



# Greater Yellowstone Coalition

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August 20, 1998

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AUG 24 1998

Department of Water Resources

## BEFORE THE DIRECTOR OF THE DEPARTMENT OF WATER RESOURCES OF THE STATE OF IDAHO

IN THE MATTER OF  
PETITION TO PROTEST  
APPLICATION FOR PERMIT TO  
APPROPRIATE WATER,  
RIGHT NOS. 21-7574 through 21-7580, IN THE  
NAME OF THE STATE OF IDAHO

The Greater Yellowstone Coalition (GYC) is a non-profit, conservation organization with 8,300 individual members, 120 local, regional, and national organizations, and 100 business/corporate sponsors committed to preserving a healthy Greater Yellowstone Ecosystem (GYE). GYC has offices in Idaho, Montana and Wyoming. GYC has approximately 500 individual members, including individual, corporate/business and organizations residing or located in the State of Idaho. The Henrys Fork watershed lies within the GYE. Many members of GYC regularly engage in wildlife observation, fishing, hunting, water-based recreation, and other activities directly related to the water flows in the Henrys Fork watershed. The Greater Yellowstone Coalition has a direct and substantial interest in the above proceedings in that many of our members could be negatively impacted by the proposed appropriations of water for groundwater recharge.

GYC believes that the proposed new appropriations from the Henry's Fork near St. Anthony and the Fall River near Chester will adversely affect the river and its fish and wildlife habitat. The proposed recharge diversions would severely deplete minimum streamflows during fall and winter months, thereby reducing the biological viability of the Henry's Fork and Fall Rivers. During the spring runoff period, the proposed diversions could reduce flood peaks by a significant amount. Spring peak flows are critical for fishery habitat formation and maintenance in this section of the Henry's Fork of the Snake River; significant reduction in the size of these flows will result in loss of islands, gravel bars and riparian vegetation.

The total proposed recharge diversions (into the Twin Groves Canal, Salem-Union Canal, Egin Canal, St. Anthony Union Canal, Independent Canal, and Last Chance Canal) requested from the



After the above issues have been adequately addressed, GYC believes that two modifications be made in the original applications:

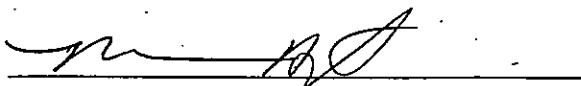
1. We propose that the amount of water diverted for recharge purposes be based on a percentage of the annual peak or mean monthly flows. This would be calculated both from anticipated runoff based on snow survey data and actual discharge measurements. A committee of representatives from I.D.W.R., Idaho Fish and Game, U.S. Fish and Wildlife Service, the irrigation companies, and Henry's Fork Watershed Council will determine the actual percentage that can be diverted from the Henry's Fork and Fall River for recharge purposes.
2. A certain monthly discharge threshold for the Henry's Fork at St. Anthony and the Fall River at Chester should be established below which diversion for recharge could not occur.

The Greater Yellowstone Coalition recommends that the listed water rights applications are denied until further public comment and discussion occur. We request that a hearing be scheduled to consider the public impacts that these proposed water rights may have.

Dated 8/20/98

Marv Hoyt  
Idaho Representative - Greater Yellowstone Coalition  
Protestant

I certify that on this 20<sup>th</sup> day of August 1998, I served a copy of this Protest upon the Idaho Department of Water Resources (and any other parties), by mail with postage attached.



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cc: Idaho Water Resources Board

8.25.00 C043201 8/24/98 *[Signature]*