



AGENDA

IDAHO WATER RESOURCE BOARD

Board Meeting No. 5-21

Friday, March 19, 2021

8:30 a.m. (MST)

Water Center

Conference Rooms 602 B, C & D / Zoom Online

322 E. Front St.

BOISE

(This meeting will be conducted using guidance in response to the public health emergency caused by the COVID-19 pandemic. Masks are required & in person attendance is limited. Call or email if you have questions: jennifer.strange@idwr.idaho.gov)

Board Members & the Public may participate via Zoom

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

Dial in Option: 1(253) 215-8782

Meeting ID: 946 0657 4905 Passcode: 055386

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

Peter Van Der Meulen
Hailey
At Large

Albert Barker
Boise
District 2

Vacant
District 3

Dale Van Stone
Hope
District 1

Vacant
At Large

1. Roll Call
2. Agenda & Approval of Minutes 1-21, 2-21, 3-21, and 4-21*
3. Public Comment
4. Financial Report
5. Idaho Code §42-1737*
6. Amendments to Idaho Code §42-1760*
7. Senate Bill 1121 Priorities*
8. House Bill 266*
9. Picabo Livestock Company Loan*
10. Palouse Basin Aquifer Committee Update
11. Upper Salmon Water Transactions*
12. Priest Lake Water Management Project Update
13. Potential Legislation of Interest
14. Administrative Rules Update*
15. Wood River Groundwater Management Advisory Committee Update
16. Director's Report
17. Non-Action Items for Discussion
18. 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 or by phone at (208) 287-4800.



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MINUTES MEETING NO. 1-21

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

January 20, 2021
Work Session

Chairman Chase called the work session meeting to order at 1:05 p.m. Board members present were Al Barker, Jeff Raybould, and Roger Chase; online were Jo Ann Cole-Hansen, Pete Van Der Meulen, and Dale Van Stone. IDWR staff members present were: Brian Patton, Gary Spackman, Mathew Weaver, and Jennifer Strange; and online were David Hoekema, Garrick Baxter, Kala Golden, Jennifer Sukow, Cynthia Bridge Clark, Meghan Carter, Noah Stewart-Maddox, Remington Buyer, Craig Tesch, Neeley Miller, Angie Grimm, Steve Stuebner, Emily Skoro, Sean Vincent, Alex Moody, and Wesley Hipke. Guests present online were Scott King, Bryan Horsburgh, Kurt Newbry, Darrell Early, Jim Wrigley, Larry Schoen, Adam Sorensen, Bert Stevenson, Claudia Cottle, Marie Kellner, David Cottle, Travis Thompson, Christopher Keith, J. Rolden, Devin Stoker, Dylan Lawrence, Kresta Davis, Norman Semanko, Ann Vonde, Jaxon Higgs, Steve Hannula, Brandon McLean, Lynn Tominaga, Mark Limbaugh, and Mike Telford.

During the Work Session the following items were discussed:

- Mr. Mark Limbaugh of the Ferguson Group discussed federal issues as they related to board projects and water resource issues.
- Ms. Bridge Clark introduced Bryan Horsburgh who discussed an update on the Boise River Feasibility Study/Anderson Ranch Dam Raise. Also related to this topic, Ms. Bridge Clark shared a timeline of activities for the project over the upcoming year.
- Mr. Craig Tesch presented an update on the Big Lost Basin hydrologic investigations.
- Ms. Jennifer Sukow provided a presentation on the Big Lost groundwater level trends.
- Mr. Sean Vincent gave updates on the ESPA, Wood River, and Treasure Valley Groundwater models.

- Mr. David Hoekema provided the January water supply outlook report.
- Mr. Garrick Baxter discussed the most recent potential legislation of interest.
- Mr. Mat Weaver gave an update on Administrative Rules.

At the end of the work session, the Board moved into Executive Session. Topics discussed pursuant to Idaho Code §74-206(1) subsection (f) were: IWRB water right applications 01-10613, 21-7577, 21-7578, 21-7580, and 21-13160; and topics discussed pursuant to Idaho Code §74-206(1) subsection (d) were: Anderson Ranch Dam Raise and draft legislation to create Idaho Code §42-1765B. Ann Vonde of the Attorney General’s office spoke on these topics.

Ms. Cole-Hansen moved to resolve into executive session; Mr. Raybould seconded. Roll call vote: Mr. Barker, aye; Ms Cole-Hansen, aye; Mr. Raybould, aye; Mr. Van Stone, aye; Mr. Van Der Meulen, aye; and Chairman Chase, aye. All ayes. Mr. Barker excused himself from the executive session. Closed to the public.

Ms. Cole-Hansen moved to resolve out of executive session. Mr. Raybould seconded. Voice vote. All ayes. No action was taken during the executive session.

Mr. Raybould moved to adjourn. Ms. Cole-Hansen seconded. Voice vote. All ayes. No action was taken by the Board during the Work Session. The meeting adjourned at 5:30 p.m.

January 21, 2021
Board Meeting No. 1-21

At 9:00 AM Chairman Chase called the meeting to order. All members were present.

Agenda Item No. 1: Roll Call

Board Members Present

Roger Chase, Chairman
 Jeff Raybould, Vice-Chairman
 Albert Barker

Board Members Present Online

Pete Van Der Meulen
 Dale Van Stone
 Jo Ann Cole-Hansen

Staff Members Present

Gary Spackman, Director
 Sascha Marston

Brian Patton, Executive Officer
 Jennifer Strange

Staff Members Present Online

Cynthia Bridge Clark, Water Projects Manager
 Mathew Weaver, Deputy Director
 Noah Stewart-Maddox
 Wesley Hipke
 Amy Cassel

Neeley Miller, Water Resource Sr. Planner
 Kala Golden
 Steve Stuebner
 Remington Buyer

Guests Present Online

Ann Vonde
 Bert Stevenson
 Devin Stoker

Shaun Parkinson
 Bruce Sandoval
 Dylan Lawrence

Scott Campbell
 David Cottle
 J. Roldan

Kurt Newbry
Larry Schoen
Robin Lee-Beusan
Mary Beth Collins

Clive Strong
Mike Lawrence
Pat McMahon
Tom Bassista

Norm Semanko
Scott King
Jaxon Higgs

Agenda Item No. 2: Board Elections

Mr. Van Der Meulen made a motion that the board adopt Jeff Raybould as Chairman; Roger Chase as Vice Chairman, and Jo Ann Cole-Hansen as Secretary. Mr. Van Stone seconded the motion. Mr. Barker moved that the nominations be closed. Mr. Van Stone seconded that motion. Roll call vote. Mr. Barker, aye; Ms. Cole-Hansen, aye; Mr. Raybould, aye; Mr. Van Der Meulen, aye; Mr. Van Stone, aye; and Chairman Chase, aye. The nominations were adopted.

Agenda Item No. 3: Agenda and Approval of Minutes 11-20

Chairman Raybould asked if there were any amendments to the agenda. There were none. Mr. Barker moved to adopt the minutes for board meeting 11-20. Ms. Cole-Hansen seconded. Voice vote. All ayes. The motion was adopted.

Agenda Item No. 4: Public Comment

Chairman Raybould asked if there were any public comments from guests online. Mr. Bert Stevenson made a comment of gratitude for the work of the Chair and Vice Chair.

Mr. Scott Campbell representing Elmore County stated he was especially interested in the upcoming agenda item 8b and requested that he be allowed to make a comment, depending on what is discussed. Chairman Raybould agreed to allow such comments at that time.

Agenda Item No. 5: Financial Report

Mr. Miller provided an updated financial report on the Board's accounts. As of November 30, 2020 the Board's available and committed balances were as follows: Secondary Aquifer Fund—committed but not disbursed \$21,716,491 and uncommitted \$2,538,824; Revolving Development—committed but not disbursed \$25,694,324, loan principle outstanding \$22,806,101, uncommitted \$6,066,173, and anticipated loanable funds available next 1 year \$9,566,173; Water Management—committed but not disbursed \$21,804,513 and uncommitted \$573,724. There were some discussion about Flood Management Grant money and about potential loans.

Agenda Item No. 6: IDWR Governor's Recommended Budget

Ms. Sascha Marston presented the Governor's recommended FY22 budget for the Department. She provided a summary of the budget and discussed more detailed decision units. Mr. Barker and Chairman Raybould expressed appreciation for her work and organization.

Agenda Item No. 7: Lemhi Basin Settlement Working Group Update

Mr. Clive Strong and Mr. Norm Semanko provided a brief update on the efforts related to the Lemhi Basin Settlement Working Group. Their most recent meeting lasted a full day on January 12th. They had produced a fifth version of the term sheet/settlement proposal and plan to update the same to include the latest discussions.

Agenda Item No. 8: Boise River Feasibility Study/Anderson Ranch Dam Raise

Ms. Bridge Clark stated there would be two resolutions for the board to consider related to the Boise River Feasibility Study/Anderson Ranch Dam Raise (see Agenda Items 8a and 8b).

Agenda Item No. 8a: Financial Advisor

A resolution was presented to the Board to contract with a financial advisor to develop and administer a plan to finance the non-federal costs for the Anderson Ranch Dam raise. Mr. Barker stated the resolution was an essential part to advancing the project. Ms. Bridge Clark named some edits to the resolution.

Mr. Barker moved to adopt the resolution with the suggested edits. Ms. Cole-Hansen seconded. Roll call vote. Mr. Barker, aye; Ms. Cole-Hansen, aye; Mr. Chase, aye; Mr. Van Der Meulen, aye; Mr. Van Stone, aye; and Chairman Raybould, aye. All ayes. The motion was adopted.

Mr. Jim Wrigley was available online. He expressed appreciation to work with the board.

Agenda Item No. 8b: Protected Rivers—Lime Creek & S. Fork Boise River

Ms. Bridge Clark introduced Deputy Attorney General, Ann Vonde to address a resolution before the board. Chairman Raybould asked Mr. Scott Campbell if he had concerns with the resolution before the board. He stated that he did not currently have any concerns.

Mr. Barker stated the board is not considering changing any protected river designations; but is reviewing what impact the proposed dam raise might have on protected river reaches. He further suggested that the resolution be discussed. Ms. Vonde went through the items in the resolution.

Mr. Barker moved to adopt the resolution. Mr. Chase seconded. Roll call vote. Mr. Barker, aye; Ms. Cole-Hansen, aye; Mr. Chase, aye; Mr. Van Der Meulen, aye; Mr. Van Stone, aye; and Chairman Raybould, aye. All ayes. The motion was adopted.

Agenda Item No. 9: Cloud Seeding Program Budget

Ms. Kala Golden provided a brief update. A draft resolution was presented to authorize funding for work related to Phase 2 of the Cloud Seeding Analysis. She also discussed the project schedule and timeline. There was a question about who might benefit from the extra water in the system.

An online guest asked to speak to the board on this topic. Mr. Larry Schoen, who identified himself as a Blaine county water user and former county commissioner, asked if the study will examine potential flood risks; what inter-basin effects might be; and any cumulative toxicity effects of silver iodide over time. Ms. Bridge Clark stated the study being proposed is more narrowly focused. She suggested it would be appropriate to address these questions in a Cloud Seeding Committee meeting.

Mr. Barker moved to adopt the resolution for the \$500,000 proposed resolution. Ms. Cole-Hansen seconded. Roll call vote. Mr. Barker, aye; Ms. Cole-Hansen, aye; Mr. Chase, aye; Mr. Van Der Meulen, aye; Mr. Van Stone, aye; and Chairman Raybould, aye. All ayes. The motion was adopted.

Agenda Item No. 10: Draft Legislation to Create Idaho Code §42-1765B

Ms. Cole-Hansen, the Chairman for the Water Supply Bank Committee, stated the committee reviewed this draft legislation and recommended it be brought before the full board. Subsequent to that, the Idaho Water Users recommended a committee to work on the same. The IWUA committee was still reviewing the legislation.

Ms. Cole-Hansen moved to send this draft legislation back to the WSB Committee to await the IWUA recommendation on the draft legislation. Mr. Chase seconded. Voice vote. Five ayes, one abstention. The motion carried.

Agenda Item No. 11: Idaho Code §42-1737

Mr. Chase moved to defer item 11 to a later date. Mr. Van Stone seconded. Voice vote. Five ayes; one abstention. The motion carried.

The board took a five minute break.

Agenda Item No. 12: ESPA Managed Recharge Update

Mr. Hipke gave an update of the managed recharge program. The total natural flow water recharged measured at 75,000 AF as of January 20th. Current conditions measured IWRB recharge at 407 cfs; Minidoka Dam flows at 544 cfs; and Milner flows at 200 cfs. Finally, he discussed capacity projects and investigations. Mr. Van Stone asked how our recharge is compared to the past. Mr. Hipke explained variables that influence the differences in annual recharge volumes. Chairman Raybould suggested that our current recharge is likely lower than in the past; but our steady recharge efforts are having an impact.

Agenda Item No. 13: Priest Lake Water Management Project Update

Mr. Miller provided a brief update on the previous phases of the Priest Lake Water Management Study. He stated that there had been an issue with the current construction during the de-watering. Additionally, some expected change orders were discussed. There was some discussion about the construction issue, and it was determined that more information would be needed to discuss that issue. He shared several project construction photos. The Thorofare is anticipated to be completed by February 1.

Agenda Item No. 14: Ririe Reservoir Rule Curve Modification

Mr. Patton directed the Board's attention to a draft Senate Concurrent Resolution from Senator Bair. The draft resolution seeks to authorize a change to the flood control rule curves presently in place on Ririe Dam and Reservoir to properly balance Ririe Reservoir water supply and irrigation supplies with adequate flood control as was intended in the settlement contained in the 1990 Fort Fall Agreement. It specifically resolves and "encourages the Idaho Water Resource Board to provide adequate financial resource to Mitigation, Inc in finalizing the studies and projects necessary to change the Ririe Reservoir flood control rule curves." There was some discussion about funding sources. Chairman Raybould said the Water Users were also reviewing this legislation. Ms. Cole-Hansen requested that the issue be addressed in more detail in a future meeting. Chairman Raybould suggested a presentation by Mitigation, Inc could happen at a near future Storage Committee meeting.

Agenda Item No. 15: Director's Report

Director Spackman reflected on the JFAC Hearing that he and Chairman Raybould participated in. At the hearing, some questions were asked about the \$50 million appropriation to the Board. Director Spackman suggested that there is an urgency for directing where the extra funds are allocated.

He provided updates on groundwater management. He expects to create an ESPA Groundwater Advisory Committee in late spring/early summer. Areas where groundwater management are or will be occurring consist of the Big Lost, the Big Wood, and the Bruneau area. Finally, he discussed adjudication efforts. The Department's budget includes funding for Bear River adjudication.

Agenda Item No. 16: Non-Action Items for Discussion

Mr. Barker suggested we be aware that some environmental groups have sued on the mid-Snake operations. Chairman Raybould stated he appreciated the work of former board Chairman, Roger Chase who had served as Chairman for the past eight years.

Agenda Item No. 17: Next Meeting and Adjourn

Mr. Patton stated the next scheduled meetings are March 18 and 19, 2021 in Boise and via an online platform. He also stated that Director Spackman and Chairman Raybould will be participating in the IWUA meeting. Mr. Chase moved to adjourn. Mr. Barker seconded. Voice vote. All ayes. Motion carried. Meeting adjourned around 11:30 a.m.

Respectfully submitted this 19th day of March, 2021.

Jo Ann Cole-Hansen, *Secretary*

Jennifer Strange, *Administrative Assistant II*

Board Actions:

1. Adopted nominations for Chair, Vice Chair and Secretary.
2. Meeting minutes 11-20 were adopted.
3. Adopted a resolution to contract with a financial advisor to develop and administer a financing plan for the non-federal project costs.
4. Adopted a resolution regarding Lime Creek & South Fork of the Boise River protected river segments.
5. Adopted a resolution to approve funds for a modeling effort to support the study of cloud seeding impacts on the water supply.
6. A motion to send Draft Legislation to Create Idaho Code §42-1765B back to the WSB Committee and await further analysis by the Idaho Water Users Association.
7. A motion to defer any action on Idaho Code §42-1737.



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MINUTES MEETING NO. 2-21

Idaho Water Center
Conference Rooms 648A / Online Zoom Meeting
322 East Front Street, 6th Floor
BOISE

February 10, 2021

At 2:05 p.m. Chairman Raybould called the meeting to order.

Agenda Item No. 1: Roll Call

Board Members Present via Zoom Online

Jeff Raybould, Chairman
Roger Chase, Vice-Chairman
Jo Ann Cole-Hansen, Secretary
Pete Van Der Meulen
Al Barker
Dale Van Stone

Staff Members Present

Brian Patton, Executive Officer
Gary Spackman, Director
Jennifer Strange, Admin. Assistant

Staff Members Present via Zoom Online

Cynthia Bridge Clark, Water Projects Section Manager
Neeley Miller, Senior Planner
Meghan Carter, Deputy Attorney General
Emily Skoro, Technical Engineer
Amy Cassel, Program Manager
Wesley Hipke, Project Manager
Steve Stuebner, Media Relations

Guests Present via Zoom Online

Michael Orr, Deputy Attorney General
Darrell Early, Deputy Attorney General
John Dawson
Kurt Newbry
Shane Phillips
Tom Bassista

Agenda Item No. 2: Executive Session

There was an executive session to discuss the topic of Priest Lake with Meghan Carter and the topic of Lemhi with Michael Orr. Ms. Cole-Hansen moved to resolve into executive session pursuant to Idaho Code §74-206(1) subsection (f). Mr. Barker seconded. Roll call vote: Mr. Barker, aye; Mr. Chase, aye; Ms. Cole-Hansen, aye; Mr. Van Der Meulen, aye; Mr. Van Stone, aye; and Chairman Raybould, aye. 6 ayes. The motion passed. Closed to the public.

At 3:35 p.m. Ms. Cole-Hansen moved to resolve out of executive session. Mr. Van Stone seconded. Voice vote: all ayes. No action was taken by the board during the executive session. There was a five minute break while the meeting re-opened to the public.

Agenda Item No. 3: Priest Lake

Mr. Miller introduced the latest Priest Lake issues. Mr. Miller stated that the contractor for the project (STRIDER) suggested that a second season of work is necessary on the outlet dam. The contractor believed there were unexpected issues related to riprap below the dam which makes an extension necessary. Mr. Miller introduced John Dawson and Shane Phillips from Mott MacDonald, the IWRB's representative in managing construction of this project. Chairman Raybould requested the Mott MacDonald team provide an overview of the project and its challenges.

There was discussion among board members: questions about the timeline of events; questions on the quality of the completed work; and options on how to proceed with the project, including additional costs and potential change-orders.

It was suggested that this topic should be addressed again at a near-future meeting.

Agenda Item No. 4: ESPA Recharge

Mr. Patton presented a resolution which came from an agreement with Idaho Power Company. This resolution ended the non-diversion arrangement with IPC that had been adopted via resolution at the November 19, 2020 board meeting.

Mr. Chase moved to adopt a resolution regarding an agreement not to divert a portion of the Board's water rights 01-7054, 01-7142, and 01-10609 during the 2020-2021 recharge season. Mr. Van Der Meulen seconded. Voice vote: all ayes. The motion passed.

Agenda Item No. 5: Non-Action Items for Discussion

No other items were discussed.

Agenda Item No. 6: Next Meeting and Adjourn

There was discussion about a need for a follow up meeting related to the Priest Lake issue. Mr. Van Der Meulen moved to adjourn the meeting. Ms. Cole-Hansen seconded. All in favor. Meeting adjourned

Respectfully submitted this 19th day of March, 2021.

Jo Ann Cole-Hansen, *Secretary*

Jennifer Strange, *Administrative Assistant II*

Board Actions:

1. Adopt a resolution regarding an agreement not to divert a portion of the Board's water rights 01-7054, 01-7142, and 01-10609 during the 2020-2021 recharge season.



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MINUTES MEETING NO. 3-21

Idaho Water Center
Conference Rooms 602 C & D / Online Zoom Meeting
322 East Front Street, 6th Floor
BOISE

February 18, 2021

At 4:00 p.m. Chairman Raybould called the meeting to order.

Agenda Item No. 1: Roll Call

Board Members Present Via Zoom Online

Jeff Raybould, Chairman
Roger Chase, Vice-Chairman
Jo Ann Cole-Hansen, Secretary
Pete Van Der Meulen
Al Barker
Dale Van Stone

Staff Members Present

Brian Patton, Executive Officer
Neeley Miller, Senior Planner

Staff Members Present via Zoom Online

Cynthia Bridge Clark, Water Projects Section Manager
Meghan Carter, Deputy Attorney General
Emily Skoro, Technical Engineer

Agenda Item No. 2: Executive Session

There was an executive session to discuss the topic of Priest Lake with Meghan Carter. Ms. Cole-Hansen moved to resolve into executive session pursuant to Idaho Code §74-206(1) subsection (f). Mr. Van Stone seconded. Roll call vote: Mr. Barker, aye; Mr. Chase, aye; Ms. Cole-Hansen, aye; Mr. Van Der Meulen, aye; Mr. Van Stone, aye; and Chairman Raybould, aye. 6 ayes. The motion passed. Closed to the public.

Ms. Cole-Hansen moved to resolve out of executive session. Mr. Van Stone seconded. Voice vote: all ayes. No action was taken by the board during the executive session.

Agenda Item No. 3: Priest Lake

Mr. Patton discussed some suggested amendments to a draft resolution presented to the board. On line 36, “contract date” wording should change to “substantial completion date.” Also suggested, below line 40 two more “NOW, THEREFORE, BE IT FURTHER RESOLVED” paragraphs be added. The first to read: NOW, THEREFORE, BE IT FURTHER RESOLVED that a condition of the contract extension date is the contractor shall make the outlet dam operational for the 2021 Priest Lake Management season. The second to read: NOW, THEREFORE, BE IT FURTHER RESOLVED that the extension of the substantial completion date does not constitute agreement on the part of the Board regarding any change of conditions.

Chairman Raybould asked if there were any further questions. Mr. Barker moved to adopt a resolution with the additional clauses as read by Mr. Patton. Mr. Van Stone seconded. Roll call vote: Mr. Barker, aye; Mr. Chase, aye; Ms. Cole-Hansen, aye; Mr. Van Der Meulen, aye; Mr. Van Stone, aye; and Chairman Raybould, aye. 6 ayes. The motion passed.

Agenda Item No. 4: Non-Action Items for Discussion

No other items were discussed.

Agenda Item No. 5: Next Meeting and Adjourn

The next regular meetings were confirmed for March 18 and 19; and there was mention of an upcoming Finance Committee meeting for February 25th. Mr. Raybould moved to adjourn the meeting.

Respectfully submitted this 19th day of March, 2021.

Jo Ann Cole-Hansen, *Secretary*

Jennifer Strange, *Administrative Assistant II*

Board Actions:

1. Adopt a resolution to amend the Priest Lake Outlet Dam construction contract.



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MINUTES MEETING NO. 4-21

Idaho Water Center
Conference Rooms 602 C & D / Online Zoom Meeting
322 East Front Street, 6th Floor
BOISE

March 2, 2021

At 1:00 p.m. Chairman Raybould called the meeting to order.

Agenda Item No. 1: Roll Call

Board Members Present Via Zoom Online

Jeff Raybould, Chairman
Roger Chase, Vice-Chairman
Jo Ann Cole-Hansen, Secretary
Pete Van Der Meulen
Al Barker
Dale Van Stone

Staff Members Present

Brian Patton, Executive Officer
Mat Weaver, Deputy Director
Jennifer Strange, Admin. Assistant

Staff Members Present via Zoom Online

Cynthia Bridge Clark, Water Projects Section Manager
Sean Costello, Deputy Attorney General

Guests Present Via Zoom Online

Ann Vonde, Deputy Attorney General

Agenda Item No. 2: Administrative Rules

Mr. Weaver provided an update on the Administrative Rules process and presented a resolution for consideration. The resolution would adopt and authorize the publication of the Board's current "Pending Rules" as "Temporary Rules" to be effective upon *sine die* of the 2021 Legislative Session in the event the Pending Rules are not otherwise approved or rejected by the Legislature or not extended pursuant to the Administrative Procedure Act.

Further, he discussed the Zero-Based Regulation rulemaking efforts. A five year schedule has been submitted to the Governor's office. Within the department, rulemaking teams have been identified; guidance has been created, and checklists for the teams to aid in the internal process have been provided.

Mr. Barker moved to adopt a resolution to publish the IWRB's current pending administrative rules as temporary rules in the event the 2021 Legislative Session adjourns without authorization of current pending administrative rules. Mr. Van Der Meulen seconded. Roll call vote: Mr. Barker, aye; Mr. Chase, aye; Ms. Cole-Hansen, aye; Mr. Van Der Meulen, aye; Mr. Van Stone, aye; and Chairman Raybould, aye. 6 ayes. The motion passed.

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

No other items were discussed.

Agenda Item No. 4: Next Meeting and Adjourn

Mr. Raybould moved to adjourn. Mr. Barker seconded. Voice vote. All ayes. Meeting adjourned at 1:20 p.m.

Respectfully submitted this 19th day of March, 2021.

Jo Ann Cole-Hansen, *Secretary*

Jennifer Strange, *Administrative Assistant II*

Board Actions:

1. Adopt a resolution to publish the Idaho Water Resource Board's current pending administrative fee rules as temporary rules.

Memorandum



To: Idaho Water Resource Board
From: Neeley Miller, Planning & Projects Bureau
Date: February 24, 2021
Re: Financial Status Report

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

Secondary Aquifer Fund:

Committed/earmarked but not disbursed	\$20,447,615
Uncommitted Balance	\$4,569,397

Revolving Development Account:

Committed/earmarked but not disbursed	\$21,791,887
Loan principal outstanding	\$21,704,464
Uncommitted Balance	\$10,112,821
Anticipated loanable funds available next 1 year	\$13,612,824

Water Management Account

Committed/earmarked but not disbursed	\$21,720,007
Uncommitted Balance	\$267,733

Total committed/earmarked but not disbursed	\$63,959,509
Total loan principal outstanding	\$21,704,464
Total uncommitted balance	\$14,949,951

- The remaining uncommitted balance in the Secondary Aquifer Fund includes \$3.8 M received to-date from the cigarette tax during the current fiscal year to be budgeted for FY 2022.
- The committed/earmarked balance in the Water Management Account includes the remainder of the FY 2020 \$800K legislative appropriation for the Flood Management Grant Program and \$200K for the Mid-Snake Water Quality Monitoring/Modeling effort per House Bill 646. It also includes the \$20M legislative appropriation per HB 285 for the Anderson Reservoir Enlargement and/or MHAFB Water Supply Project.

