AGENDA

IDAHO WATER RESOURCE BOARD

Board Meeting No. 7-19
July 26, 2019
8:30 a.m.
SpringHill Suites
Conference Room
1177 S. Yellowstone Hwy
REXBURG

1. Roll Call
2. Public Comment
3. Agenda & Approval of Minutes*
4. Financial Report
5. Lemhi River Basin*
6. Flood Management Grants*
7. Milner Irrigation District Loan Request*
8. Series 2005 Revenue Bonds*
9. ESPA Managed Recharge *
10. Cooperative Cloud Seeding Program*
11. Mountain Home AFB Sustainable Water Project Update
12. Henry's Fork Stream Alteration Approval*
13. IDWR Eastern Regional Manager Update
14. Administrative Rules Process Update
15. Director's Report
16. Non-Action Items for Discussion
17. Next Meeting & Adjourn

* Action Item: A vote regarding this item may be made this meeting. Identifying an item as an action item on the agenda does not require a vote to be taken on the item.

Americans with Disabilities

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.

Memorandum

To: Idaho Water Resource Board

From: Brian Patton & Neeley Miller, Planning & Project Bureau

Date: July 17, 2019

Re: Financial Status Report

As of **June 30, 2019** the IWRB's available and committed balances are as follows:

Secondary Aquifer Fund:	
Committed/earmarked but not disbursed	$15,420,840
Uncommitted Balance	$5,418,725
Revolving Development Account:	
Committed/earmarked but not disbursed	$24,643,750
Loan principal outstanding	$24,346,485
Uncommitted Balance	$3,687,035
Anticipated loanable funds available next 1 year	$7,187,035
Water Management Account	
Committed/earmarked but not disbursed	$21,407,346
Uncommitted Balance	$166,613
Total committed/earmarked but not disbursed	**$61,471,937**
Total loan principal outstanding	**$24,346,485**
Total uncommitted balance	**$9,272,374**

- The committed/earmarked balance in the Water Management Account includes the remainder of the FY 2018 $1M legislative appropriation for the Flood Management Grant Program per HB 712. It also includes the $21M legislative appropriation per HB 285 to the IWRB's Water Management Account for the Anderson Reservoir Enlargement and/or MHAFB Water Supply Project ($20 M), the FY 2019 Flood Management Grant Program ($800K) and for the Mid-Snake Water Quality Monitoring and Modeling effort ($200K).
- The remaining uncommitted balance in the Secondary Aquifer Fund includes $5 M received from the cigarette tax to be included in the FY 2020 fiscal budget.

Idaho Water Resource Board
Budget and Committed Funds
as of June 30, 2019

SECONDARY AQUIFER PLANNING, MANAGEMENT, & IMPLEMENTATION FUND

FYE 2018 Cash Balance		**25,684,783.11**
FY 2019 Revenue		
Interest Earned State Treasury	562,281.69	
HB547 - State Recharge & Aquifer Stabilization (SRAS)	5,000,000.00	
SB1176, Section 4 - Water Sustainability	5,000,000.00	
Department of Energy Grant ($251K)	113,350.00	
Department of Energy Grant ($2.068M)	187,300.00	
TOTAL FY 2019 REVENUE		**10,862,931.69**
FY 2019 Expenditures		
SRAS Equipment & Supplies - FY 18	(13,530.06)	
SRAS Equipment & Supplies - FY 19	(24,569.14)	
SRAS Conveyance Costs - FY 18	(4,224,908.87)	
SRAS Conveyance Costs - FY 19	(408,238.00)	
SRAS Site Monitoring - FY 18	(74,918.82)	
SRAS Site Monitoring - FY 19	(263,712.43)	
SRAS Regional Monitoring - FY 18	(82,007.31)	
SRAS Regional Monitoring - FY 19	(171,726.02)	
Water, Civil, & Environmental Inc (CON01269)	(80,863.31)	
Great Feeder Canal Co (CON01298)	(29,100.00)	
Quadrant Consulting Inc (CON01261)	(44,846.33)	
Quadrant Consulting Inc (CON01296)	(9,882.93)	
Quadrant Consulting Inc (CON01301)	(24,500.00)	
Quadrant Consulting Inc (CON01337)	(14,855.55)	
New Sweden Irrigation District (CON01212)	(7,820.00)	
Big Wood Canal Company (CON01226)	(21.75)	
Big Wood Canal Company (CON01293)	(1,365,000.00)	
North Side Canal Company (CON01199)	(3,284,440.31)	
North Side Canal Company (CON01331)	(1,146,824.70)	
Big Wood Canal Company (Dietrich Drop - CON01281)	(208,129.31)	
Farmer Friend Irrigation Co Ltd (CON01297)	(105,841.65)	
The Ferguson Group	(72,216.10)	
Idaho Water Users Association	(6,000.00)	
Steve Stuebner (2018 Budget) - Media Services	(11,514.78)	
Steve Stuebner (2019 Budget) - Media Services	(6,843.77)	
Wrike, Inc & Aquatics Informatics Inc.	(10,074.10)	
Clive Strong (CON01371)	(11,256.59)	
Travel Costs for IWRB and staff	(6,943.55)	
Lost Valley Reservoir Company (CON01282)	(24,759.00)	
WS Hydrology Monitoring - FY 18	(36,900.21)	
WS Hydrology Monitoring - FY 19	(193,865.17)	
Franklin & Marshall College (CON01266)	(1,940.00)	
Ralston Hydrologic Services	(12,576.68)	
University of Arizona	(570.00)	
Misc Costs for Lewiston Study (FedEx, etc.)	(2,015.96)	
Wood River Model Misc Expenditures (room rentals, refreshments, etc.)	(7,671.76)	
USGS - 1663 (Big Wood River Modeling)	(5,940.00)	
USGS - 6605 (Treasure Valley Modeling) FY18	(268,911.73)	
University of Idaho (CON01210, TV Model)	(9,246.95)	
University of Idaho (CON01273, GIS)	(27,996.65)	
University of Idaho (CON01341, GIS)	(22,011.80)	
Treasure Valley Model Misc Expenditures	(399.42)	
Brown & Caldwell (CON01320 Treasure Valley Recharge Study)	(136,355.85)	
Department of Interior - Boise River Feasability Study (FY2018)	(500,000.00)	

Department of Interior - Boise River Feasability Study (FY2019)	(543,661.63)
City of Idaho Falls grant (CON01223)	(2,500.00)
NRCS Snow Survey contribution (USDA CON01177)	(50,000.00)
Department of Energy Grant expenditures ($251K)	(94,668.10)
Department of Energy Grant expenditures (ESPA costs) 29871	(51,861.41)
Department of Energy Grant expenditures (Big Lost costs) 29872	(135,662.79)
Brown & Caldwell (CON01201, MHAFB Project)	(597,860.61)
Birds of Prey - Right of Way Resolution	(58,129.00)
Misc Costs for MHAFB Project	(6.87)
Water District 02 Assessments	0.00
Idaho Power - Cloudseeding Model (CON01254)	(1,212,052.50)
US Dept of Interior-BOR (Boise River Studies)	
TOTAL FY 2019 EXPENDITURES	**(15,708,149.47)**
FY 2019 Cash Balance	**20,839,565.33**

COMMITTED FUNDS THRU FY 2018	**Budget**	**Amended**	**Obligated**	**Expenditures**	**Carry forward**	**Committed**	
Cooperative Weather Modification Program (Cloud Seeding - CON01109)	492,000.00		492,000.00	(354,917.64)		137,082.36	
Department of Energy SEP grant ($251,000)	**200,000.00**		**251,000.00**	**(251,000.00)**		**0.00**	
Mountain Home Air Force Base (PCA 29800)	**1,000,000.00**	**900,000.00**	**1,900,000.00**	**(1,164,267.65)**		**735,732.35**	
Remaining Initial Funds	**1,692,000.00**	**900,000.00**	**2,643,000.00**	**(1,770,185.29)**	**0.00**	**872,814.71**	
ESPA Recharge Operations							
FY 2018 Equipment & Supplies	100,000.00		100,000.00	(100,000.00)		0.00	
FY 2018 Conveyance Cost	2,500,000.00	2,200,000.00	4,700,000.00	(4,521,636.83)	(178,363.17)	0.00	
FY 2018 Site Monitoring	150,000.00		150,000.00	(150,000.00)		0.00	
FY 2018 Regional Monitoring	200,000.00		200,000.00	(200,000.00)		0.00	
Total ESPA Recharge Operations	**2,950,000.00**	**2,200,000.00**	**5,150,000.00**	**(4,971,636.83)**	**(178,363.17)**	**0.00**	
ESPA Managed Recharge Infrastructure							
Milner-Gooding Dietrich Drop hydro plant bypass (CON01281)	50,000.00	1,450,000.00	1,500,000.00	(208,129.31)		1,291,870.69	
NSCC Wilson Lake Infrastructure Project (CON01199, CON01331)	4,000,000.00	800,000.00	4,800,000.00	(3,491,723.35)		1,308,276.65	
Northside Canal Recharge Site (CON01240, CON01261)	328,636.45		328,636.45	(91,771.27)		236,865.18	400,000.00
Richfield Site Development (CON01226, 1234)	150,000		150,000.00	(128,067.93)		21,932.07	
AFRD2 MP 28 Hydro Plant (CON01247)	81,800.00		81,800.00	(11,800.00)		70,000.00	
NSID Recharge Site Development	250,000.00		250,000.00			250,000.00	
Egin Lakes Phase II	500,000.00	80,000.00	580,000.00	(95,275.75)		484,724.25	
Total ESPA Managed Recharge Infrastructure	**5,360,436.45**	**2,330,000.00**	**7,690,436.45**	**(4,026,767.61)**	**0.00**	**3,663,668.84**	
Managed Recharge Investigations							
South Fork Engineering & Site Evaluation (CON01163, 1164, 1165)	200,000.00	(34,000.00)	166,000.00	(114,758.97)	(51,241.03)	0.00	
NSID Recharge Feasibility (CON01212)	200,000.00		200,000.00	(52,855.00)	(147,145.00)	0.00	
Butte & Market Lake Canal Co (CON01168)	39,000.00		39,000.00	(32,512.46)	(6,487.54)	0.00	
Woodville Canal Co (CON01169)	17,000.00		17,000.00	(7,536.69)	(9,463.31)	0.00	
AFRD2 - MP 34 Investigation (CON01238)	45,000.00		45,000.00	(11,750.04)	(33,249.96)	0.00	
Reserved for additional investigations and engineering (CON01269)	104,471.25	34,000.00	138,471.25	(155,797.77)	17,326.52	0.00	
Total Managed Recharge Investigations	**605,471.25**	**0.00**	**605,471.25**	**(375,210.93)**	**(230,260.32)**	**0.00**	
STATEWIDE STUDIES & PROJECTS							
TREASURE VALLEY							
Treasure Valley Modeling (USGS 6605)	500,000.00		500,000.00	(487,414.70)		12,585.30	
Boise River Storage Studies	1,000,000.00		1,000,000.00	(1,000,000.00)		0.00	
TREASURE VALLEY TOTAL	**1,500,000.00**	**0.00**	**1,500,000.00**	**(1,487,414.70)**	**0.00**	**12,585.30**	
WOOD RIVER VALLEY							
Wood River Valley Aquifer GW Model (USGS 6601)	200,000.00		200,000.00	(108,944.18)		91,055.82	
Canyon Creek Recharge Site	50,000.00	90,000.00	140,000.00			140,000.00	
WOOD RIVER VALLEY TOTAL	**250,000.00**	**90,000.00**	**340,000.00**	**(108,944.18)**	**0.00**	**231,055.82**	

WEISER BASIN							
Weiser River Basin Project/Lost Valley Reservoir	30,000.00		30,000.00	(24,759.00)		5,241.00	
WEISER BASIN TOTAL	**30,000.00**	**0.00**	**30,000.00**	**(24,759.00)**	**0.00**	**5,241.00**	
NORTHERN IDAHO AQUIFERS							
Lewiston Study Phase II	109,273.09		109,273.09	(60,090.96)		49,182.13	
NORTHERN IDAHO AQUIFERS TOTAL	**109,273.09**	**0.00**	**109,273.09**	**(60,090.96)**	**0.00**	**49,182.13**	
OTHER STATEWIDE STUDIES & PROJECTS							
Aquifer monitoring network enhancements in priority aquifers	100,000.00		100,000.00	(100,000.00)		0.00	
Ground water conservation grants in priority aquifers	200,000.00		200,000.00	(62,484.03)		137,515.97	
Cooperative Cloud Seeding Program							
Operations & Maintenance (1/3 of total)	600,000.00	18,000.00	618,000.00	(580,000.00)		38,000.00	
Administrative expenses (public information, staff training, etc)	80,000.00		80,000.00	(44,457.35)		35,542.65	
Professional Assistance for securing Federal Funding	100,000.00		100,000.00	(96,399.29)		3,600.71	
NRCS Snow Survey contribution USDA (CON01177)	100,000.00	100,000.00	200,000.00	(150,000.00)		50,000.00	
Total Statewide Studies & Projects	**1,180,000.00**	**118,000.00**	**1,298,000.00**	**(1,033,340.67)**	**0.00**	**264,659.33**	
TOTAL COMMITTED FUNDS THRU FY 2018	**13,677,180.79**	**5,638,000.00**	**19,366,180.79**	**(13,858,350.17)**	**(408,623.49)**	**5,099,207.13**	**Adjustments**

FY 2019 BUDGET	**Budget (as approved - May 2018)**	**Amendments**	**Budget (as amended)**	**Obligated**	**Expenditures**	**Carry forward**	**Committed**
ESPA Managed Recharge Operations							-
Equipment & Supplies	89,000.00		89,000.00	89,000.00	(24,569.14)		64,430.86
Conveyance Cost	3,500,000.00		3,500,000.00	3,500,000.00	(408,238.00)	(1,176,801.61)	1,914,960.39
Recharge Monitoring	554,550.00		554,550.00	554,550.00	(263,712.43)		290,837.57
Regional Monitoring	200,000.00		200,000.00	200,000.00	(171,726.02)		28,273.98
Total ESPA Managed Recharge Operations	**4,343,550.00**	**0.00**	**4,343,550.00**	**4,343,550.00**	**(868,245.59)**	**(1,176,801.61)**	**2,298,502.80**
ESPA Managed Recharge Infrastructure							
North Side CC - Wilson Canyon Site (CON01331)	1,750,000.00	150,000.00	1,900,000.00	1,900,000.00	(1,146,824.70)		753,175.30
AFRD2 MP29 Site (CON01296)	2,150,000.00		2,150,000.00	2,150,000.00	(9,882.93)		2,140,117.07
AFRD2 MP28 Hydro Plant Tailbay - Big Wood Canal (CON01293)	1,000,000.00	400,000.00	1,400,000.00	1,400,000.00	(1,365,000.00)		35,000.00
South Fork & other small Upper Valley sites	1,000,000.00		1,000,000.00	1,000,000.00	(134,941.65)		865,058.35
A&B Irrigation - Injection Wells	550,000.00		550,000.00	550,000.00			550,000.00
Reserved for Additional Recharge Projects	500,000.00	(400,000.00)	100,000.00	100,000.00			100,000.00
Total ESPA Managed Recharge Infrastructure	**6,950,000.00**	**150,000.00**	**7,100,000.00**	**7,100,000.00**	**(2,656,649.28)**	**0.00**	**4,443,350.72**
Managed Recharge Investigations							
North Side CC - Recharge Sites (CON01301)	200,000.00		200,000.00	200,000.00	(24,500.00)		175,500.00
Large Upper Valley Sites	200,000.00		200,000.00	200,000.00			200,000.00
Big/Little Wood Sites	200,000.00		200,000.00	200,000.00			200,000.00
Reserved for additional investigations and engineering	300,000.00		300,000.00	300,000.00	(14,855.55)		285,144.45
Total Managed Recharge Investigations	**900,000.00**	**0.00**	**900,000.00**	**900,000.00**	**(39,355.55)**	**0.00**	**860,644.45**
ESPA Hydrologic Monitoring							
Hydrologic Monitoring (DOE - Year 1 of 3 = $1.14M)	310,000.00		310,000.00	310,000.00	(51,861.41)		258,138.59
ESPA Hydrologic Monitoring	**310,000.00**	**0.00**	**310,000.00**	**310,000.00**	**(51,861.41)**	**0.00**	**258,138.59**
TREASURE VALLEY							
Treasure Valley Modeling Year 3 of 5 (USGS 6605)	500,000.00		500,000.00	500,000.00			500,000.00

Boise River Storage Studies (final payment)	1,000,000.00		1,000,000.00	1,000,000.00	(543,661.63)		456,338.37
Southeast Boise Groundwater Management Area Monitoring	100,000.00		100,000.00	100,000.00			100,000.00
Treasure Valley Recharge Study (CON01320)	200,000.00		200,000.00	200,000.00	(136,355.85)		63,644.15
Treasure Valley DCMI Water Conservation Study	200,000.00		200,000.00	200,000.00			200,000.00
TREASURE VALLEY TOTAL	**2,000,000.00**	**0.00**	**2,000,000.00**	**2,000,000.00**	**(680,017.48)**	**0.00**	**1,319,982.52**
CAMAS PRAIRIE							
Ground & Surface Water Monitoring	75,000.00		75,000.00	75,000.00			75,000.00
CAMAS PRAIRIE TOTAL	**75,000.00**	**0.00**	**75,000.00**	**75,000.00**	**0.00**	**0.00**	**75,000.00**
BIG LOST							
Hydrologic Monitoring (DOE - Year 1 of 3 = $1.14M)	380,000.00		380,000.00	380,000.00	(135,662.79)		244,337.21
BIG LOST TOTAL	**380,000.00**	**0.00**	**380,000.00**	**380,000.00**	**(135,662.79)**	**0.00**	**244,337.21**
PALOUSE BASIN							
Water Sustainability Projects	100,000.00		100,000.00	100,000.00			100,000.00
PALOUSE BASIN TOTAL	**100,000.00**	**0.00**	**100,000.00**	**100,000.00**	**0.00**	**0.00**	**100,000.00**
BEAR RIVER BASIN							
Water Sustainability Projects	250,000.00		250,000.00	250,000.00			250,000.00
BEAR RIVER BASIN TOTAL	**250,000.00**	**0.00**	**250,000.00**	**250,000.00**	**0.00**	**0.00**	**250,000.00**
STATE-WIDE							
Aquifer monitoring network enhancements in priority aquifers	200,000.00		200,000.00	200,000.00	(193,865.17)		6,134.83
Cooperative Cloud Seeding Program							
Operations & Maintenance (1/3 of total)	800,000.00		800,000.00	800,000.00			800,000.00
Cloud Seeding Modeling Project, CON01254 (Year 2 of 4, Total $1,470,000)	470,000.00		470,000.00	470,000.00	(1,212,052.50)		(742,052.50)
Operations Costs for add'l generators & Upper Snake aircraft	425,000.00		425,000.00	425,000.00			425,000.00
Administrative expenses (public information, staff training, etc)	80,000.00		80,000.00	80,000.00	(41,118.01)		38,881.99
Professional Assistance for securing Federal Funding	100,000.00		100,000.00	100,000.00	(72,216.10)		27,783.90
STATE-WIDE TOTAL	**2,075,000.00**	**0.00**	**2,075,000.00**	**2,075,000.00**	**(1,519,251.78)**	**0.00**	**555,748.22**
Unspecified Projects in Other Areas or Carry-over	**505,210.00**	**(150,000.00)**	**355,210.00**				
TOTAL FY 2019 BUDGETED FUNDS	**17,888,760.00**	**0.00**	**17,888,760.00**	**17,533,550.00**	**(5,951,043.88)**	**(1,176,801.61)**	**10,405,704.51**

IDAHO WATER RESOURCE BOARD
Sources and Applications of Funds
as of June 30, 2019
REVOLVING DEVELOPMENT ACCOUNT

Original Appropriation (1969)	$500,000.00
Legislative Appropriation FY90-91	$250,000.00
Legislative Appropriation FY91-92	$280,700.00
Legislative Appropriation FY93-94	$500,000.00
Legislative Appropriation 2001, SB1239	$200,000.00
Legislative Appropriation 2004, HB843, Sec 12	$500,000.00
Loan Interest	$11,388,679.11
Interest Earned State Treasury (Transferred)	$2,134,247.93
Water Supply Bank Receipts	$6,889,447.00
Transferred to/from Water Management Account	$317,253.80
Filing Fee Balance	$47,640.20
Bond Fees	$1,469,601.45
Series 2000 (Caldwell/New York) Pooled Bond Issuers fees	$43,657.93
2012 Ground Water District Bond Issuer fees	$369,500.00
Bond Issuer fees	$21,107.59
Pierce Well Easement	$2,000.00
Transfer from Aqualife Hatchery Sub-Account	$1,117,800.85
Transfer from Pristine Springs Sub-Account	$554,882.10
Legislative Audits	($49,404.45)
IWRB Bond Program	($15,000.00)
IWRB Studies and Projects	($249,067.18)
Arbitrage Calculation Fees	($12,000.00)
Protest Fees	($995.00)
Attorney fees for Jughandle LID (Skinner Fawcett)	($3,600.00)
Attorney fees for A&B Irrigation (Skinner Fawcett)	($4,637.50)
Weiser Galloway Study - US Army Corps of Engineers	($1,555,450.71)
Boise River Storage Feasibility Study	($333,000.00)
Geotech Environmental (Transducers)	($6,402.61)
Priest Lake Improvement Study (16-Mar-16)	($370,393.26)
Treasureton Irrigation Ditch Co	($5,000.00)

Mountain Home AFB Water Sustainability Project (29514)		
Legislative Appropriation 2014, HB 479 Sec 1 and 2	$4,000,000.00	
JR Simplot - WR Purchase	($2,500,000.00)	
LeMoyne Appraisal LLC	($10,500.00)	
IWRB WSB Lease Application	($750.00)	
Integrated Delivery Solutions - Mark Alpert	($34,459.18)	
Brown & Caldwell - Owner's Advisor	($1,218,298.11)	
SPF Engineering - WR Transfer	($118,715.75)	
Skinner-Fawcett - Bond Counsel	($31,602.41)	
Pillsbury, Winthrop, & Shaw - DBO Counsel	($79,839.30)	
Project Costs (mailings, travel, teleconference calls)	($1,769.91)	
Publishing Costs	($1,648.16)	
Water District 02 Assessments	($2,417.18)	
Balance for Mountain Home AFB Water Sustainability Project		**$0.00**
Galloway Dam & Reservoir Project (29517)		
Legislative Appropriation 2014, HB 479 Sec 1 and 2	$2,000,000.00	
Galloway Dam & Reservoir Project Costs (HB 479)	($124,708.68)	
Balance Galloway Dam & Reservoir Project		**$1,875,291.32**
Boise River (Arrowrock Enlargement) Feasibility Study (29518)		
Legislative Appropriation 2014, HB 479 Sec 1 and 2	$1,500,000.00	
Boise River (Arrowrock Enlargement) Feasibility Study Costs (HB479)	($1,500,000.00)	
Balance Boise River (Arrowrock Enlargement) Feasibility Study (HB479)		**$0.00**
Island Park Enlargement (29520)		
Legislative Appropriation 2014, HB 479 Sec 1 and 2	$2,500,000.00	
Island Park Enlargement Costs (HB 479)	($160,744.68)	
Balance Island Park Enlargement (HB 479)		**$2,339,255.32**
Water Supply Bank Computer Infrastructure (29519)		
Legislative Appropriation 2014, HB 479 Sec 1 and 2	$500,000.00	
Water Supply Bank Computer Infrastructure Costs (HB 479)	($497,350.75)	
Balance Water Supply Bank Computer Infrastructure (HB 479)		**$2,649.25**
Cash Balance of Legislative Appropriation 2014, HB 479 Sec 1 and 2		**$4,217,195.89**
Minidoka Dam Enlargement/Teton Dam Replacement Studies (29510)		
Legislative Appropriation 2008, SB1511 Sec 2, Minidoka/Teton Studies		$1,800,000.00
Legislative Appropriation 2008, SB1511 Sec 2, Minidoka Studies Expenditures		($1,229,460.18)
Balance for Minidoka Dam Enlargement/Teton Dam Replacement Studies		**$570,539.82**
Priest Lake Water Management Project (29521)		
Legislative Appropriation (2018, HB 677 Sec 5)	$2,400,000.00	
Legislative Approval (2018, HB 677 Sec 6	$2,419,580.50	
Bonner County Contribution	$116,648.13	
Interest Earned State Treasury	$59,399.96	
Contract Expenditures - Mott MacDonald (CON01290)	($290,103.09)	
Balance for Priest Lake Water Management Project		**$4,705,525.50**

Bell Rapids Water Rights Sub-Account		
Legislative Appropriation 2005, HB392	$21,300,000.00	
Bureau of Reclamation Payments Received	$29,446,335.46	
Remaining balance in ESPA Sub-Account	$341,759.55	
Interest Earned State Treasury	$698,613.04	
Total Bell Rapids Water Rights Sub-Account Revenue		**$51,786,708.05**
Bell Rapids Purchase	($22,041,697.55)	
Transfer to General Fund - P&I	($22,072,052.06)	
Payment to US Bank for Alternative Financing Note	($7,118,125.86)	
Payment for Water District 02 Assessments	($75,882.82)	
Payment for Ongoing Bell Rapids Finance Costs (trustee fees, water bank	($6,740.10)	
Total Bell Rapids Water Rights Sub-Account Expenditures		**($51,314,498.39)**
Cash Balance Bell Rapids Water Rights Sub-Account		**$472,209.66**
Commited Funds		
Ongoing Bell Rapids Finance Costs (trustee fees, WD02)	$472,209.66	
TOTAL COMMITTED FUNDS	$472,209.66	
Uncommitted Bell Rapids Water Rights Sub-Account Balance		**$0.00**
Pristine Springs Project Sub-Account		
Rental Payments to be Transferred to Secondary Aquifer Fund	$961,675.10	
Loan Interest	$2,368,601.05	
Loan Principal from Magic Valley & North Snake GWD	$5,379,030.89	
Total Pristine Springs Project Revenue to be Transferred		**$8,709,307.04**
Total Pristine Springs Project Revenue Transferred to 0129-01	($5,129,300.00)	
Total Pristine Springs Project Revenue Transferred to 0129	($2,864,000.00)	
Total Pristine Springs Project Sub-Account Transfers		**($7,993,300.00)**
Cash Balance Pristine Springs Sub-Account		**$716,007.04**
Pristine Springs Committed Funds		
Loan Payments to be transferred to 0129	$716,007.04	
TOTAL COMMITTED FUNDS	$716,007.04	
Loans Outstanding for Purchase of PS Water Rights		
Loan to North Snake & Magic Valley GWD	$10,000,000.00	
Payments from North Snake & Magic Valley GWD	($5,379,030.89)	
Total Loans Outstanding	$4,620,969.11	
Uncommitted Pristine Springs Sub-Account		**$0.00**
Rathdrum Prairie CAMP & Treasure Valley CAMP Sub-Account		
Pristine Springs Hydropower and Rental Revenues	$271,672.34	
Interest Earned State Treasury	$573.11	
Rathdrum Prairie CAMP & Treasure Valley CAMP Sub-Account Revenue		**$272,245.45**
Spokane River Forum	($23,000.00)	
Treasure Valley Water Quality Summit	($500.00)	
Kootenai-Shoshone Soil & Water Cons. Dist. - Agrimet Station	($20,000.00)	
Rathdrum Prairie-Spokane Valley Aquifer Pumping Study (CON00989)	($70,000.00)	
Idaho Washington Aquifer Collaborative	($10,000.00)	
Rathdrum Prairie CAMP & Treasure Valley CAMP Sub-Account Expenditures		**($123,500.00)**
Cash Balance Rathdrum Prairie CAMP & Treasure Valley CAMP Sub-Account		**$148,745.45**
Committed Funds		
Spokane River Forum	$0.00	
TOTAL COMMITTED FUNDS	$0.00	
Uncommitted Rathdrum Prairie CAMP & TV CAMP Sub-Account		**$148,745.45**
Upper Salmon/CBWTP Sub-Account		
Water Transaction Projects Payment Advances from CBWTP/Accord	$6,612,271.88	
PCSRF Funds for Admin of Non-Diversion Easements on Lemhi River	$222,457.16	
Interest Earned State Treasury	$263,369.34	
Upper Salmon/CBWTP Sub-Account Revenue		**$7,098,098.38**
Transfer to Water Supply Bank	($107,877.30)	
Change of Ownership	($600.00)	
Appraisals/Closing Costs	($13,386.48)	
Payments for Water Acquisition	($2,646,624.74)	
Upper Salmon/CBWTP Sub-Account Expenditures		**($2,768,488.52)**
Cash Balance CBWTP Sub-Account		**$4,329,609.86**
Committed Funds		
Administration of Non-Diversion Easements on Lemhi River	$141,540.61	
Bayhorse Creek (Peterson Ranch)	$28,952.25	
Badger Creek (OWBP) WSB	$10,511.60	
Beaver Creek (DOT LLP)	$114,994.78	
Big Timber Tyler (Leadore Land Partners)	$417,694.87	
Bohannon Creek DJ (Barbara Stokes)	$878,989.77	
Bohannon Creek BS (Betty Stokes)	$432,248.42	
Canyon Creek/Big Timber Creek (Beyeler)	$391,518.09	
Carmen Creek (Bill Slavin)	$209,569.89	
Carmen Creek (Bruce Slavin)	$131,506.75	
Fourth of July Creek (Defiance Investments)	$15,671.59	
Iron Creek (Koncz)	$189,065.83	
Kenney Creek Source Switch (Gail Andrews)	$22,324.44	
Lemhi - Big Springs (Merrill Beyeler)	$55,154.49	
Lemhi River & Little Springs Creek Kauer (McFarland Livestock Co)	$18,813.48	
Little Springs Creek (Snyder)	$251,630.25	
Lower Eighteenmile Creek (Ellsworth Angus Ranch)	$1,777.78	
Lower Lemhi Thomas (Robert Thomas)	$900.00	
P-9 Bowles (River Valley Ranch)	$249,924.63	
P-9 Charlton (Sydney Dowton)	$16,596.07	
P-9 Dowton (Western Sky LLC)	$198,873.69	
P-9 Elzinga (Elzinga)	$245,990.49	

