









Tw. 95.

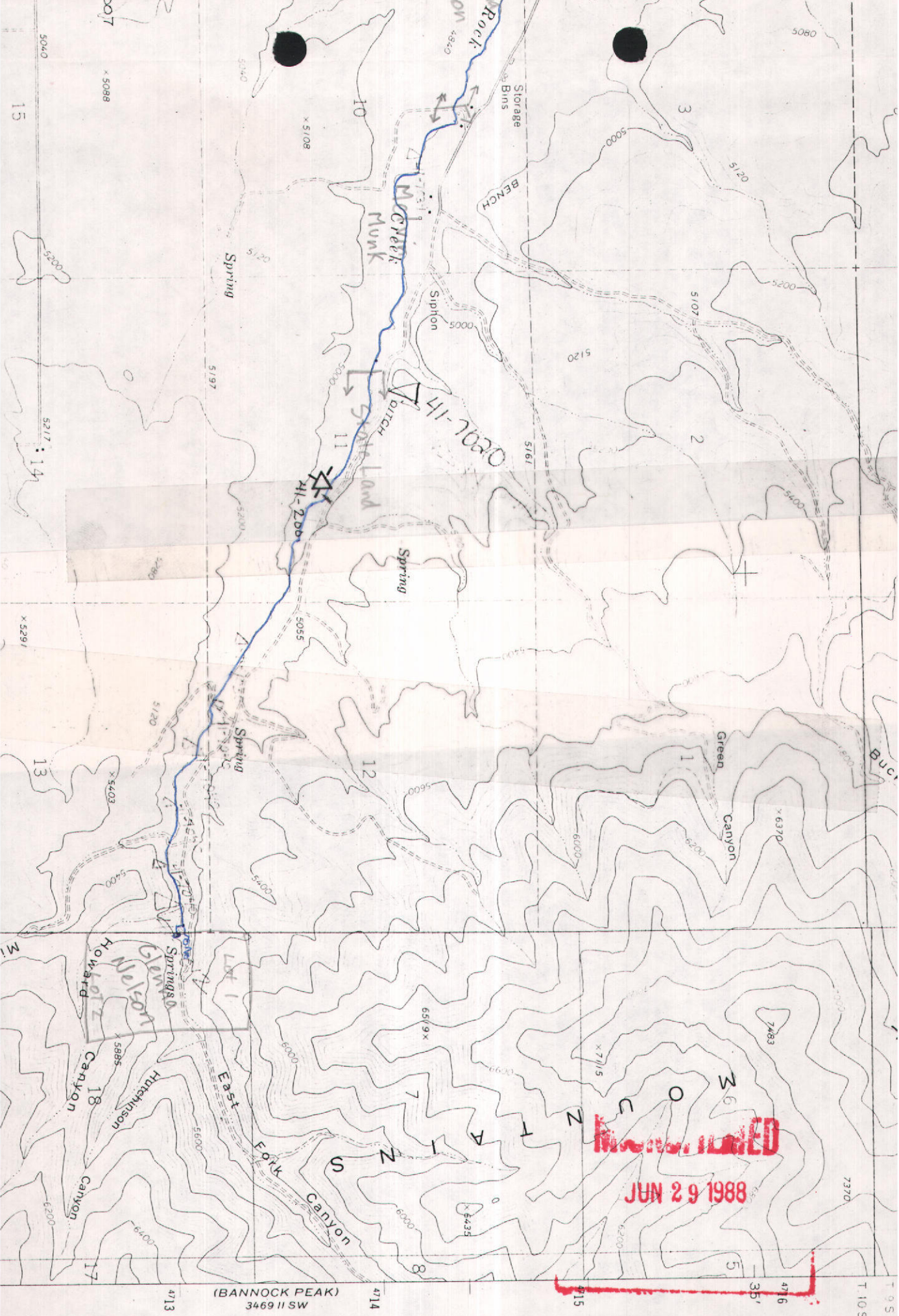


Scale: 2 inches equal 1 mile.

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.

JUN 29 1988

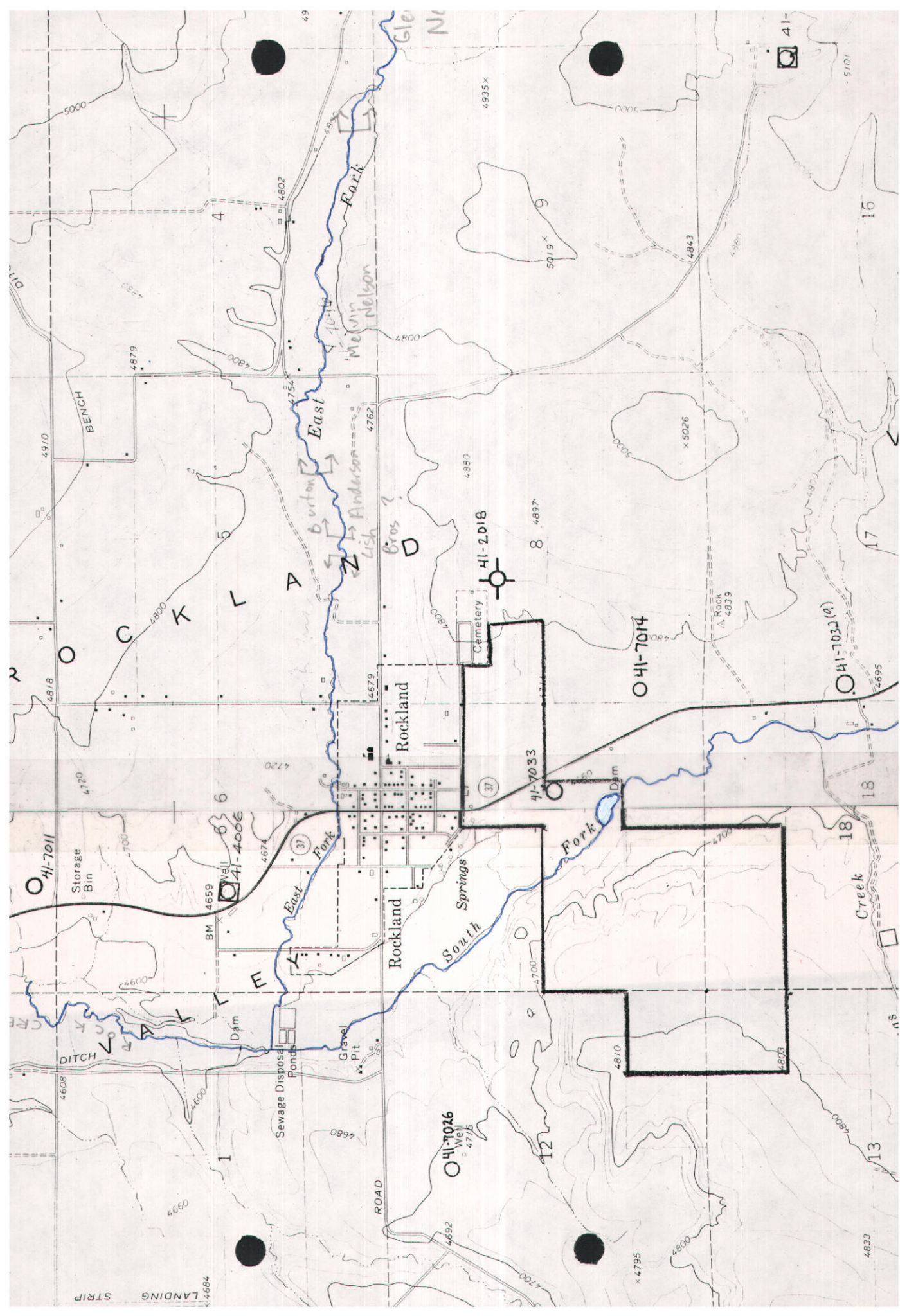
James Robinson
(Applicant)



