



February 13, 2020

Idaho Legislature
Senate Resources & Environment Committee
P.O. Box 83720
Boise, ID 83720

Subject: Senate Bill 1316

Dear Senator Heider and Committee Members:

The Idaho Rural Water Association (IRWA) is a 501(c)3 non-profit corporation originally formed in 1987 to provide training and technical assistance to public drinking water and public sewer utilities in Idaho that serve communities of less than 10,000 people. IRWA fully supports Senate Bill 1316 (RAFN legislation).

Due to the rural nature of our state, IRWA serves more than 90 percent of public drinking water and wastewater utilities in Idaho. Our Association is currently comprised of over 350 of Idaho's drinking water and wastewater utilities and is governed by a seven-member board of directors that volunteer their time. Directors are elected from IRWA's member utilities.

IRWA was actively involved in the work group that drafted and proposed the RAFN legislation. This legislation proposes changes to the Idaho Water Code as it relates to "reasonably anticipated future needs" water right applications, permits and licenses.

This RAFN legislation provides cities and municipal providers of all sizes the ability to obtain incremental licenses by proving up beneficial use as their water system and service is completed. This incremental licensing will provide these providers more certainty in what they use and may need in the future, will help with setting budgets and assist in planning, zoning and growth decisions.

IRWA believes this proposed legislation is good for its members and for the state of Idaho generally. If there is any information we can provide regarding our position on this proposed piece of legislation, please feel free to contact me or our CEO, Shelley Roberts.

Respectfully,

A handwritten signature in blue ink that reads 'AJ Gray'.

AJ Gray
Legislative Director
Idaho Rural Water Association

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James A. McClure (1924-2011)
Raymond D. Givens (1917-2008)

February 14, 2020

Via Hand Delivery

Chairman Lee Heider
Resources and Environment Committee
Idaho State Senate
State Capitol Building
700 West Jefferson Street
Boise, ID 83702

Re: Statement of support for S. 1316

Mr. Chairman:

I am writing on behalf of my clients, the City of Nampa, North Kootenai Water and Sewer District, and SUEZ Water Idaho in support of S. 1316. This legislation is important to them and to municipal water providers throughout the State of Idaho. We have worked closely with other municipal providers, the Idaho Water Users Association, and the Idaho Department of Water Resources in developing this consensus legislation.

Idaho's Municipal Water Rights Act of 1996 authorized cities and other providers of municipal water to obtain long-term water rights to serve their "reasonably anticipated future needs" and to grow into these rights over a long-term planning horizon set by IDWR for each right. These water rights, known as "RAFN" rights, play a vital role in allowing water providers to plan for the future.

The 1996 Act has proven remarkably successful in ensuring that Idaho's cities are able to secure reliable water supplies to meet the needs of Idaho citizens and businesses as the State continues to grow. It has accomplished this in a way that has avoided the "water wars" between

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competing municipal water providers that have plagued other parts of the West. This is because the 1996 Act contains strong provisions to encourage cooperation in resolving service boundary disputes while preventing speculation in water rights.

Most importantly, RAFN water rights are vital to Idaho's ability to protect Idaho water in the event of future conflicts with other states over interstate water supplies.

This legislation fixes a flaw in the 1996 Act. Under existing legislation, IDWR is required to license a RAFN right just a few years after the permit is issued, despite the fact that full beneficial use has not yet been achieved. Senate Bill 1316 will allow IDWR to license RAFN rights gradually and incrementally over their long-term planning horizon, which may last for decades. Incremental licensing will eliminate uncertainty and confusion, because it will be based on demonstrated beneficial use at each licensing stage. This sensible approach will be more efficient for both municipal providers and IDWR, and will provide certainty for all water users.

Accordingly, the bill has the full support of Nampa, NKWSD, and SUEZ. I ask that this letter be placed into the record.

Sincerely,



Christopher H. Meyer

cc: Vice Chair Bert Bracket
Senator Steve Bair
Senator Daniel G. Johnson
Senator Dean M. Mortimer
Senator Jim L. Patrick
Senator Jim Guthrie
Senator Michelle Stennett
Senator Maryanne Jordan
Committee Secretary Jamie Skrypkun