

Peppersack, Jeff

From: Swank, Lyle
Sent: Friday, June 11, 2010 10:04 AM
To: Peppersack, Jeff; Weaver, Mathew
Subject: Sterling Wildlife Area

Jeff,

Ray Christensen and his sister Brenda Nugent were in my office today. They are in the Sterling area. They brought in a copy of an Idaho State Journal article about the mosquito problems which Larry Phillips and Steve Alvarez has brought to our attention. I thought you might want to review this prior to sending out a letter to Mr. Phillips.

They also brought in a letter supporting the continued use of their water rights.

Ray and Brenda also asked to be included in correspondence which would affect their water rights.

Ray Christensen address is:

1267 S. 2300 W.

Aberdeen, Idaho 83210

Both the letter and news article are attached. The scanned newspaper copy is not very high quality, but it should be readable.

Lyle



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TUESDAY, JUNE 1, 2010

IDAHO STATE JOURNAL

BEEF OVER WETLANDS

Aberdeen-area residents criticize Fish and Game

BY DEBBIE BRYCE
dbryce@journalnet.com

ABERDEEN — Residents living adjacent to the Sterling Wildlife Management Area, located north of Aberdeen off Highway 39, said the Idaho Department of Fish and Game has failed to provide adequate mosquito abatement and maintain permitted water levels at the site.

Steve Alvarez moved to the area four years ago and owns property that borders the wetlands.

Alvarez said a number of residents have contracted West Nile from breeding mosquitoes at the Fish and Game site. He also contends that Fish and Game is storing more than twice the amount of water its permitted to maintain at the site, and the high water levels are causing flooding of neighboring fields.

While dams taller than three feet require special permits, Alvarez said some of the more than one dozen dams at the site are more than 10 feet tall.

See F&G, A6



JOE KLINE / IDAHO STATE JOURNAL
Steve Alvarez stands on Idaho Fish and Game managed land near his property outside Aberdeen that was formerly pasture. He feels the property has been poorly managed and turned into artificial wetlands. To see a video from this story, go to idahostatejournal.com.

Bear Lake restocked with trout

GARDEN CITY, Utah (AP) — The Division of Wildlife Resources has restocked rainbow trout in Bear Lake for the first time in about 25 years.

Wildlife officials released about 5,000 of the fish into the lake last week near the Bear Lake State Park Marina. They hope to create fishing opportunities for people who plan to fish from the shore this summer.

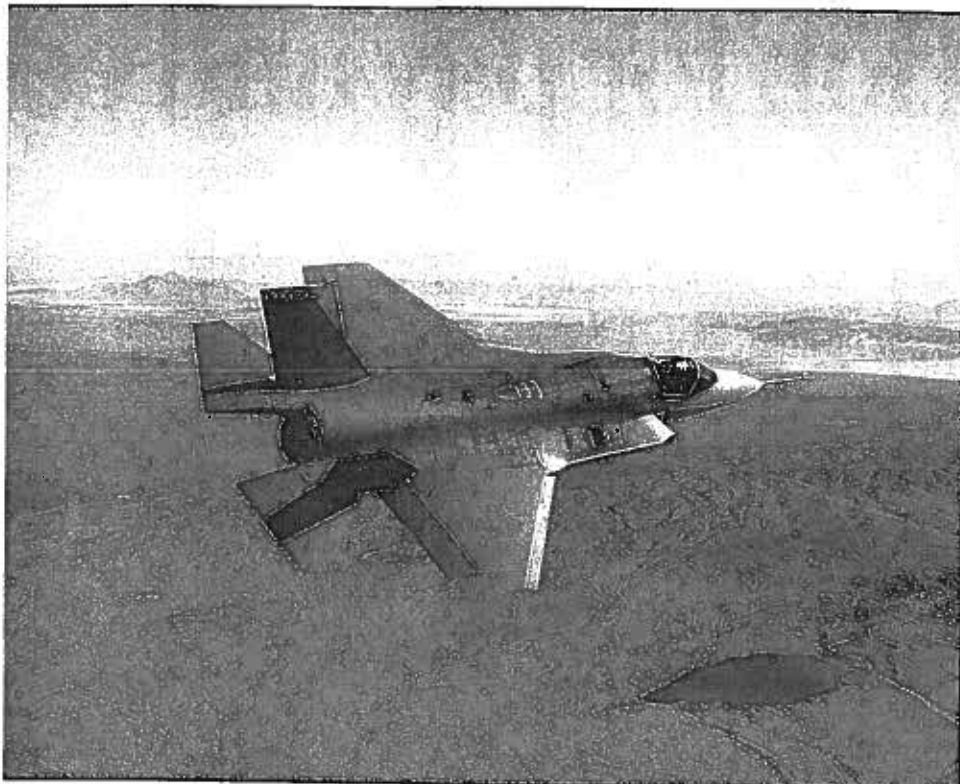
It's hard to catch fish from the shore at Bear Lake during summers because the lake's native cutthroat trout population moves to deeper waters as it warms up, said DWR fisheries biologist Scott Tolentino.

