



State of Idaho
DEPARTMENT OF WATER RESOURCES
1341 Fillmore Street, Suite 200; Twin Falls ID 83301-3380
Phone: (208) 736-3033 FAX: (208) 736-3037
www.idwr.idaho.gov

C.L. "BUTCH" OTTER, Governor
GARY SPACKMAN, Interim Director

August 12, 2010

ZACH LATHAM
BROCKWAY ENGINEERING
2016 N WASHINGTON ST STE 4
TWIN FALLS ID 83301

RE: Application for Permit No. 71-10922, Application for Permit No. 71-10923 and Application for Transfer No. 75469 (Tierney)

Dear Mr. Latham:

The Idaho Department of Water Resources is once again reviewing the above referenced Amended applications proposing usage of water in the Salmon or Clearwater River basin filed on behalf of your clients. Before IDWR can complete processing the applications, we need some additional information.

To ensure that IDWR has sufficient information to evaluate applications, Rule 40.05 of the Water Appropriation Rules (IDAPA 37.03.08.040.05) requires water right applicants to submit additional information to IDWR in connection with their applications.

Idaho Code 42-203A(5) requires IDWR to evaluate a number of criteria for such applications, including the local public interest in the public water resource. Because the waters of the Salmon and Clearwater River drainages are habitat for fish species listed as endangered or threatened under the federal Endangered Species Act, caution is necessary to ensure new appropriations of water do not undermine efforts to protect and restore the ESA-listed fish species and other public values in the basins' rivers and streams.

All applicants for water in the Salmon and Clearwater River basins are required to request comment on their applications from the Idaho Department of Fish and Game (IDFG) and the Idaho Department of Environmental Quality (IDEQ). Please contact **Tom Curet in the Salmon office of the Idaho Dept of Fish & Game at 208-756-2271 and Troy Saffle in the Idaho Falls office of the Idaho Dept of Environmental Quality at 208-528-2650** to obtain their written recommendations.

This information should be submitted to IDWR within 30 days of your receipt of this letter. Please contact these agency representatives no less than 15 days prior to the end of your 30-day response period. IDWR will hold your application until these comment letters from IDFG and IDEQ are received.

Sincerely,

Mary A. Baldwin
Administrative Assistant

cc:
THOMAS &/OR ELIZABETH TIERNEY
2802 DOW AVENUE
TUSTIN CA 92780