Patterson-Big Springs PBSC9 (Silver Bit Angus/S Whitworth)	$167,615.32	
Pole Creek (Salmon Falls Land)	$640,552.57	
Pratt Creek (Mulkey)	$82,209.89	
Spring Creek (Richard Beard)	$2,576.35	
Spring Creek (Ella Beard)	$3,775.81	
Whitefish (Leadore Land Partners)	$147,479.89	
Total Committed Funds	$5,068,459.60	
Uncommitted CBWTP Sub-Account Balance		**($738,849.74)**
Water Supply Bank Sub-Account		
Interest Earned State Treasury	$23,226.91	
Payments received from renters	$4,074,661.84	
Payments made to owners	($3,481,751.05)	
Cash Balance Water Supply Bank Sub-Account		**$616,137.70**
Committted Funds:		
Owners Share	$592,910.79	
Total Committed Funds	$592,910.79	
Uncommitted Water Supply Bank Sub-Account Balance		**$23,226.91**
Eastern Snake Plain Sub-Account		
Legislative Appropriation 2005, HB392	$7,200,000.00	
Legislative Appropriation 2005, HB392, CREP Program	$3,000,000.00	
Interest Earned State Treasury	$2,037,815.32	
Loan Interest	$270,791.25	
Reimbursement from Commerce & Labor W-Canal	$74,709.77	
Reimbursement from MVGWD & NSGWD-Pristine Springs	$1,000,000.00	
Reimbursement from Water District 1 for Recharge	$159,764.73	
Reimbursement from BOR for Palisades Reservoir	$2,381.12	
Black Canyon Exchange Project Revenues	$23,800.00	
Eastern Snake Plain Sub-Account Revenue		**$13,769,262.19**
Installment payments to Bell Rapids Irr Co	($3,375,180.00)	
Interest Credit due to Bureau of Reclamation (Part of Fourth Installment)	($19,860.45)	
Pristine Springs Project Costs	($6,863.91)	
Palisades (FMC) Storage Costs	($3,520,979.92)	
W-Canal Project Costs	($326,834.11)	
Black Canyon Exchange Project Costs	($210,112.00)	
2008-2010 Recharge Conveyance Costs	($854,064.62)	
Additional recharge projects preliminary development	($7,919.75)	
Transfer to Bell Rapids Sub Account	($341,759.55)	
Transfer to Pristine Springs Sub Account	($1,000,000.00)	
Transfer to Priest Lake Sub-Account (2018 HB 677, Sec 6)	($2,419,580.50)	
Eastern Snake Plain Sub-Account Expenditures		**($12,083,154.81)**
Cash Balance Eastern Snake Plain Sub-Account		**$1,686,107.38**
Loans and Other Commitments		
Commitment - Additional recharge projects preliminary development	$337,594.00	
Commitment - Palasades Storage O&M	$3,221.64	
Commitment - Black Canyon Exchange Project (fund with ongoing revenu	$442,252.95	
Total Loans and Other Commitments	$783,068.59	
Eastern Snake Plain Sub-Account Balance after Committments		**$903,038.79**
CREP Loans Outstanding:		
American Falls-Aberdeen GWD (CREP)	$47,192.85	
Bonneville Jefferson GWD (CREP)	$31,612.12	
Magic Valley GWD (CREP)	$44,981.79	
North Snake GWD (CREP)	$0.00	
TOTAL ESP CREP LOANS OUTSTANDING	$123,786.76	
Uncommitted Eastern Snake Plain Sub-Account Balance		**$779,252.03**
Dworshak Hydropower Project		
Power Sales & Other	$10,454,605.73	
Interest Earned State Treasury	$744,933.42	
Total Dworshak Project Revenue		**$11,199,539.15**
Transferred to 1st Security Trustee Account	$148,542.63	
Construction not paid through bond issuance	$226,106.83	
First Security Fees	$314,443.35	
Operations & Maintenance	$2,888,860.49	
Powerplant Repairs	$180,409.72	
Bond payoff	$391,863.11	
Capital Improvements	$318,366.79	
FERC Payments	$118,290.56	
Total Dworshak Project Expenditures		**($4,586,883.48)**
Cash Balance Dworshak Hydropower Project		**$6,612,655.67**
Dworshak Project Committed Funds		
Emergency Repair/Future Replacement Fund	$1,772,076.63	
FERC Fee Payment Fund	$5,973.89	
Total Dworshak Project Committed Funds	$1,778,050.52	
Uncommitted Dworshak Hydropower Project Sub-Account Balance		**4,834,605.15**
TOTAL		**$28,816,172.40**

Loans Outstanding:	**Amount Loaned**	**Principal Balance**
A&B Irrigation District (Pipeline & Pumping Plant, Dec)	$3,500,000.00	$2,971,279.88
A&B Irrigation District (Pipeline & Pumping Plant, Sept)	$3,500,000.00	$3,106,407.72
Aberdeen-Springfield Canal Company (WRB-491; Diversion structure)	$329,761.00	$41,857.30
Bee Line Water Association (Sep 23, 2014; System Improvements)	$600,000.00	$584,615.41
Canyon County Drainage District No. 2 (28-Nov-12; Drain tile pipeline repla	$35,000.00	$16,089.41
Chaparral Water Association (21-Jan-11; Well deepening & improvement)	$68,000.00	$10,441.57

Clearview Water Company	$50,000.00	$31,867.94	
Consolidated Irrigation Company (July 20, 2012; pipeline project)	$500,000.00	$449,809.77	
Dalton Water Association	$1,036,900.00	$941,853.23	
Enterprise Irrigation District (14-Jul-06; Pipeline project)	$37,270.00	$660.60	
Evans Water Corporation & HOA	$20,000.00	$15,260.86	
Foothill Ranch Homeowners Association (7-oct-11; well rehab)	$150,000.00	$93,031.49	
Goose Lake Reservoir Corp	$320,000.00	$292,034.30	
Idaho Ground Water Appropriators (IGWA)	$3,208,115.35	$2,185,977.35	
Jefferson Irrigation Company (9-May-2008 Well Replacement)	$81,000.00	$13,377.13	
Last Chance Canal Company (14-July-2015, diversion dam rebuild)	$2,500,000.00	$1,967,217.74	
Lava Hot Springs, City of	$347,510.00	$18,875.89	
Lindsay Lateral Association (Engineering Design Project & Pipeline Study)	$19,700.00	$8,166.12	
Marsh Center Irrigation Company (13-May-05; Hawkins Dam)	$236,141.00	$65,760.08	
Marysville Irrigation Company (18-May-07, Pipeline Project Phase 1)	$625,000.00	$39,427.34	
Marysville Irrigation Company (9-May-08, Pipeline Project Phase 2)	$1,100,000.00	$264,890.37	
North Fremont Canal Systems (25-Jan-13; Marysville Project)	$2,000,000.00	$0.00	
North Side Canal Company (Phase 1 - canal rehab project)	$1,846,092.61	$1,692,448.59	
North Side Canal Company (Phase 2 & 3 - canal rehab project)	$2,711,115.08	$2,635,311.07	
Outlet Water Association (22-Jan-16; new well & improvements)	$100,000.00	$86,314.02	
Pinehurst Water District (23-Jan-15)	$100,000.00	$47,565.79	
Point Springs Grazing Association (July 20, 2012; stock water pipeline)	$48,280.00	$27,132.57	
Producers Irrigation Company	$102,127.50	$37,785.38	
Skin Creek Water Association	$188,258.00	$0.00	
St. Johns Irrigating Company (14-July-2015; pipeline project)	$1,417,905.22	$1,297,911.08	
Sunset Heights Water District (17-May-13; Exchange water project)	$48,000.00	$15,458.41	
Twin Lakes Canal Company (Winder Lateral Pipeline Project)	$500,000.00	$168,758.73	
Valley County Local Improvement District No. 1/Jughandle HOA (well projec	$907,552.00	$474,142.36	
TOTAL LOANS OUTSTANDING			**$19,601,729.50**
Loans and Other Funding Obligations:			
Senate Bill 1511 - Teton Replacement and Minidoka Enlargement Studies		$678,161.82	
Weiser-Galloway Study (28-May-10)		$461,620.87	
Monument Ridge Ranch Subdivision HOA		$300,000.00	
North Fremont Canal Company		$4,300,000.00	
TOTAL LOANS AND OTHER FUNDING OBLIGATIONS			**$5,739,782.69**
Uncommitted Funds			**$3,474,660.21**
TOTAL			**$28,816,172.40**

(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 June 30, 2019
WATER MANAGEMENT ACCOUNT

Original Appropriation (1978)		$1,000,000.00
Transfer funds to General Account 1101(HB 130, 1983)		($500,000.00)
Legislative Appropriation (6/29/1984)		$115,800.00
Legislative Appropriation (SB1239, 2001)		$200,000.00
Interest Earned		$120,831.27
Filing Fee Balance		$2,633.31
Water Supply Bank Receipts		$841,803.07
Bond Fees		$277,254.94
Funds from DEQ and IDOC for Glenns Ferry Water Study		$10,000.00
Legislative Appropriation (HB988, 1994)		$75,000.00
Reverted to General Account 6/30/95, (HB988, 1994)		($35,014.25)
Legislative Appropriation (SB1260, 1995, Aquifer Recharge, Caribou Dam)		$1,000,000.00
Legislative Appropriation (SB1239, 2001, Sugarloaf Aquifer Recharge Project)		$60,000.00
Reverted to General Fund 1/22/19, (SB1239, 2001, Sugarloaf Aquifer Recharge Project)		($4,046.31)
Legislative Appropriation (HB 843 Sec 6, 2004, ESPA Settlement Water Rentals)		$520,000.00
Legislative Appropriation (SB1496, 2006, ESP Aquifer Management Plan)		$300,000.00
Legislative Appropriation (HB 320, 2007, ESP Aquifer Management Plan)		$849,936.99
Lemhi River Water Right Appraisals		($31,000.00)
Legislative Audits		($10,645.45)
IWRB Appraisal Study (Charles Thompson)		($5,000.00)
Western States Water Council Annual Dues		($7,500.00)
Transfer to/from Revolving Development Account		($317,253.80)
Recharge Projects		($11,426.88)
Grants Disbursed		($1,632,755.21)
Obligated 1994 (HB988)		($39,985.75)
SB1260, Aquifer Recharge		($947,000.00)
SB1260, Soda (Caribou) Dam Study		($53,000.00)
Sugarloaf Aquifer Recharge Project (SB1239, 2001)		($55,953.69)
ESPA Settlement Water Rentals (HB 843, 2004)		($504,000.00)
ESP Aquifer Management Plan (SB1496, 2006)		($300,000.00)
ESP Aquifer Management Plan (HB320, 2007)		($801,077.75)
CASH BALANCE		**$117,600.49**
Large Projects Program Sub-Account		
Legislative Appropriation (HB 285, Sec 1, 2019)	$20,000,000.00	
Interest Earned State Treasury	$60,765.21	
Total Revenue for Large Projects Program Sub-Account		**$20,060,765.21**
	$0.00	
	$0.00	
Total Expenditures for Flood Management Program Sub-Account		**$0.00**
Cash Balance for Large Projects Program Sub-Account		**$20,060,765.21**
Water Quality Collection Program Sub-Account		
Legislative Appropriation (HB 285, Sec 3, 2019)	$200,000.00	
Interest Earned State Treasury	$607.65	
Total Revenue for Water Quality Collection Program Sub-Account		**$200,607.65**
	$0.00	
	$0.00	
Total Expenditures for Water Quality Collection Program Sub-Account		**$0.00**
Cash Balance for Water Quality Collection Program Sub-Account		**$200,607.65**
Flood Management Program Sub-Account		
Legislative Appropriation (HB 712, Sec 1, 2018, Flood Management Program)	$1,000,000.00	
Legislative Appropriation (HB 285, Sec 3, 2019, Flood Management Program)	$800,000.00	
Interest Earned State Treasury	$3,640.66	
Total Revenue for Flood Management Program Sub-Account		**$1,803,640.66**
Grants Disbursed for Leg Approp (HB 712, Sec 1, 2018, Flood Mgmt Pg)	($608,653.99)	
Grants Disbursed for Leg Approp (HB 285, Sec 31, 2019, Flood Mgmt Pg)	$0.00	
Total Expenditures for Flood Management Program Sub-Account		**($608,653.99)**
Cash Balance for Flood Management Program Sub-Account		**$1,194,986.67**
TOTAL		**$21,573,960.02**

Grants and Other Funding Obligations	**Grant Amount**	**Remaining Balance**
Flood Management Program grants (HB712, Sec 1, 2018)		
Blaine County (CON01304)	$121,331.00	$84,813.00
Cassia County (CON01305)	$42,336.38	$34,263.79
Flood Control District 11 (CON01311)	$57,675.00	$57,675.00
Nez Perce Soil & Water Conservation Dist (CON01328)	$115,460.00	$115,460.00
City of Pocatello (CON01330)	$26,105.00	$26,105.00
Flood Control District 9 (CON01303)	***$90,000.00***	***$5,148.30***
Flood Control District 10 (CON01306 - New Dry Creek River Bank)	***$78,400.00***	***$16,243.50***
Flood Control District 10 (CON01307 - Duck Alley Pit Capture)	***$153,550.00***	***$48,079.57***
Flood Control District 10 (CON01308 - Porter & Mulchay Gravel Removal)	***$38,808.00***	***$3,557.23***

Clearwater Soil & Water Conservation Dist (CON01309)	***$155,220.00***	***$1.00***		
Flood Control District 10 (CON01310 - Leighton & Wells Gravel Removal)	***$22,000.00***	***$0.00***		
Twin Lakes/Flood Control Dist 17 (CON01312)	***$7,750.00***	***$0.00***		
Twin Falls Canal Company (CON01327)	***$85,340.00***	***$0.00***		
Riverside Village HOA (CON01329)	***$6,025.00***	***$0.00***		
Uncommitted from HB712 - Funding for underbudget projects		($73,029.60)		
Committed for Flood Management Program grants			**$318,316.79**	
Other Funding Obligations				
ESPA Settlement Water Rentals (HB 843, 2004)		$16,000.00		
Legislative Appropriation (HB 712, Sec 1, 2018, Flood Mgmt Program, under budget projects)		$73,029.60		
Legislative Appropriation (HB 285, Sec 1, 2019)		$20,000,000.00		
Legislative Appropriation (HB 285, Sec 3, 2019)		$200,000.00		
Legislative Appropriation (HB 285, Sec 3, 2019, Flood Management Program)		$800,000.00		
Committed for Other Funding Obligations			**$21,089,029.60**	
Uncommitted Funds				**$166,613.63**
TOTAL COMMITTED FUNDS BALANCE				**$21,407,346.39**

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

Memorandum

To: Idaho Water Resource Board

From: Cynthia Bridge Clark

Date: July 17, 2019

Re: IWRB Protests to Permit Applications in the Upper Lemhi Basin

REQUIRED ACTION: Consideration of technical support requirements for IWRB protests to Upper Lemhi Basin Applications

The Idaho Water Resource Board (IWRB) has filed protests to a number of applications for permits to divert water from various tributaries of the Upper Lemhi River. The IWRB will discuss the status of the applications, and the potential need to retain consultants or technical experts to support the IWRB's protests. Materials will be provided at the IWRB meeting.

Memorandum

To: Idaho Water Resource Board

From: Neeley Miller & Rick Collingwood, Planning & Projects Bureau

Date: July 17, 2019

Re: Flood Management Grant Applications and Ranking

Action: Consider resolution to award funds for 2019 Flood Grant Projects

FY 2019 Flood Management Grant Program

On April 8, 2019 the Governor signed HB 285 transferring $21M legislative appropriation to the IWRB's Water Management Account for the Anderson Reservoir Enlargement and/or MHAFB Water Supply Project ($20 M), the FY 2019 Flood Management Grant Program ($800K) and for the Mid-Snake Water Quality Monitoring and Modeling effort ($200K).

On April 18, 2019 the IWRB adopted by resolution the 2019 Flood Management Grant Criteria establishing an application deadline of June 21, 2019. The IWRB plans to award funds at the July Board meeting.

Several of the 2018 Flood Management Grant projects were completed under budget. These 2018 remaining funds total $70,000. Therefore, the Board may award up to $870,000 for 2019 Flood Management Grant projects ($800,000 from 2019 appropriation + $ 70,000 from 2018 funds for flood projects completed under budget).

Staff received a total of twelve (12) applications. The applications and sponsor's grant documents were evaluated, scored, and ranked according to criteria adopted by Board.

On July 9, 2019 the Finance Committee staff reviewed the applications, evaluation scores, and rankings and made a recommendation to the Board to fund the applications listed in Attachment A.

Attachment(s):
Application Ranking Sheet
Funding Resolution
Attachment A: 2019 Flood Management Grant Awards
2019 Flood Management Grant Application Summaries

Flood Management Grant Application Ranking Sheet

Entity	Funds Requested	Total Project Costs	Final Evaluation Score (135 Pts)	Final Rankings
City of Boise - Crane Creek	$6,371.00	$21,236.00	131	1
Blaine County - Big Wood Hospital Bridge	$50,000.00	$432,454.00	124	2
Flood Control District 10	$160,000.00	$527,000.00	119	3
Blaine County - Broadford Road Fishermans Access	$100,000.00	$263,498.00	118	4
City of Hailey - Della View Subdivision	$50,000.00	$104,134.00	107	5
Board of Controls Irrigation - Diversion 45	$59,050.00	$136,457.00	107	6
Clearwater Soil & Water Cons. Dist. - Gold Creek	$72,727.39	$160,896.09	103	7
Idaho Soil & Water Cons. Dist. - Deer Creek	$159,436.00	$171,088.00	100	8
Clearwater Soil & Water Cons. Dist. - Shanghai Creek	$190,492.37	$392,561.10	97	9
Idaho Soil & Water Cons. Dist. - Lower Three Mile Creek	$21,619.50	$43,273.50	88	10
Cassia County - Elba Bridge	$43,875.00	$87,750.00	83	11
Portneuf Soil & Water Cons. Dist. - Marsh Creek	$200,000.00	$485,000.00	72	12
Total funds requested	**$1,113,571.26**			

BEFORE THE IDAHO WATER RESOURCE BOARD

IN THE MATTER OF FLOOD MANAGEMENT GRANTS	RESOLUTION TO AWARD FUNDS

WHEREAS, House Bill 285 passed and approved by the 2019 legislature transferred $800,000 from the General Fund to the Water Management Fund for a Flood Management Grant Program administered by the Idaho Water Resources Board (IWRB) to be used for the purpose of flood-damaged stream channel repair, stream channel improvement, flood risk reduction, or flood prevention projects; and

WHEREAS, House Bill 285 allows for the award of grants larger than $50,000 for the Flood Management Program, at the discretion of the IWRB; and

WHEREAS, House Bill 285 directs the IWRB to require the availability of fifty percent (50%) matching funds for all projects to be considered under the grant program; and

WHEREAS, House Bill 285 directs the IWRB to prioritize projects on a competitive statewide basis; and

WHEREAS, on April, 18, 2019 the IWRB adopted criteria for the award of Flood Management Grants, and

WHEREAS, several of the 2018 Flood Management Grant Projects were completed under budget totaling $70,000. These remaining 2018 funds when combined with the 2019 legislative appropriation total $870,000 that may be awarded for 2019 Flood Management Projects; and

WHEREAS, twelve (12) Flood Management Grant applications were received by the deadline of Friday June 21, 2019 and the applications were evaluated, scored and ranked according to the criteria adopted by IWRB; and

WHEREAS, the Finance Committee met on July 9, 2019 and recommended the IWRB award funds to the applications as specified in Attachment A to this resolution; and

NOW, THEREFORE BE IT RESOLVED that the IWRB approves the award of Flood Management Grants as specified in Attachment A to this resolution.

DATED this 26 day of July, 2019.

ROGER W. CHASE, Chairman
Idaho Water Resource Board

ATTEST _____
VINCE ALBERDI, Secretary

Attachment A: 2019 Flood Management Grant Awards

Ranking	Entity	Award
1	City of Boise - Crane Creek	$6,371.00
2	Blaine County - Big Wood Hospital Bridge	$50,000.00
3	Flood Control District No.10	$160,000.00
4	Blaine County - Broadford Road Fishermans Access	$100,000.00
5	City of Hailey - Della View Subdivision	$50,000.00
6	Board of Controls Irrigation - Diversion 45	$59,050.00
7	Clearwater Soil & Water Cons. Dist. - Gold Creek	$72,727.39
8	Idaho Soil & Water Cons. Dist. - Deer Creek	$159,436.00
9	Clearwater Soil & Water Cons. Dist. - Shanghai Creek	$190,492.37
10	Idaho Soil & Water Cons. Dist. - Lower Three Mile Creek	$21,619.50
	Total Award	**$869,696.26**

FLOOD MANAGEMENT GRANT PROGRAM

PROJECT SUMMARIES & RANKING

1. **CITY OF BOISE – Crane Creek Flood Mitigation Project**

City of Boise (City) is requesting a $6,371 flood management grant for the $21,236 Crane Creek Flood Mitigation project. The remaining matching funding of $14,865 will be provided by the City of Boise. The goal of the project is to construct an eco-block spillway structure, perform bank repairs to the Crane Creek embankment, and installation of a pedestrian bridge to reconnect the existing nature pathway at a low section of Crane Creek. The project is located on City of Boise Parks property west of the Esther Simplot Pond and east of privately owned land in Boise, Ada County, Idaho. Crane Creek is a natural stream that conveys water to the Boise River. High flows regularly breach the steam bank at this low point of Crane Creek. The embankment breach causes significant sediment loading in Crane Creek, the Boise River, and Esther Simplot Pond. The proposed spillway and embankment repairs will prevent ongoing repairs and maintenance, and provide a permanent solution to stop the regular breaching of the embankment.

2. **BLAINE COUNTY – Big Wood Hospital Bridge Flood Mitigation Project**

Blaine County is requesting a $50,000 flood management grant for the $432,454 Big Wood Hospital Flood Mitigation project. A major portion of the remaining matching funding of $382,454 will be provided by Blaine County and Trout Unlimited. The goal of the project is to mitigate land loss and channel migration which has occurred during past flooding events, and reduce the risk of stream channel erosion in the Big Wood River. The loss of land and river channel realignment are threatening public infrastructure, namely the Highway 75 Bridge, Wood River Trail railroad truss bridge, and St. Luke's Wood River Medical Center. These objectives will be achieved by river channel realignment and instream treatments to improve river function and water quality. In line with information from previous studies, including the Big Wood River Geomorphic Assessment Report, the County's consultant has completed a design that is aligned with the natural geomorphology of the Big Wood River at this location.

3. **FLOOD CONTROL DISTRICT NO.10 – Boise River Management Tool Project**

Flood Control District No.10 is requesting a $160,000 flood management grant for the $527,000 Flood Control District No.10 Boise River Management Tool (BRMT) project. A major portion of the remaining matching funding of $367,000 will be provided by Flood Control District No.10, Lower Boise Watershed Council, City of Boise, City of Caldwell, and the Eagle Sewer District. At the time of application submittal, twenty (20) stakeholders and/or regulatory jurisdictions were referenced as supporting the project. The goal of the project is to develop the BRMT to provide the foundation to evaluate natural and man-made alterations to the Boise River channel, flood risk determination, provide a tool for coordinating emergency response to flood events, evaluate and guide development within the Boise River floodplain, and identify, design, and prioritize cost-effective flood management projects. The BRMT will be created by mapping river subsurface topography through bathymetric LiDAR, and developing a 2-D hydraulic model that will characterize

and predict hydrodynamics affecting the river channel and floodplain. The proposed 2-D modeling project would encompass the Boise River from Diversion Dam to the confluence with the Snake River. The project is comprised of three (3) "Areas of Interest" (AOI). AOI-1 – FCD 10, from Veterans Parkway to Caldwell at the confluence with Indian Creek. AOI-2 – Boise, from Diversion Dam to Veterans Parkway, and AOI-3 – Lower Boise, from the confluence with Indian Creek to the Snake River. Flood Control District No.10's funding request is for 2-D model development of all three (3) AOI's, or the entire length of the Boise River from Diversion Dam to the Snake River. However, Flood Control District No.10's highest priority is the section of the Boise River identified as AOI -1 - FCD 10, which is located within Flood Control District No.10's service boundary.

4. **BLAINE COUNTY – Broadford Road Fisherman' Access Project**

Blaine County is requesting a $100,000 flood management grant for the $263,498 Broadford Road Fisherman's Access project. The remaining matching funding of $163,498 will be provided by Blaine County ($100,000 cash and $10,000 in-kind services), Flood Control District No.9 ($50,000), and a private land owner ($3,498 in-kind with rocks and plants). The spring flooding of 2017 resulted in channel migration, severe bank erosion, and loss of critical habitat at many locations throughout the Big Wood River and tributaries. The project goal is to repair and restore an area commonly referred to as the Fisherman's Access area near Broadford Road that was significantly damaged during the 2017 flooding of the Big Wood River. Blaine County implemented critical measures in May, 2017, to slow down further erosion and potential damage to the Broadford Bridge and Broadford Road. In line with information from previous studies, including the Big Wood River Geomorphic Assessment Report, the County's consultant completed the Big Wood River Restoration Project, Broadford Road Bridge Area, in February, 2018. This design report created a project that would restore the Big Wood River from the Star Bridge to the Broadford Bridge.

5. **CITY OF HAILEY – Della View Subdivision Flood Mitigation Project**

The City of Hailey (City) is requesting a $50,000 flood management grant for the $104,134 Della View Flood Mitigation project. The remaining matching funding of $54,134 will be provided by the City of Hailey, of which $4,113 will be in-kind services. The goals of the project are to construct a drainage ditch extension on the east side of War Eagle Drive. The drainage ditch extension, along with road crossing culverts, will convey annual low-water flooding across War Eagle Drive to the existing War Eagle drainage ditch and culverts for discharge back to the Big Wood River. These improvements will assist to mitigate flood impacts to private and public properties.

6. **BOARD OF CONTROLS IRRIGATION – Diversion 45 Flood Mitigation Project**

Board of Controls Irrigation, which includes the Wood River Valley Irrigation District 45 and Triangle Irrigation District, is requesting a $59,050 flood management grant for the $136,457 Diversion 45

Flood Mitigation project. Flood District No.9, Diversion 45, and Trout Unlimited will provide the remaining matching funding of $77,407, of which Diversion 45 will provide $5,000 of in-kind services, and Trout Unlimited will provide $2,407 in in-kind services. The goal of the project is to alleviate flood damage and risk of flooding of approximately 500-feet of streambank upstream of the Diversion 45 headgate structure. Currently, the streambank is stabilized by wooden planks, which were installed in the 1960's. As the wooden planks continue to degrade, streambank erosion continues to occur, requiring annual maintenance to keep flows directed at the headgate and prevent additional erosion to the streambank. City facilities, including the Howard Preserve, and a public trail are located adjacent to the eroding streambank, which creates a public safety issue in this stretch along the Big Wood River.

7. **CLEARWATER SOIL & WATER CONSERVATION DISTRICT – Gold Creek Culvert Replacement Project**

Clearwater Soil & Water Conservation District (CSWCD) is requesting a $72,727.39 flood management grant for the $160,896.09 Gold Creek Culvert Replacement project. The remaining matching funding of $88,168.70 will be provided by PotlatchDeltic, of which $5000 will be in-kind services. The goal of the project is to reduce the risk of flood damage to a key secondary road that is heavily used for recreation and industrial access, and protect water quality and fisheries in Gold Creek. The removal of the undersized culverts and roadway embankment, which acts as a dam during high flows, will provide stream channel capacity to pass the 50-year runoff event flows, and prevent debris from collecting in the creek. The project will likely prevent potentially tons of sediment entering Dworshak Reservoir.

8. **IDAHO SOIL & WATER CONSERVATION DISTRICT – Deer Creek Flood Mitigation Project**

Idaho Soil & Water Conservation District (ISWCD) is requesting a $159,436 flood management grant for the $330,524 Deer Creek Flood Mitigation project. The remaining matching funding of $171,088 will be provided by the contractor, Deer Creek Highway Department, and ISWCD. ISWCD's portion of the matching funds, $11,088, is for planning, engineering, and construction inspection. The goal of the project is to repair road damage on Deer Creek Road caused by a 2019 spring flood event, and replace and re-position four culverts along Deer Creek Road to re-establish anadromous fish passage in Deer Creek.

9. **CLEARWATER SOIL & WATER CONSERVATION DISTRICT – Shanghai Road Culvert Replacement Project**

Clearwater Soil & Water Conservation District (CSWCD) is requesting a $190,492.37 flood management grant for the $392,561.10 Shanghai Road Culvert Replacement project. The remaining matching funding of $202,068.73 will be provided by PotlatchDeltic, of which $18,369.73 will be in-kind services. The goal of the project is to replace undersized and failing culverts within the Canal Creek and Shanghai Creek watersheds to reduce the risk of flood damage to a key secondary road used for industrial and recreation use, and improve water quality in Canal Creek and Shanghai Creek. Canal Creek is the primary source of drinking water for the community

of Pierce, Idaho.

10. IDAHO SOIL & WATER CONSERVATION DISTRICT – Lower Three Mile Creek Project

The Idaho Soil & Water Conservation District (ISWCD) is requesting a $21,619.50 flood management grant for the $43,273.50 Lower Three Mile Creek project. The ISWCD will provide the matching funding of $21,654.00. In April, 2019, Lower Three Mile Creek experienced high flood flows. The streambanks at this portion of Lower Three Mile Creek were breached due to severe erosion and material deposition. These high flows severely damaged a stream channel berm, and flooded private property adjacent to the berm. The goal of the project is to implement streambank channel and berm repairs, and rerouting of Lower Three Mile Creek to its original alignment.

11. CASSIA COUNTY – Elba Bridge Replacement Project

Cassia County is requesting a $43,875 flood management grant for the $87,750 Elba Bridge Replacement project. The remaining matching funding of $43,875 will be provided by Cassia County and Raft River Flood District No.15. The goal of the project is to replace the Elba Bridge and perform stream channel repair. The bridge replacement is to replace a 50-year old deteriorating bridge that is experiencing structural damage due to erosion and sediment problems and age. Project description does not reference the need for bridge replacement and stream channel repairs due to flood damage.

12. PORTNEUF SOIL AND WATER CONSERVATION DISTRICT

The Portneuf Soil and Water Conservation District (PSWCD) is requesting a $200,000 flood management grant for the $485,000.00 Marsh Creek project. The remaining matching funding of $285,000 will be provided by NRCS ($260,000) and the USFWS ($25,000). Land use practices have resulted in excessive sedimentation in Marsh Creek, contributing to flooding of the stream. Likewise, historic wetlands are not available for surface water flooding due to the construction of numerous small levees. The goal of the project is to make flood damage repairs to Marsh Creek from Downey to the confluence of Marsh Creek with the Portneuf River. The flood damage repairs include reconnection to historic wetlands, streambank stabilization, and reducing the flow velocity of runoff into Marsh Creek. The project is scheduled to be completed in 2022. The $200,000 flood management grant request from the IWRB will be used for land and easement purchases. The location of proposed stream channel improvements and repairs have not been identified, and the project is currently at a conceptual phase.

MEMO

To: Idaho Water Resource Board

From: Rick Collingwood

Date: July 26, 2019

Subject: Milner Irrigation District – Pipeline Replacement Project Loan Application

Action Item: $2,000,000.00 loan

1.0 INTRODUCTION

The Milner Irrigation District (MID) is requesting a $2,000,000.00 loan from the Idaho Water Resource Board (Board) to replace two (2) existing parallel 60-inch steel irrigation conveyance pipelines (Project). The Project includes the removal of the existing aging and failing steel pipelines and the installation of approximately 2,100 lineal feet of parallel 60-inch HDPE pipelines from the pumping plant at the Milner Reservoir to MID's main canal for conveyance of irrigation water to the District's water users.

