In addition we need to cover the existing \$20,000 with an annual payment of \$1538.

The Board went on to discuss other possibilities. After much discussion, it was decided an assessment is needed to cover \$27,000 for anticipated 2018 expenditures. Neal Osborn motioned to assess \$6.00 per share for construction support and construction of project designed by GeoEngineers. Charlotte Armacost seconded the motion. The Board of Directors vote for the motion was unanimous. President Vic Armacost noted that 4,600 shares at \$6.00 per share would provide \$27,600.
revision 1

Meeting adjourned at 4:25 p.m.



Vic Armacost

President Goose Lake Reservoir Co.

Inc 1005



December 31, 2016 Page: 1 of 3

GOOSE LAKE RESERVOIR CO
PO BOX 232
NEW MEADOWS ID 83654-0232

Customer Service:
1-866-486-7782

COPY

Last statement: November 30, 2016
This statement: December 31, 2016

Get paid faster with next day funding and improve your cash flow with Umpqua merchant services. we have a full range of hardware and software available to fit your business needs. Visit our website to learn more about merchant services available through Umpqua Bank. Member FDIC

BUSINESS FREE CHECKING

Account number	5080200501	Beginning balance	\$12,350.76
Low balance	\$2,989.76	Deposits/Additions	\$96.25
Average balance	\$4,203.84	Withdrawals/Subtractions	\$9,361.00
Interest earned	\$0.00	Ending balance	\$3,086.01

Deposits/Additions

Date	Description	Additions
12-30	Deposit	96.25
Total Additions		\$96.25

Daily Balances

Date	Amount	Date	Amount	Date	Amount
11-30	12,350.76	12-05	2,989.76	12-30	3,086.01
				12-31	3,086.01

Overdraft Fee Summary

	Total For This Period	Total Year-to-Date
Total Overdraft Fees	\$0.00	\$0.00
Total Returned Item Fees	\$0.00	\$0.00

~~Inc 17~~ Inc 15

2016 FINANCIAL REPORT
February 10, 2017

Goose Lake Reservoir Co.

2016 Assessment

Billed: \$ 4,400.00

Received: \$ 4,439.00

2016 Special Assessment

Billed: \$12,210.00

Received: \$12,210.00

TOTAL INCOME: \$16,649.00

2016 Expenses

Paid: \$14,586.75

DIFFERENCE OF: \$ 2,062.25

Balance as of 01/31/2017

\$2,487.01

PRINT FORM PRINT SERIES FORM RETRIEVE MESSAGE

Deposit Inquiry For
Boase Lake Reservoir Company

PREVIOUS < SUBMIT > EXIT X

2000016375 D

Prev stmt balance	17,015.00	No/amount of debits	0	.00
Beginning balance	17,015.00	No/amount of credits	0	.00

CONTROL



VIEW IMAGE



PRINT IMAGE



TRAN SET



DDRET RETURN ITEMS



	Posted	TR	Description	Amount	Balance
	11/17/17	41	DDA REGULAR DEPOSIT (CR) C	270.00	
	11/17/17	69	DDA END PT EXCH INCL CK (D) C	5,100.00	
	1/03/18	41	DDA REGULAR DEPOSIT (CR) C	477.00	
	1/05/18	41	DDA REGULAR DEPOSIT (CR) C	405.00	
	1/16/18	69	DDA END PT EXCH INCL CK (D) C	6,450.00	
	1/29/18	41	DDA REGULAR DEPOSIT (CR) C	10,395.00	

EOY
activity

The upper portion of this screen contains the customer's name, account number type, previous statement balance, yesterday's balance, number and amount of debits and credits that occur in addition to these fields. A "control" field is present. It is used to perform system search operations that are explained in the Function of the Control Field section.

* If an icon is displayed in the set box, it means that the field is only capable.

Learn more >

DETAIL function = Eff date, source, batch, sequence and serial >

Previous



PREVIOUS < SUBMIT > EXIT X

Parameter Help

EOY 2017 Incl. 6

9:30 AM

02/09/18

Cash Basis

Water Boards Bank Accounts Register As of February 9, 2018

INC17

Type	Date	Num	Name	Memo	Split	Debit	Credit	Original Amount	Balance
10000 - IFB - Goose Lake Reservoir									
Deposit	09/25/2017			Deposit	25000 · Loan -ID DWR	3,375.00		3,375.00	2,544.00
Check	09/25/2017	000...	GeoEngineers	Invoice 0147652	66700 · Professional Fees		3,750.00	(3,750.00)	5,919.00
Check	09/30/2017			Service Charge	60400 · Bank Service Charges		3.00	(3.00)	2,169.00
Deposit	10/06/2017			Deposit	-SPLIT-	11,667.85		11,667.85	2,166.00
Transfer	10/06/2017			Funds Transfer - check to...	12000 · Goose Lake Reservoir Co		4,000.00	(4,000.00)	13,833.85
Deposit	10/13/2017			Deposit	-SPLIT-	2,274.40		2,274.40	9,833.85
Deposit	10/20/2017			Deposit	-SPLIT-	1,854.00		1,854.00	12,108.25
Transfer	10/20/2017			Funds Transfer- Check # ...	13000 · Granite Twin Lakes Water Users		480.00	(480.00)	13,962.25
Check	10/20/2017	000...	J.I. Morgan Inc.	Invoice 0010925	67210 · Canal Repairs		745.00	(745.00)	13,482.25
Check	10/20/2017			Check Printing	60400 · Bank Service Charges		1.00	(1.00)	12,737.25
Deposit	10/23/2017			Deposit	-SPLIT-	3,593.25		3,593.25	12,736.25
Deposit	10/27/2017			Deposit	12001 · Undeposited Funds	688.50		688.50	16,329.50
Check	11/10/2017	507	GeoEngineers		66700 · Professional Fees		5,100.00	(5,100.00)	17,018.00
Deposit	11/17/2017			Deposit	12001 · Undeposited Funds	270.00		270.00	11,918.00
Deposit	01/02/2018			Deposit	12001 · Undeposited Funds	477.00		477.00	12,188.00
Check	01/02/2018	000...	GeoEngineers	Project # 022935-001-01	-SPLIT-		6,450.00	(6,450.00)	12,665.00
Deposit	01/05/2018			Deposit	12001 · Undeposited Funds	405.00		405.00	6,215.00
Deposit	01/29/2018			Deposit	25000 · Loan -ID DWR	10,395.00		10,395.00	6,620.00
Check	02/08/2018	508	Keller Associates		66700 · Professional Fees		10,500.00	(10,500.00)	17,015.00
Total 10000 - IFB - Goose Lake Reservoir						35,000.00	31,029.00	Loan acct	6,515.00
11000 - Goose Creek Canal									
Check	10/01/2017	1159	Hannan, James D.	Ditch Walker	66620 · Ditch Walker		650.00	(650.00)	1,984.05
Check	10/26/2017	1162	C&M Lumber		67210 · Canal Repairs		19.68	(19.68)	1,254.05
Check	10/28/2017	1163	J.I. Morgan Inc.		67210 · Canal Repairs		485.00	(485.00)	1,234.37
Check	11/03/2017	1164	C&M Lumber		67210 · Canal Repairs		327.78	(327.78)	749.37
Total 11000 - Goose Creek Canal							1,482.46		421.59
12000 - Goose Lake Reservoir Co									
Transfer	10/06/2017			Funds Transfer - check to...	10000 · IFB - Goose Lake Reservoir	4,000.00		4,000.00	2,035.52
Check	10/26/2017	1145	Vic Armacost		64900 · Office Supplies		105.94	(105.94)	6,035.52
Check	11/30/2017	1146	U.S. Postal Service		64900 · Office Supplies		7.29	(7.29)	5,929.58
Total 12000 - Goose Lake Reservoir Co						4,000.00	113.23		5,922.29
13000 - Granite Twin Lakes Water Users									
Check	10/20/2017	1133	J.I. Morgan Inc.		67210 · Canal Repairs		620.00	(620.00)	1,320.98
Deposit	10/20/2017			Deposit	-SPLIT-	158.00		158.00	700.98
Transfer	10/20/2017			Funds Transfer- Check # ...	10000 · IFB - Goose Lake Reservoir	480.00		480.00	858.98
Deposit	10/27/2017			Deposit	-SPLIT-	160.00		160.00	1,338.98
Deposit	11/17/2017			Deposit	12001 · Undeposited Funds	88.00		88.00	1,498.98
Deposit	01/05/2018			Deposit	-SPLIT-	64.00		64.00	1,586.98
Total 13000 - Granite Twin Lakes Water Users						950.00	620.00		1,650.98
TOTAL						39,950.00	33,244.69		14,509.86

Inclosure 4

BY-LAWS
OF
GOOSE LAKE RESERVOIR COMPANY

ARTICLE I. OFFICES

The principal office of the corporation in the State of Idaho shall be located in Meadows Valley, County of Adams. The corporation may have such other offices within the State of Idaho as the Board of Directors may designate or as the business of the corporation may require from time to time.

ARTICLE II. SHAREHOLDERS

SECTION 1. Annual Meeting. The annual meeting of the shareholders shall be held on the first Monday in the month of November in each year, beginning with the year 1973, at the hour of 1:00 o'clock p.m., or at such other time as may be designated, for the purpose of electing Directors and for the transaction of such other business as may come before the meeting. A Director must be a stockholder of the corporation; except that in the case of a corporate stockholder said corporation may designate some individual to act as Director on behalf of same. If the day fixed for the annual meeting shall be a legal holiday in the State of Idaho, such meeting shall be held on the next succeeding business day. If the election of Directors shall not be held on the day designated herein for any annual meeting of the shareholders, or at any

adjournment thereof, the Board of Directors shall cause the election to be held at a special meeting of the shareholders as soon thereafter as conveniently may be.

SECTION 2. Special Meetings. Special meetings of the shareholders, for any purpose or purposes, unless otherwise prescribed by statute, may be called by the President or by the Board of Directors, and shall be called by the President at the request of the holders of not less than fifty percent (50%) of all the outstanding shares of the corporation entitled to vote at the meeting.

SECTION 3. Place of Meeting. The Board of Directors may designate any place within the State of Idaho, unless otherwise prescribed by statute, as the place of meeting for any annual meeting or for any special meeting called by the Board of Directors. A waiver of notice signed by all shareholders entitled to vote at a meeting may designate any place within the State of Idaho, unless otherwise prescribed by statute, as the place for the holding of such meeting. If no designation is made, or if a special meeting be otherwise called, the place of meeting shall be the principal office of the corporation in the State of Idaho.

SECTION 4. Notice of Meeting. Written or printed notice stating the place, day and hour of the meeting and, in case of a special meeting, the purpose or purposes for which the meeting is called, shall be delivered not less than

ten (10) or more than thirty (30) days, or such other required time as may be specified by law, before the date of the meeting, either personally or by mail, by or at the direction of the President, or the Secretary, or the officer or persons calling the meeting, to each shareholder of record entitled to vote at such meeting. If mailed, such notice shall be deemed to be delivered when deposited in the United States mail, addressed to the shareholder at his address as it appears on the stock transfer books of the corporation, with postage thereon prepaid.

SECTION 5. Closing of Transfer Books or Fixing of Record Date. For the purpose of determining shareholders entitled to notice of or to vote at any meeting of shareholders or any adjournment thereof, or in order to make a determination of shareholders for any other proper purpose, the Board of Directors of the corporation may provide that the stock transfer books shall be closed for a stated period but not to exceed, in any case, thirty (30) days. If the stock transfer books shall be closed for the purpose of determining shareholders entitled to notice of or to vote at a meeting of shareholders, such books shall be closed for at least ten (10) days immediately preceding such meeting. In lieu of closing the stock transfer books, the Board of Directors may fix in advance a date as the record date for any such determination of shareholders, such date in any

case to be not more than thirty (30) days and, in case of a meeting of shareholders, not less than ten (10) days prior to the date on which the particular action, requiring such determination of shareholders, is to be taken. If the stock transfer books are not closed and no record date is fixed for the determination of shareholders entitled to notice of or to vote at a meeting of shareholders, the date on which notice of the meeting is mailed shall be the record date for such determination of shareholders. When a determination of shareholders entitled to vote at any meeting of shareholders has been made as provided in this section, such determination shall apply to any adjournment thereof.

SECTION 6. Voting Lists. The officer or agent having charge of the stock transfer books for shares of the corporation shall make, at least ten (10) days before each meeting of shareholders, a complete list of the shareholders entitled to vote at such meeting, or any adjournment thereof, arranged in alphabetical order, with the address of and the number of shares held by each, which list, for a period of ten (10) days prior to such meeting, shall be kept on file at the registered office of the corporation and shall be subject to inspection by any shareholder at any time during usual business hours. Such list shall also be produced and kept open at the time and place of the meeting and shall be subject to the inspection of any shareholder during the whole time of the meeting. The

original stock transfer book shall be prima facie evidence as to who are the shareholders entitled to examine such list or transfer books or to vote at any meeting of shareholders.

SECTION 7. Quorum. A majority of the outstanding shares of the corporation entitled to vote, represented in person or by proxy, shall constitute a quorum at a meeting of shareholders. If less than a majority of the outstanding shares are represented, any business may be transacted which might have been transacted at the meeting as originally notified. The shareholders present at a duly organized meeting may continue to transact business until adjournment, notwithstanding the withdrawal of enough shareholders to leave less than a quorum.

SECTION 8. Proxies. At all meetings of shareholders, a shareholder may vote by proxy executed in writing by the shareholder or by his duly authorized attorney in fact. Such proxy shall be filed with the secretary of the corporation before or at the time of the meeting.

SECTION 9. Voting of Shares. Subject to the provisions of Section 11 of this Article II, each outstanding share entitled to vote shall be entitled to one vote upon each matter submitted to a vote at a meeting of shareholders.

SECTION 10. Voting of Shares by Certain Holders. Shares standing in the name of another corporation may be voted by such officer, agent or proxy as the by-laws of such

corporation may prescribe, or, in the absence of such provision, as the Board of Directors of such corporation may determine.

Shares held by an administrator, executor, guardian or conservator may be voted by him, either in person or by proxy, without a transfer of such shares into his name. Shares standing in the name of the trustee may be voted by him, either in person or by proxy, but no trustee shall be entitled to vote shares held by him without a transfer of such shares into his name.

Shares standing in the name of a receiver may be voted by such receiver, and shares held by or under the control of a receiver may be voted by such receiver without the transfer thereof into his name if authority so to do be contained in an appropriate order of the court by which such receiver was appointed.

A shareholder whose shares are pledged shall be entitled to vote such shares until the shares have been transferred into the name of the pledgee, and thereafter the pledgee shall be entitled to vote the shares so transferred.

Shares of its own stock belonging to the corporation or held by it in a fiduciary capacity shall not be voted, directly or indirectly, at any meeting, and shall not be counted in determining the total number of outstanding shares at any given time.

SECTION 11. Cumulative Voting. Unless otherwise provided by law, at each election for Directors every shareholder entitled to vote at such election shall have the right to vote, in person or by proxy, the number of shares owned by him for as many persons as there are Directors to be elected and for whose election he has a right to vote, or to cumulate his votes by giving one candidate as many votes as the number of such Directors multiplied by the number of his shares shall equal, or by distributing such votes on the same principle among any number of candidates.

SECTION 12. Informal Action by Shareholders. Unless otherwise provided by law, any action required to be taken at a meeting of the shareholders, or any other action which may be taken at a meeting of the shareholders, may be taken without a meeting if a consent in writing, setting forth the action so taken, shall be signed by all of the shareholders entitled to vote with respect to the subject matter thereof.

ARTICLE III. BOARD OF DIRECTORS

SECTION 1. General Powers. The business and affairs of the corporation shall be managed by its Board of Directors.

SECTION 2. Number, Tenure and Qualifications. The number of Directors of the corporation shall be five (5). Each Director shall hold office until the next annual meeting of shareholders and until his successor shall have been elected and qualified.

SECTION 3. Regular Meetings. A regular meeting of the Board of Directors shall be held without other notice after, and at the same place as, the annual meeting of shareholders. The Board of Directors may provide, by resolution, the time and place for the holding of additional regular meetings without other notice than such resolution.

SECTION 4. Special Meetings. Special meetings of the Board of Directors may be called by or at the request of the President or any two Directors. The person or persons authorized to call special meetings of the Board of Directors may fix the place for holding any special meeting of the Board of Directors called by them.

SECTION 5. Notice. Notice of any special meeting shall be given at least ten (10) days previously thereto, or such other period required by law, by written notice delivered personally or mailed to each Director at his business address, or by telegram. If mailed, such notice shall be deemed to be delivered when deposited in the United States mail so addressed, with postage thereon prepaid. If notice be given by telegram, such notice shall be deemed to be delivered when the telegram is delivered to the telegraph company. Any Director may waive notice of any meeting. The attendance of a Director at a meeting shall constitute a waiver of notice of such meeting, except where a Director attends a meeting for the express purpose of objecting to the transaction of any business because the meeting is not lawfully called or convened.

SECTION 6. Quorum. A majority of the number of Directors fixed by Section 2 of this Article III shall constitute a quorum for the transaction of business at any meeting of the Board of Directors, but if less than such majority is present at a meeting, a majority of the Directors present may adjourn the meeting from time to time without further notice.

SECTION 7. Manner of Acting. The act of the majority of the Directors present at a meeting at which a quorum is present shall be the act of the Board of Directors.

SECTION 8. Vacancies. Any vacancy occurring in the Board of Directors may be filled by the affirmative vote of a majority of the remaining Directors though less than a quorum of the Board of Directors, unless otherwise provided by law. A Director elected to fill a vacancy shall be elected for the unexpired term of his predecessor in office. Any directorship to be filled by reason of an increase in the number of Directors shall be filled by election at an annual meeting or at a special meeting of shareholders called for that purpose.

SECTION 9. Compensation. By resolution of the Board of Directors, the Directors may be paid their expenses, if any, of attendance at each meeting of the Board of Directors, and may be paid a fixed sum for attendance at each meeting of the Board of Directors or a stated salary as Director, but no Director shall receive a salary or other compensation unless

approved by the stockholders. No such payment shall preclude any director from serving the corporation in any other capacity and receiving compensation therefor.

SECTION 10. Presumption of Assent. A Director of the corporation who is present at a meeting of the Board of Directors at which action on any corporate matter is taken shall be presumed to have assented to the action taken unless his dissent shall be entered in the Minutes of the meeting or unless he shall file his written dissent to such action with the person acting as the secretary of the meeting before the adjournment thereof or shall forward such dissent by registered mail to the Secretary of the corporation immediately after the adjournment of the meeting. Such right to dissent shall not apply to a Director who voted in favor of such action.

ARTICLE IV. OFFICERS

SECTION 1. Number. The officers of the corporation shall be a President, a Vice-President, a Secretary and a Treasurer, each of whom shall be elected by the Board of Directors. The same individual may act in a dual capacity as Secretary-Treasurer. Such other officers and assistant officers as may be deemed necessary may be elected or appointed by the Board of Directors.

SECTION 2. Election and Term of Office. The officers of the corporation to be elected by the Board of Directors shall be elected annually by the Board of Directors at the

first meeting of the Board of Directors held after each annual meeting of the shareholders. If the election of officers shall not be held at such meeting, such election shall be held as soon thereafter as conveniently may be. Each officer shall hold office until his successor shall have been duly elected and shall have qualified or until his death or until he shall resign or shall have been removed in the manner hereinafter provided.

SECTION 3. Removal. Any officer or agent elected or appointed by the Board of Directors may be removed by the Board of Directors whenever in its judgment the best interests of the corporation would be served thereby, but such removal shall be without prejudice to the contract rights, if any, of the person so removed.

SECTION 4. Vacancies. A vacancy in any office because of death, resignation, removal, disqualification or otherwise, may be filled by the Board of Directors for the unexpired portion of the term.

SECTION 5. President. The President shall be the principal executive officer of the corporation and, subject to the control of the Board of Directors, shall in general supervise and control all of the business and affairs of the corporation. He shall, when present, preside at all meetings of the shareholders and of the Board of Directors. He may sign, with the Secretary or any other proper officer of the corporation thereunto authorized by the Board of Directors, certificates for shares of the corporation, any deeds, mortgages, bonds, contracts, or other instruments which the Board of Directors has

authorized to be executed, except in cases where the signing and execution thereof shall be expressly delegated by the Board of Directors or by these By-Laws to some other officer or agent of the corporation, or shall be required by law to be otherwise signed or executed; and in general shall perform all duties incident to the office of President and such other duties as may be prescribed by the Board of Directors from time to time.

SECTION 6. Vice-President. In the absence of the President or in the event of his death, inability or refusal to act, the Vice-President shall perform the duties of the President, and when so acting, shall have all the powers of and be subject to all the restrictions upon the President. The Vice-President shall perform such other duties as from time to time may be assigned to him by the President or by the Board of Directors.

SECTION 7. Secretary. The Secretary shall: (a) keep the minutes of the shareholders' and of the Board of Directors' meetings in one or more books provided for that purpose; (b) see that all notices are duly given in accordance with the provisions of these By-Laws or as required by law; (c) be custodian of the corporate records and of the seal of the corporation and see that the seal of the corporation is affixed to all documents the execution of which on behalf of the corporation under its seal is duly authorized; (d) keep a register of the postoffice address of each shareholder which shall be furnished to the

Secretary by such shareholder; (e) have general charge of the stock transfer books of the corporation; and (f) in general perform all duties incident to the office of Secretary and such other duties as from time to time may be assigned to him by the President or by the Board of Directors.

SECTION 8. Treasurer. If required by the Board of Directors, the Treasurer shall give a bond for the faithful discharge of his duties in such sum and with such surety or sureties as the Board of Directors shall determine. He shall: (a) have charge and custody of and be responsible for all funds and securities of the corporation; receive and give receipts for moneys due and payable to the corporation from any source whatsoever, and deposit all such moneys in the name of the corporation in such banks, trust companies or other depositories as shall be selected in accordance with the provisions of Article V of these By-Laws; and (b) in general perform all of the duties incident to the office of Treasurer and such other duties as from time to time may be assigned to him by the President or by the Board of Directors.

ARTICLE V. CONTRACTS, LOANS, CHECKS AND DEPOSITS

SECTION 1. Contracts. The Board of Directors may authorize any officer or officers, agent or agents, to enter into any contract or execute and deliver any instrument in the name of and on behalf of the corporation, and such authority may be general or confined to specific instances.

SECTION 2. Loans. No loans shall be contracted on behalf of the corporation and no evidences of indebtedness shall be issued in its name unless authorized by a resolution of the Board of Directors. Such authority may be general or confined to specific instances.

SECTION 3. Checks, drafts, etc. All checks, drafts or other orders for the payment of money, notes or other evidences of indebtedness issued in the name of the corporation, shall be signed by such officer or officers, agent or agents of the corporation and in such manner as shall from time to time be determined by resolution of the Board of Directors.

SECTION 4. Deposits. All funds of the corporation not otherwise employed shall be deposited from time to time to the credit of the corporation in such banks, trust companies or other depositories as the Board of Directors may select.

ARTICLE VI. EMPLOYEES

SECTION 1. The Board of Directors, if deemed necessary, shall employ suitable persons to manage and operate the irrigation system and shall make such rules and regulations with regard to the method of handling the water and the delivery thereof as it may deem advisable and in accordance with the number of shares held by the stockholders, each share representing one (1) acre foot of water. No person, unless authorized by the Board of Directors, shall have the power or authority to open, handle, operate or adjust any of the gates or canal outlets of the

irrigation system, and the Board of Directors may prescribe penalties for any interference with the water supply by any stockholder or for failure to pay any assessments or for failure or neglect to obey any rule with regard to the delivery or the handling of the water supply or the operation of the irrigation system.

ARTICLE VII. CERTIFICATES FOR SHARES AND THEIR TRANSFER

SECTION 1. Certificates for Shares. Certificates representing shares of the corporation shall be in such form as shall be determined by the Board of Directors. Such certificates shall be signed by the President and by the Secretary or by such other officers authorized by law and by the Board of Directors so to do. All certificates for shares shall be consecutively numbered or otherwise identified. The name and address of the person to whom the shares represented thereby are issued, with the number of shares and date of issue, shall be entered on the stock transfer books of the corporation. All certificates surrendered to the corporation for transfer shall be cancelled and no new certificate shall be issued until the former certificate for a like number of shares shall have been surrendered and cancelled, except that in case of a lost, destroyed or mutilated certificate a new one may be issued therefor upon such terms and indemnity to the corporation as the Board of Directors may prescribe.

SECTION 2. Transfer of Shares. Transfer of shares of the corporation, subject to "First Refusal Agreement" dated July 6, 1973 shall be made only on the stock transfer books of the corporation by the holder of record thereof or by

his legal representative, who shall furnish proper evidence of authority to transfer, or by his attorney thereunto authorized by power of attorney duly executed and filed with the Secretary of the corporation, and on surrender for cancellation of the certificate for such shares. The person in whose name shares stand on the books of the corporation shall be deemed by the corporation to be the owner thereof for all purposes.

ARTICLE VIII. ASSESSMENTS

The Board of Directors shall have power to raise money to pay the expenses of the operation, maintenance and upkeep of the reservoir, diversion works and dams of the corporation and other expenses of the corporation, subject to resolution of stockholders at stockholders' meeting of November 6, 1972, such assessments to be levied in accordance with Section 30-157, Idaho Code, as amended or which may be hereafter enacted..

ARTICLE IX. SEAL

The Board of Directors shall provide a corporate seal which shall be circular in form and shall have inscribed thereon the name of the corporation and the state of incorporation and the words, "Corporate Seal."

ARTICLE X. WAIVER OF NOTICE

Unless otherwise provided by law, whenever any notice is required to be given to any shareholder or director of the corporation under the provisions of these By-Laws or under the provisions of the Articles of Incorporation, a waiver thereof in writing, signed by the person or persons entitled to such

notice, whether before or after the time stated therein, shall be deemed equivalent to the giving of such notice.

ARTICLE XI. AMENDMENTS

These By-Laws may be altered, amended or repealed and new By-Laws may be adopted by a vote of the shareholders representing a majority of all the shares issued and outstanding, at any annual shareholders' meeting or at any special shareholders' meeting when the proposed amendment has been set out in the notice of such meeting.

KNOW ALL MEN BY THESE PRESENTS, That we, the undersigned, a majority of the Board of Directors and the duly elected Secretary of Goose Lake Reservoir Company, do hereby certify that the above set out By-Laws were duly assented to and adopted by the shareholders as prescribed by law and that the same do now constitute the By-Laws of said corporation.

Dated this 6 day of June, 1973.

<u>John E. De Goelmen</u>	<u>Loyal C. Campbell</u>
	<u>W. Earl Campbell</u>
	<u>Harvey Osborn</u>
	<u>Oscar Brantetter</u>

Secretary.

Directors.

AMMENDMENT TO THE BY-LAWS

OF GOOSE LAKE RESERVOIR COMPANY

FIRST REFUSAL AGREEMENT

1. Delete first sentence; Insert:

The sale or transfer of capital stock shall be sold only to owners or contract owners of land susceptible of irrigation by water owned, or controlled by the corporation in Goose Lake Reservoir in Adams County, Idaho.

Any stockholder wishing to sell or transfer all or any portion of his capital stock may cause such stock to be transferred with the sale of land of his, susceptible of irrigation by waters from Goose Lake Reservoir in Adams County, Idaho or in the event such water is not transferred with the land, the stockholders shall have first option to purchase such stock that may be offered for sale. However, notwithstanding the foregoing, a Seller of capital stock in this corporation shall have the option to select, for the sale of his stock, any particular stockholder to which he desires to transfer his shares by private treaty or contract, so long as the proposed buyer or transferee is a present, qualified stockholder in Goose Lake Reservoir Company.

Any stockholder who would transfer or sell a portion of his lands subject to irrigation from Goose Lake Reservoir in Adams County, Idaho, may cause to be transferred or sold to the purchaser of such lands, sufficient capital stock representing storage water in Goose Lake Reservoir in Adams County that can be applied to the beneficial use, to such lands being transferred or sold.

RETAIN SECOND SENTENCE

Delete third sentence.

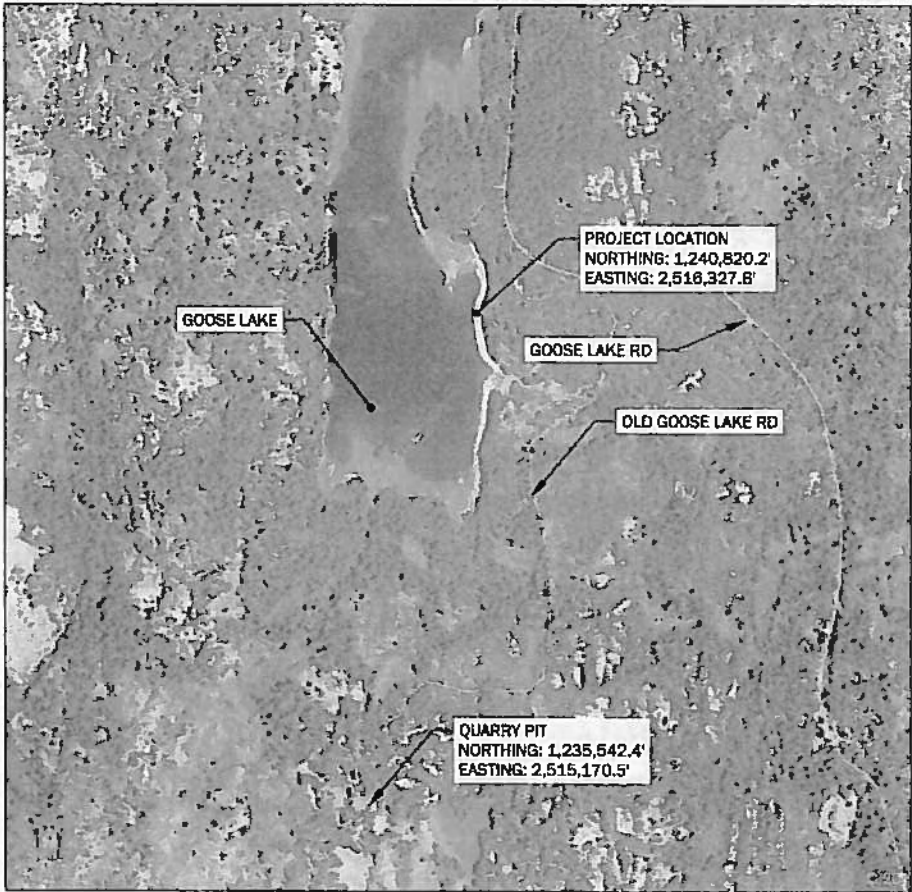
Remainder of agreement to remain as approved July 6, 1973.

4. This Agreement shall bind the stockholders and their respective heirs, executors, administrators and assigns.

GOOSE LAKE RESERVOIR

NEW RETAINING WALLS

ADAMS COUNTY, IDAHO



VICINITY MAP

SCALE:
0 1000 2000
SCALE IN FEET



Know what's below.
Call before you dig.

SHEET INDEX:

- 1.0 COVER SHEET
- 2.0 EARTHWORK SPECIFICATIONS
- 2.1 STRUCTURAL NOTES AND SPECIFICATIONS
- 3.0 SITE PLAN
- 3.1 WALL PROFILE
- 4.0 WALL SECTIONS AND DETAILS
- 4.1 DETAILS
- 4.2 RETAINING WALL STRUCTURAL DETAILS

GENERAL NOTES

GENERAL:
THE CONTRACTOR IS RESPONSIBLE FOR FIELD VERIFYING ALL EXISTING DIMENSIONS AND SITE CONDITIONS. THE CONTRACTOR IS RESPONSIBLE FOR UNDERGROUND OBSTRUCTIONS NOT SHOWN ON THE PLANS. THE CONTRACTOR IS RESPONSIBLE FOR REMOVAL OF ALL ABANDONED UTILITIES, OR OTHER UNDERGROUND OBSTRUCTIONS THAT INTERFERE WITH THE NEW CONSTRUCTION.

THE CONTRACTOR IS RESPONSIBLE FOR THE CONSTRUCTION PROCESS AND THE SAFETY OF THE WORKERS. THIS INCLUDES BUT IS NOT LIMITED TO, THE CONSTRUCTION SEQUENCE, TEMPORARY HANDRAILS, EXCAVATION ACCESS, AND BARRIERS. IT ALSO INCLUDES LIFTING OF MATERIALS AND CONSTRUCTION EQUIPMENT INTO AND OUT OF THE EXCAVATION, TEMPORARY BRACING OF SINGLE-SIDED FORMWORK, TEMPORARY SHORING OF EXCAVATIONS, AND STABILITY OF ALL TEMPORARY CUT SLOPES.

A PRE-CONSTRUCTION MEETING SHALL BE HELD PRIOR TO THE START OF THE WORK AND SHALL BE ATTENDED BY THE OWNER'S REPRESENTATIVES, THE ENGINEER, THE GENERAL CONTRACTOR, THE EXCAVATION SUBCONTRACTOR, AND REPRESENTATIVES OF IDWR AND THE U.S. FOREST SERVICE (IF REQUESTED). THE PRE-CONSTRUCTION MEETING SHALL BE CONDUCTED TO CLARIFY THE REQUIREMENTS FOR THE WORK, TO COORDINATE THE CONSTRUCTION ACTIVITIES, AND TO IDENTIFY CONTRACTUAL RELATIONSHIPS AND RESPONSIBILITIES.

REFERENCE DATA AND DESIGN CALCULATIONS:
BASIS OF DESIGN REPORT TITLED "GEOTECHNICAL ENGINEERING SERVICES, GOOSE LAKE RESERVOIR WALL DESIGN, ADAMS COUNTY, IDAHO. DATED DECEMBER 28, 2017".

