

**BEFORE THE IDAHO WATER RESOURCE BOARD**

IN THE MATTER OF THE FINANCE COMMITTEE'S  
RECOMMENDATION

RESOLUTION TO AMEND THE IDAHO WATER  
RESOURCE BOARD'S FISCAL YEAR 2025  
WATER MANAGEMENT ACCOUNT SPENDING  
PLAN AND PROVIDE SPENDING  
AUTHORIZATION

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

4           WHEREAS, on July 1, 2024, through Resolution No. 32-2024, the IWRB approved a Fiscal Year 2025  
5 spending plan for appropriations made to the WMA under following legislation:  
6

- 7           • House Bill 285, Section 1; passed by the 2019 Idaho Legislature (FY 2020)
- 8           • Senate Bill 1121, Section 1; passed by the 2021 Idaho Legislature (FY 2022)
- 9           • House Bill 769, Section 6; passed by the 2022 Idaho Legislature (FY 2023)
- 10          • House Bill 361, Section 1; passed by the 2023 Idaho Legislature (FY 2024)
- 11          • Senate Bill 1411, Section 3; passed by the 2024 Idaho Legislature (FY 2025)
- 12

13          WHEREAS, the WMA Spending Plan considers projects currently identified on the IWRB's Regional  
14 Water Sustainability Projects (RWSP) Priority List, Aging Infrastructure Grants, certain IWRB approved  
15 loans, and other potential projects and programs; and  
16

17          WHEREAS, a number of projects on the RWSP Priority List were determined eligible for funding  
18 from American Rescue Plan Act (ARPA) State Fiscal Recovery Fund. Given that ARPA funding has specific  
19 federal and state obligation and spending requirements, IWRB Resolution 32-2024 authorized allocation  
20 of additional funds from the WMA to be used if additional funding is required for project completion or if  
21 it is determined that ARPA funds are not authorized for specific project tasks; and  
22

23          WHEREAS, in accordance with direction from the Idaho Governor and Legislature, the IWRB has  
24 supported efforts to stop the decline of ground water levels in the Eastern Snake Plain Aquifer (ESPA)  
25 through the development of a managed aquifer recharge program and funding other projects intended  
26 to reduce ground water use from the ESPA; and  
27

28          WHEREAS, on August 27, 2024, Idaho Governor Little announced that Idaho would commit \$10  
29 million to improve the long-term health of the ESPA and directed the IWRB to support this effort with  
30 funds from the WMA in addition to other existing IWRB funding commitments for ESPA improvement  
31 projects; and  
32

33          WHEREAS, on September 9, 2024, the IWRB's Finance Committee reviewed the existing Fiscal  
34 Year 2025 WMA spending plan and recommended reallocation of \$10 million of the \$70 million budgeted  
35 for the future Dworshak/Clearwater River Pipeline project to ESPA improvement projects; and  
36

37          NOW, THEREFORE BE IT RESOLVED that the IWRB adopts the attached Amended Water  
Resolution No. 40-2024


38 Management Account Spending Plan for Fiscal Year 2025 as recommended by the Finance Committee.

39

40 NOW, THEREFORE BE IT FURTHER RESOLVED that for projects that are identified on the attached  
41 amended spending plan and have been approved by the IWRB for funding from the ARPA State Fiscal  
42 Recovery Fund, the IWRB authorizes expenditures from the WMA for project activities if additional  
43 funding is required for project completion or if it is determined that ARPA funds are not authorized for  
44 specific project tasks.

DATED this 13th day of September 2024.

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

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

**Idaho Water Resource Board - Water Management Account**  
**DRAFT - FY 2025 Amended Spending Plan**

**Appropriations**

FY 2020 (HB 285, Sec 1, Leg 2019)	\$20,000,000
FY 2022 (SB 1121, Sec 1, Leg 2021)	\$50,000,000
FY 2023 (HB 769, Sec 6, Leg 2022 - 1/3 or \$25M to be used for AI Grants)	\$75,000,000
FY 2024 (HB 361, Sec 1, Leg 2023 - 1/3 or \$50M to be used for AI Grants)	\$150,000,000
FY 2025 (SB 1411, Sec 3 - Receive after July 1, 2024)	\$30,000,000
Interest Earned (as of June 2024)	\$11,777,410

**Total Appropriations: \$336,777,410**

<b>Regional Water Sustainability Projects &amp; Other Large Projects</b>	<b>Budgeted Amount</b>
Anderson Ranch Dam Raise *	\$10,000,000
Bear Lake Additional Storage **	\$2,000,000
City of Gooding - Little Wood River Channel Flood Control Project **	\$4,000,000
City of Nampa Wastewater-to-Irrigation Reuse **	\$3,000,000
Dworshak/Clearwater Pipeline (Governor's Initiative)	\$60,000,000
Eastern Snake Plain Aquifer Improvement Projects	\$10,000,000
Statewide Recharge Infrastructure *	\$40,000,000
Lewiston Orchards Exchange Project *	\$1,287,000
Lost Valley Reservoir Enlargement - Planning **	\$560,000
Mountain Home Air Force Base Water Resilience Project *	\$10,000,000
North Fremont Canal Systems Phase 5 Pipeline Project **	\$7,811,056
Palouse Basin Aquifer Water Supply Planning	\$5,000,000
Priest Lake Water Management Project **	\$5,420,000
Priest Lake Outlet Dam Litigation **	\$1,465,000
Raft River Pipeline Project **	\$7,000,000
Treasure Valley Drains Monitoring **	\$155,500
Upper Payette Basin Storage Water	\$5,000,000
<b>Total:</b>	<b>\$172,698,556</b>

\* Eligible for ARPA Funding

\*\* Funds obligated by IWRB resolution.

<b>Aging Infrastructure Grants (\$75M Appropriated for program)</b>	<b>Budgeted Amount</b>
Round 1	\$12,500,000
Round 2	\$12,500,000
Round 3	\$11,083,621
Round 4	\$7,678,350
Round 5 (scheduled FY 2025 - Legislative Direction HB 361, FY 2023)	\$12,500,000
Round 6 (scheduled FY 2026 - Legislative Direction HB 361, FY 2023)	\$12,500,000
Round 7 (scheduled FY 2026 - Legislative Direction HB 361, FY 2023)	\$6,238,029
<b>Total:</b>	<b>\$75,000,000</b>

<b>Loans</b>	<b>Budgeted Amount</b>
Loans Committed (Funds will be available for reallocation upon repayment)	<b>\$20,996,333</b>

<b>Other Potential Needs</b>	<b>Budgeted Amount</b>
Groundwater to Surface Water Conversion Projects Grant Program	\$20,000,000
Efficiency and Capacity Improvements to Canal Systems Grant	\$20,000,000
Statewide Monitoring and Measurement Grant Program	\$10,000,000
Other Regional Sustainability Projects, Loans, or Grants	\$18,082,521
<b>Total:</b>	<b>\$68,082,521</b>

