

Snake River Water Rights Agreement

1990's: Nez Perce Tribe Instream flow claims raised concerns about management of Idaho's waters for ag users



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2004: Snake River Water Rights Agreement
(aka “Nez Perce Agreement”)

- Parties: State of Idaho, Nez Perce Tribe, Water users
- Tribal Component: Quantified water rights, established trust fund for water and fisheries resources
- Salmon/Clearwater Initiative: Provides instream flows and establishes a fund for habitat improvements
- Snake River Component: Established flow augmentation program



Flow Augmentation

- Water sent downstream to augment flows (increased flow or reduce temperature) to assist salmon / steelhead migration
- 487,000 a/f per year (~ 159 billion gallons/year)
 - 1 acre foot = 325,851 gallons
- Willing buyer / willing seller arrangement
- Water comes from several sources:
 - Storage space owned by the Bureau of Reclamation;
 - Water rights owned by the State; and
 - Water owned by water users that is “leased” for flow augmentation
- Benefits to water users:
 - 30-year biological opinion (with option to renew for an additional term in 2034)
 - Financial benefits of leasing water