Idaho's Data Center, Nuclear and Energy Decisions, 2016 to 2026

The deals made in Idaho's name, and the say Idaho still has left. A state, regional and national report.

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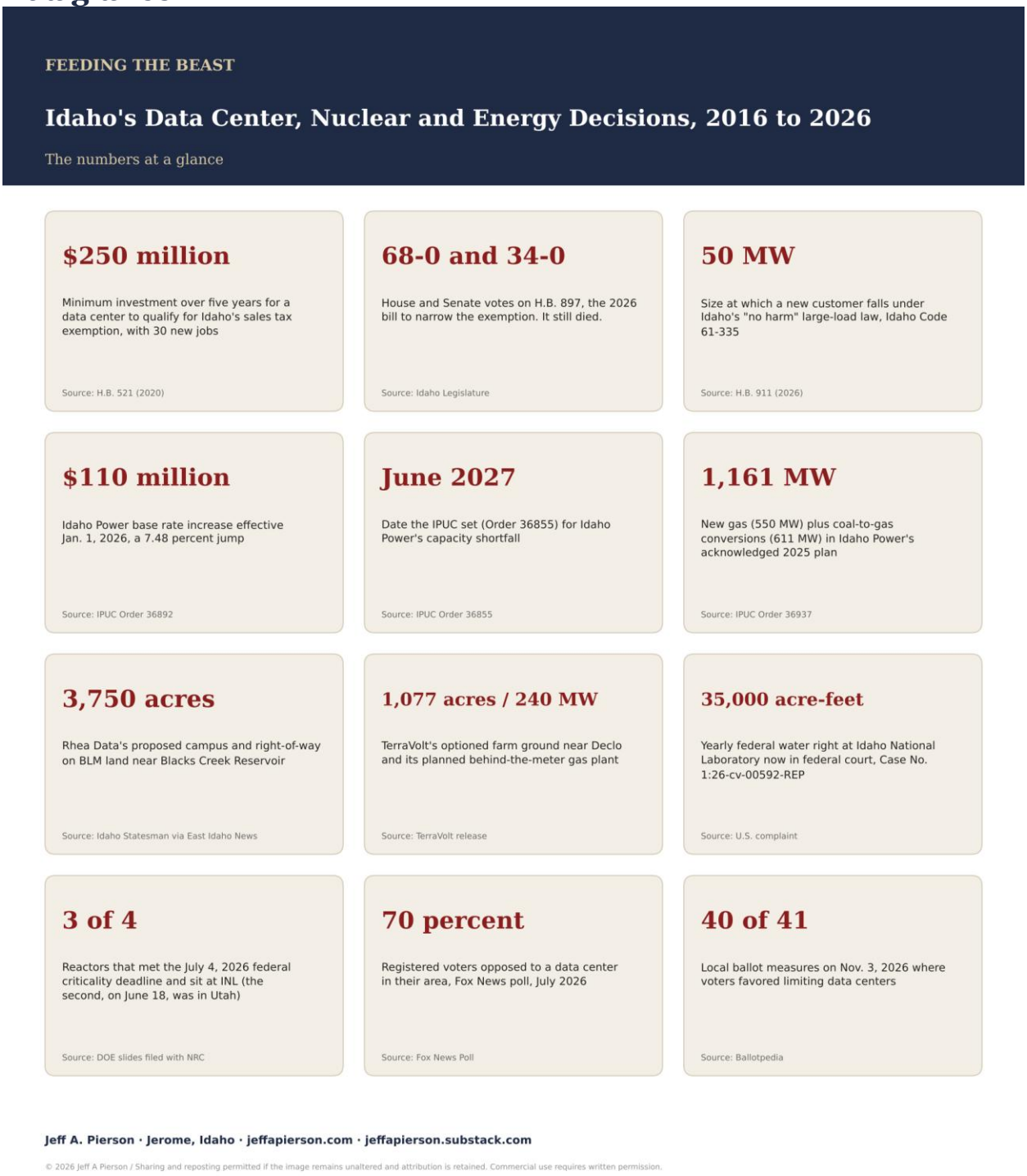
November 2026

At a glance



The numbers at a glance

Idaho has exempted data center servers and buildings from sales tax since July 1, 2020, and the exemption has no end date.[1]

A 2026 bill to narrow that exemption passed the House 68-0 and the Senate 34-0, then died on the last day of the session because the House never voted on the Senate's amendment.[11][15]

Idaho's new large-load law makes customers of 50 megawatts or more pay their full cost of service, but only for contracts signed on or after July 1, 2026, and Idaho Power told the Public Utilities Commission the new law does not apply to Meta's contract for its data center near Boise.[12][21]

Idaho Power's base rates rose three years running, by $54.7 million, $50.6 million and $110 million, while its 2025 plan calls for 550 megawatts of new gas plants, and the IPUC has set June 2027 as the company's capacity deficiency date.[49][50][51][31][32]

Two developers have asked the Bureau of Land Management for public land for data centers, and a third, which has named no customer, has optioned 1,077 acres of farm ground near Declo for a gas-fired campus.[130][134][137]

On July 24, 2026, the governor signed a memorandum with the Energy Department under which any final host deal for a nuclear campus would require Idaho to accept out-of-state spent fuel and high-level waste. Seven weeks later the United States sued Idaho over the water right at Idaho National Laboratory.[146][73]

Pocatello, Bannock County, Blaine County, Mountain Home and Boise each said no, or not yet, to data centers in 2026. Nationally, voters favored tighter limits in 40 of 41 local ballot measures on Nov. 3.[126][145][142][144][214]

Figures for the infographic

Figure	What it means	Source
$250 million	Minimum investment over five years for a data center to qualify for Idaho's sales tax exemption, with 30 new jobs	H.B. 521 (2020) [1]
68-0 and 34-0	House and Senate votes on H.B. 897, the 2026 bill to narrow the exemption. It still died.	Idaho Legislature [11]
50 MW	Size at which a new customer falls under Idaho's "no harm" large-load law, Idaho Code 61-335	H.B. 911 (2026) [12]
$110 million	Idaho Power overall revenue increase effective Jan. 1, 2026, 7.48 percent	IPUC Order 36892 [51]
June 2027	Date the IPUC set (Order 36855) for Idaho Power's capacity shortfall	IPUC Order 36855 [32]
1,161 MW	New gas (550 MW) plus coal-to-gas conversions (611 MW) in Idaho Power's acknowledged 2025 plan	IPUC Order 36937 [31]
3,750 acres	Rhea Data's proposed campus and right-of-way on BLM land near Blacks Creek Reservoir	Idaho Statesman via East Idaho News [130]
1,077 acres / 240 MW	TerraVolt's optioned farm ground near Declo and its planned behind-the-meter gas plant	TerraVolt release [137]
35,000 acre-feet	Yearly federal water right at Idaho National Laboratory now in federal court, Case No. 1:26-cv-00592	U.S. complaint [73]
3 of 4	Reactors that met the July 4, 2026 federal criticality deadline and sit at INL (the second, on June 18, was in Utah)	DOE slides filed with NRC [87]
70 percent	Registered voters opposed to an AI data center in their area, Fox News poll, July 2026	Fox News Poll [233]
40 of 41	Local ballot measures on Nov. 3, 2026 where voters favored limiting data centers	Ballotpedia [214]

Part One: Idaho

(a) Data centers

The tax break that started it

The story starts in the 2020 session. H.B. 521 came out of the House Revenue and Taxation Committee on Feb. 19, 2020, with Rep. Greg Chaney and Sen. Jim Rice as floor sponsors. It created Idaho Code 63-3622VV, a sales and use tax exemption for data center server equipment and for the construction of new facilities. To qualify, a project had to put at least $250 million into Idaho within five years of starting construction and create and keep 30 new jobs within two years of starting operations, at or above the county average wage.[1] Idaho Commerce says a company that takes it can't also receive the state's Tax Reimbursement Incentive. The bill's own Statement of Purpose argued that a large data center was very unlikely to come to Idaho, or to any state, without a sales tax exemption.[2]

The House passed it 37-21-12 on Feb. 28. The Senate passed it 30-1-4 on March 17. Gov. Brad Little signed it March 30, 2020, and it took effect July 1.[1] The Gem State Chronicle, quoting the committee minutes, reported that a Meta representative told House Revenue and Taxation on Feb. 26, 2020 that a data center would bring a "huge increase in the property tax base which will reduce the levy rate."[183]

A second break was already on the books. In 2008 the Legislature capped the taxable value of any business that invests more than $1 billion in one county at $400 million, now Idaho Code 63-4502. The law was written for Areva, a French nuclear company that never built here. Micron has used it for years.[117][183]

Meta near Boise

Idaho Power filed its first contract for a Meta affiliate, Brisbie, LLC, on Dec. 22, 2021 (Case IPC-E-21-42), an Energy Services Agreement for a load over 20 megawatts.[19] On Feb. 16, 2022, the Idaho Department of Commerce announced the data center south of Boise in Ada County: $800 million, about 1 million square feet, 100 permanent jobs.[119]

Then came the fight over urban renewal. In 2023, H.B. 159, sponsored by Rep. Mike Moyle with Reps. John Gannon and Barbara Ehardt, would have made data centers choose between the sales tax exemption and an urban renewal district. BoiseDev reported that a motion to send it to the House floor failed 8-7 in House Revenue and Taxation in late February.[113] The committee later reported it out, but on March 16 the House sent it back to committee, where it died.[4] H.B. 328 passed instead. It pulled the increase in value of a data center taking the 63-3622VV exemption out of an urban renewal revenue allocation area. The House passed it 59-9-2 on March 17, 2023, the Senate 24-10-1 on March 30, and the governor signed it April 5, retroactive to March 16.[3] "This is about keeping our promise to the property taxpayers," said Sen. Lori Den Hartog, the Senate sponsor.[114]

The IPUC approved the Brisbie contract in Order 35777 on May 11, 2023, and approved a 200-megawatt solar purchase from Pleasant Valley Solar as the first resource under it.[20][180] How much power Meta uses has never been public. In 2023 IPUC spokesman Adam Rush told BoiseDev that "the exact amount of power used by the data center is confidential information."[220]

Brisbie began taking Idaho Power service in March 2025, according to Idaho Power's own filing.[21] Meta said in early September 2026 that the campus was serving traffic, with total investment of $1.2 billion.[120][121] The square footage depends on who you ask: KIVI and the

Statesman reported more than 750,000 square feet, Baxtel and BoiseDev 960,000.[120][121] Meta says the two main buildings use closed-loop dry coolers, with some evaporative cooling in its rapid-deployment structures, and that it put more than $100 million into a water and wastewater system for the host city. That dollar figure is Meta's own and grew over time: $50 million in a 2022 report, $70 million in 2023 and more than $100 million in 2026.[119][220][120] The company now counts 75-plus operating jobs. The 2022 promise was 100.[120][119]

What the tax break has been worth to Meta is not public. The only estimate found is a 2022 news figure that the exemption "could save Meta about $48 million." The Idaho State Tax Commission has published no figure.[119] The Gem State Chronicle reported that the value of Meta's campus near Boise crossed $1 billion in 2025.[183] IACI's Alex LeBeau told BoiseDev that Meta would likely reach $1 billion and qualify for the $400 million property tax cap.[117]

On Aug. 21, 2026, Idaho Power and Brisbie signed a Third Amendment to the contract with new terms meant to keep costs from shifting to other customers. Idaho Power filed it Sept. 2 as Case IPC-E-26-25. Idaho Power told the PUC the new state legislation is inapplicable to the contract, according to the IPUC's notice. The Idaho Irrigation Pumpers Association intervened. Written comments are due Dec. 9, 2026.[21][22][23]

Gemstone Technology Park, Ada County

Diode Ventures, a Black and Veatch company, wants a second campus near Boise on 620 acres of Yamamoto family farmland at 3250 S. Locust Grove Road: up to five buildings and more than $1 billion. The city council approved the rezone from agriculture to industrial around April 1, 2025. The four council members split 2-2, and Mayor Joe Stear broke the tie, for a 3-2 final vote.[122][123] Diode promised $30 million over 13 years to the rural fire district, $10 million over 20 years to city police, $500,000 to the school district and 100 percent of Idaho Power's interconnection upgrades. It said it would move groundwater irrigation rights to industrial use with a 33 percent lower maximum volume.[123] Diode has not disclosed its power demand.

BoiseDev reported that in August 2025 Layne Thornton and two Toledo Dairy entities filed a petition for judicial review challenging the vote because of Council Member Greg McPherson's participation, and that McPherson works for Thornton. As of November 2026 the project was still tied up in court.[118][143]

Pocatello and the old Hoku plant

Lex Developments LLC of Gilbert, Ariz., wanted a $2.6 billion AI data center at the former Hoku Materials polysilicon site, 1800 River Park Way. Hoku broke ground there in 2007, walked away in 2012 and went bankrupt in 2013. Lex bought the site in May 2026. BoiseDev puts it at 49 acres. The Post Register says about 59.[127][128]

The hearing on May 14, 2026 drew more than 90 speakers: about 60 against, 20 uncommitted and three for. The planning director's use interpretation came out about five hours before the hearing started. Hearing Examiner Kathleen Lewis denied the conditional use permit on May 19, finding three of seven criteria unmet: public facilities, environment, and public health, safety and welfare. "The application does not adequately address that the project could be served by public facilities and services," the findings said.[124][129]

Lex appealed June 1 through attorney Jon Stenquist of Parsons Behle and Latimer.[125] On July 7 the Shoshone-Bannock Tribes restated their opposition. They quoted the developer as saying "we are not going to use more than four to five houses worth of water," and wrote: "Economic interests must never come at the expense of the people, lands and waters."[107] On July 16 the City Council upheld the denial 4-1. Corey Mangum, Stacy Satterfield, Brent Nichols and Hayden

Paulsen voted to uphold. Dakota Bates voted no. Ann Swanson was absent. "This process sucks," Bates said.[126][127]

The Post Register reported a 14-page reconsideration request on July 29, a 3-2 vote on Sept. 17 to affirm the denial while waiving the one-year wait to reapply, and a petition for judicial review filed in 6th District Court in Bannock County around Oct. 26, assigned to Judge Robert C. Naftz. Lex wants the decision vacated and sent back, plus fees. Principal Gus Shultz (spelled Schultz by the Post Register) told the paper: "100 percent. It's just a matter of when."[128][129]

Public land: Rhea Data and the Falcon Data Center

In August 2025 the BLM's Four Rivers Field Office got an application from Rhea Data, tied to Arevia Power of Las Vegas, for a data center on public land near Blacks Creek Reservoir in southern Ada County. It covers about 3,750 acres: a 3,200-acre campus and 550 acres of right-of-way running into Elmore County. The plan calls for 4 million square feet of buildings and an on-site natural gas plant tied to Idaho Power's grid. The power demand has not been disclosed. A Notice of Intent in the Federal Register was expected before the end of 2026.[130][131] Field Manager Jarod Blades said the BLM is required by law to evaluate the application and that it is not a BLM proposal.[130] "As for how it would be powered, we're too early in the analysis phase to know any details," said Idaho Power spokesman Sven Berg.[130]

The proposal went public Sept. 18, 2026, through the Washington Sun and the Sierra Club. "Our public lands in Idaho are not playgrounds for out-of-state tech companies," said Vienne Aberle of the Idaho Sierra Club.[132] Boise Mayor Lauren McLean said five days later: "Sell offs of public lands to build mega data centers is shortsighted."[133]

The second public-land request came from Copia Digital LLC, which filed a pre-application with the BLM in January 2026 for a "Falcon Data Center" north of Twin Falls near the Midpoint Substation, close to ground once planned for Lava Ridge wind turbines. KMVT reported about 3,000 acres. The Statesman reported 3,700. KTVB calls it a Lincoln County proposal, and KMVT places it across two Magic Valley counties. The BLM confirmed the proposal on Oct. 26, 2026, said a Notice of Intent was at least a year away, and said the land had not been deemed suitable for data centers under the Trump administration's directive.[134][135][136] "We do not believe that data centers belong on public lands," said John Robison of the Idaho Conservation League.[134] Lincoln County Commissioner Rebecca Wood said the outcome will "come down to the governor and the US senators really being in touch with the presidency." Sen. Ron Taylor, D-Hailey, asked, "Where will the water come from?"[135][136]