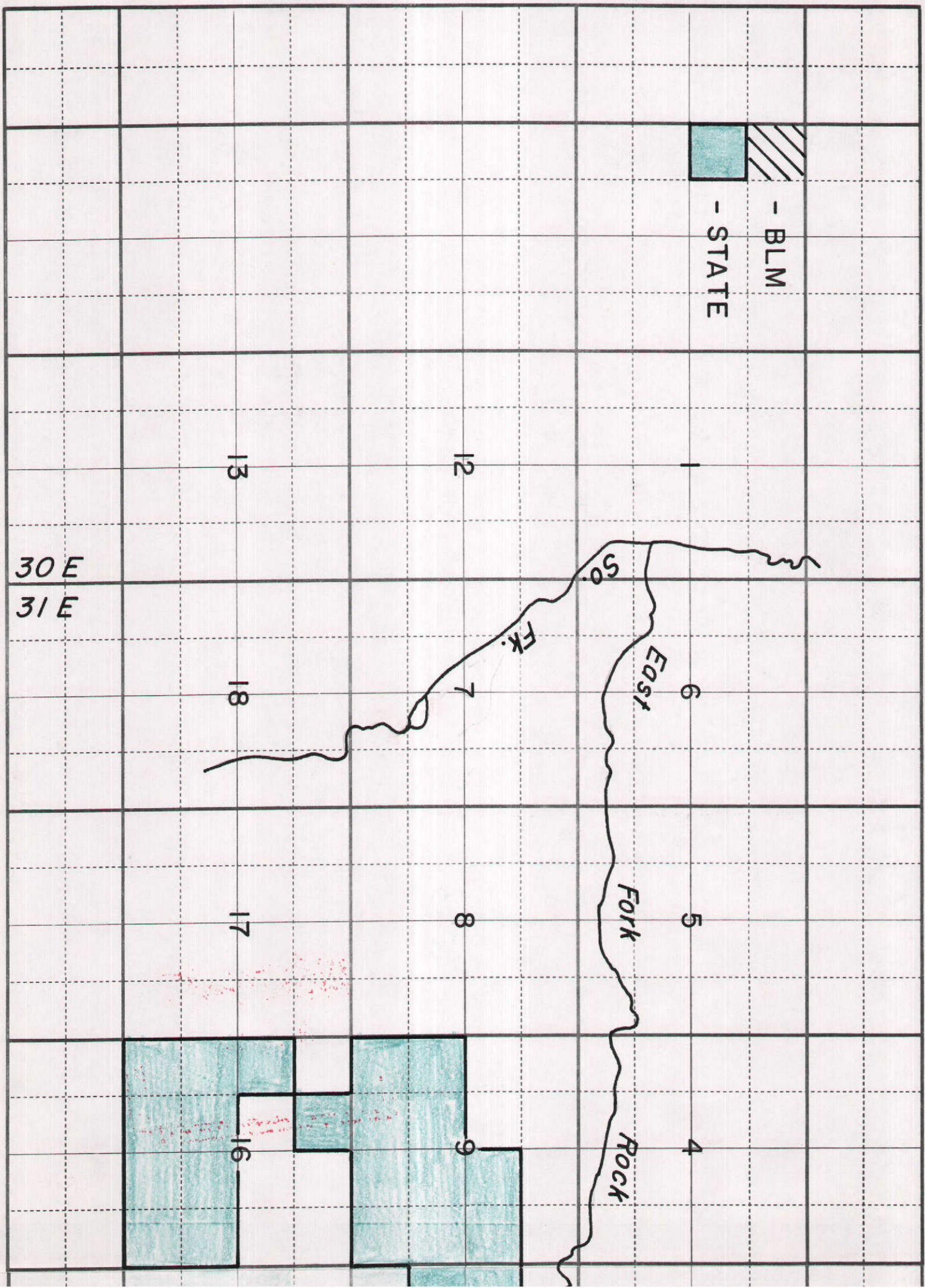
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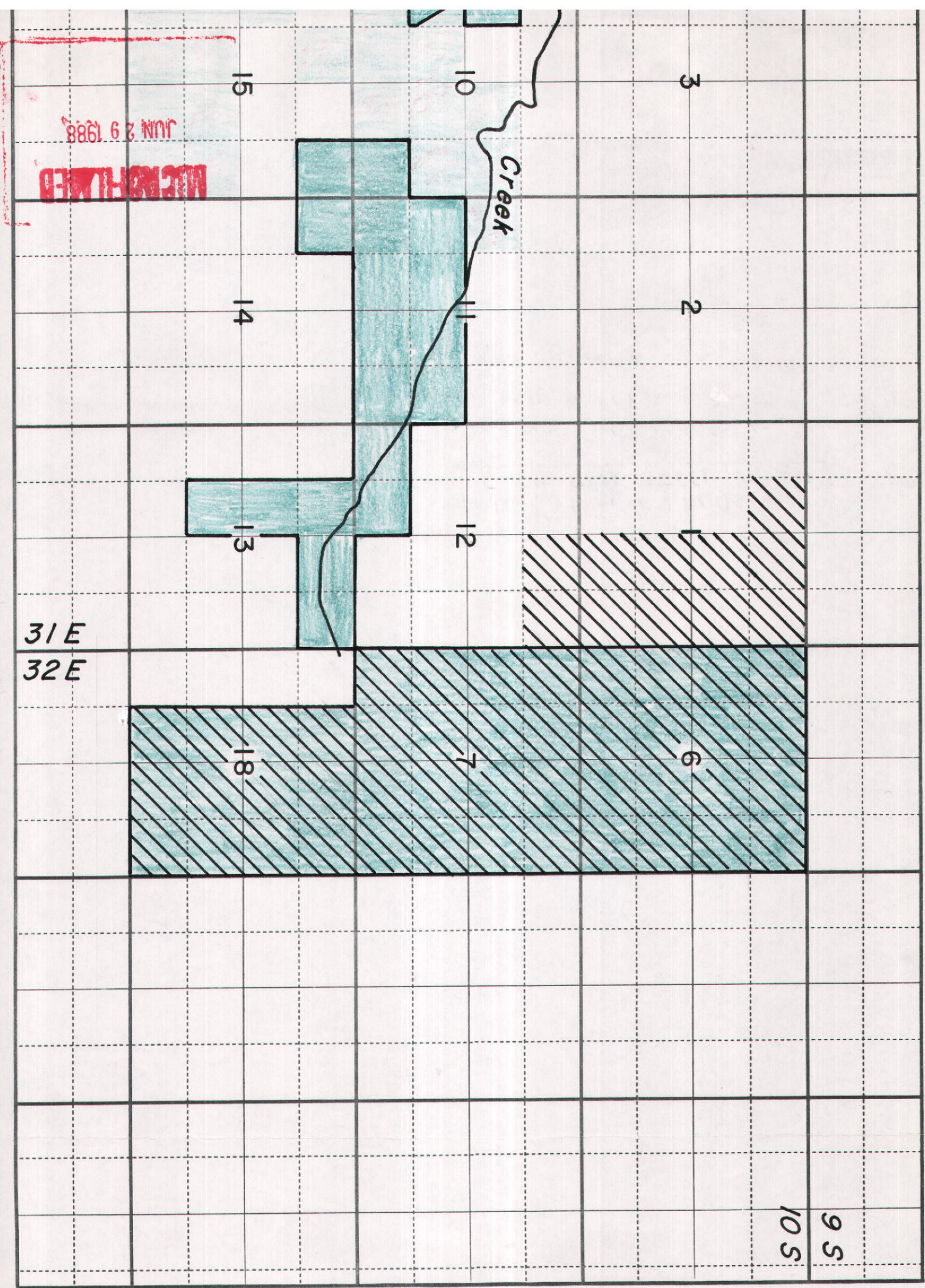
JUN 29 1988

(BANNOCK PEAK)
3469 11 SW



NAME OF APPLICANT.....





SCALE: 2 Inches Equal 1 Mile. Draw in Ink.

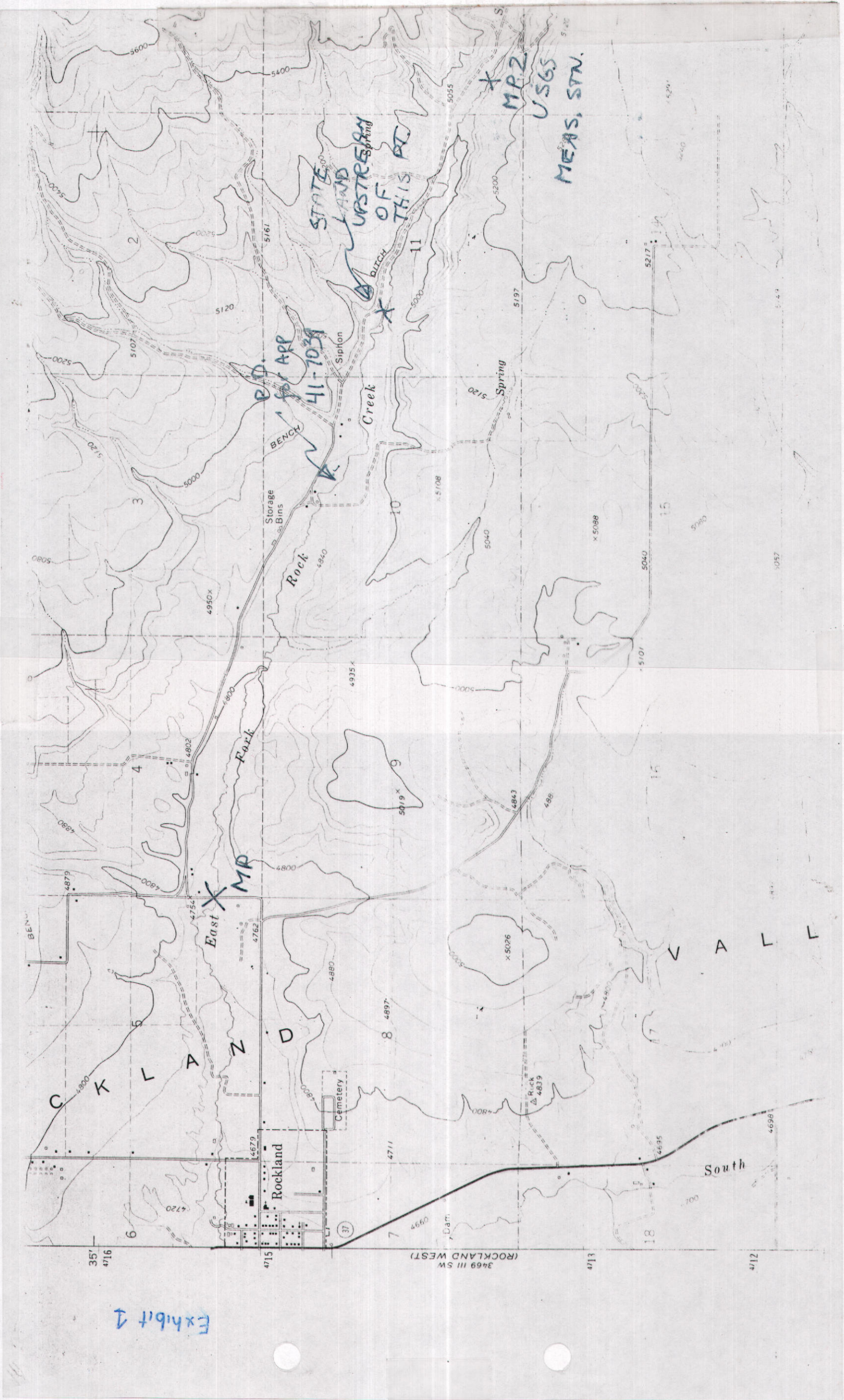
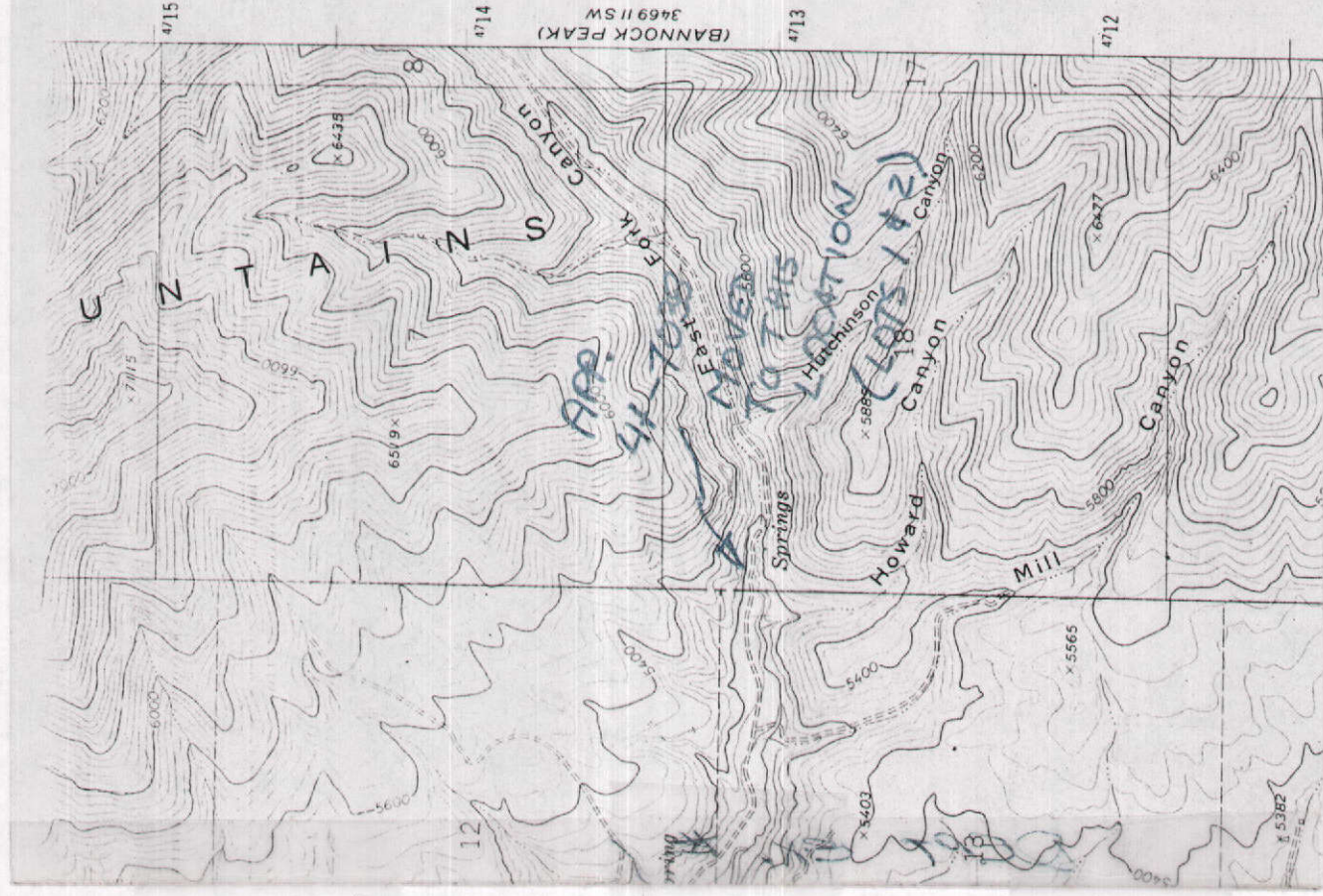


Exhibit 1



Affidavit of Publication

STATE OF IDAHO }
COUNTY OF POWER } S.S.

