

# IDAHO WATER RESOURCE BOARD MEETING NO. 15-21

**November 18-19, 2021**

**Idaho Water Center**

**322 E. Front St**

**Conference Rooms 602 B-D/Online**

**BOISE**



## Media



# AGENDA

## IDAHO WATER RESOURCE BOARD

**Brad Little**  
Governor

**Jeff Raybould**  
Chairman  
St. Anthony  
At Large

**Roger W. Chase**  
Vice-Chairman  
Pocatello  
District 4

**Jo Ann Cole-Hansen**  
Secretary  
Lewiston  
At Large

**Dale Van Stone**  
Hope  
District 1

**Albert Barker**  
Boise  
District 2

**Dean Stevenson**  
Paul  
District 3

**Peter Van Der Meulen**  
Hailey  
At Large

**Brian Olmstead**  
Twin Falls  
At Large

**Board Meeting No. 15-21**  
**Friday, November 19, 2021**  
**8:00 a.m. (MT)**

Water Center  
Conference Rooms 602 B, C & D / Zoom Online  
322 E. Front St.  
BOISE

**Board Members & the Public may participate via Zoom**

[Click here to join our Zoom Meeting](#)

Dial in Option: 1(253) 215-8782

Meeting ID: 879 3904 0951 Passcode: 405099

1. Roll Call
2. Agenda & Approval of Minutes 12-21, 13-21, and 14-21\*
3. Public Comment
4. Financial Report
5. Anderson Ranch Dam Raise\*
6. Flood Management Grant Program Criteria\*
7. Loan Program
  - a. Point Springs Grazing Association Loan Modification\*
  - b. Program Interest Rate Proposal\*
  - c. King Hill Irrigation District Loan\*
  - d. Blaine County Canal Company Loan Application\*
  - e. Lakeview Estates Subdivision HOA Loan Application\*
8. Cloud Seeding Program
  - Operations & Maintenance Budget\*
  - Research & Development\*
9. Appointment of Hearing Officer for Stream Channel Alteration Permit\*
10. Big and Little Wood Recharge Applications\*
11. Administrative Rules\*
12. Potential Legislation of Interest
13. Office Space Update\*
14. Director's Report
15. 2022 Board Meeting Dates Adopted\*
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:** If you require special accommodations to attend, participate in, or understand the meeting, please make advance arrangements by contacting Department staff by email [jennifer.strange@idwr.idaho.gov](mailto:jennifer.strange@idwr.idaho.gov) or by phone at (208) 287-4800.



# IDAHO WATER RESOURCE BOARD

**Brad Little**  
*Governor*

**Jeff Raybould**  
*Chairman*  
St. Anthony  
At Large

**Roger W. Chase**  
*Vice-Chairman*  
Pocatello  
District 4

**Jo Ann Cole-Hansen**  
*Secretary*  
Lewiston  
At Large

**Dale Van Stone**  
Hope  
District 1

**Albert Barker**  
Boise  
District 2

**Dean Stevenson**  
Paul  
District 3

**Peter Van Der Meulen**  
Hailey  
At Large

**Brian Olmstead**  
Twin Falls  
At Large

## MINUTES MEETING NO. 12-21

The Inn at Priest Lake  
Main Floor Conference Room / Zoom Online  
5310 Dickensheet Rd.  
COOLIN, ID

September 16, 2021

### Work Session

#### Agenda Item No. 1: Roll Call

Chairman Raybould called the work session meeting to order at 8:43 a.m. (PST) in Coolin, Idaho. Board members present were Al Barker, Roger Chase, Jo Ann Cole-Hansen, Brian Olmstead, Dean Stevenson, Dale Van Stone, and Chairman Raybould; online was Pete Van Der Meulen. IDWR staff members present were: Brian Patton, Gary Spackman, Cynthia Bridge Clark, Neeley Miller, Matt Anders, Emily Skoro, Evan Roda, Shelley Keen, Steve Stuebner, and Jennifer Strange; and online was Kara Ferguson.

Guests present were: Ann Vonde, Senator Steve Vick, Roy Peckham, Shane Phillips, John Dawson, Molly McCahon, Steve Klatt, Bill McInerney, Marylou Duncan, and Karl Duncan; and online was Darrell Early.

#### Agenda Item No. 2: Executive Session

Board met pursuant to Idaho Code § 74-206(1) subsection (f) to communicate with legal counsel regarding legal ramifications of and legal options for pending litigation, or controversies not yet being litigated but imminently likely to be litigated. The executive session was closed to the public.

Ms. Cole-Hansen moved to resolve into executive session. Mr. Barker seconded. Roll call vote: Mr. Barker, aye; Mr. Chase, aye; Ms. Cole-Hansen, aye; Mr. Olmstead, aye; Mr. Stevenson, aye; Mr. Van Der Meulen, aye; Mr. Van Stone, aye; and Chairman Raybould, aye. 8 ayes. The motion passed. Mr. Darrell Early discussed North Idaho Adjudication, and Ms. Ann Vonde only discussed Priest Lake Water Rights. Recharge Water Right Applications topic was not discussed.

Ms. Cole-Hansen moved to resolve out of executive session at 10:52 a.m. Mr. Barker seconded. Voice vote. All ayes. Motion carried. No actions were taken during the executive session.

**Agenda Item No. 3: Priest Lake**

- a. **Status of the Water Management Project:** Mr. Neeley Miller provided an update on the project.
- b. **2021 Operations Update:** Mr. Miller discussed the Priest Lake 2021 operations related to the lake levels and the Priest River discharge.
- c. **Long Term Operational Guidance Curve:** Matt Anders discussed the operational guidance curve for lake levels.
- d. **Comments from Bonner County:** Mr. Steve Klatt shared some pictures and comments about the project.
- e. **Priest Lake Water Management Video:** Steve Stuebner shared a video of the project.
- f. **Dam Operator Service Award:** Board member, Dale Van Stone of Hope, Idaho, presented an award to long time dam operator, Karl Duncan.

**Agenda Item No. 4: Adjourn**

The board recessed for lunch at noon. They went on a tour of the Priest Lake thorofare and outlet dam facilities from 1:00 p.m. – 4:30 p.m.

September 17, 2021  
**Board Meeting No. 12-21**

At 8:00 a.m. (PST) Chairman Raybould called the meeting to order. All members were present.

**Agenda Item No. 1: Roll Call**

*Board Members Present*

Jeff Raybould, Chairman  
Roger Chase, Vice-Chairman  
Jo Ann Cole-Hansen, Secretary  
Albert Barker  
Dale Van Stone  
Dean Stevenson  
Brian Olmstead

*Board Members Present Online*

Pete Van Der Meulen—joined after agenda item 2.

*Staff Members Present*

Gary Spackman, Director  
Cynthia Bridge Clark, Water Projects Manager  
Neeley Miller  
Emily Skoro  
Shelley Keen

Brian Patton, Executive Officer  
Matt Anders  
Steve Stuebner  
Jennifer Strange  
Evan Roda

*Staff Members Present Online*

Mathew Weaver

Mike Morrison

Kala Golden  
Janet Garrett  
Douglas Jones  
Ethan Geisler

Meghan Carter  
Remington Buyer  
Lacey Rammell-O'Brien

*Guests Present*

Ann Vonde  
Henry Jones  
Sonja Maloney  
Jason Peplinski  
Michael Jones  
Elaine Widman  
Dan Ahlefeld  
Rod Hoover  
Jim Morris

Richard Gumaer  
Barbara Rawlinson  
Fred Enlow  
Gary Cline  
Bill McInerney  
Don Widman  
Tom Renzi  
Tom Ramsey  
Donna Harrett

*Guests Present Online*

Sean Costello  
John Williams  
Matthew Smith  
John Stevenson  
Bryan Horsburgh  
Charles Corsi  
Lanie Paquin  
Norm Semanko  
Larry Blackledge  
Kresta Davis  
Dylan Lawrence  
John Simpson  
Marty Anderson  
Chris Keith  
Laurie Smith  
Larry Kull  
Wendy Jackson  
Brad Carlson  
Autumn Ralph  
Thor Burbach

Clive Strong  
Kurt Newbry  
Scott Pugrud  
Kyle Radek  
Ken Gibson  
Robin Lee-Beusan  
Darrell Early  
Jennifer Lehn  
Bradley Dawson  
Devin Stoker  
Derek Blestrud  
Kira Finkler  
Peggy Estey  
Pat McMahon  
William Papesh  
Bud Belles  
Pecky Cox  
Edward Guthrie  
Jonathan Quinn-Hurst  
Breah James

**Agenda Item No. 2: Agenda and Approval of Minutes 10-21 and 11-21**

Mr. Patton noted that the agenda had been amended days prior to the meeting and that item 4 "Lemhi Basin Settlement Working Group Update" had been added. Chairman Raybould asked if the minutes had been reviewed and if there were any edits needed. For meeting minutes 10-21, Secretary Jo Ann Cole-Hansen recommended the following edits: the voice vote for agenda item #10—should reflect that Ms. Cole-Hansen had abstained from the vote. Mr. Olmstead noted a name correction on the guest list. Mr. Stevenson moved to adopt the minutes with the edits for board meetings 10-21 and 11-21. Mr. Van Stone seconded. Voice vote. All ayes. The motion carried.

### **Agenda Item No. 3: Public Comment**

Chairman Raybould asked if there were any public comments.

Rod Hoover, a local resident, had concerns about the cold water siphon proposal that Idaho Fish and Game (IDFG) would be discussing later in the agenda.

Donna Harrett had concerns about the dam operations and water quality related to blue-green algae blooms. She also expressed concerns about IDFG's cold water siphon proposal.

John Williams provided an update on operations at Bonneville Power Administration. He discussed rate reductions, summer impacts, and litigation.

Tom Ramsey, a local lake resident, had concerns about IDFG's proposal.

Jim Morris, a Coolin resident, shared concerns about pending development and impacts to local wetlands.

### **Agenda Item No. 4: Lemhi Basin Settlement Working Group Update**

Mr. Clive Strong stated that one participant of the September 10<sup>th</sup> meeting in Salmon expressed a refusal to join the settlement, which will result in a setback. Another meeting is planned for October 21<sup>st</sup> to focus on a voluntary approach to joining the settlement and to provide a proposal. Mr. Norm Semanko added information about the next meeting planned and his optimism for an accepted plan.

### **Agenda Item No. 5: Boise River Feasibility Study / Anderson Ranch Dam Raise**

Ms. Bridge Clark said that negotiation sessions would begin on September 22<sup>nd</sup>. Ms. Lanie Paquin stated the primary focus would be to develop the federal cost share agreement. Negotiation sessions would be hosted by Bureau of Reclamation (BOR) and more information can be found on a newly developed webpage specifically for the project.

### **Agenda Item No. 6: Financial Report**

Mr. Miller provided the Board's financial report. The accounts as of July 31, 2021 were: Secondary Aquifer Fund: committed/earmarked but not disbursed \$22,210,213 and uncommitted balance \$4,527,917; Revolving Development Account: committed/earmarked but not disbursed \$18,614,656, loan principal outstanding \$20,489,997, uncommitted balance \$12,570,265, and anticipated loanable funds available next one year \$16,070,265; and Water Management Account: committed/earmarked but not disbursed \$72,484,362, and uncommitted balance \$7,588. Total committed/earmarked but not disbursed \$113,309,233; total loan principal outstanding \$20,489,997; and total uncommitted balance \$17,105,770.

### **Agenda Item No. 7: Administrative Rules**

Deputy Director Mat Weaver provided an update on the ongoing Rulemaking process and the Zero-Based Rulemaking. Action requested was to adopt and authorize the publication of the board's temporary non-fee rules (Docket No. 37-0000-2000) and fee rules (Docket No 37-0000-2100) as proposed rules in the upcoming October 20, 2021, Idaho Administrative Bulletin. Options for the resolution were presented by Mr. Weaver and Ms. Ann Vonde. They decided to add at line 71: 37.02.01, Comprehensive State Water plan rules, and on line 72 add language for the Shoshone Bannock Tribal Water Supply Bank.

Mr. Barker moved to adopt the resolution with the discussed amendments. Mr. Stevenson seconded. Voice vote. All ayes. The motion carried.

#### **Agenda Item No. 8: Cloud Seeding**

Ms. Kala Golden discussed a resolution to provide a one-year authorization of local or statewide cloud seeding programs operating in Idaho.

Mr. Chase moved to adopt the resolution to authorize cloud seeding. Mr. Stevenson seconded. Voice vote. All ayes. The motion carried.

Ms. Golden provided an update on a contract for the operation of a cloud seeding aircraft in the Bear River Basin. Two quotes had been received; per the rules, North American Weather Consultants should be awarded as they were the “lowest responsive responsible bidder.”

#### **Agenda Item No. 9: IDFG Priest Lake Cold Water Siphon Proposal Update**

Chairman Raybould shared concerns that several audience members had expressed about the proposal. Mr. Chip Corsi of IDFG stated he would attempt address those concerns at the end of his presentation. He discussed a proposed project to siphon cold water from Priest Lake to be release into the Priest River to improve water quality in the river by keeping the temperature from getting too warm for bull trout, westslope cutthroat trout and other cold water fish. Board members made several comments and shared concerns with the study. Some members of the audience had follow-up questions and concerns.

#### **Agenda Item No. 10: IDWR Adjudication Update**

Mr. Shelley Keen and Mr. Evan Roda discussed the Department’s recent adjudication efforts including: final Coeur d’Alene-Spokane River Basin Adjudication, filing of the Palouse River Basin Adjudication, Clark Fork-Pend Oreille River Basin commencement order, and the Bear River Basin Adjudication commencement.

#### **Agenda Item No. 11: CSRBA Forest Service Settlement**

Mr. Darrell Early sought action by the board to accept a stipulation and joint motion for order approving stipulation. He provided a brief overview of the issue. Mr. Barker stated that he had also been involved in the settlement.

Mr. Barker moved to approve the settlement stipulation. Mr. Stevenson seconded. Voice vote. All ayes. The motion carried.

#### **Agenda Item No. 12: Director’s Report**

Director Gary Spackman was impressed with the attendance in Coolin for the meeting. He recognized that many of the guests had concerns about IDFG’s cold water siphon concept. IDWR has an obligation to maintain lake levels, and stated that IDFG would have to get a water right to complete the proposed project.

He discussed IDWR’s budget proposal, which include a request for 15 full time positions. He stated that he would seek assistance from Board members in support of the budget.

**Agenda Item No. 13: Non-Action Items for Discussion**

Mr. Stevenson asked when a water supply bank committee meeting might happen next. Mr. Olmstead said that earlier in the month, he had toured Southwest Irrigation District, Burley Irrigation District, and Magic Valley District converted injection well sites. Mr. Van Stone expressed thanks and appreciation. Chairman Raybould echoed appreciation to staff and the community.

**Agenda Item No. 14: Next Meeting and Adjourn**

Mr. Patton stated the next scheduled meetings were November 18-19, 2021 in Boise and via an online platform. Mr. Barker moved to adjourn. Mr. Van Stone seconded. Voice vote. All ayes. Motion carried. Meeting adjourned at 11:40 a.m.

Respectfully submitted this 19<sup>th</sup> day of November 2021.

---

Jo Ann Cole-Hansen, *Secretary*

---

Jennifer Strange, *Administrative Assistant II*

**Board Actions:**

1. Meeting minutes 10-21 and 11-21 were adopted.
2. Adopted an amended resolution related to Administrative Rules.
3. Adopted a resolution to develop temporary authorization of existing cloud seeding programs.
4. Motion to accept a settlement stipulation related to the CSRBA Forest Service Settlement.





# IDAHO WATER RESOURCE BOARD

**Brad Little**  
*Governor*

**Jeff Raybould**  
*Chairman*  
St. Anthony  
At Large

**Roger W. Chase**  
*Vice-Chairman*  
Pocatello  
District 4

**Jo Ann Cole-Hansen**  
*Secretary*  
Lewiston  
At Large

**Dale Van Stone**  
Hope  
District 1

**Albert Barker**  
Boise  
District 2

**Dean Stevenson**  
Paul  
District 3

**Peter Van Der Meulen**  
Hailey  
At Large

**Brian Olmstead**  
Twin Falls  
At Large

## MINUTES MEETING NO. 13-21

Idaho Water Center  
Conference Rooms 602 C & D / Zoom Online  
322 E. Front St  
BOISE, ID

September 30, 2021

At 8:30 a.m. Chairman Raybould called the meeting to order. All members were present.

### Agenda Item No. 1: Roll Call

#### *Board Members Online*

Jeff Raybould, Chairman  
Roger Chase, Vice-Chairman  
Jo Ann Cole-Hansen, Secretary  
Albert Barker  
Dale Van Stone  
Dean Stevenson  
Brian Olmstead  
Pete Van Der Meulen

#### *Staff Members Present*

Brian Patton, Executive Officer  
Gary Spackman, Director  
Remington Buyer  
Cynthia Bridge Clark, Water Projects Manager  
Mathew Weaver, Deputy Director

Neeley Miller  
Wesley Hipke  
Jennifer Strange

#### *Staff Members Present Online*

Emily Skoro

Steve Stuebner

#### *Guests Present Online*

Ann Vonde, AG's Office  
Chris Bromley  
Scott King  
Mike Lawrence  
Robert Turner

## **Agenda Item No. 2: Executive Session**

Board met pursuant to Idaho Code § 74-206(1) subsection (f) to communicate with legal counsel regarding legal ramifications of and legal options for pending litigation, or controversies not yet being litigated but imminently likely to be litigated. The executive session was closed to the public.

Ms. Cole-Hansen moved to resolve into executive session. Mr. Chase seconded. Roll call vote: Mr. Barker, aye; Mr. Chase, aye; Ms. Cole-Hansen, aye; Mr. Olmstead, aye; Mr. Stevenson, aye; Mr. Van Der Meulen, aye; Mr. Van Stone, aye; and Chairman Raybould, aye. 8 ayes. The motion passed. Ms. Ann Vonde of the Attorney General's Office discussed the following topics: IWRB Water Right Applications 01-10613, 21-13106, 21-7577, 21-7578, 21-7580, 21-13106, 37-23110, 37-23111, and 63-34753. Mr. Barker recused himself from the discussion that included the Upper Snake recharge permits.

Ms. Cole-Hansen moved to resolve out of executive session. Mr. Stevenson seconded. Voice vote. All ayes. Motion carried. No actions were taken during the executive session.

## **Agenda Item No. 3: Water Right Applications 37-23110 and 37-23111**

Mr. Patton confirmed with Ms. Vonde that there were no actions for this topic. Ms. Vonde stated that they would continue negotiations as discussed in executive session.

## **Agenda Item No. 4: Water Right Applications 01-10613, 21-13106, 21-7577, 21-7578, 21-7580 & 21-13106**

Ms. Vonde proposed the condition listed below as partial settlement of water right protests.

"The right holder agrees not to exercise this right unless there has been a determination made by the USBR in consultation with Water District 01 and the Committee of Nine as outlined in public law #115, that there is water available in excess of that needed to satisfy existing Minidoka Project storage rights and hydropower rights and ensure operational flexibility."

There was no discussion on the condition.

Mr. Olmstead moved to authorize Ms. Vonde to provide the condition to the protestants. Mr. Chase seconded. Voice vote. 7 ayes. Mr. Barker abstained from the vote. Motion carried.

## **Agenda Item No. 5: Administrative Rules**

Deputy Director Mat Weaver provided an update on the Board's Administrative Rules. He offered a new resolution that he and Ms. Ann Vonde had created that would replace and supersede resolution No. 31-21 approved on September 16, 2021.

Mr. Barker moved to adopt the resolution that would supersede resolution No. 31-21. Ms. Cole-Hansen seconded. Voice vote. All ayes. The motion carried.

## **Agenda Item No. 6: Non-Action Items for Discussion**

Director Spackman said he would be scheduling meetings with board members and legislators.

## **Agenda Item No. 7: Next Meeting and Adjourn**

Mr. Chase moved to adjourn. Ms. Cole-Hansen seconded. Voice vote. All ayes. Motion carried. Meeting adjourned at 10:20 a.m.

Respectfully submitted this 19<sup>th</sup> day of November, 2021.

---

Jo Ann Cole-Hansen, *Secretary*

---

Jennifer Strange, *Administrative Assistant II*

Board Actions:

1. Moved to accept proposed conditions from Attorney General Deputy Ann Vonde.
2. Adopted a resolution to supersede resolution No. 31-21 relating to administrative rules.



# IDAHO WATER RESOURCE BOARD

**Brad Little**  
*Governor*

**Jeff Raybould**  
*Chairman*  
St. Anthony  
At Large

**Roger W. Chase**  
*Vice-Chairman*  
Pocatello  
District 4

**Jo Ann Cole-Hansen**  
*Secretary*  
Lewiston  
At Large

**Dale Van Stone**  
Hope  
District 1

**Albert Barker**  
Boise  
District 2

**Dean Stevenson**  
Paul  
District 3

**Peter Van Der Meulen**  
Hailey  
At Large

**Brian Olmstead**  
Twin Falls  
At Large

## MINUTES MEETING NO. 14-21

Idaho Water Center  
Conference Room 648A / Zoom Online  
322 E. Front St  
BOISE, ID

October 29, 2021

At 1:00 p.m. Chairman Raybould called the meeting to order. Seven members were present.

### **Agenda Item No. 1: Roll Call**

#### *Board Members Online*

Jeff Raybould, Chairman  
Roger Chase, Vice-Chairman  
Jo Ann Cole-Hansen, Secretary  
Albert Barker--*absent*  
Dale Van Stone  
Dean Stevenson—*joined the meeting just after roll call*  
Brian Olmstead  
Pete Van Der Meulen

#### *Staff Members Present*

Brian Patton, Executive Officer  
Cynthia Bridge Clark, Water Projects Manager  
Mike Morrison  
Jennifer Strange

#### *Staff Members Present Online*

Neeley Miller  
Emily Skoro  
Steve Stuebner

#### *Guests Present Online*

Bob Turner  
Nathan Hall

**Agenda Item No. 2: Priest Lake Water Management Project Update**

Mr. Brian Patton provided a brief update on the Priest Lake Water Management Project. A resolution was provided to authorize an additional commitment of funds not to exceed \$450,000 from the Revolving Development Account to the Priest Lake Water Management Project. Also, approval was sought for Change Order #3 in the amount of \$364,161.84. There was some discussion about the change order amount. Mr. Patton provided clarification on the details of the resolution.

Mr. Van Stone moved to adopt the resolution authorizing the loan. Mr. Stevenson seconded. Roll call vote: Mr. Barker, absent; Mr. Chase, aye; Ms. Cole-Hansen, aye; Mr. Olmstead, aye; Mr. Stevenson, aye; Mr. Van Der Meulen, aye; Mr. Van Stone, aye; and Chairman Raybould, aye. 7 ayes. The motion passed.

**Agenda Item No. 3: Non-Action Items for Discussion**

There were none.

**Agenda Item No. 4: Next Meeting and Adjourn**

Mr. Stevenson moved to adjourn. Mr. Van Stone seconded. Voice vote. All ayes. Motion carried. Meeting adjourned at 1:10 p.m.

Respectfully submitted this 19<sup>th</sup> day of November, 2021.

---

Jo Ann Cole-Hansen, *Secretary*

---

Jennifer Strange, *Administrative Assistant II*

**Board Actions:**

1. Adopted a resolution to commit additional funding and change order #3 approval for the Priest Lake Outlet Dam Construction Contract.

# Memorandum

To: Idaho Water Resource Board  
From: Neeley Miller, Planning & Projects Bureau  
Date: November 9, 2021  
Re: Financial Status Report

---



As of **October 31, 2021** the IWRB's available and committed balances are as follows:

**Secondary Aquifer Fund:**

|                                       |              |
|---------------------------------------|--------------|
| Committed/earmarked but not disbursed | \$21,522,780 |
| Uncommitted Balance                   | \$5,176,471  |

**Revolving Development Account:**

|  |              |
|--|--------------|
| Committed/earmarked but not disbursed            | \$17,867,940 |
| Loan principal outstanding                       | \$17,554,212 |
| Uncommitted Balance                              | \$16,004,082 |
| Anticipated loanable funds available next 1 year | \$19,504,082 |

**Water Management Account**

|                                       |              |
|---------------------------------------|--------------|
| Committed/earmarked but not disbursed | \$72,489,784 |
| Uncommitted Balance                   | \$8,743      |

|  |                      |
|--|----------------------|
| <b>Total committed/earmarked but not disbursed</b> | <b>\$111,880,505</b> |
| <b>Total loan principal outstanding</b>            | <b>\$17,554,212</b>  |
| <b>Total uncommitted balance</b>                   | <b>\$21,189,296</b>  |

- The committed/earmarked balance in the Water Management Account includes the \$20M legislative appropriation per HB 285 (FY 2019) for the Anderson Reservoir Enlargement and/or Mountain Home Air Force Base Water Supply Project.
- The Water Management also includes \$50M for large infrastructure projects per Senate Bill 1121 (FY 2021) for the Anderson Ranch enlargement, Mountain Air Force Base Water Supply Project, ESPA Managed Aquifer Recharge Program, other projects identified by the IWRB.

