

State of Idaho  
Department of Water Resources  
**Permit to Appropriate Water**  
No. 73-12269

**Priority:** August 23, 2019

**Maximum Diversion Rate:** 0.05 CFS

This is to certify that

IDAHO POWER CO  
C/O KRESTA DAVIS-BUTTS  
PO BOX 70 BOISE ID 83707

has applied for a permit to appropriate water from:

**Source :** PAHSIMEROI RIVER

**Tributary:** SALMON RIVER

and a permit is APPROVED for development of water as follows:

**Beneficial Use**

IRRIGATION

**Period of Use**

04/01 to 10/31

**Rate of Diversion**

0.05 CFS

**Location of Point(s) of Diversion**

PAHSIMEROI RIVER NW¼ NE¼, Sec. 36, Twp 16N, Rge 20E, B.M. LEMHI County

**Place of Use:** IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
16N	20E	25															2.4		2.4
16N	20E	36		0.1															0.1

Total Acres: 2.5

**Conditions of Approval**

1. Proof of application of water to beneficial use shall be submitted on or before **August 01, 2025**.
2. Subject to all prior water rights.
3. Prior to diversion of water under this right, the right holder shall install a lockable device, subject to the approval of the Department, in a manner that will provide the watermaster suitable control of the diversion.
4. Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 73.
5. The right holder shall install or construct a straight length of conduit or ditch suitable for installation of a device for measuring the entire flow of water being diverted in connection with this right. If the right holder uses conduit, the straight length of conduit shall be at least fifteen times the diameter of the conduit and shall be above ground or otherwise easily accessible.
6. Upon specific notification by the Department, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) of diversion, in accordance with Department specifications.

State of Idaho  
Department of Water Resources  
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7. When notified by the Department or by a watermaster with regulatory authority over this right, the right holder shall report the amount of water diverted in connection with this right. The report shall be submitted in the manner and frequency specified by the Department or the watermaster.
8. Prior to the diversion and use of water under this approval, the right holder shall comply with all fish screening and/or fish passage requirements of the Idaho Department of Fish and Game.
9. This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use.

This permit is issued pursuant to the provisions of Idaho Code § 42-204.

Signed this 14<sup>th</sup> day of August, 20 20



ANGELA GRIMM  
Water Rights Section Manager

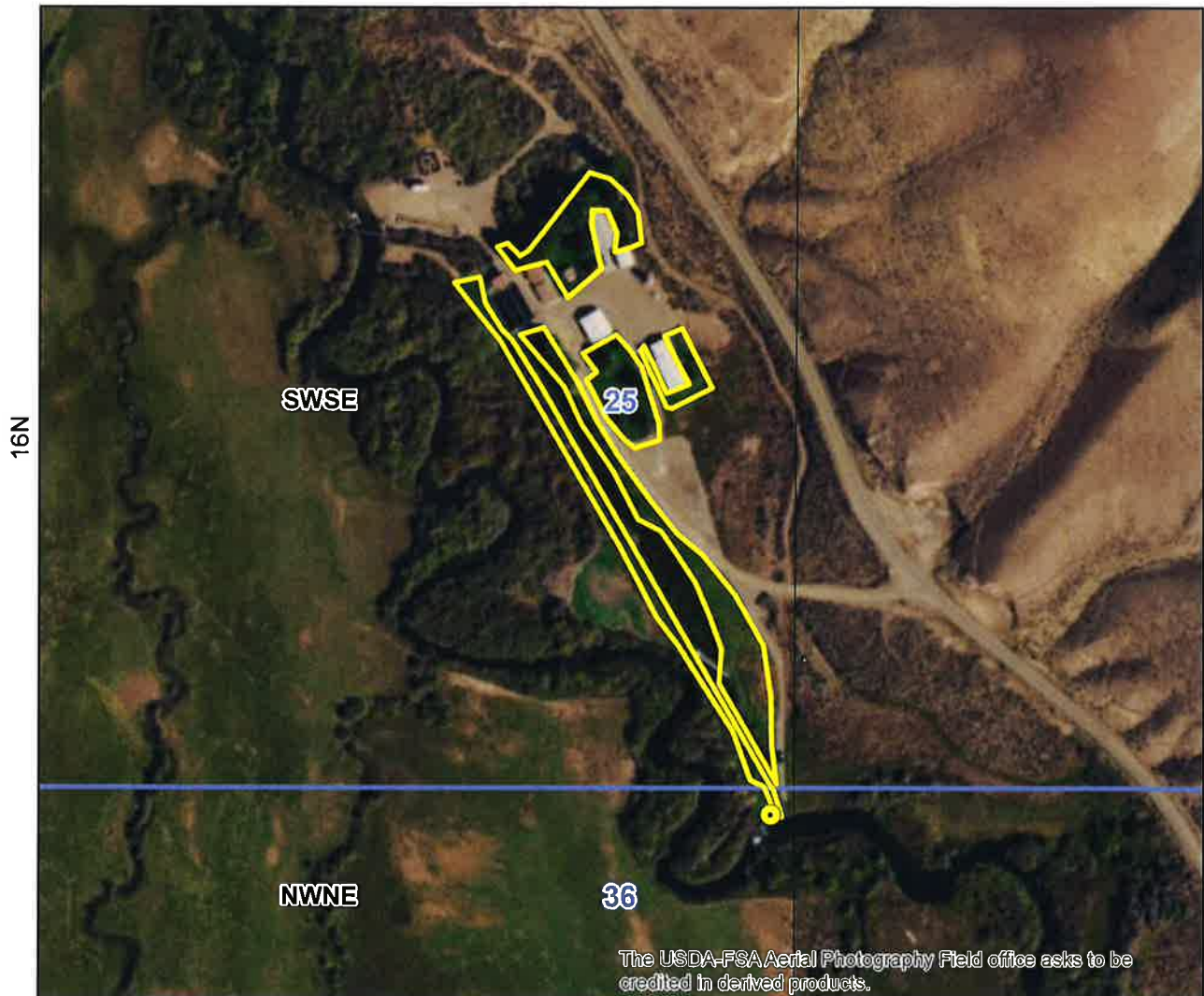
State of Idaho  
Department of Water Resources