Robert Crompton
..... being first duly sworn
on oath, states:

That he is the publisher
of the Power County Press, a newspaper of general circulation
in Power County, Idaho, published weekly at American Falls
in said County; that said newspaper has been published in said
County uninterruptedly and continuously for over seventy-
eight consecutive weeks, prior to the first publication of the
annexed notice or advertisement:

That the annexed notice or advertisement was published as
per clipping attached in the regular and entire edition of said
newspaper and not in any supplement thereof for 2
successive weekly issues thereof, the date of the first publica-
tion being the 14th day of May, 1980
the date of last publication being the
21st day of May, 1980

(Signed) Robert Crompton **MICROFILMED**

Subscribed and sworn to before me this
21st day of May, 1980

Curtis G. Johnson
Notary Public, residing at American Falls,
Idaho.

My Commission expires the
20 day of April, 1982

(SEAL)

Department of Water Resources
Southern District Office

Legal Notice

Published in The Power County
Press May 14, and May 21, 1980
NOTICE OF APPLICATION
FOR MINIMUM STREAM FLOW
Notice is hereby given that the
Idaho Water Resource Board has
on December 12, 1979, submitted
an application for permit to the
Department of Water Resources
proposing the appropriation of
water to preserve the minimum
streamflow from the East Fork
Rock Creek tributary of Rock
Creek and further described as fol-
lows:

APPLICATION NO. 41-7046

Reach of minimum stream flow:
From county bridge in SW 1/4 SW 1/4,
Sec. 4, T. 10S, R. 31E, upstream
3 miles to SW 1/4 SW 1/4, Sec. 12,
T. 10S, R. 31E.

Rate of flow: 20 cubic feet per
second

Season of use: January 1 to Dec-
ember 31

Use: To maintain trout habitat

The Director of the Department
of Water Resources will hold a
public hearing on the application at
1:00 p.m., on Wednesday, June 11,
1980, at the Production Credit As-
sociation office, 127 Idaho Street,
American Falls, Idaho, for the pur-
pose of hearing evidence in regard
to the application. The hearing will
be held pursuant to the provisions
of Sec. 42-1503, Idaho Code.

If issued, these permits will be
subject to all prior water rights.
Any party who wishes to formally
appear in this proceeding for the
purpose of presenting evidence or
cross examining witnesses should
file a notice of appearance with the
Director, Department of Water Re-
sources, Statehouse, Boise, Idaho,
five (5) days prior to the hearing.
Other parties will be given an op-
portunity to informally present their
views and comments without the
necessity of filing a notice of ap-
pearance.

Protests against the granting of
any permit must be filed with the
Director, Idaho Department of
Water Resources, 1041 Blue Lakes
Blvd. North, Twin Falls, Idaho
83301 on or before June 10, 1980.
C. STEPHEN ALLRED
Director

Jan 16, 1980
Dor

ok
maybe
6/1/80

JUN 29 1988

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JUN 4 1980

NOTICE OF
APPLICATION FOR
MINIMUM
STREAMFLOW

Notice is hereby given that the Idaho Water Resource Board submitted two (2) applications for permit to the Department of Water Resources proposing the appropriation of water to preserve the minimum streamflows from the following creek tributary to Rock Creek and further described as follows:

APPLICATION
No. 41-7046

Date Filed: December 12, 1979

Source: East Fork

Rock Creek tributary of Rock Creek.

Point of Minimum Streamflow: SWSW, Sec. 4, T10S, R31E, B.M., Power County. Point where water is to be left in the stream is the county road bridge in the above tract.

Rate of Flow: 20 cubic feet per second.

Season of Use: January 1 to December 31.

Use: To maintain trout habitat.

APPLICATION No. 41-7074.

Date Filed: September 12, 1984.

Source: East Fork Creek tributary of Rock Creek.

Point of Minimum Streamflow: Reach begins in the SWSW, Sec. 12, T10S, R31E; and extends upstream to the springs in Lt1 (NWNW), Sec. 18, T10S, R32E, B.M., Power County.

Rate of Flow: 11.0 cubic feet per second.

Season of Use: January 1 to December 31.

Use: To maintain trout habitat.

The Director of the Department of Water Resources will hold a public hearing on the above applications at 9:30 a.m., on Thursday, November 14, 1985, at the Power County Courthouse, County Commissioners' room, 543 Bannock Street, American Falls, Idaho, for the purpose of hearing evidence in regard to the applications. The hearing will be held pursuant to the provisions of Sec. 42-1503, IDAHO CODE.

If issued, these permits will be subject to all prior water rights. Any party who wishes to formally appear in this proceeding for the purpose of presenting evidence or cross examining witnesses should file a notice of appearance with the Director, Department of Water Resources, Statehouse, Boise, Idaho 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.

A KENNETH DUNN
Director

PUBLISH: Thursday, October 24 and 31.

Affidavit of Publication

STATE OF IDAHO,
COUNTY OF TWIN FALLS

ss.

I, Linda Copps McSwain, Department of Water Resources Western Regional Office 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 October 24, 1985, and ending with the issue dated October 31, 1985.

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.

Linda Copps McSwain Subscribed and sworn to before me on this 31 day of

October, 1985.

Deanna Thuse
Notary Public in and for the County of Twin Falls,
State of Idaho, residing at Twin Falls, Idaho

Dave T



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JAN 21 1986

Department of Water Resources

STATE OF IDAHO
OFFICE OF THE ATTORNEY GENERAL

JIM JONES
ATTORNEY GENERAL
STEPHEN V. GODDARD
WILLIAM B. DILLON, III
DEPUTY ATTORNEYS GENERAL
IDAHO DEPARTMENT OF FISH AND GAME

600 S. WALNUT ST.
P.O. BOX 25
BOISE, IDAHO 83707
(208) 334-3715

January 20, 1986

Mr. Norman Young
Department of Water Resources
STATEHOUSE
Boise, ID 83720

Re: East Fork, Rock Creek Instream Flow

Dear Mr. Young:

Enclosed are four photographs of the East Fork, Rock Creek. As you remember, at the instream flow hearing, Fish and Game was given permission to enter these photographs into evidence after the hearing. Due to an error of the developer, they were not available until last week. The photographs are labeled on the back.

Thank you for your cooperation in this matter.

Sincerely,

A handwritten signature in cursive script that reads "William B. Dillon, III".

William B. Dillon, III
Deputy Attorney General
Idaho Dept. of Fish and Game

WBD:tiv

cc: Region 5

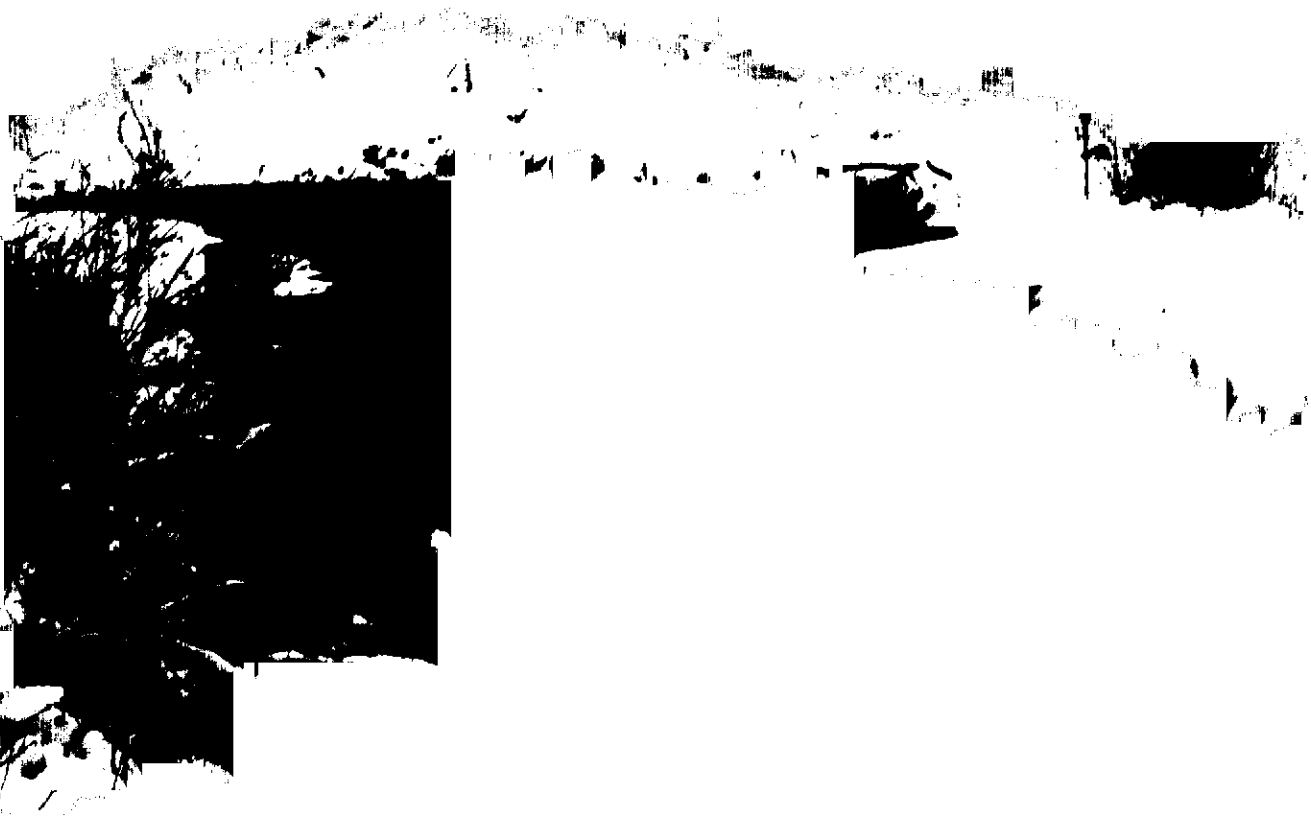
Enclosures

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JUN 29 1988



Wild Rainbow trout
E. Fk. Rock Ck
11/12/85



Electrofishing site

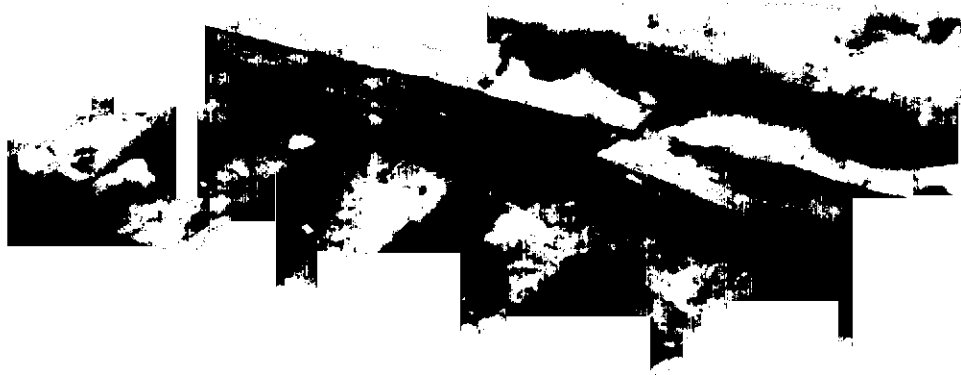
E. Fork Rock CK

11/12/85



Electrofishing Equipment
E. Pl. Rock Ck.

