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February 24, 2016

Via Email (carter.fritschle@idwr.idaho.gov)

Carter Fritschle
Idaho Department of Water Resources
322 E Front Street
Boise, ID 83702

Re: CSRBA Claim No. 92-7218 in the name of Potlatch Land & Lumber, LLC

Dear Carter,

This letter follows up on our telephone conversation yesterday about Potlatch Land & Lumber, LLC's, objection to a remark concerning a "separate agreement" that was included in the "Explanatory Material" section of IDWR's December 29, 2014 Director's Report for Claim No. 92-7218.

As we discussed, Potlatch believes the remark should be removed because any "separate agreement" that existed is no longer of any force or effect. It is my understanding that the "separate agreement" remark refers to the resolution of the Idaho Department of Fish & Game's ("IDFG") protest to application for permit no. 92-7218. Enclosed with this letter are copies of letters from June 1995 which demonstrate that IDFG's protest was withdrawn when Potlatch amended its claim to a maximum diversion rate of 1 cfs, and that Potlatch stated it "will monitor the stream flow and water temperature through this operating season."

This is the only potential "separate agreement" I am aware of. Because its terms must have been satisfied, at the latest, by the end of 1996 (conservatively assuming the relevant "operating season" occurred the year following the June 1995 correspondence), there is no reason to include any remark referencing a "separate agreement."

Carter Fritschle
February 24, 2016
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Thanks for your assistance. Please feel free to call me if you have any questions or need further information.

Sincerely,



Michael P. Lawrence

MPL/lg
cc: Lorrie Scott
Meghan Carter
6893159_1 [1314-66]



IDAHO FISH & GAME

PANHANDLE REGION
2750 Kathleen Avenue
Coeur d'Alene, Idaho
83814

Phone (208) 769-1414 • Fax (208) 769-1418

Philip E. Batt / Governor
Jerry M. Conley / Director

June 22, 1995

Mr. Robert G. Haynes
Idaho Department of Water Resources
1910 Northwest Boulevard, Suite 210
Coeur d'Alene, ID 83814



Dear Bob:

REFERENCE: POTLATCH WATER RIGHT FOR CLARKIA LOG YARD

As you are aware, we have been discussing Potlatch Corporation's proposal to divert 2.0 cfs from the St. Maries River with their representatives. Estimated base flow at the proposed point of diversion is approximately 5.0 cfs. Diverted water would be used to preserve log quality at Potlatch's Clarkia log yard. Currently this reach of the St. Maries River supports low densities of cutthroat trout, with summer habitat conditions apparently the limiting factor. We are opposed to and protest the diversion of 2.0 cfs at this time.

Our concerns with the proposal to divert 2.0 cfs focus on potential loss of habitat, including dewatering of habitat areas, potential to increase summer water temperatures, and loss of habitat stability if the diversion pump is operated in an on again-off again manner. In meeting with Potlatch representatives, they indicated under ideal conditions their log watering system could operate with slightly less than 1.0 cfs, but because of uncertainty as to whether the system could function at full efficiency (ideal conditions being met) had decided to apply for the additional water. However, in response to our concerns, Potlatch has agreed, as indicated by the attached letters, to change their application to request a 1.0 cfs diversion. They have also stated they will conduct some monitoring of the system's operation and its effect on the stream. This information can then be used to make informed decisions as to whether additional water needs to be applied for, and how best to minimize impacts to other beneficial uses should additional water be requested.

We will withdraw our protest of this water right application as soon as the change from 2.0 cfs to 1.0 cfs is recorded. Also, we will support Potlatch if they request a temporary diversion of 1.0 cfs to allow them to start operations and monitoring prior to receiving full approval of their water right application. We appreciate your's and Potlatch's willingness to work to resolve this issue.

Sincerely

David W. Ortmann
Regional Supervisor

SEP 15 1995

DWO:CEC:njk

Attachments

C: Cal Groen, IDFG, Boise
Bill Davis, Potlatch Corporation



Handwritten note: Potlatch's...



June 21, 1995

Mr. Charles Corsi
Environmental Staff Biologist
Idaho Department of Fish and Game
2750 Kathleen Ave.
Coeur d'Alene, Idaho 83814

Potlatch Corporation
Wood Products, Western Division

P.O. Box 1016
Lewiston, Idaho 83501-1016
Telephone (208) 799-0123

RE: Potlatch Corporation Water Right at Clarkia, Idaho; Sec. 7, T42N R2E.

Dear Chip,

This letter is a follow up to our phone conversation today concerning Potlatch Corporations application for a water right at Clarkia, Idaho. Attached is our letter to Allen Beardsley of the Idaho Department of Water Resources modifying our application to a maximum rate of diversion from 2 CFS to 1 CFS.

As we discussed, Potlatch will monitor the stream flow and water temperature through this operating season. We will be in contact with you during the summer to set up an on site visit to discuss the fishery.

Thanks for your help,

Sincerely,

A handwritten signature in cursive script, appearing to read "Bill", written in dark ink.

William F. Davis
Property Specialist

SEP 15 1995



Potlatch Corporation
Wood Products, Western Division

P.O. Box 1016
Lewiston, Idaho 83501-1016
Telephone (208) 799-0123

June 21, 1995

Mr. Allen Beardsly
State of Idaho
Water Resources Dept.
1910 W Blvd, Suite 210
Coeur d'Alene, Idaho 83814

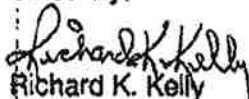
RE: Clarkia Water Rights Application

Dear Sir,

Please consider this letter as notification that Potlatch Corporation is changing the maximum rate of diversion in our application for a water right in the NE1/4NE1/4 of Section 7, Township 42 North, Range 2 East, Shoshone County from 2 CFS to 1 CFS.

Please direct your questions to Bill Davis at the address above or by calling (208) 799-1706.

Sincerely,


Richard K. Kelly
Vice President

RECEIVED
SEP 16 1995