



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
West Coast Region
7600 Sand Point Way N.E., Bldg. 1
Seattle, WA 98115

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FEB 28 2014

Department of Water Resources
Eastern Region

February 26, 2014

James Cafalo
Idaho Department of Water Resources
900 N. Skyline Dr., Ste. A.
Idaho Falls, Idaho 83402-1778

Re: Comments on Water Right Permit Application #74-15964

Dear Mr. Cafalo:

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 74-15964, if issued, would result in diversion of water for maintenance of a two acre pond adjacent to the Lemhi River. This water use would result in increased consumptive use of water (via evaporation from the pond surface), increased water temperature in the Lemhi River, and possible introduction of hatchery trout into the Lemhi River. Any of these effects would adversely impact Chinook salmon, steelhead, and designated critical habitat for both species.

Improvement of Chinook salmon and steelhead habitat the mainstem Lemhi River is a high priority for recovery of the Lemhi River Chinook salmon and steelhead populations. There are a variety of completed, ongoing, and planned future habitat restoration projects in the Lemhi River drainage and additional restoration will be needed to recover the Lemhi River Chinook salmon and steelhead populations. Protecting and enhancing Lemhi River Chinook salmon, steelhead, and critical habitat has public interest value, as evidenced by the substantial collaborative efforts directed toward salmonid habitat restoration. NMFS feels that approval of water right application 74-15964 without provisions to protect fishes and their habitat, would reduce value of completed habitat restoration and would likely impair future restoration efforts.

Sincerely,

William W. Stelle, Jr.
Regional Administrator

