

BEFORE THE IDAHO WATER RESOURCE BOARD

IN THE MATTER OF THE FINANCE COMMITTEE’S
RECOMMENDATION

RESOLUTION TO MODIFY THE IDAHO WATER
RESOURCE BOARD’S ARPA FUNDING
SPENDING PLAN AND PROVIDE SPENDING
AUTHORIZATION

1 WHEREAS, in 2022 the Idaho Legislature passed House Bill 769 in which it expressed its intent to
2 set aside approximately \$250,000,000 of American Rescue Plan Act (ARPA) funds to the Idaho Water
3 Resource Board (IWRB) to be used for certain ARPA-eligible water projects; and
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5 WHEREAS, House Bill 769 appropriated \$100 Million from the ARPA State Fiscal Recovery Fund
6 for Fiscal Year 2023 to support ARPA-eligible water projects managed by the IWRB; and
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8 WHEREAS, the Idaho Legislature, though Senate Bill 1181 passed in 2023 and Senate Bill 1411
9 passed in 2024, appropriated a total of \$100 Million from the ARPA State Fiscal Recovery Fund to the
10 IWRB for certain ARPA-eligible water projects; and
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12 WHEREAS, appropriation of an additional \$50 Million of State ARPA funds to the IWRB is planned
13 for Fiscal Year 2026, for a total allocation of \$250 Million; and
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15 WHEREAS, on January 21, 2022, the IWRB adopted Resolution No. 02-2022 approving an initial
16 allocation of ARPA funds for specified projects; and on July 21, 2023, the IWRB adopted Resolution No.
17 30-2023 approving an updated spending plan for the use of ARPA funds (ARPA Funds Spending Plan) to
18 account for updated project cost estimates:
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20	Anderson Ranch Dam Raise	\$125 million
21	Mt. Home AFB Water Pipeline	\$61 million
22	ESPA Recharge Infrastructure	<u>\$14 million</u>
23	TOTAL	\$200 million

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25 WHEREAS, the IWRB maintains a Regional Water Sustainability Projects (RWSP) Priority List to
26 help guide spending from state general funds, ARPA funds, or other applicable sources for projects that
27 support water supply sustainability on a regional, basin, or statewide scale; and
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29 WHEREAS, on July 1, 2024, the IWRB’s Finance Committee reviewed the RWSP Priority List, the
30 status of ARPA eligible projects, and the allowable uses of ARPA funds for water projects based on Federal
31 and State guidance and legislative direction, and recommended modification of the ARPA Funds Spending
32 Plan to the following:
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34	Anderson Ranch Dam Raise	\$112,500,000
35	Mountain Home Air Force Base Water Resilience Project	\$33,000,000
36	ESPA Recharge Infrastructure	\$14,000,000
37	American Falls Dam Spillway Repair	\$12,500,000
38	New York Canal Rehabilitation Project	\$50,000,000
39	<u>Lewiston Orchards Exchange Project</u>	<u>\$28,000,000</u>

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TOTAL \$250,000,000

WHEREAS, the recommended modification to the ARPA Funds Spending Plan accounts for updated projects cost estimates and buildout schedules as of July 1, 2024; and

NOW, THEREFORE BE IT RESOLVED that the IWRB adopts the following modified ARPA Funds Spending Plan as recommended by the Finance Committee:

Anderson Ranch Dam Raise	\$112,500,000
Mountain Home Air Force Base Water Resilience Project	\$33,000,000
ESPA Recharge Infrastructure	\$14,000,000
American Falls Dam Spillway Repair	\$12,500,000
New York Canal Rehabilitation Project	\$50,000,000
<u>Lewiston Orchards Exchange Project</u>	<u>\$28,000,000</u>
	TOTAL \$250,000,000

NOW, THEREFORE BE IT FURTHER RESOLVED that the modified ARPA Funds Spending Plan does not preclude to use of funding from other sources, including IWRB accounts, to complete the above referenced projects if required.

NOW, THEREFORE BE IT FURTHER RESOLVED that to meet ARPA Funding federal and state obligation and spending requirements, the IWRB authorizes expenditures from the ARPA State Fiscal Recovery Fund for the projects and corresponding amounts identified above.