# Attachment to Permit to Appropriate Water

73-12269

This map depicts the IRRIGATION place of use boundary for this water right at the time of this approval and is attached to the approval document solely for illustrative purposes.

20E



- Point of Diversion
- Place Of Use Boundary
- Townships
- PLS Sections
- Quarter Quarters

0 0.0375 0.075 0.15 Miles





State of Idaho

## DEPARTMENT OF WATER RESOURCES

322 E FRONT ST STE 648 PO BOX 83720 • BOISE, ID 83720-0098

Phone: (208)287-4800 • Fax: (208)287-6700 • Website: [www.idwr.idaho.gov](http://www.idwr.idaho.gov)

Brad Little  
Governor

Gary Spackman  
Director

August 18, 2020

IDAHO POWER CO  
C/O KRESTA DAVIS-BUTTS  
PO BOX 70  
BOISE ID 83707

RE: Permit Nos. 73-12268 and 73-12269

### Permit Approval Notice

Dear Permit Holder:

The Department of Water Resources ("Department") has issued the enclosed permit authorizing you to establish a new water right. Please be sure to thoroughly review all the conditions of approval listed on your permit. The conditions include requirements that you must accomplish, such as timely submittal of proof of beneficial use or installation of a measuring device, as well as information about how your water use may be administered, such as regulation by a watermaster in a water district. Failure to comply with the conditions of approval may result in your permit lapsing or being canceled.

The permit is a PRELIMINARY ORDER issued pursuant to Rule 730 of the Department's Rules of Procedure (IDAPA 37.01.01.730). It can and will become a final order without further action by the Department unless a party petitions for reconsideration, files exceptions, or requests a hearing as described in the enclosed information sheet.

The final step in the water right process is issuance of a water right license. To receive a water right license, you must first commence the excavation or construction of your diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is complete. In addition, you must divert and use water to the full extent intended and submit a *Statement of Completion for Submitting Proof of Beneficial Use* by the date shown in condition no. 1 of your permit. The Department will send you a *Proof Due Notice* approximately 60 days prior to the date listed in condition no. 1 of your permit.

You may also require approvals from other Department programs, such as Ground Water Protection, Safety of Dams, or Stream Channel Protection, to accomplish your proposed development. Please call or visit any Department office or see the Department's website at [idwr.idaho.gov](http://idwr.idaho.gov) for more information about these programs.

Also, please note that permit holders are required to report any change of ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Forms to assign ownership or update your address are available from any office of the Department or on the Department's website.

