



FAX

Stanley Ranger Station
Sawtooth National Recreation Area

HC 64, Box 9900
Stanley, ID 83278

4-2-07

Phone — 208.774.3000
FAX — 208.774.3003

TO

ATTENTION

NICK MILLER

IDWR

208-287-6200

FROM

Louise Woodring

Pages 3 (including cover page)

MESSAGE

To: Nick,

As promised

Louise



United States
Department of
Agriculture

Forest
Service

Sawtooth National Forest
Supervisor's Office

2647 Kimberly Rd. E.
Twin Falls, ID. 83301
208-737-3200
Fax: 208-737-3236

File Code: 2720

Date: March 15, 2007

Dear Water Right Holder:

On February 20, 2007 you were notified by the Idaho Department of Water Resources (IDWR) of a "Preliminary Order requiring Measuring Devices and Headgates in Water District 170". Please be advised, if the location of your diversion is on National Forest land, authorization by the Forest Service will be necessary. The authorization required will be a special use permit for diversions not associated with mining activity. For mining diversions, language will need to be incorporated into a mining operating plan. Additionally, structures located within the Sawtooth National Recreation Area on private lands, must comply with the private Lands Regulations (36 CFR 292.14 - 292.16). Diversions occurring on private lands on which the United States owns a partial interest, in the form of a scenic easement, must also comply with the scenic easement restrictions.

We are asking all water users who require an authorization from the Forest Service to submit their proposals to this office on or before June 1, 2007 for Basin 71 and on or before June 1, 2008 for those in Basin 72. The sooner we receive your application, the more likely we will be able to complete its processing within the timeframes in the State's order. The State has recognized that there may be instances where a federal authorization may be delayed. The Preliminary Order includes provisions to apply for an extension if necessary.

We have enclosed Standard Form 299 for your use in applying for an authorization. We have also included for your consideration, a description of "helpful hints" that may aid you in completing the authorization request. If your diversion is within the Sawtooth National Recreation Area on private land, you are requested to contact Ruthie Wooding at (208) 774-3000 by the date above to discuss private lands regulations and scenic easement requirements.

You should also be aware that many diversions will at some point, be required to have an approved fish screen (if one is not already installed). Water users are encouraged to contact the Idaho Department of Fish and Game (IDFG) to ensure that headgates and measuring devices for proposed installation will be compatible with future or present fish screen requirements.

For information on screens, please contact the IDFG Anadromous Screen Program, (208) 756-6022. Assuring such compatibility will likely reduce costs if or when a fish screen is deemed necessary.



Measuring Devices & Headgates/Water Dist. 170

Please note that the authorization will apply to installation of headgates, measuring devices, and possibly screens. Authorization for long-term use of the diversions and associated facilities on National Forest land will occur at a later date. This approach was deemed necessary to help you meet the timeframes imposed by the State's Order.

The Forest Service has recently adopted regulations that require the agency to recover costs associated with processing and monitoring special use applications and authorizations. Some of the authorization requests from water users may be subject to these regulations. A copy of these new regulations can be obtained at the following website: www.fs.fed.us/recreation/permits or by contacting your local Forest Service office.

Thank you in advance for your cooperation. We look forward to working with you to process your forthcoming authorization requests. Please feel free to contact Terry Clark, (208) 737-3200 with any questions or concerns.

Sincerely,

/s/ Terence Clark for
JANE P. KOLLMEYER
Forest Supervisor