



IDAHO DEPARTMENT OF FISH AND GAME

SALMON REGION
99 Highway 93 North
P.O. Box 1336
Salmon, Idaho 83467

October 19, 2009

C.L. "Butch" Otter/Governor
Cal Groen/Director

Mary Baldwin
Idaho Department of Water Resources
1341 Fillmore Street, Suite 200
Twin Falls, ID 83301-3380

RECEIVED
OCT 20 2009
DEPT. OF WATER RESOURCES
SOUTHERN REGION

Re: Water Right Application No. 71-10929 (Brown and Lee)

Dear Mary,

Idaho Department of Fish and Game staff has reviewed the application from John T. Brown and Patrick W. Lee for 0.5 cfs of surface water from Lost Creek sinks near the city of Stanley. The landowner intends to divert water from Lost Creek into two ponds. The second or downstream pond rarely fills due to the "sinks". The landowner has agreed not to irrigate with this water and the application is exclusively for wildlife storage. It should be noted, during spring runoff, Lost Creek completely sinks downstream of the ponds with no evidence of surface flow or connection with the Salmon River. This surface water withdrawal should not negatively impact fish or aquatic resources and we have no specific concerns.

We would like the applicants to be aware of potential issues with the ponds. Most all flat waters in the upper Salmon River drainage experience vegetative growth during summer, and it can be excessive in man-made ponds. It is likely that the pond will experience seasonal algal and aquatic vegetation growth that may prove difficult to manage. If chemical means are employed to control nuisance vegetation, undesirable consequences to both aquatic and terrestrial species may occur. It is likely that many wildlife species will be attracted to the ponds and if inappropriate use of herbicides occurs there may be direct damage to these resources. Furthermore, the applicants need to be aware that if there are plans to stock fish into the ponds they will have to secure a permit from the Department prior to stocking. There will be restrictions associated with the permit to protect both Endangered Species Act listed and native salmonids from risk of disease and genetic hybridization.

We appreciate the opportunity to review this application and provide comments.

Sincerely,

James R. Lukens
Regional Supervisor

cc: Walt Poole
Merritt Horsman
Bob Foster
John T. Brown and Patrick W. Lee

Keeping Idaho's Wildlife Heritage