BUILDING CODES, DESIGN MANUALS, AND SPECIFICATIONS:
2015 INTERNATIONAL BUILDING CODE, EXCEPT WHERE IN THE ADAMS COUNTY BUILDING CODE.
IDAHO STANDARDS FOR PUBLIC WORKS CONSTRUCTION

DESIGN SURCHARGE LOADS:
100 PSF SNOW SURCHARGE (VERTICAL)

SUBSURFACE DESIGN PARAMETERS:
THE FOLLOWING SOIL PROPERTIES WERE USED TO DESIGN THE RETAINING WALLS:

SUBSURFACE UNIT	UNIT WEIGHT (PCF)	SOIL FRICTION (DEG)	SOIL COHESION (PSF)
NATIVE SAND/SANDY GRAVEL	120	32	0
BACKFILL	120	32	0

A FACTOR OF SAFETY OF 1.5 WAS USED IN THE ANALYSIS FOR LATERAL EARTH PRESSURES. THE EARTH PRESSURE DIAGRAM IS SHOWN ON SHEET 4.0. LATERAL EARTH PRESSURES CALCULATED USING COULOMBS THEORY AND A WALL FRICTION VALUE EQUAL TO 1/3 OF THE SOIL FRICTION VALUE.

FOR THE PURPOSES OF DESIGN OF THE PROPOSED RETAINING WALL, IT IS ASSUMED THAT THE WATER TABLE IS BELOW THE BASE OF THE EXCAVATION. LOCALIZED AREAS OF PERCHED GROUNDWATER MAY BE ENCOUNTERED. THE CONTRACTOR SHALL CONTACT THE ENGINEER IF GROUNDWATER OCCURS IN THE EXCAVATION OR AT THE EXCAVATION FACE.

PROPOSED RETAINING WALL STABILITY ANALYSIS:

IN ACCORDANCE WITH THE 2015 IBC, THE FOLLOWING ALLOWABLE STRESS DESIGN (ASD) SAFETY FACTORS WERE USED IN THE ANALYSIS OF INTERNAL AND EXTERNAL RETAINING WALL STABILITY:

DESIGN COMPONENT	SAFETY FACTOR
BEARING CAPACITY	3.0
SLIDING	1.5
PASSIVE	1.5

AN ALLOWABLE SLIDING COEFFICIENT OF 0.35 WAS USED IN THE WALL DESIGN, AND INCLUDES A FACTOR OF SAFETY OF 1.5.

NO.	DATE	BY	REVISION

3501 WEST ELDER ST. BOISE, ID 83705 | 208-433-8058 | WWW.GEOENGINEERS.COM



GOOSE LAKE NEW RETAINING WALLS
ADAMS COUNTY, IDAHO

COVER SHEET

DRAWN: ESM
DESIGN: BPD
CHECKED: TAD
SHEET NO.

PROJ NO: 22935-001-01
SHEET 1 OF 7
DATE: 2-28-2018

1.0

DEMOLITION

1. THE CONTRACTOR MAY REMOVE PORTIONS OF THE RETAINING WALL FOR SAFETY. THE EXISTING SPILLWAY SHALL BE PROTECTED DURING DEMOLITION AND CONSTRUCTION. THIS WORK SHALL INCLUDE ALL EQUIPMENT AND LABOR NECESSARY TO COMPLETE THE WORK INCLUDING DEMOLITION, HANDLING, HAUL, DISPOSAL, TEMPORARY STOCKPILING THE MATERIALS AS SPECIFIED AND INCIDENTALS.

2. THE CONTRACTOR IS RESPONSIBLE FOR THE CONSTRUCTION PROCESS AND THE SAFETY OF THE WORKERS. THIS INCLUDES BUT IS NOT LIMITED TO, THE CONSTRUCTION SEQUENCE, TEMPORARY HANDRAILS, DEMOLITION ACCESS, AND BARRIERS. IT ALSO INCLUDES LIFTING OF MATERIALS AND CONSTRUCTION EQUIPMENT INTO AND OUT OF THE RETAINING WALL AREA, AND TEMPORARY BRACING OF SINGLE-SIDED FORMWORK, AS NECESSARY.

EXCAVATION

1. THIS WORK CONSISTS OF EXCAVATION OF SOIL TO THE GRADES SHOWN ON THE PROJECT PLANS. THIS WORK SHALL INCLUDE ALL EQUIPMENT AND LABOR NECESSARY TO COMPLETE THE WORK INCLUDING EXCAVATION, SELECTING, HANDLING, HAUL, DISPOSAL, TEMPORARY STOCKPILING THE MATERIALS AS SPECIFIED AND INCIDENTALS.

2. THE CONTRACTOR IS RESPONSIBLE FOR FIELD VERIFYING ALL EXISTING DIMENSIONS AND SITE CONDITIONS. THE CONTRACTOR IS RESPONSIBLE FOR DETERMINING ACTUAL LOCATIONS OF ALL EXISTING UTILITIES AND THOSE UTILITIES OR UNDERGROUND OBSTRUCTIONS NOT SHOWN ON THE PLANS. THE CONTRACTOR IS RESPONSIBLE FOR REMOVAL OF UNDERGROUND OBSTRUCTIONS THAT INTERFERE WITH THE NEW CONSTRUCTION.

3. THE CONTRACTOR IS RESPONSIBLE FOR THE CONSTRUCTION PROCESS AND THE SAFETY OF THE WORKERS. THIS INCLUDES BUT IS NOT LIMITED TO, THE CONSTRUCTION SEQUENCE, TEMPORARY HANDRAILS, EXCAVATION ACCESS, AND BARRIERS. IT ALSO INCLUDES LIFTING OF MATERIALS AND CONSTRUCTION EQUIPMENT INTO AND OUT OF THE EXCAVATION, TEMPORARY BRACING OF SINGLE-SIDED FORMWORK, TEMPORARY SHORING OF EXCAVATIONS, AND STABILITY OF ALL TEMPORARY CUT SLOPES.

4. IF THE EXISTING RETAINING WALL IS TO REMAIN, EXCAVATIONS DOWNSLOPE OF THE WALL SHALL BE COMPLETED IN SECTIONS PER THE GEOTECHNICAL DESIGN REPORT.

REUSE OF EXCAVATED MATERIAL

a. EXCAVATED MATERIAL MAY BE STOCKPILED AT LOCATIONS APPROVED BY THE OWNER AND REUSED AS STRUCTURAL FILL PROVIDED IT MEETS THE FOLLOWING UNLESS OTHERWISE APPROVED BY ENGINEER.

b. EXCAVATED MATERIAL FOR REUSE SHALL CONSIST OF GRANULAR SOIL WITH NOT MORE THAN 35 PERCENT SILT- OR CLAY- SIZED PARTICLES PASSING THE U.S. NO. 200 SIEVE WHICH IS FREE OF DELETERIOUS MATERIAL. DELETERIOUS MATERIAL INCLUDES WOOD, ORGANIC WASTE, COAL, CHARCOAL, OR ANY OTHER EXTRANEOUS OR OBJECTIONABLE MATERIAL. THE MATERIAL SHALL CONTAIN MORE THAN 3 PERCENT ORGANIC MATERIAL BY WEIGHT AND ALL ROCK PARTICLES LAGER THAN 4 INCHES SHALL BE REMOVED. TESTING OF THE EXCAVATED MATERIAL FOR REUSE AS GRANULAR SOIL SHOULD BE COMPLETED BY A SPECIAL INSPECTION AND TESTING COMPANY RETAINED BY THE CONTRACTOR.

c. EXCAVATED MATERIAL WITH MORE THAN 35 PERCENT SILT- OR CLAY-SIZED PARTICLES PASSING THE U.S. NO. 200 SIEVE SHOULD NOT BE REUSED AS STRUCTURAL FILL. THIS EXCAVATED MATERIAL (SILT, CLAY OR NATIVE SOIL WITH DELETERIOUS MATERIAL) SHALL BE REMOVED FROM THE SITE AND DISPOSED AT LOCATIONS APPROVED BY THE OWNER AT NO ADDITIONAL COST TO THE OWNER.

BACKFILL

1. THIS WORK CONSISTS OF PLACEMENT AND COMPACTION OF FILL MATERIALS TO THE GRADES SHOWN ON THE PROJECT PLANS.

2. THIS WORK SHALL INCLUDE ALL EQUIPMENT AND LABOR NECESSARY TO COMPLETE THE WORK INCLUDING SELECTING, HANDLING, HAUL, DISPOSAL, TEMPORARY STOCKPILING, PLACEMENT AND COMPACTION OF THE MATERIALS AS SPECIFIED AND INCIDENTALS.

MATERIALS

WALL BACKFILL CONSISTING OF IMPORTED OR ONSITE GRANULAR SOIL WITH NOT MORE THAN 35 PERCENT SILT- AND CLAY-SIZED SOIL PARTICLES PASSING THE NO. 200 (0.075 MM) SIEVE MAY BE REUSED AS STRUCTURAL FILL, PROVIDED THE EXCAVATED MATERIALS ARE MOISTURE CONDITIONED TO WITHIN 3 PERCENT OF THE OPTIMUM MOISTURE CONTENT AND CAN MEET THE SPECIFIED COMPACTION CRITERIA. ALL ROCK SIZES LARGER THAN 4 INCHES SHALL BE REMOVED FROM THE ONSITE SOILS PRIOR TO PLACEMENT AND COMPACTION. THIS MATERIAL CAN BE EXCAVATED FROM DESIGNATED AREAS WITHIN THE RESERVOIR THAT HAVE BEEN PREVIOUSLY APPROVED BY THE OWNER.

STRUCTURAL FILL BELOW RETAINING WALL FOOTING SHALL BE FREE FROM VARIOUS TYPES OF WOOD OR DELETERIOUS MATERIALS AND CONSIST OF SOIL AND ROCK MEETING THE FOLLOWING GRADATION. GRANULAR SOIL FROM THE DESIGNATED 'QUARRY PIT' MAY BE USED BELOW RETAINING WALL FOOTINGS.

SIEVE SIZE	PERCENT PASSING BY WEIGHT
4 INCH	100
NO. 4 (4.75 MM)	15-60
NO. 200 (0.075MM)	12

DRAINAGE BED MATERIAL SHALL CONSIST OF BROKEN STONE AND SHALL BE FREE OF ROCK FINES, SOIL, OR OTHER EXTRANEOUS MATERIAL. QUARRY SPALLS SHALL NOT BE CONTAMINATED BY FOREIGN MATERIALS SUCH AS FIBERS, WOOD, STEEL, ASPHALT, SEALANT, SOIL, PLASTIC AND OTHER CONTAMINANTS OR DELETERIOUS MATERIAL. DRAINAGE BED MATERIAL SHALL MEET THE FOLLOWING GRADATION:

SIEVE SIZE	PERCENT PASSING BY WEIGHT
8 INCH	50-100
3 INCH	40 MAX.
¾ INCH	10 MAX.

SUBGRADE PREPARATION

1. AREAS EXPOSED BY EXCAVATION OR STRIPPING AND ON WHICH SUBGRADE PREPARATION ARE TO BE PERFORMED SHALL BE PROOFROLLED WITH A 10-TON STATIC ROLLER. WHERE VEHICLES CANNOT ACCESS A WORK AREA, HAND OPERATED COMPACTION EQUIPMENT MA BE USED FOR PROOFROLLING.

2. OVER EXCAVATION IS ANTICIPATED BELOW THE PROPOSED RETAINING WALL. ALL LOOSE/SOFT SAND AND SILT SHALL BE REMOVED DOWN TO MEDIUM DENSE TO DENSE SAND AND GRAVEL, REPLACED WITH STRUCTURAL FILL AND COMPACTED AS SPECIFIED BELOW. FILL REMOVAL SHALL EXTEND Laterally BEYOND THE FOUNDATION PERIMETER A DISTANCE EQUAL TO ONE HALF THE DEPTH OF THE OVER EXCAVATION. BASED ON TP-3 AND TP-6 THIS DEPTH IS ESTIMATED TO BE APPROXIMATELY 3 TO 3 ½ FEET BELOW EXISTING GROUND SURFACE. ACTUAL DEPTH ALONG THE FOOTING LINE WILL BE DETERMINED IN THE FIELD DURING CONSTRUCTION.

3. RETAINING WALL FOUNDATION SUBGRADE SHALL BE OBSERVED BY THE GEOTECHNICAL ENGINEER PRIOR TO CONSTRUCTION OF THE RETAINING WALL FOOTING. COORDINATE WITH THE OWNERS REPRESENTATIVE TO SCHEDULE THE GEOTECHNICAL ENGINEER. ALL LOOSE SOILS SHALL BE COMPACTED OR REMOVED AT THE DIRECTION OF THE OWNER'S REPRESENTATIVE OR GEOTECHNICAL ENGINEER.

FILL PLACEMENT AND COMPACTION

1. FILL AREAS TO ELEVATIONS SHOWN ON THE DRAWINGS WITH MATERIALS DEFINED ON THE DRAWINGS.

2. FILL SHALL BE PLACED IN MAXIMUM 10-INCH LIFTS WHEN COMPACTED WITH HEAVY EQUIPMENT OR 8 INCH LIFTS WHEN COMPACTED WITH HAND-OPERATED EQUIPMENT.

3. ALL FILL SHALL BE WITHIN 3 PERCENT OF THE OPTIMUM MOISTURE CONTENT PRIOR TO FILL PLACEMENT AND COMPACTION.

4. ONLY HAND OPERATED EQUIPMENT SHALL BE USED TO COMPACT MATERIAL WITHIN 5 FEET OF THE FACE OF THE RETAINING WALL.

5. FILL SHALL BE COMPACTED TO THE FOLLOWING COMPACTION LEVEL AS DEFINED BY ASTM D 1557:

FILL LOCATION	PERCENT OF MAXIMUM DRY DENSITY
RETAINING WALL BACKFILL	90
STRUCTURAL FILL	95 (BELOW FOOTINGS AND IN FRONT OF RETAINING WALL.)

WALL DRAINS

1. THIS WORK CONSISTS OF CONSTRUCTING WALL DRAINS TO THE LINES AND GRADES SHOWN OR ESTABLISHED USING DRAIN PIPE, SPECIAL FILTER MATERIAL OR GRANULAR DRAIN MATERIAL, AND DRAINAGE GEOTEXTILE.

MATERIALS

a. DRAIN PIPE NEXT TO WALL SHALL BE 6" HEAVY-WALL (SDR-35 OR EQUIVALENT) PERFORATED PIPE. DRAIN PIPE DISCHARGE SHALL BE 6" HEAVY-WALL (SDR-35) OR RIGID CORRUGATED POLYETHYLENE (ADS N-12 OR EQUIVALENT) SOLID PIPE.

b. GEOTEXTILE SHALL CONSIST OF DRAINAGE GEOTEXTILE PER ISPMC, SECTION 2050 PLACED AROUND GRANULAR DRAIN BACKFILL MATERIAL.

c. DISCHARGE POINT SHALL INCLUDE ENERGY DISSIPATION BY PLACING MINIMUM 1 FOOT OF RIPRAP PLACED OVER GEOTEXTILE. RIPRAP SHALL COVER LAST ONE FOOT OF PIPE AND EXTEND A MINIMUM 4 FEET BEYOND DISCHARGE POINT OF PIPE.

d. DRAIN ROCK SHALL CONSIST OF CRUSHED OR UNCRUSHED ROCK OR GRAVEL MEETING ISPMC SPECIFICATION 801 FOR DRAIN ROCK - 3 INCHES:

SIEVE SIZE	PERCENT PASSING BY WEIGHT
3 INCH	100
1 INCH	25-60
3/8 INCH	0-4
NO. 200	0-2

GEOTEXTILE

a. THIS WORK CONSISTS OF CONSTRUCTING SELECTING, FURNISHING, HANDLING AND PLACING GEOTEXTILE TO THE LINES AND GRADES SHOWN OR ESTABLISHED.

b. GEOTEXTILE SHALL MEET THE CRITERIA FOR TYPE II DRAINAGE GEOTEXTILE PER ISPMC SECTION 2050.

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NO.	DATE	BY	REVISION

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PROFESSIONAL ENGINEER

15346

2/19/10

BRAYDON P. DUNNE

GOOSE LAKE NEW RETAINING WALLS

ADAMS COUNTY, IDAHO

EARTHWORK SPECIFICATIONS

DRAWN: ESM	PROJ NO: 22935-001-01
DESIGN: BPD	SHEET 2 OF 7
CHECKED: TAD	DATE: 2-28-2018
SHEET NO. 2.0	

BUILDING CODES:

2012 International Building Code
2012 International Existing Building Code
ASCE 7-10 Minimum Design Loads For Buildings & Other Structures

DESIGN LOADS:**Risk Category III**

Snow Loads
Ground Snow Load, $P_g = 150$ psf

Wind Loads

Ultimate Design Wind Speed, $V_{ult} = 115$ mph (3-Second Gust)
Nominal Design Wind Speed, $V_{nom} = 90$ mph (Vult 10 mph)
Wind Exposure C

Seismic Loads

Seismic Design Category D

Soil Site Class D

Seismic Importance Factor, $I_e = 1.25$

Spectral Response Acceleration Parameters

$S_a = 0.368$

$S_1 = 0.123$

$S_0.2 = 0.395$

$S_0.1 = 0.189$

Geotechnical Information

Based On: Geotechnical values provided by Braydon Duffee of GeoEngineers via email to Joe Lane of GLR Engineers on November 2, 2017.

Allowable Design Load-Bearing Values Of Soil

Allowable Soil Bearing Pressure = 2,750 psf

*10 Increase For Wind And Seismic Loads Is Permitted

Active Soil Pressure = 55 psf (includes sloping backfill of 2:1)

Passive Soil Pressure = 75 psf for 2:1 backfill, 275 psf for level backfill

Seismic Soil Pressure = 12 psf

Coefficient Of Friction = 0.35

First Depth (Minimum) Forcing Embedment Below Lowest Adjacent Grade = 36 inches

SUBMITTAL REQUIREMENTS:

Shop drawings shall be submitted to the Owner's Representative for review by the design team prior to fabrication occurring. Please allow for a time period of one week to allow for a complete review to occur by the engineer of record. The contractor is responsible for ensuring this review occurs in conjunction with the construction schedule. The contractor shall review the submittals and comment as necessary prior to submitting to the design team.

The Owner's Representative in coordination with the engineer of record will review the submittal for conformance with the overall design intent and provide feedback as necessary, but is not responsible for commenting on dimension and quantity questions, this shall be performed by the contractor. Comments provided by the engineer of record shall not be taken by the contractor as consent to depart from complying with the project plans and specifications.

The submittals shall contain the appropriate design and detailing information as it pertains to the subject matter. Stamped and signed calculations shall be provided by a specially structural engineer responsible for the details of submittal. The specially structural engineer shall be licensed in the state where the project is being constructed.

The Following DEFERRED SUBMITTALS Are Required:

Temporary Shoring Systems if required

TEMPORARY SHORING:

The contractor is responsible for providing temporary shoring during construction to ensure that the existing structure is stable until the new construction work is complete. If necessary, the contractor shall consult a specially structural engineer, licensed in the state at work, for design assistance prior to proceeding with the work. The contractor shall be responsible for understanding means and methods requirements, as well as OSHA regulations for the project construction.

DEMOLITION:

Extent of demolition required may not be shown in the structural drawings. Contractor shall perform site visit to fully understand demolition requirements.

GENERAL DRAWINGS AND DETAILS:

Contractor is responsible for all quality control measures. Contractor is responsible to submit requests for information when there is not enough information present in the construction documents. Scaling of plans is not allowed. RF's shall be submitted when contractor needs dimensions that are not listed on drawings. The contract drawings portray the design intent based on the project conditions made available to the engineer of record. The detail sheets show specific detailing requirements as referenced from the structural plans. The contractor is responsible for coordinate where typical details apply that are not specifically referenced on plan. The contractor shall verify existing conditions and as-built dimensions prior to proceeding with construction. Contact the engineer of record if as-built conditions vary from what is shown on the contract drawings. Modifications to the contract drawings shall not be made without written approval from the engineer of record. The contractor is responsible for coordinating the contract drawings with the rest of the consultant team's documents, potential conflicts shall be reported to the architect for resolution.

SOILS AND FOUNDATIONS:

All foundations shall bear on native soil or compacted structural fill. All new foundations shall be placed so that the bottom of footing is located a minimum of 30" below finished grade unless noted otherwise within the contract documents. The top of footings are as noted on the foundation plan and shall be coordinated with the civil grading plans.

Geotechnical Inspection: Contractor shall have soil design values, excavations and site preparation verified by the geotechnical engineer through the Owner's Representative prior to concrete placement.

All soil placement, excavation techniques, and shoring & cribbing shall be coordinated with a qualified geotechnical engineer or a geotechnical inspection agency as applicable. Contractor is solely responsible for the design and procedures required for excavation and protection of adjacent properties. Contractor shall practice proper methods to avoid any and all impacts to adjoining properties including settlement, vibrations, etc.

Contractor to coordinate excavations adjacent to existing foundations with a geotechnical engineer prior to commencing excavation work. Excavations shall not extend below existing footing bearing elevations.

Contractor shall not backfill against cantilever retaining walls until concrete has achieved 100% of its specified minimum design compressive strength.

CONCRETE:

Cast in place concrete work shall conform to all requirements of IBC Chapter 18, ACI 301 and ACI 318. Concrete mixing shall conform to ASTM C34. Normal weight aggregate shall conform to ASTM C33. Concrete or grout containing chlorides shall not be permitted.

CONCRETE DESIGN PROPERTIES					
Member Type	Strength f_c (psi)	Test Age (days)	Maximum Aggregate Size	Max W / C Ratio	Air Content (%)
Footing	3000	28	1"	-	-
Walls	4000	28	1"	0.42	-

- Slump of concrete shall be 4" - 11" prior to the addition of admixtures. Slump: Conform to ACI 301, determine at point of placement.
- Portland cement shall conform to ASTM C150 Type I or II. If sulfates are present in soil Type V cement shall be used. Fly ash, slag, silica fume and other pozzolans may be used as an alternative to Portland cement. Use of fly ash shall be limited to 25% of the total weight of cementitious material.
- Aggregate: Conform to ASTM C33.
- W/C Ratio: Water-cement ratios shall be based on the total weight of cementitious materials.
- Air Content: Conform to ACI 318, acceptable tolerance is $\pm 1.5\%$, determine at point of placement. Provide entrained air where concrete is in direct contact with soil.
- Exposure Class: Conform to ACI 318, F2, S2, F3, and C3.
- Provide shrinkage limit of 0.05%.

All cold joints and where concrete is placed adjacent to existing concrete, clean and roughen concrete surfaces to 1/4" amplitude.

All reinforcing and anchor bolts shall be securely in place prior to concrete placement.

Conform to ACI 301 for all requirements related to the placement of concrete, including but not limited to, formwork, re-shoring, delivery, placement, and curing. Removal of formwork shall not occur until strength reaches a minimum of 0.75 f_c . Provide construction joints per ACI 301, the contractor shall submit the proposed joint layout for review and approval prior to forming. Provide (4) 6"x12" concrete cylinders for testing requirements, additional cylinders can be requested by the contractor. Cure and conduct tests in accordance with ACI 301, test (1) cylinder at 7 days, and (2) cylinders at 28 days to determine the concrete strength. The test cylinder should be held until 50 days, after which it can be discarded unless directed otherwise by the engineer of record. The concrete strength is deemed adequate when all sets of (3) consecutive tests exceed the required strength and when an individual test is no less than 500 psi below the required strength.

Submittals and Shop Drawings:

Each concrete mix design

- Provide (4) 6"x12" concrete cylinders for testing requirements, additional cylinders can be requested by the contractor. Cure and conduct tests in accordance with ACI 301, test (1) cylinder at 7 days, and (2) cylinders at 28 days to determine the concrete strength. The test cylinder should be held until 50 days, after which it can be discarded unless directed otherwise by the engineer of record. The concrete strength is deemed adequate when all sets of (3) consecutive tests exceed the required strength and when an individual test is no less than 500 psi below the required strength.

REINFORCING STEEL:

Reinforcement shall comply with CRSI specifications and handbooks and latest ACI code and detailing manual. Cast-in-place concrete reinforcement shall conform to the requirements of IBC Chapter 18 and ACI 301/318.

Materials

Reinforcing bars: ASTM A615, grade 60 ksi (shall not be welded)

Typical concrete coverage

Concrete cast against and permanently exposed to earth: 3"

Formed concrete exposed to earth or water: 2"

#6 and larger: 1-1/2"

#5 and smaller: 1-1/2"

Formed concrete not exposed to weather or in contact with ground: 1-1/2"

Slab top cover: 1"

Beam bottom cover: 1-1/2"

Beams to primary reinforcement, ties, or stirrups: 2"

Columns to ties: 2"

All reinforcement shall be securely tied in place before placing concrete. Reinforcing bar splices shall be in accordance with the latest edition of ACI: Field bending or strengthening of #3 thru #5 bars may be left bent cold the first time. Other bars require prebending. Do not twist bars.

Welded wire fabric lap length shall be the larger of 6" or 1-1/2" mesh bays

Submit shop drawings illustrating the reinforcement placement noted in the contract drawings. These submittals should reflect sizes, dimensions, and locations of concrete reinforcement, as well as embedded items within the concrete. Conform to ACI 301 for all fabrication requirements and placement tolerances. Provide minimum lap splice or development length as specified within the typical lap splice and development length schedule. Do not field bend reinforcement larger than a #5 unless otherwise approved by the engineer of record. Reinforcement between #3 and #5 may be left bent one time, but not greater than 90 degrees. Provide submittals installed per the manufacturer's specifications, follow ASTM A1044.

Submittals and Shop Drawings:

Reinforcing steel shop drawings

SPECIAL INSPECTIONS:

An approved special inspection agency shall be retained per IBC Chapter 17 to provide special inspection for the project. The special inspection agency and special inspectors shall be qualified to perform the work per IBC Chapter 17.

Contractor Responsibilities:

Each contractor responsible for the construction of a main wind or seismic force resisting system, designated seismic system or a wind or seismic resisting component listed in the statement of special inspections shall submit a written statement of responsibility to the building official and the owner prior to the commencement of work on the system or component. The contractor's statement of responsibility shall contain acknowledgment of awareness of the special requirements contained in the statement of special inspection.

Contractor is responsible for notifying building official and registered special inspector for all inspections and testing required. Contractor shall submit electronic special inspection reports to architect and engineer or record within 7 days of each report being completed.

Structural observation is required per IBC Chapter 17 for structures in Seismic Design Category D, E and F or when the allowable wind speed exceeds 110 mph (ASD). Structural observation site visits for this project are not required unless required by the building official.

Required special inspections are as follows:

- Concrete
 - All concrete has been design for $f_c = 2500$ psi, therefore special inspection is not required IBC Section 1705.3 Exception 2.

All other Material Special Inspections shall be in accordance with the following tables

Required Verification and Inspection of Soils - IBC Table 1705.6			
Verification and Inspection	Inspections Required		Periods
	Yes	No	
Verify materials below shallow foundations are adequate to achieve the design bearing capacity	X		X
Verify excavations are extended to proper depth and have reached proper material	X		X
Perform classification and testing of compacted fill materials	X		X
Verify use of proper materials, densities, and lift thicknesses during placement and compaction of compacted fill	X		X
Prior to placement of compacted fill, observe subgrade and verify that site has been prepared properly	X		X

STRUCTURAL DRAWING SHEET LIST

SHEET NO.	SHEET	ORIGINAL DATE	REV	REV DATE
2.1	STRUCTURAL NOTES AND SPECIFICATIONS	2-28-2018		
4.2	RETAINING WALL STRUCTURAL DETAILS	2-28-2018		

SYMBOL LEGEND			
SYMBOL	DESCRIPTION	SYMBOL	DESCRIPTION
	REVISION TRIANGLE		SHEAR WALL
	ELEVATION MARK		HOLDOWN TYPE
	SECTION CUT		DETAIL CALLOUT
	MOMENT FRAME CONNECTION		SHEAR WALL
	COLUMN SIZE INDICATOR		CONCRETE WALL
	DENOTES WIDE FLANGE COLUMN		MASONRY CMU WALL
	DENOTES HSS COLUMN		WOOD OR STEEL STUD WALL
	DENOTES PIPE COLUMN		UPWARD SLOPE IN CONCRETE
	DENOTES WOOD POST		DOWNWARD SLOPE IN CONCRETE
	CONCRETE COLUMN		STEP IN CONCRETE ELEVATION
	SUP CRITICAL CONNECTION		FLOOR SPAN DIRECTION
	FOOTING STEP		BEAM HANGER
	BUNDLED STUD		CONCRETE WALL PANEL NUMBER
	NUMBER OF TRIMMER AND KING JAMB STUDS		FILE TAG

ABBREVIATIONS

+	PLUS OR MINUS	LONGIT	LONGITUDINAL
AB	ANCHOR BOLT	LBL	LAMINATED
ACI	AMERICAN CONCRETE INSTITUTE	LVL	LAMINATED VENEER LUMBER
ADOL	ADDITIONAL	MAS	MASONRY
ASC	AMERICAN INSTITUTE OF STEEL CONSTRUCTION	MAX	MAXIMUM
ALT	ALTERNATE	MECH	MECHANICAL
APA	AMERICAN PLYWOOD ASSOCIATION	MEZZ	MEZZANINE
ARCH	ARCHITECTURAL	MFR	MANUFACTURER
ASTM	AMERICAN SOCIETY FOR TESTING AND MATERIALS	MN	MINIMUM
AWG	AMERICAN WELDING SOCIETY	MISC	MISCELLANEOUS
B	BOTTOM OF	(N)	NEW
BLDG	BUILDING	NS	NOT APPLICABLE
BLKG	BLOCKING	NTS	NOT TO SCALE
BM	BEAM	NO or #	NUMBER
BMU	BRICK MASONRY UNIT	OC	ON CENTER
BOT	BOTTOM	OCBF	ORDINARY CONCENTRIC BRACED FRAME
BP	BASEPLATE	OD	OUTSIDE DIAMETER
BRBF	BUCKLING RESTRAINED BRACED FRAME	OF	OUTSIDE FACE
BRG	BEARING	OMF	ORDINARY MOMENT FRAME
BTWN	BETWEEN	OPNG	OPENING
C	CAMBER	OPP	OPPOSITE
CB	CASTELLATED BEAM	OSB	ORIENTED STRAND BOARD
CBU	CLAY BRICK UNIT	OSJ	OPEN WEB STEEL JOIST
CD	CAST IN PLACE	OWNSJ	OPEN WEB WOOD JOIST
CJ	CONTROL JOINT OR CONSTRUCTION JOINT	PAP	POWDER ACTUATED FASTENER
CP	COMPLETE JOINT PENETRATION	PC	PRECAST
CL	CENTERLINE	PERP	PERPENDICULAR
CLG	CLEAR	PL	PLATE
CLR	CONCRETE MASONRY UNIT	±	PLUS OR MINUS
CMU	COLUMN	PLWD	PLYWOOD
COL	CONCRETE	PF	PARTIAL PENETRATION
CONC	CONCRETE	PREFAB	PREFABRICATED
CONN	CONNECTION	PSF	POUNDS PER SQUARE FOOT
CONST	CONSTRUCTION	PSI	POUNDS PER SQUARE INCH
CONT	CONTINUOUS	PSL	PARALLEL STRAND LUMBER
CSHK	COUNTERSINK	P-T	POST-TENSIONED
CTRD	CENTERED	PT	PRESSURE TREATED
D	DIAMETER	R	RADIUS
DB	DROP BEAM	RD	ROOF DRAIN
DBA	DEFORMED BAR ANCHOR	REF	REFERENCE
DBL	DOUBLE	REIN	REINFORCE, REINFORCED,
DEMO	DEMOLISH		REINFORCEMENT OR REINFORCING
DEV	DEVELOPMENT	REQD	REQUIRED
DF	DOUGLAS FIR	RET	RETAINING
DAG	DIAGONAL	REV	REVISE OR REVISION
DIST	DISTRIBUTED	SCBF	SPECIAL CONCENTRIC BRACED FRAME
DL	DEAD LOAD	SCHED	SCHEDULE
DN	DOWN	SQ	SQUARE FOOT
DP	DEPTH/DEEP	SHING	SHEDDING
DWG	DRAWING	SK	SKIN
(E)	EXISTING	SMF	SPECIAL MOMENT FRAME
EA	EACH	SG	SLAB ON GRADE
EP	EACH FACE	SPEC	SPECIFICATION
EL	ELEVATION	SS	STAINLESS STEEL
ELEC	ELECTRICAL	STAGG	STAGGER OR STAGGERED
ELEV	ELEVATOR	STD	STANDARD
EMBED	EMBEDMENT	STIFF	STIFFENER
EN	EDGE NAIL	STL	STEEL
ENR	ENGINEER OF RECORD	STRUCT	STRUCTURAL
EQ	EQUAL	SW	SHEAR WALL
EQUIP	EQUIPMENT	SWWW	SOLID WEB WOOD JOIST
EW	EACH WAY	SYM	SYMMETRICAL
EXP	EXPANSION	T	TOP OF
EXT	EXTENSION	TAB	TOP AND BOTTOM
F	FACE OF	T&G	TONGUE AND GROOVE
FDN	FOUNDATION	TC AXLD	TOP CHORD AXIAL LOAD
FF	FINISH FLOOR	TCX	TOP CHORD EXTENSION
FG	FINISH GRADE	TDS	TIE DOWN SYSTEM
FIN	FINISH	THRD	THICKENED
FLR	FLOOR	THRD	THREADED
FTG	FOOTING	THRU	THROUGH
GA	GAUGE OR GAUGE	TOT	TOP OF BEAM
GALV	GALVANIZED	TOC	TOP OF CONCRETE
GC	GENERAL CONTRACTOR	TOF	TOP OF FOOTING
GEOTECH	GEOTECHNICAL	TOM	TOP OF MASONRY
GL	GLUE LAMINATED TIMBER	TOS	TOP OF STEEL
GWB	GYPSUM WALL BOARD	TOW	TOP OF WALL
HD	HOLD DOWN	TRANSV	TRANSVERSE
HDR	HEADER	TYP	TYPICAL
HE	HEMLOCK-FIR	UBC	UNIFORM BUILDING CODE
HCR	HANGER	UNO	UNLESS NOTED OTHERWISE
HORIZ	HORIZONTAL	URM	UNREINFORCED MASONRY WALL
HSS	HOLLOW STRUCTURAL SECTION	VERT	VERTICAL
IBC	INTERNATIONAL BUILDING CODE	VF	VERIFY IN FIELD
ID	INSIDE DIAMETER	W	WIDE
IF	INSIDE FACE	WV	WITHOUT
INT	INTERIOR	WD	WIDE FLANGE
K	KIPS	WF	WELDED HEADED STUD
KSF	KIPS PER SQUARE FOOT	WP	WORK POINT
LBS	POUNDS	WVF	WELDED WIRE FABRIC
LF	LINEAL FOOT		
LL	LINE LOAD		
LLH	LONG LEG HORIZONTAL		
LLV	LONG LEG VERTICAL		

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LANE
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1111 W. BENTLEY ST. STE. 100
BOISE, ID 83725
P: 208-344-3474
F: 208-344-3475
1111 W. BENTLEY ST. STE. 100
BOISE, ID 83725
P: 208-344-3474
F: 208-344-3475

ALL STRUCTURAL DRAWINGS ARE DESIGNED ON THE ASSUMPTION THAT THE SHEETS ARE CONSIDERED AS A COMPLETE SET OF DRAWINGS AND NOT BE USED IN ISOLATION OR IN PART. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS.

