



State of Idaho

DEPARTMENT OF WATER RESOURCES

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September 14, 2011

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

ADRIANNE HALL MAYDOLE
HC 68 BOX 327
CLAYTON ID 83227

RE: Watermaster Comment for Application for Transfer No. 77377, Della Brower

Watermaster,

I've enclosed a copy of a transfer application filed to change the recorded place of use and point of diversion for Right 72-7501. Right 72-7501 is a small 0.5 acre irrigation right diverted from Thompson Creek near its confluence with the Salmon River. There will be no actual change to the water right; this is only a records correction. Currently the right is erroneously recorded on BLM and Forest Service ground. Both the BLM and Forest Service have provided consent letters.

During the transfer process, conditions of a water right are updated to reflect current standards. Since Right 72-7501 was licensed in 1997, the Salmon River has been designated as a Wild and Scenic River. Any non-de minimus right diverting water from a source considered Wild and Scenic or tributary to a Wild and Scenic source is required to install a lockable device in the diverting works. The following standard condition is applied:

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.

Right 72-7501's diversion works are small and not conducive to the installation of traditional lockable controlling works. I have spoken with Ms. Brower, the right holder, who agreed to provide an alternate means of locking the diversion works. One example we discussed was pulling the pump from the creek and chaining it to a nearby tree or post during times Right 72-7501 may be subject to curtailment. It is my understanding the pump works are small and easily moved. A modified version of the condition above would be placed on the transfer approval. Please return the enclosed watermaster comment form with any concerns/input you may have. If no response is received within 21 days from the date of this letter, IDWR will presume you do not oppose approval of the application and that you have no comments for IDWR to consider. Please contact me at (208) 287-4949 or email at nick.vandyke@idwr.idaho.gov with any questions.

Sincerely,

Nicholas Van Dyke
Sr. Water Resource Agent

Enclosures