**Total Budget: \$336,777,410**

**BEFORE THE IDAHO WATER RESOURCE BOARD**

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

RESOLUTION TO ACCEPT PROPOSED  
STIPULATIONS TO RESOLVE PROTESTS TO  
WATER RIGHT APPLICATION 2-10556

1 WHEREAS, the Idaho Water Resource Board ("Board") is a constitutional agency of the State of  
2 Idaho and empowered by Idaho Code §42-1734 to acquire, purchase, lease or exchange land, rights,  
3 water rights, easements, franchises and other property deemed necessary or proper for construction,  
4 operation and maintenance of water projects, and  
5

6 WHEREAS, the State of Idaho recognizes the economic value of the Mountain Home Air Force  
7 Base (MHAFB) to the local and state economy and supports the United States Military (Military) in  
8 achieving its national security functions; therefore, the State of Idaho intends to coordinate with the  
9 Military to develop a long-term sustainable water supply to support the MHAFB and its mission; and  
10

11 WHEREAS, on July 25, 2014, the Board purchased senior Snake River water right nos. 02-  
12 10300A, 02-10330B and 02-10472 (Snake River Water Rights) for the purpose of obtaining a water  
13 supply for the MHAFB; and  
14

15 WHEREAS, the Board has determined that it will pursue a water supply bank rental to change  
16 the Snake River Water Rights to suit the needs of the MHAFB for summertime use; and  
17

18 WHEREAS, the Board filed water right application 02-10556 for wintertime water use on the  
19 MHAFB; and  
20

21 WHEREAS, the United States Air Force owns ground water rights 61-7224, 61-11940, 61-11941,  
22 61-11942, and 61-11943 for use on the MHAFB; and  
23

24 WHEREAS, the Board holds decreed minimum streamflow water rights at the Murphy Gaging  
25 Station, just downstream of Swan Falls Dam, which require an average daily flow of 3,900 cfs between  
26 April 1st and October 31st of every year, and 5,600 cfs between November 1st and March 31st of every  
27 year; and  
28

29 WHEREAS, Idaho Power Company (IPC) holds decreed hydropower water rights for its mid-  
30 Snake River hydropower facilities in the amount of 3,900 cfs between April 1st and October 31st and  
31 5,600 cfs between November 1st and March 31st measured at the Murphy Gage; and  
32

33 WHEREAS, the State of Idaho, by and through the Governor, hold hydropower water rights in  
34 trust for the benefit of IPC and the people of the State of Idaho; and  
35

36 WHEREAS, a protest to application 02-10556 was received from IPC regarding possible injury to  
37 existing natural flow water rights, that the source of water was Trust Water as defined in the Swan Falls  
38 settlement with possible impacts to powerhead, and concerns under 42-203A; and

39  
40  
41  
42  
43  
44  
45  
46  
47  
48  
49  
50  
51  
52  
53  
54  
55  
56

WHEREAS, a protest to application 2-10556 was received from Elmore County regarding the concurrent use of both surface and groundwater sources at the MHAFB; and

WHEREAS, the protest from Elmore County may be resolved through the inclusion, in the Water Use Agreement between the United States and the Board, of certain provisions regarding the primary use of surface water and supplemental use of ground water on the MHAFB and

WHEREAS, the protest from IPC may be resolved through the inclusion of Trust Water Right conditions on water right 02-10556 and the understanding that an alternative water supply will be available for the MHAFB in case of curtailment under the Trust Water conditions.

NOW THEREFORE BE IT RESOLVED that the Idaho Water Resource Board hereby approves the Joint Stipulation and Notice of Conditional Withdrawal of Protest between the IWRB and IPC attached hereto as Exhibit A and the Joint Stipulation and Notice of Conditional Withdrawal of Protest between the IWRB and Elmore County Board of Commissioners attached hereto as Exhibit B and authorizes its chairman or designee to execute said stipulations.

DATED this 13<sup>th</sup> day of September 2024.

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

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

Scott N. Pugrud, ISB No. 8883  
**IDAHO POWER COMPANY**  
1221 W. Idaho Street  
P.O. Box 70  
Boise, Idaho 83707  
Telephone: (208) 388-6454  
Facsimile: (208) 388-6935  
spugrud2@idahopower.com

John K. Simpson, ISB No. 4242  
**MARTEN LAW LLP**  
101 S. Capitol Blvd., Ste. 1200  
P.O. Box 2139  
Boise, Idaho 83701-2139  
Telephone: (208) 336-0700  
Facsimile: (206) 237-6069  
jsimpson@martenlaw.com  
jwitt@martenlaw.com

*Attorneys for Idaho Power Company*

**BEFORE THE DEPARTMENT OF WATER RESOURCES  
OF THE STATE OF IDAHO**

IN THE MATTER OF APPLICATION FOR  
PERMIT NO. 02-10556

In the name of Idaho Water Resource Board

**JOINT STIPULATION AND NOTICE OF  
CONDITIONAL WITHDRAWAL OF  
PROTEST**

Applicant Idaho Water Resource Board (“Applicant” or “IWRB”) and protestant Idaho Power Company (“Protestant” or “IPC”), by and through their undersigned counsel of record, and pursuant to IDAPA 37.01.01. 220, 556 and .612, hereby stipulate to a settlement of Protestant’s protest to water right application 02-10556 (the “Application”), the terms and conditions of which are set forth herein.

The Protestant’s withdrawal is conditioned on the following:

1. That the source of water for the application is trust water and any approved permit shall contain the multiple trust water conditions referenced in Department Application Processing Memorandum No. 77, dated July 18, 2019.

2. That the Applicant acknowledges the Application is subject to the *Amended Snake River Moratorium Order*, dated July 16, 2024. Further, the Applicant has requested an exception to the Moratorium pursuant to Paragraphs 11(a), in support of which the Applicant has identified alternative water supplies for the proposed use that may be utilized for municipal purposes should the Application be curtailed pursuant to the Trust Water conditions herein identified:

- a. The United States Air Force owns ground water rights 61-7224, 61-11940, 61-11941, 61-11942, and 61-11943 (“Air Force Ground Water Rights”). Through an agreement between the Air Force and the IWRB, these ground water rights will remain interconnected to the municipal water supply system for the Mountain Home Air Force Base (“MHAFB”) as a supplemental supply. The Air Force Ground Water Rights will be used as a supplemental/alternative supply of municipal water should the Application be curtailed pursuant to the Trust Water conditions.

The parties agree that the public interest exception 11(a) to the Moratorium is satisfied given: 1) the alternative water supply identified; 2) the need for a safe and sustainable water supply for the MHAFB; 3) the existing national safety aspects of the MHAFB; and 4) the economic benefits of the MHAFB. The IWRB reserves the right to identify, in the future, additional sources of water that may be used as an alternative source of water supply for the MHAFB should the Application be curtailed due to the Trust Water conditions.

The parties move the Department, pursuant to IDAPA 37.01.01. 220, 556 and .612 for an order (“Order”) approving this Joint Stipulation; each party to bear its own costs, expenses, and attorney’s fees.

DATED this \_\_\_\_ day of August, 2024.

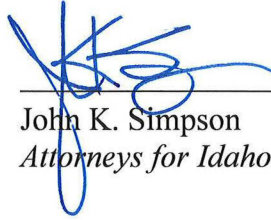
---

Ann N. Yribar  
*Deputy Attorney General*  
*Idaho Water Resource Board*



DATED this 5<sup>th</sup> day of September, 2024.

