

**BEFORE THE IDAHO WATER RESOURCE BOARD**

IN THE MATTER OF AGING  
INFRASTRUCTURE GRANTS

RESOLUTION TO AWARD FUNDS

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; and  
5

6           WHEREAS, the legislature provided that no more than one-third of these moneys shall  
7 be used for grants, and directed the IWRB to develop criteria, taking into account the public's  
8 input for the expenditures of money for grants, which shall be competitive, matching grants  
9 that prioritize projects based on the public benefits they provide; and  
10

11           WHEREAS, on May 19<sup>th</sup> 2023 the IWRB adopted criteria for the award of Aging  
12 Infrastructure grants and set an application deadline of August 4<sup>th</sup> 2023; and  
13

14           WHEREAS, twenty-three (23) Aging Infrastructure grant applications were received by  
15 the deadline and the applications were evaluated, scored and ranked according to the criteria  
16 adopted by IWRB; and  
17

18           WHEREAS, on November 1, 2023 the Finance Committee met and discussed the  
19 projects, and recommended the IWRB approve Aging Infrastructure Grant awards as specified  
20 in the Attachment A to this resolution; and  
21

22           NOW, THEREFORE BE IT RESOLVED that the IWRB approves the award of Aging  
23 Infrastructure Grants as specified in Attachment A to this resolution.  
24

DATED this 17<sup>th</sup> day of November 2023.



Jeff Raybould, Chairman  
Idaho Water Resource Board

ATTEST



Dean Stevenson, Secretary

## Attachment A: Aging Infrastructure Awards for Round Three

Entity	Funds Requested	Total Project Costs	Award
Marysville Irrigation Company	\$42,964	\$186,800	\$42,964
Blaine County Canal Company	\$1,314,786	\$5,716,461	\$1,314,786
Falls Irrigation District	\$831,079	\$9,095,000	\$831,079
Egin Bench Canals Inc	\$31,349	\$125,396	\$31,349
Portneuf-Marsh Valley Canal Company	\$625,000	\$1,880,000	\$625,000
Grindstone Butte Mutual Canal Company	\$1,555,167	\$4,665,501	\$1,555,167
Mountain Home Irrigation District	\$132,412	\$401,250	\$132,412
Payette Lakes Recreational Water & Sewer District	\$1,803,318	\$5,464,600	\$1,803,318
United Canal Company	\$70,000	\$298,000	\$70,000
Fremont Madison Irrigation District	\$16,575	\$61,388	\$16,575
Milner Dam (3 projects)	\$2,088,623	\$9,421,408	\$2,000,000 *award limit
Weiser River Soil Conservation District	\$124,410	\$383,000	\$124,410
West Indian Cove Water Company Inc	\$545,344	\$1,636,032	\$545,344
Long Island Irrigation Company	\$74,222	\$224,915	\$74,222
Mill Canyon North Canal Company	\$11,496	\$34,839	\$11,496
Twin Falls Canal Company	\$20,458	\$68,191	\$20,458
Burgess Canal & Irrigating Company	\$1,057,584	\$3,204,800	\$1,057,584
Burnett Water Users Association	\$825,000	\$2,500,000	\$825,000
Island Ward Canal Company	\$2,457	\$7,370	\$2,457
<b>Total Funds Requested</b>	<b>\$11,172,244</b>	<b>\$45,374,951</b>	<b>\$11,083,621</b>

\$88,623 is the difference between requested and awarded

**BEFORE THE IDAHO WATER RESOURCE BOARD**

IN THE MATTER OF THE REGIONAL WATER  
SUSTAINABILITY PRIORITY LIST

RESOLUTION TO APPROVE TERMS &  
CONDITIONS FOR SEVERAL PROJECTS

1           WHEREAS, the Idaho Legislature, through House Bill 769 passed in 2022 appropriated \$75 million  
2 to the Idaho Water Resource Board (IWRB) to be used for certain ARPA-eligible water projects and  
3 projects that have been identified by the IWRB as high priority sustainability projects; and  
4

5           WHEREAS, the Idaho Legislature, through Senate Bill 1181 passed in 2023 appropriated \$150  
6 million to the IWRB to be used for certain ARPA-eligible water projects and projects that have been  
7 identified by the IWRB as high priority sustainability projects; and  
8