2.0 BACKGROUND

The Milner Irrigation District, located in Cassia County and Twin Falls County in southern Idaho, supplies irrigation water to 81 landowner's to irrigate approximately 13,500 acres of agricultural land. Three pumping plants, the main pumping plant at the Milner Reservoir, and two pumping plants/lifting stations, operate to deliver irrigation water to the District's water users. In addition, the District operates nine (9) vertical turbine re-lift pumping units to convey irrigation water through approximately 45 miles of canals, laterals, and pipelines within the District. The main pumping plant and 1,020 lineal feet of 60-inch steel irrigation supply pipeline was constructed in 1920. Due to the continued growth of the District, an additional 1,040 lineal feet of 60-inch steel irrigation supply pipeline was installed in 1953 to meet the irrigation requirements of the District's shareholders.

In 1991, the two existing steel pipelines were mortar lined to extend the life of each pipeline. Since that time, MID crews have routinely patched the mortar and welded rusted-out areas. In May of this year, several leaks developed in the pipelines directly outside of the main pumping plant.

The project is critical for the long-term reliability to deliver irrigation water to the District's shareholders. If the pipelines were to fail during the irrigation season, there would be a significant risk to the landowner's crop viability, likely resulting in great financial loss to each landowner.

3.0 PROPOSED PIPELINE REPLACEMENT PROJECT

The Project includes the removal of the two existing parallel 60-inch steel irrigation conveyance pipelines and the installation of approximately 2,100 lineal feet of two parallel 60-inch HDPE irrigation conveyance pipelines, flow measurement devices, and pipeline sleeves at the Eastern Idaho Railroad crossing. MID will coordinate with the Cassia County Highway District, Burley Highway District, and the Eastern Idaho Railroad and prepare encroachment permit applications and other required documentation to obtain the required permits and authority to accomplish the work.

The construction of the Project is scheduled to commence in middle to late October upon completion of the 2019 irrigation season. The Project is scheduled to be completed in early spring, 2020, before the beginning of the 2020 irrigation season.

4.0 BENEFITS

The replacement of the two existing failing irrigation conveyance pipelines will provide a reliable, long-term irrigation water delivery system for MID and their shareholders, and reduce annual repair and maintenance costs of the current pipelines.

5.0 FINANCIAL ANALYSIS

MID is requesting a loan of $2,000,000.00 at 4.5% interest for a 15-year term. The following analysis reflects the Board's current interest rate of 4.5% for this type of project.

Currently, the MID shareholders are assessed an annual water user rate of $55.00 per acre. At a scheduled MID shareholders meeting on August 6, 2019, the shareholders will vote to approve an increased annual assessment for the 15-year term of the loan of $13.55 per acre beginning in the Levy Year of 2020. In late June, the MID Board of Directors directed the District's manager to seek a loan from the IWRB to fund the replacement of the existing steel irrigation conveyance pipelines.

Payment Analysis

Term (Years)	Estimated Annual Payment-Revolving Account Loan	Current Assessment Cost/Acre/Year	After Assessment Cost/Acre/Year
5	$455,583.28	$55.00	$68.55
10	$252,757.64	$55.00	$68.55
15	$186,227.62	$55.00	$68.55
20	$153,752.29	$55.00	$68.55

6.0 WATER RIGHTS

Milner Irrigation District water rights are as follows:

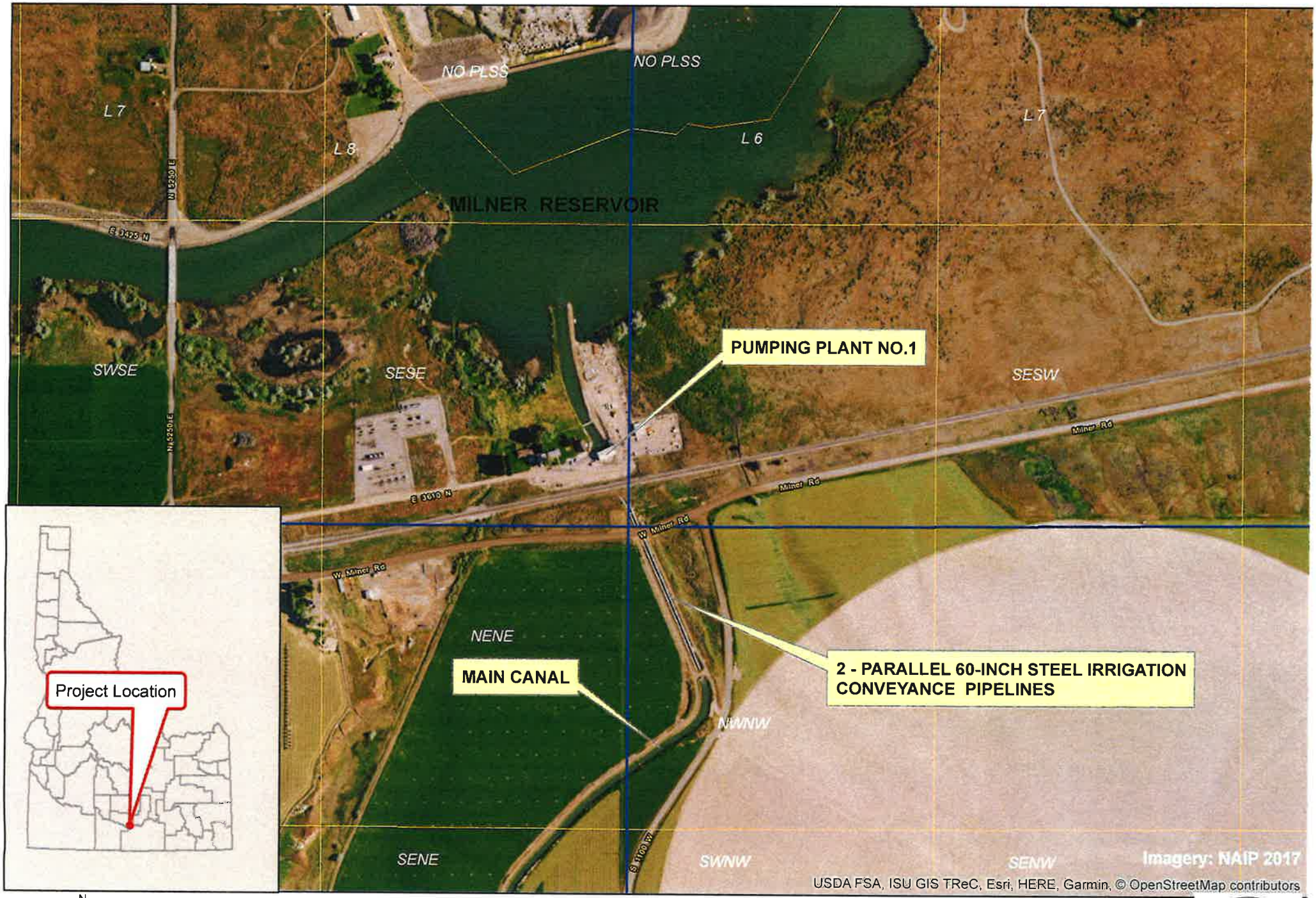
WATER RIGHT	SOURCE	FLOW/ STORAGE	WATER USE	BASIS	PRIORITY DATE
1-9A	Snake River	83 cfs	Irrigation	Decreed	7/8/1954
1-9B	Snake River	30 cfs	Irrigation	Decreed	7/12/1967
1-17	Snake River	135 cfs	Irrigation	Decreed	11/14/1916
1-2050	Snake River	37 cfs	Irrigation	Decreed	10/25/1939
2064B	American Falls Res.	45,687 AF	Irrigation	Decreed	3/30/1921
2068D	Palisades Res.	44,500 AF	Irrigation	Decreed	7/28/1939
45-463	Ground Water	2.5 cfs	Irrigation	Decreed	7/12/1952
45-4171	Ground Water	0.06 cfs	Comm./Dom	Decreed	1/1/1941
45-11897	Ground Water	0.06 cfs	Stock/Dom	Decreed	9/19/1951
45-11898	Ground Water	0.06 cfs	Stock/Dom	Decreed	5/20/1923
45-13473	Ground Water	0.02 cfs	Domestic	Decreed	1/1/1923

7.0 SECURITY

The IWRB is authorized to hold MID's water rights, irrigation facilities, equipment, and all materials associated with this project as collateral for the loan.

8.0 CONCLUSION AND RECOMMENDATION

This loan will be used to replace two old and failing parallel 60-inch irrigation conveyance pipelines to assure that MID has a reliable long-term water delivery system for the District's shareholders. Staff recommends approval of the $2,000,000 loan request by MID.



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Map Date: 06-25-2019

Milner Irrigation District

0 0.15 0.3 Miles

Township/Range
Sections
QQ

IDAHO WATER RESOURCE BOARD

BEFORE THE IDAHO WATER RESOURCE BOARD

IN THE MATTER OF MILNER IRRIGATION DISTRICT FUNDING REQUEST	RESOLUTION TO AUTHORIZE FUNDING TO CONSTRUCT NEW MAIN IRRIGATION CONVEYANCE PIPELINES

WHEREAS, the Milner Irrigation District (Company) submitted a loan application to the Idaho Water Resource Board (IWRB) in the amount of $2,000,000.00 for replacing two failing 60-inch steel parallel irrigation conveyance pipelines; and

WHEREAS, the Company operates and maintains a delivery system to convey irrigation water to its shareholders in Cassia County and Twin Falls County to irrigate approximately 13,500 acres of agricultural land; and

WHEREAS, the Company, since 1991, has been routinely performing mortar patching and welding repairs for the two 60-inch steel irrigation conveyance pipelines; and

WHEREAS, in May, 2019, the Company discovered several leaks in the pipelines outside of the main pumping plant; and

WHEREAS, the Company is requesting funds to replace the existing irrigation conveyance pipelines with approximately 2,100 lineal feet of new 60-inch HDPE irrigation conveyance pipelines; and

WHEREAS, the proposed new irrigation conveyance pipelines will benefit the Company and their shareholders by providing a long-term, reliable irrigation conveyance pipeline and reduce pipeline maintenance and repair costs; and

WHEREAS, the total estimated cost for the Milner Irrigation District Main Conveyance Pipelines project is $2,000,000.00; and

WHEREAS, the Company is a qualified applicant and the proposed evaluation qualifies for a loan from the IWRB'S 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 $2,000,000 from the Revolving Development Account at 4.5% interest with a 15-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 15-year term of the loan will commence in August 2019, with obligation of funds and payment requirements as outlined in Condition No.3 below.

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 Milner Irrigation District's facilities.
3) The Company shall establish a reserve account in an amount equal to one annual payment.
4) The Company shall obtain shareholder's approval of the loan request and an increase in the annual assessment at the August 6, 2019 shareholder's meeting.

DATED this 26th day of July, 2019.

_____
ROGER W. CHASE, Chairman
Idaho Water Resource Board

ATTEST _____
VINCE ALBERDI, Secretary

Loan Application Document for

Milner Irrigation District

Main Conveyance Pipelines Project

From Plant #1 to Beginning of Main Canal

Submitted by:

Milner Irrigation District

Scott Breeding, President/Chairman of Board of Directors

Walter R. Mullins, Manager

July 01, 2019

Table of Contents

Milner Irrigation District

5294 E 3610 N
Murtaugh, ID 83344
208-432-5560

Scott Breeding, President/Chairman of Board

Walter R. Mullins, Secretary

Julie Sievers, Treasurer

Attorney for Milner Irrigation District

Travis Thompson
Barker, Rosholt and Simpson LLP
163 2nd Avenue West
Twin Falls, ID 83301-5672

Engineering

Charles Brockway Engineering, PLLC
2016 Washington St. North, Suite 4
Twin Falls, ID 83301

Introduction

Milner Irrigation District, located in Cassia and Twin Falls Counties, supplies irrigation water to approximately 13,000 acres through roughly 45 miles of canals, laterals and pipelines. The irrigation water is pumped from Milner Reservoir on the Snake River.

The main pumping plant, 1,020 feet of 60-inch discharge pipe (approximately 75% above ground) and 14 miles of main canal were constructed and completed by the spring of 1920 by a private developer. In 1921 Milner Low-Lift Irrigation was formed (later renamed to Milner Irrigation District) and began the process and negotiations to purchase Murtaugh Canal Company's system and water rights. Although there were difficult times the purchase was accomplished. The District acquired 33,563 acre-feet of storage in American Falls Reservoir and by 1940 9,483 acres were being irrigated. In 1952, 4,065 acres were annexed into the District and 44,500 acre-feet of storage in Palisades Reservoir were purchased. An additional 11,388 acre-feet of American Falls Reservoir storage were acquired upon execution of the storage contract of January 7, 1955 giving the District a total of 89,600 acre-feet of storage water. In 1953, a second discharge pipe, (1,040 feet of 60-inch steel pipe) was laid west of the original pipe (approximately 75% above ground). In the fall of 1991, the original pipeline was mortar lined with the second pipeline being mortar lined later that winter. Since that time, The District Irrigation crews have routinely patched the mortar and welded rusted out areas. In May 2019, several leaks developed in the pipes directly outside of the main plant. This caused the Board of Directors to realize the immediate necessity to replace both pipelines as soon as the water is shut off in the fall of 2019.

This loan is being applied for to finance the project of removing and replacing the two main conveyance pipelines from the main plant to the main canal approximately 1,100 feet per pipeline underground and to replace pump discharge lines out of the main plant. The project will start in the fall of 2019 and be completed in the spring of 2020.

Project Sponsor

The project sponsor is Milner Irrigation District (the District). Approximately 81 landowners are served by the irrigation district. The District assesses 13,548 acres. Water is not delivered to the landowner until their annual assessment has been paid in full. (Idaho Code § 43-327, 43-701). Assessments are liens against the property assessed after three years of delinquency. (Idaho Code § 43-712). The board is authorized to enter into debt by following the procedures of Idaho Code § 43-401, *et seq.*

Project Service Area and Facilities

Water from the Snake River at Milner is diverted and delivered via a network of irrigation canals, laterals and pipes that are operated and maintained by The District through the counties of Cassia and Twin Falls. The network of canals, laterals and pipe is approximately 45 miles and delivers water to roughly 13,000 acres of land. The pumping facilities include:

Plant #1, main pumping station to the main canal with 9 units, 3,575 horsepower, 330 cfs capacity
Plant #2, relifts from the main canal with 7 units, 960 horsepower, 119 cfs capacity
Plant #3, relifts from the main canal with 3 units, 275 horsepower, 58 cfs capacity

In addition, the District has nine vertical turbine relift pumping units with a total of 715 horsepower and maximum pumping capacity of 82.7 cfs.

Hydrology and Water Rights

The District's irrigation water rights are on the Snake River and include both natural flow and reservoir rights. A summary of the water rights held by the District are included in Appendix B.

Project Description and Alternatives

The purpose of the project is to remove and replace two (2) aging conveyance pipelines delivering water to the main canal from the District's Plant #1. The total pumping rate through the pipelines is approximately 330 cfs. The pipelines will be replaced with two (2) HDPE pipelines having a similar diameter and equal or greater design capacity. Using HDPE pipe has several advantages over the existing steel pipe: low to zero maintenance, reduced friction loss, no joints, and longevity.

Although this is a major undertaking for the District, it is apparent that replacement of both pipelines is imperative to ensure continued operation of water delivery to the District's landowners. Should the pipes fail during the irrigation season, there is significant risk to the landowner's crop viability and the growers could suffer great financial loss.

It has been determined that there aren't any alternative solutions but to replace the existing pipelines before the beginning of 2020 water season.

Implementation Schedule

It is anticipated that this project will start as soon as the District's 2019 irrigation is completed being the middle to late part of October 2019. The project will be completed early spring of 2020 before the beginning of the 2020 irrigation season.

Permitting

Both pipelines will need to go under Eastern Idaho Railroad and W Milner Road in Cassia County. The District will secure the necessary encroachment permit applications and other documentation for the Burley Highway District. The District will also secure any necessary permit applications and other documentation to obtain authority from Eastern Idaho Rail Road to accomplish the work required under the railroad.

Institutional Consideration

The following are those entities that will be involved in this project:

Engineering:	Brockway Engineering
Legal:	Barker, Rosholt and Simpson L.L.P.
Financing:	Idaho Water Resource Board

The District will be managing and contracting with the above entities to complete the project.

Financial Analysis

The District is requesting a loan from the Idaho Water Resource Board in the amount of $2,000,000 for a 15-year term at a fixed rate of 4.5% interest. The annual payment on this amount will be $186,227.62. Total interest paid on the principle would be $793,414.24. The District may make additional principal payments some years depending on the financial position of the District. The District anticipates

increasing the annual assessment by up to $13.55 per acre beginning for the Levy Year of 2020 to make the annual loan payment.

Credit Worthiness:
The District does not have any outstanding debt.

Alternative Financing Considerations:
District personnel met with NRCS for possible funding. However, due to the immediacy of the project, NRCS is not a viable option.

Collateral:
The District's plant facilities include the main plant (Plant #1) and two relifting plants (Plant #2 and #3). An appraisal completed by Valuation Northwest for ICRMP valued those facilities at a depreciated cost of $2,750,515. Not included in that report were the transformers at Plant #3. Estimated value would be $405,000. Total value of these assets is $3,155,515.

Economic Analysis

This project is critical for the long-term reliability of water delivery to the District's landowners. Should the pipes fail, growers that rely on the system to provide irrigation water to their crops would suffer great financial loss as the District's water is the only source of water to its landowners.

Social and Physical Impacts

This project is vital to growers and the agricultural community in which the District lands lay. The area is strictly agricultural and without the water that the District provides, the desert would prevail. The District is also participating in providing infrastructure for soft conversions of the outlaying ground water lands which assists in the success of the SWC/IGWA agreement, SWC/Southwest Irrigation District Agreement, and SWC/Cities Agreement.

The project will have no adverse social or physical impacts since all work will be completed within the existing area and right-of-way. Visually, the landscape will be enhanced due to the pipes being buried.

Conclusion

1. The board of directors of the District has directed Walter R. Mullins, Manager to prepare and submit this loan application on behalf of the District
2. All work will be completed within the existing right-of-way.
3. Construction of the project is expected to be completed in the spring of 2020.
4. This project will allow the District to operate the pipeline for hopefully another 100 years with minimal maintenance to the pipeline.
5. This project is necessary to be able to reliably continue to deliver water to the District's landowners.
6. The project is technically and financially feasible.

Appendix A
Water Right Summary
Milner Irrigation District

Water Right	Stage	Priority Date	Source	Amount
1-9 A	Decreed	7/8/1954	Snake River	83 cfs
1-9 B	Decreed	7/12/1967	Snake River	30 cfs
1-17	Decreed	11/14/1916	Snake River	135 cfs
1-2050	Decreed	10/25/1939	Snake River	37 cfs
2064 B	Decreed	3/30/1921	American Falls	45687 AF
2068 D	Decreed	7/28/1939	Palisades	44500 AF
45-463	Decreed	7/12/1952	Ground Water	2.5 cfs
45-4171	Decreed	1/1/1941	Ground Water	.06 cfs
45-11897	Decreed	9/19/1951	Ground Water	.06 cfs
45-11898	Decreed	5/20/1923	Ground Water	.06 cfs
45-13473	Decreed	1/1/1923	Ground Water	.02 cfs

Financial Ratios

Entity Name: Milner Irrigation District

Loan amount requested: **$2,000,000**

The following information is required for the loan application with the Idaho Water Resource Board. Please fill out as completely as possible in the spaces provided. 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.

Number of units serviced (acres or residences) 13548

Interest rate 4.5%
(use 6% for residential and 5.5% for agriculture)

Total Debt $0.00

Current Assessment $55.00

Assessment Charged by acre
(How is current assessment charged? By share, acre, residence, etc.)

Is the assessment 1
(use 1 for yearly and 12 for monthly)

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

Year	Revenue	Expenditures	Cash
2016	$1,344,670.00	$1,242,889.00	$1,595,120.00
2017	$1,563,903.00	$1,286,683.00	$1,123,023.00
2018	$1,699,908.00	$1,296,410.00	$1,294,048.00
Average:	$1,536,160.33	$1,275,327.33	$1,337,397.00

Loan Term	Assessment after loan	Estimated Payment
5 years	$88.63	$455,583.28
10 years	$73.66	$252,757.64
15 years	$68.75	$186,227.62
20 years	$66.35	$153,752.29
25 years	$64.96	$134,878.06
30 years	$64.06	$122,783.09

Indicator	5 year	10 year	15 year	20 year	25 year	30 year
Revenue/Expenses	1.15	1.17	1.18	1.18	1.18	1.19
Debt Service ratio	1.57	2.03	2.40	2.70	2.93	3.12
Cash /Expenses	1.04	1.04	1.04	1.04	1.04	1.04
Debt/Unit	$33.63	$18.66	$13.75	$11.35	$9.96	$9.06

Note: Special annual assessment of $13.55 per acre to begin Levy Year 2020 for the 15-year loan.


JOHN DEERE
644G

Appendix B
Milner Irrigation District
Preliminary Design Report and Cost Estimate

Phase 1–Design

Overview

The Milner Irrigation District ("the District") intends to remove and replace two (2) aging pipelines delivering water to the main canal from the low-lift pumping station at Milner. The total pumping rate through the pipelines is approximately 330 cfs. The east pipeline was installed in the 1920s, the west pipeline was installed in the 1950s, and both are nearing the end of their useful service life. The pipelines will be replaced with two (2) HDPE pipelines having a similar diameter and equal or greater design capacity.

MID desires to complete the design work and project bidding by early fall. Brockway Engineering proposes to provide engineering services including site evaluation, engineering design and specification, bidding support services, and issuance of final construction documents. Details of each proposed task are described below.

Task 1. Exploration, Data Collection, and Preliminary Work

The pipelines run above ground south of the railroad tracks for approximately 75% of their length, allowing visual inspection in this reach. Below-ground data is less certain. It is believed the west pipe crosses the tracks in an 80-inch sleeve, but it is not known how the east pipe crosses the tracks. The exact pipe configuration at the pumping plant is also not completely certain. The District will provide excavation services to selectively uncover portions of the pipe to answer some or all of these questions.

Baseline data in support of the design will be collected, beginning with a thorough topographic and profile survey including the canal, pipeline route, and pumping plant area. Surveying will be sub-contracted. To meet the District's timeline, this survey must be conducted when water is in the canal; therefore, canal geometry will be approximate. It would be advantageous to refine the survey when the water is out of the canal.

Soil sampling and testing will be performed to verify soil engineering properties. Geotechnical evaluation will include approximately 5 to 7 test pits excavated, logged, and sampled. It is assumed that the District will assist by providing the excavation services to accomplish this task. Soil testing will include gradation and classification according to the Unified Classification System.

In this pre-design process, a determination will be made of the design parameters and constraints set by the Burley Highway District and Eastern Idaho Railroad for the crossing of each respective right of way. The District has made preliminary contacts and determined that the highway district will allow cut-and-patch and will allow the road to be closed during construction. Preliminary contacts with the railroad are ongoing and the requirements for each of the two pipes are unknown at this time (see Assumptions and Unknowns, below).

Task 2. Engineering Design

This task will include design and specification of the pipelines and appurtenances, flow measurement provisions, tie-ins with the pump discharges, and a new concrete outlet structure. The design will follow

standard engineering practices generally applicable to irrigation distribution systems. Design parameters known at this time include the design flow of 330 cfs and the desire to utilize HDPE pipe.

This task will include two (2) design review meetings with District staff and/or the Board to discuss design assumptions, challenges, and options. The objective of these meetings will be to obtain ensure that any other desired aspect of the design is incorporated. A set of plans and specifications will be created for review by the District, and any design changes incorporated. A 90% set will then be created for bidding purposes.

This task also includes preparation of detailed construction specifications covering all aspects of the job, sufficient for public works contractor bidding. In addition, a bid package and sample construction contract will be prepared for distribution to prospective bidders.

Task 3. Bidding Process

The irrigation district is a quasi-public political subdivision of the State and will be held to the bidding procedures outlined in I.C. 67-2805. As the project construction cost will exceed $200,000, a sealed bidding process will be required. The District will assist in the bid process by providing notice of bid for publication to the Times-News pursuant to its legal obligations, and providing a list of companies that should receive plan sets, if it desires. Services provided during the bid process will include the following:

- Recommending companies to receive plan sets.
- Providing plan sets to all bidders who request them, and to the company list provided by the District.
- Attending one (1) pre-bid meeting on site with prospective bidders
- Answering bidders' technical questions and preparing and distributing addenda as required prior to the bid opening.
- Attending the bid opening.
- Recommending a bid award to the District.

If the Board determines all legal obligations are satisfied and selects a winning bidder, the bidder will be provided with a notice of award, the final contract to be executed, request for performance and payment bonds, and a statement of the expected timeline pursuant to the obligations outlined in the bid package.

Task 4. Final Design Phase

After the notice of award, the final design will be completed, incorporating any modifications made since the issuance of the bid package. The deliverables for this task will be four (4) stamped, for-construction sets of plans and specifications suitable for construction. Upon issuing these deliverables, the engineering services under this scope of work will be completed.

Summary of Assumptions and Unknowns

In preparing this Scope of Work, a preliminary site inspection was made and information obtained from District staff. Based on this information, the following assumptions are being made:

- The District will provide excavation services at its expense to uncover pipelines near the railroad tracks and at the building to investigate configuration, sleeving, and condition.

- The District will provide plans and specifications pertaining to the pipeline and/or pumping plant installation, if available.
- The pipeline design will stop at the flanges on the existing control valves on each pump and will not include pumping or electrical equipment.
- Pipelines will be buried along the entire route.
- Pipelines will be HDPE, no evaluation of other pipe types.
- The existing 80" sleeve will be used for the west pipe. It is assumed to be feasible to remove the old pipe from the sleeve.
- On the east pipe:
    - If sleeving exists, assume the old pipe can be removed and sleeving reused as in the case of the west pipe.
    - If no sleeving exists, the feasibility of decreasing the diameter and using the old pipe as a sleeve will be evaluated.
        - If feasible, proceed.
        - If not feasible, District to determine best course of action based on the actions that UPRR will allow.
- The type of flow measurement has not been decided. The engineering services will include evaluating two options: non-intrusive ultrasonic metering or a ramped broadcrested weir in the canal.
- Based on preliminary discussions by the District with Cassia County Highway District relative to construction across W. Milner Road, it is assumed that a cut-andpatch crossing is acceptable and that this road can be closed with no need for traffic control.
- The District will prepare encroachment permit applications and other necessary documentation for the Burley Highway District.
- The District will determine the requirements by the Eastern Idaho Railroad and will prepare any necessary permit applications and other documentation to obtain authority to accomplish the work.
- The District will obtain any required authorizations for exploratory work within the railroad right of way.

Estimated Cost

It is proposed to conduct the work on a time-and-materials basis with a not-to-exceed amount of $24,757 as described on the attached man-day estimate. Invoices will be submitted monthly and client will be kept apprised of current and anticipated costs.

Project Schedule

Brockway Engineering can begin work on the project on approximately July 8, 2019. A proposed flexible schedule is provided as follows:

Preliminary work July 8 – July 22 60% design set for review August 16 90% bid set August 30
Advertising and bidding September 2 – October 4 Earliest construction start October 15

MILNER IRRIGATION DISTRICT
REPLACEMENT OF PIPELINES AT MAIN PUMPING STATION: PHASE 1 □ DESIGN
Scope of Services and Man□Day Estimate for Engineering
Brockway Engineering, PLLC / June 26, 2019

	TASK	PROJECT ENGR CEB	SENIOR ENGR	DESIGN ENGINEER	HYDROL-OGIST	TECH	EXPENSES	TASK SUBTOT
		MAN-DAYS						
	TASK 1: EXPLORATION, DATA COLLECTION AND PRELIMI NARY WORK							
1.1	View exploratory test holes w/ District excavator		1				$30	
1.2	Formal documentation of existing system, meeting on site w/ surveyor		0.75				$30	
1.3	Profile and topographic survey - surveyor allowance						$4,200	
1.4	Soil pit logging and sampling, laboratory fees		0.5				$800	$7,922
	TASK 2: PRELIMINARY ENGINEERING DESIGN							
2.1	Analysis and design of pipeline systems, appurtenances, and outlet		2					
2.2	Evaluate flow measurement options (2)		0.75					
2.3	Prepare bid drawings and construction specifications		1.5			2.5	$25	
2.4	Prepare non-technical bid documents, bid schedule advertisement		1.5					
2.5	Design review and decision meetings w/ District staff and/or Board (2)		0.75					
2.6	General project management and client liasion		0.5					$10,509
	TASK 3: BIDDING PROCESS (FORMAL SEALED BID)							
3.1	Meeting w/ District - review bid process and plan set distribution		0.25				$30	
3.2	Pre-bid meeting on site		0.5				$30	
3.3	Bidder liasion, answer questions, issue addenda, etc. as required		1					
3.4	Attend bi d opening		0.25				$30	
3.5	Receive and review bids, prepare bid tabulation, recommend award		0.25					
3.6	Prepare notice of award and final contract documents		0.25					$3,270
	TASK 4: FINAL DESIGN							
	4.1 Incorporate design changes and prepare final plan & spec set		1			1.5		
	4.2 General project management and client liasion		0.5					
	4.3 Deliverables: four stamped sets						$200	$3,056
	MAN-DAY TOTAL	01	13.251	0	0	4		
	DAILY RATE	$1,3521	$1,2721	$1,128	$840	$632		
	ESTIMATED COST	$0	$16,854	$0	$0	$2,528	$5,375	

No.	Description	Qty	Unit	Unit Cost	Cost
1	Mobilization and demobilization	1	LS	$23.000;00	$23.000.00
2	Demo and remove old pipe	1	LS	$20,000.00	$20,000.00
3	New pipe trenching and backfill	1050	FT	$11.2.00	$117,600.00
4	HDPE pipe GO"	2100	FT	$208.00	$436,800.00
5	HDPE pipeline fusion and installation	2100	FT	$80.00	$168,000.00
6	Select imported bedding	1800	CY	$45.00	$81,000,00
7	Pipe carriages / protection within sleeves	2	EA	$2,SDO.OO	$5,000.00
8	Fabricated manifolds & flanged connections to existing pumps	1	LS	$70,000.00	$10,000.:00
9	Gate valves on manifold cross-connect 3 x 30"	3	EA	$43,000.00	$129,000.00
10	Structural work on pumphouse - walls / concrete	1	LS	$25,000.00	$25,000.00
11	Flow meters and data interface equipment- ultrasonic non-	2	EA	$18,000.00	$36,000.00
12	Concrete vault and appurtenances at flow metering location - 8 x	1	LS	$14,000.00	$14,000.00
13	Flow meter / control house 6 x 6	1	LS	$5,000.00	$5,000.00
14	Gravel road repair and finish	1	LS	$2.500.00	$2.500.00
15	Reinforced concrete outlet structure, complete	1	LS	$45.000.00	$45,000.00
16	Riprap at outlet structure	50	CY	$85.00	$4,250.00
17	Excess material hauling	4000	CY	$15.00	$60,000.00
18	Project site restoration and regrading:	1	LS	$7,500.00	$7,500.00
				TOTAL ESTIMATED COST	$1,249,650.00
				20% CONTINGENCY	$249,930.00
				COST WITH	$1,499,580.00

Appendix C
Milner Irrigation District
IWRB Loan Application

SEE ATTACHED

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: _____

Milner Irrigation District
Organization name

Walter R. Mullins, Manager
Name and title of Contact Person

5294 E 3610 N
PO Box/Street Address

208-432-5560, 208-731-8790
Contact telephone number

Murtaugh, ID 83344
City, County, State, Zip Code

milner@safelink.net
e-mail address

Project location legal description: Sec 29 Twin Falls Co and Sec 33 Cassia Co

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

C. Purpose of this loan application.

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

D. Briefly describe the project:

Replacement of two (2) deteriorating conveyance pipelines from main pumping plant (Plant #1) to the main canal appr

---

III. WATER SYSTEM:

A. Source of water:

- ☐ Stream
- ■ Reservoir
- ☐ Groundwater
- ☐ Other

B. Water Right Numbers:

Water Right	Stage	Priority Date	Source	Amount
1-9A	Decreed	07/08/1954	Snake River	83 cfs
1-9B	Decreed	07/12/1967	Snake River	30 cfs
1-17	Decreed	11/14/1916	Snake River	135 cfs
1-2050	Decreed	10/25/1939	Snake River	37 cfs

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

C. If irrigation/lateral system:

Number of acres served: 13,548
Number of shareholders served 81 Landowners
Water provided annually (acre-feet) 54,192

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 des your organization charge users rates?