MARTEN LAW LLP



---

John K. Simpson  
*Attorneys for Idaho Power Company*

**CERTIFICATE OF SERVICE**

I hereby certify that on this    day of ~~August~~ <sup>SEPTEMBER</sup>, 2024, I served the original of the foregoing **JOINT STIPULATION AND NOTICE OF CONDITIONAL WITHDRAWAL OF PROTEST**, by hand-delivering or depositing same in the U.S. Mail, postage prepaid, as indicated, addressed to the following:

Idaho Department of Water Resources  
Idaho Water Center  
322 East Front Street  
Boise, Idaho 83702-7374  
file@idwr.idaho.gov

U.S. Mail, Postage Prepaid  
 Hand Delivery  
 Overnight Mail  
 Facsimile  
 Email

Office of the Attorney General  
C/O Ann Y. Yribar  
P.O. Box 83720  
Boise, ID 83720-0010  
Ann.yribar@ag.idaho.gov

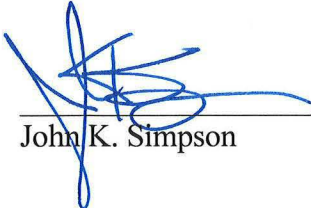
U.S. Mail, Postage Prepaid  
 Hand Delivery  
 Overnight Mail  
 Facsimile  
 Email

City of Heyburn  
McHugh Bromley PLLC  
C/O Chris M. Bromley &  
Candice M. McHugh  
380 S. 4<sup>th</sup> St., Suite 103,  
Boise, ID 83702-7687  
cbromley@mchughbromley.com  
cmchugh@mchughbromley.com

U.S. Mail, Postage Prepaid  
 Hand Delivery  
 Overnight Mail  
 Facsimile  
 Email

Elmore County  
Board of County Commissioners  
Varin Thomas LLC  
C/O Dylan B. Lawrence  
242 N. 8<sup>th</sup> St., Suite 220  
Boise, ID 83702-5892  
dylan@varinthomas.com

U.S. Mail, Postage Prepaid  
 Hand Delivery  
 Overnight Mail  
 Facsimile  
 Email

  
\_\_\_\_\_  
John K. Simpson

RAÚL R. LABRADOR  
Attorney General

SCOTT L. CAMPBELL  
Deputy Attorney General  
Chief, Energy Natural Resources Division

ANN N. YRIBAR (ISB #8406)  
Deputy Attorney General  
P.O. Box 83720  
Boise, Idaho 83720-0010  
Telephone: 208-334-2400  
Facsimile: 208-854-8072

*Attorneys for the Idaho Water Resource Board*

**BEFORE THE IDAHO DEPARTMENT OF WATER RESOURCES  
OF THE STATE OF IDAHO**

	)	
<b>IN THE MATTER OF</b>	)	
<b>APPLICATION FOR PERMIT NO.</b>	)	<b>JOINT STIPULATION AND</b>
<b>02-10556 (Idaho Water Resource</b>	)	<b>WITHDRAWAL OF PROTEST</b>
<b>Board)</b>	)	
<hr style="width: 100%;"/>	)	

Applicant, the Idaho Water Resource Board (“Applicant” or “IWRB”) and protestant Elmore County Board of County Commissioners (“Elmore County”) by and through their undersigned counsel of record, and pursuant to IDAPA 37.01.01.204, 557 and .612, hereby stipulate to a settlement of Elmore County’s protest in the above-entitled matter, the terms and conditions of which are set forth herein.

Elmore County’s withdrawal is conditioned on the execution of a separate agreement between the United States Air Force (“Air Force”) and the IWRB, which outlines the parameters for continuing use of the Air Force’s ground water rights on the Mountain

Home Air Force Base (the “Air Force–IWRB Agreement”). The following language will be included as definitions in the Air Force–IWRB Agreement:

1. *Ground Water Rights*. Water Rights Nos. 61-7224, 61-11940, 61-11941, 61-11942, and 61-11943 owned by the United States.
2. *Surface Water Rights*. The Water Rights and the Wintertime Right collectively.
3. *Water Rights*. Water Rights Nos. 2-10300A, 2-10300B, 2-10506. The water rights authorize a total diversion of 2500 acre-feet per year for irrigation use between April 1 and October 31.
4. *Wintertime Supply Right*. Application for Permit No. 2-10556 as well as any related subsequent permit or license issued by the Idaho Department of Water Resources.

The following language will be included as a provision of the Air Force-IWRB Agreement:

1. The Surface Water Rights shall be the primary source of water for MHAFB and such water may be used for municipal purposes.
2. The Ground Water Rights shall be used to supplement the Surface Water Rights in the following circumstances:
  - (a) an emergency,
  - (b) when Surface Water Rights are curtailed, and
  - (c) at least once every five (5) years to prevent forfeiture.

Provided that the above language is not subsequently amended, the withdrawal of Elmore County’s protest shall be with prejudice. The parties respectfully request the entry of an Order approving the stipulated settlement set forth herein; each party to bear its own costs, expenses, and attorney’s fees.

DATED this \_\_\_\_ day of September 2024.

---

ANN N. YRIBAR  
Deputy Attorney General

DATED this 9th day of September 2024.

A handwritten signature in blue ink that reads "Dylan Lawrence". The signature is written in a cursive style with a large initial "D".

---

Dylan Lawrence  
For the Elmore County Board of  
Commissioners

## CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this \_\_\_\_ day of September 2024, I caused to be served a true and correct copy of the foregoing JOINT STIPULATION AND WITHDRAWAL OF PROTEST by transmitting a copy thereof in the manner listed below:

James Cefalo Idaho Department of Water Resources Eastern Region 900 N Skyline Dr. Idaho Falls ID 83402	<input type="checkbox"/> U.S. Mail, postage prepaid <input type="checkbox"/> Hand Delivery <input checked="" type="checkbox"/> Email to: james.cefalo@idwr.idaho.gov file@idwr.idaho.gov <input type="checkbox"/> Facsimile: _____ <input type="checkbox"/> Statehouse Mail
Dylan Lawrence Varin Thomas LLC 242 N 8 <sup>th</sup> St. Ste. 220 Boise ID 83702	<input type="checkbox"/> U.S. Mail, postage prepaid <input type="checkbox"/> Hand Delivery <input checked="" type="checkbox"/> Email to: dylan@varinthomas.com <input type="checkbox"/> Facsimile: _____ <input type="checkbox"/> Statehouse Mail
John Simpson Marten Law LLP PO Box 63 Twin Falls ID 83303	<input type="checkbox"/> U.S. Mail, postage prepaid <input type="checkbox"/> Hand Delivery <input checked="" type="checkbox"/> Email to: jsimpson@martenlaw.com <input type="checkbox"/> Facsimile: _____ <input type="checkbox"/> Statehouse Mail