NO.	DATE	BY	REVISION

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02/28/2018

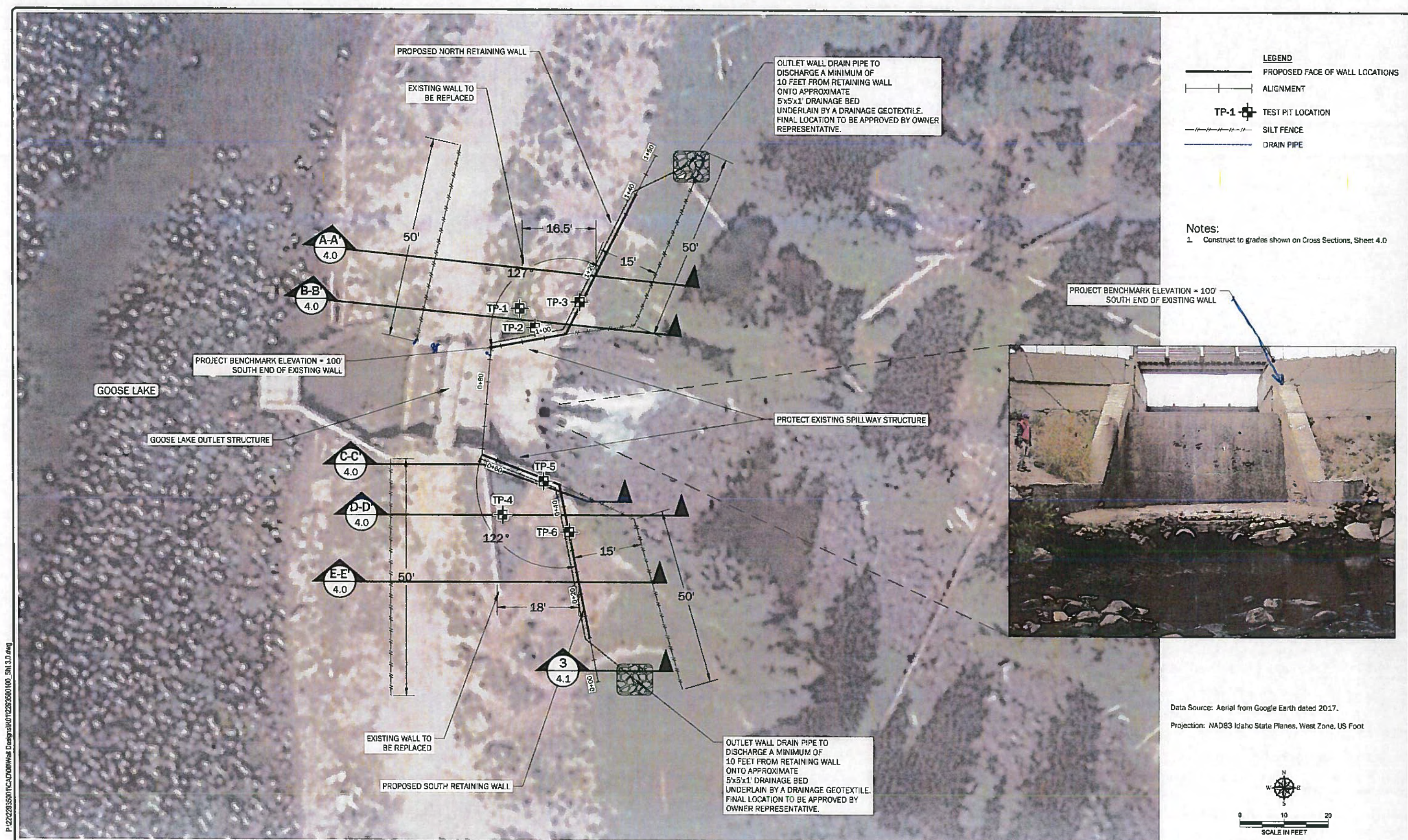
GOOSE LAKE NEW RETAINING WALL
ADAMS COUNTY, IDAHO

STRUCTURAL NOTES AND SPECIFICATIONS

DRAWN	AC	PROJ	22935-001-0
DESIGN	JL	SHEET	1 OF 2
CHECKED	JL	DATE	2-28-2018
SHEET			

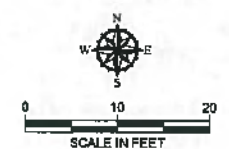
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Notes:
1. Construct to grades shown on Cross Sections, Sheet 4.0

Data Source: Aerial from Google Earth dated 2017.
Projection: NAD83 Idaho State Planes, West Zone, US Foot



NO.	DATE	BY	REVISION



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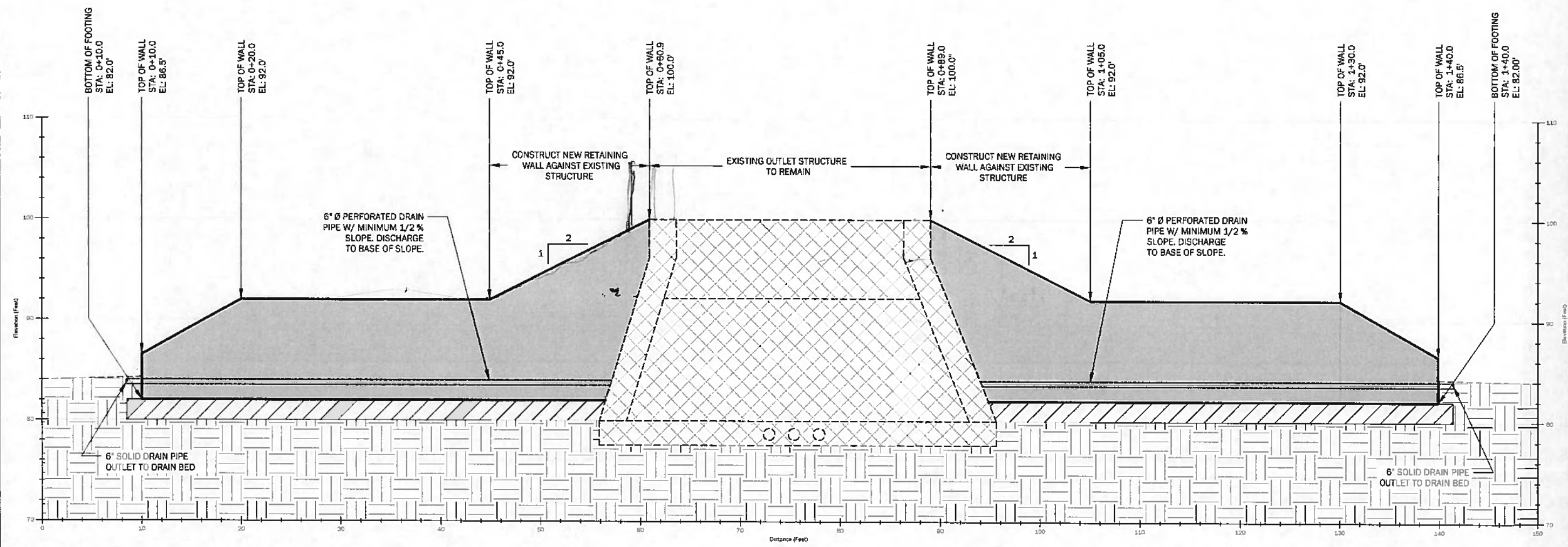
GOOSE LAKE NEW RETAINING WALLS
ADAMS COUNTY, IDAHO

SITE PLAN

DRAWN: ESM	PROJ NO: 22935-001-01
DESIGN: BPD	SHEET 3 OF 7
CHECKED: TAD	DATE: 2-28-2018
SHEET NO.	3.0

LEGEND

 NEW RETAINING WALL
 EXISTING STRUCTURE TO REMAIN
 STRUCTURAL FILL BELOW FOUNDATIONS (2 FEET MINIMUM)



Notes:
 1. Construct to grades shown on Cross Sections, Sheet 4.0

PROPOSED RETAINING WALL PROFILE
 SCALE 1" = 5' 2.1



Plot: 02/28/2018, 17:11 | esmiller P:\22020350\1\CAD\Wall Design\6011220350100_Sht 3.1.dwg

NO.	DATE	BY	REVISION

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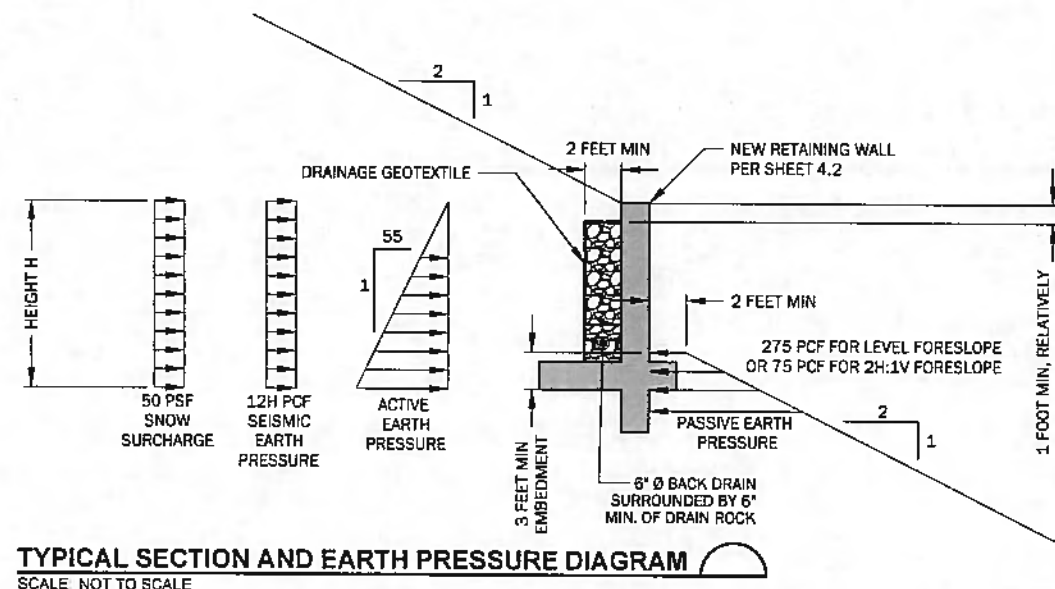
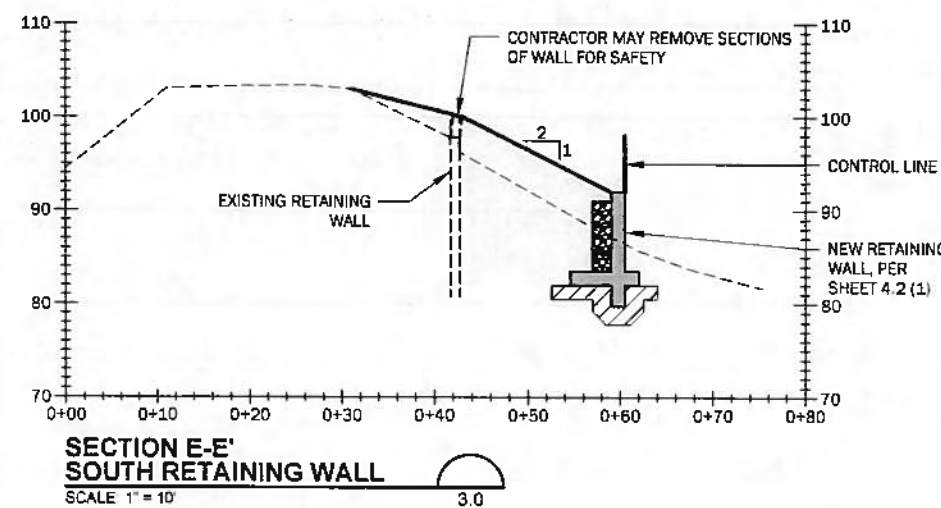
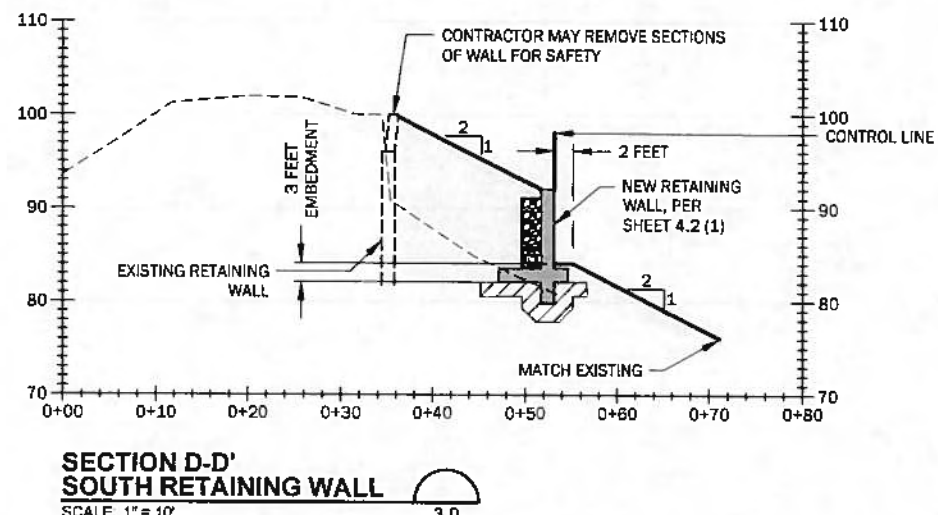
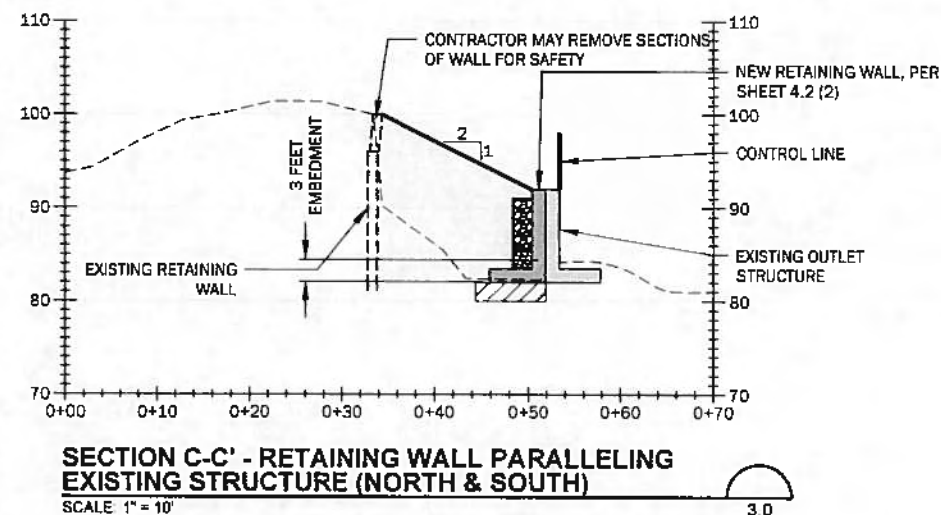
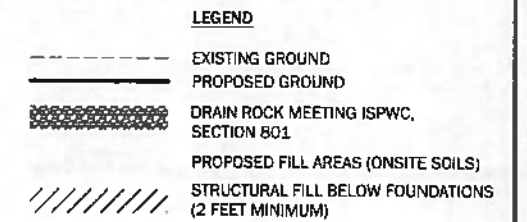
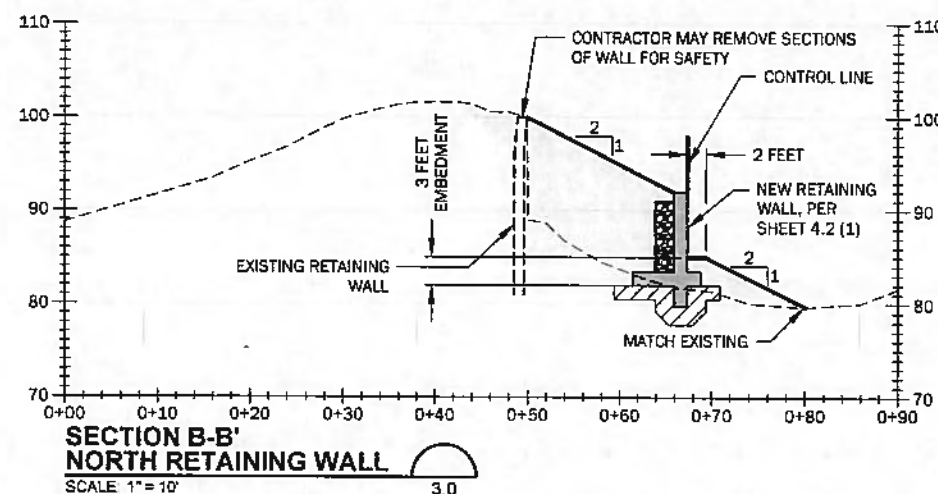
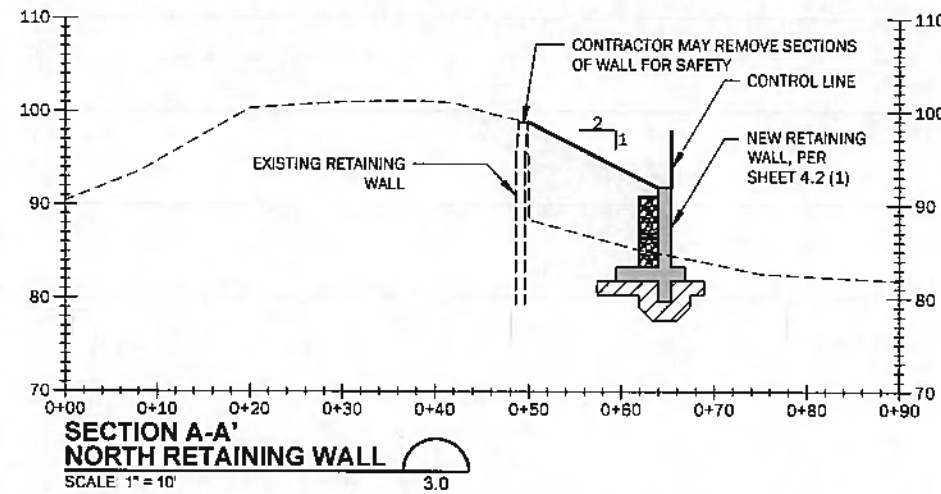
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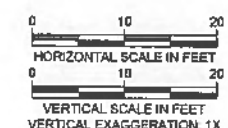
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 ADAMS COUNTY, IDAHO

WALL PROFILE

DRAWN: ESM PROJ NO: 22035-001-01
 DESIGN: BPD SHEET 4 OF 7
 CHECKED: TAD DATE: 2-28-2018
 SHEET NO. **3.1**



- Notes:**
- EXISTING RETAINING WALL EXTENDED TO THE DEPTHS EXPLORED IN TP-1 AND TP-4 WITH VARYING DEGREES OF CONCRETE DEGRADATION. THE BOTTOM OF THE EXISTING WALL ALONG THE ENTIRE LENGTH OF THE WALL IS UNKNOWN.
 - AT NO TIME SHOULD THE EXISTING RETAINING WALL BE UNDERMINED.
 - EXCAVATIONS DOWNSLOPE OF THE WALL SHOULD OCCUR IN SEGMENTS NO LONGER THAN 6 FEET MEASURED ALONG THE LENGTH OF THE WALL. ONCE ONE SEGMENT IS EXCAVATED, THE SEGMENT IS TO BE BACKFILLED AND COMPACTED PRIOR TO CONTINUING EXCAVATIONS ALONG THE LENGTH OF THE WALL.

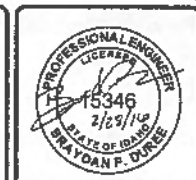


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NO.	DATE	BY	REVISION

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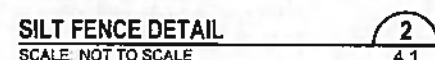
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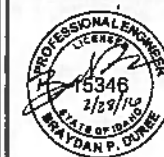
GOOSE LAKE NEW RETAINING WALLS
ADAMS COUNTY, IDAHO

WALL SECTIONS AND DETAILS

DRAWN: ESM	PROJ NO: 22835-001-01
DESIGN: BPD	SHEET 5 OF 7
CHECKED: TAD	DATE: 2-28-2018
SHEET NO.	4.0

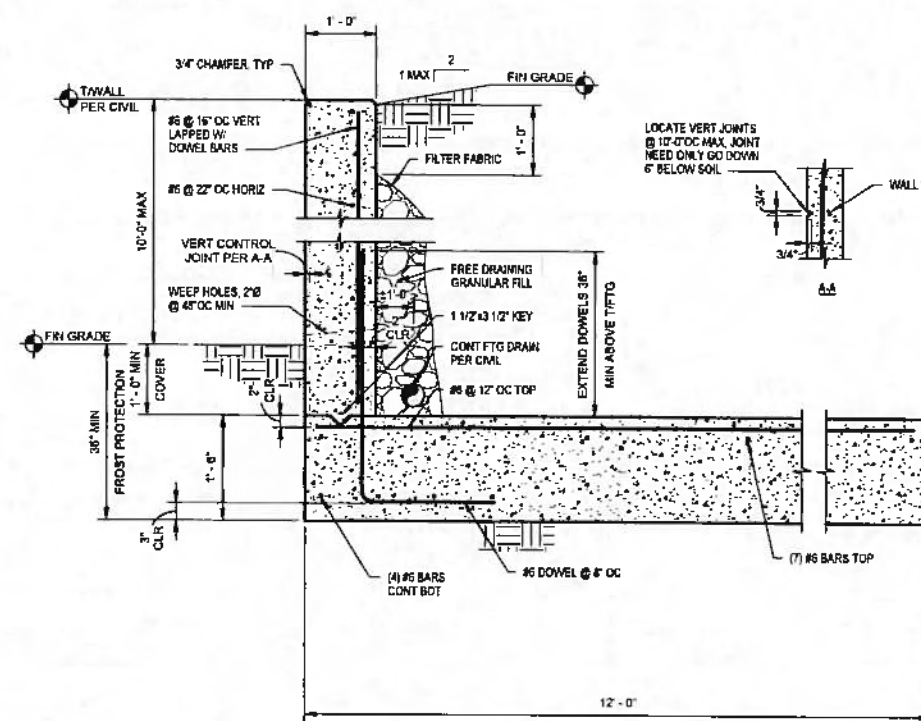
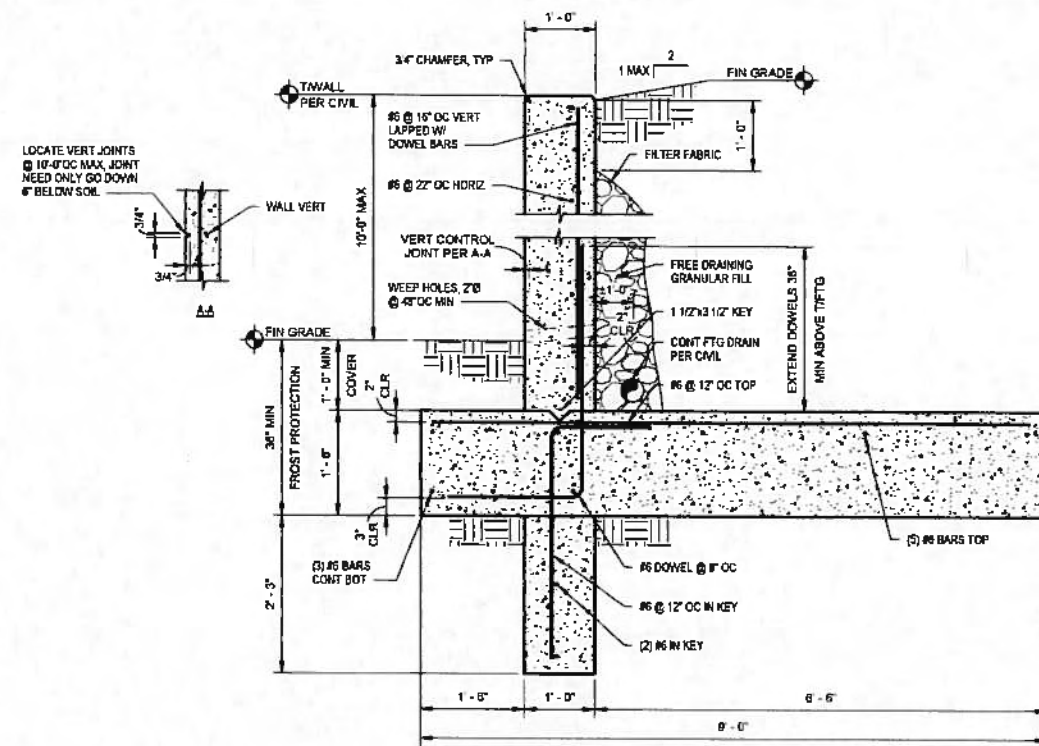
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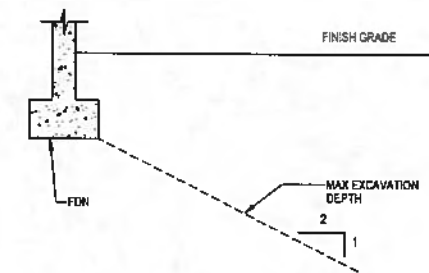
DETAILS

4.1



DETAIL GENERAL NOTES

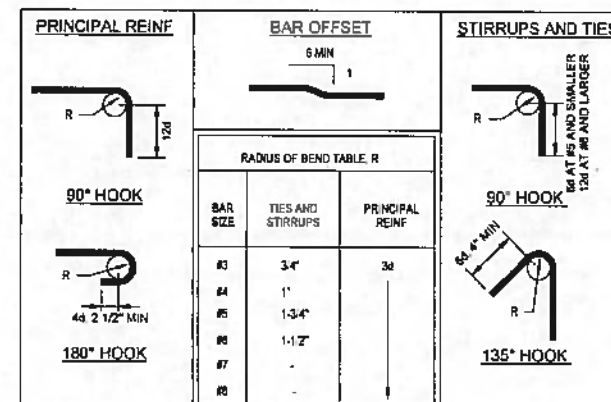
1. GENERAL NOTES AND SPECIFICATIONS, STRUCTURAL DRAWING SHEET LIST, LEGENDS AND ABBREVIATIONS PER SHEET S2.1
2. CONTRACTOR SHALL COORDINATE WITH THE OWNERS REPRESENTATIVE REFERENCED IN THE GENERAL NOTES PRIOR TO ANY EXCAVATION BEGINNING FOR SUBGRADE PREPARATION, RECOMMENDED DRAINAGE AND OTHER REQUIREMENTS. THE FOUNDATIONS BEAR ON EITHER COMPETENT NATIVE SOIL OR STRUCTURAL FILL.
3. CONTRACTOR SHALL COORDINATE ALL DEVISIONS AND ELEVATIONS WITH SITE/CIVIL AND OTHER CONSULTANT'S DRAWINGS AS REQUIRED. FIELD VERIFY ALL EXISTING CONDITIONS.
4. CONTRACTOR SHALL COORDINATE ALL BELOW SLAB STEPS, SLOPES, DRAINS, CURBS, BLOCKOUTS AND PENETRATIONS. WITH CIVIL DRAWINGS PRIOR TO PLACING CONCRETE. COORDINATE ACCEPTABLE LOCATIONS WITH CONCRETE TYPICAL DETAILS.



	3,000 PSI				≥ 4,000 PSI			
BAR SIZE	Ld BEAM TOP REINF	Ld ALL OTHER REINF	LAP SPLICE	Ldh HOOKED BARS	Ld BEAM TOP REINF	Ld ALL OTHER REINF	LAP SPLICE	Ldh HOOKED BARS
#3	22"	17"	23"	9"	19"	15"	20"	8"
#4	29"	22"	29"	11	25"	19"	25"	10"
#5	36"	28"	37"	14"	31"	24"	32"	12"
#6	43"	33"	43"	17"	37"	29"	38"	15"
#7	63"	48"	63"	20"	54"	42"	55"	17"
#8	72"	55"	72"	22"	62"	48"	63"	19"
#9	81"	62"	81"	25"	70"	54"	71"	22"
#10	91"	70"	91"	28"	79"	61"	80"	25"
#11	101"	78"	102"	31"	87"	67"	88"	27"

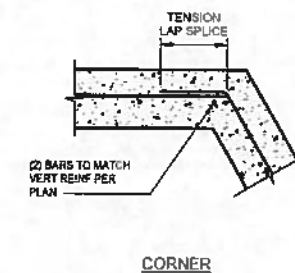
NOTE5

- NOTES
1. FOR LIGHTWEIGHT AGGREGATE CONCRETE, MULTIPLY THE LAP SPICE LENGTH VALUES BY 1.3
 2. FOR REINFORCING WITH EPOXY COATING MULTIPLY LAP SPICE LENGTH SHOWN BY 1.5
 3. MULTIPLY LAP SPICE LENGTH BY 1.3 WHEN MORE THAN HALF OF THE BARS ARE SPLICED WITHIN A REQUIRED LAP LENGTH.
 4. IF LESS THAN 6 in CONCRETE COVER IS PROVIDED, MULTIPLY LAP SPICE LENGTH BY 1.5



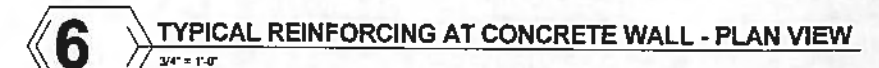
NOTES

- NOTES:**
1 ALL BENDS SHALL BE MADE COLD
2 d = BAR DIAMETER
3 R = RADIUS OF BEND



NOTES

- NOTES:
1. WALL REINFORCING PER PLAN OR ELEVATIONS
 2. LAP SPICE LENGTHS PER TYPICAL DEVELOPMENT AND TENSION LAP SPICE SCHEDULE.



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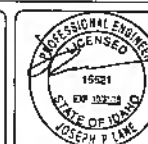
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SPRING, TX 77474
(713) 341-1211

ALL STRUCTURAL DETAILS AND JOINTS ON THESE DWGTS ARE CONFORMANT WITH THE REQUIREMENTS AND
REQUIREMENTS OF THE AISC 360-16 AND AISC 360-10 SPECIFICATIONS FOR STEEL BUILDINGS.

[illegible]

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02/28/2018

GOOSE LAKE NEW RETAINING WALL
ADAMS COUNTY, IDAHO

RETAINING WALL STRUCTURAL DETAILS

DRAWN	AC	PROJ	22935-001.0
DESIGN:	JL	SHEET	2 OF 2
CHECKED:	JL	DATE:	2-28-2018
SHEET			

4.2

Memorandum



To: Idaho Water Resource Board
From: Remington Buyer
Date: March 12, 2018
Re: Rental Pool Procedures

REQUIRED ACTION: The Board may approve updated procedures for the Water District Nos. 01, 63 and 65 rental pools.

Enclosed with this memo are copies of the 2018 rental pool procedures, adopted by the water users and the water district advisory committees of water districts 01, 63 and 65. Pursuant to Idaho Code 42-1765 and the subsections of rule 40 of the Water Supply Bank Rules (IDAPA 37.02.03.40), the water district advisory committees of water districts 01, 63 and 65 are the IWRB-appointed local committees that facilitate the lease and rental of stored water within the Upper Snake River, Boise River and Payette River rental pools.

The rental pool procedures are being updated to recognize an increase in the stipulated rental rate for flow-augmentation rentals by the United States Bureau of Reclamation, which has increased from \$17.00 per acre foot (AF) to \$20.00 /AF for years 2018-2022. The administrative rental fees levied by water district 01 and water district 63 are also increasing to \$1.30/AF, which is in alignment with the administrative rental fee levied within the Water District 65 rental pool.

Additionally, the proposed updates to the Water District No. 01 rental pool procedures include provisions addressing how flood control releases from the Upper Snake reservoir system may affect the computation of impacts attributable to rentals from the prior water year (Procedural rule 7.2), as well as how the lease and rental of storage water from Palisades Reservoir by Palisades Water Users, Inc. (PWUI) may be administered within the Water District 01 rental pool (Procedural rule 9.0).

Consistent with Water Supply Bank Rule 40.05, the IWRB is called upon to consider approving the updated rental pool procedures, as adopted by the water users and water district advisory committees of water districts 01, 63 and 65. Attached with this memo are resolutions to approve the amendments to the procedures of the three rental pools, drafted for the IWRB's consideration.

Attachment(s): Water District 01 Adopted 2018 Rental Pool Procedures
Water District 01 Draft 2018 Rental Pool Procedures
Water District No. 63 Draft 2018 Rental Pool Procedures
Water District No. 63 Adopted 2018 Rental Pool Procedures
Water District 65 Adopted 2018 Rental Pool Procedures
Water District 65 Draft 2018 Rental Pool Procedures
Draft Resolution – Approval of amended procedures for the Water District 01 Rental Pool,
Draft Resolution – Approval of amended procedures for the Water District 63 Rental Pool,
Draft Resolution – Approval of amended procedures for the Water District 65 Rental Pool.