9           WHEREAS, in July 2021 the IWRB adopted an initial Regional Water Sustainability Priority List to  
10 help guide the Idaho Water Resource Board's (IWRB's) spending for large, regional water sustainability  
11 projects from ARPA funds, state general funds, or other applicable sources. The IWRB also, in January  
12 2022, adopted threshold criteria indicating that for a project to be included on the Regional Water  
13 Sustainability Priority List it must help achieve water supply sustainability on a regional, basin-wide, or  
14 statewide basis; and  
15

16           WHEREAS, on October 26, 2022 the IWRB adopted criteria for the inclusion of projects on the  
17 Regional Water Sustainability Priority List. The criteria include a process for how projects can be added,  
18 types of information required to be submitted in requests, considerations for inclusion, and a process for  
19 removing projects from the list; and  
20

21           WHEREAS, the IWRB received 15 requests to remain on or be added to the list. In January 2023 the  
22 IWRB updated the List; and  
23

24           WHEREAS, on July 21, 2023 the IWRB passed a resolution authorizing funding for nine Regional  
25 Water Sustainability Projects statewide for a total of \$59.4 million. The regional projects were funded with  
26 federal American Rescue Plan Act (ARPA) monies and state surplus funds from the IWRB's Water  
27 Management Account.  
28

29           WHEREAS, in their resolution the IWRB directed staff to work with project sponsors to develop  
30 appropriate contract terms & conditions to be brought back to the IWRB for approval; and  
31

32           WHEREAS, on November 1, 2023 staff proposed the terms and conditions included in Attachment  
33 A with the IWRB Finance Committee.  
34

35           NOW, THEREFORE BE IT RESOLVED that the IWRB approves Terms & Conditions for selected  
36 Regional Water Sustainability Priority List Projects as specified in Attachment A to this resolution.  
37

38 NOW THEREFORE BE IT FURTHER RESOLVED that contracts for these projects will also contain  
39 standard IWRB contract conditions and other project specific terms and conditions not specified in this  
40 resolution.

DATED this 17<sup>th</sup> day of November 2023.

  
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Jeff Raybould, Chairman  
Idaho Water Resource Board

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

## ATTACHMENT A: Terms & Conditions

### Treasure Valley Water Supply Study

#### **Cost -Reimbursement Contract and Proposed Terms & Conditions**

- This is a cost reimbursement not to exceed Contract where the Board has approved funding for the project. The sponsor shall pay the remainder of the project costs.
- Sponsor shall submit documentation demonstrating cost share has been secured (grant award letter, loan, bank statements).
- 10% holdback on funds until Project Completion Form is submitted.
- Any products & data produced as a result of this project will be shared with the IWRB upon request, including data that would help to inform the Treasure Valley groundwater flow model.
- When requested by the Board, provide a monthly progress report to the Contract Manager. The progress report shall include at a minimum:
  - Updated schedule to completion
  - Issues encountered in the reporting period
  - Final cost forecasts where applicable
  - Up to date project budget
- The Contractor shall provide with the final invoice a financial summary of the Project's costs with a detailed list of the type and amount of funds used to pay for the Project. The financial summary shall include the following:
  - Total final cost of the Project based on expenditures.
  - List all funding sources and the amount used on any aspect of the Project.
  - If a Federal or State grant was awarded for any portion of the Project, include the amount awarded.

### North Fremont Canal Systems Phase 5 Pipeline Project

#### **Cost -Reimbursement Contract and Proposed Terms & Conditions**

- This is a cost reimbursement not to exceed Contract where the Board has approved funding for the project. The sponsor shall pay the remainder of the project costs.
- Sponsor shall submit documentation demonstrating cost share has been secured (grant award letter, loan, bank statements).

- 10% holdback on funds until Project Completion Form is submitted.
- When requested by the Board, provide a monthly progress report to the Contract Manager. The progress report shall include at a minimum:
  - Updated schedule to completion
  - Issues encountered in the reporting period
  - Final cost forecasts where applicable
  - Up to date project budget
- The Contractor shall provide with the final invoice a financial summary of the Project's costs with a detailed list of the type and amount of funds used to pay for the Project. The financial summary shall include the following:
  - Total final cost of the Project based on expenditures.
  - List all funding sources and the amount used on any aspect of the Project.
  - If a Federal or State grant was awarded for any portion of the Project, include the amount awarded.