TerraVolt near Declo

On Oct. 30, 2026, TerraVolt Holdings (OTCQB: GEDC) of Tustin, Calif., announced option agreements on 1,077 acres east of Declo in Cassia County, near State Highway 81, Interstate 84 and the Williams Northwest Pipeline. The plan is 240 megawatts of gas generation behind the meter, islanded from the grid.[137] On May 11, 2026, the company had announced a firm supply of 55,000 MMBtu of gas a day from a supplier it did not name.[103] CEO Joel Stone called grid hookup waits "the single largest bottleneck in the digital economy."[137]

The landowner is Jesse Wickel, whose family has farmed the ground since 1991. "We made this decision with our community and our children's future in mind," he said.[138] Hundreds came to an open house at Declo High School on Nov. 10. A Declo rancher identified by KTVB as Buck Hedges said, "Anytime I see farmland being sold for other purposes, that makes me sad."[139][138] Stone told the crowd, "We want to do everything different."[140]

The company says buyers will have to use closed-loop cooling and estimates 1 to 2 acre-feet of water per building with no regular refill. It projects 1,000 to 1,600 construction jobs and 125 to

175 permanent jobs. Those numbers are the company's.[139] Data centers are not a permitted use in Cassia County, so the project needs county planning and commission approval. No application was on file as of Nov. 13, 2026.[139][140]

The company's own filing tells you where it stands. TerraVolt Holdings (formerly CalEthos), which trades under the same ticker, GEDC, owns TerraVolt Infrastructure, according to its SEC filings.[102][101] CalEthos reported a working capital deficit of $2.8 million for fiscal 2025 and said it needs "substantial financing." After a $15 million April 2026 loan from a company owned by a trust for family members of director Sean Fontenot, its June 30, 2026 quarterly report showed about $10.7 million in cash and positive working capital of about $8.1 million, still with a going-concern warning and a stated need for substantial additional financing. It abandoned an Imperial County, Calif. project in July 2025 and listed 60 holders of record in March 2026. Stone, a former Meta and Microsoft data center manager according to the filing, became chairman and CEO on March 27, 2026.[101] BoiseDev reported in spring 2026 that the company had hired three lobbyists from Sullivan and Reberger, including Patrick Sullivan, and was then eyeing a site near Raft River.[117] Sen. Den Hartog said of the company: "Every time I turn around, what I hear is a little bit different."[117] KTVB reported the company does not expect to qualify for the $400 million property tax cap Micron uses, and does not expect Idaho's current data center incentives to remain after the 2027 session.[139]

Mountain Home and Boise

On Oct. 20, 2026, Weitz and Co. owner Dan Weitz dropped off plans in Mountain Home for "Idaho Premier Power and Data Centers," also called The HUB Project, at the Bennett Ranch Industrial Campus: four three-story buildings of about 850,000 square feet each, gas turbines with diesel backup, and, as KTVB described the proposal, 250 megawatts of solar on an adjacent 160-acre site the company owns.[141][142] Mayor Rich Sykes wrote back that "'Data center' is neither a permitted nor conditional use in any zone in the City." Around Oct. 27 the City Council unanimously adopted an emergency moratorium on data center applications and permits. Idaho law caps such a moratorium at 182 days.[141][142]

In Boise, Mayor McLean proposed a six-month moratorium on Nov. 6 for "mega data centers," defined as more than 100,000 square feet or 20 megawatts. "These data centers don't belong anywhere in Idaho," she said. The City Council adopted it unanimously on Nov. 10, effective immediately.[143][144] Bannock County had already adopted a 180-day emergency moratorium on accepting data center applications in July 2026. Blaine County commissioners approved a 182-day emergency moratorium on data center permitting in early October, KIVI reported Oct. 6. It does not cover land inside Pocatello.[145]

The laws, 2025 and 2026

The 2025 session produced two House-passed bills that died in the Senate. H.B. 315, from Republican Rep. Chris Bruce revised the exemption and passed the House 60-8-2 on March 7, then stalled on the Senate's amending order.[5] H.B. 395, from Reps. Dan Garner and John Gannon, would have made new users over 10 megawatts bring their own power. It passed the House 62-8-0 and never got a Senate State Affairs hearing.[6] "I don't believe this bill will stifle growth; it will just make growth pay for growth," Garner said. Rep. Heather Scott put it this way: "You put in a big development, you give them a tax break, and everyone else picks up the tab."[115]

The 2026 session produced three versions of the exemption rewrite. H.B. 609, introduced Feb. 9 by Bruce, Den Hartog and Gannon, would have narrowed the exemption, added energy and water criteria, barred stacking with the property tax cap and ended the program July 1, 2036. It died in committee.[7] "This is about tax fairness and paying your fair share," Gannon said. Bruce

added that "a lot of folks who passed that exemption didn't realize they were giving sales tax exemptions on the server equipment."[116] H.B. 820 also died in committee, as did H.B. 756, an earlier version of the large-load bill.[8][9]

H.B. 897 was the one that nearly made it. Its Statement of Purpose listed six changes: energy and water criteria, an exemption limited to internal servers, a 20-year limit per project, a property tax change for data centers built after April 1, 2026 to prevent a tax shift, an annual Tax Commission report on revenue not collected, and a five-year report on effects on the economy, energy and water.[11] House Revenue and Taxation, chaired by Rep. David Cannon, sent it to the floor March 18 on Rep. Jason Monks' motion. The only people who testified were from the Idaho Rural Water Association, and they supported it.[13] The House passed it 68-0-2 on March 23.[11]

In the Senate Local Government and Taxation Committee on March 25, chaired by Sen. Doug Ricks, Vice Chair Adams moved to send the bill to the amending order and Senate President Pro Tem Kelly Anthon seconded. The minutes record Den Hartog describing it as "not regulatory, but rather a tax incentive."[14] The Senate's amendment moved the cutoff date from April 1 to July 1, 2026, added receipt retention and annual reporting, and deleted the section that would have changed Idaho Code 63-4502, the $400 million property tax cap. The Senate passed it 34-0-1 on April 1.[11] The next day, April 2, the House Journal shows it returned and referred "to the Revenue and Taxation Committee for concurrence recommendation."[15] The Legislature adjourned that evening. No concurrence vote was ever taken.[11][185]

The record shows no decision to let it die. The session ended the same day as the referral. Gannon later wrote that "the Senate diverted this reform attempt."[184] The Senate's vote was unanimous, but the Senate did strip out the property tax cap change. That was the piece IACI's Alex LeBeau, described by BoiseDev as representing Meta and Micron, called a "poison pill," and BoiseDev reported that Micron's objection had stalled an earlier version.[117][11] "To jam that into this particular bill, those are two different conversations," LeBeau said.[117]

Two bills did become law. H.B. 895, from Speaker Mike Moyle and Rep. Britt Raybould, created Idaho Code 42-252. Data centers that begin construction on or after July 1, 2026 may not use water for cooling as a consumptive use unless the water comes from a municipal, water district, or water and sewer district system. The bill's findings declare that data center water use conflicts with the local public interest and is contrary to conservation of water. It passed the House 58-10-2 and the Senate 32-1-2, and the governor signed it April 2.[10]

H.B. 911, from Reps. Stephanie Mickelsen and Mike Veile, created Idaho Code 61-335, "New Large Load and Ratepayer Protection." A new large load is any service that adds 50 megawatts or more in 60 months under a contract signed on or after July 1, 2026. The utility must file the contract with a "no harm test" before service begins. The IPUC has 270 days to decide and must approve the contract if the utility shows that other customers will keep the same or better reliability and that the new load funds its full cost of service, including the generation, transmission, substation and distribution it causes. The law bars splitting a load to dodge the threshold and requires financial security against stranded costs.[12] It passed the House 65-3-2 and the Senate 34-1-0, and Little signed it April 10. Both new laws took effect July 1, 2026.[12][10]

As of Nov. 13, 2026, no contract under 61-335 appears among Idaho Power's 16 open cases.[27] Idaho Power filed a separate docket on March 31, 2026 (IPC-E-26-07) to review how it spreads costs among customer classes, naming data centers among the "emerging challenges" of large, concentrated load growth.[26]

Schedule 20 and crypto loads

Before AI, the worry was crypto mining. In Order 35428, the IPUC approved Idaho Power's Schedule 20 for "speculative high-density load," effective June 15, 2022, with mandatory rates for loads of 1 megawatt or more.[24] On Aug. 11, 2026, Order 37125 kept Schedule 20's marginal energy pricing and opened a new docket on the cost method.[25]

(b) Nuclear and Idaho National Laboratory

The Batt Agreement

Every nuclear decision in Idaho runs into the 1995 Settlement Agreement, signed by Gov. Phil Batt with the Department of Energy and the U.S. Navy after litigation Gov. Cecil Andrus began in 1991. It limits spent fuel coming into Idaho and sets removal deadlines. Idaho's own 2026 filing to DOE describes the requirement that spent fuel leave the state by 2035.[77][78][146] Gov. Little has said it has been amended "five or six times." In 2025 he approved a waiver to let a cask of high-burnup spent fuel from Virginia into INL for research.[147][148][78]

NuScale and the Carbon Free Power Project

On Oct. 16, 2020, DOE approved a $1.355 billion, 10-year cost share for the Utah Associated Municipal Power Systems Carbon Free Power Project at INL, then planned as 12 NuScale modules of 60 megawatts each.[161] By January 2023 the target power price had climbed from $58 to $89 a megawatt-hour, the same month the NRC certified NuScale's original 50-megawatt module design. The uprated 77-megawatt design was not approved until May 2025. On Nov. 8, 2023, UAMPS and NuScale ended the project, by then scaled back to six 77-megawatt modules, for lack of subscribers.[160] The American Nuclear Society reported in April 2026 that a DOE Inspector General audit found about $183 million spent without key results and $143.5 million in cost share that may be owed back.[162]

Oklo's Aurora

Oklo got a DOE site use permit at INL in December 2019 for what was then a reactor of about 1.5 megawatts,[88] and applied to the NRC for a combined license on March 11, 2020. The NRC denied that application without prejudice on Jan. 6, 2022, for insufficient information.[89] DOE's Idaho office cleared site characterization at "Site 31," 40 acres south of the Materials and Fuels Complex, on Feb. 6, 2024.[90] Oklo broke ground on a 75-megawatt Aurora-INL on Sept. 22, 2025, with Little, Interior Secretary Doug Burgum, Sens. Mike Crapo and Jim Risch, Rep. Mike Simpson and Lt. Gov. Scott Bedke attending.[157] DOE's Idaho office approved its preliminary safety analysis on June 11, 2026.[91] On Nov. 6, 2026, Oklo told investors excavation was complete and steel was going up. Its quarterly filing puts operation in 2028 to 2029.[163]

The July 4 reactor race

Executive Order 14301, signed May 23, 2025, ordered at least three test reactors to reach criticality by July 4, 2026, and gave INL the lead.[86][73] DOE picked 11 projects from 10 companies on Aug. 12, 2025, each company paying its own costs.[85] Four reactors made it, according to slides presented by DOE Assistant Secretary for Nuclear Energy Theodore Garrish and filed in the NRC's ADAMS system: Antares Mark-0 at INL on June 4, Valar Atomics' Ward 250 in Utah on June 18, the second, Deployable Energy's Unity critical experiment at INL on June 30 (World Nuclear News says July 1), and Aalo's test reactor at INL at 12:20 a.m. on July

4.[87][158][159] Energy Secretary Chris Wright said "we have surpassed that ask and delivered four."[158] The federal government's own lawsuit against Idaho says INL delivered all four. The Garrish slides place the second one in Utah.[73][87]

Idaho Falls Power signed a non-binding memorandum with Aalo in September 2024 for up to seven Aalo-1 reactors at its Energy Research Park, not before 2030. No signed power purchase agreement was found.[167] On Sept. 22, 2025, Little signed Executive Order 2025-06 creating the Idaho Advanced Nuclear Energy Task Force.[80]

Data centers at INL

The Idaho Mountain Express reported that DOE listed INL among 16 candidate federal sites for AI data centers in April 2025, and quoted the request as saying Idaho's "regulatory and tax structures also are favorable."[164] On July 24, 2025, DOE named INL one of four sites for AI data centers with power generation. "These sites are uniquely positioned to host data centers as well as power generation to bolster grid reliability," Wright said.[83] On Sept. 8, 2025, DOE offered about 44,000 acres at INL (DE-FOA-0003578), with priority for projects pairing data centers with new generation such as advanced nuclear or enhanced geothermal. Applications were due Nov. 7.[84] A summary of the offer by the law firm Hogan Lovells said applicants would have to buy Idaho water rights on the open market, and that DOE would not provide access to its internal electricity distribution network or a fiber connection.[166] The trade publication Exchange Monitor reported that selections were planned by Dec. 19, 2025.[165] No selection had been announced in any source read for this report.

The Nuclear Lifecycle Innovation Campus

On Jan. 28, 2026, DOE asked states to host Nuclear Lifecycle Innovation Campuses covering fuel fabrication, enrichment, reprocessing and final disposition of waste, plus reactors, manufacturing and co-located data centers.[81] Idaho answered with a response dated March 31 and a cover letter signed by Little on March 30, prepared with the new task force.[78][79] The state offered to modify the Settlement Agreement "in exchange for significant financial consideration and perpetual safety assurances." It said it was "prepared to identify sources of readily accessible on-site water supplies capable of meeting industrial-scale needs." It ruled out a deep geologic repository under INL or above the aquifer, while leaving the door open to deep borehole storage.[78] Cally Younger of the governor's Office of Energy and Mineral Resources said INL "is not an appropriate place for permanent disposal of waste." Leigh Ford of the Snake River Alliance answered: "Temporary means permanent as far as we're concerned."[148]

On July 24, 2026, Little signed a memorandum of understanding with DOE. The Idaho Capital Sun, which obtained it, reported that any host agreement "shall provide for the acceptance of out-of-state used nuclear fuel, spent nuclear fuel, and high-level radioactive waste," that the parties must first address the 1995 agreement, and that the memorandum set a Sept. 30 deadline, binds no one and carries no money.[146] On July 28, DOE named five contenders out of 28 applications from 26 states: Utah, Tennessee, Oklahoma, Louisiana and Idaho. DOE estimated each campus at up to $50 billion in investment, $10 billion in tax revenue and about 25,000 jobs.[82] The Capital Sun, citing the Idaho Statesman, reported that each of three selected states would take a third of the nation's spent fuel stockpile. DOE has not confirmed that.[146]

"This is not waste," Lt. Gov. Scott Bedke told the Idaho Capital Sun in August. "We throw that term around, but this is fuel that can be recycled and used for good purposes."[146] The governor's race split on it. Democrat Terri Pickens said, "I will take Idaho off the table," and independent John Stegner and Constitution Party candidate Pro-Life also opposed it, according to the Capital Sun.[149] The Capital Sun reported that 46 of 105 legislators signed a support

letter, though the names it listed do not add up to that number.[150] Retired DOE and INL manager Joel Case told the Capital Sun he estimated Idaho's share at about 33,000 metric tons: "We don't need to accept 33,000 metric tons of commercial fuel."[151]

West Virginia signed on Sept. 8 as a sixth state. The American Nuclear Society reported it withdrew about three weeks later after Gov. Patrick Morrisey said his state "will not be a dumping ground for nuclear waste. Period."[168][156] In a Sept. 23 interview with the Idaho Capital Sun, Little called disposal over the aquifer "a nonstarter," called safety guarantees "non-negotiable," and said of the Settlement Agreement, "It's sacrosanct, and it's leverage."[147] The Sept. 30 deadline passed with no host agreement reported.[147][155] Former Attorney General and Chief Justice Jim Jones has asked for public hearings.[155]

