



**IDAHO FISH & GAME**

PANHANDLE REGION  
2750 Kathleen Avenue  
Coeur d'Alene, Idaho 83815

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Department of Water Resources

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IDWR/North

Dirk Kempthorne / Governor  
Steven M. Huffaker / Director

September 2, 2003

Mr. Robert Haynes  
Idaho Department of Water Resources  
Northern Region  
1910 Northwest Blvd, S 210  
Coeur d'Alene, ID 83814

*Bob*  
Dear Mr. Haynes:

REFERENCE: #96-9150 WHITELEY WATER RIGHT APPLICATION

Greg Whiteley has requested 0.1 acre-feet from Flume Creek, a tributary to Rapid Lightning Creek, for domestic use, fire protection and recreation (wading). Section 6 of the application indicates that the water would be stored in an on-stream pond retained by a 2-foot high dam.

We have no objection to issuing the water right if your calculations indicate that the withdrawal will not reduce Flume Creek volume or flows below those needed to support fish and other aquatic species in the creek.

However, we recommend that you do not confer the right to construct a pond on Flume Creek should you approve the water right. An in-stream impoundment may contribute to elevated stream temperatures in Flume Creek and Rapid Lightning Creek, which support westslope cutthroat trout and bull trout. The impoundment may also impede migrations of fish, amphibians and other wildlife, reduce the timing or amount of recharge to downstream waters, and have other potentially adverse impacts on water quality and stream function. We do not believe that creation of a pond for wading offsets these potential adverse impacts to the resource. If the water right is granted, we recommend that the applicant should be required either to withdraw water from the creek on an as-needed basis or install storage off-stream.

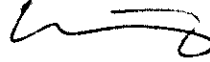
For pumped diversions from the stream, water intakes should be screened to prevent entrainment or impingement of fish. The maximum screen mesh size should be 0.25 inches; approach velocities should not exceed 0.5 ft/second to prevent losses of juvenile fish.

If IDWR does permit an in-stream impoundment, the applicants should be made aware that any structure intended to impound water must be designed, installed and maintained to allow fish passage per Idaho Code 36-906.

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Thank you for the opportunity to comment.

Sincerely,



Charles E. Corsi  
Regional Supervisor

CEC:RH:kh

C: Tracey Trent, IDFG Boise  
Greg Whiteley (7507 Stepdown Cove, Austin, TX 78731)