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

Explain what a share is: _____

- ☐ Other, explain _____

B. Current rate? $ 55.00/acre per year
(Share, hook-up, month, year, etc.)

C. When was the last rate change? 11/2015 (month/year)

D. Does your organization measure water use? Yes ■ No ☐
If yes, explain how: Submerged orifice, Parshall Flume, Flow Meters

E. Does you organization have a regular assessment for a reserve fund? Yes ■ No ☐
If yes, explain how it is assessed:
Reserve Power $2.50 per acre per year

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:

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) Annual assessment

Will an increase in assessment be required? Yes ■ No ☐
When will new assessments start and how long will they last?
11/1/2019, up to 15 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
Plants #1, #2, #3	$3,155,515

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) $408,903.26 (5/31/19)

C. Cash on hand $2,243,095.84 (M&O 6/30 Est, Bal 5/31/19

D. Outstanding indebtedness:

To Whom	Annual Payment	Amt. Outstanding	Years Left

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: $2,000,000

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: Walter R. Mylin

Appendix D
Milner Irrigation District
Audited Financial Statements
10/31/2016, 10/31/2017, 10/31/2018

SEE ATTACHED

Milner Irrigation District
Audited Financial Statements
October 31, 2016

Milner Irrigation District
Balance Sheet
October 31, 2016

Assets and Deferred Outflows

Current Assets:		
Cash in Bank	$	57,711
Governmental Investment Pool Operating		132,165
Governmental Investment Pool Other		1,104,172
Total Cash and Cash Equivalents		1,294,048
M&O Assessment Receivable		276
Supplemental Water Receivable		20,466
Excess Water Receivable		9
Miscellaneous Accounts Receivable		10,706
Inventory		82,346
Prepaid Expenses		15,720
Total Current Assets		1,423,571
Property and Equipment:		
Undepreciated		
Land		20,101
Net of Depreciation		
Irrigation System		358,866
Buildings		27,239
Equipment		141,827
Total Property and Equipment		548,033
Deferred Outflows of Resources		
Pension Related Items		99,637
Total Assets and Deferred Outflows	$	2,071,241

Liabilities, Deferred Inflows and Net Position

Current Liabilities:		
Accounts Payable	$	22,848
Accrued and Withheld Payroll Taxes		4,618
Accrued Vacation Time		28,206
Accrued Property Taxes		2,456
Accrued Interest		1,742
Current Portion of Equipment Contract		31,710
Total Current Liabilities		91,580
Non-Current Liabilities		
Net Pension Liability		175,373
Long Term Portion of Equipment Contract		66,357
Total Non-Current Liabilities		241,730
Total Liabilities		333,310
Deferred Inflows of Resources		
Pension Related Items		57,358
Net Position:		
Invested in Capital		548,033
Unrestricted		1,132,540
Total Net Position		1,680,573
Total Liabilities, Deferred Inflows and Net Position	$	2,071,241

See accompanying notes

Milner Irrigation District
Statement of Revenues, Expenses, and Change in Net Position
For the Fiscal Year Ended October 31, 2016

Operating Revenue:		
M&O Assessments	$	735,701
Supplemental Water		536,261
Excess Water		9
Penalties and Interest		2,382
Other Income and Refunds		33,192
Cash Lease		37,125
Total Operating Revenues		1,344,670
Operating Expenses:		
Administrative Payroll	$	101,821
M&O Payroll		169,374
Directors Fees		6,525
Payroll Taxes		22,162
Health Insurance		72,992
Employee Retirement		30,657
Power - Government		260,255
Power - Special Pumping		26,704
Power - Wheeling		15,240
Power - Small Plants		3,857
Canal Maintenance		13,456
Infrastructure Replacement		9,842
Weed Control		107,026
Property Taxes		4,689
Assessment		8,507
Shop Expense		16,200
Gas and Oil		28,058
M&O Assessments		39,805
Plant Maintenance		59,539
Equipment Maintenance		21,318
Buildings and Grounds		6,718
Utilities		7,140
Telephone		6,431
Office Supplies		5,780
Insurance		27,925
Legal and Audit		20,067
Conferences and Conventions		22,382
Depreciation		34,806
Miscellaneous		3,184
Purchase of Equipment Under Capitalization Threshold		90,429
Total Operating Expenses		1,242,889
Operating Income (Loss)		101,781
Nonoperating Revenue (Expense)		
Interest on Equipment Contract		(3,379)
Sale of Surplus Equipment		2,350
Interest from Invested Funds		7,465
Change in Net Assets		108,217
Total Net Position - Beginning		1,572,356
Total Net Position - Ending	$	1,680,573

See accompanying notes

Milner Irrigation District
Statement of Cash Flows
For the Fiscal Year Ended October 31, 2016

Cash Flows From Operating Activities:		
Receipts From Water Users and Others	$	1,347,617
Payments to Suppliers		(846,762)
Payments to Employees		(398,308)
Net Cash Provided or (Used) By Operating Activities		102,547
Cash Flows From Investing Activities:		
Purchase of Equipment over Capitalization Threshold		-
Sale of Surplus Equiment		2,350
Interest on Cash and Cash Equivalents		7,465
Net Cash Provided or (Used) By Investing Activities		9,815
Cash Flows From Financing Activities:		
Interest Paid		(3,926)
Decrease in Equipment Contract		(30,773)
Net Cash Provided or (Used) By Financing Activities		(34,699)
Net Change in Cash and Cash Equivalents		77,663
Cash and Cash Equivalents at Beginning of the Year		1,216,385
Cash and Cash Equivalents at The End of the Year	$	1,294,048

Reconciliation of Operating Income to Net Cash Provided By Operating Activities

		Total
Operating Income	$	101,781
Adjustments:		
Depreciation		34,806
Decrease (Increase) in: Receivables		2,947
Inventory		(46,567)
Prepaid Expenses		(926)
Deferred Outflows		(43,409)
Increase (Decrease) in: Accounts Payable		5,283
Property Tax Payable		-
Payroll Liabilities		3,877
Net Pension Liability		61,103
Deferred Inflows		(16,348)
Net Cash Provided by Operating Activities	$	102,547

See accompanying notes

Milner Irrigation District
Audited Financial Statements
October 31, 2017

Milner Irrigation District
Balance Sheet
October 31, 2017

Assets and Deferred Outflows	
Current Assets:	
Cash in Bank	$ 44,825
Governmental Investment Pool Operating	31,389
Governmental Investment Pool Other	1,046,809
Total Cash and Cash Equivalents	1,123,023
M&O Assessment Receivable	331
Supplemental Water Receivable	862
Excess Water Receivable	1,809
Miscellaneous Accounts Receivable	21,372
Inventory	57,182
Prepaid Expenses	21,368
Total Current Assets	1,225,947
Property and Equipment:	
Undepreciated	
Land	20,101
Net of Depreciation	
Irrigation System	807,371
Buildings	24,832
Equipment	122,487
Total Property and Equipment	974,791
Deferred Outflows of Resources	
Pension Related Items	31,208
Total Assets and Deferred Outflows	$ 2,231,946
Liabilities, Deferred Inflows and Net Position	
Current Liabilities:	
Accounts Payable	$ 5,804
Accrued and Withheld Payroll Taxes	4,965
Accrued Vacation Time	27,840
Accrued Property Taxes	2,456
Accrued Interest	1,179
Current Portion of Equipment Contract	33,680
Total Current Liabilities	75,924
Non-Current Liabilities	
Net Pension Liability	134,758
Long Term Portion of Equipment Contract	32,676
Total Non-Current Liabilities	167,434
Total Liabilities	243,358
Deferred Inflows of Resources	
Pension Related Items	20,214
Net Position:	
Invested in Capital	974,791
Unrestricted	993,583
Total Net Position	1,968,374
Total Liabilities, Deferred Inflows and Net Position	$ 2,231,946

See accompanying notes

Milner Irrigation District
Statement of Revenues, Expenses, and Change in Net Position
For the Fiscal Year Ended October 31, 2017

Operating Revenue:		
M&O Assessments	$	756,293
Supplemental Water		726,268
Excess Water		1,800
Penalties and Interest		1,750
Other Income and Refunds		40,668
Cash Lease		37,124
Total Operating Revenues		1,563,903
Operating Expenses:		
Administrative Payroll	$	104,629
M&O Payroll		177,767
Directors Fees		7,575
Payroll Taxes		23,291
Health Insurance		73,107
Employee Retirement		21,349
Power - Government		272,189
Power - Special Pumping		26,733
Power - Wheeling		15,132
Power - Small Plants		3,710
Canal Maintenance		32,179
Infrastructure Replacement		27,578
Weed Control		128,616
Property Taxes		4,726
Assessment		13,665
Shop Expense		9,037
Gas and Oil		32,941
M&O Assessments		50,013
Plant Maintenance		23,577
Equipment Maintenance		45,999
Buildings and Grounds		8,993
Utilities		8,747
Telephone		6,731
Office Supplies		5,041
Insurance		28,849
Legal and Audit		19,422
Conferences and Conventions		22,691
Depreciation		35,974
Miscellaneous		2,236
Purchase of Equipment Under Capitalization Threshold		54,186
Total Operating Expenses		1,286,683
Operating Income (Loss)		277,220
Nonoperating Revenue (Expense)		
Interest on Equipment Contract		(2,423)
Sale of Surplus Equipment		-
Interest from Invested Funds		13,004
Change in Net Assets		287,801
Total Net Position - Beginning		1,680,573
Total Net Position - Ending	$	1,968,374

See accompanying notes

Milner Irrigation District
Statement of Cash Flows
For the Fiscal Year Ended October 31, 2017

Cash Flows From Operating Activities:	
Receipts From Water Users and Others	$ 1,570,986
Payments to Suppliers	(840,519)
Payments to Employees	(417,067)
Net Cash Provided or (Used) By Operating Activities	313,400
Cash Flows From Investing Activities:	
Purchase of Equipment over Capitalization Threshold	(462,732)
Sale of Surplus Equiment	-
Interest on Cash and Cash Equivalents	13,004
Net Cash Provided or (Used) By Investing Activities	(449,728)
Cash Flows From Financing Activities:	
Interest Paid	(2,986)
Decrease in Equipment Contract	(31,711)
Net Cash Provided or (Used) By Financing Activities	(34,697)
Net Change in Cash and Cash Equivalents	(171,025)
Cash and Cash Equivalents at Beginning of the Year	1,294,048
Cash and Cash Equivalents at The End of the Year	$ 1,123,023

Reconciliation of Operating Income to Net Cash Provided By Operating Activities

	Total
Operating Income	$ 277,220
Adjustments:	
Depreciation	35,974
Decrease (Increase) in: Receivables	7,083
Inventory	25,164
Prepaid Expenses	(5,648)
Deferred Outflows	68,429
Increase (Decrease) in: Accounts Payable	(17,044)
Property Tax Payable	-
Payroll Liabilities	(19)
Net Pension Liability	(40,615)
Deferred Inflows	(37,144)
Net Cash Provided by Operating Activities	$ 313,400

See accompanying notes

Milner Irrigation District
Audited Financial Statements
October 31, 2018

Milner Irrigation District
Balance Sheet
October 31, 2018

Assets and Deferred Outflows	
Current Assets:	
Cash in Bank	$ 349,090
Governmental Investment Pool Operating	267,318
Governmental Investment Pool Other	978,712
Total Cash and Cash Equivalents	1,595,120
M&O Assessment Receivable	596
Supplemental Water Receivable	-
Excess Water Receivable	3,629
Miscellaneous Accounts Receivable	27,791
Inventory	32,164
Prepaid Expenses	21,316
Total Current Assets	1,680,616
Property and Equipment:	
Undepreciated	
Land	20,101
Net of Depreciation	
Irrigation System	789,637
Buildings	22,426
Equipment	103,147
Total Property and Equipment	935,311
Deferred Outflows of Resources	
Pension Related Items	31,606
Total Assets and Deferred Outflows	$ 2,647,533
Liabilities, Deferred Inflows and Net Position	
Current Liabilities:	
Accounts Payable	$ 36,301
Accrued and Withheld Payroll Taxes	5,010
Accrued Vacation Time	24,003
Accrued Property Taxes	2,456
Accrued Interest	598
Current Portion of Equipment Contract	33,680
Total Current Liabilities	102,048
Non-Current Liabilities	
Net Pension Liability	122,907
Total Non-Current Liabilities	122,907
Total Liabilities	224,955
Deferred Inflows of Resources	
Pension Related Items	22,937
Net Position:	
Invested in Capital Net of Related Debt	901,631
Unrestricted	1,498,010
Total Net Position	2,399,641
Total Liabilities, Deferred Inflows and Net Position	$ 2,647,533

See accompanying notes

Milner Irrigation District
Statement of Revenues, Expenses, and Change in Net Position
For the Fiscal Year Ended October 31, 2018

Operating Revenue:		
M&O Assessments	$	756,293
Supplemental Water		848,629
Excess Water		3,629
Penalties and Interest		589
Other Income and Refunds		53,643
Cash Lease		37,125
Total Operating Revenues		1,699,908
Operating Expenses:		
Administrative Payroll	$	108,667
M&O Payroll		178,222
Directors Fees		7,200
Payroll Taxes		23,451
Health Insurance		66,270
Employee Retirement		21,104
Power - Government		267,053
Power - Special Pumping		27,204
Power - Wheeling		12,936
Power - Small Plants		3,610
Canal Maintenance		19,266
Infrastructure Replacement		27,323
Weed Control		143,415
Property Taxes		5,138
Assessment		8,745
Shop Expense		6,565
Gas and Oil		31,344
M&O Assessments		41,317
Plant Maintenance		45,782
Equipment Maintenance		32,119
Buildings and Grounds		32,375
Utilities		12,114
Telephone		6,726
Office Supplies		5,795
Insurance		28,406
Legal and Audit		19,083
Conferences and Conventions		21,137
Depreciation		39,480
Miscellaneous		4,615
Purchase of Equipment Under Capitalization Threshold		49,948
Total Operating Expenses		1,296,410
Operating Income (Loss)		403,498
Nonoperating Revenue (Expense)		
Interest on Equipment Contract		(1,440)
Sale of Surplus Equipment		
Interest from Invested Funds		29,209
Change in Net Assets		431,267
Total Net Position - Beginning		1,968,374
Total Net Position - Ending	$	2,399,641

See accompanying notes

Milner Irrigation District
Statement of Cash Flows
For the Fiscal Year Ended October 31, 2018

Cash Flows From Operating Activities:	
Receipts From Water Users and Others	$ 1,692,266
Payments to Suppliers	(796,449)
Payments to Employees	(418,232)
Net Cash Provided or (Used) By Operating Activities	477,585
Cash Flows From Investing Activities:	
Purchase of Equipment over Capitalization Threshold	-
Sale of Surplus Equiment	-
Interest on Cash and Cash Equivalents	29,209
Net Cash Provided or (Used) By Investing Activities	29,209
Cash Flows From Financing Activities:	
Interest Paid	(2,021)
Decrease in Equipment Contract	(32,676)
Net Cash Provided or (Used) By Financing Activities	(34,697)
Net Change in Cash and Cash Equivalents	472,097
Cash and Cash Equivalents at Beginning of the Year	1,123,023
Cash and Cash Equivalents at The End of the Year	$ 1,595,120
	-

Reconciliation of Operating Income to Net Cash Provided By Operating Activities

	Total
Operating Income	$ 403,498
Adjustments:	
Depreciation	39,480
Decrease (Increase) in: Receivables	(7,642)
Inventory	25,018
Prepaid Expenses	52
Deferred Outflows	(398)
Increase (Decrease) in: Accounts Payable	30,497
Property Tax Payable	-
Payroll Liabilities	(3,792)
Net Pension Liability	(11,851)
Deferred Inflows	2,723
Net Cash Provided by Operating Activities	$ 477,585
	-

See accompanying notes

Appendix E
Milner Irrigation District
Collateral Support
Appraisal of Plant#1, #2, #3

SEE ATTACHED

REPORT TOTALS

GRAND TOTALS:

Building Area (SF):	5,688
Basement Area (SF):	
Total Building Area (SF):	5,688
Total Original Cost:	$233,746
Depreciated Cost:	$2,750,515
Total Insurable Cost:	$6,109,500
Total Exclusions Cost:	$43,976
Total New Replacement:	$6,153,476
Total Contents Insurable:	$0
Total New Replacement Cost:	$6,153,476

MILNER IRRIGATION DISTRICT
MURTAUGH, IDAHO

As Of Date: 05/01/2018
Date Printed: 03/24/2019

MILNER IRRIGATION DIST
PLANT SITE #1
5294 E 3610 N, Murtaugh, ID 83344

Location Codes: ICRMP:>01958
VNW:>401010 MIR




A single-story irrigation plant pump house building, 35' wide x 72' long. Heavy concrete foundations with a concrete and elevated concrete floor slab structure. No interior room partitions. A mostly concrete with partial concrete block exterior wall structure with synthetic stucco exterior wall finish. A wood framed gabled roof structure with metal roofing. Heavy plumbing and electrical service for large hp pumps with ventilation. Building amenities include extensive piping, power and controls, a 5-ton bridge crane, four (4) 500 hp pumps, one (1) 600 hp pump, one (1) 400 hp pump, one (1) 300 hp pump, one (1) 200 hp pump and one (1) 75 hp pump.

Summary

Stories:	Class:	Erected:	Area (SF):	Insurable Replacement:	Exclusions Cost:	Orig Cost:
1.0	C	1929	2,520	$2,845,912	$20,427	$81,694

Additional Features:

Latitude: N 42°31.162'
Longitude: W 114°00.648'

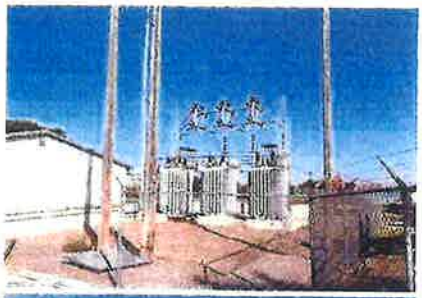
Summary of Values:

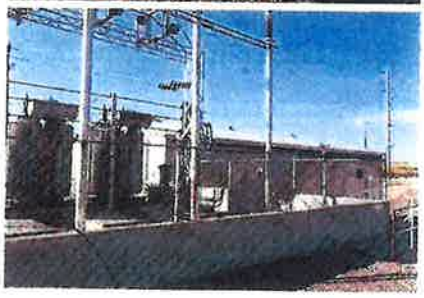
Building Area (SF)	2,520
Basement Area (SF):	0
Total Building Area (SF):	2,520
Building Original Cost:	$81,694
Depreciated Cost:	$1,259,012

Insurable New Replacement:	$2,845,912
Exclusions Cost:	$20,427
New Replacement:	$2,866,339
Contents Insurable:	$0
TOTAL:	**$2,866,339**

MILNER IRRIGATION DIST
TRANSFORMERS, 3, PLANT #1
5294 E 3610 N, Murtaugh, ID 83344

Location Codes: **ICRMP:>05539**
VNW:>401011 MIR





A small electrical transformer station to provide proper voltage for plant site #1 for an equivalence of 3,575 total HP of motors. Site has 3 transformers, switches and lightning rods appropriate for Plant Site #1.

Summary

Stories:	Class:	Erected:	Area (SF):	Insurable Replacement:	Exclusions Cost:	Orig Cost:
1.0	G	1954		$850,000		$52,500

Additional Features:

Latitude: N 42°31.162'
Longitude: W 114°00.648'

Summary of Values:

Building Area (SF)	
Basement Area (SF):	0
Total Building Area (SF):	0
Building Original Cost:	$52,500
Depreciated Cost:	$425,000

Insurable New Replacement:	$850,000
Exclusions Cost:	$0
New Replacement:	$850,000
Contents Insurable:	$0
TOTAL:	**$850,000**

MILNER IRRIGATION DIST
PLANT SITE #2
1154 W 200 S, Murtaugh, ID 83344

Location Codes: **ICRMP:>01960**
VNW:> 401020 MIR

A single-story irrigation plant pump house building, 24' wide x 90' long. Heavy concrete foundations with a concrete and elevated concrete floor slab structure. No interior room partitions. A concrete exterior wall structure with synthetic stucco exterior wall finish. A wood framed gabled roof structure with metal roofing. Heavy plumbing and electrical service for large HP pumps. Building amenities include extensive piping, power and controls, a 3 ton bridge crane, one (1) 250 hp pump, one (1) 200 hp pump, one (1) 150 hp pump, one (1) 125 hp pump, one (1) 100 hp pump, one (1) 75 hp pump and one (1) 60 hp pump.

Summary

Stories:	Class:	Erected:	Area (SF):	Insurable Replacement:	Exclusions Cost:	Orig Cost:
1.0	C	1929	2,160	$1,407,697	$17,179	$41,004

Additional Features:

Latitude: N 42°30.326'
Longitude: W 114°01.304'

Summary of Values:

Building Area (SF)	2,160
Basement Area (SF):	0
Total Building Area (SF):	2,160
Building Original Cost:	$41,004
Depreciated Cost:	$598,447

Insurable New Replacement:	$1,407,697
Exclusions Cost:	$17,179
New Replacement:	$1,424,876
Contents Insurable:	$0
TOTAL:	**$1,424,876**

MILNER IRRIGATION DIST
TRANSFORMERS, PLANT #2
1154 W 200 S, Murtaugh, ID 83344

Location Codes: **ICRMP:>05540**
VNW:>401021 MIR

A small electrical transformer station to provide proper voltage for plant site #2 for an equivalents of 960 total HP of motors. Site has 3 transformers, switches and lightning rods appropriate for Plant Site #2.

Summary

Stories:	Class:	Erected:	Area (SF):	Insurable Replacement:	Exclusions Cost:	Orig Cost:
1.0	G	1954		$510,000		$42,500

Additional Features:

Latitude: N 42°30.326'
Longitude: W 114°01.304'

Summary of Values:

Building Area (SF)	
Basement Area (SF):	0
Total Building Area (SF):	0
Building Original Cost:	$42,500
Depreciated Cost:	$255,000

Insurable New Replacement:	$510,000
Exclusions Cost:	$0
New Replacement:	$510,000
Contents Insurable:	$0
TOTAL:	**$510,000**

MILNER IRRIGATION DIST
PLANT SITE #3
3375 NG 5000 E, Murtaugh, ID 83344

Location Codes: ICRMP:>01962
VNW:>401030 MIR

A single-story irrigation pump house plant building, 24' wide x 42' long. Heavy concrete foundations with a concrete and elevated concrete floor slab. No interior room partitions. A wood framed exterior wall structure with metal exterior wall siding. A wood framed gabled roof structure with metal roofing. Heavy electrical service for irrigation pumps. Building amenities include piping, power and controls, one (1) 125 hp pump, one (1) 90 hp pump, one (1) 60 hp pump, three (3) 1,250 kVA transformers and two (2) vertical over flow pipes.

Summary

Stories:	Class:	Erected:	Area (SF):	Insurable Replacement:	Exclusions Cost:	Orig Cost:
1.0	D	1921	1,008	$495,891	$6,370	$16,048

Additional Features:

Latitude: N 42°29.035'
Longitude: W 114°04.167'

Summary of Values:

Building Area (SF)	1,008
Basement Area (SF):	0
Total Building Area (SF):	1,008
Building Original Cost:	$16,048
Depreciated Cost:	$213,056

Insurable New Replacement:	$495,891
Exclusions Cost:	$6,370
New Replacement:	$502,261
Contents Insurable:	$0
TOTAL:	**$502,261**

Memorandum

To: Idaho Water Resource Board

From: Brian Patton

Meghan Carter, Deputy Attorney General

Date: 7/15/2019

Re: IWRB Development Revenue Bonds – 2005 Series North Lake Recreational Sewer and Water District Project

REQUIRED ACTION: The Board may authorize release of certain IWRB Development Revenue Bonds

The Idaho Water Resource Board (Board) issued Development Revenue Bonds, Series 2005 (North Lake Recreational Sewer and Water District Project) dated November 1, 2005 in the amount of $9,465,000 (Bonds). The Board loaned the proceeds of the Bonds to North Lake Recreational Sewer and Water District (North Lake) for public water system improvements related to Tamarack Resort. The revenue for the Bonds comes from assessments on the property benefiting from the improvements.

Assessments on some of the parcels are delinquent and, as a result, have been assessed penalty fees and default interest. Due to the delinquency, an event of default has occurred and is continuing under the Loan Agreement and the Bond Indenture.

There is a new owner of the Tamarack Resort. That entity has purchased the Bonds related to the parcels it now owns. As the new Bondholder, the entity would like to release the past due Assessments and associated penalties. To accomplish the release the Bondholder would like to enter into an agreement with the Board and the Bond Trustee.

Legal has reviewed the proposed Agreement and has said it will not harm the Board or open it up to liability that isn't indemnified by the Bondholder.

It is recommended that the Board approves entering into the agreement with the Bondholder and the Bond Trustee to release the Bondholder Bonds and penalty payments.

BEFORE THE IDAHO WATER RESOURCE BOARD

IN THE MATTER OF DEVELOPMENT REVENUE BONDS, SERIES 2005 (NORTH LAKE RECREATIONAL SEWER AND WATER DISTRICT PROJECT) DATED NOVEMBER 1, 2005 IN THE AMOUNT OF $9,465,000	RESOLUTION TO ENTER INTO AN AGREEMENT TO RELEASE CERTAIN DEVELOPMENT REVENUE BONDS

WHEREAS, Idaho Water Resource Board (Board) issued Development Revenue Bonds, Series 2005 (North Lake Recreational Sewer and Water District Project) dated November 1, 2005 in the amount of $9,465,000 (Bonds); and

WHEREAS, the Board loaned the proceeds of the Bonds (Loan) to North Lake Recreational Sewer and Water District, acting for and on behalf of Local Improvement District No. 2004-2 (District) through a Loan Agreement dated November 1, 2005 between the District and the Board; and

WHEREAS, the Bonds are secured by payments made pursuant to an underlying local improvement district (LID) bond owing from the District to the Board (Underlying Water Bond); and

WHEREAS, the Underlying Water Bond is secured by and payable from LID assessments on real property within the District created by the District's Assessment Roll, as confirmed by District Ordinance No. 2005-4 adopted on September 17, 2005 (LID Assessments); and

WHEREAS, pursuant to an Indenture of Trust between the Board and Trustee dated November 1, 2005 (Indenture), all of the Board's right, title and interest in and to the Loan, the Loan Agreement and the LID Assessments have been assigned to the Trustee to have to hold as part of the Trust Estate for the benefit of Bondholder; and

WHEREAS, some of the real property parcels within the District and subject to the LID Assessments are owned by Tamarack Real Estate Holdings, LLC a related entity to Bondholder (Bondholder Parcels); and

WHEREAS, the LID Assessments on the Bondholder Parcels are delinquent and, as a result, have been assessed penalty fees and default interest (Penalty Amounts). The Penalty Amounts are currently owing in addition to the respective principal and interest amounts of the LID Assessments; and

WHEREAS, as a result of the non-payment of LID Assessments, an event of default has occurred and is continuing under the Loan Agreement and Indenture; and

WHEREAS, Bondholder desires to release the Delinquent Amounts and associated assessment lien on the Bondholder Parcels through an agreement with the Board and Trustee which directs the District to undertake the release; and

WHEREAS, The Board has the authority pursuant to the Loan Agreement and Indenture to direct the District to undertake the release of the Bonds;

NOW, THEREFORE BE IT RESOLVED that the Board approves entering into an agreement with the Bondholder and Trustee to release the release the Delinquent Amounts and associated assessment lien owed by the Bondholder.

DATED this 26th day of July, 2019.