11/12/85



Wild Rainbow trout

4 age classes

E. Fk. Rock Ck

11/12/85

*Slides
inside*

35 MM Trans parencies of
IDWR Staff Exhibits
1 & 2

ATTENDANCE ROSTER

HEARING ON EAST FORK ROCK CREEK
APP NOS 41-7046 & 41-7074
American Falls 9:30 am Nov 14, 1985

Norman C. Young
Hearing Officer

DO YOU
WISH TO
PRESENT
TESTIMONY

NAME

ADDRESS

REPRESENTING

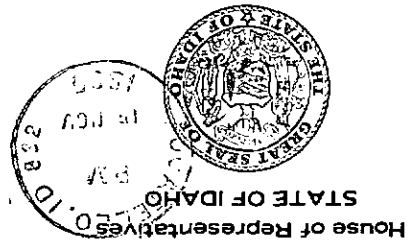
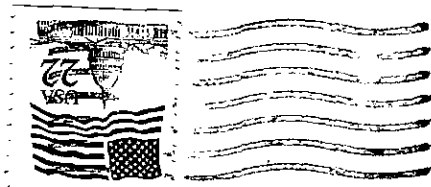
NAME	ADDRESS	REPRESENTING	DO YOU WISH TO PRESENT TESTIMONY
John T. Heimer	5205 S. 5th	Idaho Fish & Game	Yes
Don Schill	1360 E Poplar	" " "	NO
Max Newlin	HC 76 Box 1000 Am. Falls	IDHO Parks & Rec	Yes
Ronald Rhysow	Box 207 Rockland, Idaho	For minimum Stream	NO
William Nelson	Box 334 Rockland, Idaho	" " "	Yes
Burton Anderson	Box 304 Rockland, Idaho	" " "	no
Merrell E. Walker	Box 336 Rockland, Id.	Bench Ditch Irr.	Yes
Don Benson	231 Polk's Am Falls, Id		NO
STAN BENSON	1055 VERDUGO	POCATELLO	NO
Loren Holmes	Twinn Falls	IDWR	NO
David Cummings	American Falls, Idaho	Power County	NO
Don Carter	American Falls, Id	Idaho Fish & Game	Yes
Melvin R. Munk	Rockland	Idaho Landowners	Yes
Chuck Dinyen	Pocatello	St. Sen	No
Michael H. O'Donnell		Power Co. Press	No

MICROFILMED

JUN 29 1988

Mr. David Tuthill, Jr.
Acting Supervisor, W. A. S.
Department of Water Resources
450 W. State Street
Boise, ID 83720

State Representative
PETE BLACK
530 Cochise
Pocatello, Idaho 83204



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JUN 29 1988



State Representative
Legislative District No. 27
PETE BLACK

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NOV 18 1985

Department of Water Resources
Western Regional Office

Det

RECEIVED

JUN 29 1988

Dear Mr. Tuthill:

I'm sorry I couldn't be in attendance at the public hearings regarding water rights for minimum stream flows that was held in American Falls on the fourteenth of November. I was in Boise attending a Council meeting on Federal education funds. If minutes and written testimony was taken I'd appreciate any pertinent information.

Pete Black



NOVEMBER 4, 1985

State of Idaho, Statehouse, Boise, Idaho 83720

Phone: (208) 334-4440

NEWS RELEASE

FOR IMMEDIATE RELEASE

Contact Dave Tuthill
334-2190

BOISE---The Idaho Department of Water Resources has scheduled a public hearing on Nov. 14 at 9:30 a.m. in the county commissioners' conference room, 543 Bannock, Power County Courthouse, American Falls, to discuss two proposed minimum stream flows on the East Fork, Rock Creek.

The first proposed minimum stream flow, filed by the Idaho Water Resource Board (IWRB) on Jan. 16, 1980, at the request of the county commissioners, is for 20 cubic feet per second (cfs). The reach of the stream is from the SWSW, Section 4, Township 10S, Range 31E, from the county bridge upstream to the measuring device in the SWSW, Sec. 12, Township 10S, Range 31E.

The second proposed minimum stream flow on the creek was filed by the IWRB on Sept. 12, 1984, for 11 cfs. This extends from the SWSW, Section 12, Township 10S, Range 31E, upstream to the spring that is the source of the water for the East Fork, Rock Creek.

Both proposed minimum stream flows are to maintain trout habitat in the creek, according to A. Kenneth Dunn, IDWR director. Anyone who wishes to make any comment on either or both of these proposed minimum stream flows is encouraged to attend the hearing.

-30-

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Kay Weaver

Information Specialist

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Department of Water Resources
Western Regional Office

Full Parties

- IWRB
- Id Dept of Fish & Game
- Jeff Allen.
- Power County
- Bench Ditch

MICROFILMED

JUN 29 1988



NOVEMBER 4, 1985

State of Idaho, Statehouse, Boise, Idaho 83720

Phone: (208) 334-4440

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-30-

Kay Weaver

Information Specialist

MANAGED

JUN 29 1988

Hearing Notes

D. Tutthill Nov 14, 1985

Joint Hearing, Minimum Stream Flow Apps No. 41-7046 ✓
East Fork Rock Creek 41-7074 ✓

Hearing Notes/Hearing Conducted by Norman C. Young
American Falls, 9:30 am

- Preliminary remarks off the record

- On the record at 9:50

Full Participants

✓ - Id Dept of Fish and Game

✓ - ID Wtr Resource Board (Daw Rydalen)

✓ - Power Co. Commissioners (Ben Cavaness)

✓ - Merrill Walker Bench Ditch

✓ - Jeff Allen (pro se)

↓ See Tutthill notes in the file.

- Statements by IWEB & IDWR

- IDFG

- Melvin Nelson

24" Rt in Bench Ditch

60" Rt in Dallas Ditch

35" Rt in Budge Ditch

- Total removal from the creek is 8-10 cfs

- Has done water flow measuring

- Typical min flow in ^{Rock} Creek is 11 cfs

- Up to 4000 fishermen on this stream during fishing season

- County road parallels stream on north side

Mostly state land & open access

Only one farm is posted no trespassing

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Good habitat for pleasants & ducks

Fishing is "probably the best in the State of Idaho"

Upper stream is stocked, bottom has wild cord

- X exam - 90% of the people use the upper portion of the stream
- those that fish for the native fish use the lower portion of the stream (below the gaging station)
 - Constructed a device for flow measurement on what is (about 1 mile above G. bridge) known as the promitor Stock Ranch - monitored for a two year period. At one time (or two) the flow decreased to 9 cfs - almost always
- Redirect
- Springs enter the stream below the measuring device diversions
 - ^{some} Return flows for irrigation return above the G. bridge

Tim Cochraver - Lewiston

Coordinator for instream flow matters in Idaho

Performed an instream flow study on East Fork Rock Cr. in the fall of 1980 (now is report date)

Ideal flow is 15 to 20 cfs

Min flow is 11 cfs

John Heimer Pocatello

Regional Fisheries Mgr

B.S./M.S. U of I

Investigated fish populations two days ago (Nov 12)

Electrofished adjacent to the old USGS gaging station

Found fish from 3" to 9" in length

Healthy fish population but too few large fish.

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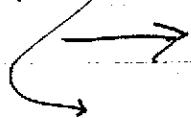
John Heimer cont

- Found no catchable fish in the reach (although ~3,100 per year were planted for the past 5 years).
- Extremely heavy fishing pressure.
- Extremely important fishing stream in Power County.
- SCS is considering a \$1.6 million erosion prevention plan for the Rock Creek drainage

- 11.0 cfs is needed to maintain the fishery

Record will remain open for the purpose of allowing photos to be submitted recording the electrofishing trip.

Tape 3



X exam (Walker) -

Records for fish survey

Feb 23, 1978

Electrofished at the bridge

1979

"

at site of proposed fish prop site

Results were similar to those obtained on Nov #12.

X exam (Allen)

Why do we need 11 cfs when we can maintain fish at a lower flow? Due to springs the flows appear to be comparable.

Lon Teeter

Cons. Officer for 11 years

"Pristine little stream". First couple of miles are beautiful - pleasant & clear.

Within the last 2 years fishing pressure

4000 people per year may be accurate.

Beaver & muskrat in river stream

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Beaver & muskrat are an indicator of good quality water
 High value for mule deer in this area (\$millions value)
 Currently there are ~~discuss~~ discussions of developing
 additional campground.

Edible Watercress is harvested in upper area.

"The only fishing area in Power County outside of the Snake R."
 "Under the present water use system the stream is
 maintaining itself very well."

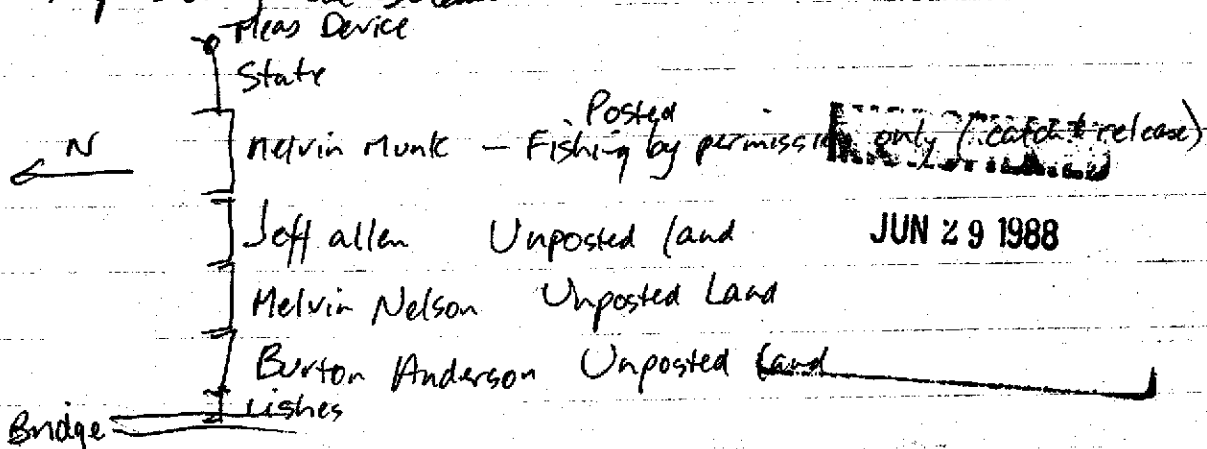
Golden eagles are common in this area.