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

SECONDARY AQUIFER PLANNING, MANAGEMENT, & IMPLEMENTATION FUND

FYE 2020 Cash Balance..... 19,209,754.56

FY 2021 Revenue

Interest Earned State Treasury.....	73,262.41	
Recharge Payments - City of Pocatello.....		
HB547 - State Recharge & Aquifer Stabilization (SRAS).....	3,849,688.97	
HB646, Section 4 - Water Sustainability.....	5,000,000.00	
HB646, Section 4 - Governor's Holdback.....	(250,000.00)	
Department of Energy Grant (\$928K).....	261,400.00	
Department of Energy Grant (\$1.14M).....	109,200.00	
TOTAL FY 2021 REVENUE.....		9,043,551.38

FY 2021 Expenditures

SRAS Equipment & Supplies - FY 20.....	(26,118.98)	
SRAS Equipment & Supplies - FY 21.....	(18,160.15)	
SRAS Conveyance Costs - FY 20.....	(577,722.97)	
SRAS Conveyance Costs - FY 21.....		
SRAS Site Monitoring - FY 20.....	(102,853.72)	
SRAS Site Monitoring - FY 21.....	(176,818.90)	
SRAS Regional Monitoring - FY 20.....	(34,432.63)	
SRAS Regional Monitoring - FY 21.....	(50,994.99)	
American Falls Reservoir District # 2 (CON01384).....	(32,838.70)	
Big Wood Canal Company (CON01281 - Deitrich Drop Power Plant Improvements Project).....	(114,570.87)	
Big Wood Canal Company (CON01293 - MP28 Hydro Plant Winterization Project).....		
Butte & Market Lake Canal Company (CON01462).....	(83,194.00)	
Connect Engineering (CON01458).....	(7,020.00)	
Denning Well Drilling (CON01382 - Ucon Monitoring well - Ward well).....		
Egin Bench Canals Inc (CON01425).....	(273,815.65)	
Elsing Drilling & Pump Co Inc (CON01368 - Wilson Canyon Recharge Basin Improvements Projects - monitoring wells).....		
Floyd Lilly Company (CON01378 - Wilson Canyon Recharge Basin Improvements Projects - monitoring wells).....		
North Side Canal Company (CON01331 - Wilson Canyon Recharge Basin Improvements Project).....		
Quadrant Consulting Inc (CON01464, MP31 Embankment Design).....	(23,350.21)	
The Ferguson Group (FY 2020 Budget).....	(64,158.78)	
Steve Stuebner (FY 2020 Budget) - Media Services.....	(5,156.25)	
Clive Strong (CON01470).....	(45,599.82)	
Parsons, Behle, and Latimer (CON01479).....	(26,724.69)	
Elizabeth Cresto (CON01487).....	(646.25)	
Misc Costs for IWRB and staff.....	(10,517.05)	
WS Hydrology Monitoring - FY 20.....	(18,461.80)	
WS Hydrology Monitoring - FY 21.....	(25,774.68)	
USGS - 6605 (Treasure Valley Modeling).....	(267,201.39)	
University of Idaho (CON01159).....		
University of Idaho (CON01210, TV Model).....	(43,315.78)	
University of Idaho (CON01341, GIS).....		
University of Idaho (CON01424 & CON01427, Raft River).....	(118,022.58)	
Brown & Caldwell (CON01320 - Treasure Valley Managed Recharge Feasibility Study).....		
Record Steel & Construction Inc (CON01347 - MHAFB).....		
City of Idaho Falls (CON01223).....		
Department of Interior - Boise River Feasibility Study (FY2019).....	(295,000.00)	
Department of Energy Grant expenditures (ESPA costs) 29871.....	(142,606.89)	
Department of Energy Grant expenditures (Big Lost costs) 29872.....	(179,719.29)	
Idaho Power - (CON01109).....		
Idaho Power - Cloudseeding Model (CON01254).....	(238,644.35)	
Idaho Power - Cloudseeding O&M (CON01393).....	(3,414.08)	
Idaho Power - Cloudseeding HPC (CON01444).....	(200,000.00)	
Boise State University - Cloudseeding (CON01394).....	(29,437.71)	

FY 2020 BUDGET	Budget (as approved - May 2019)	Amendments	Budget (as amended)	Obligated	Expenditures	Carry forward	Committed
ESPA Managed Recharge Operations							
Equipment & Supplies.....	192,880.00		192,880.00	192,880.00	(32,003.33)		160,876.67
Conveyance Cost.....	3,500,000.00		3,500,000.00	3,500,000.00	(577,722.97)		2,922,277.03
Recharge Monitoring.....	540,950.00		540,950.00	540,950.00	(460,652.21)		80,297.79
Regional Monitoring.....	200,000.00		200,000.00	200,000.00	(105,747.30)		94,252.70
Total ESPA Managed Recharge Operations.....	4,433,830.00	0.00	4,433,830.00	4,433,830.00	(1,176,125.81)	0.00	3,257,704.19
ESPA Managed Recharge Infrastructure							
North Side CC - Eden Projects.....	2,000,000.00		2,000,000.00	2,000,000.00			2,000,000.00
Large Upper Valley Investigations.....	500,000.00		500,000.00	500,000.00			500,000.00
Small Upper Valley Sites.....	1,000,000.00		1,000,000.00	1,000,000.00			1,000,000.00
A&B Irrigation - Injection Wells.....	550,000.00		550,000.00	550,000.00			550,000.00
Reserved for Additional Recharge Projects.....	500,000.00		500,000.00	500,000.00		(500,000.00)	0.00
Total ESPA Managed Recharge Infrastructure.....	4,550,000.00	0.00	4,550,000.00	4,550,000.00	0.00	(500,000.00)	4,050,000.00
Managed Recharge Investigations							
Big/Little Wood Sites.....	200,000.00		200,000.00	200,000.00			200,000.00
Reserved for additional investigations and engineering.....	300,000.00		300,000.00	300,000.00		(300,000.00)	0.00
Total Managed Recharge Investigations.....	500,000.00	0.00	500,000.00	500,000.00	0.00	(300,000.00)	200,000.00
ESPA Hydrologic Monitoring							
Hydrologic Monitoring (DOE - Year 2 of 3 = \$928K).....	310,000.00		310,000.00	310,000.00			310,000.00
ESPA Hydrologic Monitoring.....	310,000.00	0.00	310,000.00	310,000.00	0.00	0.00	310,000.00
TREASURE VALLEY							
Treasure Valley Modeling Year 4 of 5 (USGS 6605).....	500,000.00		500,000.00	500,000.00	(13,464.92)		486,535.08
Treasure Valley DCM Water Conservation Study.....	200,000.00		200,000.00				0.00
TREASURE VALLEY TOTAL.....	700,000.00	0.00	700,000.00	500,000.00	(13,464.92)	0.00	486,535.08
CAMAS PRAIRIE							
Ground & Surface Water Monitoring.....	15,000.00		15,000.00	15,000.00			15,000.00
CAMAS PRAIRIE TOTAL.....	15,000.00	0.00	15,000.00	15,000.00	0.00	0.00	15,000.00
BIG LOST							
Hydrologic Monitoring (DOE - Year 2 of 3 = \$1.14M).....	380,000.00		380,000.00	380,000.00	(255,174.61)		124,825.39
BIG LOST TOTAL.....	380,000.00	0.00	380,000.00	380,000.00	(255,174.61)	0.00	124,825.39
PALOUSE BASIN							
Water Sustainability Projects.....	100,000.00		100,000.00	100,000.00			100,000.00
PALOUSE BASIN TOTAL.....	100,000.00	0.00	100,000.00	100,000.00	0.00	0.00	100,000.00
BEAR RIVER BASIN							
Water Sustainability Projects.....	100,000.00		100,000.00	100,000.00	(948.75)		99,051.25
BEAR RIVER BASIN TOTAL.....	100,000.00	0.00	100,000.00	100,000.00	(948.75)	0.00	99,051.25
COOPERATIVE CLOUD SEEDING PROGRAM							
Cloud Seeding Modeling Project, CON01254 (Year 3 of 4, Total \$1,470,000).....	231,000.00		231,000.00	231,000.00	(223,303.15)		7,696.85
Operations & Maintenance - CON01393 (1/3 of total annual cost for O&M).....	1,232,000.00		1,232,000.00	900,000.00			900,000.00
Capital Expenditures - CON01444 (HPC - Year 1 of 2, Total = \$700K).....	500,000.00		500,000.00	500,000.00	(500,000.00)		0.00
Program Development Activities - CON01444.....	200,000.00		200,000.00	25,000.00			25,000.00
COOPERATIVE CLOUD SEEDING PROGRAM TOTAL.....	2,163,000.00	0.00	2,163,000.00	1,656,000.00	(723,303.15)	0.00	932,696.85
RAFT RIVER BASIN							

Raft River Basin Hydrologic Project (CON01424).....		204,000.00	204,000.00	204,000.00	(53,750.00)		150,250.00
RAFT RIVER BASIN TOTAL.....	0.00	204,000.00	204,000.00	204,000.00	(53,750.00)	0.00	150,250.00
STATE-WIDE							
Administrative expenses (public information, staff training, etc).....	80,000.00		80,000.00	80,000.00	(26,816.32)		53,183.68
Hydrological monitoring hardware and software.....	15,000.00		15,000.00	15,000.00			15,000.00
Professional Assistance for securing Federal Funding.....	100,000.00		100,000.00	100,000.00	(88,199.28)		11,800.72
Aquifer monitoring network enhancements in priority aquifers							
Northern Idaho.....	125,000.00		125,000.00	125,000.00			125,000.00
Southern Idaho (non-ESPA).....	125,000.00		125,000.00	125,000.00			125,000.00
STATE-WIDE TOTAL.....	445,000.00	0.00	445,000.00	195,000.00	(115,015.60)	0.00	79,984.40
Unspecified Projects in Other Areas or Carry-over.....	1,555,170.00	(204,000.00)	1,351,170.00				
TOTAL FY 2020 BUDGETED FUNDS.....	15,252,000.00	(204,000.00)	15,048,000.00	11,083,830.00	(2,284,032.84)	(800,000.00)	8,723,100.31

	FY 2021 BUDGET		Budget (as approved - May 2020)	Amendments	Budget (as amended)	Obligated	Expenditures	Carry forward	Committed
ESPA Managed Recharge Operations									
Equipment & Supplies.....			229,000.00		229,000.00	229,000.00	(18,160.15)		210,839.85
Conveyance Cost.....			3,500,000.00		3,500,000.00	3,500,000.00			3,500,000.00
Recharge Monitoring.....			526,000.00		526,000.00	526,000.00	(176,818.90)		349,181.10
Regional Monitoring.....			225,000.00		225,000.00	225,000.00	(50,994.99)		174,005.01
Total ESPA Managed Recharge Operations.....			4,480,000.00	0.00	4,480,000.00	4,480,000.00	(245,974.04)	0.00	4,234,025.96
ESPA Managed Recharge Infrastructure									
Enterprize Project.....			2,000,000.00		2,000,000.00	2,000,000.00			2,000,000.00
Butte Market Lake Project.....			500,000.00		500,000.00	500,000.00	(83,194.00)		416,806.00
Reserved for Additional Recharge Projects.....			500,000.00		500,000.00	500,000.00			500,000.00
Total ESPA Managed Recharge Infrastructure.....			3,000,000.00	0.00	3,000,000.00	3,000,000.00	(83,194.00)	0.00	2,916,806.00
Managed Recharge Investigations									
Large Upper Valley Project.....			300,000.00		300,000.00	300,000.00			300,000.00
ASCC Project Investigation.....			200,000.00		200,000.00	200,000.00			200,000.00
North Side Hunt Projects.....			500,000.00		500,000.00	500,000.00			500,000.00
Reserved for additional investigations and engineering.....			300,000.00		300,000.00	300,000.00			300,000.00
Total Managed Recharge Investigations.....			1,300,000.00	0.00	1,300,000.00	1,300,000.00	0.00	0.00	1,300,000.00
ESPA Hydrologic Monitoring									
Hydrologic Monitoring (DOE - Year 3 of 3 = \$928K).....			308,000.00		308,000.00	308,000.00			308,000.00
ESPA Hydrologic Monitoring.....			308,000.00	0.00	308,000.00	308,000.00	0.00	0.00	308,000.00
TREASURE VALLEY									
Treasure Valley Modeling Year 5 of 5 (USGS 6605).....			500,000.00		500,000.00	500,000.00			500,000.00
Boise River Storage Study.....			250,000.00		250,000.00	250,000.00			250,000.00
TREASURE VALLEY TOTAL.....			750,000.00	0.00	750,000.00	750,000.00	0.00	0.00	750,000.00
RAFT RIVER									
Raft River Hydrologic Characterization.....			100,000.00		100,000.00	100,000.00			100,000.00
RAFT RIVER TOTAL.....			100,000.00	0.00	100,000.00	100,000.00	0.00	0.00	100,000.00
BIG LOST									

Hydrologic Monitoring (DOE - Year 3 of 3 = \$1.14M).....	380,000.00		380,000.00	380,000.00			380,000.00
BIG LOST TOTAL.....	380,000.00	0.00	380,000.00	380,000.00	0.00	0.00	380,000.00
PALOUSE BASIN							
Water Sustainability Projects.....	200,000.00		200,000.00	200,000.00			200,000.00
PALOUSE BASIN TOTAL.....	200,000.00	0.00	200,000.00	200,000.00	0.00	0.00	200,000.00
BEAR RIVER BASIN							
Water Sustainability Projects.....	100,000.00		100,000.00	100,000.00	0.00		100,000.00
BEAR RIVER BASIN TOTAL.....	100,000.00	0.00	100,000.00	100,000.00	0.00	0.00	100,000.00
LEMHI BASIN							
Lemhi Basin SCR 137.....	200,000.00		200,000.00	200,000.00			200,000.00
LEMHI BASIN TOTAL.....	200,000.00	0.00	200,000.00	200,000.00	0.00	0.00	200,000.00
MOUNTAIN HOME/ELMORE COUNTY							
Water Sustainability Projects.....	200,000.00		200,000.00	200,000.00	0.00		200,000.00
MOUNTAIN HOME/ELMORE COUNTY TOTAL.....	200,000.00	0.00	200,000.00	200,000.00	0.00	0.00	200,000.00
COOPERATIVE CLOUD SEEDING PROGRAM							
Cloud Seeding Modeling Project, CON01254 (Year 4 of 4, Total \$1,470,000).....	240,000.00		240,000.00	240,000.00	(238,644.35)		1,355.65
Operations & Maintenance - CON01393 (1/3 of total annual cost for O&M).....	875,000.00		875,000.00	875,000.00			875,000.00
O&M Shortages provided by IWRB.....	500,000.00		500,000.00	500,000.00			500,000.00
Capital Expenditures - CON01444 (HPC - Year 2 of 2, Total = \$700K).....	200,000.00		200,000.00	200,000.00	(200,000.00)		0.00
Program Development Activities.....	500,000.00		500,000.00	500,000.00			500,000.00
COOPERATIVE CLOUD SEEDING PROGRAM TOTAL.....	2,315,000.00	0.00	2,315,000.00	2,315,000.00	(438,644.35)	0.00	1,876,355.65
STATE-WIDE							
Administrative expenses (public information, staff training, etc).....	85,000.00		85,000.00	85,000.00	0.00		85,000.00
Professional Assistance for securing Federal Funding.....	100,000.00		100,000.00	100,000.00			100,000.00
Statewide Surface Water & Aquifer Monitoring.....	850,000.00		850,000.00	850,000.00	0.00		850,000.00
STATE-WIDE TOTAL.....	1,035,000.00	0.00	1,035,000.00	1,035,000.00	0.00	0.00	1,035,000.00
FIVE PERCENT GOVERNOR'S HOLDBACK TOTAL.....	250,000.00		250,000.00	250,000.00			250,000.00
Unspecified Projects in Other Areas or Carry-over.....	0.00		0.00				
TOTAL FY 2021 BUDGETED FUNDS.....	14,618,000.00	0.00	14,618,000.00	14,618,000.00	(767,812.39)	0.00	13,850,187.61

IDAHO WATER RESOURCE BOARD
Sources and Applications of Funds
as of January 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.....	\$12,811,328.34
Interest Earned State Treasury (Transferred).....	\$2,332,883.18
Water Supply Bank Receipts.....	\$7,756,709.77
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.....	(\$15,000.00)
IWRB Studies and Projects.....	(\$249,067.18)
Arbitrage Calculation Fees.....	(\$12,000.00)
Protest Fees.....	(\$995.00)
Attorney fees for Jughandle LID (Skinner Fawcett).....	(\$3,600.00)
Attorney fees for A&B Irrigation (Skinner Fawcett).....	(\$4,637.50)
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)
Mountain Home AFB Water Sustainability Project (29514)	
Legislative Appropriation 2014, HB 479 Sec 1 and 2.....	\$4,000,000.00
JR Simplot - WR Purchase.....	(\$2,500,000.00)
LeMoyne Appraisal LLC.....	(\$10,500.00)
IWRB WSB Lease Application.....	(\$750.00)
Integrated Delivery Solutions - Mark Alpert.....	(\$34,459.18)
Brown & Caldwell - Owner's Advisor.....	(\$1,218,298.11)
SPF Engineering - WR Transfer.....	(\$118,715.75)
Skinner-Fawcett - Bond Counsel.....	(\$31,602.41)
Pillsbury, Winthrop, & Shaw - DBO Counsel.....	(\$79,839.30)
Project Costs (mailings, travel, teleconference calls).....	(\$1,769.91)
Publishing Costs.....	(\$1,648.16)
Water District 02 Assessments.....	(\$2,417.18)
Balance for Mountain Home AFB Water Sustainability Project.....	\$0.00
Galloway Dam & Reservoir Project (29517)	
Legislative Appropriation 2014, HB 479 Sec 1 and 2.....	\$2,000,000.00
Galloway Dam & Reservoir Project Costs (HB 479).....	(\$124,649.52)
Balance Galloway Dam & Reservoir Project.....	\$1,875,350.48
Boise River (Arrowrock Enlargement) Feasibility Study (29518)	
Legislative Appropriation 2014, HB 479 Sec 1 and 2.....	\$1,500,000.00
Boise River (Arrowrock Enlargement) Feasibility Study Costs (HB479).....	(\$1,500,000.00)
Balance Boise River (Arrowrock Enlargement) Feasibility Study (HB479).....	\$0.00
Island Park Enlargement (29520)	
Legislative Appropriation 2014, HB 479 Sec 1 and 2.....	\$2,500,000.00
Island Park Enlargement Costs (HB 479).....	(\$174,170.00)
Balance Island Park Enlargement (HB 479).....	\$2,325,830.00
Water Supply Bank Computer Infrastructure (29519)	
Legislative Appropriation 2014, HB 479 Sec 1 and 2.....	\$500,000.00
Water Supply Bank Computer Infrastructure Costs (HB 479).....	(\$497,350.75)
Balance Water Supply Bank Computer Infrastructure (HB 479).....	\$2,649.25
Cash Balance of Legislative Appropriation 2014, HB 479 Sec 1 and 2.....	\$4,203,829.73
Minidoka Dam Enlargement/Teton Dam Replacement Studies (29510)	
Legislative Appropriation 2008, SB1511 Sec 2, Minidoka/Teton Studies.....	\$1,800,000.00
Legislative Appropriation 2008, SB1511 Sec 2, Minidoka Studies Expenditures.....	(\$1,229,460.18)
Balance for Minidoka Dam Enlargement/Teton Dam Replacement Studies.....	\$570,539.82
Priest Lake Water Management Project (29521)	
Legislative Appropriation (2018, HB 677 Sec 5).....	\$2,400,000.00
Legislative Approval (2018, HB 677 Sec 6).....	\$2,419,580.50
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.....	\$164,612.52

Total Priest Lake Water Management Project Revenue		\$1,395,057.52
Contract Expenditures - Mott MacDonald (CON01426).....	(\$638,162.35)	
Dam Operator Contracts (CON01445, CON01453, CON01454).....	(\$4,865.14)	
Misc Expenditures.....	(\$7,894.68)	
Builder's Risk Insurance.....	(\$5,515.00)	
IDL Mineral Lease Bond.....	(\$2,000.00)	
Total Priest Lake Water Management Project Expenditures		(\$658,437.17)
Cash Balance Priest Lake Water Management Project		\$736,620.35
Committed Funds		
Dam Operator Contracts (CON01445, CON01453, CON01454).....	\$42,474.58	
Mott MacDonald Contract (CON01426).....	\$14,554.65	
TOTAL COMMITTED FUNDS	\$57,029.23	
Uncommitted Priest Lake Water Management Project Balance		\$679,591.12
Priest Lake Construction Project (29522)		
Transfer to Priest Lake Construction Project.....	\$4,169,135.50	
Contribution from Uncommitted Funds.....	\$830,864.50	
Local Contribution.....	\$0.00	
Total Priest Lake Construction Project Revenue		\$5,000,000.00
Mott MacDonald Expenditures (CON01484).....	(\$222,500.20)	
Strider Construction - Outlet Dam Expenditures (CON01480).....	\$0.00	
Strider Construction - Thorofare Expenditures (CON01481).....	(\$1,031,348.07)	
Total Priest Lake Construction Project Expenditures		(\$1,253,848.27)
Cash Balance Priest Lake Construction Project		\$3,746,151.73
Committed Funds		
Mott MacDonald Contract (CON01484).....	\$357,243.80	
Strider Construction - Outlet Dam (CON01480).....	\$2,047,057.50	
Strider Construction - Thorofare (CON01481).....	\$510,985.93	
Construction Contingency.....	\$830,864.50	
TOTAL COMMITTED FUNDS	\$3,746,151.73	
Uncommitted Priest Lake Construction Project Balance		\$0.00

Bell Rapids Water Rights Sub-Account		
Legislative Appropriation 2005, HB392.....	\$21,300,000.00	
Bureau of Reclamation Payments Received.....	\$29,446,335.46	
Remaining balance in ESPA Sub-Account.....	\$341,759.55	
Water Supply Bank Payments - Owner's Share.....	\$23,580.00	
Interest Earned State Treasury.....	\$698,613.04	
Total Bell Rapids Water Rights Sub-Account Revenue.....		\$51,810,288.05
Bell Rapids Purchase.....	(\$22,041,697.55)	
Transfer to General Fund - P&I.....	(\$22,072,052.06)	
Payment to US Bank for Alternative Financing Note.....	(\$7,118,125.86)	
Payment for Water District 02 Assessments.....	(\$91,397.61)	
Payment for Ongoing Bell Rapids Finance Costs (trustee fees, water bank.....	(\$6,740.10)	
Total Bell Rapids Water Rights Sub-Account Expenditures.....		(\$51,330,013.18)
Cash Balance Bell Rapids Water Rights Sub-Account.....		\$480,274.87
Committed Funds		
Ongoing Bell Rapids Finance Costs (trustee fees, WD02).....	\$456,694.87	
TOTAL COMMITTED FUNDS.....	\$456,694.87	
Uncommitted Bell Rapids Water Rights Sub-Account Balance.....		\$23,580.00
Pristine Springs Project Sub-Account		
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	
Total Pristine Springs Project Revenue to be Transferred.....		\$10,141,321.12
Total Pristine Springs Project Revenue Transferred to 0129-01.....	(\$5,129,300.00)	
Total Pristine Springs Project Revenue Transferred to 0129.....	(\$4,296,000.00)	
Total Pristine Springs Project Sub-Account Transfers.....		(\$9,425,300.00)
Cash Balance Pristine Springs Sub-Account.....		\$716,021.12
Pristine Springs Committed Funds		
Loan Payments to be transferred to 0129.....	\$716,000.00	
TOTAL COMMITTED FUNDS.....	\$716,000.00	
Loans Outstanding for Purchase of PS Water Rights		
Loan to North Snake & Magic Valley GWD.....	\$10,000,000.00	
Payments from North Snake & Magic Valley GWD.....	(\$6,401,096.05)	
Total Loans Outstanding.....	\$3,598,903.95	
Uncommitted Pristine Springs Sub-Account.....		\$21.12
Rathdrum Prairie CAMP & Treasure Valley CAMP Sub-Account		
Pristine Springs Hydropower and Rental Revenues.....	\$271,672.34	
Interest Earned State Treasury.....	\$573.11	
Rathdrum Prairie CAMP & Treasure Valley CAMP Sub-Account Revenue.....		\$272,245.45
Spokane River Forum.....	(\$23,000.00)	
Treasure Valley Water Quality Summit.....	(\$500.00)	
Kootenai-Shoshone Soil & Water Cons. Dist. - Agrimet Station.....	(\$20,000.00)	
Rathdrum Prairie-Spokane Valley Aquifer Pumping Study (CON00989).....	(\$70,000.00)	
Idaho Washington Aquifer Collaborative.....	(\$10,000.00)	
Rathdrum Prairie CAMP & Treasure Valley CAMP Sub-Account Expenditures.....		(\$123,500.00)
Cash Balance Rathdrum Prairie CAMP & Treasure Valley CAMP Sub-Account.....		\$148,745.45
Committed Funds		
Spokane River Forum.....	\$0.00	
TOTAL COMMITTED FUNDS.....	\$0.00	
Uncommitted Rathdrum Prairie CAMP & TV CAMP Sub-Account.....		\$148,745.45
Upper Salmon/CBWTP Sub-Account		
Water Transaction Projects Payment Advances from CBWTP/accord.....	\$6,752,814.03	
PCSRF Funds for Admin of Non-Diversion Easements on Lemhi River.....	\$207,837.16	
Interest Earned State Treasury.....	\$359,979.85	
Upper Salmon/CBWTP Sub-Account Revenue.....		\$7,320,631.04
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)	
Upper Salmon/CBWTP Sub-Account Expenditures.....		(\$3,391,571.36)
Cash Balance CBWTP Sub-Account.....		\$3,929,059.68
Committed Funds		
Bar G Farms (Pahsimeroi- Little Mud).....	(\$5,434.59)	
Karl Tyler (Leadore Land Partners).....	\$87,770.27	
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 Dowton).....	\$13,510.62	
P-9 Dowton (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	
Uncommitted CBWTP Sub-Account Balance.....		(\$615,654.51)
Water Supply Bank Sub-Account		
Interest Earned State Treasury.....	\$34,485.84	
Payments received from renters.....	\$4,792,114.53	
Payments made to owners.....	(\$4,613,169.40)	
Cash Balance Water Supply Bank Sub-Account.....		\$213,430.97
Committed Funds:		
Owners Share.....	\$178,945.13	
Total Committed Funds.....	\$178,945.13	
Uncommitted Water Supply Bank Sub-Account Balance.....		\$34,485.84
Eastern Snake Plain Sub-Account		
Legislative Appropriation 2005, HB392.....	\$7,200,000.00	
Legislative Appropriation 2005, HB392, CREP Program.....	\$3,000,000.00	
Interest Earned State Treasury.....	\$2,076,729.26	
Loan Interest.....	\$277,068.85	
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	
Eastern Snake Plain Sub-Account Revenue.....		\$13,814,453.73
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)	
Eastern Snake Plain Sub-Account Expenditures.....		(\$12,138,027.02)
Cash Balance Eastern Snake Plain Sub-Account.....		\$1,676,426.71
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	
Eastern Snake Plain Sub-Account Balance after Commitments.....		\$893,358.12
CREP Loans Outstanding:		
American Falls-Aberdeen GWD (CREP).....	\$36,140.40	
Bonneville Jefferson GWD (CREP).....	\$25,669.18	
Magic Valley GWD (CREP).....	\$34,596.98	
North Snake GWD (CREP).....	\$0.00	
TOTAL ESP CREP LOANS OUTSTANDING.....	\$96,406.56	
Uncommitted Eastern Snake Plain Sub-Account Balance.....		\$796,951.56
Dworshak Hydropower Project		
Power Sales & Other.....	\$12,506,227.73	
Interest Earned State Treasury.....	\$911,045.69	
Total Dworshak Project Revenue.....		\$13,417,273.42
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.....	\$3,177,563.95	
Powerplant Repairs.....	\$180,409.72	
Bond payoff.....	\$391,863.11	
Capital Improvements.....	\$318,366.79	
FERC Payments.....	\$126,945.85	
Total Dworshak Project Expenditures.....		(\$4,884,242.23)
Cash Balance Dworshak Hydropower Project.....		\$8,533,031.19
Dworshak Project Committed Funds		
Emergency Repair/Future Replacement Fund.....	\$5,355,323.43	
FERC Fee Payment Fund.....	\$0.00	
Total Dworshak Project Committed Funds.....	\$5,355,323.43	
Uncommitted Dworshak Hydropower Project Sub-Account Balance.....		3,177,707.76
TOTAL.....		\$28,233,846.27
Loans Outstanding:	Amount Loaned	Principal Balance
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	\$2,827,439.73
Bee Line Water Association (Sep 23, 2014; System Improvements).....	\$600,000.00	\$559,153.10
Canyon County Drainage District No. 2 (28-Nov-12; Drain tile pipeline repla	\$35,000.00	\$8,391.89
Chaparral Water Association (21-Jan-11; Well deepening & improvement)..	\$68,000.00	\$3,084.48

Clearview Water Company.....	\$50,000.00	\$26,899.32	
Consolidated Irrigation Company (July 20, 2012; pipeline project).....	\$500,000.00	\$410,719.21	
Dalton Water Association.....	\$1,036,900.00	\$535,763.04	
Evans Water Corporation & HOA.....	\$20,000.00	\$14,476.78	
Foothill Ranch Homeowners Association (7-oct-11; well rehab).....	\$150,000.00	\$75,413.69	
Goose Lake Reservoir Corp.....	\$320,000.00	\$275,815.80	
Idaho Ground Water Appropriators (IGWA).....	\$3,208,115.35	\$0.00	
Jefferson Irrigation Company (9-May-2008 Well Replacement).....	\$81,000.00	\$0.00	
Last Chance Canal Company (14-July-2015, diversion dam rebuild).....	\$2,500,000.00	\$1,797,076.87	
Lindsay Lateral Association (Engineering Design Project & Pipeline Study)...	\$19,700.00	\$3,374.78	
Marsh Center Irrigation Company (13-May-05; Hawkins Dam).....	\$236,141.00	\$9,679.08	
Marysville Irrigation Company (9-May-08, Pipeline Project Phase 2).....	\$1,100,000.00	\$179,447.80	
Milner Irrigation District (pipeline replacement).....	\$2,000,000.00	\$2,000,000.00	
North Fremont Canal Company (Pipeline Project Phase 3).....	\$4,300,000.00	\$3,198,693.79	
North Side Canal Company (Phase 1 - canal rehab project).....	\$1,846,092.61	\$1,545,025.22	
North Side Canal Company (Phase 2 & 3 - canal rehab project).....	\$2,711,115.08	\$0.00	
Outlet Water Association (22-Jan-16; new well & improvements).....	\$100,000.00	\$68,815.95	
Pinehurst Water District (23-Jan-15).....	\$100,000.00	\$37,755.72	
Point Springs Grazing Association (July 20, 2012; stock water pipeline).....	\$48,280.00	\$17,249.85	
Producers Irrigation Company.....	\$102,127.50	\$29,118.74	
Riverland Terrace Nonprofit Water	\$236,000.00	\$0.00	
St. Johns Irrigating Company (14-July-2015; pipeline project).....	\$1,417,905.22	\$1,178,423.10	
Sunset Heights Water District (17-May-13; Exchange water project).....	\$48,000.00	\$0.00	
Twin Lakes Canal Company (Winder Lateral Pipeline Project).....	\$500,000.00	\$93,556.69	
Valley County Local Improvement District No. 1/Jughandle HOA (well project)	\$907,552.00	\$432,335.40	
TOTAL LOANS OUTSTANDING.....			\$18,009,153.99
Loans and Other Funding Obligations:			
Reserved for Future Loans.....		\$7,500,000.00	
Milner Irrigation District (pipeline replacement).....		\$0.00	
North Fremont Canal Company.....		\$500,000.00	
Riverland Terrace Nonprofit Water		\$0.00	
TOTAL LOANS AND OTHER FUNDING OBLIGATIONS.....			\$8,000,000.00
Uncommitted Funds.....			\$2,224,692.28
TOTAL.....			\$28,233,846.27

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

Idaho Water Resource Board
Sources and Applications of Funds
as of January 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.....	\$123,611.25
Filing Fee Balance.....	\$2,633.31
Water Supply Bank Receipts.....	\$841,803.07
Bond Fees.....	\$277,254.94
Funds from DEQ and IDOC for Glenns Ferry Water Study.....	\$10,000.00
Legislative Appropriation (HB988, 1994).....	\$75,000.00
Reverted to General Account 6/30/95, (HB988, 1994).....	(\$35,014.25)
Legislative Appropriation (SB1260, 1995, Aquifer Recharge, Caribou Dam).....	\$1,000,000.00
Legislative Appropriation (SB1239, 2001, Sugarloaf Aquifer Recharge Project).....	\$60,000.00
Reverted to General Fund 1/22/19, (SB1239, 2001, Sugarloaf Aquifer Recharge Project).....	(\$4,046.31)
Legislative Appropriation (HB 843 Sec 6, 2004, ESPA Settlement Water Rentals).....	\$520,000.00
Legislative Appropriation (SB1496, 2006, ESP Aquifer Management Plan).....	\$300,000.00
Legislative Appropriation (HB 320, 2007, ESP Aquifer Management Plan).....	\$849,936.99
Lemhi River Water Right Appraisals.....	(\$31,000.00)
Legislative Audits.....	(\$10,645.45)
IWRB Appraisal Study (Charles Thompson).....	(\$5,000.00)
Western States Water Council Annual Dues.....	(\$7,500.00)
Transfer to/from Revolving Development Account.....	(\$317,253.80)
Recharge Projects.....	(\$11,426.88)
Grants Disbursed.....	(\$1,632,755.21)
Obligated 1994 (HB988).....	(\$39,985.75)
SB1260, Aquifer Recharge.....	(\$947,000.00)
SB1260, Soda (Caribou) Dam Study.....	(\$53,000.00)
Sugarloaf Aquifer Recharge Project (SB1239, 2001).....	(\$55,953.69)
ESPA Settlement Water Rentals (HB 843, 2004).....	(\$504,000.00)
ESP Aquifer Management Plan (SB1496, 2006).....	(\$300,000.00)
ESP Aquifer Management Plan (HB320, 2007).....	(\$801,077.75)
CASH BALANCE	\$120,380.47

Large Projects Program Sub-Account

Legislative Appropriation (HB 285, Sec 1, 2019).....	\$20,000,000.00
Interest Earned State Treasury.....	\$524,553.56
Total Revenue for Large Projects Program Sub-Account	\$20,524,553.56
	\$0.00
	\$0.00
Total Expenditures for Flood Management Program Sub-Account	\$0.00
Cash Balance for Large Projects Program Sub-Account	\$20,524,553.56

Water Quality Collection Program Sub-Account

Legislative Appropriation (HB 285, Sec 3, 2019).....	\$200,000.00
Legislative Appropriation (HB 646, Sec 5, 2020).....	\$200,000.00
Interest Earned State Treasury.....	\$4,938.83
Total Revenue for Water Quality Collection Program Sub-Account	\$404,938.83
DOI-USGS Agreement FY 2020 - Mid-Snake River.....	(\$200,000.00)
DOI-USGS Agreement FY 2021 - Mid-Snake River.....	(\$50,000.00)
Total Expenditures for Water Quality Collection Program Sub-Account	(\$250,000.00)
Cash Balance for Water Quality Collection Program Sub-Account	\$154,938.83