If you have any questions concerning the enclosed information, please contact me at (208) 287-4951.

Sincerely,

A handwritten signature in blue ink, reading "Angela M. Grimm", with a stylized flourish at the end.

Angela Grimm  
Water Rights Section Manager

Enclosure(s)

## CERTIFICATE OF SERVICE

I hereby certify that on August 18, 2020, I served a true and correct copy of Permit to Appropriate Water Nos. 73-12268 and 73-12269 by U.S. Mail, postage prepaid, to the following:

IDAHO POWER CO (Current Owner)  
C/O KRESTA DAVIS-BUTTS  
PO BOX 70  
BOISE ID 83707

JOHN K SIMPSON (Representative)  
BARKER ROSHOLT & SIMPSON  
1010 W JEFFERSON ST STE 102  
PO BOX 2139  
BOISE ID 83701-2139

WATER DISTRICT #73  
TED L O NEAL (Watermaster)  
11 ONEAL LN  
MAY ID 83253



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Debbi Judd  
Technical Records Specialist

## **EXPLANATORY INFORMATION TO ACCOMPANY A PRELIMINARY ORDER**

(To be used in connection with actions when a hearing was **not** held)

(Required by Rule of Procedure 730.02)

The accompanying order or approved document is a "**Preliminary Order**" issued by the department pursuant to section 67-5243, Idaho Code. **It can and will become a final order without further action of the Department of Water Resources ("department") unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:**

### **PETITION FOR RECONSIDERATION**

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. **Note: the petition must be received by the department within this fourteen (14) day period.** The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

### **EXCEPTIONS AND BRIEFS**

Within fourteen (14) days after: (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

### **REQUEST FOR HEARING**

Unless a right to a hearing before the Department or the Water Resource Board is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

### **ORAL ARGUMENT**

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.



## **CERTIFICATE OF SERVICE**

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

## **FINAL ORDER**

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its service date if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) The petition for reconsideration is disposed of; or
- (b) The petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

## **APPEAL OF FINAL ORDER TO DISTRICT COURT**

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.



## Dalgleish, Alex

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**From:** Dalgleish, Alex  
**Sent:** Thursday, November 21, 2019 3:34 PM  
**To:** 'Jessica Witt'  
**Subject:** RE: App. for Permit Nos. 73-12268 and 73-12268

Jessica,

Thank you for the information regarding the applications from Idaho Power. I will move forward with permitting.

Regards,

Alex Dalgleish  
Water Resource Agent  
Phone (208) 287-4913  
[alex.dalgleish@idwr.idaho.gov](mailto:alex.dalgleish@idwr.idaho.gov)

**From:** Jessica Witt [mailto:jlw@idahowaters.com]  
**Sent:** Thursday, November 21, 2019 10:24 AM  
**To:** Dalgleish, Alex <Alex.Dalgleish@idwr.idaho.gov>  
**Cc:** John Simpson <jks@idahowaters.com>  
**Subject:** App. for Permit Nos. 73-12268 and 73-12268

Dear Alex,

Regarding applications for permit 73-12268 and 73-12269, please continue with processing – Idaho Power Company has elected not to amend the irrigation application. Please contact our office should you have any questions.

Sincerely,  
Jessica

Jessica L. Witt  
*Legal Assistant to John K. Simpson*  
Barker Rosholt & Simpson LLP  
1010 W. Jefferson, Suite 102  
P.O. Box 2139  
Boise, Idaho 83701-2139  
Phone: 208.336.0700  
Fax: 208.344.6034  
[www.idahowaters.com](http://www.idahowaters.com)

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## Dalgleish, Alex

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**From:** Jessica Witt <jlw@idahowaters.com>  
**Sent:** Thursday, October 24, 2019 3:01 PM  
**To:** Dalgleish, Alex  
**Subject:** RE: Applications 73-12268 and 73-12269

Hi Alex,

I wanted to give you an update that we are still waiting to hear how the client wishes to proceed so please continue to hold the applications. Feel free to contact me if you have any questions.

Sincerely,  
Jessica

**From:** Dalgleish, Alex <Alex.Dalgleish@idwr.idaho.gov>  
**Sent:** Thursday, October 10, 2019 8:21 AM  
**To:** Jessica Witt <jlw@idahowaters.com>  
**Subject:** RE: Applications 73-12268 and 73-12269

Good Morning Jessica,

Thought I'd update you on the Idaho Power applications for permit on the Pahsimeroi River for fish propagation and irrigation. Both are back from advertising and did not receive any formal protests. They are both ready to now turn into permits.

