

**BEFORE THE IDAHO WATER RESOURCE BOARD**

IN THE MATTER OF THE MOUNTAIN HOME AIR  
FORCE BASE WATER RESILIENCE PROJECT

A RESOLUTION TO APPROVE AND PROVIDE  
SIGNATORY AUTHORITY OF A GIFTING  
PROFFER LETTER FROM THE IDAHO WATER  
RESOURCE BOARD AND THE UNITED STATES  
OF AMERICA

1 WHEREAS, the Mountain Home Air Force Base (MHAFB, base) is an active-duty United States of  
2 America Air Force base, located in Elmore County, Idaho, and  
3

4 WHEREAS, the municipal water supplies for MHAFB are sourced exclusively from ground water  
5 pumped from the Mountain Home Plateau aquifer in Elmore County; and  
6

7 WHEREAS, ground water levels in the Mountain Home Plateau aquifer are in decline and the area  
8 surrounding the MHAFB has been designated as a ground water management area; and  
9

10 WHEREAS, ground water supplies are presently inadequate to meet future long-term needs of the  
11 MHAFB and the MHAFB is looking to expand and increase the population of personnel on the base, which  
12 will increase demands on municipal drinking water sources; and  
13

14 WHEREAS, the Idaho Water Resource Board (IWRB) is a constitutional agency of the State of  
15 Idaho, organized, existing, and operating pursuant to Article XV, Section 7 of the Idaho Constitution and  
16 Idaho Code § 42-1732 through § 42-1780, which has authority to construct and operate water projects  
17 and to acquire, purchase, lease, or exchange land, rights, water rights or other property related to water  
18 projects; and  
19

20 WHEREAS, the State of Idaho recognizes the economic value of the MHAFB to the local and state  
21 economy and supports the United States military in achieving its nations security functions. As such the  
22 State of Idaho and the Secretary of the Air Force, acting on behalf of the United States of America, are  
23 coordinating to provide an alternate source of water to the MHAFB; and  
24

25 WHEREAS, the 2014 Idaho Legislature passed House Bill 479 allocating \$4 million to the IWRB for  
26 acquisition of senior priority Snake River water rights to supply the MHAFB with surface water; and  
27

28 WHEREAS, the 2019 Idaho State Legislature passed and approved Senate Joint Memorial 104,  
29 which states the Legislature's support of the construction of a new water supply pipeline to MHAFB to  
30 bring water from the Snake River to the base. In 2019, the Idaho State Legislature also appropriated \$20M  
31 into the Water Management Account, which can be used for the Mountain Home Air Force Base pipeline.  
32 The 2021 Idaho State Legislature appropriated an additional \$50M into the Water Management Account,  
33 providing sufficient funds to move forward.  
34

35 WHEREAS, in 2022 the Idaho Legislature passed House Bill 769 in which it expressed its intent to  
36 set aside approximately \$250,000,000 of ARPA funding to support projects managed by the IWRB,  
37 including construction of a water delivery pipeline project for MHAFB;  
38

39 WHEREAS, the IWRB intends to design and construct the intake, pump station and pipeline for a  
Resolution No. 18-2023

40 water transmission system (Transmission System) to bring Snake River water to the MHAFB; and

41  
42 WHEREAS, the Department of the Air Force (DAF) intends to build a water treatment plant on the  
43 grounds of the MHAFB, to receive untreated Snake River water via the water transmission system; and

44  
45 WHEREAS, the Transmission System and the water treatment plant will comprise two parts of a  
46 single water system that will be owned and operated by the DAF (MHAFB water supply project); and

47  
48 WHEREAS, the IWRB intends to retain ownership of the Snake River water rights acquired for the  
49 new water supply project and enter into a long-term water use agreement with the DAF for MHAFB's use;  
50 and

51  
52 WHEREAS, on May 14, 2021, the IWRB, the Idaho Office of the Governor, the Office of the Acting  
53 Assistant Secretary of the Air Force for Energy, Installations, and Environment, and the MHAFB entered  
54 into a Memorandum of Understanding for Potential Water Resilience Project in the Mountain Home  
55 Plateau Region, F1AF2E-21133-001 (MOU) to outline how the parties would cooperate to build the water  
56 supply project to MHAFB; and

57  
58 WHEREAS, on September 30, 2022, the IWRB; the Office of the Acting Assistant Secretary of the  
59 Air Force for Energy, Installations, and Environment; and the MHAFB entered into a Memorandum of  
60 Agreement for Potential Water Resilience Project in the Mountain Home Plateau Region (MOA) to define  
61 the roles, responsibilities, and processes set forth in the MOU as the project is moved forward from  
62 concept to design and construction; and

63  
64 WHEREAS, both the MOU and MOA memorialize the IWRB's intent to gift all rights, title, and  
65 interests in and to the Transmission System, to include any associated real property interests, to the DAF  
66 at no cost to the DAF once the Transmission System is constructed and is (i) complete and usable, (ii) fully  
67 functional, and ready for operation; and (iii) meets all applicable federal, state, and local requirements  
68 relating to health, safety, fire, and the environment; and