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

DATED this 1st day of July 2024.



 JEFF RAYBOULD, Chairman
 Idaho Water Resource Board

ATTEST 

 DEAN STEVENSON, Secretary

BEFORE THE IDAHO WATER RESOURCE BOARD

IN THE MATTER OF THE FINANCE COMMITTEE'S
RECOMMENDATION

RESOLUTION TO MODIFY THE IDAHO WATER
RESOURCE BOARD'S WATER MANAGEMENT
ACCOUNT SPENDING PLAN AND PROVIDE
SPENDING AUTHORIZATION

1 WHEREAS, the Water Management Account was created pursuant to Idaho Code § 42-1760 and
2 is administered by the Idaho Water Resource Board (IWRB) for certain purposes; and
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4 WHEREAS, through House Bill 285, the 2019 Idaho Legislature appropriated \$20 Million to the
5 Water Management Account to be used for the Anderson Ranch Reservoir Enlargement (Anderson Ranch
6 Dam Raise) or the Mountain Home Air Force Base Sustainable Water Project (MHAFB Project); and
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8 WHEREAS, House Bill 285 made amendments to Idaho Code § 42-1760, which state, in part, that
9 the Anderson Ranch Dam Raise, MHAFB Project, additional aquifer recharge infrastructure, and other
10 projects selected by the IWRB may be undertaken with funds in the Water Management Account; and
11

12 WHEREAS, through Senate Bill 1121, the 2021 Idaho Legislature appropriated \$50 Million to the
13 Water Management Account; and
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15 WHEREAS, the IWRB approved Resolution No. 07-2021 in March 2021 which allocated funds
16 appropriated under Senate Bill 1121 as follows:
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- | | | |
|----|---|---------|
| 18 | • Anderson Ranch Dam Raise Interim Funding | \$17.6M |
| 19 | • MAHFB Water Resilience Project | \$28M |
| 20 | • Eastern Snake Plain Aquifer Recharge infrastructure | \$22.4M |
| 21 | • Bear Lake Additional Water Storage | \$2.0M |
- 22

23 WHEREAS, the 2022 Idaho Legislature, through House Bill 769, appropriated \$75 Million to the
24 Water Management Account to be used for large water projects and directed the IWRB to use the funding
25 for expenditures, loans, or grants for water projects, including studies, to address water sustainability,
26 rehabilitate or improve aging water infrastructure, or support flood management; and
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28 WHEREAS, House Bill 769 further directed that no more than one-third of the moneys be used for
29 grants and the IWRB shall use criteria that takes into account the public's input for the expenditures of
30 money for grants, that is competitive, and prioritizes projects based on the public benefits they provide;
31 and
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33 WHEREAS, House Bill 361, passed and approved by the 2023 Idaho Legislature, appropriated
34 \$150M to the Water Management Account for large water projects and specified that the funding be used
35 for purposes similar to those specified in House Bill 769, including the requirement that no more than
36 one-third of the money be used for grants; and
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38 WHEREAS, the 2024 Idaho Legislature, through Senate Bill 1411, appropriated \$30 Million to the
39 Water Management Account to be used for large water projects at the direction of the IWRB, resulting in
40 a total of \$325 Million in appropriations to the Water Management Account for specified uses for Fiscal
41 Years 2020 through 2025; and

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43 WHEREAS, pursuant to House Bill 769, the IWRB developed an Aging Infrastructure Grant Program
44 and awarded \$25M in grant money in two Aging Infrastructure application rounds through Resolution
45 nos. 31-2022 and 02-2023, passed in September 2022 and January 2023 respectively; and

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47 WHEREAS, in 2023, pursuant to House Bill 361, the IWRB awarded \$11,083,621 for round three
48 of Aging Infrastructure Grants under Resolution no. 39-2023 and \$7,678,350 for round four of Aging
49 Infrastructure Grants under Resolution no. 03-2024; and