_____

ROGER W. CHASE, Chairman
Idaho Water Resource Board

ATTEST _____
VINCE ALBERDI, Secretary

BEFORE THE IDAHO WATER RESOURCE BOARD

IN THE MATTER OF DEVELOPMENT REVENUE BONDS, SERIES 2005 (NORTH LAKE RECREATIONAL SEWER AND WATER DISTRICT PROJECT) DATED NOVEMBER 1, 2005 IN THE AMOUNT OF $9,465,000	RESOLUTION TO ENTER INTO AN AGREEMENT TO RELEASE CERTAIN DEVELOPMENT REVENUE BONDS

WHEREAS, Idaho Water Resource Board (Board) issued Development Revenue Bonds, Series 2005 (North Lake Recreational Sewer and Water District Project) dated November 1, 2005 in the amount of $9,465,000 (Bonds); and

WHEREAS, the Board loaned the proceeds of the Bonds (Loan) to North Lake Recreational Sewer and Water District, acting for and on behalf of Local Improvement District No. 2004-2 (District) through a Loan Agreement dated November 1, 2005 between the District and the Board; and

WHEREAS, the Bonds are secured by payments made pursuant to an underlying local improvement district (LID) bond owing from the District to the Board (Underlying Water Bond); and

WHEREAS, the Underlying Water Bond is secured by and payable from LID assessments on real property within the District created by the District's Assessment Roll, as confirmed by District Ordinance No. 2005-4 adopted on September 17, 2005 (LID Assessments); and

WHEREAS, pursuant to an Indenture of Trust between the Board and Trustee dated November 1, 2005 (Indenture), all of the Board's right, title and interest in and to the Loan, the Loan Agreement and the LID Assessments have been assigned to the Trustee to have to hold as part of the Trust Estate for the benefit of Bondholder; and

WHEREAS, most of the real property parcels within the District and subject to the LID Assessments are owned by a related entity to Bondholder (Bondholder Parcels); and

WHEREAS, the LID Assessments on the Bondholder Parcels are delinquent and, as a result, have been assessed penalty fees and default interest (Penalty Amounts). The Penalty Amounts are currently owing in addition to the respective principal and interest amounts of the LID Assessments; and

WHEREAS, as a result of the non-payment of LID Assessments, an event of default has occurred and is continuing under the Loan Agreement and Indenture; and

WHEREAS, Bondholder desires to release the Penalty Amounts and associated delinquent principal and interest owed on the Bondholder Parcels through an agreement with the Board and Trustee which directs the District to undertake the release; and

WHEREAS, The Board has been asked by Bondholder to enter into an agreement with Bondholder and Trustee providing for the release of the Penalty Amounts (Agreement) and counsel has advised that the Board is authorized to enter into such an Agreement;

NOW, THEREFORE BE IT RESOLVED that the Board approves entering into the Agreement with the Bondholder and Trustee to direct the District to release the Penalty Amounts and associated delinquent principal and interest owed by the Bondholder.

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 provide for the release of the Penalty Amounts and related matters.

DATED this XX day of XXX, 2019.

_____

ROGER W. CHASE, Chairman
Idaho Water Resource Board

ATTEST _____
VINCE ALBERDI, Secretary

Memorandum

To: Idaho Water Resource Board

From: Wesley Hipke

Date: July 3, 2019

Re: ESPA Managed Recharge Program Status Report

I. ESPA Recharge Program (Program) Projected Summer and Fall Activities

Staff is currently finalizing the results from the last managed recharge season, preparing for the next season and managing the various ongoing projects associated with the Program. Staff is also focusing on the following projects and activities this summer and into the fall:

- Developing distribution and payment plans for the Upper and Lower Valleys. The intent is to develop long-term conveyance contracts with Program partners for the upcoming recharge season.
- Complete necessary analyses for the 10-year ESPA Progress Report.
- Coordinate managed recharge with storage water acquired in accordance with the Eastern Snake Plain Cities agreement with the Surface Water Coalition (SWC) and the potential donation of storage water from the SWC as per its agreement with IGWA and Water Mitigation Coalition (food processors).
- Coordinating with the Attorney General's Office to resolve protests of the IWRB's recharge water right applications on the upper Snake River, Big Wood and Little Wood Rivers.
- Performing various monitoring activities including:
    - Preparation and preliminary work for dye test in the fall at the new Wilson Canyon site and in the spring at the Egin Lakes site.
    - Expanding the transducer monitoring in areas that the IWRB conducts managed recharge.
    - Improving automated measurements of surface water diversions and return flows associated with IWRB managed recharge.

II. 2018/2019 Recharge Season Summary

2018/2019 IWRB Recharge Summary:

IWRB recharge began on August 16, 2018 with storage water donated by the SWC in the Upper valley above Minidoka Dam. Managed recharge performed under the IWRB's natural flow recharge water rights started in the Lower Valley below Minidoka Dam on October 22, 2018 and in the Upper Valley on February 22, 2019. IWRB managed recharge continued through June 6, 2019 except for a five-day shutdown in the middle of May. Program staff is working with the canals and Water District 01 to finalize last season's recharge volumes. The values presented in this report are not final and subject to change. Table 1 and Figure 1 summarize IWRB recharge activities through of June 6, 2019.

Table 1. IWRB Recharge Summary – 2018/2019*						
Source Water	**Area**	**Start / End of Recharge**	**Duration of Recharge (Days)**	**Median Recharge Rate (cfs)**	**Volume Recharged (Acre-feet)***	**IWRB Delivery Cost***
SWC Storage Water	Upper Valley	Aug 16 - Nov 3	**80**	**302**	**53,770**	**$327,454**
Snake River	Lower Valley	Oct 26 – Jun 6	223	549	227,773	$1,782,828
	Upper Valley	Feb 22 – Jun 6	93	124	61,297	$363,132
	Snake River Total		**223**	**561**	**289,070**	**$2,145,960**
Big/Little Wood River	Big Wood Canal Co.	Nov 19 – Apr 17	**150**	**18**	**5,400**	**$53,244**
ESPA TOTAL			**290**	**405**	**348,240**	**$2,526,658**

*Recharge volumes and cost are not final. Values may be adjusted as the numbers are finalized with the canal companies.

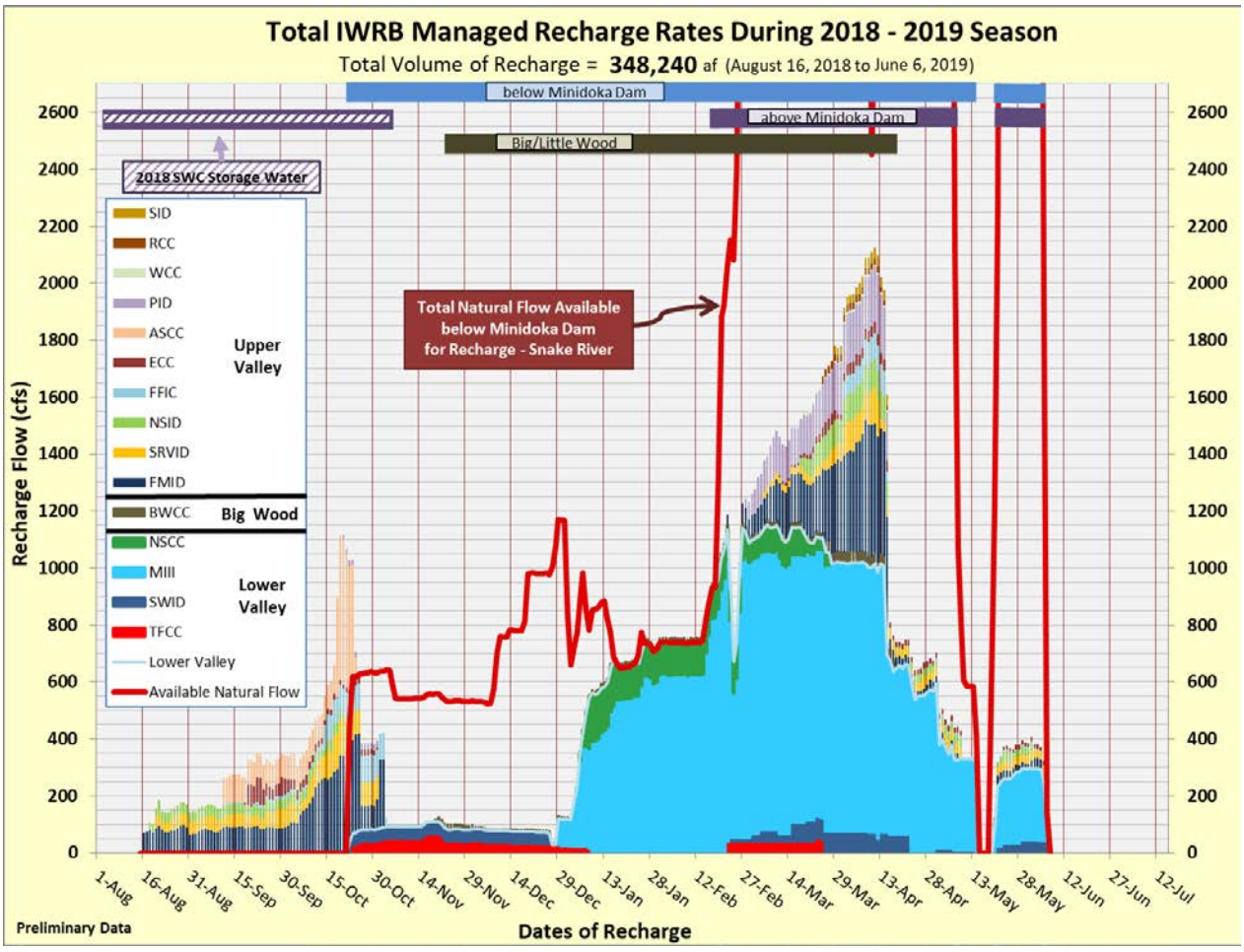


Figure 1. IWRB daily recharge flows for the 2018/2019 season.

III. ESPA Recharge Program Projects and Buildout Activities

The IWRB has actively supported development of additional recharge capacity throughout the ESPA 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 agreed 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 allocated over $20 million dollars from 2013 through fiscal year 2019 for infrastructure improvements to increase managed recharge throughout the ESPA. In fiscal year 2019, the IWRB budgeted $8 million and $5 million for fiscal year 2020 for development of managed recharge infrastructure throughout the ESPA. The status of the current projects in the Lower and Upper Valleys is included in Tables 2 and 3, respectively. A summary of the projected recharge projects is presented in Table 4.

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	Active	$1,500,000	Nov 2019	**Winter recharge by-pass of the Dietrich Drop Power Plant** • Finalize cost and project schedule – May 2018 • Constr. of tail race gate & bypass improv. – Jan 2019 • Final FERC submittal for forebay improv. (6 mo. review) – Mar 2018 • Construction of forebay improv. – Oct/Nov 2019
AFRD2	MP 28 Hydro Plant Tailbay	Construction	Active	$1,400,000	Nov 2019	**Isolating tailbay and improving forebay of the hydro plant during winter recharge** • Design Completion – Sept 2018 • Start Construction – Oct 2018 • Complete in canal work – Dec 2018 • Tailrace Building – Oct/Nov 2019
AFRD2	MP 29 Recharge Site	Construction	Active	$640,000	Dec 2019	**Construction of new site** • Survey data - Feb 2018 • Design & Bid Documents – July 2019 • GW Quality Monitoring Plan & Wells – Summer 2019 • Start construction – Oct 2019 • In canal construction complete – Nov 2019
North Side CC	Hydro Plants (4) Improvements for Winter By-pass	Design / Construction	Close Out	$5,074,581	**Complete** April 2019	**Winter recharge by-pass of the hydro plants between the Milner Pool and Wilson Lake** • Phase I const. complete – Mar 2018 • FERC approval for const. – Apr 2018 • Construction started – Aug 2018 • Est. final cost $3.5 M

North Side CC	Wilson Canyon Site	Design / Construction	Active	$1,900,000	Fall 2019	**Design & construction of recharge site** • Design completed & Bid advertisement – Sept 2018 • BLM ROW & constr. outside the canal – Mar 2019 • GW Quality Plan complete – Summer 2019 • Completion of monitor wells – June/July 2019 • Final Testing of infrastructure – Fall 2019

Table 3. Current IWRB ESPA Managed Recharge Projects - Upper Valley

IWRB Partner	Project Name	Project Type	Status	Approved Funds	Scheduled Completion	**Description /** Key Items
Fremont-Madison ID	Egin Lakes Phase II	Construction	Active	$580,000	Summer/Fall 2019	**Construction of Egin Lakes Phase II - recharge capacity expansion** • BLM approval – Oct 2018 • Finish construction on new areas – May 2019 • Testing of Site - Summer/Fall 2019
Great Feeder Canal Co.	Ward Site	Construction	Active	$120,000	Spring/Summer 2019	**Construction of recharge site** • Evaluation of area complete – Jan 2018 • Finish of construction – Apr 2019 • Submit GW monitoring plan – Apr 2019 • Drill monitor well – Summer 2019
Butte Market Lake Co.	Injection Well Test	Testing / Construction	Active	$110,000	??	**Development of injection well** • Project on hold as BMLCC determines if they want to move the project forward.

Table 4. Projected Lower & Upper Valley - IWRB ESPA Managed Recharge Projects						
IWRB Partner	**Project Name**	**Project Type**	**Status**	**Approved Funds**	**Scheduled Completion**	**Description /** Key Items
North Side CC	Additional Managed Recharge Sites below Wilson Lake	Survey, Design	Planning	None at this time	2020	**Preliminary Design of potential recharge site** • Staff Evaluation and additional survey data – Summer 2018 • LiDAR Survey Data – Nov 2018 • Analysis of survey – Mar 2019 • IWRB feedback on potential sites – Apr 2019 • Design and Cost Estimate – After test of Wilson Canyon
	Upper Valley – Large Scale Recharge Project	Evaluation	Planning	None at this time	2020?	**Evaluation of the Upper Valley to determine the potential of developing a large scale managed recharge project** • Ranking of best areas – Spring 2019 • Field evaluation of potential areas – Summer 2019 • Analysis of available data & report of potential areas – Aug/Sept 2019 • IWRB/Aquifer Stabilization Committee input on potential sites – Sept 2019

Memorandum

To: Idaho Water Resource Board

From: Kala Golden, Cynthia Bridge Clark

Date: July 15, 2018

Re: Cooperative Cloud Seeding Program

REQUESTED ACTIONS: Consider a resolution to:

1. Increase the maximum operation and maintenance expenditures for the Cooperative Cloud Seeding Program from the $1,170,000 authorized in the Fiscal Year 2020 IWRB budget to $1,225,000 to include fifty percent cost share with Idaho Power Company for a fourth aircraft for the Upper Snake River basin.

2. Authorize expenditure of funds up to $25,000 for costs associated with the Benefits Analysis (BA), from the Program Development Activities funding set aside in the Fiscal Year 2020 IWRB budget.

3. Authorize expenditure of funds not to exceed $700,000 through Fiscal Year 2021, including $500,000 as committed for funding in the Fiscal Year 2020 IWRB budget, for a 50% cost share of expenses for the purchase of a new High Performance Computing (HPC) system (hardware).

4. Authorize expenditure of funds not to exceed $600,000 through fiscal year 2023, for a fifty percent (50%) cost share of expenses related to an extension on the 2017 SNOWIE project.

Program Operational Costs:

- Throughout the program's development, a cost share of one-third each between the participating entities (IWRB, Idaho Power Company (IPC), and other water users) was implemented as an initial attempt to equitably distribute the costs of operating the program. Since its involvement, the IWRB has additionally provided a 50% cost share towards capital expenses to facilitate build out of the program and its various components. To date, the majority of water user contributions for operations and maintenance costs have not met the "one-third" cost share objective but efforts are underway to clarify the benefits of additional runoff generated through cloud seeding and better define how program costs can be allocated.

- The IWRB's FY20 budget included costs for the addition of a 4th aircraft which was built into the O&M budget at a one-third cost share. IPC requests that, should the IWRB still wish to move forward with its commitment to a 4th aircraft, that they do so at a 50% cost share until a more appropriate division of funding can be determined. This commitment would increase the total O&M budget for FY20 by $55,000, the difference between a cost share of one-third and one-half.

Benefits Analysis (BA)

- In response to direction from the IWRB, staff has initiated a Benefits Analysis (BA) to in early 2019 to clarify the beneficiaries of additional water supply generated by cloud seeding snow augmentation activities. IDWR's hydrology staff and IPC's atmospheric science and hydrology staff have also

participated in defining the scope and methodology to complete the analysis.

- A detailed analysis that includes routing additional runoff to specific water users and a specific point of diversion will require considerable effort, additional data, and modeling tools. It is estimated that this type of analysis will require one to two years to complete.

- In the near-term, staff recommend completion of a higher-level analysis, aimed at identifying broad categories of water users who would potentially be the recipients of increased runoff, and can reasonably be completed in 3-5 months' time. Potential routing of increased runoff for the level of analysis proposed, would consider benefits to one or more of the following categories: natural flow to users, storage to reservoirs, flows past Milner dam, and recharge. A presentation on the alternatives for the BAS will be presented by IDWR Hydrology staff at the July 2019 IWRB meeting.

- The proposed high-level analysis will require obtaining a series of hydrographs for each of the targeted watersheds within the program, for select years between 2000 and the present. The development of the hydrographs is to be completed through a contract with Boise State University (BSU). The Hydrographs will then be analyzed by IDWR staff by routing increased streamflow based on the day of allocation. The cost for development of the selected hydrographs is estimated to be approximately $25,000. This cost includes a research technician, the University's designated principal investigator (PI), and standard facilities and administrative costs as required by BSU.

High Performance Co (HPC) system & Weather Research and Forecast – Cloud Seeding Model (WRF-CSM):

- IPC has worked with the University of Arizona since 2010 to apply a hi-resolution Weather Research and Forecast (WRF) model to southern Idaho, and began working with the National Center for Atmospheric Research (NCAR) in 2011 on the development of a cloud seeding module (WRF-CSM) that is integrated with the WRF. The module has a number of objectives that include: forecasting and guidance for seeding operations, retrospective (historic) simulations that can be used for project planning and design (including generator and aircraft placement and operations), and then estimate precipitation output resulting from cloud seeding by tracking snow accumulation with and without cloud seeding through a season. The accumulated snow can then be passed to a WRF-Hydro model (a distributed hydrologic model) to evaluate runoff benefits from cloud seeding. The WRF-Hydro model will be capable of providing unregulated benefits from target areas but won't (initially) have the capability to simulate reservoir operations or route water supply to specific water user groups.

- On August 30, 2017, the IWRB authorized funding of up to $1,470,000, to be spread out over a four-year period, for costs associated with the development of a WRF-CSM, and development of a WRF-Hydro model for the central mountains (Payette, Boise, and Wood basins) for use with the WRF-CSM. This model was to be developed by NCAR and housed under contract on an HPC owned by the University of Arizona (UOA).

- The typical lifespan of an HPC ranges from 5-8 years; the HPC at UOA that currently operates the WRF-CSM model is nearing the end of its lifespan (years old) and will be decommissioned in 2020. This required IPC to seek alternative options for housing the WRF-CSM model, including alternative contract options.

- With extensive support from NCAR and UOA, IPC determined the best option to be the purchase a new HPC, done collaboratively with Boise State University (BSU) and the Idaho National Laboratory (INL). BSU is facilitating the purchase of the HPC through a formal state bidding process, and IPC and INL will

contribute funding towards the purchase based on the number of cores each entity will use. The system will be housed at the Collaborative Computing Center (C3), on the INL Education Campus in Idaho Falls, ID. This facility is owned by the State of Idaho and leased to INL.

- The size of the HPC being purchased is determined by the number of operational cores required to run the WRF, WRF-CSM and WRF-Hydro models at full capacity, as required during the cloud seeding season. When the system is not operating at full capacity, a portion of the total cores will be open for use. IPC anticipates these open cores will be available for other uses outside the season, and proposes to prorate the administrative costs for operation of the HPC accordingly.

If supported by the IWRB, staff requests authorization for expenditure of the $500,000 committed in the Fiscal Year 2020 budget for expenses related to the purchase of the HPC.

2017 SNOWIE Project Extension

- Seeded and Natural Orographic Wintertime clouds - the Idaho Experiment (SNOWIE) was a comprehensive field campaign carried out in the Payette River basin in 2017, to investigate natural and seeded winter storms, and longstanding uncertainties regarding the effectiveness of orographic wintertime cloud seeding. The study included researchers from multiple universities, IPC, NCAR, the National Science Foundation (NSF), and the Center for Severe Weather Research (CSWR).

- Two high impact, peer reviewed articles summarizing the findings of the SNOWIE project have been published to date; several others are in draft form. Authors have cited definitive evidence of the ability of winter time orographic cloud seeding to augment snowpack.

- Over the past 2 years since the completion of the field portion, Principal Investigators (PI) have made considerable progress in analyzing the data from the SNOWIE effort, however there is significantly more to be learned from the continued analysis of data from the SNOWIE campaign, including information necessary to resolve issues with the WRF model, upon which the WRF-CSM model is based.

- The original PI's of the SNOWIE project are in the process of applying to NSF for additional funding to continue analyzing the data. In order to apply new findings to WRF, or the WRF-CSM, NCAR will need to continue its involvement in the project, and must be funded from sources other than NSF. As such, IPC would like to request that the IWRB make commitment to a fifty percent cost share in NCAR's portion of the project costs.

- The total cost share by the IWRB for funding contributions towards the continued SNOWIE project are estimated to be approximately $600,000, spread out over a 3-year period. While project funding will not be required until fiscal year 2021, the project proposals will need to be submitted in the summer of 2019. IPC wishes to formalize a commitment in the partnership of funding, before moving forward with the project's funding proposal. The likelihood of NSF funding an extension project will depend on the continued support from non-federal partners, such as IPC and the IWRB.

- Descriptions of the models and how they function with one another will be provided by IPC at the July 25, 2019 IWRB Work Session

Summary of Proposed Budgetary Amendments

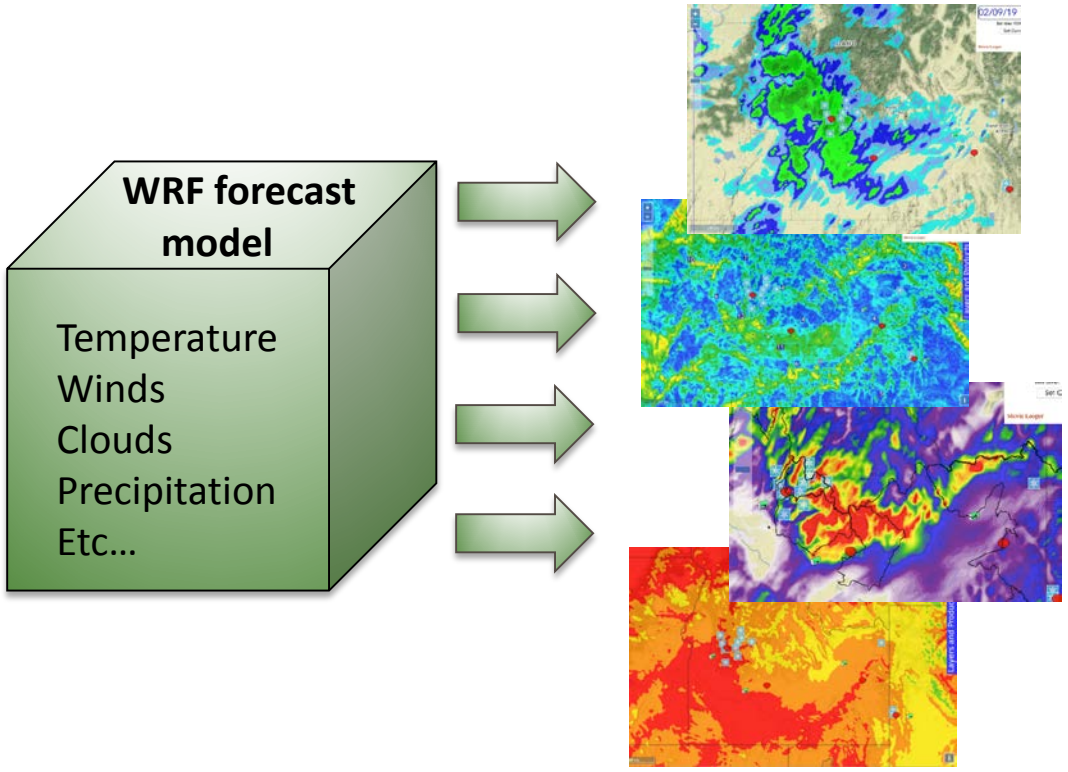
- Increase the Cloud Seeding Operations and Maintenance budget for Fiscal Year 2020 by $55,0000 (from $1,170,000 to $1,2250,000) to cover costs associated with a fourth aircraft in the Upper Snake River basin.
- Authorize the use of funds in the amount of $25,000 from the $200,000 committed for Program Development Activities in the IWRB Fiscal Year 2020 Budget to contract with BSU to generate hydrographs for a cloud seeding benefits analysis.
- Authorize the expenditure of $500,000 of the total $700,000 for the capital costs related to the purchase of a new HPC.
- Commit Funding in the amount of $600,000 for use beginning in Fiscal Year 2021, for a 50% cost share towards an extension of the SNOWIE project. Funds will require annual authorization from the IWRB, and be spread out over 3 years.

Modeling for Cloud Seeding Operations and Benefit Estimation

Outline of Discussion Topics

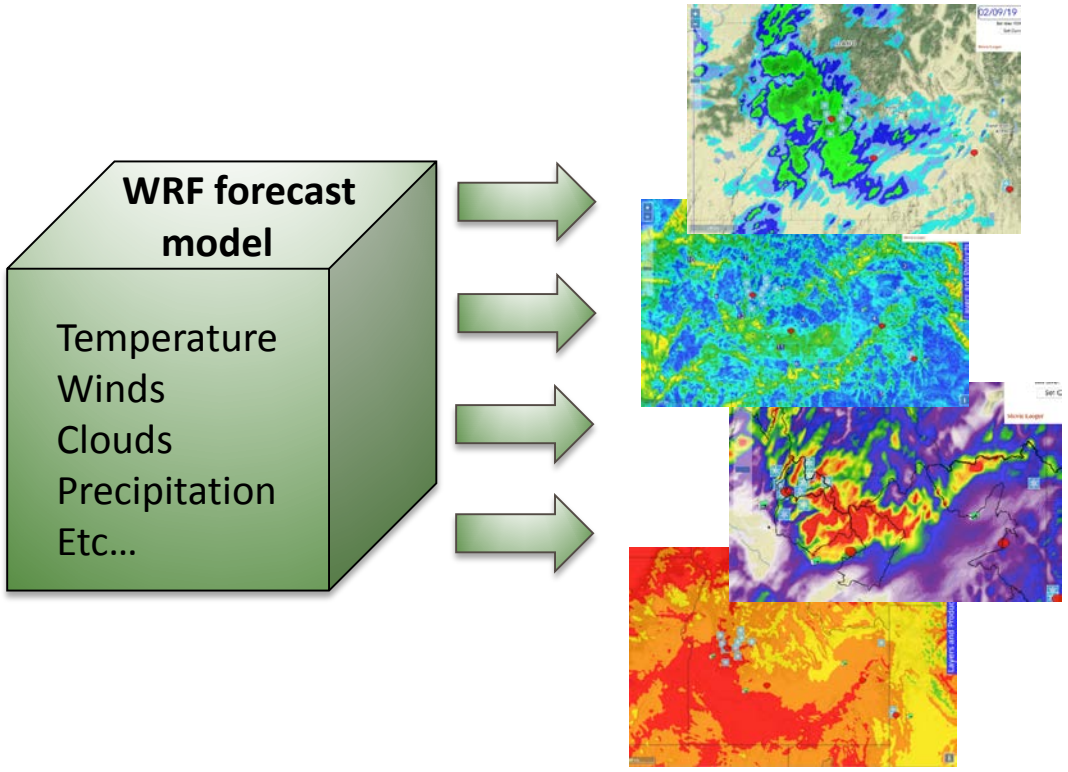
- Weather Research and Forecasting Model (WRF)
- WRF Cloud Seeding Module (WRF CSM)
- SNOWIE and SNOWIE2
- WRF-HYDRO
- Combined system

Weather Research and Forecasting (WRF) Model



- State of the art, numerical weather prediction system developed by NCAR, NOAA, FAA and many others
  - Designed to serve both atmospheric research and operational forecasting needs
- Utilized by NOAA for operational weather forecasting, lower resolution,
- IPC runs a higher resolution version to support its operations
  - IPC setup and was running WRF ***prior to*** beginning development of WRF-CSM

Weather Research and Forecasting (WRF) Model



- Primary: temperature, wind, cloud, super cooled liquid water and precipitation forecasts
  - Secondary: Soil moisture, incoming shortwave and longwave radiation, specific humidity, etc…
- IPC Uses
  - Operational Forecasts
  - Studies/Research
- Examples of forecasts from data
  - Cloud seeding operations
  - Hydro forecast inputs
  - Renewable energy forecasting

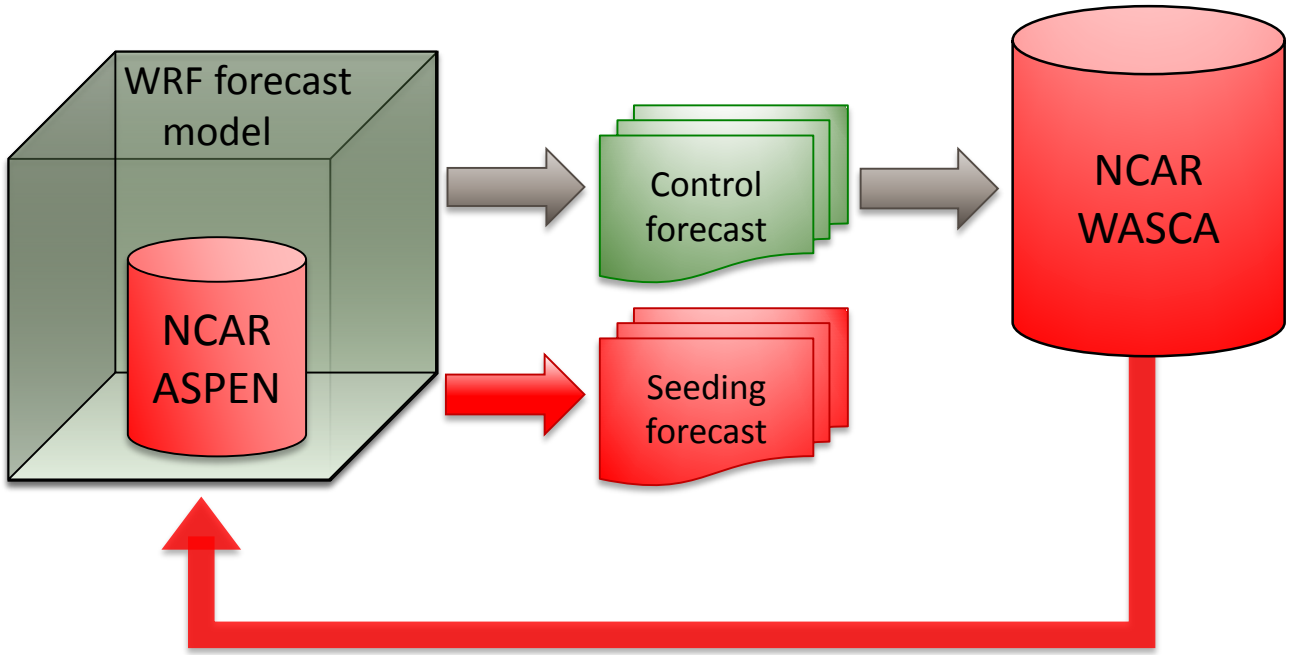
WRF Cloud Seeding Module (WRF-CSM)

Intent

- Combined, WRF and WRF-CSM provide real-time **guidance** to cloud-seeding operations
  - Identify areas conducive to seeding
  - Identify most effective time and duration to seed
- WRF and WRF-CSM used for benefit estimation and program design
  - Utilize historic data sets to identify where cloud seeding operations are feasible
    - When and to what extent cloud seeding feasible
  - Utilize reanalysis data combined with information from actual operations to develop control and seeded meteorological inputs into hydrologic models to look at differences in runoff