69  
70 WHEREAS, the IWRB is authorized to make the gift of the Transmission System pursuant to House  
71 Bill 769 passed and approved by the 2022 Idaho Legislature; and

72  
73 WHEREAS, the DAF's acceptance of the Transmission System is governed under 10 U.S.C. § 2601.  
74 In order to accept the Transmission System, the parties will need to comply with all the requirements of  
75 10 U.S.C. § 2601 and all other applicable federal laws, regulations and policies. Specifically, the parties will  
76 need to meet the requirements of Air Force Instruction 51-506, *Gifts to the Department of the Air Force*  
77 *from Domestic and Foreign Sources* (gifting process); and

78  
79 WHEREAS, to initiate the gifting process, the IWRB shall issue a Proffer Letter (Attachment A)  
80 defining what the State of Idaho's gift of real property entails and any conditions associated with the  
81 transfer of such property in conformance with U.S.C. § 2601; and

82  
83 WHEREAS, in the event the MHAFB is deactivated, the State of Idaho desires to have the  
84 opportunity to reacquire the Transmission System, and potentially other real property and permanent  
85 improvements associated with the MHAFB water supply project in accordance with federal property

86 disposal regulations; and

87  
88 NOW THEREFORE BE IT RESOLVED that the IWRB authorizes its chairman or designee to execute  
89 the Proffer Letter reflected in Attachment A.

90  
91 NOW THEREFORE BE IT FURTHER RESOLVED that in conjunction with project water use and  
92 easement transfer agreements, the IWRB requests the DAF coordinate with the IWRB and the Governor's  
93 Office to identify and implement options for future reacquisition and conveyance of the real property  
94 associated with the MHAFB water supply project should the MHAFB be deactivated.  
95

DATED this 19th day of May, 2023.

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

ATTEST   
\_\_\_\_\_  
DEAN STEVENSON, Secretary



# ATTACHMENT A

## IDAHO WATER RESOURCE BOARD

**Brad Little**  
*Governor*

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

**Jo Ann Cole-Hansen**  
*Vice Chair*  
Lewiston  
At Large

**Dean Stevenson**  
*Secretary*  
Paul  
District 3

**Dale Van Stone**  
Hope  
District 1

**Albert Barker**  
Boise  
District 2

**Brian Olmstead**  
Twin Falls  
At Large

**Marcus Gibbs**  
Grace  
District 4

**Patrick McMahon**  
Sun Valley  
At Large

### KNOW ALL MEN BY THESE PRESENTS:

That the State of Idaho through the Idaho Water Resource Board (the Board), the owner of the property listed below, by the Chairman of the Board, does hereby voluntarily offer to give, transfer, convey and assign said property, free and clear of all encumbrances, to the Secretary of the Air Force, acting on behalf of the United States of America, to have and to hold the same forever, relinquishing upon such gift and conveyance for itself, its successors and assigns all ownership, rights, title, interest and possession therein to the donee (United States of America) absolutely: donation of a new pipeline, inlet, and pump station, to be constructed, as well as associated easements, permits and access agreements. The project involves the construction of an approximately 14.4-mile pipeline, inlet, and connected pump station which will deliver surface water to Mountain Home Air Force Base (MHAFB) from the Snake River. The approximate value of the construction project is \$61,700,000.00. Operation and maintenance costs estimated by the Department of the Air Force (DAF) are \$250,000 per year, excluding economic escalation costs. Pursuant to this offer, after construction is complete, the Board will deliver to the Department of the Air Force a deed and all applicable assignments transferring valid title to said property to the Secretary of the Air Force, acting on behalf of the United States of America.

The described gift and transfer of the property offered herein does not entail the granting by the United States of America of special concessions or privileges to the Board.

The gift and conveyance of the property offered herein is made for the benefit of or use in connection with the establishment, operation, and maintenance of MHAFB or other institution or organization under the jurisdiction of the DAF, in conformance with 10 U.S.C. 2601.

The gift does not include the Snake River water rights for the Project. The Board will retain ownership of the water rights and enter into a long-term use agreement with DAF for MHAFB's use.

The Board is authorized to make the described gift pursuant to HB 769 passed by the 2022 Idaho legislature. The gift and transfer of property is consistent with both the Memorandum of Agreement between United States and the Board (Section 2.4), executed in September 2022 and the Memorandum of Understanding between the United States, the State of Idaho, and the Board (Section 3.c), executed in May 2021.

The gift and transfer of the property offered herein is made upon the following condition:

The Board will only provide the warranties given by the construction contractors as well as any manufacturer's warranties.

The Idaho Water Resource Board has caused this instrument to be executed by Jeff Raybould, Chairman of the Idaho Water Resource Board, this 19 May 2023.

