



IDAHO DEPARTMENT OF FISH AND GAME

SALMON REGION

99 Highway 93 North

P.O. Box 1336

Salmon, Idaho 83467

Lyle Swank

Idaho Department of Water Resources

900 N. Skyline Dr., Suite A

Idaho Falls, Idaho 83402-1718

May 19, 2008

C.L. "Butch" Otter/Governor

Cal Groen/Director

Re: Water Right Application No. 73- 12146 (Flying Joseph Ranch)

Dear Lyle,

Idaho Department of Fish and Game staff has reviewed the above application to appropriate 148 acre feet of water for a proposed man-made 15 acre lake in the upper Pahsimeroi River. One hundred and twenty acre feet will be comprised of ground water stored in the lake below the water table. The remaining 28 acre feet is consumptive and was calculated based on evaporation calculations. The remaining 28 acre feet is equivalent to a water withdrawal similar to 1 domestic household (.0387 cfs) and this amount may not be biologically significant. However, the cumulative loss of this water, in addition to other evaporative losses, could be significant. Therefore, evaporative losses should be a converted from an existing consumptive water right.

Management of private lakes and ponds is a concern. It has been our experience that almost all small, flat waters in the upper Salmon River experience vegetation growth in the summer, and that it can be especially excessive in man-made ponds. It is likely that the lake will experience seasonal algal and aquatic vegetation growth that may prove difficult to manage. When chemical means are employed to control nuisance aquatic plants, undesirable consequences to both aquatic and terrestrial species may occur. It is likely that many wildlife species will be attracted to the lake and inappropriate use of herbicides may damage these resources and downstream resources if the treatment escapes the lake. Furthermore, the applicant needs to be aware that if plans include stocking fish into the lake, a permit from the Department is required beforehand. There are relatively strict guidelines for private fish stocking to protect both ESA listed and native salmonids from associated risks.

In summary, the Department does not oppose issuance of this permit with consideration of the concerns addressed. We appreciate the opportunity to opportunity to review this application and provide comments.

Sincerely,

James R. Lukens
Regional Supervisor

cc: Walt Poole
Mark Armbruster
Bob Foster
Shelley Keen
Flying Joseph Ranch LLC

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MAY 21 2008

Department of Water Resources
Eastern Region

Keeping Idaho's Wildlife Heritage