But he said rainbow trout will stay close to shore.

"It's a good spot for the public

F&G

Continued from A1



AP FILE PHOTO

Indated file photo provided by Northrop Grumman Corp. shows a pre-production model of an F-35 Strike Fighter. The new F-35 Lightning II joint strike fighter is tardy, billions over budget and the of its jet engine could eclipse the older planes it's due to replace.

Guard F-16 pilots from Mont were among the to be scrambled over York City's "Ground" after the Sept. 11 at- but Burlington's 18- squadron is aging.

a perfect world, there d be a one-for-one re- ment with the F-35s, these F-16s would re- said Brigadier General Cray, of the Vermont National Guard's Green Mountain Boys.

en so, the roar of the s proposed Pratt & ney engine — dubbed ackers as "the sound eedom" — has some owners who live near talking about plunging erty values and plum- ing quality of life. The Force's own estimates, a 2008 environmental sis, show the jets may vice as loud at takeoff, four times as loud on ng, as an F-15C Eagle. paraiso, Fla., which ers Eglin, sued the Air

Force, settling in March only after military officials agreed to consider changes. But Mayor John B. Arnold isn't sure it's over; the city may go back to court. He's not against the F-35, he said, but just raising noise concerns has won him enemies in neighboring towns.

"We still have people that won't talk to us," Arnold said.

El Mirage, Ariz., officials feel Arnold's pain. They commissioned a study that found property values could drop by a fifth, should the jets come to Luke. Now, the Phoenix suburb has come under pressure from gung- ho military communities nearby.

"On the worst day, we've been called unpatriotic," El Mirage spokeswoman Stacy Pearson said.

Monty Mericle has lived near Gowen Field in Boise for 35 years and helped start the "Save Our Valley Now" group after becoming convinced F-

35 noise would surpass even the din of the F-4 Phantom, a noisy fighter-bomber retired in the mid-1990s.

If Boise wants the F-35 so bad, Mericle suggests it or the Air Force should buy his house.

"These planes are a battle- field weapon," Mericle said. "They need to put them into a remote location."

Air Force officials cite an April 2009 Lockheed Martin study showing F-35s aren't much louder than existing jets. Strategic timings of takeoffs and landings could further remedy complaints, they said.

Brigadier General William Shawver, Idaho's assistant adjutant general, said his own house is located off the tip of Gowen Field's runway. Critics should wait for a preliminary environmental impact study, due this summer, before passing judgment, he said.

"We have a long history of after-burning aircraft in the pattern," Shawver said.

"This was all done under the cover of night, so to speak, and it's all illegal," Alvarez said.

The Sterling Wildlife Management Area was created in 1968 when the American Game Association of New York State donated 121 acres of marsh to the Idaho Department of Fish and Game to preserve wetlands and benefit waterfowl.

However, Alvarez said there are no winter feeding programs in place and a recent bird count at the site shows that the number of waterfowl has decreased.

During a visit to the Sterling Wildlife Management Area on April 29, Matt Weaver with the Idaho Department of Water Resources noted that water levels in several sections seemed to out of compliance with Fish and Game permits.

In a memo dated May 4, Weaver stated that he also observed 10-foot high dams. While water rights at the management area are set at 35 acre-feet, he estimated water storage at the site to be double that.

Alvarez said the flooded pastures will not drain as long as the dams are in place.

He also contends that the area is not a natural wetlands, but has been continually expanded.

"This wetlands was created with dynamite and a backhoe," Alvarez said. "We want them to dry it up, it's a health threat."

Alvarez also said vegetation at the wet- lands is overgrown and matted down.

"They need to burn it, or graze it and they won't do either," he said.

The West Nile vaccine doesn't necessarily keep horses from contracting the virus, but if they do, it is generally not fatal. Alvarez has had one horse diagnosed with West Nile, but fortunately, the animal survived.

Larry Phillips, who lives also next to the wetlands was not as lucky.

Phillips raises and breeds race horses and said during the past five years, he's lost eight horses to West Nile, which he believes is exacerbated by the nearby wetlands. He estimates his cost to be more than \$100,000.

"Fish and Game are liars," Phillips said.

Phillips and Alvarez met with Bingham County commissioners last week to ask them to address the problem of mosquito abatement at the Sterling Wildlife Management Area.

The two men presented a section of the state code requiring counties to maintain abatement of agricultural pests in their county.

Fish and Game pays a fee in lieu of taxes to Bingham County to operate the wetlands. The agency is responsible for maintaining the Sterling Wildlife Management Area, including mosquito abatement.

Fish and Game Director Mark Gamblin said Monday that the dispute regarding the wetlands has been a long-standing issue. He said the governor's office and the Department of water Resources have investigated the claims of residents.