WRF Cloud Seeding Module (CSM)

WRF "Control" forecast + NCAR WASCA + NCAR ASPEN = **Seeding Forecast**



ASPEN: AgI Seeding ParamEterizatioN

WASCA: Wintertime AgI Seeding Case-calling Algorithm

WRF Model

1) WRF model creates a "control" (no seeding) weather forecast

WRF-CSM

2) NCAR WASCA inputs the control weather forecast and identifies opportunities for cloud seeding
3) If seeding opportunities are predicted, a second forecast that simulates cloud seeding is generated using the NCAR ASPEN
   - ASPEN simulates the release, transport, and microphysics of AgI: from ice nucleation to growth into snow and fallout to the ground

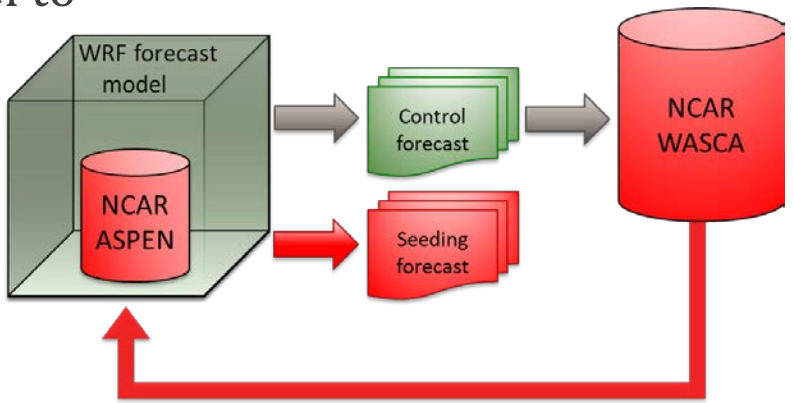
Status of CSM Development

- WASCA
  - Compares well with human forecaster decisions on selection of seedable and non-seedable systems*
  - Provides valuable information to human forecasters and been shown to effectively help guide seeding operations

- ASPEN
  - Simulates both ground and/or airborne seeding operations*
  - Provides visual depiction of areal cloud seeding affects during operations to help guide operations*

- WRF-CSM
  - Combined, WASCA and Aspen runs automatically with the WRF model to provide operational guidance

* Results from SNOWIE

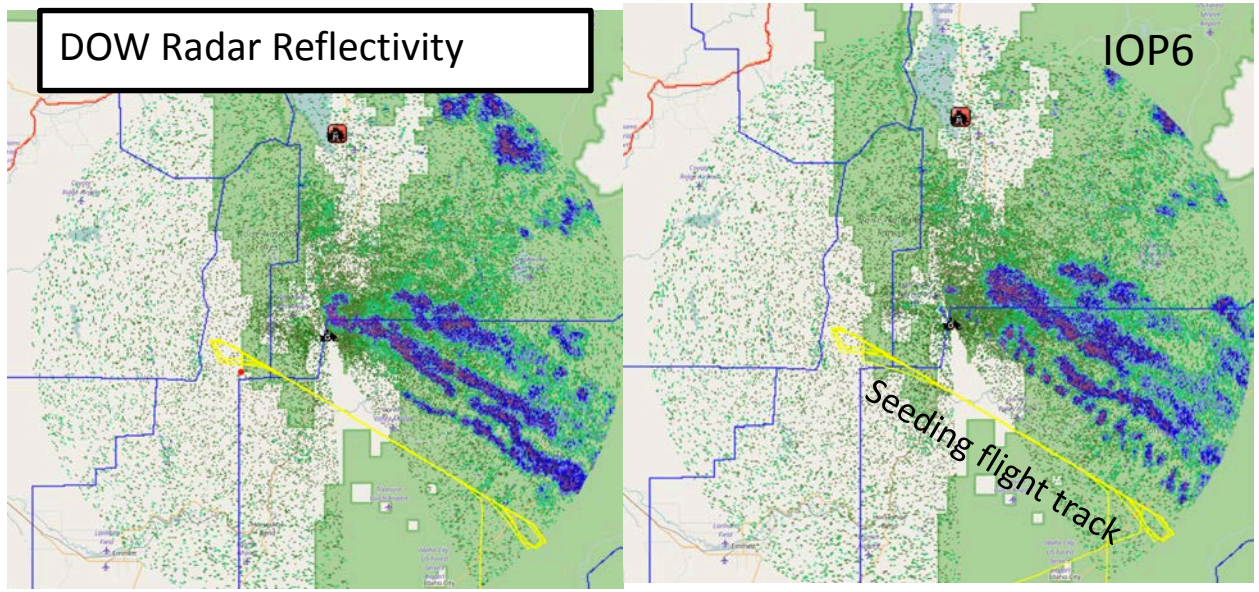


Key SNOWIE Findings SNOWIE

Airborne seeding produces ice and snow initiation in clouds with supercooled liquid water (SLW)

Under the right conditions, we can see clear signatures of this process on radar and with in situ measurements.

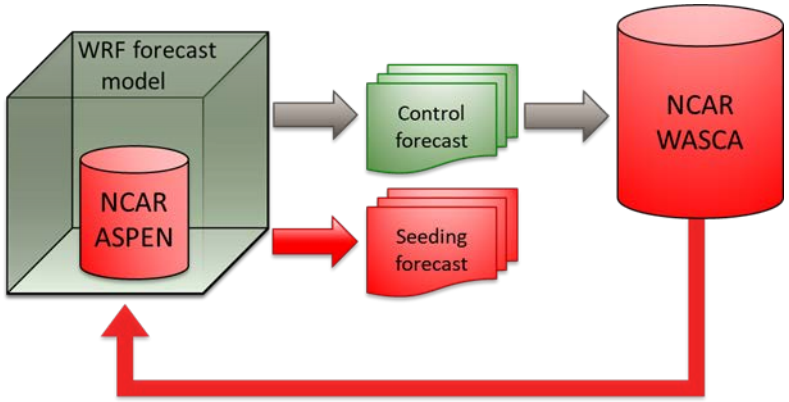
Note: Ongoing work with the SNOWIE data is showing similar snow production within existing precipitation, it is just not as clear to observe on the radar.



French et al. (2018) and Tessendorf et al. (2019)

Snow gauge data and radar data can be used to estimate the impact of airborne cloud seeding on snow reaching the ground in these cases with clear seeding signatures

The ability of the WRF model with ASPEN to simulate the impacts of seeding is sensitive to the amount of SLW and ice produced by naturally occurring ice nuclei in the WRF model, as well as how the WRF with ASPEN disperses AgI



Under some conditions, the WRF model is not simulating the correct amount of SLW and ice

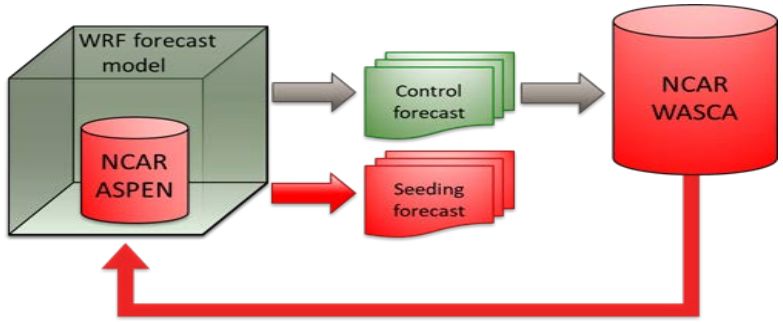
Operational enhancements from SNOWIE

1. More aggressively target areas that meet seeding criteria but are not currently precipitating
2. A better understanding of where precipitation from cloud seeding is falling out, more effecting targeting
3. Aircraft positioning for optimum effectiveness
4. Reduced “false alarms”, launching an aircraft when conditions are not optimal for cloud seeding operations

WRF/WRF CSM Future Work (SNOWIE2)

SNOWIE findings highlight four areas of future work:

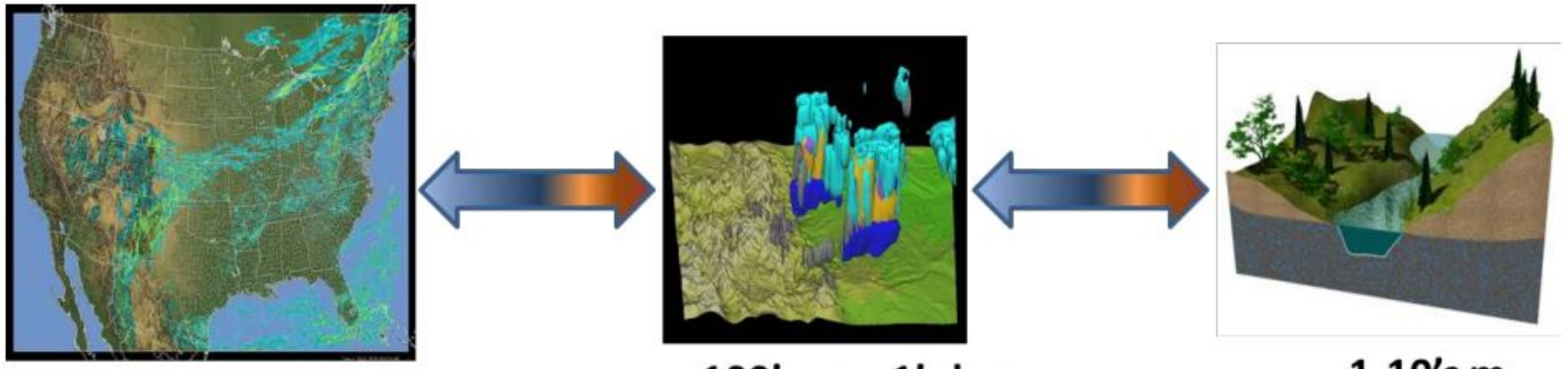
1. Natural **ice production** in the WRF model
2. Production of proper amounts of **SLW** in the WRF model
3. Improved **AgI dispersion** in the WRF and ASPEN
4. **Ensemble modeling** approach for precipitation benefit estimation



ASPEN: AgI Seeding ParamEterizatioN

WRF-HYDRO

1. Hydrologic model designed to capture major water cycle components such as <u>precipitation, soil moisture, snowpack, groundwater, streamflow, inundation</u>
2. Streamflow prediction across scales (headwater catchments to basins & minutes to seasons)
3. IPC Original Plan: Calibrate and evaluate 3 basins in the central mountains to determine if viable system to meet our needs.
   - If proven useable, expand across Snake River Basin.
   - If not proven useable, no expansion and not out the cost to develop the entire system.

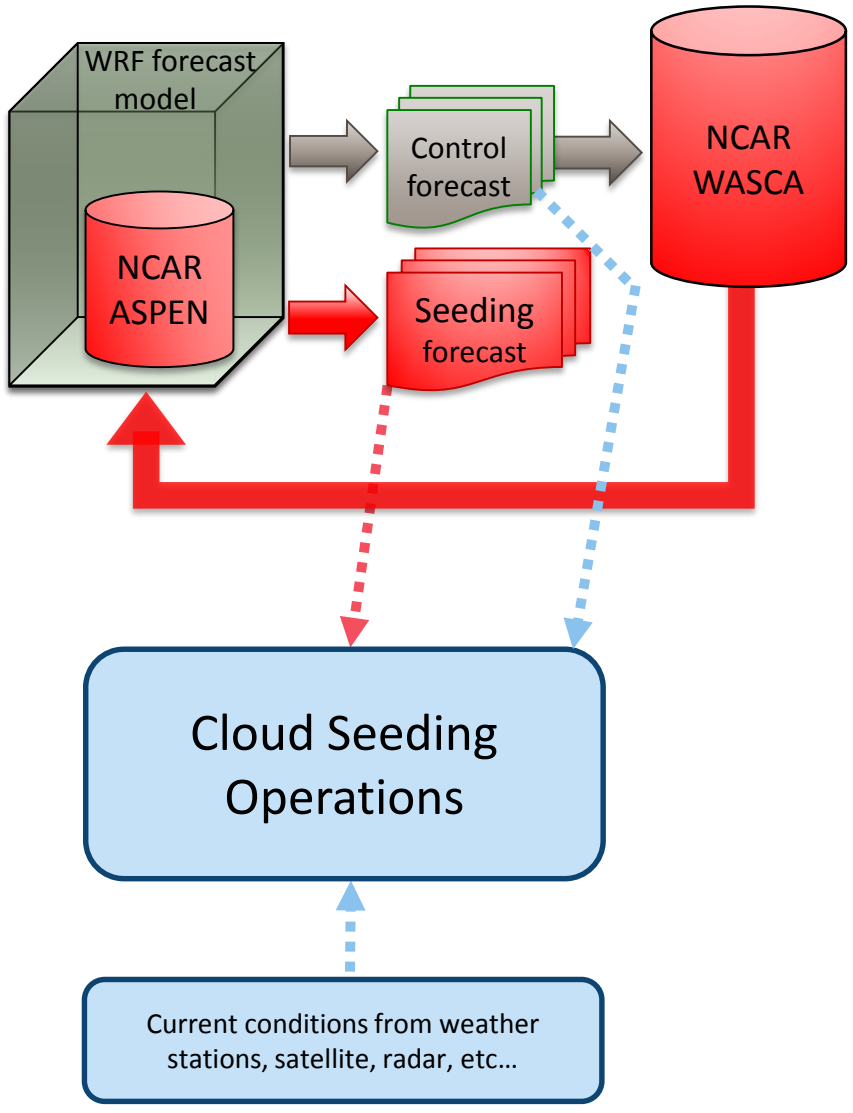


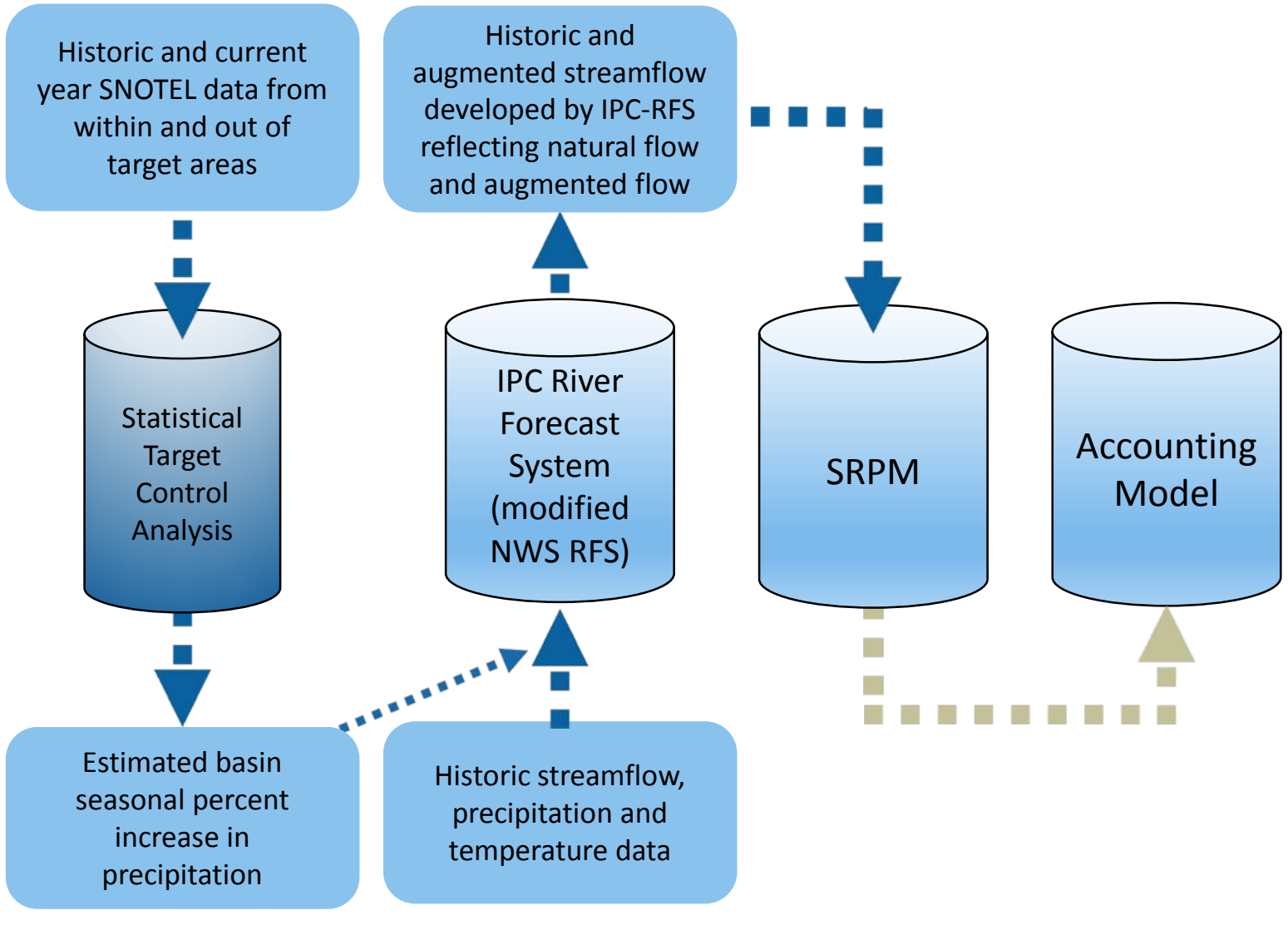
1-10's km

100's m - 1's km

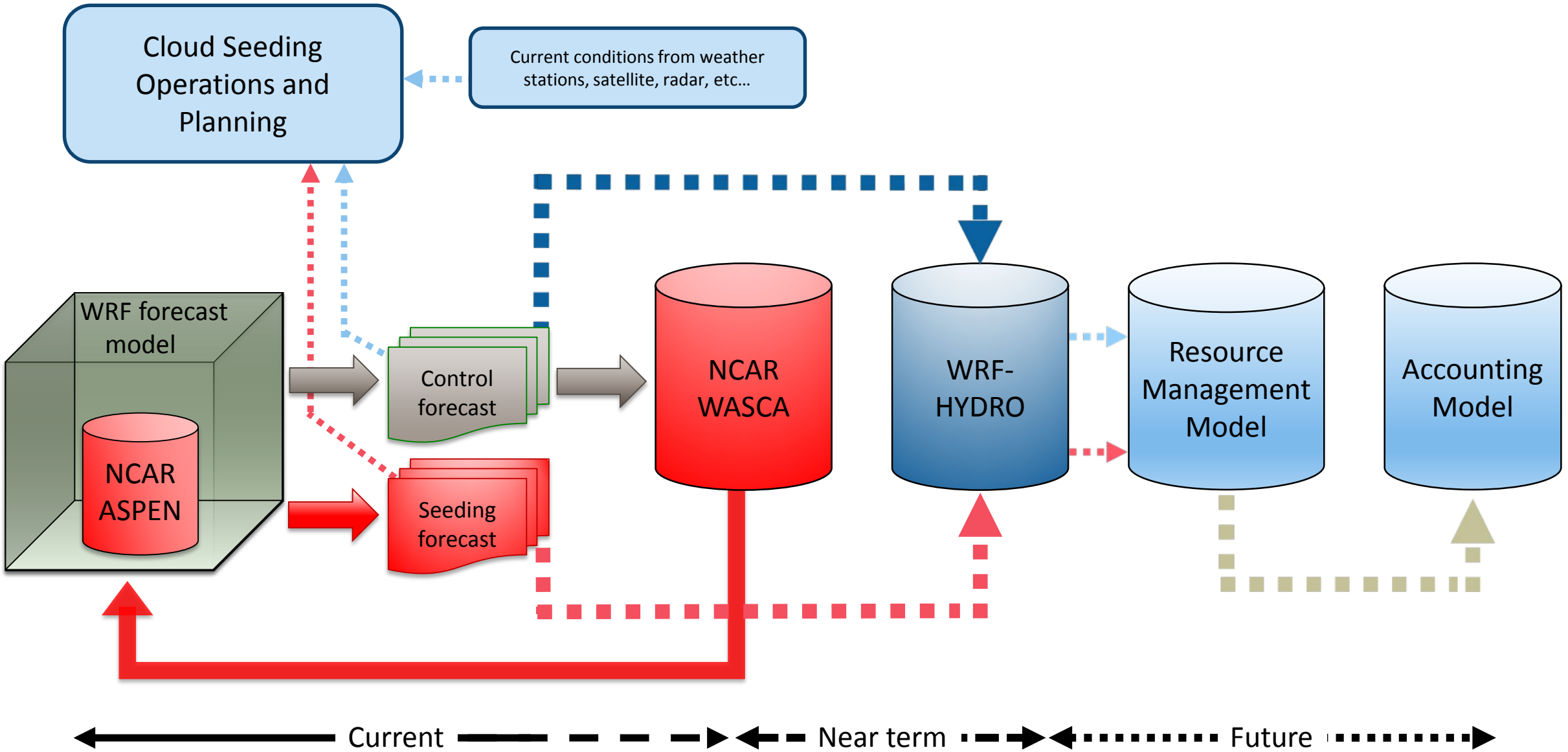
1-10's m

Current


WRF forecast model
NCAR ASPEN
Control forecast
Seeding forecast
NCAR WASCA
Cloud Seeding Operations
Current conditions from weather stations, satellite, radar, etc…


Historic and current year SNOTEL data from within and out of target areas
Historic and augmented streamflow developed by IPC-RFS reflecting natural flow and augmented flow
Statistical Target Control Analysis
IPC River Forecast System (modified NWS RFS)
SRPM
Accounting Model
Estimated basin seasonal percent increase in precipitation
Historic streamflow, precipitation and temperature data

Future


Cloud Seeding Operations and Planning
Current conditions from weather stations, satellite, radar, etc…
WRF forecast model
NCAR ASPEN
Control forecast
Seeding forecast
NCAR WASCA
WRF-HYDRO
Resource Management Model
Accounting Model
Current
Near term
Future

IDAHO Department of Water Resources

Cloud Seeding Benefits Analysis

Presented by: Matt Anders

Date: 7/25/2019

Benefits Analysis Summary

- Determine who receives increased runoff from cloud seeding.
  - Natural flow water users
  - Reservoir storage spaceholders
  - Recharge
  - Spill past Milner
- Provide independent analysis
- Multiple years between 2000-Present

Benefit Analysis – Detailed

Increased Snowpack
Source: Idaho Power

Completion: 1-2 years

Beneficiaries
Source: IDWR Water Right Accounting

Increased Streamflow
Source: ?

Modified System Operations
Source: ?

Benefit Analysis – High Level

Increased Snowpack
Source: Idaho Power

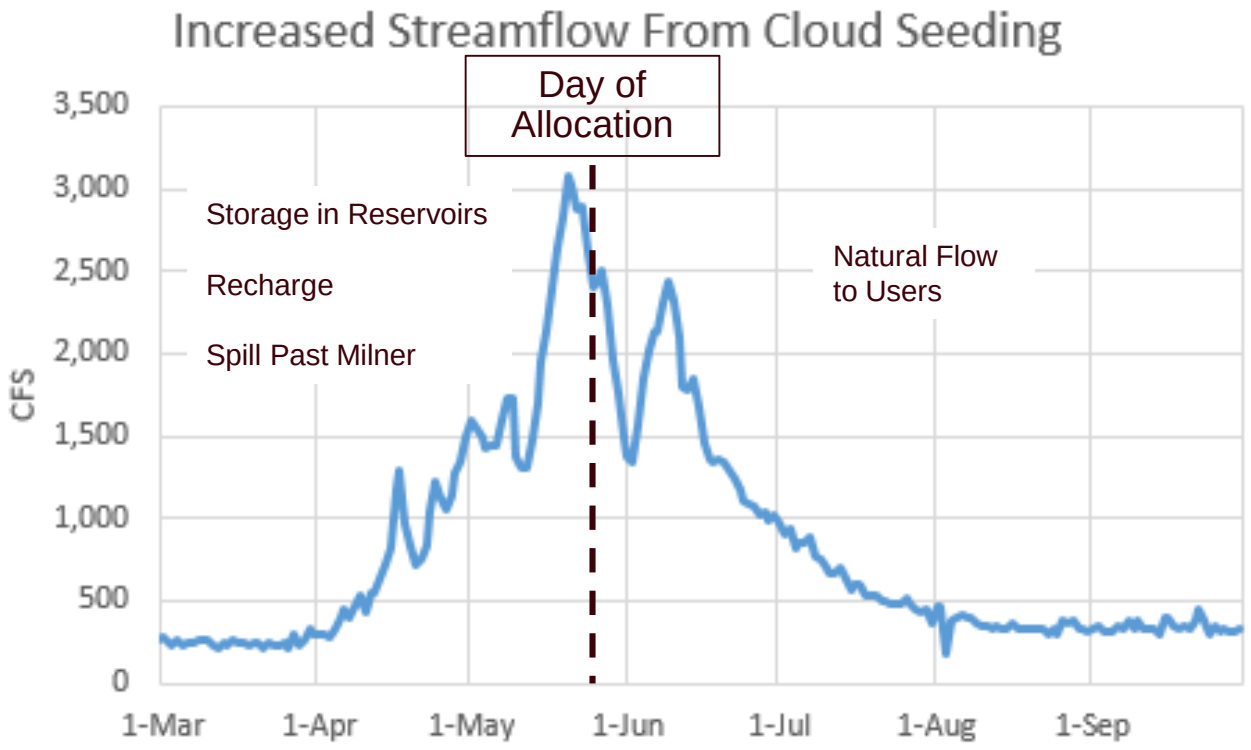
Completion: 3-5 months

Beneficiaries
Source: IDWR Manual Analysis

Increased Streamflow
Source: ?

Benefit Analysis – High Level Concept

- Increased streamflow = streamflow with cloud seeding - streamflow without cloud seeding
- Assign increased streamflow from cloud seeding to:
  - Natural Flow to Users
  - Storage in Reservoirs
  - Spill Past Milner
  - Recharge



Questions?

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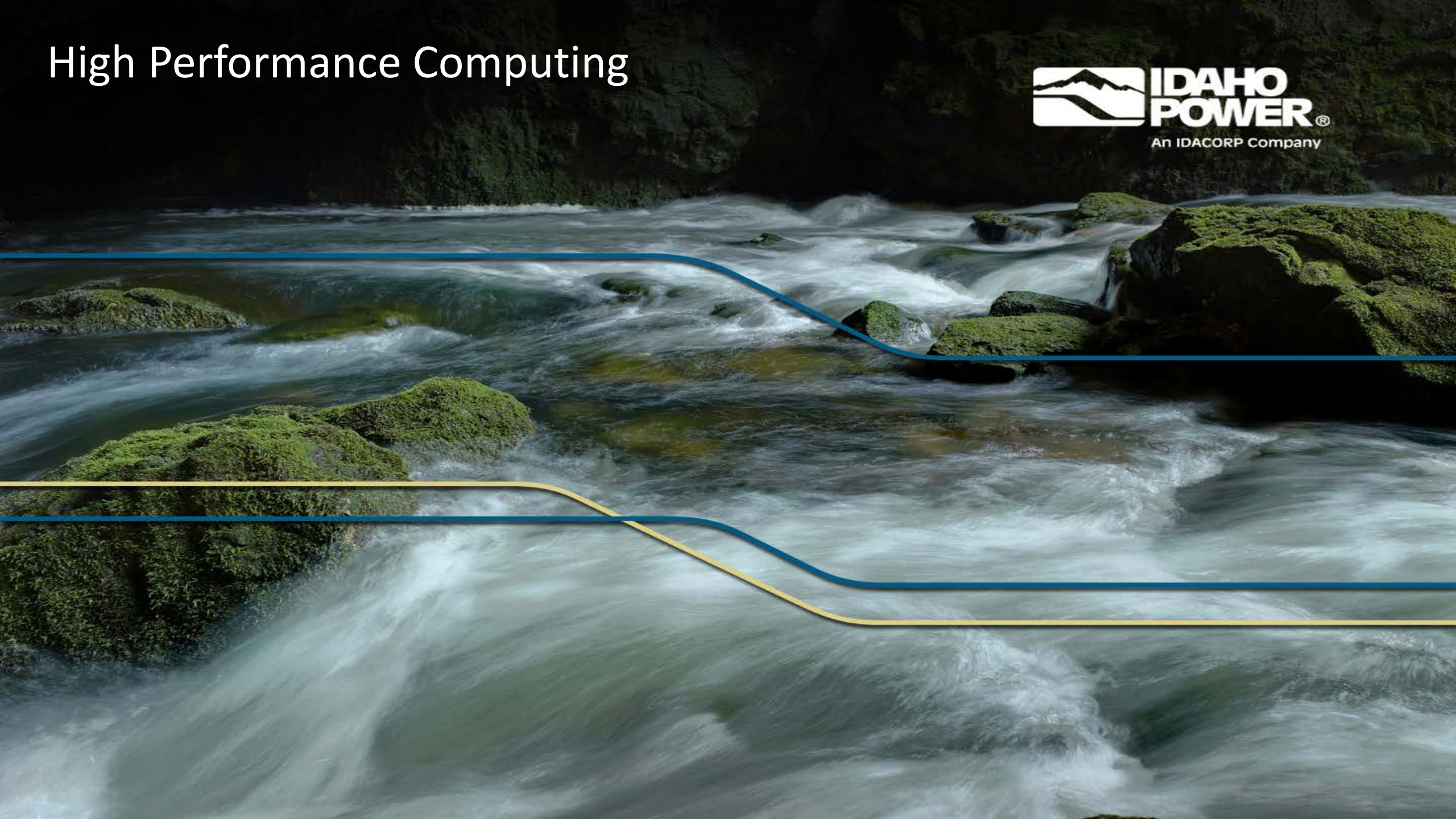
High Performance Computing



R3 High Performance Computing (HPC)

- **Size determined based upon what will be needed to complete expected cloud seeding operations and cloud seeding research.**
  - Determined through consultation with researchers at the National Center for Atmospheric Research (NCAR) and the University of Arizona (UA).
    - NCAR developed all the WRF models and has extensive experience utilizing the models in research activities
    - UA program manager is the only person to have operationally run the NCAR WRF-CSM.
  - ***Operational: ~1680 cores , Research: ~1680 cores***

    Used to run a suite of Weather Research and Forecasting (WRF) models {Atmospheric, Cloud Seeding, and Hydrology} and Resource Management Models for operations, research and study activities related to cloud seeding .
- **Operated as part of a larger combined system with BSU**
  - Hosted at the INL C3 facility (state built)

R3 High Performance Computing (HPC)

- **Combined configuration reduces operational costs**

- **Estimated IWRB Equipment and Admin Costs**

	2020	2021	2022	2023	2024
Equipment	500,000	200,000			
Admin			65,000	65,000	34,000

*Admin costs for FY2020 and FY2021 are captured in the WRF-CSM project

R3 High Performance Computing (HPC)