Idaho Water Resource Board

By \_\_\_\_\_

**CERTIFICATE**

I, \_\_\_\_\_, certify that I am the \_\_\_\_\_ of the Idaho Water Resource Board; that \_\_\_\_\_, who signed this Offer of Gift, dated (), of the Idaho Water Resource Board, on behalf of the State of Idaho, is the Chairman of the Idaho Water Resource Board; and that said Offer of Gift was duly signed for and on behalf of the State of Idaho by authority of its governing body and is within the scope of its powers.

BEFORE THE IDAHO WATER RESOURCE BOARD

IN THE MATTER OF AGING WATER  
INFRASTRUCTURE GRANTS

RESOLUTION TO ADOPT CRITERIA

1 WHEREAS, House Bill 1181 passed and approved in 2023 by the Idaho Legislature  
2 appropriated to the Idaho Water Resource Board (IWRB) \$50,000,000 to be used for  
3 expenditures, loans, or grants for water projects, including studies, to address water  
4 sustainability, rehabilitate or improve aging water infrastructure  
5

6 WHEREAS, the Idaho Legislature provided that these moneys shall be used for grants and  
7 directed the IWRB to develop criteria, taking into account the public's input for the expenditures  
8 of money for grants, which shall be competitive, matching grants that prioritize projects based  
9 on the public benefits they provide. Considerations of public benefits should include the  
10 protection of existing water rights, the uses identified in Section 42-1760(2)(d), Idaho Code,  
11 which include consideration of the value of existing hydropower to the state's economy,  
12 providing water for future development, and addressing aging water storage and delivery  
13 infrastructure for projects that provide environmental, safety, or recreational benefits; and  
14

15 WHEREAS, staff prepared an updated criteria for the award for Aging Infrastructure  
16 Grants based upon feedback from previous funding rounds; and  
17

18 WHEREAS, on May 12, 2023, the IWRB's Finance Committee met to discuss the updated  
19 Aging Infrastructure Grant Criteria developed by staff. The Finance Committee recommended  
20 the attached criteria be adopted by the IWRB; and  
21

22 NOW, THEREFORE BE IT RESOLVED that the IWRB adopts the attached criteria for the  
23 award of Aging Infrastructure Grants.  
24

DATED this 19<sup>th</sup> day of May 2023.

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

ATTEST   
\_\_\_\_\_  
DEAN STEVENSON, Secretary

## IWRB Aging Infrastructure Grant Criteria

During its 2022 session, the Idaho legislature appropriated to the Idaho Water Resource Board (IWRB) \$75,000,000 to “be used for expenditures, loans, or grants for water projects, including studies, to address water sustainability, **rehabilitate or improve aging water infrastructure** or support flood management.” The legislature provided that “no more than one-third of these moneys shall be used for grants”, and directed the IWRB to:

develop criteria, taking into account the public's input for the expenditures of money for **grants**, which shall **be competitive, matching grants that prioritize projects based on the public benefits they provide**. Considerations of public benefits should include the protection of existing water rights, the uses identified in Section 42-1760(2)(d), Idaho Code, which include consideration of the value of existing hydropower to the state's economy, providing water for future development, and addressing aging water storage and delivery infrastructure for projects that provide environmental, safety, or recreational benefits. H.B. 769, § 7.

Projects that rehabilitate or improve Idaho’s water infrastructure support the Idaho economy, provide economic value, and ensures long-term water resource stability and sustainability. Pursuant to House Bill 769, the IWRB has developed these criteria to provide financial assistance on a statewide competitive basis through grants to eligible entities interested in pursuing eligible projects to rehabilitate or improve aging water infrastructure.

**Eligible Projects:** The IWRB defines an aging water infrastructure project as any new project, or new phase of an improvement project intended to repair, maintain, replace, or improve existing infrastructure that supports irrigation water delivery, storage, drainage, treatment, and use of water for irrigation. Projects that are already completed or underway by the application deadline are not eligible for this funding opportunity. Additionally, for purposes of this grant program, the term ‘aging water infrastructure’ does not include municipal drinking or wastewater systems.

**Eligible Entities:** Irrigation Districts, Irrigation Boards of Control, Canal Companies, Drainage Districts, Groundwater Districts, Ditch Companies, Lateral Ditch Users Associations, Reservoir Districts, Municipal Irrigation Districts (formed per Title 42, chapter 18, Idaho Code), Municipalities, Counties and Water Districts

**Eligible Geographic Area:** Statewide

### Grant Funding Considerations:

- IWRB grant portion cannot exceed 1/3<sup>rd</sup> (33%) of total project costs.
- In-kind services can be used for 30% of the total projects costs. Legal/Administrative in-kind services are limited to 5% of total project costs.
- Funding awards may be reallocated if a project is not completed within the grant period of the grant award contract.

- Permits are not required during the application phase. For those projects that are funded and require local, state, or federal permitting, funding reimbursement will not be made unless the project is fully permitted. Sponsor is responsible for providing permit documentation to IWRB staff.