~~2017~~2018

WATER DISTRICT 1
RENTAL POOL PROCEDURES

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2017
WATER DISTRICT 1
RENTAL POOL PROCEDURES

RULE 1.0 LEGAL AUTHORITY

- 1.1 These procedures have been adopted by the Water District 1 Committee of Nine pursuant to Idaho Code § 42-1765.
- 1.2 These procedures shall not be interpreted to limit the authority of the Idaho Department of Water Resources, the Idaho Water Resource Board, or the Watermaster of Water District 1 in discharging their duties as prescribed by statute or rule.
- 1.3 These procedures shall be interpreted consistent with Idaho Code, rules promulgated by the Idaho Water Resource Board, relevant provisions of spaceholder contracts with the United States, and the Mediator's Term Sheet of the 2004 Snake River Water Rights Agreement.
- 1.4 The operation of the rental pool shall in no way recognize any obligation to maintain flows below Milner or to assure minimum stream flows at the United States Geological Survey (USGS) gaging station on the Snake River near Murphy.
- 1.5 These procedures shall not be interpreted in any manner that is inconsistent with or would adversely impact or effect the rights of the Shoshone-Bannock Tribes as set out in the Fort Hall Agreement, the Blackfoot River Equitable Adjustment Settlement Agreement, and the 2015 Settlement Agreement between the Tribes and the Committee of Nine.

RULE 2.0 DEFINITIONS

- 2.1 **Accounting Year:** the Water District 1 accounting year that begins on November 1 and ends on October 31.
- 2.2 **Acre-foot:** a volume of water sufficient to cover one acre of land one foot deep and is equal to 43,560 cubic feet.
- 2.3 **Administrative Fee:** a fee of one dollar and five cents (\$1.05) per acre-foot assessed on the total quantity of storage set forth in any rental or lease application, disbursed to the District at the end of the irrigation season.
- 2.4 **Allocation:** the amount of stored water, including carryover, that has accrued to a spaceholder's storage space on the date of allocation that is available for the spaceholder's use in the same accounting year.
- 2.5 **Applicant:** a person who files with the Watermaster an application, accompanied by the required fees, to rent or lease storage through the rental pool.
- 2.6 **Assignment:** storage provided by an assignor from the current year's storage allocation for rental through the common pool pursuant to Rule 5.3.
- 2.7 **Assignor:** a participant who assigns storage to the common pool pursuant to Rule 5.3 and subject to Rule 7.5.

- 2.8 **Board:** the Idaho Water Resource Board (IWRB).
- 2.9 **Board Surcharge:** a surcharge equal to ten percent (10%) of the rental price or lease price assessed on the total quantity of storage set forth in any rental or lease application, disbursed to the Board at the end of the irrigation season.
- 2.10 **Bureau:** the United States Bureau of Reclamation (USBR).
- 2.11 **Committee:** the Committee of Nine, which is the advisory committee selected by the members of Water District 1 at their annual meeting and appointed as the local committee by the Board pursuant to Idaho Code § 42-1765.
- 2.12 **Common Pool:** storage made available to the Committee through participant contributions and/or assignments for subsequent rental pursuant to Rule 5.
- 2.13 **Date of Allocation:** the date determined each year by the Watermaster on which the maximum accrual to reservoir spaceholders occurs.
- 2.14 **Date of Publication:** the date on which the Watermaster publishes on the District website the storage allocation for the current accounting year.
- 2.15 **Department:** the Idaho Department of Water Resources (IDWR).
- 2.16 **District:** Water District 1 of the state of Idaho.
- 2.17 **Impact Fee:** a fee added to the rental price for non-spaceholder rentals pursuant to Rule 5.5.107.
- 2.18 **Impact Fund:** a fund maintained by the Watermaster for the mitigation of computed impacts to participants pursuant to Rule 7.3.
- 2.19 **Infrastructure Fee:** a fee of five dollars (\$5.00) per acre-foot assessed on all storage rented through the common pool for purposes below Milner, excluding flow augmentation, disbursed to the Infrastructure Fund at the end of the irrigation season.
- 2.20 **Infrastructure Fund:** a fund maintained by the Watermaster for the purposes outlined in Rule 4.5.
- 2.21 **Lease:** a written agreement entered into between a lessor and lessee to lease storage through the rental pool pursuant to Rule 6.
- 2.22 **Lease Price:** a price per acre-foot negotiated between a lessor and lessee as set forth in a lease agreement.
- 2.23 **Lessee:** a person who leases storage from a participant under a lease.
- 2.24 **Lessor:** a participant who leases storage to a person under a lease pursuant to Rule 6 and subject to Rule 7.6.
- 2.25 **Milner:** Milner Dam on the Snake River.

- 2.26 **Net Price:** the average price per acre-foot of all rentals from the common pool, including flow augmentation, but excluding rentals of assigned storage.
- 2.27 **Net Proceeds:** the net price times the number of acre-feet rented from the common pool, excluding rentals of assigned storage.
- 2.28 **Participant:** a spaceholder who contributes storage to the common pool pursuant to Rule 5.2.
- 2.29 **Participant Contributions:** storage made available to the common pool by participants, with computed impacts accounted from next year's reservoir fill, which forms the supply for large rentals, small rentals, and flow augmentation, subject to the limitations in Rule 5.2.
- 2.30 **Person:** an individual, corporation, partnership, irrigation district, canal company, political subdivision, or governmental agency.
- 2.31 **Rent:** the rental of storage from the common pool.
- 2.32 **Rental Pool:** the processes established by these procedures for the rental and/or lease of storage, mitigation of computed impacts to spaceholders, and disposition of revenues.
- 2.33 **Rental Pool Subcommittee:** a subcommittee composed of the Watermaster (advisor), a designated representative from the Bureau (advisor), and three or more members or alternates of the Committee who have been appointed by the chairman of the Committee.
- 2.34 **Rental Price:** the price per acre-foot of storage rented from the common pool, as set forth in Rule 5.5, excluding the administrative fee, the Board surcharge, and the infrastructure fee.
- 2.35 **Renter:** a person who rents storage from the common pool.
- 2.36 **Reservoir System:** refers to American Falls, Grassy Lake, Henrys Lake, Island Park, Jackson Lake, Lake Walcott, Milner Pool, Palisades, and Ririe.
- 2.37 **Space:** the active capacity of a reservoir measured in acre-feet.
- 2.38 **Spaceholder:** the holder of the contractual right to the water stored in the space of a storage facility within the Reservoir System.
- 2.39 **Storage:** the portion of the available space that contains stored water.
- 2.40 **Watermaster:** the watermaster of Water District 1.
- 2.41 **Water Supply Forecast:** the forecasted unregulated runoff for April 1 to September 30 at the Heise USGS gaging station, referred to in Table 1.

RULE 3.0 PURPOSES

- 3.1 The primary purpose of the rental pool is to provide irrigation water to spaceholders within the District and to maintain a rental pool with sufficient incentives such that spaceholders supply, on a voluntary basis, an adequate quantity of storage for rental or lease pursuant to procedures established by the Committee. These procedures are intended to assure that participants have priority over non-participants and non-spaceholders in renting storage through the rental pool.
- 3.2 To maintain adequate controls, priorities, and safeguards to insure that existing water rights are not injured and that a spaceholder's allocation is not impacted without his or her consent. To compensate an impacted spaceholder to the extent the impact can be determined by the procedures developed by the District.
- 3.3 To generate revenue to offset the costs of the District to operate the rental pool and to fund projects that fall within the parameters of Rule 4.5.
- 3.4 To provide storage water at no cost under Rule 5.5 for the benefit of the Tribes consistent with the terms of the Blackfoot River Equitable Adjustment Settlement Agreement and the 2015 Settlement Agreement. Discussions are ongoing to identify the party responsible for mitigating impacts to the Tribes. Nothing in these Procedures should be construed as an admission of liability by Water District 1 or the Committee of Nine.

RULE 4.0 MANAGEMENT

- 4.1 **Manager.** The Watermaster shall serve as the manager of the rental pool and shall take all reasonable actions necessary to administer the rental pool consistent with these procedures, which include, but are not limited to:
 - (a) Determining impacts pursuant to Rule 7;
 - (b) Calculating payments to participating spaceholders as prescribed by Rules 5.2 and 7.3;
 - (c) Accepting storage into the common pool and executing rental agreements on behalf of the Committee;
 - (d) Disbursing and investing rental pool monies with the advice and consent of the Rental Pool Subcommittee; and
 - (e) Taking such additional actions as may be directed by the Committee.
- 4.2 **Rental Pool Subcommittee.** The Rental Pool Subcommittee shall exercise the following general responsibilities:
 - (a) Review these procedures and, as appropriate, make recommendations to the Committee for needed changes;
 - (b) Review reports from the Watermaster regarding rental applications, storage assignments to the common pool, and leases of storage through private leases;
 - (c) Advise the Committee regarding rental pool activities;
 - (d) Develop recommendations for annual common pool storage supplies and rental rates;
 - (e) Assist the Watermaster in resolving disputes that may arise from the diversion of excess storage; and
 - (f) Assume such additional responsibilities as may be assigned by the Committee.

4.3 Applications

- 4.3.101 Applications to rent or lease storage through the rental pool shall be made upon forms approved by the Watermaster and shall include:
- (a) The amount of storage sought to be rented or leased;
 - (b) The purpose(s) for which the storage will be put to beneficial use;
 - (c) The lease price (for private leases); and
 - (d) To the extent practicable at the time of filing the application, the point of diversion identified by legal description and common name; and a description of the place of use.
- 4.3.102 *Application Acceptance.* Applications are not deemed accepted until received by the Watermaster together with the appropriate fees required under Rules 5.5 (rentals) or 6.4 (leases).
- 4.3.103 *Application Approval.* An application accepted under Rule 4.3.102 shall be approved after the Watermaster has determined that the application is in compliance with these procedures and sufficient storage will be available from the common pool and/or lessor to provide the quantity requested in the application. Upon approval of the application, the Watermaster shall send notice to the renter/lessor/lessee and entity owning the point-of-diversion designated in the application of such approval and allocation of storage; provided, however, no allocation of storage shall be made until the applicant designates the point of diversion and place of use of the rented and/or leased storage in the application or pursuant to Rule 4.3.106.
- 4.3.104 *Timeframe for having Rental Application Accepted to Preserve Rental Priority.* Applications to rent storage will not be accepted until April 5 of the year in which the storage will be used. Applications must be accepted by the Watermaster within 15 days following the date of publication to preserve the applicant's priority under Rule 5.4.101.
- 4.3.105 *Deadline for Accepting Applications to Rent or Lease Storage.* All applications to rent or lease storage must be accepted by the Watermaster pursuant to Rule 4.3.102 on or before December 1 in order for the storage identified in such applications to be accounted for as having been diverted prior to October 31 of the same year. Applications accepted after December 1 will be accounted for from storage supplies in the following calendar year, unless an exception is granted by the Rental Pool Subcommittee.
- 4.3.106 *Deadline to Designate Point of Diversion and Place of Use.* If the point of diversion and/or place of use of the rented and/or leased storage was not previously designated in the application, the renter and/or lessee must make such designation in writing to the Watermaster on or before December 1 of the same year, unless an extension is granted by the Rental Pool Subcommittee. Failure to comply with this provision shall cause any unused storage to automatically revert back to the common pool and/or lessor, respectively.
- 4.3.107 *Deadline to Use Rental or Lease Storage.* Approved applications pursuant to Rule 4.3 or water leased through a private lease, must be used and diverted on or before December 1 of the same year.

4.4 **Rental Pool Account**

4.4.101 All monies submitted by applicants shall be deposited in an interest-bearing account known as the “Rental Pool Account” and maintained by the Watermaster on behalf of the Committee. Monies in the Rental Pool Account will be disbursed to participants, the District, the Board, the Impact Fund, and the Infrastructure Fund in the proportions set forth in these Rules. Accrued interest to the Rental Pool Account shall be used to maintain the Impact Fund. Rental Pool Funds shall be considered public funds for investment purposes and subject to the Public Depository Law, Chapter 1, Title 57, Idaho Code.

4.4.102 Monies deposited in the Rental Pool Account are non-refundable to the extent the rental and/or lease application is approved pursuant to Rule 4.3.103, regardless of whether the storage is used.

4.5 **Infrastructure Fund**

4.5.101 Monies in the Infrastructure Fund may only be used to fund District costs of projects relating to improvements to the District’s distribution, monitoring, and gaging facilities, and other District projects designed to assist in the adjudication, which includes the cost of Blackfoot River Equitable Adjustment Settlement Water, if any is required, conservation, or efficient distribution of water.

4.5.102 Disbursements from the Infrastructure Fund are subject to two-thirds (2/3) Committee approval.

4.5.103 If monies in the Infrastructure Fund accrue to one million dollars (\$1,000,000.00), the infrastructure fee shall be waived and the same amount (five dollars (\$5.00)) added to the rental price in Rule 5.5.105.

4.5.104 Monies in the Infrastructure Fund may be carried over from year to year.

RULE 5.0 COMMON POOL

5.1 **Scope.** The common pool consists of storage made available to the Committee through participant contributions and assignments. Participants make all of their storage available to the common pool pursuant to the terms of Rule 5.2, with computed impacts accounted from next year’s reservoir fill. Assignors provide storage to the common pool, pursuant to Rule 5.3, by assigning a portion of their current year’s storage allocation. Rentals from the common pool are subject to the priorities and prices established under this Rule.

5.2 **Participant Contributions**

5.2.101 *Participants.* Any spaceholder may, upon submitting written notice to the Watermaster prior to March 15, 2016, elect to contribute storage to the common pool. Any spaceholder making such election shall be deemed a “participant” for the current year and every year thereafter until the spaceholder provides written notice to the Watermaster prior to March 15, 2016 rescinding its participation. Upon election to participate, a spaceholder is eligible for all the benefits of a participant set forth in these procedures, excluding monetary payment for rentals or computed impacts associated with rentals from the prior year. If after March 15, 2016, less than seventy-five percent (75%) of the contracted storage space is

committed to the common pool by participants, the Committee shall revise the rental pool procedures as necessary prior to April 1.

- 5.2.102 *Non-Participants.* Spaceholders who are not participants shall not be entitled to supply storage to, or rent storage from, the common pool, or supply or lease storage through a private lease. Notwithstanding this restriction, the Bureau may rent water from the common pool for flow augmentation pursuant to Rule 5.2.105.
- 5.2.103 *Large Rentals.* The common pool will make available from participant contributions 50,000 acre-feet of storage for rentals, plus any assigned storage, subject to the priorities and limitations set forth in Rule 5.
- 5.2.104 *Small Rentals.* The common pool will make available from participant contributions 5,000 acre-feet for rentals of 100 acre-feet or less per point of diversion, subject to the priorities and limitations set forth in Rule 5. Rentals from the small pool shall only be considered for approval following submittal of written consent from the operator of the delivery system. The Committee may approve on a case-by-case basis the additional rental of storage under this provision to exceed the 100 acre-feet limitation. The 100 acre-feet limitation per point of diversion does not apply if the rental is supplied pursuant to Rule 5.2.103.
- 5.2.105 *Flow Augmentation*
- (a) *Table 1.* The amount of storage, from participant contributions to the common pool, available for rental for flow augmentation shall be determined by Table 1.
 - (b) *Extraordinary Circumstances.* A greater amount of storage may be made available by the Committee, if it determines on or before July 1 that extraordinary circumstances justify a change in the amount of storage made available for flow augmentation.
- 5.2.106 *Shoshone-Bannock Tribes.* The Tribes shall be treated as non-participants unless written notice is provided under 5.2.101.
- (a) *Blackfoot River Equitable Adjustment Settlement Agreement Water.* Storage water not to exceed 20,000 acre-feet shall be made available in accordance with the terms of the Blackfoot River Equitable Adjustment Settlement Agreement. The source and funding of the storage water shall be determined by the Committee at its June meeting. Administrative fees shall be paid by Water District 1.
 - (b) *2015 Settlement Agreement.* Storage water not to exceed 10,000 acre-feet (except with the approval of the Committee of Nine) shall be made available in accordance with the terms of the 2015 Settlement Agreement from the current year's Common Pool prior to providing any rental under the priorities of Rule 5.4.101. Administrative fees shall be paid by Water District 1. Discussions are ongoing to identify the party responsible for mitigating impacts to the Tribes. Nothing in these Procedures should be construed as an admission of liability by Water District 1 or the Committee of Nine.

5.2.107 *Additional Quantities.* In the event rental requests from participants impacted from the prior year's rentals exceed 50,000 acre-feet and insufficient storage has been assigned to the common pool to meet such additional requests, the maximum amount of storage that will be available through the common pool will be equivalent to the amount necessary to meet the demand of those shown to have been impacted from the prior year's rentals.

5.2.108 *Participant Payments.* Monies collected through the rental of the participant contribution portion of the common pool, including flow augmentation, shall be disbursed as follows:

- (a) seventy percent (70%) of the Net Proceeds disbursed to participants; and
- (b) thirty percent (30%) of the Net Proceeds disbursed to the Impact Fund.

5.2.109 *Participant Payment Formula.* Participants will receive payment for storage rented from the participant contribution portion of the common pool pursuant to the following payment formulas:

$$\begin{aligned} 1^{\text{st}} \text{ Installment} &= (R \times SP/TSP) / 2 \\ 2^{\text{nd}} \text{ Installment} &= (R \times ST/TST) / 2 \end{aligned}$$

R = 70% of net proceeds

SP = Space of participants

ST = Storage of participants based on the preliminary storage allocation for the following year

TSP = Total participating space in system

TST = Total participating storage in system based on the preliminary storage allocation for the following year

If a specific reservoir's allocation has been reduced as a result of flood-control operations, the ST and TST values in the above formula for those reservoir spaceholders will reflect the values that otherwise would have occurred without any reductions for flood-control.

5.2.110 *Timing of Payments.* Payments to participants will be made in two installments. The first installment will be paid to participants immediately following the irrigation season in which the proceeds were collected. The second installment will be paid to participants within two weeks of the date of publication for the following irrigation season.

5.3 **Assignments**

5.3.101 *Assignors.* Any participant may assign storage to the common pool. An assignment of storage shall be made in writing on forms approved by the Watermaster.

5.3.102 *Purposes.* Storage assigned to the common pool may be rented only for purposes above Milner.

5.3.103 *Limitations.* Storage assigned to the common pool may be rented only after the participant contributions to the common pool have been rented. A participant

may not assign storage and rent storage in the same accounting year unless an exception is granted by the Rental Pool Subcommittee.

5.3.104 *Assignor Payment.* The assignor shall receive one-hundred percent (100%) of the rental price per acre-foot of the assigned storage that is rented.

5.3.105 *Distribution of Assigned Storage.* Assignments can only be made between April 5 and 15 days after the date of publication in the year in which the storage is to be rented. Assignments shall initially be distributed on a pro-rata basis, with each pro-rata share based on the amount of storage assigned or 10% of the assignor's storage space, whichever is less. If, after this initial distribution, additional rental requests exist, the remaining assigned storage shall be distributed on a pro-rata basis.

5.4 **Priorities for Renting Storage**

5.4.101 *Priorities.* Storage rented from the common pool shall be pursuant to the following priorities:

- (a) *First Priority.* Rentals by participants whose storage is determined to have been impacted by the prior year's rental from the common pool not to exceed the amount of the computed impact.
- (b) *Second Priority.* Rentals by participants for agricultural purposes up to the amount of their unfilled space.
- (c) *Third Priority.* Rentals by participants for any purposes above Milner in excess of their unfilled space. Applications for such rentals will be reviewed by the Committee and may be approved on a case-by-case basis.
- (d) *Fourth Priority.* Rentals by non-spaceholders for any purposes above Milner.

5.4.102 *Priority for Late Applications.* Applications received after the deadline set forth in Rule 4.3.104 will be deemed last in priority and will be filled in the order they are received, only after all timely applications have been filled.

5.4.103 *Distribution Within Priority Classes.* If rental supplies are not sufficient to satisfy all of the timely applications within a priority class (those received within 15 days of the date of publication), the available rental supplies will be distributed to the applicants within that priority class on a pro-rata basis.

5.4.104 *Priority for Small Rentals.* Small rentals made pursuant to Rule 5.2.104 are not subject to the priorities set forth in Rule 5.4.101 and will be approved in the same order in which the rental applications are received by the Watermaster, so long as the total amount of all such applications does not exceed 5,000 acre-feet.

5.4.105 *Priority for Flow Augmentation.* Rentals for flow augmentation are not subject to the priorities set forth in Rule 5.4.101 and shall be determined pursuant to Rule 5.2.105.

5.5 **Rental Prices**

5.5.101 *Tier 1:* If the storage system fills, the rental price for purposes above Milner shall be \$6.00 per acre-foot.

- 5.5.102 *Tier 2:* If the storage system does not fill but storage is provided for flow augmentation pursuant to Rule 5.2.105(a), the rental price for purposes above Milner shall be \$14.50 per acre-foot.
- 5.5.103 *Tier 3:* If the storage system does not fill and no flow augmentation water is provided pursuant to Rule 5.2.105(a), the rental price for purposes above Milner shall be \$22.00 per acre-foot.
- 5.5.104 *Determination of Tier 1, 2 or 3 Rental Price:* Unless the storage system has filled, the Watermaster shall designate on or before April 5 either Tier 2 or Tier 3 as the rental price for above-Milner rentals. If at any time during the same accounting year, the storage system should subsequently fill, the Watermaster shall designate Tier 1 as the rental price for above-Milner rentals and refund any excess rental fees within 30 days after the date of publication.
- 5.5.105 *Tier 4:* The rental price for storage rented for flow augmentation shall be \$14.50 per acre-foot.
- 5.5.106 *Tier 5:* The rental price for storage rented for purposes below Milner, excluding flow augmentation, shall be negotiated between the applicant and the rental pool sub-committee.
- 5.5.107 *Fees & Surcharges.* There shall be added to the rental price for all rentals the administrative fee and Board surcharge. There shall also be added to the rental price for rentals pursuant to fourth priority Rule 5.4.101(d) and rentals to non-spaceholders pursuant to Rule 5.2.104 an impact fee to mitigate the computed impacts under Rule 7 from such rentals, payable as follows: The exact amount which is to be set and paid when the full impacts of such rentals, based upon the following year's Common Pool rental price, are determined under said Rule 7, including all additional fees and surcharges. Payment shall then be due and payable on or before 60 days from the day of allocation. . There shall also be added to the rental price for rentals below Milner, excluding flow augmentation, the infrastructure fee. Failure of a non-spaceholder to timely pay the fees identified above, shall result in the non-spaceholder's ineligibility to rent water in the future. Such failure to pay shall also subject the non-spaceholder to such legal actions as allowed under state law in the collection of fees.
- 5.5.108 *Storage System Fill.* For purposes of Rule 5.5 only, the storage system is considered full when all storage rights are filled in Jackson Lake, Palisades (except for powerhead), American Falls, and Island Park.
- 5.6 **Limitations.** A participant cannot rent water from the Common Pool if the participant is replacing storage space or water which has been evacuated due to an assignment to or private lease through the Water District 1 Rental Pool, unless an exception is granted by the Committee.

RULE 6.0 PRIVATE LEASES

- 6.1 **General.** All leases must be transacted through the rental pool. Only participants may lease storage to a Lessee subject to the provisions of these rules.

- 6.2 **Purposes.** Storage may be leased through the rental pool only for beneficial use purposes above Milner. A participant may not lease storage to a lessee and rent storage from the common pool in the same accounting year unless an exception is granted by the Rental Pool Subcommittee.
- 6.3 **Payment to Lessor.** The lessor shall receive one-hundred percent (100%) of the lease price.
- 6.4 **Fees & Surcharges.** There shall be added to the lease price the administrative fee and the Board surcharge.
- 6.5 **Non-Applicability to Common Pool.** Storage leased pursuant to this rule does not count against the participant contribution volumes set forth in Rule 5.2.
- 6.6 **Recharge.** All storage used for the purpose of recharge must be transacted through the rental pool. Unless storage is rented pursuant to Rule 5.0, storage used for recharge, whether diverted by the storage spaceholder or another person, will be treated as a lease of storage.
- 6.7 **Idaho Water Resource Board (IWRB) Storage.** The IWRB may lease its existing storage (up to 5,000 acre-feet) to Idaho Power and have it released past Milner for the purpose of mitigating minimum flows at Murphy. The administrative fee must be paid by the IWRB for any storage used for such purpose.

RULE 7.0 IMPACTS

- 7.1 **Determination.** In any year in which the storage rights in the reservoir system do not fill, the Watermaster will determine the actual computed impacts to spaceholders, if any, associated with the prior year's rentals and leases. In making this determination, the Watermaster will use a procedure which identifies the following:
- (a) What each computed reservoir fill would have been had the previous year's rentals and leases not taken place;
 - (b) The storage space from which rented or leased storage was actually supplied for the previous year's rental or lease; and
 - (c) The amount of storage each spaceholder's current allocation was reduced by the previous year's rental or lease activities.
- 7.2 **~~Flood Control~~Milner Spill.** There are no computed impacts resulting from the previous and current year's rentals or leases ~~for a specific reservoir when that reservoir's storage is released as a result of flood-control operations and water is spilled past Milner in the current year~~ used for Milner spill ceasing when the use of those rentals or leases result in reducing the spill from the reservoir system prior to the current year's Date of Allocation, as determined by the Watermaster.
- 7.3 **Impacts to Participants due to Rentals from the Common Pool (excluding assignments)**
- 7.3.101 *Payments to Impacted Participants Using Impact Fees.* Participants whose storage allocation has a computed impact from the prior year's rental of storage from the common pool, excluding assignments, shall first receive payment from impact fees collected pursuant to Rule 5.5.107 from the previous year's fourth priority rentals. The amount of impact fees disbursed to impacted participants

will be proportional to the total common pool rental, including flow augmentation rentals, that occurred during the prior year:

$$\text{Impact Fee Payment} = (\text{Isp} * \text{RP}) * (\text{Fp}/\text{Cp})$$

Isp = Participants computed impacted space in current year

RP = Rental Price in current year

Fp = Fourth priority rentals in prior year

Cp = Total common pool rentals (including flow augmentation) in prior year

Payment to spaceholders for the impacts by non-spaceholders pursuant to 7.3.101 shall be paid from the balance remaining in the impact fund after payments are made pursuant to 7.3.102, which shall then be reimbursed pursuant to Rule 5.5.107.

7.3.102 Remaining Impact Payment. Participants whose storage allocation has a computed impact from the prior year's rental of storage from the common pool, excluding assignments, will also receive payment from the Impact Fund (in addition to the Impact Fee Payment pursuant to Rule 7.3.101) equal to the lesser value of the two following formulas:

$$\text{Remaining Impact Payment} = [(\text{Isp} * \text{RP}) - \text{Impact Fee Payment}] \text{ or } [\frac{1}{2} \text{IF} * (\text{Isp}/\text{Ispt}) - \text{Impact Fee Payment}]$$

Isp = Participant's computed impacted space in acre-feet

RP = Rental Price

IF = Impact Fund

Ispt = Total of all Participants' computed impacted space in acre-feet

7.3.103 Timing of Payment. Impact payments, which will be based on preliminary data, will be made to participants on or before July 15.

7.4 Impacts to Non-Participants due to Rentals from the Common Pool (excluding assignments). If the prior year's rental of storage from the common pool caused computed impacts to non-participants as determined by the Watermaster, the current year's Common Pool shall be reduced to supply such impacts to non-participants (at no cost to non-participants) prior to providing any rental under the priorities of Rule 5.4.101.

7.5 Impacts to Spaceholders due to Rental of Assigned Storage. If the rental of assigned storage caused computed impacts, as determined by the Watermaster, the assignor's storage allocation shall be reduced by an amount equal to such computed impacts, not to exceed the quantity of storage assigned by the assignor, and reallocated to mitigate computed impacts to affected spaceholders. This reallocation will only occur in the year following the rental of assigned storage.

7.6 Impacts to Spaceholders due to Private Leases. If the lease of storage pursuant to a private lease caused computed impacts, as determined by the Watermaster, the lessor's storage allocation shall be reduced by an amount equal to such computed impacts, not to exceed the quantity of storage leased by the Lessor, and reallocated to mitigate computed impacts to affected spaceholders. This reallocation will only occur in the year following the lease of storage.

- 7.7 ***Impacts to Spaceholders Resulting from USBR Powerhead Private Lease.*** Consistent with the Mediator's Term Sheet of the 2004 Snake River Water Rights Agreement, powerhead space used for flow augmentation shall be the last space to refill after all other space in reservoirs in that water district, including other space used to provide flow augmentation, in the basin has filled;
- 7.8 ***Impacts to Spaceholders Resulting from Release of Idaho Water Resource Board (IWRB) Storage Used for Mitigating Minimum Flows at Murphy.*** For 2016 only, if the release of IWRB storage past Milner caused computed impacts, as determined by the Watermaster, the IWRB storage allocation shall be reduced by an amount equal to such computed impacts, not to exceed the quantity of storage released, and reallocated to mitigate computed impacts to affected spaceholders.

RULE 8.0. SUPPLEMENTAL POOL

- 8.1 **Purpose.** To provide a voluntary mechanism for the lease of storage water below Milner for hydropower generation within the state of Idaho when storage water supplies, as a result of hydrologic, climate and other conditions, are sufficient to satisfy above Milner uses and flow augmentation. A supplemental pool shall be created in order to mitigate for computed impacts associated with leases below Milner, consistent with the Idaho Water Resource Board's policy to establish an effective water marketing system consistent with state law and assuring the protection of existing water rights while accommodating the purchase, lease or conveyance of water for use at Idaho Power's hydroelectric facilities, including below Milner Dam.
- 8.2 **Annual Authorization Required.** No storage may be leased through the supplemental pool until the Committee on or after April 1 of each year authorizes use of the pool and the Bureau certifies that it has sufficient flow augmentation supplies for the year or that storage to be released past Milner will count toward flow augmentation.
- 8.3 **Quantity and Price Determinations.**
- 8.3.101 ***Quantity Determination.*** The maximum quantity of storage authorized to be leased through the supplemental pool shall be determined annually by the Committee taking into account the advice and recommendation of the Rental Pool Subcommittee, together with current and forecasted hydrological conditions and estimated demand on the rental pool for above Milner uses.
- 8.3.102 ***Price Determination.*** The Committee shall authorize the leasing of water, including price pursuant to Rule 8 after taking into account spaceholder needs and current market conditions for power generation. There shall be added to the lease price the board surcharge and not to exceed a \$1.80 per acre-foot administrative fee associated with the development and implementation of the supplemental pool, assessed on the total quantity of storage set forth in any lease application approved or conditionally approved under Rule 8.4.
- 8.3.103 ***Subsequent Quantity and Price Determinations.*** If within the same accounting year, the Committee subsequently determines based on the criteria set forth in Rule 8.3.101 that additional opportunities exist for utilizing the use of water within Idaho through the supplemental pool consistent with Rule 8.1.it shall designate such additional maximum quantity authorized to be leased through the

supplemental pool and identify a separate lease price for such additional quantity pursuant to Rule 8.3.102.

8.4 Application to Lease Storage from the Supplemental Pool.

8.4.101 Applications to lease storage from the supplemental pool for hydropower purposes shall be made upon forms approved by the Watermaster and shall include:

- (a) The amount of storage sought to be leased;
- (b) The lease price with associated fees as identified by the Committee under Rule 8.3.102;
- (c) The point of diversion identified by legal description and common name; and
- (d) A description of the place of use.

8.4.102 *Application Acceptance.* Applications are not deemed accepted until received by the Watermaster together with the appropriate fees required under Rule 8.3.102.

8.4.103 *Application Approval.* An application accepted under Rule 8.4.102 shall be approved after the Watermaster has determined that the application is in compliance with these procedures and sufficient storage will be available from the supplemental pool to provide the quantity requested in the application; provided, however, if the date of publication has not yet occurred, approval of the application shall be conditioned on the ability of spaceholders who have contracted to lease storage through the supplemental pool to have a sufficient storage allocation during the accounting year to satisfy their contracts approved under Rule 8.5.104. Upon approval or conditional approval of the application, the fees collected from the applicant shall be non-refundable to the extent of the total quantity of storage approved or conditionally approved in supplemental pool lease contract(s) under Rule 8.5.104. The Watermaster shall provide notice of such approval.

8.4.104 *Deadline for Accepting Applications.* All applications to lease storage from the supplemental pool must be accepted by the Watermaster pursuant to Rule 8.4.102 not later than October 31 in order for the storage identified in such applications to be accounted for as having been diverted as of October 31 of the same year. Applications accepted after October 31 will be accounted for from storage supplies in the following calendar year, unless an exception is granted by the Rental Pool Subcommittee.

8.5 Supplemental Pool Supply.

8.5.101 *Notice to Spaceholders of Opportunity to Lease Storage through the Supplemental Pool.* The Watermaster shall provide notice of the supplemental pool on the Water District 1 website, which shall include the following information:

- (a) The maximum quantity of storage authorized to be leased through the supplemental pool;
- (b) The lease process, including price and deadlines as authorized by the Committee;
- (c) Instructions for spaceholders interested in leasing storage through the supplemental pool, including instructions for executing a standardized supplemental pool lease contract; and

- (d) The deadline, as set by the Committee, for the Watermaster to receive supplemental pool lease contracts from spaceholders interested in leasing storage through the supplemental pool.

8.5.102 *Supplemental Pool Lease Contracts.* Spaceholders interested in leasing storage through the supplemental pool shall execute a standardized supplemental pool lease contract, which shall be provided by the Watermaster and include provisions for the following:

- (a) Limit eligibility to lease storage through the supplemental pool only to spaceholders who qualify as participants under Rule 2.27;
- (b) The quantity sought to be leased by the spaceholder may be any amount, except that the total amount of storage leased pursuant to Rule 8 may not exceed either the maximum quantity set by the Committee under Rule 8.3.101 or 10% of the spaceholder's total reservoir system space, unless an exception is approved by the Rental Pool Subcommittee;
- (c) The quantity actually leased by the spaceholder may be reduced depending upon the number of spaceholders who elect to lease storage through the supplemental pool as provided in Rule 8.5.103;
- (d) That, in the event the spaceholder elects to sign a standard pool lease contract before the date of publication, the spaceholder assumes the risk that its storage allocation may be less than the spaceholder anticipated; and
- (e) Notice to the spaceholder that if the spaceholder's lease through the supplemental pool causes computed impacts, the mitigation required under Rule 8.7 will result in an amount of the spaceholder's space, not to exceed the quantity of storage leased by the spaceholder, being assigned a junior priority which may not fill for multiple consecutive years, an accounting commonly referred to as "last to fill."