Idaho Water Resource Board  
Budget and Committed Funds  
as of October 31, 2021

SECONDARY AQUIFER PLANNING, MANAGEMENT, & IMPLEMENTATION FUND

FYE 2021 Cash Balance..... 22,090,758.59

**FY 2022 Revenue**

|  |                     |
|--|---------------------|
| Interest Earned State Treasury.....                        | 23,849.61           |
| HB547 - State Recharge & Aquifer Stabilization (SRAS)..... | 77,918.58           |
| SB1190, Section 4 - Water Sustainability.....              | 5,000,000.00        |
| Department of Energy Grant (\$928K).....                   | 277,500.00          |
| Department of Energy Grant (\$1.14M).....                  | 274,500.00          |
| Department of Energy Grant (\$832K).....                   | .....               |
| <b>TOTAL FY 2022 REVENUE.....</b>                          | <b>5,653,768.19</b> |

**FY 2022 Expenditures**

|   |                       |
|---|-----------------------|
| SRAS Equipment & Supplies - FY 22.....  | (37,724.34)           |
| SRAS Conveyance Costs - FY 22.....  | .....                 |
| SRAS Site Monitoring - FY 22.....   | (78,128.63)           |
| SRAS Regional Monitoring - FY 22.....   | (43,504.45)           |
| Butte & Market Lake Canal Company (CON01462).....                               | (26,806.00)           |
| Connect Engineering (CON01458).....   | (9,685.00)            |
| Egin Bench Canals Inc (CON01425).....   | (30,472.81)           |
| Quadrant Consulting Inc (CON01514, Large Upper Valley Study).....               | (28,316.92)           |
| Quadrant Consulting Inc (CON01527, MP31 Embankment Construction Oversight)..... | (1,242.93)            |
| The Ferguson Group (FY 2022 Budget).....  | (32,082.75)           |
| Steve Stuebner (FY 2022 Budget) - Media Services.....                           | (11,885.65)           |
| Clive Strong (CON01470).....  | (19,136.09)           |
| Parsons, Behle, and Latimer (CON01479).....                                     | (12,420.00)           |
| Misc Costs for IWRB and staff.....  | (568.42)              |
| WS Hydrology Monitoring - FY 22.....  | (74,318.46)           |
| USGS - 6605 (Treasure Valley Modeling) .....                                    | (31,572.18)           |
| University of Idaho (CON01285, Modeling).....                                   | (19,063.62)           |
| University of Idaho (CON01424, CON01427, CON01520, Raft River).....             | (62,500.00)           |
| Boise State University (CON01503).....  | (27,084.23)           |
| Department of Energy Grant expenditures (ESPA costs) 29871.....                 | (334,705.30)          |
| Department of Energy Grant expenditures (Big Lost costs) 29872.....             | (157,259.58)          |
| Department of Energy Grant expenditures (Raft River costs) 29874.....           | (29.70)               |
| Boise State University - Cloudseeding (29860) (CON01394).....                   | (1,108.34)            |
| UCAR - Cloudseeding (CON01550).....   | (795.73)              |
| UCAR - Cloudseeding (CON01554).....   | (4,864.16)            |
| <b>TOTAL FY 2022 EXPENDITURES.....</b>  | <b>(1,045,275.29)</b> |

FY 2022 Cash Balance..... 26,699,251.49

**COMMITTED FUNDS THRU FY 2018**

|   | Budget       | Amended    | Obligated    | Expenditures   | Carry forward | Committed  |
|---|--------------|------------|--------------|----------------|---------------|------------|
| Mountain Home Air Force Base (PCA 29800)..... | 1,000,000.00 | 900,000.00 | 1,900,000.00 | (1,197,691.65) |               | 702,308.35 |
| Remaining Initial Funds.....                  | 1,000,000.00 | 900,000.00 | 1,900,000.00 | (1,197,691.65) | 0.00          | 702,308.35 |

**ESPA Managed Recharge Infrastructure**

|   |            |           |            |              |           |
|---|------------|-----------|------------|--------------|-----------|
| Butte Market Lake Recharge Well (CON01462).....       | 110,000.00 |           | 110,000.00 | (110,000.00) | 0.00      |
| Egin Lakes Recharge Project, Phase II (CON01225)..... | 500,000.00 | 80,000.00 | 580,000.00 | (539,054.87) | 40,945.13 |

|   |                     |                     |                     |                       |                     |                   |                    |
|---|---------------------|---------------------|---------------------|-----------------------|---------------------|-------------------|--------------------|
| Total ESPA Managed Recharge Infrastructure.....                                 | 610,000.00          | 80,000.00           | 690,000.00          | (649,054.87)          | 0.00                | 40,945.13         |                    |
| <b>STATEWIDE STUDIES &amp; PROJECTS</b>   |                     |                     |                     |                       |                     |                   |                    |
| <b>OTHER STATEWIDE STUDIES &amp; PROJECTS</b>                                   |                     |                     |                     |                       |                     |                   |                    |
| Ground water conservation grants in priority aquifers (CON01205 & CON01223).... | 200,000.00          |                     | 200,000.00          | (77,984.03)           | (112,515.97)        | 9,500.00          |                    |
| NRCS Snow Survey contribution USDA (CON01177).....                              | 100,000.00          | 100,000.00          | 200,000.00          | (150,000.00)          |                     | 50,000.00         |                    |
| <b>Total Statewide Studies &amp; Projects</b>                                   | <b>300,000.00</b>   | <b>100,000.00</b>   | <b>400,000.00</b>   | <b>(227,984.03)</b>   | <b>(112,515.97)</b> | <b>59,500.00</b>  |                    |
| <b>TOTAL COMMITTED FUNDS THRU FY 2018.....</b>                                  | <b>1,910,000.00</b> | <b>1,080,000.00</b> | <b>2,990,000.00</b> | <b>(2,074,730.55)</b> | <b>(112,515.97)</b> | <b>802,753.48</b> | <b>Adjustments</b> |

| <b>FY 2020 BUDGET</b>                                    | <b>Budget (as approved<br/>- May 2019)</b> | <b>Amendments</b>   | <b>Budget (as<br/>amended)</b> | <b>Obligated</b>    | <b>Expenditures</b>   | <b>Carry forward</b> | <b>Committed</b>  |
|--|--|---------------------|--------------------------------|---------------------|-----------------------|----------------------|-------------------|
| <b>ESPA Managed Recharge Infrastructure</b>              |  |                     |                                |                     |                       |                      |                   |
| Twin Falls Canal Company - Injection Wells.....          | 550,000.00                                 |                     | 550,000.00                     | 550,000.00          |                       | (372,000.00)         | 178,000.00        |
| <b>Total ESPA Managed Recharge Infrastructure.....</b>   | <b>550,000.00</b>                          | <b>0.00</b>         | <b>550,000.00</b>              | <b>550,000.00</b>   | <b>0.00</b>           | <b>(372,000.00)</b>  | <b>178,000.00</b> |
| <b>Managed Recharge Investigations</b>                   |  |                     |                                |                     |                       |                      |                   |
| Swan Highway Project Design (Connect Eng - CON01458)     |  | 100,000.00          | 100,000.00                     | 100,000.00          | (63,794.50)           |                      | 36,205.50         |
| <b>Total Managed Recharge Investigations.....</b>        | <b>0.00</b>                                | <b>100,000.00</b>   | <b>100,000.00</b>              | <b>100,000.00</b>   | <b>(63,794.50)</b>    | <b>0.00</b>          | <b>36,205.50</b>  |
| <b>ESPA Hydrologic Monitoring</b>                        |  |                     |                                |                     |                       |                      |                   |
| Hydrologic Monitoring (DOE - Year 2 of 3 = \$928K).....  | 310,000.00                                 |                     | 310,000.00                     | 310,000.00          | (310,000.00)          |                      | 0.00              |
| <b>ESPA Hydrologic Monitoring .....</b>                  | <b>310,000.00</b>                          | <b>0.00</b>         | <b>310,000.00</b>              | <b>310,000.00</b>   | <b>(310,000.00)</b>   | <b>0.00</b>          | <b>0.00</b>       |
| <b>TREASURE VALLEY</b>                                   |  |                     |                                |                     |                       |                      |                   |
| Boise River Storage Studies.....                         |  | 920,000.00          | 920,000.00                     | 920,000.00          | (795,000.00)          |                      | 125,000.00        |
| <b>TREASURE VALLEY TOTAL.....</b>                        | <b>0.00</b>                                | <b>920,000.00</b>   | <b>920,000.00</b>              | <b>920,000.00</b>   | <b>(795,000.00)</b>   | <b>0.00</b>          | <b>125,000.00</b> |
| <b>BIG LOST</b>  |  |                     |                                |                     |                       |                      |                   |
| Hydrologic Monitoring (DOE - Year 2 of 3 = \$1.14M)..... | 380,000.00                                 |                     | 380,000.00                     | 380,000.00          | (380,000.00)          |                      | 0.00              |
| <b>BIG LOST TOTAL.....</b>                               | <b>380,000.00</b>                          | <b>0.00</b>         | <b>380,000.00</b>              | <b>380,000.00</b>   | <b>(380,000.00)</b>   | <b>0.00</b>          | <b>0.00</b>       |
| <b>RAFT RIVER BASIN</b>                                  |  |                     |                                |                     |                       |                      |                   |
| Raft River Basin Hydrologic Project (CON01424).....      |  | 204,000.00          | 204,000.00                     | 204,000.00          | (203,022.58)          |                      | 977.42            |
| <b>RAFT RIVER BASIN TOTAL.....</b>                       | <b>0.00</b>                                | <b>204,000.00</b>   | <b>204,000.00</b>              | <b>204,000.00</b>   | <b>(203,022.58)</b>   | <b>0.00</b>          | <b>977.42</b>     |
| <b>TOTAL FY 2020 BUDGETED FUNDS.....</b>                 | <b>1,240,000.00</b>                        | <b>1,020,000.00</b> | <b>2,260,000.00</b>            | <b>2,260,000.00</b> | <b>(1,548,794.50)</b> | <b>(372,000.00)</b>  | <b>339,205.50</b> |

| <b>FY 2021 BUDGET</b>                                  | <b>Budget (as approved<br/>- May 2020)</b> | <b>Amendments</b> | <b>Budget (as<br/>amended)</b> | <b>Obligated</b>    | <b>Expenditures</b>   | <b>Carry forward</b> | <b>Committed</b>    |
|--|--|-------------------|--------------------------------|---------------------|-----------------------|----------------------|---------------------|
| <b>ESPA Managed Recharge Operations</b>                |  |                   |                                |                     |                       |                      |                     |
| Conveyance Cost.....                                   | 3,500,000.00                               |                   | 3,500,000.00                   | 3,500,000.00        | (1,506,704.60)        |                      | 1,993,295.40        |
| <b>Total ESPA Managed Recharge Operations.....</b>     | <b>3,500,000.00</b>                        | <b>0.00</b>       | <b>3,500,000.00</b>            | <b>3,500,000.00</b> | <b>(1,506,704.60)</b> | <b>0.00</b>          | <b>1,993,295.40</b> |
| <b>ESPA Managed Recharge Infrastructure</b>            |  |                   |                                |                     |                       |                      |                     |
| Enterprise Project.....                                | 2,000,000.00                               |                   | 2,000,000.00                   | 2,000,000.00        |                       |                      | 2,000,000.00        |
| MP 31 - BLM Road Embankment (CON01527, CON01533).....  |  | 320,000.00        | 320,000.00                     | 320,000.00          | (164,360.99)          |                      | 155,639.01          |
| <b>Total ESPA Managed Recharge Infrastructure.....</b> | <b>2,000,000.00</b>                        | <b>320,000.00</b> | <b>2,320,000.00</b>            | <b>2,320,000.00</b> | <b>(164,360.99)</b>   | <b>0.00</b>          | <b>2,155,639.01</b> |
| <b>Managed Recharge Investigations</b>                 |  |                   |                                |                     |                       |                      |                     |
| Large Upper Valley Project.....                        | 300,000.00                                 |                   | 300,000.00                     | 300,000.00          | (74,021.92)           |                      | 225,978.08          |



|  |                     |                   |                     |                     |                       |             |                     |
|--|---------------------|-------------------|---------------------|---------------------|-----------------------|-------------|---------------------|
| Cloudseeding - BSU CON01394                              |                     | 20,409.00         | 20,409.00           | 20,409.00           | (15,757.98)           |             | 4,651.02            |
| <b>Total Managed Recharge Investigations.....</b>        | <b>300,000.00</b>   | <b>20,409.00</b>  | <b>320,409.00</b>   | <b>320,409.00</b>   | <b>(89,779.90)</b>    | <b>0.00</b> | <b>230,629.10</b>   |
| <b>ESPA Hydrologic Monitoring</b>                        |                     |                   |                     |                     |                       |             |                     |
| Hydrologic Monitoring (DOE - Year 3 of 3 = \$928K).....  | 308,000.00          |                   | 308,000.00          | 308,000.00          | (119,940.47)          |             | 188,059.53          |
| <b>ESPA Hydrologic Monitoring .....</b>                  | <b>308,000.00</b>   | <b>0.00</b>       | <b>308,000.00</b>   | <b>308,000.00</b>   | <b>(119,940.47)</b>   | <b>0.00</b> | <b>188,059.53</b>   |
| <b>TREASURE VALLEY</b>                                   |                     |                   |                     |                     |                       |             |                     |
| Treasure Valley Modeling Year 5 of 5 (USGS 6605).....    | 500,000.00          |                   | 500,000.00          | 500,000.00          | (41,381.72)           |             | 458,618.28          |
| <b>TREASURE VALLEY TOTAL.....</b>                        | <b>500,000.00</b>   | <b>0.00</b>       | <b>500,000.00</b>   | <b>500,000.00</b>   | <b>(41,381.72)</b>    | <b>0.00</b> | <b>458,618.28</b>   |
| <b>RAFT RIVER</b>  |                     |                   |                     |                     |                       |             |                     |
| Raft River Hydrologic Characterization.....              | 100,000.00          | 375,000.00        | 475,000.00          | 475,000.00          | (97,948.01)           |             | 377,051.99          |
| Hydrologic Monitoring (DOE - Year 1 of 3 = \$832K).....  | 277,000.00          |                   | 277,000.00          | 277,000.00          | (99.83)               |             | 276,900.17          |
| <b>RAFT RIVER TOTAL.....</b>                             | <b>377,000.00</b>   | <b>375,000.00</b> | <b>752,000.00</b>   | <b>752,000.00</b>   | <b>(98,047.84)</b>    | <b>0.00</b> | <b>653,952.16</b>   |
| <b>BIG LOST</b>  |                     |                   |                     |                     |                       |             |                     |
| Hydrologic Monitoring (DOE - Year 3 of 3 = \$1.14M)..... | 380,000.00          |                   | 380,000.00          | 380,000.00          | (190,951.48)          |             | 189,048.52          |
| <b>BIG LOST TOTAL.....</b>                               | <b>380,000.00</b>   | <b>0.00</b>       | <b>380,000.00</b>   | <b>380,000.00</b>   | <b>(190,951.48)</b>   | <b>0.00</b> | <b>189,048.52</b>   |
| <b>LEMHI BASIN</b>                                       |                     |                   |                     |                     |                       |             |                     |
| Lemhi Basin SCR 137.....                                 | 200,000.00          |                   | 200,000.00          | 200,000.00          | (210,819.89)          |             | (10,819.89)         |
| <b>LEMHI BASIN TOTAL.....</b>                            | <b>200,000.00</b>   | <b>0.00</b>       | <b>200,000.00</b>   | <b>200,000.00</b>   | <b>(210,819.89)</b>   | <b>0.00</b> | <b>(10,819.89)</b>  |
| <b>COOPERATIVE CLOUD SEEDING PROGRAM</b>                 |                     |                   |                     |                     |                       |             |                     |
| Program Development Activities .....                     | 500,000.00          |                   | 500,000.00          | 500,000.00          |                       |             | 500,000.00          |
| <b>COOPERATIVE CLOUD SEEDING PROGRAM TOTAL.....</b>      | <b>500,000.00</b>   | <b>0.00</b>       | <b>500,000.00</b>   | <b>500,000.00</b>   | <b>0.00</b>           | <b>0.00</b> | <b>500,000.00</b>   |
| <b>STATE-WIDE</b>  |                     |                   |                     |                     |                       |             |                     |
| Statewide Surface Water & Aquifer Monitoring.....        | 850,000.00          |                   | 850,000.00          | 850,000.00          | (572,519.50)          |             | 277,480.50          |
| <b>STATE-WIDE TOTAL.....</b>                             | <b>850,000.00</b>   | <b>0.00</b>       | <b>850,000.00</b>   | <b>850,000.00</b>   | <b>(572,519.50)</b>   | <b>0.00</b> | <b>277,480.50</b>   |
| <b>TOTAL FY 2021 BUDGETED FUNDS.....</b>                 | <b>8,915,000.00</b> | <b>715,409.00</b> | <b>9,630,409.00</b> | <b>9,630,409.00</b> | <b>(2,994,506.39)</b> | <b>0.00</b> | <b>6,635,902.61</b> |

| <b>FY 2022 BUDGET</b>                                  | <b>Budget (as approved<br/>- May 2022)</b> | <b>Amendments</b> | <b>Budget (as<br/>amended)</b> | <b>Obligated</b>    | <b>Expenditures</b> | <b>Carry forward</b> | <b>Committed</b>    |
|--|--|-------------------|--------------------------------|---------------------|---------------------|----------------------|---------------------|
| <b>ESPA Managed Recharge Operations</b>                |  |                   |                                |                     |                     |                      |                     |
| Equipment & Supplies.....                              | 190,000.00                                 |                   | 190,000.00                     | 190,000.00          | (37,724.34)         |                      | 152,275.66          |
| Conveyance Cost.....                                   | 3,500,000.00                               |                   | 3,500,000.00                   | 3,500,000.00        |                     |                      | 3,500,000.00        |
| Recharge Monitoring.....                               | 520,000.00                                 |                   | 520,000.00                     | 520,000.00          | (78,128.63)         |                      | 441,871.37          |
| Regional Monitoring.....                               | 225,000.00                                 |                   | 225,000.00                     | 225,000.00          | (43,504.45)         |                      | 181,495.55          |
| <b>Total ESPA Managed Recharge Operations.....</b>     | <b>4,435,000.00</b>                        | <b>0.00</b>       | <b>4,435,000.00</b>            | <b>4,435,000.00</b> | <b>(159,357.42)</b> | <b>0.00</b>          | <b>4,275,642.58</b> |
| <b>ESPA Managed Recharge Infrastructure</b>            |  |                   |                                |                     |                     |                      |                     |
| ESPA Upper Valley Sites.....                           | 1,500,000.00                               |                   | 1,500,000.00                   | 1,500,000.00        |                     |                      | 1,500,000.00        |
| Minidoka Irrigation District RechargeProject.....      | 300,000.00                                 |                   | 300,000.00                     | 300,000.00          |                     |                      | 300,000.00          |
| Bute Market Lake Recharge Wells.....                   | 250,000.00                                 |                   | 250,000.00                     | 250,000.00          |                     |                      | 250,000.00          |
| Enterprize Project.....                                | 200,000.00                                 |                   | 200,000.00                     | 200,000.00          |                     |                      | 200,000.00          |
| Reserved for Additional Recharge Projects.....         | 500,000.00                                 |                   | 500,000.00                     | 500,000.00          |                     |                      | 500,000.00          |
| <b>Total ESPA Managed Recharge Infrastructure.....</b> | <b>2,750,000.00</b>                        | <b>0.00</b>       | <b>2,750,000.00</b>            | <b>2,750,000.00</b> | <b>0.00</b>         | <b>0.00</b>          | <b>2,750,000.00</b> |
| <b>Managed Recharge Investigations</b>                 |  |                   |                                |                     |                     |                      |                     |
| Large Upper Valley Project.....                        | 500,000.00                                 |                   | 500,000.00                     | 500,000.00          |                     |                      | 500,000.00          |

|  |                     |             |                     |                     |             |             |                     |
|--|---------------------|-------------|---------------------|---------------------|-------------|-------------|---------------------|
| Reserved for additional investigations and engineering.....            | 500,000.00          |             | 500,000.00          | 500,000.00          |             |             | 500,000.00          |
| <b>Total Managed Recharge Investigations.....</b>                      | <b>1,000,000.00</b> | <b>0.00</b> | <b>1,000,000.00</b> | <b>1,000,000.00</b> | <b>0.00</b> | <b>0.00</b> | <b>1,000,000.00</b> |
| <b>COOPERATIVE CLOUD SEEDING PROGRAM</b>                               |                     |             |                     |                     |             |             |                     |
| <b>Operations &amp; Maintenance</b>                                    |                     |             |                     |                     |             |             |                     |
| Boise, Wood, Upper Snake - 1/3 Cost Share.....                         | 950,000.00          |             | 950,000.00          | 950,000.00          |             |             | 950,000.00          |
| Boise, Wood, Upper Snake - Program Shortages.....                      | 500,000.00          |             | 500,000.00          | 500,000.00          |             |             | 500,000.00          |
| Bear - Pilot Program.....  | 300,000.00          |             | 300,000.00          | 300,000.00          |             |             | 300,000.00          |
| <b>Capital</b>   |                     |             |                     |                     |             |             |                     |
| Weather Instrumentation - Year 1 of 5, Total \$200,000.....            | 10,000.00           |             | 10,000.00           | 10,000.00           |             |             | 10,000.00           |
| <b>Modeling</b>  |                     |             |                     |                     |             |             |                     |
| SNOWIE Data Analysis - Year 1 of 3, Total \$600,000.....               | 200,000.00          |             | 200,000.00          | 200,000.00          |             |             | 200,000.00          |
| HPC Administration.....  | 43,000.00           |             | 43,000.00           | 43,000.00           |             |             | 43,000.00           |
| <b>Research &amp; Development</b>                                      |                     |             |                     |                     |             |             |                     |
| Pgm Expansion - New Basin Feasibility Studies.....                     | 500,000.00          |             | 500,000.00          | 500,000.00          |             |             | 500,000.00          |
| Technology - SWEdar Project.....                                       | 35,000.00           |             | 35,000.00           | 35,000.00           |             |             | 35,000.00           |
| <b>COOPERATIVE CLOUD SEEDING PROGRAM TOTAL.....</b>                    | <b>2,538,000.00</b> | <b>0.00</b> | <b>2,538,000.00</b> | <b>2,538,000.00</b> | <b>0.00</b> | <b>0.00</b> | <b>2,538,000.00</b> |
| <b>TREASURE VALLEY</b>   |                     |             |                     |                     |             |             |                     |
| Monitoring in Support of Treasure Valley Model.....                    | 125,000.00          |             | 125,000.00          | 125,000.00          |             |             | 125,000.00          |
| <b>TREASURE VALLEY TOTAL.....</b>                                      | <b>125,000.00</b>   | <b>0.00</b> | <b>125,000.00</b>   | <b>125,000.00</b>   | <b>0.00</b> | <b>0.00</b> | <b>125,000.00</b>   |
| <b>RAFT RIVER</b>  |                     |             |                     |                     |             |             |                     |
| Raft River Hydrologic Characterization.....                            | 225,000.00          |             | 225,000.00          | 225,000.00          | 0.00        |             | 225,000.00          |
| Hydrologic Monitoring (DOE - Year 1 of 3 = \$832K).....                | 277,000.00          |             | 277,000.00          | 277,000.00          | 0.00        |             | 277,000.00          |
| <b>RAFT RIVER TOTAL.....</b>   | <b>502,000.00</b>   | <b>0.00</b> | <b>502,000.00</b>   | <b>502,000.00</b>   | <b>0.00</b> | <b>0.00</b> | <b>502,000.00</b>   |
| <b>BIG LOST</b>  |                     |             |                     |                     |             |             |                     |
| USGS/IGS Support.....  | 75,000.00           |             | 75,000.00           | 75,000.00           |             |             | 75,000.00           |
| Big Lost Stream Gages (one year funding).....                          | 100,000.00          |             | 100,000.00          | 100,000.00          |             |             | 100,000.00          |
| <b>BIG LOST TOTAL.....</b>   | <b>175,000.00</b>   | <b>0.00</b> | <b>175,000.00</b>   | <b>175,000.00</b>   | <b>0.00</b> | <b>0.00</b> | <b>175,000.00</b>   |
| <b>PALOUSE BASIN</b>   |                     |             |                     |                     |             |             |                     |
| Water Supply Alternatives Next Steps.....                              | 250,000.00          |             | 250,000.00          | 250,000.00          |             |             | 250,000.00          |
| <b>PALOUSE BASIN TOTAL.....</b>  | <b>250,000.00</b>   | <b>0.00</b> | <b>250,000.00</b>   | <b>250,000.00</b>   | <b>0.00</b> | <b>0.00</b> | <b>250,000.00</b>   |
| <b>BEAR RIVER BASIN</b>  |                     |             |                     |                     |             |             |                     |
| Tri-State Water Sustainability Initiative.....                         | 250,000.00          |             | 250,000.00          | 250,000.00          |             |             | 250,000.00          |
| <b>BEAR RIVER BASIN TOTAL.....</b>                                     | <b>250,000.00</b>   | <b>0.00</b> | <b>250,000.00</b>   | <b>250,000.00</b>   | <b>0.00</b> | <b>0.00</b> | <b>250,000.00</b>   |
| <b>LEWISTON</b>  |                     |             |                     |                     |             |             |                     |
| Future Water Sustainability Projects.....                              | 250,000.00          |             | 250,000.00          | 250,000.00          |             |             | 250,000.00          |
| <b>LEWISTON TOTAL.....</b>   | <b>250,000.00</b>   | <b>0.00</b> | <b>250,000.00</b>   | <b>250,000.00</b>   | <b>0.00</b> | <b>0.00</b> | <b>250,000.00</b>   |
| <b>MOUNTAIN HOME/ELMORE COUNTY</b>                                     |                     |             |                     |                     |             |             |                     |
| Mtn Home/Elmore County Water Sustainability Projects.....              | 700,000.00          |             | 700,000.00          | 700,000.00          |             |             | 700,000.00          |
| <b>MOUNTAIN HOME/ELMORE COUNTY TOTAL.....</b>                          | <b>700,000.00</b>   | <b>0.00</b> | <b>700,000.00</b>   | <b>700,000.00</b>   | <b>0.00</b> | <b>0.00</b> | <b>700,000.00</b>   |
| <b>LEMHI BASIN</b>   |                     |             |                     |                     |             |             |                     |
| Support of Water Sustainability Initiatives.....                       | 500,000.00          |             | 500,000.00          | 500,000.00          |             |             | 500,000.00          |
| <b>LEMHI BASIN TOTAL.....</b>  | <b>500,000.00</b>   | <b>0.00</b> | <b>500,000.00</b>   | <b>500,000.00</b>   | <b>0.00</b> | <b>0.00</b> | <b>500,000.00</b>   |
| <b>STATEWIDE</b>   |                     |             |                     |                     |             |             |                     |
| Administrative expenses (public information, staff training, etc)..... | 85,000.00           |             | 85,000.00           | 85,000.00           | (12,454.07) |             | 72,545.93           |
| Professional Assistance for securing Federal Funding.....              | 100,000.00          |             | 100,000.00          | 100,000.00          | (32,082.75) |             | 67,917.25           |

|  |                      |             |                      |                      |                     |             |                      |
|--|----------------------|-------------|----------------------|----------------------|---------------------|-------------|----------------------|
| Statewide Surface Water & Aquifer Monitoring.....      | 300,000.00           |             | 300,000.00           | 300,000.00           | (101,402.69)        |             | 198,597.31           |
| <b>STATEWIDE TOTAL.....</b>                            | <b>485,000.00</b>    | <b>0.00</b> | <b>485,000.00</b>    | <b>485,000.00</b>    | <b>(145,939.51)</b> | <b>0.00</b> | <b>339,060.49</b>    |
| Unspecified Projects in Other Areas or Carry-over..... | 1,417,000.00         |             | 1,417,000.00         | 1,417,000.00         |                     |             | 1,417,000.00         |
| <b>TOTAL FY 2022 BUDGETED FUNDS.....</b>               | <b>15,377,000.00</b> | <b>0.00</b> | <b>15,377,000.00</b> | <b>15,377,000.00</b> | <b>(305,296.93)</b> | <b>0.00</b> | <b>15,071,703.07</b> |