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51 WHEREAS, in July 2021, the IWRB adopted an initial Regional Water Sustainability Projects (RWSP)
52 Priority List to help guide the IWRB’s spending from state general funds, ARPA funds, or other applicable
53 sources for projects that support water supply sustainability on a regional, basin, or statewide scale; and

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55 WHEREAS, in October 2022, the IWRB adopted criteria for inclusion of projects on the RWSP
56 Priority List and has approved funding for projects on a case-by-case basis; and

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58 WHEREAS, on July 1, 2024, the IWRB’s Finance Committee recommended a spending plan for
59 appropriations made to the Water Management Account under the legislation referenced above,
60 including estimated interest. The recommended Water Management Account Spending Plan considers
61 projects currently identified on the RWSP Priority List, Aging Infrastructure Grants, certain IWRB approved
62 loans, and other potential projects and programs; and

63
64 WHEREAS, a number of projects on the RWSP Priority List were determined eligible for funding
65 from ARPA State Fiscal Recovery Fund. Given that ARPA funding has specific federal and state obligation
66 and spending requirements, the IWRB’s Finance Committee recommended allocation of additional funds
67 from the Water Management Account to be used if additional funding is required for project completion
68 or if it is determined that ARPA funds are not authorized for specific project tasks; and

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70 NOW, THEREFORE BE IT RESOLVED that the IWRB adopts the attached Water Management
71 Account Spending Plan as recommended by the Finance Committee.

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73 NOW, THEREFORE BE IT FURTHER RESOLVED that for projects that are identified on the attached
74 spending plan and have been approved by the IWRB for funding from the ARPA State Fiscal Recovery
75 Fund, the IWRB authorizes expenditures from the Water Management Account for project activities that
76 are determined ineligible for ARPA funding.

DATED this 1st day of July 2024.


JEFF RAYBOULD, Chairman
Idaho Water Resource Board

ATTEST 
DEAN STEVENSON, Secretary

**Idaho Water Resource Board - Water Management Account
FY 2025 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

Regional Water Sustainability Projects & Other Large Projects	Budgeted Amount
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)	\$70,000,000
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
* Eligible for ARPA Funding	Total: \$172,698,556

Aging Infrastructure Grants (\$75M Appropriated for program)	Budgeted Amount
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
Total:	\$75,000,000

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

Other Potential Needs	Budgeted Amount
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
Total:	\$68,082,521

Total Budget: \$336,777,410

BEFORE THE IDAHO WATER RESOURCE BOARD

IN THE MATTER OF THE REGIONAL WATER
SUSTAINABILITY PRIORITY LIST

RESOLUTION TO APPROVE ARPA FUNDS AND
CONTRACT TERMS & CONDITIONS FOR THE
CONSTRUCTION OF THE LOWER
CLEARWATER EXCHANGE PROJECT

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

5
6 WHEREAS, The SLFRF funds may be used to, among other things, make necessary investments in
7 water, sewer, or broadband infrastructure. Pub L. 117-2 sec. 602(c)(1)(D), 42 U.S.C. § 802(c)(D); and

8
9 WHEREAS, Pursuant to 42 U.S.C. § 802(c)(4), SLFRF funds may be used to satisfy any non-federal
10 matching requirement for an authorized Bureau of Reclamation (Reclamation) project; and

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12 WHEREAS, The Idaho Legislature in 2022 and 2023 passed legislation setting aside funds from the
13 American Rescue Plan Act (ARPA) for the Idaho Water Resource Board (IWRB) to use on projects including
14 those that have been identified by the IWRB as high priority water sustainability projects; and

15
16 WHEREAS, in July 2021 the IWRB adopted an initial Regional Water Sustainability Priority List to
17 help guide the IWRB's spending for large, regional water sustainability projects from ARPA funds, state
18 general funds, or other applicable sources. The Lower Clearwater Exchange Project (LCEP) was included
19 on the Regional Water Sustainability Priority List; and

20
21 WHEREAS, in February 2024 the IWRB passed Resolution No. 10-2024 approving \$1,287,000 in
22 funding from the Water Management Account to Lewiston Orchards Irrigation District (LOID) to complete
23 30 percent engineering and design for the Lower Clearwater Exchange Project (LCEP). This resolution also
24 authorized Terms and Conditions for the 30 percent engineering and design work; and