8.5.103 *Distribution of Storage to the Supplemental Pool.* If, following the deadline for receipt of executed supplemental pool lease contracts, the Watermaster determines that the total quantity of storage sought to be leased through the supplemental pool exceeds the quantity limitation established under Rule 8.3, then the Watermaster shall reduce the quantity of each supplemental pool lease contract to a pro rata share based on the amount of storage sought to be leased by each spaceholder. The Watermaster shall amend the supplemental pool lease contract(s) to reflect any reduced quantity required by this provision.

8.5.104 *Lease Contract Approval.* Following receipt of a supplemental pool lease contract, the Watermaster shall determine whether the contract is in compliance with these procedures, and, if so, shall approve the same; provided, however, if the date of publication has not yet occurred, approval of the contract shall be conditioned on the spaceholder having a sufficient storage allocation during the accounting year to satisfy the contract.

8.6 **Notice of Contract Approval and Payment to Lessors.** The lessors shall receive one-hundred percent (100%) of the lease price apportioned according to the quantity of storage each lessor leased through the supplemental pool. The Watermaster shall notify spaceholder(s) who submitted supplemental pool lease contracts of the approved amount and distribute the funds to the lessors within 30 days following approval or conditional approval of an application under Rule 8.4.103.

- 8.7 **Mitigation of Impacts.** If a lease of storage through the supplemental pool caused computed impacts, as determined by the Watermaster, the lessor's storage allocation shall be reduced by an amount equal to such computed impacts, not to exceed the quantity of storage leased by the lessor, and reallocated to mitigate computed impacts to affected spaceholders until the lessor's affected space fills under a priority junior to that required to fill Palisades powerhead space.
- 8.8 **November 1 Carryover Unaffected.** For purposes of determining the amount of storage available for flow augmentation under Rule 5.2.105(a), storage leased through the supplemental pool shall not affect the November 1 carryover quantity on Table 1.

RULE 9.0 STORAGE ALLOCATED TO PALISADES WATER USERS, INC. (PWUI)

9.1 Background and Purpose. PWUI is an entity originally organized at the specific request of the Bureau to group, under one entity, all individual water users who applied for an allocation of Palisades Reservoir storage because Reclamation's policy at that time was that it would not enter into repayment contracts with individual water users. PWUI does not own natural flow water rights, has no designated service area, and does not own a water delivery system. Instead, PWUI shareholders call for delivery of water allocated to their shares through their own delivery systems or the systems of other irrigation entities and have historically been able to change the location of PWUI storage deliveries upon simple notification to the District. The shares do not describe specific property where storage allocated to such shares are used. One share of PWUI stock is equivalent to one acre-foot of PWUI space in Palisades Reservoir, and allocations of water to PWUI shareholders are made upon that basis. The provisions of Rule 9.0 are included herein to clarify, between PWUI and the District, how to properly categorize the delivery of PWUI storage to various points of delivery.

9.2 Delivery of PWUI Storage Water. Storage allocated to PWUI shares shall not be considered a private lease under Rule 7.6 in the following circumstances:

- 9.2.101 The delivery of storage to an irrigation delivery system where the PWUI shareholder has an ownership interest or leasehold interest in property capable of receiving delivery of water through such system.
- 9.2.102 The delivery of storage allocated to a PWUI shareholder which is assigned to another PWUI shareholder for an amount up to the assignee's unfilled PWUI allocation for the Accounting Year.
- 9.2.103 The delivery of storage allocated to PWUI's treasury stock provided to a PWUI shareholder.

9.3 Private Leases of PWUI Storage Water. Storage allocated to PWUI shares shall be considered a private lease under Rule 7.6 and subject to impacts under Rule 7.6 in the following circumstances:

- 9.3.101 The delivery of storage allocated to PWUI's treasury stock provided to a non-PWUI shareholder for any purpose.
- 9.3.102 The delivery of storage allocated to a PWUI shareholder which is assigned to another PWUI shareholder for an amount more than the assignee's unfilled PWUI allocation for the Accounting Year.
- 9.3.103 The delivery of storage allocated to a PWUI shareholder provided to a non-PWUI shareholder for any purpose.
- 9.3.104 The delivery of storage to a PWUI shareholder which is used for recharge.

9.4 Applicability of Rule 5.6 To PWUI Storage.

9.4.101 Rule 5.6 shall apply to private leases of PWUI storage described in Rule 9.3.101.

9.4.102 Subject to Rule 9.4.103, the Committee hereby grants PWUI an exception from the provisions of Rule 5.6 such that PWUI shall not be prohibited from leasing water from the Common Pool because of private leases by PWUI shareholders under Rules 9.3.102 through 9.3.104.

9.4.103 Water leased from the Common Pool by PWUI under Rule 9.4.102 shall not be allocated to or used by PWUI shareholders who engage in private leases described under Rules 9.3.102 through 9.3.104.

9.5 Allocation of Impacts to PWUI. The allocation of impacts described in Rule 7.6 of these procedures for private leases described under Rule 9.3 shall be made to PWUI as the spaceholder. PWUI shall thereafter internally allocate the impacts to the individual PWUI shareholders who participate in private leases described under Rules 9.3.102 through 9.3.104.

9.6 Information Provided to District. PWUI shall provide sufficient information to the District to allow the District to verify PWUI's characterization of the assignment of PWUI storage under Rule 9.0.

9.7 Assignment of PWUI Shares to Canal Headings. PWUI shareholders shall assign its shares to the canal heading where such PWUI shareholder is most likely to request delivery of storage. Water District 1 shall only account for the delivery of PWUI storage when (1) notified by the PWUI shareholder that such shareholder is taking delivery of storage through a canal; or (2) the manager of a canal reports the delivery of PWUI storage to Water District 1.

2018

WATER DISTRICT 1

RENTAL POOL PROCEDURES

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**2018
WATER DISTRICT 1
RENTAL POOL PROCEDURES**

RULE 1.0 LEGAL AUTHORITY

- 1.1 These procedures have been adopted by the Water District 1 Committee of Nine pursuant to Idaho Code § 42-1765.
- 1.2 These procedures shall not be interpreted to limit the authority of the Idaho Department of Water Resources, the Idaho Water Resource Board, or the Watermaster of Water District 1 in discharging their duties as prescribed by statute or rule.
- 1.3 These procedures shall be interpreted consistent with Idaho Code, rules promulgated by the Idaho Water Resource Board, relevant provisions of spaceholder contracts with the United States, and the Mediator's Term Sheet of the 2004 Snake River Water Rights Agreement.
- 1.4 The operation of the rental pool shall in no way recognize any obligation to maintain flows below Milner or to assure minimum stream flows at the United States Geological Survey (USGS) gaging station on the Snake River near Murphy.
- 1.5 These procedures shall not be interpreted in any manner that is inconsistent with or would adversely impact or effect the rights of the Shoshone-Bannock Tribes as set out in the Fort Hall Agreement, the Blackfoot River Equitable Adjustment Settlement Agreement, and the 2015 Settlement Agreement between the Tribes and the Committee of Nine.

RULE 2.0 DEFINITIONS

- 2.1 **Accounting Year:** the Water District 1 accounting year that begins on November 1 and ends on October 31.
- 2.2 **Acre-foot:** a volume of water sufficient to cover one acre of land one foot deep and is equal to 43,560 cubic feet.
- 2.3 **Administrative Fee:** a fee of one dollar and thirty cents (\$1.30) per acre-foot assessed on the total quantity of storage set forth in any rental or lease application, disbursed to the District at the end of the irrigation season.
- 2.4 **Allocation:** the amount of stored water, including carryover, that has accrued to a spaceholder's storage space on the date of allocation that is available for the spaceholder's use in the same accounting year.
- 2.5 **Applicant:** a person who files with the Watermaster an application, accompanied by the required fees, to rent or lease storage through the rental pool.
- 2.6 **Assignment:** storage provided by an assignor from the current year's storage allocation for rental through the common pool pursuant to Rule 5.3.

- 2.7 **Assignor:** a participant who assigns storage to the common pool pursuant to Rule 5.3 and subject to Rule 7.5.
- 2.8 **Board:** the Idaho Water Resource Board (IWRB).
- 2.9 **Board Surcharge:** a surcharge equal to ten percent (10%) of the rental price or lease price assessed on the total quantity of storage set forth in any rental or lease application, disbursed to the Board at the end of the irrigation season.
- 2.10 **Bureau:** the United States Bureau of Reclamation (USBR).
- 2.11 **Committee:** the Committee of Nine, which is the advisory committee selected by the members of Water District 1 at their annual meeting and appointed as the local committee by the Board pursuant to Idaho Code § 42-1765.
- 2.12 **Common Pool:** storage made available to the Committee through participant contributions and/or assignments for subsequent rental pursuant to Rule 5.
- 2.13 **Date of Allocation:** the date determined each year by the Watermaster on which the maximum accrual to reservoir spaceholders occurs.
- 2.14 **Date of Publication:** the date on which the Watermaster publishes on the District website the storage allocation for the current accounting year.
- 2.15 **Department:** the Idaho Department of Water Resources (IDWR).
- 2.16 **District:** Water District 1 of the state of Idaho.
- 2.17 **Impact Fee:** a fee added to the rental price for non-spaceholder rentals pursuant to Rule 5.5.107.
- 2.18 **Impact Fund:** a fund maintained by the Watermaster for the mitigation of computed impacts to participants pursuant to Rule 7.3.
- 2.19 **Infrastructure Fee:** a fee of five dollars (\$5.00) per acre-foot assessed on all storage rented through the common pool for purposes below Milner, excluding flow augmentation, disbursed to the Infrastructure Fund at the end of the irrigation season.
- 2.20 **Infrastructure Fund:** a fund maintained by the Watermaster for the purposes outlined in Rule 4.5.
- 2.21 **Lease:** a written agreement entered into between a lessor and lessee to lease storage through the rental pool pursuant to Rule 6.
- 2.22 **Lease Price:** a price per acre-foot negotiated between a lessor and lessee as set forth in a lease agreement.
- 2.23 **Lessee:** a person who leases storage from a participant under a lease.
- 2.24 **Lessor:** a participant who leases storage to a person under a lease pursuant to Rule 6 and subject to Rule 7.6.

- 2.25 **Milner:** Milner Dam on the Snake River.
- 2.26 **Milner Spill:** water in excess to the amount that can be captured in the reservoir system flowing past Milner dam that is not storage being delivered under Idaho Power's American Falls storage water right or other storage that is otherwise authorized pursuant to these rules.
- 2.27 **Net Price:** the average price per acre-foot of all rentals from the common pool, including flow augmentation, but excluding rentals of assigned storage.
- 2.28 **Net Proceeds:** the net price times the number of acre-feet rented from the common pool, excluding rentals of assigned storage.
- 2.29 **Participant:** a spaceholder who contributes storage to the common pool pursuant to Rule 5.2.
- 2.30 **Participant Contributions:** storage made available to the common pool by participants, with computed impacts accounted from next year's reservoir fill, which forms the supply for large rentals, small rentals, and flow augmentation, subject to the limitations in Rule 5.2.
- 2.31 **Person:** an individual, corporation, partnership, irrigation district, canal company, political subdivision, or governmental agency.
- 2.32 **Rent:** the rental of storage from the common pool.
- 2.33 **Rental Pool:** the processes established by these procedures for the rental and/or lease of storage, mitigation of computed impacts to spaceholders, and disposition of revenues.
- 2.34 **Rental Pool Subcommittee:** a subcommittee composed of the Watermaster (advisor), a designated representative from the Bureau (advisor), and three or more members or alternates of the Committee who have been appointed by the chairman of the Committee.
- 2.35 **Rental Price:** the price per acre-foot of storage rented from the common pool, as set forth in Rule 5.5, excluding the administrative fee, the Board surcharge, and the infrastructure fee.
- 2.36 **Renter:** a person who rents storage from the common pool.
- 2.37 **Reservoir System:** refers to American Falls, Grassy Lake, Henrys Lake, Island Park, Jackson Lake, Lake Walcott, Milner Pool, Palisades, and Ririe.
- 2.38 **Space:** the active capacity of a reservoir measured in acre-feet.
- 2.39 **Spaceholder:** the holder of the contractual right to the water stored in the space of a storage facility within the Reservoir System.
- 2.40 **Storage:** the portion of the available space that contains stored water.
- 2.41 **Watermaster:** the watermaster of Water District 1.

- 2.42 **Water Supply Forecast:** the forecasted unregulated runoff for April 1 to September 30 at the Heise USGS gaging station, referred to in Table 1.

RULE 3.0 PURPOSES

- 3.1 The primary purpose of the rental pool is to provide irrigation water to spaceholders within the District and to maintain a rental pool with sufficient incentives such that spaceholders supply, on a voluntary basis, an adequate quantity of storage for rental or lease pursuant to procedures established by the Committee. These procedures are intended to assure that participants have priority over non-participants and non-spaceholders in renting storage through the rental pool.
- 3.2 To maintain adequate controls, priorities, and safeguards to insure that existing water rights are not injured and that a spaceholder's allocation is not impacted without his or her consent. To compensate an impacted spaceholder to the extent the impact can be determined by the procedures developed by the District.
- 3.3 To generate revenue to offset the costs of the District to operate the rental pool and to fund projects that fall within the parameters of Rule 4.5.
- 3.4 To provide storage water at no cost under Rule 5.5 for the benefit of the Tribes consistent with the terms of the Blackfoot River Equitable Adjustment Settlement Agreement and the 2015 Settlement Agreement. Discussions are ongoing to identify the party responsible for mitigating impacts to the Tribes. Nothing in these Procedures should be construed as an admission of liability by Water District 1 or the Committee of Nine.

RULE 4.0 MANAGEMENT

- 4.1 **Manager.** The Watermaster shall serve as the manager of the rental pool and shall take all reasonable actions necessary to administer the rental pool consistent with these procedures, which include, but are not limited to:
- (a) Determining impacts pursuant to Rule 7;
 - (b) Calculating payments to participating spaceholders as prescribed by Rules 5.2 and 7.3;
 - (c) Accepting storage into the common pool and executing rental agreements on behalf of the Committee;
 - (d) Disbursing and investing rental pool monies with the advice and consent of the Rental Pool Subcommittee; and
 - (e) Taking such additional actions as may be directed by the Committee.
- 4.2 **Rental Pool Subcommittee.** The Rental Pool Subcommittee shall exercise the following general responsibilities:
- (a) Review these procedures and, as appropriate, make recommendations to the Committee for needed changes;
 - (b) Review reports from the Watermaster regarding rental applications, storage assignments to the common pool, and leases of storage through private leases;
 - (c) Advise the Committee regarding rental pool activities;
 - (d) Develop recommendations for annual common pool storage supplies and rental rates;
 - (e) Assist the Watermaster in resolving disputes that may arise from the diversion of excess storage; and

(f) Assume such additional responsibilities as may be assigned by the Committee.

4.3 **Applications**

4.3.101 Applications to rent or lease storage through the rental pool shall be made upon forms approved by the Watermaster and shall include:

- (a) The amount of storage sought to be rented or leased;
- (b) The purpose(s) for which the storage will be put to beneficial use;
- (c) The lease price (for private leases); and
- (d) To the extent practicable at the time of filing the application, the point of diversion identified by legal description and common name; and a description of the place of use.

4.3.102 *Application Acceptance.* Applications are not deemed accepted until received by the Watermaster together with the appropriate fees required under Rules 5.5 (rentals) or 6.4 (leases).

4.3.103 *Application Approval.* An application accepted under Rule 4.3.102 shall be approved after the Watermaster has determined that the application is in compliance with these procedures and sufficient storage will be available from the common pool and/or lessor to provide the quantity requested in the application. Upon approval of the application, the Watermaster shall send notice to the renter/lessor/lessee and entity owning the point-of-diversion designated in the application of such approval and allocation of storage; provided, however, no allocation of storage shall be made until the applicant designates the point of diversion and place of use of the rented and/or leased storage in the application or pursuant to Rule 4.3.106.

4.3.104 *Timeframe for having Rental Application Accepted to Preserve Rental Priority.* Applications to rent storage will not be accepted until April 5 of the year in which the storage will be used. Applications must be accepted by the Watermaster within 15 days following the date of publication to preserve the applicant's priority under Rule 5.4.101.

4.3.105 *Deadline for Accepting Applications to Rent or Lease Storage.* All applications to rent or lease storage must be accepted by the Watermaster pursuant to Rule 4.3.102 on or before December 1 in order for the storage identified in such applications to be accounted for as having been diverted prior to October 31 of the same year. Applications accepted after December 1 will be accounted for from storage supplies in the following calendar year, unless an exception is granted by the Rental Pool Subcommittee.

4.3.106 *Deadline to Designate Point of Diversion and Place of Use.* If the point of diversion and/or place of use of the rented and/or leased storage was not previously designated in the application, the renter and/or lessee must make such designation in writing to the Watermaster on or before December 1 of the same year, unless an extension is granted by the Rental Pool Subcommittee. Failure to comply with this provision shall cause any unused storage to automatically revert back to the common pool and/or lessor, respectively.

- 4.3.107 Deadline to Use Rental or Lease Storage. Approved applications pursuant to Rule 4.3 or water leased through a private lease, must be used and diverted on or before December 1 of the same year.

4.4 **Rental Pool Account**

- 4.4.101 All monies submitted by applicants shall be deposited in an interest-bearing account known as the “Rental Pool Account” and maintained by the Watermaster on behalf of the Committee. Monies in the Rental Pool Account will be disbursed to participants, the District, the Board, the Impact Fund, and the Infrastructure Fund in the proportions set forth in these Rules. Accrued interest to the Rental Pool Account shall be used to maintain the Impact Fund. Rental Pool Funds shall be considered public funds for investment purposes and subject to the Public Depository Law, Chapter 1, Title 57, Idaho Code.
- 4.4.102 Monies deposited in the Rental Pool Account are non-refundable to the extent the rental and/or lease application is approved pursuant to Rule 4.3.103, regardless of whether the storage is used.

4.5 **Infrastructure Fund**

- 4.5.101 Monies in the Infrastructure Fund may only be used to fund District costs of projects relating to improvements to the District’s distribution, monitoring, and gaging facilities, and other District projects designed to assist in the adjudication, which includes the cost of Blackfoot River Equitable Adjustment Settlement Water, if any is required, conservation, or efficient distribution of water.
- 4.5.102 Disbursements from the Infrastructure Fund are subject to two-thirds (2/3) Committee approval.
- 4.5.103 If monies in the Infrastructure Fund accrue to one million dollars (\$1,000,000.00), the infrastructure fee shall be waived and the same amount (five dollars (\$5.00)) added to the rental price in Rule 5.5.105.
- 4.5.104 Monies in the Infrastructure Fund may be carried over from year to year.

RULE 5.0 COMMON POOL

- 5.1 **Scope.** The common pool consists of storage made available to the Committee through participant contributions and assignments. Participants make all of their storage available to the common pool pursuant to the terms of Rule 5.2, with computed impacts accounted from next year’s reservoir fill. Assignors provide storage to the common pool, pursuant to Rule 5.3, by assigning a portion of their current year’s storage allocation. Rentals from the common pool are subject to the priorities and prices established under this Rule.

5.2 **Participant Contributions**

- 5.2.101 *Participants.* Any spaceholder may, upon submitting written notice to the Watermaster prior to March 15, 2016, elect to contribute storage to the common pool. Any spaceholder making such election shall be deemed a “participant” for the current year and every year thereafter until the spaceholder provides written notice to the Watermaster prior to March 15, 2016 rescinding its participation. Upon election to participate, a spaceholder is eligible for all the benefits of a participant set forth in these procedures, excluding monetary payment for rentals

or computed impacts associated with rentals from the prior year. If after March 15, 2016, less than seventy-five percent (75%) of the contracted storage space is committed to the common pool by participants, the Committee shall revise the rental pool procedures as necessary prior to April 1.

- 5.2.102 *Non-Participants.* Spaceholders who are not participants shall not be entitled to supply storage to, or rent storage from, the common pool, or supply or lease storage through a private lease. Notwithstanding this restriction, the Bureau may rent water from the common pool for flow augmentation pursuant to Rule 5.2.105.
- 5.2.103 *Large Rentals.* The common pool will make available from participant contributions 50,000 acre-feet of storage for rentals, plus any assigned storage, subject to the priorities and limitations set forth in Rule 5.
- 5.2.104 *Small Rentals.* The common pool will make available from participant contributions 5,000 acre-feet for rentals of 100 acre-feet or less per point of diversion, subject to the priorities and limitations set forth in Rule 5. Rentals from the small pool shall only be considered for approval following submittal of written consent from the operator of the delivery system. The Committee may approve on a case-by-case basis the additional rental of storage under this provision to exceed the 100 acre-feet limitation. The 100 acre-feet limitation per point of diversion does not apply if the rental is supplied pursuant to Rule 5.2.103.
- 5.2.105 *Flow Augmentation*
 - (a) *Table 1.* The amount of storage, from participant contributions to the common pool, available for rental for flow augmentation shall be determined by Table 1.
 - (b) *Extraordinary Circumstances.* A greater amount of storage may be made available by the Committee, if it determines on or before July 1 that extraordinary circumstances justify a change in the amount of storage made available for flow augmentation.
- 5.2.106 *Shoshone-Bannock Tribes.* The Tribes shall be treated as non-participants unless written notice is provided under 5.2.101.
 - (a) *Blackfoot River Equitable Adjustment Settlement Agreement Water.* Storage water not to exceed 20,000 acre-feet shall be made available in accordance with the terms of the Blackfoot River Equitable Adjustment Settlement Agreement. The source and funding of the storage water shall be determined by the Committee at its June meeting. Administrative fees shall be paid by Water District 1.
 - (b) *2015 Settlement Agreement.* Storage water not to exceed 10,000 acre-feet (except with the approval of the Committee of Nine) shall be made available in accordance with the terms of the 2015 Settlement Agreement from the current year's Common Pool prior to providing any rental under the priorities of Rule 5.4.101. Administrative fees shall be paid by Water District 1. Discussions are ongoing to identify the party responsible for mitigating

impacts to the Tribes. Nothing in these Procedures should be construed as an admission of liability by Water District 1 or the Committee of Nine.

5.2.107 *Additional Quantities.* In the event rental requests from participants impacted from the prior year's rentals exceed 50,000 acre-feet and insufficient storage has been assigned to the common pool to meet such additional requests, the maximum amount of storage that will be available through the common pool will be equivalent to the amount necessary to meet the demand of those shown to have been impacted from the prior year's rentals.

5.2.108 *Participant Payments.* Monies collected through the rental of the participant contribution portion of the common pool, including flow augmentation, shall be disbursed as follows:

- (a) seventy percent (70%) of the Net Proceeds disbursed to participants; and
- (b) thirty percent (30%) of the Net Proceeds disbursed to the Impact Fund.

5.2.109 *Participant Payment Formula.* Participants will receive payment for storage rented from the participant contribution portion of the common pool pursuant to the following payment formulas:

$$\begin{aligned} 1^{\text{st}} \text{ Installment} &= (R \times SP/TSP) / 2 \\ 2^{\text{nd}} \text{ Installment} &= (R \times ST/TST) / 2 \end{aligned}$$

R = 70% of net proceeds
 SP = Space of participants
 ST = Storage of participants based on the preliminary storage allocation for the following year
 TSP = Total participating space in system
 TST = Total participating storage in system based on the preliminary storage allocation for the following year

If a specific reservoir's allocation has been reduced as a result of flood-control operations, the ST and TST values in the above formula for those reservoir spaceholders will reflect the values that otherwise would have occurred without any reductions for flood-control.

5.2.110 *Timing of Payments.* Payments to participants will be made in two installments. The first installment will be paid to participants immediately following the irrigation season in which the proceeds were collected. The second installment will be paid to participants within two weeks of the date of publication for the following irrigation season.

5.3 **Assignments**

5.3.101 *Assignors.* Any participant may assign storage to the common pool. An assignment of storage shall be made in writing on forms approved by the Watermaster.

5.3.102 *Purposes.* Storage assigned to the common pool may be rented only for purposes above Milner.

- 5.3.103 *Limitations.* Storage assigned to the common pool may be rented only after the participant contributions to the common pool have been rented. A participant may not assign storage and rent storage in the same accounting year unless an exception is granted by the Rental Pool Subcommittee.
- 5.3.104 *Assignor Payment.* The assignor shall receive one-hundred percent (100%) of the rental price per acre-foot of the assigned storage that is rented.
- 5.3.105 *Distribution of Assigned Storage.* Assignments can only be made between April 5 and 15 days after the date of publication in the year in which the storage is to be rented. Assignments shall initially be distributed on a pro-rata basis, with each pro-rata share based on the amount of storage assigned or 10% of the assignor's storage space, whichever is less. If, after this initial distribution, additional rental requests exist, the remaining assigned storage shall be distributed on a pro-rata basis.
- 5.4 **Priorities for Renting Storage**
- 5.4.101 *Priorities.* Storage rented from the common pool shall be pursuant to the following priorities:
- (a) *First Priority.* Rentals by participants whose storage is determined to have been impacted by the prior year's rental from the common pool not to exceed the amount of the computed impact.
 - (b) *Second Priority.* Rentals by participants for agricultural purposes up to the amount of their unfilled space.
 - (c) *Third Priority.* Rentals by participants for any purposes above Milner in excess of their unfilled space. Applications for such rentals will be reviewed by the Committee and may be approved on a case-by-case basis.
 - (d) *Fourth Priority.* Rentals by non-spaceholders for any purposes above Milner.
- 5.4.102 *Priority for Late Applications.* Applications received after the deadline set forth in Rule 4.3.104 will be deemed last in priority and will be filled in the order they are received, only after all timely applications have been filled.
- 5.4.103 *Distribution Within Priority Classes.* If rental supplies are not sufficient to satisfy all of the timely applications within a priority class (those received within 15 days of the date of publication), the available rental supplies will be distributed to the applicants within that priority class on a pro-rata basis.
- 5.4.104 *Priority for Small Rentals.* Small rentals made pursuant to Rule 5.2.104 are not subject to the priorities set forth in Rule 5.4.101 and will be approved in the same order in which the rental applications are received by the Watermaster, so long as the total amount of all such applications does not exceed 5,000 acre-feet.
- 5.4.105 *Priority for Flow Augmentation.* Rentals for flow augmentation are not subject to the priorities set forth in Rule 5.4.101 and shall be determined pursuant to Rule 5.2.105.

5.5 **Rental Prices**

- 5.5.101 *Tier 1:* If the storage system fills, the rental price for purposes above Milner shall be \$7.00 per acre-foot.
- 5.5.102 *Tier 2:* If the storage system does not fill but storage is provided for flow augmentation pursuant to Rule 5.2.105(a), the rental price for purposes above Milner shall be \$17.00 per acre-foot.
- 5.5.103 *Tier 3:* If the storage system does not fill and no flow augmentation water is provided pursuant to Rule 5.2.105(a), the rental price for purposes above Milner shall be \$25.00 per acre-foot.
- 5.5.104 *Determination of Tier 1, 2 or 3 Rental Price:* Unless the storage system has filled, the Watermaster shall designate on or before April 5 either Tier 2 or Tier 3 as the rental price for above-Milner rentals. If at any time during the same accounting year, the storage system should subsequently fill, the Watermaster shall designate Tier 1 as the rental price for above-Milner rentals and refund any excess rental fees within 30 days after the date of publication.
- 5.5.105 *Tier 4:* The rental price for storage rented for flow augmentation shall be \$17.00 per acre-foot.
- 5.5.106 *Tier 5:* The rental price for storage rented for purposes below Milner, excluding flow augmentation, shall be negotiated between the applicant and the rental pool sub-committee.
- 5.5.107 *Fees & Surcharges.* There shall be added to the rental price for all rentals the administrative fee and Board surcharge. There shall also be added to the rental price for rentals pursuant to fourth priority Rule 5.4.101(d) and rentals to non-spaceholders pursuant to Rule 5.2.104 an impact fee to mitigate the computed impacts under Rule 7 from such rentals, payable as follows: The exact amount which is to be set and paid when the full impacts of such rentals, based upon the following year's Common Pool rental price, are determined under said Rule 7, including all additional fees and surcharges. Payment shall then be due and payable on or before 60 days from the day of allocation. . There shall also be added to the rental price for rentals below Milner, excluding flow augmentation, the infrastructure fee. Failure of a non-spaceholder to timely pay the fees identified above, shall result in the non-spaceholder's ineligibility to rent water in the future. Such failure to pay shall also subject the non-spaceholder to such legal actions as allowed under state law in the collection of fees.
- 5.5.108 *Storage System Fill.* For purposes of Rule 5.5 only, the storage system is considered full when all storage rights are filled in Jackson Lake, Palisades (except for powerhead), American Falls, and Island Park.

- 5.6 **Limitations.** A participant cannot rent water from the Common Pool if the participant is replacing storage space or water which has been evacuated due to an assignment to or private lease through the Water District 1 Rental Pool, unless an exception is granted by the Committee.

RULE 6.0 PRIVATE LEASES

- 6.1 **General.** All leases must be transacted through the rental pool. Only participants may lease storage to a Lessee subject to the provisions of these rules.
- 6.2 **Purposes.** Storage may be leased through the rental pool only for beneficial use purposes above Milner. A participant may not lease storage to a lessee and rent storage from the common pool in the same accounting year unless an exception is granted by the Rental Pool Subcommittee.
- 6.3 **Payment to Lessor.** The lessor shall receive one-hundred percent (100%) of the lease price.
- 6.4 **Fees & Surcharges.** There shall be added to the lease price the administrative fee and the Board surcharge.
- 6.5 **Non-Applicability to Common Pool.** Storage leased pursuant to this rule does not count against the participant contribution volumes set forth in Rule 5.2.
- 6.6 **Recharge.** All storage used for the purpose of recharge must be transacted through the rental pool. Unless storage is rented pursuant to Rule 5.0, storage used for recharge, whether diverted by the storage spaceholder or another person, will be treated as a lease of storage.
- 6.7 **Idaho Water Resource Board (IWRB) Storage.** The IWRB may lease its existing storage (up to 5,000 acre-feet) to Idaho Power and have it released past Milner for the purpose of mitigating minimum flows at Murphy. The administrative fee must be paid by the IWRB for any storage used for such purpose.
- 6.8 **Lease of Storage from Uncontracted (non-powerhead) Space.** Notwithstanding the limitations set forth in Rules 6.1 and 6.2, the Bureau may lease storage from its uncontracted (non-powerhead) space for flow augmentation as identified in Appendix III of the – Mediator’s Term Sheet of the 2004 Snake River Water Rights Agreement.

RULE 7.0 IMPACTS

- 7.1 **Determination.** In any year in which the storage rights in the reservoir system do not fill, the Watermaster will determine the actual computed impacts to spaceholders, if any, associated with the prior year’s rentals and leases. In making this determination, the Watermaster will use a procedure which identifies the following:
- (a) What each computed reservoir fill would have been had the previous year’s rentals and leases not taken place;
 - (b) The storage space from which rented or leased storage was actually supplied for the previous year’s rental or lease; and
 - (c) The amount of storage each spaceholder’s current allocation was reduced by the previous year’s rental or lease activities.
- 7.2 **Milner Spill.** There are no computed impacts resulting from the previous and current year’s rentals or leases used prior to Milner spill ceasing when the use of those rentals or leases result in reducing the spill from the reservoir system prior to the current year’s Date of Allocation, as determined by the Watermaster.

7.3 **Impacts to Participants due to Rentals from the Common Pool (excluding assignments)**

7.3.101 *Payments to Impacted Participants Using Impact Fees.* Participants whose storage allocation has a computed impact from the prior year's rental of storage from the common pool, excluding assignments, shall first receive payment from impact fees collected pursuant to Rule 5.5.107 from the previous year's fourth priority rentals. The amount of impact fees disbursed to impacted participants will be proportional to the total common pool rental, including flow augmentation rentals that occurred during the prior year:

$$\text{Impact Fee Payment} = (\text{Isp} * \text{RP}) * (\text{Fp/Cp})$$

Isp = Participants computed impacted space in current year

RP = Rental Price in current year

Fp = Fourth priority rentals in prior year

Cp = Total common pool rentals (including flow augmentation) in prior year

Payment to spaceholders for the impacts by non-spaceholders pursuant to 7.3.101 shall be paid from the balance remaining in the impact fund after payments are made pursuant to 7.3.102, which shall then be reimbursed pursuant to Rule 5.5.107.

7.3.102 *Remaining Impact Payment.* Participants whose storage allocation has a computed impact from the prior year's rental of storage from the common pool, excluding assignments, will also receive payment from the Impact Fund (in addition to the Impact Fee Payment pursuant to Rule 7.3.101) equal to the lesser value of the two following formulas:

Remaining Impact Payment = [(Isp*RP) – Impact Fee Payment] or [$\frac{1}{2}$ IF*(Isp/Ispt) – Impact Fee Payment]

Isp = Participant's computed impacted space in acre-feet

RP = Rental Price

IF = Impact Fund

Ispt = Total of all Participants' computed impacted space in acre-feet

7.3.103 *Timing of Payment.* Impact payments, which will be based on preliminary data, will be made to participants on or before July 15.

7.4 **Impacts to Non-Participants due to Rentals from the Common Pool (excluding assignments).** If the prior year's rental of storage from the common pool caused computed impacts to non-participants as determined by the Watermaster, the current year's Common Pool shall be reduced to supply such impacts to non-participants (at no cost to non-participants) prior to providing any rental under the priorities of Rule 5.4.101.

