

MEMORANDUM

TO: EASTERN REGION
through SHELLEY KEEN *SK*

FROM: KAY WALKER *Kay*

RE: Application for Permit 74-15577

Date: February 28, 2005

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MAR 03 2005

Department of Water Resources
Eastern Region

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This application was received in our office last week and I found that we cannot process. The point of diversion and place of use are not consistent with the map and/or legal descriptions.

The point of diversion is supposed to be located within:

SENWNW, S7, T21N, R24E

West Fork of Wimpey Creek does not even flow through this tract as far as I can see. The map shows the diversion in the SENWSE, of Sec. 7.

Place of use to be located within SWSW, S7 which appears correct per map but in review of the application form the use is for an "instream diversion" which would then require a point of beginning and point of ending for the instream use. On the second page of application the remarks describe a trough as part of the system. The ~~USFS~~ **BLM** *(copy)* needs to decide if they want an instream use or water for a trough.

Please make changes to this application and re-advertise if necessary. Thanks. Kay

(see memo attached also - Kay)

MEMORANDUM

DATE: February 28, 2005

TO: Application File 74-15577

FROM: Shelley W. Keen *SWK*

RE: Legal Notice

If Application 74-15577 is re-advertised to correctly communicate the point of diversion, the legal notice should carry the condition below to meet the requirements of the stipulated agreement for the federal Wild and Scenic Rivers.

This application proposes the diversion and use of water from a tributary of the Salmon Wild & Scenic River. The decreed minimum stream flow rights for the federal Wild & Scenic Rivers are subordinate to certain categories of water use and to specific amounts of water use established after the minimum stream flow. The water use proposed in this application will benefit from the subordination provision because it is for stock watering purposes.

A comprehensive memo about processing applications tributary to the Wild & Scenic rivers will be issued soon.

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DEPARTMENT OF
WATER RESOURCES