



IDAHO DEPARTMENT OF FISH AND GAME

CLEARWATER REGION

3316 16th Street

Lewiston, Idaho 83501

C.L. "Butch" Otter/Governor

Cal Groen/Director

October 10, 2008

RECEIVED

OCT 22 2008

IDWR/North

Mr. Craig Dalton
1311 Brush Creek Road
Rt 1 Box 75A
Deary, Idaho 83823

Dear Mr. Dalton:

Re: Draft Permit Application to Withdraw Water from un-named tributaries to Potlatch River, Identification Numbers 86-11985 and 86-11986.

Mr. Howard Wheeler, on your behalf, has provided IDFG with the draft applications to IDWR for permits to withdraw water from several un-named streams to create two new ponds for irrigation, stockwater, wildlife storage, recreational storage and fire protection. You have requested to withdraw 0.69 cfs from a number of un-named tributaries to Potlatch River to fill and maintain two new ponds. One pond would be 137.4 acre-feet, the second pond would be 171.1 acre-feet. In addition to reviewing the materials provided, IDFG has discussed the proposal with Mr. Wheeler and made a site visit to view the proposed sites for the new ponds. Mr. Wheeler was present when we visited the site for the upper pond.

Your applications also include a request to permit two existing ponds on the property. IDFG observed these ponds while on site, but was not aware at the time that permits would be requested for those waterbodies and did not determine source or discharge points for those ponds.

Unless you have chosen new sites for locating the new ponds than those we were directed to prior to submitting your draft application, we believe that neither of the pond sites intercepts a stream channel. Although both ponds would be sited in depressions that intercept multiple draws, we did not observe bed and bank features that would indicate there were active streams present at either site. Therefore, it appeared to us that neither pond will be fed by a stream; rather, both ponds would be filled by surface runoff. Similarly, we would expect neither of the sites to discharge to an existing tributary to the Potlatch River. Based on our observations, the ponds would discharge to ephemeral draws which, in turn, we believe will flow to Brush Creek, a tributary to Potlatch River. Please inform our office if pond sites changed or our observations are incorrect in this regard.

Based on our site visit and review of the materials submitted, IDFG does not believe that any of the proposed actions will have an adverse effect on fish, wildlife or habitat in Brush Creek or Potlatch River. We have no objection to your proposed development.

Keeping Idaho's Wildlife Heritage

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As a side note, Mr. Wheeler has indicated to us that you are very interested in working with IDFG to provide wildlife benefits from the ponds. Thank you very much for your interest. IDFG would be pleased to assist with pond design and with selection of the appropriate plants to maximize wildlife habitat in your ponds. Please contact Ray Hennekey at this office if design assistance is desired or to help develop a plant list and planting schedule for the ponds.

Sincerely,


FOR Dave Cadwallader, Regional Supervisor

DC/rh/gl

C: Sharon Kiefer, IDFG
✓ Keith Franklin, IDWR CDA
Kerby Cole, DEQ Lewiston
Howard Wheeler, 5759 Fort Graham Rd, West, TX 76691