



United States
Department of
Agriculture

Forest
Service

Sawtooth National Forest
Sawtooth National Recreation Area

5 North Fork Canyon Road
Ketchum, ID. 83340
208-727-5000
Visitor Center: 208-727-5013
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File Code: 2540-1-2

Date: December 17, 2009

RECEIVED

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DEPT. OF WATER RESOURCES
SOUTHERN REGION

Alan Merritt
Idaho Department of Water Resources
1341 Fillmore St, Suite 200
Twin Falls, ID 83301

Dear Mr. Merritt,

It has come to our attention that you have published notice regarding your consideration of an application (72-16811) from Mr. Robert Bryson to appropriate new water from the Salmon River (NESE Sec. 30, T11N, R16E). The property associated with the application lies within the designated bounds of the Sawtooth National Recreation Area (P.L. 92-400, August 22, 1972, 85 Stat. 613), and as such, is subject the governing Private Land Regulations (36 CFR 292.14 - 292.16; 39 FR 11544, March 29, 1974, as amended at 41 FR 29379, July 16, 1976; 54 FR 3368, January 23, 1989; 69 FR 55092, October 13, 2004). Mr. Bryson's parcel is part of an unapproved property division that has not been reconciled with these regulations. We request that the Department hold this application until such time as this matter is resolved.

We also note an error in an IDWR memorandum in your files which states that "since this diversion is downstream from the East Fork of the Salmon and pumping less than 2.01 CFS, we don't need comments from Fish and Games and DEQ". Please note the proposed development lies roughly 20 miles *upstream* of the confluence with the East Fork of the Salmon River.

Thank you for your consideration.

Sincerely,

SARA E. BALDWIN
Sawtooth National Recreation Area Ranger

cc: Mr. Robert H Bryson, HC 67 Box 350, Stanley, ID 83278