IDAHO WATER RESOURCE BOARD  
Sources and Applications of Funds  
as of October 31, 2021  
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.....  | \$13,416,768.85       |
| Interest Earned State Treasury (Transferred).....                                 | \$2,368,403.18        |
| Water Supply Bank Receipts.....   | \$8,509,481.77        |
| 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.....                                  | \$366,000.00          |
| 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.....  | (\$18,600.00)         |
| 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)          |
| Lemhi Basin Protest Costs - (Attorney General's Office).....                      | (\$32,279.54)         |
| 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).....                                    | (\$917,725.21)        |
| Priest Lake Construction Project Contribution.....                                | (\$830,864.50)        |
| Treasureton Irrigation Ditch Co.....  | (\$5,000.00)          |
| <b>Mountain Home AFB Water Sustainability Project (29514)</b>                     |                       |
| Legislative Appropriation 2014, HB 479 Sec 1 and 2.....                           | \$4,000,000.00        |
| JR Simplot - WR Purchase.....   | (\$2,500,000.00)      |
| LeMoyné Appraisal LLC.....  | (\$10,500.00)         |
| IWRB WSB Lease Application.....   | (\$750.00)            |
| Integrated Delivery Solutions - Mark Alpert.....                                  | (\$34,459.18)         |
| Brown & Caldwell - Owner's Advisor.....   | (\$1,218,298.11)      |
| 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)          |
| <b>Balance for Mountain Home AFB Water Sustainability Project.....</b>            | <b>\$0.00</b>         |
| <b>Galloway Dam &amp; Reservoir Project (29517)</b>                               |                       |
| Legislative Appropriation 2014, HB 479 Sec 1 and 2.....                           | \$2,000,000.00        |
| Galloway Dam & Reservoir Project Costs (HB 479).....                              | (\$124,649.52)        |
| <b>Balance Galloway Dam &amp; Reservoir Project.....</b>                          | <b>\$1,875,350.48</b> |
| <b>Boise River (Arrowrock Enlargement) Feasibility Study (29518)</b>              |                       |
| 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)      |
| <b>Balance Boise River (Arrowrock Enlargement) Feasibility Study (HB479).....</b> | <b>\$0.00</b>         |
| <b>Island Park Enlargement (29520)</b>  |                       |
| Legislative Appropriation 2014, HB 479 Sec 1 and 2.....                           | \$2,500,000.00        |
| Island Park Enlargement Costs (HB 479).....                                       | (\$174,170.00)        |
| <b>Balance Island Park Enlargement (HB 479).....</b>                              | <b>\$2,325,830.00</b> |
| <b>Water Supply Bank Computer Infrastructure (29519)</b>                          |                       |
| Legislative Appropriation 2014, HB 479 Sec 1 and 2.....                           | \$500,000.00          |
| Water Supply Bank Computer Infrastructure Costs (HB 479).....                     | (\$497,350.75)        |
| <b>Balance Water Supply Bank Computer Infrastructure (HB 479).....</b>            | <b>\$2,649.25</b>     |
| Transfer to Ririe Reservoir Flood Control (SB1190, Sec 7).....                    | (\$1,470,000.00)      |
| <b>Cash Balance of Legislative Appropriation 2014, HB 479 Sec 1 and 2.....</b>    | <b>\$2,733,829.73</b> |
| <b>Ririe Reservoir Flood Control</b>  |                       |
| Rule Curve Modification.....  | \$1,470,000.00        |
| <b>Cash Balance Ririe Reservoir Flood Control Project.....</b>                    | <b>\$1,470,000.00</b> |
| <b>Minidoka Dam Enlargement/Teton Dam Replacement Studies (29510)</b>             |                       |
| 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)      |
| <b>Balance for Minidoka Dam Enlargement/Teton Dam Replacement Studies.....</b>    | <b>\$570,539.82</b>   |
| <b>Priest Lake Water Management Project (29521)</b>                               |                       |
| Legislative Appropriation (2018, HB 677 Sec 5).....                               | \$2,400,000.00        |
| Legislative Approval (2018, HB 677 Sec 6).....                                    | \$2,419,580.50        |
| Transfer to Priest Lake Construction Project.....                                 | (\$4,169,135.50)      |
| Bonner County Contribution.....   | \$160,000.00          |
| Sandpiper Shores Contribution.....  | \$10,000.00           |
| Legislative Approval (2020, HB 645 Sec 7).....                                    | \$410,000.00          |

|  |                       |                         |
|--|-----------------------|-------------------------|
| Interest Earned State Treasury.....                                  | \$172,484.84          |                         |
| <b>Total Priest Lake Water Management Project Revenue.....</b>       |                       | <b>\$1,402,929.84</b>   |
| Contract Expenditures - Mott MacDonald (CON01426).....               | (\$638,162.35)        |                         |
| Dam Operator Contracts.....  | (\$15,033.04)         |                         |
| Misc Expenditures.....   | (\$8,204.51)          |                         |
| <b>Total Priest Lake Water Management Project Expenditures.....</b>  |                       | <b>(\$661,399.90)</b>   |
| <b>Cash Balance Priest Lake Water Management Project.....</b>        |                       | <b>\$741,529.94</b>     |
| Committed Funds  |                       |                         |
| Dam Operator Contracts (CON01445, CON01453, CON01454).....           | \$0.00                |                         |
| Dam Operator Contracts (CON01541, CON01542).....                     | \$39,045.16           |                         |
| Mott MacDonald Contract (CON01426).....                              | \$0.00                |                         |
| <b>TOTAL COMMITTED FUNDS.....</b>                                    | <b>\$39,045.16</b>    |                         |
| <b>Uncommitted Priest Lake Water Management Project Balance.....</b> |                       | <b>\$702,484.78</b>     |
| <b>Priest Lake Construction Project (29522)</b>                      |                       |                         |
| Transfer to Priest Lake Construction Project.....                    | \$4,169,135.50        |                         |
| Contribution from Uncommitted Funds.....                             | \$830,864.50          |                         |
| Local Contribution.....  | \$0.00                |                         |
| <b>Total Priest Lake Construction Project Revenue.....</b>           |                       | <b>\$5,000,000.00</b>   |
| Mott MacDonald Expenditures (CON01484).....                          | (\$654,310.13)        |                         |
| Strider Construction - Outlet Dam Expenditures (CON01480).....       | (\$782,935.04)        |                         |
| Strider Construction - Thorofare Expenditures (CON01481).....        | (\$2,052,265.86)      |                         |
| Builder's Risk Insurance.....  | (\$8,015.00)          |                         |
| IDL Mineral Lease.....   | (\$2,160.00)          |                         |
| <b>Total Priest Lake Construction Project Expenditures.....</b>      |                       | <b>(\$3,499,686.03)</b> |
| <b>Cash Balance Priest Lake Construction Project.....</b>            |                       | <b>\$1,500,313.97</b>   |
| Committed Funds  |                       |                         |
| Mott MacDonald Contract (CON01484).....                              | \$20,633.87           |                         |
| Strider Construction - Outlet Dam (CON01480).....                    | \$818,173.96          |                         |
| Strider Construction - Thorofare (CON01481).....                     | \$0.00                |                         |
| Construction Contingency.....  | \$661,506.14          |                         |
| <b>TOTAL COMMITTED FUNDS.....</b>                                    | <b>\$1,500,313.97</b> |                         |
| <b>Uncommitted Priest Lake Construction Project Balance.....</b>     |                       | <b>\$0.00</b>           |

|   |                     |                          |
|---|---------------------|--------------------------|
| <b>Bell Rapids Water Rights Sub-Account</b>   |                     |                          |
| 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        |                          |
| Water Supply Bank Payments - Owner's Share.....                                       | \$23,580.00         |                          |
| Interest Earned State Treasury.....   | \$698,613.04        |                          |
| <b>Total Bell Rapids Water Rights Sub-Account Revenue.....</b>                        |                     | <b>\$51,810,288.05</b>   |
| 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.....  | (\$105,708.60)      |                          |
| Payment for Ongoing Bell Rapids Finance Costs (trustee fees, water bank               | (\$6,740.10)        |                          |
| <b>Total Bell Rapids Water Rights Sub-Account Expenditures.....</b>                   |                     | <b>(\$51,344,324.17)</b> |
| <b>Cash Balance Bell Rapids Water Rights Sub-Account.....</b>                         |                     | <b>\$465,963.88</b>      |
| Committed Funds   |                     |                          |
| Ongoing Bell Rapids Finance Costs (trustee fees, WD02).....                           | \$442,383.88        |                          |
| <b>TOTAL COMMITTED FUNDS.....</b>   | <b>\$442,383.88</b> |                          |
| <b>Uncommitted Bell Rapids Water Rights Sub-Account Balance.....</b>                  |                     | <b>\$23,580.00</b>       |
| <b>Pristine Springs Project Sub-Account</b>   |                     |                          |
| Rental Payments to be Transferred to Secondary Aquifer Fund.....                      | \$961,675.10        |                          |
| Loan Interest.....  | \$2,778,549.97      |                          |
| Loan Principal from Magic Valley & North Snake GWD.....                               | \$6,401,096.05      |                          |
| <b>Total Pristine Springs Project Revenue to be Transferred.....</b>                  |                     | <b>\$10,141,321.12</b>   |
| Total Pristine Springs Project Revenue Transferred to 0129-01.....                    | (\$5,129,300.00)    |                          |
| Total Pristine Springs Project Revenue Transferred to 0129.....                       | (\$5,012,000.00)    |                          |
| <b>Total Pristine Springs Project Sub-Account Transfers.....</b>                      |                     | <b>(\$10,141,300.00)</b> |
| <b>Cash Balance Pristine Springs Sub-Account.....</b>                                 |                     | <b>\$21.12</b>           |
| Pristine Springs Committed Funds  |                     |                          |
| Loan Payments to be transferred to 0129.....  | \$0.00              |                          |
| <b>TOTAL COMMITTED FUNDS.....</b>   | <b>\$0.00</b>       |                          |
| <b>Loans Outstanding for Purchase of PS Water Rights</b>                              |                     |                          |
| Loan to North Snake & Magic Valley GWD.....   | \$10,000,000.00     |                          |
| Payments from North Snake & Magic Valley GWD.....                                     | (\$6,401,096.05)    |                          |
| Total Loans Outstanding.....  | \$3,598,903.95      |                          |
| <b>Uncommitted Pristine Springs Sub-Account.....</b>                                  |                     | <b>\$21.12</b>           |
| <b>Rathdrum Prairie CAMP &amp; Treasure Valley CAMP Sub-Account</b>                   |                     |                          |
| Pristine Springs Hydropower and Rental Revenues.....                                  | \$271,672.34        |                          |
| Interest Earned State Treasury.....   | \$573.11            |                          |
| <b>Rathdrum Prairie CAMP &amp; Treasure Valley CAMP Sub-Account Revenue.....</b>      |                     | <b>\$272,245.45</b>      |
| 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)       |                          |
| <b>Rathdrum Prairie CAMP &amp; Treasure Valley CAMP Sub-Account Expenditures.....</b> |                     | <b>(\$123,500.00)</b>    |
| <b>Cash Balance Rathdrum Prairie CAMP &amp; Treasure Valley CAMP Sub-Account.....</b> |                     | <b>\$148,745.45</b>      |
| Committed Funds   |                     |                          |
| Spokane River Forum.....  | \$0.00              |                          |
| <b>TOTAL COMMITTED FUNDS.....</b>   | <b>\$0.00</b>       |                          |
| <b>Uncommitted Rathdrum Prairie CAMP &amp; TV CAMP Sub-Account.....</b>               |                     | <b>\$148,745.45</b>      |
| <b>Upper Salmon/CBWTP Sub-Account</b>   |                     |                          |
| Water Transaction Projects Payment Advances from CBWTP/accord .....                   | \$6,752,814.03      |                          |
| PCSRF Funds for Admin of Non-Diversion Easements on Lemhi River.....                  | \$207,837.16        |                          |
| Interest Earned State Treasury.....   | \$369,595.32        |                          |
| <b>Upper Salmon/CBWTP Sub-Account Revenue.....</b>                                    |                     | <b>\$7,330,246.51</b>    |
| Transfer to Water Supply Bank.....  | (\$111,479.08)      |                          |
| Change of Ownership.....  | (\$600.00)          |                          |
| Appraisals/Closing Costs.....   | (\$13,905.98)       |                          |
| Payments for Water Acquisition .....  | (\$3,265,586.30)    |                          |
| <b>Upper Salmon/CBWTP Sub-Account Expenditures.....</b>                               |                     | <b>(\$3,391,571.36)</b>  |
| <b>Cash Balance CBWTP Sub-Account.....</b>  |                     | <b>\$3,938,675.15</b>    |
| Committed Funds   |                     |                          |
| <b>Bar G Farms (Pahsimeroi- Little Mud).....</b>                                      | <b>(\$5,434.59)</b> |                          |
| <b>Karl Tyler (Leadore Land Partners).....</b>  | <b>\$87,770.27</b>  |                          |
| Administration of Non-Diversion Easements on Lemhi River.....                         | \$133,160.61        |                          |
| Bayhorse Creek (Peterson Ranch).....  | \$25,601.48         |                          |
| Badger Creek (OWBP) WSB.....  | \$2,389.10          |                          |
| Beaver Creek (DOT LLP).....   | \$103,866.78        |                          |
| Big Timber Tyler (Leadore Land Partners).....   | \$357,422.66        |                          |
| Bohannon Creek DJ (Barbara Stokes).....   | \$810,956.51        |                          |
| Bohannon Creek BS (Betty Stokes).....   | \$398,792.66        |                          |
| Canyon Creek/Big Timber Creek (Beyeler).....  | \$341,020.83        |                          |
| Carmen Creek (Bill Slavin).....   | \$191,409.96        |                          |
| Carmen Creek (Bruce Slavin).....  | \$120,111.25        |                          |
| Fourth of July Creek (Defiance Investments).....                                      | \$13,301.09         |                          |
| Iron Creek (Koncz).....   | \$148,477.23        |                          |
| Kenney Creek Source Switch (Gail Andrews).....  | \$19,989.32         |                          |
| Lemhi - Big Springs (Merrill Beyeler).....  | \$49,385.38         |                          |
| Lemhi River & Little Springs Creek Kauer (McFarland Livestock Co).....                | \$16,390.46         |                          |
| Little Springs Creek (Snyder).....  | \$219,222.27        |                          |
| Lower Eighteenmile Creek (Ellsworth Angus Ranch).....                                 | \$1,777.78          |                          |
| Lower Lemhi Thomas (Robert Thomas).....   | \$900.00            |                          |
| P-9 Bowles (River Valley Ranch).....  | \$203,309.76        |                          |
| P-9 Charlton (Sydney Downton).....  | \$13,510.62         |                          |
| P-9 Downton (Western Sky LLC).....  | \$161,900.16        |                          |
| P-9 Elzinga (Elzinga).....  | \$200,257.25        |                          |

|  |                      |                          |
|--|----------------------|--------------------------|
| Patterson-Big Springs PBSC9 (Silver Bit Angus/S Whitworth).....              | \$148,216.48         |                          |
| Pole Creek (Salmon Falls Land).....  | \$585,122.27         |                          |
| Pratt Creek (Mulkey).....  | \$76,219.28          |                          |
| Spring Creek (Richard Beard).....  | \$1,562.61           |                          |
| Spring Creek (Ella Beard).....   | \$2,285.76           |                          |
| Whitefish (Leadore Land Partners).....                                       | \$115,818.95         |                          |
| Total Committed Funds.....   | \$4,544,714.19       |                          |
| <b>Uncommitted CBWTP Sub-Account Balance.....</b>                            |                      | <b>(\$606,039.04)</b>    |
| <b>Water Supply Bank Sub-Account</b>   |                      |                          |
| Interest Earned State Treasury.....  | \$35,588.06          |                          |
| Payments received from renters.....  | \$5,263,482.76       |                          |
| Payments made to owners.....   | (\$5,060,017.74)     |                          |
| <b>Cash Balance Water Supply Bank Sub-Account.....</b>                       |                      | <b>\$239,053.08</b>      |
| Committed Funds:   |                      |                          |
| Owners Share.....  | \$203,465.02         |                          |
| Total Committed Funds.....   | \$203,465.02         |                          |
| <b>Uncommitted Water Supply Bank Sub-Account Balance.....</b>                |                      | <b>\$35,588.06</b>       |
| <b>Eastern Snake Plain Sub-Account</b>                                       |                      |                          |
| Legislative Appropriation 2005, HB392.....                                   | \$7,200,000.00       |                          |
| Legislative Appropriation 2005, HB392, CREP Program.....                     | \$3,000,000.00       |                          |
| Interest Earned State Treasury.....  | \$2,080,848.55       |                          |
| Loan Interest.....   | \$293,726.85         |                          |
| 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          |                          |
| <b>Eastern Snake Plain Sub-Account Revenue.....</b>                          |                      | <b>\$13,835,231.02</b>   |
| 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.....   | (\$3,524,612.13)     |                          |
| W-Canal Project Costs.....   | (\$326,834.11)       |                          |
| 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)     |                          |
| <b>Eastern Snake Plain Sub-Account Expenditures.....</b>                     |                      | <b>(\$12,138,027.02)</b> |
| <b>Cash Balance Eastern Snake Plain Sub-Account.....</b>                     |                      | <b>\$1,697,204.00</b>    |
| 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 revenue)       | \$442,252.95         |                          |
| Total Loans and Other Commitments.....                                       | \$783,068.59         |                          |
| <b>Eastern Snake Plain Sub-Account Balance after Commitments.....</b>        |                      | <b>\$914,135.41</b>      |
| CREP Loans Outstanding:  |                      |                          |
| American Falls-Aberdeen GWD (CREP).....                                      | \$24,845.18          |                          |
| Bonneville Jefferson GWD (CREP).....   | \$19,599.16          |                          |
| Magic Valley GWD (CREP).....   | \$0.00               |                          |
| North Snake GWD (CREP).....  | \$0.00               |                          |
| TOTAL ESP CREP LOANS OUTSTANDING.....  | \$44,444.34          |                          |
| <b>Uncommitted Eastern Snake Plain Sub-Account Balance.....</b>              |                      | <b>\$869,691.07</b>      |
| <b>Dworshak Hydropower Project</b>   |                      |                          |
| Power Sales & Other.....   | \$13,482,133.73      |                          |
| Interest Earned State Treasury.....  | \$932,719.75         |                          |
| <b>Total Dworshak Project Revenue.....</b>                                   |                      | <b>\$14,414,853.48</b>   |
| 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.....  | \$3,352,685.04       |                          |
| Powerplant Repairs.....  | \$180,409.72         |                          |
| Bond payoff.....   | \$391,863.11         |                          |
| Capital Improvements.....  | \$318,366.79         |                          |
| FERC Payments.....   | \$137,252.80         |                          |
| <b>Total Dworshak Project Expenditures.....</b>                              |                      | <b>(\$5,069,670.27)</b>  |
| <b>Cash Balance Dworshak Hydropower Project.....</b>                         |                      | <b>\$9,345,183.21</b>    |
| Dworshak Project Committed Funds   |                      |                          |
| Emergency Repair/Future Replacement Fund.....                                | \$5,648,095.23       |                          |
| FERC Fee Payment Fund.....   | \$0.00               |                          |
| Total Dworshak Project Committed Funds.....                                  | \$5,648,095.23       |                          |
| <b>Uncommitted Dworshak Hydropower Project Sub-Account Balance.....</b>      |                      | <b>3,697,087.98</b>      |
| <b>TOTAL.....</b>  |                      | <b>\$30,143,359.00</b>   |
| <b>Loans Outstanding:</b>  | <b>Amount Loaned</b> | <b>Principal Balance</b> |
| A&B Irrigation District (Pipeline & Pumping Plant, Dec).....                 | \$3,500,000.00       | \$2,681,443.96           |
| A&B Irrigation District (Pipeline & Pumping Plant, Sept).....                | \$3,500,000.00       | \$2,679,594.10           |
| Bee Line Water Association (Sep 23, 2014; System Improvements).....          | \$600,000.00         | \$524,115.34             |
| Canyon County Drainage District No. 2 ( 28-Nov-12; Drain tile pipeline repla | \$35,000.00          | \$4,234.10               |
| Chaparral Water Association (21-Jan-11; Well deepening & improvement).....   | \$68,000.00          | \$0.00                   |
| Clearview Water Company.....   | \$50,000.00          | \$21,793.07              |
| Consolidated Irrigation Company (July 20, 2012; pipeline project).....       | \$500,000.00         | \$410,719.21             |
| Dalton Water Association.....  | \$1,036,900.00       | \$174,572.17             |
| Evans Water Corporation & HOA.....   | \$20,000.00          | \$14,476.78              |
| Foothill Ranch Homeowners Association (7-oct-11; well rehab).....            | \$150,000.00         | \$65,824.99              |
| Goose Lake Reservoir Corp.....   | \$320,000.00         | \$248,626.52             |

|  |                |                |                        |
|--|----------------|----------------|------------------------|
| Last Chance Canal Company (14-July-2015, diversion dam rebuild).....         | \$2,500,000.00 | \$1,703,558.51 |                        |
| Lindsay Lateral Association (Engineering Design Project & Pipeline Study)... | \$19,700.00    | \$0.00         |                        |
| Marsh Center Irrigation Company (13-May-05; Hawkins Dam).....                | \$236,141.00   | \$0.00         |                        |
| Marysville Irrigation Company (9-May-08, Pipeline Project Phase 2).....      | \$1,100,000.00 | \$131,042.29   |                        |
| Milner Irrigation District (pipeline replacement).....                       | \$2,000,000.00 | \$1,948,038.05 |                        |
| North Fremont Canal Company (Pipeline Project Phase 3).....                  | \$4,300,000.00 | \$0.00         |                        |
| North Side Canal Company (Phase 1 - canal rehab project).....                | \$1,846,092.61 | \$1,545,025.22 |                        |
| Outlet Water Association (22-Jan-16; new well & improvements).....           | \$100,000.00   | \$59,170.91    |                        |
| Pinehurst Water District (23-Jan-15).....                                    | \$100,000.00   | \$27,615.17    |                        |
| Point Springs Grazing Association (July 20, 2012; stock water pipeline)..... | \$48,280.00    | \$11,911.00    |                        |
| Point Springs Grazing Association.....                                       | \$20,000.00    | \$20,000.00    |                        |
| Producers Irrigation Company.....  | \$102,127.50   | \$20,861.08    |                        |
| St. Johns Irrigating Company (14-July-2015; pipeline project).....           | \$1,417,905.22 | \$1,178,423.10 |                        |
| Twin Lakes Canal Company (Winder Lateral Pipeline Project).....              | \$500,000.00   | \$52,472.29    |                        |
| Valley County Local Improvement District No. 1/Jughandle HOA (well project)  | \$907,552.00   | \$387,346.04   |                        |
| <b>TOTAL LOANS OUTSTANDING.....</b>  |                |                | <b>\$13,910,863.90</b> |
| <b>Loans and Other Funding Obligations:</b>                                  |                |                |                        |
| Reserved for Future Loans.....   |                | \$0.00         |                        |
| Bennington Irrigation Company.....   |                | \$200,000.00   |                        |
| North Fremont Canal Company.....   |                | \$500,000.00   |                        |
| <b>TOTAL LOANS AND OTHER FUNDING OBLIGATIONS.....</b>                        |                |                | <b>\$700,000.00</b>    |
| <b>Uncommitted Funds.....</b>  |                |                | <b>\$15,532,495.10</b> |
| <b>TOTAL.....</b>  |                |                | <b>\$30,143,359.00</b> |

