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NEWS RELEASE

For Immediate Release
May 7, 2008

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CRAIG SAYS SNAKE RIVER LEGISLATION COULD PUT IDAHO WATER RIGHTS AT RISK

WASHINGTON, D.C. – A bill designating 442 miles of the Snake River as a Wild and Scenic River was reported out of the Senate Energy and Natural Resources Committee today over the vehement opposition of Idaho Senator Larry Craig who argued that the measure could put Idaho water rights at risk.

The bill, S. 1281, the Snake Headwaters Legacy Act of 2007, seeks to apply the wild and scenic federal designation to a portion of the Snake River below Jackson Lake Dam in Wyoming.

“The Snake River is a unique anomaly to the West,” Craig told the committee in describing what he said is a typical Western water rights fight. “It starts in Wyoming, but its water belongs to Idaho and is Idaho’s most significant water source.”

Craig said the river’s water flow, especially the timing of water delivery, would be impacted by the proposed Wild and Scenic designation which is considered by Congress to protect scenic rivers from development that would change their unique nature. “Sustaining that designation on this section of the Snake River would require more water that would be denied to Idaho at a time of peak water usage for Idahoans,” he said.

The Senator also warned that passing legislation that changes the Snake River’s designation, but does not clarify and protect Idaho water rights, would invite a challenge in the 9th Circuit Court of Appeals which has typically ruled against users in water rights issues. Craig told the committee that Idaho’s Attorney General had expressed concerns to him that the legislation could result in expensive litigation for the State if it did not include express protections for Idaho water rights and consistent water management.

Craig offered two amendments to the bill which he said would retain the current balance that the National Park Service and the Forest Service maintain in protecting the Snake River’s beauty and character, along with the rights and water delivery needs of Idaho water users. The amendments were defeated, mainly on party-line votes. “It’s a beautiful river that is now being managed successfully,” he said.

Craig said he regretted having to oppose the legislation which was a priority of the late Wyoming Senator Craig Thomas, a personal friend, but he concluded, “I must oppose it out of absolute necessity for Idaho water users.”