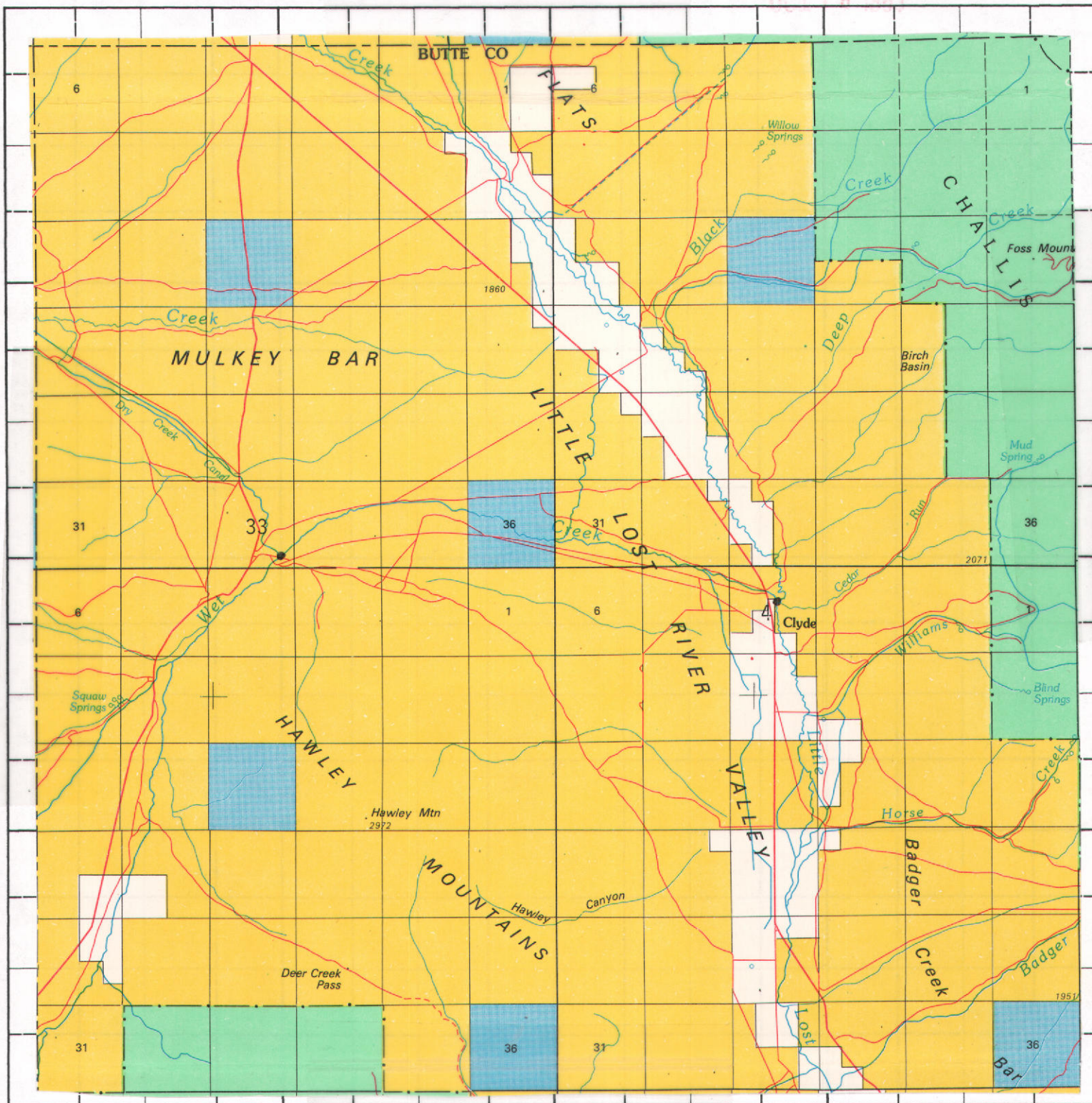


13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



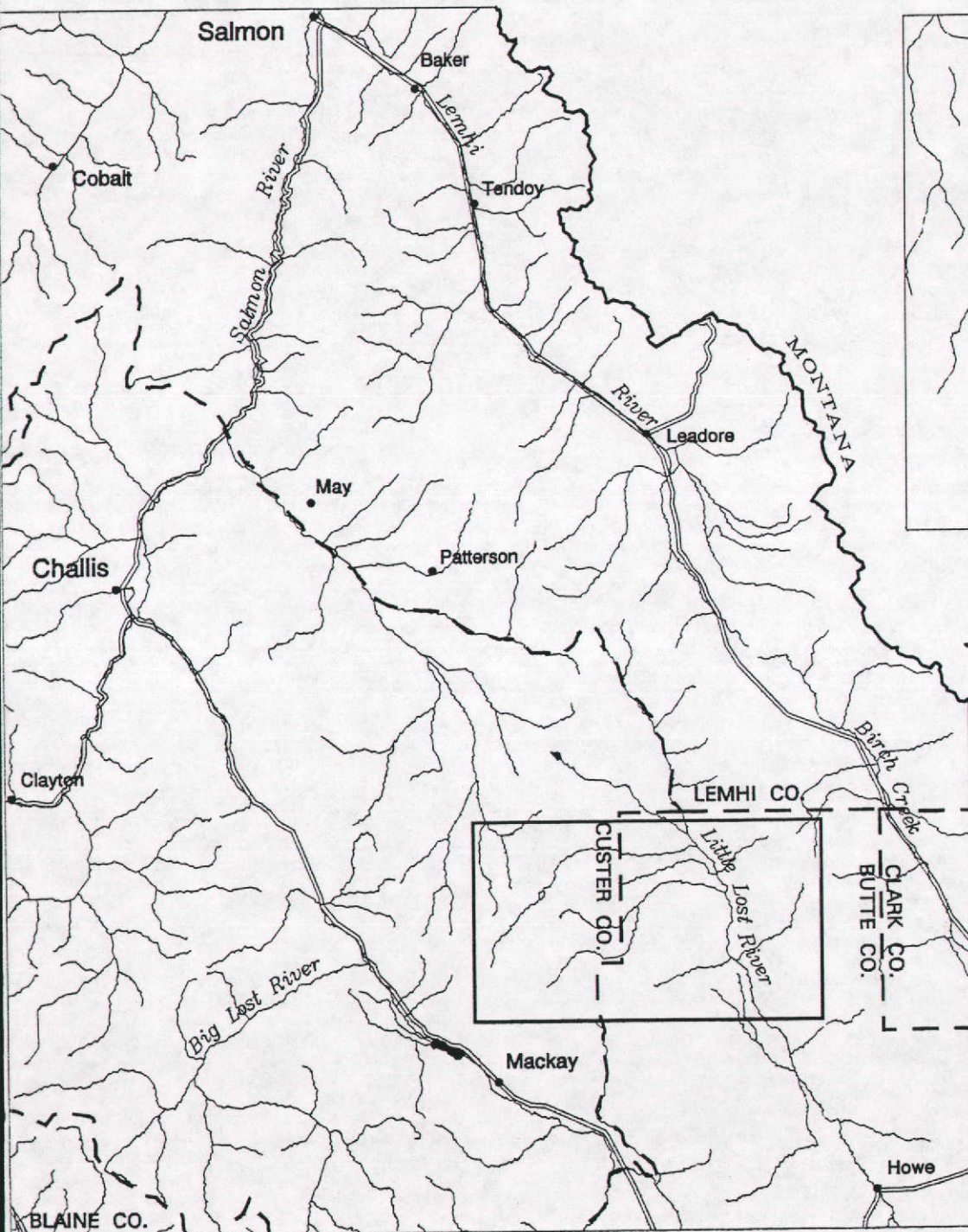
Scale: 2 inches equal 1 mile.

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

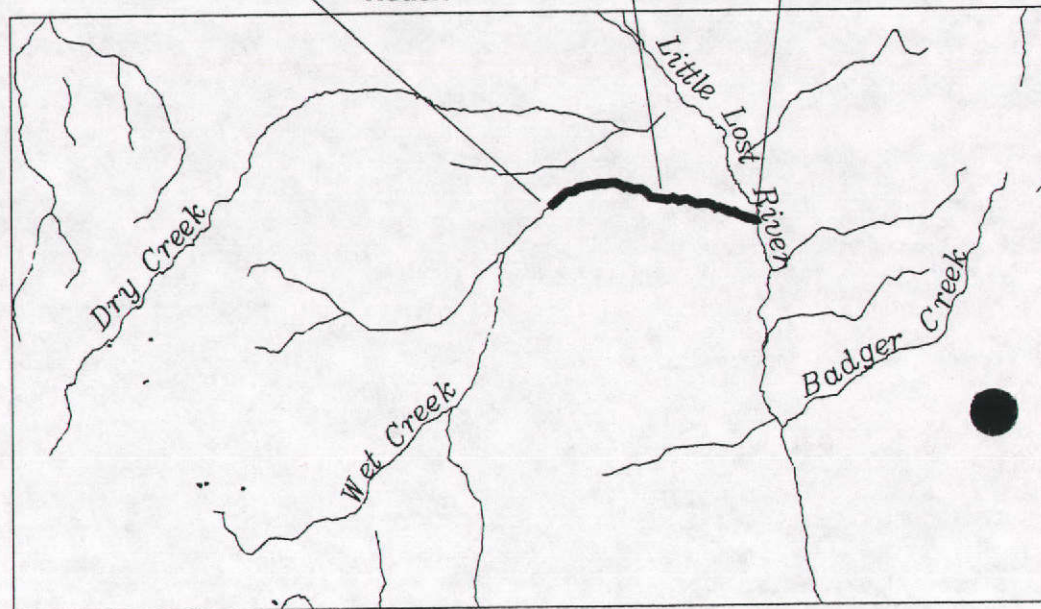
OCT 19 1993

F. Dore Goodrich
(Applicant)

Wet Creek - Minimum Streamflow



Minimum Streamflow Reaches
Upper Reach
Lower Reach



5/18/93

To: Water Resources Board

RECEIVED

From: Douglas Nikon
Conservation Chair

MAY 21 1993

E. Idaho Group, Sierra Club

Department of Water Resources
Eastern District Office

Re: Hearing on Establishing Minimum
Flows in Wet Creek (adjusted
seasonally)

Please include me as favoring the plan to establish minimum stream flows in this important fishery. I applaud the fact that this proposal is supported by good science. (The presentations by Idaho and federal biologists were well done.) Historical/legal analysis shows that the state proposal does not infringe on extant water rights.

This request-- and the "sister" request for Beaver Creek-- are important early precedents in the implementation of critical legislation allowing reservation of water for public purposes. And I am convinced they were well chosen precedents: no evidence emerged which even intimated that the proposals were harmful to anyone or were inconsistent with the public interest.

If I have any concern with the Wet Creek proposal it is that no mechanism is in place to assure more than the minimum stream flows in years of plentiful water.

Perhaps some proportional system (season specific) could be devised. Riparian areas could probably be extended if the public received "it's share" of high water. If this is not legislatively allowable, perhaps the law could be amended.

NOTICE OF HEARING
FOR APPLICATION MIN-
MUM STREAMFLOW

Notice is hereby given that the Idaho Water Resources Board submitted an application for permit to appropriate water to the Department of Water Resources, proposing to appropriate water for a minimum streamflow in Wet Creek, a tributary of the Little Lost River. The application is further described as follows:

Source: Wet Creek

Application No.: 33-07207

Proposed Priority: October 3, 1991

Amount & Period of Use:

10 cfs from January 1 to December 31

4 cfs from October 1 to May 1

15 cfs from May 2 to September 30

Purpose of Minimum Flow: Preservation of fish and wildlife habitat, aquatic life and water quality.

Place of Use: Wet Creek, commencing at the Pass Creek Road bridge downstream to the confluence of Wet Creek and Little Lost River

The Director of the Department of Water Resources will hold a public hearing in the Howe Elementary School building, in Howe, ID, at 7:00 p.m., on Wednesday, May, 12, 1993, for the purpose of hearing evidence in regard to the application. The hearing will be held pursuant to the paragraphs of Section 42-1503, Idaho Code.

Any party who wishes to formally appear in the proceeding for the purpose of presenting evidence or cross examining witnesses should file a notice of appearance with the Director of the Department of Water Resources, Statehouse Mail, 1301 North Orchard Street, Boise, ID, 83720, five (5) days prior to the hearing. Other parties will be given an opportunity to informally present their views and comments without the necessity of filing a notice of appearance. Written informal views and comments may also be submitted to the Department of Water Resources prior to the hearing. If issued, this permit will be subject to all prior water rights.

R. KEITH HIGGINSON,
Director

Idaho Department of Water Resources

PUBLISH: Thursday, April 22 and 29, 1993.

Affidavit of Publication

STATE OF IDAHO

COUNTY OF TWIN FALLS

SS.

No 24717

I, Linda Capps McBrine being first duly sworn upon oath, depose and say that I am Brine Clerk of the TIMES-NEWS, published daily, at Twin Falls, Idaho, and do solemnly swear that a copy of the notice of advertisement, as per clipping attached, was published in the regular and entire issue of said newspaper, and not in any supplement thereof, for Two consecutive Weeks, commencing with the issue dated April 22, 19 93, and ending with the issue dated April 29, 19 93.

And I do further certify that said newspaper is a consolidation, effective February 16, 1942, of the Idaho Evening Times, published theretofore daily except Sunday, and the Twin Falls News, published theretofore daily except Monday, both of which newspapers prior to consolidation had been published under said names in said city and county continuously and uninterruptedly during a period of more than twelve consecutive months, and said TIMES-NEWS, since such consolidation, has been published as a daily newspaper except Saturday, until July 31, 1978, at which time said newspaper began daily publication under said name in said city and county continuously and uninterruptedly.

And I further certify that pursuant to Section 60-108 Idaho Code, Thursday of each week has been designated as the day on which legal notice by law or by order of any court of competent jurisdiction within the state of Idaho, to be published weekly, will be published; and that at the head of the editorial column of said combined newspapers, and in each issue thereof, Thursday is announced as the day on which said legal notices will be published.

STATE OF IDAHO

COUNTY OF TWIN FALLS

On this 19 day of May in the year of 1993, before me, a Notary Public, personally appeared Linda Capps McBrine, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

NOTARY PUBLIC

Sheva R. Feltman
Notary Public for Idaho

Residing at Twin Falls

My commission expires: 5/19/94

OCT 19 1993

AFFIDAVIT OF PUBLICATION

I, COLLEEN BABCOCK
of the Arco Advertiser, a weekly newspaper of
general circulation, published weekly at Arco, Idaho,
since March, 1909, do solemnly swear that a copy of
this notice, per clipping attached, was published
weekly in the regular and entire issue of said
newspaper, and not in any supplement thereof,
for 2 consecutive weeks, commencing with
the issue dated MAR. 18, 1993
and ending with the issue dated MAR. 25, 1993
Colleen Babcock

STATE OF IDAHO }

COUNTY OF BUTTE }

On this 29 day of March
in the year of 1993, before me, a Notary Public,

personally appeared

Colleen Babcock

known or identified to me to be the person whose
name subscribed to the within instrument, and being
by me first duly sworn, declared that the statements
therein are true, and acknowledged to me that he
executed the same.

Thomas A. Cannon
Notary Public for Idaho

Residing at Arco, ID

My commission expires: 12-30-97

NOTICE OF HEARING FOR
APPLICATION FOR
MINIMUM STREAMFLOW

Notice is hereby given that the Idaho
Water Resources Board submitted an
application for permit to appropriate water
to the Department of Water Resources,
proposing to appropriate water for a mini-
mum streamflow in Wet Creek, a tribu-
tary of the Little Lost River. The applica-
tion is further described as follows:

Source: Wet Creek

Application No.: 33-07207

Proposed Priority: October 3, 1991

Amount & Period of Use: 10 cfs from
January 1 to December 31

4 cfs from October 1 to May 1

15 cfs from May 2 to September 20

Purpose of Minimum Flow: Preservation
of fish & wildlife habitat, aquatic life
and water quality.

Place of Use: Wet Creek, commencing at
the Pass Creek Road bridge down-
stream to the confluence of Wet Creek
and Little Lost River

The Director of the Department of Water
Resources will hold a public hearing in
the Howe Elementary School building, in
Howe, ID, at 7:00 p.m., on Wednesday,
April 14, 1993, for the purpose of hearing
evidence in regard to the application. The
hearing will be held pursuant to the
paragraphs of Section 42-1503, Idaho
Code.

Any party who wishes to formally ap-
pear in the proceeding for the purpose of
presenting evidence or cross examining
witnesses should file a notice of appear-
ance with the Director of the Department
of Water Resources, Statehouse Mall,
1301 North Orchard Street, Boise, ID
83720, five (5) days prior to the hearing.
Other parties will be given an opportunity
to informally present their views and
comments without the necessity of filing
a notice of appearance. Written informal
views and comments may also be submit-
ted to the Department of Water Resources
prior to the hearing. If issued, this permit
will be subject to all prior water rights.

R. KEITH HIGGINSON
Director
Idaho Department of
Water Resources

Published in The Arco Advertiser on
March 18 & 25, 1993.

MICROFILMED

OCT 19 1993

The Idaho Statesman

APR 05 1993

P.O. BOX 40, BOISE, IDAHO 83707

Department of Water Resources
Eastern District Office

LEGAL ADVERTISING INVOICE

Amount Due

\$ 74.28

Account Number 100564		Identification L NOTICE OF HEARING FOR APPLICATION FOR MINIMUM STREAMFLOW	
Ordered By Rita Bodell	P.O. Number	Rate NT	Run Dates March 25, April 1, 1993
State of Idaho Department of Water Resources 900 N. Skyline Drive Idaho Falls, Idaho 83402-1718		Estimated Inches	Real Inches
		# Affidavits 1	Legal Number 4528

LEGAL NOTICE NOTICE OF HEARING FOR APPLICATION FOR MINIMUM STREAMFLOW

Notice is hereby given that the Idaho Water Resources Board submitted an application for permit to appropriate water to the Department of Water Resources, proposing to appropriate water for a minimum streamflow in Wet Creek, a tributary of the Little Lost River. The application is further described as follows:

Source: Wet Creek
Application No.: 33-07207
Proposed Priority: October 3, 1991
Amount & Period of Use:
10 cfs from January 1 to
December 31
4 cfs from October 1 to May 1
15 cfs from May 2 to September 30

Purpose of Minimum Flow:

Preservation of fish and wildlife habitat, aquatic life and water quality

Place of Use:

Wet Creek, commencing at the Pass Creek Road bridge downstream to the confluence to Wet Creek and Little Lost River.

The Director of the Department of Water Resources will hold a public hearing in the Howe Elementary School building, in Howe, ID, at 7:00 p.m., on Wednesday, April 14, 1993, for the purpose of hearing evidence in regard to the application. The hearing will be held pursuant to the paragraphs of Section 42-1503, Idaho Code.

Any party who wishes to formally appear in the proceeding for the

CAROL PAYNE-CULPAN

, being duly sworn, deposes and says: That she is the Principal Clerk of The Idaho Statesman, a daily newspaper printed and published at Boise, Ada County, State of Idaho, and having a general circulation therein and which said newspaper has been continuously and uninterruptedly published in said County during a period of twelve consecutive months prior to the first publication of the notice, a copy of which is attached hereto; that said notice was published in The Idaho Statesman in conformity with Section 60-108, Idaho Code as amended, for TWO

xxx ☒ consecutive weekly ☐ consecutive daily ☐ single ☐ odd skip

insertion(s) beginning with the issue of MARCH 25, 1993

and ending with the issue of APRIL 1, 1993

C. Payne-Culpan

STATE OF IDAHO)

ss.

COUNTY OF ADA)

On this 1ST day of APRIL 1993 in the year of

CAROL PAYNE-CULPAN, before me, a Notary Public, personally appeared

CAROL PAYNE-CULPAN, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.

[Signature]
Notary Public for Idaho

Residing at BOISE, ID

My commission expires: 11.27.93

LEGAL NOTICES

purpose of presenting evidence or cross examining witnesses should file a notice of appearance with the Director of the Department of Water Resources, Statehouse Mail, 1301 North Orchard Street, Boise, ID, 83702, five (5) days prior to the hearing. Other parties will be given an opportunity to informally present their views and comments without the necessity of filing a

LEGAL NOTICES

notice of appearance. Written informal views and comments may also be submitted to the Department of Water Resources prior to the hearing. If issued, this permit will be subject to all prior water rights.

R. KEITH HIGGINSON,

Director

Idaho Department of Water Resources

Pub. Mar. 25, Apr. 1, 1993 4528

**NOTICE OF HEARING
FOR APPLICATION FOR
MINIMUM STREAMFLOW**

Notice is hereby given that the Idaho Water Resources Board submitted an application for permit to appropriate water to the Department of Water Resources, proposing to appropriate water for a minimum streamflow in Wet Creek, a tributary of the Little Lost River. The application is further described as follows:

Source: Wet Creek
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Amount & Period of Use:
10 cfs from January 1 to
December 31

4 cfs from October 1 to
May 1

15 cfs from May 2 to Sep-
tember 30

Purpose of Minimum Flow:
Preservation of fish and
wildlife habitat, aquatic life
and water quality.

Place of Use: Wet Creek,
commencing at the Pass
Creek Road bridge down-
stream to the confluence
of Wet Creek and Little
Lost River

The Director of the De-
partment of Water Re-
sources will hold a public
hearing in the Howe Ele-
mentary School building,
in Howe, ID, at 7:00 p.m.,
on Wednesday, April 14,
1993, for the purpose of
hearing evidence in regard
to the application. The
hearing will be held pursu-
ant to the paragraphs of
Section 42-1503, Idaho
Code.

Any party who wishes to
formally appear in the pro-
ceeding for the purpose of
presenting evidence or
cross examining witnesses
should file a notice of ap-
pearance with the Director
of the Department of Wa-
ter Resources, Statehouse
Mail, 1301 North Orchard
Street, Boise, ID 83720,
five (5) days prior to the
hearing. Other parties will
be given an opportunity to
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views and comments with-
out the necessity of filing a
notice of appearance. Written informal views and
comments may also be
submitted to the Depart-
ment of Water Resources
prior to the hearing. If is-
sued, this permit will be
subject to all prior water
rights.

R. KEITH HIGGINSON,
Director
Idaho Department of Wa-
ter Resources

PUBLISH: Thursday,
March 18 and 25, 1993.

Affidavit Publication

STATE OF IDAHO }
COUNTY OF TWIN FALLS } SS.

I, Linda Capps McBuire being first duly sworn upon oath, depose
and say that I am Print Clerk of the TIMES-NEWS, published daily, at
Twin Falls, Idaho, and do solemnly swear that a copy of the notice of advertisement, as per
clipping attached, was published in the regular and entire issue of said newspaper, and not in
any supplement thereof, for Two consecutive Weeks,
commencing with the issue dated March 18, 1993,
and ending with the issue dated March 25, 1993.

And I do further certify that said newspaper is a consolidation, effective February 16, 1942, of the Idaho
Evening Times, published theretofore daily except Sunday, and the Twin Falls News, published theretofore daily ex-
cept Monday, both of which newspapers prior to consolidation had been published under said names in said city and
county continuously and uninterruptedly during a period of more than twelve consecutive months, and said TIMES-
NEWS, since such consolidation, has been published as a daily newspaper except Saturday, until July 31, 1978, at
which time said newspaper began daily publication under said name in said city and county continuously and
uninterruptedly.

And I further certify that pursuant to Section 60-108 Idaho Code, Thursday of each week has been designated
as the day on which legal notice by law or by order of any court of competent jurisdiction within the state of Idaho,
to be published weekly, will be published; and that at the head of the editorial column of said combined newspapers,
and in each issue thereof, Thursday is announced as the day on which said legal notices will be published.

STATE OF IDAHO
COUNTY OF TWIN FALLS

On this 26 day of March in the year of 1993, before me,
a Notary Public, personally appeared Linda Capps McBuire,
known or identified to me to be the person whose name subscribed to the within instrument, and being by me first
duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

Shirley R. Feltman
Notary Public for Idaho

Residing at

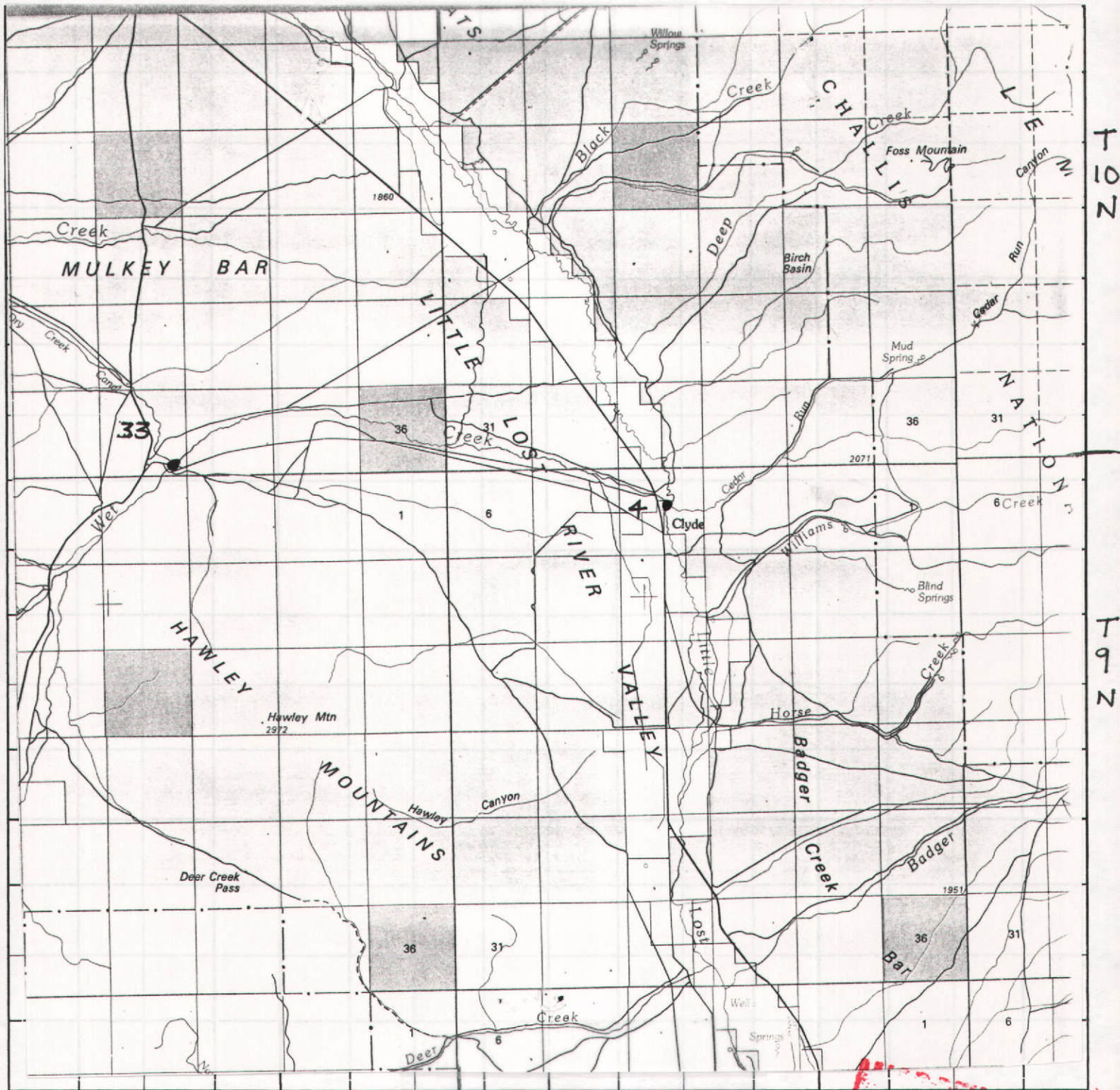
My commission expires:

Twin Falls

5/19/94

OCT 19 1993

13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile. R 26 E

R 27 E

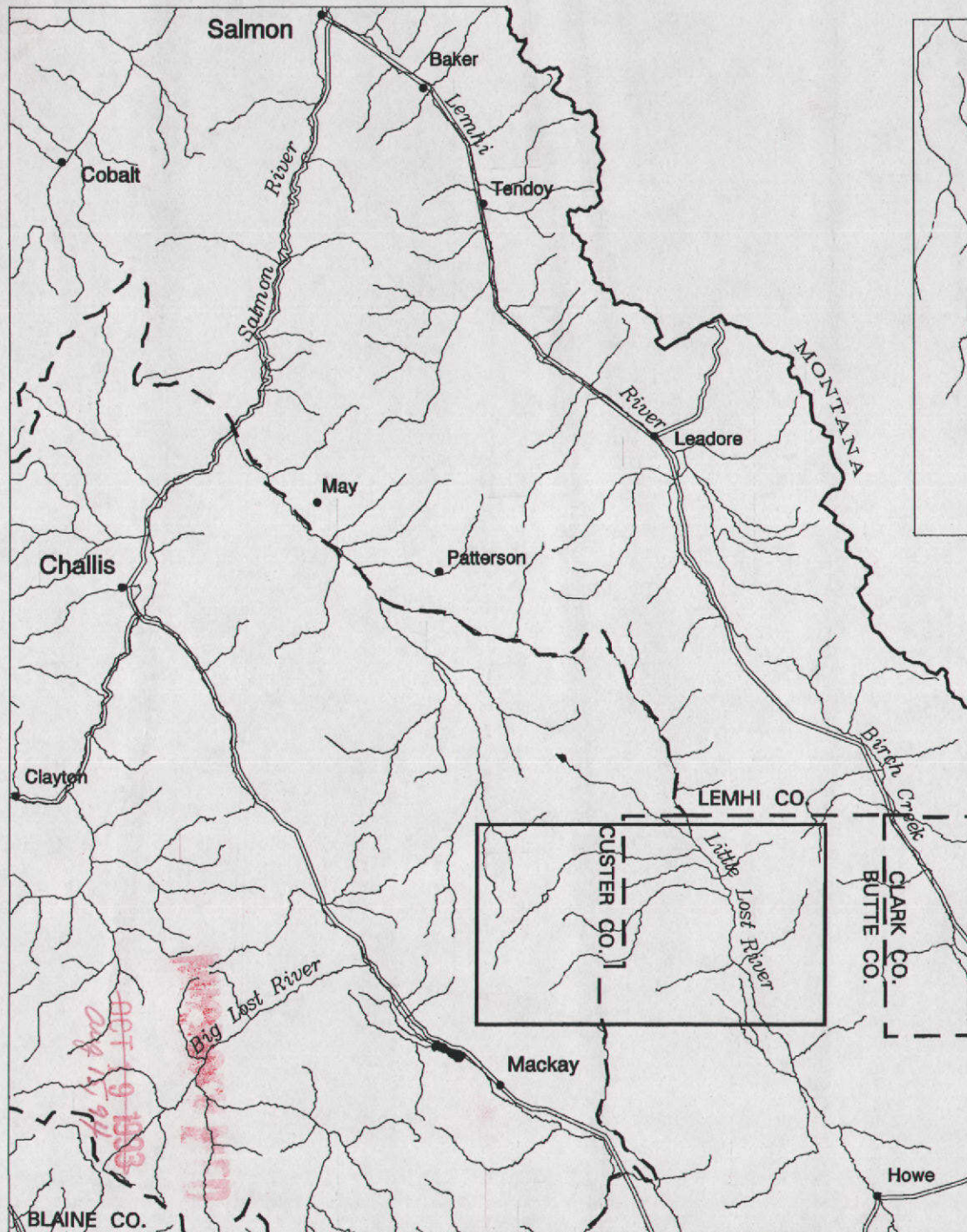
BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

William S. Platts
(Applicant)

9-12-91

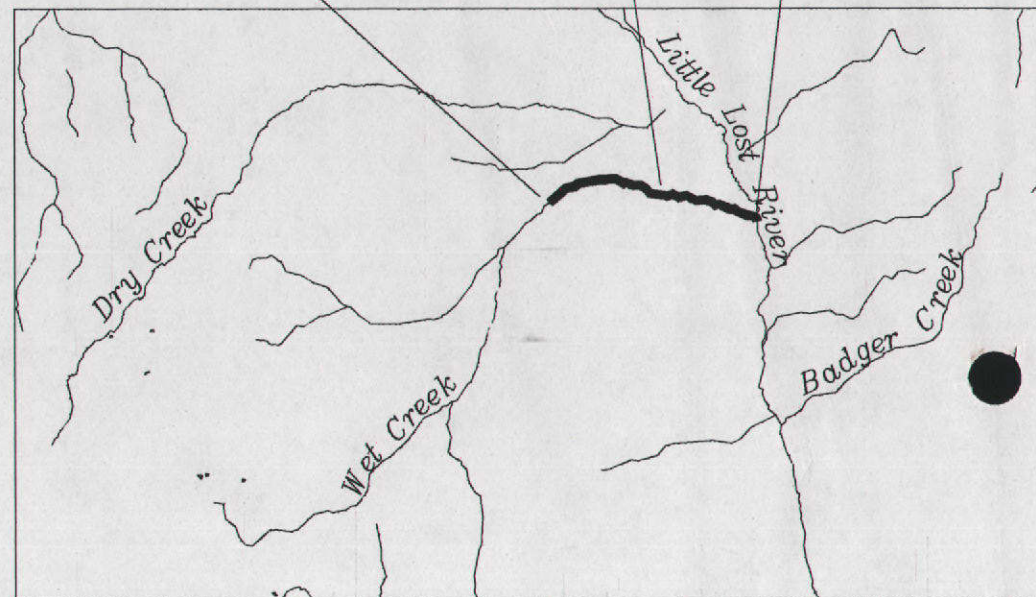
OCT 19 1993

Wet Creek - Minimum Streamflow



Minimum Streamflow Reaches

Upper Reach
Lower Reach



Wet Creek & Tribs

22 sec ft
Served
1991 treated
as Senior

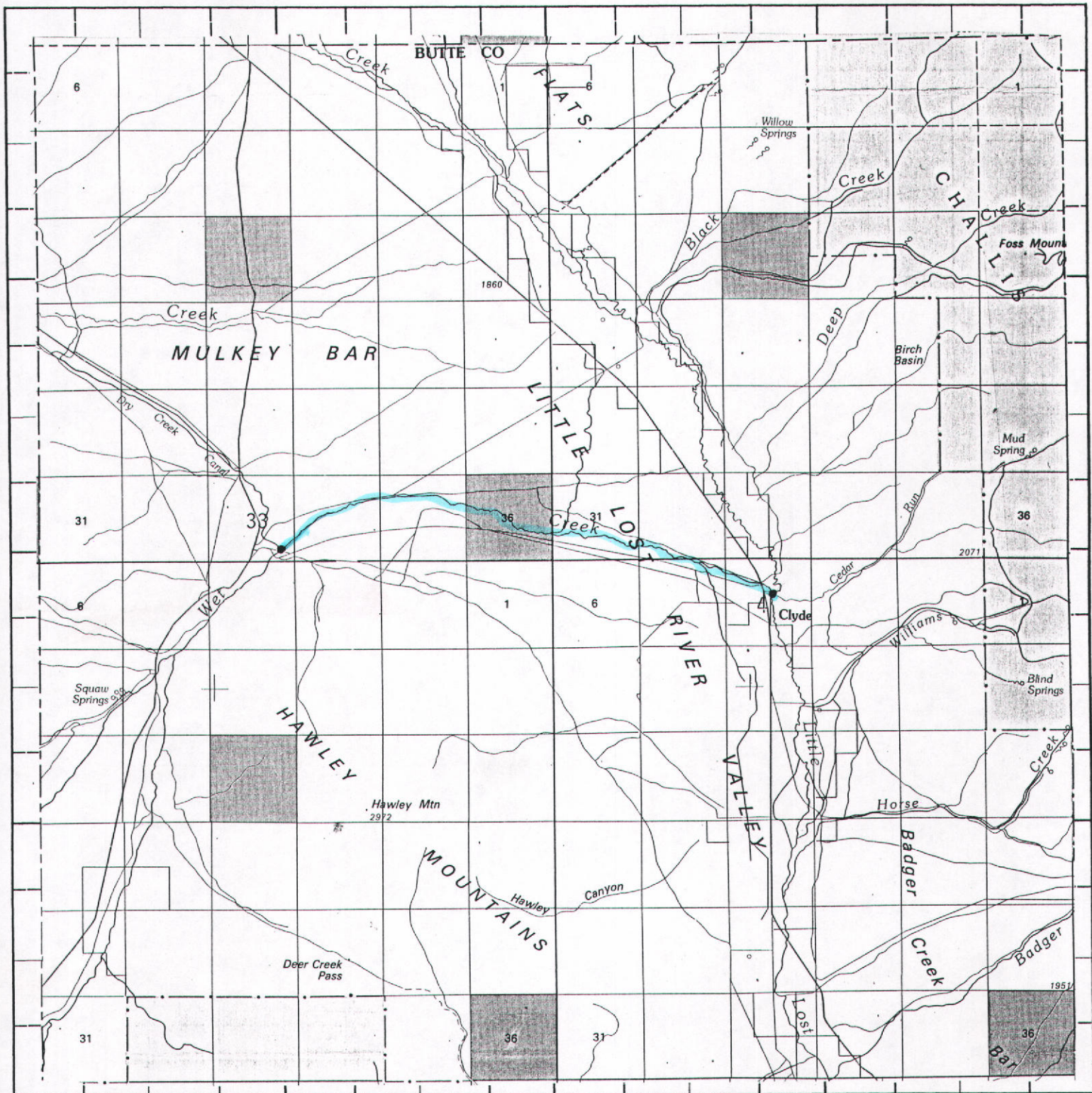
WRNUMBER	SOURCE	TRIBUTARY	TWN	N_S	RNG	E_W	SECTION	COUNTY	STAGE	PRIORITY_D	T_DIV_RATE	T_DIV
3300089	WET CREEK <i>Peck</i>	LITTLE LOST RIVER	0		0		0		D	07/24/05	0.200	
3300114	ARCO-PASS CREEK <i>Sermon</i>	WET CREEK	0		0		0		D	05/01/10	2.000	
3302143	SPRING <i>BLM</i>		9	N	25	E	9	CUSTER	L	10/13/47	0.010	
3302144	SPRING <i>BLM</i>		9	N	25	E	9	CUSTER	L	10/13/47	0.010	
3304004	UNNAMED STREAM <i>USFS</i>	BLACK TAIL CANYON	8	N	26	E	21	BUTTE	S	06/01/37	0.020	
3304008	SPRING <i>USFS</i>	CABIN FORK	7	N	26	E	24	BUTTE	S	09/30/59	0.020	
3307070	BUCK SPRINGS <i>BLM</i>	SINKS	9	N	25	E	5	CUSTER	L	08/21/80	0.020	
3307077	WET CREEK <i>BLM</i>	LITTLE LOST RIVER	10	N	26	E	35	BUTTE	L	08/21/80	0.020	
3307078	CHICKEN CREEK <i>BLM</i>	SQUAW CREEK	9	N	25	E	26	CUSTER	L	08/21/80	0.020	
3307082	SANDS CREEK <i>USFS</i>	WET CREEK	8	N	25	E	4	CUSTER	L	11/06/80	0.020	1
3307083	UNNAMED STREAM <i>USFS</i>	WET CREEK	8	N	25	E	10	CUSTER	L	11/06/80	0.020	1
3307084	COAL CREEK <i>USFS</i>	WET CREEK	8	N	25	E	9	CUSTER	L	11/06/80	0.020	1
3307092	WET CREEK <i>BLM</i>	LITTLE LOST RIVER	9	N	26	E	20	BUTTE	L	03/04/81	0.010	
3307149	SPRING <i>USFS</i>	CABIN FORK	7	N	26	E	24	BUTTE	L	06/03/82	0.020	
3307207	WET CREEK <i>TwRB</i>	LITTLE LOST RIVER	9	N	27	E	4	BUTTE	A	10/03/91	10.000	
3307207	WET CREEK	LITTLE LOST RIVER	10	N	26	E	33	BUTTE	A	10/03/91	10.000	
			120		358		233				22.410	

Aug 15, 94
Oct 19, 1993

Wet Creek
Dry Creek Diversion
2.61 miles upstream mouth
Westinghouse Power
hydro

20-30% loss d/s
typical

13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



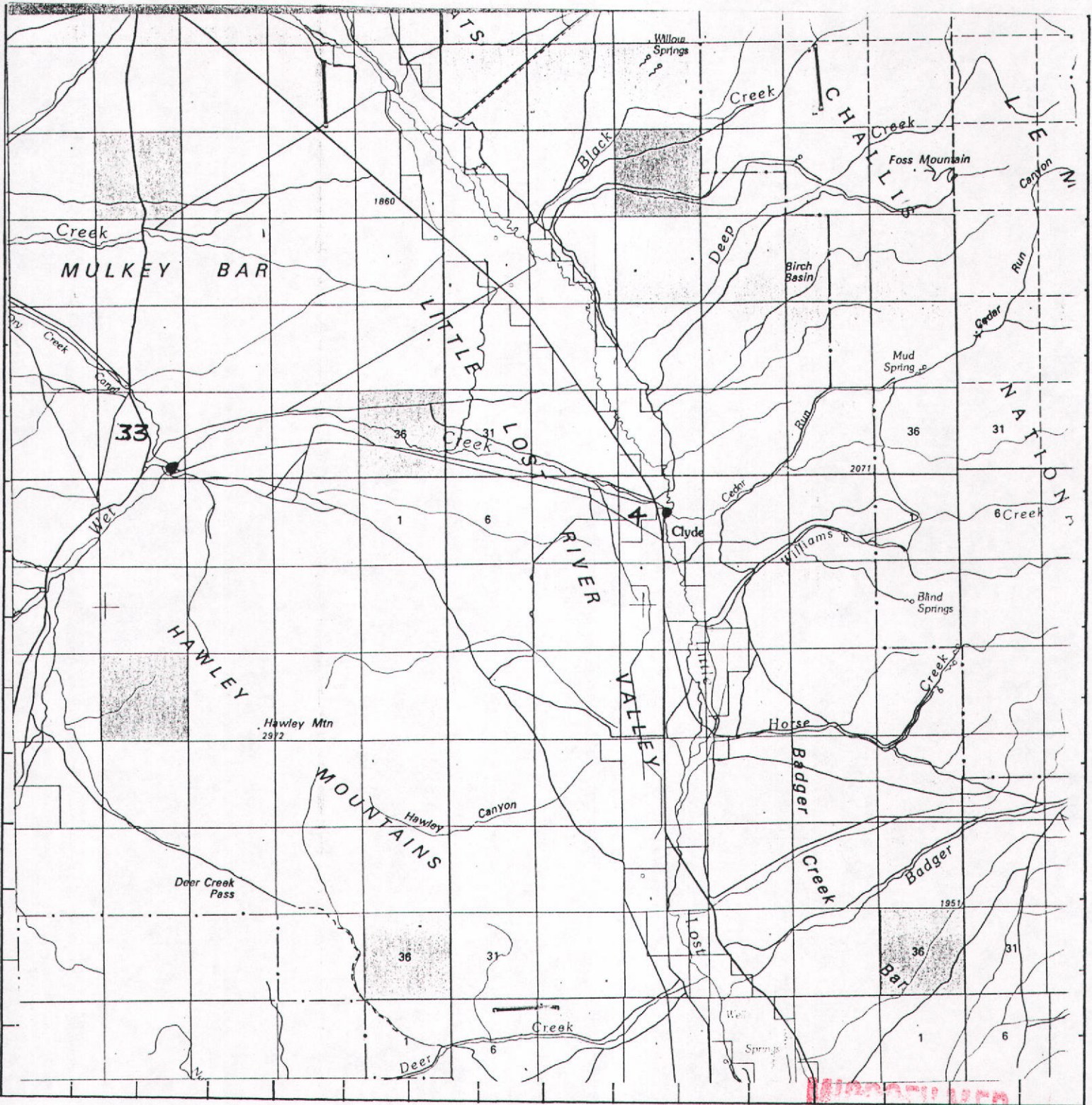
Scale: 2 inches equal 1 mile.

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

F. J. Over
(Applicant)

RECEIVED
Aug 15 94
OCT 19 1993

13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile. R 26 E

R 27 E

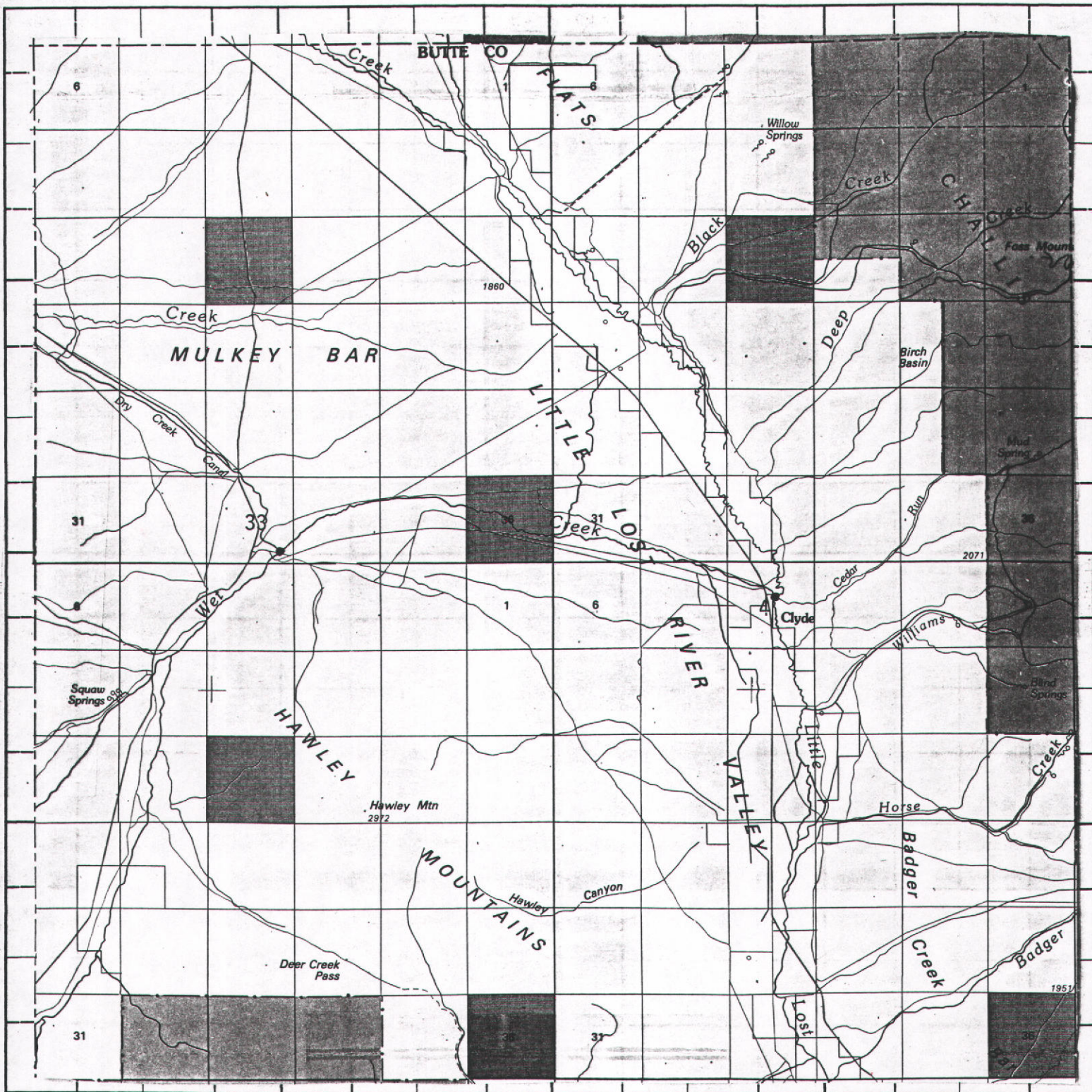
BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

William S. Platts
(Applicant)

9-12-91

Aug 15, 94
OFFICE 10033

13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile.

