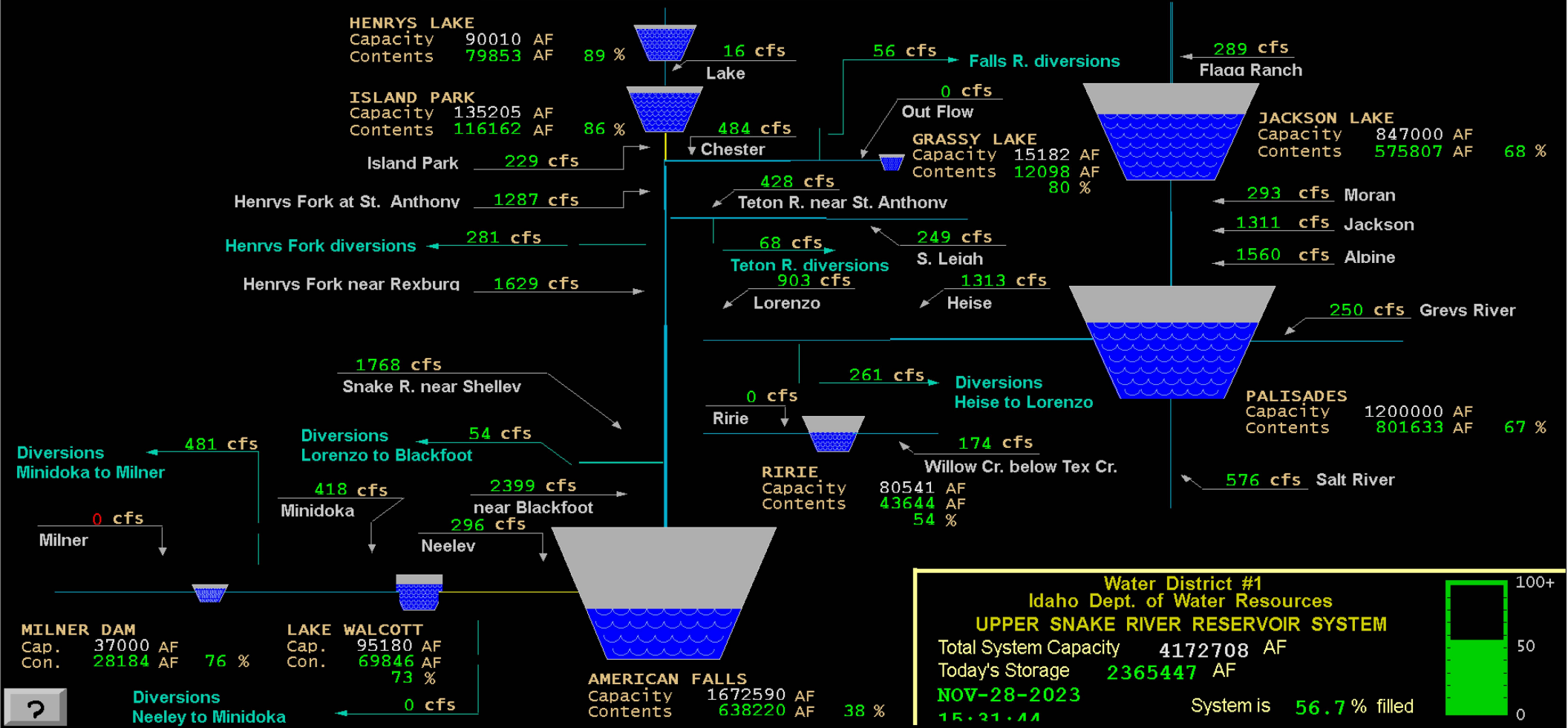


# Effects of 2004 Snake River (Nez Perce) Water Rights Agreement on Water District #1 Storage Allocations

Tony Olenichak  
Water District #1 Watermaster  
12/5/2023

## USRRS FLOW SCHEMATIC



**Water District #1**  
**Idaho Dept. of Water Resources**  
**UPPER SNAKE RIVER RESERVOIR SYSTEM**

Total System Capacity 4172708 AF  
 Today's Storage 2365447 AF  
**NOV-28-2023**  
 15.21.11

System is **56.7 %** filled

100+  
50  
0

## **2004 Water Rights Agreement's Term Sheet used to resolve Nez Perce Tribe's claim to Snake River water:**

- Provides for the Bureau of Reclamation to lease up to 427,000 acre-feet of reservoir storage from Water District #63 (Boise River), Water District #65 (Payette River), and Water District #1 (Snake River above Milner Dam) to be released downstream for Snake River flow augmentation each year.
- Water District #1's obligation ranges from zero to 205,000 acre-feet of the 427,000 acre-feet, depending on the Water District #1 reservoir system content and April 1<sup>st</sup> runoff forecast each year.