Lower end is of higher quality fishery than upper end

Jeff Allen - Calls Melvin Munk as a witness

- Lives in Rockland
- Controls almost a mile of the Stream
- Feels the stream should be preserved for trout fishing, but
 the stream should not be "locked up" for trout fishing.
- Should be leeway for development of other things.
- Downstream from the near device the beavers have
 caused "spreading out" of water, and the natural
 flow is restricted. Some of the best fishing is there

Ownership along the stream



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Melvin Munk, Cont

Tape 4

- There is a reservoir site on E.F. Rock Cr. 40 acre site, 10 foot depth avg.
- Energy sites may be available.
- Additional water could be beneficially used in the Rockland area.

Jeff Allen

- Not protesting App No. 41- 7074 (upper site)
- Objects to a minimum flow on the lower site.
- This would deny the lower landowners the opportunity to use the stream
- Would not try to destroy the natural surroundings.
- Access on lower reaches is private rather than public
- Min stream flow level cannot be maintained.
- This min flow would deny opportunity for further development.

X exam by Dillon (IDFG)

- Jeff Allen has not measured water in the stream

Merrill E. Walker

- No opposition to the upper App.
- Objects to the lower app because the flow measurements do not support the availability of the requested flow

X exam (Hearing officer)

- Min flow would not jeopardize the Bench Ditch etc.
- Looks like the appropriation for waters that do not exist.
- If the flow is shown, then the ~~lower~~ ^{lower} is no objection

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Ben Cavaness - Appearing on behalf of Lower Co.

- 1) Property rights question:
 - 2) Availability of flows
 - 3) Policy of future use
- } Arguments in opposition

- 1) Co. Commissioners did not take this filing lightly - there was a reluctance to take this action, but did so because of the public interest in this case.
- 2) The only flow records available show that adequate flow exists. Other estimates are not quantified & do not refute the evidence.
- 3) This is a very unique stream with unique values.

Co. commissioners made the decision for the county.
Public interest of people in the county would be served

Public Interest Statement

Max Newlin - American Falls ID Dept Parks & Rec
Massacre Rock State Park

Would like to see the Rock Creek flow continued
(10 miles downstream)

Final Statement - Jeff Allen

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EAST FORK ROCK CK

Applications 40-7046 and 41-7074

Prehearing Conf.

Introductions

Describe applications being considered

Review minimum stream flow procedure

Band as applicant

Director considers under 5 criteria of 42-1503 -

(a) injury to prior water rights

(b) Public as opposed to private

(c) Preservation of fish & wildlife habitat, ~~water~~

~~quality~~ aquatic life, recreation
aesthetics, boating, navigation,
transportation or water quality

(d) min flow not ideal

(e) Cost of being maintained

Taken it's place in priority list

Legis & judicial review -

Processing requires a public hearing

Describe Hearing procedure -

Two types of parties

but full parties @ table

Testimony under oath

Hearing record will be closed @ end of hearing

Order of appearance

} Self Motion
Et G
IWRB

Other matters before going on record?

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Full Parties -

~~JEFF~~ Allen

IWRB - Dave Rydetch

F & G - Bill Dillon

Power County - ~~Ben~~ Caveness

Branch Ditch - Merrill Walker

Dave Rydetch -

Read prepared statement -

Dave Tuttle

Read prepared statement -

→ Staff exhibit #1 admitted

→ Staff exhibit #2 " "

X-Exam - Dillon

injury to prior rights? - no

X-Exam - Allen

F & G (Dillon)

- Melvin Nelson

30 yrs flow along E.F. Rock CK

24" water right in ditch

35" in Budge ditch

260" in ~~Dallison~~ Ditch
Dallison

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11 cfs in stream even after ~~irrigation~~ all
the way down to the county road
Counted as many as 4000 fishmen spend 1 or
more days during the fishing season -

2 or 3 public access points
- Mont stream section is open to public except one farm portion -
- Good area for duck, pheasant, & water for winter for deer
Best fishing in State of Idaho.

X-Exam

Walker (Bench Ditch)

- asked foothill where diversion occurred.
- asked Nelson how 22 cfs or less could supply 25 cfs of water rights on creek - Nelson claims 25 cfs covers down to Snake River not just down to the County road.

X-Exam (Caveless) -

- made statement that ^{min} flow regularly protect in off season -
- during rights will be protected

X-Exam (Allen)

Referred to Town & min flow brochure -
Shows 6 cfs divert (1000 in)
How can we say unappropriated water -
6 cfs must be protected - can only take on the excess

Referred to USGS records & asked Nelson to explain how 22 cfs was available?

Tape? Nelson explained protection of prior rights
90% of public will use the top portion of the prior reach -

Top - above gauging station
Inversion - below gauging station

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described monitoring device - used two years
- lower than normal monuments
measured 9 ft @ low points
1 mile above county bridge

Any diversions between county road bridge &
Nelson's monitoring point -

yes only one ditch

USGS gauging station
springs do enter stream below the

Narrow valley - water diverted returns in
stream - 1/2 hrs back to the

X - exam by

Walker - won't changing to spruill
hunt return flow - yes

Direct - ~~Cachawan~~, Tim address 1540 Warner - Leach
Leach -

- Gave duties, responsibilities, educ +
background

- 150 min streamflow studies

FFG exhibit #1 - Admitted

Explained methodology of determining main
flow -

- Fall 1980 studies were done

species of concern - Rainbow trout
Habitat requirement for life history phase

- determined to be for adult rainbow trout -
site 1/2 mile downstream from ft. S. G. S. gauge
water velocity + water depth
Used instream flow computer model JUN 29 1980
"instream flow service group model"

F&G exhibit #2 - report ~~Admitted~~

Ref to Fig 3 on exhibit #2

- habitat in sq ft / linear ft -

Bank full - 15 to 20 cfs optimum

Min. is 11 cfs - not ideal or most desirable
reflection pt

Can 11 cfs be maintained yes

-X- Exam by Allen

Measurement made on his property -
Channel splits because of beaver dams -
Can fish cross beaver dams @ 11 cfs -
Depends can answer - did not
see any beaver dams -

Based his conclusion of stream flow
adequacy on Tutthill's testimony - i.e.
that 11 cfs is available 95% of time.

Two more ditches - taking 2 cfs divert
downstream from transect - Cochran
not aware of this

Not aware that 1980 was a high or low year
aware that spring flow more in fall - No

Was 1980 a high or low year - don't know

Directs John Hefner - 5205 S. 15th - ~~Admitted~~
Region 5 fisheries manager -
15 years -
described duties -

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described ed. & experience -

Done some stream fishing - population -
studies

Zippin-Moran method of fish
collection - Electrofishing -

→ F & G exhibits 354, 45 (Admitted)

11/12/88 study 53 wild rainbow in 100 meter reach
3" to 9" range in size

100 meter reach was @ old USFS station
No hatchery trout - no other species found
on that date -

Reel trout have been found at other
times -

Healthy population - good size class
but few large -

3192 planted as catchable average over
last 4 years -

Could produce large fish if not fished
heavily -

10 miles ^{plus} stream in Power Co.

6 are Inake River

4 are East Fork Rock Cr.

Makes it locally very important

SCS has a major watershed treatment
project planned - Believes the project will
help

- Need 11 cp to maintain the stream

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The 100 meter reach was very accessible for
fishing pressures - Population ~~could~~ be
lower -

Photographs — being developed —

→ Asked for record to be left open to for photos
of electrophoresis to be submitted

Tape 3.
start

X-Exam of Heimer — Caveness

9300 fish/mile extrapolating Heimer
numbers —

Condition of fish — excellent plenty of
food —

Upward migration from lake — Don't know
Downward " from lake — Don't know

X-Exam — Walker (Bench Ditch)

Comparison to previous records —

1978 — Feb 23 — 100m @ bridge

22 wild rainbow & 2 cutthroat

1979 — May ¹⁶ —

22 wild rainbow & ? cutthroat —

(different procedure than this year)

migration is present but scarce

X-Exam — Altge

All sites along stream have similar
counts of fish — year

Why do we need Hct's when 7cp
@ bridge — Heimer doesn't know how
much is @ bridge —

265

Low ^{Teeter} Teeter — F+G C.O.

described Teeter exp, + edec.

Patrol area includes G.E. ^{CK} — 8 years

Prisoner stream from a ^{spring} **MICROFILMED** than an

ag. valley —

2 miles of great riparian habitat above the

of —

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Wild cutthroat + Rainbow Trout

Good camping -

Heavy fishing use - approx 4000

Local + recreational fishermen

Wild fruit, fur beaver, coyote, pheasant + star
use stream - migratory some to public domain

one of best male deer herds in state -
worth millions of dollars / year to economy -

Any plans to improve the area for
camping - yes

Camping areas are usually full on weekend -
springs are used by public for water, cross
harvesting - very high quality water -

Only poorer coo fishing stream in
area besides the Snake River

Loss of min flow would reduce or eliminate
habitat for wildlife -

Under present water use system the stream
is maintaining itself very well

Any additional diversion would hurt
stream + region's habitat -

Golden Eagle - one observed in fall + spring

RECORDED

X - (A/Hen) (A/Hen)

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Lower end has bigger fish, more cutthroat
- better adapted to warmer water

(Note: although present didn't object to allow direct spawning or cross spawning)
A/Hen - Case in Chief - witnesses

Controls approximately 1 mile of the stream

Believes the stream should be preserved for
trout fishing but should not be locked up for
the future for only trout fishing.

Stream flow is down to the minimum now

If projects can be developed without
hurting trout they should be allowed to
to so

Major flows entering stream below gaging
station is rising return flow

Quality of fishing improves downstream -
because of lower velocity & less pressure -
- Braided areas of 4 to 5 channels thru
his property - not a good habitat area
except for evening feeding -

680

X-Exam of muck

Nelson's land is downstream from Allens, just
downstream from Muck - which abuts state section -

Anderson owns below Nelson - the bridge
Lish - 100 yrs @ bridge -

Posted Fishing by permission only - permits
catch & release without killing

No one else poss the ground along the stream -

Xop-4

now's x-exam

Energy & storage projects could be
proposed

Reservoir site - (1 1/2 mile downstream on
bench ditch 40 acre site - 10 ft ave depth -
additional acreage is available - perhaps

Expand into dryland **MICROFILMED** areas / riparian

Allen direct

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Not protecting the upper applications.
On lower section - a main flow would
prevent landowners from being able to expand
& make full use of resources -

Landowners would not try to destroy natural
values - fisheries -

admitted Allen exhibit #1 - UGS measurements
show stream flow fluctuations

- Feels that filing is an appropriated water
- Private access makes this reach not a
public resource -

- Lower flows downstream but still good
fishing shows not a min flow

- Water flows will not maintain -

- Prevent small hydro development - "Don't
lock it up"

~~X EXAM -~~

Walker - ^{Beach ditch} statement

No objection to min flow above Beach ditch
Not enough water to maintain a

11 cfs min flow -

- objects to lower app. - upon questioning
he has no prob if the 11 cfs is there.

