

MEMORANDUM

To: Water Right Application # 84-12242

From: Keith E. Franklin

Date: December 13, 2007

Re: Application for a Permit to Appropriate Water within the Salmon and Clearwater River Basins.

Re: Regional Analysis and Recommendation in accordance with Water Appropriation Rules (IDAPA 37.03.08.040.05).

Water Supply Information.

The Idaho Department of Fish & Game (IDFG) as well as the Department of Environmental Quality (IDEQ) have no adverse comments towards the applicant withdrawing up to an instantaneous ground water diversion of 4.5 cfs, approximately 2020 gallons per minute, for commercial and fire protection purposes at a sawmill operation. The log deck watering will generally take place through the months of May and October. The Idaho Department of Water Resources has received a letter from the City of Weippe expressing a concern over the size of the proposed well and its possible adverse effect on their current water supply.

Good Faith, Delay, or Speculative Information.

The applicant plans to divert water for his own use on property that he owns and there are no known issues with any other party.

Financial Resources Information.

The applicant estimates the cost for the project will be about \$250,000. Empire Lumber is a large company that can absorb the cost of this project internally.

Local Public Interest.

The Idaho Department of Fish & Game and the Department of Environmental Quality have been ask to comment, by the applicant. The agencies are not apposed to the applicant's proposal. The Department of Environmental Quality listed two compliance requirements that have to do with Well Construction Standards, IDAPA 37, Title 03, Chapter 09 and all work would have to be completed following the guidelines, best management practices, rules and regulations found in "Idaho Well-Driller's Regulatory Compliance Guidebook". The Department of Water Resources should point out these requirements in a cover letter to the applicant and suggest he/she contact the agency on how to best comply. IDEQ also suggested an effort should be taken to reduce and better under stand the potential negative impact the extraction of 2,000 gallons per minute could have on the City of Weippe's drinking water system.

Injury to Other Water Rights.

There are approximately 14 single use wells for domestic and stockwater within a half mile of Empire's proposal, in addition to the wells that serve the City of Weippe. Except for the City of Weippe, the depth of the wells range between 65 feet and 200 feet, with an over all average of 140 feet. There is a possibility for injury to the surrounding wells; however, no scientific evidence has been presented at this time that would support an injury claim.

Recommendation.

Northern Region understands there may be a negative impact to the City of Weippe's existing water supply and surrounding single use wells, however no evidence has been brought forward at this time that would support such an impact. Therefore, it is the Northern Region's recommendation to proceed with the processing of Empire Lumber Company's application.