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WATER RESOURCES
WESTERN REGION

July 31, 2007

Steve Lester
Water Rights Supervisor
Idaho Department of Water Resources
2735 Airport Way
Boise, ID 83705

Subject: Application for Permit 63-32238 – Steven Stout and Chris Stout

In response to your letter of March 2, 2007, I have enclosed a document prepared by David Kordiyak, Senior Wetlands Biologist for The Wetlands Group. The document addresses the anticipated benefits associated with the proposed diversion of an additional 30 cfs for wildlife and recreation purposes to the Stout property.

Please contact me with any questions.

Sincerely,

Terry M. Scanlan, P.E.

Cc: Steve Stout
David Kordiyak

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**Justification for
30cfs Recreational Water Rights**

Prepared by

David Kordiyak, Senior Wetlands Biologist

David Kordiyak 7/30/07

Introduction/Background

The primary use for the requested 30 cfs recreational water right is to provide resting, nesting and feeding habitat for wildlife and waterfowl from late fall through mid winter, until the migration of waterfowl is over and green grasses and forbs start to sprout. Species of waterfowl currently attracted to the existing ponds include the following; mallard, teal, pintail, wood duck, shoveler, widgeon and gadwall. A large population of snipe also uses this property in mid to late winter, also heron, egret, hawks, owls and eagles, turkey and deer.

During the fall and winter of 2006 & 2007 we experimented with flooding pastureland with 5 cfs to attract and hold additional waterfowl and wildlife. We had approximately eight acres of open water. The increased wildlife was greater than expected. There was an increase in turkey, deer, snipe, hawks, heron, eagles, ducks and geese to flooded fields greater than previously observed. The flooded fields made it much easier for wildlife to access water during freezing weather. During the colder weather the flooded eight acre area was reduced to less than one acre due to ice.

Additional waterfowl were also attracted into the adjacent ponds with many more spending overnight until the ponds froze. Over the past five years, it has been observed that the existing ponds freeze when daytime temperatures do not exceed 38 degrees F and night time temperatures drop below 25 degrees F. Once the ponds freeze there is no open water and wildlife and waterfowl can no longer use the ponds. With the current 5 cfs recreational water right that exists for this property we are able to keep only one pond open partially (less than 25%) open throughout the winter due to the ice. Based on previous observations during 2006 and 2007, 5 cfs can only supply flooding portions of a field.

The goal for the use of the 30 cfs recreational water rights is to continue to flood the field(s) and also keep the adjacent ponds open longer during the winter months with flowing water.

Water flow

The requested 30 cfs will flow via Baxter ditch onto the property where it will be divided into eight secondary ditches or more as needed. Five of the ditches will feed into five existing ponds that have been built to attract and hold wildlife (Figure 1). The remaining

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ditches will flood crop or pastureland creating open water. Total acreage of the ponds is approximately 13 acres, described as follows:

Pond A, southern most pond is less than 1 acre

Pond B, the southwesterly pond is approximately 1.5 acres

Pond C, the central west pond is approximately 6 acres

Pond D, the northwesterly pond is approximately 4 acres

Pond E, the northeasterly pond is approximately 0.5 acre

The water flows into and out of the ponds and flooded fields into five drainage ditches (Figure 1). Those drainage ditches converge to three drainage ditches, two of which return directly back into the Boise River on the property. The third drainage ditch leaves the property and flows west across Lemp Lane. were it returns back to the Boise River approximately ½ mile to the west and south via another property.

Of the requested 30 cfs it is estimated that 20 cfs will return to the Boise River.

Approximately 16 cfs on the subject property and 4 cfs further downstream, within ½ mile. The remaining 10 cfs would recharge the local groundwater aquifer.

The goal of this request is to be able to keep all of the pond open and continue to flood the fields simultaneously. To do this, based on past use and observations, the estimated split of the water on the property should be as follows:

1 cfs to Pond A

2 cfs to Pond B

7 cfs to Pond C

6 cfs to Pond D

5 cfs to West Flooded Field

5 cfs to East Flooded Fields and to Pond E

4 cfs loss to percolation of the sandy loom soil that exist on the property

Additional ponds and riparian zones are planned on the property but are dependent upon the additional water rights being granted. Baxter ditch has been measured for flow by Scanlan Engineering and will handle the 30 cfs water right request.

Habitat Value

Existing riparian areas are approximately 15-20% percent of the landscape. This community provides significantly more habitat for plant and wildlife species than all other type of vegetative communities combined (Almand and Krohn 1979). Maintenance and improvement of riparian communities increases the overall biodiversity of an area (plants and wildlife), provides primary movement corridors for both aquatic and terrestrial species, and creates habitat (cover, forage, nesting, breeding, water, nutrients, space, etc.) for a variety of plant and wildlife species (Sharitz and Gibbons 1988). However, for these types of communities to function properly and provide adequate habitat, a consistent source of water must be available. Specific goals of the project include, but are not limited to:

- Maintaining fish populations in ponds
- Restoring and enhance residual native riparian plant species and diversity;
- Controlling/reducing established invasive and noxious weed species, while limiting the establishment and spread of new populations;
- Increasing the amount and consistency of habitat for wildlife including: nesting and resting migratory birds and water fowl, raptors, fish and amphibian species, rodents and other mammals, and big game.

Habitat enhancement efforts will emphasize reestablishment of limited or missing native vegetative components with active planting of appropriate native species, including rushes, sedges, grasses, and riparian associated forbs, shrubs and trees. These species will be added to the site in order to reestablish a diverse stand; both species diversity and age class diversity, of native or desired species. The use of live mature plants in addition to seeding will likely increase the potential success rate of the project significantly in relationship to seeded only. In addition, live mature plants will be available immediately for wildlife use, as well as functional and structural components of the system (i.e. soil stability, hydrologic function, and nutrient processing). Invasive and noxious weed management will emphasize mechanical and biological controls rather than herbicides in order to protect aquatic and amphibian species.

As the structural and functional components are further-established, the site will be more resistant to invasive and noxious weed species, and more resilient to human disturbances such as recreation, wildfire, and other uses. In addition to increasing the functionality of the site and increasing/improving habitat for plant and wildlife species, the overall intrinsic value of the area for public recreation will increase.

Almand, J and Krohn, W. 1979. The position of the Bureau of Land Management on the protection and management of riparian ecosystems. Pp. 359-361 in Strategies. for protection and management of floodplain wetlands and other riparian ecosystems. U.S. Dep. Agric., For. Serv. Gen. Tech. Rep. WO-12.

Sharitz, R. and Gibbons, J. 1988. Freshwater wetlands and wildlife symposium. Savannah River Ecol. Lab. Symp. Ser.

Figure 1