**Grant Award Limit:** \$2 million

**Grant Application Requirements:** Grant applications will require the applicant to provide the following information:

- Project background (infrastructure description, repair, rehabilitation, improvement needs/objectives/benefits)
- Project sponsor description (organization type, background, revenue sources, current operations)
- Project description (narrative, map, conceptual plan and design, land entitlements at project location, description of any known environmental issues).
- Cost estimate and budget
- Project funding sources (IWRB grant, other state and federal grants, sponsor's contribution)
- Project implementation schedule

**Evaluation Criteria:** To maximize the effective and efficient use of available funds, grant applications submitted by eligible entities for eligible projects will be evaluated, scored (*100-point scale*), and ranked according to the following criteria. Project scoring will be used to prioritize funding. Applications shall discuss how the project under consideration meets the evaluation criteria.

Project Proposal Clarity and Detail (*up to 30 points*)

- Clarity and detail of project proposal: need, description, budget and benefits (*up to 10 points*)
- Plans and specifications included with the grant application (*up to 10 points*)
- Description of the personnel (sponsor employees, contractors and/or volunteers) that will plan, design, construct and implement the proposed project (descriptions may include the number, qualifications (resumes if applicable) and time of personnel that will be involved in the project. (*up to 10 points*)

Public Interest of Project (*up to 25 points*)

- Economic values supported by the infrastructure, including consideration of the communities, irrigated acres, provision of water for future development and economic activity served by the water infrastructure (*up to 15 points*)
- Uses/benefits identified in Section 42-1760(2)(d), Idaho Code (*up to 10 points*):  
-water quality



- fish and wildlife
- recreation
- hydropower
- water supply stability and sustainability
- drought resiliency
- public safety
- other benefits to the citizens of the State

Urgency and Effectiveness of Project (*up to 25 points*)

- Urgency of the project (e.g., infrastructure age, infrastructure function) (*up to 15 points*)
- Effectiveness of the proposal in accomplishing project objectives and benefits (e.g., nature and magnitude of operational efficiency improvement and/or water savings) (*up to 5 points*)
- Budget cost/benefit (i.e., reasonableness of labor and materials costs, comparison of those costs to project outcomes) (*up to 5 points*)

Organizational Capacity of Applicant (*up to 10 points*)

- Has the sponsor demonstrated the capacity, authority and ability to complete the project? Demonstration may include a synopsis of the sponsor's organization and descriptions of similar projects completed by the Sponsor. (*up to 10 points*)

Grant Percentage (*up to 10 points*)

- Projects that propose grant amounts below 33% of total projects costs will receive additional points (*1 point for each additional 1% decrease, up to 10 additional points*).

**Grant Process:**

- Application deadline will be set by IWRB for each round
- IWRB staff will make project funding recommendations to IWRB Finance Committee
- IWRB reviews Finance Committee recommendations and makes grant funding awards
- IWRB staff will notify project applicants of grant approval.
- Project sponsors will provide notice to the IWRB of acceptance of funding within 90 days after they have been notified of grant approval.
- Grant contracts between the IWRB and project sponsors will be developed and executed following IWRB funding awards.

- During and/or after project implementation, IWRB will distribute and/or reimburse grantees for projects costs per those contracts. Grant reimbursement requests should be sent to [IdwrPayable@idwr.idaho.gov](mailto:IdwrPayable@idwr.idaho.gov)
- Additional funding rounds will be held if more funding becomes available.

**IWRB Districts are:**

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

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

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

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

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

**BEFORE THE IDAHO WATER RESOURCE BOARD**

IN THE MATTER OF STATEWIDE WATER  
SUSTAINABILITY AND AQUIFER STABILIZATION,  
AND THE SECONDARY AQUIFER STABILIZATION,  
AND SECONDARY AQUIFER PLANNING,  
MANAGEMENT, AND IMPLEMENTATION FUND  
FISCAL YEAR 2024 BUDGET

RESOLUTION TO PASS FISCAL YEAR 2024  
BUDGET

1 WHEREAS, House Bill 547 passed and approved by the 2014 Legislature allocates \$5 million  
2 annually through 2019 from the Cigarette Tax to the Idaho Water Resource Board's (IWRB) Secondary  
3 Aquifer Planning, Management, and Implementation Fund (Secondary Aquifer Fund) for statewide aquifer  
4 stabilization; and

5 WHEREAS, House Bill 256 passed and approved by the 2019 Legislature allocated \$5 million in  
6 ongoing General Fund dollars to the IWRB's Secondary Aquifer Fund for statewide water sustainability  
7 and aquifer stabilization; and

8 WHEREAS, un-allocated funds already in the Secondary Aquifer Fund will be carried forward into  
9 the Fiscal Year 2023 budget; and

10 WHEREAS, many aquifers across Idaho are declining or have existing or potential conjunctive  
11 administration water use conflicts, including the Eastern Snake Plain Aquifer, Mountain Home Aquifer,  
12 Wood River Valley Aquifer, Big Lost Aquifer, Raft River Aquifer, Malad Valley Aquifer, Treasure Valley  
13 Aquifer, Rathdrum Prairie Aquifer, Palouse Basin Aquifer, Lewiston Plateau Aquifer, and others; and

