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WATER RESOURCES

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Exhibit 1

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WATER RESOURCES

Excerpted pages of the
1996 *Idaho State Water Plan*
(Idaho Water Res. Bd., Dec. 1996)

IDAHO STATE WATER PLAN



ADOPTED BY

**THE
IDAHO
WATER RESOURCE
BOARD**

DECEMBER 1996

"There shall be constituted a Water Resource Agency, composed as the Legislature may now or hereafter prescribe, Additionally, the State Water Resource Agency shall have power to formulate and implement a state water plan for optimum development of water resources in the public interest. The Legislature of the State of Idaho shall have the authority to amend or reject the state water plan in a manner provided by law"

Idaho Constitution, Article XV, Section 7

State of Idaho

THE STATE WATER PLAN

Philip E. Batt, Governor

Idaho Water Resource Board

Clarence Parr
Chairman

F. Dave Rydalch
Vice-Chairman

J. David Erickson
Secretary

Robert Graham
Joseph L. Jordan
Erval Rainey
Jerry R. Rigby
Terry T. Uhling

Adopted December 1996
Ratified by the Idaho Legislature March 1997
Statehouse
Boise, Idaho 83720

Former Members of the Idaho Water Resource Board

Robert M. Bandy, Priest River
Brent J. Bell, Rexburg
Mary T. Brooks, Boise
George L. Crookham, Jr., Caldwell
Sally L. Cupan, Sandpoint
Leonard E. Graham, Rigby
Gene M. Gray, Payette
Robert M. Hammes, St. Maries
M. Reed Hansen, Idaho Falls
Kenneth E. Hungerford, Moscow
Franklin Jones, Boise
Evan M. Kackley, Wayan
Donald R. Kramer, Castleford
Ferris M. Kunz, Montpelier
William J. Lanting, Hollister
Charles J. Marshall, Jerome
Herman J. McDevitt, Pocatello
Joseph H. Nettleton, Murphy
Thomas Olmstead, Twin Falls
Arlie L. Parkins, Marsing
William Platts, Boise
Scott W. Reed, Coeur d'Alene
Edward Reichert, Filer
Mike Satterwhite, Lewiston
Edwin C. Schlender, Malta
James Shawver, Eden
LeRoy Stanger, Idaho Falls
John F. Streiff, Lewiston
Richard W. Wagner, Lewiston
J.D. Williams, Preston
George L. Yost, Emmett

To the Citizens of Idaho:

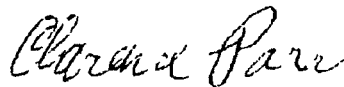
This is the fourth time the Idaho Water Resource Board has reviewed, reevaluated, and updated the Idaho State Water Plan. Idaho has seen many changes since the plan was first adopted in 1976. These changes point out the need for periodic update of all state plans.

Central to all the Water Board's planning activities is the recognition that many of the streams and aquifers in the state are highly developed and utilized. This simple fact complicates the task of planning for future water use immeasurably. New users will have to rely on legal changes in nature of use, rentals from recognized water banks, or other innovative approaches to the water supply question.

The Idaho Water Resource Board is placing great emphasis on developing comprehensive plans for basins, waterways, or other geographic areas. Comprehensive planning has been a State Water Plan policy since 1976. In 1988 the Idaho Legislature provided direction and authority for this detailed planning effort. Comprehensive basin and waterway plans approved by the legislature are identified in this State Water Plan.

Public input is an important factor in all Idaho Water Resource Board activity. The Board has appreciated the interest and concern shown by you, the citizens, in the past. We hope your active participation in our activities will continue.

Sincerely,

A handwritten signature in cursive script that reads "Clarence Parr".

