

Litigation; Wild Fish Conservancy; Harriet S. Bullitt v. US Department of Interior; US Fish and Wildlife Service; Leavenworth National Fish Hatchery; US Bureau of Reclamation.

The United States Fish and Wildlife Service operates a surface water diversion from Icicle Creek to supply water to the Leavenworth National Fish Hatchery for various uses. In 2009, the Wild Fish Conservancy and a local resident, Harriet Bullitt, filed a complaint for declaratory and injunctive relief in the Eastern District of Washington, United States District Court against United States Fish and Wildlife Service (FWS), Bureau of Reclamation (Reclamation), Department of Interior (Interior) and the Leavenworth National Fish Hatchery (LNFH) on the basis that they have allegedly violated the State of Washington's Water Code. The US District Court ruled in favor of the defendant. The plaintiff is currently appealing to the Ninth Circuit Court.