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

F. Does Gold
(Applicant)

RECORDED
OCT 19 1993
Aug 15, 94



BLM EXHIBIT #4A. Fish Survey



BLM EXHIBIT #4B. Wild Fishery



BLM EXHIBIT #4C. Recreation



RECREATION

BLM EXHIBIT #4D. Recreation



BLM EXHIBIT #4E. Riparian Management



RIPARIAN MANAGMENT

BLM EXHIBIT #4F. Riparian Management



BLM EXHIBIT #4G. Dry Creek Hydro



BLM EXHIBIT #4H. Little Lost River
Confluence

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 33-07207

Priority: April 20, 1992

Minimum Instream Flow:

15.00 CFS

This is to certify, that STATE OF IDAHO
IDAHO WATER RESOURCE BOARD
STATEHOUSE
BOISE ID 83720

has complied with the terms and conditions
of the permit, issued pursuant to Application for Permit dated April 20, 1992; and
has submitted Proof of Beneficial Use on July 27, 1994. A minimum stream flow in

WET CREEK

tributary to LITTLE LOST RIVER

has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE</u>	
MINIMUM INSTREAM FLOW	01/01 to 12/31	10.00 CFS	Upper Reach
MINIMUM INSTREAM FLOW	10/01 to 05/01	4.00 CFS	Lower Reach
MINIMUM INSTREAM FLOW	05/02 to 09/30	15.00 CFS	Lower Reach

LOCATION OF MINIMUM STREAM FLOW REACH:

Upper Reach:

Beginning of Stream Flow Reach
End of Stream Flow Reach

SESE, Sec. 33, Township 10N, Range 26E
NESE, Sec. 36, Township 10N, Range 26E
BUTTE County

Lower Reach:

Beginning of Stream Flow Reach
End of Stream Flow Reach

NESE, Sec. 36, Township 10N, Range 26E
SWNE, Sec. 4, Township 09N, Range 27E
BUTTE County

CONDITIONS/REMARKS:

1. Use of water under this right shall be non-consumptive.
2. Use of water under this right shall recognize and allow the continued beneficial diversion of water for irrigation or other purposes under any prior existing water right established by diversion and application to beneficial use or by an application, permit, or license on file or issued by the Director under the provisions of Chapter 2, Title 42, Idaho Code, with a priority of water right date earlier than April 20, 1992.
3. Upon a future finding and order of the Director that gauging stations are required to maintain the approved minimum flows on Wet Creek, such measuring devices shall be permanently installed and maintained as specified by the Director.

RECEIVED

SEP 14 1995

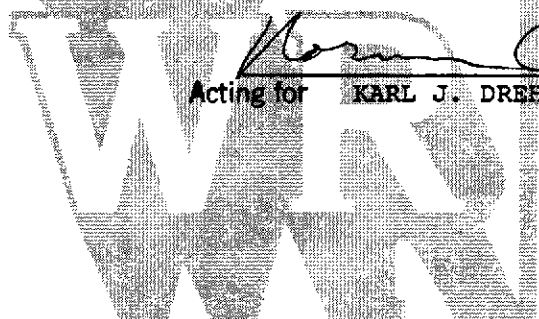
State of Idaho
Department of Water Resources**WATER RIGHT LICENSE**

WATER RIGHT NO. 33-07207

CONDITIONS/REMARKS:

4. The Director retains jurisdiction, as described below, to review and amend any and all parameters of this right. The Board, upon receiving a request, or upon its own initiative, may petition the Director for an amendment to the right. The petition must set forth any significant change in circumstances and evidence of the public interest supporting the proposed amendment. The Director will notify the general public and specific persons or known interested parties of the proposed change, and conduct a hearing for the purpose of determining whether the right should be amended in the public interest. The burden of proof at the hearing shall be upon the persons or parties seeking the amendment to establish that the amendment of the right would be in the public interest.
5. The upper reach of this minimum stream flow begins in the SESE, S33, T10N, R26E and runs to the point where water from Dry Creek is injected into Wet Creek in the NESE, S36, T10N, R26E; the lower reach runs from this point to the SWNE, S4, T9N, R27E.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 24TH day of AUGUST, 1995.



Acting for KARL J. DREHER, Director

SEP 14 1995

RECEIVED

JUL 27 1994

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

OFFICE USE ONLY

Amt. of Fee \$ _____

Date _____

Receipt No. _____

Receipt by _____

PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources considers this form a statement that the permit holder(s) has/have completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee, when necessary, or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

1. Permit No. 33-7207 Telephone No. 208-327-7910
2. Name(s) of Permit Holder(s): IDAHO WATER RESOURCE BOARD
3. Mailing Address: 1301 North Orchard Street, Boise, ID 83706
4. Source of Water: Wet Creek

If GROUNDWATER, Well Driller's Name: _____ Date Drilled: _____

OPTIONAL:

Pump horsepower: _____ Pressure (psi): _____ Dynamic pumping level (ft.): _____

5. Extent of Use (as authorized by the permit):

Domestic _____ (No. of households) Stockwater _____ (No. and type of stock)

Irrigation _____ (No. of acres) Other Minimum Streamflow
Upper Reach 10 cfs; Lower Reach 15 cfs

6. Total rate and/or volume for which proof is submitted _____ cfs ~~OR~~ _____ acre/feet

7. Refer to the approval conditions on your permit and respond accordingly:

Measuring device: Required? _____ Yes X No Installed? _____ Yes X No

OR

Flow Measurement Port: Required? _____ Yes _____ No Installed? _____ Yes _____ No

8. Fee Enclosed: \$ NA (See License Fee Schedule on back of Instruction Sheet)
9. Person to contact to accompany the Department representative during field examination of the water system.

Name _____ Telephone No. _____

Address _____

10. The above information is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the state of Idaho.

July 23 1994
Date

F. Doug Galt
Signature (and title, if on behalf of a company or organization)

AUG 15 1994

AMENDED

State of Idaho
Department of Water Resources**Permit To Appropriate Water**

AMENDED

NO. 33-07207

Proposed Priority: October 3, 1991

Maximum Diversion Rate:

15.00 CFS

This is to certify, that **STATE OF IDAHO**
IDAHO WATER RESOURCE BOARD
STATEHOUSE MAIL
BOISE ID 83720

has applied for a permit to appropriate water from:

WET CREEKtributary of **LITTLE LOST RIVER**and a permit is **APPROVED** for development of water as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
UPPER REACH:		
MINIMUM INSTREAM FLOW	01/01 to 12/31	10.00 CFS
LOWER REACH:		
MINIMUM INSTREAM FLOW	10/01 to 05/01	4.00 CFS
MINIMUM INSTREAM FLOW	05/02 to 09/30	15.00 CFS
	Totals	15.00 CFS

LOCATION OF POINT(S) OF DIVERSION:UPPER REACH:

Beginning of Stream Flow Reach

SESE , Sec. 33, Township 10N, Range 26E

End of Stream Flow Reach

NESE , Sec. 36, Township 10N, Range 26E

LOWER REACH:

Beginning of Stream Flow Reach

NESE , Sec. 36, Township 10N, Range 26E

End of Stream Flow Reach

SWNE , Sec. 4, Township 09N, Range 27E

BUTTE County

PLACE OF USE: See RemarksCONDITIONS/REMARKS:

1. See Final Order for conditions of approval.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code.
Witness the signature of the Director, affixed at Boise, this

28TH day of DECEMBER, 1993.Acting for  R. Keith Higginson, Director

AUG 15 1994

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 33-07207

Proposed Priority: October 3, 1991

This is to certify, that IDAHO WATER RESOUCE BOARD
STATEHOUSE MAIL
BOISE ID 83720

has applied for a permit to appropriate water from:

WET CREEK

tributary of LITTLE LOST RIVER

and a permit is APPROVED for development of water as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
MINIMUM INSTREAM FLOW	01/01 to 12/31	10.00 CFS

LOCATION OF POINT(S) OF DIVERSION:

Beginning of Stream Flow Reach
End of Stream Flow Reach

SESE , Sec. 33, Township 10N, Range 26E
SWNE , Sec. 4, Township 09N, Range 27E
BUTTE County

PLACE OF USE: See Remarks

CONDITIONS/REMARKS:

1. See Final Order for conditions of approval.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code.
Witness the signature of the Director, affixed at Boise, this

6th day of October, 1993.


for R. Keith Higginson, Director

RECORDED

OCT 19 1993

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF APPLICATION FOR	)	
PERMIT NO. 33-07207 FILED IN THE	)	FINAL
NAME OF THE IDAHO WATER RESOURCE	)	ORDER
BOARD TO ESTABLISH A MINIMUM STREAM	)	
FLOW WATER RIGHT ON WET CREEK,	)	
TRIBUTARY TO THE LITTLE LOST RIVER	)	

Wet Creek is a small high desert stream located in the Little Lost River drainage. The stream bed is located mainly on public lands administered by the United States Forest Service and the Bureau of Land Management (BLM) in Butte County, Idaho. The creek drains a small east slope watershed of the Lost River range and Hawley Mountains. Wet Creek has historically provided important fishing opportunities for the public. Chapter 15, Title 42, Idaho Code, provides for the appropriation of waters of the state of Idaho by the Idaho Water Resource Board (Board) for instream purposes.

FINDINGS OF FACT

1. On October 3, 1991, the Idaho Water Resource Board applied to the Department of Water Resources to appropriate ten (10) cfs of the flows of Wet Creek for a minimum flow within the reach located between the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 33, Township 10N, Range 26E and the SW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 4, Township 9N, Range 27E, Butte County. The upstream point is known as the Pass Creek Road Bridge and the lower point is the confluence of Wet Creek with the Little Lost River. The reach is approximately 5.5 miles in length.

2. On October 26, 1992, the Board amended the application to request different flow rates at different times of the year and locations within the reach described above. The amendment sought to increase the minimum flow in the lower part of the minimum flow reach between May and October while reducing the minimum flow requested in that reach between October and May. The division

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OCT 19 1993

between the upper and lower reach is approximately mid way through the full reach and is the point where water from Dry Creek is injected into Wet Creek. The application requests flows as follows:

Amount <u>10.0 cfs</u> from <u>01/01</u> to <u>12/31</u>	In the upper reach
Amount <u>4.0 cfs</u> from <u>10/01</u> to <u>05/01</u>	In the lower reach
Amount <u>15.0 cfs</u> from <u>05/02</u> to <u>09/30</u>	In the lower reach

3. Notice of this application was published in the Arco Advertiser on April 22 and April 29, 1993. The notice was also published in the Idaho Statesman, the Lewiston Morning Tribune, and the Times News.

4. The Department conducted a hearing as required by Idaho Code, §42-1503 on May 12, 1993 at the Howe Elementary School in Howe, Idaho. The parties who requested a formal appearance at the hearing were Daniel J. Kotansky with the United States Bureau of Land Management and Deputy Attorney General Steven Goddard with the Department of Fish and Game.

5. Idaho Code §42-1503 requires that the approval of an application for a minimum stream flow must be based upon a finding that such appropriation:

a. will not interfere with any vested water right, permit, or water right application with priority date earlier than the date of receipt in the office of the director of a complete application for appropriation of minimum stream flow filed under the provisions of this act;

b. is in the public, as opposed to private, interest;

c. is necessary for the preservation of fish and wildlife habitat, aquatic life, recreation, aesthetic beauty, navigation, transportation, or water quality of the stream;

d. is the minimum flow or lake level and not the ideal or most desirable flow or lake level; and

e. is capable of being maintained as evidenced by records of stream flows and water levels and the existing or future establishment of necessary gauging stations and bench marks.

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6. The following parties testified at the hearing:

F. David Rydalch	Chairman, Idaho Water Resource Board
Frank Sherman	Chief, Water Planning Bureau IDWR
Daniel J. Kotanski	Hydrologist, United States BLM
Mark Gamblin	Fisheries Biologist, Region 6, Idaho Dept of Fish and Game
Ralph Maughan	Sierra Club
Bill Davidson	Idaho Rivers United
Owen Romrell	Area Farmer
George Woodie	Area Farmer

7. The following exhibits were admitted as part of the hearing record:

WATER RESOURCE BOARD EXHIBITS

1. Water Rights on Wet Creek
2. Water Rights on Little Lost River and Tributaries

BUREAU OF LAND MANAGEMENT EXHIBITS

1. Map #1 - Wet Creek Minimum Stream Flow Reach and Points of Measurement
2. Wet Creek Stream Flow Record - Table of Flow Measurements
3. Wet Creek Hydrographs for Years 1990, 1991 and 1992
4. Wet Creek Photos A. through H.

FISH AND GAME EXHIBITS

1. Federal Aid in Fish Restoration Project F-71-R-12 Job Performance Report
2. Pages 28 through 39, 1990 Bruhn Report
3. BLM 1992 Fish Population Estimates

8. The minimum stream flow request actually is divided into two sub reaches. The upper reach is from the Pass Creek Bridge downstream to the point on Wet Creek where water from Dry Creek is injected. The lower reach is from the point of injection into Wet Creek downstream to the confluence of Wet Creek and the Little Lost River.

9. Wet Creek drains the eastern slopes of the Lost River

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OCT 19 1993

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10. There is one irrigation diversion within the proposed minimum stream flow reach and it is used by Jerry Pancheri. The point of diversion is below the point where the discharge from the Dry Creek pipeline is injected into Wet Creek. The associated water right is not a Wet Creek right and is dependent upon inflow from Dry Creek.

11. The BLM has an ongoing riparian habitat maintenance program on Wet Creek and estimates an investment in riparian improvements of \$60,000 to \$70,000 over a number of years. Riparian areas make up only 5% of the lands managed by BLM but 80% of the wildlife species are dependent upon these areas. Wet Creek provides high quality fish habitat.

12. Game fish populations on Wet Creek include rainbow trout (*Oncorhynchus Mykiss*), cutthroat trout (*Oncorhynchus Clarki*), brook trout (*Salvelinus Fontinalis*) and bull trout (*Salvelinus confluentus*). Wet Creek is a wild trout fishery. Fish inventory results in 1987 indicate fish populations between 5.4 and 14.3 trout per 100 square meters. Catch rates in the Little Lost drainage in 1987 range from 1.2 to 2.8 fish per hour. Mark Gambelin

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estimated comparable catch rates on Wet Creek. The Idaho Department of Fish and Game found the minimum instream flow needed on Wet Creek to adequately maintain game fish populations to be twelve (12) cfs.

13. BLM estimates an average of between 8 and 10 visitors per day fish Wet Creek through the fishing season. BLM has established 16 unimproved camp sites along the creek.

CONCLUSIONS OF LAW

1. April 20, 1992 should be considered as the date the Idaho Water Resource Board made application to the Department of Water Resources seeking the appropriation of water for a minimum stream flow on Wet Creek.

2. The proposed minimum stream flow on Wet Creek will not interfere with any recorded water rights or water right applications now on file with the Department of Water Resources.

3. The recreational values on Wet Creek are dependent upon a productive fishery being maintained. The fishery as well as the aesthetic beauty, wildlife habitat and aquatic life currently exists because flow has been continuously maintained in the creek.

4. Flows in Wet Creek are necessary to maintain the riparian habitat near the creek.

5. The available data and stream flow measurements indicate that the flows requested in application 33-07207 are the highest flows that can reasonably be expected (maintained) at the various designated points in the reach during years when drought conditions occur. These flows are less than the minimum flows determined by the Idaho Department of Fish and Game in their instream flow analysis of Wet Creek.

6. The minimum stream flows sought are capable of being maintained and are in the public interest.

ORDER

1. Use of water under this permit shall recognize and allow the continued beneficial diversion of water for irrigation or other

RECEIVED

OCT 19 1993

purposes under any prior existing water right established by diversion and application to beneficial use or by an application, permit, or license on file or issued by the Director under the provisions of Chapter 2, Title 42, Idaho Code, with a priority of water right date earlier than April 20, 1992, for application no. 33-07207.

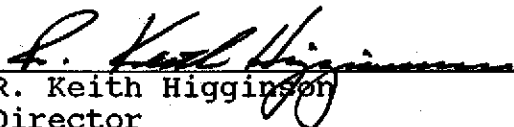
2. Use of water under this permit shall be nonconsumptive.

3. Upon a future finding and order of the Director that gauging stations are required to maintain the approved minimum flows on Wet Creek, such measuring devices shall be permanently installed and maintained as specified by the Director.

4. The Director retains jurisdiction, as described below, to review and amend any and all parameters of this permit and subsequent license. The Board, upon receiving a request, or upon its own initiative, may petition the Director for an amendment to the permit or license. The petition must set forth any significant change in circumstances and evidence of the public interest supporting the proposed amendment. The Director will notify the general public and specific persons or known interested parties of the proposed change, and conduct a hearing for the purpose of determining whether the permit or subsequent license should be amended in the public interest. The burden of proof at the hearing shall be upon the persons or parties seeking the amendment to establish that the amendment of the permit or license would be in the public interest.

5. Proof of instream beneficial use of the minimum stream flow shall be submitted on or before May 1, 1998.

Dated this 15th day of OCTOBER, 1993.



R. Keith Higginson
Director

CERTIFICATE OF MAILING

I HEREBY CERTIFY that on this 6th day of October, 1993, I mailed a true and correct copy, postage prepaid, of the foregoing Final Order, to the following:

Dave Rydalch
IWRB
5669 W 7000 N
St Anthony, ID 83445

Wayne Haas
IDWR
Statehouse Mail
Boise, ID 83720

Rinda Just
Dept of Parks & Rec
Statehouse Mail
Boise, ID 83720

Stephen Goddard
Dept of Fish and Game
Statehouse Mail
Boise, ID 83720

Dan Kotansky
BLM
940 E Lincoln Rd
Idaho Falls, ID 83401


Karen L. Gustafson
Senior Secretary

MISSOURI

OCT 19 1993

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

IN THE MATTER OF APPLICATION FOR	)	
PERMIT NO. 33-07207 FILED IN THE	)	RECOMMENDED
NAME OF THE IDAHO WATER RESOURCE	)	ORDER
BOARD TO ESTABLISH A MINIMUM STREAM	)	
FLOW WATER RIGHT ON WET CREEK,	)	
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OCT 19 1993

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OCT 19 1993

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OCT 19 1993

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ORDER

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OCT 19 1993

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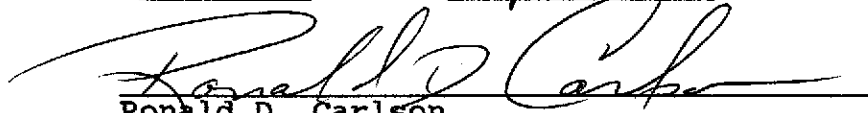
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5. Proof of instream beneficial use of the minimum stream flow shall be submitted on or before May 1, 1998.

Dated this 8th day of September, 1993.


Ronald D. Carlson
Hearing Officer

RECEIVED

OCT 19 1993

CERTIFICATE OF MAILING

I HEREBY CERTIFY that on this 8th day of September, 1993, I mailed a true and correct copy, postage prepaid, of the foregoing Recommended Order to the following:

Dave Rydalch
IWRB
5669 W 7000 N
St Anthony, ID 83445

Wayne Haas
IDWR
Statehouse Mail
Boise, ID 83720

Rinda Just
Dept of Parks & Rec
Statehouse Mail
Boise, ID 83720

Stephen Goddard
Dept of Fish and Game
Statehouse Mail
Boise, ID 83720

Dan Kotansky
BLM
940 E Lincoln Rd
Idaho Falls, ID 83401


Karen L. Gustafson
Secretary/Records Manager

MICROFILMED

OCT 19 1993

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OCT 26 1992

Ident. No. 33-07207

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

- Amended

To appropriate the public waters of the State of Idaho

1. Name of applicant Idaho Water Resource Board Phone _____
Post office address Statehouse Mail, Boise, ID 83720
2. Source of water supply Wet Creek which is a tributary of Little Lost River
3. Location of point of diversion is _____ 1/4 of SE 1/4 of SE 1/4, Govt. Lot _____
Sec. 33 Township 10N Range 26E B.M. Butte County; ~~additional~~ _____
~~points of diversion if any:~~ downstream to SW 1/4 of NE 1/4 of Sect. 4, T9N R27E, Butte County
4. Water will be used for the following purposes:

Amount <u>10.0 cfs</u> for <u>Instream Flow</u> purposes from <u>1/1</u> to <u>12/31</u> (cfs or acre-feet per annum)	At upper site (1st Div.) (both dates inclusive) to Dry Creek pipe inflow.
Amount _____ for _____ purposes from _____ to _____ (cfs or acre-feet per annum)	(both dates inclusive)
Amount <u>4.0 cfs</u> for <u>Instream Flow</u> purposes from <u>10/1</u> to <u>5/1</u> (cfs or acre-feet per annum)	At lower site (2nd Div.) (both dates inclusive) From Dry Cr. pipe inflow
Amount <u>15.0 cfs</u> for <u>Instream Flow</u> purposes from <u>5/2</u> to <u>9/30</u> (cfs or acre-feet per annum)	At lower site (2nd Div.) (both dates inclusive) From Dry Cr. pipe inflow
5. Total quantity to be appropriated is (a) 15.0 cfs and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works: No Diversion, Instream Flow
 - a. Description of ditches, flumes, pumps, headgates, etc. _____

 - b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total
reservoir capacity _____ acre-feet; period of year when water will be diverted to storage:
_____ to _____ inclusive.
 - c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.
 - d. Is ground water with a temperature of greater than 90°F being sought? _____
7. Time required for the completion of the works and application of the water to the proposed beneficial use is
1 years (minimum 1 year).

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OCT 19 1993

8. Description of proposed uses (if irrigation only, go to item 9):
- Hydropower; show total feet of head and proposed capacity in KW. _____
 - Stockwatering; list number and kind of livestock. _____
 - Municipal; show name of municipality. _____
 - Domestic; show number of households. _____
 - Other; describe fully. Instream flow to maintain Wet Creek's healthy, wild bull and rainbow trout fishery, fish ladder, and its excellent riparian wetland habitat. To provide the public quality, future recreational and scenic opportunities.
9. Description of place of use: At the Pass Creek Road bridge on Wet Creek downstream to the confluence of Wet Creek with the Little Lost River.
- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
 - If water is used for other purposes, place a symbol of the use (example: *D* for Domestic) in the corresponding place of use below. See instructions for standard symbols.

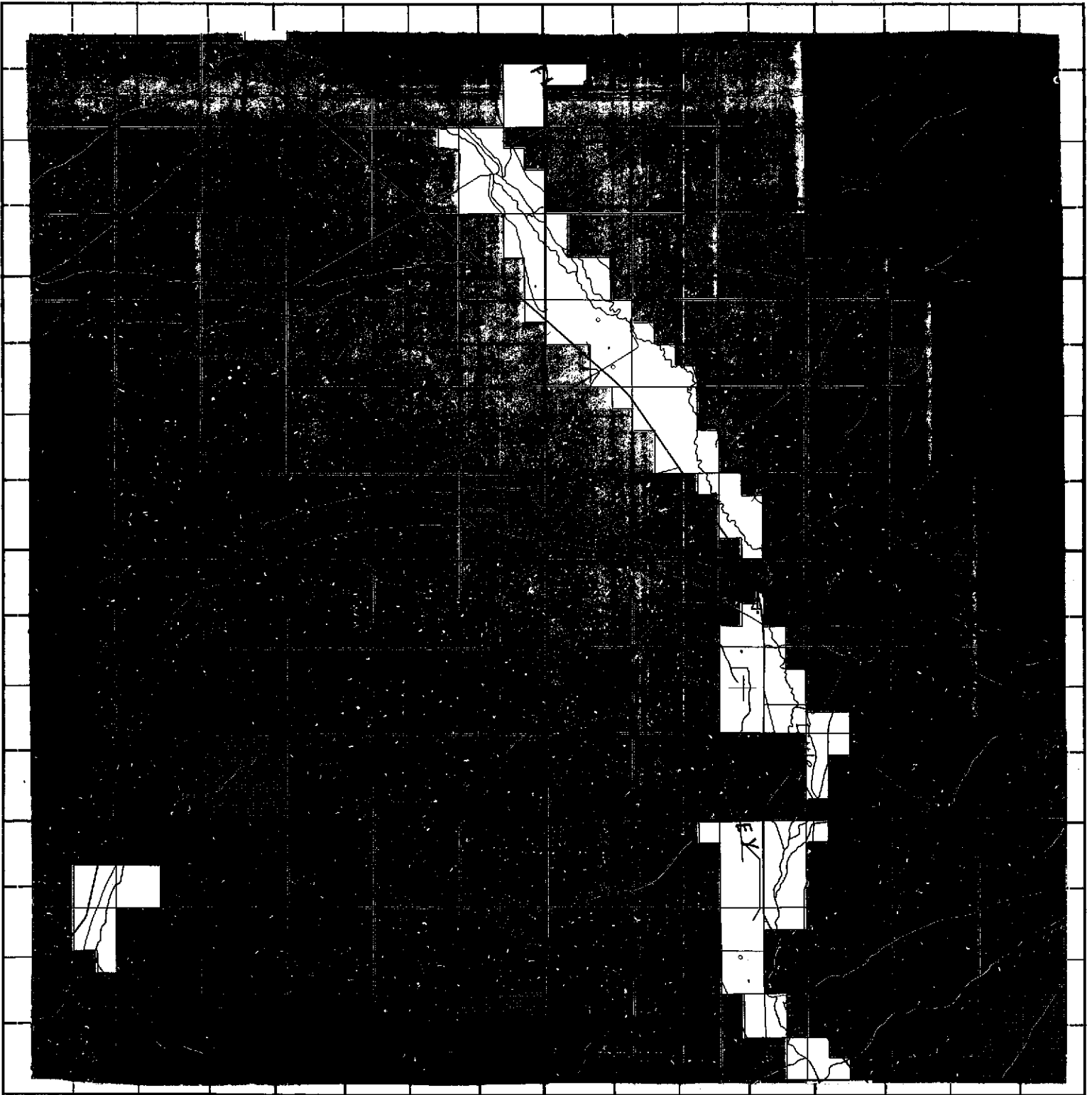
TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

Total number of acres to be irrigated _____

10. Describe any other water rights used for the same purposes as described above. _____
11. a. Who owns the property at the point of diversion? USDI-BLM.
- b. Who owns the land to be irrigated or place of use? N/A
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. N/A
12. Remarks: _____

OCT 19 1993

13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile.

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

OCT 19 1993

F. Jones
(Applicant)

Received by _____ Date _____ Time _____ Preliminary check by _____

Fee \$ _____ Received by _____ # _____ Date _____

Publication prepared by _____ Date _____ Published in _____

Publication approved _____ Date _____

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. _____, and said application is hereby _____.

1. Approval of said application is subject to the following limitations and conditions:

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

b. Proof of construction of works and application of water to beneficial use shall be submitted on or before _____, 19 ____.

c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.

d. The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.

e. Other:

MICROFILMED

OCT 19 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

August 25, 1995

STATE OF IDAHO
IDAHO WATER RESOURCE BOARD
STATEHOUSE
BOISE ID 83720

RE: WATER RIGHT NO. 33-07207

Dear Water Right Holder(s):

Enclosed is a copy of the Water Right License issued on the above referenced permit. If you have any questions, please contact me within 10 days of receipt of this license.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:rl

Enclosure

RECEIVED

SEP 14 1995

LICENSING REVIEW
MINIMUM STREAM FLOW

RIGHT NO. 33-07207

Proof of beneficial use rec'd 7/27/94

Was flow data submittal a requirement
with proof submittal? Yes ☐ No ☒

If yes, has data been reviewed and a determination
made that minimum flow is capable of being
maintained? Yes ☐ No ☒ N/A

Data submitted fully complies with permit condition
(i.e. # of years of flow data sufficient) N/A

Data Entry for License:

Name Standardized ☒
Total cfs & div. capacity listed as highest flow ☒
P/D(s) beginning and ending descriptions listed ☒
Use flows defined for entire year ☒
P/U left blank (description in remarks) ☒
Remarks/non-standard conditions
 Non-consumptive ☒
 Watermaster control ☒
 Jurisdiction retains to amend ☒
 Description of reach(es) ☒
 All other applicable permit conditions
 carried forward ☒

Comments/adjustments _____

Printed license hand-edited _____

ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE

Permit No. 33-7207

Reviewed by Jy

Date 8/10/94

GENERAL CONSIDERATIONS

yes Name same as permit?
yes Address same as permit?
yes Proof timely received?
If not, complete calculation below.

TYPES OF USE

mini streamflow

Correct Uses? yes

SOURCE OF WATER

☒ Surface water source
☐ Ground water source

☐ Drilling permit required?
☐ Copy in the file? Drilling Permit No. _____
☒ Amount paid for permit _____ Correct?
☐ Well log in the file?

LICENSE EXAMINATION FEE

no Required?
L Amount Submitted
L Correct?

MEASURING DEVICE

no Required?
L Installed?
L Waiver requested?

PRIORITY CALCULATION

Date proof received	_____		_____
Date proof due	_____	-	_____
No. of days late	_____	=	_____
Priority Date	_____	+	_____
New Priority Date	_____		_____

DEFICIENCIES OR ACTION ITEMS

Proof acceptable

DATA ENTRY

New Address X

Proof Made 7/27/94

August 10, 1994

STATE OF IDAHO
IDAHO WATER RESOURCE BOARD
STATEHOUSE
BOISE ID 83720

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 33-07207

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water.

If you have questions concerning this matter, please feel free to contact the EASTERN Regional Office in Idaho Falls at (208)525-7161.

Sincerely,

JULIE L. YARBROUGH
Senior Secretary

c: IDWR - Region

RECEIVED

AUG 15 1994

IN THE SENATE

SENATE CONCURRENT RESOLUTION NO. 128

BY RESOURCES AND ENVIRONMENT COMMITTEE

A CONCURRENT RESOLUTION

APPROVING AN APPLICATION TO APPROPRIATE WATER FOR MINIMUM STREAMFLOW.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, the Idaho Water Resource Board may apply for a permit to appropriate unappropriated waters of a stream to establish a minimum streamflow; and

WHEREAS, under the provisions of Section 42-1503, Idaho Code, an approved application shall not become finally effective until acted upon by the Legislature, except that if the Legislature fails to act prior to the end of the regular session to which the application was submitted, the application shall be considered approved; and

WHEREAS, the Director of the Department of Water Resources approved Application for Permit No. 33-07207 on October 1, 1993, by issuing a Final Order authorizing the appropriation of a minimum streamflow in Wet Creek. The minimum streamflow is divided into two reaches. The order establishes a minimum streamflow in the upper reach of 10.0 cfs from January 1 through December 31. The upper reach of the minimum streamflow begins at the Pass Creek Road bridge, located in the SE1/4SE1/4, Section 33, T10N, R26E, and extends downstream to where water discharges from Dry Creek into Wet Creek, located approximately in the NE1/4SE1/4, Section 36, T10N, R26E, B.M., Butte County. The order establishes a minimum streamflow in the lower reach of 4.0 cfs from October 1 through May 1 and 15.0 cfs from May 2 through September 30. The lower reach of the minimum streamflow begins where water discharges from Dry Creek into Wet Creek, located approximately in the NE1/4SE1/4, Section 36, T10N, R26E, and extends downstream to the confluence of Wet Creek and Little Lost River, located in the SW1/4NE1/4, Section 4, T9N, R27E, B.M., Butte County.

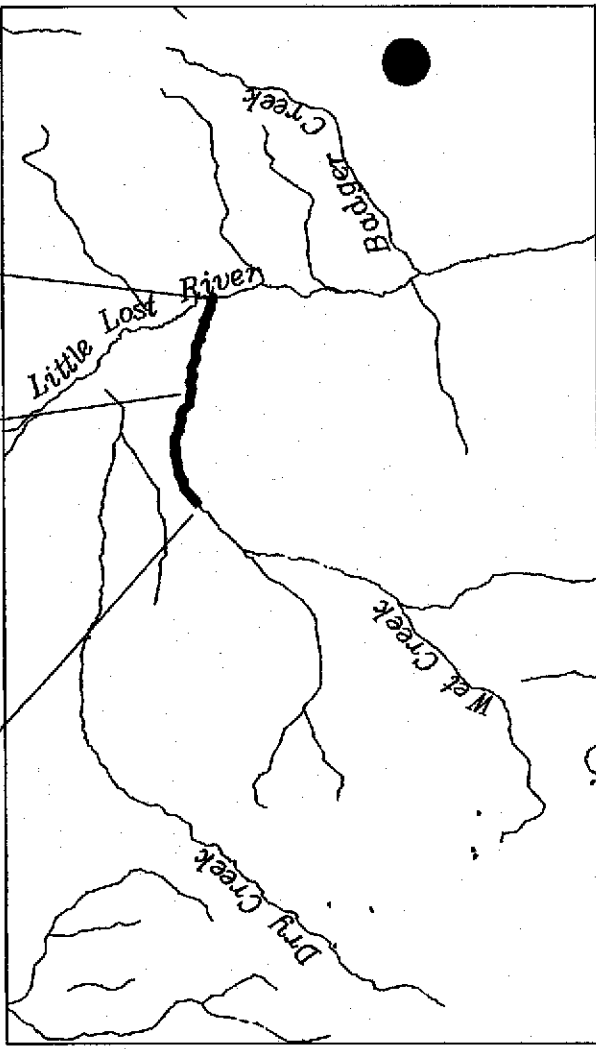
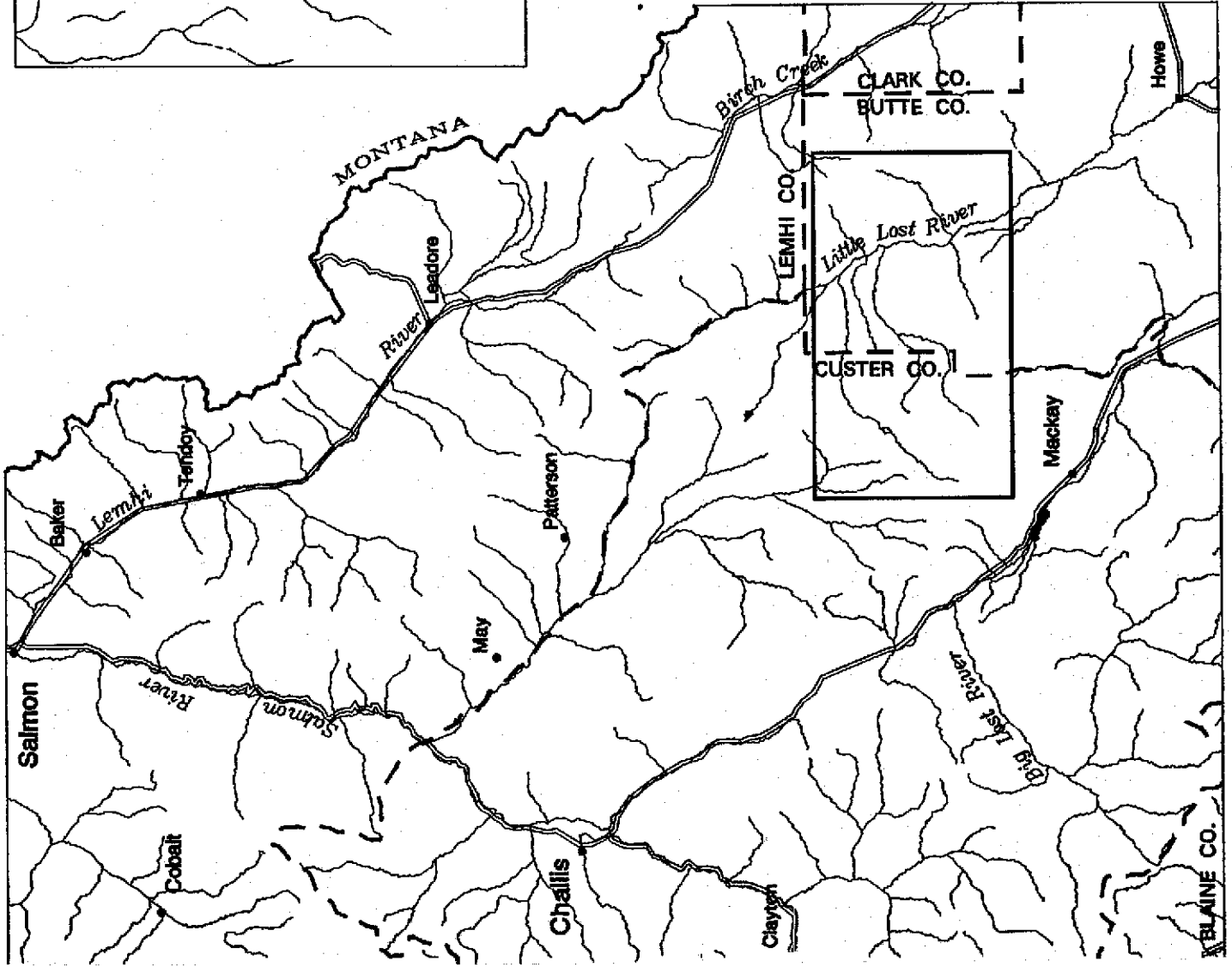
NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Fifty-second Idaho Legislature, the Senate and the House of Representatives concurring therein, that the same is hereby approved subject to the conditions and limitations contained in the Final Order, dated October 1, 1993.

Wet Creek - Minimum Streamflow

Minimum Streamflow Reaches

Upper
Reach

Lower
Reach



MINIMUM STREAMFLOW
Fact Sheet

Permit to Appropriate Water No. 33-07207

Source: Wet Creek

Applicant: Idaho Water Resource Board

Requesting Agency: Bureau of Land Management

Date Application Filed: October 3, 1991

Minimum Streamflow Reaches:

Upper Reach -

Rate of Flow: 10.0 cfs from January 1 through December 31

Place of Use: Wet Creek, beginning at the Pass Creek Road bridge, located in the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 33, T10N, R26E, and extending downstream to where water discharges from Dry Creek into Wet Creek, located approximately in the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 36, T10N, R26E, B.M., Butte County.

Lower Reach -

Rate of Flow: 4.0 cfs from October 1 through May 1
15.0 cfs from May 2 through September 30

Place of Use: Wet Creek, beginning where water discharges from Dry Creek into Wet Creek, located approximately in the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 36, T10N, R26E, and extending downstream to the confluence of Wet Creek and Little Lost River, located in the SW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 4, T9N, R27E, B.M., Butte County.

Purpose: Preservation of fish and wildlife habitat, aquatic life and water quality.

Unique Facts:

- Wet Creek loses water into the ground throughout the two minimum streamflow reaches.

MINIMUM WCR

AUG 15 1994

- During the summer months, water is diverted from Dry Creek into Wet Creek. The Dry Creek water operates hydropower generators before discharging into Wet Creek. Some of the Dry Creek water is diverted out of Wet Creek for irrigation. The remainder of the Dry Creek water increases flows in the lower reach during the period of May through September. The minimum flow in the lower reach during the irrigation season was increased to 15.0 cfs to account for this flow.

- During winter months Dry Creek water is still diverted to the hydropower plant but water leaving the turbines is discharged into the groundwater aquifer instead of into Wet Creek because of the downstream flooding problems. The minimum flow in the lower reach during the winter months was decreased to 4.0 cfs, which is the wintertime flow of Wet Creek without any contribution from Dry Creek.

- The minimum flows approved are the absolute lowest measured flows during the drought period of 1990-1992.

RECEIVED

AUG 15 1994



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

October, 6, 1993

Re: In the matter of application for permit no. 33-07207 filed in the name of the Idaho Water Resource Board to establish a minimum stream flow water right on Wet Creek tributary to the Little Lost River

Dear Interested Party:

The accompanying order is a "final order" issued by the department pursuant to section 67-5246 or 67-5247, Idaho Code.

Section 67-5246 provides as follows:

(1) If the presiding officer is the agency head, the presiding officer shall issue a final order.

(2) If the presiding officer issued a recommended order, the agency head shall issue a final order following review of that recommended order.

(3) If the presiding officer issued a preliminary order, that order becomes a final order unless it is reviewed as required in section 67-5245, Idaho Code. If the preliminary order is reviewed, the agency head shall issue a final order.

(4) Unless otherwise provided by statute or rule, any party may file a petition for reconsideration of any order issued by the agency head within fourteen (14) days of the issuance of that order. The agency head shall issue a written order disposing of the petition. The petition is deemed denied if the agency head does not dispose of it within twenty-one (21) days after the filing of the petition.

(5) Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) the petition for reconsideration is disposed of; or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

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OCT 19 1993

(6) A party may not be required to comply with a final order unless the party has been served with or has actual knowledge of the order. If the order is mailed to the last known address of a party, the service is deemed to be sufficient.

(7) A nonparty shall not be required to comply with a final order unless the agency has made the order available for public inspection or the nonparty has actual knowledge of the order.

(8) The provisions of this section do not preclude an agency from taking immediate action to protect the public interest in accordance with the provisions of section 67-5247, Idaho Code.

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a final order within fourteen (14) days of the service date of this order. The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See section 67-5243(4) Idaho Code.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, any party aggrieved by a final order or orders previously issued in a matter before the department may appeal the final order and all previously issued orders in the matter to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days a) of the service date of the final order, b) of an order denying petition for reconsideration, or c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration, whichever is later. See section 67-5273, Idaho Code. The filing of an appeal to district court does not in itself stay the effectiveness or enforcement of the order under appeal.

Sincerely,



L. Glen Saxton
Chief, Water Allocation Bureau

MICROFILM

OCT 19 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

September 8, 1993

Re: In the matter of Application for Permit No. 33-07207 filed in the name of the Idaho Water Resource Board to establish a minimum stream flow water right on Wet Creek, Tributary to the Little Lost River

Dear Interested Party:

The accompanying order is a "recommended order" issued by the department pursuant to Section 67-5243, Idaho Code. The provisions of this order will not become effective until the Director issues a final order in this matter.

Each party to these proceedings who appeared at the hearing may file a petition for reconsideration, briefs and exceptions to the recommended order and may request oral argument before the Director of the department as further described below:

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a recommended order with the hearing officer issuing the order within fourteen (14) days of the service date of the order. The hearing officer will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3), Idaho Code.

EXCEPTIONS AND BRIEFS

Within twenty-one (21) days after (a) the service date of this recommended order, (b) the service date of a denial of a petition for reconsideration from this recommended order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this recommended order, any party may in writing support or take exceptions to any part of a recommended order and may file briefs in support of the party's position on any issue in the proceeding. Written briefs in support of or taking exceptions to the recommended order shall be filed with the Director. Opposing parties shall have twenty-one (21) days to respond.

ORAL ARGUMENT

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OCT 19 1993

The Director may schedule oral argument in the matter before issuing a final order. Oral argument on exceptions to a recommended order shall be heard at the discretion of the Director. If oral arguments are to be heard, the Director will, within a reasonable time, notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the recommended order shall be served on all other parties to these proceedings in accordance with Rules of Procedure 302 and 303.

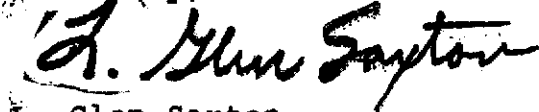
FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The agency may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

APPEAL OF FINAL ORDER TO DISTRICT COURT

A party aggrieved by a final order of the Director is entitled to judicial review in compliance with sections 67-5271 through 67-5279, Idaho Code.

Sincerely,



Glen Saxton
Chief, Water Allocation Bureau

Enclosures

MAILED

OCT 19 1993

May 21, 1993

Department of Water Resources
900 N. Skyline
Falls, ID 83401

RECEIVED

MAY 24 1993

Department of Water Resources
Eastern District Office

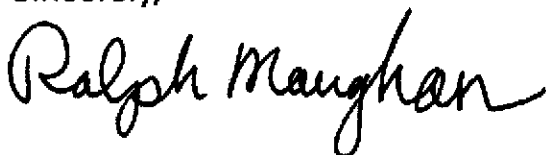
Dear Dept. of Water Resources:

This letter is to add to our oral testimony presented at your May hearing in Howe, Idaho, on the proposal to reserve a water right for Wet Creek, application no. 33-07207.

As we stated in our earlier testimony, we fully support this application, but suggest that 12 cfs reservation is more likely to retain the riparian habitat upon which the fish and wildlife values of Wet Cr. ultimately depend.

In addition to our earlier testimony, we have noted that the bull trout is just now being considered for classification as a threatened or endangered species by the U.S. Fish and Wildlife Service. Wet Cr. has a reproducing population of bull trout. Maintenance of flow in Wet Cr. may serve in a small way to conserve this game fish and perhaps keep it from being classified as a threatened or an endangered species.

Sincerely,



Ralph Maughan, group chair
Eastern Idaho Group
Northern Rockies Chapter
Sierra Club
P. O. Box 1173
Pocatello, Idaho 83204

FILED

OCT 19 1993

5/18/93

To: Water Resources Board

RECEIVED

From: Douglas Nikon
Conservation Chair

MAY 21 1993

E. Idaho Group, Sierra Club
Department of Water Resources
Eastern District Office

Re: Hearing on Establishing Minimum
Flows in Wet Creek (adjusted
seasonally)

Please include me as favoring the plan to establish minimum stream flows in this important fishery. I applaud the fact that this proposal is supported by good science. (The presentations by Idaho and federal biologists were well done.) Historical/legal analysis shows that the state proposal does not infringe on extant water rights.

This request - and the "sister" request for Beaver Creek - are important early precedents in the implementation of critical legislation allowing reservation of water for public purposes. And I am convinced they were well chosen precedents: no evidence emerged which even intimated that the proposals were harmful to anyone or were inconsistent with the public interest.

If I have any concern with the ^{9/1993} Wet Creek proposal it is that no mechanism is in place to assure more than the minimum stream flows in years of plentiful water. Perhaps some proportional system (season specific) could be devised. Riparian areas could probably be extended if the public received "its share" of high water. If this is not legislatively allowable, perhaps the law could be amended.