Estimated Annual HPC % usage

		Cloud Seeding Season (Oct 15 - Apr 15)	Non-Cloud Seeding Season (Apr 15 - Oct 15)
HPC Operations Cores	Cloud Seeding Related Time	100% x 6 months	10% x 6 months
	Non Cloud Seeding Related Time	0% x 6 months	90% x 6 months
HPC Research Cores	Cloud Seeding Related Time	90% x 6 months	90% x 6 months
	Non Cloud Seeding Related Time	10% x 6 months	10% x 6 months

				Total Months*	~% usage
Combined	Cloud Seeding Related	11	6	17	70%
	Non- Cloud Seeding Related	1	6	7	30%

* Total months = 12 months X 2 systems (Operations and Research) = 24 months

** Based upon currently expected cloud seeding operations and research

BEFORE THE IDAHO WATER RESOURCE BOARD

IN THE MATTER OF AQUIFER STABILIZATION AND CLOUD SEEDING IN THE UPPER SNAKE, WOOD, AND BOISE RIVER BASINS	RESOLUTION TO APPROVE FUNDS FOR THE COOPERATIVE CLOUD SEEDING PROGRAM

WHEREAS, House Bill 547, passed and approved by the 2014 legislature, allocates $5,000,000 annually from the Cigarette Tax to the Idaho Water Resource Board (IWRB) for statewide aquifer stabilization, with the funds to be deposited into the Secondary Aquifer Planning, Management, and Implementation Fund; and

WHEREAS, cloud seeding was identified as a strategy in the Eastern Snake Plain Aquifer Comprehensive Management Plan (ESPA CAMP) for which stabilization and recovery of the ESPA is a principal goal, and was identified as a strategy in the draft Treasure Valley Comprehensive Management Plan; and

WHEREAS, a well-managed cloud seeding program can increase winter snowpack and thereby increase surface water runoff by as much as 10%, resulting in more surface water for all uses, including aquifer management projects, and less supplemental ground water pumping; and

WHEREAS, an existing water user and county-led cloud seeding program has been in place in the Upper Snake River Basin for decades and a similar water user led program has existed in the Boise River Basin that has resulted in increased runoff; and

WHEREAS, the Idaho Power Company (IPC) established a remote-operated "Pilot Program" and brought its operational experience gained from its Payette River Basin program to the ESPA as a result of the ESPA CAMP. The two cloud seeding programs in the Upper Snake River Basin are currently operating in parallel and cooperate on operational matters; and

WHEREAS, water users in the Boise River and the Wood River Basins agreed to share in the operation and maintenance costs of a collaborative cloud seeding program with IPC, which includes the use of remote ground-based generators and aircraft; and

WHEREAS, discussions between IPC, the IWRB and water users resulted in the creation of a Cooperative Cloud Seeding Program (Program) to expand IPC's cloud seeding operations in the Upper Snake River Basin and establish IPC run programs in the Boise River Basin, and Wood River Basin with support from the IWRB and water users; and

WHEREAS, while a comprehensive and versatile cloud seeding program includes aircraft and ground based generators, the use of aircraft is particularly effective for increasing snowpack because it can be used to target specific storms; the IWRB and IPC currently share the costs associated with three aircraft which perform cloud seeding in the Boise, Wood River, and Upper Snake River basins; and

WHEREAS, to further enhance the Cooperative Cloud Seeding Program's operational capabilities in the Upper Snake River Basin, and to take advantage of appropriate storms that may pass through the region, the IWRB and IPC have discussed adding a fourth aircraft to provide two aircraft dedicated to this basin specifically; and

WHEREAS, the IWRB's annual budget for the Cooperative Cloud Seeding Program's operations and maintenance for Fiscal Year 2020 authorized expenditures of up to $1.17 million, which included one third of expenses related to the operation of a fourth aircraft to be dedicated to the Upper Snake River Basin; and

WHEREAS, IPC has requested, should both parties agree to contract a fourth aircraft, the IWRB contribute

fifty percent of the costs until an analysis of benefits to various water users resulting from cloud seeding snow augmentation activities has been completed, and a more appropriate division of funding between IPC, IWRB, and other water users can be determined. A commitment of fifty percent of the costs would increase the total authorized expenditures for operations and maintenance from $1.170 to $1.225 million; and

WHEREAS, in 2017, IPC proposed to contract with the National Center for Atmospheric Research (NCAR), Boise State University (BSU), and University of Arizona (UOA) to develop a model known as the Weather Research and Forecasting Cloud Seeding Module (WRF-CSM) to enhance cloud seeding by providing improved forecasting and guidance for cloud seeding operations, simulations for project planning, and to estimate cloud seeding benefits by tracking snow accumulation with and without cloud seeding; and

WHEREAS, on August 30, 2017, the IWRB authorized expenditures for reimbursement to IPC for up to fifty percent of actual costs towards the development of the WRF-CSM; estimated at the time to be $2.94 million. This funding was authorized for expenditures through calendar year 2020, in an amount not to exceed $1.47 million, subject to availability of annual appropriations; and

WHEREAS, due to the computing capacity requirements of the WRF and WRF-CSM, a high performance computing (HPC) system is required for its operation, and each HPC holds a life span of approximately five to eight years. Throughout the developmental process, the WRF-CSM has been housed under contract on an HPC owned by UOA, which is nearing the end of its lifecycle and will not be replaced. The acquisition of a new HPC will be required to operate the WRF-CSM model; and

WHEREAS, IPC, after consideration of multiple contract options, has chosen to collaborate with BSU and the Idaho National Laboratory (INL) to purchase a new HPC. The purchase costs will be divided based on the proportionate operational capacity dedicated to each user, or the total number of "cores" each party will receive; and

WHEREAS, BSU will procure the new HPC through a formal state bidding process and it will be physically housed at the Collaborative Computing Center (C3) on the INL Education Campus in Idaho Falls, ID; and

WHEREAS, the capital expenses related to the purchase of the HPC are $1.4 million and IPC has requested a fifty percent cost share commitment by the IWRB, or an estimated $700,000.

WHEREAS, the IWRB, through its Fiscal Year 2020 Budget Resolution, allocated $500,000 towards the total capital costs of a new HPC, but required additional approval by IWRB resolution to authorize expenditures for the budgeted purpose; and

WHEREAS, IPC, throughout the continued development of the WRF-CSM and verification of field data collected during the National Science Foundation (NSF) funded SNOWIE 2017 project, has identified significant issues related to the data inputs with the WRF model upon which the WRF-CSM is based. Further research and analysis based on the SNOWIE 2017 data are required to resolve these issues; and

WHEREAS, an NSF grant proposal to partially fund extended research on the SNOWIE 2017 project is being drafted by NCAR in partnership with IPC. This proposal, "SNOWIE 2", is intended to address the limitations of the WRF model at an estimated cost of $1.12M, an amount equal to half of the total project costs, which must be funded by a non-federal project partner. IPC is prepared to fund fifty percent of the non-federal project costs and requests the IWRB contribute the remaining fifty percent; and

WHEREAS, the IWRB directed staff to evaluate the benefits of additional runoff generated through cloud seeding by quantifying the distribution of the increased in water supply (benefits analysis). IDWR staff, in consultation with IPC, proposes to evaluate these benefits using hydrographs with and without cloud seeding to

represent potential additional runoff resulting from cloud seeding in the Boise, Wood, and Upper Snake River basins, followed by a routing analysis to identify beneficiaries of the estimated additional runoff.

WHEREAS, IDWR staff propose to contract with BSU to develop the basin hydrographs for use in the routing analysis at an estimated cost of $25,000; and

WHEREAS, the IWRB, through its Fiscal Year 2020 Budget Resolution, committed funding for program development activities in an amount up to $200,000, subject to further authorization by IWRB resolution; and

NOW, THEREFORE BE IT RESOLVED that the IWRB authorizes expenditures not to exceed $25,000 from the Secondary Aquifer Planning, Management, and Implementation Fund, for expenses related to the development of hydrographs to be used in a benefits analysis.

BE IT FURTHER RESOLVED that the IWRB authorizes expenditures not to exceed $1.225 million from the Secondary Aquifer Planning, Management, and Implementation Fund in Fiscal Year 2020 for operations and maintenance expenditures for the Cooperative Cloud Seeding Program, which includes fifty percent of the expenses for a fourth aircraft.

BE IT FURTHER RESOLVED that the IWRB authorizes expenditures not to exceed $500,000 from the Secondary Aquifer Planning, Management, and Implementation Fund for capital expenses related to the acquisition of a new HPC in Fiscal Year 2020, and authorizes expenditures not to exceed a total of $700,000 through Fiscal Year 2021, and subject to the availability of annual appropriations.

BE IT FURTHER RESOLVED that the IWRB authorizes expenditures not to exceed not to exceed a total of $600,000 through Fiscal Year 2023, from the Secondary Aquifer Planning, Management, and Implementation Fund for expenses related to the SNOWIE extension project, subject to the availability of annual appropriations.

BE IT FURTHER RESOLVED that the IWRB authorizes its chairman or designee, Brian Patton, Executive Officer to the IWRB, to execute the necessary agreements or contracts for the authorized expenditures and IWRB program participations outlined in the above resolutions.

DATED this 26th day Of July, 2019.

_____
ROGER W. CHASE, Chairman
Idaho Water Resource Board

ATTEST _____
VINCE ALBERDI, Secretary

Memorandum

To: Idaho Water Resource Board

From: Brian Patton

Date: July 15, 2019

Re: Mountain Home Air Force Base Sustainable Water Project

This memo provides an update on the status of the Mountain Home Air Force Base Sustainable Water Project.

As you recall, at the request of Governor Otter, the Idaho Water Resource Board (IWRB) has been working with the Air Force since 2014 to provide a sustainable replacement water supply for the Mountain Home Air Force Base in response to long-term aquifer declines. The IWRB has accomplished several major tasks associated with delivery of Snake River water to the base including:

- Acquired a senior-priority Snake River water right,
- completed pilot testing of water treatment systems,
- Acquired a right-of-way for a pipeline across the BLM-Snake River Birds of prey area,
- Surveyed and core-drilled pump station and pipeline route,
- Completed preliminary engineering.

The original project concept had the IWRB issuing revenue bonds to finance the project, and building and operating the project. The Air Force would then pay construction costs over time and pay for O&M out of their operating funds. Despite securing approval from numerous offices and levels within the Air Force, this approach was ultimately deemed unworkable by the Air Force.

In order to push the project along, Governor Otter sent a letter dated November 1, 2018 (attached) to the Air Force in which he states, subject to the legislative appropriation process and a commitment for the Air Force to provide the water treatment plant, the State of Idaho would build, own, and operate the delivery pipeline and pump station.

The 2019 Legislature passed SJM104 supporting the Mountain Home Air Force Base Sustainable Water Project, and passed HB285 which, among other items, appropriated $20M for either the air base water supply or the Anderson Ranch Reservoir Enlargement.

The Air Force, in response, has found a way to fund the water treatment plant through the Energy Resilience and Conservation Investment Program, run through the Secretary of Defense's office. This project is this year's No. 1 submission for the Air Force.

The Air Force has submitted a draft Memorandum of Understanding (MOU) that they want signed by the State of Idaho (attached). There are several items within the MOU that are of concern, the most prominent being Paragraph 3e which reads: *"The Parties agree to develop language that clearly states that the State and/or their appointed representative will not require the USAF to repay the construction costs or full operations and maintenance costs of the pipeline due to the dispersed benefits to the State and the Mountain Home Plateau region."*

In other words, the Air Force is stating that they will not pay for the pipeline capitol cost, and they will not pay for the full O&M cost, as a condition of funding the water treatment plant. In discussions with the Air Force, they represent this as non-negotiable.

Roger Chase and Jeff Raybould have requested a meeting with Governor Little to discuss options.

C.L. "BUTCH" OTTER
GOVERNOR

November 1, 2018

The Honorable John Henderson
Office of the Secretary of the Air Force Installations, Environment & Energy
1665 Air Force Pentagon
Washington, D.C.
20330-1665
USAF.pentagon.SAF-IE.mbx.workflow@mail.mil

RE: Mountain Home Air Force Base Sustainable Water Supply Project

Dear Colonel Henderson,

As Governor, it has been one of my highest priorities to assist the Mountain Home Air Force Base (Base) with developing a sustainable water supply. The solution is to build a water pipeline from the nearby Snake River to the Base, so the Base is no longer dependent on the declining Mountain Home Aquifer. The State of Idaho has been diligently working towards this goal for several years. So far, we have obtained senior-priority water rights from the Snake River, undertaken water testing so a treatment plant can be designed, completed geotechnical testing along the pipeline route, and most recently, secured right-of-way from the Bureau of Land Management through the Morley Nelson Snake River Birds of Prey National Conservation Area. However, there has been an issue in building and payment obligations for the final implementation of the project between USAF and the state of Idaho.

On September 24, a meeting was held with several members of the Idaho Water Resource Board and Wing Commander Col. Joseph Kunkel of the Mountain Home Air Force Base. There was discussion about pathways to accomplish this critical project. The idea of splitting the project to have the State of Idaho build the pump station and pipeline while the Air Force builds the water treatment plant was viewed as having the highest likelihood of success.

It is my intention that, subject to the Legislature's appropriation process and a commitment from the Base to provide a water treatment plant, the State of Idaho would build, own, and operate the pump station and pipeline. A commitment from the Base will reassure us that this goal can be met on this critical project. I look forward to your response regarding the Base's commitment.

MEMORANDUM OF UNDERSTANDING

BETWEEN

THE OFFICE OF THE DEPUTY ASSISTANT SECRETARY OF THE AIR FORCE FOR ENVIRONMENT, SAFETY, AND INFRASTRUCTURE

AND

366th FIGHTER WING
MOUNTAIN HOME AIR FORCE BASE

AND

THE IDAHO WATER RESOURCE BOARD

REGARDING A POTENTIAL WATER RESILIENCE PROJECT IN THE MOUNTAIN HOME PLATEAU REGION

This Memorandum of Understanding (MOU) is entered into by the United States Air Force (USAF) (through the Air Force Office of Energy Assurance (OEA), on behalf of the Office of the Deputy Assistant Secretary of the Air Force (Environment, Safety, & Infrastructure) and the 366th Fighter Wing, Mountain Home Air Force Base (MHAFB)) and the Idaho Water Resource Board (IWRB), each a "Party" and collectively referred to as the "Parties."

1. **BACKGROUND:**

The State of Idaho and the USAF are working together to improve water resilience in the Mountain Home plateau region containing MHAFB and the surrounding communities. The Parties seek to establish an MOU with the intent of achieving reduced and/or shared costs and reductions in risk by finding solutions to improve regional water resilience.

Given that the regional Mountain Home aquifer has been steadily declining at a rate of two feet per year, the State of Idaho (State), through the IWRB, seeks to develop a regional strategy to sustainably manage available water resources and maximize their economic benefit. One proposed solution has been to construct a pipeline to provide surface water from the Snake River to the Mountain Home Plateau, which would provide the region with an alternative water source and decrease the drawdown on the Mountain Home aquifer. The decreased groundwater drawdown would improve the longevity of the aquifer and increase regional water resilience. The IWRB has proposed connecting the Snake River pipeline to MHAFB in order to deliver sufficient water to meet the installation's water demand, up to 3.5 million gallons of water per day.

Any adopted solution must be consistent with statutory requirements applicable to the USAF, including the requirements relating to budgetary scoring. If the Snake River pipeline is selected as

the preferred solution to address the regional water stress, the USAF would construct a new water treatment plant (WTP) to process the incoming surface water. The Snake River surface water would serve as an alternative water source; it would not fully replace the MHAFB groundwater source. The USAF intends to preserve and exercise on a recurring basis its existing groundwater rights and the existing capability to draw from on-base wells.

As part of its evaluation, MHAFB will seek to identify, and if appropriate pursue, potentially available Department of Defense (DoD) or Congressional funding to construct a WTP to be located on base. If this is the selected solution, MHAFB would utilize surface water provided by the Snake River pipeline to operate the WTP. This solution may reduce MHAFB reliance on the declining regional aquifer that threatens regional water resilience. MHAFB does not have an active water Utility Services Contract (USC) or Intergovernmental Support Agreement (IGSA), but it may be determined at a future time that a USC or IGSA would be needed to deliver water via the pipeline to the MHAFB fence line.

2. **AUTHORITIES:**

In determining the project scope Parties will investigate potential authorities such as: 10 U. S. C. § 2668 (Easements for rights-of-way), 40 U. S. C. § 501 (Services for executive agencies, 10 U. S. C. § 2679 (Installation-support services: intergovernmental support agreements) and 10 U. S. C. § 2914 (Energy resilience and conservation construction projects). The parties will also identify and comply with relevant environmental statutes and requirements, including, but not limited to the National Environmental Policy Act (NEPA), 42 U. S. C. § 4321, et seq.

This MOU is executed in accordance with DoD Instruction 4000.19 Support Agreements (DoDI 4000.19) and Air Force Instruction 25- 201 Intra-Service, Intra-Agency, and Inter-Agency Support Agreements Procedures (AFI 25-201).

3. **PURPOSE:**

a) Under this MOU, the Parties agree to meet and explore execution strategies and other miscellaneous scope items associated with the project concept suggested by all Parties.

b) Once the project scope and authorities are defined, appropriate threshold requirements (including environmental and economic analyses) are satisfied, and it is determined by MHAFB that the proposed water resilience project will support MHAFB's mission requirements, the Secretary may direct the execution of actions and agreements necessary to allow IWRB to connect water-related infrastructure to MHAFB infrastructure.

c) The IWRB will pursue funding sources, including, but not limited to funding identified in RS27141 (FY 2019 trailer and supplemental appropriation bill) to construct an intake pumping station and pipeline to deliver surface water from Snake River to MHAFB.

d) Subject to Paragraph 3b) above, the USAF will pursue funding sources, including, but not limited to the Energy Resilience and Conservation Investment Program (ERCIP) to design and construct a new WTP to process the surface water from the Snake River.

e) The Parties agree to develop language that clearly states that the State and/or their appointed representative will not require the USAF to repay the construction costs or full operations and maintenance costs of the pipeline due to the dispersed benefits to the State and the Mountain Home Plateau region.

f) If the projects contemplated by full implementation of this MOU are completed, the USAF anticipates the relationship and arrangement in association with the proposed pipeline will be similar to that of regulated utility and not for the USAF's sole benefit.

g) The Parties agree to develop a strategy that clearly outlines roles and responsibilities for the operations and maintenance of the pipeline prior to a final decision to undertake a water resilience project.

h) The USAF will preserve and exercise the existing ground water rights at MHAFB and the existing capability to draw from onsite wells. The USAF will also preserve the right to implement water conservation measures or other water-reducing techniques.

i) The Parties agree to develop a clear set of conditions to ensure that both Parties' decision to proceed with a water resilience project is mutually supportive and in concert with the other Party.

4. **RESPONSIBILITIES OF THE PARTIES:**

a) The Parties will determine whether it is in the best interest to pursue a water resilience project.

b) If Parties determine that the contemplated project scope items are in the best interest of all Parties, Parties may share construction and design plans to coordinate project efforts.

c) Future obligations and expenses of each Party shall be through separate, future agreements and contracts and not through this MOU.

5. **PERSONNEL:** Each Party is responsible for all costs of its personnel, including pay and benefits, support and travel. Each Party is responsible for supervision and management of its personnel.

6. **GENERAL PROVISIONS:**

6.1. **POINTS OF CONTACT**: The following are the points of contact that will be used by the Parties to communicate in implementations of this MOU. Each Party may change its point of contact upon reasonable notice to other Parties.

6.1.1. **OEA (on behalf of the Office of the Deputy Assistant Secretary of the Air Force (Environment, Safety, & Infrastructure)):**
Mr. Eric Griesenbrock
Chief, Technology Integration Division

6.1.2. **MHAFB:**
Mr. Nathan Rowland
Deputy Base Civil Engineer

6.1.3. **IWRB:**
Name
Title

6.2. **CORRESPONDENCE:** All correspondence to be sent and notices to be given pursuant to this MOU will be addressed, if to OEA, to –

2530 Crystal Drive, 8th Floor, Arlington, VA 22202

And, if to MHAFB, to –

366S/CD, 1030 Liberator St. Mountain Home AFB ID 83648

And, if to IWRB, to –

322 E Front St, Suite 648, Boise, ID 83702

6.3. **REVIEW OF AGREEMENT:** This MOU will be reviewed annually on or around the anniversary of the Parties, duly signed by their authorized representatives.

6.4. **MODIFICATION OF AGREEMENT:** This MOU may be modified by the written agreement of the Parties, duly signed by their authorized representatives.

6.5. **DISPUTES:** Any disputes relating to this MOU will, subject to any applicable law, Executive order, directive, or instruction, be resolved by consultation between the Parties or in accordance with DoDI 4000.19.

6.6. **TERMINATION OF UNDERSTANDING:** The Parties acknowledge and agree that each Party will have the right to terminate the negotiation of an agreement for any reason or no reason and that no Party owes a duty to negotiate an agreement. The MOU may be terminated by either Party by giving at least 180 days written notice to the other Party.

6.7. **TRANSFERABILITY:** This MOU is not transferable except with the written consent of the Parties.

6.8. **ENTIRE UNDERSTANDING:** It is expressly understood and agreed that this MOU embodies the entire understanding between the Parties regarding the MOU's subject matter.

6.9. **EFFECTIVE DATE**: This MOU takes effect beginning on the day after the last Party signs.

6.10. **EXPIRATION DATE:** This MOU expires two (2) years from the effective date unless renewed by all Parties. Additional reviews may take places as changing conditions or circumstances require.

7. **FINANCIAL DETAILS:** This MOU does not document nor provide for the exchange of funds or manpower between the Parties nor does it make any commitment of funds or resources.

8. **COMPETITION:** Nothing in this MOU provides IWRB with any preference, advantage or otherwise in furtherance or pursuit of any engagement with the USAF outside the scope of this MOU, nor in any respect limits the options of either Party with respect to the subject matter of this MOU or any other project or undertaking. In order to avoid any appearance of a conflict of interest, the USAF and the City and/or IWRB may set limits on the level of assistance or cooperation either Party provides the other.

AGREED:

Office of the Deputy Assistant Secretary of the Air Force
(Environment, Safety, & Infrastructure)

_____
[NAME]
[TITLE]
Date: _____

Mountain Home Air Force Base

_____
[NAME]
Commander, 366th Fighter Wing
Date:_____

Idaho Water Resources Board (IWRB)

_____
[NAME]
[TITLE]
Date: _____

Memorandum

To: Idaho Water Resource Board

From: Neeley Miller, Planning & Projects Bureau

Date: July 17, 2019

Re: Henrys Fork Village HOA Stream Alternation Approval

Action: Consider resolution to approve Henrys Fork Village HOA private stream access project

Background

The Henrys Fork Comprehensive Basin Plan ("Plan") was adopted by the Idaho Water Resource Board (IWRB) in 1992 and approved by the legislature in 1993. Approximately 200 miles of the basin's 3,000 miles of streams was designated as state-recreational-river or state-natural-river under the Plan.

The Plan designates the reach of the Henrys Fork from Island Park Dam to Riverside Campground (16 miles) as a recreational river and prohibits stream channel alterations except those necessary to maintain and improve existing utilities, roadways, diversion works, fishery enhancement facilities and managed stream access facilities; for maintenance of private property; for new diversion works; and for public agencies to construct fishery enhancement facilities and public access facilities.

The Plan also specifies that new private stream access facilities may be allowed with approval by the Idaho Water Resource Board.

Proposed Alteration

Henrys Fork HOA proposes to provide private river access to HOA members by installing two mobile piers (4'x16') to include a (6'x6') "T" at the end of each pier. These mobile piers will be installed each spring and removed each fall.

IDWR Stream Channel Alternation staff have reviewed the proposed project and have indicated they will issue permits for the project pending IWRB approval. IWRB staff recommends approval of this project.

Attachment(s):

Stream Channel Permit 21-20108 Henrys Fork Village HOA
Resolution

RECEIVED
JUN 18 2018
Department of Water Resources
Eastern Region

JOINT APPLICATION FOR PERMITS

U.S. ARMY CORPS OF ENGINEERS - IDAHO DEPARTMENT OF WATER RESOURCES - IDAHO DEPARTMENT OF LANDS

Authorities: The Department of Army Corps of Engineers (Corps), Idaho Department of Water Resources (IDWR), and Idaho Department of Lands (IDL) established a joint process for activities impacting jurisdictional waterways that require review and/or approval of both the Corps and State of Idaho. Department of Army permits are required by Section 10 of the Rivers & Harbors Act of 1899 for any structure(s) or work in or affecting navigable waters of the United States and by Section 404 of the Clean Water Act for the discharge of dredged or fill materials into waters of the United States, including adjacent wetlands. State permits are required under the State of Idaho, Stream Protection Act (Title 42, Chapter 38, Idaho Code and Lake Protection Act (Section 58, Chapter 13 et seq., Idaho Code). In addition the information will be used to determine compliance with Section 401 of the Clean Water Act by the appropriate State, Tribal or Federal entity.

Joint Application: Information provided on this application will be used in evaluating the proposed activities. Disclosure of requested information is voluntary. Failure to supply the requested information may delay processing and issuance of the appropriate permit or authorization. **Applicant will need to send a completed application, along with one (1) set of legible, black and white (8½"x11"), reproducible drawings that illustrate the location and character of the proposed project / activities to both the Corps and the State of Idaho.**

See Instruction Guide for assistance with Application. Accurate submission of requested information can prevent delays in reviewing and permitting your application. Drawings including vicinity maps, plan-view and section-view drawings must be submitted on 8-1/2 x 11 papers.

Do not start work until you have received all required permits from both the Corps and the State of Idaho

FOR AGENCY USE ONLY			
USACE NWW-	Date Received: 6-18-2018	☐ Incomplete Application Returned	Date Returned:
Idaho Department of Water Resources No. 21-20108	Date Received:	☐ Fee Received DATE:	Receipt No.:
Idaho Department of Lands No.	Date Received:	☐ Fee Received DATE:	Receipt No.:

INCOMPLETE APPLICANTS MAY NOT BE PROCESSED

1. CONTACT INFORMATION - APPLICANT Required:			2. CONTACT INFORMATION - AGENT:		
Name: Peter Vlodica			Name: Sam Barber		
Company: Henry's Fork Village HOA			Company: Henry's Fork Village HOA		
Mailing Address: 3749 S. Robbins Cr			Mailing Address: 3746 N Robbins Cr		
City: Island Park	State: ID	Zip Code: 83429	City: Island Park	State: ID	Zip Code: 83429
Phone Number (include area code): 360-771-6091	E-mail: Vlodica@gmail.com		Phone Number (include area code): 801-544-6971	E-mail: sbjohn316@gmail.com	
3. PROJECT NAME or TITLE: HFV Piers			4. PROJECT STREET ADDRESS:		
5. PROJECT COUNTY: Fremont	6. PROJECT CITY: Island Park		7. PROJECT ZIP CODE: 83429	8. NEAREST WATERWAY/WATERBODY: Henry's Fork	
9. TAX PARCEL ID#:	10. LATITUDE: 44.374351 LONGITUDE: 111.405464		11a. 1/4: 11b. 1/4: 11c. SECTION:	11d. TOWNSHIP:	11e. RANGE:
12a. ESTIMATED START DATE: 7/20/18	12b. ESTIMATED END DATE: 7/28/18		13a. IS PROJECT LOCATED WITHIN ESTABLISHED TRIBAL RESERVATION BOUNDARIES? ☒ NO ☐ YES Tribe:		
13b. IS PROJECT LOCATED IN LISTED ESA AREA? ☒ NO ☐ YES			13c. IS PROJECT LOCATED ON/NEAR HISTORICAL SITE? ☒ NO ☐ YES		

14. DIRECTIONS TO PROJECT SITE: Include vicinity map with legible crossroads, street numbers, names, landmarks.
South Robbins Circle between East Robbins Circle & West Robbins Circle. Two(2) locations 44.374351 - 111.405464
44.375122 - 111.407573

15. PURPOSE and NEED: ☐ Commercial ☐ Industrial ☐ Public ☒ Private ☐ Other

Describe the reason or purpose of your project; include a brief description of the overall project. Continue to Block 16 to detail each work activity and overall project.
To provide river access to members of the Henry's Fork Vilge HOA. Two seasonal aluminum piers to be placed at easements in place to river along South Robbins Circle.

16. DETAILED DESCRIPTION OF EACH ACTIVITY WITHIN OVERALL PROJECT. Specifically indicate portions that take place within waters of the United States, including wetlands: Include dimensions; equipment, construction, methods; erosion, sediment and turbidity controls; hydrological changes: general stream/surface water flows, estimated winter/summer flows; borrow sources, disposal locations etc.:

Put in place two mobile piers 4' x 16' to include 6'x6' "T" at end of each pier. Being mobile piers, they will be installed each Spring and removed each Fall.

17. DESCRIBE ALTERNATIVES CONSIDERED to AVOID or MEASURES TAKEN to MINIMIZE and/ or COMPENSATE for IMPACTS to WATERS of the UNITED STATES, INCLUDING WETLANDS: See Instruction Guide for specific details.

minimal to zero impact to aquatic resources.

18. PROPOSED MITIGATION STATEMENT or PLAN: If you believe a mitigation plan is not needed, provide a statement and your reasoning why a mitigation plan is NOT required. Or, attach a copy of your proposed mitigation plan.

Not applicable

19. TYPE and QUANTITY of MATERIAL(S) to be discharged below the ordinary high water mark and/or wetlands:

Dirt or Topsoil:	—	cubic yards
Dredged Material:	—	cubic yards
Clean Sand:	—	cubic yards
Clay:	—	cubic yards
Gravel, Rock, or Stone:	—	cubic yards
Concrete:	—	cubic yards
Other (describe): _____	—	cubic yards
Other (describe): _____	—	cubic yards

Does not apply

TOTAL: _____ cubic yards

20. TYPE and QUANTITY of impacts to waters of the United States, including wetlands:

Filling:	_____ acres	_____ sq ft.	_____ cubic yards
Backfill & Bedding:	_____ acres	_____ sq ft.	_____ cubic yards
Land Clearing:	_____ acres	_____ sq ft.	_____ cubic yards
Dredging:	_____ acres	_____ sq ft.	_____ cubic yards
Flooding:	_____ acres	_____ sq ft.	_____ cubic yards
Excavation:	_____ acres	_____ sq ft.	_____ cubic yards
Draining:	_____ acres	_____ sq ft.	_____ cubic yards
Other: _____	_____ acres	_____ sq ft.	_____ cubic yards

Does not apply

TOTALS: _____ acres _____ sq ft. _____ cubic yards

21. HAVE ANY WORK ACTIVITIES STARTED ON THIS PROJECT? ☒ NO ☐ YES If yes, describe ALL work that has occurred including dates.