United States v. State of Idaho

The water fight goes back to a 1990 agreement that gave DOE a federal reserved right at INL of 35,000 acre-feet a year with an April 7, 1950 priority. The two sides were "unable to agree" on whether Idaho's water director could administer it, and each kept the right to sue.[76][73] The right was decreed as No. 34-10901 in the Snake River Basin Adjudication.[73]

Idaho's July 25, 2025 curtailment order for the Eastern Snake River Plain Aquifer left the INL right out. The May 14, 2026 order, curtailing groundwater rights junior to Oct. 11, 1900, put it in.[73][74] DOE filed a special appearance and petition on May 28.[75] On July 14 DOE told the Department of Water Resources it had joined the Big Lost River Ground Water District for the 2026 water year. On July 24, Director Mathew Weaver rescinded the 2026 curtailment as to DOE, denied DOE a hearing and said the question of who administers federal rights belongs before the adjudication court.[74]

On Sept. 11, 2026, the United States, DOE and the Navy sued the State of Idaho, the department and Weaver in U.S. District Court for the District of Idaho, Case No. 1:26-cv-00592. The four claims rest on the Supremacy Clause (direct regulation and discrimination), federal preemption under the Atomic Energy Act and the Naval Nuclear Propulsion Program, and the Property Clause. The United States asks the court to declare that the Idaho Department of Water Resources lacks authority to administer federal water rights and to permanently bar the director from using state law against the United States.[73] "Curtailment of INL's water right would disrupt this national nuclear energy momentum," the complaint says. It also says the order "threatens national security and nuclear safety."[73]

The Idaho Capital Sun reported the suit Oct. 28, seven weeks after it was filed.[152] Idaho filed an answer and counterclaim on Oct. 16 relying on the McCarran Amendment. Attorney General Raúl Labrador said, "The federal government gets no special treatment under Idaho law."[152][153] Jim Jones, who said he helped Andrus with the 1990 agreement, told KTVB, "We understood that we were going to have full control over that water."[154] Which court should decide is still disputed.[153]

(c) Power plants, lines and rates

Lava Ridge

Lava Ridge was a wind project on BLM land northeast of Twin Falls in three Magic Valley counties. The January 2023 draft environmental review described up to 400 turbines, more than 1,000 megawatts and a 197,474-acre project area, tied to Midpoint by a 500-kilovolt line.[58] The BLM's Record of Decision, signed Dec. 5, 2024 and announced the next day, cut it to up to 231 turbines on BLM land, up to 660 feet tall, within 38,535 acres of siting corridors

and a 57,447-acre right-of-way, with an estimated 3,926 acres of ground disturbance on public land and the nearest turbine 9 miles from the Minidoka National Historic Site.[59] Mary Abo, a Minidoka survivor, said the site "deserves to be permanently protected for all Americans."[173]

Idaho's leaders lined up against it. A presidential memorandum on Jan. 20, 2025 ordered a review.[60][174] Little signed Executive Order 2025-01, "Gone with the Lava Ridge Wind Project Act," two days later.[61] The Legislature adopted House Joint Memorial 5 by voice vote in both chambers.[17] On Aug. 6, 2025, Interior moved to cancel the approval, citing "legal deficiencies." Secretary Burgum called it "one of the largest, most irresponsible wind projects in the nation."[62] "Lava Ridge is over!" Sen. Risch said, according to E&E News.[175] The acreage depends on the document. The BLM used 38,535 acres. Interior's cancellation release used about 57,447. The Capital Sun reported 104,000.[59][62][173]

SWIP-North

The Southwest Intertie Project North, built by LS Power's Great Basin Transmission, is a 285-mile, 500-kilovolt line from Midpoint Substation to Robinson Summit near Ely, Nev.[29] DOE picked it for its Transmission Facilitation Program on April 25, 2024, according to LS Power.[179] On Dec. 12, 2025, the IPUC granted Idaho Power a certificate for an 11.4 percent ownership share plus a 250-megawatt capacity entitlement, together 500 megawatts of the line's 1,072 megawatts northbound, with service targeted for 2028. The order said "the record shows the potential for significant customer benefits" and made no finding on the prudence of any cost.[29] The Idaho Irrigation Pumpers Association asked for denial or limits and later received $14,525.70 in intervenor funding.[29][18]

Siting on private land went through a south-central Idaho county. On Oct. 7, 2025, the county commission voted to withdraw and send back Great Basin's special use permit to planning and zoning because highway district documentation was missing. On Nov. 24, 2025, the county planning and zoning commission unanimously reaffirmed the permit with new road-agreement conditions.[171][69]

Boardman to Hemingway

Boardman to Hemingway (B2H) is a 500-kilovolt line from eastern Oregon to the Hemingway substation in Owyhee County. The IPUC's order describes about 300 miles. OPB reported 271 miles and $1.5 billion.[28][176] According to Idaho Power, federal approvals came from the BLM in November 2017, the Forest Service on Nov. 9, 2018 and the Navy on Oct. 2, 2019. Oregon's siting council approved it in September 2022, and the Oregon Supreme Court upheld that in March 2023.[65] The IPUC granted Idaho Power's certificate on June 30, 2023 in Order 35838, with Idaho Power's share at 45.45 percent after it bought out the Bonneville Power Administration.[28] Oregon staff reported in June 2026 that access roads were 52 percent done, pads 56 percent and towers about 23 percent, with mechanical completion targeted for the end of 2027.[64] On IDACORP's Oct. 29 earnings call, according to a third-party transcript, CEO Lisa Grow said B2H "remains on schedule for an in-service date in late 2027."[178] A gold mining company, Malheur Mining Co., sued Idaho Power and the BLM on July 14, 2026 to reroute part of the line, OPB reported.[176]

Gateway West

Interior approved the routes for Gateway West Segments 8 and 9 in southwest Idaho on April 18, 2018, after Owyhee County commissioners appealed the 2017 decision.[63] On April 20, 2026, Idaho Power (99 percent) and PacifiCorp (1 percent) applied for certificates for Segment E-8, a 500-kilovolt line from Midpoint to Hemingway through a proposed Mayfield substation, about 2,000 megawatts, with construction from October 2027 into 2030 (Cases IPC-E-26-09

and PAC-E-26-06).[36] Comments closed Aug. 21, 2026. No final order had been issued.[37][27]

The plans and the shortfall

Idaho Power files an Integrated Resource Plan every two years. The IPUC acknowledged the 2023 plan on June 18, 2024, calling an IRP "a plan, not a blueprint." That plan had Idaho Power out of coal entirely by 2030.[30] The 2025 plan, filed June 27, 2025, forecast peak demand up about 1,700 megawatts, roughly 45 percent, over 20 years, with about 1,000 megawatts inside five years.[71] The IPUC acknowledged it on Feb. 17, 2026. It calls for 550 megawatts of new gas, 611 megawatts of coal-to-gas conversion, 1,445 megawatts of solar, 885 megawatts of storage, 700 megawatts of wind and 344 megawatts of energy efficiency.[31]

The IPUC approved June 2027 as Idaho Power's first capacity deficiency date on Nov. 26, 2025, the date used to set what the utility pays small independent generators. Idaho Power's 2025 plan put its first capacity shortfall in that same month.[32] According to a third-party transcript of IDACORP's Oct. 29 earnings call, Grow said the preliminary 2027 plan assumes retail sales growth of 8.9 percent a year for five years.[178]

Coal to gas, and new gas

Two of the four Jim Bridger units in Wyoming now burn gas, according to Idaho Power, and IPUC staff found the conversion decision prudent.[72][45] The IPUC found 2030 exit dates for Bridger Units 3 and 4 reasonable for the filing before it.[32] The North Valmy plant in Nevada was set for gas conversion in summer 2026, with Idaho Power's share at about 280 megawatts, by the company's account. The IPUC issued a final order on that agreement on July 31, 2025.[72][46] Idaho Power says coal was under 10 percent of its 2025 mix.[72]

New gas plants come next. On March 10, 2026, the IPUC granted a certificate for the Bennett expansion at Mountain Home: up to 167 megawatts from nine reciprocating engines, online June 2028. It let Idaho Power begin booking financing costs on the project from the time it starts buying the engines, for possible recovery later.[33] That order also found that "the Company's system faces a capacity deficit in 2028."[33] Two more plants are pending in Case IPC-E-26-04: South Hills, 222 megawatts from 12 engines near Milner Dam in Twin Falls County, online June 1, 2029, and Peregrine, a 430-megawatt simple-cycle turbine near Simco Road in Elmore County, online June 1, 2030.[34] Order 36994 was only a notice of application. Comments were due July 31, 2026, and no final order had been issued.[34][35][27] Elmore County's planning and zoning commission heard the Peregrine conditional use permit on April 2, 2026, including variances for 160-foot stacks and 75 decibels. The outcome was not found.[70]

Batteries and solar contracts

Idaho Power has stacked up batteries since late 2022. The IPUC approved 120 megawatts at Black Mesa and Hemingway in December 2022, 72 megawatts at Franklin and Hemingway in August 2023, 101 megawatts at Hemingway and Happy Valley plus a 150-megawatt battery contract near Boise in November 2023, 150 megawatts at Boise Bench in November 2024, and 100 megawatts more at Hemingway and Boise Bench in October 2025.[38][39][40][41][42] A 100-megawatt Crimson Orchard storage contract came with a 100-megawatt solar contract, and the IPUC said its cost figures "establish a benchmark for prudency review and are not a hard cap on recoverable costs."[43] Added up, that is 793 megawatts of storage approved or contracted in about three years.

On the solar side, the IPUC's December 2025 list of online resources includes Jackpot (120 megawatts), Black Mesa (40), Franklin (100) and Pleasant Valley (200, built to serve Meta),

plus 129 small PURPA projects totaling 1,128.58 megawatts.[44] Ada County rejected Savion's Powers Butte solar and battery project in 2023, and Idaho Power dropped it.[181]

Hells Canyon

The Hells Canyon Complex of Brownlee, Oxbow and Hells Canyon dams has run without a new federal license since the old one expired in July 2005. FERC staff issued a draft supplemental environmental review in January 2026 and the final on Sept. 4, 2026.[56][57][177] Endangered species opinions were still pending. The IPUC approved a $29,708,787 yearly increase for relicensing financing costs effective Oct. 1, 2025, and on July 7, 2026 found about $315 million in relicensing costs from 2016 to 2025 prudent, noting a license is expected "no earlier than 2027."[47][48]

Rate cases and the PCA

IPUC order	Date	Requested	Approved
36042 (IPC-E-23-11)	Dec. 28, 2023	$111.3 million	$54.7 million
36438 (IPC-E-24-07)	Dec. 31, 2024	$99.3 million	$50,605,147 (3.73%)
36892 (IPC-E-25-16)	Dec. 30, 2025	$199.1 million	$110 million (7.48%), about $12.13 a month for a 900-kWh home
37054 (IPC-E-26-10, PCA)	May 29, 2026	n/a	about $51.3 million (3%), effective June 1, 2026

Sources: [49][50][51][52]

The Power Cost Adjustment moves with water. The 2026 increase was driven by a forecast of 16 percent less hydro.[52] According to a third-party transcript of IDACORP's Oct. 29 earnings call, the company said another general rate case could come as soon as June 2027.[178]

Rooftop solar

On Dec. 29, 2023, the IPUC moved Idaho Power customers who generate their own power to real-time net billing with an avoided-cost export credit, saying on-site generation exists to offset a customer's own use.[53] On Sept. 30, 2025, it limited the cut to the avoided energy value to 40 percent and suspended annual updates until April 1, 2028.[54] Rocky Mountain Power's export credit for newer customers averages 4.2 cents a kilowatt-hour.[55]

State endowment land

The Land Board leased about 11,160 acres of endowment land near Arco to PacifiCorp on Oct. 15, 2024 for roughly 300 megawatts of wind, solar and storage over 49 years, on a 3-1 vote with Attorney General Labrador voting no.[66][172] "I continue to be troubled by some of these projects," Labrador said.[172] Department of Lands staff expected $1.5 million to $2 million a year in rent.[172] On Sept. 16, 2025, the board voted 4-1, Labrador again voting no, to lease the Hornstone Solar site, about 5,200 acres of the Orchard Block roughly 14 miles southeast of Boise, to D.E. Shaw Renewable Investments after an auction with a $215,000 premium.[67]

S.B. 1133 and county rules

S.B. 1133 rewrote Idaho's Agricultural Protection Area Act in 2025. It passed the Senate 27-7-1 and the House 50-18-2, and Little signed it March 31, 2025.[16] This report did not analyze its effect on energy siting.

Counties have written their own rules. In one south-central Idaho county, the commission adopted Ordinance 2025-01 in 2025 to temporarily prohibit renewable energy plants and battery storage.[170] On Jan. 26, 2026, the county planning and zoning commission recommended denial of a new energy chapter as "overly restrictive."[68] The commission adopted an ordinance restricting industrial-scale wind and solar on private land on April 13, 2026, KIVI reported.[169] Elsewhere, the data center moratoria in Bannock County, Mountain Home and Boise are covered above.

(d) Water and the aquifer

Idaho decides water by priority. First in time is first in right, and when the Eastern Snake River Plain Aquifer runs short, the Department of Water Resources curtails junior groundwater users to protect senior ones. In 2026 the Statesman reported a forecast shortfall of 181,000 acre-feet on the aquifer.[153] The May 14, 2026 order cut off rights junior to Oct. 11, 1900.[74]

Idaho Code 42-252 is the newest rule. Data centers that begin construction on or after July 1, 2026 may not use water consumptively for cooling unless it comes from a city, water district, or water and sewer district system. A closed loop that does not consume water is the other option. The Statement of Purpose says the goal is to keep "Idaho's limited water rights resources" available for agriculture and industry.[10] The law does not reach projects that started construction earlier. Jim Jones has warned that data centers on federal land would not be subject to state law.[155]

Then there are deals that move irrigation water off farms. Diode promised to convert Gemstone's groundwater irrigation rights to industrial use at a third less volume.[123] Meta says it put more than $100 million into a water and wastewater system for the host city.[120] TerraVolt says closed-loop cooling will need 1 to 2 acre-feet per building.[139] Every one of those figures comes from the company.

Federal water is the biggest question. DOE's 35,000 acre-feet at INL is the right at the center of the federal claim that Idaho cannot curtail federal water. The law firm Hogan Lovells, summarizing DOE's 2025 offer of INL land, said data center applicants must buy Idaho water rights on the open market.[166] Idaho told DOE in March 2026 it was ready to find on-site water "capable of meeting industrial-scale needs."[78] In September the United States asked a federal judge to declare that the state water department has no authority to administer federal water rights, and to bar the director from using state law against the United States.[73] If that request wins, the state could not curtail the federal right, even in a shortage year when it curtails other groundwater users. "Water is the lifeblood of Idaho, and my office will protect the water rights of Idahoans who depend on it," Labrador said.[152]

(e) Money, lobbying and who decides

The Public Utilities Commission

Three commissioners appointed by the governor decide what Idaho Power and the other utilities build and charge. All three sitting commissioners were appointed by Little. John R. Hammond Jr., a former lead deputy attorney general for the commission, was appointed in January 2022 to replace Kris Raper.[105] Edward Lodge was appointed Jan. 13, 2023 to replace John Chatburn and became president in February 2025.[104][106] Dayn Hardie, a deputy attorney general at the commission since 2019, was appointed in January 2025 to replace Eric Anderson, whom Gov. Butch Otter first appointed in 2015.[106]

In October 2025, former Executive Director Maria Barratt-Riley and former policy strategist Joshua Haver sued the commission in Ada County District Court, according to the Idaho Statesman. They say they were removed April 11, 2025. Their suit alleges open-meeting violations, contacts with utilities that had open rate cases, and retaliation. It names Hammond and Lodge in its allegations and says former commission president Paul Kjellander, then a consultant, attended a Feb. 6 meeting with commissioners on behalf of a client.[182] These are allegations. No court ruling was found, and the commission does not comment on pending litigation.[182] The case number and current status were not found.