7.5 **Impacts to Spaceholders due to Rental of Assigned Storage.** If the rental of assigned storage caused computed impacts, as determined by the Watermaster, the assignor's storage allocation shall be reduced by an amount equal to such computed impacts, not to exceed the quantity of storage assigned by the assignor, and reallocated to mitigate computed impacts to affected spaceholders. This reallocation will only occur in the year following the rental of assigned storage.

- 7.6 **Impacts to Spaceholders due to Private Leases Above Milner.** If the lease of storage pursuant to a private lease caused computed impacts, as determined by the Watermaster, the lessor's storage allocation shall be reduced by an amount equal to such computed impacts, not to exceed the quantity of storage leased by the Lessor, and reallocated to mitigate computed impacts to affected spaceholders. This reallocation will only occur in the year following the lease of storage.
- 7.7 **Impacts to Spaceholders due to Private Leases Below Milner.** If a lease of storage pursuant to Rule 6.8 caused computed impacts, as determined by the Watermaster, the lessor's storage allocation shall be reduced by an amount equal to such computed impacts, not to exceed the quantity of storage leased by the lessor, and reallocated to mitigate computed impacts to affected spaceholders until the lessor's affected space fills under a priority junior to that required to fill space under Rule 7.6 but senior to that required to fill Palisades powerhead space.
- 7.8 **Impacts to Spaceholders Resulting from USBR Powerhead Private Lease.** Consistent with the Mediator's Term Sheet of the 2004 Snake River Water Rights Agreement, powerhead space used for flow augmentation shall be the last space to refill after all other space in reservoirs in that water district, including other space used to provide flow augmentation, in the basin has filled;
- 7.9 **Impacts to Spaceholders Resulting from Release of Idaho Water Resource Board (IWRB) Storage Used for Mitigating Minimum Flows at Murphy.** If the release of IWRB storage past Milner caused computed impacts, as determined by the Watermaster, the IWRB storage allocation shall be reduced by an amount equal to such computed impacts, not to exceed the quantity of storage released, and reallocated to mitigate computed impacts to affected spaceholders.

RULE 8.0. SUPPLEMENTAL POOL

- 8.1 **Purpose.** To provide a voluntary mechanism for the lease of storage water below Milner for hydropower generation within the state of Idaho when storage water supplies, as a result of hydrologic, climate and other conditions, are sufficient to satisfy above Milner uses and flow augmentation. A supplemental pool shall be created in order to mitigate for computed impacts associated with leases below Milner, consistent with the Idaho Water Resource Board's policy to establish an effective water marketing system consistent with state law and assuring the protection of existing water rights while accommodating the purchase, lease or conveyance of water for use at Idaho Power's hydroelectric facilities, including below Milner Dam.
- 8.2 **Annual Authorization Required.** No storage may be leased through the supplemental pool until the Committee on or after April 1 of each year authorizes use of the pool and the Bureau certifies that it has sufficient flow augmentation supplies for the year or that storage to be released past Milner will count toward flow augmentation.
- 8.3 **Quantity and Price Determinations.**
- 8.3.101 *Quantity Determination.* The maximum quantity of storage authorized to be leased through the supplemental pool shall be determined annually by the Committee taking into account the advice and recommendation of the Rental

Pool Subcommittee, together with current and forecasted hydrological conditions and estimated demand on the rental pool for above Milner uses.

8.3.102 *Price Determination.* The Committee shall authorize the leasing of water, including price pursuant to Rule 8 after taking into account spaceholder needs and current market conditions for power generation. There shall be added to the lease price the board surcharge and not to exceed a \$1.80 per acre-foot administrative fee associated with the development and implementation of the supplemental pool, assessed on the total quantity of storage set forth in any lease application approved or conditionally approved under Rule 8.4.

8.3.103 *Subsequent Quantity and Price Determinations.* If within the same accounting year, the Committee subsequently determines based on the criteria set forth in Rule 8.3.101 that additional opportunities exist for utilizing the use of water within Idaho through the supplemental pool consistent with Rule 8.1.it shall designate such additional maximum quantity authorized to be leased through the supplemental pool and identify a separate lease price for such additional quantity pursuant to Rule 8.3.102.

8.4 **Application to Lease Storage from the Supplemental Pool.**

8.4.101 Applications to lease storage from the supplemental pool for hydropower purposes shall be made upon forms approved by the Watermaster and shall include:

- (a) The amount of storage sought to be leased;
- (b) The lease price with associated fees as identified by the Committee under Rule 8.3.102;
- (c) The point of diversion identified by legal description and common name; and
- (d) A description of the place of use.

8.4.102 *Application Acceptance.* Applications are not deemed accepted until received by the Watermaster together with the appropriate fees required under Rule 8.3.102.

8.4.103 *Application Approval.* An application accepted under Rule 8.4.102 shall be approved after the Watermaster has determined that the application is in compliance with these procedures and sufficient storage will be available from the supplemental pool to provide the quantity requested in the application; provided, however, if the date of publication has not yet occurred, approval of the application shall be conditioned on the ability of spaceholders who have contracted to lease storage through the supplemental pool to have a sufficient storage allocation during the accounting year to satisfy their contracts approved under Rule 8.5.104. Upon approval or conditional approval of the application, the fees collected from the applicant shall be non-refundable to the extent of the total quantity of storage approved or conditionally approved in supplemental pool lease contract(s) under Rule 8.5.104. The Watermaster shall provide notice of such approval.

8.4.104 *Deadline for Accepting Applications.* All applications to lease storage from the supplemental pool must be accepted by the Watermaster pursuant to Rule 8.4.102 not later than October 31 in order for the storage identified in such applications to be accounted for as having been diverted as of October 31 of the same year. Applications accepted after October 31 will be accounted for from

storage supplies in the following calendar year, unless an exception is granted by the Rental Pool Subcommittee.

8.5 Supplemental Pool Supply.

8.5.101 *Notice to Spaceholders of Opportunity to Lease Storage through the Supplemental Pool.* The Watermaster shall provide notice of the supplemental pool on the Water District 1 website, which shall include the following information:

- (a) The maximum quantity of storage authorized to be leased through the supplemental pool;
- (b) The lease process, including price and deadlines as authorized by the Committee;
- (c) Instructions for spaceholders interested in leasing storage through the supplemental pool, including instructions for executing a standardized supplemental pool lease contract; and
- (d) The deadline, as set by the Committee, for the Watermaster to receive supplemental pool lease contracts from spaceholders interested in leasing storage through the supplemental pool.

8.5.102 *Supplemental Pool Lease Contracts.* Spaceholders interested in leasing storage through the supplemental pool shall execute a standardized supplemental pool lease contract, which shall be provided by the Watermaster and include provisions for the following:

- (a) Limit eligibility to lease storage through the supplemental pool only to spaceholders who qualify as participants under Rule 2.27;
- (b) The quantity sought to be leased by the spaceholder may be any amount, except that the total amount of storage leased pursuant to Rule 8 may not exceed either the maximum quantity set by the Committee under Rule 8.3.101 or 10% of the spaceholder's total reservoir system space, unless an exception is approved by the Rental Pool Subcommittee;
- (c) The quantity actually leased by the spaceholder may be reduced depending upon the number of spaceholders who elect to lease storage through the supplemental pool as provided in Rule 8.5.103;
- (d) That, in the event the spaceholder elects to sign a standard pool lease contract before the date of publication, the spaceholder assumes the risk that its storage allocation may be less than the spaceholder anticipated; and
- (e) Notice to the spaceholder that if the spaceholder's lease through the supplemental pool causes computed impacts, the mitigation required under Rule 8.7 will result in an amount of the spaceholder's space, not to exceed the quantity of storage leased by the spaceholder, being assigned a junior priority which may not fill for multiple consecutive years, an accounting commonly referred to as "last to fill."

8.5.103 *Distribution of Storage to the Supplemental Pool.* If, following the deadline for receipt of executed supplemental pool lease contracts, the Watermaster determines that the total quantity of storage sought to be leased through the supplemental pool exceeds the quantity limitation established under Rule 8.3, then the Watermaster shall reduce the quantity of each supplemental pool lease contract to a pro rata share based on the amount of storage sought to be leased by each spaceholder. The Watermaster shall amend the supplemental pool lease contract(s) to reflect any reduced quantity required by this provision.

- 8.5.104 *Lease Contract Approval.* Following receipt of a supplemental pool lease contract, the Watermaster shall determine whether the contract is in compliance with these procedures, and, if so, shall approve the same; provided, however, if the date of publication has not yet occurred, approval of the contract shall be conditioned on the spaceholder having a sufficient storage allocation during the accounting year to satisfy the contract.
- 8.6 **Notice of Contract Approval and Payment to Lessors.** The lessors shall receive one-hundred percent (100%) of the lease price apportioned according to the quantity of storage each lessor leased through the supplemental pool. The Watermaster shall notify spaceholder(s) who submitted supplemental pool lease contracts of the approved amount and distribute the funds to the lessors within 30 days following approval or conditional approval of an application under Rule 8.4.103.
- 8.7 **Mitigation of Impacts.** If a lease of storage through the supplemental pool caused computed impacts, as determined by the Watermaster, the lessor's storage allocation shall be reduced by an amount equal to such computed impacts, not to exceed the quantity of storage leased by the lessor, and reallocated to mitigate computed impacts to affected spaceholders until the lessor's affected space fills under a priority junior to that required to fill Palisades powerhead space.
- 8.8 **November 1 Carryover Unaffected.** For purposes of determining the amount of storage available for flow augmentation under Rule 5.2.105(a), storage leased through the supplemental pool shall not affect the November 1 carryover quantity on Table 1.

RULE 9.0 STORAGE ALLOCATED TO PALISADES WATER USERS, INC. (PWUI)

- 9.1 **Background and Purpose.** PWUI is an entity originally organized at the specific request of the Bureau to group, under one entity, all individual water users who applied for an allocation of Palisades Reservoir storage because Reclamation's policy at that time was that it would not enter into repayment contracts with individual water users. PWUI does not own natural flow water rights, has no designated service area, and does not own a water delivery system. Instead, PWUI shareholders call for delivery of water allocated to their shares through their own delivery systems or the systems of other irrigation entities and have historically been able to change the location of PWUI storage deliveries upon simple notification to the District. The shares do not describe specific property where storage allocated to such shares are used. One share of PWUI stock is equivalent to one acre-foot of PWUI space in Palisades Reservoir, and allocations of water to PWUI shareholders are made upon that basis. The provisions of Rule 9.0 are included herein to clarify, between PWUI and the District, how to properly categorize the delivery of PWUI storage to various points of delivery.
- 9.2 **Delivery of PWUI Storage Water.** Storage allocated to PWUI shares shall not be considered a private lease under Rule 7.6 in the following circumstances:
- 9.2.101 The delivery of storage to an irrigation delivery system where the PWUI shareholder has an ownership interest or leasehold interest in property capable of receiving delivery of water through such system.

- 9.2.102 The delivery of storage allocated to a PWUI shareholder which is assigned to another PWUI shareholder for an amount up to the assignee's unfilled PWUI allocation for the Accounting Year.
- 9.2.103 The delivery of storage allocated to PWUI's treasury stock provided to a PWUI shareholder.
- 9.3 **Private Leases of PWUI Storage Water.** Storage allocated to PWUI shares shall be considered a private lease under Rule 7.6 and subject to impacts under Rule 7.6 in the following circumstances:
 - 9.3.101 The delivery of storage allocated to PWUI's treasury stock provided to a non-PWUI shareholder for any purpose.
 - 9.3.102 The delivery of storage allocated to a PWUI shareholder which is assigned to another PWUI shareholder for an amount more than the assignee's unfilled PWUI allocation for the Accounting Year.
 - 9.3.103 The delivery of storage allocated to a PWUI shareholder provided to a non-PWUI shareholder for any purpose.
 - 9.3.104 The delivery of storage to a PWUI shareholder which is used for recharge.
- 9.4 **Applicability of Rule 5.6 To PWUI Storage.**
 - 9.4.101 Rule 5.6 shall apply to private leases of PWUI storage described in Rule 9.3.101.
 - 9.4.102 Subject to Rule 9.4.103, the Committee hereby grants PWUI an exception from the provisions of Rule 5.6 such that PWUI shall not be prohibited from leasing water from the Common Pool because of private leases by PWUI shareholders under Rules 9.3.102 through 9.3.104.
 - 9.4.103 Water leased from the Common Pool by PWUI under Rule 9.4.102 shall not be allocated to or used by PWUI shareholders who engage in private leases described under Rules 9.3.102 through 9.3.104.
- 9.5 **Allocation of Impacts to PWUI.** The allocation of impacts described in Rule 7.6 of these procedures for private leases described under Rule 9.3 shall be made to PWUI as the spaceholder. PWUI shall thereafter internally allocate the impacts to the individual PWUI shareholders who participate in private leases described under Rules 9.3.102 through 9.3.104.
- 9.6 **Information Provided to District.** PWUI shall provide sufficient information to the District to allow the District to verify PWUI's characterization of the assignment of PWUI storage under Rule 9.0.
- 9.7 **Assignment of PWUI Shares to Canal Headings.** PWUI shareholders shall assign its shares to the canal heading where such PWUI shareholder is most likely to request delivery of storage. Water District 1 shall only account for the delivery of PWUI storage when (1) notified by the PWUI shareholder that such shareholder is taking delivery of storage through a canal; or (2) the manager of a canal reports the delivery of PWUI storage to Water District 1.

BEFORE THE IDAHO WATER RESOURCE BOARD

IN THE MATTER OF APPROVING)
RENTAL POOL PROCEDURES) A RESOLUTION
FOR THE WATER DISTRICT NO 01)
RENTAL POOL)

WHEREAS, pursuant to Idaho Code 42-1765, the Idaho Water Resource Board may appoint local committees to facilitate the facilitate the rental and the marketing of stored water under rules and regulations adopted by the Board; and

WHEREAS, consistent with Water Supply Bank Rule 40, subsection 05 (IDAPA 37.02.03.40.05), the Board will consider amendments to the approved procedures of an appointed local committee; and

WHEREAS, the water district advisory committee for Water District No. 01 is the local committee appointed by the Board to facilitate the rental and marketing of stored water in the Upper Snake River basin; and

WHEREAS, the advisory committee for Water District No. 1 has adopted proposed changes to the Upper Snake River basin Water District No. 01 rental pool;

NOW THEREFORE BE IT RESOLVED that the Board approves the proposed changes to the Upper Snake River basin rental pool procedures, as proposed and adopted by the advisory committee of Water District No. 01.

Dated this _____ day of March, 2018.

ROGER W. CHASE
Idaho Water Resource Board Chairman

Attest: _____
VINCE ALBERDI
Secretary

Amended 2018

WATER DISTRICT #63



BOISE RIVER

WATER DISTRICT NO. 63

RENTAL POOL PROCEDURES

AMENDED 2/12/2018

WATER DISTRICT NO. 63

RENTAL POOL PROCEDURES

The Boise River Rental Pool is administered by the Rental Pool Committee thru the
Boise River Watermaster's office.

Please contact the Watermaster for more information.

Rex R. Barrie

Boise River Watermaster

(208) 908-5480

waterdistrict63@qwestoffice.net

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WATER DISTRICT 63 RENTAL POOL PROCEDURES

RULE 1.0 LEGAL AUTHORITY

- 1.1 These procedures have been adopted pursuant to Idaho Code § 42-1765 and IDAPA 37.02.03.040 to assure orderly operation of the Boise River Rental Pool by the Advisory Board of Water District No. 63.
- 1.2 These procedures shall not be interpreted to limit the authority of the Idaho Department of Water Resources, the Idaho Water Resource Board, Water District No. 63 Advisory Board, or the Watermaster in discharging their duties as prescribed by statute or rule.
- 1.3 These procedures shall be interpreted consistent with Idaho Code, rules promulgated by the Idaho Water Resource Board, relevant provisions of repayment contracts with the United States, and the Snake River Water Rights Agreement of 2004 commonly referred to as the Nez Perce Mediator's Term Sheet dated April 20, 2004.

RULE 2.0 DEFINITIONS

- 2.1 **Accounting Year:** the Water District 63 water accounting year that begins on November 1 and ends on October 31
- 2.2 **Acre-foot:** a volume of water sufficient to cover one acre of land one foot deep and is equal to 43,560 cubic feet.
- 2.3 **Administrative Fee:** a fee of One Dollar and Thirty Cents (\$1.~~05~~30) per acre-foot assessed by the District on all storage rented through the Rental Pool.
- 2.4 **Assignment:** a written agreement to convey a specific quantity of storage into the Rental Pool for use during a specified period of time.
- 2.5 **Assignor:** a person who assigns storage to the Rental Pool.
- 2.6 **Board:** the Idaho Water Resource Board (IWRB).
- 2.7 **Board Surcharge:** a surcharge equal to ten percent (10%) of the Net Rental Price assessed on all storage rented from the Rental Pool, which is disbursed to the Board.
- 2.8 **Committee:** the Advisory Board of Water District No. 63.
- 2.9 **Department:** the Idaho Department of Water Resources (IDWR).
- 2.10 **Director:** the Director of the Idaho Department of Water Resources.
- 2.11 **District:** Water District 63 of the State of Idaho.
- 2.12 **Net Rental Price:** The Rental Price less the Administrative Fee and Board Surcharge.
- 2.13 **Person:** an individual, company, association, corporation, partnership, irrigation district, canal company, political subdivision, or governmental agency.

- 2.14 **Reclamation:** the United States Bureau of Reclamation.
- 2.15 **Rent:** a written agreement to acquire the right to use a specific quantity of storage from the Rental Pool for a determinate period.
- 2.16 **Rental Pool:** a market for the exchange of storage operated by the Advisory Board of Water District No. 63.
- 2.17 **Rental Price:** the fee, including the Administrative Fee and Board Surcharge, for rental of storage from the Rental Pool.
- 2.18 **Renter:** a person who rents storage from the Rental Pool.
- 2.19 **Reservoir System:** refers to Arrowrock, Lake Lowell, Anderson Ranch, and Lucky Peak reservoirs.
- 2.20 **Space:** all or any portion of the active capacity of a federal reservoir measured in acre-feet.
- 2.21 **Spaceholder:** the holder of the contractual right to space in the reservoir system, or Reclamation.
- 2.22 **Storage:** water that accrues to reservoir space and is available for use.
- 2.23 **Watermaster:** the watermaster of Water District 63.

RULE 3.0 PURPOSES

- 3.1 To promote the maximum beneficial use of stored water establish a process and provide incentives, consistent with Idaho Code § 42-1765, through which storage supplies may be made available for rental by persons who need additional water for beneficial purposes.
- 3.2 Maintain adequate controls and priorities to ensure that (a) irrigation uses are provided an opportunity to obtain supplemental storage supplies ahead of non-irrigation uses, (b) existing water rights are not injured, and (c) the use of storage water obtained through the Rental Pool is consistent with the protection of the local public interest and the conservation of water resources within the state of Idaho.
- 3.3 Provide a source of revenue for the District to make improvements in distribution of water and aid in increasing the conservation of water in the Boise River Basin.

RULE 4.0 MANAGEMENT & APPLICATION PROCESS

4.1 **Committee.** The Committee, which shall decide all matters by majority vote, will exercise the following responsibilities:

- (a) Adopt, and amend as necessary, procedures for operation of the Rental Pool;
- (b) Provide direction to the Watermaster in the operation of the Rental Pool within the framework of the these procedures;
- (c) Set policies for the investment and disbursement of funds generated by the Rental Pool in conformity with the Public Depository Law, Chapter 1, Title 57, Idaho Code; and
- (d) Notify the Director and Watermaster of rentals where storage will be moved from the place of use authorized by the permit, license or decree establishing the storage water right.

4.2 **Watermaster.** The Watermaster shall serve as the manager of the Rental Pool and shall take all reasonable actions necessary to administer the Rental Pool consistent with these procedures, which include:

- (a) accepting assignments of storage into the Rental Pool on behalf of the Committee;
- (b) distributing storage rented through the Rental Pool;
- (c) accepting and disbursing funds generated through the rental of storage; and
- (d) taking such additional actions as may be directed by the Committee.

4.3 **Application to Assign Storage to the Rental Pool.**

4.3.101 *Contents.* Applications to assign storage to the Rental Pool shall be made upon forms approved by the Watermaster, which shall include:

- (a) the quantity of storage sought to be assigned to the Rental Pool;
- (b) an indication of whether the storage may be rented for out-of-basin uses; and
- (c) the date received in the Watermaster's office.

4.3.102 *Conditional Assignment.* For purposes of determining the priority of assigned storage under Rule 5.4, storage shall be deemed conditionally assigned to the Rental Pool on the date the application is received by the Watermaster subject to approval by the Committee pursuant to Rule 5.2.

4.3.103 *Subsequent Applications.* Any applicant, having once assigned storage to the Rental Pool, may make application to assign storage in subsequent accounting years by (a) providing written confirmation that the information on the prior assignment application is true and correct, and (b) indicating the quantity of storage sought to be assigned.

4.3.104 *Deadline for Application.* An application to assign storage must be received by the Watermaster and approved by the Committee pursuant to Rule 5.2 not later than October 31 in order for the storage identified in such application, provided it

is subsequently rented within the time limit prescribed in Rule 5.5.101, to be accounted for as having been diverted in the current accounting year.

4.4 Application to Rent Storage from the Rental Pool.

4.4.101 *Contents.* Applications to rent storage from the Rental Pool shall be made upon forms approved by the Watermaster, which shall include:

- (a) the amount of storage sought to be rented;
- (b) the purpose(s) for which the storage will be put to beneficial use;
- (c) the point of diversion identified by legal description and common name;
- (d) a description of the place of use; and
- (e) the date received in the Watermaster's office.

4.4.102 *Acceptance.* For purposes of determining a rental applicant's priority under Rule 6.1, applications are not deemed accepted until received by the Watermaster together with the appropriate rental fee.

4.4.103 *Subsequent Applications.* Any rental applicant, having once rented water from the Rental Pool, may make application for rental of storage in subsequent accounting years by (a) providing written confirmation that the information on the prior rental application is true and correct, (b) indicating the quantity of storage sought to be rented, and (c) tendering the appropriate rental fee.

4.5 Rental Pool Account. All monies submitted by rental applicants shall be deposited in the Rental Pool Account and maintained by the Watermaster on behalf of the Committee. Monies in the Rental Pool Account will be disbursed to the District, the Board, the Assignors in the proportions set forth in these procedures. Accrued interest to the Rental Pool Account shall be disbursed to the District for purposes consistent with Rule 3.3. Rental Pool funds shall be considered public funds for investment purposes and subject to the Public Depository Law, Chapter 1, Title 57, Idaho Code.

RULE 5.0 ASSIGNMENT OF STORAGE TO THE RENTAL POOL

5.1 Assignment of Storage. Any spaceholder may assign storage to the Rental Pool subject to approval by the Committee.

5.2 Approval by Committee. The Committee may approve or reject, in whole or in part, an application to assign storage to the Rental Pool and may impose conditions necessary to satisfy the purposes set out under Rule 3.2. All storage approved for assignment into the Rental Pool shall be under the control of the Committee and Watermaster during the term of the assignment.

5.3 Reservoir Designation. When an assignor has space in more than one reservoir, storage will be assigned to the Rental Pool from the assignor's space in the reservoir system in the following sequence: Lucky Peak, Anderson Ranch, Arrowrock, and Lake Lowell.

5.4 Priority of Assigned Storage

5.4.101 *Assignments Made On or Before July 1st.* All storage assigned to the Rental Pool on or before July 1 shall be rented on a pro-rata basis.

5.4.102 *Assignments Made After July 1st*. All storage assigned to the Rental Pool after July 1 will be rented on a first-in-first-out basis, but only after all storage assigned under Rule 5.4.101 has been rented.

5.5 **Term of Assignment**

5.5.101 *Unrented Storage*. All storage assigned to the rental pool, but not rented by October 31, shall revert to the assignor, unless the assignor executes a written extension and an extension is approved by the Committee.

5.5.102 *Unused Storage*. All storage assigned to and rented from the Rental Pool, but not put to beneficial use by January 31 of the year following the accounting year in which the storage was assigned to the Rental Pool, shall revert to the assignor unless the assignor executes a written extension and the extension is granted by the Committee; provided, however, any extension granted by the Committee shall not extend beyond March 1.

5.6 **Payment to Assignors.**

5.6.101 *Amount of Payment*. Payment to assignor will be made only if the storage assigned to the Rental Pool is subsequently rented. Assignors shall share pro-rata in the Net Rental Price from the rental of storage assigned on or before July 1 and shall receive one-hundred percent of the Net Rental Price from the rental of such storage assigned after July 1 based on a first-in-first-out basis.

5.6.102 *Calculation of Payment*. The Watermaster will calculate the payment due each assignor based on data published in the Annual Report of the Watermaster showing the actual quantity of storage rented from the Rental Pool.

5.6.103 *Timing of Payment*. Payments to assignors shall be due and payable after the Watermaster has calculated the payments under Rule 5.6.102 and after the final water accounting for the accounting year is completed by the watermaster.

RULE 6.0 RENTAL OF STORAGE FROM THE RENTAL POOL

6.1 **Priority of Rental Applicants.** Storage rented from the Rental Pool shall be pursuant to the following priorities:

6.1.101 *First Priority*. On or before June 1, rental of water by spaceholders for irrigation purposes within the District.

6.1.102 *Second Priority*. After June 1 through July 15, rental of water for irrigation purposes within the District and up to 500 acre-feet for all other beneficial purposes within the District upstream of Lucky Peak Dam.

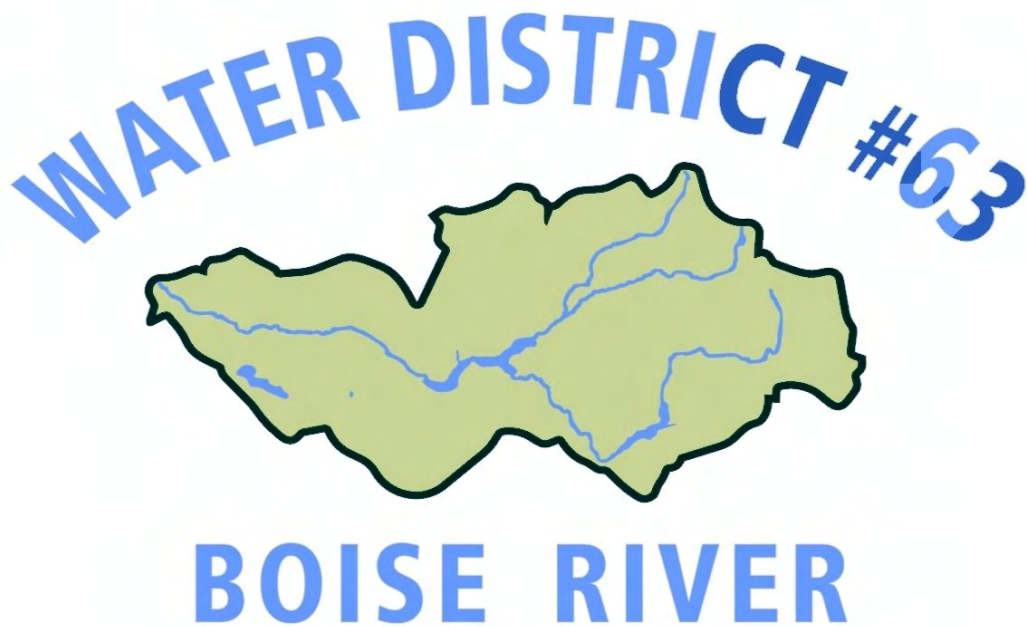
6.1.103 *Third Priority*. After July 15, rental of water for irrigation and all other beneficial purposes.

6.1.104 *Sub-priorities*. Priorities among rental applicants within each of the three priority groups, identified above, shall be determined based on the date the rental application is accepted by the Watermaster pursuant to Rule 4.4; provided, however, during periods of drought or other extraordinary circumstances, the Committee may develop additional or alternative procedures for determining

sub-priorities among competing rental applications.

- 6.2 **Rental Price.** The Rental Price per acre-foot (af) of storage rented from the Rental Pool is \$~~1720~~00.
- 6.3 **Out-of-Basin Rentals.** Storage rented for use outside the hydrologic basin of the Boise River or below the confluence of the Boise River and Snake River shall subject the space from which the storage was rented to last to fill in the ensuing accounting year.
- 6.4 **Rentals for Greater than Five (5) Years.** Applications to rent water from the Rental Pool for a period of more than five (5) years shall be submitted to the Board, and separately to Reclamation, for review and approval as a condition of approval by the Committee.
- 6.5 **Arbitrage.** A spaceholder may not assign storage and rent storage in the same accounting year, unless an exception is granted by the Committee.
- 6.6 **Flow Augmentation.** Notwithstanding the foregoing provisions, Reclamation may assign and rent storage held in uncontracted space for flow augmentation purposes pursuant to the provisions contained in the Snake River Water Rights Agreement of 2004 (aka the Nez Perce Mediator's Term Sheet dated April 20, 2004) and Idaho Code § 42-1763B, in which case only an administrative fee shall be assessed pursuant to Rule 2.2.

Amended 2018



WATER DISTRICT NO. 63

RENTAL POOL PROCEDURES

AMENDED 2/12.2018

WATER DISTRICT NO. 63

RENTAL POOL PROCEDURES

The Boise River Rental Pool is administered by the Rental Pool Committee thru the

Boise River Watermaster, s office.

Please contact the Watermaster for more information.

Rex R. Barrie

Boise River Watermaster

(208) 908-5480

waterdistrict63@qwestoffice.net

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WATER DISTRICT 63 RENTAL POOL PROCEDURES

RULE 1.0 LEGAL AUTHORITY

- 1.1 These procedures have been adopted pursuant to Idaho Code § 42-1765 and IDAPA 37.02.03.040 to assure orderly operation of the Boise River Rental Pool by the Advisory Board of Water District No. 63.
- 1.2 These procedures shall not be interpreted to limit the authority of the Idaho Department of Water Resources, the Idaho Water Resource Board, Water District No. 63 Advisory Board, or the Watermaster in discharging their duties as prescribed by statute or rule.
- 1.3 These procedures shall be interpreted consistent with Idaho Code, rules promulgated by the Idaho Water Resource Board, relevant provisions of repayment contracts with the United States, and the Snake River Water Rights Agreement of 2004 commonly referred to as the Nez Perce Mediator's Term Sheet dated April 20, 2004.

RULE 2.0 DEFINITIONS

- 2.1 **Accounting Year:** the Water District 63 water accounting year that begins on November 1 and ends on October 31
- 2.2 **Acre-foot:** a volume of water sufficient to cover one acre of land one foot deep and is equal to 43,560 cubic feet.
- 2.3 **Administrative Fee:** a fee of One Dollar and Thirty Cents (\$1.30) per acre-foot assessed by the District on all storage rented through the Rental Pool.
- 2.4 **Assignment:** a written agreement to convey a specific quantity of storage into the Rental Pool for use during a specified period of time.
- 2.5 **Assignor:** a person who assigns storage to the Rental Pool.
- 2.6 **Board:** the Idaho Water Resource Board (IWRB).
- 2.7 **Board Surcharge:** a surcharge equal to ten percent (10%) of the Net Rental Price assessed on all storage rented from the Rental Pool, which is disbursed to the Board.
- 2.8 **Committee:** the Advisory Board of Water District No. 63.
- 2.9 **Department:** the Idaho Department of Water Resources (IDWR).
- 2.10 **Director:** the Director of the Idaho Department of Water Resources.
- 2.11 **District:** Water District 63 of the State of Idaho.
- 2.12 **Net Rental Price:** The Rental Price less the Administrative Fee and Board Surcharge.
- 2.13 **Person:** an individual, company, association, corporation, partnership, irrigation district, canal company, political subdivision, or governmental agency.

- 2.14 **Reclamation:** the United States Bureau of Reclamation.
- 2.15 **Rent:** a written agreement to acquire the right to use a specific quantity of storage from the Rental Pool for a determinate period.
- 2.16 **Rental Pool:** a market for the exchange of storage operated by the Advisory Board of Water District No. 63.
- 2.17 **Rental Price:** the fee, including the Administrative Fee and Board Surcharge, for rental of storage from the Rental Pool.
- 2.18 **Renter:** a person who rents storage from the Rental Pool.
- 2.19 **Reservoir System:** refers to Arrowrock, Lake Lowell, Anderson Ranch, and Lucky Peak reservoirs.
- 2.20 **Space:** all or any portion of the active capacity of a federal reservoir measured in acre-feet.
- 2.21 **Spaceholder:** the holder of the contractual right to space in the reservoir system, or Reclamation.
- 2.22 **Storage:** water that accrues to reservoir space and is available for use.
- 2.23 **Watermaster:** the watermaster of Water District 63.

RULE 3.0 PURPOSES

- 3.1 To promote the maximum beneficial use of stored water establish a process and provide incentives, consistent with Idaho Code § 42-1765, through which storage supplies may be made available for rental by persons who need additional water for beneficial purposes.
- 3.2 Maintain adequate controls and priorities to ensure that (a) irrigation uses are provided an opportunity to obtain supplemental storage supplies ahead of non-irrigation uses, (b) existing water rights are not injured, and (c) the use of storage water obtained through the Rental Pool is consistent with the protection of the local public interest and the conservation of water resources within the state of Idaho.
- 3.3 Provide a source of revenue for the District to make improvements in distribution of water and aid in increasing the conservation of water in the Boise River Basin.

RULE 4.0 MANAGEMENT & APPLICATION PROCESS

4.1 **Committee.** The Committee, which shall decide all matters by majority vote, will exercise the following responsibilities:

- (a) Adopt, and amend as necessary, procedures for operation of the Rental Pool;
- (b) Provide direction to the Watermaster in the operation of the Rental Pool within the framework of the these procedures;
- (c) Set policies for the investment and disbursement of funds generated by the Rental Pool in conformity with the Public Depository Law, Chapter 1, Title 57, Idaho Code; and
- (d) Notify the Director and Watermaster of rentals where storage will be moved from the place of use authorized by the permit, license or decree establishing the storage water right.

