

Testimony of Mr. Jeff Raybould
Chairman, Idaho Water Resources Board

Before the United States House of Representatives
Natural Resources Committee
Water, Wildlife and Fisheries Subcommittee

Legislative Hearing on H.R. 338, Every Drop Counts Act

Testimony Submitted for the Hearing Record

November 19, 2025

My name is Jeff Raybould, and I am the Chairman of the Idaho Water Resources Board (Board). The Board consists of eight governor-appointed members, knowledgeable in the field of water resources from across the State of Idaho and is required by law to be politically balanced. The Board was established by Idaho Constitution Article 15, Section 7, and is charged with formulating a comprehensive state water plan for conservation, development, management, and optimum use of Idaho's water resources, and undertaking and financing projects and programs to help meet those needs.

Idaho is a headwaters state with significant water resources but also includes vast semi-arid and arid regions. Like all arid Western states, Idaho depends on snowpack for its water supplies, which varies from year to year. Water resource administration and management are therefore of critical interest to the State of Idaho and its residents.

On behalf of the Board, I am pleased to support the enactment of H.R. 338, *Every Drop Counts Act*.

Arid West – Water Supply Conflicts

As with other Western states, water supply shortages and water use conflicts occur across the various regions of the state. Idaho has an exceptional program to adjudicate water rights within the state, including the Snake River Basin Adjudication which was completed in 2014. The Northern Idaho Adjudications and the Bear River Basin Adjudication are currently underway. These adjudications, when completed, will allow the Idaho Department of Water Resources to administer water rights on a priority basis in times of shortage.

About one-third of Idaho's population resides on the Eastern Snake River Plain. The Eastern Snake River Plain is underlain by the Eastern Snake Plain Aquifer ("ESPA"), which is roughly the size of Lake Erie. The ESPA is a 10,000 square-mile aquifer that underlies much of southern and eastern Idaho, supports about 1 million acres of irrigated farmland, municipal water supplies for 18 cities, and thousands of individual domestic wells for drinking water. The aquifer also contributes spring flows to the Snake River, supplying surface water to an additional 600,000 acres of downstream irrigated land, many municipalities, and flows for hydropower generation. In fact, ESPA is the sole source of drinking water for both cities and most rural residents in eastern Idaho and produces goods and services in the region valued at over \$10 billion annually.

Idaho has been very proactive in its responses to drought and water supply shortages for all water uses, including drinking water, irrigation, hydropower, fish, wildlife, environmental needs, and others. With the strong support of Governor Brad Little and the Idaho Legislature, Idaho has made significant investments in water management, building drought resiliency, expanding water supplies, and repairing

and improving critical water resource infrastructure to benefit water availability into the future. Since 2019, more than \$500 million has been appropriated by the legislature to the Board for these water management improvement purposes.

ESPA Comprehensive Aquifer Management Program

In response to water levels in the ESPA that are declining at an unsustainable rate, the Idaho Legislature tasked the Board with developing a plan to stabilize and recover the ESPA resulting in development the Eastern Snake Plain Comprehensive Aquifer Management Plan (ESPA CAMP). The ESPA CAMP was adopted as part of the State Water Plan in 2009 and sets forth a suite of measures, the most prominent of which is the development of a state-sponsored aquifer recharge program. The aquifer recharge program diverts excess surface water (including flood flows) in wet years to stabilize and recover the declining aquifer.

Development of a managed aquifer recharge program requires significant investments in aquifer recharge infrastructure in order to attain the goals of the program. To date, Idaho has invested approximately \$60 million in numerous unique aquifer recharge infrastructure projects, in addition to program operations and maintenance costs and expenditures made by private parties. But more infrastructure is needed to meet the goals of the program and federal financial partnerships are necessary to help meet these needs. The IWRB therefore offers our support for the prompt enactment of H.R. 338.

H.R. 338, *Every Drop Counts Act*,

The Act would amend Section 40903 of the *Infrastructure Investment and Jobs Act* (IIJA) to reauthorize and clarify federal financial support for small water-storage and groundwater-recharge projects. This bill provides several important improvements to federal water infrastructure policy, especially for multi-year integrated aquifer recharge efforts such as those underway in the ESPA. By recognizing that the size of eligible recharge projects should use different considerations than surface storage capacity limits due to the operational differences and explicitly recognizing aquifer stabilization as an approved federal purpose, the Act aligns federal assistance with the true scale and complexity of modern groundwater-management needs in the Western United States.

Expanded Eligibility for Integrated Recharge Projects

The Act creates a separate category of eligibility with different storage-capacity thresholds from projects of up to 30,000 acre-feet under the original IIJA to up to 150,000 acre-feet annually under the new average-annual recharge category. These updated thresholds reflect the operational scale required to influence hydrology in regional aquifers. For the ESPA, where annual managed-recharge volumes routinely fluctuate between very little to hundreds of thousands of acre-feet (depending on flood water availability), this change makes federal financial partnerships realistically attainable for the small, individual recharge infrastructure that make up the network of integrated recharge facilities.

Recognition of Aquifer Stabilization as a Federal Objective

Importantly, the Act introduces “stabilization of groundwater levels” as an explicit eligibility criterion. Many major aquifer systems—including the ESPA—are managed with a primary objective of halting or reversing long-term declines. By acknowledging stabilization as a federally supported program purpose, the legislation supports projects that advance long-term aquifer health, spring-flow recovery, and reduction of conflict among surface and groundwater users.

Small Storage Program Reauthorization

Importantly, H.R. 338 also reauthorizes the Small Storage Program, which would otherwise expire in November 2026. This program has been successful in delivering much needed small storage projects in a streamlined fashion by recognizing they are less complicated and less controversial as some larger

water storage facilities that continue to advance under Reclamation's traditional programs and processes.

Respect for State Authority and Water Rights

The Act appropriately safeguards state primacy over water law by affirming that nothing in the amendment alters state water allocations, authorizes federal water acquisition, or interferes with established water rights or interstate compacts. This clarity maintains continuity for water users in the West and protects the integrity of state-led management frameworks.

Conclusion

The *Every Drop Counts Act* is a timely and pragmatic step toward strengthening the resilience of the arid West's groundwater resources. By expanding eligibility for larger-scale recharge projects and acknowledging aquifer stabilization as a legitimate federal purpose, the Act will provide meaningful support for ongoing and future efforts to secure long-term water availability and avoid certain water conflicts in the American West.

I respectfully urge the Committee to advance this legislation and stand ready to assist in any further discussion or answer any questions from the Committee.