MINIMUM STREAMFLOW REQUEST/APPLICATION
PROCESSING CHECKLIST

	<u>Assigned to</u>	<u>Initials/Date</u>
1. Request received and checklist attached.	Records Chief	_____
2. Request indexed.	Records Chief	_____
3. Preliminary review. Application prepared for signature.	Section Supv.	_____
4. Streamflow information requested from hydrology.	Section Supv.	_____
5. Region advised of request	Section Supv.	_____
6. Acknowledgement letter sent.	Section Supv.	_____
7. Copy of request routed to: Reg. Off. Bur. Chief; Oper. Bur. Chief; Admin.; Director.	Section Supv.	_____
8. Copy of request routed to Administrator, Resources Analysis Division for placement on Board Agenda.	Section Supv.	_____
9. Water Rights researched and abstracted.	Records Chief	_____
10. Request and related data presented to Board.	Requestor	_____
11. Filed or Rejected by Board.	IWRB, Section Supv.	_____
12. Board action indexed.	Records Chief	_____
13. Original application sent to region	Section Supv.	_____
14. Copy of application sent to F&G, H&W, Parks & Recreation (mandatory)	Region	_____
15. Application advertised w/o hearing date.	Region	_____
16. Notice sent to each water right holder or applicant on MSF reach.	Section Supv.	_____
17. Personal contact made with riparian land owners.	Requestor	_____
18. Visual aid request prepared. (location, water rights, hydrology)	Section Supv.	_____
19. Visual aids reviewed.	Section Supv.	_____
20. Need for informal public meeting determined. If yes, proceed with step 21. If no, skip to step 24.	Both Administrators & IWRB	_____
21. Informal public meeting advertised in legal notices.	Region	_____

	<u>Assigned to</u>	<u>Initials/Date</u>
22. Notification of informal public meeting sent to:		
a. IWRB members	Section Supv.	_____
b. Local Legislators	Section Supv.	_____
c. Watermaster	Section Supv.	_____
d. Department Personnel	Section Supv.	_____
e. Local TV and Radio Stations	Section Supv.	_____
f. Water Right Holders	Requestor	_____
g. Riparian Owners	Requestor	_____
23. Informal public meeting held.	IWRB and Section Supv.	<u>done</u>
24. Notice of formal hearing advertised in legal notices.	Region	<u>done</u> ✓
25. Notification of formal hearing sent to:		
a. IWRB members	Section Supv.	<u>Parr, Bell, Rydalch</u> ^{OK} _{9EB}
b. Local Legislators	Section Supv.	<u>Yes.</u> ^{OK} _{9EB}
c. Watermaster	Section Supv.	<u>YES</u>
~~d. Department Personnel~~	~~Section Supv.~~	~~_____~~
e. Local TV and Radio Stations	Section Supv.	<u>Dick Larsen</u> ⁵²⁻¹ ₋₇₀₀₋₁₀₀ ^{95B}
f. Water right holders	Section Supv.	<u>J. Beal</u> ^{OK} _{95B}
g. Attendees of informal public meetings	Section Supv.	<u>J. Beal</u> ^{OK} _{95B}
h. Riparian Owners (with data generated by Requestor)	Section Supv.	<u>? feds</u>
26. Hearings held (mandatory).	Hearing Officer and Regional Rep.	_____
27. Standard approval procedure for memorandum decision.	Hearing Officer	_____
28. If application is approved, Legislative approval procedure attached.	Records Chief	_____

Dave Anderson ^{OK} _{9EB}
PO Box 31
Howe 83244 ✓

Butte Co. Commission

Cindy Robertson (?) Boise ✓

Golden Linford

Dan Kotansky

BLM

✓

Mark Gambelin

IDFG

from signup from
info mtg

MA-y L

IPYR ✓

Wed. MAY 12, 1993
WET CREEK MINIMUM STREAM FLOW
HEARING ROSTER

NAME	REPRESENTING
Frank B. Sherman	IDWR - Boise
F. Jane Gysler	
Dan Kotansky	BLM
Mark Storzer	BLM
Pat Koelsch	BLM
Ralph Maughan	Sierra Club
David Anderson	Water Master 33
John D. McDonald	Blaine County Canal
Bill Davidson	Idaho River
Keene Hueftle	Idaho Conservation League, Henry's Fork Foundation, Sierra, Audubon Club, Idaho Rivers United
SouthEast ID. Environ Network.	
GEORGE WOODIE	WATER Banker USER
Owen Romrell	Farmer water user.

NOT REFILED

OCT 19 1993

NOV 24

Info meeting Nelson Budget
Min Flow

NAME ADDRESS

P.R. Mays	MAYS	Howe, Idaho
VANCE HARLEY	578 E 49S	IDAHO FALLS ID.
Dan Kotansky	-	BLM, Idaho Falls, ID.
Mark Storzer	-	BLM, Idaho Falls
Mark Granblin	-	Idaho Dept Fish and Game; Idaho Falls
LeRoy Cook	-	BLM, Idaho Falls, Id
George Woodie	Woodie	Howe, Idaho
Earl Wortley	Wortley	Howe, Idaho
John L. McDonald	-	Howe, IDAHO
Lynn Hight	Lyn Hight	Howe, Idaho
Quinn Ronnell	Ronnell	Howe, Id.
Pancheri	Pancheri ?	Howe, Id.
Larry Pancheri	-	" "
Roy Pancheri	-	" "
James Mays	-	" "
Jim Anderson	-	P.O. box 3 Howe Id. 83244
Bill Stauffer	Stauffer	HC 65 Daport Howe
Keith Nickerson	Nickerson	HC 65 Box 1039 Howe Id 83244
Daryl Anderson	-	Box 22 Howe, Id 83244
Wayne	-	P.O. Box 150 Howe Id 83213

BLP 940 F. Lincoln Road
83401

1545 Lincoln Road 83401

OCT 19 1993

NOV 24

info meeting

Welsh Badger
Min Flow

NAME

ADDRESS

R.P. Mays

Howe Idaho

VANCE HARLEY

IDAHO FALLS ID.

Dan Kotansky

BLM, Idaho Falls, ID.

Mark Storzer

BLM, Idaho Falls

Mark Granblin

Idaho Dept Fish and Game, Idaho Falls

Lefty Cook

BLM, Idaho Falls, Id

George Woodie

Howe Idaho

Earl Wootley

Howe Idaho

John L. McDonald

Howe IDAHO

Steve Hain

Howe Idaho

Quinn Tansell

Howe Id.

Tom Pancheri

Howe Id.

Serry Pancheri

" "

Roy Pancheri

" "

James Mays

" "

Jim Anderson

P.O. box 3 Howe Id. 83244

Bill Stauffer

HC 65 Bap 1028 Howe

Keith Miskum

HC 65 Box 1039 Howe Id 83244

Daryl Anderson

Box 22 Howe, Id 83244

B. Wagnier

Rt 1 Box 150 Arco Id 83213

20

OCT 19 1993



United States Department of the Interior

BUREAU OF LAND MANAGEMENT

Idaho Falls District Office
940 Lincoln Road
Idaho Falls, Idaho 83401



IN REPLY REFER TO:

7250

May 5, 1993

R. Keith Higginson, Director
Idaho Department of Water Resources
1301 N. Orchard
Boise, Idaho 83706

RECEIVED

MAY 06 1993

Department of Water Resources
Eastern District Office

Dear Mr. Higginson:

Attached are Notices of Appearance for Dan Kotansky, our District Hydrologist to appear in the Minimum Streamflow Hearings for Badger Creek (Application No. 33-07206) and Wet Creek (Application No. 33-07207). If you have any questions please call Dan or myself at this office.

Sincerely,

Lloyd H Ferguson
District Manager

cc: Ron Carlson, Idaho Department of Water Resources, Eastern Region

Stephen Goddard, Deputy Attorney General, Attorney for Idaho Department of Fish and Game

OCT 19 1993

Daniel J. Kotansky
District Hydrologist
BLM- Idaho Falls District
Telephone (208) 524-7529
FAX (208) 524-7505

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF THE MINIMUM)
STREAMFLOW APPLICATION FOR)
BADGER CREEK, A TRIBUTARY)
OF THE LITTLE LOST RIVER)

NOTICE OF APPEARANCE

APPLICATION NO. 33-07206

Daniel J. Kotansky, District Hydrologist, hereby enters an appearance for the Bureau of Land Management for the hearing to be held in this matter on May 12, 1993, at the Howe Elementary School building at 7 p.m.

DATED this 5th day of May 1993.

Daniel J. Kotansky
Daniel J. Kotansky
District Hydrologist
Bureau of Land Management
Idaho Falls District

UNRECORDED

OCT 19 1993

Daniel J. Kotansky
District Hydrologist
BLM- Idaho Falls District
Telephone (208) 524-7529
FAX (208) 524-7505

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF THE MINIMUM)
STREAMFLOW APPLICATION FOR)
WET CREEK, COMMENCING AT THE)
PASS CREEK ROAD BRIDGE DOWN-)
STREAM TO THE CONFLUENCE OF)
WET CREEK AND LITTLE LOST)
RIVER)

NOTICE OF APPEARANCE

APPLICATION NO. 33-07207

Daniel J. Kotansky, District Hydrologist, hereby enters an appearance for the Bureau of Land Management for the hearing to be held in this matter on May 12, 1993, at the Howe Elementary School building at 7 p.m.

DATED this 5th day of May 1993.

Daniel J. Kotansky
Daniel J. Kotansky
District Hydrologist
Bureau of Land Management
Idaho Falls District

RECEIVED
OCT 19 1993

NOTICE OF HEARING
FOR APPLICATION MINIMUM
STREAMFLOW

Notice is hereby given that the Idaho Water Resources Board submitted an application for permit to appropriate water to the Department of Water Resources, proposing to appropriate water for a minimum streamflow in Wet Creek, a tributary of the Little Lost River. The application is further described as follows:

Source: Wet Creek
Application No.: 33-07207
Proposed Priority: October 3, 1991

Amount & Period of Use:

10 cfs from January 1 to December 31

4 cfs from October 1 to May 1

15 cfs from May 2 to September 30

Purpose of Minimum Flow: Preservation of fish and wildlife habitat, aquatic life and water quality.

Place of Use: Wet Creek, commencing at the Pass Creek Road bridge downstream to the confluence of Wet Creek and Little Lost River

The Director of the Department of Water Resources will hold a public hearing in the Howe Elementary School building, in Howe, ID, at 7:00 p.m., on Wednesday, May, 12, 1993, for the purpose of hearing evidence in regard to the application. The hearing will be held pursuant to the paragraphs of Section 42-1503, Idaho Code.

Any party who wishes to formally appear in the proceeding for the purpose of presenting evidence or cross examining witnesses should file a notice of appearance with the Director of the Department of Water Resources, Statehouse Mail, 1301 North Orchard Street, Boise, ID, 83720, five (5) days prior to the hearing. Other parties will be given an opportunity to informally present their views and comments without the necessity of filing a notice of appearance. Written informal views and comments may also be submitted to the Department of Water Resources prior to the hearing. If issued, this permit will be subject to all prior water rights.

R. KEITH HIGGINSON,
Director
Idaho Department of Water Resources
PUBLISH: Thursday, April 22 and 29, 1993.

Affidavit of Publication

STATE OF IDAHO

COUNTY OF TWIN FALLS

SS.

I, Linda Capper McQuinn being first duly sworn upon oath, depose and say that I am Print Clerk of the TIMES-NEWS, published daily, at Twin Falls, Idaho, and do solemnly swear that a copy of the notice of advertisement, as per clipping attached, was published in the regular and entire issue of said newspaper, and not in any supplement thereof, for Two consecutive weeks, commencing with the issue dated April 22, 1993, and ending with the issue dated April 29, 1993.

And I do further certify that said newspaper is a consolidation, effective February 16, 1942, of the Idaho Evening Times, published theretofore daily except Sunday, and the Twin Falls News, published theretofore daily except Monday, both of which newspapers prior to consolidation had been published under said names in said city and county continuously and uninterruptedly during a period of more than twelve consecutive months, and said TIMES-NEWS, since such consolidation, has been published as a daily newspaper except Saturday, until July 31, 1978, at which time said newspaper began daily publication under said name in said city and county continuously and uninterruptedly.

And I further certify that pursuant to Section 60-108 Idaho Code, Thursday of each week has been designated as the day on which legal notice by law or by order of any court of competent jurisdiction within the state of Idaho, to be published weekly, will be published; and that at the head of the editorial column of said combined newspapers, and in each issue thereof, Thursday is announced as the day on which said legal notices will be published.

STATE OF IDAHO

COUNTY OF TWIN FALLS

On this 19 day of May in the year of 1993, before me, a Notary Public, personally appeared Linda Capper McQuinn, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

Shirley R. Feltman
Notary Public for Idaho

Residing at Twin Falls

My commission expires: 5/19/94

OCT 19 1993

16-Apr-1993

TIMES NEWS
PO BOX 548
TWIN FALLS ID 83303

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before May 10, 1993.

Yours truly,



Rita Bodell
Secretary/Office Coordinator

Encl.

MICROFILMED

OCT 19 1993

NOTICE OF HEARING FOR APPLICATION FOR MINIMUM STREAMFLOW

Notice is hereby given that the Idaho Water Resources Board submitted an application for permit to appropriate water to the Department of Water Resources, proposing to appropriate water for a minimum streamflow in Wet Creek, a tributary of the Little Lost River. The application is further described as follows:

Source:	Wet Creek
Application No.:	33-07207
Proposed Priority:	October 3, 1991
Amount & Period of Use:	10 cfs from January 1 to December 31 4 cfs from October 1 to May 1 15 cfs from May 2 to September 30
Purpose of Minimum Flow:	Preservation of fish and wildlife habitat, aquatic life and water quality.
Place of Use:	Wet Creek, commencing at the Pass Creek Road bridge downstream to the confluence of Wet Creek and Little Lost River

The Director of the Department of Water Resources will hold a public hearing in the Howe Elementary School building, in Howe, ID, at 7:00 p.m., on Wednesday, May, 12, 1993, for the purpose of hearing evidence in regard to the application. The hearing will be held pursuant to the paragraphs of Section 42-1503, Idaho Code.

Any party who wishes to formally appear in the proceeding for the purpose of presenting evidence or cross examining witnesses should file a notice of appearance with the Director of the Department of Water Resources, Statehouse Mail, 1301 North Orchard Street, Boise, ID, 83720, five (5) days prior to the hearing. Other parties will be given an opportunity to informally present their views and comments without the necessity of filing a notice of appearance. Written informal views and comments may also be submitted to the Department of Water Resources prior to the hearing. If issued, this permit will be subject to all prior water rights.

R. KEITH HIGGINSON, Director
Idaho Department of Water Resources

PUBLISHED STATEWIDE ON APRIL 22 & 29, 1993

RECEIVED

OCT 19 1993

TRIBUNE PUBLISHING COMPANY, INC.

The Lewiston Morning Tribune

505 C St., P.O. Box 957

Lewiston, Idaho 83501

(208) 743-9411

Date 042993 INVOICE No. L00367581

Account No. 446600 07207

Description 67581NOTIC

Times 2 Lines 67

Tab Lines

RECEIVED

\$ 75.38

**LEGAL ADVERTISING
INVOICE**

SOLD TO:

WATER RESOURCES

900 N. SKYLINE

IDAHO FALLS

ID

83402

MAY 05 1993

Department of Water Resources
Eastern District Office

NOTICE: This is an invoice of Purchase made by you. Statement will be rendered the first of the month.
Please Retain This Invoice as Your Statement Will Refer To Invoice by No. Only.

AFFIDAVIT OF PUBLICATION

**NOTICE OF HEARING FOR
APPLICATION FOR MINIMUM
STREAMFLOW**

Notice is hereby given that the Idaho Water Resources Board submitted an application for permit to appropriate water to the Department of Water Resources, proposing to appropriate water for a minimum streamflow in Wet Creek, a tributary of the Little Lost River. The application is further described as follows:

Source:

Wet Creek

Application No.:

33-07207

Proposed Priority:

October 3, 1991

Amount & Period of Use:

10 cfs from January 1 to December

31

4 cfs from October 1 to May 1

15 cfs from May 2 to September 30

Purpose of Minimum Flow:

Preservation of fish and wildlife habitat, aquatic life and water quality.

Place of Use:

Wet Creek, commencing at the Pass Creek Road bridge downstream to the confluence of Wet Creek and Little Lost River

The Director of the Department of Water Resources will hold a public hearing in the Howe Elementary School building, in Howe, ID, at 7:00 p.m., on Wednesday, May, 12, 1993, for the purpose of hearing evidence in regard to the application. The hearing will be held pursuant to the paragraphs of Section 42-1503, Idaho Code.

Any party who wishes to formally appear in the proceeding for the purpose of presenting evidence or cross examining witnesses should file a notice of appearance with the Director of the Department of Water Resources, Statehouse Mail, 1301 North Orchard Street, Boise, ID, 83720, five (5) days prior to the hearing. Other

STATE OF IDAHO, ss.
County of Nez Perce

Karen J. Lewis, being duly sworn,

deposes and says, I am the Legal Clerk of the Tribune Publishing Company, a corporation organized and existing under and by virtue of the laws of the State of Idaho, publishers of the LEWISTON MORNING TRIBUNE, a newspaper of general circulation published at Lewiston, Nez Perce County, Idaho; That the said Lewiston Morning Tribune is an established paper and has been published regularly and issued regularly at least once a day for more than 21 consecutive years next immediately preceding the first publication of this notice, and has been so published uninterrupted for said period; that the

NOTICE OF HEARING FOR

attached hereto and which is made a part of this affidavit was published in the said Lewiston Morning Tribune, 2 time(s). Publication being on 042293, or once a WEEK for 2 consecutive WEEKS, the first publication thereof being on the 042293, and the last publication thereof being on the 042993, and said

NOTICE OF HEARING FOR

was so published in the regular and entire issue of said newspaper and not in a supplement thereof and was so published in every issue and number of the said paper, during the period and times of publication as set forth above.

Karen J. Lewis

SUBSCRIBED AND SWORN BEFORE ME THIS THE 3rd

day of May 1993

Sheryl M. Lentz

Notary Public in and for the State of Idaho,
residing at Lewiston, therein.

OCT 19 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

April 22, 1993

The accompanying Legal Notices are being sent to you because you are the holder of one or more water rights in the area that may be affected by the proposed minimum streamflows.

If you have any questions, please contact me.

Sincerely,

A handwritten signature in cursive script that reads "John E. Beal".

John E. Beal
Water Planning Bureau

OCT 19 1993

Mailing List - Copy of Legal Notices for Wet and Badger Creek Hearing sent on 4/22 and 4/23/93.

Dave F. Rydalch
Rt2, Box 108
St. Anthony, ID 83445

Clarence Parr
Route 2, Box 2128
810 S. River Road
Hayburn, ID 83336

Brent Bell
P.O. Box 747
3342 W 4000 N
Rexburg, ID 83440

Senator Jerry T Twiggs
955 W 100 S
Blackfoot, ID 83221

Rep. Allan F. Larsen
848 W. Taber Road
Blackfoot, ID 83221

Rep. Michael K. Simpson
786 Hoff Drive
Blackfoot, ID 83221

R. R. Mays
Howe, ID 83244

Vance Hawley
578 E 49 S
Idaho Falls, ID 83401

Dan Kotansky
BLM
940 E. Lincoln Road
Idaho Falls, ID 83401

Mark Storzer
BLM
940 E. Lincoln Road
Idaho Falls, ID 83401

Mark Gamblin
IDF&G
1515 Lincoln Road
Idaho Falls, ID 83401

Leroy Cook
BLM
940 E. Lincoln Road
Idaho Falls, ID 83401

George Woodie
Howe, ID 83244

Earl Wortley
Howe, ID 83244

John L. McDonald
Howe, ID 83244

Lynn Haight
Howe, ID 83244

Owen Romrell
Howe, ID 83244

Rowen Pancheri
Howe, ID 83244

Jerry Pancheri
Howe, ID 83244

Rory Pancheri
Howe, ID 83244

NOT RECORDED

OCT 19 1993

Mailing list - Copy of Legal Notices for Wet and Badger Creek Hearing sent on 4/22 and 4/23/93.

James Mays
Howe, ID 83244

Jim Andreason* See note below
P.O. Box 3
Howe, ID 83244

Bill Stauffer
HC 65, Box 1028
Howe, ID 83244

Keith Nickerson
HC 65, Box 1039
Howe, ID 83244

Daryl Andreason
Box 22
Howe, ID 83244

Rt. 1, Box 150
Arco, ID 83213

Cindy Robertson
IDF&G
Statehouse Mail
Boise, ID 83720

Mary Lucachick
IDP&R
Statehouse Mail
Boise, ID 83720

U. S. Dept of I BLM
Idaho State Office
3380 Americana Terra
Boise, ID 83706

U. S. Dept of A Forest Service
Federal Bldg.
324 25th St.
Ogden, UT 84401

Frank A. Hartmann
Howe, ID 83244

Leslie A. Sermon
Howe, ID 83244

USDA Farmers Home Admin.
3232 Elders
Boise, ID 83705

Dave Andreason
P.O. Box 31
Howe, ID 83244

Rep. Golden Linford
2120 W. 4200 S.
Rexburg, ID 83440

Butte County Commissioners
Arco, ID 83213

Comm. Seth E. Beal
Rt. 1 Box 46B
Moore, ID 83255

Comm. Richard Bown
RRt. 1 Box 257
Arco, ID 83213

Comm. James Andreason* I did not send this - sent him notice previously
Box 3
Howe, ID 83244

OCT 19 1993

MEMORANDUM

To: Dick Larson

From: John Beal

Date: April 22, 1993

Re: Minimum Streamflow Applications, Wet Creek and Badger Creek

We will need a general press release for the referenced minimum instream flow hearing (there will one hearing for both applications).

You prepared and sent a notice of cancellation for a hearing that was canceled on these applications just a week or two ago. Frank Sherman has mentioned that we may want to do a special small add about the new hearing in the same papers that ran the cancellation notice. We do not want to spend more than \$200 on this. You can talk to Frank or me about this.

RECEIVED

OCT 19 1993

The release on the Wet Creek and Badger Creek meeting was sent to:

E. Idaho Farm & Ranch
P.O. Box 1800
Idaho Falls, ID 83403

KWIK/KPKY
P.O. Box 998
Pocatello, ID 83204

Idaho State Journal
P.O. Box 431
Pocatello, ID 83204

KZBQ
P.O. Box 97
Pocatello, ID 83204

Post Register
P.O. Box 1800
Idaho Falls, ID 83403

Arco Advertiser
P.O. Box 803
Arco, ID 83213

KRCD
811 W. Cedar
Pocatello, ID 83201

KFTZ
1190 Lincoln Rd.
Idaho Falls, ID 83401

KID/KSIF
1655 S. Woodruff
Idaho Falls, ID 83404

KUPI
854 Lindsay Blvd
Idaho Falls, ID 83402

KSEI
P.O. Box 40
Pocatello, ID 83204

OCT 19 1993

16-Apr-1993

LEWISTON MORNING TRIBUNE
PO BOX 957
LEWISTON ID 83501

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before May 10, 1993.

Yours truly,

Rita Bodell
Rita Bodell
Secretary/Office Coordinator

Encl.

MICROFILMED

OCT 19 1993

NOTICE OF HEARING FOR APPLICATION FOR MINIMUM STREAMFLOW

Notice is hereby given that the Idaho Water Resources Board submitted an application for permit to appropriate water to the Department of Water Resources, proposing to appropriate water for a minimum streamflow in Wet Creek, a tributary of the Little Lost River. The application is further described as follows:

Source: Wet Creek
Application No.: 33-07207
Proposed Priority: October 3, 1991
Amount & Period of Use: 10 cfs from January 1 to December 31
4 cfs from October 1 to May 1
15 cfs from May 2 to September 30

Purpose of Minimum Flow: Preservation of fish and wildlife habitat, aquatic life and water quality.

Place of Use: Wet Creek, commencing at the Pass Creek Road bridge downstream to the confluence of Wet Creek and Little Lost River

The Director of the Department of Water Resources will hold a public hearing in the Howe Elementary School building, in Howe, ID, at 7:00 p.m., on Wednesday, May, 12, 1993, for the purpose of hearing evidence in regard to the application. The hearing will be held pursuant to the paragraphs of Section 42-1503, Idaho Code.

Any party who wishes to formally appear in the proceeding for the purpose of presenting evidence or cross examining witnesses should file a notice of appearance with the Director of the Department of Water Resources, Statehouse Mail, 1301 North Orchard Street, Boise, ID, 83720, five (5) days prior to the hearing. Other parties will be given an opportunity to informally present their views and comments without the necessity of filing a notice of appearance. Written informal views and comments may also be submitted to the Department of Water Resources prior to the hearing. If issued, this permit will be subject to all prior water rights.

R. KEITH HIGGINSON, Director
Idaho Department of Water Resources

PUBLISHED STATEWIDE ON APRIL 22 & 29, 1993

MAILED
OCT 19 1993

The Idaho Statesman

P.O. BOX 40, BOISE, IDAHO 83707

LEGAL ADVERTISING INVOICE

Amount Due

\$ 74.28

Account Number 100564		Identification NOTICE OF HEARING FOR APPLICATION FOR MINIMUM STREAMFLOW	
Ordered By Rita Bodell	P.O. Number	Rate NT	Run Dates April 22, 29, 1993
State of Idaho Department of Water Resources 900 N. Skyline Drive Idaho Falls, Idaho 83402-1718		Estimated Inches	Real Inches
		# Affidavits 1	Legal Number 4760

RECEIVED

MAY 03 1993

LEGAL NOTICE NOTICE OF HEARING FOR APPLICATION FOR MINIMUM STREAMFLOW

Notice is hereby given that the Idaho Water Resources Board submitted an application for permit to appropriate water to the Department of Water Resources, proposing to appropriate water for a minimum streamflow in Wet Creek, a tributary of the Little Lost River. The application is further described as follows:

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Place of Use:
Wet Creek, commencing at the Pass Creek Road bridge downstream to the confluence of Wet Creek and Little Lost River

The Director of the Department of Water Resources will hold a public hearing in the Howe Elementary School building, in Howe, ID, at 7:00 p.m., on Wednesday, May 12, 1993, for the purpose of hearing evidence in regard to the application. The hearing will be held pursuant to the paragraphs of Section 42-1502, Idaho Code.

Any party who wishes to formally appear in the proceeding for the purpose of presenting evidence or cross examining witnesses should file a notice of appearance with the Director of the Department of Water Resources, Statehouse Mall, 1301 North Orchard Street, Boise, ID 83720, five (5) days prior to the hearing. Other parties will be given an opportunity to informally present their views and comments without the necessity of filing a notice of appearance. Written informal views and comments may also be submitted to the Department of Water Resources prior to the hearing. If issued, this permit will be subject to all prior water rights.

R. KEITH HIGGINSON
Director
Idaho Department of Water Resources
Pub. April 22, 29, 1993 4760

Department of Water Resources
Eastern District Office
CAROL PAYNE-CULPAN

_____, being duly

sworn, deposes and says: That she is the Principal Clerk of The Idaho Statesman, a daily newspaper printed and published at Boise, Ada County, State of Idaho, and having a general circulation therein and which said newspaper has been continuously and uninterruptedly published in said County during a period of twelve consecutive months prior to the first publication of the notice, a copy of which is attached hereto; that said notice was published in The Idaho Statesman in conformity with Section 60-108, Idaho Code as amended, for TWO

xxx ☒ consecutive weekly ☐ consecutive daily ☐ single ☐ odd skip

insertion(s) beginning with the issue of APRIL 22, 1993

and ending with the issue of APRIL 29, 1993

Carol Payne-Culpan

STATE OF IDAHO)

ss.

COUNTY OF ADA)

On this 29TH day of APRIL in the year of 1993, before me, a Notary Public, personally appeared CAROL PAYNE-CULPAN, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.

GOT 19 1993

Notary Public for Idaho BOISE, ID

Residing at _____

My commission expires: 11-27-93

Info mto
James Mays ?

42-203A

RECEIVED

APR 20 1993

Department of Water Resources

16-Apr-1993

IDAHO STATESMAN
PO BOX 40
BOISE ID 83707

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before May 10, 1993.

Yours truly,

Rita Bodell

Rita Bodell
Secretary/Office Coordinator

Encl.

MICROFILMED

OCT 19 1993

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Source:	Wet Creek
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Place of Use:	Wet Creek, commencing at the Pass Creek Road bridge downstream to the confluence of Wet Creek and Little Lost River

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R. KEITH HIGGINSON, Director
Idaho Department of Water Resources

PUBLISHED STATEWIDE ON APRIL 22 & 29, 1993

INDEXED

OCT 19 1993

16-Apr-1993

ARCO ADVERTISER
PO DRAWER C
ARCO ID 83213

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. If you cannot publish the notice on the proposed dates, please contact us immediately.

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Yours truly,

Rita Bodell
Secretary/Office Coordinator

Encl.

NOT RECORDED

OCT 19 1993

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R. KEITH HIGGINSON, Director
Idaho Department of Water Resources

PUBLISHED STATEWIDE ON APRIL 22 & 29, 1993

Arco Advertiser

MICROFILMED

OCT 19 1993

NOTICE OF HEARING FOR APPLICATION FOR MINIMUM STREAMFLOW

Notice is hereby given that the Idaho Water Resource Board submitted an application for permit to appropriate water to the Department of Water Resources, proposing to appropriate water for a minimum streamflow in Badger Creek, a tributary of the Little Lost River. The application is further described as follows:

Source:	Badger Creek
Application No.:	33-07206
Proposed Priority:	October 3, 1991
Amount & Period of Use:	5.50 cfs from January 1 to December 31 at upper site 3.00 cfs from January 1 to December 31 at lower site
Purpose of Minimum Flow:	Preservation of fish & wildlife habitat, aquatic life and water quality.
Place of Use:	Badger Creek, commencing at the Bureau of Land Management - U.S. Forest Service boundary on Badger Creek downstream to the end of public land on Badger Creek.

The Director of the Department of Water Resources will hold a public hearing in the Howe Elementary School building, at 7:00 p.m., on Wednesday, May 12, 1993, for the purpose of hearing evidence in regard to the application. The hearing will be held pursuant to the paragraphs of Section 42-1503, Idaho Code.

Any party who wishes to formally appear in the proceeding for the purpose of presenting evidence or cross examining witnesses should file a notice of appearance with the Director of the Department of Water Resources, Statehouse Mail, 1301 North Orchard Street, Boise, ID, 83720, five (5) days prior to the hearing. Other parties will be given an opportunity to informally present their views and comments without the necessity of filing a notice of appearance. Written informal views and comments may also be submitted to the Department of Water Resources prior to the hearing. If issued, this permit will be subject to all prior water rights.

R. KEITH HIGGINSON, Director
Idaho Department of Water Resources

PUBLISHED IN THE ARCO ADVERTISER ON APRIL 22 & 29, 1993

MICROFILMED

OCT 19 1993

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Source:	Wet Creek
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Proposed Priority:	October 3, 1991
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The Director of the Department of Water Resources will hold a public hearing in the Howe Elementary School building, in Howe, ID, at 7:00 p.m., on Wednesday, May, 12, 1993, for the purpose of hearing evidence in regard to the application. The hearing will be held pursuant to the paragraphs of Section 42-1503, Idaho Code.

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R. KEITH HIGGINSON, Director
Idaho Department of Water Resources

PUBLISHED STATEWIDE ON APRIL 22 & 29, 1993

RECEIVED

OCT 19 1993

AFFIDAVIT OF PUBLICATION

I, Colleen Babcock
of the Arco Advertiser, a weekly newspaper of
general circulation, published weekly at Arco, Idaho,
since March, 1909, do solemnly swear that a copy of
this notice, per clipping attached, was published
weekly in the regular and entire issue of said
newspaper, and not in any supplement thereof,

for 2 consecutive weeks, commencing with
the issue dated APRIL 22, 1993
and ending with the issue dated

APRIL 29, 1993
Colleen Babcock

STATE OF IDAHO }

COUNTY OF BUTTE }

On this 4 day of May
in the year of 1993, before me, a Notary Public,

personally appeared

Colleen Babcock
known or identified to me to be the person whose
name subscribed to the within instrument, and being
by me first duly sworn, declared that the statements
therein are true, and acknowledged to me that he
executed the same.

Thomas D. Lamm
Notary Public for Idaho

Residing at Arco, Id.

My commission expires: 12-30-97

**NOTICE OF HEARING
FOR APPLICATION FOR
MINIMUM STREAMFLOW**

Notice is hereby given that the Idaho
Water Resource Board submitted an ap-
plication for permit to appropriate water
to the Department of Water Resources,
proposing to appropriate water for a
minimum streamflow in Wet Creek, a
tributary of the Little Lost River. The
application is further described as fol-
lows:

Source: Wet Creek

Application No.: 33-07207

Proposed Priority: October 3, 1991

Amount & Period of Use: 10 cfs from
January 1 to December 31; 4 cfs from
October 1 to May 1; 15 cfs from May 2 to
September 30

Purpose of Minimum Flow: Preserva-
tion of fish & wildlife habitat, aquatic life
and water quality.

Place of Use: Wet Creek, commencing
at the Pass Creek Road bridge down-
stream to the confluence of Wet Creek
and Little Lost River

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Code.

Any party who wishes to formally ap-
pear in the proceeding for the purpose of
presenting evidence or cross examining
witnesses should file a notice of appear-
ance with the Director of the Depart-
ment of Water Resources, Statehouse
Mail, 1301 North Orchard Street, Boise,
ID 83720, five (5) days prior to the hear-
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portunity to informally present their
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Written informal views and comments
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hearing. If issued, this permit will be
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R. KEITH HIGGINSON

Idaho Department of Water
Resources

Published in The Arco Advertiser on
April 22 & 29, 1993.

OCT 19 1993

NOTICE OF HEARING FOR APPLICATION FOR MINIMUM STREAMFLOW

Notice is hereby given that the Idaho Water Resource Board submitted an application for permit to appropriate water to the Department of Water Resources, proposing to appropriate water for a minimum streamflow in Badger Creek, a tributary of the Little Lost River. The application is further described as follows:

Source:	Badger Creek
Application No.:	33-07206
Proposed Priority:	October 3, 1991
Amount & Period of Use:	5.50 cfs from January 1 to December 31 at upper site 3.00 cfs from January 1 to December 31 at lower site
Purpose of Minimum Flow:	Preservation of fish & wildlife habitat, aquatic life and water quality.
Place of Use:	Badger Creek, commencing at the Bureau of Land Management - U.S. Forest Service boundary on Badger Creek downstream to the end of public land on Badger Creek.

The Director of the Department of Water Resources will hold a public hearing in the Howe Elementary School building, at 7:00 p.m., on Wednesday, May 12, 1993, for the purpose of hearing evidence in regard to the application. The hearing will be held pursuant to the paragraphs of Section 42-1503, Idaho Code.

Any party who wishes to formally appear in the proceeding for the purpose of presenting evidence or cross examining witnesses should file a notice of appearance with the Director of the Department of Water Resources, Statehouse Mail, 1301 North Orchard Street, Boise, ID, 83720, five (5) days prior to the hearing. Other parties will be given an opportunity to informally present their views and comments without the necessity of filing a notice of appearance. Written informal views and comments may also be submitted to the Department of Water Resources prior to the hearing. If issued, this permit will be subject to all prior water rights.

R. KEITH HIGGINSON, Director
Idaho Department of Water Resources

PUBLISHED IN THE ARCO ADVERTISER ON APRIL 22 & 29, 1993

NOTIFIED

OCT 19 1993

MEMORANDUM

To: Rita Bodell
From: L. Glen Saxton *LS*
RE: ADVERTISEMENT - HEARING FOR WET CREEK AND BADGER CREEK
Date: April 14, 1993

Dave Rydalch, the Board chairman has asked that we schedule the Director's hearing for the above referenced minimum stream flow applications during the first 2 weeks in May.

We probably should schedule the hearing for May 12 or 13, 1993. The place of hearing hopefully can again be scheduled at the grade school gymnasium in Howe at 7:00 p.m.

Enclosed is a copy of the legal notices you folks used last time. After your prepare and send the notice to the newspapers again, please send me copies for the files.

If you have questions, please call me. Thanks for your help.

MICROFILMED

OCT 19 1993

AFFIDAVIT OF PUBLICATION

I, COLLEEN BABCOCK
of the Arco Advertiser, a weekly newspaper of
general circulation, published weekly at Arco, Idaho,
since March, 1909, do solemnly swear that a copy of
this notice, per clipping attached, was published
weekly in the regular and entire issue of said
newspaper, and not in any supplement thereof,

for 2 consecutive weeks, commencing with
the issue dated MAR. 18, 1993
and ending with the issue dated

MAR. 25, 1993
Colleen Babcock

STATE OF IDAHO

COUNTY OF BUTTE

On this 29 day of March
in the year of 1993, before me, a Notary Public,
personally appeared

Colleen Babcock
known or identified to me to be the person whose
name subscribed to the within instrument, and being
by me first duly sworn, declared that the statements
therein are true, and acknowledged to me that he
executed the same.

Thomas A. Cannon
Notary Public for Idaho

Residing at Arco, ID
My commission expires: 12-30-97

**NOTICE OF HEARING FOR
APPLICATION FOR
MINIMUM STREAMFLOW**

Notice is hereby given that the Idaho
Water Resources Board submitted an
application for permit to appropriate water
to the Department of Water Resources,
proposing to appropriate water for a mini-
mum streamflow in Wet Creek, a tribu-
tary of the Little Lost River. The applica-
tion is further described as follows:

Source: Wet Creek

Application No.: 39-07207

Proposed Priority: October 3, 1991

Amount & Period of Use: 10 cfs from

January 1 to December 31

4 cfs from October 1 to May 1

15 cfs from May 2 to September 30

Purpose of Minimum Flow: Preservation
of fish & wildlife habitat, aquatic life
and water quality.

Place of Use: Wet Creek, commencing at
the Pass Creek Road bridge down-
stream to the confluence of Wet Creek
and Little Lost River

The Director of the Department of Water
Resources will hold a public hearing in
the Howe Elementary School building, in
Howe, ID, at 7:00 p.m., on Wednesday,
April 14, 1993, for the purpose of hearing
evidence in regard to the application. The
hearing will be held pursuant to the
paragraphs of Section 42-1508, Idaho
Code.

Any party who wishes to formally ap-
pear in the proceeding for the purpose of
presenting evidence or cross examining
witnesses should file a notice of appear-
ance with the Director of the Department
of Water Resources, Statehouse Mail,
1301 North Orchard Street, Boise, ID
83720, five (5) days prior to the hearing.
Other parties will be given an opportunity
to informally present their views and
comments without the necessity of filing
a notice of appearance. Written informal
views and comments may also be submit-
ted to the Department of Water Resources
prior to the hearing. If issued, this permit
will be subject to all prior water rights.

R. KEITH HIGGINSON
Director
Idaho Department of
Water Resources

Published in The Arco Advertiser on
March 18 & 25, 1993.

INDEXED

OCT 19 1993

The Idaho Statesman

P.O. BOX 40, BOISE, IDAHO 83707

APR 05 1993

LEGAL ADVERTISING INVOICE

Department of Water Resources
Eastern District Office

Amount Due

\$ 74.28

Account Number 100564		Identification L NOTICE OF HEARING FOR APPLICATION FOR MINIMUM STREAMFLOW	
Ordered By Rita Bodell	P.O. Number	Rate NT	Run Dates March 25, April 1, 1993
State of Idaho Department of Water Resources 900 N. Skyline Drive Idaho Falls, Idaho 83402-1718		Estimated Inches	Real Inches
		# Affidavits 1	Legal Number 4528

LEGAL NOTICE NOTICE OF HEARING FOR APPLICATION FOR MINIMUM STREAMFLOW

Notice is hereby given that the Idaho Water Resources Board submitted an application for permit to appropriate water to the Department of Water Resources, proposing to appropriate water for a minimum streamflow in Wet Creek, a tributary of the Little Lost River. The application is further described as follows:

Source: Wet Creek
Application No.: 33-07207
Proposed Priority: October 3, 1991
Amount & Period of Use:
10 cfs from January 1 to
December 31
4 cfs from October 1 to May 1
15 cfs from May 2 to September 30

Purpose of Minimum Flow:
Preservation of fish and wildlife habitat, aquatic life and water quality

Place of Use:
Wet Creek, commencing at the Pass Creek Road bridge downstream to the confluence to Wet Creek and Little Lost River.

The Director of the Department of Water Resources will hold a public hearing in the Howe Elementary School building, in Howe, ID, at 7:00 p.m., on Wednesday, April 14, 1993, for the purpose of hearing evidence in regard to the application. The hearing will be held pursuant to the paragraphs of Section 42-1503, Idaho Code.

Any party who wishes to formally appear in the proceeding for the

CAROL PAYNE-CULPAN

, being duly sworn, deposes and says: That she is the Principal Clerk of The Idaho Statesman, a daily newspaper printed and published at Boise, Ada County, State of Idaho, and having a general circulation therein and which said newspaper has been continuously and uninterruptedly published in said County during a period of twelve consecutive months prior to the first publication of the notice, a copy of which is attached hereto; that said notice was published in The Idaho Statesman in conformity with Section 60-108, Idaho Code as amended, for TWO

xx ☒ consecutive weekly ☐ consecutive daily ☐ single ☐ odd skip

insertion(s) beginning with the issue of MARCH 25, 1993

and ending with the issue of APRIL 1, 1993

Carol Payne-Culpan

STATE OF IDAHO)

ss.

COUNTY OF ADA)

On this 1ST day of APRIL 1993

before me, a Notary Public, personally appeared CAROL PAYNE-CULPAN

known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.

John R. [Signature]
Notary Public for Idaho

Residing at BOISE, ID

My commission expires: 11-27-93

LEGAL NOTICES

purpose of presenting evidence or cross examining witnesses should file a notice of appearance with the Director of the Department of Water Resources, Statehouse Mail, 1301 North Orchard Street, Boise, ID, 83702, five (5) days prior to the hearing. Other parties will be given an opportunity to informally present their views and comments without the necessity of filing a

LEGAL NOTICES

notice of appearance. Written informal views and comments may also be submitted to the Department of Water Resources prior to the hearing. If issued, this permit will be subject to all prior water rights.

R. KEITH HIGGINSON,

Director

Idaho Department of Water Resources

Pub. Mar. 25, Apr. 1, 1993

10-Mar-1993

IDAHO STATESMAN
PO BOX 40
BOISE ID 83707

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before April 5, 1993.

Yours truly,



Rita Bodell
Secretary/Office Coordinator

Encl.

REGISTERED

OCT 19 1993

**NOTICE OF HEARING
FOR APPLICATION FOR
MINIMUM STREAMFLOW**

Notice is hereby given that the Idaho Water Resources Board submitted an application for permit to appropriate water to the Department of Water Resources, proposing to appropriate water for a minimum streamflow in Wet Creek, a tributary of the Little Lost River. The application is further described as follows:

Source: Wet Creek
Application No.: 33-07207
Proposed Priority: October 3, 1991

Amount & Period of Use:
10 cfs from January 1 to December 31

4 cfs from October 1 to May 1

15 cfs from May 2 to September 30

Purpose of Minimum Flow: Preservation of fish and wildlife habitat, aquatic life and water quality.

Place of Use: Wet Creek, commencing at the Pass Creek Road bridge downstream to the confluence of Wet Creek and Little Lost River

The Director of the Department of Water Resources will hold a public hearing in the Howe Elementary School building, in Howe, ID, at 7:00 p.m., on Wednesday, April 14, 1993, for the purpose of hearing evidence in regard to the application. The hearing will be held pursuant to the paragraphs of Section 42-1503, Idaho Code.

Any party who wishes to formally appear in the proceeding for the purpose of presenting evidence or cross examining witnesses should file a notice of appearance with the Director of the Department of Water Resources, Statehouse Mail, 1301 North Orchard Street, Boise, ID 83720, five (5) days prior to the hearing. Other parties will be given an opportunity to informally present their views and comments without the necessity of filing a notice of appearance. Written informal views and comments may also be submitted to the Department of Water Resources prior to the hearing. If issued, this permit will be subject to all prior water rights.

R. KEITH HIGGINSON,
Director
Idaho Department of Water Resources

PUBLISH: Thursday,
18 1993

Affidavit Publication

STATE OF IDAHO

COUNTY OF TWIN FALLS } SS.

No 24573

I, Linda Capps McQuire being first duly sworn upon oath, depose and say that I am Prime Clerk of the TIMES-NEWS, published daily, at Twin Falls, Idaho, and do solemnly swear that a copy of the notice of advertisement, as per clipping attached, was published in the regular and entire issue of said newspaper, and not in any supplement thereof, for Two consecutive Weeks, commencing with the issue dated March 18, 1993, and ending with the issue dated March 25, 1993.

And I do further certify that said newspaper is a consolidation, effective February 16, 1942, of the Idaho Evening Times, published theretofore daily except Sunday, and the Twin Falls News, published theretofore daily except Monday, both of which newspapers prior to consolidation had been published under said names in said city and county continuously and uninterruptedly during a period of more than twelve consecutive months, and said TIMES-NEWS, since such consolidation, has been published as a daily newspaper except Saturday, until July 31, 1978, at which time said newspaper began daily publication under said name in said city and county continuously and uninterruptedly.

And I further certify that pursuant to Section 60-108 Idaho Code, Thursday of each week has been designated as the day on which legal notice by law or by order of any court of competent jurisdiction within the state of Idaho, to be published weekly, will be published; and that at the head of the editorial column of said combined newspapers, and in each issue thereof, Thursday is announced as the day on which said legal notices will be published.

STATE OF IDAHO
COUNTY OF TWIN FALLS

On this 26 day of March in the year of 1993, before me, a Notary Public, personally appeared Linda Capps McQuire, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

Notary Public for Idaho

Residing at

My commission expires:

OCT 18 1993

10-Mar-1993

THE TIMES NEWS
PO BOX 548
TWIN FALLS ID 83303

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before April 5, 1993.

Yours truly,

Rita Bodell

Rita Bodell
Secretary/Office Coordinator

Encl.

RECEIVED

OCT 19 1993

TRIBUNE PUBLISHING COMPANY, INC.
The Lewiston Morning Tribune
505 C St., P.O. Box 957
Lewiston, Idaho 83501
(208) 743-9411

Date 032593 INVOICE No. L00353448

Account No. 446600 33-0007

Description 53448NOTIC

Times 2 Lines 34

Tab Lines

**LEGAL ADVERTISING
INVOICE**

SOLD TO:

ID DEPT. OF WATER RESOURC
900 N. SKYLINE DR.
IDAHO FALLS
IS 83402

\$ 38.25

RECEIVED

MAR 31 1993

Department of Water Resources
Eastern District Office

NOTICE: This is an invoice of Purchase made by you. Statement will be rendered the first of the month.
Please Retain This Invoice as Your Statement Will Refer To Invoice by No. Only.

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, ss.
County of Nez Perce

Karen J. Lewis, being duly sworn,

deposes and says, I am the Legal Clerk
of the Tribune Publishing Company, a corporation organized and existing
under and by virtue of the laws of the State of Idaho, publishers of the
LEWISTON MORNING TRIBUNE, a newspaper of general circulation
published at Lewiston, Nez Perce County, Idaho; That the said Lewiston
Morning Tribune is an established paper and has been published regular-
ly and issued regularly at least once a day for more than 21 consecutive
years next immediately preceding the first publication of this notice, and
has been so published uninterrupted for said period; that the

NOTICE OF HEARING FOR APPL

attached hereto and which is made a part of this affidavit was published in
the said Lewiston Morning Tribune, 2 time(s). Publication be-
ing on 031893

WEEK for 2 consecutive WEEKS, or once a
publication thereof being on the 031893, the first
publication thereof being on the 032593, and the last pub-
lication thereof being on the 032593, and said

NOTICE OF HEARING FOR APPL

was so published in the regular and entire issue of said newspaper and
not in a supplement thereof and was so published in every issue and
number of the said paper, during the period and times of publication as
set forth above.

Karen J. Lewis

SUBSCRIBED AND SWORN BEFORE ME THIS THE 29

day of March 1993

Sheryl M. Lantz

Notary Public in and for the State of Idaho,
residing at Lewiston, therein.