Idaho Power's political money

IDACORP's federal employee PAC, IDA-PAC (FEC committee C00083832), is run with IDACORP's chief financial officer, Brian Buckham, as treasurer. Its filings show steady giving to Idaho's congressional delegation. In 2015 and 2016 it gave $3,500 to then-Rep. Raúl Labrador's House committee. On Dec. 3, 2020, it gave $5,000 to Save America PAC, a Risch leadership PAC that is not the Trump committee of a similar name. In 2023 and 2024 it gave $5,000 a year to PAC for America, linked to Risch, and to Crapo's Freedom Fund. Its 2025 federal giving totaled $22,500, including $5,000 each to Friends of Jim Risch, the Crapo Victory Committee, Simpson and the Edison Electric Institute's PowerPAC. FEC totals for the full 2025-26 cycle through Sept. 30, 2026, which already include 2025, show $32,213.60 raised and $42,500 given, including $5,000 to Rep. Russ Fulcher on Feb. 17.[99] IDACORP's 2026 proxy statement reports about $1,002,750 in lobbying spending in 2025, $49,750 to Idaho state candidates and $17,000 to Oregon state candidates.[100] Which Idaho candidates got that money could not be read from the Secretary of State's Sunshine portal for this report.

None of this proves anyone's vote or decision was bought. Contributions arrive on a calendar, and decisions happen on a calendar, and the fact that the two line up says nothing by itself about cause. The record shows the giving and nothing about what it bought, if anything.

Who lobbied on H.B. 897

The minutes show only supporters testifying in the House committee.[13] The opposition was quieter. BoiseDev reported that IACI's LeBeau called the property tax piece a "poison pill" and that Micron's objection stalled an earlier draft.[117]

No recorded decision ended H.B. 897. The bill was referred to Chairman Cannon's committee for a concurrence recommendation on April 2, the last day of the session, and the Legislature adjourned that evening.[15] Why it never came up has not been explained on the record.

Part Two: The region

Oregon

Oregon moved early on making data centers pay their way. The Legislature gave final passage to H.B. 3546, the POWER Act, in June 2025. It puts users over 20 megawatts in their own rate class with 10-year contracts and makes them pay for the transmission they need. It applies to Portland General Electric, Pacific Power and Idaho Power's Oregon customers.[192] "A 30-megawatt data center will use as much electricity as the City of Ashland," said its chief sponsor, Rep. Pam Marsh.[192] Gov. Tina Kotek signed it Aug. 25, 2025.[193]

A year later the state's utility commission reported the results for PGE: residential rates down 1.3 percent on average, data center rates up 29 percent, with data center load growing about 36 percent a year since 2021.[97][98] "Oregon households and businesses shouldn't be asked to foot the bill for data center corporations," Kotek said.[97]

Oregon also shows what a tax break costs. Good Jobs First found property tax abatements cost Oregon schools about $275 million in 2024, up from $125 million in 2019.[216] Marketplace reported that in Prineville, Meta paid $178,000 and Apple $169,000 in property tax last year, against $31 million combined without enterprise zone breaks.[212] In The Dalles, the city spent 13 months fighting in court, on Google's behalf, to keep Google's water use secret before dropping the case in December 2022. Google had used 274.5 million gallons in 2021.[211] Hillsboro paused new data center applications for 120 days in July 2026, KATU reported.[201]

Utah

Utah went the other way. S.B. 132 (2025) lets loads of 100 megawatts or more build their own generation if Rocky Mountain Power cannot serve them after a 90-day review.[110][208] On May 4, 2026, Box Elder County commissioners unanimously approved the Military Installation Development Authority's Stratos project: about 40,000 acres in Hansel Valley and up to 9 gigawatts.[194] Axios reported that MIDA set a 0.5 percent energy tax rate for it when it could charge 6 percent.[195] Utah State physicist Robert Davies said 9 gigawatts of gas would raise Utah's greenhouse gas output by about half.[195] "If I vote no, this project could still move forward using different means to accomplish their goal," said Commissioner Boyd Bingham.[194] Utah is also one of the five nuclear campus contenders.[82]

Wyoming

Cheyenne landed a Tallgrass and Crusoe AI campus in July 2025, starting at 1.8 gigawatts and scalable to 10, powered by gas plus renewables. "This is exciting news for Wyoming and for Wyoming natural gas producers," said Gov. Mark Gordon.[196] The NRC approved TerraPower's Natrium construction permit at Kemmerer in 2026, a 345-megawatt reactor costing about $4 billion with about $2 billion from DOE. The commission authorized the permit March 4, the American Nuclear Society reported, and NRC staff issued construction permit CPAR-1 on March 9. TerraPower announced the start of reactor construction April 23, the date ENR reported.[197][198] Idaho Power, which holds a share of the Jim Bridger plant in Wyoming, said in April 2026 that two of its four units now burn gas.[72]

Washington

Grant County PUD capped data center load growth in April 2025 because of transmission limits, GovTech reported.[203] Washington ended its sales tax exemption for replacement data center servers effective July 1, 2026.[205] A 2026 bill on facilities over 20 megawatts, H.B. 2515, passed the House 51-41 and died in the Senate, the law firm Davis Wright Tremaine reported.[204]

Nevada and Montana

NV Energy sued data center developer Tract in July 2026 over power deliveries, and told the Nevada Independent that data center requests now total about 22 gigawatts.[200] Boulder City voters defeated a pro-data-center ballot measure on Nov. 3.[214] SWIP-North ends in Nevada, and Idaho Power holds a share of the North Valmy plant there.[29][46] In Montana, an interim committee unanimously advanced a 2027 bill in September 2026 giving the Public Service Commission oversight of new loads of 5 megawatts or more, the Daily Montanan reported. "This

bill clearly states that the cost shift cannot occur onto residential customers," said Sen. Daniel Zolnikov, R-Billings.[199]

The Northwest Power Council and BPA

The Northwest Power and Conservation Council's draft Ninth Plan, released Aug. 13, 2026, says Idaho, Montana, Oregon and Washington need about 11 gigawatts of new generation within five years, with data centers adding about 4 gigawatts by 2030, according to OPB. Comments ran through Oct. 16.[202][112] "No single resource on its own will be able to meet our growing need for energy in the future," said the council's Jennifer Light.[202] The Bonneville Power Administration supplies about a third of the region's power and runs more than three-quarters of its transmission.[202] Utility Dive reported that NERC's 2025 long-term assessment rated parts of the Pacific Northwest at high risk of shortfall within five years.[219]

FERC and the West

Federal action on large loads mostly skips this region. FERC's Order 1920 in May 2024 required long-term regional transmission planning.[96] On Oct. 23, 2025, Secretary Wright used Section 403 of the Federal Power Act to direct FERC to write a rule for interconnecting loads of 20 megawatts or more (Docket RM26-4).[94][207] On June 18, 2026, FERC issued six show cause orders on large-load interconnection to NYISO, ISO-NE, CAISO, MISO, PJM and SPP.[207][95] None of those grid operators runs the system Idaho Power uses. How RM26-4 will reach utilities outside organized markets in the West is still open.[94]

Part Three: The nation

What Washington ordered

On Jan. 21, 2025, President Trump announced Stargate at the White House: SoftBank, OpenAI, Oracle and MGX, with $100 billion up front and up to $500 billion over four years.[221] On July 23, 2025, he signed Executive Order 14318, "Accelerating Federal Permitting of Data Center Infrastructure." It covers projects that add more than 100 megawatts of load or commit at least $500 million, speeds environmental review with categorical exclusions, and points developers to federal land and brownfields.[92] "It will be a priority of my Administration to facilitate the rapid and efficient buildout of this infrastructure," the order says.[92] The four nuclear orders of May 23, 2025 set goals of 400 gigawatts of nuclear by 2050, 10 large reactors under construction by 2030 and 18-month licensing.[86][244] On July 24, 2025, the day after the permitting order, DOE named INL, Oak Ridge, Paducah and Savannah River as federal data center sites.[83]

On March 4, 2026, Proclamation 11014 announced a "Ratepayer Protection Pledge" by seven tech companies, not named in the text, to supply their own generation, pay for delivery upgrades and take separate rates. Data center builders "must not pass this cost on to the American people," it says.[93] The pledge is voluntary. A separate bill, the Ratepayer Protection Act, passed the House 417-3 but failed cloture in the Senate 57-43 on Sept. 30, 2026, according to WMUR.[189]

How big the load is

Data centers used about 176 terawatt-hours, 4.4 percent of U.S. electricity, in 2023, up from 58 terawatt-hours in 2014, and could reach 6.7 to 12 percent by 2028, according to the Lawrence Berkeley lab report DOE released in December 2024.[109] EIA says servers were about 7 percent of commercial electricity in 2025 and could reach 22 to 33 percent by 2050.[239]

Separate from data center demand, 2,061 gigawatts of proposed generation and storage were waiting in U.S. interconnection queues at the end of 2025. Only about 13 percent of what asked to connect from 2000 to 2020 was ever built.[238]

What people think

Every major 2026 poll that asked found more Americans against a data center near them than for one.

Pollster	Field dates	Result
Gallup	March 2-18, 2026	71% oppose an AI data center in their area, 48% strongly; 53% oppose a nuclear plant[218]
Annenberg (UPenn)	June 16 to July 19, 2026	61% oppose new local data centers (44% strongly), up from 49% in spring; support 14%, down from 21%[234]
Fox News	July 17-20, 2026	70% oppose, 30% favor, among 1,003 registered voters; 60% of Republicans and 76% of Democrats oppose, according to The Hill's report on the poll[233][188]
Pew Research	Jan. 20-26 and July 20 to Aug. 9, 2026	"Mostly bad" for the environment rose from 39% to 54%, for home energy costs from 38% to 50%, for nearby quality of life from 30% to 49%[236][235]
Economist/YouGov	Aug. 28-31, 2026	63% oppose, 19% support; 60% expect higher electricity costs; 52% of Republicans oppose[237]

One report put Gallup's figure at 71 percent.[186] Voters acted on it. On Nov. 3, 2026, they favored limits in 40 of 41 local data center ballot measures, Ballotpedia found, with Harwood, N.D. the lone exception.[214] A Humans First memo reported by Fox News found counties hosting data centers shifted 2.2 points more toward Democrats than other counties. The memo itself was not reviewed for this report.[213]

What the research says about incentives

Good Jobs First found in November 2025 that 36 states exempt data center equipment from sales tax, only 11 disclose who gets it, only five disclose the amounts, and the cost runs at least $1 million per permanent job.[217] Georgia's auditors put that state's exemption at $474.2 million forgone in fiscal 2025 and found 30 percent of data centers would not exist "but for" the break. In January 2026 they cut their construction job estimate from 28,350 to 8,505 and operations jobs from 5,471 to 1,641.[111][210] Audit staff told WSB-TV on Jan. 15, 2026, that the original summary had a calculation error and that the underlying University of Georgia study stood. Virginia's legislative auditors valued that state's exemption at about $928 million in fiscal 2023 and estimated that a typical Dominion residential customer's generation and transmission costs could rise $14 to $37 a month by 2040, in inflation-adjusted dollars.[209] Economist Timothy Bartik's survey of research on business incentives across industries finds they tip only 2 to 25 percent of location decisions.[241] Brookings found data center counties gain roughly 100 to 200 jobs with no wage change, and home prices rise 2 to 5 percent.[240]

States have moved. Quorum counted 486 data center measures in 2025 and 2026, 42 of which became law in 23 states.[242] Clean Energy Group lists eight states with laws on who pays for data center power: Florida, Minnesota, New Jersey, Oklahoma, Oregon, South Dakota, Tennessee and Texas.[243] Florida Gov. Ron DeSantis signed S.B. 484 on May 7, 2026. "SB 484 ensures that local governments maintain the authority to reject data center development in their communities," he said.[108] Texas's S.B. 6 lets the grid operator cut big loads in an emergency.[206]

China, patriotism and the pushback

By summer 2026 the argument had changed. On Aug. 31, President Trump posted on Truth Social that opponents want to "end up being backwards and poor" and that "China could not be happier with this anti Data Center movement." He added: "If we kill the Golden Goose, you will only have yourselves to blame."[186] On Sept. 10 he told Fox News host Laura Ingraham that "a lot of people say that it's a China PR thing."[228] On Sept. 28, House Speaker Mike Johnson called the opposition a Chinese psyop on Fox Business. Outlets quoted his opening words three different ways. He also said, "We do not need a moratorium."[187][227] Rep. Steve Scalise also suggested China was behind the skepticism, The Hill reported.[188]

Congress had moved months earlier. In May, Interior Secretary Burgum blamed a "propaganda war" on Fox Business[228] and "foreign-sourced dark money" at a Breitbart event.[229] On June 4, 2026, House Energy and Commerce Republicans led by Chairman Brett Guthrie sent a letter claiming "strong evidence" of China-linked influence and asked for briefings from the President's Council of Advisors on Science and Technology and FBI Director Kash Patel.[229] Around Sept. 23, Reps. Jason Smith and John Moolenaar asked Treasury and the IRS to investigate the tax-exempt status of nonprofits they say fuel the opposition, Fox News reported.[231] Industry groups including NetChoice, the Coalition for Affordability and Prosperity and Innovation Council Action made the same China claim, Axios reported in June.[191] The American Edge Project's CEO wrote in a post quoted by Semafor, "Beijing cannot out-build us, so it is trying to talk us into handcuffing ourselves."[190] Much of the psyop talk traces to a Bitcoin Policy Institute report, and Popular Information noted its author concedes that "much American opposition to data centers is indisputably authentic."[232]

Experts pushed back. Researchers told KMBC the "China PR thing" claim was exaggerated; tech companies had found Chinese influence campaigns on social media, but with little reach.[228] "When everything becomes a China national security issue, nothing becomes a China national security issue," said Samm Sacks, a scholar of U.S.-China tech policy.[190] Northern Virginia activist Elena Schlossberg told Axios, "I know for a fact [data center opposition] is organic."[191] Local opposition blocked or delayed about $64 billion in projects ($18 billion blocked, $46 billion delayed) over two years, according to Data Center Watch's 2025 report, which also found that 55 percent of elected officials publicly opposing large data center projects were Republicans.[230] Newsweek reported the group's later count: more than 75 projects worth about $130 billion halted in the first three months of 2026.[222] The Fox News poll's 70 percent opposition included 60 percent of Republicans and 76 percent of Democrats, according to The Hill's report on the Fox News poll.[188][233] Annenberg found 54 percent of Republicans and 69 percent of Democrats opposed.[234]

Some Republicans pushed back. On Nov. 11, 2026, Sen. Josh Hawley of Missouri became the first Senate Republican to call for a national data center moratorium, Yahoo News and the Daily Caller reported, the latter citing The Hill. His spokesman said it should last until Congress passes a bill of rights guaranteeing no rate increases.[223][224] In December 2025 Hawley had told E&E News, "What I do not want to have happen is what has happened in Virginia, where they come in and everybody's prices go way, way, way up."[225] Marjorie Taylor Greene, then a Georgia congresswoman, posted in December 2025 that "rushed AI expansion and data centers being built all over the country with no plan ... has massive future implications."[225] Rep. Chip Roy raised concerns about what data centers do to local communities.[187] Rep. Tim Burchett, R-Tenn., answered the president's "backwards and poor" post by suggesting data centers go on military installations instead, The Hill reported. Its headline quoted him: "I guess I'm backwards and poor."[188] DeSantis called Florida's S.B. 484 "much-needed protections for taxpayers and our natural resources," and his law kept the right to say no in local hands.[226][108] Newsweek reported Vice President JD Vance saying higher utility bills account for "99 percent of the backlash."[222]

The other side has a real argument too. "We are in a race for AI with China, so data centers are a part of that," Rep. Scott Perry told E&E News in December 2025.[225] DOE's Mike Goff put the national case plainly in 2025: "The United States must win the global AI race to ensure a higher quality of life for every American."[84] Foreign influence campaigns do exist. They don't explain why 70 percent of voters, and majorities of Republicans in the Annenberg and Economist/YouGov polls, say no to a data center next door.[233][234][237]

What it adds up to

I'm a conservative, a Republican, a constitutionalist, a believer in free markets and an advocate for liberty. Data centers are real infrastructure. Hospitals, banks, 911 dispatch, the national labs and the military all run on them, and Idaho should have the ones it needs. Ad targeting, surveillance, crypto mining and speculative AI with no named customer are a different animal, and Idaho families shouldn't pay for somebody else's business plan.

