



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
Visitor Center: 208-727-5013
Fax: 208-727-5029

RECEIVED

FEB 04 2009

DEPARTMENT OF
WATER RESOURCES

File Code: 5440/SV 87-D

Date: 03 February 2009

Ketchum-Long Island, LLC
John S. Miller
PO Box 2238
Ketchum, ID 83340

Dear Mr. Miller:

It has come to our attention that the Idaho Department of Water Resources issued to you a preliminary permit, number 71-10921, which would allow diversion of water from the Salmon River and application to beneficial use on your Custer County property. It appears that a new, 1.5 acre pond would be constructed in order to perfect this new water right for the identified beneficial use of aesthetic or recreational purposes. This permit is related to the recently approved change in water right 71-10919, transferring a portion of an upstream water right to your property.

You may not be aware of all the scenic easement provisions on this property, in particular the provisions precluding the development of an aesthetic or recreational pond. Your property is restricted to ranching purposes. Any alteration of the topography must be for ranching purposes. I have enclosed a copy of the easement and refer you to the last page, 36 CFR 292.16(g) within Custer County Instrument No. 157386.

We note that this property has not been irrigated since the Sawtooth National Recreation Area was established in 1972, if ever. In fact, we had hoped to acquire this sage grouse habitat in a previous land exchange attempt. The indicated intent to irrigate this property under water right 71-10919 presents a change in use under Public Law 92-400. Diversion of water into a pond and then release back into the Salmon River at a higher temperature could also degrade water quality and adversely impact the critical habitat for listed fish species.

I invite you to meet with Janné Joy to review the scenic easement in light of your proposed plans for the property. Since we do not have your telephone number, please give her a call at (208) 727-5022.

Sincerely,

SARA E. BALDWIN
Sawtooth National Recreation Area Ranger

Enclosure

✓ cc: IDWR