14 WHEREAS, the State of Idaho relies on spring discharge from the Eastern Snake Plain Aquifer  
15 (ESPA) through the Thousand Springs to assist in meeting the minimum streamflow water rights at the  
16 Murphy Gage established under the Swan Falls Agreement; and

17 WHEREAS, prior to the initiation of significant aquifer stabilization efforts around 2014, the ESPA  
18 had been losing approximately 216,000 acre-feet annually from aquifer storage since the 1950's resulting  
19 in declining ground water levels in the aquifer and declining spring flows from the aquifer; and

20 WHEREAS, during parts of 2013 and 2014 flows at the Murphy Gage approached the minimum  
21 flow, and in 2015 flows at the Murphy Gage went below minimum flows; and

22 WHEREAS, the ESPA experienced conjunctive administration water use conflicts over the past two  
23 decades that had the potential to significantly impact Idaho's economy; and

24 WHEREAS, on June 30, 2015 members of the Idaho Ground Water Appropriators entered into an  
25 agreement with the Surface Water Coalition whereby the ground water users agreed to reduce their  
26 consumptive use from the ESPA by 240,000 acre-feet annually and take other actions, and

27 WHEREAS, the 2016 Idaho Legislature passed and approved Senate Concurrent Resolution 138  
28 supporting this agreement; and

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

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

34 WHEREAS, in 2018 the cities on the ESPA entered into an agreement with the Surface Water  
35 Coalition and the Idaho Ground Water Appropriators whereby the cities agreed to enhance the ESPA by  
36 an average of 7,650 acre-feet annually; and

37 WHEREAS, the 2019 Idaho Legislature passed and approved House Concurrent Resolution 10  
38 supporting this agreement; and

39 WHEREAS, the ground water use reduction and managed recharge are together designed to  
40 stabilize and then recover the ESPA; and

41 WHEREAS, a 2016 study commissioned by the IWRB predicts the growing Treasure Valley  
42 population could result in an increase in Domestic, Commercial, Municipal, and Industrial water-demand  
43 ranging from 109,000 to 188,000 acre-feet per year by the year 2065 ; and

44 WHEREAS, the IWRB approved development of the Treasure Valley Ground Water Model in  
45 partnership with the U.S. Geological Survey to support future monitoring of ground water conditions,  
46 water use, and administration of ground water and surface water rights, and approved entering into an  
47 agreement with the U.S. Bureau of Reclamation to complete the Boise River Storage Feasibility Study to  
48 provide additional water supply through new surface water storage, and

49 WHEREAS, conjunctive administration water delivery calls have been made in the Big and Little  
50 Wood River Basins against junior-priority upstream ground water uses; and

51 WHEREAS, the Mountain Home aquifer is being over-drafted by about 30,000 acre-feet annually;

52 WHEREAS, the deep aquifer in the Palouse Basin has been declining for decades despite  
53 aggressive conservation measures; and

54 WHEREAS, the Department of Water Resources recently enacted Ground Water Management  
55 Areas in the Malad Valley Aquifer and the Lewiston Plateau Aquifer in response to declining ground water  
56 levels in those aquifers; and

57 WHEREAS, ground water levels in many aquifers are inadequate to sustain a supply of water for  
58 surface and ground water irrigation, hydropower, municipal, industrial, and other uses, the curtailment  
59 of which would cause severe economic harm to Idaho's economy; and

60 WHEREAS, the 2016 Idaho Legislature passed and approved Senate Concurrent Resolution 137  
61 which recognized that stabilizing and enhancing aquifer levels is in the public interest, and directs the  
62 IWRB to take actions in aquifers across the state to stabilize and enhance aquifer levels thereby  
63 maintaining water supply for consumptive and non-consumptive uses and minimizing harm to Idaho's  
64 economy arising from water supply shortages; and

65 WHEREAS, on May 12, 2023 the IWRB Finance Committee recommended the approval of a Fiscal  
66 Year 2024 Budget for the use of available funds in the Secondary Aquifer Fund for statewide water  
67 sustainability and aquifer stabilization purposes; and

68 NOW THEREFORE BE IT RESOLVED that the IWRB adopts the Fiscal Year 2024 Budget for the  
69 continuously-appropriated Secondary Aquifer Planning, Management, and Implementation Fund as  
70 shown in Attachment A to this resolution.

71 BE IT FURTHER RESOLVED that the budget may be adjusted if necessary based on the actual  
72 amount of Cigarette Tax funds received, interest income received, amount received from the Idaho  
73 National laboratory, or the actual amount of carry-over from Fiscal Year 2023.

74 BE IT FURTHER RESOLVED that expenditures for identified ESPA managed recharge operations,  
75 investigations, and engineering for further ESPA managed recharge capacity development may proceed  
76 with no further approvals; however, the IWRB shall be kept apprised of such expenditures.

77 BE IT FURTHER RESOLVED that expenditures for monitoring in support of the Treasure Valley and  
78 Big Lost Ground Water Model, for statewide surface water and aquifer monitoring, professional assistance  
79 for securing federal funding, Lemhi and Bear River water sustainability projects, and administrative  
80 expenses may proceed with no further approvals; however, the IWRB shall be kept apprised of such  
81 expenditures.