Look at what the state has done since 2020. It gave a sales tax exemption with no end date and no public accounting of what it costs. No public Tax Commission figure on what Meta has saved turned up in this research, and the bill that would have required one died waiting for a committee to schedule a vote. Every legislator who voted on H.B. 897 voted for it. It died anyway, on the last day of the session, and nobody has explained why on the record.

The free market doesn't need a tax exemption to build something people want. If a data center pencils out, it will get built. If it only pencils out with a break from the people of Idaho, that's corporate welfare. And when a company that has named no customer, and that says in its own federal filing it needs "substantial financing," can line up farm ground while the exemption stays on the books with no end date, that is the kind of arrangement I call cronyism.[101][137]

Whoever causes a cost should pay it. H.B. 911 says that, and I give the Legislature credit for it. But it only covers contracts signed on or after July 1, 2026. Idaho Power told the PUC that Meta's contract is outside it. Idaho Power is building gas plants, batteries and lines, and on its October earnings call CEO Lisa Grow said the company's preliminary forecast for its next plan is 8.9 percent a year in retail sales growth for five years, according to a third-party transcript.[178] The bill for the past three years of base rate increases has already landed on homes and farms. The IPUC's three commissioners were all appointed by one governor, and the one public window into that agency right now is a whistleblower suit full of allegations no court has tested, which leaves ratepayers with very little daylight.

The water question is the one that should worry every irrigator on the plain. The state told DOE it was ready to find water for industrial-scale use at INL. Then the federal government sued to take its water right out of the state's hands. If the United States wins, the cuts in a shortage year could fall on farmers, fish producers and cities, with the federal user exempt. Defending Idaho's water from Washington is the conservative position.

On nuclear, I'm interested in small modular reactors and in INL's work. I'm not against hydro. But the governor signed a memorandum that ties any host deal to out-of-state spent fuel and high-level waste, and Idahoans found out about it after he signed, which is backwards.

No subsidies. Full disclosure of water and power use, with no nondisclosure agreements hiding it from the public. Decommissioning bonds so nobody walks away and leaves a substation behind. No hyperscale data centers or their power plants on farmland, near homes or on public land, and no rezoning farmland for them. Developers should show they looked at brownfields,

military bases under Executive Order 14318 and industrial zones first. Large solar complexes don't belong on farm ground or public land either. And real notice and real hearings before the deal, every time.

Key timeline

The full timeline, with more than 300 dated entries, is in the companion spreadsheet. These are the most important.

Date	What happened	Who decided	Source note
Jan. 2017	BLM decision on Gateway West Segments 8 and 9; Owyhee County appeals	BLM	DOI [63]
Nov. 2017	BLM approves B2H right-of-way	BLM	Idaho Power [65]
April 18, 2018	Interior approves Gateway West Segments 8 and 9 routes	Asst. Sec. Joe Balash	DOI [63]
Feb. 19, 2020	H.B. 521 data center sales tax exemption introduced	House Rev. and Tax.	Bill page [1]
March 30, 2020	Little signs H.B. 521; effective July 1, 2020	Gov. Little	Bill page [1]
Oct. 16, 2020	DOE approves $1.355 billion cost share for NuScale project at INL	DOE	APPA [161]
Dec. 22, 2021	Idaho Power files Meta (Brisbie) contract, IPC-E-21-42	Idaho Power	IPUC filing [19]
Jan. 6, 2022	NRC denies Oklo license application	NRC	Federal Register [89]
Feb. 16, 2022	Meta data center near Boise announced, $800 million	Meta; Commerce	East Idaho News [119]
June 15, 2022	Schedule 20 for speculative high-density load takes effect	IPUC	Tariff [24]
Dec. 27, 2022	IPUC certificate for 120 MW of Idaho Power batteries	IPUC	Order 35643 [38]
Jan. 20, 2023	Lava Ridge draft EIS: up to 400 turbines	BLM	Federal Register [58]
April 5, 2023	H.B. 328 signed, pulling data center value out of urban renewal	Legislature; Gov. Little	Bill page [3]
May 11, 2023	IPUC approves Meta contract, Order 35777	IPUC	IPUC filing [20]
June 30, 2023	IPUC grants B2H certificate	IPUC	Order 35838 [28]
Nov. 8, 2023	NuScale project at INL canceled	UAMPS; NuScale	NEI [160]
Dec. 28, 2023	Idaho Power base rates up $54.7 million	IPUC	Release [49]
Dec. 29, 2023	Net billing replaces net metering for Idaho Power self-generators	IPUC	Release [53]
June 18, 2024	IPUC acknowledges 2023 IRP	IPUC	Order 36233 [30]
Oct. 15, 2024	Land Board leases 11,160 acres near Arco for wind and solar, 3-1	Land Board	IDL [66]
Dec. 6, 2024	BLM signs Record of Decision for scaled-down Lava Ridge	BLM	BLM [59]
Dec. 31, 2024	Idaho Power base rates up $50.6 million	IPUC	Release [50]

Date	What happened	Who decided	Source note
Jan. 20, 2025	Presidential memorandum orders Lava Ridge review	President Trump	Federal Register [60]
Jan. 22, 2025	Little signs EO 2025-01 against Lava Ridge	Gov. Little	Governor [61]
March 2025	Meta campus begins taking Idaho Power service	Idaho Power	Order 37178 [21]
March 26, 2025	H.B. 395 (10 MW self-supply) passes House 62-8; dies in Senate	Legislature	Bill page [6]
March 31, 2025	S.B. 1133 signed	Gov. Little	Bill page [16]
~April 1, 2025	City council rezones 620 acres for Gemstone, 3-2	City council	KIVI [122]
May 23, 2025	Four nuclear executive orders, including EO 14301	President Trump	White House [86]
June 27, 2025	Idaho Power files 2025 IRP	Idaho Power	Idaho Power [71]
July 23, 2025	EO 14318 on data center permitting	President Trump	Federal Register [92]
July 24, 2025	DOE names INL a federal AI data center site	DOE	DOE [83]
Aug. 6, 2025	Interior moves to cancel Lava Ridge	Sec. Burgum	DOI [62]
Aug. 12, 2025	DOE Reactor Pilot Program selections	DOE	DOE [85]
Aug. 25, 2025	Oregon POWER Act signed	Gov. Kotek	KPTV [193]
Aug. 2025	Rhea Data applies to BLM for public land	BLM (applicant: Rhea)	Statesman [130]
Sept. 8, 2025	DOE offers about 44,000 INL acres for data centers	DOE	DOE [84]
Sept. 22, 2025	Oklo breaks ground; Little creates nuclear task force	Oklo; Gov. Little	WNN; Governor [157][80]
Oct. 7, 2025	County commission sends SWIP-N permit back to P&Z	County commission	KIVI [171]
Oct. 23, 2025	Wright directs FERC to write large-load rule (RM26-4)	DOE	FERC [94]
Oct. 2025	PUC whistleblower suit filed (allegations)	Plaintiffs	Statesman [182]
Nov. 26, 2025	IPUC sets June 2027 capacity deficiency date	IPUC	Order 36855 [32]
Dec. 12, 2025	IPUC grants SWIP-N certificate	IPUC	Order 36874 [29]
Dec. 30, 2025	Idaho Power base rates up $110 million	IPUC	Release [51]
Jan. 28, 2026	DOE seeks nuclear campus host states	DOE	DOE [81]
Feb. 17, 2026	IPUC acknowledges 2025 IRP with 550 MW new gas	IPUC	Release [31]
March 4, 2026	Ratepayer Protection Pledge proclamation	President Trump	Federal Register [93]
March 10, 2026	Bennett 167 MW gas expansion certificate	IPUC	Order 36958 [33]
March 31, 2026	Idaho submits nuclear campus response; Idaho Power opens large-load cost docket	Gov. Little; Idaho Power	RFI; Order 36998 [78][26]
April 1, 2026	Senate passes amended H.B. 897, 34-0-1	Idaho Senate	Bill page [11]

Date	What happened	Who decided	Source note
April 2, 2026	Session ends; H.B. 897 dies; H.B. 895 signed	Legislature; Gov. Little	Bill pages [11][10]
April 10, 2026	H.B. 911 (61-335) signed	Gov. Little	Bill page [12]
April 20, 2026	Gateway West E-8 certificate applications	Idaho Power; PacifiCorp	IPUC [36]
May 14, 2026	IDWR curtailment order includes DOE's INL right	IDWR Director Weaver	IDWR [74]
May 19, 2026	Pocatello hearing examiner denies Lex data center	Hearing Examiner Lewis	East Idaho News [124]
May 29, 2026	PCA increase of about $51.3 million	IPUC	Order 37054 [52]
June 4, 2026	First Reactor Pilot Program criticality, at INL	DOE	DOE slides in NRC ADAMS [87]
July 1, 2026	42-252 and 61-335 take effect	Legislature	Bill pages [10][12]
July 4, 2026	Aalo reactor critical at INL; fourth by deadline	DOE	WNN [158]
July 2026	Bannock County 180-day data center moratorium	Bannock County BOCC	ICL [145]
July 16, 2026	Pocatello council upholds denial, 4-1	Pocatello City Council	East Idaho News [126]
July 24, 2026	IDWR rescinds DOE curtailment; Little signs nuclear campus MOU	IDWR; Gov. Little	IDWR; ICS [74][146]
July 28, 2026	Idaho named one of five nuclear campus contenders	DOE	DOE [82]
Aug. 31, 2026	Trump "backwards and poor" post	President Trump	Spokesman-Review [186]
Sept. 2, 2026	Meta Third Amendment filed, IPC-E-26-25	Idaho Power	IPUC [21]
Sept. 11, 2026	U.S. sues Idaho over INL water, 1:26-cv-00592	DOJ	Complaint [73]
Sept. 18-21, 2026	Rhea Data public-land plan made public	n/a	Sierra Club; Statesman [132][130]
Sept. 30, 2026	Nuclear campus MOU deadline passes, no host deal	DOE; Idaho	KMVT; Jim Jones [147][155]
Oct. 16, 2026	Idaho answers and counterclaims	AG Labrador	Statesman [153]
~Oct. 26, 2026	BLM confirms Copia's Falcon proposal; Lex files for judicial review against Pocatello	BLM; Lex	East Idaho News; Post Register [134][128]
~Oct. 27, 2026	Mountain Home emergency moratorium	Mountain Home City Council	KMVT [142]
Oct. 30, 2026	TerraVolt options 1,077 acres near Declo	TerraVolt	Release [137]
Nov. 3, 2026	Voters favor limits in 40 of 41 data center measures	Voters	Ballotpedia [214]
Nov. 10, 2026	Boise six-month moratorium; Declo open house	Boise City Council; TerraVolt	East Idaho News [144][140]
Nov. 12, 2026	IPUC sets Dec. 9 comment deadline on Meta amendment	IPUC	Order 37230 [22]

What you can do

Comment on open dockets

- **IPC-E-26-25, Meta (Brisbie) Third Amendment.** Written comments are due Dec. 9, 2026, under Order 37230. This is the contract Idaho Power told the IPUC the new large-load law does not cover, so it is the place to ask whether Meta pays its full cost of service. Comment through the IPUC's Case Comment Form or by e-mail to secretary@puc.idaho.gov; mail to P.O. Box 83720, Boise, ID 83702-0074 only if computer access is unavailable.[21][22][23]
- **IPC-E-26-07, cost of service for new large loads.** The intervention deadline has passed, but anyone may file written comments without becoming a party. Order 37170 set the public comment deadline at Dec. 14, 2026, and the technical hearing for Jan. 19, 2027, according to the IPUC's Sept. 17, 2026 news release.[26]
- **IPC-E-26-04, South Hills and Peregrine gas plants.** Comments closed July 31, 2026. Watch for the final order.[35]
- **IPC-E-26-09 and PAC-E-26-06, Gateway West E-8.** Comments closed Aug. 21, 2026. Watch for the final order.[37]
- **IPC-E-26-26,** the new Schedule 20 cost-method docket ordered in Order 37125.[25][27]
- **BLM, Rhea Data.** When the Notice of Intent appears in the Federal Register, scoping comments open. That was expected before the end of 2026.[130]

Read the filings yourself

- IPUC case files: puc.idaho.gov, under Cases. Search by case number.[27]
- Idaho bills, votes and minutes: legislature.idaho.gov.[11]
- United States v. State of Idaho, Case No. 1:26-cv-00592, U.S. District Court for the District of Idaho, through PACER. The Idaho Capital Sun posted the complaint.[73]
- IDWR curtailment orders, docket CM-DC-2010-001, at idwr.idaho.gov.[74]
- Idaho's nuclear campus response at nuclear.idaho.gov.[78]
- IDA-PAC filings at fec.gov, committee C00083832.[99]

Show up locally

Boise's moratorium runs to about May 2027. Mountain Home's can run no more than 182 days. Bannock County's 180 days end around January 2027. Each city or county will write permanent rules before then, and those hearings are where zoning gets decided.[144][142][145] In Cassia County, TerraVolt still needs a land use application before planning and zoning.[140]

Questions to ask

1. To your legislators: Will you bring back H.B. 897 in 2027, and will you vote to end the 63-3622VV exemption for new projects?
2. To the House Revenue and Taxation chairman: Why did H.B. 897 never get a concurrence vote?
3. To the State Tax Commission, by public records request: How many data center exemptions have been granted since 2020, and how much sales tax was not collected?
4. To the IPUC: How much power does Meta's campus near Boise use, and why is that confidential?
5. To the governor's office: Will you release the full text of the July 24, 2026 memorandum, and will there be public hearings before any host agreement?

6. To the attorney general: What is Idaho asking the court for, and will the state seek to move the INL water case to the adjudication court?
7. To any developer: Who is your customer? How much water and power will you use? Will you post a decommissioning bond? Did you look at brownfields, military bases or industrial land first?

Q&A

Does Idaho still give data centers a sales tax break? Yes. Idaho Code 63-3622VV, created by H.B. 521 in 2020, exempts server equipment and new facilities for projects that invest at least $250 million within five years and create 30 jobs. It has no end date. The 2026 bill to narrow it and limit it to 20 years per project, H.B. 897, died without a House concurrence vote.[1][11][15]

Will data centers raise my power bill? For new contracts, Idaho law now says they should not. Idaho Code 61-335 requires any customer adding 50 megawatts or more under a contract signed on or after July 1, 2026 to pay its full cost of service and post financial security. Older contracts are outside that law, and Idaho Power told the IPUC that includes Meta's. Meanwhile, Idaho Power's base rates rose $54.7 million, $50.6 million and $110 million over three years, and the company is building new gas plants, batteries and lines for fast load growth.[12][21][51][31] This report does not claim any of those increases were caused by any one customer.