Ben Cavaness ⚡

1. Property rights question -
2. Not enough water to fall -
3. Not wise to tie up for future -

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County Commissioners did not take lightly the
filing of the application - over-riding public
interest warrants interference with property rights

- No scientific studies made to analyze flows below the gauging station except Mr Nelson's.

Unlimited needs + limited resources =
Cross country skiing - wildlife scenery { 150 to 300 deer
Stream is a unique resource that must be preserved -

Caviness spoke for the county commissioners
- commissioners have changed but still support

X-Exam of Caviness

Regulations that could prevent undesirable projects
- No net unless zoning prevented siting -

Would public interest standards of
IDCOR be able to prevent fish facilities

Caviness is not aware of any way
the IDCOR would have to prevent a fish
facility

Mr Nelson ^{new line park office.}

HC 76 Box 1000

A. F. - Macomber River State Park

Want stream to continue to flow thru
Reynolds State Park

1/8 miles downstream

establishing min flow could help keep
flow @ this point.

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Allen -

- Supplying water rights downstream could
insure a min flow

- Return flows are decreasing to creek -

Closing Remarks - none
- consider prev. hearing

742 - Record closed.

MFS NOTES

- Be Sworn
- Name - David R. Tuthill, Jr.
- Address - 4639 Cochees, Boise, ID
- Employed by the Idaho Department of Water Resources
- The position in which I am now acting is Supervisor, Water Allocation Section. I held this position for 5 years and recently assumed the duties of another position in the Department. I have been employed by the Department for more than 9 years. I am registered as a Professional Engineer in Idaho.

My statement will include:

- 1) A chronology of Department activities to date with respect to the application.
- 2) Information on existing water rights and hydrology that the Director may use in his action on the application.

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East Fork Rock Creek MSF's, 41-7046 & 41-7074

Notes for Testimony

D. Tuthill 11/11/85

- On December 12, 1979, the Idaho Water Resource Board received a request for a minimum streamflow on East Fork Rock Creek from the Power County Board of County Commissioners.
- This request was considered by the Board on January 16, 1980, and on that date the Board filed an Application for Permit based on the request with the IDWR. The application is for 20 cfs throughout a reach from the site of an earlier measuring device downstream to the county bridge.
- Copies of the application were sent to Department of Fish and Game, Health and Welfare, and Park and Recreation
- A public notice of the application was advertised on May 14 and 21 in the Power County Press. The notice included information about the hearing.
- One letter was received in support of the application, from Melvin L. Nelson. No letters were received in opposition.
- A hearing was held on June 11, 1980, attended by 16 people from the American Falls/Rockland area.
- Further actions by the Board on this matter were discussed by Mr. Rydalch.
- A legal notice setting the hearing for 10/25/84 was sent to the Power County Press on 9/26/84, to be published on 10/3 and 10/10/84. We received a galley proof on 10/1/84.
- On 10/2/84, the office was notified that due to the signing of the Swan Falls agreement, the board wished to cancel the minimum streamflow hearings. The legal notice was cancelled by phone call to the paper.
- On 10/25/84, we received a call from American Falls advising that people were gathered for the hearing.
- On later checking with the publisher of the paper, we determined that the legal notice had, in fact, been cancelled, but that the editorial department of the paper had run a news story about the hearing and was not aware of the cancellation. The news item resulted in people appearing for the hearing.
- The publisher indicated that he would send us a copy of any story printed to explain the error, but to date, nothing has been received.
- In accordance with the request of the applicant, the IDWR is today holding a joint hearing on both MSF applications on East Fork Rock Creek. The plans announcing this hearing are as follows:
 - News release distributed to the media.
 - Formal Notice published on Oct. 23 and 30 in the Power County Press and in the Times News, Idaho Statesman, Lewiston Morning Tribune and Post Register on Oct. 24 and 31.
 - Letters sent to the attendees of the original hearing, waterusers, riparian land owners, and local legislators.

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HEARING NOTES - Water Resource Board Member

- The request for a minimum stream flow in East Fork Rock Creek was submitted to the Idaho Water Resource Board by the Power County Commissioners.
- On January 15, 1980 the Board reviewed the request, with the intent that any minimum stream flow water right:
 - 1) Would not interfere with any vested water right, permit, or water right application;
 - 2) Is in the public, rather than private, interest;
 - 3) Is necessary for the preservation of fish and wildlife habitat, aquatic life, recreation, aesthetic beauty, navigation, transportation or water quality of the stream;
 - 4) Is the minimum flow and not the ideal flow; and,
 - 5) Is capable of being maintained.
- Although full information about these factors was not available at the Board meeting, East Fork Rock Creek appeared to be a worthy MSF candidate on first review. The Board opted to file the application with the IDWR, and to view the matter more closely in a public information meeting. Therefore, the Board filed the application on January 16, 1980.
- A hearing on this matter was held by the Idaho Department of Water Resources on June 11, 1980. Based on public input received at this meeting, the Board requested that the Department delay administrative action, to conduct a further investigation of the water rights and available flows.
- The Board opted to delay further action on this matter pending resolution of two fish propagation water right applications in the name of Glenna Nelson. These two applications were withdrawn by Mrs. Nelson in a letter received by the Idaho Department of Water Resources on April 27, 1984.
- On June 8, 1984 the Board voted to amend the minimum stream flow water right on East Fork Rock Creek to add the upper end of the stream, including the spring area, and to request the Idaho Department of Fish and Game to develop the necessary data to establish the amount of water necessary in the stream.
- On September 12, 1984, the Board voted to apply for a new water right for the added reach to preserve the priority date of the original application. In addition the Board voted to reduce the rate of flow on the original application to 11 cfs. The rate of flow on the additional application was established as 11 cfs also. Application for Permit No. 41-7074 was thus filed on September 12, 1984.

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List of Exhibits

IDWR

Admitted

- 1 - Schematic of Stream
- 2 - Flow duration Curve

✓
✓

IDF#G

- 1 - Credentials of Tim Cochnaver
- 2 - East Fork Rock Creek Stream Flow Study
- 3 - Computer result of John Heimer Fish Survey
- 4 - Computer result of " " " "
- 5 - Zippin-Moran est of fish within reach

✓
✓
✓
✓
✓

Allen

- 1 USGS Records

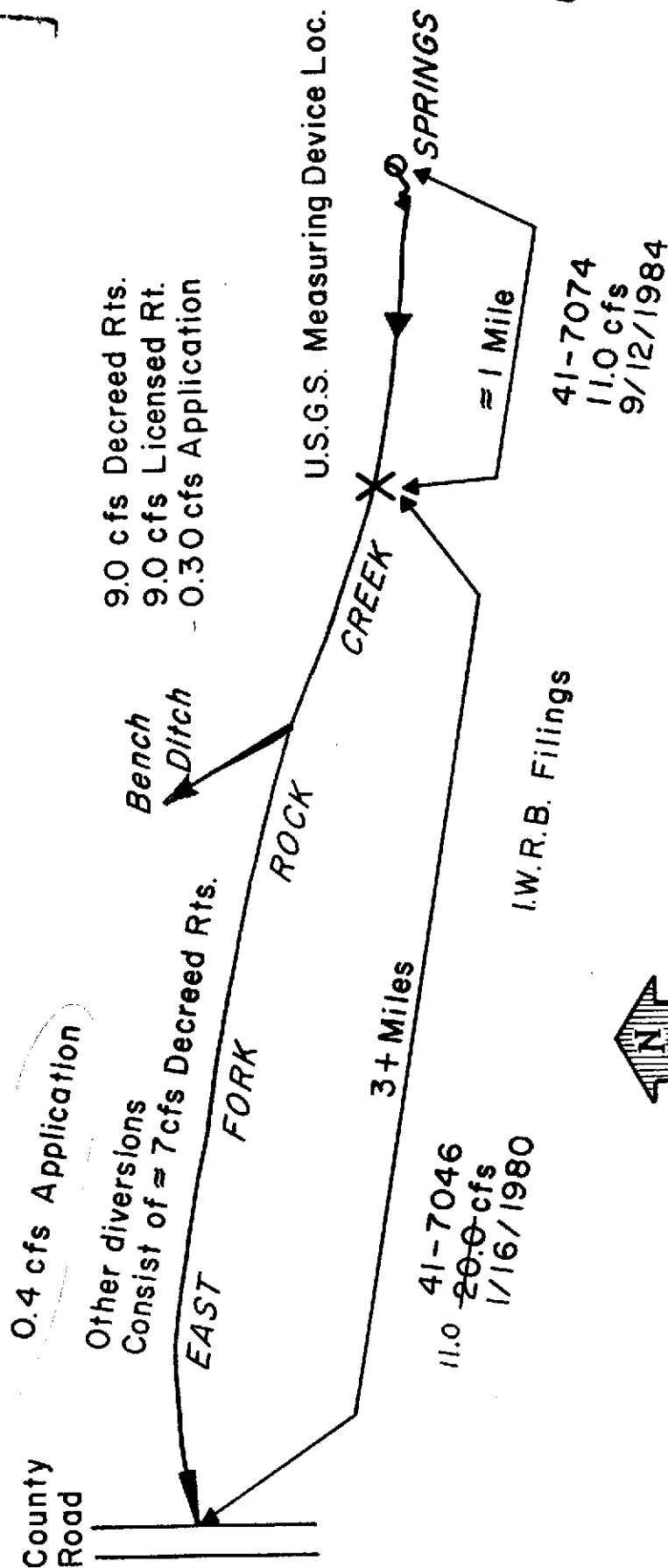
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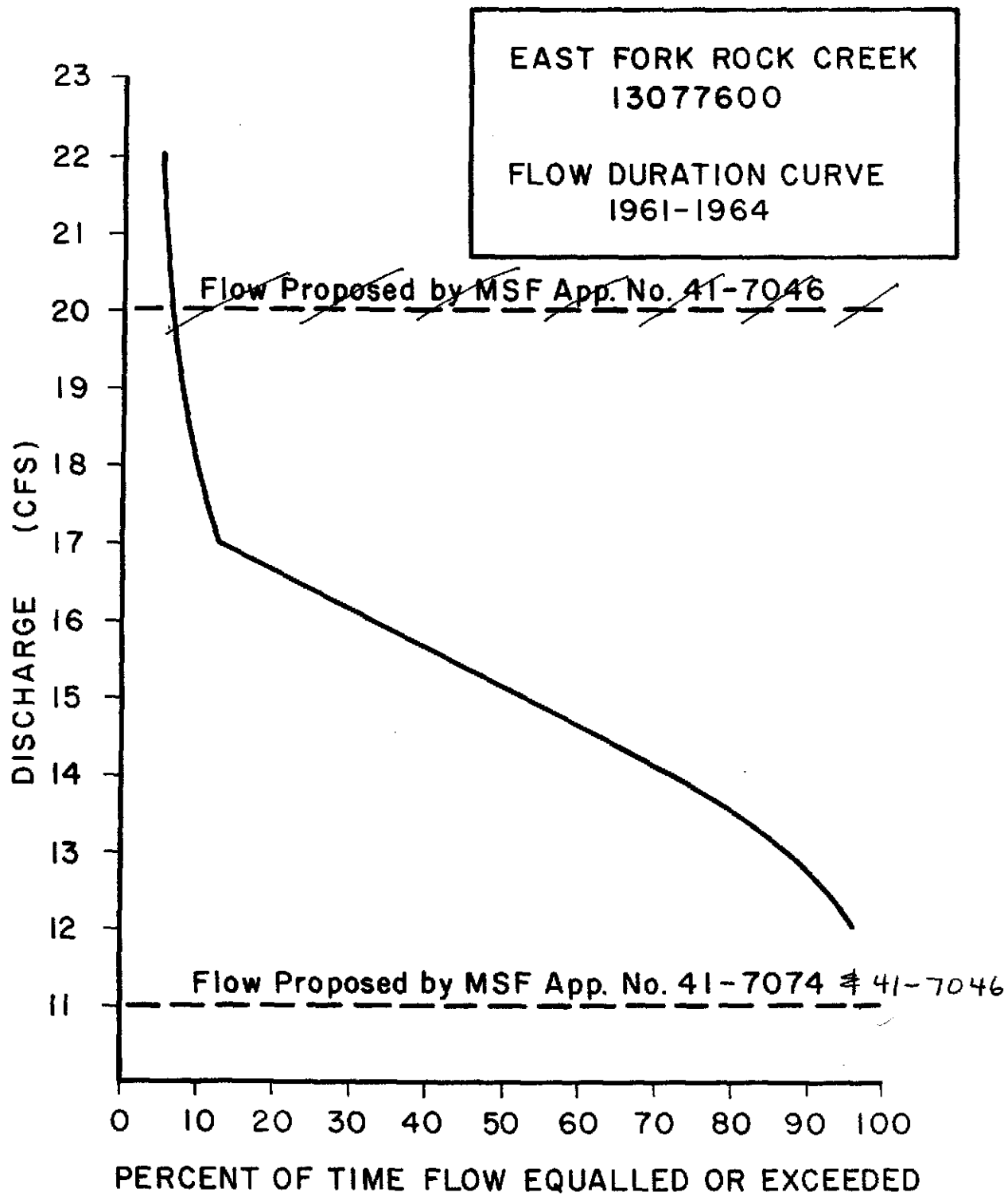
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EAST FORK ROCK CREEK



