

Mathews, Kerrie

From: Mathews, Kerrie
Sent: Monday, February 03, 2014 9:03 AM
To: Harrington, Helen
Subject: RE: Water Application 74-15895

My answers are below...

Kerrie Mathews

"It's not what you look at that matters, it's what you see."
-Henry David Thoreau

From: Harrington, Helen
Sent: Friday, January 31, 2014 4:37 PM
To: Mathews, Kerrie
Subject: RE: Water Application 74-15895

Hi, Kerrie.

It appears that this application was advertised, so I guess you are not looking for a formal response (i.e., a protest), so I'll provide some comments and you can let me know if there is some other way to proceed.

We do have some concerns –

- It is unclear what the distance between the diversion and the return flow is.
The return flow is approximately 900 Linear Feet downstream of the Point of Diversion.
- According to IDFG, flows are a limiting factor in Agency Creek. IDFF&G believes that 2.2 cfs would be about half of the available flow during base flow, but there isn't any hard data to support that.
Correct there is no hard data to determine the flow in Agency Creek. USGS StreamStat data approximates the flows at anywhere between 3.0 cfs at low flow to 20.0 cfs at peak flows. One thing to note, the maximum capacity of the system is 500 gal/min which equates to 1.11 cfs. This would be reduced at licensing.
- It looks like the original applicants are not the current owners of the property – is the new owner still interested in pursuing the application?
You are correct the current owners are not the applicants. Unfortunately the previous owners gave the new owners the impression that this was a water right, which of course it isn't. The new owners are moving forward to get this permit complete. The Department has determined the process that is necessary to move this forward and get it into the new owners name.
- Is the water currently being used? According to the taxlot information, the house was built in 1978. If the use of water started then, why wasn't it claimed in the Lemhi decree or the SRBA?
Yes the system is in place and has been used for some time, it is the only source of power for this home. The original application submitted by the Omlers indicated that the system was in place and being used in 2008. I do not know if it was in use in 1978, we cannot reach the Omlers, from what the new owners tell me they felt it was a recreational cabin up until the late 1990's.
- While this is not a consumptive use, so it wouldn't have a nexus with the Lemhi River MSF, it is a diversion on a tributary that is listed in the Lemhi Framework for potential reconnection. Removing half of the flow in the creek during low flow periods would run counter to the efforts to restore connection and habitat.

This are very informal comments from a brief review of the material.

Mathews, Kerrie

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Helen

From: Mathews, Kerrie
Sent: Friday, January 10, 2014 7:13 AM
To: Harrington, Helen
Subject: Water Application 74-15895

Good Morning Helen:

I have another application that has come across my desk. The application was submitted in 2008, and it does not appear that the Water Resource Board was notified at the time of submittal.

The application is for Hydropower with a diversion rate of 2.19 cfs from Agency Creek. Would you take a look and let me know if the Board would like to weigh in?

Thanks

Kerrie Mathews
Idaho Department of Water Resources
208-525-7161

Mathews, Kerrie

From: Mathews, Kerrie
Sent: Friday, January 10, 2014 7:13 AM
To: Harrington, Helen
Subject: Water Application 74-15895
Attachments: Amended app 74-15895.pdf

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The application is for Hydropower with a diversion rate of 2.19 cfs from Agency Creek. Would you take a look and let me know if the Board would like to weigh in?

Thanks

Kerrie Mathews

Idaho Department of Water Resources
208-525-7161
208-390-6924

"Change is the law of life, and those who look only to the past or present are certain to miss the future."
-John F. Kennedy