



STATE OF IDAHO
DEPARTMENT OF
ENVIRONMENTAL QUALITY

1118 F Street • Lewiston, Idaho 83501 • (208) 799-4370

C.L. "Butch" Otter, Governor
Toni Hardesty, Director

September 16, 2008

Craig Dalton
1311 Brush Creek Road
Rt 1, Box 75A
Deary ID 83823

RECEIVED
SEP 17 2008
IDWR/North

Dear Mr. Dalton:

DEQ has received a copy of your application to the Idaho Department of Water Resources requesting approval to appropriate 0.69 cfs of water to construct two new instream ponds for stockwater, irrigation, wildlife, recreation, and fire protection storage. One pond will be constructed in an unnamed tributary to Brush Creek, and one pond will be constructed in an unnamed stream to the Potlatch River, Latah County. Assuming all federal, state and local permits have been obtained, regulations met, and reviews completed, we offer the following comments.

Idaho Water Quality Standards require existing aquatic life be protected and maintained when flows are equal to or greater than one cubic foot per second in intermittent streams. At no time should the withdrawal of 0.69 cfs be allowed to impair existing beneficial uses in the unnamed tributary to Brush Creek and the unnamed stream to the Potlatch River when stream flow is adequate to sustain existing aquatic life.

Thank you for the opportunity to comment on your application. If you have any questions regarding the Idaho Water Quality Standards or the conditions listed above, please call us at (208) 799-4370.

Sincerely,

A handwritten signature in black ink, appearing to read "Kerby M. Cole", with a long horizontal flourish extending to the right.

Kerby M. Cole, P.E.
Regional Administrator

CC: Keith Franklin, IDWR
Ray Hennekey, IDFG
Marti Bridges, DEQ