



State of Idaho

DEPARTMENT OF WATER RESOURCES

Eastern Region, 900 North Skyline Drive, Suite A • Idaho Falls, Idaho 83402-1718

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C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

April 6, 2010

David Teuscher
Idaho Dept of Fish and Game
1345 Barton Road
Pocatello, ID 83204

Re: Transfer Application 75471 (Caribou Lands)

Dear Mr. Teuscher,

Tom Bassista recently provided me a copy of your "Plan to Address Fish and Game Concerns Regarding Possible Effects of Flow-Through Pond on Stream Temperature." The plan outlines temperature variance standards for the on-stream pond proposed as part of the Caribou Lands Transfer 75471. It is my understanding that Fish and Game would like these standards incorporated in the transferred water right.

IDWR generally does not include water right conditions relating to water temperature. In this case, we recommend that Fish and Game develop and execute a separate agreement with the Applicant regarding the temperature standards. IDWR will then add a condition to the water right referencing the agreement. It would read something like, "This water right is subject to a separate agreement between the water right holder and Fish and Game, Instrument No. __, dated April __, 2010, filed with Caribou County."

You have likely already notified the Applicant of the temperature standards. We will let your office contact the Applicant about drafting and signing an official agreement. Once the agreement is signed, numbered, and filed with the county, please provide our office the identification details and we will add the appropriate condition to the transfer water right. Feel free to contact me if you have any questions.

Sincerely,

James Cefalo
Water Resources Program Manager
IDWR – Eastern Region

Encl.: Copy of Fish and Game Grouse Creek Ranch Development Plan

GROUSE CREEK RANCH DEVELOPMENT

Plan to Address Fish and Game Concerns Regarding Possible Effects of Flow-Through Pond on Stream Temperature

1. TCD will install a recirculating system in the pond in the fall of 2010
2. TCD will install and monitor HOBO water temperature devices approximately 100 yards downstream of the pond and approximately 100 yards upstream of the pond in the fall of 2010. The data will be furnished to the Fish and Game Department in the fall of 2011 and 2012. TCD and Fish and Game will review the data for both years in the fall of 2012 and determine if the pond needs to be managed differently in future years.
3. If temperature data dictates that the pond needs to be managed differently, TCD or the Grouse Creek Homeowners Association will install a screened intake for the pond with a small diversion of approximately .14 cfs through the manhole intake in the existing settling pond. ~~The fish pond exit flow will be screened and the exit water would be released into a natural wetland that would improve water temperature before returning the exit water to the stream.~~ Under the proposed alternative management scheme, the majority of the flow will bypass the pond in a natural stream channel and should restore better downstream temperatures if the pond should cause an adverse effect in 2011 or 2012. This alternative management scheme would be implemented by either TCD or Grouse Creek Homeowners Association in the early summer of 2013. If the evaluation of the 2011 and 2012 temperature data indicates that there is no significant impact to the water temperature of lower Grouse Creek, the original flow-through pond management will be continued into the future.