82 BE IT FURTHER RESOLVED that expenditures for the Operations and Maintenance costs for the  
83 Cooperative Cloud Seeding Program, O&M shortages provided by the IWRB may proceed with no further  
84 approvals; however, the IWRB shall be kept apprised of such expenditures. Further, it is the IWRB's stated  
85 goal that both the state and the water users financially participate with Idaho Power in the Cooperative  
86 Cloud Seeding Program.

87 BE IT FURTHER RESOLVED that the IWRB may modify this budget during Fiscal Year 2024 at a  
88 properly noticed meeting of the IWRB.

DATED this 19<sup>th</sup> day of May, 2023

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

ATTEST   
\_\_\_\_\_  
Dean Stevenson, Secretary

FY2024 PROPOSED BUDGET FOR THE SECONDARY AQUIFER FUND

Estimated Carry-Over From FY23	\$	7,010,000
General Fund (SB 1181)	\$	5,000,000
HB547 funds - receipt of Cigarette Tax proceeds	\$	5,000,000
Estimated interest	\$	700,000
TOTAL	\$	17,710,000

Category		Sub-Category	FY24 Budgeted	
ESPA MANAGED RECHARGE PROGRAM				
ESPA Recharge Operations		Conveyance Cost	\$3,500,000	*
		O&M (equipment, supplies, operational fees, etc.)	\$215,000	
		Recharge Monitoring	\$560,000	
		Regional Monitoring	\$250,000	
		TOTAL	\$4,525,000	
ESPA Recharge Infrastructure Projects	Budgeted Projects	Small Upper Valley Projects	\$500,000	
		TOTAL	\$500,000	
ESPA Recharge Investigations	Budgeted Investigations	Upper Valley site characterization & canal capacity investigations (4-5)	\$500,000	
		Reserved for additional investigations and engineering	\$500,000	
		TOTAL	\$1,000,000	
ESPA MANAGED RECHARGE PROGRAM TOTAL			\$6,025,000	
CLOUD SEEDING PROGRAM				
Operations & Maintenance	Collaborative Program	(B/W/US) 2023-2024 operations; IWRB cost share TBD, total program cost \$3.42M (\$2.3M= 2/3)	\$2,300,000	
	Technology	Model and computing administration, device support	\$50,000	
TOTAL			\$2,350,000	
Capital	Weather Instrumentation	Replacement/Enhancement/Upgrade, existing	\$200,000	
		New Devices (statewide)	\$1,000,000	**
	Modeling	Modeling, computing, device support	\$1,000,000	**
	Infrastructure	Equipment for new basins (Bear/US shared/Lemhi/Other... for season Nov 2024-25)	\$750,000	**
TOTAL			\$2,950,000	
Research & Development	Technology	Development of instrumentation and modeling, data support	\$0	
	Investigations	Analysis, assessments, cost share in research to support policy questions	\$1,000,000	**
	Reserve	Additional Program Costs	\$700,000	**
TOTAL			\$1,700,000	
CLOUD SEEDING PROGRAM TOTAL			\$7,000,000	
TREASURE VALLEY				
Monitoring in support of the Treasure Valley model (annual)			\$125,000	
TREASURE VALLEY TOTAL			\$125,000	
RAFT RIVER				
Raft River Hydrologic Study includes BSU contractor (1 year)			\$110,000	
RAFT RIVER TOTAL			\$110,000	
PORTNEUF BASIN				
Portneuf Hydrologic Study (year 1 of 4) - includes drilling and USGS surface water work; same cost per year			\$250,000	
PORTNEUF BASIN TOTAL			\$250,000	
BEAR RIVER BASIN				
Water Sustainability			\$100,000	
BEAR RIVER BASIN TOTAL			\$100,000	
LEMHI BASIN				
Support of Water Sustainability Initiatives per settlement			\$250,000	
LEMHI BASIN TOTAL			\$250,000	
MID-SNAKE BASIN				
Mid-Snake Water Quality Monitoring - additional year of monitoring; also proposing \$50K annually after 2024			\$200,000	
MID-SNAKE BASIN TOTAL			\$200,000	
BIG LOST BASIN				
Monitoring in support of Big Lost model development (annual)			\$120,000	
BIG LOST BASIN TOTAL			\$120,000	
WOOD RIVER BASIN				
Conservation, infrastructure fund associated with settlement			\$200,000	
Camas GW characterization, drilling, water levels associated with settlement (year 2 of 3)			\$300,000	
WOOD RIVER BASIN TOTAL			\$500,000	
STATEWIDE				
Administrative and Professional Services (includes media & federal outreach services)			\$200,000	
ET Ground-Truthing Project			\$1,000,000	**
Statewide surface water and aquifer monitoring			\$400,000	
STATEWIDE TOTAL			\$1,600,000	
GRAND TOTAL			\$16,080,000	
Reserve for Work in Other Priority Aquifers Total			\$1,630,000	**

\*Since FY2019, \$3.5 M has been budgeted for ESPA Recharge Conveyance annually with the understanding that money budgeted but not spent within a fiscal year would stay committed and accrue for years when there is a large magnitude of water is available for managed recharge. Counting the current fiscal year (FY23) there is \$7.8 M reserved for future conveyance fees.