25
26 WHEREAS, in May 2024 LOID submitted a request for \$25,000,00 in ARPA funding to complete
27 construction of the Lower Clearwater Exchange Project; and

28
29 WHEREAS, staff has developed proposed the Terms and Conditions for a contract between the
30 IWRB and LOID to complete construction of the Lower Clearwater Exchange Project, included as
31 Attachment A to this resolution; and

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33 NOW, THEREFORE BE IT RESOLVED the IWRB approves the Terms and Conditions for the
34 Construction of the Lower Clearwater Exchange Project as specified in Attachment A to this resolution.

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36 NOW, THEREFORE BE IT FURTHER RESOLVED the IWRB approves \$28,000,000 in ARPA funds for
37 the construction of the Lower Clearwater Exchange Project.

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

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

DATED this 1st day of July 2024.



Jeff Raybould, Chairman
Idaho Water Resource Board

ATTEST 

Dean Stevenson, Secretary

ATTACHMENT A: Terms & Conditions

Lower Clearwater Exchange Project

Background: The Lower Clearwater Exchange Project (LCEP) was initiated to evaluate alternatives to reduce or remove the Lewiston Orchards Irrigation District's (LOID) dependence on surface water diverted and transported on or through the Nez Perce Reservation. The LCEP study was funded through the Bureau of Reclamation (BOR) Water Supply Program and identified four primary alternatives: No Action Alternative, Clearwater River Action Alternative, Snake River Action Alternatives, and Tammany Well Field Alternative. The Tammany Well Field Alternative was ultimately selected by the BOR. The well field alternative assumed four deep-aquifer wells could be drilled and pumped at approximately 2,000 gpm per well in the west part of the LOID system. The wells would pump cross/through the irrigation distribution system to Mann Lake (reservoir "A") for seasonal storage. Well No. 5 and Well No. 6 (the first two wells of the well field) have since been designed and constructed. During the new well operation, evidence has been collected showing a negative groundwater impact on LOID Well No. 3 and No. 4. Wells No. 3 and No. 4 are major domestic supply wells for the LOID. Due to the negative impact on the domestic supply, LOID is reassessing the LCEP and has pivoted to a Clearwater River Action Alternative.

The LOID is bringing the Clearwater River Action Alternative to 30 percent design. This work also includes negotiations for easements and access permissions from the Army Corps of Engineers, railroad, and landowners. The 30 percent design will also provide information to initiate any necessary environmental and cultural resource work.

Next Steps: Construction of a replacement water supply for the Lewiston Orchards Irrigation District from the Clearwater River would consist of five primary milestones : 1) preconstruction work including any needed environmental studies and engineering to final design 2) construction of the river intake structure; 3) construction of a pump station; 4) construction of pipeline to Reservoir A including the disbursement infrastructure, and 5) the power required to operate the finished pump station from the power provider.

Work on these activities is scheduled to commence at the conclusion of the 30 percent engineering design and with the acquisition of all needed permits, easements and rights of way. The finished project would deliver LOID's negotiated water right, to the Lewiston Orchards Project, a Bureau of Reclamation project.

After coordinating with the Project Sponsors, IDWR and Deputy Attorney General's Office, staff propose the following contract framework:

- Execute a contract between IWRB and LOID.
- Funding shall be disbursed in installments with the final installment being paid before December 31, 2026.

- IWRB will require invoices before it makes payments.
- Contract term will run the life of the Project, though all funding will be disbursed by December 31, 2026. Reporting requirements will continue through the life of the contract.
- Project Sponsors will provide annual reports detailing project expenditures and work completed.
- Project Sponsors will comply with the IWRB's standard contract terms and ARPA related terms.