## City of Nampa Projects

### **Cost -Reimbursement Contract and Proposed Terms & Conditions**

- This is a cost reimbursement not to exceed Contract where the Board has approved funding for the project. The sponsor shall pay the remainder of the project costs.
- Sponsor shall submit documentation demonstrating cost share has been secured (grant award letter, loan, bank statements).
- 10% holdback on funds until Project Completion Form is submitted.
- Any products & data produced as a result of this project will be shared with the IWRB upon request.
- Funds disbursed under this contract may be used at the Sponsor's discretion for any of the three projects identified in the scope of work.
- When requested by the Board, provide a monthly progress report on all three Projects to the Contract Manager. The progress report shall include at a minimum:
  - Updated schedule to completion
  - Issues encountered in the reporting period
  - Final cost forecasts where applicable
  - Up to date project budget

- The Contractor shall provide with the final invoice a financial summary of all three Project's costs with a detailed list of the type and amount of funds used to pay for the Project. The financial summary shall include the following:
  - Total final cost of the Project based on expenditures.
  - List all funding sources and the amount used on any aspect of the Project.
  - If a Federal or State grant was awarded for any portion of the Project, include the amount awarded.

**BEFORE THE IDAHO WATER RESOURCE BOARD**

IN THE MATTER OF THE MARSH CENTER  
IRRIGATION COMPANY LOAN REQUEST

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

1           WHEREAS, Marsh Center Irrigation Company (Company) submitted a loan application to the  
2 Idaho Water Resource Board (IWRB) in the amount of \$700,000.00 to cover costs associated with the  
3 repair and improvement of existing delivery infrastructure; and  
4

5           WHEREAS, the Company was established in 1896 along with the construction of Hawkins  
6 Reservoir and associated water distribution system near Arimo, Idaho; and  
7

8           WHEREAS, the Company delivers water across approximately 3,220 acres for 12 shareholders  
9 within Bannock county; and  
10

11           WHEREAS, to remain sustainable for future use and provide a more reliable system for  
12 shareholders, the Company will need to make improvements to existing infrastructure; and  
13

14           WHEREAS, the total estimated cost for the Project is approximately \$975,000, and the Company  
15 has secured grant funding in the amount of \$1,125,000 from the Board's Aging Infrastructure grant  
16 program; and  
17

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

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

24           NOW THEREFORE BE IT RESOLVED that the IWRB approves a loan not to exceed \$700,000 from  
25 the Revolving Development Account at 8.5 % interest with a 2-year repayment term.  
26

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

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

- 34           1) The Company shall comply with all applicable rules and regulations that apply to the  
35 proposed Project.  
36           2) Prior to the disbursement of any funds, the Company shall comply with all statutory  
37 requirements for incurring debt.




38  
39  
40  
41

3) Prior to the disbursement of any funds, the Company will provide acceptable security for the loan to the IWRB, including its assessment income which the Company collects from its members.

DATED this 17th day of November 2023.

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

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

**BEFORE THE IDAHO WATER RESOURCE BOARD**

IN THE MATTER OF NORTH SIDE PUMPING CO,  
NORTH SIDE CANAL CO, KING HILL IRRIGATION  
DISTRICT & RAFT RIVER RECHARGE CONTRACT  
EXTENSION REQUEST

RESOLUTION TO AUTHORIZE AN EXTENSION  
TO ACT ON CONTRACTS IWRB1037,  
IWRB1038, IWRB1039 & IWRB1040

1           WHEREAS, in November 2022, North Side Pumping Company (NSPC) submitted a loan  
2 application to the Idaho Water Resource Board (IWRB) in the amount of \$1,200,000 to cover costs  
3 associated with the abandonment of 14.5 miles of canal and abandon 2 existing pumping stations; and,  
4

5           WHEREAS, in January 2023, North Side Canal Company (NSCC) submitted a loan application to  
6 the IWRB in the amount of \$5,000,000 to cover the cost of relining a section of their existing canal to  
7 reduce seepage and improve reliability; and,  
8