You contacted me earlier in the week requesting additional time to supply information pertaining to the local public interest letters sent out on September 6<sup>th</sup>. Generally, information regarding the local public interest is helpful for evaluating an application before it goes to advertising. Since advertising has finished with these applications, the additional information is not really necessary. However, if you still wish to supply more local public information to the Department pertaining to these applications, that is fine.

Again, I'll continue to hold the applications until I receive direction from Mr. Simpson or you on his behalf.

Best,

Alex Dalgleish  
Water Resource Agent  
Phone (208) 287-4913  
[alex.dalgleish@idwr.idaho.gov](mailto:alex.dalgleish@idwr.idaho.gov)

**From:** Jessica Witt [<mailto:jlw@idahowaters.com>]  
**Sent:** Monday, October 7, 2019 10:55 AM  
**To:** Dalgleish, Alex <[Alex.Dalgleish@idwr.idaho.gov](mailto:Alex.Dalgleish@idwr.idaho.gov)>  
**Cc:** John Simpson <[jks@idahowaters.com](mailto:jks@idahowaters.com)>  
**Subject:** RE: Applications 73-12268 and 73-12269

Alex,

Thank you for your prompt response. We will file the additional information to evaluate/determine the local public interest and will make a determination concerning amending the application this week.

Sincerely,  
Jessica

Jessica L. Witt  
*Legal Assistant to John K. Simpson*  
Barker Rosholt & Simpson LLP  
1010 W. Jefferson, Suite 102  
P.O. Box 2139  
Boise, Idaho 83701-2139  
Phone: 208.336.0700  
Fax: 208.344.6034  
[www.idahowaters.com](http://www.idahowaters.com)

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**From:** Dagleish, Alex <[Alex.Dagleish@idwr.idaho.gov](mailto:Alex.Dagleish@idwr.idaho.gov)>  
**Sent:** Monday, October 7, 2019 9:32 AM  
**To:** Jessica Witt <[jlw@idahowaters.com](mailto:jlw@idahowaters.com)>  
**Cc:** John Simpson <[jks@idahowaters.com](mailto:jks@idahowaters.com)>  
**Subject:** Applications 73-12268 and 73-12269

Jessica,

The Department does not need a formal request or letter in order to have more time to submit information regarding the local public interest for applications 73-12268 and 73-12269.

As you know, application 73-12268 for irrigation use will need to be re-advertised if the rate or acres wish to be changed.. In the email with Jean on September 23 & 24, you requested to increase the diversion rate from .02 to .03 cfs. However, this application lists a diversion rate of .05 cfs over 2.5 acres This is a bit confusing since the diversion rate is higher than what you requested in the email.

Is it possible you meant to request a higher rate/acre? As the application is now, .05 cfs divided by 2.5 acres equates to the standard .02 cfs/acre. If you wish to increase the rate/acre to .03 cfs, the diversion rate would need to be .075 or ~.08 cfs.

It is important to also mention that most if not all applications in that area are being protested if the rate/acre is more than .02 cfs.

Please let me know how you'd like to proceed with this application. The protest deadline is today, October 7<sup>th</sup> and there have been no protests so far. If you still wish to increase the diversion rate, the Department will wait to re-advertise the amended application until any local public interest information has been received.

In regards to application 73-12269 for fish propagation, the Department will also wait to permit this application until the local public information has been received or the representative has indicated that no further information will be submitted to the Department.

Please call or email if you have any additional questions or concerns.

Thank you,

Alex Dagleish  
Water Resource Agent  
Phone (208) 287-4913  
[alex.dagleish@idwr.idaho.gov](mailto:alex.dagleish@idwr.idaho.gov)

NOTICE OF PUBLIC APPROPRIATION  
OF WATER

The following application(s) have been  
filed to appropriate the public waters of  
the State of Idaho:

73-12268  
IDAHO POWER CO  
C/O KRESTA DAVIS-BUTTS  
PO BOX 70  
BOISE, ID 83707  
Point of Diversion NWNE S36 T16N  
R20E LEMHI County  
Source PAHSIMEROI RIVER Tributary  
SALMON RIVER  
Use: FISH PROPAGATION  
01/01 to 12/31  
30 CFS  
Total Diversion:  
30 CFS  
Date Filed: 8/23/2019  
Place Of Use: FISH PROPAGATION  
T16N R20E S25 SWSE

This application proposes the diver-  
sion and use of water from the Pahsimeroi  
River tributary to the Salmon Wild & Sce-  
nic River. The decreed minimum stream  
flow rights for the federal Wild & Scenic  
Rivers are subordinate to certain catego-  
ries of water use and to specific amounts  
of water use established after the mini-  
mum stream flow. The water use pro-  
posed in this application will benefit from  
the subordination provision because it is  
for fish propagation purposes.