Clarence Parr
Chairman

BEFORE THE WATER RESOURCE BOARD
OF THE STATE OF IDAHO

IN THE MATTER OF THE)
STATE WATER PLAN)

A RESOLUTION

WHEREAS, the Idaho Water Resource Board (the Board) conducted scoping meetings to gather public input concerning policies contained in the State Water Plan; and

WHEREAS, the Board, based on input from the scoping meetings, has proposed changes to existing policies and suggested new policies; and

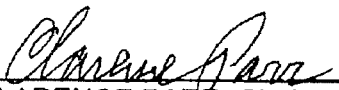
WHEREAS, the Board has circulated these proposed changes; and

WHEREAS, the Board has provided a 60-day public comment period and has conducted public meetings and hearings providing opportunities for public input; and

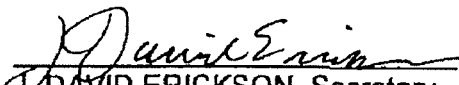
WHEREAS, the Board has reviewed the public record consisting of oral testimony and written comments, and has modified their proposed changes accordingly.

NOW, THEREFORE, BE IT RESOLVED that, having considered the draft amended Plan and the public record, the Board hereby adopts the changes to the State Water Plan specified in Attachments A and B, and directs that these changes be provided to the Idaho State Legislature for their consideration.

PASSED AND APPROVED this 13th day of December, 1996.


CLARENCE PARR, Chairman

ATTEST:


DAVID ERICKSON, Secretary

ATTACHMENT NO. 7, MEETING 8-96
IDAHO WATER RESOURCE BOARD
December 13, 1996

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River Basins Group

The River Basins Group contains resource management policies specific to the state's three major river basin networks: the Snake River Basin, the Bear River Basin in southeast Idaho, and the northern Panhandle river basins.

● Snake River Basin

5A - SWAN FALLS AGREEMENT

It is the policy of Idaho that the Swan Falls agreement between the state and Idaho Power Company establishes the framework for water management in the Snake River basin.

Comment: The Swan Falls Agreement was signed in 1985 by the State of Idaho and the Idaho Power Company. The Idaho Water Resource Board is committed to continued implementation of this agreement. Minimum flows in the Snake River are crucial to the Swan Falls Agreement. During portions of low water years, river flows downstream from Milner Dam to Swan Falls Dam consist almost entirely of ground water discharge. The Eastern Snake Plain aquifer which provides this water must therefore be managed conjunctively as an integral part of the river system. This agreement also calls for the adjudication of water rights in the Snake River Basin to enhance the state's water management capabilities.

5B - SNAKE RIVER MINIMUM FLOWS

It is the policy of Idaho that minimum average daily flows at the Murphy gaging station shall meet or exceed 3,900 cfs from April 1 to October 31 and 5,600 cfs from November 1 to March 31. The average daily flow measured at the Weiser gage shall not be less than 4,750 cfs. A minimum average daily flow of 5,000 cfs at Johnson's Bar shall be maintained and an average daily flow of 13,000 cfs shall be maintained at Lime Point (river mile 172) a minimum of 95 percent of the time. The exercise of

water rights above Milner Dam has and may reduce flow at the dam to zero.

Comment: In licensing the Milner hydropower project, the Federal Energy Regulatory Commission (FERC) specified "target flows" for the Snake River at Milner. The target flow must be satisfied only when water in excess of prior irrigation rights is available. Water for target flows may be acquired from storage or may be leased from the Upper Snake Rental Pool. The State should seek to acquire water whenever it becomes available in order to mitigate the impacts of low flow below the Dam.

The minimum flows established for the Snake River at the Murphy and Weiser gaging stations are management and permitting constraints; they further insure that the State will be able to assure an adequate hydropower resource base and better protect other values recognized by the State such as fish propagation, recreation, and aesthetic interests, all of which would be adversely impacted by an inadequate stream flow.

The minimum flows established for Johnson's Bar and Lime Point are contained in the original Federal Power Commission (now FERC) license for the Hells Canyon hydropower complex. By adopting these flows, the Idaho Water Resource Board recognizes the importance of minimum flows to downstream uses and makes their maintenance a matter of state water policy. Lower flows may be permitted at Lime Point during the months of July, August, and September, during which time the operation of the Hells Canyon dams shall be in the best interest of power and navigation as determined by the Corps of Engineers and Idaho Power Company as owner of the Hells Canyon power facilities.

The Idaho Water Resource Board recognizes that FERC license requirements relate primarily to the provision of water for navigation and power and not to other instream uses. The Board realizes that the state has no authority to require releases of stored water by the power company, but believes the license conditions serve the public interest. When the Hells Canyon hydropower complex is relicensed, the Water Board will reevaluate the public interest.