---

ANN N. YRIBAR  
Deputy Attorney General

**BEFORE THE IDAHO WATER RESOURCE BOARD**

IN THE MATTER OF THE REGIONAL WATER  
SUSTAINABILITY PRIORITY LIST

RESOLUTION TO APPROVE CONTRACT TERMS  
& CONDITIONS FOR THE PALOUSE BASIN  
ALTERNATE WATER SUPPLY PROJECT

1           WHEREAS, the Idaho Legislature passed House Bill 769 in 2022 and House Bill 361 in 2023 which  
2 appropriated \$75 Million and \$150 Million respectively to the Idaho Water Resource Board (IWRB) to fund  
3 certain projects eligible for American Rescue Plan Act (ARPA) funding and projects that the IWRB has  
4 identified as high-priority water sustainability projects; and  
5

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

12           WHEREAS, on July 21, 2023 the IWRB passed Resolution No. 31-2023 approving \$182,500 in  
13 funding for next steps for the Palouse Basin Alternate Water Supply Project; and  
14

15           WHEREAS, in its resolution, the IWRB directed staff to work with project sponsors to develop  
16 appropriate contract terms and conditions to be brought back to the IWRB for approval; and  
17

18           WHEREAS, staff has developed proposed the Terms and Conditions for a contract between the  
19 IWRB and the City of Moscow to complete an engineering feasibility study for diversion and conveyance  
20 from the Clearwater River to the Palouse Basin, included as Attachment A to this resolution; and  
21

22           NOW, THEREFORE BE IT RESOLVED that the IWRB approves the Terms and Conditions for the  
23 Palouse Basin Alternate Water Supply Project engineering feasibility study as specified in Attachment A  
24 to this resolution.  
25

26           NOW, THEREFORE BE IT FURTHER RESOLVED that the IWRB authorizes the expenditure of up to  
27 \$182,500 from the Water Management Account for the Palouse Basin Alternative Water Supply Project  
28 engineering feasibility study.  
29

30           NOW, THEREFORE BE IT FURTHER RESOLVED the contract for this project will also contain  
31 standard IWRB contract conditions and other project-specific Terms and Conditions not identified in this  
32 resolution.  
33


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



DATED this 13<sup>th</sup> day of September 2024.



Jeff Raybould, Chairman  
Idaho Water Resource Board

ATTEST   
Dean Stevenson, Secretary

# ATTACHMENT A: Terms & Conditions

## Palouse Basin Alternate Water Supply Project

### **PROJECT DESCRIPTION**

The City of Moscow in cooperation with the Palouse Basin Aquifer Committee (PBAC), Idaho, is seeking Statements of Qualifications (SOQ) from experienced and qualified consultants to provide engineering and consulting services related to the development of an alternate water supply project. The proposed project involves the diversion of surface water from the Clearwater River and the treatment and conveyance of the water to the Palouse Basin near the City of Moscow, Idaho. The diverted water may be utilized for direct consumption, aquifer recharge, or a combination of the two. The project aims to secure a sustainable water supply for the cities and universities located within the Palouse Basin, including Moscow and Pullman, as well as the University of Idaho and Washington State University.

The scope of the current study includes:

- Determining the project's engineering feasibility
- Estimating preliminary construction and operational costs
- Verifying available water rights and other permitting requirements

Additionally, the study will encompass preparatory work necessary for the application for a water right with the Idaho Department of Water Resources (IDWR).

### **PROPOSED SUMMARY SCOPE OF WORK**

It is anticipated that the selected consultant will perform the following tasks. The final scope of services will be negotiated with selected consultant.

#### **1. Water Supply Assessment**

- Perform hydrological studies to assess water availability in the Clearwater River, including seasonal and long-term variations.
- Determine the optimal point of diversion based on hydrological data and minimal environmental impact.
- Assess the potential impacts of future climate change and weather conditions upon available water supply, incorporating climate models to ensure project sustainability.

#### **2. Conceptual Design Development**

- Develop conceptual designs for water diversion/intake, treatment, pumping, storage, and conveyance systems, considering multiple alternatives for routes and technologies.
- Identify and estimate costs for all anticipated property acquisitions, easements, and other property rights necessary for the construction and operation of the proposed system.

- Evaluate the benefits, reliability, and cost-effectiveness of direct water use versus aquifer recharge as the means of diversion use, considering both options' long-term implications.
- Work with the City of Moscow and the PBAC to develop criteria for determining the proportion of drinking water versus aquifer recharge, which may significantly impact the system's design and operational requirements (e.g., storage capacity, treatment processes, pumping and conveyance systems, etc.).
- Provide preliminary construction and operational cost estimates including lifecycle and maintenance costs.

### **3. Regulatory Permitting Assessment**

- Identify all regulatory requirements and permits needed for the project, including local, state, federal, and tribal regulations.
- Conduct necessary environmental impact studies and prepare a comprehensive environmental and regulatory feasibility assessment.
- Consult with all potential regulatory agencies and stakeholders early in the process to identify challenges and streamline permitting.
- Prepare an application for water rights following IDWR processes and requirements.

### **4. Stakeholder Engagement**

- Participate in meetings and consultations with stakeholders, including public agencies, community groups, and affected parties as necessary.
- Collaborate with the Nez Perce Tribe to integrate their water rights and cultural values into the project planning and execution.

## **ESTIMATED PROJECT SCHEDULE**

It is anticipated that the services will be completed within approximately 12 months.

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

- This is a cost reimbursement not to exceed Contract where the Board has approved limited funding for the project. The sponsor shall pay the remainder of the project costs.
- 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.

**BEFORE THE IDAHO WATER RESOURCE BOARD**

IN THE MATTER OF AGING  
INFRASTRUCTURE GRANTS

RESOLUTION TO AWARD FUNDS

1           WHEREAS, House Bill 769 and House Bill 361 passed and approved by the Idaho  
2 Legislature appropriated to the Idaho Water Resource Board's (IWRB) Water Management  
3 Account \$75,000,000 to be used for grants to improve aging water infrastructure; and  
4

5           WHEREAS, on May 24<sup>th</sup> 2024 the IWRB adopted updated criteria for the award of Aging  
6 Infrastructure grants (resolution no. 25-2024) and set an application deadline of August 2,  
7 2024; and  
8

9           WHEREAS, twenty-three (23) aging Infrastructure grant applications were received by  
10 the deadline and the applications were evaluated, scored and ranked according to the criteria  
11 adopted by IWRB; and  
12

13           WHEREAS, on September 9, 2024 the Finance Committee met and discussed the  
14 projects, and *recommended the IWRB approve Aging Infrastructure Grant awards as specified in*  
15 *the Attachment A included with the resolution; and*  
16

17           NOW, THEREFORE BE IT RESOLVED that the IWRB approves the award of Aging  
18 Infrastructure Grants from the Water Management Account as specified in Attachment A to this  
19 resolution.

DATED this 13<sup>th</sup> day of September 2024.

