

MEMORANDUM

DATE: October 29, 2008
TO: Sharla Cox
FROM: Morgan Case
RE: Application for Permit No. 75-14461

Gertrude Maxwell has filed an application for 0.1 cfs of flow out of Wallace Creek, tributary to the Salmon River. Wallace Creek has been identified as a seasonally flow-limited stream by the Idaho Department of Fish and Game. Inter-agency efforts to reconnect flow-impaired streams for anadromous fish habitat in the Upper Salmon River Basin are currently under way. The applicant states in the letter from October 7, 2008 that water would only be used during periods of high flow (May through early July). If the permit were to restrict diversion to periods of high flow, the IDWR Planning Section would not raise any public interest concerns over the application.

The applicant should be aware that the Idaho Water Resource Board holds a minimum stream flow water right 74-14184 in the same reach or downstream of the applicant's point of diversion. As a junior water right holder, when the minimum stream flow is not being met, the applicant's water will be curtailed.

The Idaho Water Resource Board would also like assurance that the applicant's water right will be actively administered to protect the Board's minimum stream flow right.