4.2 **Watermaster.** The Watermaster shall serve as the manager of the Rental Pool and shall take all reasonable actions necessary to administer the Rental Pool consistent with these procedures, which include:

- (a) accepting assignments of storage into the Rental Pool on behalf of the Committee;
- (b) distributing storage rented through the Rental Pool;
- (c) accepting and disbursing funds generated through the rental of storage; and
- (d) taking such additional actions as may be directed by the Committee.

4.3 **Application to Assign Storage to the Rental Pool.**

4.3.101 *Contents.* Applications to assign storage to the Rental Pool shall be made upon forms approved by the Watermaster, which shall include:

- (a) the quantity of storage sought to be assigned to the Rental Pool;
- (b) an indication of whether the storage may be rented for out-of-basin uses; and
- (c) the date received in the Watermaster's office.

4.3.102 *Conditional Assignment.* For purposes of determining the priority of assigned storage under Rule 5.4, storage shall be deemed conditionally assigned to the Rental Pool on the date the application is received by the Watermaster subject to approval by the Committee pursuant to Rule 5.2.

4.3.103 *Subsequent Applications.* Any applicant, having once assigned storage to the Rental Pool, may make application to assign storage in subsequent accounting years by (a) providing written confirmation that the information on the prior assignment application is true and correct, and (b) indicating the quantity of storage sought to be assigned.

4.3.104 *Deadline for Application.* An application to assign storage must be received by the Watermaster and approved by the Committee pursuant to Rule 5.2 not later than October 31 in order for the storage identified in such application, provided it

is subsequently rented within the time limit prescribed in Rule 5.5.101, to be accounted for as having been diverted in the current accounting year.

4.4 Application to Rent Storage from the Rental Pool.

4.4.101 *Contents.* Applications to rent storage from the Rental Pool shall be made upon forms approved by the Watermaster, which shall include:

- (a) the amount of storage sought to be rented;
- (b) the purpose(s) for which the storage will be put to beneficial use;
- (c) the point of diversion identified by legal description and common name;
- (d) a description of the place of use; and
- (e) the date received in the Watermaster's office.

4.4.102 *Acceptance.* For purposes of determining a rental applicant's priority under Rule 6.1, applications are not deemed accepted until received by the Watermaster together with the appropriate rental fee.

4.4.103 *Subsequent Applications.* Any rental applicant, having once rented water from the Rental Pool, may make application for rental of storage in subsequent accounting years by (a) providing written confirmation that the information on the prior rental application is true and correct, (b) indicating the quantity of storage sought to be rented, and (c) tendering the appropriate rental fee.

4.5 Rental Pool Account. All monies submitted by rental applicants shall be deposited in the Rental Pool Account and maintained by the Watermaster on behalf of the Committee. Monies in the Rental Pool Account will be disbursed to the District, the Board, the Assignors in the proportions set forth in these procedures. Accrued interest to the Rental Pool Account shall be disbursed to the District for purposes consistent with Rule 3.3. Rental Pool funds shall be considered public funds for investment purposes and subject to the Public Depository Law, Chapter 1, Title 57, Idaho Code.

RULE 5.0 ASSIGNMENT OF STORAGE TO THE RENTAL POOL

5.1 Assignment of Storage. Any spaceholder may assign storage to the Rental Pool subject to approval by the Committee.

5.2 Approval by Committee. The Committee may approve or reject, in whole or in part, an application to assign storage to the Rental Pool and may impose conditions necessary to satisfy the purposes set out under Rule 3.2. All storage approved for assignment into the Rental Pool shall be under the control of the Committee and Watermaster during the term of the assignment.

5.3 Reservoir Designation. When an assignor has space in more than one reservoir, storage will be assigned to the Rental Pool from the assignor's space in the reservoir system in the following sequence: Lucky Peak, Anderson Ranch, Arrowrock, and Lake Lowell.

5.4 Priority of Assigned Storage

5.4.101 *Assignments Made On or Before July 1st.* All storage assigned to the Rental Pool on or before July 1 shall be rented on a pro-rata basis.

5.4.102 *Assignments Made After July 1st*. All storage assigned to the Rental Pool after July 1 will be rented on a first-in-first-out basis, but only after all storage assigned under Rule 5.4.101 has been rented.

5.5 **Term of Assignment**

5.5.101 *Unrented Storage*. All storage assigned to the rental pool, but not rented by October 31, shall revert to the assignor, unless the assignor executes a written extension and an extension is approved by the Committee.

5.5.102 *Unused Storage*. All storage assigned to and rented from the Rental Pool, but not put to beneficial use by January 31 of the year following the accounting year in which the storage was assigned to the Rental Pool, shall revert to the assignor unless the assignor executes a written extension and the extension is granted by the Committee; provided, however, any extension granted by the Committee shall not extend beyond March 1.

5.6 **Payment to Assignors.**

5.6.101 *Amount of Payment*. Payment to assignor will be made only if the storage assigned to the Rental Pool is subsequently rented. Assignors shall share pro-rata in the Net Rental Price from the rental of storage assigned on or before July 1 and shall receive one-hundred percent of the Net Rental Price from the rental of such storage assigned after July 1 based on a first-in-first-out basis.

5.6.102 *Calculation of Payment*. The Watermaster will calculate the payment due each assignor based on data published in the Annual Report of the Watermaster showing the actual quantity of storage rented from the Rental Pool.

5.6.103 *Timing of Payment*. Payments to assignors shall be due and payable after the Watermaster has calculated the payments under Rule 5.6.102 and after the final water accounting for the accounting year is completed by the watermaster.

RULE 6.0 RENTAL OF STORAGE FROM THE RENTAL POOL

6.1 **Priority of Rental Applicants.** Storage rented from the Rental Pool shall be pursuant to the following priorities:

6.1.101 *First Priority*. On or before June 1, rental of water by spaceholders for irrigation purposes within the District.

6.1.102 *Second Priority*. After June 1 through July 15, rental of water for irrigation purposes within the District and up to 500 acre-feet for all other beneficial purposes within the District upstream of Lucky Peak Dam.

6.1.103 *Third Priority*. After July 15, rental of water for irrigation and all other beneficial purposes.

6.1.104 *Sub-priorities*. Priorities among rental applicants within each of the three priority groups, identified above, shall be determined based on the date the rental application is accepted by the Watermaster pursuant to Rule 4.4; provided, however, during periods of drought or other extraordinary circumstances, the Committee may develop additional or alternative procedures for determining

sub-priorities among competing rental applications.

- 6.2 **Rental Price.** The Rental Price per acre-foot (af) of storage rented from the Rental Pool is \$20.00.
- 6.3 **Out-of-Basin Rentals.** Storage rented for use outside the hydrologic basin of the Boise River or below the confluence of the Boise River and Snake River shall subject the space from which the storage was rented to last to fill in the ensuing accounting year.
- 6.4 **Rentals for Greater than Five (5) Years.** Applications to rent water from the Rental Pool for a period of more than five (5) years shall be submitted to the Board, and separately to Reclamation, for review and approval as a condition of approval by the Committee.
- 6.5 **Arbitrage.** A spaceholder may not assign storage and rent storage in the same accounting year, unless an exception is granted by the Committee.
- 6.6 **Flow Augmentation.** Notwithstanding the foregoing provisions, Reclamation may assign and rent storage held in uncontracted space for flow augmentation purposes pursuant to the provisions contained in the Snake River Water Rights Agreement of 2004 (aka the Nez Perce Mediator's Term Sheet dated April 20, 2004) and Idaho Code § 42-1763B, in which case only an administrative fee shall be assessed pursuant to Rule 2.2.

BEFORE THE IDAHO WATER RESOURCE BOARD

IN THE MATTER OF APPROVING)
RENTAL POOL PROCEDURES) A RESOLUTION
FOR THE WATER DISTRICT NO 63)
RENTAL POOL)

WHEREAS, pursuant to Idaho Code 42-1765, the Idaho Water Resource Board may appoint local committees to facilitate the rental and the marketing of stored water under rules and regulations adopted by the Board; and

WHEREAS, consistent with Water Supply Bank Rule 40, subsection 05 (IDAPA 37.02.03.40.05), the Board will consider amendments to the approved procedures of an appointed local committee; and

WHEREAS, the water district advisory committee for Water District No. 63 is the local committee appointed by the Board to facilitate the rental and marketing of stored water in the Boise River basin; and

WHEREAS, the advisory committee for Water District No. 63 has adopted proposed changes to the Boise River basin Water District No. 63 rental pool;

NOW THEREFORE BE IT RESOLVED that the Board approves the proposed changes to the Boise River basin rental pool procedures, as proposed and adopted by the advisory committee of Water District No. 63.

Dated this _____ day of March, 2018.

ROGER W. CHASE
Idaho Water Resource Board Chairman

Attest: _____
VINCE ALBERDI
Secretary

~~2013~~2018

**WATER DISTRICT 65
RENTAL POOL PROCEDURES**

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WATER DISTRICT 65 RENTAL POOL PROCEDURES

RULE 1.0 LEGAL AUTHORITY

- 1.1 These procedures have been adopted pursuant to Idaho Code § 42-1765 and IDAPA 37.02.03.040 to assure orderly operation of the Payette River Rental Pool.
- 1.2 These procedures shall not be interpreted to limit the authority of the Idaho Department of Water Resources, the Idaho Water Resource Board, Water District No. 65 Advisory Board, or the Watermaster in discharging their duties as prescribed by statute or rule.
- 1.3 These procedures shall be interpreted consistent with Idaho Code, rules promulgated by the Idaho Water Resource Board, relevant provisions of repayment contracts with the United States, and the Snake River Water Rights Agreement of 2004 commonly referred to as the Nez Perce Mediator's Term Sheet dated April 20, 2004.

RULE 2.0 DEFINITIONS

- 2.1 **Acre-foot:** a volume of water sufficient to cover one acre of land one foot deep and is equal to 43,560 cubic feet.
- 2.2 **Administrative Fee:** a fee of One Dollar (\$1.30) per acre-foot assessed by the District on all storage rented through the Rental Pool.
- 2.3 **Assignment:** a written agreement to convey a specific quantity of storage into the Rental Pool for use during a specified period of time.
- 2.4 **Assignor:** a person who assigns storage to the Rental Pool.
- 2.5 **Board:** the Idaho Water Resource Board (IWRB).
- 2.6 **Board Surcharge:** a surcharge equal to ten percent (10%) of the Net Rental Price assessed on all storage rented from the Rental Pool, which is disbursed to the Board. For purposes of these procedures, the surcharge for in-basin rentals under Rule 6.2.101 is equal to \$0.20 per acre-foot and for out-of-basin rentals under Rule 6.2.102 is equal to ~~\$1.43-70~~ per acre-foot
- 2.7 **Committee:** the Advisory Board of Water District No. 65.
- 2.8 **Department:** the Idaho Department of Water Resources (IDWR).
- 2.9 **Director:** the Director of the Idaho Department of Water Resources.
- 2.10 **District:** Water District No. 65 of the State of Idaho.
- 2.11 **Net Rental Price:** The Rental Price less the Administrative Fee and Board Surcharge.
- 2.12 **Person:** an individual, company, association, corporation, partnership, irrigation district, canal company, political subdivision, or governmental agency.

- 2.13 **Reclamation:** the United States Bureau of Reclamation.
- 2.14 **Rental Agreement:** a written agreement to acquire the right to use a specific quantity of storage from the Rental Pool for a determinate period.
- 2.15 **Rental Pool:** a market for the exchange of storage operated by the Advisory Board of Water District No. 65.
- 2.16 **Rental Price:** the fee for rental of storage from the Rental Pool as set forth in Rule 6.2, which includes the Administrative Fee and Board Surcharge.
- 2.17 **Renter:** a person who rents storage from the Rental Pool.
- 2.18. **Reservoir System:** refers to Cascade Lake, Deadwood Reservoir, Payette Lakes, and the Upper Lakes.
- 2.19 **Space:** all or any portion of the active capacity of a reservoir measured in acre-feet.
- 2.20 **Spaceholder:** the holder of the contractual right to space in the reservoir system, or Reclamation.
- 2.21 **Storage:** water that accrues to reservoir space and is available for use.
- 2.22 **Watermaster:** the watermaster of Water District 65.
- 2.23 **Year:** a calendar year.

RULE 3.0 PURPOSES

- 3.1 To promote the maximum beneficial use of stored water establish a process and provide incentives, consistent with Idaho Code § 42-1765, through which storage supplies may be made available for rental by persons who need additional water for beneficial purposes.
- 3.2 Maintain adequate controls and priorities to ensure that (a) irrigation uses are provided an opportunity to obtain supplemental storage supplies ahead of non-irrigation uses, (b) existing water rights are not injured, and (c) the use of storage water obtained through the Rental Pool is consistent with the protection of the local public interest and the conservation of water resources within the state of Idaho.
- 3.3 Provide a source of revenue for the District to make improvements in distribution of water and aid in increasing the conservation of water in the Payette River Basin.

RULE 4.0 MANAGEMENT & APPLICATION PROCESS

- 4.1 **Committee.** The Committee, which shall decide all matters by majority vote, will exercise the following responsibilities:
- (a) Adopt, and amend as necessary, procedures for operation of the Rental Pool;
 - (b) Provide direction to the Watermaster in the operation of the Rental Pool within the framework of the these procedures;
 - (c) Set policies for the investment and disbursement of funds generated by the Rental Pool in conformity with the Public Depository Law, Chapter 1, Title 57, Idaho Code; and
 - (d) Notify the Director and Watermaster of rentals where storage will be moved from the place of use authorized by the permit, license or decree establishing the storage water right.
- 4.2 **Watermaster.** The Watermaster shall serve as the manager of the Rental Pool and shall take all reasonable actions necessary to administer the Rental Pool consistent with these procedures, which include:
- (a) accepting assignments of storage into the Rental Pool;
 - (b) executing rental agreements on behalf of the Committee;
 - (c) distributing storage rented through the Rental Pool;
 - (d) accepting and disbursing funds generated through the rental of storage; and
 - (e) taking such additional actions as may be directed by the Committee.
- 4.3 **Application to Assign Storage to the Rental Pool.**
- 4.3.101 *Contents.* Applications to assign storage to the Rental Pool shall be made upon forms approved by the Watermaster, which shall include:
- (a) the quantity of storage sought to be assigned to the Rental Pool;
 - (b) an indication of whether the storage may be rented for use below the mouth of the Payette River; and
 - (c) the date received in the Watermaster's office.
- 4.3.102 *Acceptance.* For purposes of determining the priority of assigned storage under Rule 5.4, applications shall be deemed conditionally accepted on the date received in the Watermaster's office subject to acceptance by the Committee pursuant to Rule 5.2.
- 4.4 **Application to Rent Storage from the Rental Pool.**
- 4.4.101 *Contents.* Applications to rent storage from the Rental Pool shall be made upon forms approved by the Watermaster, which shall include:
- (a) the amount of storage sought to be rented;
 - (b) the purpose(s) for which the storage will be put to beneficial use;
 - (c) the point of diversion identified by legal description and common name;

- (d) a description of the place of use; and
- (e) the date received in the Watermaster's office.

4.4.102 *Acceptance.* For purposes of determining a rental applicant's priority under Rule 6.1, applications are not deemed accepted until received by the Watermaster together with the appropriate rental fee.

4.5 **Rental Pool Account.**

4.5.101. *Account.* All monies submitted by rental applicants shall be deposited in the Rental Pool Account, which shall be an interest-bearing account maintained by the Watermaster on behalf of the Committee. Rental Pool funds shall be considered public funds for investment purposes and subject to the Public Depository Law, Chapter 1, Title 57, Idaho Code.

4.5.102. *Disbursement of Monies.* Monies in the Rental Pool Account will be disbursed to the District, the Board, and the Assignors in the proportions set forth in these procedures. Accrued interest to the Rental Pool Account shall be disbursed pro-rata to the Assignors at the time payments are made under Rule 5.6.

4.5.103 *Contingency Fund.* Administrative fees received by the District in excess of actual costs required to operate the Rental Pool shall be maintained by the Watermaster in a separate interest-bearing account to serve as a contingency fund for use by the Committee for the benefit of the District; provided, however, that such use does not conflict with the Idaho Public Depository Law, Chapter 1, Title 57, Idaho code.

RULE 5.0 ASSIGNMENT OF STORAGE TO THE RENTAL POOL

5.1 **Assignment of Storage.** Any spaceholder may assign storage to the Rental Pool subject to acceptance by the Committee.

5.2 **Acceptance by Committee.** The Committee may accept or reject, in whole or in part, an application to assign storage to the Rental Pool and may impose conditions necessary to satisfy the purposes set out under Rule 3.2. All storage assigned and accepted into the Rental Pool shall be under the control of the Committee and Watermaster during the term of the assignment.

5.3 **Reservoir Designation.** When an assignor has space in more than one reservoir the assignment shall designate the reservoir from which the storage is assigned.

5.4 **Priority of Assigned Storage**

5.4.101 *Assignments Made On or Before July 1st.* All storage assigned to the Rental Pool on or before July 1 shall be rented on a pro-rata basis.

5.4.102 *Assignments Made After July 1st.* All storage assigned to the Rental Pool after July 1 will be rented on a first-in-first-out basis, but only after all storage assigned under Rule 5.4.101 has been rented.

5.5 **Term of Assignment**

5.5.101 *Unrented Storage.* All storage assigned to the rental pool, but not rented by December 31, shall revert to the assignor, unless the assignor executes a written

extension.

5.5.102 *Unused Storage.* All storage assigned to and rented from the Rental Pool, but not put to beneficial use by March 1 of the year following the calendar year in which the storage was assigned to the Rental Pool, shall revert to the assignor unless the assignor executes a written extension and the extension is granted by the Committee.

5.6 **Payment to Assignors.**

5.6.101 *Amount of Payment.* Payment to assignor will be made only if the storage assigned to the Rental Pool is subsequently rented. Assignors shall share pro-rata in the Net Rental Price from the rental of storage assigned on or before July 1 and shall receive one-hundred percent of the Net Rental Price from the rental of such storage assigned after July 1 based on a first-in-first-out basis. Pursuant to Rule 3.3 purpose; Assignors shall agree to invest 1/3 or more of the payment proceeds into their water delivery systems in an effort to improve efficiency in order to promote the maximum beneficial use of stored water

5.6.102 *Calculation of Payment.* The Watermaster will calculate the payment due each assignor based on data published in the Annual Report of the Watermaster showing the actual quantity of storage rented from the Rental Pool. In the event water is rented after the filing of the Annual Report of the Watermaster; the Watermaster shall file a revised Annual Report to properly represent total Rental Pool activity for the reporting period.

5.6.103 *Timing of Payment.* Payments to assignors shall be due and payable after the Watermaster has calculated the payments under Rule 5.6.102

RULE 6.0 RENTAL OF STORAGE FROM THE RENTAL POOL

6.1 **Priority of Rental Applicants.** Storage rented from the Rental Pool shall be pursuant to the following priorities:

6.1.101 *First Priority.* On or before July 1, rental of water by spaceholders for irrigation purposes within the District.

6.1.102 *Second Priority.* After July 1, rental of water for all any beneficial purpose.

6.1.104 *Sub-priorities.* Priorities among rental applicants within each priority group, identified above, shall be determined based on the date the rental application is accepted by the Watermaster pursuant to Rule 4.4; provided, however, during periods of drought or other extraordinary circumstances, with consideration of the local public interest, the Committee may develop additional or alternative procedures for determining sub-priorities among competing rental applications.

6.2 **Rental Price.** The Rental Price per acre-foot of storage rented from the Rental Pool is as follows:

6.2.101 *In-Basin.* For uses upstream from the mouth of the Payette River the Rental Price is \$3.50 per acre-foot.

6.2.102 *Outside Basin.* For uses downstream from the mouth of the Payette River, the Rental Price is \$~~1720~~.00 per acre-foot.

- 6.3 **Out-of-Basin Rentals.** Storage rented for use below the mouth of the Payette River shall subject the space from which the storage was rented to last to fill in the ensuing year.
- 6.4 **Arbitrage.** A person may not assign storage and rent storage in the same calendar year, unless an exception is granted by the Committee. In the event an exception is granted by the Committee, the rental price shall equal the amount paid to the person for the prior assignment plus a 10% board surcharge and \$2.00 per acre-foot administrative fee.
- 6.5 **Rentals for Greater than Five (5) Years.** Applications to rent water from the Rental Pool for a period of more than five (5) years shall be submitted to the Board, and separately to Reclamation, for review and approval as a condition of approval by the Committee.
- 6.6 **Flow Augmentation.** Notwithstanding the foregoing provisions, Reclamation may assign and rent storage held in uncontracted space for flow augmentation purposes pursuant to the provisions contained in the Snake River Water Rights Agreement of 2004 (aka the Nez Perce Mediator's Term Sheet dated April 20, 2004) and Idaho Code § 42-1763B, in which case only an administrative fee shall be assessed pursuant to Rule 2.2.

2018
WATER DISTRICT 65
RENTAL POOL PROCEDURES

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**WATER DISTRICT 65
RENTAL POOL PROCEDURES**

RULE 1.0 LEGAL AUTHORITY

- 1.1 These procedures have been adopted pursuant to Idaho Code § 42-1765 and IDAPA 37.02.03.040 to assure orderly operation of the Payette River Rental Pool.
- 1.2 These procedures shall not be interpreted to limit the authority of the Idaho Department of Water Resources, the Idaho Water Resource Board, Water District No. 65 Advisory Board, or the Watermaster in discharging their duties as prescribed by statute or rule.
- 1.3 These procedures shall be interpreted consistent with Idaho Code, rules promulgated by the Idaho Water Resource Board, relevant provisions of repayment contracts with the United States, and the Snake River Water Rights Agreement of 2004 commonly referred to as the Nez Perce Mediator’s Term Sheet dated April 20, 2004.

RULE 2.0 DEFINITIONS

- 2.1 **Acre-foot:** a volume of water sufficient to cover one acre of land one foot deep and is equal to 43,560 cubic feet.
- 2.2 **Administrative Fee:** a fee of One Dollar (\$1.30) per acre-foot assessed by the District on all storage rented through the Rental Pool.
- 2.3 **Assignment:** a written agreement to convey a specific quantity of storage into the Rental Pool for use during a specified period of time.
- 2.4 **Assignor:** a person who assigns storage to the Rental Pool.
- 2.5 **Board:** the Idaho Water Resource Board (IWRB).
- 2.6 **Board Surcharge:** a surcharge equal to ten percent (10%) of the Net Rental Price assessed on all storage rented from the Rental Pool, which is disbursed to the Board. For purposes of these procedures, the surcharge for in-basin rentals under Rule 6.2.101 is equal to \$0.20 per acre-foot and for out-of-basin rentals under Rule 6.2.102 is equal to \$1.70 per acre-foot
- 2.7 **Committee:** the Advisory Board of Water District No. 65.
- 2.8 **Department:** the Idaho Department of Water Resources (IDWR).
- 2.9 **Director:** the Director of the Idaho Department of Water Resources.
- 2.10 **District:** Water District No. 65 of the State of Idaho.
- 2.11 **Net Rental Price:** The Rental Price less the Administrative Fee and Board Surcharge.
- 2.12 **Person:** an individual, company, association, corporation, partnership, irrigation district, canal company, political subdivision, or governmental agency.

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- 2.13 **Reclamation:** the United States Bureau of Reclamation.
- 2.14 **Rental Agreement:** a written agreement to acquire the right to use a specific quantity of storage from the Rental Pool for a determinate period.
- 2.15 **Rental Pool:** a market for the exchange of storage operated by the Advisory Board of Water District No. 65.
- 2.16 **Rental Price:** the fee for rental of storage from the Rental Pool as set forth in Rule 6.2, which includes the Administrative Fee and Board Surcharge.
- 2.17 **Renter:** a person who rents storage from the Rental Pool.
- 2.18. **Reservoir System:** refers to Cascade Lake, Deadwood Reservoir, Payette Lakes, and the Upper Lakes.
- 2.19 **Space:** all or any portion of the active capacity of a reservoir measured in acre-feet.
- 2.20 **Spaceholder:** the holder of the contractual right to space in the reservoir system, or Reclamation.
- 2.21 **Storage:** water that accrues to reservoir space and is available for use.
- 2.22 **Watermaster:** the watermaster of Water District 65.
- 2.23 **Year:** a calendar year.

RULE 3.0 PURPOSES

- 3.1 To promote the maximum beneficial use of stored water establish a process and provide incentives, consistent with Idaho Code § 42-1765, through which storage supplies may be made available for rental by persons who need additional water for beneficial purposes.
- 3.2 Maintain adequate controls and priorities to ensure that (a) irrigation uses are provided an opportunity to obtain supplemental storage supplies ahead of non-irrigation uses, (b) existing water rights are not injured, and (c) the use of storage water obtained through the Rental Pool is consistent with the protection of the local public interest and the conservation of water resources within the state of Idaho.
- 3.3 Provide a source of revenue for the District to make improvements in distribution of water and aid in increasing the conservation of water in the Payette River Basin.

RULE 4.0 MANAGEMENT & APPLICATION PROCESS

- 4.1 **Committee.** The Committee, which shall decide all matters by majority vote, will exercise the following responsibilities:
- (a) Adopt, and amend as necessary, procedures for operation of the Rental Pool;
 - (b) Provide direction to the Watermaster in the operation of the Rental Pool within the framework of the these procedures;
 - (c) Set policies for the investment and disbursement of funds generated by the Rental Pool in conformity with the Public Depository Law, Chapter 1, Title 57, Idaho Code; and
 - (d) Notify the Director and Watermaster of rentals where storage will be moved from the place of use authorized by the permit, license or decree establishing the storage water right.
- 4.2 **Watermaster.** The Watermaster shall serve as the manager of the Rental Pool and shall take all reasonable actions necessary to administer the Rental Pool consistent with these procedures, which include:
- (a) accepting assignments of storage into the Rental Pool;
 - (b) executing rental agreements on behalf of the Committee;
 - (c) distributing storage rented through the Rental Pool;
 - (d) accepting and disbursing funds generated through the rental of storage; and
 - (e) taking such additional actions as may be directed by the Committee.
- 4.3 **Application to Assign Storage to the Rental Pool.**
- 4.3.101 *Contents.* Applications to assign storage to the Rental Pool shall be made upon forms approved by the Watermaster, which shall include:
- (a) the quantity of storage sought to be assigned to the Rental Pool;
 - (b) an indication of whether the storage may be rented for use below the mouth of the Payette River; and
 - (c) the date received in the Watermaster's office.
- 4.3.102 *Acceptance.* For purposes of determining the priority of assigned storage under Rule 5.4, applications shall be deemed conditionally accepted on the date received in the Watermaster's office subject to acceptance by the Committee pursuant to Rule 5.2.
- 4.4 **Application to Rent Storage from the Rental Pool.**
- 4.4.101 *Contents.* Applications to rent storage from the Rental Pool shall be made upon forms approved by the Watermaster, which shall include:
- (a) the amount of storage sought to be rented;
 - (b) the purpose(s) for which the storage will be put to beneficial use;
 - (c) the point of diversion identified by legal description and common name;

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- (d) a description of the place of use; and
- (e) the date received in the Watermaster's office.

4.4.102 *Acceptance.* For purposes of determining a rental applicant's priority under Rule 6.1, applications are not deemed accepted until received by the Watermaster together with the appropriate rental fee.

4.5 **Rental Pool Account.**

4.5.101. *Account.* All monies submitted by rental applicants shall be deposited in the Rental Pool Account, which shall be an interest-bearing account maintained by the Watermaster on behalf of the Committee. Rental Pool funds shall be considered public funds for investment purposes and subject to the Public Depository Law, Chapter 1, Title 57, Idaho Code.

4.5.102. *Disbursement of Monies.* Monies in the Rental Pool Account will be disbursed to the District, the Board, and the Assignors in the proportions set forth in these procedures. Accrued interest to the Rental Pool Account shall be disbursed pro-rata to the Assignors at the time payments are made under Rule 5.6.

4.5.103 *Contingency Fund.* Administrative fees received by the District in excess of actual costs required to operate the Rental Pool shall be maintained by the Watermaster in a separate interest-bearing account to serve as a contingency fund for use by the Committee for the benefit of the District; provided, however, that such use does not conflict with the Idaho Public Depository Law, Chapter 1, Title 57, Idaho code.

RULE 5.0 ASSIGNMENT OF STORAGE TO THE RENTAL POOL

5.1 **Assignment of Storage.** Any spaceholder may assign storage to the Rental Pool subject to acceptance by the Committee.

5.2 **Acceptance by Committee.** The Committee may accept or reject, in whole or in part, an application to assign storage to the Rental Pool and may impose conditions necessary to satisfy the purposes set out under Rule 3.2. All storage assigned and accepted into the Rental Pool shall be under the control of the Committee and Watermaster during the term of the assignment.

5.3 **Reservoir Designation.** When an assignor has space in more than one reservoir the assignment shall designate the reservoir from which the storage is assigned.

5.4 **Priority of Assigned Storage**

5.4.101 *Assignments Made On or Before July 1st.* All storage assigned to the Rental Pool on or before July 1 shall be rented on a pro-rata basis.

5.4.102 *Assignments Made After July 1st.* All storage assigned to the Rental Pool after July 1 will be rented on a first-in-first-out basis, but only after all storage assigned under Rule 5.4.101 has been rented.

5.5 **Term of Assignment**

5.5.101 *Unrented Storage.* All storage assigned to the rental pool, but not rented by December 31, shall revert to the assignor, unless the assignor executes a written

extension.

5.5.102 *Unused Storage.* All storage assigned to and rented from the Rental Pool, but not put to beneficial use by March 1 of the year following the calendar year in which the storage was assigned to the Rental Pool, shall revert to the assignor unless the assignor executes a written extension and the extension is granted by the Committee.

5.6 **Payment to Assignors.**

5.6.101 *Amount of Payment.* Payment to assignor will be made only if the storage assigned to the Rental Pool is subsequently rented. Assignors shall share pro-rata in the Net Rental Price from the rental of storage assigned on or before July 1 and shall receive one-hundred percent of the Net Rental Price from the rental of such storage assigned after July 1 based on a first-in-first-out basis. Pursuant to Rule 3.3 purpose; Assignors shall agree to invest 1/3 or more of the payment proceeds into their water delivery systems in an effort to improve efficiency in order to promote the maximum beneficial use of stored water

5.6.102 *Calculation of Payment.* The Watermaster will calculate the payment due each assignor based on data published in the Annual Report of the Watermaster showing the actual quantity of storage rented from the Rental Pool. In the event water is rented after the filing of the Annual Report of the Watermaster; the Watermaster shall file a revised Annual Report to properly represent total Rental Pool activity for the reporting period.

5.6.103 *Timing of Payment.* Payments to assignors shall be due and payable after the Watermaster has calculated the payments under Rule 5.6.102

RULE 6.0 RENTAL OF STORAGE FROM THE RENTAL POOL

6.1 **Priority of Rental Applicants.** Storage rented from the Rental Pool shall be pursuant to the following priorities:

6.1.101 *First Priority.* On or before July 1, rental of water by spaceholders for irrigation purposes within the District.

6.1.102 *Second Priority.* After July 1, rental of water for all any beneficial purpose.

6.1.104 *Sub-priorities.* Priorities among rental applicants within each priority group, identified above, shall be determined based on the date the rental application is accepted by the Watermaster pursuant to Rule 4.4; provided, however, during periods of drought or other extraordinary circumstances, with consideration of the local public interest, the Committee may develop additional or alternative procedures for determining sub-priorities among competing rental applications.

6.2 **Rental Price.** The Rental Price per acre-foot of storage rented from the Rental Pool is as follows:

6.2.101 *In-Basin.* For uses upstream from the mouth of the Payette River the Rental Price is \$3.50 per acre-foot.

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- 6.2.102 *Outside Basin.* For uses downstream from the mouth of the Payette River, the Rental Price is \$20.00 per acre-foot.
- 6.3 **Out-of-Basin Rentals.** Storage rented for use below the mouth of the Payette River shall subject the space from which the storage was rented to last to fill in the ensuing year.
- 6.4 **Arbitrage.** A person may not assign storage and rent storage in the same calendar year, unless an exception is granted by the Committee. In the event an exception is granted by the Committee, the rental price shall equal the amount paid to the person for the prior assignment plus a 10% board surcharge and \$2.00 per acre-foot administrative fee.
- 6.5 **Rentals for Greater than Five (5) Years.** Applications to rent water from the Rental Pool for a period of more than five (5) years shall be submitted to the Board, and separately to Reclamation, for review and approval as a condition of approval by the Committee.
- 6.6 **Flow Augmentation.** Notwithstanding the foregoing provisions, Reclamation may assign and rent storage held in uncontracted space for flow augmentation purposes pursuant to the provisions contained in the Snake River Water Rights Agreement of 2004 (aka the Nez Perce Mediator's Term Sheet dated April 20, 2004) and Idaho Code § 42-1763B, in which case only an administrative fee shall be assessed pursuant to Rule 2.2.

BEFORE THE IDAHO WATER RESOURCE BOARD

IN THE MATTER OF APPROVING)
RENTAL POOL PROCEDURES) A RESOLUTION
FOR THE WATER DISTRICT NO 65)
RENTAL POOL)

WHEREAS, pursuant to Idaho Code 42-1765, the Idaho Water Resource Board may appoint local committees to facilitate the rental and the marketing of stored water under rules and regulations adopted by the Board; and

WHEREAS, consistent with Water Supply Bank Rule 40, subsection 05 (IDAPA 37.02.03.40.05), the Board will consider amendments to the approved procedures of an appointed local committee; and

WHEREAS, the water district advisory committee for Water District No. 65 is the local committee appointed by the Board to facilitate the rental and marketing of stored water in the Payette River basin; and

WHEREAS, the advisory committee for Water District No. 65 has adopted proposed changes to the Payette River basin Water District No. 65 rental pool;

NOW THEREFORE BE IT RESOLVED that the Board approves the proposed changes to the Payette River basin rental pool procedures, as proposed and adopted by the advisory committee of Water District No. 65.

Dated this _____ day of March, 2018.

