

TO: WATER RIGHT FILE 77-14234

FROM: DANIEL A. NELSON

DATE: 11/19/07

SUBJECT: WILD AND SCENIC MEMO

This application is for irrigation of 5 acres and stockwater from two unnamed streams tributary to Johnson Creek. The two unnamed streams are intermittent, so the water will be limited by water supply from each use.

This application is within the borders of the Wild and Scenic area, and is subject to parallel review. Therefore, it has been data entered into the spreadsheet and the standard advertising remark has been added.

Scott Reinecker of the Idaho Fish and Game Department wrote that these streams are not likely to have fish, and the design of the road culvert would act as a barrier to migratory fish. Leslie Freeman of the Department of Environmental Quality stated that there only concern would be excess sediment runoff in Johnson Creek. With a sprinkler type system this doesn't seem likely.

Originally the point of diversion for this application was on USDA Forest Service property, but the applicant moved the diversion down stream to avoid any USDA Forest Service issues.

The applicant didn't supply a letter discussing the effects on existing water rights; sufficiency of water supply; information relative to good faith, delay, or speculative purposes; financial resources; the local public interest. However, the description of the system suggests that this water use will be fairly minimal at best, and the cost of this type of system would be fairly minor. The response from other agencies also suggest that this use would not be adverse to the public interest criteria. Therefore, region staff have determined that the application is suitable to continue with processing with the information provided.

- * Water right 77-4018 does overlap this place of use, but the applicant seems aware that they would have first right to the use of the water in the creek.

The initial review of this application suggests that this application is approvable as long as no protest are received.

CORRECTION
* Miller's Pl. just north of Appl. Pl.
Miller was "umpqua ck", north pl. is Appl.
-gr 12/2/09