



IDAHO DEPARTMENT OF FISH AND GAME

SALMON REGION
99 Highway 93 North
P.O. Box 1336
Salmon, Idaho 83467

October 2, 2008

C.L. "Butch" Otter/Governor
Cal Groen/Director

Sharla Cox
Idaho Department of Water Resources
900 N. Skyline Dr., Suite A
Idaho Falls, ID 83402-1718

Re: Water Right Application No. 75-14461 (Maxwell)

Dear Sharla,

This letter is to provide additional information regarding the water right application from Bill and Gertrude Maxwell for water from Wallace Creek. Idaho Department of Fish and Game (IDFG) conducted an electro-fishing survey of Wallace Creek from the mouth upstream to the first culvert on August 18, 2003. The survey yielded one juvenile Chinook salmon and twelve juvenile rainbow/steelhead trout. Both species are listed under the Endangered Species Act. It has been our experience that all accessible Salmon River tributaries, including Wallace Creek, are vital to these species for the thermal refuge they provide when water temperatures of the main stem Salmon river rise to near lethal summer levels. The culvert mentioned is scheduled for replacement to provide additional and improved fish access. IDFG would like to permanently reconnect this tributary to the mainstem Salmon River and additional water appropriation would further compromise this effort.

IDFG has not recorded flow data in Wallace Creek, however the stream is flow impaired, at least seasonally. We cannot predict how many additional fish could be produced by saving a specific amount of water. Our Fisheries and Anadromous Fish Screen programs have successfully reconnected many seasonally dewatered tributaries and in every case, documented subsequent use by ESA species. A relatively small savings in withdrawals from Wallace Creek could permanently reconnect this tributary to the main Salmon River and provide important fish habitat.

We appreciate the opportunity to provide additional comments.

Sincerely,

James R. Lukens
Regional Supervisor

cc: Walt Poole
Dane Cook
Bob Foster
Bill and Gertrude Maxwell

RECEIVED
OCT 03 2008

Keeping Idaho's Wildlife Heritage