

IN THE SENATE

SENATE BILL NO. 1411

BY FINANCE COMMITTEE

AN ACT

RELATING TO THE APPROPRIATION TO THE DEPARTMENT OF WATER RESOURCES; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF WATER RESOURCES FOR FISCAL YEAR 2025; APPROPRIATING AND TRANSFERRING MONEYS FROM THE REVOLVING DEVELOPMENT FUND TO THE AQUIFER PLANNING AND MANAGEMENT FUND FOR FISCAL YEAR 2025; APPROPRIATING AND TRANSFERRING MONEYS FROM THE GENERAL FUND TO THE WATER MANAGEMENT FUND FOR FISCAL YEAR 2025; DIRECTING THE USE OF APPROPRIATION FOR GENERAL STREAM ADJUDICATIONS FOR FISCAL YEAR 2025; PROVIDING REAPPROPRIATION AUTHORITY FOR THE ARPA STATE FISCAL RECOVERY FUND; DIRECTING THE USE OF APPROPRIATION FOR GENERAL STREAM ADJUDICATIONS FOR FISCAL YEAR 2024; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF WATER RESOURCES FOR FISCAL YEAR 2024; AND DECLARING AN EMERGENCY AND PROVIDING EFFECTIVE DATES.

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. In addition to any other appropriation provided by law, there is hereby appropriated to the Department of Water Resources the following amounts to be expended according to the designated programs and expense classes from the listed funds for the period July 1, 2024, through June 30, 2025:

	FOR PERSONNEL COSTS	FOR OPERATING EXPENDITURES	FOR CAPITAL OUTLAY	TOTAL
I. MANAGEMENT AND SUPPORT SERVICES:				
FROM:				
General				
Fund	\$15,400		\$64,000	\$79,400
Indirect Cost Recovery				
Fund	<u>3,200</u>		<u>0</u>	<u>3,200</u>
TOTAL	\$18,600		\$64,000	\$82,600
II. PLANNING AND TECHNICAL SERVICES:				
FROM:				
General				
Fund	\$65,100	\$80,600		\$145,700
Aquifer Planning and Management				
Fund	20,500			20,500
Federal Grant				
Fund	<u>6,400</u>	<u>0</u>		<u>6,400</u>

	FOR	FOR	FOR		
	PERSONNEL	OPERATING	CAPITAL		
	COSTS	EXPENDITURES	OUTLAY	TOTAL	
4	TOTAL	\$92,000	\$80,600	\$172,600	
5	III. WATER MANAGEMENT:				
6	FROM:				
7	General				
8	Fund	\$112,500	\$90,000	\$142,500	\$345,000
9	Water Administration				
10	Fund	26,800			26,800
11	Miscellaneous Revenue				
12	Fund	15,400			15,400
13	Federal Grant				
14	Fund	<u>4,000</u>	<u>0</u>	<u>0</u>	<u>4,000</u>
15	TOTAL	\$158,700	\$90,000	\$142,500	\$391,200
16	IV. NORTHERN IDAHO ADJUDICATION:				
17	FROM:				
18	General				
19	Fund	\$6,000			\$6,000
20	V. BEAR RIVER BASIN ADJUDICATION:				
21	FROM:				
22	General				
23	Fund	\$11,000			\$11,000
24	GRAND TOTAL	\$286,300	\$170,600	\$206,500	\$663,400

25 SECTION 2. CASH TRANSFER FOR AQUIFER MONITORING. There is hereby appro-  
26 priated to the Department of Water Resources and the Office of the State Con-  
27 troller shall transfer \$716,000 from the Revolving Development Fund to the  
28 Aquifer Planning and Management Fund on July 1, 2024, or as soon thereafter  
29 as practicable for the period July 1, 2024, through June 30, 2025, to be used  
30 for aquifer monitoring, measurement, and modeling.