BEFORE THE IDAHO WATER RESOURCE BOARD

IN THE MATTER OF THE REGIONAL WATER
SUSTAINABILITY PRIORITY LIST

RESOLUTION TO APPROVE ARPA FUNDS AND
CONTRACT TERMS & CONDITIONS FOR THE
NEW YORK CANAL REHABILITATION PROJECT

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

5
6 WHEREAS, The SLFRF funds may be used to, among other things, make necessary investments in
7 water, sewer, or broadband infrastructure. Pub L. 117-2 sec. 602(c)(1)(D), 42 U.S.C. § 802(c)(D); and

8
9 WHEREAS, Pursuant to 42 U.S.C. § 802(c)(4), SLFRF funds may be used to satisfy any non-federal
10 matching requirement for an authorized Bureau of Reclamation (Reclamation) project; and

11
12 WHEREAS, The Idaho Legislature in 2022 and 2023 passed legislation setting aside funds from the
13 American Rescue Plan Act (ARPA) for the Idaho Water Resource Board (IWRB) to use on projects including
14 those that have been identified by the IWRB as high priority water sustainability projects; and

15 WHEREAS, Boise Project Board of Control (Boise Project) submitted a request for IWRB Regional
16 Water Sustainability Funds to cover six miles of rehabilitation work to be completed on the New York
17 Canal Rehabilitation Project (Project); and

18 WHEREAS, on March 21, 2024 the IWRB authorized \$25,000,000 in ARPA funds (resolution no. 22-
19 2024) for the New York Canal Rehabilitation Project. Resolution no. 22-2024 also authorized terms and
20 conditions associated with that funding; and

21
22 WHEREAS, in May 2024 the Boise Project submitted a request for \$50,000,000 in additional ARPA
23 funding to complete the New York Canal Rehabilitation Project; and

24
25 WHEREAS, staff has developed updated Terms and Conditions for a contract between the IWRB and
26 the Boise Project to complete the New York Canal Rehabilitation Project, included as Attachment A to this
27 resolution; and

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29 NOW, THEREFORE BE IT RESOLVED the IWRB approves the Terms and Conditions for the New York
30 Canal Rehabilitation Project as specified in Attachment A to this resolution.

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32 NOW, THEREFORE BE IT FURTHER RESOLVED the IWRB approves an additional \$25,000,000 in
33 ARPA funds for the New York Canal Rehabilitation Project.

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35 NOW THEREFORE BE IT FURTHER RESOLVED the contract for this project will also contain standard
36 IWRB contract conditions, ARPA Funding contract provisions, and other project specific Terms and
37 Conditions not specified in this resolution.


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

DATED this 1st day of July 2024.



Jeff Raybould, Chairman
Idaho Water Resource Board

ATTEST 

Dean Stevenson, Secretary

ATTACHMENT A: Terms & Conditions

New York Canal Rehabilitation Project

The Boise Project Board of Control (Boise Project) is located in southwestern Idaho and a portion of eastern Oregon. The canal has been re-lined numerous times throughout the decades with either concrete and/or asphalt, with many areas remaining as earthen lining. The purpose of the project is to rehabilitate and improve this aging infrastructure over a six-year period.

The New York Canal has been designated as an Urban Canal of Concern by the Bureau of Reclamation due to its age and public safety. Rehabilitating and improving the New York Canal has become a high priority for Boise Project. Since 2014, Boise Project has designed, and performed the construction management and installation of nearly 4,000 lineal feet of an innovative geocomposite lining that consists of polyester nonwovens bonded to a polyethylene geomembrane. The liner is inert to biological degradation and naturally encountered chemicals, alkalis and acids. It was selected for its puncture resistance and interface friction properties that allow the liner to be deployed directly in contact with existing soils and steepened side slopes. The life expectancy of the liner is 50 years. The project area was selected based on the age of the canal, public safety risk due to the significant change in elevation from the canal and its embankment to the home properties immediately adjacent to the canal and water conservation.

The project includes replacement of approximately six miles of the existing concrete and asphalt lining with a prefabricated multi-layer geocomposite membrane and concrete cap, over a six-year period.