(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 October 31, 2021  
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.....  |                     | \$123,873.75            |                          |
| 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)          |                          |
| <b>CASH BALANCE</b> .....   |                     |                         | <b>\$120,642.97</b>      |
| <b>Large Projects Program Sub-Account</b>   |                     |                         |                          |
| Legislative Appropriation (HB 285, Sec 1, 2019).....                                      | \$20,000,000.00     |                         |                          |
| Legislative Appropriation (SB 1121, Sec 1, 2021).....                                     | \$50,000,000.00     |                         |                          |
| Interest Earned State Treasury.....   | \$626,271.42        |                         |                          |
| <b>Total Revenue for Large Projects Program Sub-Account</b> .....                         |                     |                         | <b>\$70,626,271.42</b>   |
| Municipal Capital Markets Group Inc (CON01518).....                                       |                     | (\$8,102.50)            |                          |
|   |                     | \$0.00                  |                          |
| <b>Total Expenditures for Flood Management Program Sub-Account</b> .....                  |                     | <b>(\$8,102.50)</b>     |                          |
| <b>Cash Balance for Large Projects Program Sub-Account</b> .....                          |                     |                         | <b>\$70,618,168.92</b>   |
| <b>Water Quality Collection Program Sub-Account</b>                                       |                     |                         |                          |
| Legislative Appropriation (HB 285, Sec 3, 2019).....                                      | \$200,000.00        |                         |                          |
| Legislative Appropriation (HB 646, Sec 5, 2020).....                                      | \$200,000.00        |                         |                          |
| Legislative Appropriation (HB 646, Sec 5, 2021).....                                      | \$200,000.00        |                         |                          |
| Interest Earned State Treasury.....   | \$5,327.68          |                         |                          |
| <b>Total Revenue for Water Quality Collection Program Sub-Account</b> .....               |                     |                         | <b>\$605,327.68</b>      |
| DOI-USGS Agreement FY 2020 - Mid-Snake River.....   |                     | (\$200,000.00)          |                          |
| DOI-USGS Agreement FY 2021 - Mid-Snake River.....   |                     | (\$154,028.40)          |                          |
| <b>Total Expenditures for Water Quality Collection Program Sub-Account</b> .....          |                     | <b>(\$354,028.40)</b>   |                          |
| <b>Cash Balance for Water Quality Collection Program Sub-Account</b> .....                |                     |                         | <b>\$251,299.28</b>      |
| <b>Flood Management Program Sub-Account</b>   |                     |                         |                          |
| 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        |                         |                          |
| Legislative Appropriation (HB 646, Sec 5, 2020, Flood Management Program).....            | \$800,000.00        |                         |                          |
| Legislative Appropriation (HB 646, Sec 5, 2021, Flood Management Program).....            | \$800,000.00        |                         |                          |
| Interest Earned State Treasury.....   | \$31,910.40         |                         |                          |
| <b>Total Revenue for Flood Management Program Sub-Account</b> .....                       |                     |                         | <b>\$3,431,910.40</b>    |
| Grants Disbursed for Leg Approp (HB 712, Sec 1, 2018, Flood Mgmt Pg).....                 |                     | (\$901,677.56)          |                          |
| Grants Disbursed for Leg Approp (HB 285, Sec 3, 2019, Flood Mgmt Pg).....                 |                     | (\$624,251.34)          |                          |
| Grants Disbursed for Leg Approp (HB 646, Sec 5, 2020, Flood Mgmt Pg).....                 |                     | (\$397,565.64)          |                          |
| <b>Total Expenditures for Flood Management Program Sub-Account</b> .....                  |                     | <b>(\$1,923,494.54)</b> |                          |
| <b>Cash Balance for Flood Management Program Sub-Account</b> .....                        |                     |                         | <b>\$1,508,415.86</b>    |
| <b>TOTAL</b> .....  |                     |                         | <b>\$72,498,527.03</b>   |
| <b>Grants and Other Funding Obligations</b>   |                     |                         |                          |
| <b>Flood Management Program grants - Year 1 (HB712, Sec 1, 2018)</b>                      | <b>Grant Amount</b> | <b>Expenditures</b>     | <b>Remaining Balance</b> |
| <i>Flood Control District 9 (CON01303).....</i>   | <i>90,000.00</i>    | <i>(84,851.70)</i>      | <i>5,148.30</i>          |
| <i>Blaine County (CON01304).....</i>  | <i>121,331.00</i>   | <i>(121,331.00)</i>     | <i>0.00</i>              |
| <i>Cassia County (CON01305).....</i>  | <i>42,336.38</i>    | <i>(19,618.16)</i>      | <i>22,718.22</i>         |
| <i>Flood Control District 10 (CON01306 - New Dry Creek River Bank).....</i>               | <i>78,400.00</i>    | <i>(62,156.50)</i>      | <i>16,243.50</i>         |
| <i>Flood Control District 10 (CON01307 - Duck Alley Pit Capture).....</i>                 | <i>153,550.00</i>   | <i>(105,470.43)</i>     | <i>48,079.57</i>         |

|   |                       |                         |                        |
|---|-----------------------|-------------------------|------------------------|
| <i>Flood Control District 10 (CON01308 - Porter &amp; Mulchay Gravel Removal).....</i>            | <i>38,808.00</i>      | <i>(35,250.77)</i>      | <i>3,557.23</i>        |
| <i>Clearwater Soil &amp; Water Conservation Dist (CON01309).....</i>                              | <i>155,220.00</i>     | <i>(155,219.00)</i>     | <i>1.00</i>            |
| <i>Flood Control District 10 (CON01310 - Leighton &amp; Wells Gravel Removal).....</i>            | <i>22,000.00</i>      | <i>(22,000.00)</i>      | <i>0.00</i>            |
| <i>Flood Control District 11 (CON01311).....</i>  | <i>57,675.00</i>      | <i>(55,100.00)</i>      | <i>2,575.00</i>        |
| <i>Twin Lakes/Flood Control Dist 17 (CON01312).....</i>   | <i>7,750.00</i>       | <i>(7,750.00)</i>       | <i>0.00</i>            |
| <i>Twin Falls Canal Company (CON01327).....</i>   | <i>85,340.00</i>      | <i>(85,340.00)</i>      | <i>0.00</i>            |
| <i>Nez Perce Soil &amp; Water Conservation Dist (CON01328).....</i>                               | <i>115,460.00</i>     | <i>(115,460.00)</i>     | <i>0.00</i>            |
| <i>Riverside Village HOA (CON01329).....</i>  | <i>6,025.00</i>       | <i>(6,025.00)</i>       | <i>0.00</i>            |
| <i>City of Pocatello (CON01330).....</i>  | <i>26,105.00</i>      | <i>(26,105.00)</i>      | <i>0.00</i>            |
| <i>Uncommitted from HB712 Year 1.....</i>   | <i>0.00</i>           | <i>(98,322.82)</i>      | <i>(98,322.82)</i>     |
| <b>Total Committed Balance for Year 1.....</b>  | <b>1,000,000.38</b>   | <b>(1,000,000.38)</b>   | <b>0.00</b>            |
| <b>Flood Management Program grants - Year 2 (HB285, Sec 3, 2019)</b>                              |                       |                         |                        |
| <i>City of Boise (CON01396).....</i>  | <i>6,371.00</i>       | <i>(6,371.00)</i>       | <i>0.00</i>            |
| <i>Blaine County (CON01397).....</i>  | <i>100,000.00</i>     | <i>(96,555.00)</i>      | <i>3,445.00</i>        |
| <i>Board of Controls Irrigation (CON01398).....</i>   | <i>59,050.00</i>      | <i>(57,827.50)</i>      | <i>1,222.50</i>        |
| <i>Clearwater Soil &amp; Water Conservation District (CON01399).....</i>                          | <i>190,492.37</i>     | <i>(190,490.18)</i>     | <i>2.19</i>            |
| <i>Clearwater Soil &amp; Water Conservation District (CON01400).....</i>                          | <i>72,727.39</i>      | <i>(72,629.03)</i>      | <i>98.36</i>           |
| <i>City of Hailey (CON01401).....</i>   | <i>50,000.00</i>      | <i>(19,841.33)</i>      | <i>30,158.67</i>       |
| <i>Flood Control District No. 10 (CON01402).....</i>  | <i>160,000.00</i>     | <i>(160,000.00)</i>     | <i>160,000.00</i>      |
| <i>Idaho Soil and Water Conservation District (CON01403) - CANCELLED.....</i>                     | <i>159,436.00</i>     |                         | <i>159,436.00</i>      |
| <i>Idaho Soil and Water Conservation District (CON01404).....</i>                                 | <i>21,619.50</i>      | <i>(20,537.30)</i>      | <i>1,082.20</i>        |
| <i>Blaine County (CON01405) - NOT EXECUTED.....</i>   | <i>50,000.00</i>      |                         | <i>50,000.00</i>       |
| <i>Uncommitted from HB285 Year 2.....</i>   | <i>0.00</i>           | <i>(245,444.92)</i>     | <i>(245,444.92)</i>    |
| <b>Total Committed Balance for Year 2.....</b>  | <b>869,696.26</b>     | <b>(869,696.26)</b>     | <b>160,000.00</b>      |
| <b>Flood Management Program grants - Year 3 (HB646, Sec 5, 2020)</b>                              |                       |                         |                        |
| <i>Flood Control District 10 - Boise River North Channel (CON01510).....</i>                      | <i>47,500.00</i>      | <i>(47,500.00)</i>      | <i>0.00</i>            |
| <i>Flood Control District 10 - Boise River Canyon Reach 1 (CON01509).....</i>                     | <i>175,000.00</i>     |                         | <i>175,000.00</i>      |
| <i>Idaho Soil &amp; Water Conservation District - Sill Creek (CON01488).....</i>                  | <i>10,960.28</i>      | <i>(10,960.28)</i>      | <i>0.00</i>            |
| <i>Idaho Soil &amp; Water Conservation District - Lower Cottonwood Creek (CON01489).....</i>      | <i>27,935.20</i>      |                         | <i>27,935.20</i>       |
| <i>Idaho Soil &amp; Water Conservation District - Clear Creek (CON01490).....</i>                 | <i>18,570.60</i>      | <i>(11,838.06)</i>      | <i>6,732.54</i>        |
| <i>City of Bellevue - Lower Howard Preserve (CON01491).....</i>                                   | <i>57,880.00</i>      | <i>(57,880.00)</i>      | <i>0.00</i>            |
| <i>Clearwater Soil &amp; Water Conservation District - Louse Creek (CON01492).....</i>            | <i>24,687.00</i>      |                         | <i>24,687.00</i>       |
| <i>Pioneer Irrigation District - Mason Creek (CON01493).....</i>                                  | <i>148,500.00</i>     |                         | <i>148,500.00</i>      |
| <i>Raft River Flood Control District 15 - (CON01494).....</i>                                     | <i>80,525.00</i>      |                         | <i>80,525.00</i>       |
| <i>Lewis Soil Conservation District - Alpine Road (CON01495).....</i>                             | <i>18,425.30</i>      | <i>(18,425.30)</i>      | <i>0.00</i>            |
| <i>City of Orofino - Orofino Creek (CON01496).....</i>  | <i>200,000.00</i>     | <i>(200,000.00)</i>     | <i>0.00</i>            |
| <i>Twin Falls Canal Company &amp; City of Twin Falls (CON01497).....</i>                          | <i>50,962.00</i>      | <i>(50,962.00)</i>      | <i>0.00</i>            |
| <i>Uncommitted from HB646 Year 3.....</i>   | <i>0.00</i>           |                         | <i>0.00</i>            |
| <b>Total Committed Balance for Year 3.....</b>  | <b>860,945.38</b>     | <b>(397,565.64)</b>     | <b>463,379.74</b>      |
| <b>Flood Management Program grants - Year 4 (SB1190, Sec 5, 2021)</b>                             |                       |                         |                        |
| <i>North Side Canal Company - Red Bridge Flood Mgmt Storage Pond (CON01564).....</i>              | <i>200,000.00</i>     |                         | <i>200,000.00</i>      |
| <i>Flood District 9 - Bellevue Side Channel Project (CON01565).....</i>                           | <i>111,508.00</i>     |                         | <i>111,508.00</i>      |
| <i>Nez Perce County &amp; NPSWCD - Streambank Project.....</i>                                    | <i>100,000.00</i>     |                         | <i>100,000.00</i>      |
| <i>Flood District 17 - Rathdrum Creek Debris Project (CON01567).....</i>                          | <i>6,375.00</i>       |                         | <i>6,375.00</i>        |
| <i>Adams Soil &amp; Water Conservation District - Grays Creek Project (CON01568).....</i>         | <i>17,606.00</i>      |                         | <i>17,606.00</i>       |
| <i>Clearwater Soil &amp; Water Conservation District - Heywood Bridge Project (CON01569).....</i> | <i>37,475.00</i>      |                         | <i>37,475.00</i>       |
| <i>Clearwater Soil &amp; Water Conservation Dist - Swanson's Loop Project (CON01563).....</i>     | <i>200,000.00</i>     |                         | <i>200,000.00</i>      |
| <i>Reid Canal Company - Bannock Feeder Project (CON01570).....</i>                                | <i>200,000.00</i>     |                         | <i>200,000.00</i>      |
| <i>Lewis Soil &amp; Water Conservation District - Tiede Road Flood Project (CON01571).....</i>    | <i>71,910.00</i>      |                         | <i>71,910.00</i>       |
| <i>Idaho Soil &amp; Water Conservation District - Clear Creek Project (CON01572).....</i>         | <i>36,062.00</i>      |                         | <i>36,062.00</i>       |
| <i>Uncommitted from SB1190 Year 4.....</i>  | <i>0.00</i>           |                         | <i>0.00</i>            |
| <b>Total Committed Balance for Year 4.....</b>  | <b>980,936.00</b>     | <b>0.00</b>             | <b>980,936.00</b>      |
| <b>Committed for Flood Management Grants.....</b>   | <b>\$3,711,578.02</b> | <b>(\$2,267,262.28)</b> | <b>\$1,604,315.74</b>  |
| <b>Other Funding Obligations</b>  |                       |                         |                        |
| <i>ESPA Settlement Water Rentals (HB 843, 2004).....</i>  |                       | <i>\$16,000.00</i>      |                        |
| <i>Large Water Projects Program.....</i>  |                       | <i>\$70,618,168.92</i>  |                        |
| <i>Water Quality Collection Program.....</i>  |                       | <i>\$251,299.28</i>     |                        |
| <b>Committed for Other Funding Obligations.....</b>   |                       | <b>\$70,885,468.20</b>  |                        |
| <i>Uncommitted Funds.....</i>   |                       |                         | <i>\$8,743.09</i>      |
| <b>TOTAL COMMITTED FUNDS BALANCE.....</b>   |                       |                         | <b>\$72,489,783.94</b> |

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

**BEFORE THE IDAHO WATER RESOURCE BOARD**

IN THE MATTER OF BOISE RIVER BASIN  
FEASIBILITY STUDY AND ANDERSON RANCH  
DAM RAISE

RESOLUTION TO COMMIT FUNDS AND  
PROVIDE SIGNATORY AUTHORITY TO  
CONTRACT WITH BUREAU OF RECLAMATION  
FOR THE ANDERSON RANCH DAM RAISE  
PROJECT

1 WHEREAS, the Idaho Water Resource Board (IWRB) partnered with the U.S. Bureau of  
2 Reclamation (Reclamation) to complete a feasibility study of new surface water storage options on the  
3 Boise River. Reclamation issued the Final Feasibility Study and Draft Environmental Impact Statement  
4 (DEIS) in 2020 which recommended a 6-foot raise of the Anderson Ranch Dam and approximately 29,000  
5 acre-feet of new storage space; and

6  
7 WHEREAS, the Feasibility Study was authorized under the Water Infrastructure Improvements for the  
8 Nation Act (WIIN Act) which provides study and potential construction authority and Federal funding  
9 proportionate to Federal benefits for projects deemed feasible as of January 2021. The WIIN Act further  
10 requires Reclamation's project partner(s) to pay the non-federal share of project capital costs upfront and  
11 requires the project to be under construction by December 16, 2021; and

12  
13 WHEREAS, in December 2020, the Secretary of Interior determined the Feasibility Study's  
14 recommended plan to be feasible in accordance with the WIIN Act, and Fiscal Year 2021 Appropriations  
15 legislation secured \$12.88 Million in WIIN Act funding as the federal cost share for completing the  
16 Feasibility Study, environmental compliance, and construction; and

17  
18 WHEREAS, based on the findings of the Feasibility Study, the IWRB and water users requested  
19 additional project design and cost information to address questions about final project costs, water  
20 availability, and concerns about impacts to existing Anderson Ranch Reservoir spaceholders. The IWRB  
21 stressed the importance of this information for determining the viability of the project for local water  
22 users and new spaceholders; and

23  
24 WHEREAS, to address IWRB questions and meet the WIIN Act deadline for construction,  
25 Reclamation proposed a modified project approach and schedule. The modified approach included: 1)  
26 negotiation and execution of a cost-share agreement (agreement) prior to December 16, 2021 between  
27 the IWRB and Reclamation detailing a commitment to initiate final design and complete project  
28 construction, 2) begin design as an element of construction under the WIIN Act, and 3) delay release of  
29 the Final Environmental Impact Statement (FEIS) and the Record of Decision in order to incorporate the  
30 additional project information generated during the final design process; and

31  
32 WHEREAS, Reclamation confirmed that execution of an agreement with a partner capable of  
33 funding the non-federal share of the project costs through construction and initiation of final design  
34 activities prior to December 16, 2021 will satisfy WIIN Act requirements. Reclamation agreed to consider  
35 early contract termination clauses to allow the parties to further consider the viability of the project based  
36 upon additional information developed through the final design process; and

37  
38 WHEREAS, through IWRB Resolution No. 19-2020, IWRB expressed its belief that contracting  
39 directly with Reclamation for all the non-federal new storage space resulting from a raise of Anderson

40 Ranch Dam will be the most efficient and best method to ensure stakeholder and state support for  
41 reasonable financing for the project. The IWRB also stated its preference to contract with Reclamation  
42 and then negotiate directly with potential water users for the new storage space and how it would be  
43 allocated and priced; and  
44

45 WHEREAS, through IWRB Resolution No. 07-2021, IWRB allocated \$17.6M of the funds in the  
46 Water Management Account provided by House Bill 285 and Senate Bill 1121 to meet Federal project  
47 funding and authorization deadlines set forth in the WIIN Act and authorized spending those funds  
48 allocated for the Anderson Ranch Dam Raise for activities required to advance the project to construction,  
49 including final design, contracting, and financial planning. House Bill 285 allocated \$20M to be used for  
50 the Anderson Ranch Reservoir Enlargement or the Mountain Home Air Force Base Sustainable Water  
51 Project. Senate Bill 1121 appropriated an additional \$50M to the Water Management Account; and  
52

53 WHEREAS, through IWRB Resolution No. 14-2021, the IWRB authorized the IWRB Chairman or  
54 designee to pursue negotiations with Reclamation regarding the design and construction of the Anderson  
55 Ranch Dam Raise Project; and  
56

57 WHEREAS, through the summer and fall of 2021, the IWRB and Reclamation negotiation teams  
58 completed a series of four public negotiation meetings. A mutually acceptable contract (Contract) was  
59 developed for execution by the IWRB and Reclamation for Non-Contract Post-Authorization activities,  
60 final design, and construction of the Anderson Ranch Dam Raise Project (Attachment A - *Contract for the*  
61 *Raise of Anderson Ranch Dam between the United State of America and the Idaho Water Resource Board,*  
62 *Contract No. 21WN102130*); and  
63

64 WHEREAS, the following are defined in the Feasibility Study and considered in the Contract:  
65

- 66 • Anderson Ranch Dam Raise Project (Project) includes all components of the dam raise  
67 and associated required projects around the reservoir rim.
- 68 • The Feasibility Study estimate for total design and construction cost of the project is  
69 \$83.3M, not including applicable interest during construction. The Non-Federal share of  
70 the total project construction costs is 88.95% and will be the responsibility of the IWRB.  
71 The Federal share of the total construction costs is 11.05% and will be paid by  
72 Reclamation appropriations.
- 73 • The estimated cost of "Non-Contract Post-Authorization" activities, which generally  
74 include final design, completion of environmental compliance studies, land acquisitions,  
75 permitting and compliance, and other actions to be completed prior to award of  
76 construction contracts, is \$9.4M. The Non-Federal share is approximately \$8.4M.  
77

78 WHEREAS, additional analysis to be performed under the Contract early in the final design process  
79 will clarify potential impacts to existing Anderson Ranch Reservoir spaceholders, and mitigation options  
80 and associated costs for loss of existing spaceholder storage water during construction.  
81

82 NOW THEREFORE BE IT RESOLVED, that the IWRB authorizes its chairman to execute the Contract  
83 provided in Attachment A.  
84

85 NOW THEREFORE BE IT FURTHER RESOLVED, that the IWRB authorizes expenditure of up to the  
86 \$8.4M from the Water Management Account to cover Non-Contract Post-Authorization Costs as defined  
87 in the Final Feasibility Report. Expenditure of additional project funding shall require IWRB approval.

88 NOW THEREFORE BE IT FURTHER RESOLVED, that upon completion of the analysis of impact to  
89 existing Anderson Ranch Reservoir spaceholder's storage accounts during construction, the IWRB shall be  
90 notified of the mitigation plan and associated costs.

DATED this 19<sup>th</sup> day of November 2021.

\_\_\_\_\_  
JEFF RAYBOULD, Chairman  
Idaho Water Resource Board

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

# ATTACHMENT A

Contract for The Raise of Anderson Ranch Dam

Between

the United States of America and

the Idaho Water Resource Board

(Contract No. 21WN102130)

UNITED STATES  
DEPARTMENT OF THE INTERIOR  
BUREAU OF RECLAMATION

BOISE PROJECT, IDAHO

CONTRACT FOR THE RAISE OF ANDERSON RANCH DAM  
BETWEEN  
THE UNITED STATES OF AMERICA  
AND THE IDAHO WATER RESOURCE BOARD

**THIS CONTRACT** is made this \_\_\_\_ day of \_\_\_\_\_, 2021, pursuant to section 4007(b) of the Water Infrastructure Improvements for the Nation Act the, P.L. 114-322 (WIIN Act), the Reclamation Act of June 17, 1902 and acts supplementary and amendatory, and the Sundry Civil Expenses Appropriations Act for 1922, (43 USC 395) commonly known as the Contributed Funds Act, all of which are known as Federal Reclamation Law, between the **UNITED STATES OF AMERICA**, acting through the Department of the Interior, Bureau of Reclamation (“Reclamation”), acting through the Regional Director, Columbia-Pacific Northwest Region (“the Contracting Officer”) and the **STATE OF IDAHO** acting through the **IDAHO WATER RESOURCE BOARD** (the “Board”), an agency created by Article XV, Section 7 of the Idaho Constitution and Idaho Code §§ 42-1732 to 42-1734.

## **1. EXPLANATORY RECITALS**

### **1.1 Existing Boise Project**

The United States has constructed the existing Anderson Ranch Dam of the Boise Project pursuant to the Federal Reclamation Laws primarily for the furnishing of water for irrigation purposes and for flood control purposes. The Arrowrock Division of Reclamation’s Boise Project includes Anderson Ranch and Arrowrock reservoirs and an off-stream reservoir, Lake Lowell. The three reservoirs are operated together in coordination with Lucky Peak Reservoir, a United States Army Corps of Engineers reservoir, for all of which Reclamation holds the legal title to the water rights and issues and administers spaceholder contracts. The active storage space of the reservoir system is approximately 1 million acre-ft, operated primarily for irrigation and flood control.

### **1.2 Feasibility Report and Finding of Feasibility**

At the request of the Board, Reclamation cost-shared with the Board pursuant to Memorandum of Agreement No. R18MR11171 as amended (2018 MOA), under authority of the WIIN Act, to perform an

investigation of the feasibility of raising Anderson Ranch Dam six feet. Reclamation issued the resulting Feasibility Report in November 2020. A determination of a finding of feasibility by the Secretary is evidenced by a December 9, 2020, letter from the Commissioner to the Chair of the Subcommittee on Energy and Water Development of the Senate Committee on Appropriations.