RECEIVED

OCT 19 1993

TRIBUNE PUBLISHING COMPANY, INC.
The Lewiston Morning Tribune
505 C St., P.O. Box 957
Lewiston, Idaho 83501
(208) 743-9411

Date 032593 INVOICE No. L00353448

Account No. 446600 33-07207

Description 53448NOTIC

Times 2 Lines 34

Tab Lines

**LEGAL ADVERTISING
INVOICE**

SOLD TO:

ID DEPT. OF WATER RESOURC
900 N. SKYLINE DR.
IDAHO FALLS
IS 83402

\$ 38.25

RECEIVED

MAR 31 1993

Department of Water Resources
Eastern District Office

NOTICE: This is an invoice of Purchase made by you. Statement will be rendered the first of the month.
Please Retain This Invoice as Your Statement Will Refer To Invoice by No. Only.

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, ss.
County of Nez Perce

Karen J. Lewis, being duly sworn,

poses and says, I am the Legal Clerk

the Tribune Publishing Company, a corporation organized and existing under and by virtue of the laws of the State of Idaho, publishers of the LEWISTON MORNING TRIBUNE, a newspaper of general circulation published at Lewiston, Nez Perce County, Idaho; That the said Lewiston Morning Tribune is an established paper and has been published regularly and issued regularly at least once a day for more than 21 consecutive years next immediately preceding the first publication of this notice, and has been so published uninterrupted for said period; that the

NOTICE OF HEARING FOR APPL

attached hereto and which is made a part of this affidavit was published in the said Lewiston Morning Tribune, 2 time(s). Publication began on 031893

WEEK for 2 consecutive WEEKS, or once a publication thereof being on the 031893, and the last publication thereof being on the 032593, and said

NOTICE OF HEARING FOR APPL

as so published in the regular and entire issue of said newspaper and in a supplement thereof and was so published in every issue and number of the said paper, during the period and times of publication as set forth above.

Karen J. Lewis

SUBSCRIBED AND SWORN BEFORE ME THIS THE 29

day of March 1993

Sherral M. Lantz

Notary Public in and for the State of Idaho,
residing at Lewiston, therein.

53448
NOTICE OF HEARING FOR APPLICATION FOR MINIMUM STREAMFLOW
Notice is hereby given that the Idaho Water Resources Board submitted an application for permit to appropriate water to the Department of Water Resources, proposing to appropriate water for a minimum streamflow in Wet Creek, a tributary of the Little Lost River. The application is further described as follows:

Source: Wet Creek
Application No.: 33-07207
Proposed Priority: October 3, 1991
Amount & Period of Use: 10 cfs from January 1 to December 31
4 cfs from October 1 to May 1
15 cfs from May 2 to September 30
Purpose of Minimum Flow: Preservation of fish and wildlife habitat, aquatic life and water quality.
Place of Use: Wet Creek, commencing at the Pass Creek Road bridge downstream to the confluence of Wet Creek and Little Lost River

The Director of the Department of Water Resources will hold a public hearing in the Howe Elementary School building, in Howe, ID, at 7:00 p.m., on Wednesday, April 14, 1993, for the purpose of hearing evidence in regard to the application. The hearing will be held pursuant to the paragraphs of Section 42-1503, Idaho Code.

Any party who wishes to formally appear in the proceeding for the purpose of presenting evidence or cross examining witnesses should file a notice of appearance with the Director of the Department of Water Resources, Statehouse Mail, 1301 North Orchard Street, Boise, ID, 83720, five (5) days prior to the hearing. Other parties will be given an opportunity to informally present their views and comments without the necessity of filing a notice of appearance. Written informal views and comments may also be submitted to the Department of Water Resources prior to the hearing. If issued, this permit will be subject to all prior water rights.

R. KEITH HIGGINSON, Director
Idaho Department of Water Resources
PUBLISHED STATEWIDE ON MARCH 18 & 25, 1993

OCT 10 1993

10-Mar-1993

LEWISTON MORNING TRIBUNE
PO BOX 957
LEWISTON ID 83501

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before April 5, 1993.

Yours truly,



Rita Bodell
Secretary/Office Coordinator

Encl.

MICROFILMED

OCT 19 1993

NOTICE OF HEARING FOR APPLICATION FOR MINIMUM STREAMFLOW

Notice is hereby given that the Idaho Water Resources Board submitted an application for permit to appropriate water to the Department of Water Resources, proposing to appropriate water for a minimum streamflow in Wet Creek, a tributary of the Little Lost River. The application is further described as follows:

Source:	Wet Creek
Application No.:	33-07207
Proposed Priority:	October 3, 1991
Amount & Period of Use:	10 cfs from January 1 to December 31 4 cfs from October 1 to May 1 15 cfs from May 2 to September 30
Purpose of Minimum Flow:	Preservation of fish and wildlife habitat, aquatic life and water quality.
Place of Use:	Wet Creek, commencing at the Pass Creek Road bridge downstream to the confluence of Wet Creek and Little Lost River

The Director of the Department of Water Resources will hold a public hearing in the Howe Elementary School building, in Howe, ID, at 7:00 p.m., on Wednesday, April 14, 1993, for the purpose of hearing evidence in regard to the application. The hearing will be held pursuant to the paragraphs of Section 42-1503, Idaho Code.

Any party who wishes to formally appear in the proceeding for the purpose of presenting evidence or cross examining witnesses should file a notice of appearance with the Director of the Department of Water Resources, Statehouse Mail, 1301 North Orchard Street, Boise, ID, 83720, five (5) days prior to the hearing. Other parties will be given an opportunity to informally present their views and comments without the necessity of filing a notice of appearance. Written informal views and comments may also be submitted to the Department of Water Resources prior to the hearing. If issued, this permit will be subject to all prior water rights.

R. KEITH HIGGINSON, Director
Idaho Department of Water Resources

PUBLISHED STATEWIDE ON MARCH 18 & 25, 1993

NOT RECORDED

OCT 19 1993

AFFIDAVIT OF PUBLICATION

I, COLLEEN BABCOCK
of the Arco Advertiser, a weekly newspaper of
general circulation, published weekly at Arco, Idaho,
since March, 1909, do solemnly swear that a copy of
this notice, per clipping attached, was published
weekly in the regular and entire issue of said
newspaper, and not in any supplement thereof,
for 2 consecutive weeks, commencing with
the issue dated MAY 21, 1992
and ending with the issue dated MAY 28, 1992
Colleen Babcock

Notice is hereby given that the follow-
ing application has been submitted for
permit to appropriate the public waters
of the State of Idaho:

**NOTICE OF APPLICATION
FOR MINIMUM STREAM FLOW**

Notice is hereby given that the Idaho
Water Resource Board has on October 3,
1991, submitted application 33-7207 for
a permit to the Department of Water Re-
sources proposing the appropriation of
10.0 cubic feet per second within the
SESE SEC 33 T10N R26E, (beginning of
reach) and the SWNE SEC 4 T09N R27E,
(end of reach); Butte County, from Janu-
ary 1 to December 31 to preserve the
minimum flow subject to all prior water
rights for aesthetic and recreation pur-
poses in Wet Creek tributary to the Little
Lost River.

Pursuant to Title 42, Chapter 15 of the
Idaho Code a legal notice will be pub-
lished at a later date setting a time and
place for a hearing during which oppor-
tunity will be provided for public com-
ment.

R. Keith Higginson
Director

Published in the Arco Advertiser on
May 21 & 28, 1992

STATE OF IDAHO
COUNTY OF BUTTE

On this 29 day of May
in the year of 1992, before me, a Notary Public,

personally appeared

Colleen Babcock
known or identified to me to be the person whose
name subscribed to the within instrument, and being
by me first duly sworn, declared that the statements
therein are true, and acknowledged to me that he
executed the same.

Thomas D. Linn
Notary Public for Idaho

Residing at Arco, Id
My commission expires: 12-30-97

NOT RECORDED

OCT 19 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 - (208) 525-7161

EASTERN REGION

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

14-May-1992

ARCO ADVERTISER
PO DRAWER C
ARCO ID 83213

Gentlemen:

Enclosed you will find legal notices which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before June 8, 1992.

Yours truly,

Rita Bodell
Secretary/Office Coordinator

Encl.

RECEIVED

OCT 19 1993

Notice is hereby given that the following application has been submitted for permit to appropriate the public waters of the State of Idaho:

NOTICE OF APPLICATION FOR MINIMUM STREAM FLOW

Notice is hereby given that the Idaho Water Resource Board has on October 3, 1991, submitted application 33-7207 for a permit to the Department of Water Resources proposing the appropriation of 10.0 cubic feet per second within the SESE SEC 33 T10N R26E, (beginning of reach) and the SWNE SEC 4 T09N R27E, (end of reach), Butte County, from January 1 to December 31 to preserve the minimum flow subject to all prior water rights for aesthetic and recreation purposes in Wet Creek tributary to the Little Lost River.

Pursuant to Title 42, Chapter 15 of the Idaho Code a legal notice will be published at a later date setting a time and place for a hearing during which opportunity will be provided for public comment.

R. Keith Higginson
Director

Published in the Arco Advertiser on May 21 & 28, 1992

RECEIVED

OCT 19 1993

RECEIVED

NOV 05 1992

Department of Water Resources
Eastern District Office

MEMORANDUM

TO: Skip Jones
FROM: Gary Spackman *Gary*
DATE: October 27, 1992

RE: New Application for Minimum Streamflow on Wet Creek

Enclosed is an application for permit to appropriate a minimum streamflow for Wet Creek. We already have an application pending in the Department files, numbered 33-07207, and this new application is an amendment to the old application. I suggest that we simply reassign the old number to this application. We also must advance the date of priority because the minimum streamflow is being increased during a certain portion of the year.

RECEIVED

OCT 19 1993

The Arco Advertiser

P. O. Box 803
Arco, ID 83213-0803

Phone 527-3038
FAX 527-8210

Quality
Printing & Publishing

IDAHO DEPT OF WATER RESOURCES
1301 N ORCHARD ST
STATEHOUSE MAIL
BOISE ID 83720-9000

"Home Newspaper
of the Lost River Valleys
of Idaho"

11/12/92
11/19/92

Legal: Public Meeting at Howe

" " " "

Total

7.50

6.00

\$13.50

okay
JBS 12/1/92
22002-1101

RECEIVED

OCT 19 1993

1.5% Per Month Interest on All Past Due Accounts

Proof of Publication
The Post-Register

State of Idaho, }
County of Bonneville } ss

I, **S. BOB BRIGHT or TED DELEZENE**, first being duly sworn, depose and say: That I am the **Production Supervisor or Asst. Prod. Supervisor** of The Post Company, a corporation of Idaho Falls, Bonneville County, Idaho, publishers of The Post-Register, a newspaper of general circulation, published daily, except Saturday, at Idaho Falls, Idaho; said Post-Register being a consolidation of the Idaho Falls Times, established in the year 1890, The Idaho Register, established in the year 1880 and the Idaho Falls Post, established in 1903, such consolidation being made on the 1st day of November, 1931, and each of said newspapers have been published continuously and uninterruptedly, prior to consolidation, for more than seventy-eight (78) weeks and said Post-Register having been published continuously and uninterruptedly from the date of such consolidation, up to and including the last publication of notice hereinafter referred to.

That the notice, of which a copy is hereto attached and made a part of this affidavit, was published in said Post-Register for two consecutive weeks, first publication having been made on the 12th day of November, 1992, last publication having been made on the 19th day of November, 1992, and that the said notice was published in the regular and entire issue of said paper on the respective dates of publication, and that such notice was published in the newspaper and not in a supplement.

Subscribed and sworn to before me, this 25th day of November, 1992.

Susan Thompson
Notary Public

My commission expires July 1st, 1997.

B10

**Legal Notice
Public Meeting**

Staff of the Idaho Water Resource Board will be at the Elementary School in Howe, Idaho at 7 p.m. on Tuesday, November 24 to discuss the Board's applications for water rights on Wet and Badger Creeks. The Board seeks minimum stream flows of up to 5.5 cfs on Badger Creek and up to 10 cfs on Wet Creek for instream purposes.
Published: November 12, 19, 1992

RECEIVED

DEC 2 1992

Department of Water Resources

MICROFILMED

OCT 19 1993

AFFIDAVIT OF PUBLICATION

I, COLLEEN BABCOCK

of the Arco Advertiser, a weekly newspaper of general circulation, published weekly at Arco, Idaho, since March, 1909, do solemnly swear that a copy of this notice, per clipping attached, was published weekly in the regular and entire issue of said newspaper, and not in any supplement thereof,

for 2 consecutive weeks, commencing with

the issue dated NOV. 12, 1992

and ending with the issue dated

6 Nov. 19, 1992
Colleen Babcock

STATE OF IDAHO

COUNTY OF BUTTE

On this 23 day of Nov.

in the year of 1992, before me, a Notary Public,

personally appeared

Colleen Babcock

known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

Thomas D. Carroll
Notary Public for Idaho

Residing at Arco, Id.

My commission expires: 12-30-97

LEGAL NOTICE
PUBLIC MEETING

Staff of the Idaho Water Resource Board will be at the Elementary School in Howe, Idaho at 7:00 p.m. on Tuesday, November 24 to discuss the Board's applications for water rights on Wet and Badger Creeks. The Board seeks minimum stream flows of up to 5.5 cfs on Badger Creek and up to 10 cfs on Wet Creek for instream purposes.

Pub. Nov. 12, 19, 1992

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NOV 27 1992

DEPARTMENT OF

RECORDED

OCT 19 1993

The Idaho Statesman

P.O. BOX 40, BOISE, IDAHO 83707

LEGAL ADVERTISING INVOICE

Amount Due

\$17.04

Account Number 04762800		Identification PUBLIC MEETING	
Ordered By Dawn R. Clark	P.O. Number	Rate NT	Run Dates November 12, 19, 1992
State of Idaho Department of Water Resources 1301 North Orchard Street Statehouse Mail Boise, Idaho 83720-9000		Estimated Inches	Real Inches
		= Affidavits 1	Legal Number 3550

RECEIVED

NOV 24 1992

Department of Water Resources

KAREN MARKER

_____, being duly sworn, deposes and says: That she is the Principal Clerk of The Idaho Statesman, a daily newspaper printed and published at Boise, Ada County, State of Idaho, and having a general circulation therein and which said newspaper has been continuously and uninterruptedly published in said County during a period of twelve consecutive months prior to the first publication of the notice, a copy of which is attached hereto; that said notice was published in The Idaho Statesman in conformity with Section 60-108, Idaho Code as amended, for TWO

☒ consecutive weekly ☐ consecutive daily ☐ single ☐ odd skip

insertion(s) beginning with the issue of NOVEMBER 12, 1992

and ending with the issue of NOVEMBER 19, 1992

Dawn Marker

STATE OF IDAHO)

ss.

COUNTY OF ADA)

On this 19TH day of NOVEMBER in the year of 1992, before me, a Notary Public, personally appeared KAREN MARKER, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.

Notary Public for Idaho
Residing at BOISE, ID

My commission expires: OCT 16 1993

NOTARIZED

LEGAL NOTICE
Public Meeting
Staff of the Idaho Water Resource Board will be at the Elementary School in Howe, Idaho at 7 p.m. on Tuesday, November 24 to discuss the Board's applications for water rights on Wet and Badger Creeks. The Board seeks minimum stream flows of up to 5.5 cfs on Badger Creek and up to 10 cfs on Wet Creek for instream purposes.
Pub. Nov. 12, 19, 1992 3550

LAW OFFICES
HOLDEN, KIDWELL, HAHN & CRAPO

IDAHO FALLS OFFICE

FRED J. HAHN
KENT W. FOSTER
ROBERT E. FARNAM
WILLIAM D. FALER
STEPHEN E. MARTIN
CHARLES A. HOMER
GARY L. MEIKLE
MICHAEL D. CRAPO
GAYLE A. SORENSON, P.A.
DONALD L. HARRIS
MARIE T. TYLER
JOHN G. SIMMONS
ROBERT M. FOLLETT
KUMEN L. TAYLOR
JAMES K. SLAVENS

WEST ONE BANK
P.O. BOX 50130
IDAHO FALLS, IDAHO 83405

TELEPHONE (208) 523-0620
TELEFAX (208) 523-9518

KEY FINANCIAL CENTER
702 W. IDAHO SUITE 610
BOISE, IDAHO 83702

TELEPHONE (208) 343-0820
TELEFAX (208) 343-8078

BOISE OFFICE

WM. LYMAN BELNAP, P.A.
RANDALL B. REED
RONALD D. CHRISTIAN

June 16, 1992

RECEIVED
JUN 16 1992

ARTHUR W. HOLDEN
(1877-1967)
ROBERT B. HOLDEN
(1893-1967)
ERFILL L. CRAPO
(1899-1989)
WILLIAM S. HOLDEN
(1907-1990)

Department of Water Resources
Eastern District Office

Idaho Department of Water Resources
150 Shoup Avenue, #15
Idaho Falls, Idaho 83402

RE: Applications for Minimum Stream Flow Nos. 33-7206
and 33-7207

Gentlemen:

We are writing this letter on behalf of Mr. Jerry Pancheri of Howe, Idaho, who is very concerned about the proposed minimum stream flows on Badger and Wet Creeks in Butte County.

The notices that were published indicate that a legal notice will be published at a later date setting a time and place for a hearing. We would very much appreciate it if you would send a copy of that subsequent notice directly to us when it is ready for publication so that we will be certain not to miss the time for the hearing. Thank you for your kind attention to this matter.

Yours very truly,



Kent W. Foster

#7548.00/srs

cc: Mr. Jerry Pancheri

UNRECORDED
OCT 19 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

RECEIVED

To appropriate the public waters of the State of Idaho

OCT 03 1991

Department of Water Resources
Phone _____

1. Name of applicant Idaho Water Resource Board
Post office address Statehouse Mail, Boise, ID 83720
2. Source of water supply Wet Creek which is a tributary of Little Lost River
3. Location of point of diversion is _____ ¼ of SE ¼ of SE ¼, Govt. Lot _____
Sec. 33 Township 10N Range 26E B.M. Butte County; additional--
~~POINTS OF DIVERSION IF ANY:~~ downstream to SW of NE Sect. 4, T9N R27E, Butte County
4. Water will be used for the following purposes:
Amount 10.0 cfs for Instream Flow purposes from 1/1 to 12/31 At both locations
(cfs or acre-feet per annum) (both dates inclusive)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) 10.0 and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works: No diversion, Instream Flow
 - a. Description of ditches, flumes, pumps, headgates, etc. _____
 - b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet; period of year when water will be diverted to storage: _____ to _____ inclusive.
 - c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.
 - d. Is ground water with a temperature of greater than 90°F being sought? _____
7. Time required for the completion of the works and application of the water to the proposed beneficial use is 1 years (minimum 1 year).

OCT 18 1993

KW

8. Description of proposed uses (if irrigation only, go to item 9):

- a. Hydropower; show total feet of head and proposed capacity in KW. _____
- b. Stockwatering; list number and kind of livestock. _____
- c. Municipal; show name of municipality. _____
- d. Domestic; show number of households. _____
- e. Other; describe fully. Instream flow to maintain the healthy wild bull and rainbow trout fishery and its excellent riparian wetland habitat. To provide the public quality future recreational and scenic opportunities.

9. Description of place of use: At the Pass Creek Road bridge downstream to the confluence of Wet Creek with the Little Lost River.

- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- b. If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

Total number of acres to be irrigated _____

10. Describe any other water rights used for the same purposes as described above. None.

11. a. Who owns the property at the point of diversion? USDI-BLM

b. Who owns the land to be irrigated or place of use? NA

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. NA

12. Remarks: _____

FILED

OCT 19 1993

Form 202
Supplemental

ATTACHMENT TO APPLICATION FOR PERMIT
TO APPROPRIATE A MINIMUM STREAM FLOW

14. Provide evidence that the appropriation will not interfere with any vested water right, permit, or water right application of earlier date of priority.

As a nonconsumptive, nondiverting use, this appropriation will not
impact water rights of earlier priority.

15. Provide evidence to show that the appropriation would be in the public interest as opposed to private interest.

The appropriation is in the name of the Idaho Water Resource Board, a
branch of state government. One of the stated purposes of the appropria-
tion is to maintain a wild trout stream fishery, the type of fishery most
highly valued by Idaho fishers. The adjacent land is owned by the federal
government.

16. Provide evidence or justification that the appropriation is necessary for the purposes shown in Item 4.

Records (attached) indicate several diversions in proposed MSF reach.
The fishery and riparian community are stressed by existing flows. Any
further reduction in flow would have adverse effects on both.

17. Provide evidence that the minimum flow or lake level is minimum and not the ideal or most desirable flow or lake level.

The riparian habitat originally was adapted to the stream with no
diversions. It has been modified by existing practices. Both the fishery
and riparian community would improve in quality and size if more water
were in the stream.

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OCT 19 1963

18. Provide evidence that the flow or lake level requested is capable of being maintained as evidenced by records of stream flows and water levels.

Only a few published data are available. Some of these are estimated
flows, however it appears that 10 cfs is available in most years.

19. Describe the location of existing gaging stations that can be used in the administration of this appropriation.

There are no operational gaging stations in the area at this time.

20. Do you intend to install additional gaging stations? Describe the location.

No.

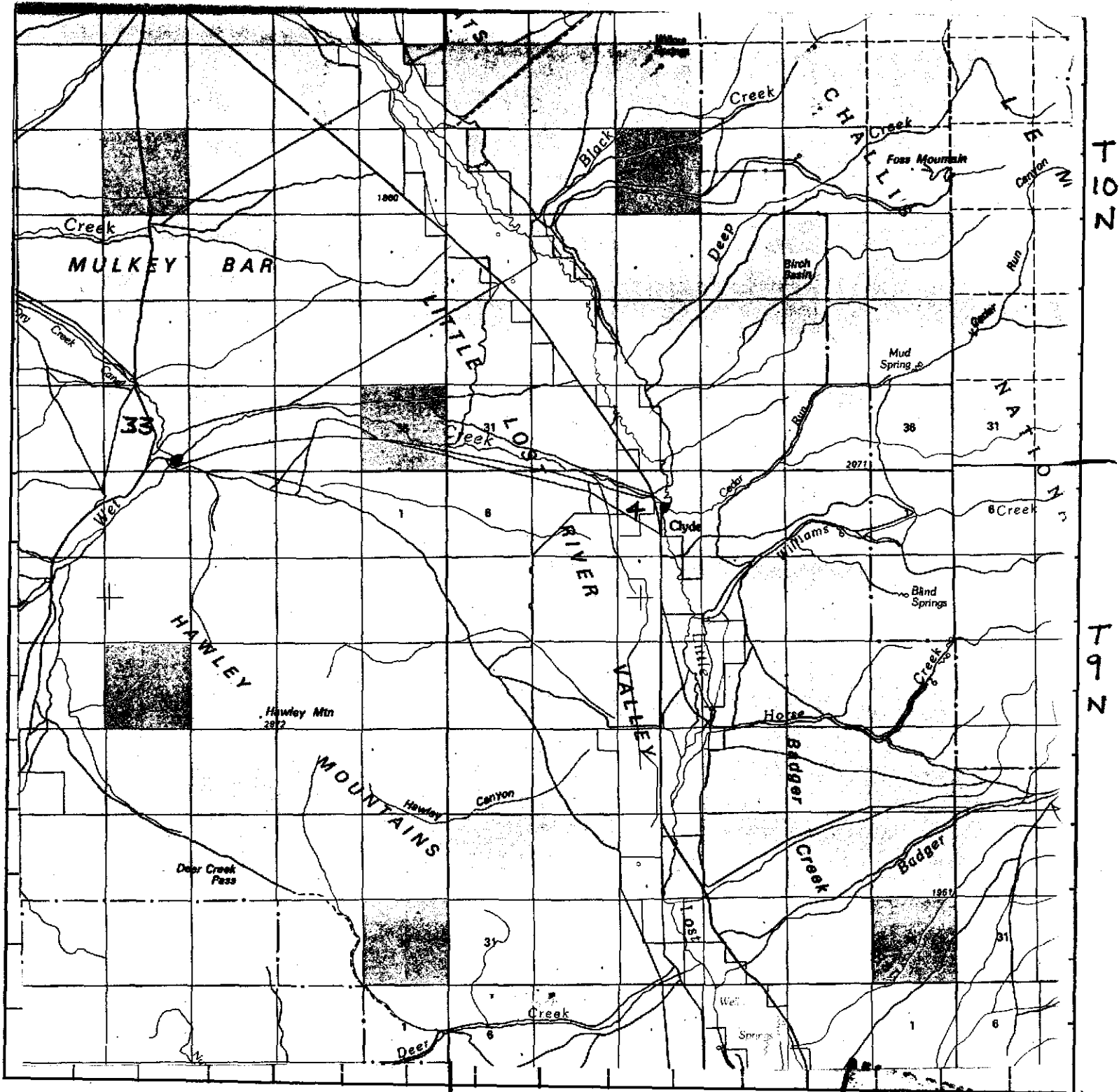
21. List any additional remarks related to this minimum stream flow application.

Has been used as a "study" stream by federal researchers.

MICROFILMED

OCT 19 1993

13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile. R 26 E

R 27 E

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

William S. Platts
(Applicant)

9-12-91

OCT 19 1993

REC'D

Received by RB Gary S. Date 4-20-92 Time 1:16 2:00 pm Preliminary check by _____
Fee \$ _____ Received by _____ # _____ Date _____
Notice of Application
Publication prepared by RB Date 5-21-92 Published in Teton Valley News
Publication approved _____ Date _____

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. _____, and said application is hereby _____.

1. Approval of said application is subject to the following limitations and conditions:

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before _____, 19 ____.
- c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.
- d. The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.
- e. Other:

MAILED

OCT 19 1993

Dist. for staffing: 22-Apr-1992
Submitted for advertising: 5-11-92

Form No. 202a
4/87

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATIONS FOR PERMIT ANALYSIS SHEET

33~7207

INITIAL REVIEW BY KC Wilson DATE 11 May 92 APPLICATION NO.
APPLICANT NAME: IDAHO WATER RESOURCE BOARD

REQUIRED INFORMATION

- ☒ Name (If applicant is a corporation or partnership, names must be provided for the director, officers, & other partners.)
☒ Address
☒ Source (See USGS Quad for names of water sources)
☒ Point of Diversion (10 acres for spring, lot & block descriptions for subdivisions, local name, flow and/or volume)
☒ County
☒ Quantity (flow and/or volume)
☒ Period of Use
☒ Nature of proposed use (Include description of use.)
☒ Description of diverting works
☒ Time required for beneficial use of water
☒ Place of use or acres irrigated
☒ Map
☒ Signature (If applicant is corp. partnership, or municipality, title of signator is required)
☒ Fee
☒ Yes ☐ No* In form to receipt

ADDITIONAL INFORMATION

- ☒ Overlapping place of use (Describe source & relationship to present application on the back.)
☒ Overlapping point of diversion
☐ Yes ☒ No Field check required
Field check by _____
☐ Yes ☒ No Field report attached
☐ Yes ☒ No Critical groundwater area
☐ Yes ☒ No Groundwater management area
☐ Yes ☒ No Send dam safety information
☐ Yes ☒ No Send power requirement letter
☐ Yes ☒ No Send fish farm requirement letter
☐ Yes ☒ No Power residency affidavit
☐ Yes ☒ No Power efficiency form
☐ Yes ☒ No Within trustwater boundary (If yes, attach trust water supplementary analysis sheet.)
☒ Yes ☐ No Diversion greater than 5 cfs or 500 acre ft. (If yes, attach large diversion supplementary analysis sheet.)

See reverse side for additional information

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT

Date Requested

RECEIVED
JUN 24 1992

Department of Water Resources

SEND COPIES TO

~~/~~ Idaho Dept. of Health & Welfare	~~/~~ U.S. BLM
~~/~~ Idaho Dept. of Fish & Game	~~/~~ U.S. Forest Service
~~/~~ Idaho Dept. of Lands	~~/~~ Water District
Adjudication Bureau Unit	Other

☒	Yes	☐	No	Affidavit of publication received
☒	Yes	☐	No	Application published correctly. If not, record action taken.
☒	Yes	☐	No	Publication dates & paper, recorded on application
☐	Yes	☒	No	Protests received
				Final date for protest _____
☐	Yes	☐	No	Protests, dates, resolution of protest, recorded on application
☐	Yes	☐	No	Recommendations, attached
☐	Yes	☐	No	Measuring device required
☐	Yes	☐	No	Access port required
☒	Yes	☐	No	Will water be delivered by watermaster? If yes, what Dist. <u>31</u>
☐	Yes	☐	No	Special conditions of approval or cover letter below.

See below for additional information

Date of priority recommended 10-3-91

By HWT Date 6-16-92

By _____ See below for additional information
Date _____

ADDITIONAL INFORMATION

LOCAL PUBLIC INTEREST

Comments received from

<u>City</u>	<u>Idaho Fish & Game</u>	<u>Irrigation District</u>
<u>County</u>	<u>Idaho Health & Welfare</u>	<u>Canal Company</u>
<u>Reservations</u>	<u>Division of Environment</u>	<u>Other</u>

Project impacts/implications report

COMMENTS

THE STATE OF IDAHO

SECOND REGULAR SESSION - 1994

A CONCURRENT RESOLUTION

APPROVING AN APPLICATION TO APPROPRIATE WATER FOR MINIMUM
STREAMFLOW.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, the Idaho Water Resource Board may apply for a permit to appropriate unappropriated waters of a stream to establish a minimum streamflow; and

WHEREAS, under the provisions of Section 42-1503, Idaho Code, an approved application shall not become finally effective until acted upon by the Legislature, except that if the Legislature fails to act prior to the end of the regular session to which the application was submitted, the application shall be considered approved; and

WHEREAS, the Director of the Department of Water Resources approved Application for Permit No. 33-07207 on October 1, 1993, by issuing a Final Order authorizing the appropriation of a minimum streamflow in Wet Creek. The minimum streamflow is divided into two reaches. The order establishes a minimum streamflow in the upper reach of 10.0 cfs from January 1 through December 31. The upper reach of the minimum streamflow begins at the Pass Creek Road bridge, located in the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 33, T10N, R26E, and extends downstream to where water discharges from Dry Creek into Wet Creek, located approximately in the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 36, T10N, R26E, B.M., Butte County. The order establishes a minimum streamflow in the lower reach of 4.0 cfs from October 1 through May 1 and 15.0 cfs from May 2 through September 30. The lower reach of the minimum streamflow begins where water discharges from Dry Creek into Wet Creek, located approximately in the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 36, T10N, R26E, and extends downstream to the confluence of Wet Creek and Little Lost River, located in the SW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 4, T9N, R27E, B.M., Butte County.

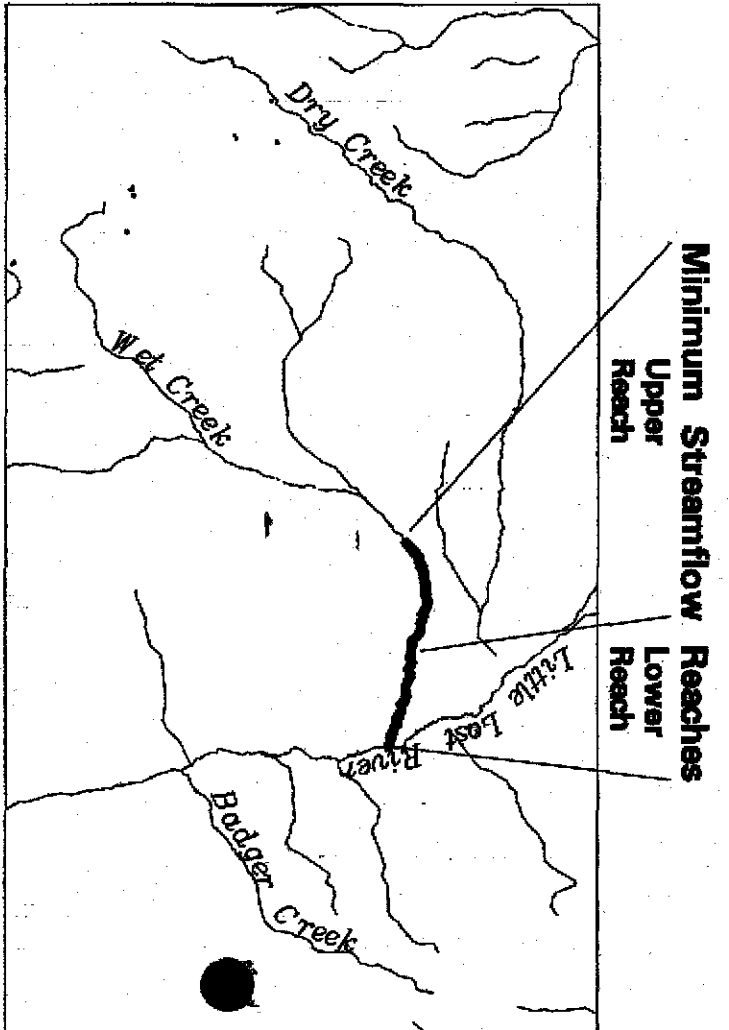
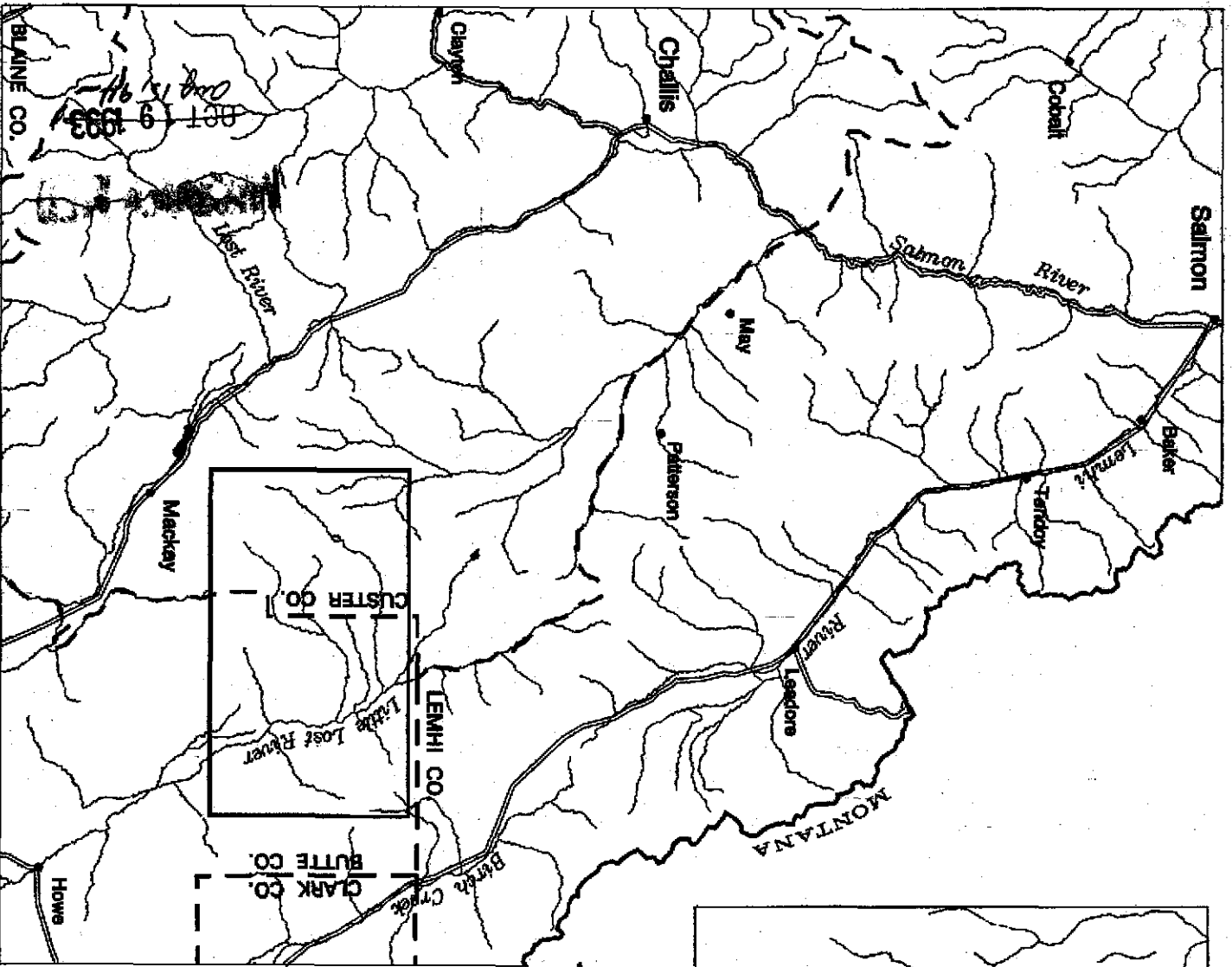
NOW THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the 52nd Idaho State Legislature, the House of Representatives and the Senate concurring therein, that the same is hereby approved subject to the conditions and limitations contained in the Final Order, dated October 1, 1993.

MINUTES

~~OCT 19 1993~~

Aug 15, 94

Wet Creek - Minimum Streamflow



Daniel J. Kotansky
District Hydrologist
BLM- Idaho Falls District
Telephone (208) 524-7529
FAX (208) 524-7505

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF THE MINIMUM)
STREAMFLOW APPLICATION FOR)
WET CREEK, COMMENCING AT THE)
PASS CREEK ROAD BRIDGE DOWN-)
STREAM TO THE CONFLUENCE OF)
WET CREEK AND LITTLE LOST)
RIVER)

NOTICE OF APPEARANCE

APPLICATION NO. 33-07207

Daniel J. Kotansky, District Hydrologist, hereby enters an appearance for the Bureau of Land Management for the hearing to be held in this matter on May 12, 1993, at the Howe Elementary School building at 7 p.m.

DATED this 5th day of May 1993.

Daniel J. Kotansky
Daniel J. Kotansky
District Hydrologist
Bureau of Land Management
Idaho Falls District

RECEIVED
Aug 15, 94
OCT 19 1993

Page No. 1
05/03/93

Aug 15, 94

WRNUMBER	NAME	DATE1	SOURCE	POD1	DIVERSION	RATE	REMARKS1
A33-00031D	MAYS LAND AND LIVESTOCK INC	09/01/1879	LITTLE LOST RIVER	06N 29E 32	NWNW HARTMAN (MAYS L & L)	1.400 CFS	WM DELIVERS 1.4 CFS W/ 10% LOSS; APPROVED TRANSFER 607 ASSIGNED 10% LOSS TO 1.4 CFS
A33-00031F	UNITED STATES - FHA/M. HANSEN	09/01/1879	LITTLE LOST RIVER	06N 28E 24	NESE LOWER HAWLEY (NORRIS)		
A33-00031F	UNITED STATES - FHA/M. HANSEN	09/01/1879	LITTLE LOST RIVER	06N 29E 25	SENE M. HANSEN	0.350 CFS	PRESENT OWNER = M. HANSEN PER WM
A33-00031H	MAYS LAND AND LIVESTOCK INC	09/01/1879	LITTLE LOST RIVER	06N 29E 32	NWNW HARTMAN (MAYS L & L)	1.440 CFS	WM DELIVERS 1.44 CFS W/ 10% LOSS; SEE ADDITIONAL COMMENTS
A33-00036C	PANCHERI, INC.	09/01/1879	LITTLE LOST RIVER	06N 29E 32	NWNW HARTMAN (#3/HARSHBURGER)	1.200 CFS	OWNER CLAIMED 4.58 CFS/WM DELIVERS ONLY 2.8 CFS OF 9/1/1879 PRIORITY/SEE ADDNL. COMMENT
A33-00036C	PANCHERI, INC	09/01/1879	LITTLE LOST RIVER	05N 29E 04	SESESE O'MALLEY		
A33-00039A	PANCHERI, INC.	09/01/1879	LITTLE LOST RIVER	06N 29E 32	NWNW HARTMAN (#3/HARSHBURGER)	1.600 CFS	CLAIMED 1.06 CFS/NO OTHER PART CLAIMED/WM DELIVERS 2.8 CFS OF 9/1/1879 PRIOR.;SEE COMMENT
A33-00039A	PANCHERI, INC.	09/01/1879	LITTLE LOST RIVER	05N 29E 04	SESESE O'MALLEY		
A33-10019	NORRIS, ROBERT	09/01/1879	LITTLE LOST RIVER	06N 28E 24	NESE LOWER HAWLEY (NORRIS)	0.350 CFS	WM DELIVERS 0.35 CFS W/NO LOSS, THIS RT IS 1/2 OF 33-0031F
A33-10019	NORRIS, ROBERT	09/01/1879	LITTLE LOST RIVER	06N 29E 25	SENE M. HANSEN		
A33-10021	WOODIE LAND & LIVESTOCK	09/01/1879	LITTLE LOST RIVER	06N 29E 32	NWNW HARTMAN (WOODIE)	2.880 CFS	COMBINES 33-31K(2.16 CFS) & 33-31J(0.72 CFS); DELIVERED W/NO LOSS; SEE ADDITIONAL COMMENTS
A33-10052	ISHAM FARMS	09/01/1879	LITTLE LOST RIVER	05N 29E 04	NWNESE AMY-ISHAM		
A33-10052	ISHAM FARMS	09/01/1879	LITTLE LOST RIVER	06N 29E 32	NWNW HARTMAN (ISHAM)	5.920 CFS	WM DELIVERS 5.92 CFS; COMBINES RTS 33-0037(ALL), 36A(4.4 CFS) & 31K(0.72 CFS); SEE COMMENT
A33-10062	AMY, LEO D.	09/01/1879	LITTLE LOST RIVER	05N 29E 4	NESE AMY-ISHAM	2.600 CFS	WM DELIVERS 2.6 CFS AS CLAIMED/NO LOSS, CLAIM MAY INCLUDE PORTION OF 31-0031
A33-10097	HANSEN, MARC T.	09/01/1879	LITTLE LOST RIVER	06N 29E 25	SENE M. HANSEN	1.400 CFS	INCLUDES PORTION OF RT 33-0031/OWNER CLAIMED 1.44 CFS/WM DELIVERS 1.40 CFS W/NO LOSS
A33-00027	PANCHERI, INC.	04/01/1881	LITTLE LOST RIVER	05N 29E 04	SESESE O'MALLEY	1.600 CFS	WM DELIVERS 1.6 CFS W/NO LOSS;

Page 15, 94

WRNUMBER	NAME	DATE1	SOURCE	POD1	DIVERSION	RATE	REMARKS1
A33-00115	PANCHERI, INC	04/01/1881	LITTLE LOST RIVER	05N 29E 04 SESESE	O'MALLEY	1.600 CFS	SEE ADDITIONAL COMMENTS WM DELIVERS 1.6 CFS W/NO LOSS;
A33-00017A	MAYS LAND AND LIVESTOCK INC	04/01/1883	LITTLE LOST RIVER	06N 29E 32 NWNW	HARTMAN (MAYS L & L)	1.900 CFS	SEE ADDITIONAL COMMENTS WM DELIVERS 1.9 CFS W/NO LOSS
A33-00017B	MAYS, ROBERT R.	04/01/1883	LITTLE LOST RIVER	05N 29E 09 NENENE	R. MAYS	1.300 CFS	WM DELIVERS 1.3 CFS W/NO LOSS
A33-00075	BLAINE COUNTY CANAL CO.	07/15/1884	LITTLE LOST RIVER	06N 28E 11 NENW	BLAINE CO. CANAL	3.430 CFS	DECREED AS 4.8 CFS/WM ASSESES 29% LOSS & DELIVERS 3.43 CFS; TRANSFER 656 ASSIGNED 29% LOSS
A33-00048	UNITED STATES - FHA/M. HANSEN	01/01/1885	LITTLE LOST RIVER	06N 28E 24 NESE	LOWER HAWLEY (NORRIS)		
A33-00048	UNITED STATES - FHA	01/01/1885	LITTLE LOST RIVER	06N 29E 25 SWNW	M. HANSEN	0.550 CFS	THIS IS 1/2 OF DECREE RT 33-0048/WM DELIVERS 0.55 CFS W/NO LOSS
A33-00048A	NORRIS, ROBERT	01/01/1885	LITTLE LOST RIVER	06N 28E 24 NESE	LOWER HAWLEY (NORRIS)	0.550 CFS	THIS IS 1/2 OF DECREE RT. 33-0048/WM DELIVERS 0.55 CFS W/NO LOSS
A33-00048A	NORRIS, ROBERT	01/01/1885	LITTLE LOST RIVER	06N 29E 25 SENE	M. HANSEN		
A33-00051	HAWLEY, VENICE	01/01/1885	LITTLE LOST RIVER	06N 28E 24 NESE	LOWER HAWLEY		
A33-00051	HAWLEY, VENICE	01/01/1885	LITTLE LOST RIVER	06N 28E 14 NENE	MIDDLE HAWLEY		
A33-00051	HAWLEY, VENICE	01/01/1885	LITTLE LOST RIVER	06N 28E 11 SWNE	UPPER HAWLEY	1.100 CFS	WM DELIVERS 1.1 CFS W/NO LOSS
A33-00042	SERMON, LESLIE A.	03/25/1885	LITTLE LOST RIVER	06N 29E 32 SWNWNW	HARTMAN (SERMON)	2.400 CFS	WM DELIVERS 2.4 CFS W/NO LOSS; (FORMERLY KYLE RT.); SEE ADDITIONAL COMMENTS
A33-00044	PANCHERI, INC.	03/25/1885	LITTLE LOST RIVER	06N 29E 32 NWNW	HARTMAN #5/EAST & #6/WEST	1.400 CFS	WM DELIVERS 1.4 CFS W/NO LOSS
A33-00019A	MAYS LAND AND LIVESTOCK INC	04/01/1885	LITTLE LOST RIVER	06N 29E 32 NWNW	HARTMAN (MAYS L & L)	0.340 CFS	OWNER CLAIMED 0.36 CFS, RT IS 0.34 CFS/WM DELIVERS W/NO LOSS
A33-00019B	MAYS, ROBERT R.	04/01/1885	LITTLE LOST RIVER	05N 29E 09 NENENE	R. MAYS	0.260 CFS	WM DELIVERS 0.26 CFS W/NO LOSS
A33-00061	ROSS, ROCKY	04/01/1885	SPRING CREEK (L. Lost)	07N 28E 17 SENE	ROSS	0.400 CFS	WM DELIVERS W/NO LOSS/RTS 33-61,62,63 & 64 FROM SPRING CK; SEE ADDITIONAL COMMENTS F
A33-00018A	MAYS LAND AND LIVESTOCK INC	06/01/1885	LITTLE LOST RIVER	06N 29E 32 NWNW	HARTMAN (MAYS L & L)	1.900 CFS	WM DELIVERS 1.92 CFS W/NO LOSS
A33-00018B	MAYS, ROBERT R.	06/01/1885	LITTLE LOST RIVER	05N 29E 09 NENENE	R. MAYS	1.280 CFS	WM DELIVERS 1.28 CFS W/NO LOSS
A33-00020A	MAYS LAND AND LIVESTOCK INC	04/01/1886	LITTLE LOST RIVER	06N 29E 32 NWNW	HARTMAN (MAYS L & L)	1.900 CFS	WM DELIVERS 1.92 CFS W/NO LOSS
A33-00020B	MAYS, ROBERT R.	04/01/1886	LITTLE LOST RIVER	05N 29E 09 NENENE	R. MAYS	1.280 CFS	WM DELIVERS 1.28 CFS W/NO LOSS
A33-00045	PANCHERI, INC.	04/01/1886	LITTLE LOST RIVER	06N 29E 32 NWNW	HARTMAN #5/EAST & #6/WEST	2.400 CFS	WM DELIVERS 2.40 CFS W/NO LOSS
A33-00001A	ANDREASON, DARYL	04/01/1887	LITTLE LOST RIVER	09N 27E 04 NWNE	DARYL ANDREASON	0.400 CFS	WM DELIVERS 0.4 CFS W/NO LOSS
A33-00001B	ANDREASON, JAMES	04/01/1887	LITTLE LOST RIVER	10N 27E 29 SWSE	LOWER J. ANDREASON		
A33-00001B	ANDREASON, JAMES O.	04/01/1887	SUMMIT CREEK	10N 26E 12 NESW	UPPER J. ANDREASON	0.400 CFS	WM DELIVERS 0.4 CFS W/NO LOSS

