



IDAHO DEPARTMENT OF FISH AND GAME
CLEARWATER REGION

3316 16th Street
Lewiston, Idaho 83501

March 19, 2008

C.L. "Butch" Otter/Governor
Cal Groen/Director

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IDWR/North

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3/24/08 db*

Mr. Keith Franklin
Idaho Department of Water Resources
Northern Region
7600 N. Mineral Drive, Suite 100
Coeur d'Alene, ID 83815

Dear Mr. Franklin:

Re: # 87-10054 PATTON WATER RIGHT APPLICATION

IDFG reviewed water right application # 87-10054 for Dickie Lee Patton in November, 2007. Mr Patton requested 4.0 acre feet per annum from an unnamed tributary to South Fork Palouse River for recreation storage, wildlife storage, fire protection, and fish propagation. Mr. Patton would build an 8 foot dam in the stream to create a pond for storage.

In our original response, we voiced no objection to issuing a water right from the unnamed tributary, but recommended against permitting construction of a pond in the stream to protect biological functions. Following a review of a previous site visit and several discussions with the applicant about his plans, however, we have determined that the proposed pond is not likely to have significant adverse impacts on wildlife or habitat.

The pond will be located in an ephemeral draw, rather than in a live stream as indicated in the application. Channel bed and banks were discontinuous and present only where we suspect riparian vegetation had been over-grazed in the past, allowing erosion to incise a channel. In addition, Mr. Patton has agreed that the dam will be incorporated into existing land contours; that vegetation on the margins of the pond will be maintained in a natural state to protect wildlife values; and the pond surface will not inundate a "spring" at the head of the reservoir.

Based on new information and Mr. Patton's commitments listed above, IDFG has no objection to the water right, diversion and storage as originally requested.

Thanks again for the opportunity to comment.

Sincerely,

Dave Cadwallader, Clearwater Regional Supervisor

DC/rh/gl

C: Bart Butterfield, NRPB
Mr. Dickie Lee Patton, 12722 Shadow Hills Drive, Sun City West, AZ 85375

Keeping Idaho's Wildlife Heritage