### **1.3 Mitigation to Existing Spaceholders for Lost Water During Construction**

The Feasibility Report recognized that there may be a drawdown of Anderson Ranch reservoir during construction of the proposed project, which could impact the existing spaceholders' storage accounts during construction. The Feasibility Report estimated the cost of mitigating this impact and generally envisioned the method of mitigation would be a combination of leasing water through the Water District 63 rental pool and entering into financial agreements. Reclamation has developed a conceptual plan to use the existing Idaho Water Supply Bank storage rental pools. However, the degree to which mitigation is required and the resulting costs depend on the degree of reservoir restriction as determined based on the dam raise design.

### **1.4 Additional Planning-Level Design Work**

In response to findings and recommendations from the Independent Design, Estimating, and Construction (DEC) Review of the Feasibility Report, Reclamation's design team will evaluate design of a modification to the existing spillway crest structure in lieu of removal and replacement. If this alternative is selected, the design team will adjust the spillway modification construction description accordingly. This Planning-level Design and initial stages of Final Design will inform the required reservoir restriction during construction and associated mitigation for lost storage water of the existing spaceholders.

### **1.5 Environmental Compliance**

A draft environmental impact statement (Draft EIS) has been completed for the Feasibility Report, which evaluated the proposed action of raising Anderson Ranch Dam six feet. The specific method for mitigation for lost storage water of the existing spaceholders was not detailed in the Draft EIS. An EIS cannot be finalized, nor a record of decision (ROD) issued, until additional design work is performed that will inform the analysis of impacts associated with the construction activities and inform the extent of mitigation required to offset those impacts. Completion of environmental compliance has been paused pending additional design work, mitigation development and resulting cost estimate refinement. Planning level design, environmental compliance, development, and cost estimating will be completed under the 2018 MOA. A ROD will not be issued until environmental compliance is completed.

### **1.6 WIIN Act Deadline and Objective of This Contract**

Section 4013 of the WIIN Act requires the project be under construction, by December 16, 2021, in order to maintain its authorization under the WIIN Act. Section 4011(f)(2) of the WIIN Act defines construction to mean "designing, materials engineering and testing, surveying, and building of water storage" (Construction As Defined By The WIIN Act). Section 4007(b)(3)(B) requires an agreement be secured providing upfront funding as is necessary to pay the non-Federal share of the capital costs, before



construction commences. The parties desire to enter into this contract and to begin design beyond feasibility level (Final Design) before the December 16, 2021 deadline. The objectives of this contract are to: (1) provide for the cost share for (a) Final Design and (b) construction of the Dam Raise in the event a ROD is issued selecting the 6-ft Dam Raise, and (2) to allocate obligations and entitlements that will accrue to the parties after the Dam Raise.

### **1.7 Other Potential Partners**

The Draft EIS indicated potential spaceholders of the New Space may be existing Reclamation contractors and the Board, which could, in turn, contract water to existing Water District 63 water users and/or may offer water through the Idaho Water Supply Bank Water District 63 rental pool. Some irrigation entities who have current contracts with Reclamation for existing storage space in the Boise Project have expressed interest in contracting directly with Reclamation for a portion of the New Space from the Dam Raise, instead of through the Board. The Board, through Resolution Nos. 19-2020 and 14-2021, has indicated its interest in being the sole contracting partner with Reclamation.

### **1.8 Federal Appropriations**

The Consolidated Appropriations Act, 2021, P.L. 116-260 Title II, provided Reclamation \$10 million for its cost-share portion of the Anderson Ranch Dam Raise Project construction and associated activities, including securing upfront funding agreements, executing water contracts, performing final design, environmental permitting and mitigation, contract solicitation, construction implementation, and general project administration.

### **1.9 Water Right**

The Board has applied for a water right (no. 63-34753) with the Idaho Department of Water Resources (IDWR) for the Anderson Ranch Dam Raise Project.

**NOW, THEREFORE**, in consideration of the foregoing recitals, and the terms, conditions, covenants, and agreements set forth herein, the parties agree as follows:

## **2. TERMS APPLICABLE TO ENTIRE CONTRACT**

### **2.1 General**

Provisions of this Article 2 shall apply to the entire contract. The Standard Articles in Article 6 also apply to the entire contract.

### **2.2 Definitions**

For purposes of this contract, the following definitions apply:

**“Anderson Ranch Dam Raise Project”** means the project described in the Feasibility Report, including but not limited to the Dam Raise and Rim Projects. The proposed project entails a 6-foot raise of Anderson Ranch Dam, raising the reservoir elevation from 4196 feet to 4202 feet, which will create an additional 29,145 acre-ft of active capacity for storage of water. Major components of the plan include

using compacted zoned fill and compacted soil cement on the downstream face and construction of a reinforced concrete parapet wall along the upstream crest; replacement of the spillway ogee crest structure, bridge, center pier, spillway floor slabs and chute walls, and approach structure; and removal, refurbishment, and reinstallation of existing spillway radial gates as described in the Feasibility Report (pg. ES-21). As described in Chapter 6 of the Feasibility Report, certain facilities located near the perimeter, or rim, of Anderson Ranch Reservoir will be affected by the increased water level of the reservoir.

**“Board”** means Idaho Water Resource Board (IWRB).

**“Construction As Defined By The WIIN Act”** means the same as in WIIN Act section 4011(f)(2), which defines construction as designing, materials engineering and testing, surveying, and building of water storage.

**“Contracted Space”** means the ninety percent (90%) of New Space that will be allocated to the Board.

**“Cost-Share Ratio”** means the cost share of the Anderson Ranch Dam Raise Project between Reclamation and the Board. The Feasibility Report estimated total construction cost of the Project to be \$83.3 million, not including applicable interest during construction. Estimated total construction costs consist of: (1) the joint construction costs benefitting both Federal and Non-Federal purposes, and (2) certain specific costs associated with the construction of culverts solely benefitting the Federal fish and wildlife purpose. The Non-Federal share of joint construction costs is 89.80% and will be the responsibility of the Board, while the Federal share of joint construction costs is 10.20% and will be paid by Reclamation appropriations. The specific costs of construction of culverts benefitting fish and wildlife will be borne 100% by the United States. Any other specific costs identified during development of the Anderson Ranch Dam Raise Project will be borne solely by the benefitting purpose and party responsible for funding its cost of construction. Taking into account the Feasibility Level estimate of combined joint and specific project construction costs, the resulting cost-share ratio for total project construction costs is 88.95% to Non-Federal purposes, to be the responsibility of the Board, and 11.05% of the total costs to Federal purposes, to be the responsibility of the United States. The percentages are rounded for purposes in this paragraph; however, decimal precision will be used when apportioning actual costs.

**“Dam Raise”** means raising Anderson Ranch Dam an additional 6-ft, pursuant to the Feasibility Report and ROD that would be issued pursuant to NEPA.

**“EIS”** means Environmental Impact Statement pursuant to NEPA.

**“ESA”** means the Endangered Species Act, 16 USC 1531, *et seq.*

**“Existing Spaceholders”** means entities who hold contracts with Reclamation for space in Anderson Ranch Reservoir as of the effective date of this contract.

**“Feasibility Level Design”** means design to a degree that allows a determination of whether construction of a facility or a project is feasible.

**“Feasibility Report”** means the Boise River Basin Feasibility Study Final Feasibility Report issued by Reclamation in November 2020.

**“Final Design”** means design of a facility or project beyond Feasibility Level Design.

**“Irrigation use”** means the use of contract water to: 1) irrigate land primarily for the production of commercial agricultural crops or livestock and 2) domestic and other uses that are incidental thereto.

**“Municipal and Industrial Use”** means the use of contract water for municipal, industrial, and

miscellaneous other purposes, not falling under the definition of “irrigation” use above, or within another category of water use under an applicable Federal authority.

“**NEPA**” means National Environmental Policy Act of 1969 (P.L. 91-190, as amended and supplemented).

“**New Space**” means the storage space created by the 6-ft raise of Anderson Ranch Dam. 29,145 acre-feet is the approximate volume but may be refined further.

“**OM&R**” means operation, maintenance, and replacement.

“**Parties**” means the Bureau of Reclamation and the Idaho Water Resource Board.

“**Rim Projects**” means projects that will be undertaken to ensure existing facilities that will be impacted by the enlarged reservoir are made whole as described generally in Feasibility Report.

“**ROD**” means Record of Decision pursuant to NEPA.

“**Secretary**” means the Secretary of the United States Department of the Interior.

“**Substantial Completion**” means the determination by Reclamation that the Anderson Ranch Dam Raise Project is sufficiently completed to be used for its intended purpose and costs are known for purposes of performing the Final Cost Allocation.

“**Reclamation Space**” means the ten percent (10%) of New Space that will be used by Reclamation.

“**Water users**” means organizations and individuals whom the Board will agree to make water available from its portion of the New Space.

“**WIIN Act**” means the Water Infrastructure Improvements for the Nation Act, P.L. 114-322.

### **2.3 Term and Termination of Contract**

Subject to the terms, conditions, and provisions set forth herein, this contract shall become effective on the date first written above, which shall be the date the contract is signed by the Contracting Officer. This contract shall remain in effect until terminated by mutual written agreement of the parties or as set forth below.

- (a) At any time before Reclamation issues its solicitation of the construction contract, the Board may terminate this contract. If the ROD does not select the 6-ft Dam Raise and does not provide for contracting solely with the Board for the New Space, either party may terminate this Contract. In the event of termination, neither party shall be entitled to reimbursement of costs incurred up to the effective date of termination; however, adjustment of costs will be made to ensure the Cost-Share Ratio is met. Parties may agree to renegotiate a subsequent contract.
- (b) After the stage covered by subsection (a) above, and prior to Substantial Completion of the Anderson Ranch Dam Raise Project, this contract may be terminated by:
  - (i) The Board sending notice of termination to Reclamation.

- (ii) Reclamation, if adequate funding is not forthcoming during construction of the Anderson Ranch Dam Raise Project. Reclamation shall provide the Board written notice of intent to terminate and allow the Board sixty days to pay all amounts due. If the Board does not pay all amounts due within the sixty-day period, termination of this contract is effective. Upon such termination, the Board is liable for all costs associated with necessary remediation actions. Payment for remediation will be negotiated before solicitation of the construction contract in conjunction with section 4.2(b).

## **2.4 Project Development Actions**

- a) General. Reclamation and the Board will coordinate and cooperate in undertaking actions associated with the successful development of the Anderson Ranch Dam Raise Project and allocation of associated benefits, including acquiring the water right(s) to fill the New Space, and undertaking all other reasonably related actions, which include actions more specifically delineated in Exhibit A. The Board will undertake actions assigned to it under Article 2.4, Project Development Actions. The Board agrees that Exhibit A may be updated from time to time by Reclamation with the concurrence of the Board without amending this contract.
- b) Costs and Cost-Share. The total design and construction costs of the project are estimated at a Feasibility Level to be \$83.3 million, not including applicable interest during construction. Costs for the work described in Article 2.4 will be shared between the Board and Reclamation at the Cost-Share Ratio. Part of the Board's cost share may be provided as in-kind services. In-kind services may include, but not be limited to, services by Board personnel and contracting costs related to the management and execution of the project. Valuation of in-kind services shall be in accordance with 2 CFR Part 225, Cost Principles for State, Local, and Indian Tribal Governments (OMB Circular A-87).
- c) Payment. Payment from the Board for costs will be pursuant to Article 2.5.

## **2.5 Board Advancement of Funds**

- a) General. The Board will provide funds to cover Reclamation's actions in advance at a rate that at least meets the Board's Cost-Share Ratio. Reclamation will bill the Board periodically to keep expenses for the year at the Cost-Share Ratio. If it is determined that additional funds are necessary for Reclamation's continued performance of the initially scheduled tasks, additional funds must be approved, in writing, by the parties, and received by Reclamation prior to Reclamation incurring additional costs. In the event that additional funds are not received, the Board acknowledges that Reclamation will cease work and cannot resume working on these tasks until Reclamation holds sufficient funds in its account(s). Reclamation shall deposit funds advanced by the Board into a Reclamation account for use on the Anderson Ranch Dam Raise Project. Reclamation shall hold the Board funds separate from all other funds and shall not

commingle those funds with any other funds. Reclamation shall return all unexpended funds within 60 days after termination of this contract or completion of construction.

b) Method of making payment. The Board shall make all advanced payments payable to the Bureau of Reclamation upon receipt of the billing invoice, by remitting payments electronically or to Reclamation's lock box at:

Bureau of Reclamation  
Region: Columbia-Pacific Northwest (CPN)  
P.O. Box 301501  
Los Angeles, CA 90030-1501

The Board shall notify Reclamation prior to each deposit of payment by sending an electronic notification via email address that Reclamation will provide. Reclamation uses the Automated Clearinghouse Vendor Express payment system for electronic funds transfer (EFT) between the government and the Board's financial institution along with explanatory information regarding the payment. The form required to implement the Vendor Express system is the SF-3881, ACH Vendor/Miscellaneous Payment Enrollment Form. As needed, Reclamation shall send the SF-3881 to the person listed above to gather the financial institution and bank account information. Unexpended funds will be returned to the Board by EFT unless the Board qualifies for exemption from this payment method.

## **2.6 Adjustment of Costs to Ensure Cost-Share Ratio is Maintained**

At least annually, and upon termination, there shall be an adjustment of costs. If Reclamation has paid more than its share of the Cost-Share Ratio, the Board will make payment necessary to ensure Reclamation has not paid more than its cost share portion.

## **2.7 Reimbursement of Costs to Board if Reclamation Contracts With Others.**

In the event Reclamation contracts with other individuals or entities for New Space associated with the Dam Raise, Reclamation agrees that such contract(s) will require a prorated reimbursement to the Board of costs incurred by the Board up to the effective date of such contract(s). The costs incurred by the Board will include the Board's costs under the 2018 MOA subject to the greater of 3.5% interest or the Board's current interest rate, calculated from effective date of the 2018 MOA.

## **2.8 Assignment or Partial Assignment of Contract**

No assignment or partial assignment of this contract or any right or interest therein, except for agreements entered into by the Board pursuant to Article 5.6, shall be valid unless approved in writing by the Contracting Officer.

## **2.9 Savings Clause**

If any provision of this contract, or the application thereof to any person or circumstance, shall be invalid or unenforceable to any extent, the remainder of this contract and the application of such provision to other persons or circumstances, shall not be affected thereby and shall be enforced unless doing so would result in such a material change as to cause a loss of fundamental benefits otherwise afforded to either

party.

#### **2.10 Contract Provisions Subject to Issuance of ROD**

It is understood by the Parties that terms of this contract, other than those related to Article 3, will be subject to and contingent upon Reclamation's issuance of a final decision to allow construction to proceed after issuance of a Final EIS and ROD. Further, it is the understanding of the parties that the provisions of this contract may be modified by mutual agreement to ensure consistency with the ROD, following issuance of a ROD, if the Anderson Ranch Dam Raise Project is approved.

### **3. COMPLETION OF PLANNING PHASE**

#### **3.1 Planning-Level Design Work, Final EIS and ROD**

Reclamation will proceed diligently to complete: (1) design work required to determine the extent of mitigation necessary to offset impacts to Existing Spaceholders, and (2) preparation and issuance of a Final EIS and ROD, which will include, among other things, determination of appropriate mitigation consisting of replacement water so as not to impact Existing Spaceholders. Allocation and payment of costs associated with Planning Level Design and environmental compliance work through issuance of a ROD is covered by the 2018 MOA.

#### **3.2 Commencement of Construction As Defined by the WIIN Act**

Reclamation will commence Construction As Defined By The WIIN Act on or before December 16, 2021, which will include initiating Final Design of the Dam Raise or preparatory work on the Rim Projects. Work for the Rim Projects will consist of relocating or replacing assets to the extent authorized by law. Costs for the work described in this paragraph will be shared between the Board and Reclamation in accordance with the Cost-Share Ratio defined in Art 2.2. The commencement of construction under this Article 3.2 will satisfy the requirements of Section 4011(f)(2) of the WIIN Act.

### **4. CONSTRUCTION PHASE**

#### **4.1 Water Right**

Prior to Reclamation's solicitation of a construction contract, permit(s) for the diversion and storage of water for the Anderson Ranch Dam Raise Project shall be obtained from the IDWR. The Board and Reclamation agree to cooperate in taking all reasonably necessary actions to obtain permit(s) from IDWR. The Board further agrees that, following issuance of the ROD, it will take the necessary steps to ensure Reclamation owns the portion of the water right application or permit, as the case may be, attributable to the ten percent (10%) of the New Space to be held by Reclamation. The parties agree to negotiate the ownership of the water right between the United States and the Board for the remaining 90% of the New Space.

#### **4.2 Payment of Advance Funds**

a) For the design phase of the contract Reclamation will bill the Board at 6-month intervals in advance for costs that Reclamation will incur during the following 6 months.

b) Prior to soliciting the construction contract, the Board shall tender payment or provide such other security, as agreed to by the parties, to: (1) ensure adequate funding available for Reclamation to solicit and enter into a construction contract for final construction of the Anderson Ranch Dam Raise Project; and (2) ensure adequate funding is available in the event the contract is terminated prior to Substantial Completion and the Board is required to remediate the site to conditions acceptable to the Contracting Officer.

#### **4.3 Construction Completion**

Reclamation will complete final construction of the Anderson Ranch Dam Raise Project in compliance with the Project Management Plan and Final Design.

#### **4.4 Mitigation of Impacts to Existing Spaceholders**

As set forth in the ROD, as applicable, Reclamation will take such actions, including execution of agreements and rentals of water through the Idaho Water Supply Bank, as needed, to ensure Existing Spaceholders are mitigated for any shortage of water during construction of the Anderson Ranch Dam Raise Project.

#### **4.5 Final Cost Allocation and Adjustment of Construction Costs**

Pursuant to Reclamation Manual Policy, Directives and Standards, after construction is substantially complete, Reclamation will conduct a final cost allocation using the same allocation methodology as the initial cost allocation. If there is a change in the cost allocation distribution between Federal and non-Federal purposes, an adjustment of relevant costs will occur. The pool of costs potentially subject to the adjustment will include all costs covered by this contract. If the adjustment results in a greater Federal cost assignment, the United States will not pay more than the \$10,000,000 that Congress has appropriated as of the effective date of this contract, unless Congress appropriates additional funds for this purpose by specifically increasing the appropriations by name in an Appropriations Act consistent with WIIN Act §4007(g)(2). The Board reserves the right to seek additional appropriations for the Federal portion of the cost share. If appropriations are not forthcoming, the parties agree to discuss the issue and if agreeable to both parties at that time, the parties may renegotiate the volume of space the United States will receive from the project.

#### **4.6 Title to Remain with United States and Treated as Reserved Works**

Title to Anderson Ranch Dam including any physical structure of the Anderson Ranch Dam Raise Project will remain with the United States and will be treated as reserved works operated and maintained by the United States.

## **5. WATER SUPPLY AND OPERATIONS**

## **5.1 General**

The terms in Article 5 will take effect after Substantial Completion of the Anderson Ranch Dam Raise.

## **5.1 Reservoir Space**

Contracted Space: The Contracting Officer will make available to the Board stored water accruing to ninety percent (90%) of the New Space, subject to the following provisions:

a) Following Substantial Completion of construction of the Dam Raise, the New Space will be added to the existing active capacity of Anderson Ranch Reservoir, which as of the effective date of this contract, is treated as 413,074 acre-feet at elevation 4196 feet. When the New Space is added to existing active capacity, the new active capacity of Anderson Ranch Reservoir will be 442,219 acre-feet at elevation 4202 feet. The New Space will be 6.59 percent of new active capacity of Anderson Ranch Reservoir and will be treated as 29,145 acre-feet.

b) While the Board's storage rights are defined in terms of active capacity in Anderson Ranch Reservoir, the Contracting Officer shall have the right, without change in the Board's obligations with respect to those storage rights, to store water accrued to those rights in any storage capacity available to it or to supply a like amount of water from other sources, by exchange or otherwise, so long as delivery for the Board of all stored water to which it is entitled under this Contract is not in any way impaired.

c) The New Space will not be added to existing Boise Reservoir System flood control space requirements.

d) The space made available to the Board, under this contract will be equivalent to 5.93 percent ( $26230/442219 = 5.93\%$ ) of the new active capacity of Anderson Ranch Reservoir and will be treated as 26,230.5 acre-feet ( $29145 \times 0.9 = 26230.5$ ); provided, however, the active capacity available to the Board under this contract may be adjusted from time to time by the Contracting Officer whenever there are determinations as a result of standard procedures (sedimentation study, *etc.*) that the new active capacity is other than as stated above.

## **5.2 Water Supply**

a) Natural flow in the South Fork of the Boise River at Anderson Ranch Dam will accrue to the New Space pursuant to water right(s) issued by IDWR.

b) Stored water accruing to the New Space will fill with a like priority and be allocated proportionately among the New Space. In determining the amount of stored water available, losses incidental to storage will be prorated equally over all inactive and active space in Anderson Ranch Reservoir; provided, however, the New Space will not be subject to losses resulting from flood control operations.

c) The allocation of storage, including carryover storage, to the Board shall be determined by the Contracting Officer pursuant to this contract and Federal Reclamation Law. The Contracting Officer will, subject to operational constraints, operate the reservoir system so as to store under applicable storage rights all available water, and the Contracting Officer will make available to the Board, the Board's



proportionate share of the stored water that accrues in each year to the New Space, together with any stored water that may have been held over by the Board pursuant to paragraph 5.4.

d) The Board agrees not to bring any claims against the United States resulting from the diversion into storage, storage, regulation and release of water by the United States for the account of the Board. The Board will also include the following language into its lease agreements: “The Water User hereby releases the United States, the State of Idaho and the Board and agrees to hold the United States, the State of Idaho and the Board free and harmless from all damage claims that might result from the diversion into storage, storage, regulation and release of water by the United States for the account of the Board.”

e) The United States temporarily may reduce water storage, as may be necessary, for the purpose of investigation, inspection, maintenance, repair, or replacement of any of the facilities of Anderson Ranch Dam and Reservoir. So far as it is feasible, however, the Contracting Officer will give the Board reasonable notice in advance of such temporary reduction except in cases of emergency, when notice need not be given.

### **5.3 Delivery**

a) Reclamation will operate Anderson Ranch Reservoir so as to deliver all the water to which the Board is entitled under this Contract within the capacity limits of the Reservoir and having regard for other existing rights which must be supplied therefrom. Deliveries of stored water shall be limited at any time to the amount which can be delivered by means of the Board’s proportionate share of the outlet capacity needed for delivery downstream, taking into account the requirement of passing through the Reservoir water belonging to prior rights and the physical limitation of the existing outlet works. The Board shall conform its diversions to the control of the stream as established by the Watermaster.

b) In determining the amount of stored water delivered downstream of Lucky Peak Dam, the point of measurement shall be the outlet works of Lucky Peak Dam. In determining the amount of stored water delivered to a point of delivery directly out of the Boise Reservoir System, the point of measurement shall be at that particular point of diversion.

c) The United States shall not be liable or responsible for the carriage, distribution, or diversion of water after its release from the point of measurement, or for any loss or damage of any type or description arising therefrom.

d) The distribution of the water below the point of measurement is the responsibility of the Watermaster or other designated official of the State. The costs of distribution by the Watermaster shall be the responsibility of the Board pursuant to state law.

### **5.4 Holdover**

a) The Board may hold over in Anderson Ranch Reservoir water from prior water years only to the extent that the total amount of stored water held to the credit of the Board for any season shall not exceed the amount which can be stored in the Board’s proportionate share of the New Space.

b) The Contracting Officer may itself exercise such holdover rights in any uncontracted portion of

the New Space.

- c) Water held over in the New Space shall not be reduced as a result of flood control operations.

### **5.5 Constraints on the Availability of Water and No Liability for Shortages**

In operation of the Boise Reservoir System, the Contracting Officer will use all reasonable means to guard against a condition of shortage in the quantity of water to be made available to the Board pursuant to this contract. In the event the Contracting Officer determines that a condition of shortage appears probable, the Contracting Officer will notify the Board of said determination as soon as practicable; provided, however, notwithstanding any other provision of the contract, no liability shall accrue against the United States or any of its officers, agents, or employees for damage, direct or indirect, arising by reason of shortages in the quantity of water available to the Board under this contract or interruptions in water deliveries to facilities of the Board resulting from drought or other physical or natural causes, inaccuracy in distribution or runoff forecasting or similar operation, hostile diversion, prior or superior claims, maintenance of, accident to or failure of facilities of the United States, whether or not attributable to negligence of officers, agents, or employees of the United States, or actions taken by the Contracting Officer to meet current or future legal obligations, or other causes of whatsoever kind.

### **5.6 Lease of Stored Water**

The Board may enter into lease agreements for water stored in the Board's space under such terms and conditions, including the setting of rates, determined by the Board without further approval of the Contracting Officer; provided however, that such lease agreements shall be in substantial compliance with the Feasibility Report and ROD; and provided further, that any such lease agreement for the lease of water shall not create a third-party beneficiary to this contract.