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

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

## Attachment A: Grant Funding Awards

<b>Aging Infrastructure Grants - Round 5 Applicants</b>			
<b>Rank</b>	<b>Entity</b>	<b>Score</b>	<b>Funding Award</b>
1	City of Cottonwood	95.25	\$ 2,000,000.00
2	Monteview Canal Company	93	\$ 2,000,000.00
3	New Sweden Irrigation District	92.75	\$ 1,162,864.00
4	Twin Lakes Canal Company	91	\$ 1,633,500.00
5	Nampa & Meridian Irrigation District	90	\$ 109,185.38
6	Riverside Irrigation District	89.5	\$ 524,081.25
7	Fremont Madison Irrigation District	89	\$ 69,320.13
8	Boise Valley Irrigation Ditch Co.	87	\$ 105,811.00
9	Snake River Valley Irrigation District	86.5	\$ 214,846.50
10	Woodmansee-Johnson Canal Co.	80.25	\$ 39,520.00
11	Water District 65	78.75	\$ 63,301.26
12	Falls Irrigation District	78.5	\$ 40,198.00
13	Minidoka Irrigation District B2	78.25	\$ 89,431.21
14	Moore Canal Water Users	77.75	\$ 379,952.00
15	Minidoka Irrigation District D5	77.5	\$ 68,296.22
16	Consolidated Farmers Canal Co.	77.25	\$ 90,250.00
17	Settlers Irrigation District	74.75	\$ 93,135.24
18	Consolidated Irrigation Co.	74.25	\$ 709,500.00
19	Burnette Water User Assoc.	73.5	\$ 1,914,000.00
20	Darlington Water Users Assoc.	70	\$ 1,027,950.00
21	Davis Water Users	68.25	\$ 12,375.00
22	A&B Irrigation District	66.5	\$ 31,350.00
23	Palisades Irrigation Company	64.5	\$ 15,403.41
<b>Total:</b>			<b>\$ 12,394,270.60</b>

**BEFORE THE IDAHO WATER RESOURCE BOARD**

IN THE MATTER OF THE VANDERFORD ROAD  
TEST RECHARGE WELL DEVELOPMENT

RESOLUTION TO APPROVE FUNDS FROM THE  
WATER MANAGEMENT ACCOUNT OR 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 primary source of drinking water for both cities and most rural  
3 residents of the Eastern Snake Plain; and  
4

5           WHEREAS, numerous factors, including drought, have contributed to the loss of approximately  
6 216,000 acre-feet of storage annually from ESPA since the 1950’s resulting in declining groundwater levels  
7 in the aquifer and reduced spring flows to the Snake River; and  
8

9           WHEREAS, the Idaho 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 assist in the stabilization and  
17 improvement of aquifer levels to protect municipal and domestic drinking water supplies, support  
18 agriculture and other industries important to the state economy, and help address variability in climatic  
19 conditions, including drought; and  
20

21           WHEREAS, the American Rescue Plan Act (ARPA), Pub. L. 117-2 subtitle M (2021), appropriated  
22 \$219,800,000,000 to the Coronavirus State and Local Fiscal Recovery Fund (SLFRF) for making payments to  
23 the States to mitigate the fiscal effects stemming from the public health emergency with response to the  
24 Coronavirus disease; and  
25

26           WHEREAS, the SLFRF funds may be used to, among other things, make necessary investments in  
27 water, sewer, or broadband infrastructure. Pub L. 117-2 sec. 602(c)(1)(D), 42 U.S.C. § 802(c)(D); and  
28

29           WHEREAS, eligible uses of the SLFRF include projects that would be eligible to receive financial  
30 assistance through the Clean Water State Revolving Fund (CWSRF), 40 CFR Part 35.3100—35.3170, and the  
31 Drinking Water State Revolving Fund (DWSRF), 40 CFR 35.3520; and  
32

33           WHEREAS, the CWSRF may be used for groundwater projects that protect and restore aquifers,  
34 including aquifer recharge projects; and  
35

36           WHEREAS, the DWSRF can be used to fund aquifer recharge projects such as aquifer storage and  
37 recovery wells and water reuse and recycling projects to replace and offset potable water use and to  
38 develop new sources of water to increase drought resilience; and  
39

40           WHEREAS, in 2022 the Idaho Legislature passed House Bill 769 in which it expressed its intent to

41 set aside approximately \$250,000,000 of ARPA funding to support projects managed by the IWRB, including  
42 for the continued identification, study, construction, or enlargement of managed aquifer recharge sites  
43 above Milner Dam; and  
44

45 WHEREAS, Idaho Code § 42-1760 authorizes the Idaho Water Resource Board (IWRB) to expend,  
46 loan, or grant moneys from the Water Management Account for water projects that conserve or increase  
47 water supply, improve drought resiliency, address water sustainability, or support flood management,  
48 including the identification, study, and construction of managed aquifer recharge sites above Milner dam;  
49 and  
50

51 WHEREAS, the IWRB passed Resolution 32-2024 for a Water Management Account Spending Plan  
52 which allocates \$40,000,000 for Statewide Recharge Infrastructure; and,  
53

54 WHEREAS, Aberdeen Springfield Canal Company presented a proposal to the IWRB Aquifer  
55 Stabilization Committee on September 5, 2024, for the Vanderford Road Test Recharge Well (“Project”)  
56 and associated infrastructure for a proposed cost of \$296,500.  
57

58 NOW THEREFORE BE IT RESOLVED that the IWRB authorizes expenditure of up to \$296,500 from  
59 the Water Management Account or the ARPA State Fiscal Recovery Fund for the construction costs  
60 associated with the Project.  
61

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

DATED this 13th day of September 2024.

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

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



**BEFORE THE IDAHO WATER RESOURCE BOARD**

IN THE MATTER OF THE PEOPLE’S CANAL  
COMPANY TEST RECHARGE WELL  
DEVELOPMENT

RESOLUTION TO APPROVE FUNDS FROM THE  
WATER MANAGEMENT ACCOUNT 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 primary source of drinking water for both cities and most rural  
3 residents of the Eastern Snake Plain; and  
4

5           WHEREAS, numerous factors, including drought, have contributed to the loss of approximately  
6 216,000 acre-feet of storage annually from ESPA since the 1950’s resulting in declining groundwater levels  
7 in the aquifer and reduced spring flows to the Snake River; and  
8

9           WHEREAS, the Idaho 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 assist in the stabilization and  
17 improvement of aquifer levels to protect municipal and domestic drinking water supplies, support  
18 agriculture and other industries important to the state economy, and help address variability in climatic  
19 conditions, including drought; and  
20

21           WHEREAS, the American Rescue Plan Act (ARPA), Pub. L. 117-2 subtitle M (2021), appropriated  
22 \$219,800,000,000 to the Coronavirus State and Local Fiscal Recovery Fund (SLFRF) for making payments to  
23 the States to mitigate the fiscal effects stemming from the public health emergency with response to the  
24 Coronavirus disease; and  
25

26           WHEREAS, the SLFRF funds may be used to, among other things, make necessary investments in  
27 water, sewer, or broadband infrastructure. Pub L. 117-2 sec. 602(c)(1)(D), 42 U.S.C. § 802(c)(D); and  
28

29           WHEREAS, eligible uses of the SLFRF include projects that would be eligible to receive financial  
30 assistance through the Clean Water State Revolving Fund (CWSRF), 40 CFR Part 35.3100—35.3170, and the  
31 Drinking Water State Revolving Fund (DWSRF), 40 CFR 35.3520; and  
32