Flood Management Program Sub-Account

Legislative Appropriation (HB 712, Sec 1, 2018, Flood Management Program).....	\$1,000,000.00
Legislative Appropriation (HB 285, Sec 3, 2019, Flood Management Program).....	\$800,000.00
Legislative Appropriation (HB 646, Sec 5, 2020, Flood Management Program).....	\$800,000.00
Interest Earned State Treasury.....	\$28,992.27
Total Revenue for Flood Management Program Sub-Account	\$2,628,992.27
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).....	(\$464,251.34)
Grants Disbursed for Leg Approp (HB 646, Sec 5, 2020, Flood Mgmt Pg).....	(\$75,195.83)
Total Expenditures for Flood Management Program Sub-Account	(\$1,441,124.73)
Cash Balance for Flood Management Program Sub-Account	\$1,187,867.54
TOTAL	\$21,987,740.40

Grants and Other Funding Obligations

Flood Management Program grants - Year 1 (HB712, Sec 1, 2018)	Grant Amount	Expenditures	Remaining Balance
<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 & Mulchay Gravel Removal).....</i>	<i>38,808.00</i>	<i>(35,250.77)</i>	<i>3,557.23</i>

<i>Clearwater Soil & Water Conservation Dist (CON01309)</i>	155,220.00	<i>(155,219.00)</i>	1.00
<i>Flood Control District 10 (CON01310 - Leighton & Wells Gravel Removal)</i>	22,000.00	<i>(22,000.00)</i>	0.00
<i>Flood Control District 11 (CON01311)</i>	57,675.00	<i>(55,100.00)</i>	2,575.00
<i>Twin Lakes/Flood Control Dist 17 (CON01312)</i>	7,750.00	<i>(7,750.00)</i>	0.00
<i>Twin Falls Canal Company (CON01327)</i>	85,340.00	<i>(85,340.00)</i>	0.00
<i>Nez Perce Soil & Water Conservation Dist (CON01328)</i>	115,460.00	<i>(115,460.00)</i>	0.00
<i>Riverside Village HOA (CON01329)</i>	6,025.00	<i>(6,025.00)</i>	0.00
<i>City of Pocatello (CON01330)</i>	26,105.00	<i>(26,105.00)</i>	0.00
<i>Uncommitted from HB712 Year 1</i>	<i>(98,322.82)</i>		<i>(98,322.82)</i>
Total Committed Balance for Year 1	901,677.56	(901,677.56)	0.00
Flood Management Program grants - Year 2 (HB285, Sec 3, 2019)			
<i>City of Boise (CON01396)</i>	6,371.00	<i>(6,371.00)</i>	0.00
Blaine County (CON01397).....	100,000.00	(96,555.00)	3,445.00
Board of Controls Irrigation (CON01398)	59,050.00	(57,827.50)	1,222.50
Clearwater Soil & Water Conservation District (CON01399).....	190,492.37	(190,490.18)	2.19
Clearwater Soil & Water Conservation District (CON01400).....	72,727.39	(72,629.03)	98.36
City of Hailey (CON01401).....	50,000.00	(19,841.33)	30,158.67
Flood Control District No. 10 (CON01402).....	160,000.00		160,000.00
Idaho Soil and Water Conservation District (CON01403) CANCELLED	159,436.00		159,436.00
Idaho Soil and Water Conservation District (CON01404)	21,619.50	(20,537.30)	1,082.20
Blaine County (CON01405).....	50,000.00		50,000.00
<i>Uncommitted from HB285 Year 2</i>	<i>(161,740.70)</i>		<i>(161,740.70)</i>
Total Committed Balance for Year 2	707,955.56	(464,251.34)	243,704.22
Flood Management Program grants - Year 3 (HB646, Sec 5, 2020)			
Flood Control District 10 - Boise River North Channel (CON01510)	47,500.00		47,500.00
Flood Control District 10 - Boise River Canyon Reach 1 (CON01509)	175,000.00		175,000.00
Idaho Soil & Water Conservation District - Sill Creek (CON01488)	10,960.28	(10,960.28)	0.00
Idaho Soil & Water Conservation District - Lower Cottonwood Creek (CON01489)	27,935.20		27,935.20
Idaho Soil & Water Conservation District - Clear Creek (CON01490)	18,570.60	(11,838.06)	6,732.54
City of Bellevue - Lower Howard Preserve (CON01491)	57,880.00	(13,637.49)	44,242.51
Clearwater Soil & Water Conservation District - Louse Creek (CON01492)	24,687.00		24,687.00
Pioneer Irrigation District - Mason Creek (CON01493).....	148,500.00		148,500.00
Raft River Flood Control District 15 - (CON01494)	80,525.00		80,525.00
Lewis Soil Conservation District - Alpine Road (CON01495).....	18,425.30		18,425.30
City of Orofino - Orofino Creek (CON01496).....	200,000.00		200,000.00
Twin Falls Canal Company & City of Twin Falls (CON01497)	50,962.00	(38,760.00)	12,202.00
<i>Uncommitted from HB646 Year 3</i>	<i>0.00</i>		<i>0.00</i>
Total Committed Balance for Year 3	860,945.38	(75,195.83)	785,749.55
Committed for Flood Management Grants	\$2,470,578.50	(1,365,928.90)	\$1,029,453.77
Other Funding Obligations			
ESPA Settlement Water Rentals (HB 843, 2004).....	\$16,000.00		
Large Water Projects Program.....	\$20,524,553.56		
Water Quality Collection Program.....	\$150,000.00		
Committed for Other Funding Obligations			\$20,690,553.56
Uncommitted Funds.....			\$267,733.07
TOTAL COMMITTED FUNDS BALANCE			\$21,720,007.33

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

IN THE SENATE

SENATE BILL NO. 1190

BY FINANCE COMMITTEE

AN ACT

RELATING TO THE APPROPRIATION TO THE DEPARTMENT OF WATER RESOURCES FOR FISCAL YEAR 2022; APPROPRIATING MONEYS TO THE DEPARTMENT OF WATER RESOURCES FOR FISCAL YEAR 2022; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; APPROPRIATING AND TRANSFERRING MONEYS FROM THE REVOLVING DEVELOPMENT FUND TO THE AQUIFER PLANNING AND MANAGEMENT FUND; APPROPRIATING AND TRANSFERRING MONEYS FROM THE GENERAL FUND TO THE SECONDARY AQUIFER PLANNING, MANAGEMENT, AND IMPLEMENTATION FUND; APPROPRIATING AND TRANSFERRING MONEYS FROM THE GENERAL FUND TO THE WATER MANAGEMENT ACCOUNT; PROVIDING REQUIREMENTS FOR WATER QUALITY MONITORING; AND PROVIDING REQUIREMENTS FOR RIRIE RESERVOIR FLOOD CONTROL RULES.

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. There is hereby appropriated to the Department of Water Resources the following amounts to be expended according to the designated programs and expense classes from the listed funds for the period July 1, 2021, through June 30, 2022:

	FOR PERSONNEL COSTS	FOR OPERATING EXPENDITURES	FOR CAPITAL OUTLAY	FOR TRUSTEE AND BENEFIT PAYMENTS	TOTAL
I. MANAGEMENT AND SUPPORT SERVICES:					
FROM:					
General					
Fund	\$808,700	\$828,000			\$1,636,700
Indirect Cost Recovery					
Fund	305,700	191,000			496,700
Water Administration					
Fund		22,100			22,100
Miscellaneous Revenue					
Fund	<u>0</u>	<u>169,000</u>			<u>169,000</u>
TOTAL	\$1,114,400	\$1,210,100			\$2,324,500
II. PLANNING AND TECHNICAL SERVICES:					
FROM:					
General					
Fund	\$2,950,700	\$640,800	\$6,500	\$6,908,500	\$10,506,500

	FOR	FOR	FOR	FOR	TOTAL
	PERSONNEL	OPERATING	CAPITAL	TRUSTEE AND	
	COSTS	EXPENDITURES	OUTLAY	BENEFIT	
				PAYMENTS	
5	Indirect Cost Recovery				
6	Fund	70,100			70,100
7	Aquifer Planning and Management				
8	Fund	1,020,900	453,800		1,474,700
9	Miscellaneous Revenue				
10	Fund	164,500			164,500
11	Federal Grant				
12	Fund	<u>305,400</u>	<u>832,700</u>	<u>0</u>	<u>1,138,100</u>
13	TOTAL	\$4,277,000	\$2,161,900	\$6,500	\$6,908,500
14	III. WATER MANAGEMENT:				
15	FROM:				
16	General				
17	Fund	\$5,356,400	\$2,148,600		\$7,505,000
18	Indirect Cost Recovery				
19	Fund		72,900		72,900
20	Water Administration				
21	Fund	1,386,100	233,000		1,619,100
22	Miscellaneous Revenue				
23	Fund	920,700	307,200		1,227,900
24	Federal Grant				
25	Fund	<u>257,100</u>	<u>341,900</u>		<u>599,000</u>
26	TOTAL	\$7,920,300	\$3,103,600		\$11,023,900
27	IV. NORTHERN IDAHO ADJUDICATION:				
28	FROM:				
29	General				
30	Fund	\$367,100	\$195,700		\$562,800
31	Northern Idaho Adjudication				
32	Fund	<u>0</u>	<u>38,000</u>		<u>38,000</u>
33	TOTAL	\$367,100	\$233,700		\$600,800
34	V. BEAR RIVER BASIN ADJUDICATION:				
35	FROM:				
36	General				
37	Fund	\$202,200	\$57,200	\$94,400	\$353,800

1				FOR		
2		FOR	FOR	FOR	TRUSTEE AND	
3		PERSONNEL	OPERATING	CAPITAL	BENEFIT	
4		COSTS	EXPENDITURES	OUTLAY	PAYMENTS	TOTAL
5	GRAND TOTAL	\$13,881,000	\$6,766,500	\$100,900	\$6,908,500	\$27,656,900

6 SECTION 2. FTP AUTHORIZATION. In accordance with Section 67-3519,
 7 Idaho Code, the Department of Water Resources is authorized no more than one
 8 hundred fifty-four (154.00) full-time equivalent positions at any point
 9 during the period July 1, 2021, through June 30, 2022, unless specifically
 10 authorized by the Governor. The Joint Finance-Appropriations Committee
 11 will be notified promptly of any increased positions so authorized.

12 SECTION 3. CASH TRANSFER FOR AQUIFER MONITORING. There is hereby appro-
 13 priated to the Department of Water Resources and the Office of the State Con-
 14 troller shall transfer \$716,000 from the Revolving Development Fund to the
 15 Aquifer Planning and Management Fund on July 1, 2021, or as soon thereafter
 16 as practicable for the period July 1, 2021, through June 30, 2022, to be used
 17 for aquifer monitoring, measurement, and modeling.

18 SECTION 4. CASH TRANSFER FOR AQUIFER MANAGEMENT. Of the amount appro-
 19 priated to the Department of Water Resources in Section 1 of this act for the
 20 Planning and Technical Services Program from the General Fund, the Office
 21 of the State Controller shall transfer \$5,000,000 to the Secondary Aquifer
 22 Planning, Management, and Implementation Fund on July 1, 2021, or as soon
 23 thereafter as practicable for the period July 1, 2021, through June 30, 2022,
 24 to be used for aquifer recharge and management.

25 SECTION 5. CASH TRANSFER FOR THE FLOOD MANAGEMENT PROGRAM. There is
 26 hereby appropriated and the Office of the State Controller shall transfer
 27 \$1,000,000 from the General Fund to the Water Management Account created
 28 pursuant to Section 42-1760, Idaho Code, on July 1, 2021, or as soon there-
 29 after as practicable for the period July 1, 2021, through June 30, 2022, for
 30 water quality data collection, monitoring, modeling, flood-damaged stream
 31 channel repair, stream channel improvement, flood risk reduction, or flood
 32 prevention projects. Of these moneys, up to \$800,000 shall be administered
 33 by the Idaho Water Resource Board through a competitive, matching grant
 34 process for flood control projects. The Department of Water Resources shall
 35 support this competitive grant process using existing personnel and re-
 36 sources.

37 SECTION 6. WATER QUALITY MONITORING. Of the moneys appropriated and
 38 transferred in Section 5 of this act for water quality data collection, up
 39 to \$200,000 shall be used for monitoring, data collection, modeling, lit-
 40 erature review, economic analysis, and other forms of data gathering and
 41 analysis in the upper Snake/Rock Creek subbasin (HUC 17040212, as provided
 42 in IDAPA 58.01.02.109.02) in support of the nutrient total maximum daily

1 loads (TMDL) objectives. This process shall be coordinated with the Depart-
2 ment of Environmental Quality and the United States Geological Survey.

3 SECTION 7. USE OF FUNDS FOR RIRIE RESERVOIR FLOOD CONTROL RULES.
4 Notwithstanding the provisions of Section 1, Chapter 41, Laws of 2014, and
5 any other provision of law to the contrary, \$4,201,000 from the Revolving
6 Development Fund, or so much thereof as is necessary, shall be used for
7 analysis of the Ririe Reservoir flood control rule curves or any other inves-
8 tigations that would expand water storage.

STATEMENT OF PURPOSE

RS28849 / S1190

This is the FY 2022 original appropriation bill for the Department of Water Resources. It appropriates a total of \$27,656,900 and caps the number of authorized full-time equivalent positions at 154.00. For benefit costs, the bill maintains the current appropriated amount for health insurance at \$11,650 per eligible FTP, extends the holiday for the employer's sick leave contribution rate for another year, and restores funding for the employer's unemployment insurance contribution rate. The bill also provides funding for the equivalent of a 2% change in employee compensation for permanent state employees.

The bill funds five line items, which provide a transfer of \$716,000 for Aquifer Measuring and Monitoring; 2.00 FTP and \$353,800 for the first year of the Bear River Adjudication; 1.00 FTP and \$109,700 to hire a water projects manager; \$36,700 for a content management system subscription; and an ongoing \$1,000,000 from the General Fund for the Flood Management Program, with \$800,000 for flood management and \$200,000 for water quality monitoring.

DISCLAIMER: This statement of purpose and fiscal note are a mere attachment to this bill and prepared by a proponent of the bill. It is neither intended as an expression of legislative intent nor intended for any use outside of the legislative process, including judicial review (Joint Rule 18).

FISCAL NOTE

	FTP	Gen	Ded	Fed	Total
FY 2021 Original Appropriation	151.00	18,957,600	5,256,100	1,725,600	25,939,300
5. Building Idaho's Future	0.00	50,000,000	0	0	50,000,000
Cash Transfers and Adjustments	0.00	(50,000,000)	0	0	(50,000,000)
FY 2021 Total Appropriation	151.00	18,957,600	5,256,100	1,725,600	25,939,300
Executive Holdback	0.00	(947,900)	0	0	(947,900)
Noncognizable Funds and Transfers	0.00	0	0	0	0
FY 2021 Estimated Expenditures	151.00	18,009,700	5,256,100	1,725,600	24,991,400
Removal of Onetime Expenditures	0.00	(63,000)	(21,500)	0	(84,500)
Base Adjustments	0.00	0	0	0	0
Restore Rescissions	0.00	947,900	0	0	947,900
FY 2022 Base	151.00	18,894,600	5,234,600	1,725,600	25,854,800
Benefit Costs	0.00	36,800	13,800	2,200	52,800
Statewide Cost Allocation	0.00	12,300	8,900	0	21,200
Change in Employee Compensation	0.00	157,600	61,000	9,300	227,900
FY 2022 Program Maintenance	151.00	19,101,300	5,318,300	1,737,100	26,156,700
1. Aquifer Measuring and Monitoring	0.00	0	716,000	0	716,000
2. Bear River Adjudication	2.00	353,800	0	0	353,800
3. Water Projects Manager	1.00	109,700	0	0	109,700
4. Content Management System	0.00	0	36,700	0	36,700
5. Flood Management Program	0.00	1,000,000	0	0	1,000,000
Cash Transfers	0.00	0	(716,000)	0	(716,000)
FY 2022 Total	154.00	20,564,800	5,355,000	1,737,100	27,656,900
Chg from FY 2021 Orig Approp	3.00	1,607,200	98,900	11,500	1,717,600
% Chg from FY 2021 Orig Approp.	2.0%	8.5%	1.9%	0.7%	6.6%

Contact:

Rob J Sepich
 Budget and Policy Analysis
 (208) 334-4742

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Memorandum

To: Idaho Water Resource Board

From: Brian Patton

Date: March 9, 2021

Re: Idaho Code §42-1737



Ann Vonde will present the topic of Idaho Code §42-1737 and my provide materials at the meeting.

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 267

BY RESOURCES AND CONSERVATION COMMITTEE

AN ACT

RELATING TO WATER; AMENDING SECTION 42-1760, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE WATER MANAGEMENT ACCOUNT.

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. That Section 42-1760, Idaho Code, be, and the same is hereby amended to read as follows:

42-1760. WATER MANAGEMENT ACCOUNT. (1) There is hereby created and established in the trust and agency fund the water management account. All moneys in the account are appropriated continuously to the water resource board to be used and administered by it for the purposes specified in subsection (2) of this section, and shall not be subject to the provisions of the standard appropriations act of 1945 or section 67-3516, Idaho Code. The state treasurer shall invest the idle moneys of the account, and the interest earned on such investments shall be retained by the account.

(2) The board may expend, loan, or grant moneys from the water management account for new water projects or the rehabilitation of existing water projects limited to the following purposes: reclamation, upstream storage, offstream storage, aquifer recharge, reservoir site acquisition and protection, water supply, water quality, recreation, and water resource studies, including feasibility studies for qualifying projects, including studies, that conserve or increase water supply, improve drought resiliency, address water sustainability, or support flood management. The board shall have the authority to determine which water projects are undertaken pursuant to this section subject to the reporting requirements of subsection (3) of this section.

(a) Expenditures may be made from the account to provide public moneys for participation in any project constructed with funds from the water resource board revolving development account provided by section 42-1756, Idaho Code.

(b) Grants and loans may be made by the board from the account for any project in the public interest for the projects authorized by this section; no single annual grant shall exceed fifty thousand dollars (\$50,000) unless legislative approval has been obtained. This provision shall not apply to projects selected by the board under paragraph (c) of this subsection or for flood management grants as may be authorized by the board.

(c) Expenditures may be made from the account for include but are not limited to the state's participation in the costs of the following large water infrastructure projects:

(i) ~~Costs associated with t~~The construction of a raise of Anderson ranch dam, located on the south fork of the Boise river;

1 (ii) ~~Costs associated with~~ The Mountain Home air force base water
2 delivery and treatment systems; and

3 (iii) ~~The enlargement or construction of new or existing surface~~
4 ~~storage reservoirs owned and operated by the United States bu-~~
5 ~~reau of reclamation or army corps of engineers~~ identification,
6 study, and construction of managed aquifer recharge sites above
7 Milner dam to benefit existing water rights, including to meet the
8 state's commitments under settlement agreements.

9 (d) ~~The selection of any new large water infrastructure~~ Any project
10 selected pursuant to paragraph (c) of this subsection must consider
11 and protect all existing water rights and consider the effects of such
12 projects on other water uses, such as water quality, fish and wildlife,
13 recreation, and hydropower, that provide economic value, stability,
14 water sustainability, drought resiliency, and other benefits to the
15 citizens of the state.

16 (3e) ~~Any large infrastructure project receiving any portion of the~~
17 ~~funds approved pursuant to subsection (2) (c) of this section shall re-~~
18 ~~quire that~~ Preference for the distribution of funds shall be given with
19 at least fifty percent (50%) matching funds be provided by parties other
20 than the state. In the event of in-kind contributions, the board shall
21 determine the value of the in-kind contribution.

22 (43) ~~On or before the first day of each regular legislative session,~~
23 ~~the board shall submit to the legislature a report of any moneys expended or~~
24 ~~obligated and any work begun and/or completed in the prior or current fis-~~
25 ~~cal year on a project selected pursuant to subsection (2) (c) of this section.~~
26 relating to the prior and current fiscal year that includes the following in-
27 formation:

28 (a) A list of all projects considered by the board to receive funds from
29 the water management account;

30 (b) A statement of all projects receiving moneys from the water manage-
31 ment account, including:

32 (i) A description of how the project meets the purposes of the
33 water management account, as identified in subsection (2) of this
34 section;

35 (ii) A statement of all moneys expended or obligated from the wa-
36 ter management account for the project; and

37 (iii) A status report on the project, including identification of
38 work begun or completed and any anticipated further work within
39 the next calendar year; and

40 (c) Any anticipated future projects for which funding may be requested
41 from the water management account.

42 This information shall also be included as part of the board's budget report
43 to the joint finance-appropriation committee during each legislative ses-
44 sion.

45 (54) The director of the department of water resources shall assist the
46 board in any way the board deems necessary to fulfill the policy and purpose
47 of the water management account, including technical evaluation of proposed
48 projects and coordination in state and federal agencies.

STATEMENT OF PURPOSE

RS28706 / H0267

This legislation amends section 42-1760, which establishes the Idaho Water Resource Board's Water Management Account. Amendments include (1) replacing the list of potential projects with authority for projects which "conserve or increase water supply, improve drought resiliency, address water sustainability or support flood management;" (2) including aquifer recharge above Milner Dam on the list of specific projects for consideration; (3) confirming that all water rights, including hydropower water rights, must be protected, and that identified water uses must be considered in the approval of projects; and (4) providing additional information as part of the board's annual report.

FISCAL NOTE

There is no fiscal cost associated with amending section 42-1760. State general funds are appropriated separately to the water management account.

Contact:

Paul Arrington
(208) 332-1000
Representative Marc Gibbs
(208) 332-1000

DISCLAIMER: This statement of purpose and fiscal note are a mere attachment to this bill and prepared by a proponent of the bill. It is neither intended as an expression of legislative intent nor intended for any use outside of the legislative process, including judicial review (Joint Rule 18).

2021 Legislation

HOUSE BILL 267

The status of each bill, resolution, proclamation, and memorial is updated when the offices of the Secretary of the Senate and the Chief Clerk of the House publish the un-official daily journals and should not be deemed official. The official bill actions are located in the final journal, which are maintained by the offices of the Secretary of the Senate and the Chief Clerk of the House. **The daily journals are published at the end of each legislative day.**

Full Bill Information

Individual Links:

Bill Text

Statement of Purpose / Fiscal Note

H0267 by RESOURCES AND CONSERVATION COMMITTEE

WATER – Amends existing law to revise provisions regarding the water management account.

03/01 Introduced, read first time, referred to JRA for Printing

03/02 Reported Printed; Filed for Second Reading

03/03 Read second time; Filed for Third Reading

U.C. to hold place on third reading calendar one legislative day

03/04 Read Third Time in Full – Previously Read in Full – **PASSED - 67-0-3**

AYES – Adams, Addis, Amador, Barbieri, Berch, Blanksma, Boyle, Bundy, Cannon, Chew, Christensen, Clow, Crane, Davis, DeMordaunt, Dixon, Ehardt, Erickson, Ferch, Furniss, Galloway, Gannon, Gestrin, Gibbs, Giddings, Green, Hanks, Harris, Hartgen, Holtzclaw, Horman, Kauffman, Kerby, Kingsley, Lickley, Manwaring, Marshall, Mathias, McCrostie, Mendive, Mitchell, Monks, Moon, Moyle, Nash, Nate, Necochea, Nichols, Okuniewicz, Palmer, Rubel, Ruchti, Scott, Shepherd, Skaug, Syme, Toone, Troy, Vander Woude, von Ehlinger, Weber, Wisniewski, Wood, Yamamoto, Young, Youngblood, Mr. Speaker

NAYS – None

Absent – Andrus, Armstrong, Chaney

Floor Sponsor - Gibbs

Title apvd - to Senate

03/05 Received from the House passed; filed for first reading

Introduced, read first time; referred to: Resources & Environment

Memorandum



To: Idaho Water Resource Board
From: Brian Patton
Date: March 5, 2021
Re: Senate Bill 1121 (\$50M Appropriation) Priorities

REQUIRED ACTION: Consider setting priorities for the use of funds to be appropriated per SB 1121 per recommendation of the IWRB Finance Committee

Senate Bill 1121 would appropriate \$50 Million to the IWRB's Water Management Account. Separate legislation advancing this year amending Idaho Code 42-1760 includes priority projects for the use of these funds: 1) the Anderson Ranch Reservoir Enlargement, 2) the Mountain Home Air Force Base Sustainable Water Project, and 3) additional ESPA Recharge Infrastructure upstream of American Falls Reservoir. These projects were included in Governor Little's "Building Idaho's Future" plan, and have been supported by the legislature in prior years through concurrent resolutions. In addition, the IWRB may select additional projects at its discretion subject to certain reporting requirements. Also recall that the legislature previously placed \$20 Million in the Water Management Account for the Anderson Ranch or Mountain Home projects.

On February 25, 2021, the IWRB Finance Committee met and recommended the following allocation of funds (\$50 million in SB1121 plus the \$20 million previously appropriated):

• Anderson Ranch Interim Funding	\$17.6M
• Mountain Home AFB Water Project	28.0M
• ESPA Recharge Infrastructure– Upper Valley	22.4M
• Bear Lake	<u>2.0M</u>
TOTAL	\$70.0M

Additional projects that could be included on this list are the Palouse Basin Water Supply additional planning, and the Ririe Reservoir Rule Curve Modification. However, the Palouse Basin work could be funded through the Secondary Aquifer Fund and Ririe could be funded through a re-direct of funds previously directed for Island Park.

Attached for your consideration is a resolution that would approve the recommended allocation.

There are several additional attachments to this memo:

1. A White Paper on the background and status of the priority water project and additional funding for those projects.
2. Status of Senate Bill 1121
3. Text of Senate Bill 1121
4. Statement of Purpose of Senate Bill 1121

BEFORE THE IDAHO WATER RESOURCE BOARD

IN THE MATTER OF THE FINANCE COMMITTEE'S
RECOMMENDATIONS FOR ALLOCATION OF
FUNDS CONTEMPLATED IN SENATE BILL 1121

RESOLUTION TO ALLOCATE FUNDS
CONTEMPLATED IN SENATE BILL 1121 AND
FUNDS IN THE WATER MANAGEMENT
ACCOUNT

1 WHEREAS, The Water Management Account is created pursuant to Idaho Code 42-1760 and is
2 administered by the Idaho Water Resource Board (IWRB) for certain purposes; and
3

4 WHEREAS, through House Bill 285 the 2019 Legislature appropriated \$20 million to the Water
5 Management Account to be used for the Anderson Ranch Reservoir Enlargement or the Mountain Home
6 Air Force Base Sustainable Water Project ; and
7

8 WHEREAS, House Bill 286 which is currently pending before the Legislature would make
9 amendments to Idaho Code 42-1760, including but not limited to, stating that the Anderson Ranch
10 Reservoir Enlargement, the Mountain Home Air Force Base Sustainable Water project, additional aquifer
11 recharge infrastructure, and other projects selected by the IWRB may be undertaken with funds in the
12 Water Management Account; and
13

14 WHEREAS, Senate Bill 1121 which is currently pending before the Legislature would appropriate
15 an additional \$50 million to the Water Management Account; and
16

17 WHEREAS On February 25, 2021, the IWRB Finance Committee met by videoconference and
18 recommended the funds in the Water Management Account provided by House Bill 285 and those funds
19 anticipated through Senate Bill 1121 be allocated as follows:
20

- | | | |
|----|----------------------------------------------------------|---------|
| 21 | • Anderson Ranch Dam Raise Interim Funding | \$17.6M |
| 22 | • Mountain Home Air Force Base Sustainable Water Project | \$28.0M |
| 23 | • Eastern Snake Plain Aquifer Recharge Infrastructure | \$22.4M |
| 24 | • Bear Lake Additional Water Storage | \$2.0M |

25
26
27 NOW, THEREFORE BE IT RESOLVED that the IWRB allocates the funds in the Water Management
28 Account provided by House Bill 285 and those funds anticipated through Senate Bill 1121 per the Finance
29 Committee's recommendation.
30

31 NOW, THEREFORE BE IT FURTHER RESOLVED that, to meet Federal project funding and
32 authorization deadlines set forth in the Water Infrastructure Improvements for the Nation Act, once the
33 anticipated funds are transferred to the Water Management Account, the IWRB authorizes spending
34 those funds allocated for the Anderson Ranch Dam Raise for activities required to advance the project to
35 construction. These activities include but are not limited to final design, contracting, and financial
36 planning.

DATED this 19th day of March, 2021.

JEFF RAYBOULD, Chairman
Idaho Water Resource Board

ATTEST _____
JO ANN COLE-HANSEN, Secretary

Resolution No. _____

Additional Funding for Water Projects

This paper provides background and information on the use of the proposed \$50 million for water projects in the Governor’s budget.

Background

The 2019 Legislature appropriated **\$20 million** for the Anderson Ranch Reservoir Enlargement or the Mountain Home Air Force Base water supply pipeline, or future reservoir enlargements. These funds were placed in the Idaho Water Resource Board’s (IWRB’s) **Water Management Account**. To date, none of these funds have been spent as these projects are still working their way to the start of construction.

The IWRB’s **Secondary Aquifer Planning, Management, and Implementation Fund** receives **\$5 million annually from the General Fund** and **\$5 million annually from the Cigarette Tax**, although the Cigarette Tax portion is projected to decline in the future as that revenue source declines. This fund is used for aquifer management and cloud seeding. The Aquifer Recharge Program in the Eastern Snake Plain Aquifer costs on average \$6.5 million annually, while the state’s portion of the cloud seeding program costs \$2 million annually. Work in other aquifers, such as aquifer monitoring and developing ground water models uses the rest of these funds.

The IWRB also has the **Revolving Development Account** which is primarily a loan account for projects undertaken by canal companies, irrigation districts, and others, although some other projects are funded through this account as well.

The Governor’s budget allocates \$50 million of the current budget surplus to water projects. Near-term projects include:

Anderson Ranch Reservoir Enlargement Project

This project is an enlargement of Anderson Ranch Reservoir on the South Fork Boise River by 29,000 AF. A finding of feasibility has been completed by the Secretary of Interior as required by the terms of the Water Infrastructure Improvement Act for the Nation, and the Environmental Impact Statement is scheduled to be completed in spring. This project will provide needed water for the rapidly growing Treasure Valley and possibly surrounding areas. The cost of the project is:

Total Project Cost	\$83.3 million
Federal Share	\$9.201 million
State/Local Share	\$74.099 million

- The IWRB plans to be the “spaceholder” and contract with the Federal Government.
- The IWRB plans to issue revenue bonds to finance project costs.
- The IWRB plans to “sub-contact” some of the new reservoir space to third parties that will use the water.

- The “sub-contractors” would pay for use of the storage water over time and these funds would be used to pay debt service on the bonds.

Although this project appears to be financeable through the bond market, that will come at significant cost. Financing part of the project through this appropriation would reduce bond market access costs. Some funding will also be needed to advance the project through final design to the point where water user contracts can be executed and revenue bonds can be issued. Funds spent on this project would be recoverable over time and available for future projects.