Can a data center take my irrigation water? Not directly for consumptive cooling, if it started construction on or after July 1, 2026. Idaho Code 42-252 requires that cooling water come from a municipal or water district system unless the use is non-consumptive. Water rights can still be bought and transferred under state law, as Gemstone's developer plans with its irrigation rights.[10][123] Federal water at INL is in federal court.[73]

Is Idaho going to take the nation's nuclear waste? No decision has been made. The governor's July 24, 2026 memorandum with DOE says any host agreement would include accepting out-of-state spent fuel and high-level waste, and it requires the 1995 Settlement Agreement to be addressed first. The memorandum is non-binding, its Sept. 30 deadline passed with no reported host agreement, and former Chief Justice Jim Jones has written that three campuses will be designated from the five contenders. The governor has called disposal over the aquifer "a nonstarter."[146][82][147][155]

Can the federal government put a data center on BLM land without local approval? Federal land is not zoned by counties, and Jim Jones has warned that federal-land data centers would not be subject to state law. The BLM must still do a federal environmental review. If it prepares a full environmental impact statement, that starts with a Notice of Intent and public scoping. Rhea Data's review had not formally begun as of Nov. 13, 2026, and Copia's was at least a year away.[155][130][134]

Interrogatories

1. "Opposing data centers is anti-technology and will leave Idaho behind." Nobody in this report argues against technology. Idaho already has Meta's $1.2 billion campus running

near Boise and a national lab that hit three of the country's four July 4 criticality milestones. The argument is over who pays and where it goes. Idaho Code 61-335, which passed the House 65-3 and the Senate 34-1, rests on the same principle: a large new customer pays its full cost. That is a market principle. A tax exemption with no end date is the opposite of one.[120][87][12]

2. "Without the exemption, no data center would come to Idaho." That was the claim in H.B. 521's own Statement of Purpose. The best evidence says incentives decide far fewer locations than that. Bartik's review of business incentives across industries finds they tip 2 to 25 percent of location decisions. Georgia's auditors found 30 percent of that state's data centers would not exist "but for" the exemption, which means 70 percent would. Site Selectors Guild members told Bisnow power is the top factor.[2][241][111][215] TerraVolt's own CEO called the wait for grid hookups "the single largest bottleneck in the digital economy."[137]

3. "Opposition is a Chinese influence campaign." Speaker Johnson and President Trump have said so. The polls don't bear that out. Fox News found 70 percent opposed, Economist/YouGov found 52 percent of Republicans opposed, and voters favored limits in 40 of 41 local measures.[187][233][237][214] Semafor reported experts pushing back on the China explanation.[190] In Idaho the people who stood up were Pocatello residents, the Shoshone-Bannock Tribes, Declo farmers and city councils that voted unanimously. Foreign influence campaigns can exist and still not explain any of that.

4. "Data centers bring jobs and property taxes." Some, and fewer than promised. Meta promised 100 permanent jobs in 2022 and now counts 75-plus.[119][120] Brookings found roughly 100 to 200 jobs in a typical host county with no wage gain. Georgia cut its own operations job estimate by about 70 percent.[240][210] Property tax gains shrink when a project qualifies for the $400 million cap, and in 2023 the Legislature had to pull Meta's value out of urban renewal to protect property taxpayers.[3][183]

5. "H.B. 911 already solved the ratepayer problem, so why keep fighting?" It solved part of it. It covers contracts signed on or after July 1, 2026 for loads of 50 megawatts or more. Idaho Power told the IPUC it does not apply to Meta's contract, and no contract under it had been filed as of Nov. 13. Smaller loads and older contracts sit outside it. The tax exemption it does not touch at all.[12][21][27]

6. "Idaho needs this power anyway. Opposing gas plants and lines means blackouts." This report does not oppose Idaho Power building what its customers need. The IPUC set June 2027 as Idaho Power's capacity deficiency date, B2H and SWIP-North add import capacity and Gateway West strengthens the path across southern Idaho.[32][28][29] The question is sizing. Idaho Power's preliminary forecast for its next plan, 8.9 percent a year in retail sales growth for five years (per a third-party transcript of its October call), carries risk for every customer if speculative loads never show up, which is exactly why 61-335 requires financial security against stranded costs.[178][12]

7. "Fighting DOE on water and waste puts INL and national security at risk." The United States' complaint makes that argument.[73] But Idaho is defending the same water law every farmer lives under, and Idaho's Republican attorney general is the one defending it.[152] DOE's own 2025 offer of INL land, as summarized by the law firm Hogan Lovells, required data center applicants to buy Idaho water rights on the open market.[166] The 1990 agreement left the administration question open; both sides reserved the right to litigate it. Idaho's former attorney general Jim Jones, who helped negotiate it, says Idaho expected "full control over that water."[76][154] Asking a court to decide that question does not threaten the lab.

8. "Landowners have a right to sell their property. Who are you to stop a farmer near Declo?" Property rights are real, and Jesse Wickel has every right to option his land.

Cassia County also has every right to zone, and data centers are not a permitted use there now. Zoning is a local decision made in public, and the developer has said it will apply.[138][139] Calling for no rezoning of farmland for hyperscale projects is a position on public policy. It asks the county to keep its current rules. The decision belongs to the county commission, and nobody's land is taken either way.

Glossary

Acre-foot. The amount of water that covers one acre a foot deep, about 326,000 gallons.

AFUDC. Allowance for funds used during construction. Financing costs a utility may add to the cost of a project while it is being built.

Avoided cost. What a utility would have paid to make or buy power itself. Used to set what it pays small producers and rooftop solar exports.

Behind the meter. Power made on site for the customer's own use, never passing through the utility's meter or grid.

BESS. Battery energy storage system. Large batteries that charge when power is cheap and discharge at peak.

Capacity shortfall (capacity deficiency). The date a utility expects it will not have enough generating capacity to meet peak demand with a safety margin.

Categorical exclusion. A federal finding that a type of action does not need a full environmental review.

Conditional use permit. Permission for a use a zone allows only if it meets set criteria, decided case by case after a hearing.

CPCN. Certificate of public convenience and necessity. The IPUC's approval for a utility to build a major plant or line.

Criticality. The point at which a reactor sustains a nuclear chain reaction.

Curtailment. An order to stop using water under junior rights so senior rights can be filled.

Decommissioning bond. Money set aside up front to tear down and clean up a facility if the owner leaves.

Development agreement. A contract between a city or county and a developer setting conditions for a project in exchange for approvals.

ESA (Energy Services Agreement). A special contract between a utility and one large customer setting rates and terms.

ESPA. Eastern Snake River Plain Aquifer, the groundwater body under the Snake River Plain that supplies farms, fish producers and cities.

Federal reserved water right. A water right the United States holds for federal land, with a priority date tied to when the land was set aside.

HALEU. High-assay low-enriched uranium. Fuel enriched more than ordinary reactor fuel but below weapons grade, needed by many advanced reactors.

Hyperscale. The largest class of data center campuses, typically built by the biggest cloud and AI companies.

Interconnection queue. The waiting line of power plants or large loads asking to connect to the grid.

IRP. Integrated Resource Plan. A utility's 20-year plan for meeting demand. The IPUC acknowledges it but does not approve projects through it.

Large load. A single customer with very high demand. Under Idaho Code 61-335, 50 megawatts or more of new demand in 60 months.

McCarran Amendment. A federal law that lets states join the United States as a party in general water rights adjudications.

Megawatt (MW) and gigawatt (GW). Units of power. A gigawatt is 1,000 megawatts.

Moratorium. A temporary halt on accepting or approving certain applications while rules are written.

MOU. Memorandum of understanding. A written agreement to work toward a deal, usually not binding.

NEPA. National Environmental Policy Act. Requires federal agencies to study environmental effects before acting.

Net billing. Rooftop solar customers pay for all power they use and get a credit for each unit exported, at a set export rate.

No harm test. Under Idaho Code 61-335, the IPUC's assessment of how a new large load will affect other customers' rates.

NOI. Notice of Intent. The Federal Register notice that starts a federal environmental review and its public scoping.

Option agreement. A contract giving a buyer the right, but not the duty, to buy land later at set terms.

PCA. Power Cost Adjustment. Idaho Power's yearly rate change for swings in fuel, purchased power and hydro.

Powered land. Land marketed with power supply or grid access already arranged.

PPA. Power purchase agreement. A long-term contract to buy electricity from a generator.

Prior appropriation. The western rule of water law: first in time, first in right.

PURPA. A federal law requiring utilities to buy power from small qualifying producers at avoided cost.

Rate base. The value of utility property on which the utility is allowed to earn a return.

Reprocessing. Chemically separating usable material from spent nuclear fuel.

Rezone. Changing land from one zoning class to another, such as agriculture to industrial.

ROD. Record of Decision. The final federal decision document after an environmental impact statement.

ROE. Return on equity. The profit rate regulators allow a utility to earn on shareholders' investment.

Settlement Agreement (Batt Agreement). The 1995 agreement among Idaho, DOE and the Navy limiting spent fuel shipments into Idaho and setting removal deadlines.

SMR. Small modular reactor. A reactor built in factory-made modules, usually 300 megawatts or less.

Speculative load. Demand from a customer that may never materialize, such as a project without financing or customers.

Spent fuel. Nuclear fuel removed from a reactor after use. Still radioactive.

SRBA. Snake River Basin Adjudication. The state court process that decreed water rights in the basin, including DOE's INL right.

Stranded cost. Utility investment left unpaid when the customer it was built for leaves or never arrives.

Supremacy Clause. The part of the U.S. Constitution making valid federal law supreme over conflicting state law.

Tax increment (urban renewal). Property tax on value growth inside an urban renewal district that goes to the district instead of the usual taxing units.

Transmission line (kV). High-voltage line carrying bulk power. Kilovolts (kV) measure voltage. 500 kV is the largest class in the region.

Urban renewal district. A local district that uses tax increment to fund development in a defined area.

Directory of people

Name	Role and affiliation	What they did in this record
Vienne Aberle	Communications coordinator, Idaho Sierra Club	Spoke against Rhea Data on public land
Mary Abo	Minidoka survivor	Spoke for protecting the Minidoka site near Lava Ridge
Adams	Vice chair, Idaho Senate Local Government and Taxation	Moved to send H.B. 897 to the amending order, March 25, 2026
Eric Anderson	Former IPUC president	Appointed 2015 by Otter; replaced by Hardie in 2025
Cecil Andrus	Former Idaho governor	Began 1991 litigation leading to the 1995 Settlement Agreement; 1990 water agreement
Kelly Anthon	Idaho Senate president pro tem, R-Rupert	Seconded H.B. 897 amending-order motion
Joe Balash	Former assistant interior secretary	Approved Gateway West Segments 8 and 9 routes, 2018
Maria Barratt-Riley	Former IPUC executive director	Plaintiff in whistleblower suit (allegations)
Timothy Bartik	Economist, W.E. Upjohn Institute	Research on how often incentives change location decisions
Dakota Bates	Pocatello City Council member	Voted against upholding the Lex denial

Name	Role and affiliation	What they did in this record
Phil Batt	Former Idaho governor	Signed the 1995 Settlement Agreement
Scott Bedke	Lieutenant governor	Called spent fuel "not waste"; attended Oklo groundbreaking
Sven Berg	Spokesman, Idaho Power	Said it was too early to know how Rhea Data would be powered
Boyd Bingham	Box Elder County, Utah, commissioner	Voted for the Stratos project
Jarod Blades	Field manager, BLM Four Rivers Field Office	Described BLM's duty to evaluate Rhea Data's application
Chris Bruce	State representative (R)	Sponsored H.B. 315, H.B. 609 and H.B. 897
Brian Buckham	CFO, IDACORP; treasurer, IDA-PAC	Treasurer of IDACORP's federal PAC
Tim Burchett	U.S. representative, R-Tenn.	Answered Trump's "backwards and poor" post; suggested military installations instead
Doug Burgum	U.S. interior secretary	Moved to cancel Lava Ridge; attended Oklo groundbreaking; blamed a "propaganda war" and "foreign-sourced dark money" for opposition
Edmund Burke	Philosopher	Quoted in Appendix A
David Cannon	Chairman, House Revenue and Taxation	H.B. 897 awaited his committee's concurrence recommendation when the session ended
Joel Case	Retired DOE and INL manager	Estimated Idaho's possible spent fuel share at about 33,000 metric tons
Greg Chaney	Former state representative	House floor sponsor of H.B. 521, 2020
John Chatburn	Former IPUC commissioner	Replaced by Lodge, 2023
Mike Crapo	U.S. senator, R-Idaho	Attended Oklo groundbreaking; IDA-PAC recipient
Ron DeSantis	Governor of Florida	Signed S.B. 484 on data center costs
Barbara Ehardt	State representative	Co-sponsor of H.B. 159, 2023
Dwight Eisenhower	Former president	Quoted in Appendix A
Leigh Ford	Executive director, Snake River Alliance	Opposed temporary waste storage
Russ Fulcher	U.S. representative, R-Idaho	IDA-PAC recipient
John Gannon	State representative, D-Boise	Co-sponsored 2023, 2025 and 2026 data center bills
Dan Garner	State representative, R-Clifton	Sponsored H.B. 395, 2025
Mike Goff	Acting assistant energy secretary for nuclear energy (Sept. 2025)	Made the AI race case for INL data centers
Mark Gordon	Governor of Wyoming	Welcomed Cheyenne AI campus
Marjorie Taylor Greene	Former U.S. representative, R-Ga.	Warned in a December 2025 post against rushed AI and data center expansion
Lisa Grow	President and CEO, IDACORP and Idaho Power	Reported B2H schedule and 8.9% growth forecast
Brett Guthrie	Chairman, House Energy and Commerce Committee	Led June 4, 2026 letter alleging China-linked influence
John R. Hammond Jr.	IPUC commissioner	Appointed January 2022; named in whistleblower allegations
Dayn Hardie	IPUC commissioner	Appointed January 2025
Lori Den Hartog	State senator, R-Meridian	Sponsored H.B. 328 and co-wrote 2026 data center bills
Joshua Haver	Former IPUC policy strategist	Plaintiff in whistleblower suit (allegations)
Josh Hawley	U.S. senator, R-Mo.	First Senate Republican to call for a national data center moratorium, Nov. 11, 2026
Buck Hedges	Declo rancher (KIVI gives the name Les Hedges)	Spoke about losing farmland
Mike Johnson	Speaker, U.S. House	Called opposition a Chinese psyop
Jim Jones	Former Idaho attorney general and	Asked for hearings on the nuclear campus; spoke on the 1990

Name	Role and affiliation	What they did in this record
	chief justice	water deal
Paul Kjellander	Former IPUC president, later consultant	Named in whistleblower allegations
Tina Kotek	Governor of Oregon	Signed the POWER Act
Raúl Labrador	Idaho attorney general	Defending Idaho in 1:26-cv-00592; voted no on two Land Board energy leases
Alex LeBeau	IACI	Called the H.B. 897 property tax provision a "poison pill"
Kathleen Lewis	Pocatello hearing examiner	Denied the Lex permit
Jennifer Light	Northwest Power and Conservation Council	Spoke on regional power needs
Brad Little	Governor of Idaho	Signed H.B. 521, 328, 895, 911; signed nuclear campus MOU; appointed all three commissioners
Edward Lodge	IPUC president	Appointed 2023; named in whistleblower allegations
Corey Mangum	Pocatello City Council member	Voted to uphold the Lex denial
Pam Marsh	Oregon state representative	Chief sponsor of the POWER Act
Lauren McLean	Mayor of Boise	Opposed Rhea Data; proposed Boise's moratorium
Greg McPherson	City council member, Gemstone vote	His vote on Gemstone is challenged in court
Stephanie Mickelsen	State representative, R-Idaho Falls	Sponsored H.B. 911
Jason Monks	State representative	Moved H.B. 897 out of House committee
John Moolenaar	U.S. representative	Asked Treasury and IRS to review nonprofits opposing data centers
Patrick Morrisey	Governor of West Virginia	Pulled his state from the nuclear campus program, per ANS
Mike Moyle	Speaker, Idaho House, R-Star	Sponsored H.B. 159 (2023) and H.B. 895 (2026)
Robert C. Naftz	6th District judge	Assigned the Lex petition, per the Post Register
Brent Nichols	Pocatello City Council member	Voted to uphold the Lex denial
Butch Otter	Former governor of Idaho	Appointed Eric Anderson to the IPUC
Kash Patel	FBI director	Asked to brief House Energy and Commerce Republicans in their June 4, 2026 letter
Hayden Paulsen	Pocatello City Council member	Voted to uphold the Lex denial
Scott Perry	U.S. representative	Argued data centers are part of the AI race with China
Terri Pickens	Democratic candidate for governor, 2026	Pledged to take Idaho off the nuclear campus list
Pro-Life	Constitution Party candidate for governor, 2026	Opposed the nuclear campus
Kris Raper	Former IPUC commissioner	Replaced by Hammond, 2022
Britt Raybould	State representative	Co-sponsor of H.B. 895
Ronald Reagan	Former president	Quoted in Appendix A
Jim Rice	State senator	Senate floor sponsor of H.B. 521
Doug Ricks	State senator; chairman, Senate Local Government and Taxation	Chaired the March 25 H.B. 897 hearing
Jim Risch	U.S. senator, R-Idaho	Pushed to end Lava Ridge; IDA-PAC recipient
John Robison	Public lands director, Idaho Conservation League	Opposed data centers on public land
Chip Roy	U.S. representative	Raised concerns about data centers' effects on local communities
Adam Rush	Spokesman, IPUC	Said Meta's power use was confidential
Samm Sacks	U.S.-China tech scholar	Warned about overusing the China label
Stacy Satterfield	Pocatello City Council member	Voted to uphold the Lex denial
Steve Scalise	U.S. representative	Suggested China was behind data center skepticism