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WRNUMBER	NAME	DATE1	SOURCE	POD1	DIVERSION	RATE	REMARKS1
A33-00052	HAWLEY, VENICE	04/01/1887	LITTLE LOST RIVER	06N 28E 24	NESE LOWER HAWLEY		
A33-00052	HAWLEY, VENICE	04/01/1887	LITTLE LOST RIVER	06N 28E 14	NENE MIDDLE HAWLEY		
A33-00052	HAWLEY, VENICE	04/01/1887	LITTLE LOST RIVER	06N 28E 11	SWNE UPPER HAWLEY	2.800 CFS	WM DELIVERS 2.8 CFS W/NO LOSS
A33-00090	PANCHERI, INC.	04/01/1887	LITTLE LOST RIVER				CLAIMED 0.8 CFS/RT COULD BE 0.2 CFS OR 1/2 OF 33-90E; WM DELIVERS FULL 0.4 CFS TO OAR
A33-00090D	MAYS LAND AND LIVESTOCK INC	04/01/1887	LITTLE LOST RIVER	06N 29E 32	NWNW HARTMAN (MAYS L & L)	0.400 CFS	WM DELIVERS 0.4 CFS W/NO LOSS
A33-00069	OAR, CONNIE	04/01/1887	LITTLE LOST RIVER	09N 27E 16	NESESE OAR	0.400 CFS	OWNER CLAIMED 0.2 CFS OR 1/2 OF 33-90E; WM DELIVERS 0.4 CFS W/NO LOSS; SEE COMMENTS
A33-00058	HAWLEY, ESTATE LAWRENCE R.	04/01/1888	LITTLE LOST RIVER	06N 28E 24	NESE LOWER HAWLEY		
A33-00058	HAWLEY, ESTATE LAWRENCE R.	04/01/1888	LITTLE LOST RIVER	06N 28E 14	NENE MIDDLE HAWLEY		
A33-00058	HAWLEY, ESTATE LAWRENCE R.	04/01/1888	LITTLE LOST RIVER	06N 28E 11	SWNE UPPER HAWLEY	0.600 CFS	WM DELIVERS 0.6 CFS W/NO LOSS
A33-00064	ROSS, ROCKY	04/01/1888	SPRING CREEK ✓	07N 28E 17	SENE ROSS	0.500 CFS	WM DELIVERS W/NO LOSS/RTS 33-61,62,63 & 64 FROM SPRING CK; SEE ADDITIONAL COMMENTS
A33-00021A	MAYS LAND AND LIVESTOCK INC	04/01/1889	LITTLE LOST RIVER	06N 29E 32	NWNW HARTMAN (MAYS L & L)	0.240 CFS	WM DELIVERS W/NO LOSS
A33-00021B	MAYS, ROBERT R.	04/01/1889	LITTLE LOST RIVER	05N 29E 09	NENENE R. MAYS	0.160 CFS	WM DELIVERS W/NO LOSS
A33-00024	PANCHERI, INC.	04/01/1889	LITTLE LOST RIVER	05N 29E 04	SESESE O'MALLEY	0.400 CFS	WM DELIVERS W/NO LOSS
A33-00028	PANCHERI, INC.	04/01/1889	LITTLE LOST RIVER	05N 29E 04	SESESE O'MALLEY	0.080 CFS	WM DELIVERS W/NO LOSS; SEE ADDITIONAL COMMENTS
A33-00055	HAWLEY, ESTATE LAWRENCE R.	04/01/1889	LITTLE LOST RIVER	06N 28E 24	NESE LOWER HAWLEY		
A33-00055	HAWLEY, ESTATE LAWRENCE R.	04/01/1889	LITTLE LOST RIVER	06N 28E 14	NENE MIDDLE HAWLEY		
A33-00055	HAWLEY, ESTATE OF LAWRENCE R	04/01/1889	LITTLE LOST RIVER	06N 28E 11	SWNE UPPER HAWLEY	1.600 CFS	WM DELIVERS W/NO LOSS
A33-00058	ISHAM FARMS	03/14/1891	LITTLE LOST RIVER	06N 29E 32	NWNW HARTMAN (ISHAM)	0.800 CFS	WM DELIVERS W/NO LOSS
A33-00084	PANCHERI, INC.	03/14/1891	WET CK (SAWMILL CK)	10N 27E 32	SESW PANCHERI WET CK.	4.200 CFS	DECREED SOURCE = SAWMILL CK; WM DELIVERS AT WET CK W/50% LOSS (OR 2.1 CFS); SEE COMMENTS
A33-10084	BLAINE COUNTY CANAL CO.	03/15/1891	SAWMILL CREEK			5.300 CFS	COMBINES RTS 33-0006 - 0013 BASED ON SAVED WATER VIA ABANDONED CANAL/RTS NOT DELIVERABLE
A33-00002	BLAINE COUNTY CANAL CO.	04/01/1891	L. LOST R. (DRY CK)	06N 28E 11	NENW BLAINE CO. CANAL	5.500 CFS	WM DOES'NT DELIVER THIS RT/DRY CK DIVERSIONS LIMITED TO 22 CFS OF 4/15/1891 PRIOR RTS
A33-10063	AMY, LEO D.	04/01/1891	LITTLE LOST RIVER	05N 29E 04	NWNESE AMY-ISHAM	0.500 CFS	CLAIM DOES NOT MATCH ANY

WRNUMBER	NAME	DATE1	SOURCE	POD1	DIVERSION	RATE	REMARKS1
33-00093C	UNITED STATES - FHA	04/15/1891	L. LOST R. (DRY CK)			1.600 CFS	DECREED PRIORITY DATE OR RATE/CLAIM NOT DELIVERABLE RT. NO LONGER USED/FORMERLY DIVERTED FROM L. LOST R. JUST BELOW WET CK; SEE COMMENTS
A33-00085	PANCHERI, INC.	04/15/1891	WET CREEK (DRY CK)	10N 27E 32	SESW PANCHERI WET CK.	3.200 CFS	WM DELIVERS 3.20 CFS LESS 10% LOSS, DIVERTED FROM WET CK.
A33-00097A	ANDREASON, DARYL	04/15/1891	L. LOST R. (DRY CK)	09N 27E 04	NWNE DARYL ANDREASON	3.200 CFS	WM DELIVERS 3.20 CFS LESS 10% LOSS, DIVERTED FROM L. LOST R. ABV WET CK
A33-00097B	ANDREASON, JAMES	04/15/1891	L. LOST R. (DRY CK)	10N 27E 29	SWSE LOWER J. ANDREASON	3.200 CFS	WM DELIVERS 3.20 CFS LESS 10% LOSS, DIVERTED FROM L. LOST R. ABV WET CK
A33-00097B	ANDREASON, JAMES O.	04/15/1891	SUMMIT CK. (DRY CK)	10N 27E 12	NESW UPPER J. ANDREASON	3.200 CFS	WM DELIVERS 3.20 CFS LESS 10% LOSS, DIVERTED FROM L. LOST R. ABV WET CK
A33-00098	BLAINE COUNTY CANAL CO.	04/15/1891	L. LOST R. (DRY CK)	06N 28E 11	NENW BLAINE CO. CANAL	5.150 CFS	WM DELIVERS 5.15 CFS W/ 15.6% LOSS/FORMERLY BASSINGER RT/TRANS #670 CHANGED PD W/NO LOSS
A33-00099	WAYMIRE, MARGARET J.	04/15/1891	LITTLE LOST RIVER	10N 27E 19	NWNWNE	0.300 CFS	NO DIVERSION OR APPARENT CURRENT USE FOUND AT THIS CLAIMED P/D LOCATION
A33-00100	ANDREASON, JAMES	04/15/1891	L. LOST R. (DRY CK)	10N 27E 29	SWSE LOWER J. ANDREASON	0.800 CFS	WM DELIVERS 0.80 CFS LESS 10% LOSS, DIVERTED FROM L. LOST R. ABV WET CK
A33-00100	ANDREASON, JAMES O.	04/15/1891	SUMMIT CK. (DRY CK)	10N 27E 12	NESW UPPER J. ANDREASON	0.800 CFS	WM DELIVERS 0.80 CFS LESS 10% LOSS, DIVERTED FROM L. LOST R. ABV WET CK
A33-10074	MAYS LAND AND LIVESTOCK INC	04/15/1891	L. LOST R. (DRY CK)	06N 29E 32	NWNW HARTMAN (MAYS L & L)	4.850 CFS	COMBINES RTS. 33-86 (3.25 CFS) & 33-93C (1.6 CFS), WM ASSESES 25% LOSS, PD=L. LOST R.
33-00063	ROSS, ROCKY	05/25/1891	SPRING CREEK (SAWMILL)	07N 28E 17	SENE ROSS	1.000 CFS	WM. ASSESES 10% LOSS/RTS 33-61,62,62 & 64 FROM SPRING CK BY TRANS # 3809 APPRVD 1991
33-00092	PANCHERI, INC.	05/25/1891	L. LOST R. (SAWMILL)			0.250 CFS	0.25 CFS LIKELY OWNED BY PANCHERI/WM ASSESES 5% LOSS BUT CONFUSED ON OWNERSHIP
33-00109A	PANCHERI, INC.	05/25/1891	L. LOST R. (SAWMILL)			0.500 CFS	0.50 CFS LIKELY OWNED BY PANCHERI/WM ASSESES 5% LOSS BUT CONFUSED ON OWNERSHIP

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no H&H
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WRNUMBER	NAME	DATE1	SOURCE	POD1	DIVERSION	RATE	REMARKS1
A33-00023B	MAYS, ROBERT R.	05/25/1891	~~L. LOST R. (SAWMILL)~~ <i>L. Lost (Sawmill)</i>	05N 29E 09 NENENE	R. MAYS	0.420 CFS	WM DELIVERS W/NO LOSS
A33-00025	PANCHERI, INC.	05/25/1891	L. LOST R. (SAWMILL)	05N 29E 04 SESESE	O'MALLEY	1.100 CFS	WM DELIVERS THIS RT. W/33-0030 & ASSESES 25% LOSS
A33-00030	PANCHERI, INC.	05/25/1891	L. LOST R. (SAWMILL)	05N 29E 04 SESESE	O'MALLEY	0.180 CFS	WM DELIVERS THIS RT. W/33-0025 & ASSESES 25% LOSS
A33-00043	SERMON, LESLIE A.	05/25/1891	L. LOST R. (SAWMILL)	06N 29E 32 NWNW	HARTMAN (SERMON)	0.800 CFS	PD FROM L.LOST RIVER/WM ASSESES 25% LOSS
A33-00047	PANCHERI, INC.	05/25/1891	L. LOST R. (SAWMILL)	06N 29E 32 NWNW	HARTMAN #5/EAST & #6/WEST	2.100 CFS	WM DELIVERS 2.10 CFS W/22% LOSS (OR 1.62 CFS)
A33-00050	UNITED STATES - FHA/M. HANSEN	05/25/1891	L. LOST R. (SAWMILL)	06N 28E 24 NESE	LOWER HAWLEY (NORRIS)		
A33-00050	UNITED STATES - FHA/M. HANSEN	05/25/1891	L. LOST R. (SAWMILL)	06N 29E 25 SENE	M. HANSEN	0.500 CFS	PD FROM L. LOST R./WM ASSESES 17% LOSS
A33-00050A	NORRIS, ROBERT	05/25/1891	L. LOST R. (SAWMILL)	06N 28E 24 NESE	LOWER HAWLEY	0.500 CFS	PD FROM L. LOST R./WM ASSESES 17% LOSS
A33-00050A	NORRIS, ROBERT	05/25/1891	L. LOST R. (SAWMILL)	06N 29E 25 SENE	M. HANSEN		
A33-00054	HAWLEY, VENICE	05/25/1891	L. LOST R. (SAWMILL)	06N 28E 24 NESE	LOWER HAWLEY		
A33-00054	HAWLEY, VENICE	05/25/1891	L. LOST R. (SAWMILL)	06N 28E 14 NENE	MIDDLE HAWLEY		
A33-00054	HAWLEY, VENICE	05/25/1891	L. LOST R. (SAWMILL)	06N 28E 11 SWNE	UPPER HAWLEY	1.000 CFS	RTS 33-0060, 54 & 57 SHARE 3 COMMON PD'S/SEE OTHER RTS FOR OTHER PD'S/WM ASSESS 16% LOSS
A33-00057	HAWLEY, ESTATE LAWRENCE R.	05/25/1891	L. LOST R. (SAWMILL)	06N 28E 24 NESE	LOWER HAWLEY		
A33-00057	HAWLEY, ESTATE LAWRENCE R.	05/25/1891	L. LOST R. (SAWMILL)	06N 28E 14 NENE	MIDDLE HAWLEY		
A33-00057	HAWLEY, ESTATE LAWRENCE R.	05/25/1891	L. LOST R. (SAWMILL)	06N 28E 11 SWNE	UPPER HAWLEY	1.000 CFS	RTS 33-0060, 54 & 57 SHARE 3 COMMON PD'S/SEE OTHER RTS FOR OTHER PD'S/WM ASSESES 16% LOSS
A33-00060	HAWLEY, ESTATE LAWRENCE R.	05/25/1891	L. LOST R. (SAWMILL)	06N 28E 24 NESE	LOWER HAWLEY		
A33-00060	HAWLEY, ESTATE LAWRENCE R.	05/25/1891	L. LOST R. (SAWMILL)	06N 28E 14 NENE	MIDDLE HAWLEY		
A33-00060	HAWLEY, ESTATE LAWRENCE R.	05/25/1891	L. LOST R. (SAWMILL)	06N 28E 11 SWNE	UPPER HAWLEY	1.000 CFS	RTS 33-0060, 54 & 57 SHARE 3 COMMON PD'S/SEE OTHER RTS FOR OTHER PD'S/WM ASSESES 16% LOSS
A33-00077	BLAINE COUNTY CANAL CO.	05/25/1891	L. LOST R. (SAWMILL)	06N 28E 11 NENW	BLAINE CO. CANAL	1.430 CFS	RT. DECREED FOR 2.0 CFS; TRANS. 656 APPVD. P/D CHANGE W/29% LOSS (OR 1.43 CFS)
A33-00096A	ANDREASON, DARYL	05/25/1891	L. LOST R. (SAWMILL)	09N 27E 04 NWNE	DARYL ANDREASON	0.500 CFS	DECREED SOURCE = SAWMILL CK/CURRENT PD = L. LOST R./WM DELIVERS W/NO LOSS
A33-00096B	ANDREASON, JAMES	05/25/1891	L. LOST R. (SAWMILL)	10N 27E 29 SWSE	LOWER J. ANDREASON		

WRNUMBER	NAME	DATE1	SOURCE	POD1	DIVERSION	RATE	REMARKS1
A33-000968	ANDREASON, JAMES O.	05/25/1891	SUMMIT CK (SAWMILL)	10N 27E 12	NESW	0.450 CFS	CLAIMED 0.5 CFS IN SRBA/ACTUAL RATE = 0.45 (10% LOSS) BY TRANS #1571
A33-10070	OAR, JACK	05/25/1891	L. LOST R. (SAWMILL)	09N 27E 16	SESENE	0.750 CFS	COMBINES RTS 33-0092D & 1/2 OF 33-0109, WM CONFIRMS DELIVERY OF THESE RTS. W/5% LOSS
A33-10073	MAYS LAND AND LIVESTOCK INC	05/25/1891	L. LOST R. (SAWMILL)	06N 29E 32	NWNW	1.080 CFS	COMBINES RTS. 33-0092E & 23A, WM ASSESES 25% LOSS, PD FROM L. LOST R.
A33-00022A	MAYS LAND AND LIVESTOCK INC	06/01/1891	LITTLE LOST RIVER	06N 29E 32	NWNW	3.100 CFS	WM DELIVERS W/NO LOSS
A33-00022B	MAYS, ROBERT R.	06/01/1891	LITTLE LOST RIVER	05N 29E 09	NENENE	2.100 CFS	WM-DELIVERS W/NO LOSS
A33-00026	PANCHERI, INC.	06/01/1891	L. LOST R. (SAWMILL)	05N 29E 04	SESESE	1.900 CFS	NEED TO DETERMINE LOSS FROM WM
A33-00029	PANCHERI, INC.	06/01/1891	LITTLE LOST RIVER	05N 29E 04	SESESE	0.340 CFS	WM DELIVERS W/NO LOSS
A33-00032	PANCHERI, INC.	06/01/1891	L. LOST R. (BADGER)	09N 27E 34	SESW	4.800 CFS	WATERMASTER ASSESES 25% LOSS, 3.6 CFS DELIVERED UNDER THIS RT.
A33-00032	PANCHERI, INC.	06/01/1891	LITTLE LOST RIVER	09N 27E 33	NWNE		DECREED SOURCE = BADGER CK BUT PORTION OF RT. SOMETIMES DIVERTED FROM L. LOST R.
A33-00040A	PANCHERI, INC.	06/01/1891	LITTLE LOST RIVER	06N 29E 32	NWNW	1.600 CFS	WM DELIVERS W/NO LOSS
A33-00040A	PANCHERI, INC.	06/01/1891	LITTLE LOST RIVER	05N 29E 04	SESESE		
A33-00046	PANCHERI, INC.	06/01/1891	LITTLE LOST RIVER	06N 29E 32	NWNW	1.300 CFS	WM DELIVERS W/NO LOSS
A33-00053	HAWLEY, VENICE	06/01/1891	LITTLE LOST RIVER	06N 28E 24	NESE		
A33-00053	HAWLEY, VENICE	06/01/1891	LITTLE LOST RIVER	06N 28E 14	NENE		
A33-00053	HAWLEY, VENICE	06/01/1891	LITTLE LOST RIVER	06N 28E 11	SWNE	2.300 CFS	WM DELIVERS W/NO LOSS
A33-00059	HAWLEY, ESTATE LAWRENCE R.	06/01/1891	LITTLE LOST RIVER	06N 28E 24	NESE		
A33-00059	HAWLEY ESTATE LAWRENCE R.	06/01/1891	LITTLE LOST RIVER	06N 28E 14	NENE		
A33-00059	HAWLEY, ESTATE LAWRENCE R.	06/01/1891	LITTLE LOST RIVER	06N 28E 11	SWNE	1.600 CFS	WM DELIVERS W/NO LOSS
A33-00062	ROSS, ROCKY	06/01/1891	SPRING CREEK (L. LOST R.)	07N 28E 05	SWNE	1.300 CFS	WM DELIVERS W/NO LOSS/RTS 33-61,62,62 & 64 FROM SPRING CK; SEE ADDITIONAL COMMENTS
A33-00068	BLAINE COUNTY CANAL CO.	06/01/1891	LITTLE LOST RIVER	06N 28E 11	NENW	4.290 CFS	DECREED FOR 6.0 CFS BUT DELIVERED W/29% LOSS (4.29) BY TRANSFER # 656
A33-00083	UNITED STATES - FHA/M. HANSEN	06/01/1891	L. LOST R. (BADGER)	06N 28E 24	NESE		
A33-00083	UNITED STATES - FHA/M. HANSEN	06/01/1891	L. LOST R. (BADGER)	06N 29E 25	SENE	0.340 CFS	DECREED FROM BADGER CK; WM DELIVERS 0.34 CFS W/20% LOSS;

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WRNUMBER	NAME	DATE1	SOURCE	POD1	DIVERSION	RATE	REMARKS1
A33-00083A	NORRIS, ROBERT	06/01/1891	L. LOST R. (BADGER)	06N 28E 24	NESE LOWER HAWLEY (NORRIS)	0.280 CFS	TRANS 743 REDUCED FULL RT BY 20% DECREED SOURCE = BADGER CK/CURRENT PD = L. LOST R./WM DELIVERS W/NO LOSS
A33-00083A	NORRIS, ROBERT	06/01/1891	L. LOST R. (BADGER)	06N 29E 25	SENE M. HANSEN		
A33-00091C	MAYS LAND AND LIVESTOCK INC	06/01/1891	LITTLE LOST RIVER	06N 29E 32	NWNW HARTMAN (MAYS L & L)	0.700 CFS	WM DELIVERS W/NO LOSS/RT 33-091 DECREED AS 1.4 CFS/NO OTHER PART OF 33-091 CLAIMED
A33-00095A	ANDREASON, DARYL	06/01/1891	LITTLE LOST RIVER	09N 27E 04	NWNE DARYL ANDREASON	0.700 CFS	WM DELIVERS W/NO LOSS
A33-00095B	ANDREASON, JAMES	06/01/1891	LITTLE LOST RIVER	10N 27E 29	SWSE LOWER J. ANDREASON		
A33-00095B	ANDREASON, JAMES O.	06/01/1891	LITTLE LOST RIVER <i>Summit CK (L. Lost R)</i>	10N 26E 12	NESW UPPER J. ANDREASON	0.630 CFS	OWNER CLAIMED 0.70 CFS/ACTUAL RATE = 0.63 CFS (10% LOSS) BY TRANS #1571
A33-00108	OAR, JACK	05/01/1896	LITTLE LOST RIVER	09N 27E 16	NESESE OAR	1.800 CFS	WM DELIVERS W/NO LOSS
A33-00065	PANCHERI, INC.	06/01/1899	L. LOST R (BELL MTN)	06N 29E 32	NWNW HARTMAN (#3/HARSHBURGER)		
A33-00049	UNITED STATES - FHA/M. HANSEN	05/15/1900	LITTLE LOST RIVER	06N 28E 24	NESE LOWER HAWLEY (NORRIS)		
A33-00049	UNITED STATES - FHA	05/15/1900	LITTLE LOST RIVER	06N 29E 25	SENE M. HANSEN	0.550 CFS	WM DELIVERS W/NO LOSS
A33-00049A	NORRIS, ROBERT	05/15/1900	LITTLE LOST RIVER	06N 28E 24	NESE LOWER HAWLEY (NORRIS)	0.550 CFS	WM DELIVERS W/NO LOSS
A33-00049A	NORRIS, ROBERT	05/15/1900	LITTLE LOST RIVER	06N 28E 24	NESE M. HANSEN		
A33-00004	BLAINE COUNTY CANAL CO.	01/23/1905	LITTLE LOST RIVER	06N 28E 11	NENW BLAINE CO. CANAL	12.00 CFS	WM DELIVERS W/NO LOSS
A33-00033A	PANCHERI, INC.	06 01/1905	BADGER CREEK	09N 27E 34	SESW PANCHERI BADGER CK.	2.500 CFS	DECREED FOR 5.6 CFS, NO OTHER PORTIONS OF THIS RT. CLAIMED
A33-00088A	PANCHERI, INC.	04/01/1906	LITTLE LOST RIVER	09N 27E 33	NWNE RIVER DIV. ABV BADGER CK	0.350 CFS	DECREED AS 1.4 CFS/OWNERSHIP OF THIS RT. NOT CONFIRMED/RT OVERCLAIMED W/A33-0088
A33-00088	UNITED STATES - FHA	04/01/1906	LITTLE LOST RIVER	09N 27E 4	NWNWSE	1.400 CFS	CLAIMED 1.6 CFS/OWNERSHIP OF THIS RT. NOT CONFIRMED/RT OVERCLAIMED W/A33-0088A
A33-00035A	PANCHERI, INC.	03/06/1907	BADGER CREEK	09N 27E 34	SESW PANCHERI BADGER CK.	0.720 CFS	DECREED FOR 1.6 CFS, NO OTHER PORTIONS OF THIS RT. CLAIMED
A33-00072	SAGE WILLOW, INC.	05/01/1908	LITTLE LOST RIVER	07N 27E 2	SWNE	0.800 CFS	
A33-00069	SAGE WILLOW, INC.	06/01/1908	LITTLE LOST RIVER	07N 27E 2	SWNE	3.200 CFS	
A33-00005	BLAINE COUNTY CANAL CO.	01/14/1908	LITTLE LOST RIVER	06N 28E 11	NENW	145.0 CFS	
A33-02007	SAGE WILLOW, INC.	02/15/1909	LITTLE LOST RIVER	07N 27E 2	SWNE	2.900 CFS	
A33-00003	BLAINE COUNTY CANAL CO.	07/01/1912	DRY CREEK	10N 25E 31	NENW	61.00 CFS	
A33-00014	BLAINE COUNTY CANAL CO.	12/02/1913	DRY CREEK	10N 25E 31	NENW	9426.0 AFA	STORAGE NOT AVAILABLE & RIGHT

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WRNUMBER	NAME	DATE1	SOURCE	POD1	DIVERSION	RATE	REMARKS1
A33-00015	BLAINE COUNTY CANAL CO.	03/04/1927	LITTLE LOST RIVER	07N 28E 21	NWSW	2000.0 AFA	NOT USED FOR MANY YEARS STORAGE RT NO LONGER USED OR DELIVERABLE
A33-10005	CHURCH OF JESUS CHRIST LDS	09/01/1960	WET CREEK	08N 25E 16	SWSWSE	0.040 CFS	
A33-00107	ECD INC	06/15/1918	LITTLE LOST RIVER	12N 26E 7	SENE	1.600 CFS	

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Boand # 1

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Water Rights on Wet Creek, Tributaries, Groundwater and Springs

WRNUMBER	SOURCE	TRIBUTARY	TOWNSHIP	RANGE	SECTION	COUNTY	STAGE	PRIORITY	DIVERSION RATE	DIVERSION VOLUME
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This right is diverted at the lower end of the MIF reach. It may be just below the MIF or in the MIF reach.

3300089	WET CREEK	LITTLE LOST RIVER					D	07/24/05	0.200	0.00
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This right is diverted mid-way in the MIF reach. Note that it is a spring tributary to sinks, so the water would probably not reach Wet Creek anyway.

3307070	BUCK SPRINGS	SINKS	9 N	25 E	5	CUSTER	L	08/21/80	0.020	1.50
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The following rights are diverted upstream of the MIF.

3300114	ARCO-PASS CK	WET CREEK					D	05/01/10	2.000	0.00
3302143	SPRING		9 N	25 E	9	CUSTER	L	10/13/47	0.010	0.00
3302144	SPRING		9 N	25 E	9	CUSTER	L	10/13/47	0.010	0.00
3304004	UNNAMED STM	BLACK TAIL CANYON	8 N	26 E	21	BUTTE	S	06/01/37	0.020	0.05
3304008	SPRING	CABIN FORK	7 N	26 E	24	BUTTE	S	09/30/59	0.020	0.00
3307077	WET CREEK	LITTLE LOST RIVER	10 N	26 E	35	BUTTE	L	08/21/80	0.020	4.20
3307078	CHICKEN CREEK	SQUAW CREEK	9 N	25 E	26	CUSTER	L	08/21/80	0.020	3.70
3307082	SANDS CREEK	WET CREEK	8 N	25 E	4	CUSTER	L	11/06/80	0.020	14.60
3307083	UNNAMED STM	WET CREEK	8 N	25 E	10	CUSTER	L	11/06/80	0.020	14.60
3307084	COAL CREEK	WET CREEK	8 N	25 E	9	CUSTER	L	11/06/80	0.020	14.60
3307092	WET CREEK	LITTLE LOST RIVER	9 N	26 E	20	BUTTE	L	03/04/81	0.010	1.00
3307149	SPRING	CABIN FORK	7 N	26 E	24	BUTTE	L	06/03/82	0.020	1.40

This is the Requested MIF

3307207	WET CREEK	LITTLE LOST RIVER	9 N	27 E	4	BUTTE	A	10/03/91	10.000	0.00
			10 N	26 E	33	BUTTE				

15.0
4.0

Wet Creek & Tribs

22 sec A
saved
91 treated
as Senior

WRNUMBER	SOURCE	TRIBUTARY	TWN	N_S	RNG	E_W	SECTION	COUNTY	STAGE	PRIORITY_D	T_DIV_RATE	T_DIV
below on bottom end → 3300089	WET CREEK Peck	LITTLE LOST RIVER	0		0		0		D	07/24/05	0.200	
3300114	ARCO-PASS CREEK Sermon	WET CREEK	0		0		0		D	05/01/10	2.000	
3302143	SPRING BLM		9	N	25	E	9	CUSTER	L	10/13/47	0.010	
3302144	SPRING BLM		9	N	25	E	9	CUSTER	L	10/13/47	0.010	
3304004	UNNAMED STREAM USFS	BLACK TAIL CANYON	8	N	26	E	21	BUTTE	S	06/01/37	0.020	
3304008	SPRING USFS	CABIN FORK	7	N	26	E	24	BUTTE	S	09/30/59	0.020	
3307070	BUCK SPRINGS BLM	SINKS	9	N	25	E	5	CUSTER	L	08/21/80	0.020	
3307077	WET CREEK BLM	LITTLE LOST RIVER	10	N	26	E	35	BUTTE	L	08/21/80	0.020	
3307078	CHICKEN CREEK BLM	SQUAW CREEK	9	N	25	E	26	CUSTER	L	08/21/80	0.020	
3307082	SANDS CREEK USFS	WET CREEK	8	N	25	E	4	CUSTER	L	11/06/80	0.020	1
3307083	UNNAMED STREAM USFS	WET CREEK	8	N	25	E	10	CUSTER	L	11/06/80	0.020	1
3307084	COAL CREEK USFS	WET CREEK	8	N	25	E	9	CUSTER	L	11/06/80	0.020	1
3307092	WET CREEK BLM	LITTLE LOST RIVER	9	N	26	E	20	BUTTE	L	03/04/81	0.010	
3307149	SPRING USFS	CABIN FORK	7	N	26	E	24	BUTTE	L	06/03/82	0.020	
3307207	WET CREEK IWRB	LITTLE LOST RIVER	9	N	27	E	4	BUTTE	A	10/03/91	10.000	
~~3307207~~	~~WET CREEK~~	~~LITTLE LOST RIVER~~	~~10~~	~~N~~	~~26~~	~~E~~	~~23~~	~~BUTTE~~	~~A~~	~~10/03/91~~	~~10.000~~	
			120		358		233				22.410	

Aug 15, 94
OCT 19 1993

Wet Creek
Dry Creek diversion
2.6 miles upstream mouth
Wetlinghouse Power
hydro

20-30% loss d/s
typical

Wet Creek Oct ^{15,} 1992 although advertised
10/3/91
existing was limit wild trout fishery - seek to maintain

Pass Creek Road bridge d/s to confluence
with Little Lost R.

10 cfs year around from Pass Creek bridge
to Dry Creek Pipe inflow 2.6 miles
above mouth

below Dry Creek pipe inflow

15 cfs May 2 through Sep 30
4 cfs Oct 1 thru May 1

old gaging records - on Squaw Creek at time
of these measurements Squaw
flowed in Coral Ck, now flows
into Wet Creek

a number of diversions plus the addition of
Dry Creek water (up to 22 cfs)

confusing situation - IDWR staff cooperating with
watermaster - not resolved until adjudication
finalized

Aug 15, 94
Oct 19, 1993

in adjudication USFS instream flow for
stock water on Wet Creek above USFS

USFS boundary on Big Creek above
confluence with Wet Creek (approx 1.5 miles
above confluence)

also filed on Basin Creek

1901

date of NF



Aug 15, 94

1993

TO: BOISE

MAY-03-'93 MON 08:50 IDWR EASTERN REGION TEL NO: (208) -7177

#377 P03

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APR 30 1993

Department of Water Resources
Eastern District Office

LARRY ECHOHAWK
ATTORNEY GENERAL

Stephen V. Goddard
W. Dallas Burkhalter
Deputy Attorneys General
Telephone (208) 334-3715
FAX (208) 334-2114

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF THE MINIMUM)
STREAMFLOW APPLICATION FOR)
WET CREEK, COMMENCING AT THE)
PASS CREEK ROAD BRIDGE DOWN-)
STREAM TO THE CONFLUENCE OF)
WET CREEK AND LITTLE LOST)
RIVER)

NOTICE OF APPEARANCE

APPLICATION NO. 33-07207

Stephen V. Goddard, Deputy Attorney General, hereby enters an appearance as attorney of record for the Idaho Department of Fish and Game for the hearing to be held in this matter on May 12, 1993, at the Howe Elementary School building at 7 p.m.

DATED this 29th day of April 1993.



Stephen V. Goddard
Deputy Attorney General
Attorney for the
Idaho Department of Fish and Game

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NOTICE OF APPEARANCE

NOTICE OF HEARING FOR APPLICATION FOR MINIMUM STREAMFLOW

Notice is hereby given that the Idaho Water Resources Board submitted an application for permit to appropriate water to the Department of Water Resources, proposing to appropriate water for a minimum streamflow in Wet Creek, a tributary of the Little Lost River. The application is further described as follows:

Source: Wet Creek
Application No.: 33-07207
Proposed Priority: October 3, 1991
Amount & Period of Use: 10 cfs from January 1 to December 31
4 cfs from October 1 to May 1
15 cfs from May 2 to September 30

Purpose of Minimum Flow: Preservation of fish and wildlife habitat, aquatic life and water quality.

Place of Use: Wet Creek, commencing at the Pass Creek Road bridge downstream to the confluence of Wet Creek and Little Lost River

The Director of the Department of Water Resources will hold a public hearing in the Howe Elementary School building, in Howe, ID, at 7:00 p.m., on Wednesday, May, 12, 1993, for the purpose of hearing evidence in regard to the application. The hearing will be held pursuant to the paragraphs of Section 42-1503, Idaho Code.

Any party who wishes to formally appear in the proceeding for the purpose of presenting evidence or cross examining witnesses should file a notice of appearance with the Director of the Department of Water Resources, Statehouse Mail, 1301 North Orchard Street, Boise, ID, 83720, five (5) days prior to the hearing. Other parties will be given an opportunity to informally present their views and comments without the necessity of filing a notice of appearance. Written informal views and comments may also be submitted to the Department of Water Resources prior to the hearing. If issued, this permit will be subject to all prior water rights.

R. KEITH HIGGINSON, Director
Idaho Department of Water Resources

PUBLISHED STATEWIDE ON APRIL 22 & 29, 1993

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Aug 15, 94
9 1993

MEMORANDUM

TO: Skip Jones
FROM: Gary Spackman *Gary*
DATE: October 27, 1992

RE: New Application for Minimum Streamflow on Wet Creek

Enclosed is an application for permit to appropriate a minimum streamflow for Wet Creek. We already have an application pending in the Department files, numbered 33-07207, and this new application is an amendment to the old application. I suggest that we simply reassign the old number to this application. We also must advance the date of priority because the minimum streamflow is being increased during a certain portion of the year.

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~~OCT 19 1993~~

Form 202
6/85

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OCT 26 1992

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Department of Water Resources

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

Copy sent to Jeff
Fereday 1-12-93
C.A.

1. Name of applicant Idaho Water Resource Board Phone _____
Post office address Statehouse Mail, Boise, ID 83720
2. Source of water supply Wet Creek which is a tributary of Little Lost River
3. Location of point of diversion is _____ $\frac{1}{4}$ of SE $\frac{1}{4}$ of SE $\frac{1}{4}$, Govt. Lot _____
Sec. 33 Township 10N Range 26E B.M. Butte County; ~~additional~~ _____
~~points of diversion if any:~~ downstream to SW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Sect. 4, T9N R27E, Butte County
4. Water will be used for the following purposes:
- | | |
|---|--|
| Amount <u>10.0 cfs</u> for <u>Instream Flow</u> purposes from <u>1/1</u> to <u>12/31</u>
<small>(cfs or acre-feet per annum)</small> | At upper site (1st Div. (both dates inclusive) to Dry Creek pipe inflo |
| Amount _____ for _____ purposes from _____ to _____
<small>(cfs or acre-feet per annum)</small> | (both dates inclusive) |
| Amount <u>4.0 cfs</u> for <u>Instream Flow</u> purposes from <u>10/1</u> to <u>5/1</u>
<small>(cfs or acre-feet per annum)</small> | At lower site (2nd Div. (both dates inclusive) From Dry Cr. pipe inflo |
| Amount <u>15.0 cfs</u> for <u>Instream Flow</u> purposes from <u>5/2</u> to <u>9/30</u>
<small>(cfs or acre-feet per annum)</small> | At lower site (2nd Div. (both dates inclusive) From Dry Cr. pipe inflo |
5. Total quantity to be appropriated is (a) 15.0 cfs and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works: No Diversion, Instream Flow
- a. Description of ditches, flumes, pumps, headgates, etc. _____

- b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet; period of year when water will be diverted to storage: _____ to _____ inclusive.
- c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.
- d. Is ground water with a temperature of greater than 90°F being sought? _____
7. Time required for the completion of the works and application of the water to the proposed beneficial use is _____
1 years (minimum 1 year).

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8. Description of proposed uses (if irrigation only, go to item 9):

- a. Hydropower; show total feet of head and proposed capacity in KW. _____
- b. Stockwatering; list number and kind of livestock. _____
- c. Municipal; show name of municipality. _____
- d. Domestic; show number of households. _____
- e. Other; describe fully. Instream flow to maintain Wet Creek's healthy, wild bull and rainbow trout fishery, fish ladder, and its excellent riparian wetland habitat. To provide the public quality, future recreational and scenic opportunities.

9. Description of place of use: At the Pass Creek Road Bridge on Wet Creek downstream to the confluence of Wet Creek with the Little Lost River.

- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- b. If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

Total number of acres to be irrigated _____

10. Describe any other water rights used for the same purposes as described above. _____

11. a. Who owns the property at the point of diversion? USDI-BLM.

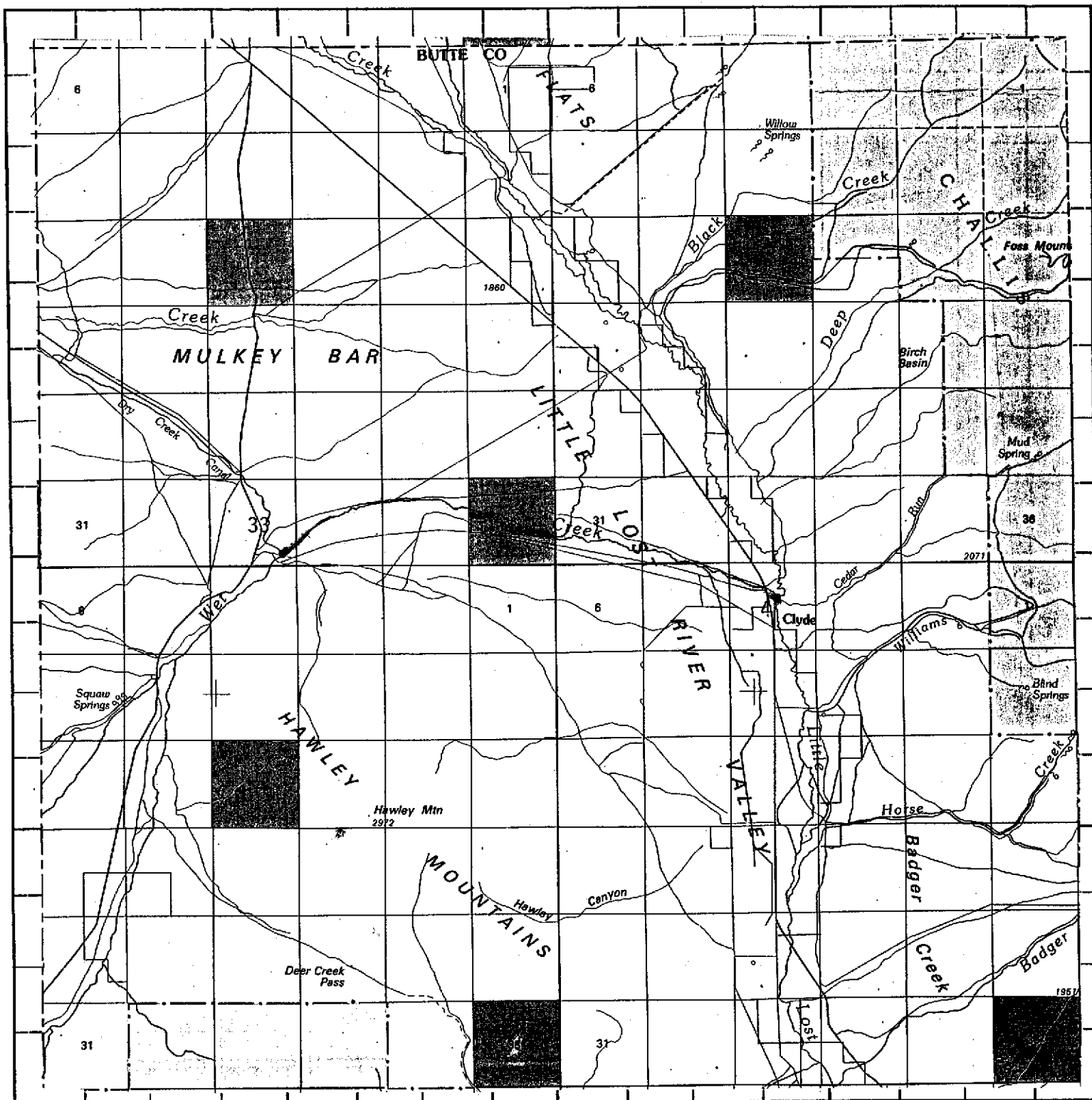
b. Who owns the land to be irrigated or place of use? N/A

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. N/A

12. Remarks: _____

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OCT 19 1993

13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile.

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

E. J. Jones
(Applicant)
Aug 15 1994
OCT 19 1993

Received by _____ Date _____ Time _____ Preliminary check by _____
Fee \$ _____ Received by _____ # _____ Date _____
Publication prepared by _____ Date _____ Published in _____
Publication approved _____ Date _____

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. _____, and said application is hereby _____.

1. Approval of said application is subject to the following limitations and conditions:

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

b. Proof of construction of works and application of water to beneficial use shall be submitted on or before _____, 19 ____.

c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.

d. The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.

e. Other:

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OCT 19 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

RECEIVED

To appropriate the public waters of the State of Idaho

OCT 03 1991

1. Name of applicant Idaho Water Resource Board Department of Water Resources
Phone _____
Post office address Statehouse Mail, Boise, ID 83720
2. Source of water supply Wet Creek which is a tributary of Little Lost River
3. Location of point of diversion is _____ $\frac{1}{4}$ of SE $\frac{1}{4}$ of SE $\frac{1}{4}$, Govt. Lot _____
Sec. 33 Township 10N Range 26E B.M. Butte County; additional--
~~points of diversion if any:~~ downstream to SW of NE Sect. 4, T9N R27E, Butte County
4. Water will be used for the following purposes:
Amount 10.0 cfs for Instream Flow purposes from 1/1 to 12/31 At both locations
(cfs or acre-feet per annum) (both dates inclusive)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) 10.0 and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works: No diversion, Instream Flow
- a. Description of ditches, flumes, pumps, headgates, etc. _____

- b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total
reservoir capacity _____ acre-feet; period of year when water will be diverted to storage:
_____ to _____ inclusive.
- c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.
- d. Is ground water with a temperature of greater than 90°F being sought? _____
7. Time required for the completion of the works and application of the water to the proposed beneficial use is
1 years (minimum 1 year).

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8. Description of proposed uses (if irrigation only, go to item 9):

- a. Hydropower; show total feet of head and proposed capacity in KW. _____
- b. Stockwatering; list number and kind of livestock. _____
- c. Municipal; show name of municipality. _____
- d. Domestic; show number of households. _____
- e. Other; describe fully. Instream flow to maintain the healthy wild bull and rainbow trout fishery and its excellent riparian wetland habitat. To provide the public quality future recreational and scenic opportunities.

9. Description of place of use: At the Pass Creek Road bridge downstream to the confluence of Wet Creek with the Little Lost River.

- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- b. If water is used for other purposes, place a symbol of the use (example: *D* for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

Total number of acres to be irrigated _____

10. Describe any other water rights used for the same purposes as described above. None.

11. a. Who owns the property at the point of diversion? USDI-BLM

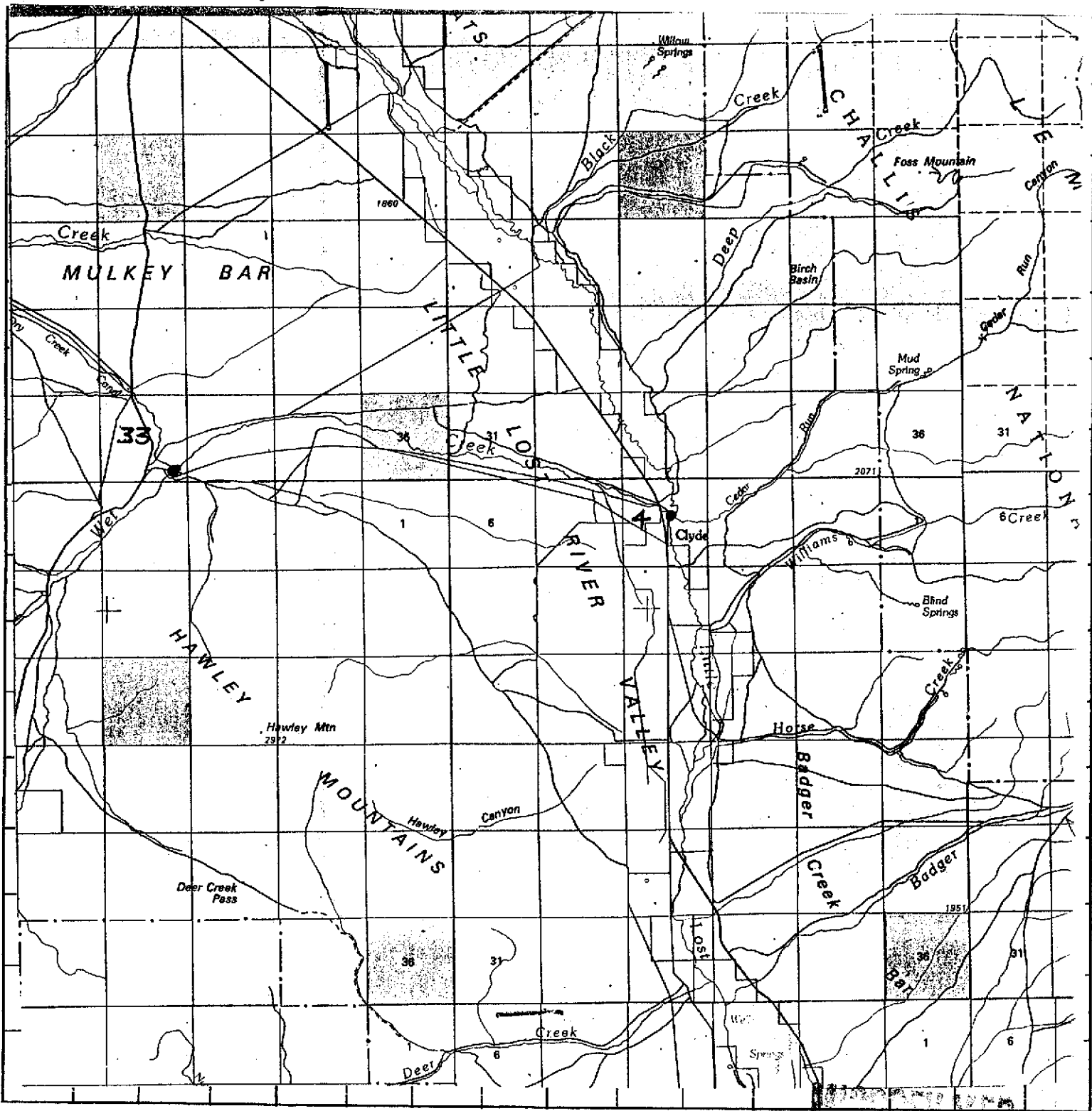
b. Who owns the land to be irrigated or place of use? NA

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. NA

12. Remarks: _____

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13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile. R 26 E

R 27 E

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

William S. Platts
(Applicant)

9-12-91

Aug 15, 94

SEP 19 1993

T 10 N

T 9 N

Received by Gary S. Date 10/3/91 Time 2:00 pm Preliminary check by _____
Fee \$ _____ Received by _____ # _____ Date _____
Publication prepared by _____ Date _____ Published in _____
Publication approved _____ Date _____

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. _____, and said application is hereby _____.