Mountain Home Air Force Base Sustainable Water Project

This project is being planned jointly by the State and the Air Force in order to ensure a sustainable water supply for the Mountain Home Airforce Base and replace the Base’s use of the declining Mountain Home Aquifer. A 2010 study conducted for the Air Force estimated a 36-year remaining water supply for the Base from the aquifer. The IWRB purchased senior-priority water rights from the Snake River from Simplot to source water for this project. Governor Little has been working with the Air Force to define responsibilities for the project:

State Portion	Pump Station and pipeline to Base	\$28 Million
Air Force Portion	Water Treatment Plant	Approx. \$50 million

It is important to note that the funds spent on the state portion of this project would not be recovered, and would be considered an investment in ensuring a viable water supply to an industry that contributes about \$1 billion annually into Idaho’s economy. It is planned that the Air Force would cover all long-term O&M on the project. Ownership of the Snake River water rights would remain with the IWRB.

Large Upper Valley Recharge Project

The IWRB is currently in preliminary planning for one or more large-scale recharge projects in the “Upper Valley” or eastern Idaho area. There are a couple of reasons the Upper Valley is targeted: (1) it is important to balance out the volume of recharge done in Eastern Idaho (i.e., Upper Valley) vs. the Magic Valley (i.e., Lower Valley), and (2) the capture and recharge of high spring run-off flows may allow the IWRB to allow some winter-time flows to pass Milner Dam for downstream hydropower generation. The two projects the IWRB prefers are:

Mud Lake Pipeline	\$36 - \$60 million
Egin Phase 3 Expansion	\$12 – \$20 million

Funds spent on these recharge projects would not be recoverable and would be an investment into the State’s recharge program for managing the eastern Snake Plain Aquifer. There is the

potential to add the local ground water district(s) as a partner in the Mud Lake Pipeline as non-recharge water could also be delivered through the pipeline to offset ground water pumping and help the District meet its requirement to reduce ground water use.

Other

- Preliminary planning for Palouse Basin water supply: the aquifer is declining in the Moscow area and the region will eventually need to augment its water supply.
- Ririe Reservoir Rule Curves: A study needs to be completed to change operations of Ririe Reservoir. There is potential to increase storage by 10,000 to 18,000 acre feet without decreasing safety for flood control.
- Bear Lake Storage: the IWRB is working the states of Utah and Wyoming, along with Pacificorp to determine if more water can be stored in Bear Lake. A model on lower Bear Lake operations has been completed and has determined that if flows in the lower river can be increased for flood control that lake levels could increase about 140,000 acre feet. To increase flood flows will require working with local landowners to obtain flood easements.

2021 Legislation

SENATE BILL 1121

The status of each bill, resolution, proclamation, and memorial is updated when the offices of the Secretary of the Senate and the Chief Clerk of the House publish the un-official daily journals and should not be deemed official. The official bill actions are located in the final journal, which are maintained by the offices of the Secretary of the Senate and the Chief Clerk of the House. **The daily journals are published at the end of each legislative day.**

Full Bill Information

Individual Links:

Bill Text

Statement of Purpose / Fiscal Note

S1121

by FINANCE COMMITTEE

APPROPRIATIONS – DEPARTMENT OF WATER RESOURCES – Relates to the appropriation to the Department of Water Resources for fiscal year 2021.

- 02/15 Introduced; read first time; referred to JR for Printing
- 02/16 Reported Printed; referred to Finance
- 02/17 Reported out of Committee with Do Pass Recommendation; Filed for second reading
- 02/18 Read second time; filed for Third Reading
- 02/22 Read third time in full – **PASSED - 33-1-1**
AYES – Agenbroad, Anthon, Bayer, Burgoyne, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Heider, Johnson, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rabe, Ricks, Riggs, Siddoway(Burtenshaw), Souza, Stennett, Thayn, Van Orden(Bair), Vick, Ward-Engelking, Winder, Woodward, Zito
NAYS – Wintrow
Absent and excused – Rice
Floor Sponsor - Lent
 Title apvd - to House

IN THE SENATE

SENATE BILL NO. 1121

BY FINANCE COMMITTEE

AN ACT

1
2 RELATING TO THE APPROPRIATION TO THE DEPARTMENT OF WATER RESOURCES FOR FIS-
3 CAL YEAR 2021; APPROPRIATING AND TRANSFERRING MONEYS FROM THE GENERAL
4 FUND TO THE WATER MANAGEMENT FUND; AND DECLARING AN EMERGENCY.

5 Be It Enacted by the Legislature of the State of Idaho:

6 SECTION 1. CASH TRANSFER. There is hereby appropriated and the Office
7 of the State Controller shall transfer \$50,000,000 from the General Fund to
8 the Water Management Fund as soon as practicable for the period July 1, 2020,
9 through June 30, 2021.

10 SECTION 2. An emergency existing therefor, which emergency is hereby
11 declared to exist, this act shall be in full force and effect on and after its
12 passage and approval.

STATEMENT OF PURPOSE

RS28605 / S1121

This is an FY 2021 supplemental appropriation bill for the Department of Water Resources. It provides a cash transfer of \$50,000,000 from the General Fund to the continuously appropriated Water Management Fund. This funding would be used for costs related to the Anderson Ranch Reservoir Enlargement Project, the water supply for the Mountain Home Air Force Base, and aquifer recharge projects in the Upper Snake River Valley.

FISCAL NOTE

This bill provides a onetime cash transfer of \$50,000,000 from the General Fund to the Water Management Fund.

Contact:

Rob J Sepich
Budget and Policy Analysis
(208) 334-4742

DISCLAIMER: This statement of purpose and fiscal note are a mere attachment to this bill and prepared by a proponent of the bill. It is neither intended as an expression of legislative intent nor intended for any use outside of the legislative process, including judicial review (Joint Rule 18).

ATTACHMENT A - fiscal Year 2021 Secondary Aquifer Planning, Management and Infrastructure Fund Budget
FY2021 DRAFT PROPOSED BUDGET FOR THE SECONDARY AQUIFER FUND

Carry-Over From FY20	\$	2,830,000
General Fund (60.6%)	\$	3,000,000
HMW Funds - (Residual of Capital Tax proceeds)	\$	3,000,000
DOI (R, SLP Funds) (51.064 M over 5 years)	\$	600,000
Federal Finance	\$	300,000
TOTAL	\$	14,830,000

Category	Sub-Category	FY21 Budgeted	FY21 Current (thru 1/31/21)
EPA MANAGED RECHARGE			
EPA Recharge Operations	Compliance Cost	\$2,380,000	\$184,800
	DMC	\$75,000	\$17,300
	Education/Outreach	\$100,000	\$75,000
	Recharge Quality Control	\$150,000	\$100,000
	Regional Monitoring	\$475,000	\$390,000
TOTAL	\$2,480,000	\$667,100	
EPA Managed Recharge Infrastructure Projects	Budgeted Projects	\$1,000,000	\$0
	Recharge for additional recharge well utilization projects	\$1,000,000	\$0
TOTAL	\$1,000,000	\$0	
EPA Recharge Investigations	Budgeted Investigations	\$100,000	\$0
	Recharge for additional recharge well utilization projects	\$100,000	\$0
TOTAL	\$100,000	\$0	
EPA Recharge Monitoring (50% Funding, Over 5 yr. - total \$100,000)		\$100,000	\$112,818
EPA MANAGED RECHARGE TOTAL		\$3,580,000	\$667,118
TREASURY VALLEY			
Treasury Valley Region - Groundwater Recharge, LRP 3 - Total \$1.5 M		\$1,500,000	\$164,432
North River Storage, Study		\$750,000	\$0
TREASURY VALLEY TOTAL		\$2,250,000	\$164,432
BAFF RIVER			
Baff River Hydrologic Characterization		\$475,000	\$42,000
BAFF RIVER TOTAL		\$475,000	\$42,000
BIG LOST BASIN TOTAL			
Big Lost Basin Hydrologic Characterization (Over 5 yr. - total \$1.5 M)		\$1,500,000	\$188,508
BIG LOST BASIN TOTAL		\$1,500,000	\$188,508
PALOUSE BASIN			
Palouse Basin Sustainability Program		\$100,000	\$0
PALOUSE BASIN TOTAL		\$100,000	\$0
BEAR RIVER BASIN TOTAL			
Bear River Basin Sustainability Program		\$100,000	\$0
BEAR RIVER BASIN TOTAL		\$100,000	\$0
LEMBO BASIN			
Lembo Basin R-107		\$100,000	\$18,413
LEMBO BASIN TOTAL		\$100,000	\$18,413
MOUNTAIN HGMW/HELMORE COUNTY			
Mountain HGMW/Heimlore County Basin Sustainability Program		\$100,000	\$0
MOUNTAIN HGMW/HELMORE COUNTY TOTAL		\$100,000	\$0
COOPERATIVE CLOUD SEEDING PROGRAM			
Cooperative Cloud Seeding Program (Total of \$1.5 M)		\$1,500,000	\$0
U.S. M. Recharge provided by the state		\$100,000	\$0
Cloud Seeding Monitoring Program (Over 5 yr. - total \$1.5 M)		\$1,500,000	\$108,844
Special Recharge Study - (Over 2 yr. - \$1,000,000 total)		\$1,000,000	\$100,000
Recharge Study - (Over 2 yr. - \$1,000,000 total)		\$1,000,000	\$0
COOPERATIVE CLOUD SEEDING PROGRAM TOTAL		\$2,312,000	\$418,844
STATEWIDE			
Advanced Groundwater Quality, Monitoring, and Planning (Priority Maintenance, etc.)		\$65,000	\$16,814
Groundwater Recharge for increasing baseflow		\$100,000	\$8,000
Statewide Recharge and Aquifer Monitoring		\$600,000	\$50,000
STATEWIDE TOTAL		\$765,000	\$164,814
SN REQUESTED HOLDBACK TOTAL		\$110,000	\$110,000
GRAND TOTAL		\$ 14,830,000	\$ 3,338,462

* Items that will require an additional Board resolution to authorize expenditure of funds

This item was previously budgeted for 2020. It was amended by Amendment 2 (1/14, 2/18) for 2020 and for 2021 for 400,000 budget

This and items associated and other corrected

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 266

BY RESOURCES AND CONSERVATION COMMITTEE

AN ACT

1 RELATING TO WATER; AMENDING TITLE 42, IDAHO CODE, BY THE ADDITION OF A NEW
2 CHAPTER 43, TITLE 42, IDAHO CODE, TO PROVIDE FOR CLOUD SEEDING, TO PRO-
3 VIDE LEGISLATIVE FINDINGS, TO DEFINE A TERM AND TO PROVIDE EXCEPTIONS,
4 TO PROVIDE FOR PROGRAMS AND CONTRACTING, TO PROVIDE FOR THE USE OF STATE
5 FUNDS, TO PROVIDE FOR DISTRIBUTION OF WATER GENERATED THROUGH CLOUD
6 SEEDING, TO PROHIBIT CERTAIN CLAIMS OF LIABILITY, AND TO PROVIDE THAT
7 CERTAIN PERMITS SHALL NOT BE REQUIRED.
8

9 Be It Enacted by the Legislature of the State of Idaho:

10 SECTION 1. That Title 42, Idaho Code, be, and the same is hereby amended
11 by the addition thereto of a NEW CHAPTER, to be known and designated as Chap-
12 ter 43, Title 42, Idaho Code, and to read as follows:

13 CHAPTER 43
14 CLOUD SEEDING

15 42-4301. CLOUD SEEDING. (1) The legislature finds that:

16 (a) Idaho's economy and the welfare of its citizens depend upon a reli-
17 able and sustainable water supply. It is essential, therefore, that the
18 state continues to identify, develop, and implement projects that aug-
19 ment and sustain the state's water resources.

20 (b) The cloud seeding program developed and implemented by the Idaho
21 water resource board, in cooperation with interested stakeholders,
22 presents a unique and innovative opportunity to augment and sustain the
23 water resources of the state.

24 (c) Augmenting water supplies through cloud seeding is in the public
25 interest. Public benefits of cloud seeding include drought mitigation,
26 protection of water rights, protection of municipal and business ac-
27 tivities dependent on water, water quality, recreation, and fish and
28 wildlife.

29 (d) Data accumulated and analysis undertaken since the initiation of
30 the cloud seeding program demonstrates that cloud seeding has resulted
31 in an annual increase in the water supplies in the basins in which cloud
32 seeding has been performed. However, additional research and analy-
33 sis is necessary to determine the precise nature and extent of those in-
34 creases. The legislature recommends that such research be continued as
35 the cloud seeding program progresses and that annual reports on such re-
36 search be provided to the legislature.

37 (e) The legislature recognizes that expansion of the cloud seeding pro-
38 gram may benefit basins throughout the state that experience depleted
39 or insufficient water supplies, and the legislature recommends that
40 the water resource board complete an assessment of basins and work with

1 affected stakeholders to implement the cloud seeding program in basins
2 that would benefit from the program.

3 (2) As used in this chapter, "cloud seeding" means all acts undertaken
4 to artificially distribute or create nuclei in cloud masses for the purposes
5 of inducing precipitation, cloud forms, or other meteorological parameters.
6 Cloud seeding for the suppression of fog and frost prevention measures for
7 the protection of orchards and crops are excluded from the coverage of this
8 chapter.

9 (3) The water resource board shall authorize, and may sponsor or de-
10 velop, local or statewide cloud seeding programs and may contract any indi-
11 vidual or organization for consultation and assistance in developing cloud
12 seeding programs or in furthering research related to cloud seeding.

13 (4) State funds may be used or expended on cloud seeding programs only
14 in basins where the water resource board finds that existing water supplies
15 are not sufficient to support existing water rights, water quality, recre-
16 ation, or fish and wildlife uses dependent on those water supplies. Water
17 generated through cloud seeding shall be distributed in accordance with the
18 prior appropriation doctrine.

19 (5) The act of cloud seeding pursuant to a project funded in whole or
20 in part by the state of Idaho or authorized by the state water resource board
21 shall not be the basis of any claim of liability, including but not limited
22 to trespass or public or private nuisance, and shall not require any state or
23 local permits.

STATEMENT OF PURPOSE

RS28717 / H0266

Cloud seeding has been done in various areas of Idaho for several years. This legislation states findings relating to cloud seeding in Idaho, defines cloud seeding and provides that the water resource board is responsible to authorize cloud seeding in Idaho and may participate in cloud seeding programs. The legislation further states that water generated through cloud seeding will be administered in accordance with the prior appropriation doctrine and limits liability for participation in certain cloud seeding projects. No state or local permits will be required for cloud seeding.

FISCAL NOTE

There is no fiscal cost associated with this legislation. State funds are appropriated separately to the Secondary Aquifer Planning, Management and Implementation Fund for cloud seeding activities.

Contact:

Representative Marc Gibbs
(208) 332-1000

DISCLAIMER: This statement of purpose and fiscal note are a mere attachment to this bill and prepared by a proponent of the bill. It is neither intended as an expression of legislative intent nor intended for any use outside of the legislative process, including judicial review (Joint Rule 18).

2021 Legislation

HOUSE BILL 266

The status of each bill, resolution, proclamation, and memorial is updated when the offices of the Secretary of the Senate and the Chief Clerk of the House publish the un-official daily journals and should not be deemed official. The official bill actions are located in the final journal, which are maintained by the offices of the Secretary of the Senate and the Chief Clerk of the House. **The daily journals are published at the end of each legislative day.**

Full Bill Information

Individual Links:

Bill Text

Statement of Purpose / Fiscal Note

H0266 by RESOURCES AND CONSERVATION COMMITTEE

WATER – Adds to existing law to provide for cloud seeding in Idaho.

03/01 Introduced, read first time, referred to JRA for Printing

03/02 Reported Printed and Referred to Resources & Conservation

03/04 Reported out of Committee with Do Pass Recommendation, Filed for Second Reading

03/05 Read second time; Filed for Third Reading

BEFORE THE IDAHO WATER RESOURCE BOARD

IN THE MATTER OF PICABO LIVESTOCK
COMPANY FUNDING REQUEST

RESOLUTION TO AUTHORIZE FUNDING FOR
NEW WELL AND ELECTRICAL UPGRADE

1 WHEREAS, Picabo Livestock Company (Company) submitted a loan application to the Idaho
2 Water Resource Board (IWRB) in the amount of \$95,000.00 for the drilling of an alternate, back-up well
3 and accompanying electrical upgrades, for the system currently supplying water to the residents of the
4 unincorporated community of Picabo (Project); and
5

6 WHEREAS, the Company owns, operates, and maintains the Picabo Water System (System)
7 which conveys potable water to the residents in Picabo, Blaine County, for domestic and commercial use
8 to the 200 residences in the community; and
9

10 WHEREAS, the system operates under regulation by the Idaho Public Utilities Commission (PUC),
11 and Idaho Department of Environmental Quality (DEQ); and
12

13 WHEREAS, the System is required by DEQ to maintain an alternate well to supply the System.
14 The current alternate well is located on a private lot, the owners of which intend to sell and abandon the
15 existing well; and
16

17 WHEREAS, the alternate well, as by requirement of the local fire authority, also serves to meet
18 adequate fire flows in time of need; and
19

20 WHEREAS, the proposed drilling of a new well will benefit the residents of the community of
21 Picabo by providing a long-term, reliable domestic water supply system that will comply with state and
22 local rules; and
23

24 WHEREAS, the total estimated cost for the Project is \$95,000; and
25

26 WHEREAS, the Company is a qualified applicant and the proposed Project qualifies for a loan
27 from the IWRB'S Revolving Development Account; and
28

29 WHEREAS, the proposed Project is in the public interest and is in compliance with the State
30 Water Plan; and
31

32 NOW THEREFORE BE IT RESOLVED that the IWRB approves a loan not to exceed \$95,000 from
33 the Revolving Development Account at ___% interest with a 20-year repayment term and provides
34 authority to the Chairman of the Idaho Water Resource Board, or his designee, to enter into contracts
35 with the Company on behalf of the IWRB.
36

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

- 39
- 40 1) The Company shall comply with all applicable rules and regulations that apply to the
41 proposed Project.
 - 42 2) The Company will provide acceptable security for the loan to the IWRB including, but not
43 limited to, the Company's water rights associated with the System and, all facilities and
44 equipment associated with the Project.
 - 45 3) The Company shall obtain approval from the PUC for an increase in the monthly user rates
46 prior to the disbursement of funds.

47

DATED this 19th day of March, 2021.

JEFF RAYBOULD, Chairman
Idaho Water Resource Board

ATTEST _____
JO ANN COLE-HANSEN, Secretary

Memorandum

To: Idaho Water Resource Board (IWRB)

From: Neeley Miller

Date: March 9, 2021

Re: Palouse Basin Aquifer Committee (PBAC) Update



Representatives from the Palouse Basin Aquifer Committee (PBAC) will discuss recent efforts towards developing a long term sustainable water supply.

PBAC Water Supply Alternatives Outreach Plan

Final



Prepared for:
Palouse Basin Aquifer Committee

February 17, 2021

Prepared by:
Alta Science and Engineering, Inc.
220 East Fifth Street, Suite 325
Moscow, Idaho 83843
alta-se.com


Science & Engineering, Inc.

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Acronyms and Abbreviations

Alta	Alta Science & Engineering, Inc.
Ecology	Washington Department of Ecology
GWMP	Groundwater Management Plan
IDWR	Idaho Department of Water Resources
LEAP	Legislative, Executive, Administrative, and Political
PBAC	Palouse Basin Aquifer Committee
PBWS	Palouse Basin Water Summit
SEG	Stakeholder Engagement Group

Section 1 Introduction

The purpose of this document is to provide a guide for the Palouse Basin Aquifer Committee's (PBAC's) outreach activities. Objectives include identifying key stakeholders, leadership roles and responsibilities, and communication methods; developing a foundation of content for outreach presentations, general schedule, and feedback loop; and establishing metrics to ensure progress will be made. This outreach plan uses the *PBAC Communication Action Plan* (DH 2017) as its foundation.

Outreach is an important component of the water supply alternatives refinement. This is in alignment with PBAC's overarching organizational goals listed below (DH 2017):

1. Build community awareness and understanding of the Palouse Basin's groundwater supply.
2. Engage the community and build public support of and involvement in PBAC's mission to ensure a quality, long-term water supply.
3. Strengthen PBAC's reputation and credibility as the Palouse Basin Groundwater Authority.

The goals of outreach activities during the water supply alternatives refinement process are to inform, educate, solicit, incorporate feedback, and gain informed consent for a selected alternative(s). The outreach that is performed under this plan is intended to demonstrate that PBAC has done work to gain community support to meet expectations from potential funding sources. PBAC will attempt to reach as many stakeholders as possible; however, some communication efforts will be tailored to directly target certain audiences based on the available resources.

Section 2 Stakeholders

Stakeholders are individuals or groups that have an interest in or may be affected by a water supply alternatives decision; therefore, PBAC will work towards engaging various stakeholders in the evaluation process. Everyone who resides within the basin boundaries is considered a stakeholder, but dividing stakeholders into subgroups will help PBAC to target their messaging and reach more people. The Legislative, Executive, Administrative, and Political (LEAP) Analysis (in progress) will provide a list of individuals and their contact information who should be included in the engagement process and includes those who requested involvement. In addition, groups within the categories listed below should be included in the outreach (*details will be developed after receipt of the LEAP Analysis report*).

- Non-profit
- Local and state political / governmental
- Economic, commercial, industrial
- Environmental
- Local University
- Rural

- Impacted citizens

2.1 Stakeholder Engagement Group

PBAC established a charter for a Stakeholder Engagement Group (SEG) in 2020 with hopes to launch the group in early 2021. The SEG will provide input to PBAC through dialogue among a broad range of interested parties focusing mainly on the four water supply alternatives and associated engineering and environmental evaluations and analyses, research activities, and public involvement efforts. Input from the SEG is expected to play a critical role in public engagement and will help guide outreach activities. The SEG member invitee list is expected to be finalized in January 2021. The SEG Charter provides additional details (see Appendix A). PBAC will incorporate SEG feedback into the alternative selection process.

The first SEG meeting is anticipated to occur in February 2021 after the SEG participant list is finalized. The first few meetings are anticipated to be monthly then shifting to quarterly.

Section 3 Roles and Responsibilities

Effective leadership, teamwork, and communications are critical to the success of this outreach plan. The PBAC Executive Manager, Korey Woodley, will lead the outreach activities. Although multiple PBAC interests should be engaged, the June 2019 PBAC Workshop identified the importance of having a single point of contact in order to maintain messaging consistency, both electronically and in person. In addition to Korey, others have important responsibilities within the outreach activities.

Key personnel and their roles and responsibilities for the outreach activities are as follows:

- Korey Woodley (PBAC Executive Manager): Reviews the outreach plan, leads the SEG and outreach activities, develops content for the outreach tactics described in Section 4, develops schedules for the tactics under her leadership (see Section 4), conducts speaking engagements, staffs the PBAC booth at events, manages and updates PBAC's social media accounts, manages and updates the PBAC website, creates surveys and reviews and records results, documents outreach activities, and follows the outreach plan and outreach schedule.
- Paul Kimmell (Latah County / PBAC chair): Reviews the outreach plan; assists with outreach activity planning, content, and decisions; provides management guidance; schedules and ensures advertising tactics are completed on schedule; leads the podcast tactic; handles media relations; and is the SEG leader backup #1.
- Tyler Palmer (City of Moscow / PBAC member): Is the SEG leader backup #2.
- Communications Intern: Supports outreach and communications activities as delegated.
- Robin Nimmer and Alta Science & Engineering, Inc. (Alta) team: Completes the outreach plan, attends and provides assistance for SEG meetings, helps guide the SEG, assists with content for the tactics described in Section 4, works with Korey to develop the outreach schedule, ensures outreach progress is made, and documents outreach activities.

- PBAC Communications Subcommittee: Reviews the outreach plan, provides direction for outreach tactics and materials, provides guidance for the SEG and its direction, and provides support outreach activities as needed.

Section 4 Tactics

The *PBAC Communication Action Plan* (DH 2017) presents PBAC's goals and communication tactics (Appendix B). PBAC's communications need to reach the widest variety of stakeholders using some or all of the following tactics (leader responsible in parentheses):

- Advertising (Paul Kimmell)
 - Ads in community publications: Daily News, Argonaut, Evergreen, and Home & Harvest. Content must be created. Fees are charged.
 - Press releases in community publications: Daily News, Argonaut, and Evergreen. Content must be created. No fees.
 - Articles in community publications: Daily News, Argonaut, Evergreen, and Home & Harvest. Ex. human interest story, quotes from Korey/SEG members. Content must be created. Fees unlikely.
 - Flyers in member entity newsletters: Pullman Community Update, City of Moscow Water Matters newsletter, Palouse Land Trust newsletter. Newsletters must be created, though could use one-page fact sheet (see next bullet). Fees are charged for printing costs for printed newsletters.
- Materials (Korey Woodley)
 - Brochures and one-page fact sheets: These should be available for distribution at in-person events and for meetings with state agencies. Other locations/venues may receive materials in the future as determined by the outreach leadership (Section 3). PBAC has a brochure and fact sheet about PBAC and the water supply alternatives. Fees may be charged for printing costs.
- Community Education Outreach (Korey Woodley)
 - E-newsletters: sent to interested parties who have provided their contact information. PBAC has an email list which is expected to grow throughout the outreach. The PBAC website also has a Contact Us link. Content for the e-newsletter must be created.
 - Events: County Fairs, Farmer's Markets, Lentil Festival. Korey Woodley or a PBAC designee will staff a PBAC booth at events to meet and talk with visitors and offer materials on PBAC and the water supply alternatives.
- Speaking engagements (Korey Woodley)
 - Stakeholder Groups: Korey Woodley or PBAC designee will give presentations. The LEAP analysis will help identify these groups. PBAC has a standard PowerPoint presentation that will be slightly tailored to each group.
 - College Classes: Korey Woodley or PBAC designee will give presentations. PBAC has a standard PowerPoint presentation that will be slightly tailored to the classes.

- Social Media (Korey Woodley)
 - May include Facebook, Instagram, Twitter, LinkedIn, or other. The Communications Intern is expected to assist in determining the most effective social media communication as well as the content and frequency of posts.
- Podcast (Paul Kimmell)
 - Needs further evaluation.
- Website (Korey Woodley)
 - PBAC website: All other tactics will direct people to the PBAC website for the most comprehensive and recently available information. The website will include links to related completed reports, showcase water supply alternatives work, up to date PBAC meeting agenda and notes, and information for the SEG meeting. This is a high priority tactic.
 - Links to PBAC's website on community websites
- One-on-one meetings (Korey Woodley, PBAC members, Alta)
- Other

The individual tactics used in the outreach program will be based on the resources available and approved by the PBAC Communication Subcommittee.

Due to the COVID-19 pandemic, PBAC will host virtual meetings/presentations until in-person meetings can safely be held.

Section 5 Content

The content of the outreach tactics described in Section 4 will be based on the style of outreach conducted and available information and resources. All content should have clear and consistent messaging; PBAC will ensure consistency by reviewing presentation and outreach messaging points at retreats and PBAC meetings. PBAC will use their existing tactics content and provide updates when necessary to incorporate new information about the water supply alternatives as guided by those listed in Section 3. It may be time consuming and costly to generate new content into certain tactics (ex. materials). Therefore, all tactics will point to the PBAC website which must be adequately maintained.

The following sub-sections describe the content for speaking engagements.

5.1 Content for Speaking Engagements

Content for the outreach engagement activities will be tailored by the audience and familiarity of the Basin and alternatives from past outreach. PBAC will develop a general PowerPoint presentation for the first outreach session, and another for a follow-on presentation. These will be updated with new information after approval by PBAC.

Each outreach meeting should have an agenda, sign-in sheet, and meeting notes. Korey Woodley will be responsible for these unless she designates Alta for certain meetings. Korey Woodley and Alta will keep these records.

5.1.1 Outreach Session #1

For speaking engagements, the first outreach session should lay the foundation and may be video recorded for others to view upon request. It may include the following:

1. PBAC background
 - a. When and why formed - History of water use in the basin, flowing artesian wells to water level decline, bistate aquifer, etc.
 - b. Member entities, including ex-officio members Washington Department of Ecology (Ecology) and Idaho Department of Water Resources (IDWR)
 - c. Mission
 - d. Groundwater Management Plan (GWMP)
2. Brief basin hydrogeology
3. Problem with declining water levels - Deepening wells, insufficient water, state laws prohibiting mining of groundwater. What happens if we do nothing (Groundwater Management Area designation)?
4. Summary of water supply alternatives
5. Water supply alternatives matrix and preliminary ranking
6. University of Idaho 2019 survey results
7. Current project summary and progress made
8. Questions/answers/feedback solicitation – Listen to concerns, learn what is important to them and why.

5.1.2 Outreach Session Follow Up

Following the first outreach session, subsequent speaking engagements should provide updates and may include the following:

1. Brief summary of items #1-6 from the first outreach session
2. Current project updates since last meeting to include:
 - a. PBAC-funded project updates as pertinent to the water supply alternatives
 - b. Phased approach findings
 - c. Funding updates
3. Questions/answers/feedback solicitation/address concerns and close the feedback loop. See Section 7 for additional information.

Section 6 General Schedule

The outreach general schedule provided in Table 1 is a guideline for conducting outreach and soliciting feedback. These are goals yet they need to remain flexible based on the project schedule and resources (leadership capacity, time, funds, etc.). The LEAP Analysis Report will provide the desired level of contact format and frequency for the individuals/groups listed. A more detailed schedule will be developed after receipt of the report with input and guidance from the PBAC Communications Subcommittee.

Table 1. General Outreach Schedule

Tactic	Approximate Frequency					
	Yearly	Semi-Annual	Quarterly	Semi-monthly	Monthly	Other
Advertising:						
Ads (Daily News, University newspapers, Home & Harvest)		X				
Press releases (Daily News, University newspapers)		X				
Articles (Daily News, University newspapers, Home & Harvest)		X				
Community newsletters (Pullman Community Update, City of Moscow Water Matters, Palouse Land Trust)			X			
Community Education Outreach:						
Farmer's Markets (Moscow, Pullman)			X			
Festivals (Lentil Festival)	X					
County Fairs (Latah and Whitman)	X					
PBAC e-mail newsletter			X			
Speaking Engagements:						
Other Stakeholder Groups						X
SEG			X		X	
University classes		X				
Social Media					X	
Podcast						X
PBAC Website					X	X

Generally, for the speaking engagements, a minimum of two touch points is desirable: one during the early development of the alternative's refinement and one later in the development. Ads, press releases, and articles are expected to be on an alternating schedule.

Section 7 Feedback Loop

A feedback loop is an important component of the outreach activities. This involves presenting information and then soliciting, receiving, discussing, and incorporating or addressing feedback.

One of the goals for outreach is to gain community support. To accomplish this we aim for consensus as described by The Primes (2021):

1. *“Process satisfaction: Each stakeholder believes that the decision-making process is explicit, rational, and fair.”*
2. *“Personal treatment: Each stakeholder feels treated honorable, meaning they have had ample opportunity to be heard, to make their opinions known, and to consider the opinions of others.”*
3. *“Outcome satisfaction: Each participant can live with the outcome. Notice the words, ‘live with’, as opposed to ‘agree with’.”*

Concerns must be acknowledged and addressed. This may occur in future contacts with the same individual/group or progress updates in the various outreach tactics. Alta will document the feedback and feedback loop in the final Outreach Report.