33           WHEREAS, the CWSRF may be used for groundwater projects that protect and restore aquifers,  
34 including aquifer recharge projects; and  
35

36           WHEREAS, the DWSRF can be used to fund aquifer recharge projects such as aquifer storage and  
37 recovery wells and water reuse and recycling projects to replace and offset potable water use and to  
38 develop new sources of water to increase drought resilience; and  
39

40           WHEREAS, in 2022 the Idaho Legislature passed House Bill 769 in which it expressed its intent to  
Resolution No. 45-2024

41 set aside approximately \$250,000,000 of ARPA funding to support projects managed by the IWRB, including  
42 for the continued identification, study, construction, or enlargement of managed aquifer recharge sites  
43 above Milner Dam; and  
44

45 WHEREAS, Idaho Code § 42-1760 authorizes the Idaho Water Resource Board (IWRB) to expend,  
46 loan, or grant moneys from the Water Management Account for water projects that conserve or increase  
47 water supply, improve drought resiliency, address water sustainability, or support flood management,  
48 including the identification, study, and construction of managed aquifer recharge sites above Milner dam;  
49 and  
50

51 WHEREAS, the IWRB passed Resolution 32-2024 for a Water Management Account Spending Plan  
52 which allocates \$40,000,000 for Statewide Recharge Infrastructure; and,  
53

54 WHEREAS, People’s Canal Company (“PCC”) presented a proposal to the IWRB Aquifer Stabilization  
55 Committee on September 5, 2024, for the People’s Canal Test Recharge Well (“Project”) and associated  
56 infrastructure for a proposed cost of \$135,000.  
57

58 NOW THEREFORE BE IT RESOLVED that the IWRB authorizes expenditure of up to \$135,000 from  
59 the Water Management Account or the ARPA State Fiscal Recovery Fund for the construction costs  
60 associated with the Project.  
61

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

DATED this 13th day of September 2024.

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

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

**BEFORE THE IDAHO WATER RESOURCE BOARD**

IN THE MATTER OF NEW SWEDEN IRRIGATION  
DISTRICT'S OSGOOD RECHARGE PROJECT TEST  
RECHARGE WELLS DEVELOPMENT

RESOLUTION TO APPROVE FUNDS FROM THE  
WATER MANAGEMENT ACCOUNT OR 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 primary source of drinking water for both cities and most rural  
3 residents of the Eastern Snake Plain; and  
4

5           WHEREAS, numerous factors, including drought, have contributed to the loss of approximately  
6 216,000 acre-feet of storage annually from ESPA since the 1950's resulting in declining groundwater levels  
7 in the aquifer and reduced spring flows to the Snake River; and  
8

9           WHEREAS, the Idaho 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 assist in the stabilization and  
17 improvement of aquifer levels to protect municipal and domestic drinking water supplies, support  
18 agriculture and other industries important to the state economy, and help address variability in climatic  
19 conditions, including drought; and  
20

21           WHEREAS, the American Rescue Plan Act (ARPA), Pub. L. 117-2 subtitle M (2021), appropriated  
22 \$219,800,000,000 to the Coronavirus State and Local Fiscal Recovery Fund (SLFRF) for making payments to  
23 the States to mitigate the fiscal effects stemming from the public health emergency with response to the  
24 Coronavirus disease; and  
25

26           WHEREAS, the SLFRF funds may be used to, among other things, make necessary investments in  
27 water, sewer, or broadband infrastructure. Pub L. 117-2 sec. 602(c)(1)(D), 42 U.S.C. § 802(c)(D); and  
28

29           WHEREAS, eligible uses of the SLFRF include projects that would be eligible to receive financial  
30 assistance through the Clean Water State Revolving Fund (CWSRF), 40 CFR Part 35.3100—35.3170, and the  
31 Drinking Water State Revolving Fund (DWSRF), 40 CFR 35.3520; and  
32

33           WHEREAS, the CWSRF may be used for groundwater projects that protect and restore aquifers,  
34 including aquifer recharge projects; and  
35

36           WHEREAS, the DWSRF can be used to fund aquifer recharge projects such as aquifer storage and  
37 recovery wells and water reuse and recycling projects to replace and offset potable water use and to  
38 develop new sources of water to increase drought resilience; and  
39

40           WHEREAS, in 2022 the Idaho Legislature passed House Bill 769 in which it expressed its intent to  
Resolution No. 46-2024

41 set aside approximately \$250,000,000 of ARPA funding to support projects managed by the IWRB, including  
42 for the continued identification, study, construction, or enlargement of managed aquifer recharge sites  
43 above Milner Dam; and  
44

45 WHEREAS, Idaho Code § 42-1760 authorizes the Idaho Water Resource Board (IWRB) to expend,  
46 loan, or grant moneys from the Water Management Account for water projects that conserve or increase  
47 water supply, improve drought resiliency, address water sustainability, or support flood management,  
48 including the identification, study, and construction of managed aquifer recharge sites above Milner dam;  
49 and  
50

51 WHEREAS, the IWRB passed Resolution 32-2024 for a Water Management Account Spending Plan  
52 which allocates \$40,000,000 for Statewide Recharge Infrastructure; and,  
53

54 WHEREAS, New Sweden Irrigation District presented a proposal to the IWRB Aquifer Stabilization  
55 Committee on September 5, 2024, for the Osgood Recharge Project Test Recharge Wells (“Project”) and  
56 associated infrastructure for a proposed cost of \$250,000.  
57

58 NOW THEREFORE BE IT RESOLVED that the IWRB authorizes expenditure of up to \$250,000 from  
59 the Water Management Account or the ARPA State Fiscal Recovery Fund for the construction costs  
60 associated with the Project.  
61

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

DATED this 13th day of September 2024.

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

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

**BEFORE THE IDAHO WATER RESOURCE BOARD**

IN THE MATTER OF NEW SWEDEN IRRIGATION  
DISTRICT'S HEAD OF THE BASALT TEST  
RECHARGE WELL DEVELOPMENT

RESOLUTION TO APPROVE FUNDS FROM THE  
WATER MANAGEMENT ACCOUNT OR 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 primary source of drinking water for both cities and most rural  
3 residents of the Eastern Snake Plain; and  
4

5           WHEREAS, numerous factors, including drought, have contributed to the loss of approximately  
6 216,000 acre-feet of storage annually from ESPA since the 1950's resulting in declining groundwater levels  
7 in the aquifer and reduced spring flows to the Snake River; and  
8

9           WHEREAS, the Idaho 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 assist in the stabilization and  
17 improvement of aquifer levels to protect municipal and domestic drinking water supplies, support  
18 agriculture and other industries important to the state economy, and help address variability in climatic  
19 conditions, including drought; and  
20

21           WHEREAS, the American Rescue Plan Act (ARPA), Pub. L. 117-2 subtitle M (2021), appropriated  
22 \$219,800,000,000 to the Coronavirus State and Local Fiscal Recovery Fund (SLFRF) for making payments to  
23 the States to mitigate the fiscal effects stemming from the public health emergency with response to the  
24 Coronavirus disease; and  
25

26           WHEREAS, the SLFRF funds may be used to, among other things, make necessary investments in  
27 water, sewer, or broadband infrastructure. Pub L. 117-2 sec. 602(c)(1)(D), 42 U.S.C. § 802(c)(D); and  
28