22. LIST ALL PREVIOUSLY ISSUED PERMIT AUTHORIZATIONS:

None

23. ☐ YES, Alteration(s) are located on Public Trust Lands, Administered by Idaho Department of Lands No

24. SIZE AND FLOW CAPACITY OF BRIDGE/CULVERT and DRAINAGE AREA SERVED: _____ Square Miles Not applicable

25. IS PROJECT LOCATED IN A MAPPED FLOODWAY? ☒ NO ☐ YES If yes, contact the floodplain administrator in the local government jsrisdiction in which the project is located. A Floodplain Development permit and a No-rise Certification may be required.

26a WATER QUALITY CERTIFICATION: Pursuant to the Clean Water Act, anyone who wishes to discharge dredge or fill material into the waters of the United States, either on private or public property, must obtain a Section 401 Water Quality Certification (WQC) from the appropriate water quality certifying government entity.
See Instruction Guide for further clarification and all contact information.

The following information is requested by IDEQ and/or EPA concerning the proposed impacts to water quality and anti-degradation:

- ☐ NO ☒ YES Is applicant willing to assume that the affected waterbody is high quality?
- ☒ NO ☐ YES Does applicant have water quality data relevant to determining whether the affected waterbody is high quality or not?
- ☐ NO ☒ YES Is the applicant willing to collect the data needed to determine whether the affected waterbody is high quality or not?

26b. BEST MANAGEMENT PRACTICTES (BMP's): List the Best Management Practices and describe these practices that you will use to minimize impacts on water quality and anti-degradation of water quality. All feasible alternatives should be considered - treatment or otherwise. Select an alternative which will minimize degrading water quality

will not affect water quality

Through the 401 Certification process, water quality certification will stipulate minimum management practices needed to prevent degradation.

27. LIST EACH IMPACT to stream, river, lake, reservoir, including shoreline: Attach site map with each impact location.

Activity	Name of Water Body	Intermittent Perennial	Description of Impact and Dimensions	Impact Length Linear Feet
Pier	Henry's Fork	Intermittent	Temporary supports/part of pier	16 feet
"	" "	"	" " " " "	16 feet

Aluminum piers seasonally lowered into river — TOTAL STREAM IMPACTS (Linear Feet): 32 feet

28. LIST EACH WETLAND IMPACT include mechanized clearing, fill, excavation, flood, drainage, etc. Attach site map with each impact location.

Activity	Wetland Type: Emergent, Forested, Scrub/Shrub	Distance to Water Body (linear ft)	Description of Impact Purpose: road crossing, compound, culvert, etc.	Impact Length (acres, square ft linear ft

Not applicable — TOTAL WETLAND IMPACTS (Square Feet):

29. ADJACENT PROPERTY OWNERS NOTIFICATION REQUIREM: Provide contact information of ALL adjacent property owners below.

Name: Mike Bachman Mailing Address: 3748 S Robbins Cr City: Island Park State: I Zip Code: 83429 Phone Number (include area code): E-mail:	Name: Larry Parker Mailing Address: P.O. Box 183 City: Island Park State: ID Zip Code: 83429 Phone Number (include area code): 208-558-7257 E-mail: lparker@myidahomail.com
Name: Jeff Melvoin Mailing Address: 3734 South Robbins Cr City: Island Park State: ID Zip Code: 83429 Phone Number (include area code): 310-880-9444 E-mail: Jeffreymelvoin@mac.com	Name: Virginia Kinghorn Mailing Address: 3419 West Robbins Cr City: Island Park State: ID Zip Code: 83429 Phone Number (include area code): — E-mail: —
Name: Mailing Address: City: State: Zip Code: Phone Number (include area code): E-mail:	Name: Mailing Address: City: State: Zip Code: Phone Number (include area code): E-mail:
Name: Mailing Address: City: State: Zip Code: Phone Number (include area code): E-mail:	Name: Mailing Address: City: State: Zip Code: Phone Number (include area code): E-mail:

30. SIGNATURES: STATEMENT OF AUTHORIAZATION / CERTIFICATION OF AGENT / ACCESS

Application is hereby made for permit, or permits, to authorize the work described in this application and all supporting documentation. I certify that the information in this application is complete and accurate. I further certify that I possess the authority to undertake the work described herein; or am acting as the duly authorized agent of the applicant (Block 2). I hereby grant the agencies to which this application is made, the right to access/come upon the above-described location(s) to inspect the proposed and completed work/activities.

Signature of Applicant: Ruth W Vlodina *Date:* 6/1/18

Signature of Agent: Samuel Barber *Date:* 6/1/18

This application must be signed by the person who desires to undertake the proposed activity AND signed by a duly authorized agent (see Block 1, 2, 30). Further, 18 USC Section 1001 provides that: "*Whoever, in any manner within the jurisdiction of any department of the United States knowingly and willfully falsifies, conceals, or covers up any trick, scheme, or disguises a material fact or makes any false, fictitious, or fraudulent statements or representations or makes or uses any false writing or document knowing same to contain any false, fictitious or fraudulent statements or entry, shall be fined not more than $10,000 or imprisoned not more than five years or both*".

HENRY'S FORK VILLAGE

Easement location

HENRY'S FORK RIVER

Easement location

ACCESS

KINGHORN RIVER 4, 5, 6, 7

KINGHORN R3

CLEMENT PARKER R2

R1

W ROBBINS CIR

HENRY'S FORK RIVER

MELVOIN R8

MELVOIN R9

ALBANO R10

HEPWORTH R11

WHITAKER R12

PARKER R13

HAZEN R14

BACHMAN

PULLEY R15

WALLACE R16

TITTENSOR GRAY R17

HULL R18

HULL R18

WHITAKER R19

SCHOENIKE R20A

QUINNEY R20B

ALBANO R20C

SNODGRASS R20D

SOUTH ROBBINS CIRCLE

ACCESS

HALLADAY 37

COOLING LEWIS 36

DELMORE 35

WHITAKER 38

KANITZ 39

HOLLEY 40

RHEES 41

KENT 42

GARCIA 43

VLODICA 44

BAIR 45

HARDIE O'CONNELL 50

CUTLER 49

JONES 48

JONES 47

POQUETTE 46

JONES 51

HOLIDAY DRIVE

HENRIE 34

BUCHLI 33

THOMPSON 32

WEST ROBBINS CIRCLE

RENGER 52

RENGER 53

HANSEN 54

LOPEZ 55

PARKER 56

GUEST 57

BROOKS 58

FORNEY 59

BARBER 60

BROOKS 61

CORNISH 62

CORNISH 68

WEBER

MASTRO-MAURO

BOX CANYON VILLAGE 31

BOX CANYON VILLAGE 30

BOX CANYON VILLAGE 29

BECKING 63

YOUNG 64

BARBER 65

GLOECKNER 66

67

NORTH ROBBINS CIRLCE

YOUNG 28

SHANK 27

SHANK 26

BAKER 25

IRIGOYEN 24

EAST ROBBINS CIRCLE

CRAGUN 14

BOSLEY 12

15

HFV WATER CO.

KEB INVESTMENT INC 16

DICKAMORE 17

JAMES 18

HIKIDA 19

SUMMERS 20

SUMMERS 21

PARKINSON 22

WESTERGARD 23

UTLEY 12a

PIKE 11

JOHNSON 10

NIELD 9

MECHAM 8

SCOGGINS 7

SCOGGINS 6

WILCOX 5

OLSEN 4

BOWDEN 3

WATKINS 2

WATKINS 1

OLD HIGHWAY 191

BEFORE THE IDAHO WATER RESOURCE BOARD

IN THE MATTER OF THE HENRYS FORK STREAM CHANNEL ALTERATION PERMIT No. 21-20108	RESOLUTION TO APPROVE STREAM ALTERATION

WHEREAS**,** in 1992 the Idaho Water Resource Board adopted the Henrys Fork Comprehensive Basin Plan and the Plan specifies that alterations to stream channel for new private stream access facilities may be allowed with approval by the Idaho Water Resource Board; and

WHEREAS, the Henrys Fork Village HOA is planning a new private stream access project to provide river access to HOA members through the seasonal installation of two (4'x16') mobile piers to include a (6'x6') "T" at the end of each pier; and

WHEREAS, Joint Application for Permit to Alter a Stream Channel, No. 21-20108 was filed with the Idaho Department of Water Resources for this project; and

WHEREAS, IDWR Stream Channel Alteration staff have reviewed the project and have indicated they will issue the permit for the project pending IWRB approval; and

NOW THEREFORE BE IT RESOLVED that the Board hereby approves the Henrys Fork Village HOA private stream access project as filed with the Department through Permit No. 21-20108.

DATED this 26th day of July, 2019.

_____

ROGER W. CHASE, Chairman
Idaho Water Resource Board

ATTEST _____

VINCE ALBERDI, Secretary

MEMO

To: Idaho Water Resource Board
From: Mat Weaver
Date: July 17, 2009

RE: Administrative Rules Reauthorization Update

Introduction

This memo serves to update the Idaho Water Resource Board ("Board") on the current progress and next steps associated with the reauthorization of the Board's and Idaho Department of Water Resources' ("Department") administrative rules as *temporary and proposed* rules. No action is requested of the Board at this time.

Administrative Rules Reauthorization Status Update - Outline

1. Review of current rules publication

    a. On June 19, 2019, a special edition of the Idaho Administrative Bulletin reauthorized rules that were deemed necessary to protect public health, safety, and welfare or to confer a benefit. Each rule docket was published as *temporary and proposed* rule concurrently.

    b. The Board's and Department's rules were include in the June 19 publication.

    c. The Board/Department's temporary rules became effective on July 1, 2019, and will continue in effect through the end of the 2020 legislative session.

    d. The Board/Department allowed some rules to expire in whole or in part. Refer to the attached *Rules Publication Summary*.

    e. Rules were published in Administrative Bulletin Vol. 19-6SE: https://adminrules.idaho.gov/bulletin/2019/06SE.pdf

    f. Following publication of Bulletin 19-6SE, the public has 14 Days to request a public hearing (I.C. §67-52222(2)).

    g. Following publication of Bulleting 19-6SE, the public has 21 days to submit written comments (I.C. §67-52222(1)).

2. Written Comments – Due to the Board/Department by July 10, 2019

    a. IDAPA 30.03.07 Stream Channel Alteration Rules
        i. ICL Submitted comments (see attached)
        ii. Rule 70 currently limits the parties that request a hearing to the "applicant"
        iii. ICL proposes amending Rule 70 to include "aggrieved person"

    b. IDAPA 37.03.09 Well Construction Standards Rules
        i. Bottle Bay Recreation Water & Sewer Dist. (See attached)
        ii. Amend rules to require IDWR notify adjacent land owners when a well drilling permit is issued to an adjacent land parcel
        iii. Bottle Bay proposes amending Rule 40 or Rule 45 to require notice to adjacent land owners

3. Public Hearing Requests – Due to IDWR by July 3, 2019

    a. IDWR received 11 timely requests as summarized in the following table

Tracking #	County	Date Received	Time Received	Transmittal Method	Affected Rules
1	Bonner County	7/1/2019	11:19 AM	Fax	37.02.01; 37.03.07
2	Fremont County	7/2/2019	8:39 AM	Email	37.02.01; 37.03.07
3	Idaho County	7/3/2019	8:34 AM	Email	37.02.01; 37.03.07
4	Bonner County (2)	7/3/2019	10:00 AM	Mail	37.02.01; 37.03.07
5	Shoshone County	7/3/2019	11:55 AM	Email	37.02.01; 37.03.07
6	Shoshone County (2)	7/3/2019	1:56 PM	Fax	37.02.01; 37.03.07
7	Jefferson County	7/3/2019	3:36 PM	Fax	37.02.01; 37.03.07
8	Ada County	7/3/2019	5:25 PM	Email	??
9	Ada County / Canyon County	7/3/2019	5:37 PM	Email	??
10	Kootenai County	7/3/2018	6:05 PM	Email	??
11	Elmore County	7/5/2019	10:00 AM	Mail	37.02.01; 37.03.07

4. Public Hearing Schedule

    a. Coeur d'Alene Hearing – Wednesday September 11, 2019
        i. Venue – Kootenai County Building (tentative)
        ii. Coordinators: Mat Weaver, IWRB Member Dale Van Stone

    b. Idaho Falls – Monday September 23, 2019
        i. Venue – TBD

ii. Coordinators: Mat Weaver, IWRB Chairman Roger Chase

c. Boise – Thursday September 26, 2019
   i. Venue – IDWR State Office, 6th Floor Conference Rooms
   ii. Coordinators: Mat Weaver, IWRB Member Al Barker

d. The public is allowed to testify and submit written comments at the Public Hearings.

e. Final Notice of Public Hearings will be published in an Administrative Bulletin no later than July 30, 2019.

5. Next Steps

a. The Board/Department received a memo from the Division of Financial Management ("DFM") on July 11, 2019, titled "Process to Finalize Pending Rules for Reauthorization Effort." (See attached). The July 11 memo guides the Board/Department in its rule reauthorization process through the adoption of pending rules.

b. DFM intends to publish a special edition of the Administrative Bulletin to adopt pending rules on November 20, 2019.

c. The Board/Department is required to have completed Notice Forms to DFM for publication of its pending rules no later than October 16, 2019
   i. Notice of Omnibus Rulemaking – Adoption of Pending Rules
   ii. Notice of Omnibus Rulemaking – Adoption of Pending Fee Rule

d. Prior to adoption of its pending rules, IDWR must consider fully all written and oral submissions respecting its proposed rules (I.C. §67-5224).

e. Similar to the June publication, the Board is required to adopt a resolution in a public meeting authorizing the publication of its rules as pending rules. The Board may need to schedule an additional Board meeting following the last public hearing (Sept. 26) and the Pending Rules Publication Notice submittal date (Oct. 16).

f. As its primary form of public communication, the Department will continue to coordinate with the Idaho Water Users Association's legislative committee to keep the water user community and the public apprised of its progress.

g. Similar to the process to date, the Board/Department cannot add rules concurrently with the publication of the pending rule, however, they can eliminate or vacate a proposed rule based on public comment.

h. Present Pending Rules to the Senate Resources and Environment Committee and the House Resources and Conservation Committee during the 2020 Legislative Session.

i. Future negotiated rulemaking in further pursuit of the *Red Tape Reduction Act*.
    i. Review the Rules *Summary of Fate* Table (see attached).
    ii. Prioritizing and scheduling future negotiated rulemaking.

Rules Publication Summary - IDAPA 37 Administrative Rules (https://adminrules.idaho.gov/rules/current/37/)

RULE #	TITLE	Authoritative Body	Authorizing Statues	Fee or Non-Fee	Recommendation	Eliminated Rules by Expiration
37.01.01	Rules of Procedure of the IDWR	Board & Department	42-1701A(1); 42-1734(19); 42-1805(8); 67-2356; 67-5206(5)	Fee	Review complete. Take no action now. Revisit under RTRA review. **Republish as is.**	None
37.02.01	Comprehensive State Water Plan Rules	Board	42-1734D; 67-5203	Non-Fee	Review complete. Take no action now. Revisit under RTRA review. **Republish as is.**	None
37.02.02	Funding Program Rules	Board	42-1734; 42-1758	Fee	**Do not republish.**	Whole Chapter
37.02.03	Water Supply Bank Rules	Board	42-1762	Fee	Review Complete. Take no action now. Revisit under RTRA review. **Republish as is.**	None
37.02.04	Shoshone Bannock Tribal Water Supply Bank Rules	Board	42-1761; 42-1765	Non-Fee	Review complete. Take no action to revise. **Republish as is.**	None
37.03.01	Adjudication Rules	Department	42-1414; 42-1805(8)	Fee	Review complete. Remove select rules. **Republish w/ deletions.**	025.08, 035.02.b.i, 035.02.c.i, 035.03.c.i, 035.04.b.i, 035.06.a, 035.06.b, and 035.07.a.
37.03.02	Beneficial Use Examination Rules	Department	42-1805(8)	Fee	Review complete. Remove select rules. **Republish w/ deletions.**	010.12, 055.01, and parts of rules 002, 010.19, 025.01, 030.03, 030.08, 035.01.c, 035.01.g, 035.01.m, 035.01.p, 035.03.b, 045.01, and 050.02.b.
37.03.03	Rules and Minimum Standards for the Construction & Use of Injection Wells	Board	42-3913; 42-3914; 42-3915	Fee	Review complete. Remove Class II rules. **Republish w/ deletions.**	010.07, 010.15, 010.29, 010.30, 010.40, 010.48.a, 010.48.b, 010.49.e, 010.54, 010.56, 010.69, 010.70, 010.75, 010.90, 010.91, 010.92, 010.98, 010.101, 025, 040.02.b, 040.02.d, 045, 051, 054, 057, and 060.
37.03.04	Drilling for Geothermal Resources Rules	Board	42-4001; 42-4015	Fee	Review complete. Remove select rules. **Republish w/ deletions.**	025.03
37.03.05	Mines Tailings Impoundment Structures Rules	Board	42-1714	Fee	Review Complete. Take no action now. Revisit under RTRA review. **Republish as is.**	None

Rules Publication Summary - IDAPA 37 Administrative Rules (https://adminrules.idaho.gov/rules/current/37/)

RULE #	TITLE	Authoritative Body	Authorizing Statues	Fee or Non-Fee	Recommendation	Eliminated Rules by Expiration
37.03.06	Safety of Dams Rules	Board	42-1714; 42-1709; 42-1721	Fee	Review Complete. Take no action now. Revisit under RTRA review. **Republish as is.**	None
37.03.07	Stream Channel Alteration Rules	Board	42-3803	Fee	Review complete. Remove select rules. **Republish w/ deletions.**	055.03, 055.05, 055.06, 058, 060, and 061, part of rule 056.07, and Appendices E, F, G, L, M, and part of K.
37.03.08	Water Appropriation Rules	Department	42-1805(8)	Fee	Review complete. Remove select rules. **Republish w/ deletions.**	035.03.a, 035.03.b.xv, 040.01.e, 040.02.d, 050.07, and parts of rules 030.01.c, 030.03.a, 030.03.c, 035.01.a, 035.01.b, 035.02.a, 035.03.a, 035.03.b.ii, 035.03.b.xv, 035.04.a, 040.02.a.i, 040.02.a.ii, 045.02.b.iii, and 050.02.
37.03.09	Well Construction Standards and Rules	Board	42-238(12)	Fee	Review complete. Take no action to revise. **Republish as is.**	None
37.03.10	Well Driller Licensing Rules	Board	42-238(6)	Fee	Review complete. Take no action to revise. **Republish as is.**	None
37.03.11	Rules for Conjunctive Management of Surface and Ground Water Resources	Department	42-603	Non-Fee	Review complete. Take no action now. Revisit under RTRA review. **Republish as is.**	None
37.03.12	IDWR Water Distribution Rules Water District 34	Department	42-603	Non-Fee	Review complete. Remove select rules. **Republish w/ deletions.**	010.05, 010.14, 020, 035.02, 035.03, 035.06, 035.07, 040.01.a, 040.07, 045, 050, 055.01, 055.02, 055.03, and 055.04, and parts of rules 025.01, 040.01, 040.03.a, 040.03.b, and 055.06.

BOTTLE BAY
RECREATIONAL WATER & SEWER DISTRICT

July 9, 2019

Gary Spackman, Director IDWR
322 E. Front St.
PO Box 83720
Boise, ID 83720

RE: Comment on the Proposed Idaho Rules, Regulations and Fees IDAPA 37

Dear Sir:

The Bottle Bay Recreational Water & Sewer District is taking advantage of the comment period, expiring July 10, 2019 to express its concern about an oversight in IDAPA 37.03.09 Section 040 Areas of Drilling Concern AND/OR Section 045 Drilling Permit Requirements.

Specifically there is no requirement for notification of adjacent property owners that there is a current well permit application. There is a necessity for this, especially when the adjacent property owner is a public agency engaged in wastewater treatment such as our District.

An irrigation area used for land application is not permitted within 500 feet of a well. There is nothing stopping an adjacent property owner from seeking and obtaining a well permit that causes the well's buffer zone to restrict land application that is currently in use.

This happened to our District recently and resulted in our losing multiple acres of premium land application forested area. Costly engineering studies were required to partially mitigate the loss of land application area that we were actively using.

All this could have been avoided if IDWR well permitting required notification of adjacent property owners so that any potential negative impact could have been discussed and some sort of accommodation worked out between the parties.

We are not asking for rules against new wells being permitted within areas adjacent to wastewater treatment land application areas. We are asking for notification of the well permit application such as done by our county whenever there are zoning, or variances

requested. This requirement may fit better elsewhere in IDAPA 37 than the sections mentioned above.

If you would like more information on this subject, please feel free to contact us as it is of great concern to the District, based on the recent experience.

Regards,

Will Valentine
Secretary/Treasurer BBRWSD
PO Box 304
Sagle, ID 83860
info@bottlebaydistrict.org

IDAHO CONSERVATION LEAGUE

208.345.6933 • PO Box 844, Boise, ID 83702 • www.idahoconservation.org

Director Gary Spackman
Idaho Department of Water Resources
322 E. Front Street
PO Box 83720
Boise, ID 83720

July 5, 2019

Re: Idaho Conservation League Comments on 37.03.07 – STREAM CHANNEL ALTERATION RULES (Rule 70)

Dear Director Spackman,

Thank you for the opportunity to provide comments on the Idaho Department of Water Resources (IDWR or "the Department") Proposed Stream Channel Alteration Rules – IDAPA 30.03.07. These comments are being submitted in response to publication of the proposed rules in the June 21, 2019 publication of the Idaho Administrative Bulletin.

Since 1973, the Idaho Conservation League has been Idaho's leading voice for clean water, clean air and wilderness—values that are the foundation for Idaho's extraordinary quality of life. The Idaho Conservation League works to protect these values through public education, outreach, advocacy and policy development. As Idaho's largest state-based conservation organization, we represent over 30,000 supporters, many of whom are interested in ensuring that mines in Idaho are adequately regulated so as to ensure the protection of Idaho's water quality, public health, and aquatic species.

ICL is concerned that the proposed rule does not accurately reflect the statuory direction that allows for any aggrieved person to petition the director for a hearing, unless the right to a hearing is otherwise provided by statute. Instead, the wording of the proposed rule is limited only to the "applicant."

ICL recommends that the wording of this rule be amended to include "aggrieved person" in Rule 70.

Current wording of Rule 70:

070. HEARINGS ON DENIED, LIMITED, OR CONDITIONED PERMIT OR OTHER DECISIONS OF THE DIRECTOR (RULE 70).
Any applicant who is granted a limited or conditioned permit, or who is denied a permit, may seek a hearing on said action of the Director by serving on the Director written notice and request for a hearing before the Board within fifteen (15) days of receipt of the Director's decision. Said hearing will be set, conducted, and notice given as set forth in the Rules promulgated by the Board under the provisions of Title 67, Chapter 52, Idaho Code. (7-1-93)

Current wording of Title 42, Chapter 17, Section 42-1701A – Hearings Before Director – Appeals:

42-1701A(3)
(3) Unless the right to a hearing before the director or the water resource board is otherwise provided by statute, any person aggrieved by any action of the director, including any decision, determination, order or other action, including action upon any application for a permit, license, certificate, approval, registration, or similar form of permission required by law to be issued by the director, who is aggrieved by the action of the director, and who has not previously been afforded an opportunity for a hearing on the matter shall be entitled to a hearing before the director to contest the action. The person shall file with the director, within fifteen (15) days after receipt of written notice of the action issued by the director, or receipt of actual notice, a written petition stating the grounds for contesting the action by the director and requesting a hearing. The director shall give such notice of the petition as is necessary to provide other affected persons an opportunity to participate in the proceeding. The hearing shall be held and conducted in accordance with the provisions of subsections (1) and (2) of this section. Judicial review of any final order of the director issued following the hearing shall be had pursuant to subsection (4) of this section.

Suggested wording of Rule 70, to better reflect statutory direction:

070. HEARINGS ON DENIED, LIMITED, OR CONDITIONED PERMIT OR OTHER DECISIONS OF THE DIRECTOR (RULE 70).
Any applicant who is granted a limited or conditioned permit, or who is denied a permit, or any person aggrieved by a decision, determination, order, or other action of the Director, may seek a hearing on said action of the Director by serving on the Director written notice and request for a hearing before the Board within fifteen (15) days of receipt of the Director's decision. Said hearing will be set, conducted, and notice given as set forth in the Rules promulgated by the Board under the provisions of Title 67, Chapter 52, Idaho Code. (7-1-93)

Please contact Austin at 208-345-6933 ext. 23 or awalkins@idahoconservation.org if you have any questions regarding our comments or if we can provide you with any additional information on this matter.

Sincerely,

/s/Austin Walkins

Austin Walkins
Senior Conservation Associate

Jonathan Oppenheimer
External Relations Director

Governor Brad Little

Memorandum

DATE: July 11, 2019

TO: **Executive Branch Agency/Department Heads**
Rules Review Officers

FROM: **Zach Hauge, Chief of Staff**

SUBJECT: **Process to Finalize Pending Rules for Reauthorization Effort**

On June 19, 2019, a special edition of the Idaho Administrative Bulletin reauthorized rules that were deemed necessary to protect public health, safety, and welfare or to confer a benefit. Each rule docket was published as temporary and proposed concurrently. The proposed rules must be adopted as pending rules prior to the 2020 legislative session. DFM intends to publish a special edition of the Idaho Administrative Bulletin to adopt pending rules on **November 20, 2019**. This memo outlines the process for agencies to finalize their pending rules.

Adoption of Pending Rule

Two action steps are necessary to publish in the November 2019 Bulletin:

1. Agencies must submit a completed *Notice of Omnibus Rulemaking – Adoption of Pending Rule* form and separately a *Notice of Omnibus Fee Rulemaking - Adoption of Pending Fee Rule* form (if applicable) to DFM no later than **October 16, 2019**.
    a. Templates for each Notice are enclosed.
    b. Please submit completed Notice(s) to Adam Latham (Adam.Latham@dfm.idaho.gov)
    c. If rulemaking authority is vested in a board or commission – not agency staff – the board or commission must convene to properly authorize the Notice(s). This is required by law. Please work closely with your attorney to ensure the Notice is properly authorized.
    d. No ARRF will be required.
    e. Prior to the adoption of the pending rule, the agency shall consider fully all written and oral submissions respecting the proposed rule, per § 67-5224.
2. Agencies must provide a **cover sheet** for each rule chapter. This is a new addition to allow citizens to more easily navigate the administrative rules. This cover sheet will be added as the first page of the official Idaho Administrative Code for each chapter, preceding the current Table of Contents.

a. A template cover sheet is attached. Please submit one cover sheet per chapter to DFM no later than **October 16, 2019**.
b. The cover sheet will replace the previous uniform formatting requirements within a rule chapter. As such, OARC will remove the following sections from each pending rule:
    i. 002. Written Interpretations.
    ii. 005. Office – Office Hours – Mailing Address – Street Address – Web Address.

Accomplishing the Red Tape Reduction Act and Licensing Freedom Act

The rules reauthorization process has provided an unprecedented, one-time opportunity to eliminate obsolete, outdated, and unnecessary rules.

It is the expectation of the Governor that each agency continues to review their reauthorized proposed rules for opportunities to eliminate or simplify. Recommendations provided to the Governor in conjunction with the Licensing Freedom Act should be considered by each agency. This should be done in open, public meetings with opportunities for public input, and in accordance with the Administrative Procedures Act, including § 67-5227.

Frequently Asked Questions

Can agencies add rules concurrently with the publication of the pending rule?

- No, agencies must go through the traditional ARRF process for any net new rules.
- If a rule is simply being moved from one chapter to another, DFM does not consider that a net new rule.

Can agencies eliminate or modify rules concurrently with the publication of the pending rule?

- Yes, an agency can eliminate or modify additional rules, if in compliance with the requirements of the Administrative Procedures Act, including § 67-5227. Agencies should do so in an open, public hearing. Please vet any substantive changes by your Governor's office contact.
- Agencies must provide a marked-up version showing all desired edits in Microsoft Word by October 16, 2019. Do not use track changes as it can be difficult to follow changes; rather, agencies should highlight changes and use strikethroughs and underlines. Obtain a word copy of your rule from OARC if you have changes.

How can I schedule a public hearing to discuss and consider changes to the proposed rule?

- An agency can publish a Notice of Hearing in the Idaho Administrative Bulletin identifying the date, time, location, and subject matter for the scheduled public hearing.
- If an agency is considering modifying the content of a proposed rule in a substantive way pursuant to § 67-5227, it is directed to hold a public hearing after publishing a Notice of Hearing in the Idaho Administrative Bulletin. Any such agency is also directed to consider and take all reasonable steps to provide notice of the public hearing to interested parties and individuals. The Notice of Hearing should make clear that the public can provide oral or written comment through the day of the public hearing.
- Any agency holding a public hearing should accept and consider both written and oral public comments received at the public hearing prior to adopting a pending rule.

- A template Notice of Hearing is attached and can be submitted directly to OARC at adminrules@adm.idaho.gov. The agency should time the publication of the Notice so that the Bulletin publishes with enough lead time to meet guidelines for the state's open meeting laws.

Can I vacate a proposed rule that we have since found to be unnecessary?

- Yes, an agency can vacate a proposed rule simply by making a notation on your *Notice of Omnibus Rulemaking – Adoption of Pending Rule*.
- The temporary rule will automatically expire at the end of the 2020 legislative session so it is not necessary to vacate the temporary rule; if an agency needs to rescind a temporary rule prior to this time, contact OARC at adminrules@adm.idaho.gov

Upcoming Training Sessions

DFM will host a training session with a specific focus on finalizing the pending rules in this unique circumstance, as follows:

Date	Time	Location
July 25	11:00 a.m.	LB Jordan Basement room 09

To attend, please RSVP to Adam Latham (Adam.Latham@dfm.idaho.gov) at least three days prior to the event.

Summary of Fate of IDAPA 37 Rule Chapters Following Initial Rule Review - 7/17/19

Review complete. Take no action now. Revisit under RTRA review. **Republish as is.**	**Do not republish.**	Review complete. Take no action to revise. **Republish as is.**	Review complete. Remove select rules. **Republish w/ deletions.**
37.01.01 Rules of Procedure of the IDWR*	37.02.02 Funding Program Rules	37.02.04 Shoshone Bannock Tribal Water Supply Bank Rules	37.03.01 Adjudication Rules
37.02.01 Comprehensive State Water plan Rules	----	37.03.09 Well Construction Standards Rules	37.03.02 Beneficial Use Examination Rules
37.02.03 Water Supply Bank Rules	----	37.03.10 Well Driller Licensing Rules	37.03.03 Rules and Minimum Standards for the Construction and Use of Injection Wells
37.03.05 Mine Tailings Impoundment Structures Rules	----	----	37.03.04 Drilling for Geothermal Resources Rules
37.03.06 Safety of Dams Rules	----	----	37.03.07 Stream Channel Alteration Rules
37.03.11 Rules for Conjunctive Management of Surface and Ground Water Resources	----	----	37.03.12 Water Distribution Rules Water District 34
37.03.08 Water Appropriation Rules	----	----	----

Board Rules	Department Rules

*Rules fall under the authority of both IDWR and IWRB.