Section 8 Metrics

Metrics for outreach include both quantitative and qualitative measures. Quantitative metrics may include the number of:

- Advertisements and frequency in community publications
- Presentations to stakeholder groups
- Attendees at presentations
- SEG meetings
- Updates, content, visits, and unique visitors to the PBAC website
- People on the contact list
- Search engine optimization rating
- E-newsletters
- Posts / responses on social media
- Followers, fans, friends on social media
- Palouse Basin Water Summit (PBWS) presentations and attendees
- Brochures or handouts distributed
- Conversations with individuals
- Other (ex. Fairs, Markets)

Qualitative metrics may include an increase in inquiries/website traffic after engagements or website updates.

The use and results of surveys are helpful metrics. Surveys can be used to help establish the baseline level of knowledge to guide future direction, preferred methods and frequency of communication to guide communication, and water supply alternative preferences and concerns to guide outreach and selection of the preferred alternative(s). PBAC is currently developing a survey for the SEG. They will develop and provide additional surveys for stakeholders throughout the outreach process. Surveys are expected to be relatively simple, straightforward, and will likely use SurveyMonkey® or a similar online platform through the PBAC website. Corey Woodley is responsible for the surveys.

Section 9 Records

It is important to document the outreach activities to demonstrate PBAC's efforts toward educating, informing, and soliciting feedback on the water supply alternatives. Meeting agenda and notes will be prepared for each meeting. Korey Woodley and Alta will keep outreach activities and feedback documentation, with shared records kept on a Microsoft Teams site.

Section 10 References

DH, 2017. Palouse Basin Aquifer Committee Communication Action Plan.

GovFriend, in progress. LEAP Analysis.

The Primes, 2021. Consensus. < [Consensus \(theprimes.com\)](https://theprimes.com)> Accessed December 14, 2020.

Appendix A
SEG Charter

Palouse Basin Aquifer Committee Stakeholder Engagement Group Charter July 2019

Background

The Palouse Basin Aquifer Committee (PBAC) works collaboratively to help the region better understand, manage, utilize, and protect our groundwater resources through research, educational outreach, and implementation of the Ground Water Implementation Plan. However, there continues to be a lack of understanding in the community about the role of PBAC and we must educate the public about our mission, research-driven programs, and collaborative, multi-institutional foundation. Community members (water users) must be encouraged to become part of the aquifer conversation and to take a proactive role in the solution as good stewards of water.

Presently, PBAC is evaluating four alternatives derived from previously studied water supply projects to determine the most promising alternative(s) for meeting existing and future water supply needs in the Palouse Basin. As we pursue these alternatives, it's imperative that we increase community-wide awareness about the depth, breadth, significance and long-term impact of the decreasing groundwater supply and the important role our communities play in helping support our efforts.

PBAC has developed a work plan for evaluating these alternatives, and we would like to establish a Stakeholder Engagement Group (SEG) to provide input on elements of these alternatives, the environmental review process, and associated education and outreach efforts.

Additionally, the SEG should also align with PBAC's Communication Action Plan's Goals and Strategies including:

- ***Build community awareness and understanding of the Palouse Basin's groundwater supply***
- ***Engage the community and build public support of and involvement in PBAC's mission to ensure a quality, long-term water supply***
- ***Strengthen PBAC's reputation and credibility as the Palouse Basin groundwater authority***

Mission

The mission of the SEG is to provide input to PBAC through dialogue among a broad range of interested parties focusing mainly on the four water supply alternatives and associated engineering and environmental evaluations and analyses, research activities, and public involvement efforts.

Objectives and Meeting Frequency

The primary objective of the SEG is to develop recommendations and provide constructive comments for consideration by PBAC in evaluating water supply alternatives, conducting the environmental review, assist in coordinating public involvement and ultimately helping build widespread community support.

The SEG will meet quarterly and receive updates on progress made on tasks identified in the PBAC Action Plan and Schedule for Additional Water Supply Alternative Evaluations, provide input on the findings from these activities, and provide guidance on planned next steps. Meetings are expected to be held in January, April, July and October of each year for the duration of the supply alternatives evaluation process, currently planned through at least 2025.

Representation

Members of the SEG will serve at the pleasure of PBAC. Vacant seats will be filled by PBAC appointment on an as-needed basis. SEG representation includes a broad and diverse range of interests and could include but would not necessarily be limited to:

- Universities—Research and centers of excellence (e.g., UI Sustainability, WSU Water Research Center)
- Conservation Districts
- Latah and Whitman County Farm Bureaus and ag-related interests
- Environmental and Conservation—Palouse Clearwater Environmental Institute, Palouse Land Trust, Palouse Water Conservation Network
- Professional, Commercial, Hospitality and Industrial business interests
- Large landowners—forest and agriculture
- Chambers of Commerce, EDCs and Port of Whitman County
- UI/WSU Cooperative Extensions

Reporting Responsibilities

The Chair of the SEG will provide an update on the recommendations and comments of the SEG at each regularly scheduled PBAC meeting. Likewise, the SEG Chair will report back to the SEG on the proceedings of PBAC meetings.

Oversight Responsibilities

The Executive Manager of PBAC, in consultation with the PBAC Chair and PBAC Vice-Chair, will cooperate with the SEG Chair and representatives to assist the SEG in operating effectively within the guidelines of this charter.

Budget

PBAC may set up regular funding for the SEG at its discretion.

Meeting Notes

The PBAC Executive Manager will prepare draft and final notes for the SEG. Draft and final notes will be published on the PBAC website. PBAC will periodically submit information on the four alternatives for SEG analysis and feedback. The analysis and feedback may contain both objective and subjective content. The SEG may also present findings and input of its own production for consideration by PBAC.

Operation Rules

The SEG will finalize its rules for operation and deliver a copy to the PBAC Executive Manager. The following is provided as a starting point for discussion:

1. **Operate by Consensus:** All members are expected to participate in all phases of discussions to develop PBAC recommendations. The SEG will operate by consensus. Consensus is defined as a decision that falls within the “endorsement” to “formal disagreement but will go with majority” continuum.
 - a. A simple majority is required for a quorum; informational meetings can still be held without a full quorum present. If a quorum does not exist, the members present shall decide whether to continue with an informal discussion of the agenda topics for the meeting.
 - b. A simple majority quorum must be present for consensus advice or recommendations to be made.
 - c. Agendas will be distributed in advance.
 - d. If the SEG is unable to reach consensus on a recommendation, it will consider the following options:
 - Table the topic temporarily, and revisit it during a subsequent meeting.
 - Take an advisory or “straw” vote to help the SEG decide what action to take next.
 - Leave the topic and associated recommendations unresolved and note it as such. The option of providing a minority report is available as an option.

2. **Respect for Interests:** The SEG members represent a full range of interests and acknowledge that every idea has merit and in discussions will suspend assumptions, listen carefully, and speak to educate and create understanding.
3. **Creativity:** The SEG members commit to search for opportunities, options, and alternative ideas in providing PBAC recommendations.
4. **Open Dialogue:** The members agree that they have a responsibility to discuss the issues, plan development, and to use open and candid communication with each other.
5. **Open Meetings:** All SEG meetings will be open to the public. Observers are welcome to attend the SEG meetings and provide public comment at specified opportunities during each meeting. Written comments are also welcome. Summaries of each meeting will be shared with an Interested Parties email distribution list.
6. **Speaking:** One person will speak at a time, and the SEG Chair will make every effort to ensure that everyone will have an opportunity to speak. The SEG Chair will recognize each speaker.
7. **Attendance:** Attendance is important to successfully provide input and recommendations to PBAC on this alternatives evaluation process. Each member will take the responsibility to get the information they missed due to an absence.
8. **Responsibility to Meet Needs:** Each member will take the responsibility for getting their needs met, for getting the needs of those they represent met, and for getting the needs of the other members met. Additionally, SEG members are responsible for the statements that they make to the other SEG members as well as to the public regarding the work of the SEG.
9. **Start on Time:** SEG members agree to start the meetings on time and end them on time.
10. **Use of Cell Phones:** Unless there's an emergency, responding to pagers, cell phones, telephone messages, etc., will wait until the members are on a break or the meeting is over.

Duration

The SEG will operate at the pleasure of PBAC and will continue in existence until such time that it no longer serves a beneficial purpose as determined by the members of PBAC.

Idaho Department of Water Resources/Washington State Department of Ecology Involvement

It is anticipated that the Idaho Department of Water Resources and Washington State Department of Ecology representatives will act as consultants/liaisons to the SEG to ensure that any recommendations made by the SEG are crafted in accordance with applicable state laws. These representatives will not act as advocates for or against any particular interest groups represented on the SEG.

Adopted by the Palouse Basin Aquifer Committee:

Dated this _____ day of _____, 2019

Appendix B
PBAC Communication Action Plan



Communication Action Plan

The Palouse Basin Aquifer Committee is a collaboration of entities, coming together to educate the region on the basin's water supply. Rooted in data, PBAC conducts and analyzes research from the aquifer and shares it with the community, providing not only a look into the current landscape of the region, but also a number of strategic long-term solutions. PBAC seeks to facilitate action to ensure a long-term, quality water supply for the Palouse Basin region.

Prepared by:

DH
315 W. Riverside Ave. Suite 200
Spokane, Washington 99201 USA
1 (509) 444 2350
www.wearedh.com
hello@wearedh.com

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Plan Content

SITUATIONAL ANALYSIS

Summary of the state of communication in regards to strengths, weaknesses, opportunities and threats based on feedback from Palouse Basin Aquifer Committee leadership. This overview is the starting point and will be measured for progress throughout the course of the campaign to adjust as necessary.

GOALS AND STRATEGIES

The communications goals will line up with Palouse Basin Aquifer Committee's overall organizational mission and goals. The communication goals will work together to help ensure a measurable and sustainable plan.

MESSAGING

Key messages will be tailored by audience in the communications plan. This step will be important to further connect with and influence behaviors of different audience segments.

AUDIENCES

This section identifies key stakeholders. Desired outcomes by audience define the ideal behavior sought through execution of communication strategy.

TACTICS

Tactics will include details on the purpose, recommendations, cost, timeline and ways to measure. These implementation tactics will include high-leverage ways to share messages and prioritize resources. A recommended timeline for implementation is built into each tactic.

TIMELINE

The timeline is an overview of recommended roll-out for the implementation and prioritization of the plan.

Situational Analysis

In December of 2012, DH facilitated a strategy/information gathering session with Palouse Basin Aquifer Committee (PBAC) leadership to gather input for key sections of this plan including goals, audiences, messages and tactics. This session allowed for an open conversation around what's currently working, what isn't, where opportunities to message effectively lie, how leadership talks about the organization, and more.

The following statements are reflective of leadership feedback and highlight the overall trends that affect PBAC's communication strategy.

WHAT WE KNOW TODAY

- The Palouse Basin Aquifer, the primary groundwater supply for more than 60,000 residents, is lowering. PBAC works collaboratively to help the region understand and better utilize this water resource through research, educational outreach, and implementation of the Ground Water Implementation Plan.
- The PBAC must increase community-wide awareness about the depth, breadth, significance and long-term impact of the decreasing groundwater supply.
- To enhance public understanding of the issue, the PBAC must work to translate complex data and clearly communicate the answers to these questions: "What's the current situation?" "What does this mean?" "What's being/has been done?" and "How does this affect me and why should I care?"
- There is a lack of understanding in the community about the role of PBAC. The PBAC must educate the public about its mission, research-driven programs, and collaborative, multi-institutional foundation.
- Community members (water users) must be encouraged to become part of the aquifer conversation and to take a proactive role in the solution as good stewards of water.
- The PBAC must continue to strengthen its reputation and credibility among water users and other stakeholders as the multi-entity, science-based water authority for the Palouse Basin.
- The PBAC needs to engage in targeted educational outreach to well owners, well drillers, environmental groups, and others who have a special interest in the geography and status of the aquifer.
- The PBAC, which has one full-time employee, must fully engage its committee leadership and other volunteers/interns/graduate students to maximize educational outreach and communication efforts.
- The PBAC must seek new opportunities to leverage its partnerships with and the resources of its member entities in support of PBAC education efforts.

In October of 2017, DH updated this communications plan to reflect PBAC's evolution.

Goals & Strategies

The communication goals and strategies drive the communication plan and tactics. They also support PBAC's overarching organizational goals.

1. BUILD COMMUNITY AWARENESS AND UNDERSTANDING OF THE PALOUSE BASIN'S GROUNDWATER SUPPLY.

Strategies:

- Utilize communication tools and channels to build public awareness of the decreasing groundwater supply and potential solutions.
- Develop brand assets into clear messaging, graphics, web and cost-effective collateral materials that support PBAC educational outreach efforts.
- Increase PBAC opportunities for community engagement and educational outreach at community/university events, speaking engagements, etc.
- Position and prepare committee representatives as PBAC spokespeople.
- Enhance media coverage of overarching groundwater supply, relevant PBAC research, events and educational programs.

2. ENGAGE THE COMMUNITY AND BUILD PUBLIC SUPPORT OF AND INVOLVEMENT IN PBAC'S MISSION TO ENSURE A QUALITY, LONG-TERM WATER SUPPLY.

Strategies:

- Utilize communication tools and channels to educate the community about PBAC mission, research initiatives, resources and other programs.
- Encourage community input by establishing mechanisms/opportunities for two-way communication.
- Build consistent communication channels with public through media relations; city, university and community newsletters; social media and other tools.
- Translate data into community-friendly resources that can help inform responsible decisions about water use. (e.g. map of aquifer, facts, FAQs)
- Seek opportunities to align educational outreach with existing conservation programs of utilities, universities and other organizations.
- Increase PBAC member entities' communications about Water Summit and its outcomes; encourage community involvement at event.

3. STRENGTHEN PBAC'S REPUTATION AND CREDIBILITY AS THE PALOUSE BASIN GROUNDWATER AUTHORITY.

Strategies:

- Strengthen organizational brand with quality graphics, collateral materials and website.
- Utilize media relations, social media and other channels to educate stakeholders on PBAC research programs/outcomes.
- Encourage member entities to promote their involvement in PBAC by providing PBAC info on their websites.
- Position PBAC leadership as the go-to community experts on the aquifer issue.
- Increase transparency by providing the PBAC report to member entities, media, and other relevant parties every six months.

Audiences

The Palouse Basin Aquifer Committee has many audiences and stakeholders. While water is an issue that affects everyone, some communication efforts will be tailored to directly target certain audiences in order to achieve the best outcome. This chart outlines the various stakeholders and our recommended behavior for each.

AUDIENCE	DESIRED BEHAVIOR / OUTCOME
Internal (director, committee representatives and member entities)	<ul style="list-style-type: none"> • Stay engaged in PBAC outreach efforts • Disseminate PBAC information to their audiences: employees, customers, and/or students (universities) • Get involved as PBAC spokesperson • Lead modifications of the plan and help to communicate consistently and effectively
General community (users of water)	<ul style="list-style-type: none"> • Become aware of aquifer issue and its impact on the community – now and into future • Engage in the dialog – two-way communication • Support/get involved in PBAC’s efforts to find solutions • Utilize PBAC data/research to inform water-usage decisions
Commercial/industrial water users (university researchers, irrigators, landscapers, golf courses, malls)	<ul style="list-style-type: none"> • Understand the depth, breadth, and consequences of the aquifer problem • Become part of the discussion • Utilize PBAC tools/data/research to inform responsible decisions about water use • Understand Ground Water Management Plan
Small-well owners, property owners, well drillers	<ul style="list-style-type: none"> • Utilize PBAC tools/data/research to inform water use/drilling decisions • Engage in the conversation • Become aware of aquifer geography
Legislators (local, state, and federal) and governmental agencies (Department of Ecology, Idaho Department of Water Resources)	<ul style="list-style-type: none"> • Engage in dialogue with PBAC leadership • Learn about and understand the water issue • Become familiar with the Ground Water Management Plan • Support PBAC research and educational outreach efforts
Donors	<ul style="list-style-type: none"> • Invest in PBAC research for future of region • Learn about urgency of water issue and support educational outreach efforts
Environmental Groups	<ul style="list-style-type: none"> • Learn about issue and engage in the conversation • Support PBAC educational outreach efforts • Utilize PBAC tools/data/research to inform audiences about water issues • Become familiar with geography of aquifer and PBAC’s role in the Ground Water Management Plan

Messaging

The Palouse Basin Aquifer Committee is a collaboration of entities, coming together to educate the region on the basin's water supply. Rooted in data, PBAC conducts and analyzes research from the aquifer and shares it with the community, providing not only a look into the current landscape of the region, but also a number of strategic long-term solutions. PBAC seeks to facilitate action to ensure a long-term, quality water supply for the Palouse Basin region.

WHAT WE DO:

Facilitate action

Palouse Basin Aquifer Committee seeks to facilitate action on groundwater supply data for the Palouse Basin region. We are not enforcers. We simply seek to supply the community with vital information to make informed decisions about our region's future.

HOW WE DO IT:

A collaborative, data-driven approach

Palouse Basin Aquifer Committee uses a collaborative, data-driven approach to provide strategic long-term water supply solutions for the Palouse Basin region. Working with our two local universities, Washington State University and the University of Idaho, our bi-state organization conducts and analyzes unbiased research to better understand the current state of our aquifer and how it may look in the future.

WHY WE DO IT:

To ensure a long-term, quality water supply

Palouse Basin Aquifer Committee seeks to ensure a long-term, quality water supply for the Palouse Basin region and the citizens that reside here. We care about our community and are committed to researching, analyzing and providing unbiased data for citizens to be fully informed on water supply issues.

Tactics

The following can be implemented to support the overall goals and strategies of the Palouse Basin Aquifer Committee.

Many tactics serve multiple goals, but we have indicated the primary goal areas for each of the tactics with the number correlating to the previously mentioned goals.

We also prioritized the tactics into three tiers. Tier I includes tactics that we believe best support PBAC's overall communication goals, while also being most feasible with PBAC's limited resources. Tier II includes highly recommended tactics, but these may require additional resources. Tier III acknowledges potential ideas for the future, knowing that additional resources will need to become available.

The following tactics include Tier 1 recommendations for the first phase of implementation. Additional tiers of tactics as well as proceeding phases can be found in the appendix at the end of this plan.

The three general goals are:

- 1. Build community awareness and understanding of the Palouse Basin's groundwater supply.**
- 2. Engage the community and build public support of and involvement in PBAC's mission to ensure a quality, long-term water supply.**
- 3. Strengthen PBAC's reputation and credibility as the Palouse basin groundwater authority.**

PHASE 1, TIER 1

TACTIC	GOAL	AUDIENCE	RECOMENDATIONS	MEASUREMENT
Advertising	1, 2	<ul style="list-style-type: none"> General Community 	<p>Tier I</p> <ul style="list-style-type: none"> Develop an awareness ad for free placement in community publications and member entity newsletters/e-news to employees and/or customers. (e.g. Pullman Community Update, campus newspapers, The Daily Evergreen/The Argonaut, City of Moscow Water Matters newsletter, Palouse Land Trust newsletter) 	<ul style="list-style-type: none"> Place ad in at least 3 community publications each quarter Response to call-to-action Impressions/number of readers/viewers Increase in inquiries/website traffic
Materials	1, 2, 3	<ul style="list-style-type: none"> Internal General community Legislators Donors Private landowners, well owners/well-drilling businesses Environmental groups Excessive water users 	<p>Development: Tier I</p> <ul style="list-style-type: none"> Develop a content calendar with up-to-date, accurate information to be used at any time for brochures, fact sheets, social media, e-newsletters, etc. Update quarterly or with any emerging new information. Design, create content, and print one-page info fact/FAQ sheets. Design, create content, and print a brochure that provides an overview of PBAC, groundwater issues, and FAQs Develop a PPT slide deck template with visual brand for committee leadership's use at speaking engagements. <p>Distribution: Tier I</p> <ul style="list-style-type: none"> Distribute brochures/fliers at speaking engagements, presentations, and at community/campus events. Distribute materials to member entities for distribution/display within their facilities and organization audiences. 	<ul style="list-style-type: none"> Print and distribute 250 brochures and or info sheets within six months at community engagements Supply each member entity with 250 brochures and/or info sheets within one month after printing for distribution to its customer base. Impressions/ number of individuals who receive Interest/inquiries received following distribution at engagements

TACTIC	GOAL	AUDIENCE	RECOMMENDATIONS	MEASUREMENT
Community Education Outreach	1, 2, 3	<ul style="list-style-type: none"> General Community Donors Legislators 	Tier I <ul style="list-style-type: none"> Continue to build email distribution list. Provide sign-up sheet at speaking engagements, events, etc. Attend and distribute educational material at relevant community, university, professional events (Palouse Earth Day, Lentil Fest, Palousafest, etc.) Engage community volunteers to support educational outreach efforts. 	<ul style="list-style-type: none"> Build email distribution list by at least 25% within six months Number of engagements Diversity of engagements Response/ anecdotes during community outreach sessions Mentions on social media channels during and after engagements
Speaking Engagements	1, 2, 3	<ul style="list-style-type: none"> General community Environmental groups 	Tier I <ul style="list-style-type: none"> Identify and schedule speaking engagement per quarter with community organizations/associations and university groups. (e.g. Kiwanis, Rotary, Lions Club, Chamber of Commerce, university student environmental groups, university faculty groups) Develop PPT/talking points to be used by committee. 	<ul style="list-style-type: none"> Participate in at least one speaking engagement per quarter. Number of engagements. Number of attendees. 50% post-presentation response rate with survey input and anecdotal feedback
Social Media	1, 2, 3	<ul style="list-style-type: none"> All audiences 	Tier I <ul style="list-style-type: none"> Encourage committee entities to highlight PBAC membership/share PBAC news/info on their respective social media sites with link to PBAC website. Create a PBAC social media page - posts can include any updates, “did you know” posts, etc. 	<ul style="list-style-type: none"> Quantity of posts Quantity and tone of posts by followers, fans, friends, etc. Number of followers, fans, friends, etc.
Website	1, 2, 3	<ul style="list-style-type: none"> All audiences 	Tier I <ul style="list-style-type: none"> Launch updated website (anticipated for Q4 2017 or Q1 2018) <ul style="list-style-type: none"> Include e-newsletter sign up functionality to build email contact list. Distribute at a consistent frequency and develop a content strategy. 	<ul style="list-style-type: none"> Traffic by users Downloads by users Search engine optimization rating Length of visit Search terms used

PHASE I RECAP:

- Build overall community awareness of Palouse Basin Aquifer problem
- Develop effective messaging, graphics, and collateral materials to support educational outreach
- Launch a new website to improve usability and include more community resources/educational information
- Identify/schedule speaking and community engagements. Create calendar to track.
- Prepare/equip PBAC committee leadership as spokespeople (materials, PPT presentation, etc.)
- Build email distribution list. Leverage member entity resources.
- Schedule public forums/speaking engagements for coming months in affected communities

Appendix:

The following tactics include Tier 2 and Tier 3 recommendations for phases one, two and three. Again, Tier II includes highly recommended tactics, but these may require additional resources. Tier III acknowledges potential ideas for the future, knowing that additional resources will need to become available.

TACTIC	GOAL	AUDIENCE	RECOMENDATIONS	MEASUREMENT	TIMELINE
Advertising	1, 2	<ul style="list-style-type: none"> • General Community 	<p>Tier II</p> <ul style="list-style-type: none"> • Create an insert for city/county water bills. • Develop awareness PSA for local radio. • Advertise public forums/speaking engagements/other relevant PBAC events in area calendar of events. <p>Tier III</p> <ul style="list-style-type: none"> • Sponsor a special insert on water issues in Moscow-Pullman Daily. Possibly connect it to the Water Summit. Solicit sponsorship support from member entities/other interested parties. 	<ul style="list-style-type: none"> • Place ad in at least 3 community publications each quarter • Response to call-to-action • Impressions/number of readers/viewers • Increase in inquiries/website traffic 	Phase I, II, III

TACTIC	GOAL	AUDIENCE	RECOMMENDATIONS	MEASUREMENT	TIMELINE
Materials	1, 2, 3	<ul style="list-style-type: none"> • Internal • General community • Legislators • Donors • Private landowners, well owners/well-drilling businesses • Environmental groups • Excessive water users 	<p>Development:</p> <p>Tier II</p> <ul style="list-style-type: none"> • Develop a graphic/matrix that clearly conveys aquifer issues at hand and potential solutions. 	<ul style="list-style-type: none"> • Print and distribute 250 brochures and or info sheets within six months at community engagements • Supply each member entity with 250 brochures and/or info sheets within one month after printing for distribution to its customer base. • Impressions/ number of individuals who receive • Interest/inquiries received following distribution at engagements 	Phase I
Community Education Outreach	1, 2, 3	<ul style="list-style-type: none"> • General Community • Donors • Legislators 	<p>Tier II</p> <ul style="list-style-type: none"> • E-newsletter: Provide constituency with regular email updates on relevant PBAC research developments/current issues. Possible names for e-newsletter: <ul style="list-style-type: none"> • Palouse Water Watch • Water Wise • The Source • Basin Basics • The Basin Brief • The Underground • Provide member entities with easy-to-use content for websites, newsletters, social 	<ul style="list-style-type: none"> • Build email distribution list by at least 25% within six months • Number of engagements • Diversity of engagements • Response/ anecdotes during community outreach sessions • Mentions on social media channels during and after engagements 	Phase I, II, III

			<p>media, etc. (e.g. aquifer facts, did you know?, conservation tips, briefs on current PBAC research/activities, etc., upcoming PBAC events)</p> <ul style="list-style-type: none"> Identify opportunities to align PBAC educational efforts with existing conservation programs. (e.g. campus sustainability initiatives, Palouse Water Conservation Network, Avista) 		
Speaking Engagements	1, 2, 3	<ul style="list-style-type: none"> General community Environmental groups 	<p>Tier II</p> <ul style="list-style-type: none"> Develop a short survey to gather input/feedback after speaking engagements. Ask public audiences for thoughts on addressing aquifer issues, ideas to enhance community engagement, gage awareness level, etc. 	<ul style="list-style-type: none"> Participate in at least one speaking engagement per quarter. Number of engagements Number of attendees 50% post-presentation response rate with survey input and anecdotal feedback 	Phase I, II, III
Targeted direct mail / email and/or one-to-one meetings	1, 2, 3	<ul style="list-style-type: none"> Excessive water users Private landowners / well-drilling Environmental groups 	<p>Tier II</p> <ul style="list-style-type: none"> Create a targeted mail/email campaign to commercial water users/special groups to remind them of PBAC mission/goals and to make them aware of new resources/data that can inform their future water decisions. <ul style="list-style-type: none"> Mail new brochure and/or facts sheet with cover letter. Send email with link to newly designed web site. <p>Tie distribution to an upcoming community forum/speaking engagement. Invite them to attend and be part of the conversation.</p>	<ul style="list-style-type: none"> Schedule/attend at least one one-to-one meeting a month to discuss water issues Identify and reach at least 50 recipients of targeted mail/email Tone of meetings/ feedback 	Phase II

TACTIC	GOAL	AUDIENCE	RECOMMENDATIONS	MEASUREMENT	TIMELINE
Media Relations	1, 2, 3	<ul style="list-style-type: none"> All audiences 	<p>Tier II</p> <ul style="list-style-type: none"> Develop a media kit and distribute to local media outlets. This kit would be a folder with relevant information like FAQs, brochure, recent report, fact sheet, contact information, website. Schedule media briefings with reporters and editors to create and maintain a relationship where they see PBAC representatives as the go-to water experts (time with release of annual water report). Provide regular updates on PBAC research developments/news for chamber newsletters, university employee newsletters, and other community newsletters. <p>Tier III</p> <ul style="list-style-type: none"> Contribute article to the Moscow-Pullman Daily. Correlate timing with release of water report to provide vital information to the community and to elevate the issue to key findings and showing the community why they should care. 	<ul style="list-style-type: none"> Pitch at least one story per quarter to local media Distribute at least one news release per quarter to announce PBAC developments Contact each member entity relationships team to discuss their support with PBAC media relations efforts Tone and placement of coverage Word count and length of coverage Impressions Publicity value Tone of online comments posted by viewers/readers Schedule at least two media briefings per year (time with release of report and other timely events) Contribute at least one article per year 	Phase II, III

Social Media	1, 2, 3	<ul style="list-style-type: none"> All audiences 	<p>Tier III</p> <ul style="list-style-type: none"> Create and maintain a Facebook page and Twitter account. Post “did you know” facts about aquifer Create a twitter hashtag (#Palousewater) and distribute to committee entities, during forums/Water Summit/other engagements Post PBAC research developments/news Post and link to relevant news articles about the water issue Use social media as platform for community discussion/input. Post questions to prompt discussion. Encourage public to use Facebook page to ask questions. Respond promptly. 	<ul style="list-style-type: none"> Quantity of posts Quantity and tone of posts by followers, fans, friends, etc. Number of followers, fans, friends, etc. 	Phase I, II, III
Website	1, 2, 3	<ul style="list-style-type: none"> All audiences 	<p>Tier II</p> <ul style="list-style-type: none"> Position website as a user-friendly tool/resource for community: <ul style="list-style-type: none"> Simple summary of PBAC research findings Maps of aquifer Clear overview of water problem: what, how, and why it matters Facts FAQs Request a speaker Calendar of events/forums News Provide link to existing conservation programs (utilities, universities) 	<ul style="list-style-type: none"> Launch refreshed website (messaging/graphics) within six months Traffic by users Downloads by users Search engine optimization rating Length of visit Search terms used 	Phase I, II

			<ul style="list-style-type: none"> Highlight community events and news related to PBAC. Link to all member entity social media channels. 		
Events	1, 2	<ul style="list-style-type: none"> General community Property owners, small well owners Environmental groups 	<p>Tier II</p> <ul style="list-style-type: none"> Host a public forum/town hall meeting in each affected community to inform, gather public input, exchange ideas, and facilitate dialogue. Assign each board member to lead discussion. <p>Tier III</p> <ul style="list-style-type: none"> Work with local university student groups (UI sustainability center/student environmental groups) to coordinate/promote an event/forum that targets students. 	<ul style="list-style-type: none"> Increase attendance by 15% Social media activity/discussion after event Media coverage Post-event/ presentation survey results/anecdotes Host at least one public forum/town hall meeting in each affected community by the end of the year 	Phase II, III
Legislative Outreach	1, 2, 3	<ul style="list-style-type: none"> 	<p>Tier II</p> <ul style="list-style-type: none"> Develop targeted letter/email to educate on issue and PBAC Schedule one-on-one meetings with a PBAC committee representative. <p>Tier III</p> <ul style="list-style-type: none"> Legislative tours. Guided, outdoor tours that give facts and figured about the aquifer and discuss the issues at hand and possible long-term solutions. 	<ul style="list-style-type: none"> Send at least one targeted email update to elected officials per quarter Schedule/attend at least one PBAC committee rep/legislator meeting per quarter. Tone/support as indicated at meetings Mentions of PBAC in elected officials' speeches or social media communications 	Phase III

PHASE II RECAP:

- Continue education outreach
- Develop two-way, consistent feedback systems and channels
- Build relationships with media: Develop/distribute media kit (enlist help from local university public relations intern/class); meet with editorial board Moscow-Pullman Daily; pitch story that ties into relevant issue (i.e. with warmer weather, more people in area will irrigate... what does this mean to the aquifer?)
- Survey community for input
- Implement broader community awareness strategies
- Utilize new communication tools, channels, education materials to continue building community awareness
- Develop targeted mailing to special groups/commercial water users
- Align education outreach with existing conservation programs
- Partner with member entities to encourage increased media coverage/community involvement in Water Summit (September)

PHASE III RECAP:

- Outreach to university student groups for education opportunities/speaking engagements
- Build consistent communication channels with elected officials and governmental agencies; distribute new educational material; one-on-one meetings
- Continue to engage community in the discussion through forums/events, PSAs and other channels.

