



IDAHO DEPARTMENT OF FISH AND GAME

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

August 20, 2008

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

Lyle Swank
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 Lyle,

Idaho Department of Fish and Game (IDFG) staff has reviewed the application from Bill and Gertrude Maxwell to withdraw 0.1 cfs of water from Wallace Creek near Salmon, Idaho to irrigate 5 acres. It is the position of IDFG that Wallace Creek is flow limited and, from a biological perspective, the stream is already over-appropriated for irrigation use. Juvenile Chinook salmon have been found in the lower reach of this tributary to the Salmon River and Wallace Creek likely provides thermal refuge for this species. IDFG would like to reconnect this tributary to the mainstem Salmon River and this appropriation would further compromise this effort.

It is IDFG's intention to continue to work cooperatively with Idaho Department of Water Resources and individual Wallace Creek water users to protect fisheries resources and the interests of irrigators. Any additional water allocation would limit opportunity to improve in-stream habitat for fish and would further suppress the expression of life histories for resident and anadromous fish residing and rearing in the Wallace Creek drainage.

We appreciate the opportunity to review this application and provide comments.

Sincerely,

James R. Lukens
Regional Supervisor

RECEIVED

AUG 22 2008

Department of Water Resources
Eastern Region

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

Keeping Idaho's Wildlife Heritage