



Governor Brad Little

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June 26, 2026

RECEIVED

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DEPARTMENT OF
WATER RESOURCES

Chairman Jeff Raybould
Idaho Water Resource Board
322 E. Front St.
Boise, ID 83702

RE: Swan Falls Agreement – Minimum Stream Flows and a Path Forward for Trust Water Rights Holders

Dear Chairman Raybould:

I am writing to share with the Idaho Water Resource Board (“Board”) an important development regarding this summer’s streamflow conditions at the Murphy Gage and possible administration and curtailment of Trust Water Rights, and to ask the Board to undertake the challenging task of finding a permanent resolution to curtailment for Trust Water Right holders willing to take actions to mitigate for their impacts on the minimum stream flow water rights at Swan Falls.

As the Board knows, drought conditions this year have raised the real possibility that stream flows could fall below the Board’s minimum stream flow right of 3,900 cfs at Swan Falls established by the 1984 Swan Falls Agreement (“Agreement”) during the irrigation season. Should flows at Swan Falls fall below 3,900 cfs, it would put Trust Water Right holders at risk of curtailment. On June 22, the Idaho Power Company notified me that, notwithstanding the risk, the company is not advocating for curtailment of Trust Water Rights at this time. Instead, Idaho Power has indicated it is willing to consider the use of storage water as an interim, case-by-case accommodation while a longer-term solution is developed, expressly without waiving any of its rights or protections under the Agreement.

I support Idaho Power’s proposed approach, and I am grateful for their cooperative outreach. Under their proposal the Snake River will not run dry of water for Trust Water Right holders this season, but I want to be equally clear that this is a bridge, not a fix. It buys us time. It does not permanently resolve the underlying tension between the minimum stream flow obligations the state holds under the Agreement and the water needs of Trust Water Right holders in a dry year, and it should not be mistaken for a precedent or a permanent agreement.

Given that, I am asking the Board to take action on the following:

Secure storage for the remainder of the 2026 irrigation season. Please work with Idaho Power and water users to identify and secure up to 5,900 acre-feet of storage water for delivery to the Minimum Stream Flow water rights at the Murphy Gaging Station in the event the Average Adjusted Daily Flow falls below 3,900 cfs during the remainder of the irrigation season. Delivery of the storage water, if needed, will offset the depletion of flows at the Murphy Gage due to Trust Water diversions.



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Working through the Swan Falls Implementation Group (“SFIG”), oversee efforts to develop and implement a mitigation plan to protect participating Trust Water Right holders from future curtailment. Please work with the SFIG to create an advisory committee of effected stakeholders, hold regular, facilitated meetings, and undertake the hard work of developing a long-term mitigation plan – one that gives participating Trust Water Right holders real certainty and ensures the State can continue to meet its minimum streamflow obligations under the Agreement without relying on curtailment as the only administrative tool available in a dry year.

My hope is that the Board can bring the mitigation planning process to a conclusion, with an agreement in hand, as soon as possible so that Trust Water Right holders, Idaho Power, and the state have durable clarity for future irrigation seasons rather than the kind of late-season uncertainty we are managing right now.

I am also asking Idaho Department of Water Resources Director Mat Weaver to incorporate all of the Trust Water Rights into water districts with watermasters, and to report to me his proposed schedule for doing so.

I know this is a heavy lift on a short timeline, and I appreciate the Board’s willingness to take it on. Idaho has solved hard water problems before by bringing people to the table early and finding common ground, and I am confident the Board, working with the Swan Falls Implementation Group, can do that here.

Please keep my office and Director Weaver updated as this process moves forward.

Sincerely,

A handwritten signature in blue ink, appearing to read "Brad Little", is written over a horizontal line.

Governor Brad Little
State of Idaho

Cc: Mathew Weaver, Director, Idaho Department of Water Resources
Hon. Scott Bedke, Lieutenant Governor
Lisa Grow, Idaho Power Company