### **5.7 Annual OM&R charges**

a) Reclamation will bill the Board annually for its proportionate share of the costs of OM&R of Anderson Ranch Dam, which the Feasibility Report established for the New Space as 3.33% of the total OM&R cost of Anderson Ranch Dam, based on an estimate of 29,000 acre-ft of New Space. This translated to 3.35% for the refined volume of 29,145 acre-ft of New Space. The 3.35% of Anderson Ranch OM&R costs would be further allocated between Reclamation and the Board based on the Alternative Justified Expenditure (AJE) methodology. Any future approved change in either OM&R rate formula or the AJE methodology would be correspondingly reflected in proportionate and across-the-board changes to the New Space to maintain consistency to all reservoir storage. Notice of OM&R costs due will be sent by Reclamation before April 1 of the calendar year covered by the Notice. OM&R costs are due by May 1 of each year. The Date for OM&R costs to be paid may be changed by documented agreement of the parties.

b) Whenever, in the opinion of the Contracting Officer, funds so advanced will be inadequate to operate and maintain the Project, the Contracting Officer may give a written supplemental OM&R charge notice stating therein the amount of the Board's share, based upon its percentage of active capacity, of

additional funds required as determined by the Contracting Officer, and the Board shall advance that additional amount on or before the date specified in the supplemental notice. Provided, however, except for an emergency situation as defined in the Standard Operating Procedures for the Project, the payment date specified in the supplemental notice shall be at least 90 days from the date of delivery of the notice to the Board. If funds advanced by the Board under this article exceed the Board's share of the actual cost of the OM&R of the Project for the year for which advanced, the surplus shall be credited on the OM&R charges to become due for succeeding years. Upon written request from the Board, the Contracting Officer shall provide a written accounting each year to the Board of the costs to be paid by the Board.

c) The payment of charges becoming due pursuant to this Contract is a condition precedent to receiving benefits under this Contract. The Contracting Officer shall not make water available to the Board through Project facilities during any period in which the Board is in arrears in the advance payment of any OM&R charges due the United States.

d) Notwithstanding any other provision of this contract, the Board shall be in breach at any time it is more than twelve (12) months in arrears in the payment of OM&R costs. In the event of such breach, the Contracting Officer shall meet and confer with the Board to determine an appropriate remedy. If the Contracting Officer and the Board cannot reach agreement on an appropriate remedy within twenty-four months of the initial conference date, the Contracting Officer may exercise against the Board any and all rights and remedies for breach of contract.

#### **5.8 Charges for Delinquent Payments**

(a) The Board shall be subject to interest, administrative, and penalty charges on delinquent payments. If a payment is not received by the due date, the Board shall pay an interest charge on the delinquent payment for each day the payment is delinquent beyond the due date. If a payment becomes 60 days delinquent, the Board shall pay, in addition to the interest charge, an administrative charge to cover additional costs of billing and processing the delinquent payment. If a payment is delinquent 90 days or more, the Board shall pay, in addition to the interest and administrative charges, a penalty charge for each day the payment is delinquent beyond the due date, based on the remaining balance of the payment due, at the rate of 6 percent per year. The Board shall also pay any fees incurred for debt collection services associated with a delinquent payment.

(b) The interest rate charged shall be the greater of either the rate prescribed quarterly in the Federal Register by the Department of the Treasury for application to overdue payments, or the interest rate of 0.5 percent per month. The interest rate charged will be determined as of the due date and remain fixed for the duration of the delinquent period.

(c) When a partial payment on a delinquent account is received, the amount received shall be applied first to the penalty charges, second to the administrative charges, third to the accrued interest, and finally to the overdue payment.

#### **5.9 Safety of Dams**

Upon Substantial Completion of the Anderson Ranch Dam Raise Project, in the event of a Safety of Dams Project for Anderson Ranch Dam pursuant to the Safety of Dams Act of 1978 as amended, 43 U.S.C. et seq. (SOD Act), the Board would be considered a project beneficiary, along with the Existing Spaceholders, under the SOD Act regarding repayment of reimbursable costs incurred by the United States.

## **6. STANDARD ARTICLES**

### **6.1 Notices**

Any notice, demand, or request authorized or required by this contract shall be deemed to have been given, on behalf of the Board, when mailed, postage prepaid, or delivered to:

Regional Director, Columbia-Pacific Northwest Region  
Bureau of Reclamation  
1150 N. Curtis Road, Suite 100  
Boise ID 83706

on behalf of the United States, when mailed, postage prepaid to:

Chairman, Idaho Water Resources Board  
P.O. Box 83720  
Boise, ID 83720-0098

or delivered to:

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

The designation of the addressee or the address may be changed by notice given in the same manner as provided in this article for other notices.

### **6.2 Contingent on Appropriation or Allotment of Funds**

The expenditure or advance of any money or the performance of any obligation of the United States under this contract shall be contingent upon appropriation or allotment of funds. Absence of Federal appropriation or allotment of funds shall not relieve the Board from any obligations under this contract.

No liability shall accrue to the United States in case funds are not appropriated or allotted.

Reclamation agrees that all obligations of the Board, including the continuance of payments under Section 5 of this Contract, are contingent upon the availability and continued appropriation of funds.

### **6.3 Officials Not to Benefit**

No Member of or Delegate to the Congress, Resident Commissioner, or official of the Board shall benefit from this contract other than as a water user or landowner in the same manner as other water users or

landowners.

#### **6.4 Books, Records, and Reports**

The Board shall establish and maintain accounts and other books and records pertaining to administration of the terms and conditions of this contract, including the Board's financial transactions related to this contract; water delivery data; and other matters that the Contracting Officer may require. Reports shall be furnished to the Contracting Officer in such form and on such date or dates as the Contracting Officer may require. Subject to applicable Federal laws and regulations, each party to this contract shall have the right during office hours to examine and make copies of the other party's books and records relating to matters covered by this contract. All materials are subject to state and federal public disclosure laws.

#### **6.5 Water Conservation**

Prior to the delivery of water provided from or conveyed through federally constructed facilities pursuant to this contract, the Board or water users shall develop water conservation plan(s) consistent with that required by subsection 210(b) of the Reclamation Reform Act of 1982, except water users who deliver water under this contract 1) to less than 2,000 acres of land, 2) only for M&I use and to fewer than 3,300 people, or 3) at a total average annual rate of less than 2,000 acre-feet. Water users who have existing water conservation plans described above are not required to develop new water conservation plans under this contract.

#### **6.6 Protection of Water and Air Quality**

(a) The United States will care for, operate and maintain reserved works in a manner that preserves the quality of the water at the highest feasible level as determined by the Contracting Officer. The United States does not warrant the quality of the water delivered to the Board and is under no obligation to furnish or construct water treatment facilities to maintain or improve the quality of water delivered to the Board.

(b) The Board will comply with all applicable water and air pollution laws and regulations of the United States and the State of Idaho and will obtain all required permits or licenses from the appropriate Federal, State, or local authorities necessary for the delivery of water by the Board; and will be responsible for compliance with all Federal, State, and local water quality standards applicable to surface and subsurface drainage and/or discharges generated through the use of Federal or Board facilities or project water provided by the Board.

(c) This article will not affect or alter any legal obligations of the Secretary to provide drainage or other discharge services.

#### **6.7 Equal Employment Opportunity**

During the performance of this contract, the Board agrees as follows:

(a) The Board will not discriminate against any employee or applicant for employment because

of race, color, religion, sex, sexual orientation, gender identity, or national origin. The Board will take affirmative action to ensure that applicants are employed, and that employees are treated during employment, without regard to their race, color, religion, sex, sexual orientation, gender identity, or national origin. Such action shall include, but not be limited to the following: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The Board agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided by the Contracting Officer setting forth the provisions of this nondiscrimination clause.

(b) The Board will, in all solicitations or advancements for employees placed by or on behalf of the Board, state that all qualified applicants will receive consideration for employment without regard to race, color, religion, sex, sexual orientation, gender identity, or national origin.

(c) The Board will not discharge or in any other manner discriminate against any employee or applicant for employment because such employee or applicant has inquired about, discussed, or disclosed the compensation of the employee or applicant or another employee or applicant. This provision shall not apply to instances in which an employee who has access to the compensation information of other employees or applicants as a part of such employee's essential job functions discloses the compensation of such other employees or applicants to individuals who do not otherwise have access to such information, unless such disclosure is in response to a formal complaint or charge, in furtherance of an investigation, proceeding, hearing, or action, including an investigation conducted by the employer, or is consistent with the Board's legal duty to furnish information.

(d) The Board will send to each labor union or representative of workers with which the Board has a collective bargaining agreement or other contract or understanding, a notice, to be provided by the agency Contracting Officer, advising the labor union or workers' representative of the Board's commitments under section 202 of Executive Order No. 11246 of September 24, 1965, and shall post copies of the notice in conspicuous places available to employees and applicants for employment.

(e) The Board will comply with all provisions of Executive Order No. 11246 of Sept. 24, 1965, and of the rules, regulations, and relevant orders of the Secretary of Labor.

(f) The Board will furnish all information and reports required by Executive Order No. 11246 of September 24, 1965, and by the rules, regulations, and orders of the Secretary of Labor, or pursuant thereto, and will permit access to the Board's books, records, and accounts by the Contracting Agency and the Secretary of Labor for purposes of investigation to ascertain compliance with such rules, regulations, and orders.

(g) In the event of the Board's noncompliance with the nondiscrimination clauses of this contract or with any of such rules, regulations, or orders, this contract may be canceled, terminated or suspended in whole or in part and the Board may be declared ineligible for further Government contracts in accordance with procedures authorized in Executive Order No. 11246 of Sept. 24, 1965, and such other

sanctions may be imposed and remedies invoked as provided in Executive Order No. 11246 of September 24, 1965, or by rule, regulation, or order of the Secretary of Labor, or as otherwise provided by law.

(h) The Board will include the provisions of paragraphs (a) through (g) in every subcontract or purchase order unless exempted by the rules, regulations, or orders of the Secretary of Labor issued pursuant to section 204 of Executive Order No. 11246 of September 24, 1965, so that such provisions will be binding upon each subcontractor or vendor. The Board will take such action with respect to any subcontract or purchase order as may be directed by the Secretary of Labor as a means of enforcing such provisions, including sanctions for noncompliance: *Provided, however*, that in the event the Board becomes involved in, or is threatened with, litigation with a subcontractor or vendor as a result of such direction, the Board may request the United States to enter into such litigation to protect the interests of the United States.

#### **6.8 Compliance with Civil Rights Laws and Regulations**

(a) The Board shall comply with Title VI of the Civil Rights Act of 1964 (Pub. L. 88-352; 42 U.S.C. § 2000d), the Rehabilitation Act of 1973 (Pub. L. 93-112, Title V, as amended; 29 U.S.C. § 791, et seq.), the Age Discrimination Act of 1975 (Pub. L. 94-135, Title III; 42 U.S.C. § 6101, et seq.), [Title II of the Americans with Disabilities Act of 1990 (Pub. L. 101-336; 42 U.S.C. § 12131, et seq.)] [Title III of the Americans with Disabilities Act of 1990 (Pub. L. 101-336; 42 U.S.C. § 12181, et seq.)], and any other applicable civil rights laws, and with the applicable implementing regulations and any guidelines imposed by the U.S. Department of the Interior and/or Bureau of Reclamation.

(b) These statutes prohibit any person in the United States from being excluded from participation in, being denied the benefits of, or being otherwise subjected to discrimination under any program or activity receiving financial assistance from the Bureau of Reclamation on the grounds of race, color, national origin, disability, or age. By executing this contract, the Board agrees to immediately take any measures necessary to implement this obligation, including permitting officials of the United States to inspect premises, programs, and documents.

(c) The Board makes this contract in consideration of and for the purpose of obtaining any and all Federal grants, loans, contracts, property discounts, or other Federal financial assistance extended after the date hereof to the Board by the Bureau of Reclamation, including installment payments after such date on account of arrangements for Federal financial assistance which were approved before such date. The Board recognizes and agrees that such Federal assistance will be extended in reliance on the representations and agreements made in this article and that the United States reserves the right to seek judicial enforcement thereof.

(d) Complaints of discrimination against the Board shall be investigated by the Contracting Officer's Office of Civil Rights.

## **6.9 Certification of Nonsegregated Facilities**

The Board hereby certifies that it does not maintain or provide for its employees any segregated facilities at any of its establishments and that it does not permit its employees to perform their services at any location under its control where segregated facilities are maintained. It certifies further that it will not maintain or provide for its employees any segregated facilities at any of its establishments and that it will not permit its employees to perform their services at any location under its control where segregated facilities are maintained. The Board agrees that a breach of this certification is a violation of the Equal Employment Opportunity clause in this contract. As used in this certification, the term "segregated facilities" means any waiting rooms, work areas, rest rooms and wash rooms, restaurants and other eating areas, time clocks, locker rooms and other storage or dressing areas, parking lots, drinking fountains, recreation or entertainment areas, transportation, and housing facilities provided for employees which are segregated by explicit directive or are in fact segregated on the basis of race, creed, color, or national origin, because of habit, local custom, disability, or otherwise. The Board further agrees that (except where it has obtained identical certifications from proposed subcontractors for specific time periods) it will obtain identical certifications from proposed subcontractors prior to the award of subcontracts exceeding \$10,000 which are not exempt from the provisions of the Equal Employment Opportunity clause; that it will retain such certifications in its files; and that it will forward the following notice to such proposed subcontractors (except where the proposed subcontractors have submitted identical certifications for specific time periods):

### **NOTICE TO PROSPECTIVE SUBCONTRACTORS OF REQUIREMENT FOR CERTIFICATIONS OF NONSEGREGATED FACILITIES**

A Certification of Nonsegregated Facilities must be submitted prior to the award of a subcontract exceeding \$10,000 which is not exempt from the provisions of the Equal Employment Opportunity clause. The certification may be submitted either for each subcontract or for all subcontracts during a period (i.e., quarterly, semiannually, or annually). Note: The penalty for making false statements in offers is prescribed in 18 U.S.C. § 1001.

## **6.10 Medium for Transmitting Payments**

(a) All payments from the Board to the United States under this contract shall be by the medium requested by the United States on or before the date payment is due. The required method of payment may include checks, wire transfers, or other types of payment specified by the United States.

(b) Upon execution of the contract, the Board shall furnish the Contracting Officer with the Board's taxpayer's identification number (TIN). The purpose for requiring the Board's TIN is for collecting and reporting any delinquent amounts arising out of the Board's relationship with the United States.



### **6.11 Confirmation of Contract**

Promptly after the execution of this contract, the Board will provide evidence to the Contracting Officer that, pursuant to the laws of the State of Idaho the Board is a legally constituted entity and the contract is lawful, valid, and binding on the Board. This contract will not be binding on the United States until the Board provides evidence to the Contracting Officer's satisfaction. In addition to other forms of evidence to meet the requirements of this Article, the Board may provide or the Contracting Officer may require a certified copy of a final decree of a court of competent jurisdiction in the State of Idaho, confirming the proceedings on the part of the Board for the authorization of the execution of this contract.

### **6.12 Rules, Regulations, and Determinations**

(a) The parties agree that the delivery of water or the use of Federal facilities pursuant to this contract is subject to Federal reclamation law, as amended and supplemented, and the rules and regulations promulgated by the Secretary of the Interior under Federal reclamation law.

(b) The Contracting Officer shall have the right to make determinations necessary to administer this contract that are consistent with its expressed and implied provisions, the laws of the United States and the State of Idaho, and the rules and regulations promulgated by the Secretary of the Interior. Such determinations shall be made in consultation with the Board.

### **6.13 Relocation Assistance and Real Property Acquisition**

When acquiring land or an interest in land and relocating persons or personal property in connection with the construction, operation, and maintenance of project facilities, the Board shall comply with the provisions of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (Pub. L. 91-646; 84 Stat. 1894; 42 U.S.C. § 4601, et seq.) and Department of Transportation regulations at 49 C.F.R. part 24.

### **6.14 Dispute Resolution**

The Parties shall attempt to resolve all claims, disputes, controversies, or other matters in question between the Parties arising out of, or relating to this contract promptly, equitably, and in good faith.

### **6.15 Limitation of Liability**

Neither party shall be responsible for liability incurred as a result of the other party's acts or omissions in connection with this Contract. Nothing herein shall be deemed to increase the Party's liability beyond the limitations of the current Idaho Tort Claims Act (Idaho Code § 6-901-929), to the extent that the Act is applicable. Nothing herein shall be deemed to increase the liability of the United States beyond the provisions of the Federal Tort Claims Act (28 U.S.C. § 1346(b), 2671 et seq.) or other applicable law.

**6.16 No Third-Party Beneficiaries**

This Agreement is not intended, nor shall it be construed to create any third-party beneficiary rights to enforce the terms of this Agreement.

**6.17 Governing Law**

This contract shall be interpreted, governed by, and construed under applicable Federal law and any applicable provision of Idaho state law. In case of a conflict between Federal law and Idaho state law, Federal law controls. To the extent permissible under Federal Rules of Civil Procedure and other applicable Federal authority, the venue for adjudication of any disputes under this contract shall be in appropriate Federal court.

**6.18 Contract Drafting Considerations**

This contract has been negotiated and reviewed by the parties hereto, each of whom is sophisticated in the matters to which this contract pertains. Articles 1 through 5 and 6.4, 6.5, 6.13-6.17 of this contract have been drafted, negotiated, and reviewed by the parties, and no one party shall be considered to have drafted the stated articles.

**IDAHO WATER RESOURCES BOARD**

By: \_\_\_\_\_  
Chair  
Idaho Water Resource Board  
322 E Front Street  
Boise, ID 83702

**UNITED STATES OF AMERICA**

By: \_\_\_\_\_  
Acting Regional Director  
U.S. Bureau of Reclamation  
Columbia-Pacific Northwest Region  
1150 N. Curtis Road  
Boise, ID 83706

STATE OF IDAHO

COUNTY OF \_\_\_\_\_

On this \_\_\_\_ day of \_\_\_\_\_, 2021, personally appeared before me \_\_\_\_\_, known to me to be the official of the **Idaho Water Resource Board** that executed the within and foregoing instrument and acknowledged said instrument to be the free and voluntary act and deed of the **Idaho Water Resource Board**, for the uses and purposes therein mentioned, and on oath stated that he was authorized to execute said instrument.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal as of the day and year first above written.

(SEAL)

\_\_\_\_\_  
Notary Public in and for the  
State of Idaho  
Residing at: \_\_\_\_\_  
My commission expires: \_\_\_\_\_

\*\*\*\*\*

STATE OF IDAHO

COUNTY OF \_\_\_\_\_

On this \_\_\_\_ day of \_\_\_\_\_, 2021, personally appeared before me \_\_\_\_\_, known to me to be the official of the **UNITED STATES OF AMERICA** that executed the within and foregoing instrument and acknowledged said instrument to be the free and voluntary act and deed of said **UNITED STATES OF AMERICA**, for the uses and purposes therein mentioned, and on oath stated that he/she was authorized to execute said instrument.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal as of the day and year first above written.

(SEAL)

\_\_\_\_\_  
Notary Public in and for the  
State of Idaho  
Residing at: \_\_\_\_\_  
My commission expires: \_\_\_\_\_

## EXHIBIT A

### ACTIONS FOR ANDERSON RANCH DAM RAISE PROJECT

| Activity   | In-Kind Services Eligible  |
|--|--|
| Project management and miscellaneous support   | X  |
| Leadership Oversight   | X  |
| Management Oversight   | X  |
| General project administration   | X  |
| Securing Water Rights Permit   | X  |
| If necessary, establish agreements with key project partners regarding planning, design, and construction activities | X  |
| Reservoir Rim Projects   | Eligible only upon prior approval of the Contracting Officer of this Contract (No. 21WN102130) |
| Complete all Federal permitting and mitigation   |  |
| If necessary, acquire lands, easements, and rights-of-way  |  |
| Complete additional surveys and geotechnical investigations for final designs  |  |
| Risk Analysis  |  |
| Value Engineering Study  |  |
| Final Design (including 30%, 60%, 90%, 100% design packages)   |  |
| Prepare solicitation packages  |  |
| Contract Solicitation  |  |
| Perform construction management and construction contract administration   |  |
| Construct the new project facilities, including mitigation   |  |
| Prepare a final cost allocation  |  |

# Memorandum

To: Idaho Water Resource Board  
From: Neeley Miller, Planning & Projects Bureau  
Date: November 9, 2021  
Re: Flood Management Grant Program Criteria



---

**Action: Consider Adoption of Flood Management Grant Program Criteria**

---

In October the Finance Committee met to discuss the Flood Management Grant Criteria. Staff has incorporated changes to the criteria based upon comments received from the Committee.

**Attachment(s):**

Resolution to Adopt Flood Management Grant Updated Criteria  
Updated Flood Management Grant Criteria

**BEFORE THE IDAHO WATER RESOURCE BOARD**

IN THE MATTER OF FLOOD  
MANAGEMENT GRANTS

RESOLUTION TO ADOPT CRITERIA

1 WHEREAS, Senate Bill 1190 passed and approved by the 2021 Legislature made the Idaho  
2 Water Resource Board (IWRB) administered Flood Management Grant Program an on-going  
3 program; and  
4

5 WHEREAS, Senate Bill 1190 directs the IWRB to prioritize projects on a competitive  
6 statewide basis; and  
7

8 WHEREAS, the IWRB developed this criteria in cooperation with program partners; and  
9

10 WHEREAS, in October the IWRB Finance Committee reviewed the criteria and  
11 recommended the IWRB adopt the attached criteria for the Flood Management Grant Program;  
12 and  
13

14 NOW, THEREFORE BE IT RESOLVED that the IWRB adopts the attached criteria for the  
15 award of Flood Management.

DATED this 19<sup>th</sup> day of November 2021.

\_\_\_\_\_  
JEFF RAYBOULD, Chairman  
Idaho Water Resource Board

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

# IWRB Flood Management Grant Program Criteria

The Idaho Water Resource Board (IWRB) Flood Management Grant Funding Program provides financial assistance on a competitive statewide basis to Flood Control Districts, Drainage Districts, Irrigation Districts, Canal Companies, Municipalities, Counties, and other public entities interested in pursuing flood damaged stream channel repair, stream channel improvement, flood risk reduction, and flood prevention projects

Pursuing flood damage repair and improvement projects can help prevent or reduce flood damage in Idaho's streams and rivers. To be considered for grant funding, entities must be able to provide evidence of flood damage, or evidence of conditions that create the risk of flooding in a stream channel and submit a funding request document outlining the proposed repairs and/or improvements to the stream channel.

**Eligible Entities:** Flood Control Districts, Drainage Districts, Irrigation Districts, Canal Companies, Municipalities, and Counties. Other public entities are eligible to apply.

**Eligible Geographic Area:** Statewide

## **Program Budget:**

- No more than 50% of the total budget may be spent within a single IWRB district. This limit may be waived if there are no competing funding demands.

**Funding Amount:** up to \$200,000 per project; one project per application

- Funding awards may be reallocated unless Flood Management work begins prior to November 1 following funding award.
- Funding will not be distributed unless the project is fully permitted. Sponsor is responsible for providing permit documentation to IWRB staff.

## **Matching Funds for Projects:**

- Entities requesting funding for flood management grant projects must provide at least 50% matching cost-share funding with non-state dollars. Projects that include higher cost share amounts will receive a higher-ranking during project evaluations
- In-kind services can be used for 30% of the total project costs. Legal/Administrative in-kind services are limited to 5% of total project costs.
- EXAMPLE: For a \$100K project, sponsor would have to provide at least \$50K in matching cost share funding. Of the \$50K, the sponsor could provide up to \$30K in in-kind services of which \$5,000 could be in legal/administrative costs and \$20K in cash to meet the matching cost-share requirement)

**Evaluation Criteria:** Projects that are determined to not be flood-related by staff will be declared ineligible and not scored. To maximize the effective and efficient use of available funds, the applications will be evaluated, scored (*130-point scale*), and ranked according to the following criteria:

### Effectiveness of Project (60 points)

- Can this project be described as one of the following (if so, please explain how): flood damaged stream channel repair, stream channel improvement, flood risk reduction, or flood prevention project (*20 points*)
- What is the urgency of the project and anticipated costs? (*20 points*)
- What are the benefits of the project and how will success be measured? (*10 points*)



- Is the proposed budget and schedule realistic and is the budget appropriate for the scope of work provided? Has the applicant provided detailed construction expenses documenting how money will be spent to complete the project? (10 points)

**Readiness of Project (70 points)**

- Lead sponsor of project is identified and there is a description of other affected stakeholders and jurisdictions. (10 points)
- Project sponsors will provide documentation that affected local stakeholders and jurisdictions have been consulted. If the project is located within a Flood Control District, the sponsor must provide documentation showing the Flood Control District supports the project, otherwise the project will be declared ineligible. (20 points)
- Specify cash matching funds that will be provided for the project, including any in-kind services. Indicate what funding sources are secured or pending. The applicant must provide at least 50% matching cost share funding with non-state dollars. In-kind services can be used for 30% of the total projects costs. Legal/Administrative in-kind services are limited to 5% of total project costs. (20 points)
- Projects that propose matching cost-share amounts above 50% will receive additional points in the ranking (1 point for each additional 1% increase up to 70% to receive up to 20 additional points).

**Application Process:**

Application Deadline: Due on the first Friday of June

Project Funding Recommendations: June/July Finance Committee

Funding Awarded: July IWRB meeting

**Payment Process:**

- A contract will be developed, and funds will be distributed per that contract upon sponsor submitting funding reimbursement requests to the IWRB.
- Sponsor funding requests shall include a cover letter which shall include a description of the project activities, dates for performing the project activities, and contractor or supplier invoices.
- Invoices should be sent to [ldwrPayable@idwr.idaho.gov](mailto:ldwrPayable@idwr.idaho.gov)

**IWRB Districts are as follows:**

District No. 1: Boundary, Bonner, Kootenai, Shoshone, Benewah, Latah, Clearwater, Nez Perce, Lewis and Idaho counties.

