

Keen, Shelley

From: Taylor, Greg
Sent: Wednesday, April 26, 2006 1:14 PM
To: Keen, Shelley
Subject: FW: Chai Water Rights Applications

-----Original Message-----

From: Hennekey, Ray [mailto:rhenekey@idfg.idaho.gov]
Sent: Monday, April 10, 2006 1:46 PM
To: Taylor, Greg
Cc: Groen, Cal; cbarlow@idfg.state.id.us; Grunder, Scott; Robertson, Cindy; Servheen, Gregg; Trent, Tracey
Subject: Chai Water Rights Applications

Greg:

I reviewed the two water rights applications for Chai. I have also spoken with you and Mr. Chai regarding the project.

Application #85-15652 is for withdrawal from a spring for domestic use. IDFG does not anticipate that this withdrawal will have significant adverse impacts on fish, wildlife or habitat. We have no objection to the proposed withdrawal.

Application #85-15653 is for withdrawal of 0.2 cfs from Ferrens Creek for hydropower. Pipes of 2-6 inches would be used at the intake. Water withdrawn for power generation would be returned directly to Ferrens Creek within 50 to 80 feet from the point of withdrawal.

We understand from Mr. Chai that portions of Ferrens Creek are either intermittent or ephemeral in the area of the requested point of diversion. Based on that information, we do not anticipate that the diversion will have a significant impact on fish, wildlife or habitat over the 50 to 80 feet of stream effected, as long as adequate water is left instream to protect those values. However, because Ferrens Creek does not dependably flow year round in the area of the requested diversion, we anticipate that the applicant will have difficulty being able to withdraw enough water year round to generate power and that attempting to do so during a substantial portion of the year may interrupt flow in the segment of stream between penstock and return. At no time, should the withdrawal for power generation remove 100% of the flow from the creek. To help protect instream habitat between penstock and return, and we recommend a permit condition that states that flows immediately above the diversion must be monitored and that no more than 50% of flow can be withdrawn from Ferrens Creek at any time. In lieu of requiring a full-blown instream flow assessment for Ferrens Creek to determine protective withdrawal rates prior to issuing the water right, we believe that maintaining a minimum of 50% flow in this intermittent/ephemeral segment of the stream should adequately protect instream habitat at the site and downstream.

Finally, installation of withdrawal and water returns will certainly impact bed and banks of the stream. We assume that the applicant will be required to obtain a joint Stream Alterations Permit in addition to this water right. Looking ahead to that permitting process, both water intake and return should be designed to protect fish and stream habitat, including screening at the intake. We look forward to reviewing the designs for penstock, withdrawal and water return that should accompany the stream alterations permit application.

Please give me a call if you need any further input from us on these applications.

Ray Hennekey, Environmental Staff Biologist
IDFG Clearwater Region

4/26/2006