



IDAHO FISH & GAME

MAGIC VALLEY REGION

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Corey Skinner

Department of Water Resources

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March 5, 2004

Dirk Kempthorne / Governor
Steven M. Huffaker / Director

RECEIVED
MAR 15 2004

Department of Water Resources
Southern Region

Receipt # 5026541

Re: Application for Transfer No. 71010 – Diamond A Livestock, Inc.

The Idaho Department of Fish and Game (Department) has reviewed the applications from Diamond A Livestock, Inc. to change the point of diversion for 4.60 cfs of irrigation water from Chimney Creek and an unnamed tributary in Camas County. It is our understanding the applicants would like to add two points of diversion and a storage component to existing water rights. The proposed diversions are in excess of 1 mile upstream from an existing diversion used by the applicant. We offer the following comments and recommendations for your consideration.

Historically, Chimney Creek provided habitat for redband trout, a species of conservation concern in Idaho, and other native fish species. The status of fish populations in the drainage is currently unknown. Riparian habitats associated with small perennial streams provide important breeding, nesting, and roosting sites for migratory songbirds, small mammals, and other nongame wildlife. In addition, riparian vegetation associated with small streams provide important migration corridors for large and small animals, provide connectivity between diverse types of habitat, provide spawning and rearing habitat for salmonids and other native fish species, and can dissipate runoff and reduce the impacts of downstream flooding.

The Department is concerned that decreased flows in the > 1 mile reach between the proposed and existing diversions will adversely impact aquatic resources and riparian habitat. The application indicates the applicant plans to pipe water from the proposed diversion/pond to the place of use. We recommend the permit include the requirement that any water savings obtained from piping be applied to maintain stream flows in the impacted reach as mitigation for impacts to aquatic resources and riparian habitat. Further, we recommend the permit include the removal and rehabilitation of the existing downstream diversions. If mitigation is not included in the permit, we would like to protest this application based on the fact the transfer is not in the best interest of the citizens of the State of Idaho.

We welcome the opportunity to discuss our concerns and recommendations with the applicant and IDWR at your convenience. Thank you for the opportunity to provide comment. If you have further questions please contact Mike McDonald, Environmental Staff Biologist, at this office.

Sincerely,

David Parrish

Magic Valley Regional Supervisor

Cc: Diamond A Livestock, Inc. (Applicant)

IDFG (NRPB)

ECc: IDFG (R4 staff)