



IDAHO DEPARTMENT OF FISH AND GAME

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

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

January 21, 2008

Lyle Swank
Idaho Department of Water Resources
900 N. Skyline Dr., Suite A
Idaho Falls, Idaho 83402-1718

RECEIVED

JAN 23 2008

Department of Water Resources
Eastern Region

Re: Water Right Application No. 7514490 (Spath)

Dear Lyle,

Idaho Department of Fish and Game (IDFG) staff has reviewed the application from Mr. Geary Spath for 0.10 cfs of surface water from Freeman Creek to irrigate 5 acres. It is the position of the IDFG that Carmen Creek is flow limited, and from a biological perspective, the water resources are over-appropriated. IDFG is currently working with Carmen Creek irrigators to develop water conservation strategies. It is our intent to maximize irrigation efficiency for water users and to improve in-stream fish rearing and migration habitat. Mr. Spath has agreed to reduce his request to irrigate only 2 acres adjacent to his house and outbuildings in order to accommodate our concern. If Mr. Spath will reduce the quantity requested to 0.04 cfs (0.02cfs/acre), IDFG will not oppose permit issuance.

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

Sincerely,

A handwritten signature in cursive script that reads "James R. Lukens".

James R. Lukens
Regional Supervisor

cc: Walt Poole
Matt Sheppard
Bob Foster
Shelley Keen
Geary Spath