ROGER W. CHASE
Idaho Water Resource Board Chairman

Attest: _____
VINCE ALBERDI
Secretary

Memorandum

To: Idaho Water Resource Board
From: Wesley Hipke
Date: March 8th, 2018
Re: ESPA Managed Recharge Program Status Report



I. 2017/2018 Recharge Season Status

IWRB Water Available for Recharge:

Storage Water: 61,100 af - donated by the Surface Water Coalition (SWC)

Natural Flow (NF)

- Snake River - Water Rights
 - 01-7482 (1,200 cfs)
 - 01-7142 (2,831 cfs)
 - 01-10609 (3,738 cfs)
- Big/Little Wood Rivers - Water Right 37-7054 (250 cfs)
 - 37-7054 License Contested – recharging under the Permit
 - Application for Temporary Approval of Water Use filed for recharge on the Little Wood (800 cfs) and Big Wood (800 cfs) Rivers, approved by IDWR on March 5, 2018. The approval authorizes the IWRB to recharge water when there is excess water on either river and other water rights have been filled in priority.

IWRB Recharge 2017/2018:

A summary of IWRB recharge for the 2017/2018 season is provided in Table 1 and Figure 1.

Table 1. IWRB Recharge Summary – 2017/2018*						
System	Area	Start of Recharge	Duration of Recharge (Days)	Median Recharge Rate (cfs)	Current Recharge Rate (cfs)	Volume Recharged (Acre-feet)*
Snake River	Lower Valley	Sept 14	175	555	1,003	180,846
	Upper Valley	Aug 30	190	367	407	133,715
	Snake River Total		190	922	1,410	314,561
Big/Little Wood River	Big Wood Canal Co.	Nov 30	105	9	9	2,620
ESPA TOTAL			190	931	1,419	317,181

* As of Mar 7, 2018 – IWRB recharge data are preliminary and subject to change.

Upper Valley Summary:

IWRB recharge started above Minidoka Dam on August 30 and has continued through the winter. The IWRB was able to initiate recharge activities early in the season due to a donation of 61,100 af of storage water from the Surface Water Coalition (SWC). The SWC received the storage water as part of the SWC's settlement agreements with various parties. Most of the 61,100 af was recharged in the Upper Valley by the first part of November, 2017.

The Recharge Program was notified on October 31 that the IWRB's natural flow water right was in priority above Minidoka Dam. The IWRB has active contracts with eight entities in the Upper Valley to conduct recharge. Most of the canals discontinued recharge in late November due to a combination of construction projects and freezing conditions. Some of the canals in the Fremont-Madison Irrigation District (FMID) system have been able to recharge throughout the winter. The Great Feeder Canal (GFCC) resumed recharge in the middle of January. Recharge is expected to resume and/or increase as the weather warms up. Given the current forecast the U.S. Bureau of Reclamation is predicting that natural flow water on the Snake River will be available for recharge through April.

Lower Valley Summary:

IWRB Recharge started below Minidoka Dam on September 14 with Southwest Irrigation District (SWID) recharging some of the donated storage water. The Recharge Program was informed that the IWRB water rights were in priority below Minidoka Dam on October 16, 2017.

SWID switched to recharging natural flow on October 16 with American Falls Reservoir District #2 (AFRD2) and Twin Falls Canal Company (TFCC) starting recharge activities towards the end of October (25th and 30th, respectively) after completing canal maintenance. AFRD2 and TFCC have been able to recharge continuously since that time. SWID stopped recharge between mid-November and mid-January due to pump repair and pipeline maintenance.

TFCC has been able to recharge over 30 cfs throughout the winter. AFRD2 was able to take advantage of the relative mild winter recharging between 700 and 800 cfs until mid-December, utilizing the MP31 and Shoshone recharge sites. Extended freezing conditions at the Dietrich Power Plant stopped deliveries to the Shoshone site on December 11. Ice build-up at the MP28 Power Plant starting on December 24 reduced recharge deliveries to the MP31 site to around 150 cfs. After mid-January recharge flows have steadily increased with recharge resuming at the Shoshone site on February 7. Currently approximately 600 cfs is being delivered to the MP31 site, 250 cfs to the Shoshone site, and 50 cfs to the Big Wood Dry Bed. SWID has been able to bring a couple more injection wells on line towards the end of February and is currently recharging about 50 cfs.

The median recharge in the Lower Valley is 555 cfs with the maximum delivers occurring in the last two weeks over 1,000 cfs.

Big/Little Wood River Summary:

On the Big/Little Wood River the watermaster determined that flow past Magic Dam was available for recharge under IWRB water right 37-7842. The Big Wood Canal Company (BWCC) started recharging on November 30 utilizing the Devil's Headgate site. Relatively small volumes of water were also recharged utilizing the Shoshone site and to test the new Richfield site. To maximize recharge opportunities, the IWRB's recharge water was delivered to additional locations in 2017 through a Water Supply Bank lease and rental agreement which expired on December 31, 2017. Through discussions with the IDWR it was determined that the IWRB could conduct recharge under their current permit. A Temporary Water Approval of Water Use application was filed and accepted by IDWR to recharge excess water from the Big Wood (800 cfs) and the Little Wood (800 cfs) Rivers to ensure that recharge of the excess flow on these rivers is maximized.

The BWCC has been able to recharge all winter long and since the end of January it has been recharging a relatively small amount (10 cfs) at the Devils Headgate recharge site. BWCC is expecting to start releasing water out of Magic Reservoir towards the end of March which will increase the amount that can be recharged.

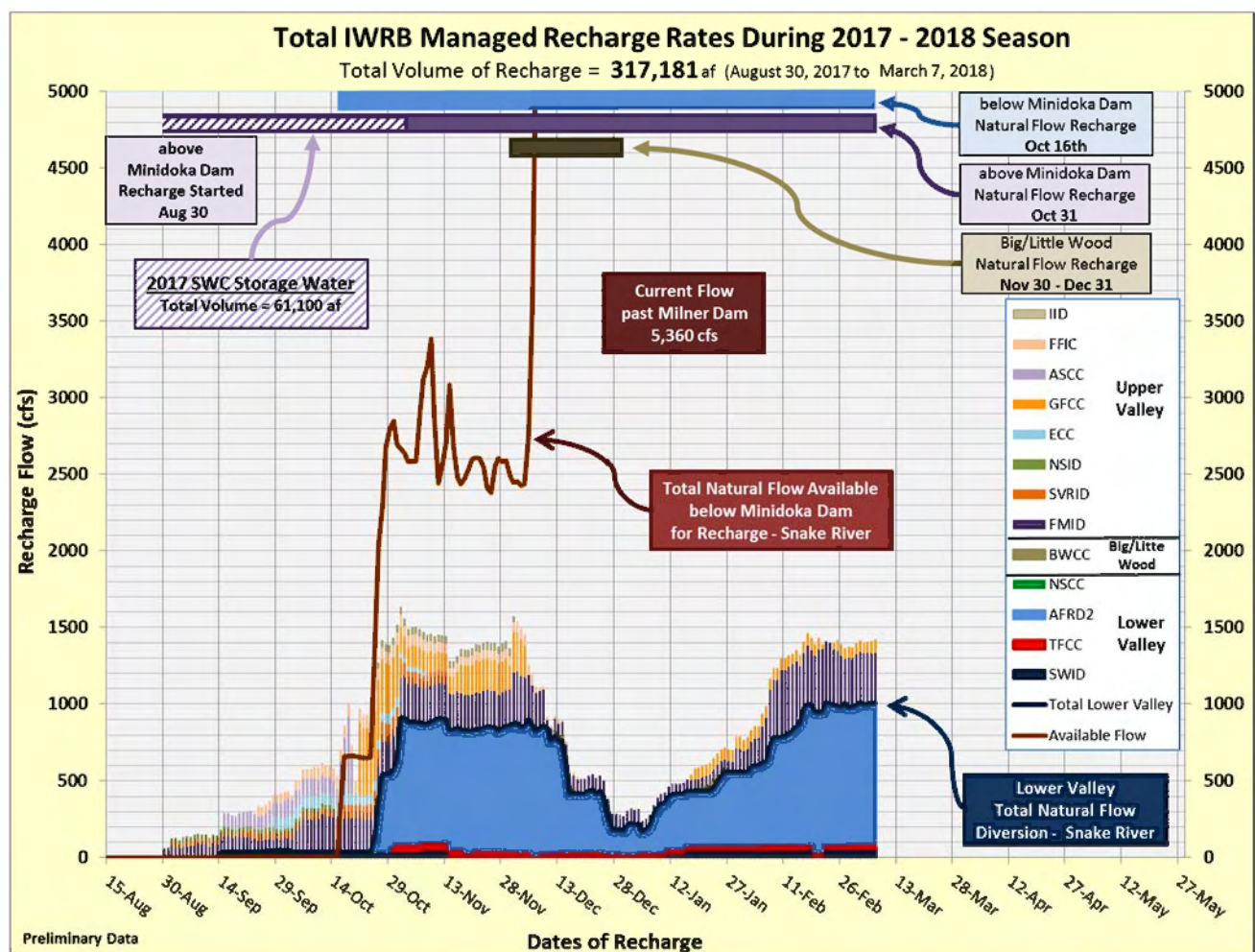


Figure 1. IWRB 2017/2018 ESPA Managed Recharge.

II. ESPA Recharge Program Projects and Buildout Activities

A number of projects have been undertaken to enhance the IWRB's ability to recharge in the ESPA. The following summary is a brief overview of the projects the IWRB is currently pursuing to meet the managed recharge goal of an average 250,000 af/yr.

For managed recharge projects involving infrastructure improvements to which the IWRB provided funding, a Memorandum of Intent (MOI) was developed to establish a long-term agreement (twenty years) between the IWRB and the entity implementing the project. The MOI acknowledges: 1) the IWRB provided financial assistance for a project; and 2) the entity agrees to deliver and prioritize delivery of the IWRB's recharge water as compensation for financial assistance from the IWRB.

ESPA Managed Recharge Infrastructure Project Summary

The IWRB has allocated over \$14 million dollars from 2013 through fiscal year 2018 for infrastructure improvements to increase managed recharge throughout the ESPA. A summary and status of the current projects in the Lower Valley and Upper Valley are included in Tables 2 and 3, respectively.

IWRB staff is focused on the development of additional recharge capacity throughout the ESPA. In the Lower Valley, this includes development of recharge capacity on the North Side Canal system below Wilson Lake, investigation of potential recharge sites along the Milner-Gooding canal, and pursuit of other opportunities as they arise. In the Upper Valley, staff is working with numerous canal and other entities to find and develop recharge sites or infrastructure projects to facilitate recharge. A summary of the projected projects is provided in Tables 4 and 5 for the Lower and Upper Valley, respectively.

Table 2. Current IWRB ESPA Managed Recharge Projects - Lower Valley

IWRB Partner	Project Name	Project Type	Status	Approved Funds	Scheduled Completion	Description / Key Items
AFRD2	Dietrich Drop Hydro Plant Winter By-pass	Design / Construction	On Hold	\$1,500,000	2018	Winter recharge by-pass of the Dietrich Drop Hydro plant <ul style="list-style-type: none"> • ENEL and AFRD2 are developing plans to redesign the plant so it could accommodate winter recharge.
North Side CC	Hydro Plants (4) Improvements for Winter By-pass	Design / Construction	Active	\$5,074,581	2018	Winter recharge by-pass of the hydro plants between the Milner Pool and Wilson Lake <ul style="list-style-type: none"> • 100% Design complete - Apr 2018 • Submittal to FERC Regional office – Mar 2018 • Non FERC related construction complete – Mar 2018 • Contractor hired - Jun 2018 • Project complete – Dec 2018
Southwest ID	Buckhorn Pipeline	Construction	Active	\$600,000	Mar 2018	\$15 million dollar new pipeline - IWRB funding recharge related infrastructure <ul style="list-style-type: none"> • Pipeline complete – Summer 2017 • Construction of Buildings complete – Spring/Summer 2018
Big Wood CC	Richfield Recharge Site	Construction	Active	\$150,000	Spring 2018	Construction and development of the Richfield Site <ul style="list-style-type: none"> • Construction complete – Mar 2018 • Groundwater Monitoring plan scheduled to be approve by DEQ – Mar 2018 • All Monitor Well(s) drilled – Spring 2018 • Dept. of State Lands lease application – Mar 2018

Table 3. Current IWRB ESPA Managed Recharge Projects - Upper Valley

IWRB Partner	Project Name	Project Type	Status	Approved Funds	Scheduled Completion	Description / Key Items
South Fork canal companies	South Fork Managed Recharge Site Evaluations	Evaluation	Active	\$166,000	Jan 2018	Working with Great Feeder, Farmers Friend, & Enterprize canals to evaluate potential recharge sites in the South Fork area <ul style="list-style-type: none"> • Infiltration testing complete – Nov 2017 • Reports completed – Jan 2018
Fremont-Madison ID	Egin Lakes Phase II	Construction	Active	\$580,000	Summer 2018	Construction of Egin Lakes Phase II Recharge Capacity Expansion <ul style="list-style-type: none"> • Submittal of EA/Evaluation – Oct 2017 <ul style="list-style-type: none"> ◦ Est. BLM approval – May/June 2018 • Construction of weir on Recharge Canal – Feb 2018 • Construction on new recharge areas – Summer 2018 (after BLM approval)
New Sweden ID	New Sweden Site Testing & Groundwater Monitoring Plan	Evaluation of Sites	Active	\$200,000	2018	Preliminary survey of the New Sweden system and hydraulic modeling <ul style="list-style-type: none"> • Approved \$200,000 for testing of sites and a Groundwater Quality Monitoring Program – May 2017 • Spring 2018 – Testing and evaluation of potential recharge sites
Butte Market Lake Co.	Managed Recharge Canal System Evaluation	Evaluation	Active	\$39,000	Oct 2017	Evaluation of potential recharge sites and canal infrastructure improvements <ul style="list-style-type: none"> • Report submitted to BLMCC – Feb 2017
Woodville CC	Managed Recharge Site Evaluation	Evaluation	Active	\$17,000	Oct 2017	Evaluation of potential recharge site <ul style="list-style-type: none"> • Report – Jan 2017

Table 4. Projected Lower Valley - IWRB ESPA Managed Recharge Projects

IWRB Partner	Project Name	Project Type	Status	Approved Funds	Scheduled Completion	Description / Key Items
AFRD2	MP 28 Hydro Plant Tailbay	Design / Construction	Planning	None at this time	Winter 2018/2019	Isolating tailbay and improving forebay of the hydro plant during winter recharge <ul style="list-style-type: none"> • Minor Modification to current tailbay and forebay – Oct 2017 • AFRD2 working with Hydro Plant owner considering various long-term options - Spring 2018
AFRD2	New Recharge Site Identification	Evaluation	Planning	None at this time	Spring/ Summer 2018	Preliminary Survey and analysis to determine potential recharge site at MP29, MP34, and others <ul style="list-style-type: none"> • Survey data delivered - Feb 2018 • Evaluating and assessing MP29 recharge site – Spring 2018
North Side CC	New Recharge Site Development and Identification	Survey, Design / Construction	Planning	None at this time	2018	Design, Construction, and development of a Groundwater Quality Monitoring Program for site(s) below Wilson Lake <ul style="list-style-type: none"> • Alternative Analysis – Dec 2017 • NSCC meeting to discuss Alternatives – Jan 2018 • Design and construction of Wilson Canyon site - 2018 • Design and construction of other site(s) – 2018/2019

Table 5. Projected Upper Valley - IWRB ESPA Managed Recharge Projects

IWRB Partner	Project Name	Project Type	Status	Approved Funds	Scheduled Completion	Description / Key Items
South Fork canal companies	South Fork Managed Recharge Site Constructions	Construction	Planning	None at this time	2018	Design and Construction of proposed recharge sites <ul style="list-style-type: none"> • Soliciting recharge sites development projects from the various canal companies
Butte Market Lake Co.	Managed Recharge Canal System Evaluation	Construction	Planning	None at this time	Fall 2018	Design and Construction of proposed recharge sites <ul style="list-style-type: none"> • Soliciting recharge sites development projects
New Sweden ID	Managed Recharge Canal sites	Construction	Planning	None at this time	Fall 2018	Design and Construction of proposed recharge sites <ul style="list-style-type: none"> • Construction of a recharge site along with corresponding Groundwater Monitoring Plans and monitor wells – Fall 2018

BEFORE THE IDAHO WATER RESOURCE BOARD

IN THE MATTER OF APPLICATION)
FOR STREAM CHANNEL ALTERATION)
PERMIT NOS. S82-20066 and S82-20067)

RESOLUTION

WHEREAS, on August 2, 2017, the Idaho Department of Water Resources (“IDWR”) denied Joint Application for Permit No. S82-20066 in the name of Gay Richardson (“Richardson”) for suction dredge mining within the Red River, a tributary of the South Fork Clearwater River; and

WHEREAS, on August 2, 2017, IDWR denied Joint Application for Permit No. S82-20067 in the name of John Stickley (“Stickley”) for suction dredge mining within the Red River, a tributary of the South Fork Clearwater River; and

WHEREAS, IDWR received a letter from Richardson on August 15, 2017, requesting a hearing on the denial of Joint Application for Permit No. S82-20066; and

WHEREAS, IDWR received a letter from Stickley on August 27, 2017, requesting a hearing on the denial of Joint Application for Permit No. S82-20067; and

WHEREAS, it is necessary for the Idaho Water Resource Board (“IWRB”) to appoint a hearing officer to preside over the hearings requested by Richardson and Stickley and issue a recommended order or recommended orders in accordance with Idaho Code §§ 67-5243(1)(a) and 67-5248; and

WHEREAS, on September 15, 2017, the IWRB appointed Hon. John M. Melanson as the hearing officer in the above-captioned proceedings;

WHEREAS, on January 19, 2018, Hearing Officer Melanson issued the *Notice of Hearing Officer Resignation; Order Vacating Deadline and Hearing Dates*, resigning as hearing officer due to unforeseen medical issues;

WHEREAS, it is necessary for the IWRB to appoint a new hearing officer to preside over the hearings requested by Richardson and Stickley;

NOW THEREFORE BE IT RESOLVED, the IWRB hereby appoints Nick Miller, Manager, IDWR Western Region, as the hearing officer in the above-captioned proceedings.

Adopted this _____ day of March 2018.

ROGER CHASE, Chairman
Idaho Water Resource Board

ATTEST: _____
VINCE ALBERDI, Secretary

IDAHO DEPARTMENT OF WATER RESOURCES
LEGISLATIVE UPDATE (2018)
Updated March 8, 2018

RS/Bill	TITLE	I.C.	STATEMENT OF PURPOSE/SUMMARY	STATUS
25629 HB372	Transfer Application Fees for Updating Certain Elements of a Water Right	42-221	<ul style="list-style-type: none"> Sometimes water right owners need to file transfers to update their water rights to reflect the actual water use but there will be no physical change to their water use. For example, they may need to change the legal description of their point of diversion but there will be no physical change to the location of their point of diversion. Currently, such transfers can cost hundreds or thousands of dollars. This legislation amends Section 42-221, Idaho Code to charge a flat \$50.00 fee to update the elements of a water right when there has been no physical change to the water use. The Department is proposing to lower the fee for this type of transfer to encourage water right owners to keep their water right information accurate and up to date. 	<ul style="list-style-type: none"> 1/17/18 IDWR presented to H Res & Cons committee meeting 1/18/18 Introduced, read 1st time, referred to JRA for printing 1/19/18 Reported printed and referred to H Res & Cons 1/30/18 Reported out of Committee with Do Pass Recommendation, filed for 2nd Reading 1/31/18 Read 2nd time, filed for 3rd reading 2/1/18 U.C. to hold place on 3rd reading calendar on legislative day 2/5/18 Read 3rd time in full – Passed 70-0-0, title apvd – to Senate 2/6/18 Received from the House passed, filed for 1st reading. Introduced, read 1st time, referred to S Res & Env 2/15/18 Reported out of Committee with Do Pass Recommendation, filed for 2nd reading 2/16/18 Read 2nd time, filed for 3rd reading 2/26/18 Read 3rd time in full – Passed 33-0-2, title apvd – to House 2/27/18 Returned from Senate Passed, to JRA for enrolling 2/28/18 Reported enrolled, signed by Speaker, transmitted to Senate. Received from the House enrolled/signed by Speaker, signed by President, returned to House 3/1/18 Returned signed by the President, ordered transmitted to Governor

				<ul style="list-style-type: none"> • 3/2/2018 Delivered to Governor at 10:20 a.m. on March 1, 2018
RS/Bill	TITLE	I.C.	STATEMENT OF PURPOSE/SUMMARY	STATUS
25630 HB371	Critical Ground Water Areas	42-233a	<ul style="list-style-type: none"> • This legislation amends Section 42-233a, Idaho Code by: 1) clarifying that the Director shall not curtail a participant in an approved water management plan within a critical ground water area so long as the participant is in compliance with the approved water management plan, and 2) removing the last sentence of the second-to-last paragraph which requires the Director to determine if there is sufficient ground water and issue a curtailment order by September 1 of the year prior to the subject year. • This legislation will make curtailment in a Critical Ground Water Area the same as curtailment in a Ground Water Management Area, providing more clarity and certainty to water users during times of administration. 	<ul style="list-style-type: none"> • 1/17/18 IDWR presented to H Res & Cons committee meeting • 1/18/18 Introduced, read 1st time, referred to JRA for printing • 1/19/18 Reported printed and referred to H Res & Cons • 1/30/18 Reported out of Committee with Do Pass Recommendation, filed for 2nd Reading • 1/31/18 Read 2nd time, filed for 3rd reading • 2/1/18 U.C. to hold place on 3rd reading calendar on legislative day • 2/5/18 Read 3rd time in full – Passed 70-0-0, title apvd – to Senate • 2/6/18 Received from the House passed, filed for 1st reading. Introduced, read 1st time, referred to S Res & Env • 2/15/18 Reported out of Committee with Do Pass Recommendation, filed for 2nd reading • 2/16/18 Read 2nd time, filed for 3rd reading • 2/26/18 Read 3rd time in full – Passed 23-10-2, title apvd – to House • 2/27/18 Returned from Senate Passed, to JRA for enrolling • 2/28/18 Reported enrolled, signed by Speaker, transmitted to Senate. Received from the House enrolled/signed by Speaker, signed by President, returned to House • 3/1/18 Returned signed by the President, ordered transmitted to Governor

				<ul style="list-style-type: none"> 3/2/2018 Delivered to Governor at 10:20 a.m. on March 1, 2018
RS/BILL	TITLE	I.C.	STATEMENT OF PURPOSE/SUMMARY	STATUS
25688 HB370	Water District Meetings and Elections	42-605	<ul style="list-style-type: none"> This legislation amends Section 42-605, Idaho Code to lengthen the period of time in which a state water district can hold annual meetings and to clarify the practice for absentee voting and proxy voting. 	<ul style="list-style-type: none"> 1/17/18 IDWR presented to H Res & Cons committee meeting 1/18/18 Introduced, read 1st time, referred to JRA for printing 1/19/18 Reported printed and referred to H Res & Cons 1/30/18 Reported out of Committee with Do Pass Recommendation, filed for 2nd Reading 1/31/18 Read 2nd time, filed for 3rd reading 2/1/18 U.C. to hold place on 3rd reading calendar on legislative day 2/5/18 Read 3rd time in full – Passed 69-0-1, title apvd – to Senate 2/6/18 Received from the House passed, filed for 1st reading. Introduced, read 1st time, referred to S Res & Env 2/15/18 Reported out of Committee with Do Pass Recommendation, filed for 2nd reading 2/16/18 Read 2nd time, filed for 3rd reading 2/26/18 Read 3rd time in full – Passed 33-0-2, title apvd – to House 2/27/18 Returned from Senate Passed, to JRA for enrolling 2/28/18 Reported enrolled, signed by Speaker, transmitted to Senate. Received from the House enrolled/signed by Speaker, signed by President, returned to House 3/1/18 Returned signed by the President, ordered transmitted to Governor 3/2/2018 Delivered to Governor at 10:20 a.m. on March 1, 2018

RS/Bill	TITLE	I.C.	STATEMENT OF PURPOSE/SUMMARY	STATUS
25805 HB420	Electronic Publication of Legal Notices	60-106B	<ul style="list-style-type: none"> • This legislation creates a new section to Title 60, Chapter 1, designated as 60-106B, which provides that governmental entities that are required to publish legal notices, advertisements or publications may publish them electronically on their official website in lieu of having them printed in a newspaper. • This legislation will greatly reduce the publication fees paid by governmental entities. 	<ul style="list-style-type: none"> • 1/26/18 Introduced, read 1st time, referred to JRA for printing • 1/29/18 Reported printed and referred to State Affairs
RS/Bill	TITLE	I.C.	STATEMENT OF PURPOSE/SUMMARY	STATUS
26129 HB550	Flood Control District Commissioners Removal and Replacement Process	42-3109	<ul style="list-style-type: none"> • This legislation amends Section 42-3109, Idaho Code to provide a process for the removal and replacement of a Flood Control District Commissioner. 	<ul style="list-style-type: none"> • 2/12/18 Introduced, read 1st time, referred to JRA for printing • 2/13/18 Reported printed and referred to H Res & Con • 2/20/18 Reported out of Committee, recommend place on General Orders • 2/23/18 Referred to the Committee of the Whole, reported out without recommendation as amended. Amendments referred to JRA for printing. Bill as Amended referred to JRA for engrossing • 2/26/18 Reported engrossed, filed for 1st reading of engrossed bills, read 1st time as amended, filed for 2nd reading • 2/27/18 Read 2nd time as amended, filed for 3rd reading • 2/28/18 U.C. to hold place on 3rd reading calendar 1 legislative day • 3/1/18 Read 3rd time in full as amended – Passed 69-0-1, titled apvd – to Senate • 3/2/18 Received from the House passed, filed for 1st reading. Introduced, read 1st time, referred to S Res & Env • Reported out of Committee with Do Pass Recommendation, filed for 2nd reading

RS/Bill	TITLE	I.C.	STATEMENT OF PURPOSE/SUMMARY	STATUS
26191 H603	Proof of Beneficial Use for Stockwater Rights Issued to Federal Agencies	42-501, 42-503, 42-504, 42-505, 42-506	<ul style="list-style-type: none"> This legislation provides that within 90 days following the enactment of bill, the Director of IDWR shall (a) Compile a list of all stockwater rights held by a federal agency; and (b) Submit the list of stockwater rights to the federal agency along with an order to the federal agency to show cause before the director why the stockwater rights held by the federal agency should not be lost or forfeited pursuant to section 42-222(2), Idaho Code. The federal agency will have a right to an administrative hearing before the director if requested in writing within twenty-one (21) days from completion of service of the order to show cause. The water right is forfeited if the water right owner fails to timely request a hearing. 	<ul style="list-style-type: none"> 2/15/18 Introduced, read 1st time, referred to JRA for printing 2/16/18 Reported printed and referred to H Res & Con Reported out of Committee with Do Pass Recommendation, filed for 2nd reading 2/21/18 Read 2nd time, filed for 3rd reading 2/22/18 U.C. to hold place on 3rd reading calendar 1 legislative day 2/26/18 Read 3rd time in full – Passed 67-0-3, titled apvd – to Senate 2/27/18 Received from the House passed, filed for 1st reading. Introduced, read 1st time, referred to S Res & Env 3/5/18 Reported out of committee, to 14th Order for amendment
RS/Bill	TITLE	I.C.	STATEMENT OF PURPOSE/SUMMARY	STATUS
26161 H623	Revisions to the Idaho Administrative Procedure Act Regarding Contested Cases	67-52	<ul style="list-style-type: none"> This legislation updates the Administrative Procedures Act, Title 67, Chapter 52, to better delineate preliminary review and initial agency actions from contested case proceedings in an effort to address concerns over due process, conflicts of interest and impartiality in contested administrative proceedings. 	<ul style="list-style-type: none"> 2/22/18 Introduced, read 1st time, referred to JRA for printing 2/23/18 Reported printed and referred to Judiciary, Rules & Admin 3/2/2018 Reported out of Committee with Do Pass Recommendation, filed for 2nd reading 3/5/18 Read 2nd time, filed for 3rd reading 3/6/18 Read 3rd time in full – Passed 47-23-0, title apvd – to Senate 3/7/18 Received from the House passed, filled for 1st reading. Introduced, read 1st time, referred to Judiciary & Rules
RS/Bill	TITLE	I.C.	STATEMENT OF PURPOSE/SUMMARY	STATUS
25868 S1260	Lake Pend Oreille, Pend	39-8503	<ul style="list-style-type: none"> This legislation updates I.C. 39-8503, the statute for Lake Pend Oreille, Pend Oreille River, Priest Lake and Priest River Commission, to allow the Commission to participate 	<ul style="list-style-type: none"> 2/1/18 Introduced, read 1st time, referred to JRA for printing

	Oreille River, Priest Lake and Priest River Commission		in proceedings related to the Columbia River Basin, including the Albeni Falls mitigation work group, the technical management team and other proceedings regarding federal Columbia River power systems operations, the Columbia River Treaty, and the Idaho Invasive Species Council.	<ul style="list-style-type: none"> • 2/2/18 Reported printed and referred to S Res & Env • 2/8/18 Reported out of Committee with Do Pass Recommendation, filed for 2nd reading • 2/9/18 Read 2nd time, filed for 3rd reading • 2/14/18 Read 3rd time in full – Passed 33-1-1, title apvd – to House • 2/15/18 Received from Senate, filed for 1st reading, read 1st time, referred to H Res & Con • 2/28/18 Reported out of Committee with Do Pass Recommendation, filed for 2nd reading • 3/1/18 Read 2nd time, filed for 3rd reading • 3/2/18 Read 3rd time in full – Passed 68-0-2, titled apvd – to Senate • 3/5/18 Returned from House Passed, referred to enrolling • 3/6/18 Reported enrolled, signed by President, to House for signature of Speaker • 3/7/18 Received from Senate, signed by Speaker, returned to Senate, reported signed by Speaker & ordered delivered to Governor
RS/Bill	TITLE	I.C.	STATEMENT OF PURPOSE/SUMMARY	STATUS
25894 S1261	Relating to Priest Lake	70-507	<ul style="list-style-type: none"> • This legislation amends Section 70-507, Idaho Code to transfer supervision and control of the Priest Lake outlet structure from the Director of IDWR to the Idaho Water Resource Board. • This legislation also raises the maximum regulated elevation of the lake from 3.0 feet at the Priest Lake outlet gage to 3.5 feet. • This legislation also directs the Board to maintain the lake level at 3.0 ft during the recreation season in normal to wet years, and directs the Board to hold the lake level between 3.0 and 3.5 feet during the recreation season in dry years. 	<ul style="list-style-type: none"> • 1/31/18 presented to S Res & Env committee meeting • 2/1/18 Introduced, read 1st time, referred to JRA for printing • 2/2/18 Reported printed, referred to S Res & Env • 2/8/18 Reported out of Committee with Do Pass Recommendation, filed for 2nd reading

				<ul style="list-style-type: none"> • 2/9/18 Read 2nd time, filed for 3rd reading • 2/16/18 Read 3rd time in full – Passed 34-0-1, title apvd – to House • 2/19/18 Received from the Senate, filed for 1st reading. Read 1st time, referred to H Res & Con • 2/28/18 Reported out of Committee with Do Pass Recommendation, filed for 2nd reading • 3/1/18 Read 2nd time, filed for 3rd reading • 3/2/18 Read 3rd time in full – Passed 68-0-2, titled apvd – to Senate • 3/5/18 Returned from House Passed, referred to enrolling • 3/6/18 Reported enrolled, signed by President, to House for signature of Speaker • 3/7/18 Received from Senate, signed by Speaker, returned to Senate, reported signed by Speaker & ordered delivered to Governor
RS/Bill	TITLE	I.C.	STATEMENT OF PURPOSE/SUMMARY	STATUS
25924C1 S1305	Relating to Stockwater Rights	42-113	<ul style="list-style-type: none"> • This legislation amends Section 42-113, Idaho Code to clarify that when a federal grazing permit is transferred or conveyed to a new owner, the associated stockwater right may also be conveyed and, upon approval of an application for transfer, shall become appurtenant to the new owner's base property. 	<ul style="list-style-type: none"> • 2/12/18 Introduced, read 1st time, referred to JRA for printing • 2/13/18 Reported printed, referred to S Res & Env • 2/20/18 Reported out of Committee with Do Pass Recommendation, filed for 2nd reading • 2/21/18 Read 2nd time, filed for 3rd reading • 2/22/18 Read 3rd time in full – Passed 34-0-2, titled apvd – to House • 2/23/18 Received from the Senate, filed for 1st reading. Read 1st time, referred to H Res & Con

				<ul style="list-style-type: none"> • 3/6/18 Reported out of Committee with Do Pass Recommendation, filed for 2nd reading • 3/7/18 Read 2nd time, filed for 3rd reading
RS/Bill	TITLE	I.C.	STATEMENT OF PURPOSE/SUMMARY	STATUS
26036 HJM11	Columbia River Treaty		<ul style="list-style-type: none"> • Memorial requesting the U.S. Department of State to support certain positions in negotiations with Canada with respect to the Columbia River Treaty. 	<ul style="list-style-type: none"> • 2/7/18 presented at H Res & Con committee meeting. Committee voted to have memorial introduced. • 2/9/18 Introduced, read 1st time, referred to JRA for printing • 2/12/18 Reported printed and referred to H Res & Con • 2/14/18 Reported out of Committee with Do Pass Recommendation, filed for 2nd reading • 2/15/18 Read 2nd time, filed for 3rd reading • 2/16/18 U.C. to hold place on 3rd reading calendar until Mon., 2/19/18 • 2/19/18 U.C. to place at bottom of 3rd reading calendar 1 legislative day • 2/20/18 – 2/28/18 U.C. to hold place on 3rd reading calendar 1 legislative day • 3/1/18 Read 3rd time in full – Adopted – voice vote, title apvd – to Senate • 3/2/18 Received from the House passed, filed for 1st reading. Introduced, read 1st time, referred to S Res & Env • 3/7/18 Reported out of Committee with Do Pass Recommendation, to 10th order, held 1 legislative day