1. Approval of said application is subject to the following limitations and conditions:

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before _____, 19 ____.
- c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.
- d. The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.
- e. Other:

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~~OCT 19 1993~~

Form 202
Supplemental

ATTACHMENT TO APPLICATION FOR PERMIT
TO APPROPRIATE A MINIMUM STREAM FLOW

14. Provide evidence that the appropriation will not interfere with any vested water right, permit, or water right application of earlier date of priority.

As a nonconsumptive, nondiverting use, this appropriation will not
impact water rights of earlier priority.

15. Provide evidence to show that the appropriation would be in the public interest as opposed to private interest.

The appropriation is in the name of the Idaho Water Resource Board, a
branch of state government. One of the stated purposes of the appropri-
ation is to maintain a wild trout stream fishery, the type of fishery most
highly valued by Idaho fishers. The adjacent land is owned by the federal
government.

16. Provide evidence or justification that the appropriation is necessary for the purposes shown in Item 4.

Records (attached) indicate several diversions in proposed MSF reach.

The fishery and riparian community are stressed by existing flows. Any
further reduction in flow would have adverse effects on both.

17. Provide evidence that the minimum flow or lake level is minimum and not the ideal or most desirable flow or lake level.

The riparian habitat originally was adapted to the stream with no
diversions. It has been modified by existing practices. Both the fishery
and riparian community would improve in quality and size if more water
were in the stream.

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18. Provide evidence that the flow or lake level requested is capable of being maintained as evidenced by records of stream flows and water levels.

Only a few published data are available. Some of these are estimated
flows, however it appears that 10 cfs is available in most years.

19. Describe the location of existing gaging stations that can be used in the administration of this appropriation.

There are no operational gaging stations in the area at this time.

20. Do you intend to install additional gaging stations? Describe the location.

No.

21. List any additional remarks related to this minimum stream flow application.

Has been used as a "study" stream by federal researchers.

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BASIN 11

Thomas Fork near Raymond
(tributary to Bear River)

Location: sec.28 T.13S R.46E B.M.; .4 mile
southeast of Raymond, .1 mile
above Taylor diversion point.

Date: Aug. 5, 1969 Discharge (cfs): 27.9

BASIN 13

Cub Canal near Franklin
(diverts from Cub River)

Location: sec.4 T.16S R.40E B.M.; 3 miles
north of Franklin.

Date: Aug. 19, 1964 Discharge (cfs): 47.0
Sept. 16, 1965 29.5

BASIN 21

St. Anthony Recharge Project Canal near Egin
(diverts from Egin Lakes)

Location: SW $\frac{1}{4}$ SW $\frac{1}{4}$ sec.5 T.7N R.39E B.M.; .5
mile north and 3 miles west of Egin,
1.5 miles north of Quayles Lake.

Date and Discharge (cfs): Table 1

BASIN 32

Medicine Lodge Creek near Small

Location: SE $\frac{1}{4}$ SE $\frac{1}{4}$ sec.30 T.10N R.35E B.M.;
at Corps of Engineers gage at road, 3
miles south of Small.

Date: May 20, 1971 Discharge (cfs): 28.5

BASIN 33

Dry Creek near Howe
(tributary to Wet Creek)

Location: SW $\frac{1}{4}$ SE $\frac{1}{4}$ sec.33 T.10N R.26E B.M.;
100 feet upstream from mouth, 5.7
miles west of highway (FAS 6844)
on Wet Creek Road, 27 miles
northwest of Howe.

Date: July 31, 1969 Discharge (cfs): 32.3
1184.47

Wet Creek below Mouth of Dry Creek near Howe
(tributary to Little Lost River)

Location: SE $\frac{1}{4}$ SE $\frac{1}{4}$ sec.33 T.10N R.26E B.M.;
100 yards below Dry Creek Ditch
diversion, 5.5 miles west of highway
(FAS 6844) on Wet Creek Road, 27
miles northwest of Howe.

Date: July 13, 1966 Discharge (cfs): 29.4
May 15, 1968 40.8

Wet Creek at Mulkey Diversion near Howe
(tributary to Little Lost River)

Location: NW $\frac{1}{4}$ SW $\frac{1}{4}$ sec.31 T.10N R.27E
B.M.; below Mulkey Ditch diversion,
2.5 miles west of highway (FAS
6844) on Wet Creek Road, 27 miles
northwest of Howe.

Date: July 13, 1966 Discharge (cfs): 29.0
May 15, 1968 40.3

Wet Creek at Reed Diversion near Howe
(tributary to Little Lost River)

Location: NW $\frac{1}{4}$ NE $\frac{1}{4}$ sec.5 T.9N R.27E B.M.;
above Reed Ditch diversion, .6 mile
northwest of highway (FAS 6844)
on Wet Creek Road, 27 miles
northwest of Howe.

Date: July 13, 1966 Discharge (cfs): 24.9
May 15, 1968 37.6

Aug 15, 94
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Aug. 15, 94
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MUD LAKE-LOST RIVER BASINS

13-1185. Wet Creek at Clyde School, near Howe, Idaho
Tributary to Little Lost River

LOCATION.--Lat 44°08'35", long 113°14'50", in SE¼NW¼, sec.4, T.9 N., R.27 E., at highway bridge, 0.2 mile west of Clyde School; 0.4 mile upstream from Little Lost River, and 27.5 miles northwest of Howe.

DRAINAGE AREA.--115 sq mi.

OTHER RECORDS AVAILABLE.--Daily record May to September 1921, June to August 1922, April to September 1923 (gage heights and discharge measurements only) published in WSP.

<u>Date</u>	<u>Discharge</u>	<u>Date</u>	<u>Discharge</u>	<u>Date</u>	<u>Discharge</u>
May 4, 1926	16.3	Aug. 15, 1931	10.4	Aug. 26, 1935	15.8
Aug. 19, 1928	21.2	July 25, 1932	58.8	Sept. 17, 1939	*6.13

M13-1185.1 Peck ditch at Clyde, Idaho
Diverts from Wet Creek

LOCATION.--Lat 44°08'30", long 113°14'45", in NW¼ sec.4, T.9 N., R.27 E., at Williams and Peck headgates on right bank of Wet Creek, 300 ft downstream from Wet Creek at Clyde School gaging station site, 0.2 mile north of Clyde School, and 27.5 miles northwest of Howe.

<u>Date</u>	<u>Discharge</u>
Aug. 17, 1923	*a0.15

M13-1185.15 Williams ditch near Howe, Idaho
Diverts from Wet Creek

LOCATION.--Lat 44°08'30", long 113°14'45", in NW¼ sec. 4, T.9 N., R.27 E., at Williams and Peck headgates on right bank of Wet Creek, 300 ft downstream from Wet Creek at Clyde School gaging station site, 0.2 mile north of Clyde School, and 27.3 miles northwest of Howe.

<u>Date</u>	<u>Discharge</u>	<u>Date</u>	<u>Discharge</u>
Sept. 11, 1921	7.86	May 4, 1926	0.81
Aug. 17, 1923	10.5		

M13-1185.2 Burlington Savings Bank ditch, at Clyde, Idaho
Diverts from Wet Creek

LOCATION.--Lat 44°08'25", long 113°14'40", in SW¼NE¼ sec.4, T.9 N., R.27 E., at head, 150 ft upstream from mouth of Wet Creek, 300 ft northeast of Clyde School, and 27.5 miles northwest of Howe.

<u>Date</u>	<u>Discharge</u>
July 25, 1932	*0.85
Sept. 5, 1933	b.46

M13-1186.5 Clyde diversion near Clyde, Idaho
Diverts from Little Lost River

LOCATION.--Lat 44°08'20", long 113°14'35", in NW¼SE¼, sec.4, T.9 N., R.27 E., in field east of Little Lost River station at Clyde, 500 ft southeast of Clyde School, and 27.0 miles northeast of Howe.

<u>Date</u>	<u>Discharge</u>
Sept. 18, 1939	3.42

13-1187. Little Lost River below Wet Creek, near Howe, Idaho
Tributary to Snake River

LOCATION.--Lat 44°08'20", long 113°14'40", in NW¼SE¼ sec.4, T.9 N., R.27 E., at Clyde School, 0.2 mile downstream from Wet Creek, and 27 miles northwest of Howe.

DRAINAGE AREA.--440 sq mi, approximately.

OTHER RECORDS AVAILABLE.--Daily records published in WSP January 1958 to September 1960; in SWRI October 1960 to September 1964; in WRDI October 1964 to September 1967.

<u>Date</u>	<u>Discharge</u>	<u>Date</u>	<u>Discharge</u>	<u>Date</u>	<u>Discharge</u>
Aug. 20, 1928	46.9	Sept. 5, 1933	19.7	Aug. 27, 1935	32.2
Aug. 17, 1931	17.5	6	17.6		

M13-1187.1 Cedar Run Creek near Clyde, Idaho
Tributary to Little Lost River

LOCATION.--Lat 44°09'45", long 113°11'20", in SE¼SW¼ sec.25, T.10 N., R.27 E., at ditch diversion, at canyon mouth, 3.0 miles northeast of Clyde, and 27.5 miles north of Howe.

DRAINAGE AREA.--3.35 sq mi.

<u>Date</u>	<u>Discharge</u>
Apr. 8, 1911	*c0.32
Sept. 3, 1939	**38

* Base flow.

* Estimated.

a Not previously published.

b Weir measurement.

c Furnished by Idaho Department of Reclamation; not previously published.

Aug 15, 94
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MUD LAKE-LOST RIVER BASINS

M13-1184.2 Wet Creek above Corral Creek, near Howe, Idaho
Tributary to Little Lost River

LOCATION.--Lat 44°07'45", long 113°23'05", in NW¼NE¼ sec.8, T.9 N., R.26 E., upstream from Squaw Creek, 0.5 mile upstream from Corral Creek, 7.0 miles west of Clyde, and 30.5 miles northwest of Howe.
REMARKS.--See Remarks under M13-1184.3

Date	Discharge	Date	Discharge	Date	Discharge	Date	Discharge
Apr. 13, 1921	20.7	Sept. 11, 1921	17.9	Aug. 19, 1928	13.1	July 25, 1932	13.8
28	16.6	Nov. 5	16.5	Aug. 15, 1931	7.65	Sept. 5	13.5
June 1	53.8	Aug. 5, 1922	23.2	May 7, 1932	14.4	Oct. 14	12.2
13	25.2	Aug. 17, 1923	19.6	June 4	18.7	Sept. 5, 1933	8.40
30	219.6	May 4, 1926	15.0	23	27.9	Aug. 26, 1935	12.4
Aug. 1	221.5						

M13-1184.23 Squaw Creek near Clyde, Idaho
Tributary to Wet Creek

LOCATION.--Lat 44°06'02", long 113°27'10", in NW¼NE¼ sec.23, T.9 N., R.25 E., at old homestead, 1.5 miles upstream from mouth of Chicken Creek, 10.8 miles west of Clyde, and 31 miles northwest of Howe.

DRAINAGE AREA.--8.40 sq mi.

Date	Discharge
Sept. 1, 1959	*+0.83

M13-1184.25 Chicken Creek near Clyde, Idaho
Tributary to Squaw Creek

LOCATION.--Lat 44°05'05", long 113°26'47", in NE¼NW¼ sec.26, T.9 N., R.25 E., at dim road crossing about 2 miles upstream from mouth, 10.9 miles southwest of Clyde, and 30 miles northwest of Howe.

DRAINAGE AREA.--0.97 sq mi.

Date	Discharge
Sept. 1, 1959	*+0.01

M13-1184.3 Squaw Creek at mouth near Howe, Idaho
Tributary to Wet Creek

LOCATION.--Lat 44°07'40", long 113°23'05", in NE¼NW¼ sec.8, T.9 N., R.26 E., at mouth, 7.1 miles west of Clyde, and 30.5 miles northwest of Howe.

REMARKS.--At time of these measurements Squaw Creek flowed into Corral Creek. Presently Squaw Creek flows into Wet Creek upstream from Corral Creek.

Date	Discharge	Date	Discharge	Date	Discharge	Date	Discharge
Apr. 13, 1921	3.41	Sept. 11, 1921	3.13	May 4, 1926	2.87	July 25, 1932	1.92
28	63.61	Aug. 17, 1923	2.30	Aug. 15, 1931	1.74	Sept. 5, 1933	*1.98
July 13	63.59						

M13-1184.4 Corral Creek near mouth, near Howe, Idaho
Tributary to Wet Creek

LOCATION.--Lat 44°07'55", long 113°23'10", in NE¼NW¼ sec.8, T.9 N., R.26 E., near road bridge, 7.1 miles west of Clyde, and 30.5 miles northwest of Howe.

REMARKS.--See Remarks under M13 1175.8 and M13-1184.3. These measurements are above mouth of Squaw Creek.

Date	Discharge	Date	Discharge	Date	Discharge	Date	Discharge
Sept. 11, 1921	15.6	July 10, 1929	27.9	July 24, 1932	54.5	Aug. 25, 1935	7.68
Aug. 19, 1928	14.5	Aug. 15, 1931	c7.17	Sept. 5, 1933	8.22	26	9.29

M13-1184.45 Wet Creek above Dry Creek Canal, near Clyde, Idaho
Tributary to Little Lost River

LOCATION.--Lat 44°08'40", long 113°21'45", NW¼NE¼ sec.4, T.9 N., R.26 E., 0.3 mile upstream from Dry Creek Canal mouth, 5.9 miles west of Clyde, and 30.5 miles northwest of Howe.

Date	Discharge	Date	Discharge	Date	Discharge	Date	Discharge
May 5, 1911	+d41.4	June 3, 1911	+d84.6	June 14, 1911	+d98.3	June 1, 1912	29.5
22	d43.62	8	+d108	Sept. 5	24.0	Nov. 3, 1961	211.7
26	+d58.2						

* Base flow.

+ Estimated

a Measurement furnished by C. E. Tappan, engineer.

b At road bridge in SE¼NW¼ sec.8 about 0.3 mile upstream from mouth.

c Published in error as "71.7."

d Furnished by Idaho Department of Reclamation; not previously published.

e SE¼SE¼ sec.33, T.10 N., R.26 E., at road crossing, 5.8 miles west of Clyde.

Aug 15, 1994
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MUD LAKE-LOST RIVER BASINS

M13-1184.47 Wet Creek below Dry Creek Canal, near Clyde, Idaho
Tributary to Little Lost River.

LOCATION.--Lat 44°08'55", long 113°21'30", in SE $\frac{1}{4}$ SE $\frac{1}{4}$ sec.33, T.10 N., R.26 E., downstream from Dry Creek Canal mouth, 5.7 miles west of Clyde, and 30.5 miles northwest of Howe.
REMARKS.--See Remarks under M13-1175.8.

Date	Discharge	Date	Discharge
Mar. 21, 1911	*a16.3	Apr. 25, 1911	*a21.2
Apr. 12	†a17.7	29	*a26.9

M13-1184.48 Larsen ditch near Clyde, Idaho
Diverts from Wet Creek

LOCATION.--Lat 44°09'30", long 113°20'30", in sec.34, T.10 N., R.26 E., at headgate, on right bank of Wet Creek about 5 miles west of Clyde, and about 30.5 miles northwest of Howe.

Date	Discharge
Aug. 17, 1923	†b0.40
May 4, 1926	b0

M13-1184.5 Wet Creek above Mulkey-Bassinger diversion, near Howe, Idaho
Tributary to Little Lost River

LOCATION.--Lat 44°09'00", long 113°17'50", in NE $\frac{1}{4}$ SE $\frac{1}{4}$ sec.39, T.10 N., R.26 E., upstream from Mulkey-Bassinger diversion, 2.8 miles west of Clyde, and 29 miles northwest of Howe. 367
REMARKS.--See Remarks under M13-1175.8.

Date	Discharge	Date	Discharge
Aug. 15, 1931	14.7	Sept. 5, 1933	c16.6
July 25, 1932	c63.9	Aug. 26, 1935	c20.2

M13-1184.51 Mulkey-Bassinger ditch near Howe, Idaho
Diverts from Wet Creek

LOCATION.--Lat 44°09'05", long 113°17'45", in NE $\frac{1}{4}$ SE $\frac{1}{4}$ sec.36, T.10 N., R.26 E., at headgate on left bank of Wet Creek, 2.7 miles west of Clyde, and 29 miles northwest of Howe.

Date	Discharge	Date	Discharge
Sept. 11, 1921	†b1.94	May 4, 1926	b4.75
Aug. 17, 1923	†b.01		

M13-1184.55 Reed diversion near Howe, Idaho
Diverts from Wet Creek

LOCATION.--Lat 44°08'45", long 113°15'25", in NW $\frac{1}{4}$ NE $\frac{1}{4}$ sec.5, T.9 N., R.27 E., at headgate on right bank of Wet Creek, 0.9 mile west of Clyde and 27.9 miles northwest of Howe.
REMARKS.--Also known as "Hudd diversion."

Date	Discharge	Date	Discharge	Date	Discharge	Date	Discharge
Sept. 11, 1921	b3.93	Aug. 19, 1928	b2.47	July 25, 1932	bd2.37	Aug. 26, 1935	de2.67
Aug. 17, 1923	†b1.96	Aug. 15, 1931	d1.68	Sept. 5, 1933	*e2.06	Sept. 18, 1939	4.31
May 4, 1926	b2.66						

M13-1184.59 O. P. Williams ditch at Clyde, Idaho
Diverts from Wet Creek

LOCATION.--Lat 44°08'45", long 113°15'25", in NW $\frac{1}{4}$ NE $\frac{1}{4}$ sec.5, T.9 N., R.27 E., at headgate on left bank of Wet Creek, 0.9 mile west of Clyde, and 28 miles northwest of Howe.

Date	Discharge
Aug. 17, 1923	†b0.15

* Estimated.

a Furnished by Idaho Department of Reclamation; not previously published.

b Not previously published.

c Published as in "sec.31, T.10 N., R.27 E."

d Weir measurement.

e Published as "Hudd diversion, in sec.32, T.10 N., R.27 E."

Aug 15, 94
007 10 1933



United States Department of the Interior

BUREAU OF LAND MANAGEMENT

Idaho Falls District Office
940 Lincoln Road
Idaho Falls, Idaho 83401



IN REPLY REFER TO:

7200

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October 8, 1992
OCT 15 1992

Department of Water Resources

Idaho Water Resource Board
Statehouse
Boise, Idaho 83720

Dear Mr. Chairman:

On September 12, 1991 Dan Kotansky from our district office and Mark Gamblin from Idaho Department of Fish and Game (IDFG) Region 6, submitted two instream flow water right applications. These submittals were made at the McCall, Idaho Water Resource Board meeting. The two water right applications are for Wet Creek and Badger Creek, both in Butte County.

The BLM and IDFG wish at this time to amend the Wet Creek application. The reason for amending this application are two-fold. First, recent streamflow measurements show that 10.0 cfs cannot be maintained at the lowest point year-long. Thus, we jointly propose to decrease our request here during the winter period. Secondly, BLM spent \$6000.00 this summer in a joint IDFG project to install a fish ladder on Wet Creek at the Pancheri diversion. To protect our investment here, BLM and IDFG jointly request increased flows by season, taking advantage of the Dry Creek hydropower diversion flows into Wet Creek during the growing season. Attached are three copies of the amended Wet Creek request.

The BLM and IDFG also wish to know when a public hearing or information meeting is scheduled for these requests.

If you have any questions please call Dan Kotansky at 524-7529 or Mark Gamblin (IDFG) at 525-7290.

Sincerely,

LeRoy Cook
Area Manager
Big Butte Resource Manager

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Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Ident. No. _____

To appropriate the public waters of the State of Idaho

1. Name of applicant Idaho Water Resource Board Phone _____
Post office address Statehouse Mail, Boise, ID 83720
2. Source of water supply Wet Creek which is a tributary of Little Lost River
3. Location of point of diversion is _____ 1/4 of SE 1/4 of SE 1/4, Govt. Lot _____
Sec. 33 Township 10N Range 26E B.M. Butte County, Butte
~~points of diversion if any:~~ downstream to SW 1/4 of NE 1/4 of Sect. 4, T9N R27E, Butte County

4. Water will be used for the following purposes:

Amount 10.0 cfs for Instream Flow purposes from 1/1 to 12/31 At upper site (1st Div.)
(cfs or acre-feet per annum) (both dates inclusive) to Dry Creek pipe inflow

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)

Amount 4.0 cfs for Instream Flow purposes from 10/1 to 5/1 At lower site (2nd Div.)
(cfs or acre-feet per annum) (both dates inclusive) From Dry Cr. pipe inflow

Amount 15.0 cfs for Instream Flow purposes from 5/2 to 9/30 At lower site (2nd Div.)
(cfs or acre-feet per annum) (both dates inclusive) From Dry Cr. pipe inflow

5. Total quantity to be appropriated is (a) 15.0 cfs and/or (b) _____
cubic feet per second acre feet per annum

6. Proposed diverting works: No Diversion, Instream Flow

a. Description of ditches, flumes, pumps, headgates, etc. _____

b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total
reservoir capacity _____ acre-feet; period of year when water will be diverted to storage:
_____ to _____ inclusive.

c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.

d. Is ground water with a temperature of greater than 90°F being sought? _____

7. Time required for the completion of the works and application of the water to the proposed beneficial use is
1 years (minimum 1 year).

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8. Description of proposed uses (if irrigation only, go to item 9):

- Hydropower; show total feet of head and proposed capacity in KW. _____
- Stockwatering; list number and kind of livestock. _____
- Municipal; show name of municipality. _____
- Domestic; show number of households. _____
- Other; describe fully. Instream flow to maintain Wet Creek's healthy, wild bull and rainbow trout fishery, fish ladder, and its excellent riparian wetland habitat. To provide the public quality, future recreational and scenic opportunities.

9. Description of place of use: At the Pass Creek Road Bridge on Wet Creek downstream to the confluence of Wet Creek with the Little Lost River.

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

Total number of acres to be irrigated _____

10. Describe any other water rights used for the same purposes as described above. _____

11. a. Who owns the property at the point of diversion? USDI-BLM.

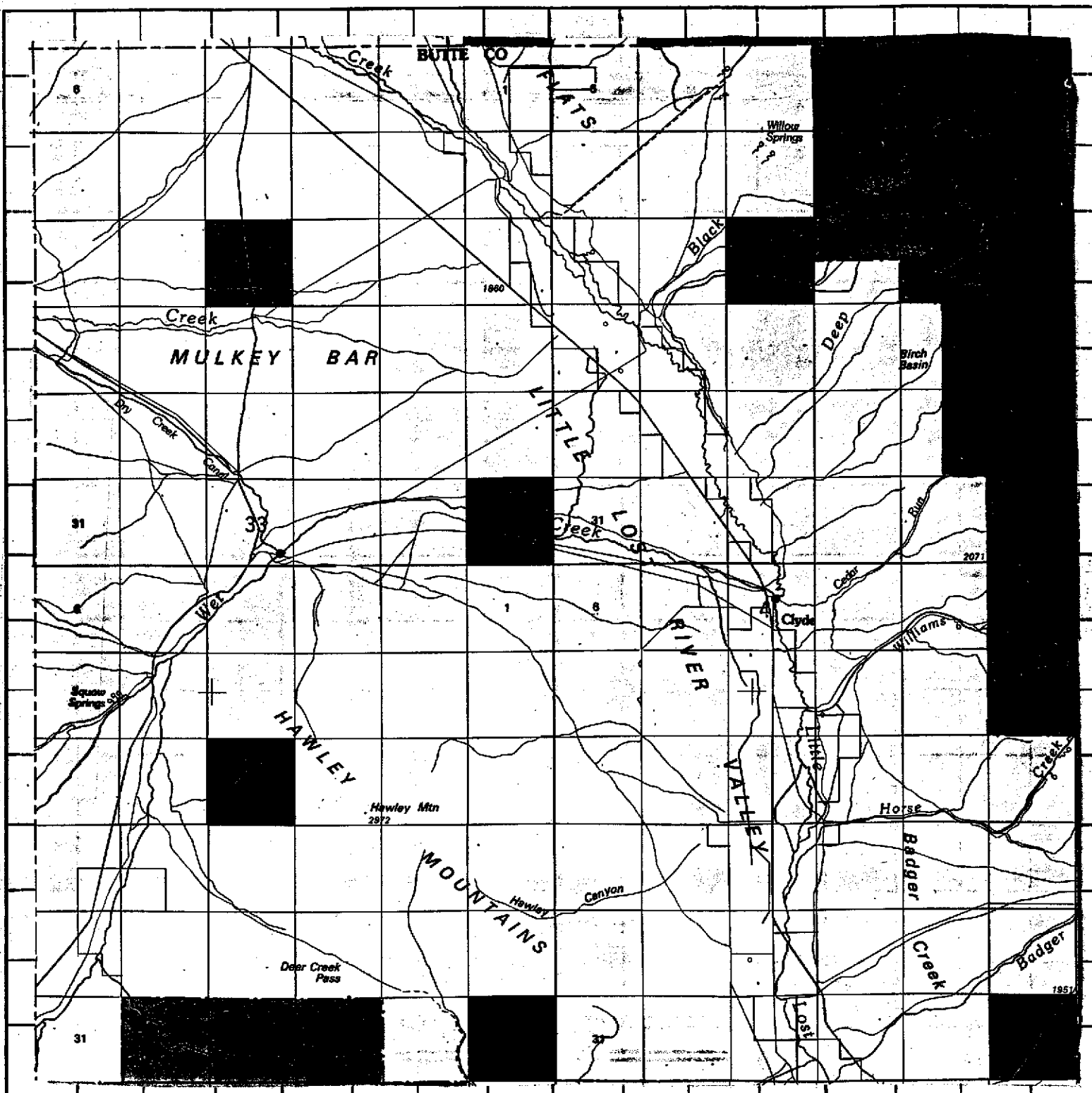
b. Who owns the land to be irrigated or place of use? N/A

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. N/A

12. Remarks: _____

Aug 15 1994
OCT 19 1993

13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile.

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

F. Does Goldy
(Applicant)

OCT 19 1993

Received by _____ Date _____ Time _____ Preliminary check by _____
Fee \$ _____ Received by _____ # _____ Date _____
Publication prepared by _____ Date _____ Published in _____
Publication approved _____ Date _____

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. _____, and said application is hereby _____.

1. Approval of said application is subject to the following limitations and conditions:

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

b. Proof of construction of works and application of water to beneficial use shall be submitted on or before _____, 19 ____.

c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.

d. The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.

e. Other:

RECORDED
Aug 15, 94
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IDAHO DEPARTMENT OF FISH & GAME
EXHIBITS 1, 2, 3, & 4
WET CREEK
33-07207

MANAGED

OCT 19 1993

IDAHO DEPARTMENT OF FISH AND GAME

Jerry M. Conley, Director

FEDERAL AID IN FISH RESTORATION

Job Performance Report

Project F-71-R-12



REGIONAL FISHERIES MANAGEMENT INVESTIGATIONS

Job No. 6 (IF)-c². Region 6 (Idaho Falls) Rivers and Streams
Investigations -- Big Lost and Little Lost Rivers,
and Birch and Medicine Lodge Creeks Survey

By

Chip Corsi, Regional Fisheries Biologist
Steve Elle, Regional Fisheries Manager

May 1989

OCT 19 1993

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 OCT 18 1986

JOB PERFORMANCE REPORT

State of: Idaho

Name: REGIONAL FISHERIES MANAGEMENT
INVESTIGATIONS

Project No.: F-71-R-12

Job No.: 6 (IF)-c²

Title: Region 6 (Idaho Falls) Rivers and
Streams Investigations--Big Lost
and Little Lost Rivers, and Birch
and Medicine Lodge Creeks Survey

Period Covered: July 1, 1987 to June 30, 1988

ABSTRACT

Streams of the Sinks drainages (Big Lost River, Little Lost River, Birch Creek, and Medicine Lodge Creek) were studied during 1987 to: (1) obtain information on fish populations, (2) identify stream reaches in need of habitat improvement, (3) evaluate responses of fish populations to habitat improvement projects, (4) assess angler use and harvest in Medicine Lodge Creek following a change in management to eliminate catchable plants, and (5) monitor catch rates and species composition in the Little Lost River and Birch Creek.

Densities of rainbow trout in the Big Lost River near Mackay are high (7.7 per 100 m²) with fish larger than 600 mm in length present. Mortality rates are indicative of light exploitation; and the large number of fry observed indicates natural recruitment, rather than downstream emigration of fingerlings from Mackay Reservoir, is supporting the fishery. Brook trout are also present (2.6 per 100 m²) and may exceed 400 mm in length. Further downstream near Arco, brook trout comprise the majority of the fish with a population structure similar to that observed near Mackay. Brown trout and rainbow trout are also present in lesser numbers. Annual dewatering during the irrigation period and habitat damage resulting from agricultural impacts limit the potential of the downstream fishery. Brook trout outnumbered rainbow trout in Antelope and Pass creeks, while rainbow trout were the most abundant species in the East Fork within the new riparian pasture.

Rainbow trout are the most widely distributed species in the Little Lost drainage followed by bull trout and brook trout. Fish densities appear to be dependent on habitat quality and flow regimes. Rainbow trout may reach lengths of 300 mm or greater, but maturation appears to occur at smaller sizes (150-200 mm) and mortality is high on older fish. Several bull trout larger than 300 mm were sampled, and one fish larger than 500 mm was observed. Sawmill Creek is the only stream with large numbers of bull trout. Dry Creek was the only stream sampled where brook trout were the most abundant species. Angler catch rates for the entire drainage exceeded 1.2 fish per hour.

OCT 18 1988

Wild rainbow trout are the most abundant and widely distributed game fish in the Birch Creek drainage. Densities are high in the upper reaches where habitat is in relatively good condition and fishing pressure is light. Catchable rainbow trout are maintaining the fishery downstream from Blue Dome, and harvest data suggest a decline in wild fish numbers. Mortality rates for wild rainbow trout are also higher in lower Birch Creek than in the upper reaches. Brook trout were not observed downstream from Kaufman Guard Station and are only present in limited numbers in the upper reaches. Cutthroat trout were found to have overwintered in Pass Creek Lake.

Streams in the Medicine Lodge Creek drainage support rainbow trout, brook trout, and cutthroat trout. Cutthroat x rainbow hybrids are also common. Rainbow trout are present in most streams in the drainage and in Medicine Lodge Creek occasionally exceed 450 mm in length. Cutthroat trout are also widely distributed but densities are typically low, indicating remnant populations. Brook trout were found in only two subdrainages but were abundant where they were dominant. Comparison with 1982 data suggests that wild trout numbers have increased since elimination of catchable rainbow trout stocking. Estimated fishing effort declined about 30% since the 1982 census, but catch rates remained nearly the same at 1.1 fish per hour. Harvest rates showed a decline of 36%. The small pond on the bench above West Indian Creek proved to be suitable year-round habitat for cutthroat trout, and fry planted in 1984 were in the 350 to 450 mm length range.

Authors:

Chip Corsi
Regional Fishery Biologist

Steve Elle
Regional Fishery Manager

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INTRODUCTION

In 1985, the Idaho Department of Fish and Game identified a number of fisheries in the state about which insufficient information was available to make informed management decisions (Idaho Department of Fish and Game Management Plan 1985). Of those systems lacking adequate information in the upper Snake Subregion, the Sinks drainages were given high priority for study. Investigations began in 1986 on the upper Big Lost River (Corsi 1988) and were continued in 1987 on the lower Big Lost, Little Lost, Birch Creek, and Medicine Lodge Creek drainages. This report discusses the findings of the 1987 field season.

OBJECTIVES

1. Assess fish densities and species compositions in Medicine Lodge Creek, Birch Creek, Little Lost River, and lower Big Lost River drainages.
2. Examine life history aspects of wild salmonid populations including age structure, growth rates, size at maturity, and mortality rates.
3. Evaluate the success of habitat improvement projects.
4. Monitor the response of the sport fisheries on Medicine Lodge Creek to a cessation of hatchery trout stocking.
5. Obtain creel data from anglers fishing the Little Lost and Birch Creek.
6. Identify areas in need of habitat improvement.

RECOMMENDATIONS

1. Obtain additional information on bull trout in the Little Lost River. Current data suggest that numbers are low and mortality is high. As more information on bull trout populations is gathered statewide, it should be possible to develop a management plan for the species. Additional knowledge of the isolated population in the Little Lost drainage will be necessary to ensure that any plan is suitable for that population.
2. Continue to manage the Little Lost and Medicine Lodge drainage fisheries as wild trout fisheries. Discontinue stocking Big Springs Creek (Little Lost River drainage) as number of wild fish are adequate to maintain high catch rates. Continue to manage lower Birch Creek with hatchery fish.

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3. Develop additional habitat improvement structures on lower Birch Creek. Work with landowners on upper Birch Creek to protect riparian areas from grazing.
4. Work with land management agencies and private landowners to restore habitat in degraded areas. Priority should be given to Sawmill Creek and lower Summit Creek in the Little Lost drainage, the lower Big Lost near Arco, and Fritz, Irving, and Warm creeks in the Medicine Lodge drainage.

STUDY AREA DESCRIPTION

The Sinks drainages are a series of streams which flow in southerly direction from the high mountains of southcentral and southeastern Idaho, across high desert valleys and then sink into the lava beds of the Snake River plain (Figure 1). Andrews (1972) provides descriptions of these streams in some detail. Overton (1977) provides a detailed description of the lower Big Lost River. Descriptions of specific study sites are provided in Appendices A through D. Andrews also discusses the origin of native fish species in the Sinks drainages, as did Hubbs and Miller (1948). Both sources include bull trout (Salvelinus confluentus), sculpin (Cottus spp.), and cutthroat trout (Salmo clarki) in their list of endemic species. Andrews also includes mountain whitefish as an endemic species but they are found only in the Big Lost River. Headwater capture by the Salmon River accounts for the presence of bull trout and shorthead sculpin. By the same reasoning, however, rainbow trout (Salmo gairdneri) could also be native to the Sinks streams, provided headwater capture occurred after speciation of rainbow trout from cutthroat trout. Hatchery introductions during this century have included rainbow trout, cutthroat trout, and brook trout (Salvelinus fontinalis). Cutthroat trout are nearly absent from the drainages although a remnant population exists in Medicine Lodge Creek. Rainbow trout are the most widely distributed species in the Sinks drainages (Table 1).

TECHNIQUES

Fish Sampling And Population Estimates

Fish populations in the Sinks drainages (Big Lost River, Little Lost River, Birch Creek, and Medicine Lodge Creek) were inventoried during 1987 to obtain baseline data, or to augment a previously existing but limited data base. We were also interested in assessing the response of the Little Lost and Medicine Lodge drainages to the cessation of hatchery stocking. Fish in all four drainages were collected primarily by electrofishing with Coffelt BP-1 generator-powered units. Some fish were collected by hook and line sampling. Population estimates were made using either multiple-pass or mark-recapture techniques (Platts et al. 1983;

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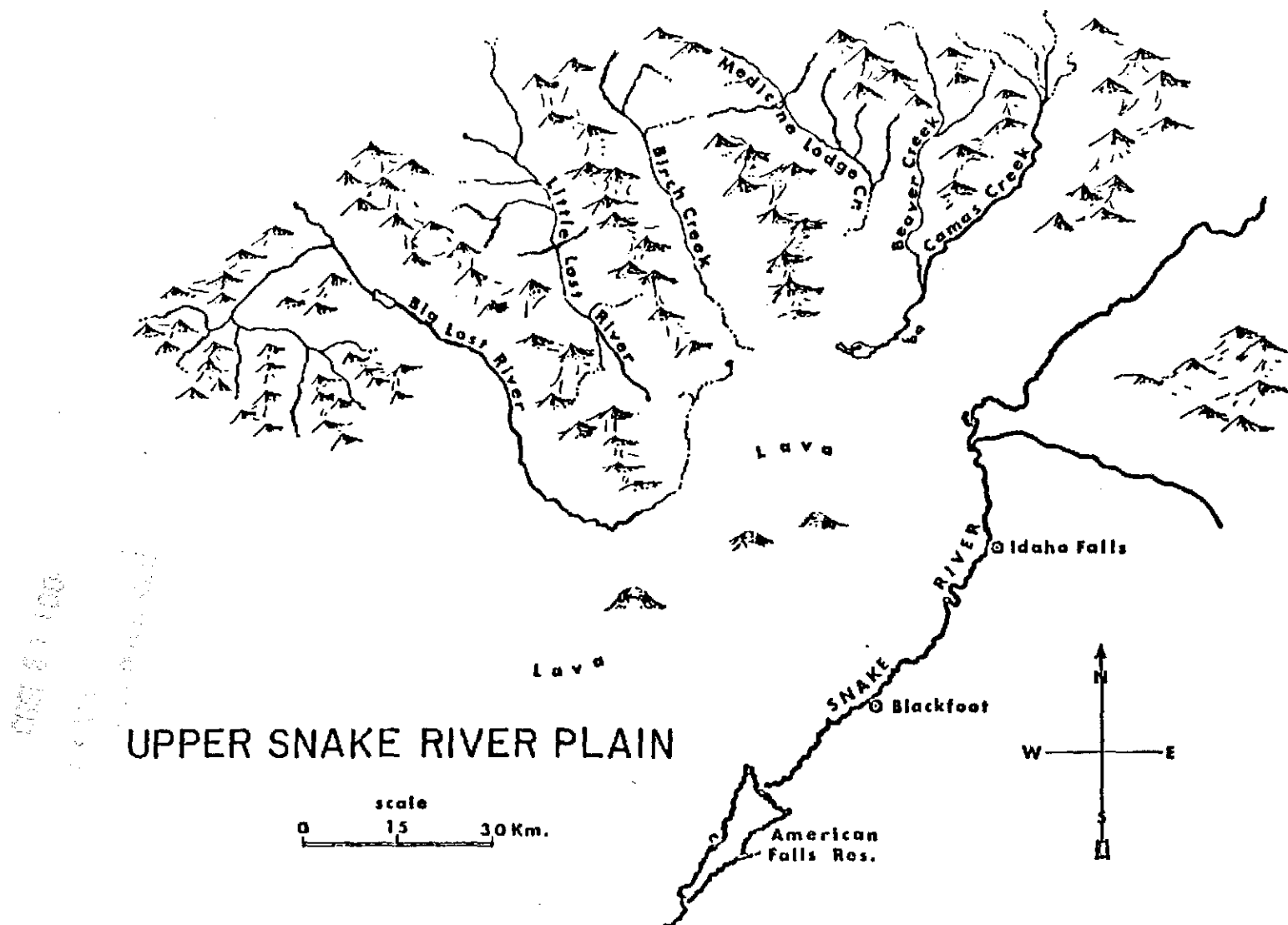


Figure 1. Location of the Sinks drainages in the upper Snake River Plain (Andrews 1972).

Table 1. Distribution of fishes in the Sinks drainages, Idaho.

Species	Drainage (1986-1987)					Hubbs & Miller ^a	Andrews ^a
	Big Lost	Little Lost	Birch	Medicine Lodge	Camas	All drainages	All drainages
Cutthroat trout	H	H	H	N,H	N	N	N
Bull trout	O	N	O	O	O	N	N
Rainbow trout	U	U	U	U	U	O	H
Brook trout	H	H	H	H	H	O	I
Brown trout	H	O	O	O	O		
Whitefish	N	O	O	O	O	O	N
Sculpin	N	N	N	N	O	N	N
Cyprinids	I	O	O	O	O	I	I
Catostomids	O	O	O	O	O	I	O

^aSome species not found in each drainage.

KEY:

- N = believed to be native
- H = believed to be of hatchery origin
- U = origin uncertain
- I = illegal introduction
- O = not found

Lackey and Hubert 1977). Density estimates were made by estimating the surface area of each sampling site and dividing the population estimate by that value. Mortality estimates were made by developing catch curves (Ricker 1975) from the electrofishing data in conjunction with age and growth data.

Age And Growth

Scales were collected from fish above the lateral line and slightly posterior to the dorsal fin. Samples were then mounted on acetate and impressions made using a scale press. Impressions were viewed at 45X on a microfiche reader and measurements made along the anterior scale radius (ASR) to the outside edge of each annulus and to the outer edge of the scale. Linear and third-degree polynomial regression curves were tested to see which provided the best fit for the length of fish to length of the ASR relationship. Lengths at annulus were then back-calculated using the best fitting regression.

Angler Surveys

A stratified random creel census was established for Medicine Lodge Creek similar to that described by Moore et al. (1983). One weekday and one weekend day per two-week period were sampled. Holidays were treated as weekend days.

Anglers were interviewed to document hours fished, number of fish (by species) caught and creeled, fish lengths, and gear types. Catch rates were applied to effort estimates (Corsi 1988) to estimate total harvest. Angler counts were conducted from May 23 through September 11. Occasional angler interviews were conducted during the fall months.

We also checked anglers fishing Birch Creek and in the Little Lost drainage to document catch rates. As in the Medicine Lodge Creek study, anglers were interviewed to document individual effort, catch and harvest, lengths of creeled fish, and gear type.

FINDINGS

Distribution And Densities of Game Fish

Big Lost River Drainage

Despite periodic flow reductions and livestock impacts, the Big Lost River near Arco supports a viable population of brook trout (Table 2). Wild rainbow trout, hatchery brown trout, and whitefish are the other game species present. Brook trout in this reach ranged in length from 130 mm to 405 mm (Figure 2). No fry were collected, probably because of the

With the exception of two hatchery rainbow trout, all of the fish sampled in Pass Creek were brook trout. Estimated densities were similar to other Big Lost tributaries (Table 7), and several age groups were represented (Figure 5). As in Antelope Creek, the low number of hatchery rainbow trout near a release site indicate high utilization on these fish. The lower density of brook trout larger than 150 mm may indicate a higher harvest level on the Pass Creek population than is occurring in Antelope Creek.

In the newly formed riparian pasture on the upper East Fork of the Big Lost River, we found densities of game fish to be relatively low, with wild rainbow trout the predominant species (Table 8) in both sections. Rainbow trout fry were abundant, indicating the importance of the area for spawning (Figure 6). Adult and juvenile fish were also present, as were all age groups of brook trout (Figure 6). One cutthroat trout, probably a downstream migrant from an alpine lake, was also present in the lower section.

Improvements to fish habitat resulting from the riparian pasture are expected to increase the density of wild trout; however, fishing pressure is also probably limiting fish densities. One of the objectives of the riparian pasture is to increase fish densities by 50 to 100%. Monitoring will continue in the future to assess the response of the fishery to improved habitat.

Little Lost River

Population estimates were obtained from 44 locations in the Little Lost River drainage. Several other sites were qualitatively sampled to assess species presence. Descriptions of sampling sites and population estimates are in Appendix B.

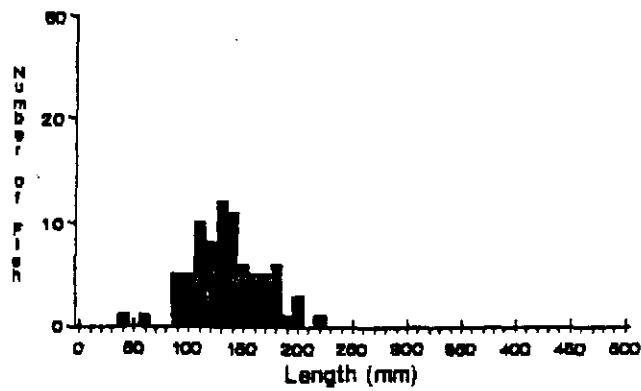
Rainbow trout are the most abundant and widely distributed species in the drainage but were not found in Dry Creek or in some portion of the Sawmill Creek subdrainage (Tables 9, 10, and 11). The highest densities of rainbow trout tend to occur in reaches with good habitat (Tables 9, 10, and 11; Appendix B). For example, densities of rainbow trout in Summit Creek are higher in three ungrazed sections than in a grazed section with unstable banks and more limited riparian vegetation. Resident populations occurring in tributaries seldom have specimens longer than 275 mm total length (Figure 7). Rainbow trout seldom exceed 300 mm in the Little Lost River (Figure 8). Rainbow trout fry were first observed during late July and were present in most sections.

Bull trout exist in remnant numbers in many areas of the drainage, but a viable population occurs in the Sawmill Creek subdrainage (Table 11). Sawmill Creek differs from other streams in the drainage in that much of the headwater reaches are heavily forested and water conductivities appear to be low. The percent composition and densities of bull trout are higher in the upper portions of Sawmill Creek where steeper gradients occur, and habitat is considerably different than in other areas of the drainage with large pocket water and small pools. Thurow (1987) observed that bull trout in the South Fork Salmon River tended to occupy colder streams in that drainage. No temperature data were recorded for

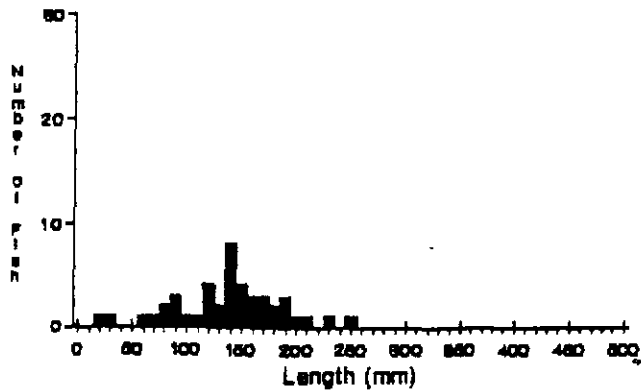
Table 10. Fish population densities (fish ≥ 1) and species composition from tributaries to the Little Lost River, 1987.