District No. 2: Adams, Valley, Washington, Payette, Gem, Boise, Canyon, Ada, Elmore and Owyhee counties.

District No. 3: Camas, Gooding, Jerome, Twin Falls, Cassia, Blaine, Lincoln, Minidoka, Lemhi, Custer and Butte counties.

District No. 4: Clark, Fremont, Jefferson, Madison, Teton, Bingham, Bonneville, Power, Bannock, Caribou, Oneida, Franklin and Bear Lake counties.

*\* No more than 50% of the total budget may be spent within a single IWRB district. This limit may be waived if there are no competing funding demands.*

**BEFORE THE IDAHO WATER RESOURCE BOARD**

IN THE MATTER OF POINT SPRINGS GRAZING  
ASSOCIATION FUNDING REQUEST

RESOLUTION TO AUTHORIZE INCREASED  
FUNDING FOR WELL DRILLING PROJECT

1 WHEREAS, Point Springs Grazing Association (Association) submitted a loan application to the  
2 Idaho Water Resource Board (IWRB) in the amount of \$20,000.00 to drill a new stock water well  
3 (Project). The Association also requested approval to combine the new loan with the remaining balance  
4 of an existing loan in the amount of \$17,335.53, for a combined loan amount of \$37,335.53; and  
5

6 WHEREAS, on May 21, 2021, the IWRB approved the Association's request for a new loan  
7 totaling \$37,335.53; and  
8

9 WHEREAS, Project construction costs have increased since the time of the original loan approval  
10 from \$20,000 to an estimated \$30,000; and  
11

12 WHEREAS, the Association has requested an increase to its existing loan in the amount of  
13 \$10,000 to cover increased construction cost. The increase will change the total loan amount to  
14 \$47,335.53; and  
15

16 WHEREAS, the Association is a qualified applicant and the proposed Project qualifies for a loan  
17 from the IWRB'S Revolving Development Account; and  
18

19 WHEREAS, the proposed Project is in the public interest and is in compliance with the State  
20 Water Plan.  
21

22 WHEREAS, on October 19, 2021, the IWRB's Finance Committee recommended the full IWRB  
23 consider approval of the loan modification request.  
24

25 NOW THEREFORE BE IT RESOLVED that the IWRB approves an increase in the existing loan of  
26 \$37,335.53 to an amount not to exceed \$47,335.53 from the Revolving Development Account at 3.5%  
27 interest with a 10-year repayment term.  
28

29 NOW THEREFORE BE IT RESOLVED that the IWRB provides authority to the Chairman of the  
30 Idaho Water Resource Board, or his designee, to modify existing contracts with the Association on  
31 behalf of the IWRB. The 10-year term of the loan will remain effective as of May 2021.  
32

33 NOW THEREFORE BE IT FURTHER RESOLVED that this resolution and the approval of the loan are  
34 subject to the following conditions:  
35

- 36 1) The Association shall comply with all applicable rules and regulations that apply to the  
37 proposed Project.

38 2) Prior to the disbursement of any funds, the Association will provide acceptable security for  
39 the loan to the IWRB.

DATED this 19<sup>th</sup> day of November, 2021.

---

JEFF RAYBOULD, Chairman  
Idaho Water Resource Board

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

BEFORE THE IDAHO WATER RESOURCE BOARD

IN THE MATTER OF THE IDAHO WATER  
RESOURCE BOARD LOAN PROGRAM INTEREST  
RATES AND CONDITIONS

RESOLUTION TO AUTHORIZE ADJUSTMENT  
TO LOAN INTEREST RATES AND CONDITIONS

1 WHEREAS, the Idaho Water Resource Board (IWRB) is authorized to make loans from its  
2 Revolving Development Account, and from the Secondary Aquifer Planning, Management, and  
3 Implementation Fund for aquifer management projects which are in the public interest and which  
4 further implement the State Water Plan; and  
5

6 WHEREAS, on April 3, 2020, the IWRB recommended the IWRB's Loan Program (Program)  
7 interest rate be adjusted from the current loan interest rate of 4.5% to 3.5%; and  
8

9 WHEREAS, on October 19, 2021, the IWRB Finance Committee (Committee) developed  
10 recommendations to modify the Program interest rates and loan contract conditions; and  
11

12 WHEREAS, to account for economic fluctuations and ensure interest rates remain competitive,  
13 the Committee recommended the Program's interest rate be set according to a commonly used market  
14 index; and  
15

16 WHEREAS, the IWRB has identified a need to support projects that address aging water  
17 infrastructure needs as an investment in the Idaho economy and to ensure long-term reliable water  
18 service and management; and  
19

20 WHEREAS, the Committee recommended providing an interest rate incentive for shorter-term loans  
21 and projects intended to address aging infrastructure needs throughout the State.  
22

23 NOW THEREFORE BE IT RESOLVED that the following defined terms apply to the Program:  
24

- 25 1) *Aging Water Infrastructure Project* shall be defined broadly as a project intended to address  
26 repair, maintenance, replacement, or improvements to existing infrastructure that supports  
27 water delivery, treatment, and application of water;  
28 2) An *existing loan* shall be defined as any loan that has been approved by the IWRB through  
29 resolution;  
30 3) A *new loan* shall be defined as any loan request for a project, or portion of a project, that has  
31 not previously received funding under an existing loan and that has not been approved by the  
32 IWRB through resolution.  
33

34 NOW THEREFORE BE IT FURTHER RESOLVED that the Program interest rate shall reflect the  
35 Federal Prime Rate on the first day of each quarter.  
36

37 NOW THEREFORE BE IT FURTHER RESOLVED that the interest rate for an approved loan will be  
38 set to the Program interest rate as of the date the completed application is received.

39  
40 NOW THEREFORE BE IT FURTHER RESOLVED that loans for an Aging Water Infrastructure Project  
41 and with a term of 15 years or less, shall receive a reduced interest rate incentive of 80% of the Program  
42 interest rate.

43  
44 NOW THEREFORE BE IT FURTHER RESOLVED that interest rate modifications shall not be  
45 authorized for existing loans.

46  
47 NOW THEREFORE BE IT FURTHER RESOLVED that an existing loan may be combined with a new  
48 loan by approval of the IWRB, and the interest rate shall be changed to reflect the Program interest rate  
49 as of the date new completed application is received.

50  
51 NOW THEREFORE BE IT FURTHER RESOLVED that loans to entities that do not hold statutory  
52 assessment authority shall be required to maintain a reserve fund equal to one annual loan payment until the  
53 loan has been paid in full.

DATED this 19<sup>th</sup> day of November 2021.

---

JEFF RAYBOULD, Chairman  
Idaho Water Resource Board

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

**BEFORE THE IDAHO WATER RESOURCE BOARD**

IN THE MATTER OF THE KING HILL IRRIGATION  
DISTRICT LOAN REQUEST

RESOLUTION TO AUTHORIZE LOAN FUNDING  
FOR COSTS RELATED TO REPLACEMENT OF  
DELIVERY SYSTEM INFRASTRUCTURE

1 WHEREAS, King Hill Irrigation (District) submitted a loan application to the Idaho Water  
2 Resource Board (IWRB) in the amount of \$1,500,000.00 to cover costs associated with a project to install  
3 new pipelines and replace the aging infrastructure of its delivery systems (Project); and  
4

5 WHEREAS, the District delivers water for approximately 11,573 acres of irrigated lands in Elmore  
6 and Twin Falls counties; and  
7

8 WHEREAS, the District's delivery system was originally installed in 1904, with some  
9 improvements made in 1979; and  
10

11 WHEREAS, to avoid interruption of water delivery and potential liability risk, the District needs  
12 to make considerable improvements to its aging infrastructure; and  
13

14 WHEREAS, the total estimated cost for the Project is approximately \$2,950,000, and the District  
15 has secured grant funding from NRCS in the amount of \$1,978,654; and  
16

17 WHEREAS, the District is a qualified applicant, and the proposed Project is eligible for a loan  
18 from the IWRB's Revolving Development Account; and  
19

20 WHEREAS, the proposed Project is in the public interest and is in compliance with the State  
21 Water Plan.  
22

23 WHEREAS, on October 19, 2021, the IWRB's Finance Committee recommended the full IWRB  
24 consider approval of the loan application.  
25

26 NOW THEREFORE BE IT RESOLVED that the IWRB approves a loan not to exceed \$1,500,000  
27 from the Revolving Development Account at 2.6 % interest with a 15-year repayment term.  
28

29 NOW THEREFORE BE IT FURTHER RESOLVED that the IWRB provides authority to the Chairman  
30 of the IWRB, or his designee, to enter into contracts to effectuate the loan on behalf of the IWRB.  
31

32 NOW THEREFORE BE IT FURTHER RESOLVED that this resolution and the approval of the loan are  
33 subject to the following conditions:  
34

- 35 1) The District shall comply with all applicable rules and regulations that apply to the proposed  
36 Project.

- 37           2) Prior to the disbursement of any funds, the District shall comply with all statutory  
38           requirements for incurring debt.  
39           3) Prior to the disbursement of any funds, the District will provide acceptable security for the  
40           loan to the IWRB, including but not limited to its water rights and assessment income which  
41           the District collects from its members.

DATED this 19<sup>th</sup> day of November 2021.

---

JEFF RAYBOULD, Chairman  
Idaho Water Resource Board

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

**BEFORE THE IDAHO WATER RESOURCE BOARD**

IN THE MATTER OF THE BLAINE COUNTY CANAL  
LOAN REQUEST

RESOLUTION TO AUTHORIZE LOAN FUNDING  
FOR COSTS RELATED TO INSTALLTION OF A  
DIVERSION STRUCTURE AND PIPING OF  
CANALS

1 WHEREAS, Blaine County Canal Company (Company) submitted a loan application to the Idaho  
2 Water Resource Board (IWRB) in the amount of \$250,000.00 to cover costs associated with a project to  
3 move its point of diversion, install a new diversion structure, and pipe open canals (Project); and  
4

5 WHEREAS, the Company delivers water for approximately 4,880 acres of irrigated lands in Butte  
6 County near Howe, Idaho; and  
7

8 WHEREAS, the Company's delivery system was originally constructed in the early 1900s, with  
9 few improvements made since the system it was developed; and  
10

11 WHEREAS, considerable systemwide improvements are required to ensure long-term reliable  
12 water delivery and reduce water loss due to seepage; and  
13

14 WHEREAS, the total estimated cost for the Project is approximately \$1,500,000; and  
15

16 WHEREAS the Company has secured grant funding in the amount of \$900,000 from the Natural  
17 Resource Conservation Service, \$100,000 from Trout Unlimited, and an energy savings incentive of  
18 \$240,000 from Rocky Mountain Power Company; and  
19

20 WHEREAS, the Company is a qualified applicant, and the proposed Project is eligible for a loan  
21 from the IWRB's Revolving Development Account; and  
22

23 WHEREAS, the proposed Project is in the public interest and is in compliance with the State  
24 Water Plan.  
25

26 NOW THEREFORE BE IT RESOLVED that the IWRB approves a loan not to exceed \$250,000 from  
27 the Revolving Development Account at 2.6 % interest with a 15-year repayment term.  
28

29 NOW THEREFORE BE IT FURTHER RESOLVED that the IWRB provides authority to the Chairman  
30 of the Idaho Water Resource Board, or his designee, to enter into contracts, to effectuate the loan, on  
31 behalf of the IWRB.  
32

33 NOW THEREFORE BE IT FURTHER RESOLVED that this resolution and the approval of the loan are  
34 subject to the following conditions:  
35



- 36 1) The Company shall comply with all applicable rules and regulations that apply to the  
37 proposed Project.  
38 2) Prior to the disbursement of any funds, the Company will provide acceptable security for the  
39 loan to the IWRB, including but not limited to its water rights, membership assessment  
40 income, and the Project infrastructure.  
41 3) The Company shall maintain a reserve fund equal to one annual loan payment until the loan  
42 has been satisfied.

DATED this 19<sup>th</sup> day of November 2021.

---

JEFF RAYBOULD, Chairman  
Idaho Water Resource Board

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

**BEFORE THE IDAHO WATER RESOURCE BOARD**

IN THE MATTER OF LAKEVIEW ESTATES  
SUBDIVISION HOMEOWNER'S ASSOCIATION  
REQUEST

RESOLUTION TO AUTHORIZE FUNDING FOR  
WATER MASTER PLAN

1 WHEREAS, Lakeview Estates Subdivision Homeowners Association (Association) submitted a  
2 loan application to the Idaho Water Resource Board (IWRB) in the amount of \$65,000.00 for costs  
3 associated with the development of a Water Master Plan (Project)  
4

5 WHEREAS, the Association, located in Clearwater County, provides domestic water for  
6 approximately 35 parcels within its service area; and  
7

8 WHEREAS, the Association's water delivery system is supplied by three wells that are not able to  
9 meet peak demand due to an ongoing drop in the water table; and  
10

11 WHEREAS, the Association intends to develop a Water Master Plan (Plan) to identify system  
12 improvements to provide for a long-term, reliable water supply for its service area; and  
13

14 WHEREAS, the total estimated cost for the Project is approximately \$65,000; and  
15

16 WHEREAS, the Association is a qualified applicant and the proposed Project qualifies for a loan  
17 from the IWRB's Revolving Development Account; and  
18

19 WHEREAS, the proposed Project is in the public interest and is in compliance with the State  
20 Water Plan.  
21

22 NOW THEREFORE BE IT RESOLVED that the IWRB approves a loan not to exceed \$65,000 from  
23 the Revolving Development Account at 3.25% interest with a 15-year repayment term  
24

25 NOW THEREFORE BE IT RESOLVED that the IWRB and provides authority to the Chairman of the  
26 Idaho Water Resource Board, or his designee, to enter into contracts with the Association on behalf of  
27 the IWRB.  
28

29 NOW THEREFORE BE IT FURTHER RESOLVED that this resolution and the approval of the loan are  
30 subject to the following conditions:  
31

- 32 1) The Association shall comply with all applicable rules and regulations that apply to the  
33 proposed Project.  
34 2) The Association shall provide acceptable security for the loan to the IWRB including, but not  
35 limited to, the Association's water rights, membership assessments, all facilities and  
36 equipment associated with its water supply system.

37 3) The Association shall maintain a reserve fund equal to one annual loan payment, until the  
38 loan has been satisfied.

DATED this 19<sup>th</sup> day of November 2021.

---

JEFF RAYBOULD, Chairman  
Idaho Water Resource Board

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

**BEFORE THE IDAHO WATER RESOURCE BOARD**

IN THE MATTER OF AQUIFER STABILIZATION  
AND THE COLLABORATIVE CLOUD SEEDING  
PROGRAM

RESOLUTION TO APPROVE FUNDS FOR THE  
CLOUD SEEDING PROGRAM

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

5  
6 WHEREAS, cloud seeding was identified as a strategy in the Eastern Snake Plain Aquifer  
7 Comprehensive Management Plan (ESPA CAMP) for which stabilization and recovery of the ESPA is a  
8 principal goal, and was identified as a strategy in the draft Treasure Valley Comprehensive Management  
9 Plan; and

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

14  
15 WHEREAS, the Idaho Power Company (IPC) established a remote-operated "Pilot Program" and  
16 brought its operational experience gained from its Payette River Basin program to the Upper Snake River  
17 Basin as a result of the ESPA CAMP; and

18  
19 WHEREAS, discussions between the IWRB, IPC, and other water users resulted in the creation of  
20 a Collaborative Cloud Seeding Program (Program) to expand IPC's cloud seeding operations in the Upper  
21 Snake River Basin and establish IPC run programs in the Boise River Basin, and Wood River Basin with  
22 support from the IWRB and water users; and

23  
24 WHEREAS, the IWRB has paid one third of the total Program O&M costs since the 2017-2018  
25 winter cloud seeding season; and

26  
27 WHEREAS water users in the Boise, Wood, and Upper Snake River basins have historically  
28 contributed different percentages of the cost for annual cloud seeding O&M activities per basin; and

29  
30 WHEREAS, for the 2020-2021 winter cloud seeding season, the IWRB made a one-time  
31 contribution of funding to help offset anticipated O&M funding shortages from the water users in each  
32 basin and to equalize the percentages being paid by the water users in each basin; and

33  
34 WHEREAS, the IWRB, through its fiscal year 2022 budget resolution (FY22 Resolution), authorized  
35 \$950,000 for an estimated one-third of the O&M costs for the 2021-2022 cloud seeding season, and an  
36 additional \$500,000 in one-time funding for the offset of O&M funding shortages for the Collaborative  
37 Cloud Seeding Program; and

WHEREAS, O&M costs have been refined since the passing of the FY22 Resolution and IPC estimates the total cost for O&M for the 2021-2022 season will be \$2,933,000, one-third of which is estimated to be \$980,000; and

WHEREAS, in July of 2019, the IWRB authorized \$700,000 for fifty percent of the capital costs associated with the purchase of a new High Performance Computing system (HPC) to house the weather research forecasting model (WRF model) that supports IPC's operations and analysis; and

WHEREAS the total annual administrative costs to operate and maintain the HPC, to be split equally between the IWRB and IPC, are approximately \$80,000 and IPC; and

WHEREAS there is a need to support weather instrumentation and the collection of data for the design, operations, and analysis of the Board's Cloud Seeding Program; and

WHEREAS Boise State University (BSU), with funding support from IPC, has developed a SWEdar device designed to act as a micro-SNOTEL site and can be used to support the needs of the Cloud Seeding Program; and

WHEREAS BSU has requested \$35,000 from the IWRB to support the final year of development of the SWEdar devices.

NOW, THEREFORE BE IT RESOLVED that, the IWRB authorizes expenditures not to exceed \$33,000 from the Secondary Aquifer Planning, Management, and Implementation Fund for the 2020-2021 cloud seeding season in addition to funding for O&M program shortages already approved in the 2022 Fiscal Year Budget Resolution.

BE IT FURTHER RESOLVED that, the IWRB authorizes expenditures not to exceed \$30,000 from the Secondary Aquifer Planning, Management, and Implementation Fund for the 2020-2021 cloud seeding season in addition to the funding for one-third of O&M funding already approved in the 2022 Fiscal Year Budget Resolution.

BE IT FURTHER RESOLVED that, one-time authorized expenditures per basin shall not exceed the following and are contingent upon anticipated water user contributions as identified in the budget table below:

| Basin              | Total Program<br>O&M Cost | Water User<br>Cost Share<br>(Approx 15%) | IPC Share           | IWRB Share          | One-Time IWRB Contribution<br>(Approx 18%) |
|--------------------|---------------------------|--|---------------------|---------------------|--|
| Boise River        | \$ 832,000                | \$ 125,000                               | \$ 278,000          | \$ 278,000          | \$ 151,000                                 |
| Wood River         | \$ 610,000                | \$ 92,000                                | \$ 204,000          | \$ 204,000          | \$ 110,000                                 |
| Upper Snake River  | \$ 1,491,000              | \$ 225,000                               | \$ 497,000          | \$ 497,000          | \$ 272,000                                 |
| <b>SubTotal</b>    | <b>\$ 2,933,000</b>       | <b>\$ 442,000</b>                        | <b>\$ 979,000</b>   | <b>\$ 979,000</b>   | <b>\$ 533,000</b>                          |
| HPC Administration | \$ 80,000                 |  | \$ 40,000           | \$ 40,000           |  |
| Program Shortages  |                           |  |                     | \$ 533,000          |  |
| <b>Total</b>       | <b>\$ 3,013,000</b>       | <b>\$ 442,000</b>                        | <b>\$ 1,018,000</b> | <b>\$ 1,553,000</b> |  |

76 BE IT FURTHER RESOLVED that, the IWRB authorizes expenditures not to exceed \$35,000 from the  
77 Secondary Aquifer Planning, Management, and Implementation Fund for the final year development of  
78 SWEadar devices.  
79

80 BE IT FURTHER RESOLVED that the IWRB authorizes its chairman or designee, Brian Patton,  
81 Executive Officer to the IWRB, to execute the necessary agreements or contracts.

DATED this 19th day of November 2021.

---

Jeff Raybould, Chairman  
Idaho Water Resource Board

ATTEST \_\_\_\_\_  
Jo Ann Cole-Hansen, Secretary

**BEFORE THE IDAHO WATER RESOURCE BOARD**

IN THE MATTER OF APPLICATION       )  
FOR STREAM CHANNEL ALTERATION) )  
PERMIT NO. S37-20565                )  
\_\_\_\_\_)

**RESOLUTION**

1           WHEREAS, on March 15, 2019, the Idaho Department of Water Resources (“IDWR”)  
2 received Joint Application for Permits No. S37-20565 (“Application”) filed by John Hastings, Jr.  
3 and Embassy Auditoriums, Inc. (“Hastings”) for a stream channel alteration permit for bank  
4 stabilization, in response to a notice of violation; and  
5

6           WHEREAS, on May 17, 2019, IDWR issued a Conditional Approval of Joint  
7 Application for Permits (S37-20565) (“Permit”); and  
8

9           WHEREAS, Hastings requested, in writing within fifteen days after service of the Permit,  
10 a hearing before the Idaho Water Resource Board (“IWRB”) on IDWR’s conditional approval;  
11 and  
12

13           WHEREAS, IDWR and Hastings have been in discussions on the conditional terms of  
14 the Permit since Hastings’ request for hearing but have reached an impasse;  
15

16           WHEREAS, it is necessary for the IWRB to appoint a hearing officer to preside over the  
17 hearing requested by Hastings and issue a recommended order or preliminary order in  
18 accordance with Idaho Code §§ 67-5243(1) and 67-5248;  
19

20           NOW THEREFORE BE IT RESOLVED, the IWRB hereby appoints Shelley Keen,  
21 Water Allocation Bureau Chief, as the hearing officer in the above-captioned proceedings.

Adopted this 19<sup>th</sup> day of November 2021.

\_\_\_\_\_  
Jeff Raybould, Chairman  
Idaho Water Resource Board

ATTEST: \_\_\_\_\_  
Jo Ann Cole-Hansen, Secretary

# Memorandum

To: Idaho Water Resource Board  
From: Brian Patton  
Date: November 9, 2021  
Re: Big and Little Wood Recharge Applications

---



Ann Vonde may request an action regarding the Big and Little Wood recharge applications.



**BEFORE THE IDAHO WATER RESOURCE BOARD**

IN THE MATTER OF THE IDAHO WATER  
RESOURCE BOARD'S ZERO-BASED  
REGULATION NEGOTIATED RULEMAKING OF  
IDAPA 37.03.07 STREAM CHANNEL  
ALTERATION RULES AND 37.01.01 RULES OF  
PROCEDURE

RESOLUTION TO ADOPT AND PUBLISH  
PENDING ZBR RULES IN THE DECEMBER 1,  
2021, IDAHO ADMINISTRATIVE BULLETIN  
VOL. 21-12

1 WHEREAS, the Idaho Water Resource Board ("IWRB") is the executive branch entity with  
2 statutory oversight and authority over 12 chapters of Administrative Rules in IDAPA 37, including:  
3 IDAPA 37.01.01 Rules of Procedure of the IDWR; IDAPA 37.02.01 Comprehensive State Water  
4 Plan Rules; IDAPA 27.02.03 Water Supply Bank Rules; IDAPA 37.02.04 Shoshone Bannock Tribal  
5 Water Supply Bank Rules; IDAPA 37.03.03 Rules and Minimum Standards for the Construction  
6 and Use of Injection Wells; IDAPA 37.03.04 Drilling for Geothermal Resources Rules; IDAPA  
7 37.03.05 Mines Tailing Impoundment Structures Rules; IDAPA 37.03.06 Safety of Dams Rules;  
8 IDAPA 37.03.07 Stream Channel Alteration Rules; IDAPA 37.03.09 Well Construction Standards  
9 and Rules; and IDAPA 37.03.10 Well Driller Licensing Rules; and

10 WHEREAS, Governor Little's [Executive Order 2020-01](#) Zero Based Regulation ("Executive  
11 Order") directs each agency to comprehensively review all rules under its authority and "if  
12 applicable" to promulgate new rules to take their place where necessary, and to conduct this  
13 zero-based review ("ZBR") over a five year period from 2021 to 2025; and

14 WHEREAS, the IWRB adopted a five-year ZBR rulemaking schedule that identifies the  
15 review of IDAPA 37.01.01 Rules of Procedure and 37.03.07 Stream Channel Alteration Rules in  
16 2021; and

17 WHEREAS, the Executive Order directs any "agency wishing to renew a rule chapter  
18 beyond [its ZBR] review date" to promulgate a new rule chapter after conducting a "retrospective  
19 analysis" of the rule; and

20 WHEREAS, the IWRB has conducted retrospective analysis of its Rules of Procedure and  
21 Stream Channel Alteration rules and concluded that both rules are needed to carry out the  
22 IWRB's statutory duties and responsibilities fairly, efficiently, and consistently; and

23 WHEREAS, the Executive Order directs agencies to "start the new rulemaking from a zero-  
24 base, and not seek to simply reauthorize their existing rule chapter without a critical and  
25 comprehensive review"; and

26 WHEREAS, the IWRB's April 7 notice of intent to promulgate rules clearly stated its intent  
27 to "repeal and promulgate rules" "consistent with the [Executive Order]" and where the IWRB  
28 has conformed to all ZBR processes and requirements throughout the rulemaking process; and  
Resolution No. \_\_\_\_\_

29 WHEREAS, the Executive Order directs agencies to “publish a notice of intent to  
30 promulgate rules and hold, at a minimum, two public hearings that are designed to maximize  
31 public participation in the rulemaking process”; and

32 WHEREAS, the IWRB held two public hearings as part of its negotiated rulemaking of the  
33 Stream Channel Alteration rules on April 27, 2021, and June 2, 2021, and held two public hearings  
34 as part of its negotiated rulemaking of the Rules of Procedure on May 12, 2021, and June 23,  
35 2021; and

36 WHEREAS, following negotiations and after taking due consideration of all comments  
37 received during negotiations, the IWRB adopted and authorized for publication IDAPA 37.01.01  
38 Rules of Procedure and IDAPA 37.03.07 Stream Channel Alteration Rules as proposed rules in its  
39 Resolution No. 29-2021 on August 27, 2021; and

40 WHEREAS, DFM published IDAPA 37.03.07 Stream Channel Alteration Rules (Docket No.  
41 37-0307-2101) as proposed rules, on September 1, 2021, in [Idaho Administrative Bulletin Vol. 21-](#)  
42 [9](#) (pages 108-132); and

43 WHEREAS, the period for the public to submit written comment or oral comment  
44 regarding rulemaking Docket No. 37-0307-2101 tolled on September 22, 2021, with one  
45 comment received; and

46 WHEREAS; the single comment received opposed all changes to IDAPA 37.03.07 Stream  
47 Channel Alteration Rules contained in the proposed rule and was contrary to the support and  
48 approval for the changes expressed by most of the stakeholders that participated and  
49 commented in the rulemaking negotiations; and

50 WHEREAS, DFM published IDAPA 37.01.01 Rules of Procedure (Docket No. 37-0101-2101)  
51 as proposed rules, on October 6, 2021, in [Idaho Administrative Bulletin Vol. 21-10](#) (pages 86-105);  
52 and

53 WHEREAS, the period for the public to submit written comment or oral comment  
54 regarding rulemaking Docket No. 37-0101-2101 tolled on October 27, 2021, with no comments  
55 received; and

56 NOW, THEREFORE BE IT RESOLVED that the IWRB adopts and authorizes the notice and  
57 publication of the proposed IDAPA 37.03.07 Stream Channel Alteration Rules (Docket No. 37-  
58 0307-2101) as pending rules and directs their adoption as published on September 1, 2021, in  
59 Idaho Administrative Bulletin Vol. 21-9.

