



State of Idaho

DEPARTMENT OF WATER RESOURCES

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EASTERN REGION

September 25, 2008

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

Idaho Department of Fish & Game
James Lukens
PO Box 1336
Salmon ID 83467

RE: Application for Permit 75-14461 - Maxwell

Dear Mr. Lukens:

We are trying to resolve some of the issues in regards to the above application for permit 75-14461 for Gertrude Maxwell. This application, see enclosed, is for irrigation of 5 acres for .10 cfs out of Wallace Creek. Per your letter, dated August 20, 2008, see enclosed, you stated that Wallace Creek has limited flow and the stream is already over appropriated. Also you stated that there is juvenile Chinook salmon found in this Creek.

This application is also protested by a Mr. L. Arden Arrington. We sent a letter to Mr. Bill Maxwell, Gertrude's son, inquiring about this application, due to the protest by Mr. Arrington and your comments that this application would compromise the efforts to reconnect Wallace Creek to the Salmon River. We asked Mr. Maxwell to consider amending his application to resolve the protested issues and the issues with IDF&G, or to withdraw his application. Mr. Maxwell replied and said he felt that there is no issue and requested that we advertise this application.

I have talked to our state office and they would like more research completed. They would like IDF&G to submit data about when and how many Chinook are in the River and the flow data and what levels of fish & game hope to be preserved in Wallace Creek.

When we receive this data from you, we will then sit down and revisit this application.

If you have any questions regarding this, please feel free to contact me.

Sincerely,

Sharla Cox
Administrative Assistant

Enclosures