IDWR STAFF EXHIBIT # 1



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IDWR STAFF EXHIBIT #2

Tim Cochnauer
Principal Fishery Research Biologist
Idaho Department of Fish and Game
Lewiston, Idaho 83501

Education:

Bachelor of Science, University of Oklahoma, Norman, Oklahoma
Master of Science, University of Oklahoma, Norman, Oklahoma
Doctorate Fishery Resources, University of Idaho, Moscow, Idaho

Instream Flow Experience

Idaho Department of Fish and Game: Project Leader, Instream Flow Investigations, 1974-79. Identified flow needs for fish and wildlife resources on approximately 100 streams or stream reaches in Idaho.

Idaho Department of Fish and Game: Project Supervisor, U.S. Bureau of Land Management Instream Flow Investigations. 1979-83. A four year study to determine instream flow needs on 60 streams located on BLM lands throughout Idaho.

Intragovernmental Personnel Assignment to U.S. Fish and Wildlife Cooperative Instream Flow Group, 1977. Assisted in development of new methodologies for determining instream needs for fish and wildlife.

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Fish and Game Exhibit /

Conferences, Workshops, and Seminar Participation:

- American Fisheries Society Instream Flow Needs Conference, 1976, Boise, ID
- Pacific Fishery Biologists Instream Flow Session, 1976, Ocean Shores, WA
- U.S. Fish and Wildlife Service Instream Flow State-of-the-Art Workshop
1975, Logan, UT
- Idaho Water Resource Research Institute Instream Flow Seminar, 1978,
Moscow, ID
- U.S. Fish and Wildlife Service Instream Flow Conference, 1977, Boise, ID
- U.S. Fish and Wildlife Service Instream Flow Computer Programs Workshop,
1977, Salt Lake City, UT
- U.S. Fish and Wildlife Service Water Law Short Course, 1977, Fort Collins,
CO
- American Fisheries Society, Nevada Chapter, Instream Flow Seminar, 1977,
Las Vegas, NV
- Idaho Department of Fish and Game Instream Flow Training Workshop, 1981,
Lewiston, ID
- U.S. Fish and Wildlife Service Instream Flow Strategies and Applications
Workshop, 1982, Portland, OR
- U.S. Fish and Wildlife Service Instream Flow Group Training Session on
Use of the Computer Based Physical Habitat Simulation System, 1984,
Fort Collins, Co
- U.S. Fish and Wildlife Service Training Workshop on Habitat Evaluation
Procedures, 1985, Boise, ID

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Publications and Articles

- Bovee, K.D. and T. Cochnauer. 1977. Development and evaluation of weighted criteria, probability of use curves for instream flow assessments; fisheries. Instream Flow Information Paper No. 3. Cooperative Instream Flow Service Group, U.S. Fish and Wildlife Service. Fort Collins, CO.
- Cochner, T. 1976. Idaho Department of Fish and Game instream flow program status. In: Instream Flow Needs and Competing Uses for Water. Proceedings of a Joint Water Resources Seminar of the University of Idaho and Washington State University.
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- _____. 1976. Instream flow techniques for large rivers. Instream Flow Needs, Vol. II, American Fisheries Society, 1976.
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- _____. 1980. Stream flow investigations. Job Completion Report. Idaho Department of Fish and Game.
- _____ and E. Buettner. 1978. Stream flow investigations--stream resource maintenance flow determinations on Idaho streams. Job Performance Report, Project F-69-R-3, Job No. II. Idaho Department of Fish and Game.
- _____ and W.D. Horton. 1981. A reference workbook for determining instream flow needs in Idaho. Idaho Department of Fish and Game.
- _____ and N.R. Hoyt. 1979. Stream flow investigations--stream resource maintenance flow determinations on Idaho streams. Job Performance Report, Project F-73-R-1. Idaho Department of Fish and Game.

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Cochnauer, T. and L.B. Mabbott. 1981. Instream flow study, Bureau of Land Management. Annual Report, April 1981. Idaho Department of Fish and Game.

_____ and R.G. White. 1975. Stream resource maintenance flow studies, 1975. A Cooperative Study; Idaho Department of Water Resources, Idaho Department of Fish and Game and Idaho Cooperative Fishery Research Unit.

Horton, W.D. and T. Cochnauer. 1979. Instream flow methodology evaluation, biological criteria determination, and water quality needs for selected Idaho streams. Stream Evaluation Project, Western Water Allocation Project, Contract No. 14-16-0001-77090. U.S. Fish and Wildlife Service.

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IDAHO DEPARTMENT OF FISH & GAME

Jerry M. Conley, Director

EAST FORK OF ROCK CREEK STREAM FLOW STUDY
(Power County)



by

Tim Cochnauer
Senior Fishery Research Biologist

November 1980

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JUN 29 1988

Fish and Game Exhibit 2

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INTRODUCTION

East Fork of Rock Creek originates in the Deep Creek Mountains in Power County, Idaho (Figure 1). The stream flows in a westerly direction for a distance of approximately 11 miles, forming Rock Creek at its confluence with South Fork of Rock Creek, northwest of Rockland. Springs in the upper reaches influence the flow and the temperature regime of the stream.

East Fork Rock Creek is heavily used by local residents as it is the only trout stream of small size in Power County. The upper six miles are located primarily on public land, and are planted annually with hatchery rainbow trout by the Department of Fish and Game. In 1979, 2,950 hatchery trout were planted in this section at three times during the general fishing season. Electrofishing results in 1978 and 1979 by Department personnel indicated that 400 wild trout per mile inhabited the lower five miles, and 650 wild trout per mile were in the upper section. These fish ranged in lengths of 2.6 inches to 9.6 inches with a mean length of 6.0 inches. Game fish populations are comprised of rainbow trout and cutthroat trout.

OBJECTIVE

The objective of this study was to determine instream flow values necessary to maintain viable populations of rainbow and cutthroat trout in East Fork of Rock Creek from the U.S.G.S. gage station (No. 130776) downstream to the Power County bridge, 1.5 miles east of Rockland.

TECHNIQUES

Rainbow trout was selected as the species of concern and adult rearing was designated as the critical life history phase. A site typifying adult rainbow trout rearing habitat was selected in the study section.

The methodology employed to determine stream flow requirements, and the relationship of trout habitat requirements to hydraulic parameters

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(depth and velocity) with changes in discharges.

At the study site, four transects were established, and on each transect depth and velocity were measured for at least 15 stations. These procedures were in accordance with standard U.S. Geological Survey methods for discharge measurements.

Distances between transects were measured along the thalweg, and relative water surface elevations were determined by standard surveying techniques.

Hydraulic data were collected for a single discharge, and information required over a range of flows were predicted utilizing the U.S. Water and Power Resources Service water surface profile computer program (PSEUDO).