60 NOW, THEREFORE BE IT FURTHER RESOLVED that the IWRB adopts and authorizes the  
61 notice and publication of the proposed IDAPA 37.01.01 Rules of Procedure (Docket No. 37-0101-  
62 2101) as pending rules and directs their adoption as published on October 6, 2021, in Idaho  
63 Administrative Bulletin Vol. 21-10.

64  
65 DATED this 19th day of November 2021.

\_\_\_\_\_  
JEFF RAYBOULD, Chairman  
Idaho Water Resource Board

ATTEST \_\_\_\_\_  
JO ANN COLE-HANSEN, Secretary  
Idaho Water Resource Board

66

**BEFORE THE IDAHO WATER RESOURCE BOARD**

IN THE MATTER OF THE IDAHO WATER  
RESOURCE BOARD'S OMNIBUS  
RULEMAKING

RESOLUTION TO ADOPT AND PUBLISH  
PENDING OMNIBUS FEE AND NON-FEE  
RULES

1 WHEREAS, the Idaho Water Resource Board ("IWRB") is the executive branch entity with  
2 either sole or shared statutory oversight and authority over ten chapters of Administrative Non-  
3 Fee and Fee Rules in IDAPA 37, including: IDAPA 37.01.01 Rules of Procedure of the IDWR; IDAPA  
4 37.02.01 Comprehensive State Water Plan Rules; IDAPA 37.02.03 Water Supply Bank Rules;  
5 IDAPA 37.02.04 Shoshone Bannock Tribal Water Supply Bank; IDAPA 37.03.03 Rules and  
6 Minimum Standards for the Construction and Use of Injection Wells; IDAPA 37.03.04 Drilling for  
7 Geothermal Resources Rules; IDAPA 37.03.05 Mine Tailings Impoundment Structures Rules;  
8 IDAPA 37.03.06 Safety of Dams Rules; IDAPA 37.03.07 Stream Channel Alteration Rules; IDAPA  
9 37.03.09 Well Construction Standards Rules; and IDAPA 37.03.10 Well Driller Licensing Rules; and

10 WHEREAS, at the direction of the Division of Financial Management ("DFM") the IWRB  
11 adopted its non-fee rules as temporary rules, effective July 1, 2021, in its Resolution No. 20-2021  
12 on May 21, 2021; and

13 WHEREAS, also at the direction of DFM the IWRB adopted its fee rules as temporary fee  
14 rules, effective July 1, 2021, in its Resolution No. 21-2021 on June 15, 2021; and

15 WHEREAS, DFM published the IWRB's temporary non-fee rules as Docket No. 37-0000-  
16 2100 and its fee rules as Docket No. 37-0000-2100F, on July 21, 2021, in the [Idaho Administrative](#)  
17 [Bulletin Vol. 21-7SE](#) (pages 4808-5039); and

18 WHEREAS, on August 24, 2021, DFM directed all state executive agencies to adopt and  
19 publish their temporary rules (both fee and non-fee) as proposed rules, and later pending rules,  
20 and submit them for 2022 legislative review as an omnibus rulemaking; and

21 WHEREAS, the IWRB adopted and authorized the publication of its omnibus temporary  
22 fee and non-fee rules as proposed rules in its resolution 33-2021 on September 30, 2021; and

23 WHEREAS, DFM published the IWRB's temporary non-fee rules as proposed omnibus non-  
24 fee rules (Docket No. 37-0000-2100) and its temporary fee rules as proposed omnibus fee rules  
25 (Docket No. 37-0000-2100F), on October 20, 2021, in the [Idaho Administrative Bulletin Vol. 21-](#)  
26 [10SE](#) (pages 4523-4702); and

27 WHEREAS, on October 25, 2021, DFM directed all state executive agencies to adopt and  
28 publish their omnibus proposed rules (both fee and non-fee) as pending rules in a special edition  
29 of the Idaho Administrative Bulletin on December 22, 2021; and

WHEREAS, the period for the public to submit written comment or oral comment regarding the IWRB's October 20, 2021, published proposed omnibus non-fee and fee rules tolled on November 10, 2021, with no comments submitted; and

WHEREAS, the IWRB's rules implement the duly enacted laws of the state of Idaho, provide citizens with the detailed rules and standards for complying with those laws, and assist in the orderly execution and enforcement of those laws; and

WHEREAS, the expiration of the IWRB's rules without due consideration and process would undermine the public health, safety, and welfare of the citizens of Idaho and deprive them of the benefit intended by the rules; and

WHEREAS, the Governor has found that the fee(s) or charge(s) imposed or increased in the fee rules are justified and necessary to avoid immediate danger to the budget of the Idaho Department of Water Resources, to the state budget, to necessary state functions, and services, and to avoid immediate danger of a potential violation of Idaho's constitutional requirement that the state annually balance its budget.

NOW, THEREFORE BE IT RESOLVED that the IWRB adopts and authorizes the notice and publication of the following proposed fee rules as pending rules and directs their adoption as published on October 20, 2021, in the Idaho Administrative Bulletin Vol. 21-10SE:

- 37.01.01, *(Rules of Procedure of the Idaho Department of Water Resources)*;
- 37.02.03, *(Water Supply Bank Rules)*;
- 37.03.03, *(Rules and Minimum Standards for the Construction and Use of Injection Wells)*;
- 37.03.04, *(Drilling for Geothermal Resources Rules)*;
- 37.03.05, *(Mine Tailings Impoundment Structures Rules)*;
- 37.03.06, *(Safety of Dams Rules)*;
- 37.03.07, *(Stream Channel Alteration Rules)*;
- 37.03.09, *(Well Construction Standards Rules)*; and
- 37.03.10, *(Well Driller Licensing Rules)*.

NOW, THEREFORE BE IT FURTHER RESOLVED that the IWRB adopts and authorizes the notice and publication of the following proposed non-fee rules as pending fee rules and directs their adoption as published on October 20, 2021, in the Idaho Administrative Bulletin Vol. 21-10SE:

- 37.02.01, *Comprehensive State Water Plan Rules*
- 37.02.04, *Shoshone Bannock Tribal Water Supply Bank*.

DATED this 19<sup>th</sup> day of November 2021.

\_\_\_\_\_  
JEFF RAYBOULD, Chairman  
Idaho Water Resource Board

ATTEST \_\_\_\_\_  
JO ANN COLE-HANSEN, Secretary  
Idaho Water Resource Board

Resolution No. \_\_\_\_\_

Page 3

# Memorandum

To: Idaho Water Resource Board  
From: Brian Patton  
Date: November 9, 2021  
Re: Potential Legislation of Interest

---



Garrick Baxter will provide a briefing regarding potential legislation of interest to the board.

# Memorandum

To: Idaho Water Resource Board

From: Brian Patton

Date: November 9, 2021

Re: Idaho Water Center Office Space

---



Meghan Carter, Deputy Attorney general, and Director Spackman will provide a briefing regarding office space issues in the Water Center.



# Memorandum



To: Idaho Water Resource Board  
From: Meghan Carter and Gary Spackman  
Date: November 16, 2021  
Re: Idaho Water Center Operating Agreement Payment Schedule

---

**REQUIRED ACTION:** Consider resolution authorizing execution of an amendment to the Idaho Water Center Operating Agreement with the University of Idaho.

---

In 2002, the Idaho Water Resource Board (IWRB) and the Idaho Department of Water Resources (Department) entered into various agreements to facilitate bond financing and operations of the Idaho Water Center. The Operating Agreement with the University of Idaho (University) outlines how the Department and the University will jointly own and occupy the Water Center. The Operating Agreement has a payment schedule that details the payments the Department is obligated to make on the bond debt service.

The Department is obligated for 30 years of debt service payments ending in 2035. The University elected to have a longer repayment period and its debt service payments were scheduled through 2044. Through two bond refundings in 2012 and 2019, the total debt service was reduced. The structure of the Operating Agreement does not allow the Department to realize any of the savings of the refundings.

Since 2019 the Department and the University have been in negotiations to determine how the Department will benefit from the refundings. The Department and the University have reached an agreement and need the IWRB's approval to execute an amendment to the Operating Agreement.

## ATTACHMENTS

Draft resolution to Approve Amendment to the Operating Agreement Payment Schedule.

Revised Debt Service Payment Schedule & Calculation

University of Idaho

Water Center ISBA Bonds and IDWR Rent

Summary Analysis

|                                   | Total Debt Service<br>over Life of Bonds | IDWR Rent<br>Schedule | USFS Debt     | Net Obligation -<br>U of I |
|-----------------------------------|--|-----------------------|---------------|----------------------------|
| Original bonds - 2003             | \$ 134,381,852                           | \$ 32,764,187         | \$ 10,921,560 | \$ 90,696,105              |
|                                   |  | 24.38%                | 8.13%         | 67.49%                     |
| After USFS defeasance - 2007      | 123,460,293                              | 32,764,187            | -             | 90,696,106                 |
|                                   |  | 26.54%                | 0.00%         | 73.46%                     |
| After refunding - 2012            | 113,653,958                              | 32,764,187            | -             | 80,889,771                 |
|                                   |  | 28.83%                | 0.00%         | 71.17%                     |
| After refunding - 2019            | 105,218,347                              | 32,764,187            | -             | 72,454,160                 |
|                                   |  | 31.14%                | 0.00%         | 68.86%                     |
| Proposed allocation 2021          | 105,218,347                              | 27,923,096            | -             | 77,295,251                 |
| IDWR = (\$32,764,187 - 4,841,091) |  | 26.54%                | 0.00%         | 73.46%                     |
| 2012 savings                      | \$ 9,806,335                             |                       |               |                            |
| 2019 savings                      | 8,435,611                                |                       |               |                            |
| Total savings                     | \$ 18,241,946                            | 26.54%                | \$ 4,841,091  |                            |
|                                   |  | IDWR % share          | IDWR \$ share |                            |

University of Idaho  
Water Center ISBA Bonds and IDWR Rent

| Fiscal Year    | Original Total<br>Debt Service | Post-2006-<br>Defeasance Total<br>DS | Original IDWR Share (Post-2006) |          |              | Original UI Share<br>(Post-2006) | Revised DS after<br>refinancings | Revised IDWR<br>share | Revised UI<br>Share |               |
|----------------|--------------------------------|--------------------------------------|---------------------------------|----------|--------------|----------------------------------|----------------------------------|-----------------------|---------------------|---------------|
|                |                                |                                      | Sq Feet                         | Rate     | Annual       |                                  |                                  |                       |                     |               |
| 2003           | \$ -                           | \$ -                                 |                                 |          | \$ -         | \$ -                             | \$ -                             | \$ -                  | \$ -                |               |
| 2004           | \$ -                           | \$ -                                 |                                 |          | \$ -         | \$ -                             | \$ -                             | \$ -                  | \$ -                |               |
| 2005           | \$ 1,448,382                   | \$ 1,448,382                         |                                 | \$ 12.22 | \$ 305,500   | \$ 1,142,882                     | \$ 1,448,382                     | \$ 305,500            | \$ 1,142,882        |               |
| 2006           | \$ 2,896,764                   | \$ 2,896,764                         | 25,000                          | \$ 12.72 | \$ 636,000   | \$ 2,260,764                     | \$ 2,896,764                     | \$ 636,000            | \$ 2,260,764        |               |
| 2007           | \$ 2,896,764                   | \$ 2,611,817                         | 50,000                          | \$ 13.22 | \$ 668,572   | \$ 1,943,245                     | \$ 2,611,817                     | \$ 668,572            | \$ 1,943,245        |               |
| 2008           | \$ 2,896,764                   | \$ 2,611,817                         | 50,573                          | \$ 13.72 | \$ 745,750   | \$ 1,866,067                     | \$ 2,611,817                     | \$ 745,750            | \$ 1,866,067        |               |
| 2009           | \$ 2,896,764                   | \$ 2,611,817                         | 54,355                          | \$ 14.22 | \$ 772,928   | \$ 1,838,889                     | \$ 2,611,817                     | \$ 772,928            | \$ 1,838,889        |               |
| 2010           | \$ 2,896,764                   | \$ 2,611,817                         | 54,355                          | \$ 14.72 | \$ 800,106   | \$ 1,811,711                     | \$ 2,611,817                     | \$ 800,106            | \$ 1,811,711        |               |
| 2011           | \$ 3,096,710                   | \$ 2,811,763                         | 54,355                          | \$ 15.22 | \$ 827,283   | \$ 1,984,480                     | \$ 2,811,763                     | \$ 827,283            | \$ 1,984,480        |               |
| 2012           | \$ 3,096,357                   | \$ 2,811,410                         | 54,355                          | \$ 15.72 | \$ 854,461   | \$ 1,956,949                     | \$ 2,811,410                     | \$ 854,461            | \$ 1,956,949        |               |
| 2013           | \$ 3,095,511                   | \$ 2,810,564                         | 54,355                          | \$ 16.22 | \$ 881,638   | \$ 1,928,926                     | \$ 2,806,454                     | \$ 881,638            | \$ 1,924,816        |               |
| 2014           | \$ 3,097,789                   | \$ 2,812,842                         | 54,355                          | \$ 16.72 | \$ 908,816   | \$ 1,904,026                     | \$ 2,810,592                     | \$ 908,816            | \$ 1,901,776        |               |
| 2015           | \$ 3,097,989                   | \$ 2,813,042                         | 54,355                          | \$ 17.22 | \$ 935,993   | \$ 1,877,049                     | \$ 2,811,542                     | \$ 935,993            | \$ 1,875,549        |               |
| 2016           | \$ 3,398,022                   | \$ 3,113,075                         | 54,355                          | \$ 17.72 | \$ 963,171   | \$ 2,149,904                     | \$ 3,111,125                     | \$ 963,171            | \$ 2,147,954        |               |
| 2017           | \$ 3,397,292                   | \$ 3,112,345                         | 54,355                          | \$ 18.22 | \$ 990,348   | \$ 2,121,997                     | \$ 3,107,595                     | \$ 990,348            | \$ 2,117,247        |               |
| 2018           | \$ 3,399,319                   | \$ 3,114,372                         | 54,355                          | \$ 18.72 | \$ 1,017,526 | \$ 2,096,846                     | \$ 3,110,422                     | \$ 1,017,526          | \$ 2,092,896        |               |
| 2019           | \$ 3,398,954                   | \$ 3,114,007                         | 54,355                          | \$ 19.22 | \$ 1,044,703 | \$ 2,069,304                     | \$ 3,109,232                     | \$ 1,044,703          | \$ 2,064,529        |               |
| 2020           | \$ 3,396,197                   | \$ 3,111,250                         | 54,355                          | \$ 19.72 | \$ 1,071,881 | \$ 2,039,369                     | \$ 3,086,624                     | \$ 1,071,881          | \$ 2,014,743        |               |
| 2021           | \$ 3,696,629                   | \$ 3,411,682                         | 54,355                          | \$ 20.22 | \$ 1,099,058 | \$ 2,312,624                     | \$ 3,406,586                     | \$ 1,099,058          | \$ 2,307,528        |               |
| 2022           | \$ 3,699,354                   | \$ 3,414,407                         | 54,355                          | \$ 20.72 | \$ 1,126,236 | \$ 2,288,171                     | \$ 3,409,473                     | \$ 1,126,236          | \$ 2,283,237        |               |
| 2023           | \$ 3,697,893                   | \$ 3,412,946                         | 54,355                          | \$ 21.22 | \$ 1,153,413 | \$ 2,259,533                     | \$ 3,406,638                     | \$ 1,153,413          | \$ 2,253,225        |               |
| 2024           | \$ 3,697,097                   | \$ 3,412,150                         | 54,355                          | \$ 21.72 | \$ 1,180,591 | \$ 2,231,559                     | \$ 3,408,331                     | \$ 1,180,591          | \$ 2,227,740        |               |
| 2025           | \$ 3,696,666                   | \$ 3,411,719                         | 54,355                          | \$ 22.22 | \$ 1,207,768 | \$ 2,203,951                     | \$ 3,409,015                     | \$ 1,207,768          | \$ 2,201,247        |               |
| 2026           | \$ 3,696,301                   | \$ 3,411,354                         | 54,355                          | \$ 22.72 | \$ 1,234,946 | \$ 2,176,408                     | \$ 3,408,196                     | \$ 1,234,946          | \$ 2,173,250        |               |
| 2027           | \$ 3,695,704                   | \$ 2,135,075                         | 54,355                          | \$ 23.22 | \$ 1,262,123 | \$ 872,952                       | \$ 3,498,441                     | \$ 1,262,123          | \$ 2,236,318        |               |
| 2028           | \$ 3,699,426                   | \$ 1,882,750                         | 54,355                          | \$ 23.72 | \$ 1,289,301 | \$ 593,449                       | \$ 3,495,779                     | \$ 1,289,301          | \$ 2,206,478        |               |
| 2029           | \$ 3,697,168                   | \$ 1,882,750                         | 54,355                          | \$ 24.22 | \$ 1,316,478 | \$ 566,272                       | \$ 3,499,229                     | \$ 1,316,478          | \$ 2,182,751        |               |
| 2030           | \$ 3,697,897                   | \$ 3,667,000                         | 54,355                          | \$ 24.72 | \$ 1,343,656 | \$ 2,323,344                     | \$ 3,662,427                     | \$ 1,343,656          | \$ 2,318,772        |               |
| 2031           | \$ 3,697,375                   | \$ 3,697,375                         | 54,355                          | \$ 25.22 | \$ 1,370,833 | \$ 2,326,542                     | \$ 3,693,979                     | \$ 1,370,833          | \$ 2,323,146        |               |
| 2032           | \$ 3,697,125                   | \$ 3,697,125                         | 54,355                          | \$ 25.72 | \$ 1,398,011 | \$ 2,299,114                     | \$ 3,694,894                     | \$ 914,018            | \$ 2,780,876        |               |
| 2033           | \$ 3,696,750                   | \$ 3,696,750                         | 54,355                          | \$ 26.22 | \$ 1,425,188 | \$ 2,271,562                     | \$ 3,694,453                     |                       | \$ 3,694,453        |               |
| 2034           | \$ 3,696,000                   | \$ 3,696,000                         | 54,355                          | \$ 26.72 | \$ 1,452,366 | \$ 2,243,634                     | \$ 3,688,209                     |                       | \$ 3,688,209        |               |
| 2035           | \$ 3,699,500                   | \$ 3,699,500                         | 54,355                          | \$ 27.22 | \$ 1,479,543 | \$ 2,219,957                     | \$ 3,692,402                     |                       | \$ 3,692,402        |               |
| 2036           | \$ 3,697,000                   | \$ 3,697,000                         |                                 |          |              | \$ 3,697,000                     | \$ 3,694,595                     |                       | \$ 3,694,595        |               |
| 2037           | \$ 3,698,250                   | \$ 3,698,250                         |                                 |          |              | \$ 3,698,250                     | \$ 3,695,364                     |                       | \$ 3,695,364        |               |
| 2038           | \$ 3,697,875                   | \$ 3,697,875                         |                                 |          |              | \$ 3,697,875                     | \$ 391,164                       |                       | \$ 391,164          |               |
| 2039           | \$ 3,695,625                   | \$ 3,695,625                         |                                 |          |              | \$ 3,695,625                     |                                  |                       |                     |               |
| 2040           | \$ 3,696,125                   | \$ 3,696,125                         |                                 |          |              | \$ 3,696,125                     |                                  |                       |                     |               |
| 2041           | \$ 3,698,875                   | \$ 3,698,875                         |                                 |          |              | \$ 3,698,875                     |                                  |                       |                     |               |
| 2042           | \$ 3,698,500                   | \$ 3,698,500                         |                                 |          |              | \$ 3,698,500                     |                                  |                       |                     |               |
| 2043           | \$ 3,699,625                   | \$ 3,699,625                         |                                 |          |              | \$ 3,699,625                     |                                  |                       |                     |               |
| 2044           | \$ 932,750                     | \$ 932,750                           |                                 |          |              | \$ 932,750                       |                                  |                       |                     |               |
|                |                                |                                      |                                 |          |              | \$ 32,764,187                    | \$ 90,696,105                    | \$ 105,218,346        | \$ 27,923,096       | \$ 77,295,250 |
| Total DS Share | 100%                           |                                      | Share of Original DS            |          | 24.381%      | 67.491%                          | 100%                             | 26.538%               | 73.462%             |               |
|                |                                |                                      | Share of 2006 DS                |          | 26.538%      |                                  |                                  |                       |                     |               |
|                |                                |                                      |                                 |          |              | Savings                          | 18,241,945                       | 4,841,091             | 13,400,854          |               |
|                |                                |                                      |                                 |          |              |                                  | 100%                             | 26.538%               | 73.462%             |               |

**BEFORE THE IDAHO WATER RESOURCE BOARD**

IN THE MATTER OF THE IDAHO WATER  
CENTER OPERATING AGREEMENT

RESOLUTION TO APPROVE  
AMENDMENT TO THE OPERATING  
AGREEMENT PAYMENT SCHEDULE

1 WHEREAS, On December 17, 2002, The Idaho Water Resource Board (IWRB), the Idaho  
2 Department of Water Resources (Department), The Department of Administration, the Board of Regents  
3 of the University of Idaho (University), and the Idaho State Building Authority entered into a Facilities  
4 Lease detailing bond financing and operating of the Idaho Water Center; and

5  
6 WHEREAS, On December 17, 2002, IWRB, the Department, and the University entered into an  
7 Operating Agreement outlining how the parties would jointly own and occupy the Idaho Water Center. The  
8 Operating Agreement includes a payment schedule which contains the Department's share of the Idaho  
9 Water Center bond payments; and

10  
11 WHEREAS, The bonds, issued for the Idaho Water Center, were refunded in 2012 and 2019,  
12 reducing the debt service; and

13  
14 WHEREAS, The Department and the University negotiated a new payment schedule for the  
15 Operating Agreement such that the Department will benefit from the bond refundings. The Department will  
16 receive a savings of approximately \$4.8 million eliminating the 2033 through 2035 payments and reducing  
17 the 2032 payment.

18  
19 WHEREAS, The Operating Agreement must be amended to incorporate the new payment schedule.

20  
21 NOW THEREFORE BE IT RESOLVED, that the IWRB authorizes the Chairman or his designee  
22 to sign an amendment to the Operating Agreement to effectuate the new payment schedule.

DATED this 19<sup>th</sup> day of November 2021.

\_\_\_\_\_  
JEFF RAYBOULD, Chairman  
Idaho Water Resource Board

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

# Memorandum

To: Idaho Water Resource Board  
From: Jennifer Strange  
Date: November 8, 2021  
Re: Proposed Meeting Dates 2022



---

**ACTION:** IWRB approval of regular board meeting dates requested.

---

The following dates for 2022 Regular Meetings are presented for consideration by the Board.

- January 20-21, 2022
- March 17-18, 2022 or March 31- April 1, 2022
- May 19-20, 2022
- July 21-22, 2022
- September 15-16, 2022
- November 17-18, 2022

All meetings are planned to be held in Boise with an option to provide an online platform when health concerns are high due to the covid-19 pandemic. Notice will be given for meeting locations that differ.