



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
West Coast Region
800 E. Park Blvd, Plaza IV, Suite 220
Boise, Idaho 83712

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**DEPARTMENT OF
WATER RESOURCES**

December 19, 2016

State of Idaho Department of Water Resources
ATTN: Jean Hersley, Technical Records Specialist II
322 East Front Street
P. O. Box 83720
Boise, Idaho 83720

Re: Comments on Water Right Permit Application #73-12257

Dear Ms. Hersley:

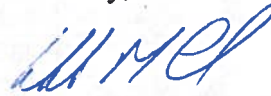
National Marine Fisheries Service (NMFS) staff have reviewed the above referenced water right permit application and supporting documents. We believe that approval of the proposed water right would adversely affect NMFS' trust resources (*i.e.*, Snake River Basin steelhead and Snake River spring/summer Chinook salmon). Because NMFS' trust resources are also public resources, we feel that approval of the application is not in the public's interest. We urge you to carefully consider the concerns outlined below before making your decision regarding this application.

Water right 73-12257, if issued, would increase water use, which would reduce flow in the lower Pahsimeroi River and Patterson Creek. Water diversion and use has reduced flow throughout the Pahsimeroi River drainage and flow is a limiting factor for the Pahsimeroi River populations of Snake River spring/summer Chinook salmon (Chinook salmon) and Snake River Basin steelhead (steelhead). Reducing flow in the lower Pahsimeroi River and Patterson Creek would harm Chinook salmon, steelhead, and designated critical habitat for both species.

Improving streamflow in the Pahsimeroi River drainage is a high priority for recovery of the Pahsimeroi River Chinook salmon and steelhead populations. Collaborative efforts among private landowners, state agencies, and Federal agencies have improved flow in Chinook salmon and steelhead habitat, with demonstrable positive effects on anadromous salmonids. Protecting and enhancing Pahsimeroi River Chinook salmon, Pahsimeroi River steelhead, and critical habitat in the Pahsimeroi River drainage, is in the public interest, as evidenced by the substantial collaborative efforts directed toward restoration activities. NMFS feels that approval of water right application 74-12257, without provisions to protect fishes and their habitat, would reduce value of completed habitat restoration and would likely impair future restoration efforts.



Sincerely,

A handwritten signature in blue ink, appearing to read 'William Lind', written in a cursive style.

William Lind
Southern Snake Branch Chief

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