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

**BEFORE THE IDAHO WATER RESOURCE BOARD**

IN THE MATTER OF STATE WATER PLAN

RESOLUTION TO APPROVE FUNDS FOR  
CONSULTING SERVICES FOR THE STATE  
WATER PLAN REVIEW AND UPDATE

1 WHEREAS, the Idaho Water Resource Board (Board), pursuant to its planning authorities  
2 in Article XV, Section 7 of the Idaho Constitution, and Idaho Code 42-1734, plans to undertake a  
3 review and update of the Idaho State Water Plan that was adopted on November 28, 2012; and  
4

5 WHEREAS, the Board has identified Clive Strong to assist with this effort due to his  
6 extensive institutional knowledge in water issues throughout Idaho over the last 40 years; and  
7

8 WHEREAS, there is \$30,000 available in the Secondary Aquifer Fund Fiscal Year 2023  
9 Budget to fund services provided by Clive Strong; and  
10

11 WHEREAS, the Board wants Clive Strong to provide recommendations to the Board's  
12 Planning Committee for potential updates to the Idaho State Water Plan, but does not want him  
13 to provide any legal advice or services to the Board or its staff; and  
14

15 WHEREAS, the Board and its staff will rely on the Office of the Attorney General for the  
16 State of Idaho for legal review and advice regarding any potential updates to the Idaho State  
17 Water Plan;  
18

19 NOW, THEREFORE BE IT RESOLVED that the Board authorizes expenditure not to exceed  
20 \$30,000 to enter into an agreement with Clive Strong to provide the above-described consulting  
21 services for potential updates to the Idaho State Water Plan, which agreement, prior to  
22 execution, shall be reviewed and approved by the Chief Deputy of the Energy and Natural  
23 Resources Division of the Office of the Attorney General;  
24


25 NOW, THEREFORE BE IT FURTHER RESOLVED that this resolution supersedes and takes  
26 the place of Resolution No. 10-2023 passed and approved by the Board on March 31, 2023.  
27

28 NOW THEREFORE BE IT FURTHER RESOLVED that the Board authorizes its chairman or  
29 designee, to execute the necessary agreements or contracts for the purpose of this resolution.  
30

DATED this 19th day of May 2023.



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

ATTEST   
\_\_\_\_\_  
DEAN STEVENSON, Secretary

BEFORE THE IDAHO WATER RESOURCE BOARD

IN THE MATTER OF HEAD OF THE BASALT  
RECHARGE SITE DEVELOPMENT

RESOLUTION TO APPROVE FUNDS FROM THE  
ARPA STATE FISCAL RECOVERY FUND AND  
PROVIDE SIGNATORY AUTHORITY

1 WHEREAS, about one-third of Idaho's population resides on the Eastern Snake Plain and the  
2 Eastern Snake Plain Aquifer (ESPA) is the sole source of drinking water for both cities and most rural  
3 residents of the Eastern Snake Plain; and  
4

5 WHEREAS, due to numerous factors, including drought, the ESPA has been losing approximately  
6 216,000 acre-feet annually from aquifer storage since the 1950's resulting in declining ground water levels  
7 in the aquifer and reduced spring flows to the Snake River; and  
8

9 WHEREAS, the State Water Plan includes a goal to accomplish managed recharge in the ESPA  
10 averaging 250,000 acre-feet annually; and  
11

12 WHEREAS, the 2016 Idaho Legislature passed and approved Senate Concurrent Resolution 136  
13 directing the IWRB to develop the capacity to achieve 250,000 acre-feet of annual average managed  
14 recharge to the ESPA by December 31, 2024; and  
15

16 WHEREAS, implementation of managed recharge on the ESPA will meet the goals and objectives  
17 of stabilizing and improving aquifer levels for, among other things, protecting municipal and domestic  
18 drinking water supplies and addressing variability in climatic conditions, including drought; and  
19

20 WHEREAS, the American Rescue Plan Act (ARPA), Pub. L. 117-2 subtitle M (2021), appropriated  
21 \$219,800,000,000 to the Coronavirus State and Local Fiscal Recovery Fund (SLFRF) for making payments  
22 to the States to mitigate the fiscal effects stemming from the public health emergency with response to  
23 the Coronavirus disease; and  
24

25 WHEREAS, the SLFRF funds may be used to, among other things, make necessary investments in  
26 water, sewer, or broadband infrastructure. Pub L. 117-2 sec. 602(c)(1)(D), 42 U.S.C. § 802(c)(D); and  
27