73-12269  
IDAHO POWER CO  
C/O KRESTA DAVIS-BUTTS  
PO BOX 70  
BOISE, ID 83707  
Point of Diversion NWNE S36 T16N  
R20E LEMHI County  
Source PAHSIMEROI RIVER Tributary  
SALMON RIVER  
Use: IRRIGATION  
04/01 to 10/31  
0.05 CFS  
Total Diversion:  
0.05 CFS  
10 AF  
Date Filed: 8/23/2019  
Place Of Use: IRRIGATION  
T16N R20E S25 SWSE  
T16N R20E S36 NWSE  
Total Acres: 2.5

Affidavit of Publication

RECEIVED

SEP 30 2019

DEPARTMENT OF  
WATER RESOURCES

STATE OF IDAHO }  
County of Lemhi } ss.

RICKY G. HODGES being first duly sworn, deposes and says he is one of the publishers (print-  
ers) of The Recorder Herald, a newspaper published weekly at Salmon, Lemhi County, Idaho, and  
of general circulation therein. That the **NOTICE OF PUBLIC APPROPRIATION OF WATER**,  
to the margin hereof, has been and was correctly printed and published in the regular and entire  
issue of every number of said newspaper and not in any supplement thereof or thereto for **TWO**  
**(2)** consecutive issue(s), commencing with the issue dated **09-19-2019** and ending with the issue  
dated **09-26-2019**

STATE OF IDAHO }  
County of Lemhi } ss.

On this **26TH day of SEPTEMBER** in this year of 2019 before me, A Notary Public, personally  
appeared RICKY G. HODGES, known or identified to me to be the person whose name subscribed  
to the within instrument, and being by me first duly sworn, declared that the statements therein  
are true, and acknowledged to me that he executed the same.

Residing At Salmon, Idaho

Notary Public for Idaho



Publication Fee \$264.60

**Legal Notice Department**

Recorder Herald  
PO Box 310  
Salmon ID 83467

RE: Legal Ad for your paper

**Dear LEGAL NOTICE DEPARTMENT:**

Enclosed you will find a legal notices which we wish to have published in your newspaper on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office, PO Box 83720, Boise, Idaho, 83720-0098 before October 7, 2019. Your cooperation is appreciated.

Sincerely

Jean Hersley  
Technical Records Specialist II  
IDWR State Office  
322 E Front St  
Boise ID 83720  
208-287-4942  
jean.hersley@idwr.idaho.gov

\*\*\*\*\*  
The following application(s) have been filed to appropriate the public waters of the State of Idaho:

**73-12268**

IDAHO POWER CO  
C/O KRESTA DAVIS-BUTTS  
PO BOX 70  
BOISE, ID 83707  
Point of Diversion NWNE S36 T16N R20E LEMHI County  
Source PAHSIMEROI RIVER Tributary SALMON RIVER  
Use: FISH PROPAGATION  
01/01 to 12/31  
30 CFS  
Total Diversion:  
30 CFS  
Date Filed: 8/23/2019  
Place Of Use: FISH PROPAGATION  
T16N R20E S25 SWSE

This application proposes the diversion and use of water from the Pahsimeroi River tributary to the Salmon Wild & Scenic River. The decreed minimum stream flow rights for the federal Wild & Scenic Rivers are subordinate to certain categories of water use and to specific amounts of water use established after the minimum stream flow. The water use proposed in this application will benefit from the subordination provision because it is for fish propagation purposes.

