

MINUTES  
**SENATE RESOURCES & ENVIRONMENT COMMITTEE**

**DATE:** Thursday, March 26, 2026

**TIME:** 12:30 P.M.

**PLACE:** Room WW55

**MEMBERS PRESENT:** Chairman Burtenshaw, Vice Chairman Hart, Senators Guthrie, Harris, Okuniewicz, Cook, VanOrden, Kohl, and Taylor

**ABSENT/ EXCUSED:** None

**NOTE:** The sign-in sheet, testimonies and other related materials will be retained with the minutes in the committee's office until the end of the session and will then be located on file with the minutes in the Legislative Services Library.

**CONVENED:** **Vice Chairman Hart** called the meeting of the Senate Resources and Environment Committee (Committee) to order at 12:33 p.m.

**H 887** **WATER SKIING - Amends existing law to provide an exception for water skiing. Representative Sauter** explained this legislation expanded the area allowed for waterskiing activities. Activities limited to a short slalom course were now expanded to all public bodies of water. It continued to require a mirror so the boat driver could stay in touch visually with their skier. It also restricted waterskiing activities to certain times of day.

**DISCUSSION:** **Senator Hart** asked what other states also allowed the activities authorized by this legislation. **Representative Sauter** responded Florida, Texas, Alabama, Georgia, Louisiana, Kansas, Missouri, Nebraska, Oklahoma, Pennsylvania, and Alaska. He added that some of these states had high traffic boating areas.

**MOTION:** **Senator Taylor** moved to send **H 887** to the floor with a **do pass** recommendation. **Senator Harris** seconded the motion. The motion carried by **voice vote**.

**H 895** **DATA CENTERS - Adds to existing law to establish limitations on consumptive use of water for cooling certain data centers. Representative Raybould** explained this legislation stipulated that starting on July 1, 2026, any data system that began construction could not use water for cooling purposes as a consumptive use, unless that water was supplied by an existing water district that could contract with them to provide water. Within data centers, there were three different types of cooling systems. The consumptive system was an evaporative system, which dispensed clouds of water vapor as a result of heat on the water moving through the system. Large facilities using the consumptive system could consume up to 100 million gallons of water per year. A hybrid system, which used a cooling tower, could use 40 to 60 percent of the water used by an evaporative system. A non-consumptive system, which was a closed loop system and what this legislation encouraged data centers to adopt if they could not get water from other water districts, used roughly 100,000 gallons of water per year.

**Senator Guthrie** asked what happened to the water in a closed loop system when it left the facility. **Representative Raybould** responded that even a closed loop system had some level of water loss throughout the course of the year, so around 100,000 gallons of water would potentially need to be replaced during the year. Sometimes other chemicals were used in those closed loop systems and sometimes water would need to be replaced for issues such as mineral buildup causing problems with pipes.

**Senator Kohl** asked if this legislation addressed closed loop systems that were not necessarily closed, but that reinjected water into the aquifer for cooling purposes. **Representative Raybould** directed Senator Kohl to Section 1, lines 20 through 25, which spoke to the role of the director of the Idaho Department of Water Resources in evaluating a new appropriation or transfer of water rights for data centers. Ultimately, the State of Idaho would make the determination about what qualified, but this legislation established a baseline.

**Vice Chairman Hart** asked how many data centers there were in Idaho, and how many Idaho could expect in the future. **Representative Raybould** responded that there was one outside Kuna and another being considered in the Magic Valley-Burley-Rupert area. She anticipated that given the growth rate in the data center sector that there would be more interested in coming to Idaho.

**TESTIMONY:** **Cynthia Gibson**, representing the Idaho Conservation League (ICL), testified in support of **H 895**. She believed this legislation was a proactive approach to addressing the significant environmental impact of water use and consumption by data centers.

**DISCUSSION:** **Senator Kohl** asked if Ms. Gibson was aware of what other localities had done to address environmental concerns involving data centers. **Ms. Gibson** responded that she was not an expert on data centers, but knew they were in demand and they could be hard on the environment.