Spaceholder storage to be released past Milner Dam for flow augmentation ranges from zero to 205,000 AF depending on the October 31<sup>st</sup> summed contents of Water District #1 reservoirs and the April 1<sup>st</sup> to September 30<sup>th</sup> Snake River runoff forecasted to occur at the USGS Snake River at Heise gaging station.

TABLE 1: Water District 1 Flow Augmentation Rental Chart							
		April 1 to Sept 30 Heise Forecast (1000s AF)					
October 31st	0	2,920	3,450	4,208	5,042		
Midnight	to	to	to	to	or		
Carryover	2,919	3,449	4,207	5,041	greater		
1000s AF	Percentage of median Apr-Sep runoff (3660 kaf)						
	0-80%	80-94%	94-115%	115-138%	>138%		
0 - 599	0	0	0	150000	185000		
600 - 899	0	0	60000	150000	185000		
900 - 1499	0	60000	60000	150000	185000		
1500 - 2099	0	100000	150000	185000	185000		
2100 - 2599	0	100000	150000	205000	205000		
2600 - 2999	0	185000	185000	205000	205000		
3000 - 3199	60000	185000	185000	205000	205000		
> 3199	100000	185000	185000	205000	205000		

\* Percentages are approximated and should be used for reference purposes only.

Spaceholder storage to be released past Milner Dam for flow augmentation ranges from zero to 206,000 AF depending on the October 31<sup>st</sup> summed contents of Water District #1 reservoirs and the April 1<sup>st</sup> to September 30<sup>th</sup> Snake River runoff forecasted to occur at the USGS Snake River at Heise gaging station.

TABLE 1: Water District 1 Flow Augmentation Rental Chart						
April 1 to Sept 30 Heise Forecast (1000s AF)						
October 31st Midnight Carryover 1000s AF	0	2,920	3,450	4,208	5,042	
	to	to	to	to	or	
	2,919	3,449	4,207	5,041	greater	
Percentage of median Apr-Sep runoff (3660 kaf)						
	0-80%	80-94%	94-115%	115-138%	>138%	
0 - 599	0	0	0	150000	185000	
600 - 899	0	0	60000	150000	185000	
900 - 1499	0	60000	60000	150000	185000	
1500 - 2099	0	100000	150000	185000	185000	
2100 - 2599	0	100000	150000	205000	205000	
2600 - 2999	0	185000	185000	205000	205000	
3000 - 3199	60000	185000	185000	205000	205000	
> 3199	100000	185000	185000	205000	205000	

10/31/2023 carryover totaled 1,952,000 AF

\* Percentages are approximated and should be used for reference purposes only.

## What amount is deducted from each reservoir spaceholder's storage accrual to supply the previous year's flow augmentation?

- **If the reservoir system completely fills (or excess storage is spilled for flood-control),** no reductions to spaceholder storage allocations are necessary for supplying the previous year's flow augmentation.
- **If the reservoir system does not completely fill,** each participating spaceholder has their storage accrual reduced proportionally to satisfy the empty reservoir space created by the previous year's evacuation of flow augmentation storage.
  - Example: The rainbow-colored chart provided 150,000 AF of flow augmentation and the reservoir system accrual in the following year totals 3,750,000 AF (approximately 450,000 AF short of completely filling). Every participating reservoir spaceholder has their storage accrual reduced by 4% ( $150,000/3,750,000$ ).

## **What amount does BOR pay for spaceholder storage released for flow augmentation under the terms of the Nez Perce Agreement each year?**

- \$14 per acre-foot from 2005-2012
- \$17 per acre-foot from 2013-2017
- \$20 per acre-foot from 2018-2022
- \$23 per acre-foot from 2023-2030

## **How is the money paid by BOR for flow augmentation distributed?**

- Water District #1 currently receives \$1.30 per acre-foot for administrative fees.
- Idaho Water Resources Board (IWRB) receives 10% of the rental price.
- Reservoir spaceholders receive the remaining BOR payment after the administrative fees and IWRB fees have been deducted.

## **What happens when the agreement to supply flow augmentation expires after 2030?**

- Will a new agreement be renegotiated for different amounts at different prices than previously supplied?
- If no agreement is reached for 2031 and beyond, will water cease to be released for flow augmentation....or will water be released under a different program or agreement?

ADDITIONAL QUESTIONS ?

Tony Olenichak

Phone: 208-525-7161

Email: [tony.olenichak@idwr.idaho.gov](mailto:tony.olenichak@idwr.idaho.gov)