**73-12269**

IDAHO POWER CO  
C/O KRESTA DAVIS-BUTTS  
PO BOX 70  
BOISE, ID 83707  
Point of Diversion NWNE S36 T16N R20E LEMHI County  
Source PAHSIMEROI RIVER Tributary SALMON RIVER  
Use: IRRIGATION  
04/01 to 10/31  
0.05 CFS  
Total Diversion:  
0.05 CFS  
10 AF  
Date Filed: 8/23/2019  
Place Of Use: IRRIGATION  
T16N R20E S25 SWSE  
T16N R20E S36 NWNE

SCANNED  
SEP 12 2019

Total Acres: 2.5

This application proposes the diversion and use of water from the Pahsimeroi River tributary to the Salmon Wild & Scenic River. The decreed minimum stream flow rights for the federal Wild & Scenic Rivers are subordinate to certain categories of water use and to specific amounts of water use established after the minimum stream flow. The water use proposed in this application will benefit from the subordination provision because the diversion rate and acres will be applied to the subordination amounts specified in the decree for the Wild & Scenic River listed above.

**75-14954**

BRYAN A YENTER

CYNTHIA J YENTER

662 HIGHWAY 93 N

CARMEN, ID 83462-4505

Point of Diversion L7(NESE) S31 T23N R22E LEMHI County

Source GROUND WATER

Use: IRRIGATION

04/01 to 10/31

0.1 CFS

Total Diversion:

0.1 CFS

Date Filed: 7/17/2019

Place Of Use: IRRIGATION

T23N R22E S31 L7(NESE)

Total Acres: 5

This application proposes the diversion and use of water from ground water tributary to the Salmon River Wild & Scenic River. The decreed minimum stream flow rights for the federal Wild & Scenic Rivers are subordinate to certain categories of water use and to specific amounts of water use established after the minimum stream flow. The water use proposed in this application will benefit from the subordination provision because the diversion rate and acres will be applied to the subordination amounts specified in the decree for the Wild & Scenic River listed above.

Permits will be subject to all prior water rights. For additional information concerning the property location, contact the State office at (208) 287-4800; or for a full description of the right(s), please see

<https://idwr.idaho.gov/apps/ExtSearch/WRApplicationResults/>. Protests may be submitted based on the criteria of Idaho Code § 42-203A. Any protest against the approval of this application must be filed with the Director, Dept. of Water Resources, State Office, 322 E Front St, PO Box 83720, Boise, ID 83720 together with a protest fee of \$25.00 for each application on or before 10/07/2019. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 9/19/2019 and 9/26/2019

SCANNED

SEP 12 2019



**From:** Yenter, Cindy  
**Sent:** Friday, September 13, 2019 8:34 AM  
**To:** Dalgleish, Alex  
**Subject:** RE: Application for Permit 73-12269

I have no objections to this approval.

Ordinarily, small irrigation diversions are not required to be measured in WD170. As this right will be diverted at the main hatchery diversion along with larger rights it is not waived from measurement, but it may be measured over the existing measuring device. Separate measurement of the pump stations from the canal will not be required unless necessary. Conditions 196, 197 and 198 are still appropriate.

I am uncertain based on comments in the application # 12, if diverted flow under this appropriation is intended to be additive or combined with diversions under fish propagation rights. This may determine conditioning relative to combined limits. For practical purposes 0.05 cfs is not distinguishable in a 70 cfs diversion so either scenario is acceptable. This right will be junior to 73-7045 and irrigation is subject to curtailment if minimum flows in the lower Pahsimeroi are not met.

Water District Flag = 73.

FYI I will be at the hatcheries next Wednesday and I will check into these questions and let you know if I discover anything different.

*Cindy Yenter*  
*Watermaster, Water District 170*  
*IDWR Salmon Field Office*  
*102 S Warpath, Salmon ID 83467*  
[cindy.yenter@idwr.idaho.gov](mailto:cindy.yenter@idwr.idaho.gov)  
208-742-0655  
208-731-0901 cell

**From:** Dalgleish, Alex  
**Sent:** Thursday, September 05, 2019 4:52 PM  
**To:** Yenter, Cindy <[Cindy.Yenter@idwr.idaho.gov](mailto:Cindy.Yenter@idwr.idaho.gov)>  
**Subject:** Application for Permit 73-12269

Cindy,

I know you are out of the office for the next week. When you get a chance, please let me know your thoughts on this application for permit from Idaho Power.

It requests to divert .05 cfs from the Pahsimeroi River for irrigation of 2.5 acres around the Pahsimeroi Fish Hatchery.

I have attached relevant documents relating to application for permit 73-12269

Ted O Neal and he did not have an issue with the possible diversion and use of water.