**MOTION:** **Senator Guthrie** moved to send **H 895** to the floor with a **do pass** recommendation. **Senator VanOrden** seconded the motion. The motion carried by **voice vote**.

**PASSED THE GAVEL:** Vice Chairman Hart passed the gavel to Chairman Burtenshaw.

**H 939**

**HUNTING - Amends existing law regarding the use of certain technologies.** **Representative Petzke** explained this legislation regulated the use of thermal imaging, night vision, transmitting trail cameras, and drones for hunting. It essentially took the language that was in the related Idaho Fish and Game (IDFG) proposed rule changes and added some exceptions, including for hunting wolves, mountain lions, or predatory wildlife, for agricultural uses, for retrieving wounded animals, for monitoring buildings and personal property for the deterrence of theft, and for monitoring traps.

**DISCUSSION:** **Senator Taylor** asked if Representative Petzke had any forum in mind over the interim to address potential enforcement issues. **Representative Petzke** responded that the Legislature and IDFG would continue to work on addressing the issues presented by this legislation. He spoke about some of the biggest enforcement challenges with this legislation and how these might be addressed in the future.

**Senator Guthrie** asked if this legislation codified the fair chase rules IDFG was considering with exceptions for things like wolves, and if a hunter was caught using thermal imaging and said they were hunting wolves, but they were really hunting ungulates, was there a penalty or a citation opportunity for a IDFG officer. **Representative Petsky** responded yes, it was essentially codifying the rule language and then adding in exemptions. **Ellery TuckerWilliams**, Legislative and Community Engagement Coordinator, IDFG, responded that IDFG had enforcement ability, but she did not know what the specific citations were.

**TESTIMONY** **Dexton Lake**, representing the Idaho Farm Bureau, testified in favor of **H 939**.

**Jeff Abrams**, representing the Idaho Conservation League (ICL), testified against **H 939**. He hoped that similar efforts to the one leading to this legislation would be given more time for broader participation in the future.

**Senator Okuniewicz** stated he believed this legislation was a big step forward and he supported getting it to the Senate floor, but he still had some concerns, including that the use of cameras was treated differently between private and public property.

**MOTION:** **Senator Okuniewicz** moved to send **H 939** to the floor with a **do pass** recommendation. **Senator Harris** seconded the motion. The motion carried by **voice vote**.

**HJM 21** **MINING - States findings of the Legislature and supports re-opening American Tungsten's IMA mining project.** **Chairman Burtenshaw** explained this memorial stated that the Legislature supported the development of American Tungsten's IMA Mine Project located near Patterson in Lemhi County. This mine produced tungsten, a critical mineral for many applications, including a variety for use in national defense. The mine was productive years ago, but closed when China was able to produce tungsten more cheaply. The mine was on private ground and the only tungsten mine in the United States. This memorial asked for the expedited issuance of State of Idaho permits and other authorizations necessary to bring the mine back into operation, and urged the United States Department of War to award a grant to the company to complete the restoration of the mine.

**Vice Chairman Hart** asked if this was a past producing mine that was intending to reopen, and if they were pursuing a permit. **Chairman Burtenshaw** responded that was correct, and the mine was on private ground, not federal or state ground.

**MOTION:** **Senator Harris** moved to send **HJM 21** to the floor with a **do pass** recommendation. **Senator Guthrie** seconded the motion.

**DISCUSSION:** **Senator Taylor** asked where this mine was located. **Chairman Burtenshaw** responded that it was about half a mile to a mile from Patterson, Idaho.

**VOICE VOTE:** The motion to send **HJM 21** to the floor with a **do pass** recommendation carried by **voice vote**.

**ADJOURNED:** There being no further business at this time, **Chairman Burtenshaw** adjourned the meeting at 1:00 p.m.

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Senator Burtenshaw  
Chair

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Shelly Johnson  
Secretary