29           WHEREAS, eligible uses of the SLFRF include projects that would be eligible to receive financial  
30 assistance through the Clean Water State Revolving Fund (CWSRF), 40 CFR Part 35.3100—35.3170, and the  
31 Drinking Water State Revolving Fund (DWSRF), 40 CFR 35.3520; and  
32

33           WHEREAS, the CWSRF may be used for groundwater projects that protect and restore aquifers,  
34 including aquifer recharge projects; and  
35

36           WHEREAS, the DWSRF can be used to fund aquifer recharge projects such as aquifer storage and  
37 recovery wells and water reuse and recycling projects to replace and offset potable water use and to  
38 develop new sources of water to increase drought resilience; and  
39

40           WHEREAS, in 2022 the Idaho Legislature passed House Bill 769 in which it expressed its intent to  
Resolution No. 47-2024

41 set aside approximately \$250,000,000 of ARPA funding to support projects managed by the IWRB, including  
42 for the continued identification, study, construction, or enlargement of managed aquifer recharge sites  
43 above Milner Dam; and  
44

45 WHEREAS, Idaho Code § 42-1760 authorizes the Idaho Water Resource Board (IWRB) to expend,  
46 loan, or grant moneys from the Water Management Account for water projects that conserve or increase  
47 water supply, improve drought resiliency, address water sustainability, or support flood management,  
48 including the identification, study, and construction of managed aquifer recharge sites above Milner dam;  
49 and  
50

51 WHEREAS, the IWRB passed Resolution 32-2024 for a Water Management Account Spending Plan  
52 which allocates \$40,000,000 for Statewide Recharge Infrastructure; and,  
53

54 WHEREAS, New Sweden Irrigation District presented a proposal to the IWRB Aquifer Stabilization  
55 Committee on September 5, 2024, for the Head of the Basalt Test Recharge Well ("Project") and associated  
56 infrastructure for a proposed cost of \$256,000.  
57

58 NOW THEREFORE BE IT RESOLVED that the IWRB authorizes expenditure of up to \$256,000 from  
59 the Water Management Account or the ARPA State Fiscal Recovery Fund for the construction costs  
60 associated with the Project.  
61

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

DATED this 13th day of September 2024.

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

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

**BEFORE THE IDAHO WATER RESOURCE BOARD**

IN THE MATTER OF ENTERPRIZE CANAL  
COMPANY'S 55<sup>TH</sup> ROAD RECHARGE BASIN  
EXPANSION

RESOLUTION TO APPROVE FUNDS FROM THE  
WATER MANAGEMENT ACCOUNT OR 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 primary source of drinking water for both cities and most rural  
3 residents of the Eastern Snake Plain; and  
4

5           WHEREAS, numerous factors, including drought, have contributed to the loss of approximately  
6 216,000 acre-feet of storage annually from ESPA since the 1950's resulting in declining groundwater levels  
7 in the aquifer and reduced spring flows to the Snake River; and  
8

9           WHEREAS, the Idaho 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 assist in the stabilization and  
17 improvement of aquifer levels to protect municipal and domestic drinking water supplies, support  
18 agriculture and other industries important to the state economy, and help address variability in climatic  
19 conditions, including drought; and  
20

21           WHEREAS, the American Rescue Plan Act (ARPA), Pub. L. 117-2 subtitle M (2021), appropriated  
22 \$219,800,000,000 to the Coronavirus State and Local Fiscal Recovery Fund (SLFRF) for making payments to  
23 the States to mitigate the fiscal effects stemming from the public health emergency with response to the  
24 Coronavirus disease; and  
25

26           WHEREAS, the SLFRF funds may be used to, among other things, make necessary investments in  
27 water, sewer, or broadband infrastructure. Pub L. 117-2 sec. 602(c)(1)(D), 42 U.S.C. § 802(c)(D); and  
28

29           WHEREAS, eligible uses of the SLFRF include projects that would be eligible to receive financial  
30 assistance through the Clean Water State Revolving Fund (CWSRF), 40 CFR Part 35.3100—35.3170, and the  
31 Drinking Water State Revolving Fund (DWSRF), 40 CFR 35.3520; and  
32

33           WHEREAS, the CWSRF may be used for groundwater projects that protect and restore aquifers,  
34 including aquifer recharge projects; and  
35

36           WHEREAS, the DWSRF can be used to fund aquifer recharge projects such as aquifer storage and  
37 recovery wells and water reuse and recycling projects to replace and offset potable water use and to  
38 develop new sources of water to increase drought resilience; and  
39

40           WHEREAS, in 2022 the Idaho Legislature passed House Bill 769 in which it expressed its intent to  
Resolution No. 48-2024

41 set aside approximately \$250,000,000 of ARPA funding to support projects managed by the IWRB, including  
42 for the continued identification, study, construction, or enlargement of managed aquifer recharge sites  
43 above Milner Dam; and  
44

45 WHEREAS, Idaho Code § 42-1760 authorizes the Idaho Water Resource Board (IWRB) to expend,  
46 loan, or grant moneys from the Water Management Account for water projects that conserve or increase  
47 water supply, improve drought resiliency, address water sustainability, or support flood management,  
48 including the identification, study, and construction of managed aquifer recharge sites above Milner dam;  
49 and  
50

51 WHEREAS, the IWRB passed Resolution 32-2024 for a Water Management Account Spending Plan  
52 which allocates \$40,000,000 for Statewide Recharge Infrastructure; and,  
53

54 WHEREAS, Enterprize Canal Company presented a proposal to the IWRB on September 13, 2024,  
55 for the 55<sup>th</sup> Road Basin Expansion Project ("Project") and associated infrastructure for a proposed cost of  
56 \$2,388,587.  
57

58 NOW THEREFORE BE IT RESOLVED that the IWRB authorizes expenditure of up to \$2,388,587 from  
59 the Water Management Account or the ARPA State Fiscal Recovery Fund for the construction costs  
60 associated with the Project.  
61

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

DATED this 13th day of September 2024.