9           WHEREAS, in January 2023, King Hill Irrigation Company (KHID) submitted a loan application to  
10 the IWRB in the amount of \$500,000 to cover costs associated with the Cold Springs phase of their  
11 ongoing improvements; and,  
12

13           WHEREAS, in November 2022, the Raft River Recharge Group (RRRG) submitted a loan  
14 application to the IWRB in the amount of \$14,111,000 to cover costs associated with the construction of  
15 suction lines from the Snake River, Pump Station construction, and the installation of 13-miles of buried  
16 pipeline; and,  
17

18           WHEREAS, the applications for NSPC, NSCC, KHID and RRRG were approved by the Board; and,  
19

20           WHEREAS, NSPC, NSCC, KHID and RRRG have separately submitted information to the Board  
21 demonstrating circumstances they would like considered to extend the one year time to act on the loan  
22 contract; and,  
23

24           WHEREAS, in consideration of the circumstances presented by the above, staff would  
25 recommend a two-year extension on the contracts through December 2025, providing each of the  
26 above-named companies with sufficient time to begin work;  
27

28           NOW THEREFORE BE IT RESOLVED that the IWRB approves the extension of time to act on  
29 contracts IWRB1037 (NSPC), IWRB1038 (NSCC), IWRB1039 (KHID) and IWRB1040 (RRRG) for an  
30 additional 2 years, through December 2025.  
31

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

- 35           1) NSPC, NSCC, KHID, and RRRG shall comply with all applicable rules and regulations that  
36 apply to the proposed Project.

- 37 2) Prior to the disbursement of any funds, NSPC, NSCC, KHID, and RRRG shall comply with all  
38 statutory requirements for incurring debt.  
39 3) Prior to the disbursement of any funds, NSPC, NSCC, KHID, and RRRG will provide acceptable  
40 security for the loan to the IWRB.

DATED this 17<sup>th</sup> day of November 2023



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

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

**BEFORE THE IDAHO WATER RESOURCE BOARD**

IN THE MATTER OF CLOUD SEEDING IN THE  
STATE OF IDAHO

RESOLUTION TO APPROVE FUNDS FOR THE  
CLOUD SEEDING PROGRAM

1 WHEREAS, House Bill 266 (HB 266), passed and approved by the 2021 legislature, recognized  
2 that cloud seeding has provided a unique and innovative opportunity to support sustainable water  
3 supplies for the State of Idaho, and designated the Idaho Water Resource Board (IWRB) as the agency  
4 responsible for authorization of cloud seeding programs within the State; and  
5

6 WHEREAS, HB 266 provides the IWRB the authority to expend state funds for cloud seeding  
7 programs in basins where the IWRB finds that existing water supplies are not sufficient to support existing  
8 water rights, water quality, recreation, or fish and wildlife uses dependent on those water supplies; and  
9

10 WHEREAS, the High Country Resource and Conservation Development (HCRCD) has continuously  
11 operated a manual ground cloud seeding program in the Upper Snake River Basin since the 1990's and  
12 has been funded in whole by local stakeholders in the basin since that time; and  
13

14 WHEREAS, the HCRCD's operational costs have continued to rise over the years with inflation and  
15 funding donations to the program are no longer enough to cover the full cost of the program. The HCRCD  
16 is requesting funding support from the IWRB to support its 2023-2024 cloud seeding operations; and  
17

18 WHEREAS, the IWRB approved \$700,000 in its Fiscal Year (FY) 2024 budget for program reserve  
19 funding to support various potential costs related to cloud seeding program projects, program  
20 development, and analysis;  
21

22 WHEREAS, the IWRB has participated in a collaborative cloud seeding program (Collaborative  
23 Program) to augment the high-elevation snowpack and unregulated runoff with Idaho Power Company  
24 (IPC) and water users in the Boise, Wood, and Upper Snake River Basins since 2014; and  
25

26 WHEREAS, the IWRB's 2017 through 2023 Fiscal Year Budget Resolutions for the Secondary  
27 Aquifer Stabilization and Secondary Aquifer Planning, Management, and Implementation Fund authorized  
28 expenditure of funds for operation and maintenance (O&M) costs associated with the Collaborative  
29 Program and further stated the IWRB's goal that both the State and water users financially participate  
30 with IPC in the Collaborative Cloud Seeding Program; and  
31

