



United States
Department of
Agriculture

Forest
Service

Sawtooth National Forest
Sawtooth National Recreation Area

5 North Fork Canyon Road
Ketchum, ID. 83340
208-727-5000

File Code: 2540-1

Date: September 2, 2009

Alan Merritt
Idaho Department of Water Resources
1341 Fillmore St, Suite 200
Twin Falls, ID 83301

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DEPT. OF WATER RESOURCES
SOUTHERN REGION

Dear Mr. Merritt,

It has come to our attention that you are considering a new water right appropriation from Fisher Creek in Sawtooth Valley. The water right (71-10928) has been requested by Robert and Donna-Marie Hayes for use at T8N, R14E, Sec 3, NWSW. They have requested 0.02 cfs for the purpose of domestic irrigation of their lot.

While we recognize this is a very small volume of water from Fisher Creek, we ask that you consider the following:

It appears the applicants currently have a larger water right from groundwater (71-10146) from which a portion (0.04 cfs) is currently specified and available for the same purpose. As such, it appears the water requested from Fisher Creek would be an unnecessary duplication of an existing right.

Fisher Creek is currently fully utilized during the irrigation season. That is, the lower reaches of Fisher Creek are dry annually during the late summer as a result of water withdrawals upstream. The point of diversion of the proposed development would reside on private land upstream of the principle diversions from Fisher Creek.

Both upstream and downstream of the proposed development, Fisher Creek passes through reaches within National Forest System Lands. These stream reaches support key terrestrial and aquatic habitats and species, as well as provide connecting migratory corridors. As such, this application could affect the public interest of the citizens of the United States. The routinely dry reach of Fisher Creek, near the mouth, resides on National Forest System Lands. Removing even a small additional volume of water upstream will only further exasperate this situation.

For these reasons, we encourage you to carefully consider the requested appropriation. It does not appear to be in the public interest

Sincerely,

KELLY L. JARDINE
Deputy Area Ranger

cc: Robert and Donna-Marie Hayes