Location	Site	Sampling date	Fish/ 100 m ²	Species composition (%)			Comments
				WRB	BRK	BLT	
Summit Cr.	BLM Exclosure #1	8/87	18.7	91	9	0	
Summit Cr.	BLM Exclosure #2	8/87	26.4	82	18	0	WRB YOY present
Summit Cr.	BLM land at county line	8/87	8.8	98	0	2	WRB YOY present
Summit Cr.	Private ground near mouth	8/87	40.4	99	1	0	WRB YOY present
Wet Cr.	BLM #1	8/87	10.9	100	0	0	WRB YOY present
Wet Cr.	BLM #4	8/87	14.3	100	0	0	WRB YOY present
Wet Cr.	BLM #7	8/87	7.0	100	0	0	WRB YOY abundant
Wet Cr.	BLM #9	8/87	5.9	100	0	0	WRB YOY abundant
Wet Cr.	BLM #14	8/87	8.8	100	0	0	WRB YOY present
Wet Cr.	BLM #20	8/87	5.5	96	0	(4)	WRB YOY present
Wet Cr.	Upstream from hydro project	8/87	6.9	97	0	(3)	
Wet Cr.	Downstream from Dry Cr.	8/87	5.4	100	0	0	WRB YOY present
Wet Cr.	On CNF near upper road crossing	8/87	12.1	100	0	0	WRB YOY present
Dry Cr.	On CNF in beaver pond meadows	8/87	3.9	0	87	0	13% CT; BRK YOY present
Squaw Cr.	BLM #1	8/87	36.7	97	0	1	2% WRB x CT hybrids
Squaw Cr.	BLM exclosure	8/87	22.2	99	0	1	
Badger Cr.	Near cabin in lower section	8/87	26.3	96	0	4	WRB YOY present
Badger Cr.	On CNF in basin	8/87	33.1	100	0	0	
Bunting Cr.	Near fork w/ Badger Cr.	8/87	-	67	0	33	Only 3 fish captured
Deer Cr.	BLM #2	8/87	15.3	100	0	0	WRB YOY present
Deer Cr.	BLM #3	8/87	11.7	100	0	0	
Big Cr.	Upstream from road	8/87	14.4	100	0	0	WRB YOY present
Big Spring Cr.	Near road crossing (#1)	8/87	35.1	93	7	0	WRB YOY present
Big Spring Cr.	Upstream from #1	8/87	20.1	94	6	0	1 HRB in sample; WRB YOY present
Fallert Spring Cr.	@ closed bridge	8/87	0.8	80	20	0	
Warm Cr.	Below highway culvert	8/87	29.4	100	0	0	

WILD RAINBOW TROUT DEER CREEK



BADGER CREEK



WARM CREEK

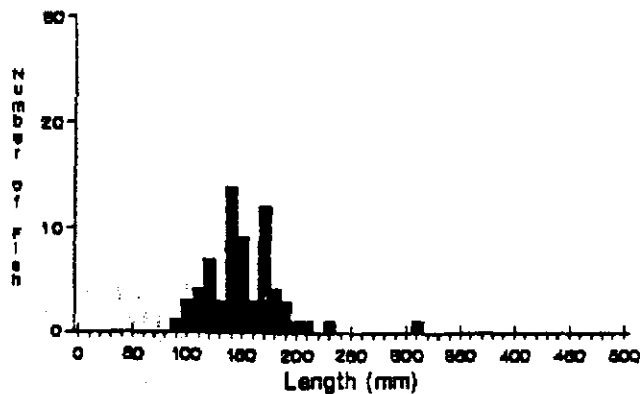
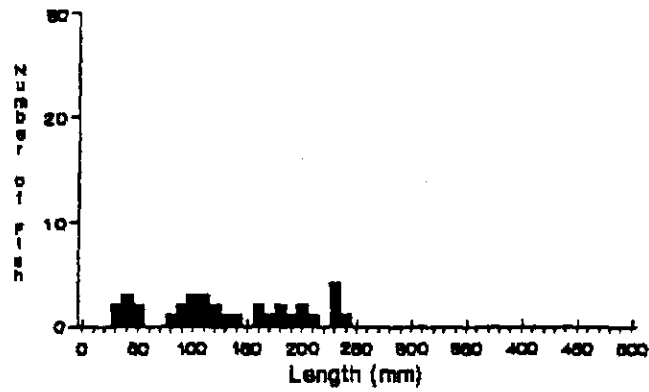
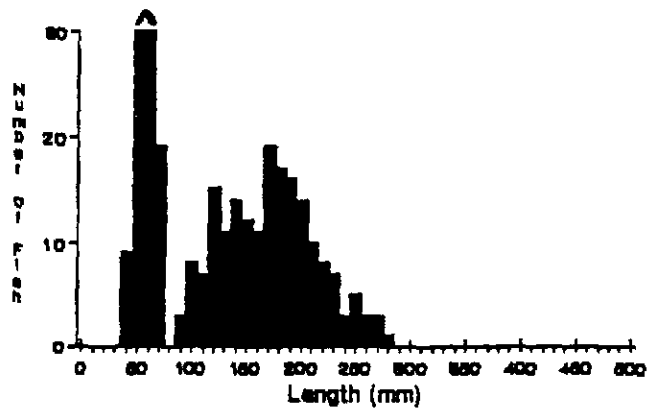


Figure 7. Length frequency distributions of rainbow trout captured from tributaries to the Little Lost River, 1987.

WET CREEK UPPER (ON FOREST)



BLM STUDY AREAS



LOWER

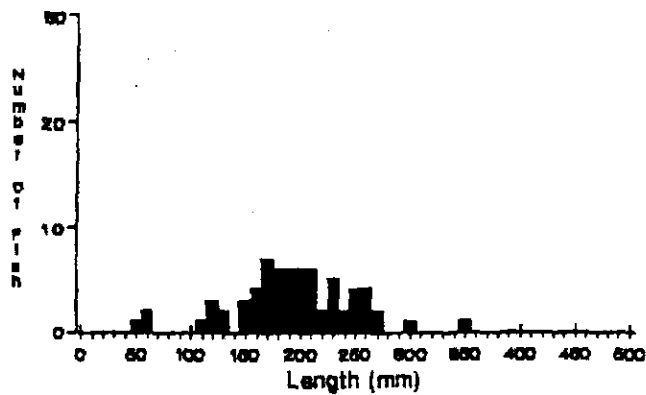


Figure 7. Continued.

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Sawmill Creek, but the high degree of shading, lack of prolonged exposure to sunlight due to its location, and limited spring inflow suggest that water temperatures may be similar to those observed in central Idaho waters. Bull trout measuring 300 mm to 350 mm are relatively common and larger fish are occasionally observed (Figure 9). BLM personnel electrofished a 505-mm long specimen in lower Sawmill Creek during 1987 and bull trout larger than 600 mm have been documented (Region 6, file data) in the past. Most bull trout captured in smaller tributaries and headwater reaches were less than 250 mm (Figure 9). Densities of bull trout observed in Sawmill Creek are similar to those observed in the South Fork Salmon River drainage (Thurrow 1987) and in the Flathead River drainage in Montana (Fraley et al. 1981). Comparison of numbers in lower Sawmill Creek with previous year's data suggest that bull trout numbers may be declining (Table 12). Large bull trout (>300 mm) in the Little Lost River may be migratory fish which spawn in Sawmill Creek.

Brief sampling in upper Sawmill Creek and in Iron Creek during November revealed no spawning bull trout. Thurrow (1987) and others have observed that bull trout tend to spawn in September and October. Bull trout fry were observed during the November sample, so spawning may be early.

Brook trout are not present in high densities in any stream in the drainage but are the predominant species in Dry Creek (Tables 9, 10, and 11). Although their distribution is limited, it appears that occasional hybridization with bull trout may occur. Brook trout seldom exceed 250 mm but one 365 mm specimen was captured in Sawmill Creek (Figure 10). Occasional reports of brook trout longer than 400 mm caught by anglers in Dry Creek have been received (Gary Hompland, IDFG, personal communication). We did observe an apparent increase in numbers of brook trout in the Little Lost River above Clyde during a brief pass through that section in November (Table 10). Most of the brook trout were in spawning condition, and several redds were observed. These brook trout were not apparent in the summer sample. Probably, brook trout used this reach as a spawning area and then move to other areas.

Small numbers of cutthroat trout were captured in Dry Creek, and some rainbow trout in Deer Creek displayed evidence of hybridization with cutthroat trout. Presumably, cutthroat trout in Dry Creek have emigrated from Swanger Lakes where they are stocked.

Birch Creek Drainage

Wild rainbow trout are the most abundant game fish present in the Birch Creek drainage and were found at every sampling site except for one (Table 13). Brook trout are confined to headwater reaches. The highest densities of fish occur in Birch Creek upstream from Kaufman Guard Station, an area where habitat is good and fishing pressure is light. Lateral channels in the upper Birch Creek area also support good densities of fish. Further downstream, fish densities decline but still remain high in the Wagoner Ranch reach where habitat condition is excellent and limited angling effort occurs. On the BLM reaches, numbers decline considerably. Habitat is in good condition within the enclosure, but the steeper gradient and higher velocities limit the number of holding areas.

observed in the creel, anglers start to keep fish as they move into the 150 to 200 mm size group, similar to what was observed on the Big Lost River (Corsi 1988). Over 90% of the fish observed in the creel were less than 300 mm long, but the opportunity to catch large fish is still available as evidenced by the large fish that were caught.

Anglers were also checked at Irving Creek, Webber Creek, Horse Creek, and Warm Creek. Based on the limited number of contacts, fishing in the tributaries was good with high catch rates (Table 36). Brook trout make up an important component of the tributary fishery. Despite the fact that cutthroat trout are widely distributed around the drainage, none were observed in angler creels during 1987.

Birch Creek

Project personnel interviewed 163 anglers on Birch Creek who had fished a total of 211.6 hours. Overall catch and harvest rates were 1.54 and 1.01 fish per hour, respectively. Hatchery rainbow trout comprised 88% of the harvest. In 1982 (Moore et al. 1983), hatchery rainbow made up 53% of the harvest, and harvest rates were 0.93 fish per hour. This is probably indicative of a decline in wild rainbow trout populations. Catch rates in 1982 were 2.30 fish per hour, primarily due to a high release rate of 1.36 fish per hour, most of which were small (<150 mm) wild fish. It may also indicate a higher utilization of hatchery fish. Wild rainbow trout and brook trout comprised 11% and 1%, respectively, of the harvest. The mean length of wild rainbow trout in the creel was 221 mm, compared with 217 mm in 1982.

Little Lost River Drainage

Forty-seven anglers who had fished a total of 73.5 hours were interviewed on four streams in the Little Lost drainage (Table 36). Rainbow trout were the most frequently caught species around the drainage with the exception of Sawmill Creek, where bull trout dominated the catch. Brook trout were also present in the creel (Table 36). Catch rates drainagewide are exceeding the 1.2 fish per hour goal designated in the current management plan.

Wild rainbow trout in the creel averaged 265 mm and ranged from 176 mm to 346 mm in length. Twenty-four percent of the wild rainbow trout were larger than 299 mm. Bull trout had an average length of 293 mm, with a range of 162 mm to 445 mm. Forty-three percent of the bull trout creeled were larger than 299 mm and 21% were larger than 400 mm. Occasional reports of bull trout which exceed 500 mm are received, and a 635-mm long specimen from Sawmill Creek was checked at the Regional Office in 1983. It appears that bull trout have the potential to provide a trophy aspect to the fishery, but based on population structure and the size of fish harvested, few are reaching large sizes.

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Table 36. Creel survey data for tributaries to Medicine Lodge Creek and in the Little Lost River drainage.

Stream	Hours fished	Catch rate (fish/hour)	No. of fish checked (catch/harvest)		
			BRK	WRB	BLT
Irving Creek ^a	2.0	1.0		2/2	
Webber Creek ^a	1.0	7.0	6/6	1/1	
Horse Creek ^a	4.0	2.8	9/9	2/2	
Warm Creek ^a	0.3	6.7		2/2	
Little Lost River ^b	35.0	1.6	1/1	54/32	2/2
Big Spring Creek ^b	4.5	2.0	1/1	8/7	
Summit Creek ^b	6.5	2.8	3/1	15/3	
Sawmill Creek ^b	27.5	1.2	2/2 ^c	13/5	17/12

^aMedicine Lodge drainage.

^bLittle Lost drainage.

^cBRK x BLT hybrids.

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Appendix B. Stream characteristics and population estimates at sampled areas in the Little Lost River drainage.

Stream	Section	Length	Width	Gradient	Sub- strate	Bank cond.	Rip. Veg.	Stream characteristics	Access	Population estimate (95% C.I.)
Little Lost R.	Above Clyde School	327.1	8.4	0.4	S,G,R	G	E	Good pool-riffle structure	F	776 (397-2,197)
Little Lost R.	@ Deer Cr. Rd.	207.9	4.7	0.6	S,G,R	G-E	E	Channel fairly straight; limited channel diversity	G	108 (60-257)
Little Lost R.	Above Fallert Spr. Cr.	144.0	6.7	0.3	S,G,R	G-E	E	Some pools; channel fairly straight	F	348 (203-736)
Little Lost R.	Howe Gage	224.0	6.6		S,G	G	G	Some pools; channel fairly fairly straight	E	55 (27-179)
Sawmill Cr.	Near Moonshine Cr.	94.5	4.6	3.1	S,G,R,B	E	E	Pools, drops, large woody debris; shaded	E	17 (12-22)
Sawmill Cr.	Near Bear Cr.	100.0	5.9	1.9	G,R,B	G	E	Short riffles w/ long pools and glides	G	46 (41-53)
Sawmill Cr.	Near Guard Station	303.2	9.5	1.7	R,B	P	P	Good pocket water habitat	E	290 (173-590)
Sawmill Cr.	Near USFS Boundary	109.7	7.3	1.4	R,B	G	G	Good diversity	E	57 (52-62)
Sawmill Cr.	BLM, upper	110.0	7.1	1.0	R,B	F	G	Pocket water	F	48 (43-53)
Sawmill Cr.	BLM	94.0	4.9	1.1	R,B	F	G	Pocket water	F	7 (7-7)
Sawmill Cr.	BLM	118.9	9.3	0.7	R,B	G	G	Pocket water	F	24 (18-30)
Sawmill Cr.	BLM, lower	104.5	4.2	0.8	S,G	P	P	Riffle/pool	F	18 (16-20)
Summit Cr.	BLM upper exclosure	63.0	4.2	1.0	S,G	E	E	Undercuts; dead falls; vegetation mats	F	52 (36-68)
Summit Cr.	BLM lower exclosure	89.0	3.0	1.0	S,G	E	E	Undercuts; vegetation mats	F	71 (65-77)
Summit Cr.	BLM @ county line	105.0	4.3	0.4	S,G	F	F	Broad, shallow channel	G	40 (38-42)
Summit Cr.	Private land @ mouth	102.0	2.5	0.4	S,G	E	E	Narrow; deep; vegetation mats	F	104 (84-124)
Wet Cr.	BLM #1	91.6	3.9	1.4	S,G	G	E	Pools and riffles	G	39 (32-46)
Wet Cr.	BLM #4	103.3	3.6	1.4	G,R	F	F	Good pool-riffle structure	G	53 947-56)

Appendix B. Continued.

Stream	Section	Length	Width	Gradient	Sub- strate	Bank cond.	Rip. Veg.	Stream characteristics	Access	Population estimate (95% C.I.)
Wet Cr.	BLM #7	87.8	3.9	1.5	G,R	P	P	Riffles, some pool habitat	G	24(22-26)
Wet Cr.	BLM #9	93.4	3.8	1.5	G,R	F	F	Riffles, some pool habitat	G	21 (19-23)
Wet Cr.	BLM #14	96.3	4.4	1.5	G,R	F	G	Good pool habitat	G	37 (30-44)
Wet Cr.	BLM #20	95.7	4.2	1.5	G,R	G	G	Big pools and undercuts	G	22 (20-24)
Wet Cr.	Above hydro project	106.1	5.8	0.8	G,R	F	F	Riffles; some pools	G	42 (35-49)
Wet Cr.	Below Dry Cr.	108.5	4.6	1.0	G,R	G	G	Riffles and pools	G	27(25-29)
Wet Cr.	CNF near road crossing	73.0	3.1	3.8	G,R,B	G	G	Pools, riffles, pocket water	G	27 (26-28)
Dry Cr.	On CNF in meadows	136.0	4.3	2.5	S,G	G	G	Drained beaver ponds; deep runs	P	23 (21-25)
Squaw Cr.	BLM #1	192.0	2.1	-	S,G	F	F	Pool-riffle-run	E	150 (112-211)
Squaw Cr.	BLM exlosure	184.7	3.1	-	G	G	G	Pool-riffle-run	E	128 (92-191)
Badger Cr.	Lower section on CNF	73.2	1.4	5.1	G,R,B	G	E	Pocket water, small pools	F	26 (22-30)
Badger Cr.	On CNF in basin	42.5	1.1	6.1	G,R,B	G	E	Pocket water, small pools	F	16 (13-19)
Deer Cr.	BLM #2	118.9	2.6	3.1	G	E	E	Pools, runs		48 (29-94)
Deer Cr.	BLM #3	151.8	3.4	2.4	G,R	G	G	Pool, riffle, pocket water		60 (33-143)
Big Cr.	Up from road	45.0	2.0	2.6	G	G	G	Narrow w/ good cover	E	13 (12-14)
Big Spring Cr.	Near road crossing (#1)	44.0	4.5	0.8	S,G	G	G	Pools and glides	E	70 (67-73)
Big Spring Cr.	Upstream from #1	117.7	4.4	0.8	S,G	G	G	Pools and glides	E	105 (84-136)
Fallert Spr. Cr.	@ closed bridge	139	4.8	0.6	S,G	G	E	Channel weed-choked	E	5 (5-5)
Warm Cr.	Below HWY culvert	59.6	9.6	0.5	S	E	E	Channel weed-choked	E	169 (93-400)
Timber Cr.	Near campground	104.3	3.7	2.6	G,R,B	G	G	Pocket water	G	29 (14-44)
Iron Cr.	0.5 km from mouth	132.0	3.6	5.1	S,G,R	G	G	Small pools, pocket water	E	31 (24-38)

TROUT

Trout population estimates were obtained every year except 1985. Three species of fish were present, rainbow trout (*Oncorhynchus mykiss*), bull trout (*Salvelinus confluentus*) and sculpins (*Cottus* spp.). All data presented are for rainbow trout because this species was the most abundant. Bull trout were only rarely caught, approximately one every 200 trout. Due to their small size, it was difficult to obtain an accurate population estimate of sculpins, therefore they were not discussed.

Population estimates ranged from 2.9 to 17.1 trout per 100 m² in areas one, three and four. (All trout numbers are reported in trout per 100 m².) An increase in trout population was seen in location T1 (area one) from a low of 4.2 in 1982 to 17.1 in 1988 (Table 11). Location T9 (area five) increased slightly from 4.3 in 1981 to 7.8 in 1983, but fell in 1984. Grazing was started on T9 in 1986 when a high of 10.1 was observed. This had fallen to 2.9 by 1988. Location T14 (area three) increased from 6.7 to 12.5. A beaver dam was built in this study area in 1985, which changed the habitat considerably and trout populations decreased. A fluctuating trend was seen at location T 20 (area four). The high was 15.2 in 1983 and fell to 5.9 in 1987. In the grazed area two, both transects T4 and T7 showed a fluctuating trend over time.

Rainbow trout sampled in Wet Creek ranged in age from young of the year to four years old. Four year olds represent 0.7 to seven percent of the population. The most abundant age class was generally two year olds. Fry numbers varied considerably and this may have been due to difficulty in obtaining an accurate catch. No increase in catchable trout was seen.

Length-age data showed fry to be less than 88 mm. One year olds range from 89 mm to 130 mm. Two year olds ranged from 131 mm to 208 mm

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Table 11. Wet Creek trout population estimates per 100 m²,
1981-1988.

Year	Location					
	T1	T9	T14	T20	T4	T7
1981	9.0	4.3	6.7	12.0	11.6	2.2
1982	4.2	5.8	10.9		15.2	6.7
1983	5.3	7.8	14.1	15.2	16.4	9.8
1984	6.7	5.2	12.5	10.1	13.1	5.9
1986	7.9	10.1	6.7	7.5	10.0	9.0
1987	12.1	6.1	9.9	5.9	15.2	6.7
1988	17.1	2.9	7.5	10.4	9.7	6.2

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and three year olds from 209 mm to 250 mm. Four year olds were considered anything over 250 mm (Table 12). Length-age data regression analysis showed a correlation ($r = 0.88$). Thus the length of a trout in Wet Creek can be used to determine its age.

Biotic factors versus habitat factors were compared using 1984 data. Channel geometry, riparian vegetation, macroinvertebrates, and trout data were collected on most of the transects in 1984. Trout population data were compared to all channel geometry parameters, and no consistent pattern was observed (Table 13). Vegetation data from 1984 showed no consistent pattern with trout population data. It was difficult to compare macroinvertebrate to trout because data for both were only taken on two transects. However, for these two transects no pattern was seen. An ANOVA indicated there was no change over time and place in the number of trout. The test hypothesis predicted a higher population of trout in area one, three and four. The analysis failed to disprove the null hypothesis at these locations.

OCT 19 1983

Table 12. Length at age of rainbow trout on Wet Creek, 1983.

Number of trout	Age	Back calculated length at each annulus (mm)			
		1 year	2 year	3 year	4 year
10	1 year	96.2			
19	2 year	83.3	122.7		
13	3 year	81.6	140.4	192.5	
3	4 year	95.0	161.5	224.7	250.4
Average		89.0	131.5	208.6	250.4

Table 13. Trout populations per 100 m² versus habitat variable on Wet Creek 1984.

Location	T1	T4	T7	T9	T14	T20
Area	one	two	two	five	three	four
Trout	6.7	13.1	5.9	5.2	13.1	10.1
Vegetation	94%	62%	64%	ND	76%	ND
Sediment	24%	32%	20%	46%	35%	21%
Undercut	0.06	0.27	0.03	0.03	0	0.06
Bank Angle	94°	108°	86°	81°	53°	70°
Channel Width	4.3	3.4	3.8	3.5	4.7	4.5
Bank Depth	0.12	0.18	0.06	0.06	0	0.09
Invertebrates	6676	6968	ND	ND	ND	ND

ND No Data

Channel Width, Bank Depth, and Undercut reported in meters

Invertebrates reported as mean No./ m²

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and dispersed. The absence of Leuctridae, Perlodidae, *Pteronarcella* and *Zapada* in spring samples in 1983 and 1987 may have been due to the earlier warming in 1987 and the fact the samples were collected in June not April in 1983. Gaufin (1959) noted *Capnia* species are autumn-winter species. Similarly in this study *Capnia* was only rarely observed in the spring and well represented in the fall. Simuliidae low numbers in the fall of 1984 may have been due to high stream flow conditions or temperature effects on emergence.

Wet Creek trout populations appeared to be in better condition than most of the heavily grazed streams in the Willow Creek drainage, but not as good as the ungrazed streams in the Willow Creek drainage (Corsi 1988). Wet Creek trout densities ranged from 17 trout/100 m² (at T1 in 1988) to 2.8 trout/m² (T9 in 1988). Corsi (1988) indicated that high densities of trout were >16.0 trout/100 m² and low densities were <8.0 trout/100 m². Four ungrazed streams in the Willow Creek drainage had high densities of trout ranging from 17-38 trout/100 m². The rest of the Willow Creek drainage, which was heavily grazed, ranged from 0 to 11.2 trout/100 m² (Corsi 1988). Approximately one third of the population estimates on Wet Creek had more trout than 11.2 trout/100 m².

The highest flows ever recorded (25 years of record, USGS 1984) occurred in 1984 and seemed to affect the trout. Trout populations decreased on five of the six transects measured in 1984. Trout populations during the flood years of 1983 and 1984 on Gance Creek, Nevada were lower than the drier years of 1978 and 1979 (Platts et. al. 1985).

Previous studies have indicated that trout populations can be three to four times higher in ungrazed or protected areas when compared to grazed areas (Marcuson 1977, Gunderson 1968, Duff 1978, Kimball and Savage

1977, Kennedy 1977). Recently, Stuber (1985) reported a 96% higher standing crop of trout in a fenced area of Sheep Creek, Colorado compared to an unfenced section. Keller and Burnham (1982) showed more trout in ungrazed sections of Summit Creek, Idaho, also a tributary of the Little Lost River, than the grazed sections for three habitat types.

Eight years after fencing to minimize grazing, Wet Creek did not show an increase in trout populations on all ungrazed sections tested. The lack of increase in trout populations on Wet Creek may have been due to the normal annual fluctuation in trout populations, in addition to the failure of sediment percentages to decrease. Platts and Nelson (1988) concluded, from 11 years of study on many streams, that trout populations normally exhibit large annual fluctuations. They concluded the effect of land uses or enhancement efforts can easily be masked by large variations in biomass and abundance of trout populations. For this reason paired treatment with corresponding controls were recommended (Platts and Nelson 1988).

Riparian areas equal less than one percent of the acreage of western federal rangelands (Winward 1984). However, their importance is more significant than their small percent of acreage would indicate. Riparian areas are more productive than drier upland range, and riparian vegetation is more palatable. Eighty-three percent of public grazing lands are in deteriorated condition with most of the riparian areas also degraded (Wald 1978). Livestock overuse bears the major responsibility for this damage (Chapman 1978).

Deterioration of riparian areas is a complex problem and requires a complex and flexible solution. Management practices to improve semiarid riparian ecosystems and trout habitat need to be investigated. Many

studies looking at grazing effects, have been done on riparian ecosystems. However, most have been done on Forest Service land and forest vegetation may impede erosion rates due to grazing. This study, along with others on semiarid streams, can be used to determine what is necessary to improve semiarid riparian ecosystems, and what techniques are suitable to monitor the improvement.

SUMMARY AND CONCLUSIONS

Some channel geometry parameters improved after fencing to minimize grazing. Streamside cover, streambank undercut, stream channel bank angle, and total channel width showed significant improvement. No change was seen in percent sediment or streamshore bank depth, vegetation overhang decreased from 1984 to 1988. Riparian vegetation also improved after fencing, the grazed area had less riparian vegetation than the minimally grazed areas. Macroinvertebrate populations appeared to be sensitive to a variety of factors. These included length and severity of winter, amount and pattern of runoff, and increased sediment from grazing upstream. No consistent change was seen in trout population numbers. There was a correlation of trout length with age, and trout population appeared to be affected by high stream flows. No consistent pattern was seen between channel geometry parameters, riparian vegetation and macroinvertebrates compared to trout populations.

The improvement in riparian vegetation and some channel geometry parameters was not reflected in the biota. No decrease in sediment was observed which may have been due to deficiencies in study design, (with grazing upstream of most of the fenced areas) and environmental factors

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Fish and Game Exhibit 3.

(BLM Fish Population Estimates)

Wet Creek fishery Survey 1992

Stream Characteristics and Population Estimates

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Site	Length (m)	Ave. Width(m)	Grad.	Substrate	Bank cond.	Rip. Veg.	Stream Characteristics	N	Pop. Est. (95% C.I.)
1	89.0	4.3	1.4	G,SC	G	G	Fair pool quality and quantity. P:R = 1:8 The majority of the channel is wide, shallow and fast.	21	22 (18 - 26)
2	117.1	3.3	1.4	G,SC	G	G	Good P:R = 1:6 Tight meanders with undercuts. Good pool qual. Grazed but the banks and rip. veg. are in pretty good shape. Private property but BLM will be acquiring this parcel in 1992.	19	20 (18 - 22)
3	112.5	2.8	1.5	G,SC	G to F	G to F	Good P:R = 1:4 Narrow channel and tight meanders. Good pool quality, undercut banks present, bank stability fair to good.	17	21 (11 - 31)
4	95.7	3.9	1.5	G,SC	G	G	Good P:R = 1:5 Good to excellent pool qual. Abundant under cut banks. 70% bank stability and improving. Bed sedimentation still appears to be quite high.	21	22 (20 - 24)

Site	Length (m)	Ave. Width(m)	Grad.	Sub- strate	Bank cond.	Rip. Veg.	Stream Characteristics	N	Pop. Est. (95% C.I.)
5	129.3	4.4	0.8	G,SC	F	F	Substrate heavily embedded. Poor P:R at 1:11 but the pool quality is good. Banks healing well, willow regeneration on old failing banks is excellent.	25	29 (19 - 39)
6	93.9	4.4	1.0	SC,LC	P	P	Deeply entrenched channel. Reach is mostly high gradient riffle but the site did contain 2 large pools. Reach is subject to high flows from the Dry Creek hydro. Only 4 fish were collected??	4	5 (4 - 12)
7	118.3	3.7	1.5	SC,LC	P	F	Channel is heavily scoured, entrenched and approx. 70% of the banks are unstable. The channel is relatively narrow with a steep gradient. However, the P:R was fair at 1:8 and the pool quality was fair to good due to water depth < 2 ft.	27	28 (26 - 30)

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Wet Creek Fish Survey 1992

Fish Population Density (Age Class 1 or Greater) and Species Composition

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Site	Location	Sampling Date	Fish/100 sq meters		Sp. % Composition			Comments
			1987	1992	WRB	BLT	BRK	
1*	Approx. 3000 ft below the Basin Creek Conflu.	8/11/92	10.9	5.7	100	-	-	YOY present
2	Old BLM Station 4. Just inside the private property fence in Section 30. Old Hartman property.	8/11/92	14.3	5.2	100	-	-	YOY present
3	Old BLM Station 14. Approx. 4000 ft above the Squaw Creek confluence. Starts at the upstream side of the lower water gap.	8/11/92	8.8	6.6	95	5	-	YOY present
4	Old BLM Station 20. Approx. 2500 ft above the Wet Creek Bridge; approx. 300 ft above the unimproved campground	8/12/92	5.5	5.9	100	-	-	Several fish had worn operculum and deformed lower jaws.
5*	Approx. 4000 ft below the Wet Creek bridge at the forth pinch gate. About 1.5 miles above the Dry Creek Hydro.	8/13/92	6.9	5.1	96	4	-	Several fish had worn operculum and deformed lower jaws

Site	Location	Sampling Date	Fish/100 sq meters		Sp. % Composition			Comments
			1987	1992	WRB	BLT	BRK	
6*	Station starts at the large pool 300 ft. below the Dry Creek Hydro fence.	8/13/92	5.4	1.2	75	25	-	Only four trout collected; not sure why? There are two large pools in the section and the shocker appeared to be working well.
7	Approx. 200 ft below the Pancheri Diversion	8/13/92	No Data	6.4	78	15	7	High gradient; very difficult to survey. YOY bull trout collected (could be brooks appeared to be bull trout). Bull and brook trout may have been stacking up behind the diversion. #

* Stations that were moved since 1987.

Site 1. The original site was inundated by beaver activity and was moved downstream approximately 1500 ft

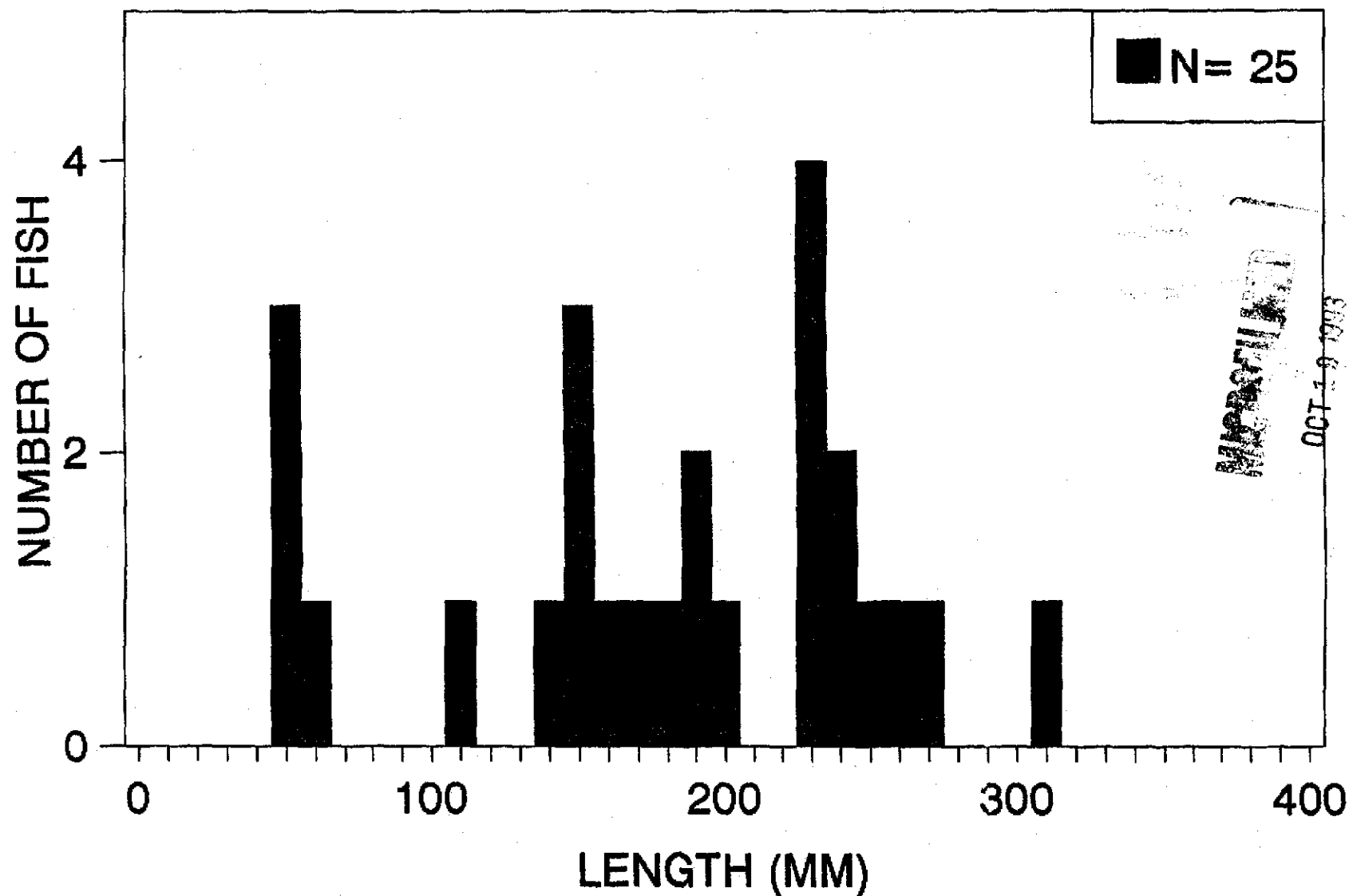
Site 5. The original site was located just upstream of the riparian pasture fence at the Dry Creek hydro.
It was inundated by beaver activity and moved about 1.5 miles upstream.

Site 6. Could not locate the original site below the Dry Creek Hydro. So a site was selected 300 ft. below the Dry Creek Hydro fence. I suspect this is 500 to 1000 ft above the original site but it looked like a good monitoring site.

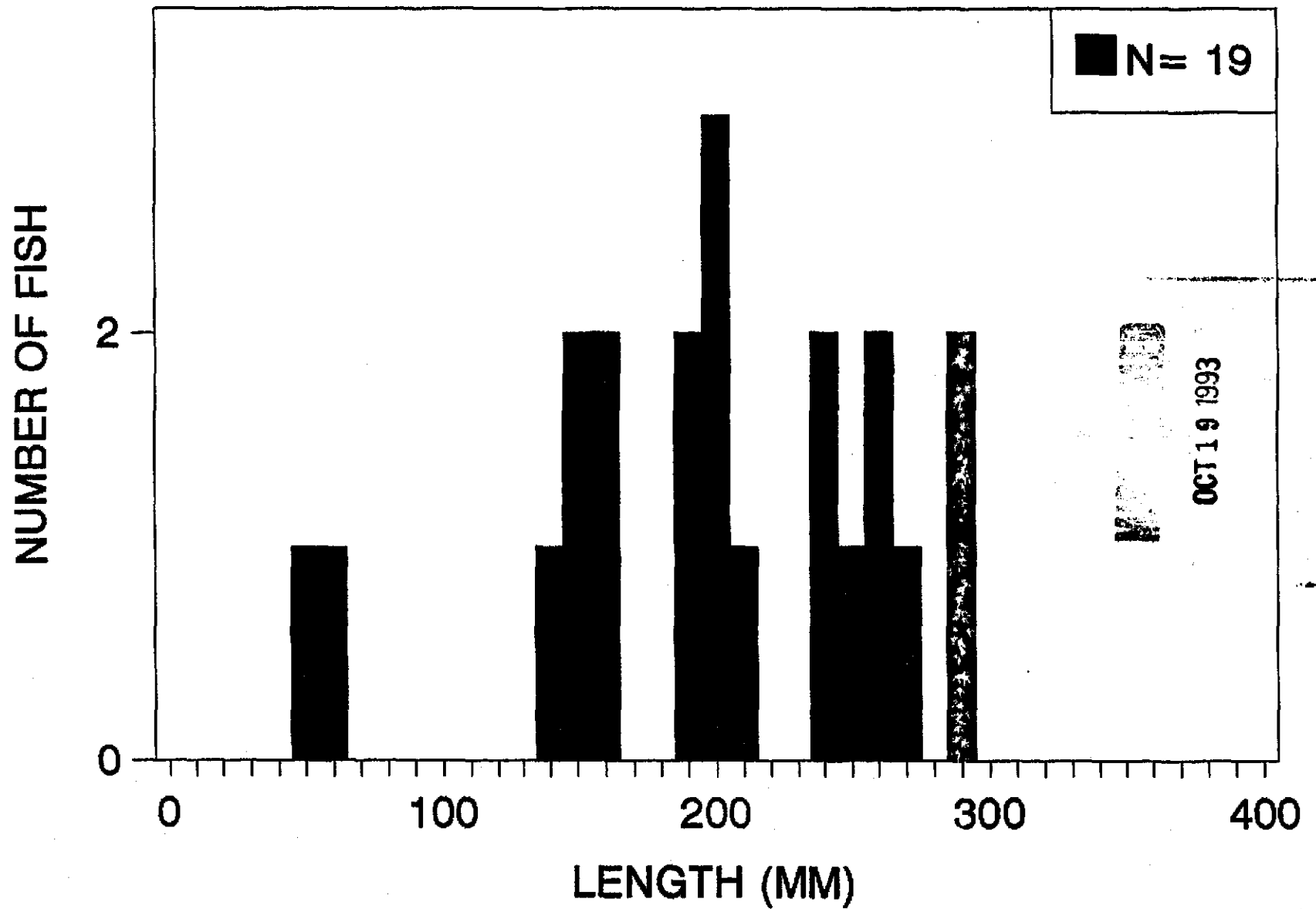
The BLM in cooperation with the Idaho Department of Fish and Game and the Challis National Forest constructed a fish ladder on the Pancheri Diversion in August 1992. It should no longer be a fish migration barrier and will increase the population of Bull trout and Wild rainbow trout in Upper Wet Creek.

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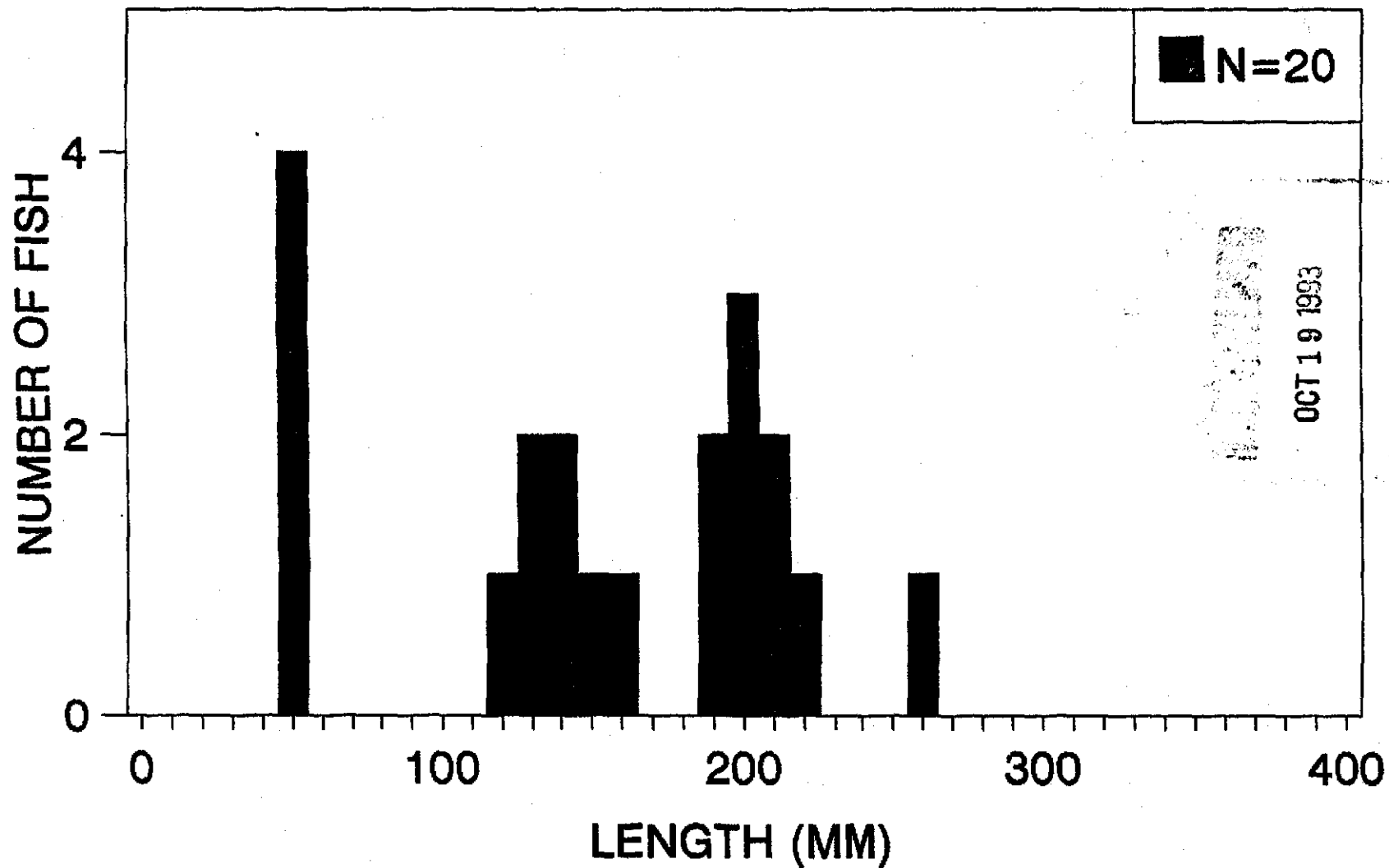
SITE 1. WET CREEK BELOW BASIN CREEK WILD RAINBOW TROUT 1992