PHASE IV RECAP:

- Track progress toward organizational and communication goals
- Analyze results for adjustments that need to be made to business and communication strategies



Public Relations · Advertising
Branding · Research · Digital

PALOUSE BASIN
AQUIFER
committee

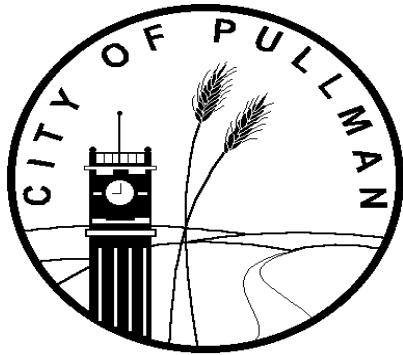
PBAC Update to IDWR Board

March 19, 2021

*Paul Kimmell, PBAC
Chair*

PBAC's Mission

"To ensure a long-term, quality water supply for the Palouse Basin region"



History

- Artesian wells
- Water Level declines
- PBAC was established in 1967
- Establishment of the Groundwater Management Plan in 1992 (GWMP)



What We Do

Collect data and fund groundwater research

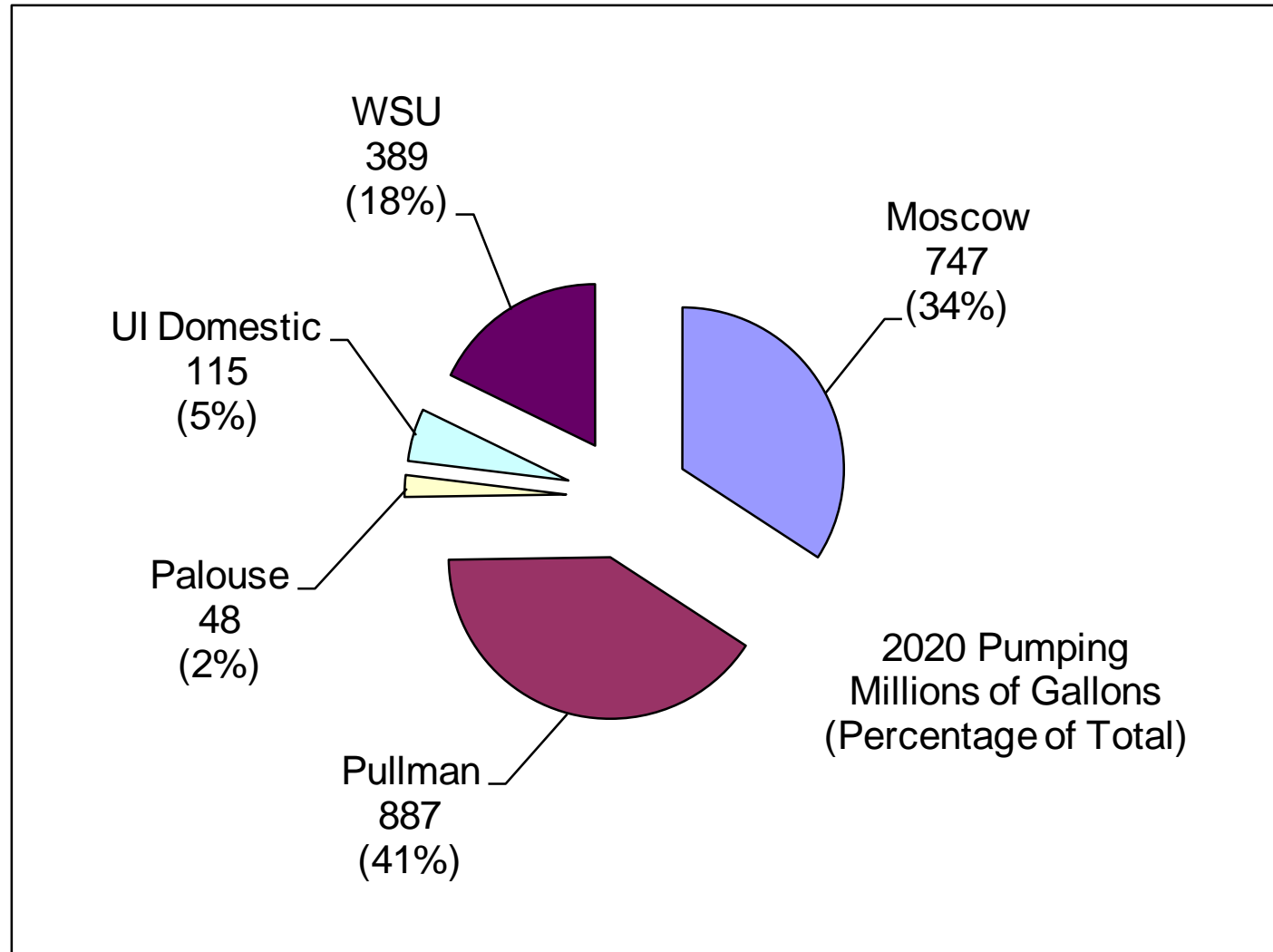
Supply community with vital information

Provide strategic long-term water supply solutions

Public engagement and communications

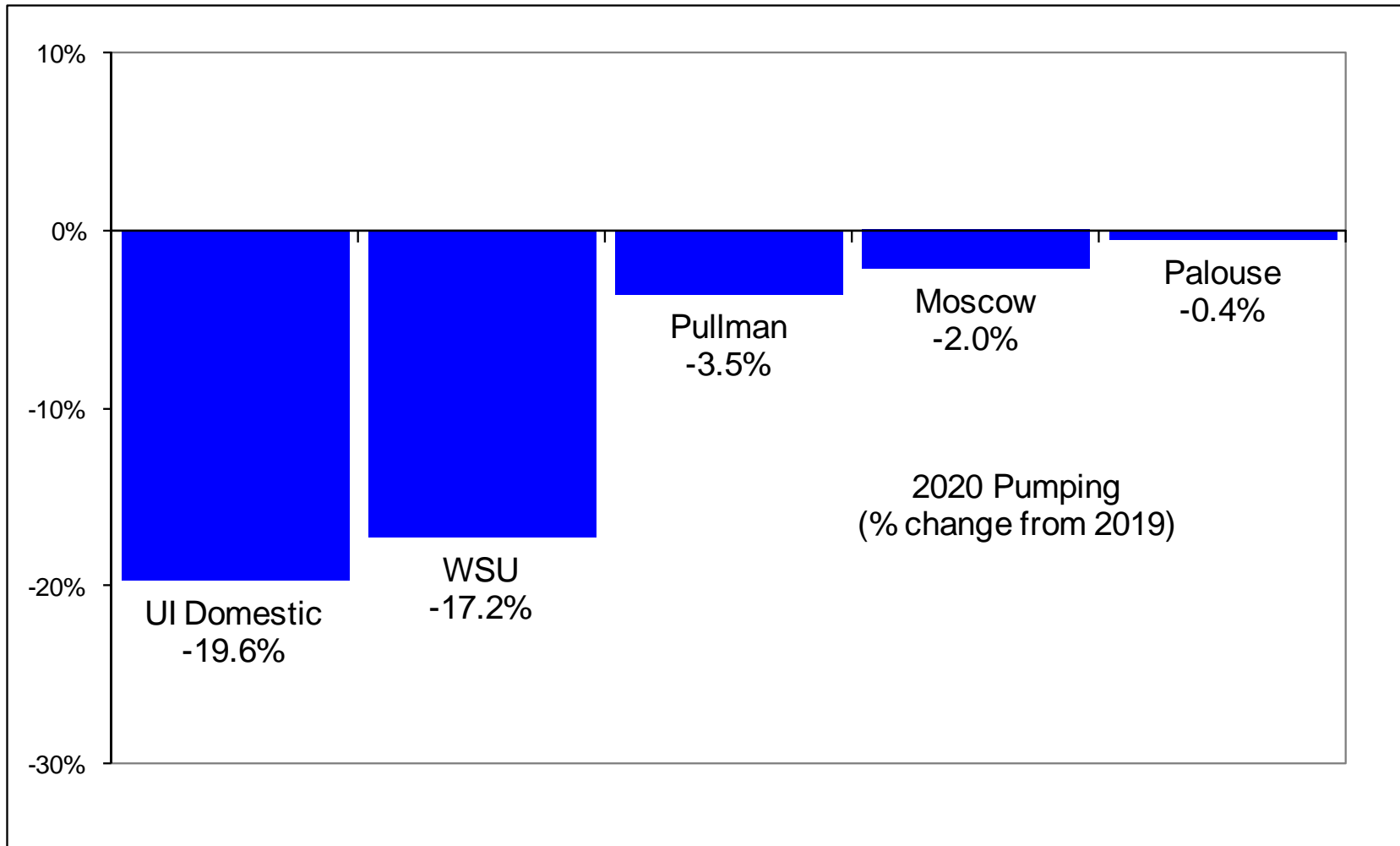


Total Pumped in 2020 = 2.19 Billion Gallons
Change from 2019 = -6.7%

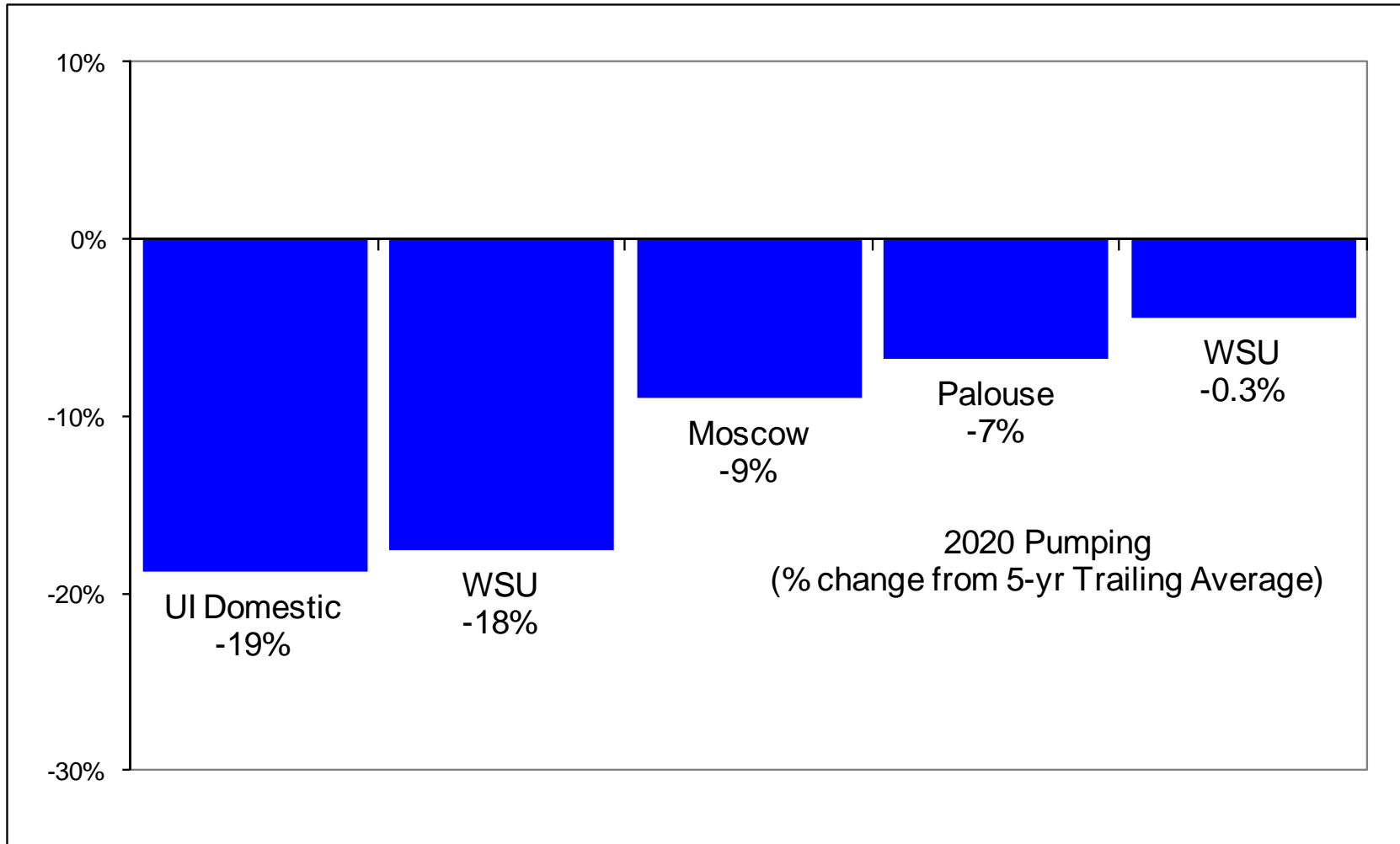


Change in Pumping from 1992 = -20.3%

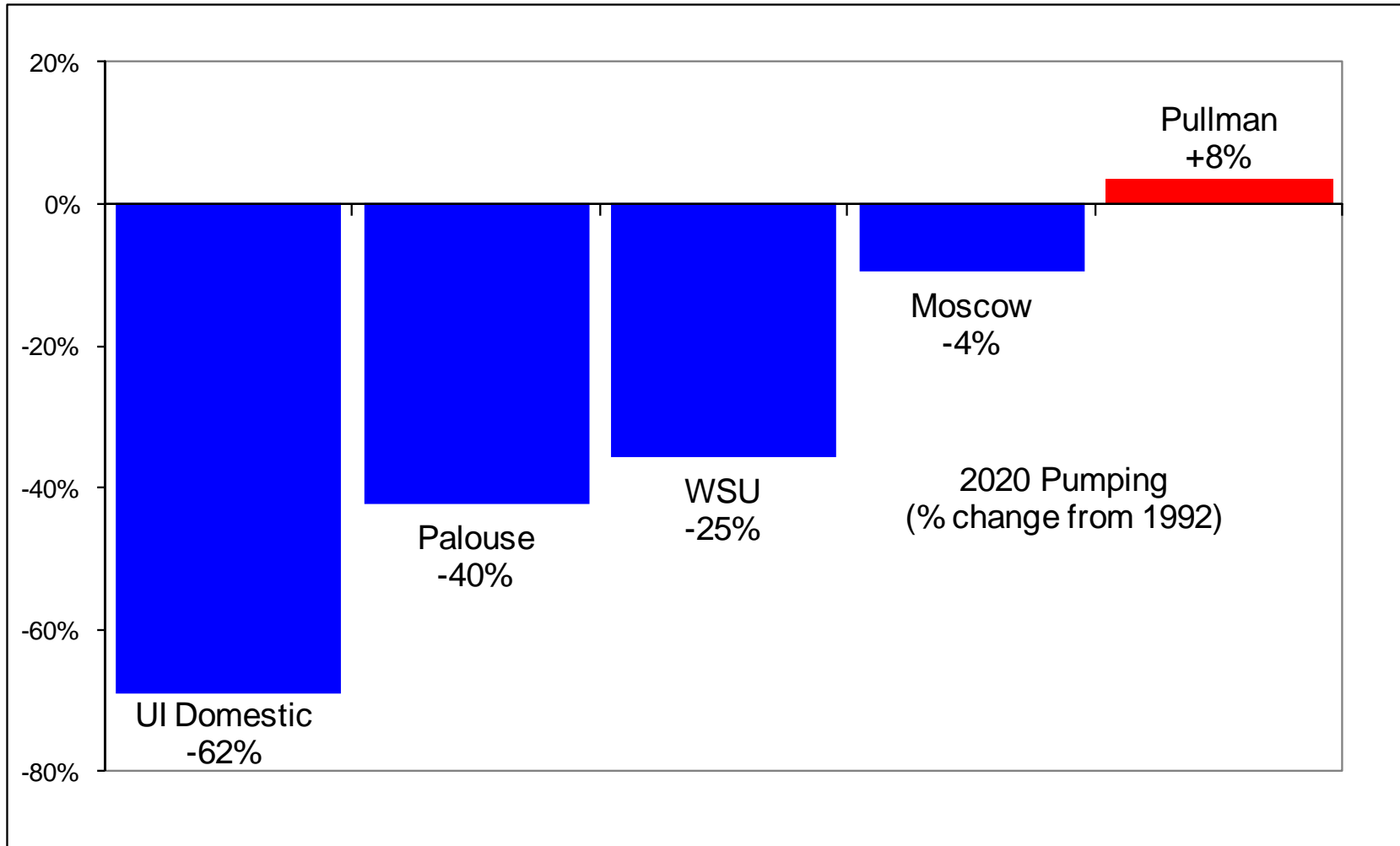
2020 Pumping – Change from 2019 by Entity



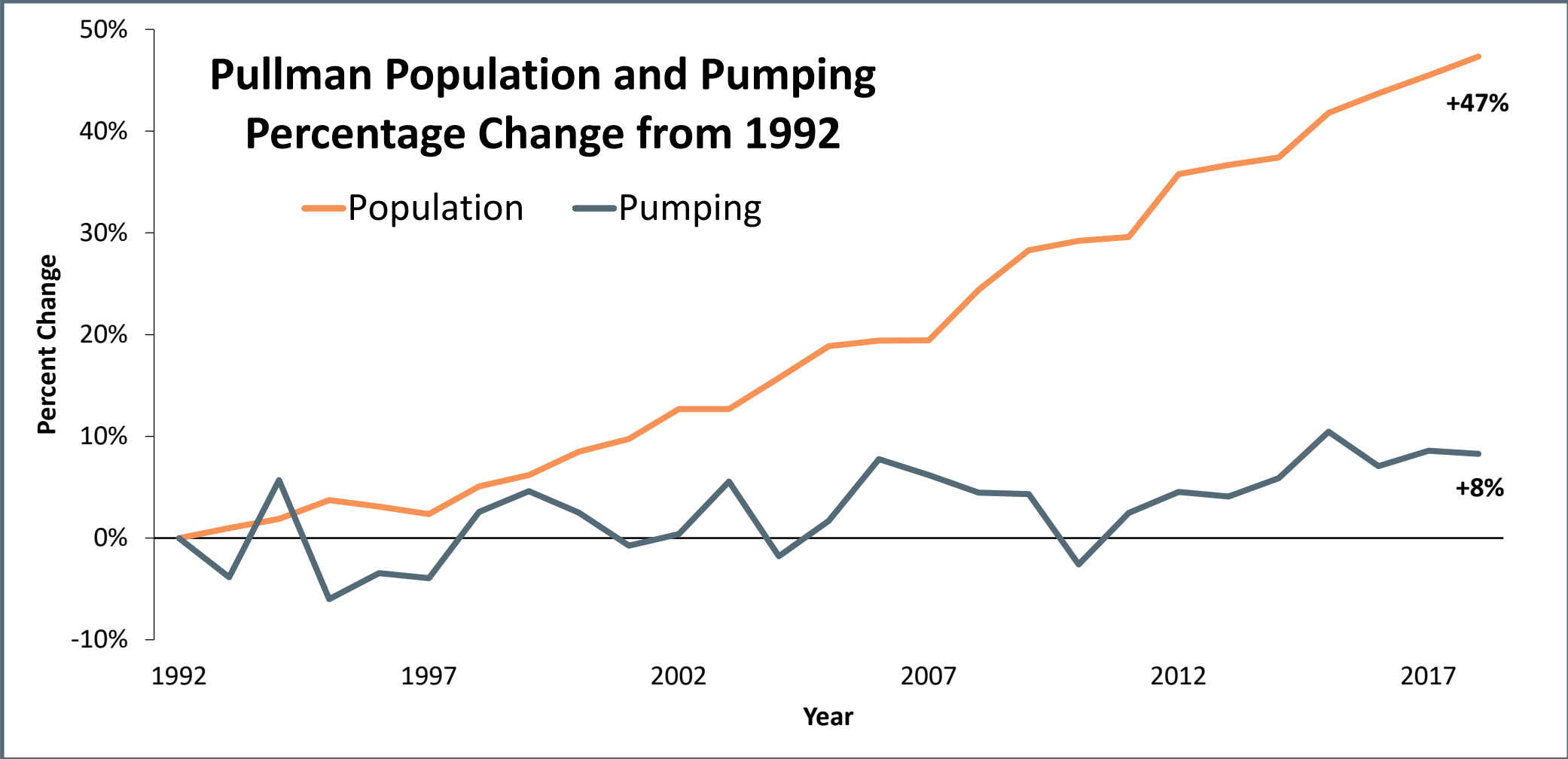
2020 Pumping Change from 5-yr Trailing Average by Entity



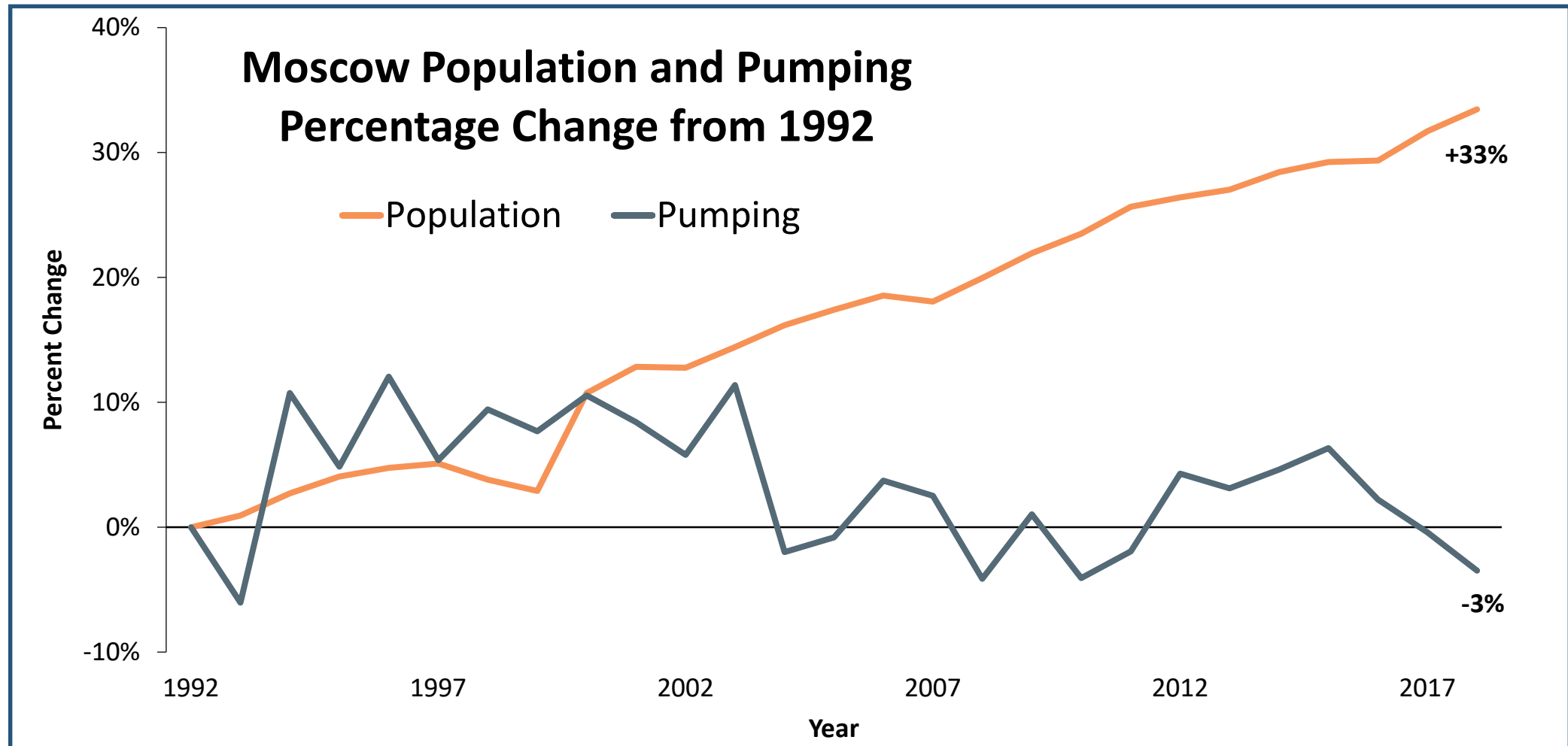
2020 Pumping - Change from 1992 by Entity



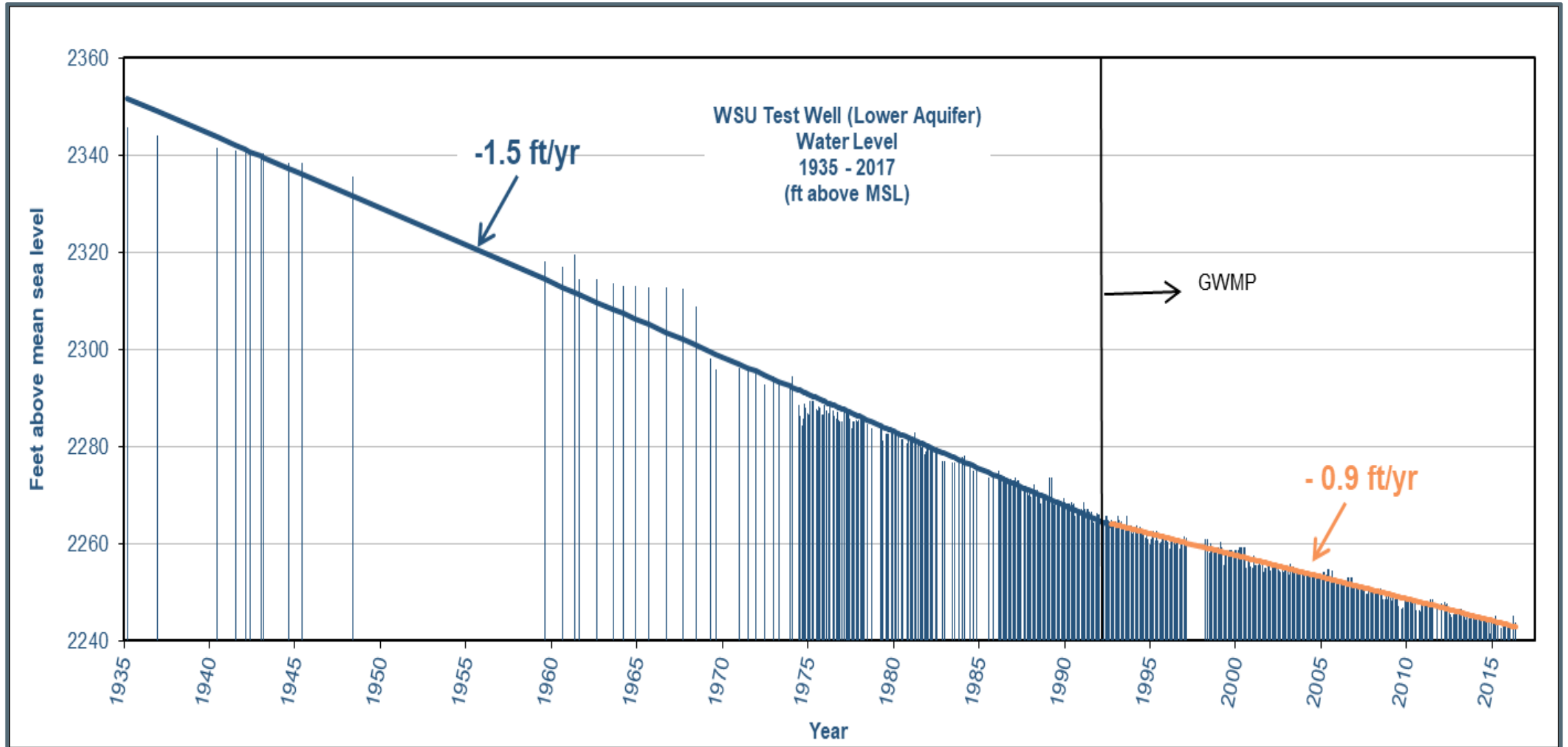
Pullman – Population and Pumping – Change from 1992



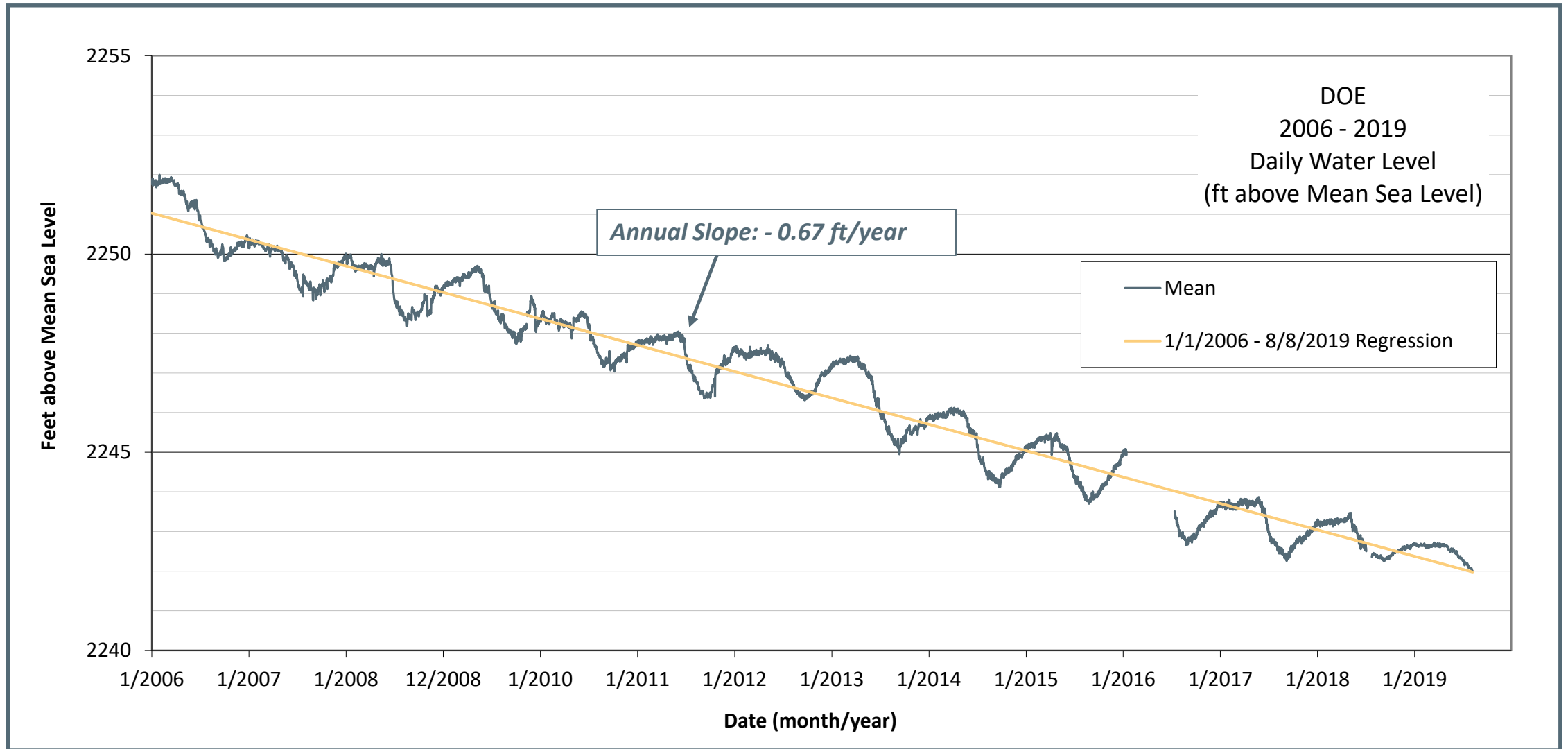
Moscow – Population and Pumping – Change from 1992