Name	Role and affiliation	What they did in this record
Elena Schlossberg	Northern Virginia activist	Said opposition is organic
Gus Schultz (also spelled Shultz)	Principal, Lex Developments LLC	Applicant for the Pocatello data center
Heather Scott	State representative	Spoke on tax breaks shifting costs
Mike Simpson	U.S. representative, R-Idaho	Attended Oklo groundbreaking; IDA-PAC recipient
Adam Smith	Economist	Quoted in Appendix A
Jason Smith	U.S. representative	Asked Treasury and IRS to review nonprofits opposing data centers
Joe Stear	Mayor of the city that rezoned Gemstone	Reported to have broken the tie on Gemstone
John Stegner	Independent candidate for governor, 2026; former justice	Opposed the nuclear campus
Jon Stenquist	Attorney, Parsons Behle and Latimer	Represents Lex Developments
Joel Stone	Chairman and CEO, TerraVolt/CalEthos	Leads the Declo project
Patrick Sullivan	Lobbyist, Sullivan and Reberger	Hired by TerraVolt, per BoiseDev
Ann Swanson	Pocatello City Council member	Absent for the July 16 vote
Rich Sykes	Mayor of Mountain Home	Told Weitz data centers are not allowed in any city zone
Ron Taylor	State senator, D-Hailey	Asked where Falcon's water would come from
Layne Thornton	Petitioner	Challenged the city's Gemstone vote
Donald Trump	President	Signed EO 14301 and EO 14318; Aug. 31, 2026 post
JD Vance	Vice president	Tied the backlash to utility bills, per Newsweek
Mike Veile	State representative, R-Soda Springs	Co-sponsor of H.B. 911
Mathew Weaver	Director, Idaho Department of Water Resources	Issued curtailment orders; defendant in 1:26-cv-00592
Dan Weitz	Owner, Weitz and Co.	Dropped off Mountain Home data center plans
Jesse Wickel	Declo landowner	Optioned land to TerraVolt
Rebecca Wood	Lincoln County commissioner	Spoke on the Falcon proposal
Chris Wright	U.S. energy secretary	Named INL a data center site; directed FERC large-load rule
Cally Younger	Administrator, Governor's Office of Energy and Mineral Resources	Said INL is not a place for permanent waste disposal
Daniel Zolnikov	Montana state senator, R-Billings	Backed Montana's cost-shift ban

Directory of businesses, agencies and organizations

Name	Description
Aalo Atomics	Reactor developer whose test reactor went critical at INL July 4, 2026
Antares	Reactor developer; Mark-0 was the first pilot program criticality, at INL
Arevia Power	Las Vegas company tied to Rhea Data
Ballotpedia	Nonpartisan election tracker
Bitcoin Policy Institute	Think tank whose report popularized the "psyop" claim
Bannock County Board of Commissioners	Adopted a 180-day data center moratorium, July 2026
Bonneville Power Administration (BPA)	Federal power marketer and main Northwest transmission owner
Brisbie, LLC	Meta affiliate holding the power contract for Meta's campus near Boise
Bureau of Land Management (BLM)	Federal agency reviewing Rhea Data and Copia applications; approved then saw Lava Ridge canceled
CalEthos Inc. / TerraVolt Holdings (GEDC)	Tustin, Calif. company; TerraVolt Holdings is CalEthos renamed, same ticker; owns TerraVolt Infrastructure
Cassia County	County where TerraVolt's Declo site sits; data centers not a permitted use

Name	Description
City of Boise	Adopted a six-month data center moratorium Nov. 10, 2026
Host city, Ada County	Approved Gemstone rezone; hosts Meta
City of Mountain Home	Adopted an emergency data center moratorium, October 2026
City of Pocatello	Denied the Lex data center permit
Clean Energy Group	Tracks state laws on data center power costs
Copia Digital LLC	Applicant for the Falcon Data Center on BLM land
Data Center Watch	Tracks local opposition to data center projects
Diode Ventures	Black and Veatch company developing Gemstone Technology Park
Elmore County	Reviewing the Peregrine gas plant permit
Federal Energy Regulatory Commission (FERC)	Federal regulator of transmission and hydro licenses
Gallup, Pew Research, Annenberg, YouGov, Fox News Poll	Pollsters cited in Part Three
Gem State Chronicle	Idaho news and opinion site
Good Jobs First	Subsidy watchdog
Great Basin Transmission (LS Power)	Builder of SWIP-North
IDA-PAC	IDACORP's federal employee PAC, FEC C00083832
IDACORP / Idaho Power	Investor-owned utility serving southern Idaho
House Energy and Commerce Committee	U.S. House committee whose Republicans alleged China-linked influence
Idaho Association of Commerce and Industry (IACI)	Business lobby
Idaho Conservation League	Conservation group
Idaho Department of Lands / State Board of Land Commissioners	Manage endowment land, including energy leases
Idaho Department of Water Resources (IDWR)	State water agency; defendant in the federal water suit
Idaho Farm Bureau Federation	Farm group; supported H.B. 911
Idaho Irrigation Pumpers Association	Farm ratepayer group; intervenor in IPUC cases
Idaho National Laboratory (INL)	DOE lab west of Idaho Falls; site of reactor tests and proposed data centers
Idaho Public Utilities Commission (IPUC)	Three-member state utility regulator
Idaho Rural Water Association	Testified for H.B. 897
South-central Idaho county on the SWIP-N route	Adopted energy facility rules; reviewed SWIP-North permit
Lex Developments LLC	Gilbert, Ariz. applicant for the Pocatello data center
LS Power	Parent of Magic Valley Energy (Lava Ridge) and Great Basin Transmission (SWIP-North)
Malheur Mining Co.	Sued to reroute part of B2H
Meta Platforms	Operates the data center near Boise
Micron Technology	Boise chipmaker and large Idaho Power customer
MIDA (Utah)	State authority behind the Stratos project
Northwest Power and Conservation Council	Four-state regional power planning body
NuScale / UAMPS	Partners in the canceled Carbon Free Power Project at INL
Nuclear Regulatory Commission (NRC)	Federal nuclear licensing agency
Oklo Inc.	Building Aurora-INL
PacifiCorp / Rocky Mountain Power	Utility in eastern Idaho; partner in B2H and Gateway West
Parsons Behle and Latimer	Law firm for Lex Developments
Quorum	Legislative tracking firm
Rhea Data	Applicant for a data center on BLM land near Blacks Creek Reservoir
Shoshone-Bannock Tribes	Opposed the Pocatello data center

Name	Description
Sierra Club, Idaho chapter	Publicized the Rhea Data proposal
Snake River Alliance	Nuclear watchdog group
Sullivan and Reberger	Boise lobbying firm hired by TerraVolt, per BoiseDev
TerraPower	Building Natrium in Kemmerer, Wyo.
TerraVolt Infrastructure	CalEthos subsidiary planning the Declo campus
U.S. Department of Energy (DOE)	Owns INL; plaintiff in the water suit; runs the nuclear campus program
U.S. Department of Justice, ENRD	Represents the United States in 1:26-cv-00592
U.S. Department of the Interior	Canceled Lava Ridge approval
U.S. Navy	Party to the 1995 Settlement Agreement; plaintiff in the water suit
Weitz and Co.	Mountain Home data center proponent

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Notes on method and limits

What was verified. Facts in this report come from five research files compiled Nov. 13, 2026 and from primary documents downloaded for this project, including the 2020 and 2026 bill texts and statements of purpose, IPUC orders and case pages, the federal complaint in 1:26-cv-00592, the IDWR rescission order, DOE's petition to IDWR, and Idaho's nuclear campus response. A fact counted as verified when it was read in a primary document or reported by two independent outlets. Republications of one Idaho Capital Sun story on several sites count as one source. The national items in Part Three, and some regional items in Part Two, were sourced in a later round after the first research pass and were checked against the cited articles on Nov. 13, 2026. Some of them rest on a single outlet and are attributed in the text.

Single-source items. Some facts rest on one outlet and are attributed in the sentence. These include BoiseDev's reporting on TerraVolt's lobbyists, Micron's objection and the H.B. 159 vote count; the Post Register's reporting on Lex's reconsideration request, the Sept. 17 vote split and

the court petition; the Statesman's report that each nuclear campus state would take a third of the nation's spent fuel; the whistleblower allegations against the IPUC; the Gem State Chronicle's figures on Meta's property value; IDACORP's third-quarter call figures, taken from a third-party transcript; Vance's quote; the WMUR report on the Senate cloture vote; the Humans First memo, known only through Fox News; Exchange Monitor's report of DOE's planned INL selection date and the Hogan Lovells summary of the offer's water, power and fiber terms; the Capital Sun's interviews with Little, Bedke and Joel Case; Semafor, Axios (the industry groups and Elena Schlossberg), Popular Information on the Bitcoin Policy Institute report, KMBC, Fox News on the Smith and Moolenaar letter, E&E News on the Guthrie letter and on the December 2025 Hawley, Greene and Perry remarks, The Hill on Burchett, Scalise and the Fox poll's party split, Data Center Watch, Marketplace, GovTech, Davis Wright Tremaine, the Daily Montanan, the Nevada Independent and KATU; and several other regional and national items noted in the text as reported by one outlet.

Conflicts that remain. - Lava Ridge acreage: 38,535 acres (BLM ROD area), about 57,447 (Interior cancellation release) and 104,000 (Idaho Capital Sun). The figures appear to measure different things. - B2H length: about 300 miles (IPUC Order 35838) versus 271 miles (OPB). - Meta campus square footage: more than 750,000 (KIVI, Statesman) versus 960,000 (Baxtel, BoiseDev). - Lex Developments site: 49 acres (BoiseDev) versus about 59 (Post Register). - Natrium construction permit: resolved. The commission authorized it March 4, 2026 (ANS), NRC staff issued CPAR-1 on March 9 (NRC), and TerraPower began construction April 23 (TerraPower, ENR). Possibly commission approval versus issuance. - INL land offered for data centers: about 44,000 acres (DOE) versus about 100,000 (the Hogan Lovells summary). This report uses DOE's figure. - Reactors at INL: the federal complaint says INL delivered four criticalities; the Garrish slides filed in NRC's ADAMS place the second (Valar, June 18) in Utah. Deployable's date is June 30 in those slides and July 1 in World Nuclear News. - Gallup: about 70 percent (Washington Times) or 71 percent (USA Today). - Speaker Johnson's "psyop" remark: three outlets give three different opening words, so this report paraphrases it. - H.B. 897's Senate amendment: the amendment text (H0897A1) adds reporting and deletes the 63-4502 property tax cap section; one opinion outlet described the Senate as removing reporting. This report follows the amendment text. - BoiseDev's TerraVolt lobbying story appears at URLs dated March 16 and April 6, 2026. The publication date is uncertain, so the report says spring 2026. - Falcon Data Center acreage (3,000 versus 3,700) and county. - Gemstone rezone: resolved. The 3-2 tally counts the mayor's tie-breaking vote after a 2-2 council split. - Lex Developments principal: Gus Shultz (East Idaho News) or Schultz (Post Register).

Gaps. The search did not sweep every county. No data center proposals were found in Canyon, Bingham, Bonneville or Gooding counties, or on private land in Twin Falls County, but the search there was incomplete. No Idaho data center projects from 2016 to 2019 were found. The Secretary of State's Sunshine portal could not be read, so state-level campaign contributions and lobbyist registrations are not reported. The outcomes of the Gemstone court challenge, the Elmore County Peregrine permit, DOE's INL data center solicitation and the South Hills and Peregrine certificates were not found. Two related federal dockets, 1:26-cv-00591 and 1:26-cv-00546, were seen but not read, and their relationship to the INL water case is unknown. The Nov. 3, 2026 governor's race result was not researched.

Appendix A. The appendix is reproduced as written except for one factual correction to its description of the relief sought in the federal water suit. A quotation attributed to Texas Gov. Greg Abbott that appeared in earlier drafts could not be confirmed and is not used anywhere in this report.

No claim of wrongdoing. This report makes no claim that any official, company or lobbyist acted unlawfully or improperly beyond what the cited sources establish. Campaign contributions

and lobbying are reported as facts about money; their timing does not prove influence. Lawsuit claims are allegations unless a court has ruled.

Appendix A

Calling It Patriotism Doesn't Make It True

This appendix carries its own numbered sources, listed at its end. They are separate from the report's References.

How supporting data centers became a loyalty test, and why conservatives should reject it

Somewhere in the last year, building a data center became a test of loyalty. If you ask hard questions about water, power bills or farm ground, you're not a citizen doing your homework anymore. You're a dupe of the Chinese Communist Party.

That claim is false, and it's dangerous. And conservatives should be the first to say so.

The claim is false

The people asking these questions are real, and they have names. They're farmers worried about their wells, retirees watching their power bills, and neighbors who sat down and read the filings themselves. Nobody had to send them a script.

Data Center Watch's 2025 report found 55% of the politicians opposing data center projects were Republicans, and that local opposition had blocked $18 billion in projects and delayed another $46 billion over two years.[1] A Fox News poll in July 2026 found 70% of registered voters oppose building a data center in their area to support AI,[2] and Fox News reported in September that only 40% of Republicans supported new data center construction.[3] A separate Annenberg Public Policy Center survey found majorities of both parties opposed.[4]

When President Trump told Fox News host Laura Ingraham on Sept. 10 that "a lot of people say that it's a China PR thing," experts called the claim exaggerated. Tech companies did find Chinese influence campaigns on social media, but with little reach.[5] Popular Information reported that even the author of the Bitcoin Policy Institute report that popularized the "psyop" talk concedes "much American opposition to data centers is indisputably authentic."[6]

China posting about American water use doesn't turn your concern about your own well into a Chinese talking point.

Conservatives aren't buying it either. On Nov. 11, Sen. Josh Hawley became the first Senate Republican to call for a national data center moratorium.[7] He has warned since 2025 about what happened to power bills in Virginia: "What I do not want to have happen is what has happened in Virginia, where they come in and everybody's prices go way, way, way up."[8] In May, Gov. Ron DeSantis signed Florida's SB 484 and called it "much-needed protections for taxpayers and our natural resources."[9] When President Trump posted on Aug. 31 that communities opposing data centers want to "end up being backwards and poor,"[10] Rep. Tim Burchett answered, "I guess I'm backwards and poor," and Newsweek reported he suggested putting some data centers on military installations instead.[35]

Patriotism starts at home

Edmund Burke, the father of modern conservatism, wrote in 1790 that "to love the little platoon we belong to in society, is the first principle" of public affections.[11] Love of country starts with love of your own family, your neighbors and your own ground. A man defending his water and his neighbor's farm is doing exactly what Burke described. Calling him disloyal turns conservatism upside down.