SITE 2. WET CREEK AT UPPER END OF HARTMAN PROPERTY WILD RAINBOW TROUT 1992

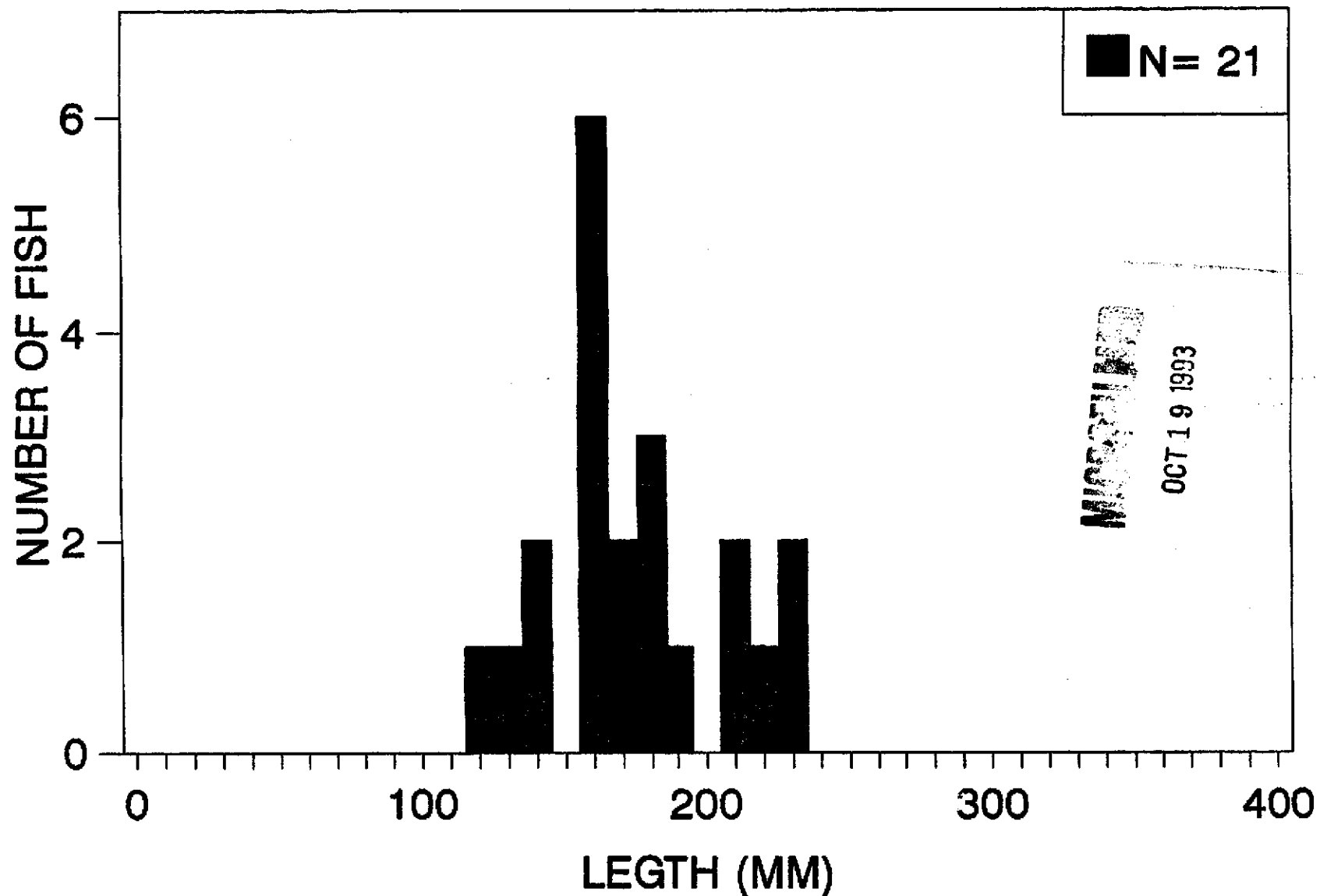


SITE 3. WET CREEK ABOVE SQUAW CREEK WILD RAINBOW TROUT 1992

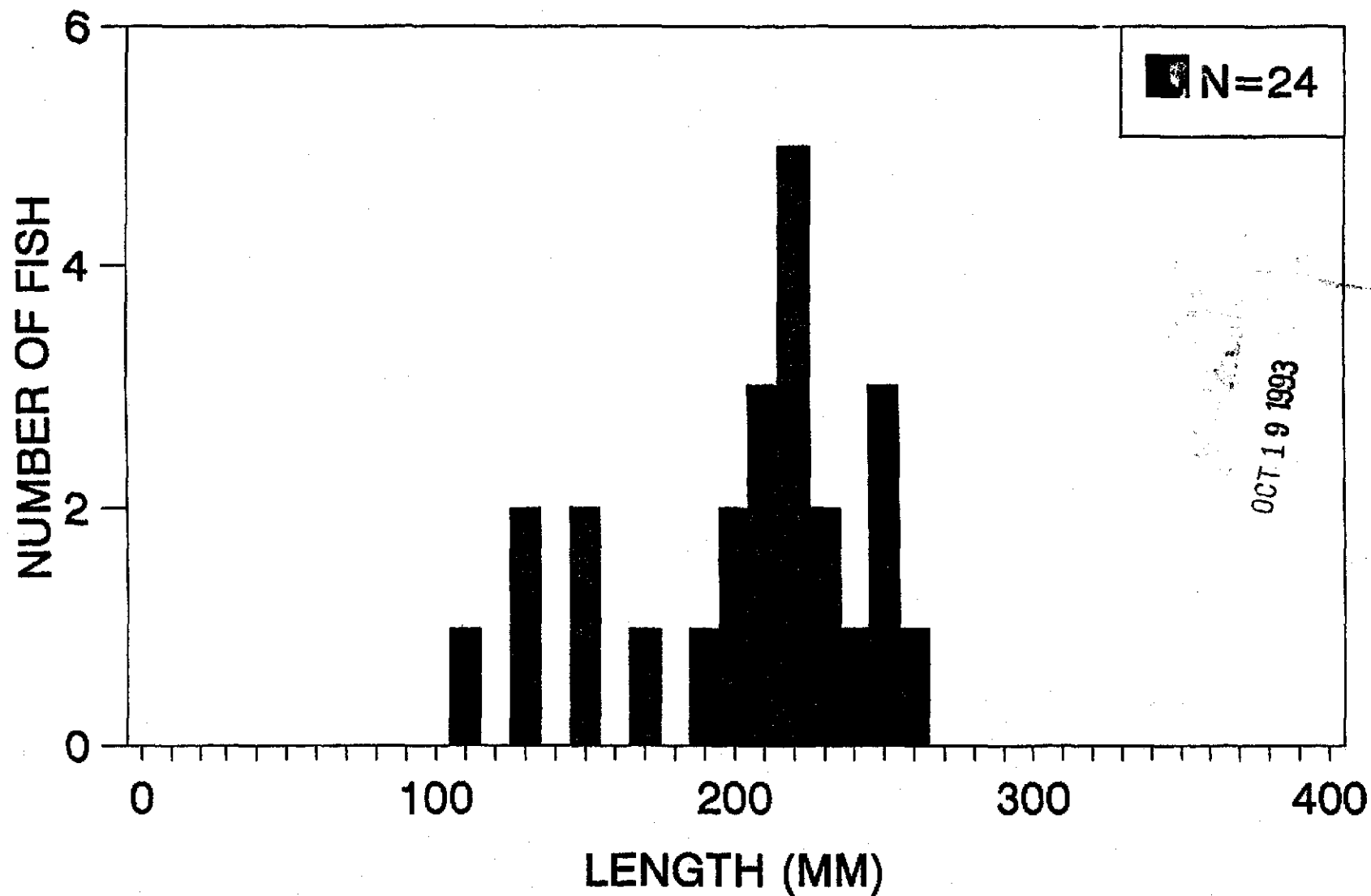


LOCATED IN THE UPPER RIPARIAN PASTURE

SITE 4. WET CREEK IN MIDDLE RIPARIAN PASTURE WILD RAINBOW TROUT 1992

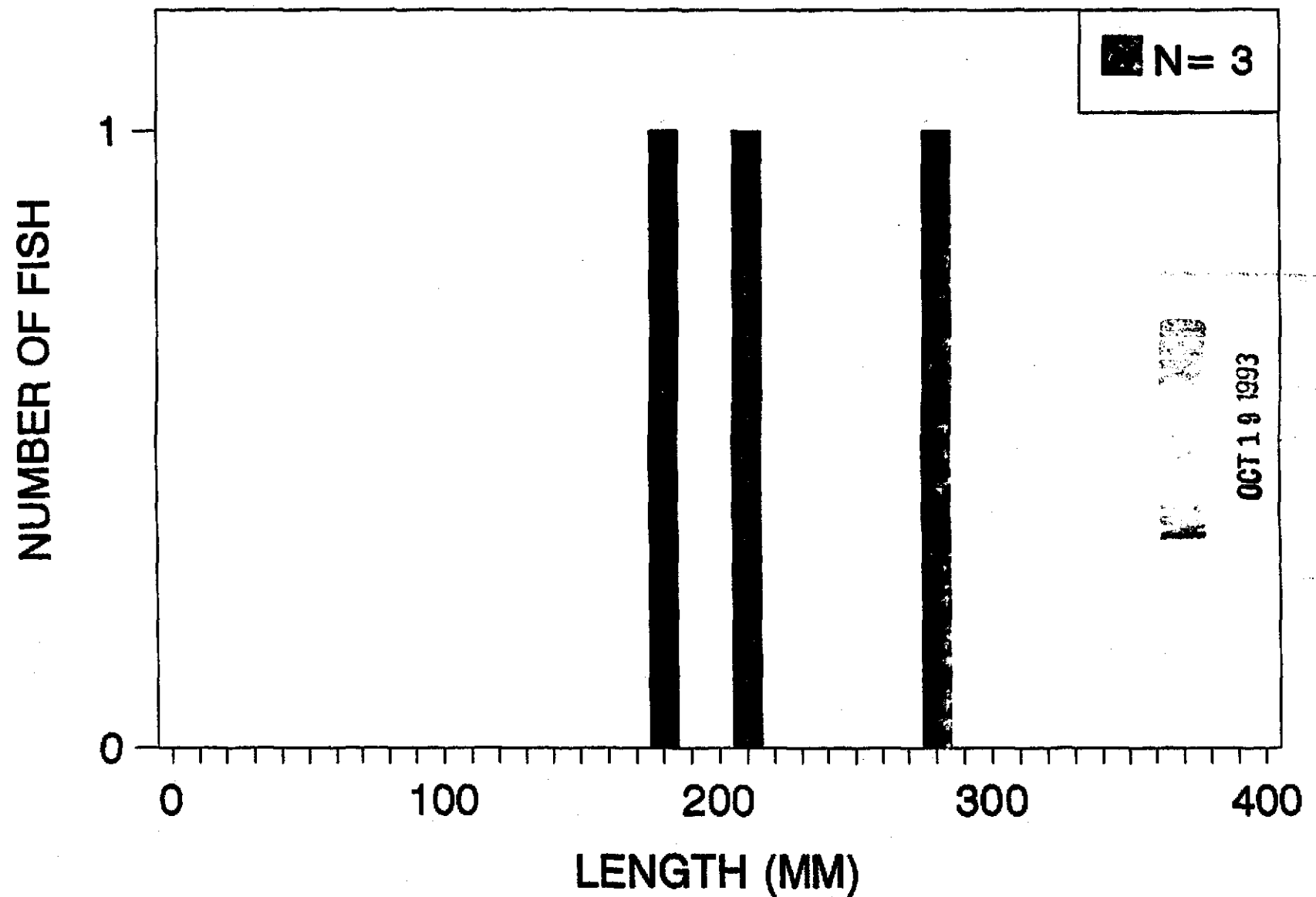


SITE 5. WET CREEK ABOVE THE DRY CREEK HYDRO WILD RAINBOW TROUT 1992

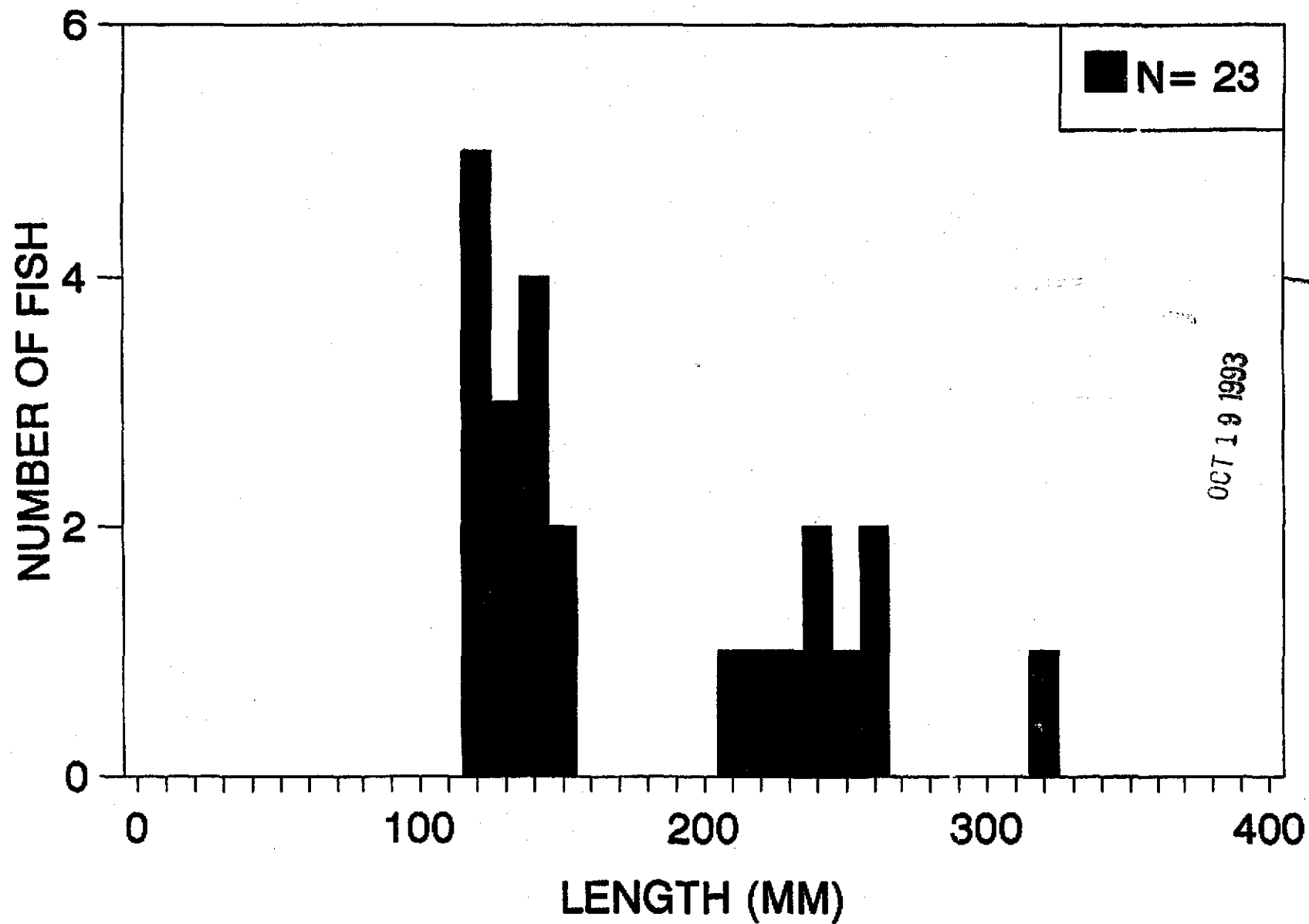


LOCATED IN THE LOWER RIPARIAN PASTURE

SITE 6. WET CREEK BELOW THE DRY CREEK HYDRO WILD RAINBOW TROUT 1992

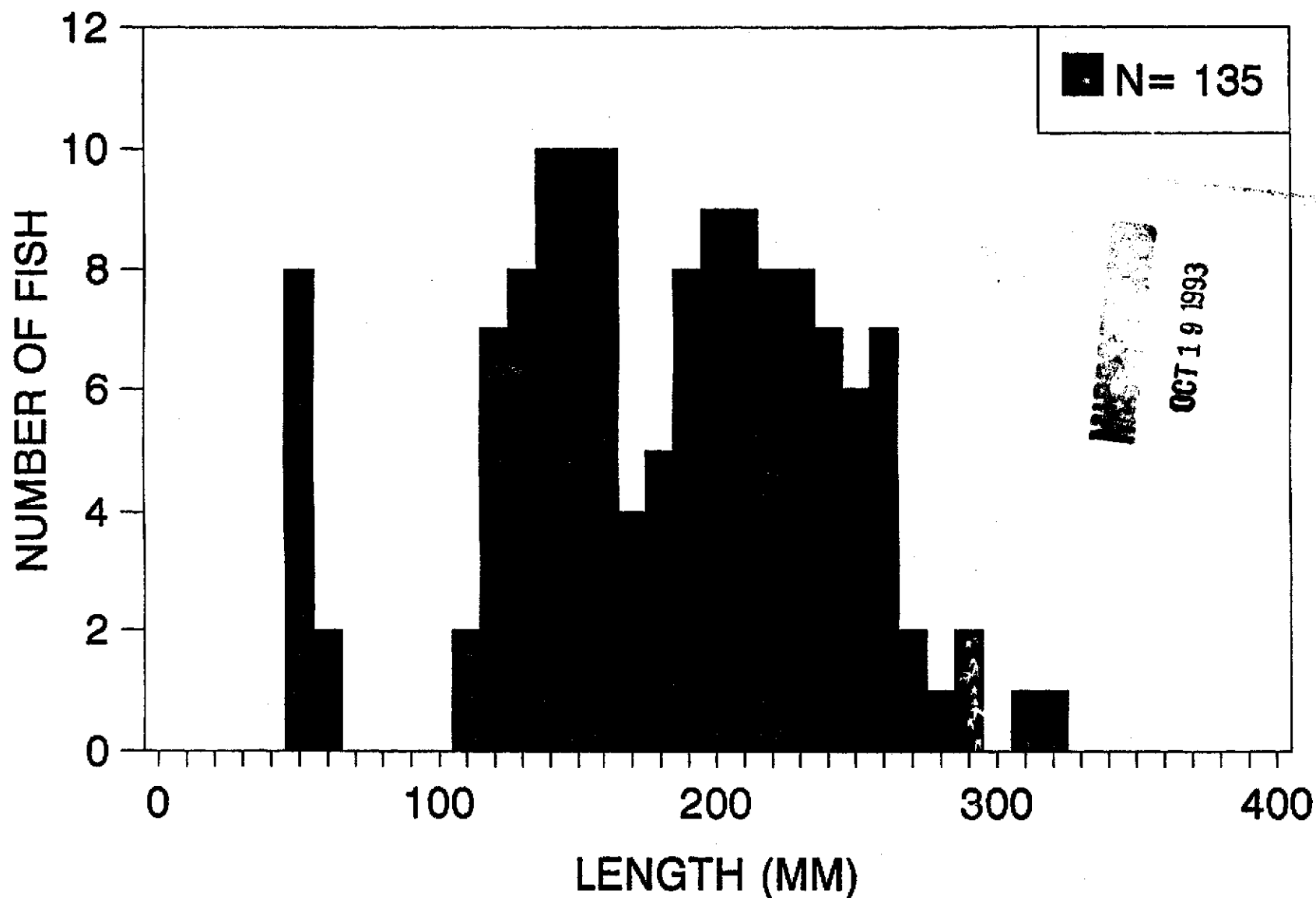


SITE 7. WET CREEK BELOW THE PANCHERI DIVERSION WILD RAINBOW TROUT 1992

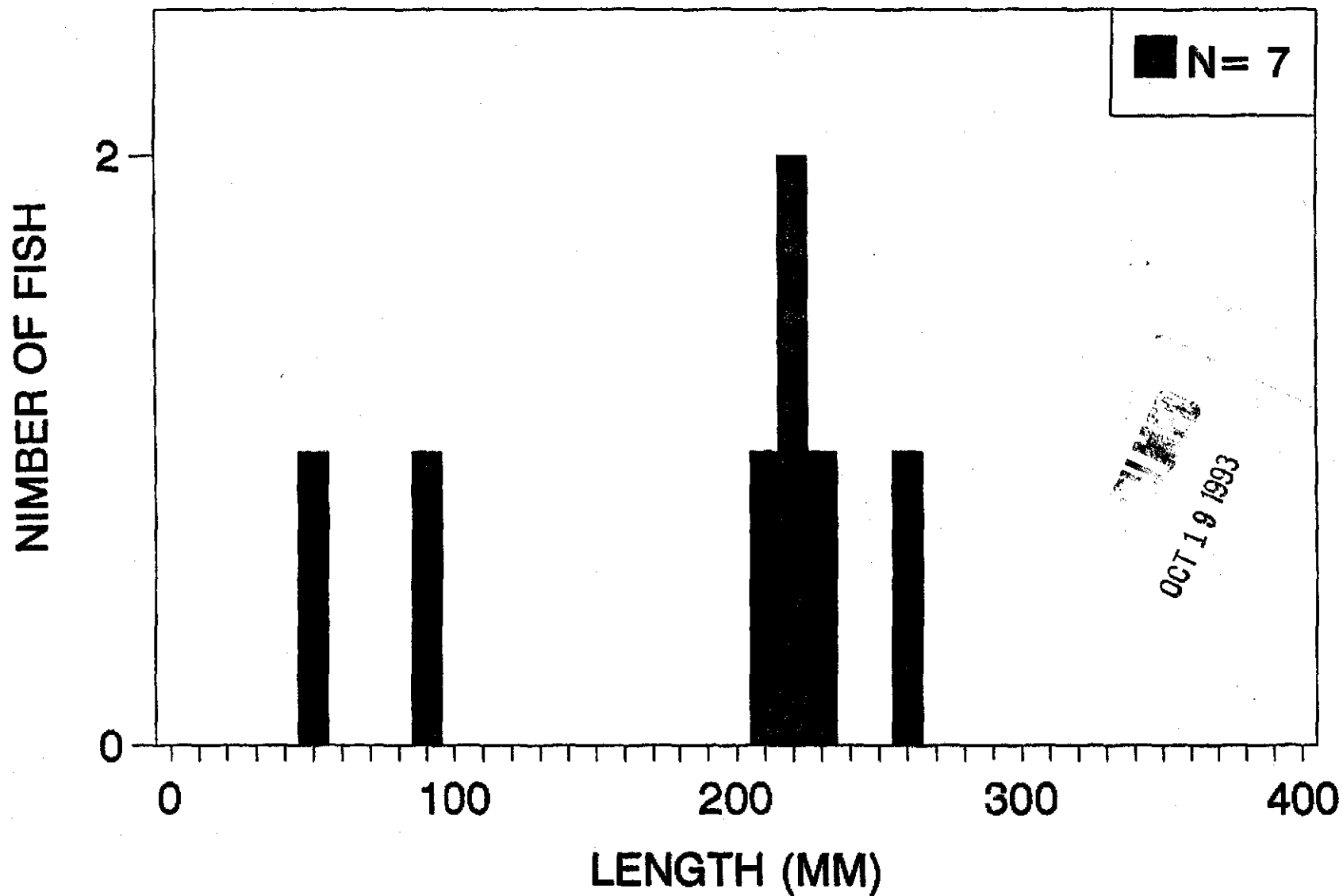


WET CREEK ON PUBLIC LAND (STATIONS 1 - 7)

WILD RAINBOW TROUT 1992



WET CREEK ON PUBLIC LAND (STATIONS 1 - 7) BULL TROUT



Wet Creek 1992 Fishery Survey Conclusions

Trout populations in Wet Creek below the forest boundary appear to be down significantly from 1987. This is probably due to 6 years of drought and an increase in exploitation by anglers. Angler use appears to have increased significantly since 1987.

Although only a few bull and brook were collected, they did appear to be somewhat stacked up below the Pancheri Diversion in mid-August. Hopefully, the fish ladder will rectify this problem and bull trout populations will expand. The brook trout may be an unwanted guest in Wet Creek depending on the IDFG's philosophy on the species.

And finally, several wild rainbow trout in lower Wet Creek showed severely worn operculum (i.e. exposing the gill filaments) and deformed lower jaws.

Note: The BLM and IDFG should investigate the possibility of keeping Dry Creek water in the Wet Creek channel all winter. Winter flows in this enlarged channel (formed by the summer combination of Wet and Dry Creeks) are not adequate to overwinter a good population of trout. With the Howe trenches now operating downstream to prevent flooding, it seems unnecessary to waste Dry Creek water out on the desert. Let's look into this next year.

Pat

Note: In 1987, approximately 40-50% of the trout collected were less than 100 mm.
In 1992, it's around 5-10%.

MSC

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IDAHO DEPARTMENT OF FISH & GAME

JERRY M. CONLEY, DIRECTOR

INSTREAM FLOW STUDY

Annual Report



Prepared for the Bureau of Land Management

Contract No. YA-553-CT0-1080

by

William D. Horton
Senior Fishery Research Biologist

November, 1982

Michael W. H.
OCT 10 1993

INTRODUCTION

In 1978, the Idaho Legislature passed a portion of the State Water Plan concerned with the development of instream flows for protection of fish and wildlife resources (Title 42, Chapter 15, Idaho Code). This code provides that the Idaho Water Resource Board may submit an application for water rights to the Department of Water Resources for establishment of a minimum stream flow. In 1979, the Bureau of Land Management (BLM) began an effort to quantify existing water uses and to determine the extent of water rights needed to protect the current and future uses of streams on public lands administered by the BLM. Subsequently, the BLM districts responded to an instream flow questionnaire with a list of over 100 potentially-critical streams on which instream flow needs are desired. In January 1980, this list was refined to 52 streams ranked in importance through systematic analysis.

In September 1980, the BLM contracted with the Idaho Department of Fish and Game to conduct instream flow studies on all priority streams, and develop instream flow recommendations and requests for submission to the Idaho Water Resource Board. The duration of the contract extends from 1980 through 1984. Since initiation of the contract, it has been amended twice to reflect a reprioritization of streams (Table 1).

OBJECTIVES

The objectives of the study are to determine required instream flows necessary for the maintenance of fisheries, wildlife, recreation, aesthetics, and other uses on streams identified on the BLM priority list, and to prepare instream flow requests for submission to the Idaho Water Resource Board.

TECHNIQUES USED

Thirty-two streams were selected for study during the 1980 and 1981 field seasons. The 1980 field season was abbreviated (the contract was initiated in September), so none of the nine streams investigated that year had a complete study conducted. Five streams (Table 2), previously investigated, have instream flow water-right requests already prepared (Cochner and Mabbott 1981). Instream flow recommendations and requests for submission to the Idaho Water Resource Board for 19 streams are included in this report. Other streams scheduled for investigation during 1980-1981 will be completed at a later date.

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Fish and wildlife resources for each stream were identified by consultation with personnel from the BLM, U. S. Forest Service, and Idaho Department of Fish and Game. This information is interrelated with hydraulic properties of the study streams before flow recommendations are made.

Transects on which flow measurements were made were established on representative habitat types relating to critical fish species life-history phases. Locations of study transects for each stream are given in Table 3. Measurements at each transect included: water depths, water velocities, stream widths, study site length, and relative water surface elevations of transects. Water velocities and depths were measured to determine discharge and to define habitat. Velocities were measured with either a standard Price AA or pygmy current meter, and depths were measured with a wading rod. Stream widths and study site lengths were measured with a tape measure. Water surface and bench-mark elevations were determined with a surveyor's level and frisco (stadia) rod.

Three measurements over a range of flows are required to establish a stage-flow relationship for predictive capabilities through the Instream Flow Incremental Methodology using the IFG-4 hydraulic simulation model. At least one measurement is required when using the WSP model to simulate hydraulic characteristics for the Instream Flow Incremental Methodology. Additional information on methodologies and equipment can be found in: A Reference Workbook for Use in Determining Stream Resource Maintenance Flows in the State of Idaho (Cochnauer and Horton 1981).

A large variety of techniques is available to researchers for assessing instream flow requirements. When applicable, the Idaho Department of Fish and Game uses the Instream Flow Group Incremental Methodology. It is considered by many as the state-of-the-art in computer simulation of stream hydraulics and available habitats based on depth, velocity, and substrate. This methodology has a variety of acronyms that may make reference to it confusing. Some common terms are: IFG4-IFG3, IFG2-IFG3, IFG(WSP)-IFG3, IFG4-HABITAT, WSP-HABITAT, IFIM, and IFG incremental methodology. Part of the confusion is because three hydraulic simulation models can be used with the habitat model. For an indepth explanation of the methodology, Instream Flow Paper #11 (Milhous et al 1981) should be consulted.

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Table 1. List of streams for instream flow studies, provided by the Bureau of Land Management.

<u>BOISE DISTRICT</u>	
Bruneau River, East Fork	Payette River
Jarbidge River	Salmon Falls Creek
Jordan Creek	Snake River
<u>BURLEY DISTRICT</u>	
Cold Creek	Salmon Falls Creek
Dry Creek	Shoshone Creek
Fort Cassia Creek	Stockton Creek
Howell Creek	Willow Creek
McMullen Creek	
<u>COEUR D'ALENE DISTRICT</u>	
American River	John Day Creek
Big Canyon Creek	Lake Creek
Boulder Creek	Latour Creek
Cottonwood Creek	Little Canyon Creek
Divide Creek	Little Salmon River
Elkhorn Creek	Lolo Creek
Fall Creek	Partridge Creek
French Creek	Salmon River
Hard Creek	Slate Creek
Hazard Creek	Trail Creek
<u>IDAHO FALLS DISTRICT</u>	
Blackfoot River	Sawmill Creek
Beaver Creek	Summit Creek
Birch Creek	Wet Creek
Little Lost River	Willow Creek
Medicine Lodge Creek	
<u>SALMON DISTRICT</u>	
Big Springs Creek	Iron Creek
Big Timber Creek	Lemhi River
East Fork Salmon River	Pahsimeroi River
Hat Creek	Salmon River
Herd Creek	Squaw Creek
<u>SHOSHONE DISTRICT</u>	
Big Wood River	King Hill Creek
Camas Creek	Little Wood River
Friedman Creek	Muldoon Creek

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Summit Creek

Summit Creek is a spring-fed tributary of the Little Lost River (Fig. 11) that originates in Quaternary alluvium and mixes with surface runoff from the southeast side of the Donkey Hills. Morphologically it skirts around the edge of the alluvial fan until near its confluence with Sawmill Creek. The study site is located immediately downstream from the B.L.M. cattle exclosure.

Game fish populations in Summit Creek include rainbow trout and brook trout. Barney Hot Springs and Moffett Creek, tributary to Summit Creek, have a variety of tropical fishes, probably resulting from a release of aquarium fishes many years ago. Canada goose, mallard duck, muskrat, and mink are among the wildlife populations utilizing Summit Creek.

The instream flow recommendation for this spring-fed stream is four cfs throughout the year. This flow should be adequate to protect habitat needs for all trout activities in Summit Creek.

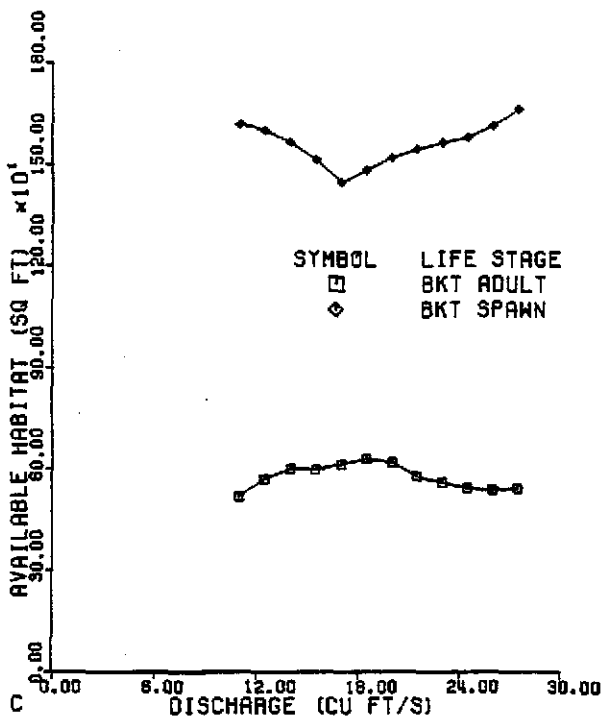
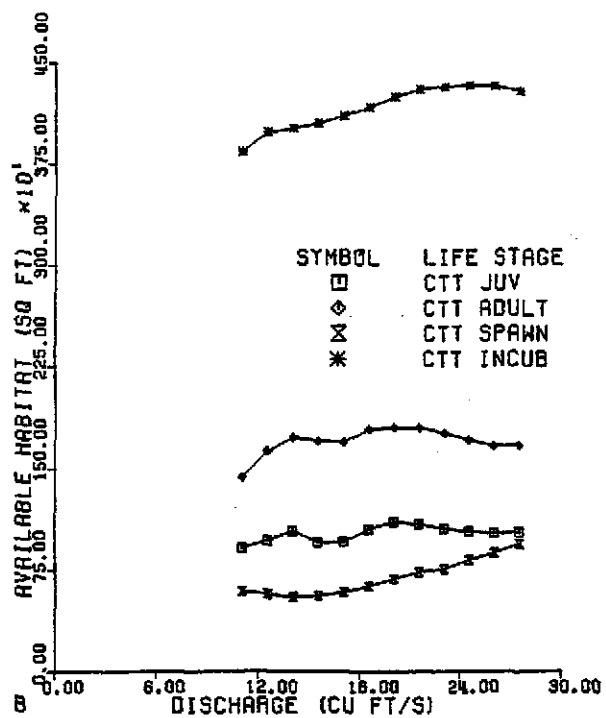
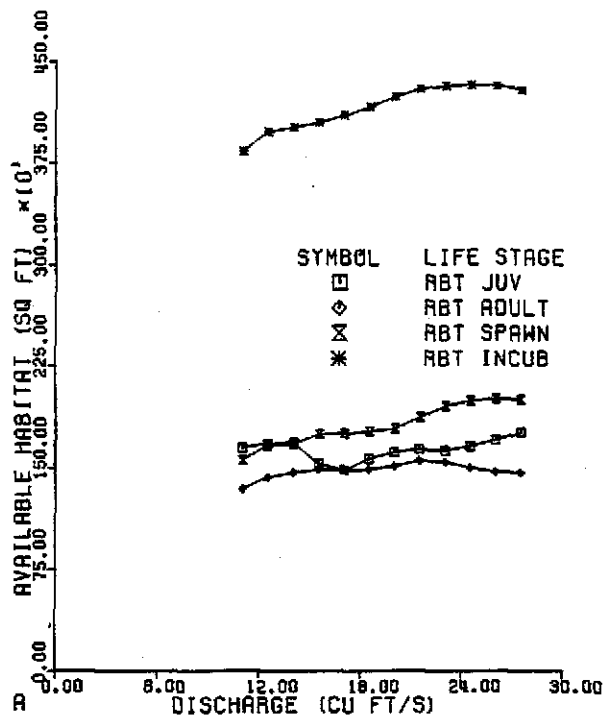
Wet Creek

Wet Creek is a tributary to the Little Lost River entering within 0.1 mile of the Clyde School, which is located 26.4 miles north of Howe (Fig. 11). Geologically, it is similar to the Little Lost River, but additional deposits of Paleozoic detritus occur because of complex faulting within the alluvial gravels. It drains the eastern slopes of the Lost River range and the Hawley Mountains and picks up additional water from Dry Creek diversion. The study site is located 0.1 mile upstream from this inflow, within a B.L.M. cattle exclosure and day use area. Surface and ground waters are interrelated and account for steady flows throughout the summer. Riparian habitat outside the exclosure is used heavily by grazing cattle, causing moderate bank erosion. Willows, water birch, and grasses are the dominant vegetative types. The watershed is sparse conifers found in the draws, and junipers dominating the higher elevation south and west slopes.

Game fish populations include rainbow trout, cutthroat trout, brook trout, and bull trout. Wildlife species that utilize Wet Creek include mallard duck, muskrat, beaver, and mink.

The instream flow required to adequately maintain game fish populations is 12 cfs year around.

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Figure Habitat curves for Wet Creek, as generated by the Instream Flow Incremental Methodology. Curves are for (A) rainbow trout, (B) cutthroat trout and (C) brook trout.

BLM EXHIBITS

WET CREEK

APPLICATION NO. 33-07207

OCT 19 1998

BLM EXHIBIT LIST

WET CREEK - APPLICATION NO. 33-07207

<u>Number</u>	<u>Title</u>	<u>Marked</u>	<u>Offered</u>	<u>Admitted</u>
1.	Map #1. Wet Creek Minimum Streamflow Reach and Points of Measurement			
2.	Wet Creek Streamflow Record-Table of Flow Measurements			
3.	Wet Creek Hydrographs for Years 1990, 1991 and 1992.			
4.	Wet Creek Photographs: A. Fish Survey B. Wild Fishery C. Recreation D. Recreation E. Riparian Management F. Riparian Management G. Dry Creek Hydro H. Little Lost River Confluence			

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BLM EXHIBIT #2. Wet Creek Streamflow
Record- Table of Flow
Measurements

File: Wet.wq1

Wet Creek Flow Measurements: 1990-1992

Date	Below USFS Boundary (cfs)	Below Big and Sands Cr (cfs)	At Pass Cr Rd Bridge (cfs)	Above Pancheri Diversion (cfs)	Above Little Lost River (cfs)
04/04		14.37	16.25		
04/30	6.61	13.15	13.03		
05/29	9.52	15.02	17.14		
07/03	9.87	20.82	22.18		
08/14	6.16	15.48	14.30	34.05	
09/10	6.30	19.34	17.32	38.02	
03/21	3.98	10.65	12.16	12.53	
04/24	4.92	9.51	15.57	21.55	
05/21	6.59	14.31	14.31	22.77	
06/11	15.05	31.06	30.78	99.15	
07/09	6.61	17.50	18.27	65.79	
08/27	5.35	13.61	12.84	27.70	
04/23	4.89	12.53	12.14	18.27	9.78
05/28	5.13	12.65	11.81	28.76	21.45
06/18	3.74	11.87	12.67	28.18	19.49
07/16	3.93	11.82	11.95	37.03	31.76
08/20	4.58	12.82	12.02	26.61	21.10
09/21	4.15	13.14	11.68	23.81	20.29
10/20	3.31	12.56	11.02	23.32	18.05

Y Axis: Streamflow (cfs)

X Axis: ... Date column

1990 Wet Creek Flow Measurements

1991 Wet Creek Flow Measurements

1992 Wet Creek Flow Measurements

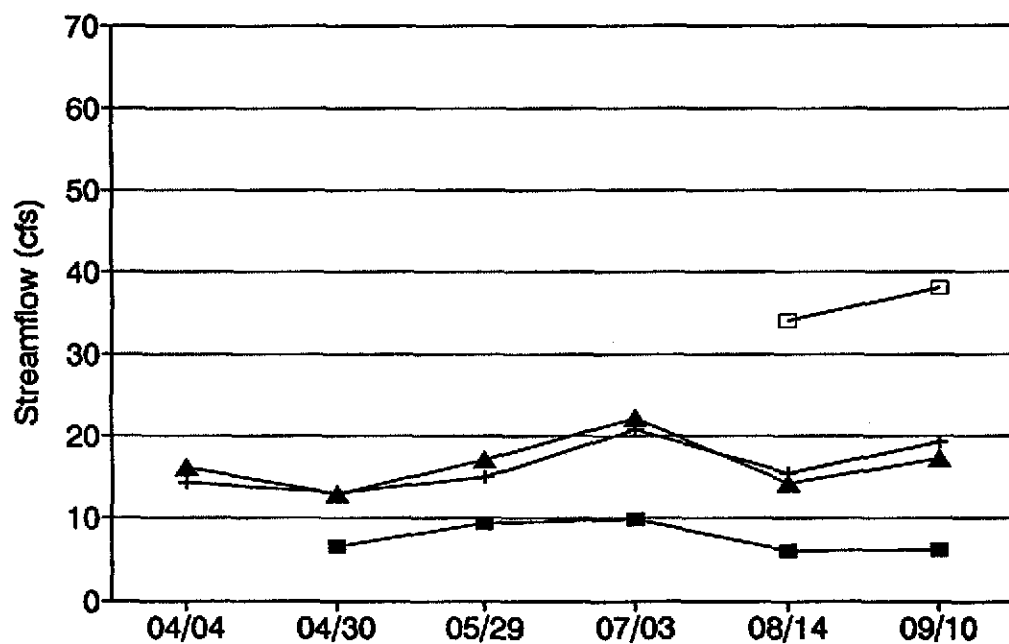
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BLM EXHIBIT #3. Wet Creek Hydrographs for
Years 1990, 1991 and 1992

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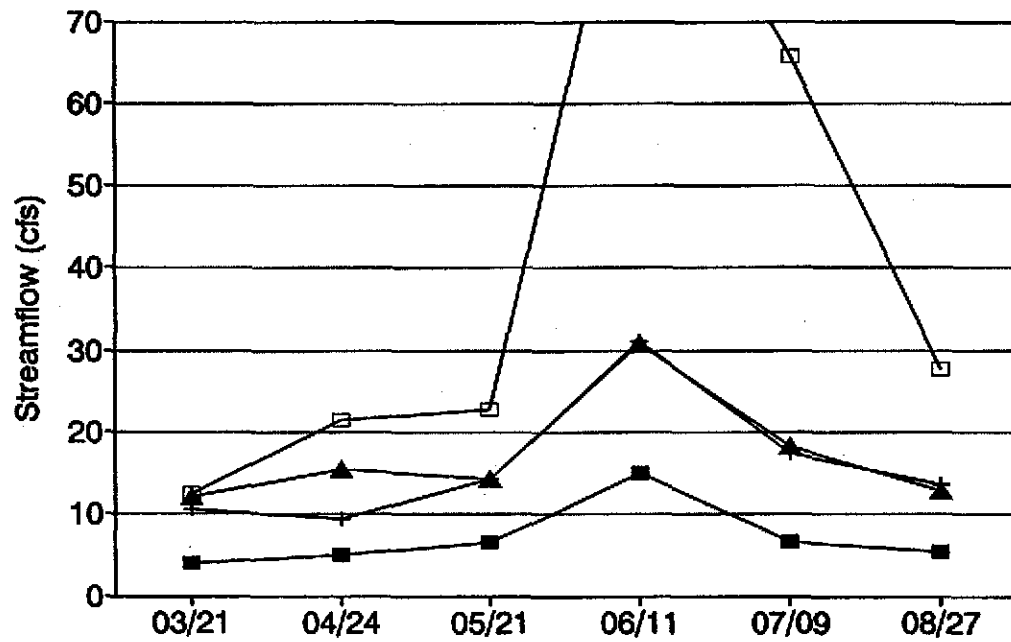
1990 Wet Creek Flow Measurements



—■— USFS —+— Big/Sands —▲— Pass Bridge —□— Pancheri

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1991 Wet Creek Flow Measurements



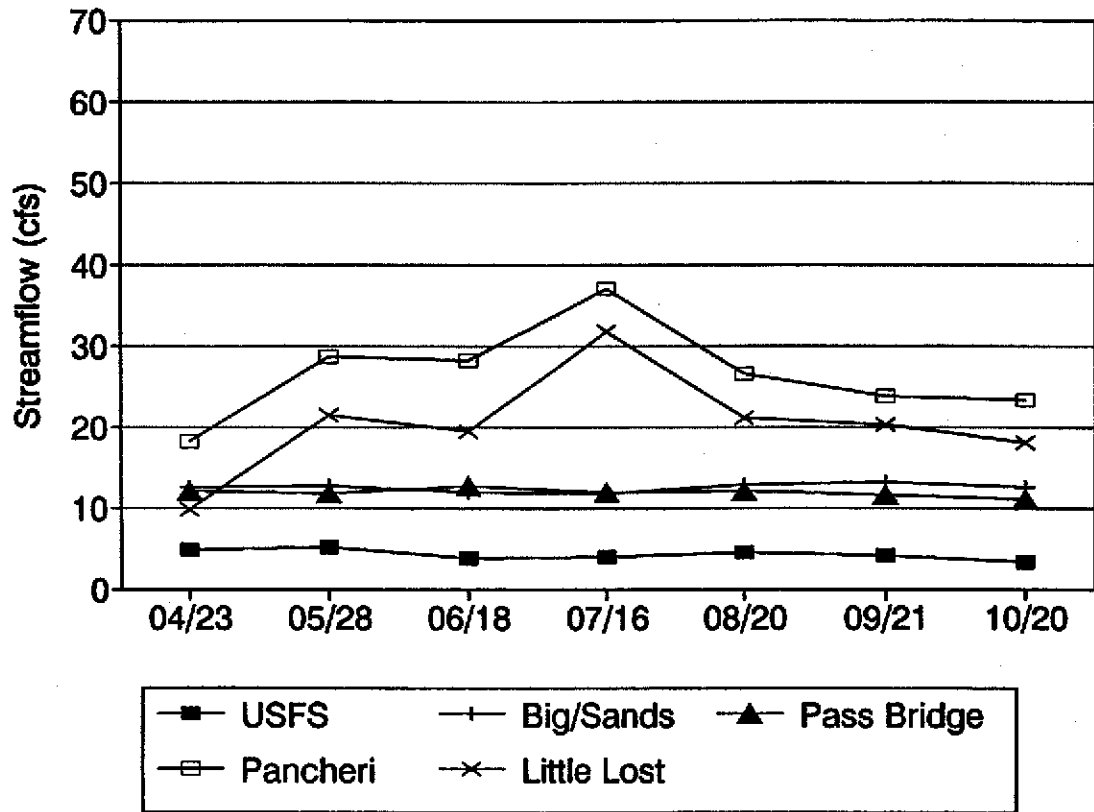
■ USFS + Big/Sands ▲ Pass Bridge □ Pancheri

MAINTAINED

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MAINTAINED

1992 Wet Creek Flow Measurements



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BLM EXHIBIT #4. WET CREEK PHOTOGRAPHS

OCT 19 1993



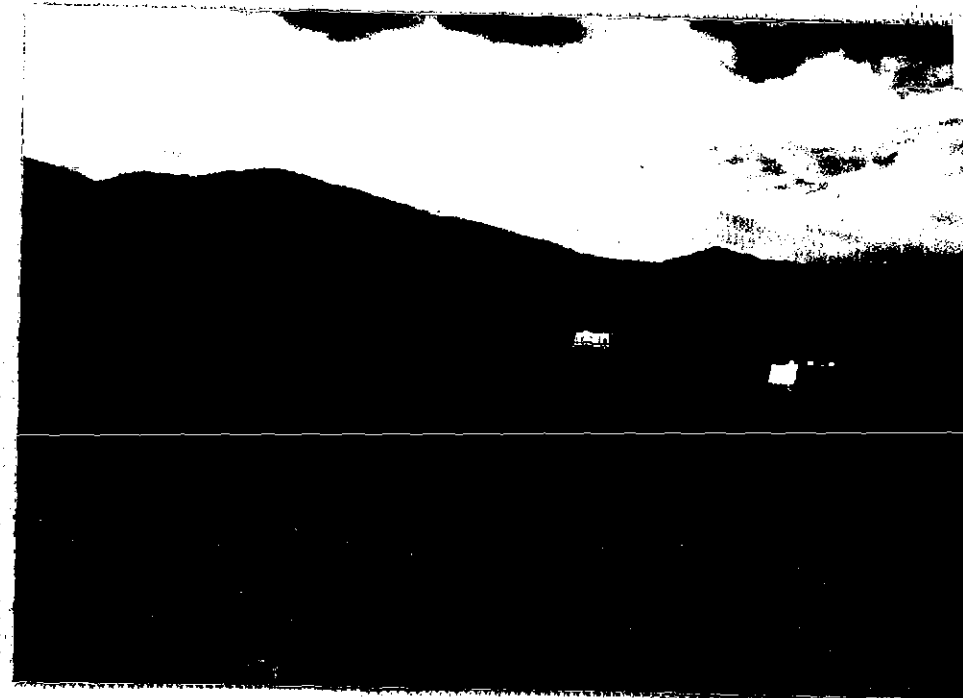
BLM EXHIBIT #4A. Fish Survey



BLM EXHIBIT #4B. Wild Fishery

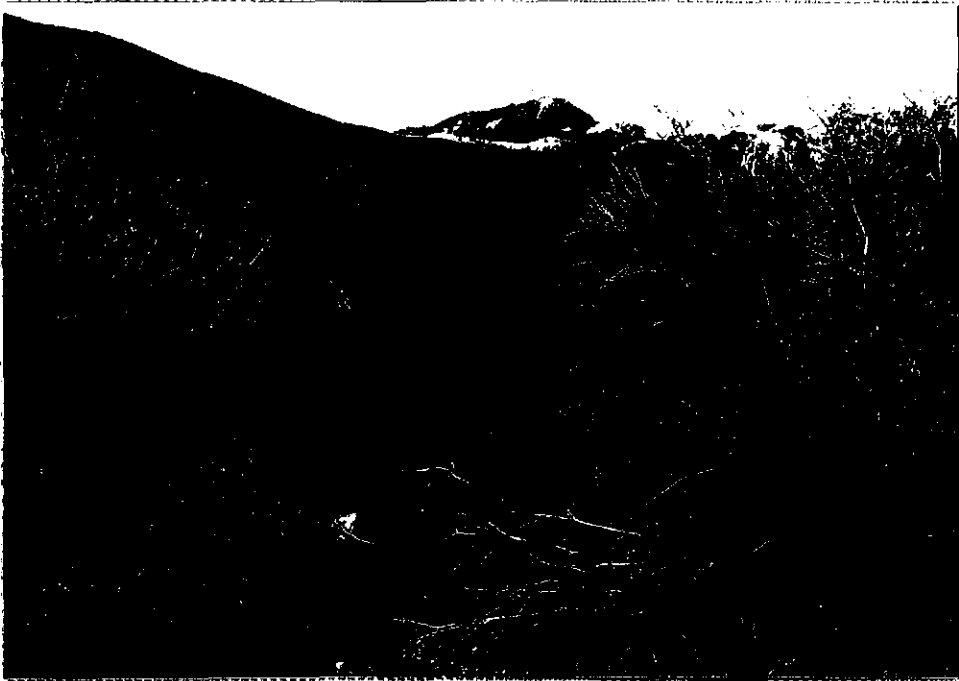


BLM EXHIBIT #4C. Recreation



RECREATION

BLM EXHIBIT #4D. Recreation

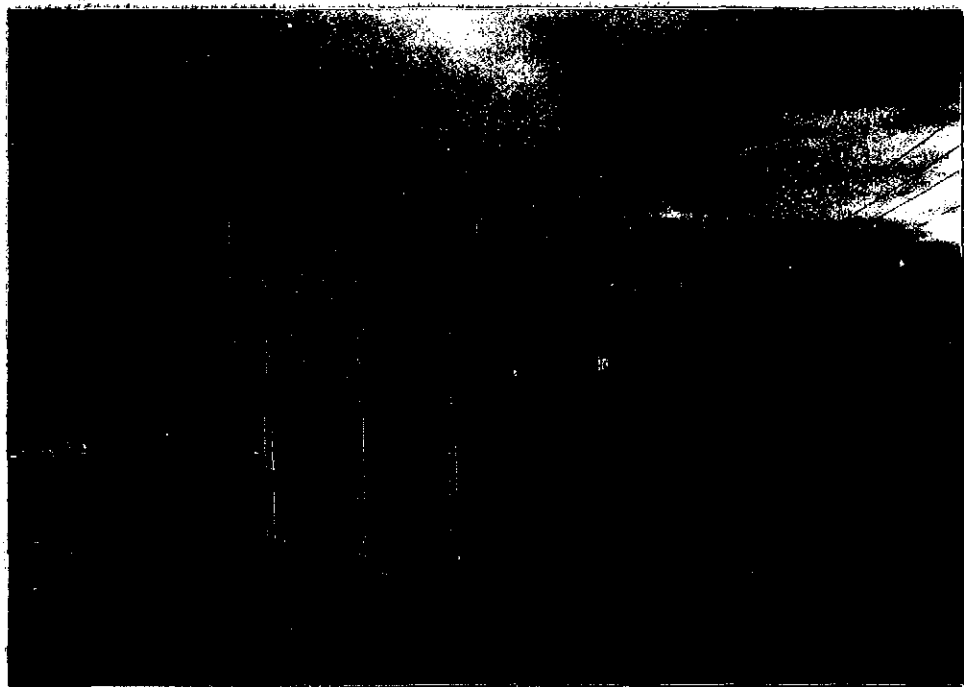


BLM EXHIBIT #4E. Riparian Management



BLM EXHIBIT #4F. Riparian Management

RIPARIAN MANAGAMENT



BLM EXHIBIT #4G. Dry Creek Hydro



BLM EXHIBIT #4H. Little Lost River
Confluence