After coordinating with the Project Sponsors, IDWR and Deputy Attorney General's Office, staff propose the following contract framework:

- Execute a contract between IWRB and Boise Project.
- Funding shall be disbursed in installments with the final installment being paid before December 31, 2026.
- IWRB will require invoices before it makes payments.
- Contract term will run the life of the Project, though all funding will be disbursed by December 31, 2026. Reporting requirements will continue through the life of the contract.
- Project Sponsors will provide annual reports detailing project expenditures and work completed.
- Project Sponsors will comply with the IWRB's standard contract terms and ARPA related terms.

BEFORE THE IDAHO WATER RESOURCE BOARD

IN THE MATTER OF THE IDAHO WATER
RESOURCE BOARD'S COMMITMENT TO
PROVIDE STORAGE WATER

RESOLUTION TO AUTHORIZE SPENDING FOR
STORAGE WATER PURSUANT TO 2024
STIPULATION BETWEEN THE SURFACE WATER
COALITION AND THE IDAHO GROUNDWATER
APPROPRIATORS

1 WHEREAS, on May 30, 2024, the Idaho Department of Water Resources (IDWR, Department)
2 Director Mathew Weaver issued the *Final Order Curtailing Ground Water Rights Junior to March 31, 1954*
3 (Curtailment Order) which found that six groundwater districts (GWDs) were deficient in complying with
4 their existing approved mitigation plans to address an injury volume of 74,100 acre-feet to senior water
5 users and members of the Surface Water Coalition (SWC); and
6

7 WHEREAS, the Curtailment Order was issued as part of the SWC's conjunctive administration
8 delivery call. It indicated that water rights junior to March 31, 1954 in the six GWDs were subject to
9 curtailment and set forth requirements for the GWDs to comply an approved mitigation plan to avoid
10 curtailment; and
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12 WHEREAS, on June 20, 2024, the SWC and the Idaho Ground Water Appropriators (IGWA)
13 submitted a *Joint Motion for Order Approving 2024 Stipulation* (2024 Stipulation) requesting that the
14 Director issue an order accepting the 2024 Stipulation as compliance with the approved 2016 Mitigation
15 Plan for the 2024 irrigation season; and
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17 WHEREAS, on June 20, 2024, the Director, issued an order granting the SWC and IGWA's 2024
18 Stipulation, which established to the satisfaction of the Director that the GWDs would operate in
19 accordance with a Department-approved mitigation plan for 2024; and
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21 WHEREAS, for the 2024 irrigation season, all Eastern Snake Plain GWDs will conform to the 2016
22 Mitigation Plan, in which the GWDs will collectively conserve 240,000 acre-feet of ground water and
23 deliver 50,000 acre-feet of storage water to the SWC in return for protection from curtailment for all
24 members of the GWDs; and
25

26 WHEREAS, the 2024 Stipulation also provides that all members of GWDs agree to a set of actions,
27 including recognizing excess conservation activities performed by the GWDs in 2023 to cure the GWD's
28 2022 breach of the mitigation plan. The parties also committed to negotiating a new mitigation plan by
29 the end of the year to protect juniors from curtailment in the future; and
30

31 WHEREAS, in consideration of the IGWA and SWC's agreement to the 2024 Stipulation, the Idaho
32 Water Resource Board (IWRB) agreed to provide 5,000 acre-feet of IGWA's 50,000 acre-feet storage
33 obligation to the SWC under the 2024 Stipulation; and
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35 WHEREAS, the Director's order approving the 2024 Stipulation acknowledged the IWRB's
36 commitment to providing the 5,000 acre-feet of storage water but indicated that acceptance of the
37 contribution to IGWA's 50,000 acre-feet storage water delivery obligation in 2024 "should not be

38 interpreted as an amendment to the 2016 Mitigation Plan or agreement to allowing the IWRB to carry a
39 share of the obligation in future years;" and

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41 NOW, THEREFORE BE IT RESOLVED that the IWRB authorizes expenditure of up to \$260,000 to
42 cover the cost of rental of water through the Water District 01 Rental Pool, including Water District
43 administrative fees, but waives the IWRB surcharge fee.

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

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DATED this 1st day of July 2024.



JEFF RAYBOULD, Chairman
Idaho Water Resource Board

ATTEST 

DEAN STEVENSON, Secretary