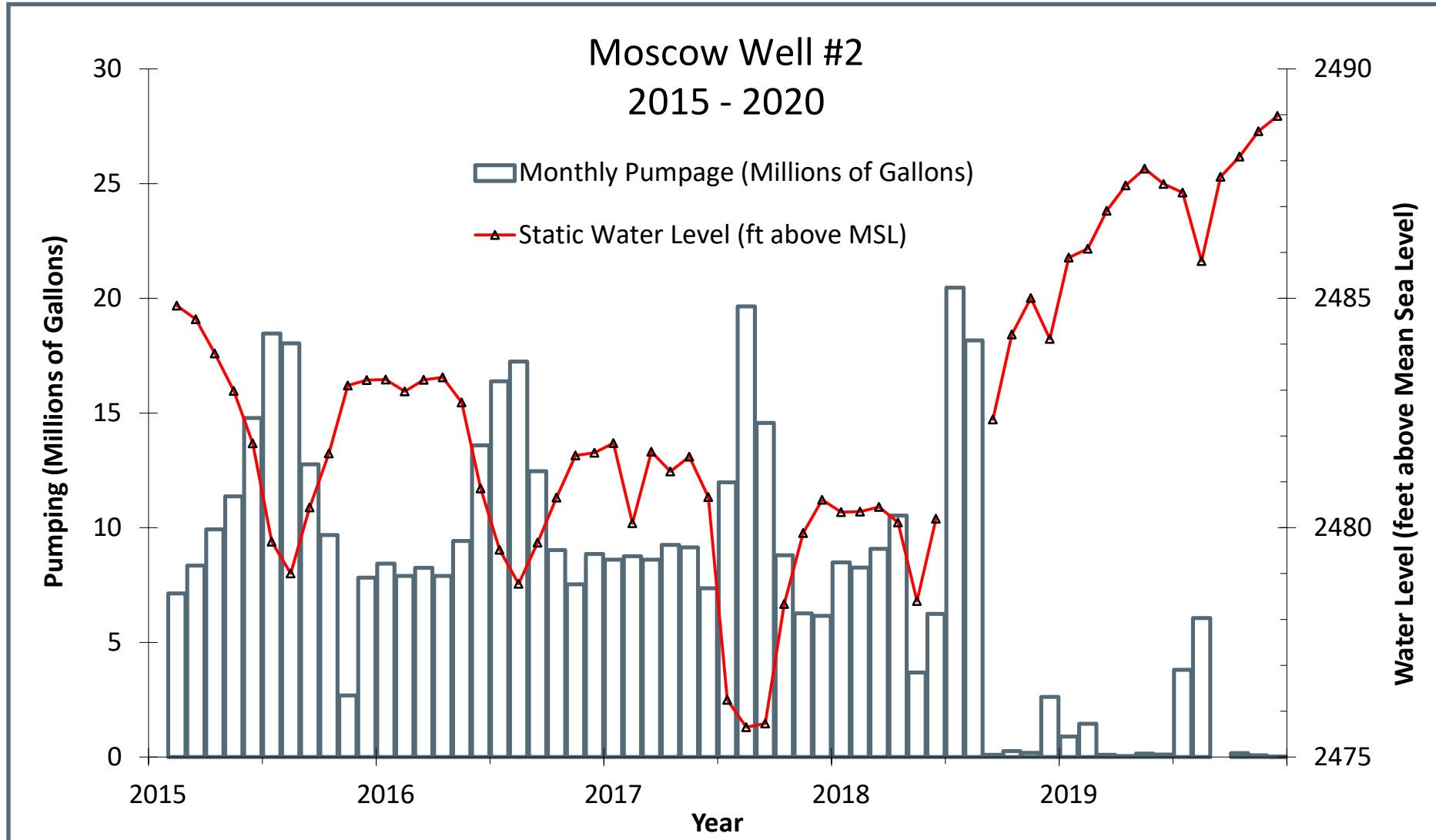
Water Levels – Grande Ronde Long-Term



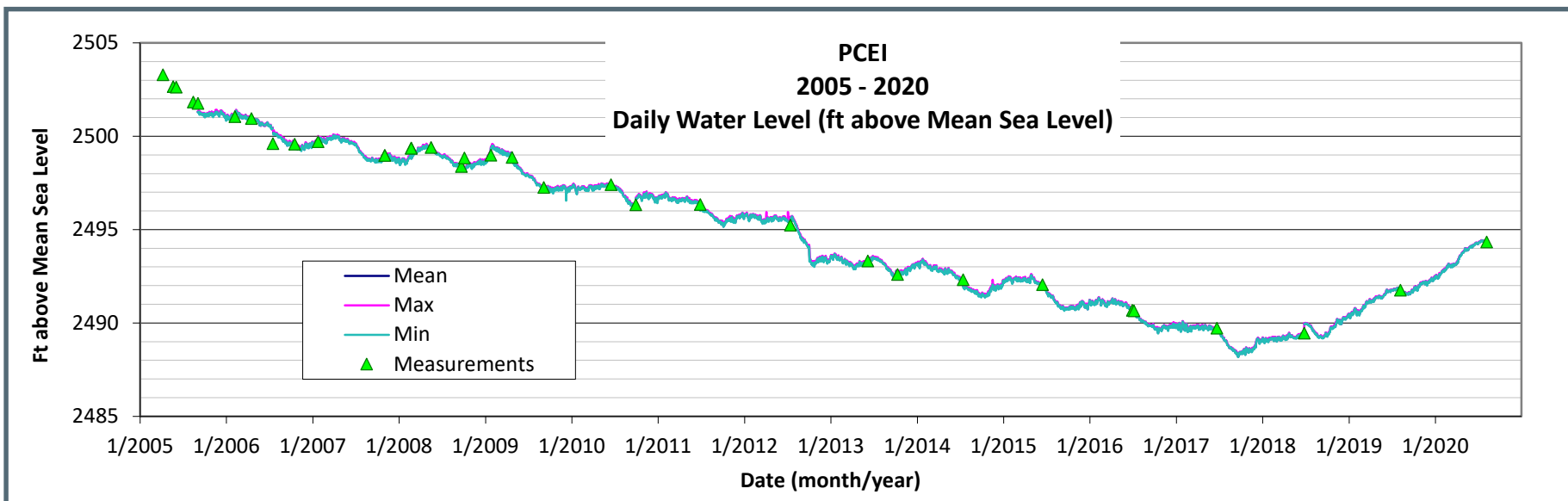
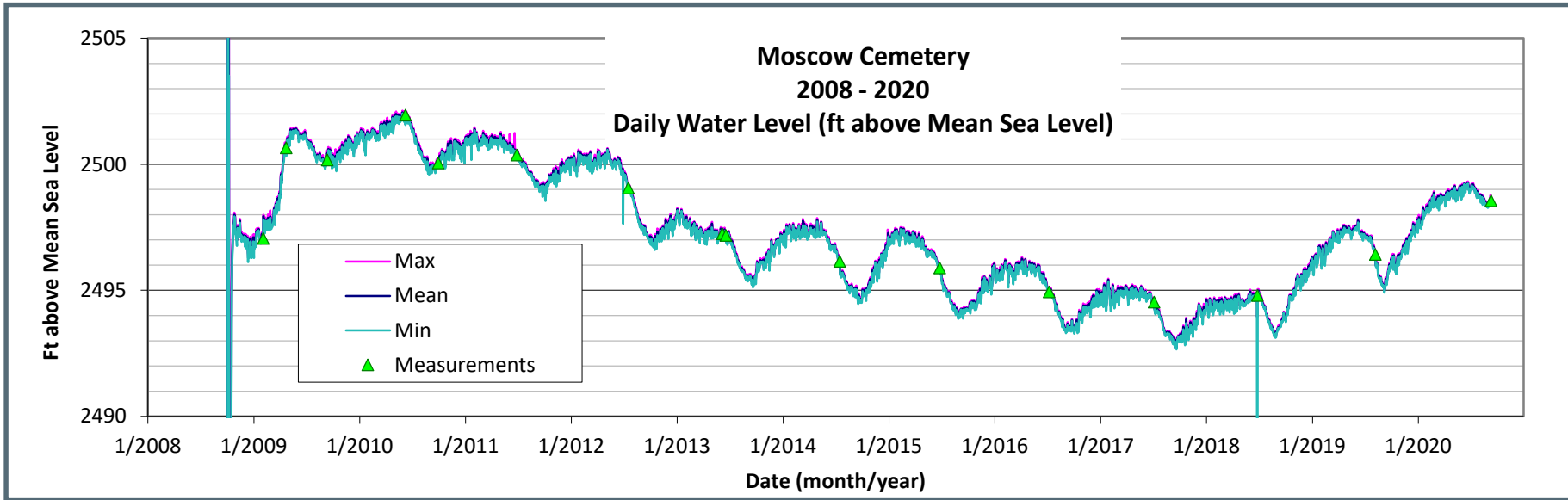
Water Levels – Grande Ronde Short-Term



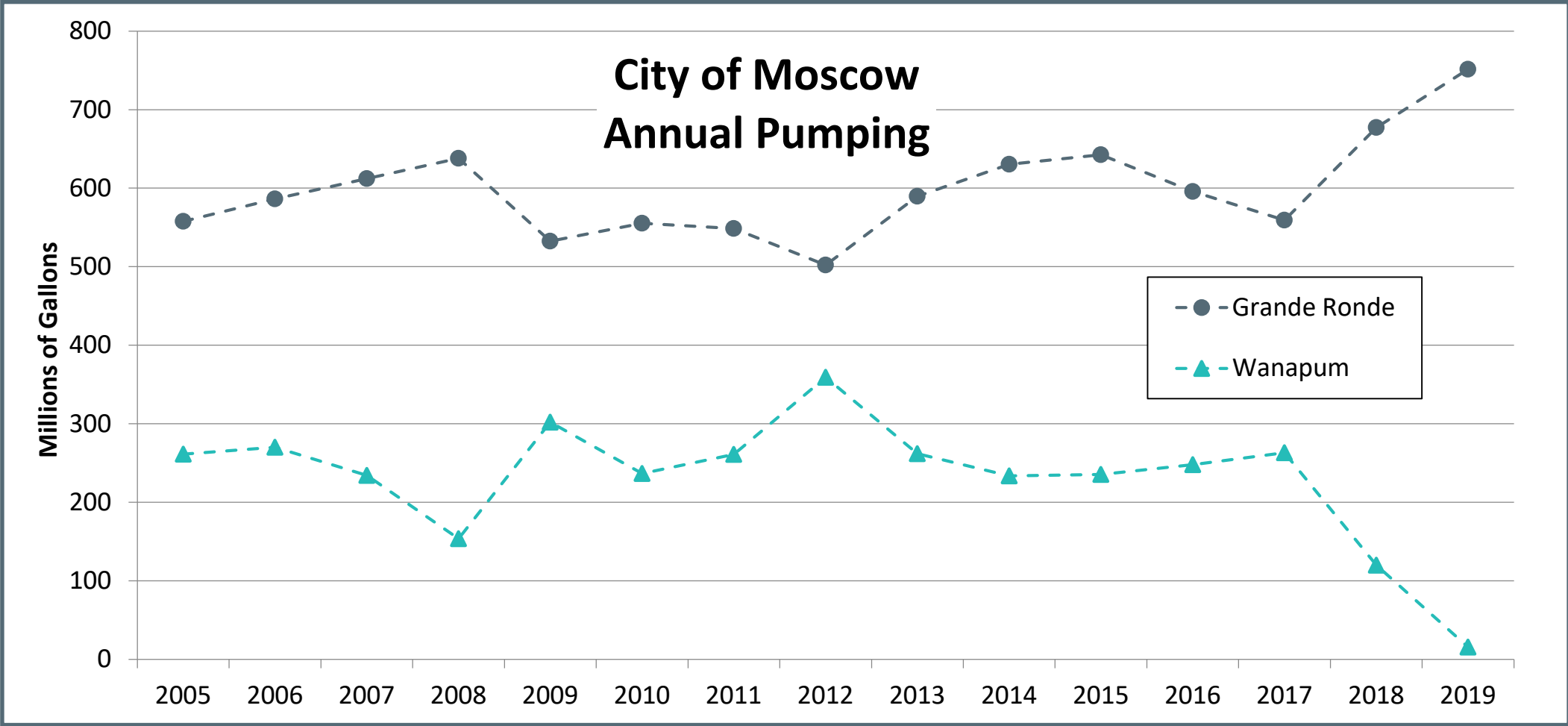
Water Levels – Wanapum Short-Term



Water Levels – Wanapum Short-Term



Moscow Annual Pumping (MG) 2005-2019



Current Projects:

- Water Modeling Project
- Palouse Basin Survey
- LEAP Analysis
- Source Water Tracing
- Water Supply Alternatives

PALOUSE BASIN
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WSU MODEL: Geologic Formation

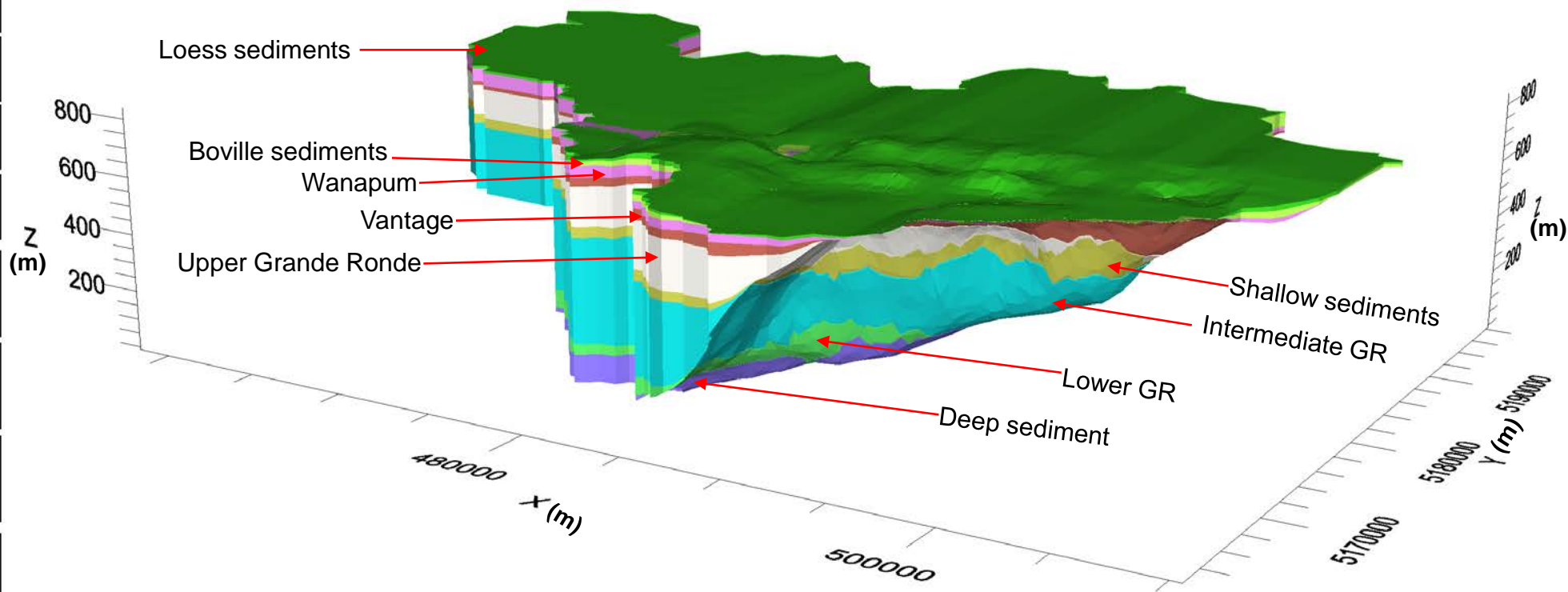


Fig. 2: A 9-Unit geologic formation of the basin

WSU Model Scenarios

- 1) Sustainable yield of the basin as configured/ How much do we need to reduce pumping to stabilize the aquifer?
 - Revitalize the aquifer, what would it take to get the aquifer level to rise 10, 20, or 30 feet?
 - If we reduce the pumping to a sustainable level, how much would the aquifer rise?
- 2) Status quo with no pumping increases/ Would the aquifer stabilize with no pumping increases in 10, 20, or 30 years? More?
- 3) Water levels with no supply alternative(s) using demand estimates in the Alternative Supply project
- 4) Water levels with 1/2, and twice, the population growth assumed in the Alternative Supply project (which assumed a 1% increase)
- 5) Estimate on total volume of water in the basin within the parameters of the model
- 6) Aquifer recharge

LEAP Analysis

Legislative, Executive, Administrative, and Public Analysis

Survey to gather lists of contacts, evaluate level of involvement/interest among different stakeholder groups.

We have received a final report, used the contact list to launch SEG, and are in the process of evaluating the results.

Stakeholder Engagement Group (SEG) Launched 2/17

Mission: to provide input to PBAC through dialogue among a broad range of interested parties focusing on the four water supply alternatives and associated engineering and environmental evaluations and analyses, research activities, and public involvement.

- Build community awareness and understanding of the Palouse Basin's groundwater supply
- Engage the community and build public support of and involvement in PBAC's mission to ensure a quality, long-term water supply
- Strengthen PBAC's reputation and credibility as the Palouse Basin groundwater authority



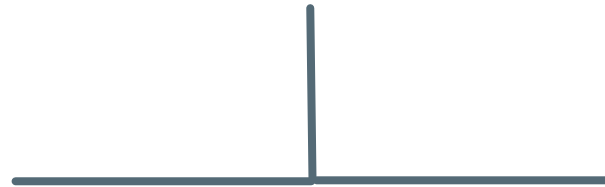
PALOUSE WATER ALTERNATIVES: SCOPE OF WORK OVERVIEW

- Task 1 – Project Administration
- Task 2 – Outreach
- Task 3 – Alternatives Refinement
 - Support ongoing work
 - Water rights investigation
 - Alternatives interim steps
- Task 4 - Funding strategy development
- Task 5 – Water Supply Alternative(s) Report for Funding

PALOUSE WATER ALTERNATIVES: PROJECT MANAGEMENT

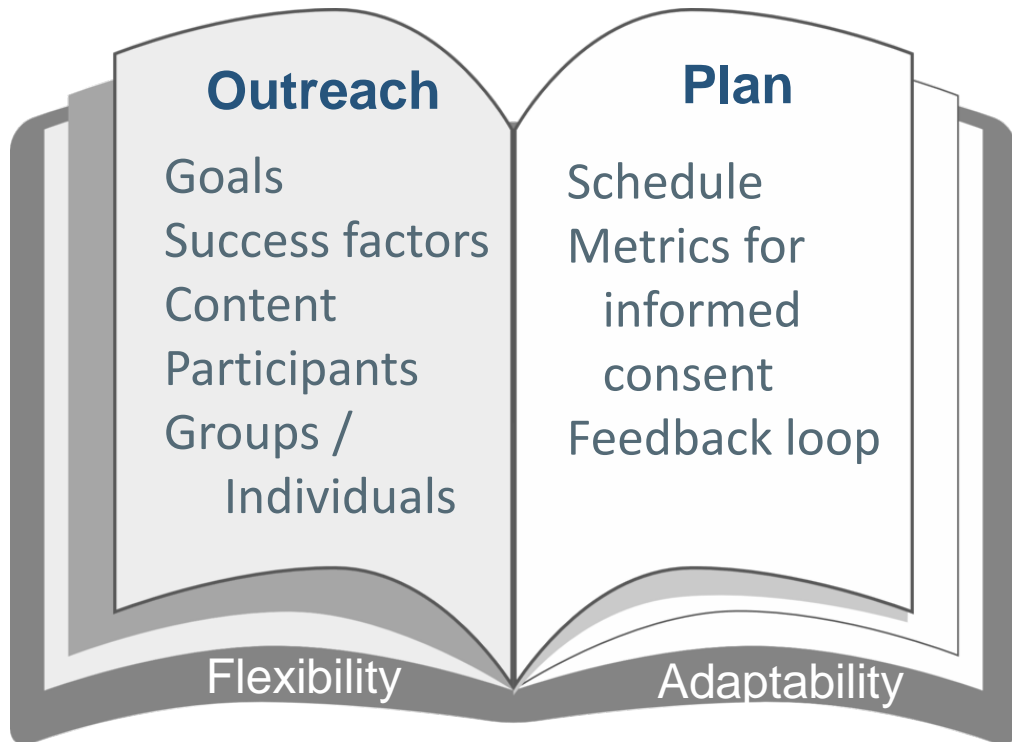


Jacobs



McCormick Water Strategies

TASK 2 – OUTREACH



- Provide technical and other related content.
- Attend and participate in select local community outreach activities and at SEG meetings.
- Identify and address areas of stakeholder concerns/conflict/impasse to get to a preliminary selected alternative(s).
- Keep detailed records of outreach activities.

Deliverables:

Outreach Plan (*Delivered February 2021*)
Meeting agenda/minutes
Outreach Report (*October 2021*)

TASK 3 – ALTERNATIVES REFINEMENT

1. Support ongoing work
2. Water Rights investigation
 - Purpose is to answer the following questions:
 1. Can a water right be obtained?
 2. How can a water right be obtained through Permit or Transaction? Fatal flaws and options (i.e. slight shifts to proposed infrastructure).
 3. Order of magnitude cost?
 - NOTE: The water rights investigation effort will not include researching implications of interstate water conflicts or interstate water use. The interstate water conflicts investigation should be an undertaking of its own as there are significant technical, political, and legal involvements needed.
 - Deliverables:
 - Technical memorandum for ID and WA (~April 2021)

TASK 3 – ALTERNATIVES REFINEMENT

3. Alternatives Interim Steps

- a. Historical document and data review
- b. Identify and define the sub-alternative projects
- c. Develop phasing plan
- d. Identify data gaps

Deliverables:

- Technical memorandum for PBAC (~Spring 2021)
- Workshop agenda and minutes

TASK 4 – FUNDING STRATEGY DEVELOPMENT

1. Organizational funding strategy

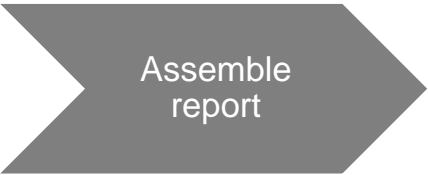
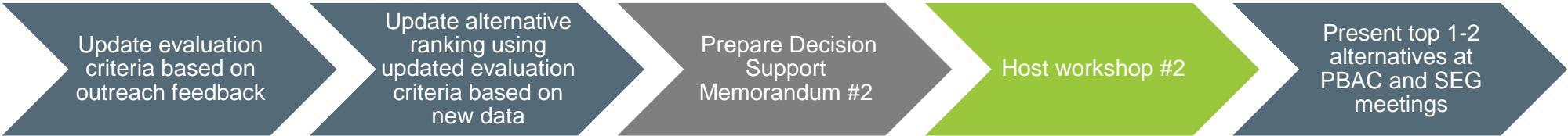
- Develop a list of essential organizational tasks that need to be funded over the next 5 years to keep PBAC moving forward
- Identify targeted funding opportunities and strategies for pursuing public funding, private funding, and public-private partnerships.

2. Project implementation funding strategy

Deliverable:

- Funding strategy technical memorandum (*~May 2021*)


TASK 5 – WATER SUPPLY ALTERNATIVE(S) REPORT FOR FUNDING



Report includes summary of all other deliverables, include as attachments
(December 2021)

Website: palousebasin.org

PALOUSE BASIN
AQUIFER
committee

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WATER ON THE PALOUSE
« IS »
essential



The Palouse Basin Aquifer Committee works to ensure a long-term, quality water supply for the Palouse Basin region.



PALOUSE BASIN
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BEFORE THE IDAHO WATER RESOURCE BOARD

IN THE MATTER OF THE BOARD PURCHASE
OF WATER RIGHT NO. 75-14927 FROM
WESTERN RIVERS CONSERVANCY

RESOLUTION TO MAKE A FUNDING
COMMITMENT

1 WHEREAS, steelhead, bull trout, and Chinook salmon habitat in Panther Creek is limited
2 by low flow in the upper reaches of Panther Creek; and
3

4 WHEREAS, Panther Creek provides steelhead, bull trout, and Chinook salmon habitat and
5 the 2004 Snake River Water Rights (“Nez Perce”) Agreement commits the state to providing
6 incentives for improving fish habitat which includes improving or protecting flow conditions to
7 augment stream flows; and
8

9 WHEREAS, it is in the interest of the State of Idaho to increase flow in Panther Creek to
10 encourage recovery of ESA-listed steelhead, bull trout, and Chinook salmon; and
11

12 WHEREAS, Water Right No. 75-14927 has been historically diverted from Panther Creek
13 for irrigation purposes; and
14

15 WHEREAS, the Idaho Water Resource Board (IWRB), pursuant to Section 42-1734, Idaho
16 Code, has the authority to acquire, purchase, lease, or exchange land, rights, water rights,
17 easements, franchises, and other property deemed necessary or proper for the construction,
18 operation, and maintenance of water projects; and
19

20 WHEREAS, the Water Right owner desires to sell to IWRB all their legal interests in Water
21 Right No. 75-14927 appurtenant to 52 acres, so that the water may remain in Panther Creek to
22 enhance fish habitat; and
23

24 WHEREAS, upon acquisition, Water Right No. 75-14927 may be rented out through the
25 Idaho Water Supply Bank for permanent delivery to Minimum Stream Flow Water Right No. 75-
26 14188 on Panther Creek;
27

28 WHEREAS, funds are available from Columbia Basin Water Transaction Program Fund for
29 purchase of the water right; and
30

31 WHEREAS, the Panther Creek transaction is in the public interest and is consistent with
32 the State Water Plan; and
33

34 NOW THEREFORE BE IT RESOLVED that the IWRB hereby agrees to purchase the
35 assignment of Water Right 75-14927 for seventy-five thousand dollars (\$75,000) contingent upon
36 the IWRB and the Water Right Owner executing a written agreement governing the rights and
37 responsibilities of the parties resulting from the assignment of the water right; and

38
39 NOW THEREFORE BE IT FURTHER RESOLVED that the IWRB authorizes the Chairman, or
40 his assigns, to pay a one-time permanent rental fee of three-hundred sixty four dollars (\$364.00)
41 to the Idaho Water Supply Bank; and

42
43 NOW THEREFORE BE IT FURTHER RESOLVED that this resolution is subject to the condition
44 that the IWRB receives the requested funding from the Bonneville Power Administration through
45 the Columbia Basin Water Transaction Program in the amount of seventy five thousand, three
46 hundred sixty-four dollars (\$75,364.00).

DATED this 19th day of March, 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 2021-2024
MORGAN CREEK WATER TRANSACTION
CONTRACTS

RESOLUTION TO MAKE A FUNDING
COMMITMENT

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

3
4 WHEREAS, Morgan Creek provides steelhead, bull trout, and juvenile Chinook salmon
5 habitat and the 2004 Snake River Water Rights (“Nez Perce”) Agreement commits the state to
6 providing incentives for improving fish habitat which includes improving or protecting flow
7 conditions to augment stream flows; and

8
9 WHEREAS, it is in the interest of the State of Idaho to reconnect Morgan Creek to
10 encourage recovery of ESA-listed steelhead, bull trout, and Chinook salmon; and

11
12 WHEREAS, Idaho Department of Water Resources staff has developed a series of
13 agreements not to divert water from Morgan Creek at the SMC-2/4 and SMC-1 diversions to
14 improve stream flow for anadromous and resident fish; and

15
16 WHEREAS, staff is negotiating four-year agreements with the Morgan Creek water users
17 not to divert water at the SMC2/4 and SMC 1 diversions; and

18
19 WHEREAS, a proposal for \$53,616.00 will be submitted to the Columbia Basin Water
20 Transactions Program to be used to fund said agreements; and

21
22 WHEREAS, instead of diverting from Morgan Creek, the water users have agreed to pump
23 from Salmon River sources that are not flow-limited and the funds paid under these agreements
24 will offset the power expenses incurred by pumping from existing points of diversion; and

25
26 WHEREAS, the Morgan Creek transactions are in the public interest and in compliance
27 with the State Water Plan; and

28
29 NOW THEREFORE BE IT RESOLVED that the IWRB authorizes the Chairman to enter into
30 contracts with Ronald Jones and Donna Hughes, or their successors, for agreements not to divert
31 out of Morgan Creek in an amount not to exceed fifty-three thousand, six hundred sixteen dollars
32 (\$53,616.00); and

34 NOW THEREFORE BE IT FURTHER RESOLVED that this resolution is subject to the condition
35 that the IWRB receives the requested funding from the Bonneville Power Administration through
36 the Columbia Basin Water Transaction Program in the amount of fifty-three thousand, six
37 hundred sixteen dollars (\$53,616.00).

DATED this 19th day of March, 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
LOWER LEMHI 2021 WATER RIGHT
SUBORDINATION AGREEMENT

RESOLUTION TO MAKE A FUNDING
COMMITMENT

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

3
4 WHEREAS, it is in the interest of the State of Idaho to permanently reconnect the Lower
5 Lemhi River to encourage recovery of ESA-listed Chinook salmon, steelhead, and bull trout; and

6
7 WHEREAS, the State of Idaho committed to maintaining flows of 25 cfs to 35 cfs at the L-
8 6 Diversion on the Lower Lemhi River in the Lemhi Framework which was developed as part of
9 the 2004 Snake River Water Rights Agreement; and

10
11 WHEREAS, the Lemhi Framework carries forward target goals which were included in
12 earlier conservation agreements developed and approved by local water users, and state and
13 federal agencies; and

14
15 WHEREAS, through enacting Idaho Code 42-1506 and 42-1765A, the Idaho Legislature
16 directed the Idaho Water Resource Board (Board) to establish a minimum streamflow water right
17 of 35 cfs in the Lower Lemhi River to be met through water right rentals or other appropriate
18 methods under state law; and WHEREAS, the Board has the authority to enter into agreements
19 to improve flow for anadromous and resident fish; and

20
21 WHEREAS, the Board is authorized to expend Bonneville Power Administration funds for
22 flow restoration through the Columbia Basin Water Transaction Program and the Bonneville Fish
23 Accord Water Transaction Fund; and

24
25 WHEREAS, the Board promotes water transactions that maintain the local agricultural
26 economy by retaining irrigated agriculture; and

27
28 WHEREAS, Board staff has developed an additional one-year subordination agreement,
29 also known as the Lemhi Subordination Agreements, with a local water user to improve stream
30 flow for anadromous and resident fish; and

31
32 WHEREAS, the water user has agreed to limit up to three (3) cfs of his diversion during
33 times of low flow; and

35 WHEREAS, the water user will continue to irrigate his full place of use when flows exceed
36 the flow targets; and

37
38 WHEREAS, the Lemhi Subordination Agreement is in the public interest and in compliance
39 with the State Water Plan; and

40
41 WHEREAS, funding is available through the Idaho MOA/Fish Accord Water Transaction
42 Program to fund the cost of said agreements in 2021; and

43
44 NOW THEREFORE BE IT RESOLVED that the Board authorizes the Chairman to enter into
45 an agreements for 2021 with a lower Lemhi River irrigator to not divert up to three (3) cfs out of
46 the Lemhi River, for an amount not to exceed twenty-seven thousand dollars (\$27,000); and

47
48 NOW THEREFORE BE IT FURTHER RESOLVED that this resolution is subject to the condition
49 that the Board receives the requested funding from the Bonneville Power Administration through
50 the Idaho MOA/Fish Accord Water Transaction Program in an amount up to twenty-seven
51 thousand dollars (\$27,000).