28 WHEREAS, eligible uses of the SLFRF include projects that would be eligible to receive financial  
29 assistance through the Clean Water State Revolving Fund (CWSRF), 40 CFR Part 35.3100—35.3170, and  
30 the Drinking Water State Revolving Fund (DWSRF), 40 CFR 35.3520; and  
31

32 WHEREAS, the CWSRF may be used for groundwater projects that protect and restore aquifers,  
33 including aquifer recharge projects; and  
34

35 WHEREAS, the DWSRF can fund aquifer recharge projects such as aquifer storage and recover  
36 wells and water reuse and recycling projects which can replace and offset potable water use and to  
37 develop new sources of water to increase drought resilience; and  
38

39 WHEREAS, in 2022 the Idaho Legislature passed House Bill 769 in which it expressed its intent to  
40 set aside approximately \$250,000,000 of ARPA funding to support projects managed by the IWRB,

41 including for the continued identification, study, construction, or enlargement of managed aquifer  
42 recharge sites above Milner Dam; and  
43

44 WHEREAS, House Bill 769 appropriated \$100,000,000 for Fiscal Year 2023 to support projects  
45 managed by the IWRB, including for the continued identification, study, construction, or enlargement of  
46 managed aquifer recharge sites above Milner Dam; and  
47

48 WHEREAS, Idaho Code § 42-1760 authorizes the IWRB to expend, loan, or grant moneys from the  
49 water management account for water projects that conserve or increase water supply, improve drought  
50 resiliency, address water sustainability, or support flood management, including the identification, study,  
51 and construction of managed aquifer recharge sites above Milner dam; and  
52

53 WHEREAS, the Head of the Basalt Recharge Project will contribute to the IWRB goal of achieving  
54 250,000 acre-feet of annual average managed recharge to the ESPA by December 31, 2024 and will meet  
55 the goals and objectives of stabilizing and improving aquifer levels for, among other things, protecting  
56 municipal and domestic drinking water supplies and addressing variability in climatic conditions, including  
57 drought; and  
58

59 WHEREAS, cost estimates provided by NSID for the construction of the proposed NSID's Head of  
60 the Basalt recharge site plus associated monitoring infrastructure is \$1,330,000.  
61

62 NOW THEREFORE BE IT RESOLVED that the IWRB authorizes expenditures up to \$1,330,000 from  
63 the ARPA State Fiscal Recovery Fund for the development of the Head of the Basalt Recharge Site; and  
64

65 NOW THEREFORE BE IT FURTHER RESOLVED that the IWRB authorizes its chairman or designee,  
66 to execute the necessary agreements or contracts for the purpose of this resolution.

DATED this 19<sup>th</sup> day of May, 2023.

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

ATTEST   
\_\_\_\_\_  
Dean Stevenson, Secretary

**BEFORE THE IDAHO WATER RESOURCE BOARD**

IN THE MATTER OF THE CONANT CREEK CANAL  
COMPANY LOAN REQUEST

RESOLUTION TO AUTHORIZE LOAN FUNDING  
FOR COSTS RELATED TO DELIVERY SYSTEM  
INFRASTRUCTURE REPAIRS AND  
IMPROVEMENTS

1 WHEREAS, Conant Creek Canal Company (Company) submitted a loan application to the Idaho  
2 Water Resource Board (IWRB) in the amount of \$90,000 to cover costs associated with the repair and  
3 improvement of existing delivery infrastructure; and  
4

5 WHEREAS, the Company was established in 1902 and provides water for irrigation to  
6 approximately 3,200 acres near Ashton, Idaho; and  
7

8 WHEREAS, the Company has partnered with United States Bureau of Reclamation, The Henry's  
9 Fork Foundation, Friends of the Teton River, Trout Unlimited, The Nature Conservancy, & The Freemont-  
10 Madison Irrigation District on this project; and  
11

12 WHEREAS, the total estimated Project & contingency costs are \$2,498,310.14 of which the  
13 Company has secured \$1,909,165.14 in Grants and in-kind services; and  
14

15 WHEREAS, the Company has secured additional funding in the amount of \$499,145 from the  
16 Board's Aging Infrastructure grant program; and  
17

18 WHEREAS, the remaining Project costs amount to approximately \$90,000.00; and,  
19

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

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

26 NOW THEREFORE BE IT RESOLVED that the IWRB provides authority to the Chairman of the  
27 Idaho Water Resource Board, or his designee, to enter into contracts, to effectuate the loan, with the  
28 Company on behalf of the IWRB.  
29

30 BE IT FURTHER RESOLVED that the IWRB approves a loan not to exceed \$90,000 from the  
31 Revolving Development Account at 7.5 % interest with a 15-year repayment term.  
32

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

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

- 38 2) Prior to the disbursement of any funds, the Company shall comply with all statutory  
39 requirements for incurring debt.  
40 3) Prior to the disbursement of any funds, the Company will provide acceptable security for the  
41 loan to the IWRB, including its assessment income which the Company collects from its  
42 members.  
43

DATED this 19<sup>th</sup> day of May, 2023.

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

ATTEST   
\_\_\_\_\_  
DEAN STEVENSON, Secretary