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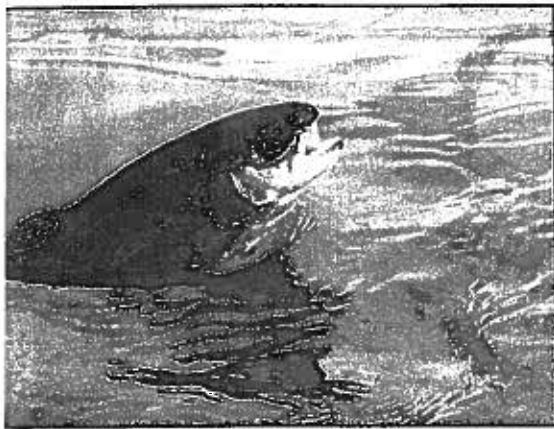
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ling WMA is not caused from the wetlands.

The Sterling Wildlife management Area is
fed by a series of springs, seepage from the
Snake River and through water rights pur-
chased from the Aberdeen Springfield Canal
Company by Fish and Game.

Fish and Game is working with Bingham
County to provide mosquito abatement, but
Gamblin said the biggest source of mos-
quitoes in the area is the American Falls
Reservoir. In 2008, Fish and Game stocked
a number of ponds at the Sterling Wildlife
Management Area with fish in an attempt to
deal with mosquitoes.



AP PHOTO

out emerges from the water after being released into
y the Utah Division of Natural Resources on May 24 in
Utah.

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— Joyce
of Black-

Church, 5147 Whitaker
Road, Chubbuck. The fami-
ly will receive friends from
6-7 p.m. prior to services at
the Church.

Arrangements are un-
der the direction of the
Cornelison Funeral Home,
431 N. 15th Ave., Pocatello.
Online guest book and con-
dolences available at www.cornelisonfh.com.

DARYL MAYNARD

POCATELLO — Daryl
Anderson Maynard went
home to be with the Lord
on Wednesday, May 26,
2010, three days after her
88th birthday.

Visitation and an infor-
mal life sketch was pre-
sented at Colonial Funeral
Home, 2005 S. Fourth Ave.,

es by visiting www.DownardFuneralHome.com.

RICHARD MILLETT

POCATELLO — Richard
Millett, 67, passed away
Sunday morning, May 30,
2010, at home following an
apparent heart attack. Ar-
rangements are under the
care of Manning-Wheatley
Funeral Chapel, 510 N.
12th Ave.

ROBERT FOUNTAIN SMITH

POCATELLO — Robert
Fountain Smith, 79, of
Pocatello, passed away
Thursday, afternoon, May
13, 2010, at a local health
care facility

der the direction of the
Cornelison Funeral Home,
431 N. 15th Ave., Pocatello.
Online guest book and con-
dolences available at www.cornelisonfh.com.

REBECCA SPAULDING, 54

BLACKFOOT — Re-
becca Spaulding, 54, of
Blackfoot, passed away
Monday, May 31, 2010, at
her home.

Funeral arrangements
are under the direction of
Hawker Funeral Home and
will be announced.

JESSIE MATHIE SWARIN, 91

BLACKFOOT — Jes-
sie Mathie Swarin, 91, of
Blackfoot, passed away
Monday, May 31, 2010, at

06-10-2010

To Whom It May Concern:

We are writing this letter in response to the recent uprising concerning the water usage and storage on and around the Sterling Wildlife Management area.

The Carl Christensen family own and operate a dam located on the SWMA. This particular dam was built in 1906. Its intent is strictly agricultural. This dam is fed by Prudom springs and the rights to this spring are also owned by the Christensen family.

Our understanding is that Larry Phillips and Steve Alvarez are disputing the Fish & Games management style of preserving and creating wetlands. Apparently they believe these wetlands are creating sub problems as well as habitat for breeding mosquitoes which in turn has increased the incidents of west Nile virus.

The depth in this dam has not changed since 1953. This depth has to be maintained in order to get water down our ditch.

Larry Phillips claims our dam is subbing his property. There is a drain between our dam and his property. The F&G spills canal water between us and Larry Phillips.

As for the mosquito issue Larry has a pond on his property that is full year round. He spills canal water onto his pasture to get water to this pond. He is raising his own mosquitos and causing his own sub.

When Larry purchased his property we were in a draught cycle. We are now getting back to normal water years. The Sterling area is known to have natural sub.

We measured for sub in the late 80's and found no change in the sub water levels whether our dam was full or drained.

We want our Sr. water rights be left out of the dispute. We have the right to fill our dam to whatever level we want. This dam is for agricultural use only, and no one has the right to tell us how deep or wide it can be. We request that our dam and water rights be left out of the dispute between Larry Phillips, Steve Alvarez and the Idaho Fish and Game.

Sincerely,
The Carl Christensen Family