The founders built a country on the idea that free people govern themselves. The First Amendment protects your right to speak and to petition your government.[12] Nobody has to prove their loyalty before they're allowed to object to a deal.

Subsidies aren't patriotism

Adam Smith warned in 1776 that when people of the same trade meet, "the conversation ends in a conspiracy against the public, or in some contrivance to raise prices."[13] Ronald Reagan summed up government's view of the economy this way: "If it moves, tax it. If it keeps moving, regulate it. And if it stops moving, subsidize it."[14] Neither man would mistake a sales tax exemption for a free market.

Here's what the industry wants wrapped in the flag. Since 2020, Idaho has exempted data center equipment and construction from sales tax for projects that invest at least $250 million and create 30 jobs, with no end date.[15] A 2026 bill to narrow it, H.B. 897, passed the House 68-0. The Senate amended it and passed it 34-0. The House never took up the Senate's changes, and the bill died when the session ended.[16] To be fair, the same Legislature did pass two good laws that session: H.B. 911 makes new customers of 50 megawatts or more pay their full cost of service on contracts signed from July 1, 2026 on, and H.B. 895 limits where new data centers can get cooling water.[37][38] Look at who's lining up for farm ground. TerraVolt, the California company[18] now optioning 1,077 acres near Declo, named no customer in its Oct. 30 announcement,[19] and its own SEC filing warns of "substantial doubt" about its ability to keep operating.[20] Nobody has shown TerraVolt has applied for the exemption. Still, that isn't national defense. That's a business plan with a tax break sitting on the table.

I'm a conservative, a Republican, a constitutionalist, a believer in free markets and an advocate for liberty. What's happening with these projects isn't the free market at work. It's subsidized, protected corporate welfare and cronyism.

Why the patriotism claim is dangerous

Dwight Eisenhower, a Republican president and a five-star general, warned in 1961 that "we must guard against the acquisition of unwarranted influence, whether sought or unsought, by the military-industrial complex."[21] He knew what happens when private profit and national security get welded together. Every question about cost starts to sound like disloyalty.

That's happening now. On June 4, House Energy and Commerce Republicans led by Chair Brett Guthrie claimed "strong evidence" of China-linked influence behind data center opposition and asked FBI Director Kash Patel for a briefing.[22] In September, Reps. Jason Smith and John Moolenaar urged Treasury and the IRS to investigate the tax-exempt status of nonprofits they say are fueling the opposition.[23] On Sept. 28, House Speaker Mike Johnson called the opposition "a Chinese psyop."[24] Once Washington starts sorting citizens into loyal and disloyal piles based on what they believe about a building, the First Amendment gets thin fast.

And while Washington questions the loyalty of people worried about their water, it's in federal court trying to put its own water right beyond Idaho's control. On Sept. 11, 2026, the United

States, the Department of Energy and the Navy sued the State of Idaho over the water right at Idaho National Laboratory (Case No. 1:26-cv-00592).[25] That's the same site the Energy Department opened to private AI data centers and power plants in July 2025.[26] The administration wants a court to declare that Idaho's water department lacks the authority to administer federal water rights, and to bar the state from using its own water law against the United States.[25] Idaho argues that would put the federal user outside the priority system everyone else on the aquifer lives under, so in a shortage the cuts could land on farmers, fish producers and cities instead. The court hasn't ruled. Idaho's Republican attorney general, Raúl Labrador, put it plainly: "The federal government gets no special treatment under Idaho law."[27] That's the conservative position. Defending your water from Washington isn't disloyal.

It's a pattern. Decide first, explain later. Gov. Brad Little signed a memorandum with the Energy Department on July 24 to compete for a new Nuclear Lifecycle Innovation Campus. Idahoans found out days later that the host agreement "shall provide for the acceptance of out-of-state used nuclear fuel, spent nuclear fuel, and high-level radioactive waste."[28] The explanation, from Lt. Gov. Scott Bedke, was that it isn't waste but fuel the lab can recycle.[28] By late September, a DOE spokesperson said it is unknown how much would go to each campus, and Gov. Little said the memorandum is not a final agreement.[36] Fair enough. But the terms were signed before Idahoans saw them. Six weeks after the Energy Department named Idaho one of five contenders,[29] the administration sued the state over the lab's water. People who ask questions after the fact aren't the problem. Leaders who make the deal before they make the case are.

It also lets officials skip the questions. "Psyop" is a lot easier to say than explaining who pays when a speculative project walks away and leaves its roads, pipelines and power lines behind.

Holding government and industry to account is the patriotic thing to do. Asking questions doesn't make you an enemy of the country.

How we got here

Date	What happened	Source
Jan. 21, 2025	The $500 billion Stargate AI venture is announced at the White House, framing AI infrastructure as a national race.	[30]
July 23, 2025	The administration releases America's AI Action Plan and Executive Order 14318 to fast-track data center permitting.	[31][32]
July 24, 2025	The Energy Department names Idaho National Laboratory one of four federal sites for private AI data centers and power plants.	[26]
Spring 2026	TerraVolt Infrastructure eyes a data center site near Raft River in Cassia County, BoiseDev reports.	[18]
March 31, 2026	Idaho responds to the Energy Department's request for information on hosting a nuclear campus.	[33]
April 2, 2026	H.B. 897 dies when the session ends. It passed the House 68-0 and, amended, the Senate 34-0; the House never voted on the Senate's version.	[16]
May 2026	DeSantis signs Florida's SB 484 to protect ratepayers and local control. Interior Secretary Doug Burgum calls some opposition "foreign-sourced dark money."	[9][22]
June 4, 2026	House Energy and Commerce Republicans ask the FBI for a briefing on foreign influence behind data center opposition.	[22]
July 24, 2026	Gov. Little signs the memorandum of understanding with the Energy Department.	[28]
July 28, 2026	The Energy Department names Idaho one of five initial contenders for a Nuclear Lifecycle Innovation Campus.	[29]
Aug. 3, 2026	The Idaho Capital Sun reports the deal requires accepting out-of-state spent fuel and high-level waste. Lt. Gov. Scott Bedke calls it fuel for recycling.	[28]
Sept. 25, 2026	A DOE spokesperson says quantities for each campus are unknown; Gov. Little says the memorandum is not a final agreement.	[36]

Date	What happened	Source
Aug. 31, 2026	Trump posts that communities opposing data centers want to "end up being backwards and poor."	[10]
Sept. 10, 2026	Trump tells Laura Ingraham "a lot of people say that it's a China PR thing."	[5]
Sept. 11, 2026	The United States, the Energy Department and the Navy sue Idaho over the INL water right.	[25]
Sept. 2026	Reps. Jason Smith and John Moolenaar ask Treasury and the IRS to look at nonprofits opposing data centers.	[23]
Sept. 28, 2026	Speaker Mike Johnson calls the opposition "a Chinese psyop."	[24]
Nov. 3, 2026	Voters favor limits on data centers in 40 of 41 local ballot measures.	[34]
Nov. 11, 2026	Hawley calls for a national data center moratorium.	[7]

The other side, in fairness

Supporters argue AI capacity is a real national security need and China is building fast. Rep. Scott Perry put it plainly in December 2025: "We are in a race for AI with China, so data centers are a part of that."[8] Foreign influence campaigns do exist, too.[5] Both are fair points. Neither explains away millions of Americans who decided for themselves, and neither answers who should pay.

Appendix A: Reader questions

Is anyone in power really calling data center opponents Chinese agents?

Yes, by name and on the record. In September 2026 the president said "a lot of people say that it's a China PR thing," and House Speaker Mike Johnson called the opposition "a Chinese psyop." In June, House Energy and Commerce Republicans asked the FBI for a briefing on foreign influence behind the opposition.[5][24][22]

Does Idaho give data centers tax breaks?

Yes. Since 2020, data center equipment and new data center buildings have been exempt from sales tax for projects that invest at least $250 million and create 30 jobs, and the exemption has no end date. A separate 2008 law caps the taxable value of any business that invests more than $1 billion in one county at $400 million. The state has never published what the sales tax break costs.[15][16]

Didn't the Legislature do anything to protect ratepayers?

It did. H.B. 911 makes new customers of 50 megawatts or more pay their full cost of service on contracts signed from July 1, 2026 on. H.B. 895 limits where new data centers can get cooling water. Both are good laws. Neither touches the tax breaks, and the bill that would have, H.B. 897, died.[37][38][16]

What is the INL water lawsuit about?

The United States, the Energy Department and the Navy sued Idaho on Sept. 11, 2026 (No. 1:26-cv-00592). They want a court to declare that Idaho's water department has no authority to administer federal water rights at the lab and to bar the state from applying its water law to the United States. Idaho is fighting it. Nothing has been decided.[25][27]

Has Idaho agreed to take the country's nuclear waste?

No final deal exists. The governor's July 24 memorandum says any host agreement "shall provide for the acceptance" of out-of-state spent fuel and high-level waste, and hosting would require changing the 1995 Settlement Agreement. The governor says the memorandum is not a final agreement, and a DOE spokesperson said in September that the amounts for each campus are unknown. That's exactly why hearings should come before any signature.[28][36]

Appendix A: Interrogatories

1. The federal lawsuit doesn't prove farmers would lose water. Aren't you assuming the worst?

The complaint asks a court to put the federal water right outside Idaho's administration. Idaho's priority system works because every user, senior or junior, answers to the same rules in a shortage. Take one large user out of that system and somebody else absorbs the difference. The court hasn't ruled, and the article says so. The risk is real enough that Idaho's Republican attorney general is fighting it.

2. Idaho passed H.B. 911 and H.B. 895. Why complain that lawmakers did nothing?

I don't. Those are good laws, and the article now says so. They deal with power costs on new contracts and cooling water. They don't touch the sales tax exemption, which still has no end date and no public cost report, and the one bill that would have fixed that died.

3. TerraVolt hasn't applied for any tax break. Isn't it unfair to tie it to subsidies?

The article doesn't say TerraVolt has the exemption, or that it has applied. It says the exemption is still on the books, with no end date, for any project that qualifies. If TerraVolt wants to settle the question, it can say publicly that it won't seek the exemption or the property tax cap.

4. TerraVolt plans to run off the grid. Why talk about stranded substations?

The article now asks who pays when a speculative project leaves its roads, pipelines and power lines behind. An off-grid gas plant still needs a pipeline tap, roads, water and a cleanup plan. If the company fails, those don't vanish. A decommissioning bond posted before construction answers the question.

5. A going-concern warning doesn't mean the project will fail.

Agreed. It means the company's own accountants say there is "substantial doubt" it can keep operating without new money. That's a fact a county commissioner deserves to weigh before a rezone. Ask for proof of financing and a named customer. If those exist, show them.

6. Foreign influence campaigns are real. Why dismiss them?

I don't. The article says so in plain words, and cites the experts who found Chinese campaigns with little reach. Both things are true: foreign actors post, and Americans decide for themselves. Investigate the foreign actors. Don't smear the farmer at the county hearing.

7. National polls about local data centers don't mean Americans oppose computing capacity.

True, and the article doesn't claim they do. People are saying they don't want one next door on these terms: subsidized, secretive, with somebody else paying for the power. That's a fair objection to a deal, not to computers.

8. H.B. 897 just died on procedure.

The procedure is in the article now. The House passed it 68-0, the Senate amended it and passed it 34-0, and the House never took up the Senate's version before adjourning. Nobody voted to kill it, so nobody is on record for killing it.

9. Nobody's First Amendment rights have been taken away.

Not yet, and I'd like to keep it that way. When members of Congress ask the FBI for briefings and ask the IRS to look at the tax status of groups that oppose a policy, people notice. Calling neighbors a foreign psyop is how you make them think twice before showing up to testify.

10. The memorandum isn't a final deal. Why call it "decide first, explain later"?

Because the terms, including accepting out-of-state spent fuel and high-level waste, were signed on July 24 and Idahoans learned them from a newspaper on Aug. 3. The governor says it isn't final. Good. Then hold the public hearings former Chief Justice Jim Jones has asked for before anything else gets signed.

Appendix A: Glossary

Behind the meter: Power made on site and used on site, without passing through the utility's grid or meter.

Cost causation: The rule that whoever causes a cost, such as a new power plant or substation, pays for it.

Data center sales tax exemption: Idaho's 2020 law (Idaho Code 63-3622VV) that exempts qualifying data center equipment and buildings from sales tax.

Emergency moratorium: A temporary pause on certain land-use applications while a city or county writes permanent rules.

Going-concern warning: A statement in a company's financial reports that there is "substantial doubt" it can keep operating over the next year without new money.

Hyperscale data center: A very large data center campus, usually hundreds of thousands of square feet or more, built for cloud or AI computing.

Large load: A single electric customer of 50 megawatts or more, the threshold in Idaho's H.B. 911.

Memorandum of understanding (MOU): A signed document setting out terms two parties intend to follow; it is not the final contract.

Nuclear Lifecycle Innovation Campus: A DOE program for sites that would host fuel making, reprocessing, waste storage, reactors and data centers in one place.

Option agreement: A paid right to buy land later at set terms, without an obligation to buy.

Property tax cap (Idaho Code 63-4502): A 2008 law that caps the taxable value of a business investing over $1 billion in one county at $400 million.

Psyop: Short for psychological operation, a campaign to manipulate what people believe.

1995 Settlement Agreement: Idaho's agreement with the federal government that limits spent nuclear fuel shipments into the state and sets cleanup deadlines at INL.

Water right priority: Idaho's "first in time, first in right" rule; in a shortage, newer (junior) rights are cut before older (senior) ones.

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Revision r3, Nov. 13, 2026

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Fact-check pass Nov. 13, 2026, against primary sources (Idaho Legislature, IPUC, IDWR, SEC EDGAR, Federal Register, NRC, DOE) with cross-checks by ChatGPT, Grok and Copilot. r3 merges the r2 fact-check edits with the update written to Final at 12:48 p.m. (Patriotism v2: reader questions, H.B. 897 wording, references 36 to 38).

Report now carries its plain descriptive title. Place names follow house style; reference URLs unchanged.

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Gemstone vote explained: the council split 2-2 and the mayor broke the tie, a 3-2 result.

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Federal water case cited as No. 1:26-cv-00592; Capital Sun first reported it Oct. 28; water-cut language now says could, not would.

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Lava Ridge: ROD signed Dec. 5, 2024; up to 231 turbines on BLM land; 38,535 acres of siting corridors; about 3,926 acres of disturbance.

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IPC-E-26-07: written comments due Dec. 14, 2026; technical hearing Jan. 19, 2027. June 2027 deficiency date placed in its avoided-cost context.

- IPC-E-26-07: written comments due Dec. 14, 2026; technical hearing Jan. 19, 2027. June 2027 deficiency date placed in its avoided-cost context.

TerraVolt/CalEthos: June 30, 2026 rename (8-K); $15 million related-party loan; about $10.7 million cash; going-concern warning kept.

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Natrium: authorized March 4, permit CPAR-1 issued March 9, construction began April 23. Georgia audit job cut now explained as a summary calculation error.

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JLARC: $14 to $37 a month by 2040 in inflation-adjusted dollars; $928 million exemption value. EO 14318 thresholds stated precisely. $400 million described as a property tax cap.

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Data center exemption: wage requirement and Tax Reimbursement Incentive exclusion added. FEC cycle totals labeled 2025-26. Blaine County moratorium added. Ballotpedia URL repaired.

- Data center exemption: wage requirement and Tax Reimbursement Incentive exclusion added. FEC cycle totals labeled 2025-26. Blaine County moratorium added. Ballotpedia URL repaired.

Revision r4, Nov. 13, 2026

Revision r4, Nov. 13, 2026

Checked that President Trump is never called a former president.

- Checked that President Trump is never called a former president.

Revision r5, Nov. 13, 2026

Revision r5, Nov. 13, 2026

Tightened the passages about H.B. 897 and TerraVolt to what the public record shows.

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