



July 27, 2012

Mr. Allen Merritt
Southern Region Manager
Idaho Department of Water Resources
1341 Fillmore Street, Suite 200
Twin Falls, Idaho 83301-3380

RECEIVED

JUL 30 2012 DM

DEPT. OF WATER RESOURCES
SOUTHERN REGION

Re: Notice of Prehearing Conference for Permit Application No. 37-8859

Dear Allen,

I am writing in response to the Notice of Prehearing Conference for Application No. 37-8859 filed by SMR, LLC on October 18, 1996 for the diversion of 5.0 cfs from the West Fork of Threemile Creek ("the Application"). The Application was protested by Pamela Smith (currently Pamela Smith-Tucker) and her deceased husband Stephen Smith. Stephen and Pamela donated a conservation easement on approximately 315 acres of land to Wood River Land Trust on December 9, 2009. Wood River Land Trust is a non-profit organization that protects and restores land, water, and wildlife habitat in the Wood River Valley and its surrounding areas. We work cooperatively with private landowners and local communities to ensure these areas are protected now and for future generations.

The conservation easement held by Wood River Land Trust protects the conservation values of the Smith-Tucker property, including natural, agricultural, recreational, open space, and water resources. Approximately one mile of Threemile Creek runs through the Smith-Tucker property and supports approximately 40 acres of intact, functioning riparian habitat. This riparian habitat includes native willows, golden currant, aspen, sedges, grasses, and forbes. Numerous species of birds have been observed on the property, including sage-grouse, sandhill crane, golden eagle, willet, red-tailed hawk, Swainson's hawk, and American kestrel.

Seasonal in-stream flows in the West Fork of Three Mile Creek are critical to maintaining water resources, native plants, wildlife habitat, and scenic resources of the Smith-Tucker property. Wood River Land Trust encourages the Idaho Department of Water Resources to consider downstream effects of the Application. Any decrease in-stream flows could impact water quantity, native vegetation, riparian habitat for fish and wildlife, and agricultural resources downstream.

Thank you for your consideration.

Sincerely,

Keri York
Senior Conservation Coordinator

cc. Pamela Smith-Tucker

Board of Directors

President:
Trent Jones

Vice President:
David Anderson

Treasurer:
John French

Secretary:
Robin Garwood

Richard Carr
Ed Cutter
John Flattery
Jack Kueneman
Jane Mason
Elizabeth Mitchell
Rebecca Patton
Wolf Riehle
John Fell Stevenson
Megan Stevenson
Steven Strandberg
Barbara Thrasher

Advisory Committee

Fred Brossy
Ranney Draper
Lawrence Schoen
John Seiller
Tom Swift
Bruce Tidwell
Liz Warrick

Executive Director
Scott Boettger



119 E. Bullion Street
Hailey, Idaho 83333
Phone: 208.788.3947
Fax: 208.788.5991

www.woodriverlandtrust.org
Federal ID: 82-0474191