



**IDAHO FISH & GAME**

MAGIC VALLEY REGION

868 East Main Street

P.O. Box 428

Jerome, Idaho 83338-0428

Mr. Allen Merritt

Idaho Dept. of Water Resources

1341 Fillmore Street, Suite 200

Twin Falls, Idaho 83301-3380

Dirk Kempthorne / Governor

Rod Sando / Director

May 18, 2001

**RE: Water Right Transfer Application #5752 (66119), Shoulder "3" Ranches, Inc. -  
Trapper Creek**

Dear Allen,

The Idaho Department of Fish and Game withdraws their protest to the above-mentioned water right provided the following conditions of approval are attached to the transfer:

Fish passage will be provided for upstream migrating fish through the irrigation diversion dam. This will be provided with a vertical slotted orifice on the diversion dam that has a minimum gap width of six inches throughout the water column for the duration that water is being diverted through the irrigation system. This modification should provide fish the means to migrate upstream or downstream through the structure. The Idaho Department of Fish and Game must approve any alteration to this design.

Thank you for your attention to this matter. If you have any questions please contact Chuck Warren, our Environmental Staff Biologist at this office.

Sincerely,

David Parrish

Magic Valley Regional Supervisor

cc: IDFG-NRPB (Robertson)

State of Idaho A.G.'s Office (Ampe)

Robert Whitely, Shoulder "3" Ranches

PO Box 218

Oakley, ID 83346

**RECEIVED**

**MAY 21 2001**

Department of Water Resource  
Southern Region

45-00137 et al. - T#66119