DATED this 19th day of March, 2021.

JEFF RAYBOULD, Chairman
Idaho Water Resource Board

ATTEST _____
JO ANN COLE-HANSEN, Secretary

Memorandum



To: Idaho Water Resource Board (IWRB)
From: Neeley Miller, Planning & Projects Bureau
Date: March 9, 2021
Re: Priest Lake Water Management Project Update

ACTION: No action is requested at this time

Background

As a result of limited water supply and drought conditions in northern Idaho in 2015 and 2016 (and 2019) it has been difficult to maintain required lake pool levels and downstream flow in the Priest River during the recreational season.

Phase 1: The Priest Lake Water Management Study was completed in February 2018. The study included the following recommendations:

- Temporarily raising the surface level of Priest Lake up to 6 inches during the recreational season for dry years and integrating real-time streamflow data to allow more operational flexibility
- Outlet dam structural and operational improvements
- Replacing the current existing porous breakwater with an impervious breakwater structure and dredging a portion of the Thorofare channel

Phase 2: The Priest Lake Water Management Project – Preliminary Engineering & Design concluded in the fall 2019.

Phase 3: Final Engineering & Design which includes finalizing regulatory permitting and bidding assistance began in November 2019 and concluded in August 2020.

Phase 4: Construction and Construction Management

The IWRB authorized the expenditure of funds not to exceed \$5 million from the Revolving Development Account for the construction of the Outlet dam portion and Thorofare portion of the Priest Lake Water Management Project as well as for the construction management and for other costs associated with the project.

In February 2021, Strider, indicated it had encountered conditions not anticipated below the outlet dam and indicated that it may take more than one season to complete the construction. Mott MacDonald, the Project engineer and Owner's Representative, evaluated Strider's claim and recommended they not proceed into the phase 2 concrete work this season based upon project performance thus far and risk associated with tight construction timeline and spring runoff. As a result, the IWRB passed a resolution on February 18, 2021, authorizing an extension of the substantial completion date of the Priest Lake Outlet Dam Improvements from April 1, 2021 to April 1, 2022.

Schedule

- Aug 2020 – IWRB authorized funding resolution and issuance of Limited Notice to Proceed
- Sept 2020 – Staff issued Full Notice to Proceed, On-site Preconstruction Meeting, Steering Committee
- Nov 2020 - Apr 2022 – Anticipated construction period for both projects
- Ongoing – Negotiate cost implications of outlet dam schedule extension with Strider

Memorandum

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



Garrick Baxter will provide the latest information on legislation of interest to the Board and IDWR. He will provide materials at the meeting.

Memorandum

To: Idaho Water Resource Board

From: Brian Patton

Date: March 9, 2021

Re: Administrative Rules Update



Mathew Weaver will provide an update on Administrative Rules. He may have materials at the time of the meeting.

Recommendation Memo

State of Idaho

Department of Water Resources

322 E Front Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 287-4800 Fax: (208) 287-6700

Date: March 1, 2021

To: Idaho Water Resource Board

Thru: Gary Spackman, Director, and Mat Weaver, Deputy Director

From: Garrick Baxter, DAG; Sean Costello DAG

Subject: Memorandum re: Rules of Procedure of the Idaho Department of Water Resources, IDAPA 37.01.01 with Retrospective Analysis and Recommendation.

Executive Order 2020-01

Executive Order No. 2020-01 (the “EO”) requires the Idaho Department of Water Resources (“IDWR”) and the Idaho Water Resource Board (“IWRB”) (collectively “Agencies”) to review of all rule chapters under the Agencies’ purview by 2026. The review must be a critical and comprehensive review. EO at 2.

Pursuant to the schedule already determined by the Division of Financial Management (“DFM”) and the Agencies, the Rules of Procedure of the Idaho Department of Water Resources (“Procedural Rules”; IDAPA 37.01.01) must be analyzed in the first year of the review process.

Therefore, the EO requires the Agencies to review the Procedural Rules to determine whether they should be repealed altogether or re-promulgated. If the Agencies desire to re-promulgate the Procedural Rules, the Agencies must retrospectively analyze the rules and determine whether the rules need to be re-promulgated, and, if so, to recommend an approach. *Id.*

This Recommendation Memorandum (“Memo”) provides analysis and recommendations for the Director and Board.

The Idaho Administrative Procedures Act and Enabling Statutes

Idaho’s Administrative Procedures Act (“Idaho APA”) requires the Attorney General to promulgate procedural rules that “shall apply to all agencies that do not *affirmatively promulgate alternative procedures.*” Idaho Code § 67-5206(5)(a) (emphasis added). Therefore, the Agencies have the option of either utilizing the Idaho Rules of Administrative Procedure of the Attorney General (“OAG Rules”) (IDAPA 04.11.01) or to “affirmatively promulgate alternative procedures.” *Id.* In 1993 the Agencies chose to promulgate their own alternative Procedural Rules at IDAPA 37.01.01.

The enabling statutes related to the Procedural Rules providing the specific authority for the Agencies to promulgate the Procedural Rules are as follows:

1. The Director has the general authority to promulgate, adopt, modify, repeal and enforce rules implementing or effectuating his powers and duties (Idaho Code § 42-1805(8));
2. Hearings before the Director shall be conducted in accordance with rules of procedure promulgated by the Director (Idaho Code § 42-1701A); and
3. The Board has the authority to issue procedural and operative rules as may be necessary for the conduct of its business (Idaho Code § 42-1734(19)).

Therefore, the legislature has expressly provided authority to the Agencies to promulgate procedural rules in order to provide process and procedure in order to conduct their business.

Retrospective Analysis

In order to analyze the Procedural Rules pursuant to the EO, the Agencies, through the Agencies' Rules Regulation Officer, assigned a team of IDWR employees and OAG personnel (the "Team") to analyze the costs, benefits, and needs relative to the Procedural Rules. That team consisted of two Deputy Attorney Generals and a paralegal assigned to the Agencies, IDWR's Eastern Regional Manager (who conducts many agency hearings as hearing officer), and the IDWR's Hearing Officer Coordinator, who previously served as a contract hearing officer.

The Team first concluded the Agencies must have procedural rules in place whether or not the Agencies Procedural Rules are repealed. If repealed and *not* replaced, the OAG Rules would become the default procedural rules for the Agencies. Therefore, the critical underlying issue of the analysis became weighing the costs and benefits of the Agencies using the OAG Rules or using procedural rules specific to them. As a result, the Team analyzed:

- a. Whether the Procedural Rules should be repealed altogether with the Agencies left to use the OAG Rules; or
- b. Whether the Procedural Rules should be re-promulgated via negotiated rulemaking pursuant to the EO and the Idaho APA.

The team, individually and collectively, then actively weighed the pros and cons of each approach. In summary, the Team concluded the Procedural Rules should be re-promulgated through the negotiated rulemaking process.

More specifically, the Team concluded while the Agencies have the authority to adopt their own procedural rules, the grant of authority is not open-ended. The Agencies' Procedural Rules, just as the OAG's, are enabled by, and must implement, the Idaho APA. Therefore, it would not be prudent for the Agencies to repeal and replace the Procedural Rules with a fundamentally new set of procedural rules. Any altogether new rule set would still be bound by the intent and substantive legal elements of the Idaho APA.

The Team additionally concluded it would not be prudent to repeal and *not* replace the Procedural Rules with some set of rules specific to the Agencies. Admittedly, a repeal of the Procedural Rules may appear to decrease regulatory burdens or complexity, as it decreases the length and substance of the Administrative Code. However, the Team concluded the benefits of providing specific, simplified procedural rules specific to the Agencies for contested cases and hearings before them outweighs the benefits of defaulting to the generic OAG Rules. It is further unclear whether and when the OAG Rules will be substantively updated, which has not been holistically revamped since 1993.

In conclusion, the Team's analysis showed that a set of procedural rules specific to the Agencies should be re-promulgated because: (a) the Procedural Rules have been used in appearances and contested cases before the Agencies for decades and are familiar to Idaho legal practitioners and water users; (b) there are unique agency requirements (e.g., hearings pursuant Idaho Code § 42-1701A, which are distinct from any requirements in the OAG Rules) where implementation and notice in specific procedural rules would benefit those appearing before the Agencies; (c) certain portions of the OAG Rules (such as those sections related to rulemaking) could simply be referenced in the Procedural Rules, which would simplify and condense the Agencies' specific rules; and (d) specific rules would allow the addition of modern, technologically enabled electronic filing systems that are not otherwise addressed in the OAG Rules.

Recommendation

The Team recommends the re-promulgation of the Procedural Rules through the EO negotiated rulemaking process. By doing so, the Procedural Rules could: (a) be simplified, condensed, and modernized; (b) implement unique statutory requirements required of the Agencies; (d) create specific filing requirements best suited to the Agencies; and (e) allow attorneys and pro se litigants that appear, or may appear, before the Agencies to be able to contribute public commentary and meaningfully participate in addressing amending procedures before the Agencies.

The Team concludes and recommends the benefits of having Agencies' specific Procedural Rules will continue to be realized by re-promulgation of the Procedural Rules via negotiated rulemaking in order to allow simplification, public input, modernization, and increased agency procedural specification.

**Zero-Based Regulation
Prospective Analysis**

- **Fill out entire form to the best of your ability, unless submitting a Notice to Negotiate only fill out 1, 2, and 5**

Agency Name:

Rule Docket Number:

1. What is the specific legal authority for this proposed rule?

Statute Section (include direct link)	Is the authority mandatory or discretionary?
I.C. 42-1701A(1); I.C. 42-1734(19)	Discretionary; Discretionary
I.C. 42-1805(8); I.C. 67-5206(5)	Discretionary; Discretionary

2. Define the specific problem that the proposed rule is attempting to solve? Can the problem be addressed by non-regulatory measures?

The problem the Agencies are attempting to solve in this rulemaking docket is the adoption of orderly, standardized procedures related to contested cases and other administrative proceedings held before them.

Idaho's Administrative Procedures Act requires the Agencies to either (a) use the Idaho Rules of Administrative Procedure of the Attorney General (IDAPA 04.11.01), or (b) "affirmatively promulgate alternative procedures." See I.C. 67-5206(2) & (5). Therefore, this problem cannot be addressed by alternative measures. A set of procedural and operative rules must be in place.

In this case, based on the zero-based retrospective analysis process, the Agencies have determined proposing a set of procedural and operative rules specific to them, and unique to certain proceedings before them, will best serve those appearing before them.

3. How have other jurisdictions approached the problem this proposed rule intends to address?

a. Is this proposed rule related to any existing federal law?

Federal citation	Summary of Law (include direct link)	How is the proposed Idaho rule more stringent? (if applicable)

b. How does this proposed rule compare to other state laws?

State	Summary of Law (include direct link)	How is the proposed Idaho rule more stringent? (if applicable)
Washington		
Oregon		
Nevada		
Utah		
Wyoming		
Montana		
Alaska		
South Dakota		

c. If the Idaho proposed rule has a more stringent requirement than the federal government or the reviewed states, describe the evidence base or unique circumstances that justifies the enhanced requirement:

4. What evidence is there that the rule, as proposed, will solve the problem?

--

5. What is the anticipated impact of the proposed rule on various stakeholders? Include how you will involve stakeholders in the negotiated rulemaking process?

Category	Potential Impact
Fiscal impact to the state General Fund, any dedicated fund, or federal fund	No impact to governmental funds. This rulemaking will be conducted by current state employees from the Agencies and from the Office of the Attorney General. This work falls within normal parameters of these employee's current duties and responsibilities.
Impact to Idaho businesses, with special consideration for small businesses	As a result of potential changes to who may appear before the Agencies, made necessary by decisions of the Idaho Supreme Court, there may be some limited impact to certain businesses required to hire an attorney for appearances. Agencies will coordinate with all relevant water user and industry organizations for outreach and involvement in the rulemaking process.
Impact to any local government in Idaho	Limited to no impact to local governments in Idaho. Local governments will be notified of the negotiated rulemaking process and may participate as they see fit.

6. What cumulative regulatory volume does this proposed rule add?

Category	Impact
Net change in word count	
Net change in restrictive word count	

**IDAPA 37 – IDAHO DEPARTMENT OF WATER RESOURCES
IDAHO WATER RESOURCE BOARD**

37.01.01 - RULES OF PROCEDURE OF THE IDAHO DEPARTMENT OF WATER RESOURCES

DOCKET NO. 37-0101-2101

**NOTICE OF INTENT TO PROMULGATE RULES –
ZERO-BASED REGULATION NEGOTIATED RULEMAKING**

AUTHORITY: In compliance with Section 67-5220, Idaho Code, notice is hereby given that the Idaho Department of Water Resources and the Idaho Water Resource Board (“Agencies”) intend to repeal and promulgate rules and desires public comment prior to initiating formal rulemaking procedures. This negotiated rulemaking action is authorized pursuant to Section(s) 42-1701A(1), 42-1734(19), 42-1805(8), and 67-5206(5), Idaho Code. This action is consistent with Executive Order 2020-01: Zero-Based Regulation, which directs agencies to review all administrative rules over the five-year period of 2021-2025 (completing review no later than sine die 2026).

MEETING SCHEDULE: A negotiated rulemaking meeting has been scheduled. Additional meeting dates will be posted on the Agencies’ website at <https://idwr.idaho.gov/>.

PUBLIC MEETING Tuesday, May 12, 2021 @ 11:00 a.m. (Mountain Time)
In Person: Idaho Dept. of Water Resources 322 E Front St. Boise, ID 83720-0098 (Meeting to be held at IDWR Office Conference Rooms B, C & D, located on the 6th Floor of the University of Idaho Water Center)
<i>To sign up for attendance via telephone/videoconference, Contact Kimberle English at 208-287-4815 or Kimberle.english@idwr.idaho.gov by May 10, 2021</i>
Materials pertaining to the negotiated rulemaking, including any available preliminary rule drafts, can be found on the agency web site at the following web address: https://idwr.idaho.gov/.

METHOD OF PARTICIPATION: Those interested in participating in the negotiated rulemaking process must either attend the above-scheduled meeting or identify themselves to the Agencies using the phone number and email address listed above in advance of the above-scheduled meeting. Upon conclusion of negotiated rulemaking, any unresolved issues, all key issues considered, and conclusions reached during the negotiated rulemaking will be addressed in a written summary. The summary will be made available to interested persons who contact the Agencies or, if the Agencies choose, the summary may be posted on the Agencies’ website listed above.

Should a reasonable number of persons respond to this notice, additional negotiated meetings may be scheduled and all scheduled meetings shall be posted and made accessible on the Agencies’ website listed in this notice.

A lack of a sufficient number of responses to this notice of intent may result in the discontinuation of further informal proceedings. In either event, the agency shall have sole discretion in determining the feasibility of scheduling and conducting informal negotiated rulemaking and may proceed directly to formal rulemaking if proceeding with negotiated rulemaking is deemed infeasible.

DESCRIPTIVE SUMMARY: The following is a statement in nontechnical language of the substance and purpose of the intended negotiated rulemaking and the principal issues involved:

This rulemaking will review the “Rules of Procedure of the Idaho Department of Water Resources,” IDAPA 37.01.01, consistent with Executive Order 2020-01. This chapter governs contested case proceedings before the Idaho Department of Water Resources and the Idaho Water Resource Board. The Agencies have reviewed these rules pursuant to the zero-based regulation process and is considering the re-promulgation of this chapter with some substantive and procedural modifications to the existing chapter.

The Agencies have identified the following areas as potential changes from the existing chapter:

- Simplify, condense, and modernize rule language;
- Improve implementation of procedural requirements specific to the Agencies;
- Add specific filing requirements and improvements best suited to the Agencies; and
- Consider whether certain portions of the Idaho Rules of Administrative Procedure of the Attorney General (IDAPA 04.11.01) should be incorporated into the chapter.

ASSISTANCE ON TECHNICAL QUESTIONS, MEETING ACCOMMODATIONS, SUBMISSION OF WRITTEN COMMENTS, OBTAINING DRAFT COPIES: For assistance on technical questions concerning this negotiated rulemaking, requests for special meeting accommodations or accessibility, or to obtain a preliminary draft copy of the rule text, contact Mathew Weaver, Deputy Director at (208) 287-4800.

DATED this 5th day of March, 2021.

Mathew Weaver, Deputy Director
Idaho Department of Water Resources
322 E. Front Street
PO Box 83720
Boise, ID 83720
Phone: (208) 287-4800
Fax: (208) 287-6700
Email: Mathew.weaver@idwr.idaho.gov

Recommendation Memo

State of Idaho

Department of Water Resources

322 E Front Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 287-4800 Fax: (208) 287-6700

Date: February 26, 2021

To: Idaho Water Resource Board

Thru: Gary Spackman, Director, and Mat Weaver, Deputy Director

From: Tim Luke, Water Compliance Bureau Chief *TJL*

Subject: Recommendation to Initiate Negotiated Rulemaking of Rules 61, Subsections .01 and .03 of IDWR's Stream Channel Alteration Rules, IDAPA 37.03.07 ("Rules").

Purpose of Recommendation

IDWR proposes to conduct negotiated rulemaking related to two subsections of the IDWR Stream Channel Alterations Rule, specifically Rule 61, subsection .01 and .03. Rule 61.01 and .03 define minimum standards to permit suction dredge mining activities on rivers and streams in Idaho. Suction dredge operations meeting these minimum standards are not subject to more stringent procedural permit requirements described by law. Suction dredge operations meeting the Rule 61.01 and .03 minimum standards receive expedited permit approval. Negotiated rulemaking would address whether Rule 61.01 and .03 should be maintained, replaced or removed. IDWR will seek public participation and comment on whether any non-regulatory measures can be implemented in lieu of these subsections.

Retrospective Analysis

1. What are the benefits of the current rule?

Rule 61.01 and .03 benefit the hundreds of Idaho residents and non-residents who engage in prospecting each year using suction dredge mining equipment that meets the minimum standards. This allows them to obtain authorization through an easy, expedited permit approval process.¹

Each year, about 400 gold mining enthusiasts and prospectors obtain this expedited permit, the Idaho Recreational Mining Authorization Letter Permit (the "Letter Permit"). The Letter Permit is analogous to an Idaho fishing license; it requires an applicant to give his or her name, address, the name or names of streams the applicant plans to dredge, and submission of a fee (\$10 for Idaho resident, \$30 for non-resident). The applicant's signature to the Letter Permit certifies the applicant agrees to conduct his or her operations in accordance with the Letter Permit conditions and instructions, and, therefore, the minimum standards set forth in Rule 61.01 and .03.

¹ Idaho Code § 42-3803(d) states "the [Idaho Water Resource] Board may, by regulation, dispense with procedural requirements for permit application and approval contained in this chapter for projects and activities which, in all respects, at least meet minimum standards adopted pursuant to this section."

2. Do the benefits of the rule justify the costs of the rule?

The benefits of the rule justify the costs of the rule for the following reasons:

- The Letter Permit process allows prospectors to reduce time spent on permitting. IDWR estimates applicants spend about 10 minutes to complete a Letter Permit. Whereas IDWR's regular stream channel alteration permit application may take applicants 30 to 60 minutes.
- The Letter Permit is immediately in hand, and available for immediate approval and use upon completion and submittal of the form to IDWR along with the appropriate fee.
- Applicants operating under the Letter Permit also reduce IDWR staff time in reviewing, processing and approving individual applications. The Letter Permit process therefore minimizes IDWR's costs for administering and permitting. If the Letter Permit process is removed, prospectors would have to submit a regular Joint Application for Permit—long form application—with additional information, procedural requirements, and fees. A conservative estimate of additional staff time necessary for review and processing for 400 Joint Applications for Permit per year is about 200 staff hours, or 25 FTE days. The additional time may delay individual permit approvals by 20 days or more.
- Idaho Code § 42-221M states the Letter Permit fee (i.e., recreation dredge permit) is \$10 for state residents and \$30 for non-residents. The fee for all other Joint Applications for Permit is \$20, regardless of residency. Again, if the Letter Permit were removed, prospectors using equipment formerly described by Rule 61.01 and .03 would have to file the Joint Application. A change in application process and fees will likely confuse and frustrate applicants. Moreover, residents would have to pay an additional \$10 fee, while non-residents would pay \$10 less.

3. Are there less restrictive alternatives to accomplish the benefits of the rule?

IDWR has not found less restrictive alternatives to existing Rule 60.01. and .03 that accomplish the same benefits. In the past, a small number of gold prospectors have advocated for removal or modification of Rule 61.03 so they can use mechanized winch equipment to remove large boulders in the stream substrate, largely as a safety precaution. Through negotiation, IDWR may consider modification of the rule to allow specific limited equipment to promote miner safety while also maintaining the integrity of the stream channel. Use of such equipment may be subject to additional permit conditions that require the permit holder to restore the channel to its original configuration.

4. Recommendation

IDWR staff recommends the two sub-rules be repealed and replaced through the negotiated rulemaking process. Pursuant to the negotiated rule process, IDWR staff will seek comment on whether any non-regulatory measures can be implemented in lieu of the two sub-rules.

**Zero-Based Regulation
Prospective Analysis**

- **Fill out entire form to the best of your ability, unless submitting a Notice to Negotiate only fill out 1, 2, and 5**

Agency Name:

Rule Docket Number:

1. What is the specific legal authority for this proposed rule?

Statute Section (include direct link)	Is the authority mandatory or discretionary?
Idaho Code § 42-3803	Discretionary
https://legislature.idaho.gov/statutesrules/idstat/Title42/T42CH38/SECT42-3803/	

2. Define the specific problem that the proposed rule is attempting to solve? Can the problem be addressed by non-regulatory measures?

IDWR proposes negotiated rule making for two sub-rules that define minimum standards to permit suction dredge mining activities on rivers and streams in Idaho. The problem IDWR is attempting to solve is whether the two sub-rules are necessary or require any modification. IDWR seeks public comment on whether any non-regulatory measures can be implemented in lieu of the two sub-rules. IDWR proposes maintaining the two sub-rules subject to the negotiated rule

3. How have other jurisdictions approached the problem this proposed rule intends to address?

a. Is this proposed rule related to any existing federal law?

Federal citation	Summary of Law (include direct link)	How is the proposed Idaho rule more stringent? (if applicable)

b. How does this proposed rule compare to other state laws?

State	Summary of Law (include direct link)	How is the proposed Idaho rule more stringent? (if applicable)
Washington		
Oregon		
Nevada		
Utah		
Wyoming		
Montana		
Alaska		
South Dakota		

c. If the Idaho proposed rule has a more stringent requirement than the federal government or the reviewed states, describe the evidence base or unique circumstances that justifies the enhanced requirement:

4. What evidence is there that the rule, as proposed, will solve the problem?

5. What is the anticipated impact of the proposed rule on various stakeholders? Include how you will involve stakeholders in the negotiated rulemaking process?

Category	Potential Impact
Fiscal impact to the state General Fund, any dedicated fund, or federal fund	Maintaining the current two sub-rules will have no fiscal impact. Removing the sub-rules removes critical minimum standards for small scale suction dredge mining that would force the agency to remove the expedited Letter Permit approval process and rely instead on the regular permit application process. The change in application processes would increase the application fee for state residents from \$10 to \$20 per application, and decrease the non-resident fee from \$30 to \$20 per application. Total fees collected through suction dredge applications would likely increase slightly. IDWR plans to send notice of the negotiated rulemaking process to holders of Letter Permits from the past two years, other state and federal agencies who often comment on both suction dredge mining and other stream channel alteration issues, and other interested parties or organizations who have expressed interest about suction dredge mining and stream channel alteration issues.
Impact to Idaho businesses, with special consideration for small businesses	Most small scale suction dredge miners who obtain the Letter Permit engage in the activity as a hobby or recreational interest, not for commercial or business purposes. Maintaining the current rules will have no impact on suction dredge mining meeting the minimum standards because the minimum standard rules allow
Impact to any local government in Idaho	Maintaining the current two sub-rules will have no impact on IDWR or any other local governments in Idaho. Removal of the two sub-rules will roughly double the number of regular stream channel alteration permits that must be reviewed and processed by IDWR staff (from about 400 per year to 800 per year). The Letter Permit is an immediate authorization with no agency comment process. The Letter Permit functions as a permit for both IDWR and Idaho Department of Lands (IDL) (when used on navigable rivers and state lands). Without the Letter Permit, IDWR may need to seek comments from IDL and other state agencies before approving a Joint Application. This may add 15 to 40 days to the permit processing and approval period.

6. What cumulative regulatory volume does this proposed rule add?

Category	Impact
Net change in word count	
Net change in restrictive word count	

**IDAPA 37 – IDAHO DEPARTMENT OF WATER RESOURCES
IDAHO WATER RESOURCE BOARD**

**37.03.07 - STREAM CHANNEL ALTERATION RULES OF THE
IDAHO DEPARTMENT OF WATER RESOURCES**

DOCKET NO. 37-0307-2104

**NOTICE OF INTENT TO PROMULGATE RULES –
ZERO-BASED REGULATION NEGOTIATED RULEMAKING**

AUTHORITY: In compliance with Section 67-5220, Idaho Code, notice is hereby given that the Idaho Department of Water Resources and the Idaho Water Resource Board (“Agencies”) intend to repeal and promulgate rules and desires public comment prior to initiating formal rulemaking procedures. This negotiated rulemaking action is authorized pursuant to Section(s) 42-1734(19), 42-1805(8), and 42-3803(c), Idaho Code. This action is consistent with Executive Order 2020-01: Zero-Based Regulation, which directs agencies to review all administrative rules over the five-year period of 2021-2025 (completing review no later than sine die 2026).

MEETING SCHEDULE: A negotiated rulemaking meeting has been scheduled. Any additional meeting dates will be posted on the Agencies’ website at <https://idwr.idaho.gov/>.

PUBLIC MEETING Tuesday, April 27, 2021 @ 2:00 p.m. (Mountain Time)
In Person: Idaho Dept. of Water Resources 322 E Front St. Boise, ID 83720-0098 (Meeting to be held at IDWR Office Conference Rooms B, C & D, located on the 6th Floor of the University of Idaho Water Center)
<i>To sign up for attendance via telephone/videoconference, Contact Kimberle English at 208-287-4815 or Kimberle.english@idwr.idaho.gov by April 21, 2021</i>
Materials pertaining to the negotiated rulemaking, including any available preliminary rule drafts, can be found on the agency web site at the following web address: https://idwr.idaho.gov/.

METHOD OF PARTICIPATION: Those interested in participating in the negotiated rulemaking process must either attend the above-scheduled meeting or identify themselves to the Agencies using the phone number and email address listed above in advance of the above-scheduled meeting. Upon conclusion of negotiated rulemaking, any unresolved issues, all key issues considered, and conclusions reached during the negotiated rulemaking will be addressed in a written summary. The summary will be made available to interested persons who contact the Agencies or, if the Agencies choose, the summary may be posted on the Agencies’ website listed above.

Should a reasonable number of persons respond to this notice, additional negotiated meetings may be scheduled and all scheduled meetings shall be posted and made accessible on the Agencies’ website listed in this notice.

A lack of a sufficient number of responses to this notice of intent may result in the discontinuation of further informal proceedings. In either event, the agency has sole discretion in determining the feasibility of scheduling and conducting informal negotiated rulemaking and may proceed directly to formal rulemaking if proceeding with negotiated rulemaking is deemed infeasible.

DESCRIPTIVE SUMMARY: The following is a statement in nontechnical language of the substance and purpose of the intended negotiated rulemaking and the principal issues involved:

This rulemaking will review the Agencies' Stream Channel Alteration Rules, IDAPA 37.03.07, specifically Rule 61.01 and .03, consistent with Executive Order 2020-01. These subsections define minimum standards to permit suction dredge mining activities on rivers and streams in Idaho. Suction dredge operations meeting these minimum standards are not subject to more stringent permit requirements described by Idaho law. The Agencies have reviewed these subsections pursuant to the zero-based regulation process and are considering the re-promulgation of this chapter with some substantive and procedural modifications.

The Agencies have identified the following areas as potential changes from the existing Rule 61 subsections:

- Remove the subsection rules contingent on whether any non-regulatory measures can be implemented in lieu of the rules;
- Modify the subsection rules to accommodate suction dredge mining practices or standards that are new or different from the current rule standards;
- Simplify, condense, and modernize rule language; or
- Consider whether certain portions of the Idaho Department of Lands' Rules for Riverbed Mineral Leasing in Idaho (IDAPA 20.03.05) should be incorporated into Rule 61.

ASSISTANCE ON TECHNICAL QUESTIONS, MEETING ACCOMMODATIONS, SUBMISSION OF WRITTEN COMMENTS OR OBTAINING DRAFT COPIES: For assistance on technical questions concerning this negotiated rulemaking, requests for special meeting accommodations or accessibility, or to obtain a preliminary draft copy of the rule text, contact Mathew Weaver, IDWR Deputy Director at (208) 287-4800.

DATED this 5th day of March, 2021.

Mathew Weaver, Deputy Director
Idaho Department of Water Resources
322 E. Front Street
PO Box 83720
Boise, ID 83720
Phone: (208) 287-4800
Fax: (208) 287-6700
Email: Mathew.weaver@idwr.idaho.gov

Memorandum

To: Idaho Water Resource Board
From: Brian Patton
Date: March 9, 2021
Re: Wood River Groundwater Management Advisory Committee Update



Shelley Keen will provide an update on the Wood River Groundwater Management Advisory Committee.

From the Idaho Department of Water Resources 2020 Annual Report, pg. 38:

IDWR has convened an advisory committee for the Wood River Ground Water Management Area. The advisory committee is tasked with developing and proposing a ground water management plan for approval by the director pursuant to Idaho Code § 42-233a. The approval of a ground water management plan has the potential to replace delivery call litigation, to avoid the harsh outcomes of litigation, including possible curtailment of junior priority water rights, and to avoid the associated costs of such litigation.