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APR 24 2007

Department of Water Resources
Eastern Region

IDAHO DEPARTMENT OF FISH AND GAME

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

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

April 20, 2007

W. Roger Warner
Idaho Department of Water Resources
900 N. Skyline Dr., Suite A
Idaho Falls, Idaho 83402-1718

Re: Water Right Application No. 74-7346 (Bird)

Dear Roger,

Idaho Department of Fish and Game staff has reviewed the application from Kurt Bird for up to 0.80 cfs of waste water to irrigate 40 acres of ground adjacent to Texas Creek near Leadore. We have no concern with permit issuance, even though it falls within Water District 74 (the Lemhi River drainage), since the requested use is based on use that has been occurring for almost 15 years and will not change current flow conditions in the Lemhi. We consider the Lemhi River drainage a critical anadromous fish recovery area, important resident fish habitat and fully appropriated for irrigation diversion.

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

Sincerely,

A handwritten signature in black ink that reads "James R. Lukens".

James R. Lukens
Regional Supervisor

cc: Cindy Robertson
Walt Poole
Rick Carlson
Bob Foster
Shelley Keen
Kurt Bird

Keeping Idaho's Wildlife Heritage