32 WHEREAS, the IWRB began contributing one-third of the Collaborative Program's operations and  
33 maintenance (O&M) costs in 2017, with the expectation that IPC and water users are each responsible for  
34 a third of program costs; and  
35

36 WHEREAS, apart from the Wood River, water users have contributed less than one-third of the annual  
37 cloud seeding O&M costs per basin. For the 2019/2020 cloud seeding season, the lowest individual basin  
38 contribution was approximately 17 percent. IPC historically paid a larger portion of the Program expenses by  
39 covering the remainder of the total annual cost for O&M; and  
40

41 WHEREAS, the IWRB directed the initiation of an analysis of the general distribution of benefits from an

42 enhanced snowpack and the resulting unregulated runoff generated through cloud seeding. The analysis was  
43 intended to help support the discussion of cost-share distribution among program beneficiaries; and  
44

45 WHEREAS, for the 2020/2021 and 2021/2022 cloud seeding seasons, IPC reduced its contribution to  
46 one-third. As a result, the IWRB agreed to commit funding in addition to its one-third cost share to offset the  
47 shortages from the water user share while analyses were being completed; and  
48

49 WHEREAS, to equalize the water user annual contributions, IWRB further agreed to offset the deficit  
50 based upon payment from the water users in the amount of 17% (2020/2021 season) and 15% (2021/2022) of  
51 the individual basin O&M costs; and  
52

53 WHEREAS, in accordance with a one-year Memorandum of Agreement between the IWRB and  
54 IPC, the IWRB will pay two thirds and IPC will pay one third of the total O&M program costs for the  
55 upcoming 2023/2024 season. Therefore, the IWRB will assume payment for up to \$1,886,728,  
56 approximately two-thirds of the total cost, less the cost-share from the water users; and  
57

58 WHEREAS, the IWRB, through its 2023 Fiscal Year Budget Resolution, authorized \$2,300,000 for  
59 funding O&M expenses and approved \$700,000 for program reserves; and  
60

61 NOW, THEREFORE BE IT RESOLVED that the IWRB agrees to commit additional one-time funding  
62 to help offset anticipated O&M funding shortages from the water users in each basin and to equalize the  
63 percentages being paid by the water users for the 2023-2024 season.  
64

65 NOW, THEREFORE BE IT RESOLVED that, the IWRB authorizes expenditure not to exceed  
66 \$1,785,398 from the Secondary Aquifer Planning, Management, and Implementation Fund for the  
67 2023/2024 cloud seeding season, which includes one-time expenditures to offset anticipated O&M  
68 funding shortages and is contingent upon water user contributions as identified below:  
69

	IPC	IWRB	Water Users	Total
<b>River Basin</b>	33.333%	53.667%	13.000%	100%
<i>Upper Snake</i>	\$ 545,914	\$ 878,922	\$ 212,906	\$ 1,637,742
<i>Boise</i>	\$ 319,500	\$ 514,001	\$ 125,000	\$ 958,501
<i>Wood</i>	\$ 243,773	\$ 392,475	\$ 95,072	\$ 731,320
	<b>\$ 1,109,187</b>	<b>\$ 1,785,398</b>	<b>\$ 432,978</b>	<b>\$ 3,327,563</b>

70  
71  
72 BE IT FURTHER RESOLVED that, the IWRB authorizes expenditures not to exceed \$200,000 for  
73 costs to support existing cloud seeding program projects, program development, and analysis from the  
74 \$700,000 approved in the FY24 the Secondary Aquifer Planning, Management, and Implementation Fund  
75 for Program Reserve.  
76


77 BE IT FURTHER RESOLVED that, the IWRB authorizes expenditures not to exceed \$40,000 from the  
78 Secondary Aquifer Planning, Management, and Implementation Fund for O&M costs to support the  
79 HCRC cloud seeding program for the 2023-2024 season.  
80

81 BE IT FURTHER RESOLVED that the IWRB authorizes its chairman or designee, Brian Patton,  
Resolution No. 43-2023

82 Executive Officer to the IWRB, to execute the necessary agreements or contracts to complete the  
83 proposed modeling effort.

DATED this 17th day of November 2023.

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

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