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

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



**BEFORE THE IDAHO WATER RESOURCE BOARD**

IN THE MATTER OF FREMONT MADISON  
IRRIGATION DISTRICT'S EGIN RECHARGE WELLS  
COMPLEX

RESOLUTION TO APPROVE FUNDS FROM THE  
WATER MANAGEMENT ACCOUNT OR 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 primary source of drinking water for both cities and most rural  
3 residents of the Eastern Snake Plain; and  
4

5           WHEREAS, numerous factors, including drought, have contributed to the loss of approximately  
6 216,000 acre-feet of storage annually from ESPA since the 1950's resulting in declining groundwater levels  
7 in the aquifer and reduced spring flows to the Snake River; and  
8

9           WHEREAS, the Idaho 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 assist in the stabilization and  
17 improvement of aquifer levels to protect municipal and domestic drinking water supplies, support  
18 agriculture and other industries important to the state economy, and help address variability in climatic  
19 conditions, including drought; and  
20

21           WHEREAS, the American Rescue Plan Act (ARPA), Pub. L. 117-2 subtitle M (2021), appropriated  
22 \$219,800,000,000 to the Coronavirus State and Local Fiscal Recovery Fund (SLFRF) for making payments to  
23 the States to mitigate the fiscal effects stemming from the public health emergency with response to the  
24 Coronavirus disease; and  
25

26           WHEREAS, the SLFRF funds may be used to, among other things, make necessary investments in  
27 water, sewer, or broadband infrastructure. Pub L. 117-2 sec. 602(c)(1)(D), 42 U.S.C. § 802(c)(D); and  
28

29           WHEREAS, eligible uses of the SLFRF include projects that would be eligible to receive financial  
30 assistance through the Clean Water State Revolving Fund (CWSRF), 40 CFR Part 35.3100—35.3170, and the  
31 Drinking Water State Revolving Fund (DWSRF), 40 CFR 35.3520; and  
32

33           WHEREAS, the CWSRF may be used for groundwater projects that protect and restore aquifers,  
34 including aquifer recharge projects; and  
35

36           WHEREAS, the DWSRF can be used to fund aquifer recharge projects such as aquifer storage and  
37 recovery wells and water reuse and recycling projects to replace and offset potable water use and to  
38 develop new sources of water to increase drought resilience; and  
39

40           WHEREAS, in 2022 the Idaho Legislature passed House Bill 769 in which it expressed its intent to  
Resolution No. 49-2024

41 set aside approximately \$250,000,000 of ARPA funding to support projects managed by the IWRB, including  
42 for the continued identification, study, construction, or enlargement of managed aquifer recharge sites  
43 above Milner Dam; and  
44

45 WHEREAS, Idaho Code § 42-1760 authorizes the Idaho Water Resource Board (IWRB) to expend,  
46 loan, or grant moneys from the Water Management Account for water projects that conserve or increase  
47 water supply, improve drought resiliency, address water sustainability, or support flood management,  
48 including the identification, study, and construction of managed aquifer recharge sites above Milner dam;  
49 and  
50

51 WHEREAS, the IWRB passed Resolution 32-2024 for a Water Management Account Spending Plan  
52 which allocates \$40,000,000 for Statewide Recharge Infrastructure; and,  
53

54 WHEREAS, Fremont Madison Irrigation District presented a proposal to the IWRB Aquifer  
55 Stabilization Committee on September 5, 2024, for the Egin Recharge Wells Complex ("Project") and  
56 associated infrastructure for a proposed cost of \$7,388,500.  
57

58 NOW THEREFORE BE IT RESOLVED that the IWRB authorizes expenditure of up to \$7,388,500 from  
59 the Water Management Account or the ARPA State Fiscal Recovery Fund for the construction costs  
60 associated with the Project.  
61

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

DATED this 13th day of September 2024.

  
\_\_\_\_\_  
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 AUTHORIZE THE  
EXPENDITURE OF FUNDS FOR DEVELOPMENT  
OF DOWNSCALED CLIMATOLOGY DATA SET

1           WHEREAS, House Bill 266 (HB 266), passed and approved by the 2021 legislature, and 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, HB266 created section §42-4301 on cloud seeding, directing the IWRB to continue its  
7 analysis of cloud seeding operations, conduct an assessment of cloud seeding opportunities across the  
8 State of Idaho, and identify opportunities for expanding the Cloud Seeding Program (Program) within the  
9 State; and  
10

11           WHEREAS, Cloud Seeding Program development and analysis require the use of sophisticated  
12 modeling technologies, many of which are actively under development for the first time; and  
13

14           WHEREAS, to improve modeling capabilities for program development and long term monitoring  
15 and analysis of cloud seeding in Idaho, climatology data that supports modeling will need to be refined;  
16 and  
17

18           WHEREAS, on May 24, 2024, the IWRB adopted the Secondary Aquifer Planning, Management,  
19 and Implementation Fund (Secondary Aquifer Fund) Fiscal Year 2025 Budget, which included funding for  
20 Cloud Seeding Program Research & Development for modeling in the amount of \$1,000,000.  
21

22           NOW, THEREFORE BE IT RESOLVED that, the IWRB authorizes expenditures not to exceed  
23 \$910,000 from the Secondary Aquifer Fund, Cloud Seeding Program, Research & Development -  
24 Technology for a project to downscale the resolution of data sets available in Idaho.  
25

26           BE IT FURTHER RESOLVED that the IWRB authorizes its chairman or designee, Brian Patton,  
27 Executive Manager to the IWRB, to execute the necessary agreements or contracts to complete the  
28 proposed efforts.

DATED this 13<sup>th</sup> day of September 2024.

  
\_\_\_\_\_  
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 AUTHORIZE THE  
EXPENDITURE OF FUNDS FOR DEPLOYMENT  
OF WEATHER INSTRUMENTATION TO  
SUPPORT LIQUID PROPANE INVESTIGATION

1 WHEREAS, House Bill 266 (HB 266), passed and approved by the 2021 legislature, and 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, HB266 created section §42-4301 on cloud seeding, directing the IWRB to continue its  
7 analysis of cloud seeding operations, conduct an assessment of cloud seeding opportunities across the  
8 State of Idaho, and identify opportunities for expanding the Cloud Seeding Program (Program) within the  
9 State; and  
10

11 WHEREAS, Liquid Propane (LP) has been demonstrated to nucleate ice in a lab setting, does not  
12 require orographic winds to disperse material, can generate ice at warmer temperatures, and is less  
13 expensive than traditional cloud seeding agents; and  
14

15 WHEREAS, the IWRB has initiated a pre-investigation of the potential for use of liquid propane as  
16 a seeding agent. The objective of the pre-investigation is to identify a test site for a full scale investigation  
17 of liquid propane as a seeding agent; and  
18

19 WHEREAS, the State of Utah is interested in the potential use of liquid propane for cloud seeding  
20 and has approved funding for a principle investigator (PI) to lead and coordinate the LP research  
21 investigation, and to support instrumentation and the collection of data at current test sites in Idaho; and  
22

23 WHEREAS, the LP pre-investigation will require additional weather instrumentation and data  
24 support for the winter season 2024-2025; and  
25

26 WHEREAS, on May 24, 2024, the IWRB adopted the Secondary Aquifer Planning, Management,  
27 and Implementation Fund (Secondary Aquifer Fund) Fiscal Year 2025 Budget, which included funding for  
28 Research & Development in the amount of \$600,000 for Investigations.  
29


30 NOW, THEREFORE BE IT RESOLVED that, the IWRB authorizes expenditures not to exceed  
31 \$170,000 from the Secondary Aquifer Fund Cloud Seeding Program, Research & Development -  
32 Investigations for costs related to deployment of instrumentation and the collection of data to support a  
33 full scale study of liquid propane as a cloud seeding agent.  
34

35 BE IT FURTHER RESOLVED that the IWRB authorizes its chairman or designee, Brian Patton,  
36 Executive Manager to the IWRB, to execute the necessary agreements or contracts to complete the  
37 proposed efforts.

DATED this 13<sup>th</sup> day of September 2024.



Jeff Raybould, Chairman  
Idaho Water Resource Board

ATTEST   
Dean Stevenson, Secretary