

MEMORANDUM

DATE: February 11, 2013
TO: Kerrie Mathews
FROM: Sandy Thiel
RE: Application for Permit No. 74-15990

The purpose of this memo is to provide the Planning Section's comments on the Application for Permit No. 74-15990 from the Lemhi River. The application indicates that the applicants intend to divert 0.1 cfs from the stream for stockwater. The applicant should be aware that the Idaho Water Resource Board holds a minimum stream flow water right, 74-14993, on the Lemhi River, at the proposed point of diversion.

While a diversion rate of 0.1 cfs outside of the irrigation season will likely not cause injury to the Board's Lemhi River MSF, in all likelihood, a larger diversion will be needed to maintain a flow that will not freeze in the ditch. In the winter time, fish screens are removed due to icing issues, so larger unscreened diversions could lead to negative impacts to the ESA-listed fish populations during that time. The Board assumes that the applicant will provide input from IDFG to address those concerns.

As a junior water right holder the applicant's water may be curtailed when the minimum stream flow is not being met. The Idaho Water Resource Board would like assurance that this water right will be actively administered to protect the Board's minimum stream flow right.