31 SECTION 3. CASH TRANSFER FOR LARGE WATER PROJECTS. There is hereby ap-  
32 propriated to the Department of Water Resources and the Office of the State  
33 Controller shall transfer \$30,000,000 from the General Fund to the Water  
34 Management Fund on July 1, 2024, or as soon thereafter as practicable for  
35 the period July 1, 2024, through June 30, 2025, to be used for large water  
36 projects at the direction of the Idaho Water Resources Board.

1 SECTION 4. FILING FEES FOR FISCAL YEAR 2025. Notwithstanding the  
2 provisions of Section 42-1414(1)(c), Idaho Code, it is the intent of the  
3 Legislature that moneys appropriated to the Department of Water Resources  
4 for Idaho's general stream adjudications from the General Fund count toward  
5 the filing fees required under Section 42-1414(1)(a) and (b), Idaho Code,  
6 for water right claims filed in Idaho's general stream adjudications by the  
7 Idaho Water Resource Board and the Governor based on instream flow, public  
8 lake level maintenance, or recreation. If the General Fund appropriation  
9 exceeds the amount required for the Idaho Water Resource Board's and the Gov-  
10 ernor's filing fees in the current fiscal year, the excess shall be counted  
11 toward future filing fees required for those same purposes. If the General  
12 Fund appropriation does not meet or exceed the fee required for claims of the  
13 Idaho Water Resource Board or the Governor, the Director of the Department of  
14 Water Resources shall grant an extension of time to the Idaho Water Resource  
15 Board or the Governor to file the claim, and the General Fund appropriation  
16 for the following fiscal year shall be counted toward the balance of the  
17 filing fee.

18 SECTION 5. REAPPROPRIATION AUTHORITY FOR ARPA STATE FISCAL RECOVERY  
19 FUND. There is hereby reappropriated to the Department of Water Resources  
20 any unexpended and unencumbered balances appropriated or reappropriated to  
21 the Department of Water Resources in the Planning and Technical Services  
22 Program from the ARPA State Fiscal Recovery Fund in an amount not to exceed  
23 \$75,502,500 to be used for nonrecurring expenditures related to water infra-  
24 structure projects for fiscal year 2024 for the period July 1, 2024, through  
25 June 30, 2025. The Office of the State Controller shall confirm the reappro-  
26 priation amount, by fund, expense class, and program, with the Legislative  
27 Services Office prior to processing the reappropriation authorized herein.

28 SECTION 6. FILING FEES FOR FISCAL YEAR 2024. Notwithstanding the  
29 provisions of Section 42-1414(1)(c), Idaho Code, it is the intent of the  
30 Legislature that moneys appropriated to the Department of Water Resources  
31 for Idaho's general stream adjudications from the General Fund count toward  
32 the filing fees required under Section 42-1414(1)(a) and (b), Idaho Code,  
33 for water right claims filed in Idaho's general stream adjudications by the  
34 Idaho Water Resource Board and the Governor based on instream flow, public  
35 lake level maintenance, or recreation. If the General Fund appropriation  
36 exceeds the amount required for the Idaho Water Resource Board's and the Gov-  
37 ernor's filing fees in the current fiscal year, the excess shall be counted  
38 toward future filing fees required for those same purposes. If the General  
39 Fund appropriation does not meet or exceed the fee required for claims of the  
40 Idaho Water Resource Board or the Governor, the Director of the Department of  
41 Water Resources shall grant an extension of time to the Idaho Water Resource  
42 Board or the Governor to file the claim, and the General Fund appropriation  
43 for the following fiscal year shall be counted toward the balance of the  
44 filing fee.

45 SECTION 7. In addition to the appropriation made in Section 1, Chapter  
46 214, Laws of 2023, and any other appropriation provided for by law, there is  
47 hereby appropriated to the Department of Water Resources \$25,502,500 from

1 the ARPA State Fiscal Recovery Fund to be expended for the period July 1,  
2 2023, through June 30, 2024 for large water projects.

3 SECTION 8. An emergency existing therefor, which emergency is hereby  
4 declared to exist, Sections 6 and 7 of this act shall be in full force and ef-  
5 fect on and after passage and approval and Sections 1 through 5 of this act  
6 shall be in full force and effect on and after July 1, 2024.