

MEMORANDUM

TO: Application No. 78-12421
FROM: D. Merriman
DATE: 3/24/16
RE: Salmon-Clearwater Processing, Basins 77-79 Western Region

The application proposes to authorize an existing pond for aesthetic and recreation storage constructed on an unnamed stream that runs tributary to Round Valley Creek. A channel runs water into the pond and then the water is discharged through an outlet channel. The application is to add additional storage from a pond expansion.

The site is west of Highway 95 off Round Valley Road approximately 11 miles north of New Meadows.

Wild & Scenic River (WSR) Processing

General Information - WSR processing applies to portions of Bs 77 and 78 but not to Bs 79. It is rarely expected in Bs 78 since WSR right 78-11961 covers federal land upstream from the Rapid River Fish Hatchery slightly southwest of Riggins.¹

Typically WSR issues would be in Bs 77 upstream from Long Tom Bar on the Salmon River, WSR right 77-11941.² This also incorporates the entire Middle Fork Salmon River drainage, MSR right 77-13844.³

WSR processing is required for any source/diversion upstream from any WSR right. This applies to all sources and uses unless the applicant shows the source is not hydraulically connected to any WSR rights.

Specific Information for this Application - WSR processing is not required because the proposed source/diversion is downstream from any WSR rights.

Minimum Streamflow Rights (MSF)

General Information - MSF analysis applies to all surface water upstream⁴ from any MSF rights. Basins 77-79 have various MSF rights that might affect applications. By agreement with SO regarding these basins, specific MSF conditions of approval are not necessary provided the reviewer checks MSF issues and documents the file with the results (7/8/09 telephone conference).

Downstream MSF right 3-8 on the Snake River⁵ is not subordinate to "future dcmi" uses or "future non-dcmi (with cfs limits)" uses. Downstream Salmon River MSF right 79-14119⁶ is subordinated to future dcmi uses but not to future non-dcmi uses.

All Basin 77-79 MSF rights upstream from the ending point of 79-14119 (mouth of Salmon River) include subordination to future dcmi uses. Most of those upstream MSF rights are also subordinate to various amounts of future non-dcmi uses. None of the future non-dcmi cfs rates have been exceeded yet by new approvals. Further MSF analysis is generally not needed until a specific future non-dcmi cfs rate is exceeded.

Because the review memo extensively covers WSR and MSF issues, SO Planning Bureau comments are not needed yet (prior agreement with SO). Planning will be contacted for comments during the legal notice process as a precaution.

¹ POD = T23N-R1W-S12.

² POD = T25N-R5E-S31.

³ POD = T23N-R16E-S33.

⁴ Shallow ground water tributary to surface water might involve MSF issues under conjunctive management thinking. Discuss with your supervisor if this comes up.

⁵ POD = T31N-R5W-S10.

⁶ From mouth of river T29N-R4W-S14 upstream thru about Shepp Ranch T24N-R6E-S12.

Specific Information for this Application – MSF analysis is required for the proposed source and use upstream from MSF rights 3-8 and 79-14119.

This application also involves MSF right 78-12362.

This leads to the following MSF conclusions for this application:

- Senior MSF right 3-8 will not be subordinated to the proposed use(s).
- Senior MSF right 79-14119 will not be subordinated to the proposed non-dcml use.
- Senior MSF right 78-12362 will be subordinated to the proposed non-dcml use(s).

The attached MSF spreadsheet shows the application meets the criteria for MSF rights in the same basin.

Discussion

52.7 cfs are available to appropriate as “subordinate to future non-dcml uses” according to the Basin 78 Minimum Stream Flow Rights spreadsheet. Application 78-12421 proposes 7.2 AF of storage, which calculates to .0099 cfs (rounded to .01 cfs.) This is less than the 52.7 cfs available and, thus, is an acceptable quantity.

Local Public Interest

IDFG submitted a comment letter that states they do not have any concerns for fish and wildlife with the submitted application.

IDEQ submitted a comment letter that states they do not anticipate that the water permit will impair beneficial uses and they do not have any concerns with the application.

Conditions of Approval

In addition to typical standard conditions (004, 121 etc.), use the following standard, modified &/or unique conditions for Basins 77-79.

Per IDFG comments, use the following:

- **029 standard** - Prior to the diversion and use of water under this approval, the right holder shall comply with all fish screening and/or fish passage requirements of the Idaho Department of Fish and Game.

