

MEMORANDUM

To: Water Right Application # 85-15686

From: Keith E. Franklin

Date: May 22, 2008

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 as well as the Department of Environmental Quality have no objection to the applicant withdrawing 0.17 cfs from Mill Creek, for the purpose of irrigating 7.5 acres of land, stockwatering 5 head of mixed stock and creating 5 acre-feet of storage for stockwatering, irrigation and recreation purposes.

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.

For this project, the applicant estimates the cost to be minimal and plans to fund it strictly out of pocket.

Local Public Interest.

The Idaho Department of Fish & Game and the Department of Environmental Quality have been ask to comment, by the applicant. Written comments received from these agencies, indicate they are not apposed to the applicant's proposal and see no adverse impact to fish, wildlife or habitat as long as the applicant follows the recommendations outlined in Fish & Game's letters of 4/17/07 and 7/25/07 respectively.

Injury to Other Water Rights.

There are currently two decreed water rights for domestic and stockwater, two existing licenses for domestic and stockwater, one statutory claim for stockwater and a permit for domestic use all from Mill Creek downstream of the applicant. The estimated total diversion for these rights is estimated to be 0.19 cfs. The applicant, in his analysis has estimated the flow in Mill Creek to be around 8 cfs in the early spring and 0.15 cfs in summer and/or fall. Its doughtful the applicant's proposal will harm existing water rights.

Recommendation.

Northern Region recommends proceeding with the processing of this water right application.