

Jordan, Blake

From: Bassista, Tom [thomas.bassista@idfg.idaho.gov]
Sent: Monday, December 02, 2013 9:57 AM
To: Jordan, Blake
Cc: Cox, Sharla
Subject: FW: Letter Regarding Transfer of Water Rights
Attachments: IDFG comments Transfer 78878 BFL Land.pdf

Blake-here is the letter we sent James.



IDAHO DEPARTMENT OF FISH AND GAME

UPPER SNAKE REGION

4279 Commerce Circle

Idaho Falls, Idaho 83401

C.L. "Butch" Otter / Governor

Virgil Moore / Director

November 27, 2013

James Cefelo
Idaho Department of Water Resources
900 N Skyline Drive Suite A
Idaho Falls, ID 83402-1718

RE: Application for Transfer of Water Right-Transfer No. 78878, BLF Land LLC (Irrigation), Ground Water, Jefferson County, Idaho.

Dear James:

Idaho Department of Fish and Game (IDFG) staff has reviewed Application for Transfer of Water Right No. 78878 to change the location of a point of diversion and place of use. The applicant has proposed to move an existing 40 acre parcel associated with water right 31-7215 to a new 40 acre parcel of non-irrigated land located along Beaver Creek, tributary to Camas Creek. The application was submitted by BLF Land LLC and advertised by the Idaho Department of Water Resources (IDWR) with the protest period ending on November 18, 2013.

While discussing this application with IDWR we learned that BLF Land will likely submit additional applications to develop more non-irrigated land within this vicinity and will propose to alter and relocate the existing Beaver Creek channel. While we did not file a protest at this time, we are concerned about the conversion of sagebrush habitat to irrigated cropland and potential downstream sedimentation effects from an altered Beaver Creek channel. Both Camas National Wildlife Refuge and Mud Lake Wildlife Management Area are located downstream of this proposal, and IDFG has a vested interest to understand what potential impacts may be caused by the proposed agriculture development.

We request that IDWR keep us informed of any new transfer applications within this vicinity and seek our comments to ensure fish and wildlife resource concerns are investigated. Additionally, we understand there are some questions within IDWR if this portion of Beaver Creek is jurisdictional under Idaho's Stream Protection Act. We request that a jurisdictional determination is made, and IDFG is informed of your decision.

If you have questions concerning our request, please contact our Environmental Staff Biologist, Tom Bassista, at 208-525-7161.

Sincerely,

A handwritten signature in black ink, appearing to read "Steve Schmidt".

Steve Schmidt
Regional Supervisor

SLS:TPB:jms

cc: Walt Poole (IDFG-HQ)
Harriet Hensley (Deputy Attorney General)
Brian Wehausen (Camas National Wildlife Refuge)
James Joyner (USACE-Idaho Falls)
Blaine Larsen, BLF Land LLC

Keeping Idaho's Wildlife Heritage