

2021 Water Lease Offer for Portneuf River Basin Water Users



SHOSHONE · BANNOCK
**TRIBAL WATER
RESOURCES**

Why Portneuf Basin Water Users Should be Interested?

- **As a result of regulatory changes, there is a good chance that many water rights in the Portneuf River Basin will be forced to shut down during the summer growing season.**
- This risk is focused on water rights that divert from surface streams (not groundwater wells) and have a priority date that falls after the year 1900.
- Here is some background on why this risk exists now when it has never been a past problem:
 - The Snake River Basin Adjudication (SRBA) wrapped up in 2014 and has given the Idaho Department of Water Resources (IDWR) the administrative tools to manage surface water across river basins, effectively connecting the Snake River to tributary rivers such as the Portneuf River.
 - Many of the largest and most senior water rights in the Snake River Basin are held on the main stem Snake River and are impacted by water uses in the Portneuf River Basin.
 - To protect their water rights, these senior rights holders have asked IDWR to curtail junior priority water rights on tributaries such as the Portneuf River
 - It is likely that IDWR will take unprecedented administrative action in the coming years and curtail junior water rights located on tributaries such as the Portneuf River.
 - **Water rights that have a priority date after the year 1900 are likely to be curtailed in the growing season unless they secure mitigation water.**

How Can the Tribal Water Bank Reduce This Risk?

- The Shoshone Bannock Tribes market their reservoir storage water under a Tribal Water Bank which is separate and distinct from the State Water Bank and local Water District 01 Rental Pool.
- The Tribal Water Bank is administered under an independent set of rules which are not restrictive to long-term agreements and not subject to annual policy changes.
- The Tribes have entered into many multi-year water lease agreements with Idaho water users.
- The Tribes can release water storage from the Tribal Water Bank to eliminate the risk of curtailment for Portneuf River water users that results from the new IDWR administration.

A Turn-Key Solution: Lease from the Tribal Water Bank

- Once a water lease is signed, the Tribes will provide the WD 01 Watermaster with a list of water rights numbers and corresponding mitigation lease volumes from the Tribal Water Bank.
- Portneuf water users will likely need to file a mitigation plan with IDWR and the Tribes will verify the water lease as mitigation supply.
- In the event of curtailments, the Watermaster will not issue curtailment orders to users with a mitigation lease and will instead subtract the volumes from Tribal storage accounts. The Tribes will work with the Watermaster to ensure proper accounting.
- Our expectation is that the Portneuf River water user will not need to take any action after the lease is signed and can continue irrigating as normal, up to the volume of mitigation water secured under the water lease.

Tribal Water Bank Lease Terms

- **Tribal Water Bank Offering:** The Tribes are offering mitigation water to surface water users in the Portneuf River Basin as a turn-key solution over multiple years. Our goal is to make this a non-issue for Portneuf River water users for the foreseeable future.
- **Price:** \$50 per acre-foot of contracted water. Paid annually. The Tribes will index the price periodically for long-term agreements.
- **Lease Term:** The Tribes are offering multi-year lease terms. We seek a minimum lease term of 3 years.
- **Other Terms:** The Tribes are willing to consider multiple water lease contract options, such as an option contract or a flat rate annual fee. Please contact us if you have alternative contracts in mind.

Are There Other Mitigation Supplies?

- The Tribal Water Bank provides water users a long-term, turn-key solution to their mitigation requirements. Once the initial agreement is signed, the terms of the lease will not change. Except in extreme drought years, the problem is solved for the duration of the lease.
- The only known alternative source of mitigation supply being offered is to rent storage water from the Assignment Pool created by Water District 01. Water users seeking mitigation water must submit an application each year to rent water from the Assignment Pool with no certainty that water will actually be available. The annual pricing and contract terms of the Assignment Pool are subject to change each year, and the availability of this mitigation supply relies upon annual commitments from storage owners.

Tribal Water Bank	Assignment Pool
<ul style="list-style-type: none">• Price: \$5,000 per 100 AF annually• Lease Duration: 3 or more years• Certainty: Tribal Water Bank supplies will be committed each year of the lease with no additional actions. Lease terms will not change during the lease.• Supply Reliability: Highly reliable supply.	<ul style="list-style-type: none">• Price: \$3,980 - \$6,180 per 100 AF annually• Lease Duration: 1 year• Certainty: No long-term certainty that water will be available each year. Lease terms subject to change each year at the discretion of the Rental Pool owners.• Supply Reliability: Dependent upon storage space committed to Assignment Pool.

Contact Us for More Information

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