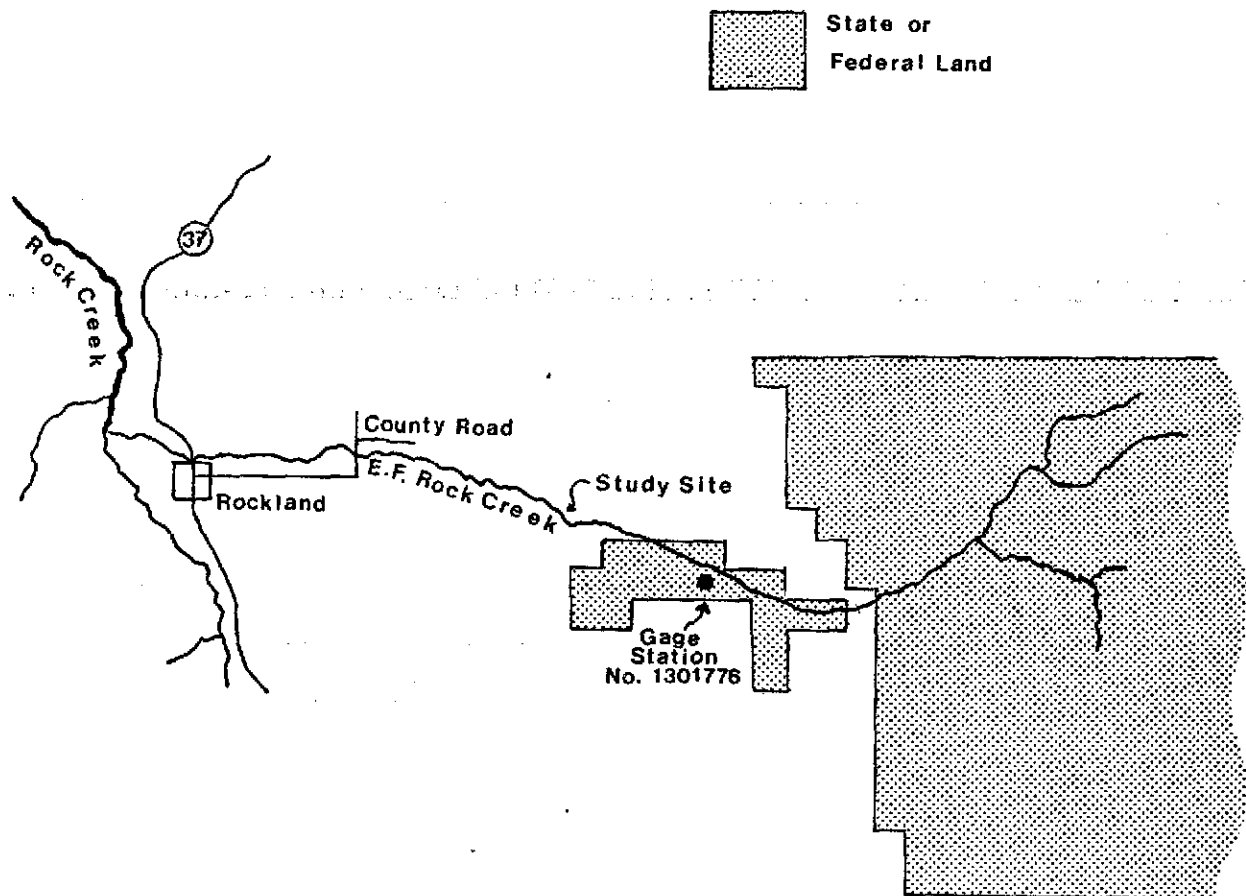
The predicted parameters were correlated with known rainbow trout habitat criteria as described by the U.S. Fish and Wildlife Service Instream Flow Group (Bovee and Cochnauer, 1977; Bovee, 1978).

For each of several flows between 0 and 30 cfs, each transect was given a weighted habitat unit value. These values are determined by multiplying the width of each segment (designated as the station of depth and velocity measurement) by the weighted value corresponding to water depth (Figure 2). The total weighted habitat unit value for each transect is the total of the segments on that transect.

The weighted habitat unit values are plotted against the corresponding discharge resulting in a curve as depicted in Figure 3. Starting at zero discharge, the weighted habitat unit as the study site increases rapidly for small increases in discharge to an inflection point where habitat units increase slowly. At this inflection point, the greatest amount of rearing habitat is available for least amount of flow, and is selected as the minimum rearing maintenance flow.

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Figure 1. Location of stream flow study on East Fork of Rock Creek.

RAINBOW TROUT

11102

ADULT

78/01/24.

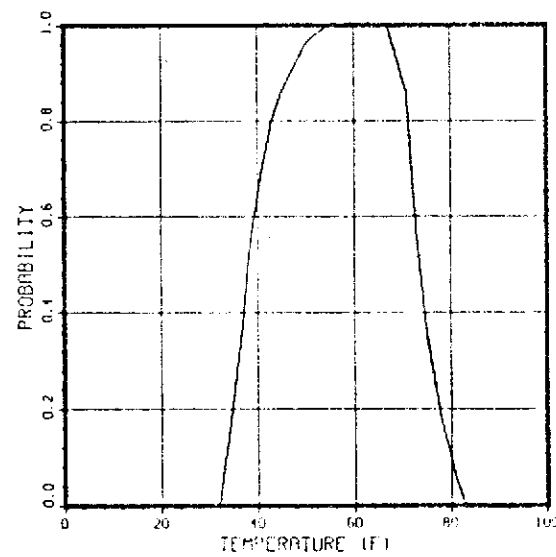
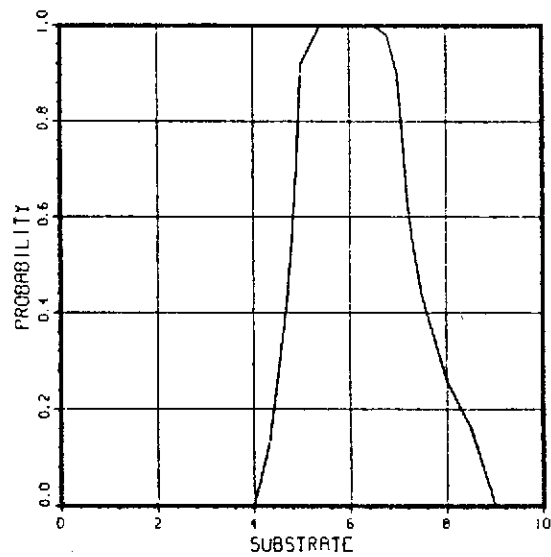
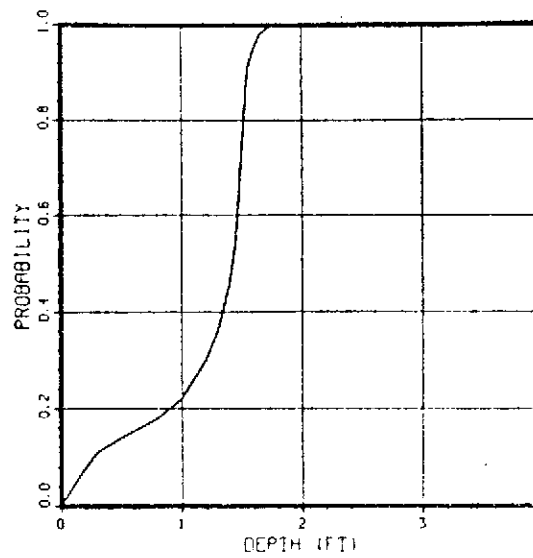
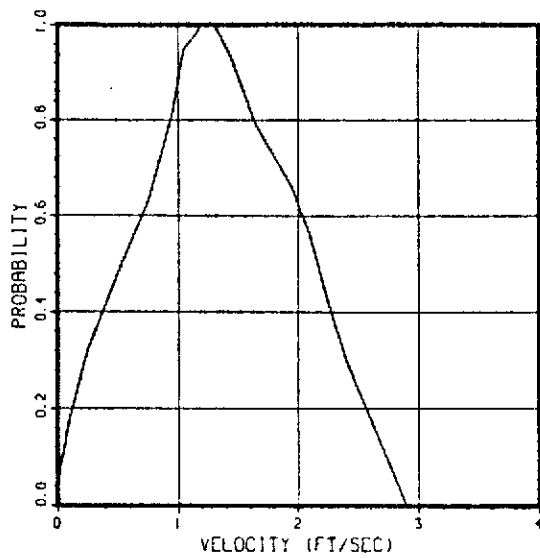


Figure 2. Rainbow trout adult rearing probability curves

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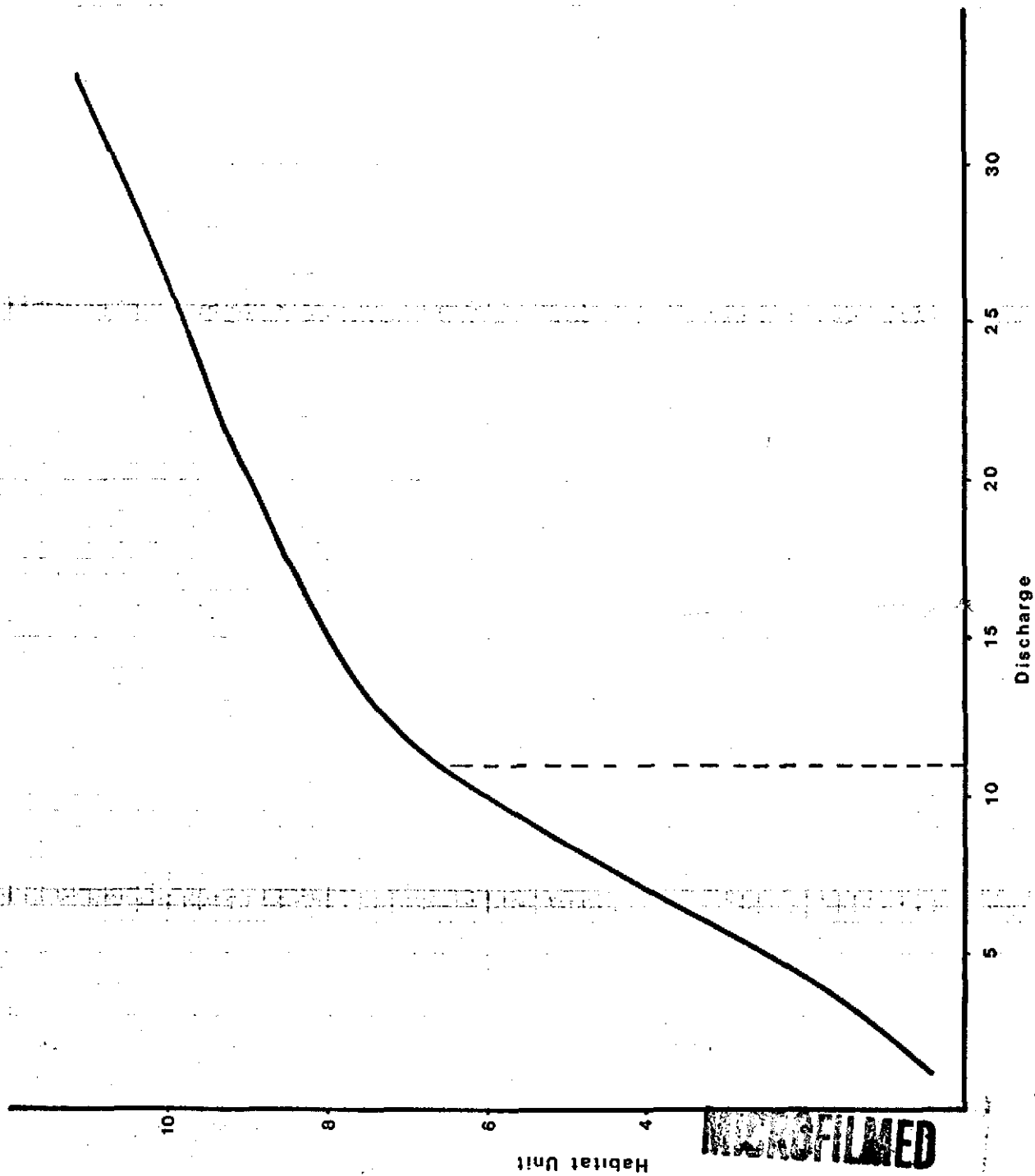


Figure 3. Adult rainbow trout rearing curve East Fork of Rock Creek near Rockland.

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FINDINGS

The results of correlating habitat units with corresponding discharges are shown in Figure 3. The desired ^{minimum} instream flow value for adult rainbow trout in East Fork of Rock Creek is 11.0 cfs.

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LITERATURE CITED

- Bovee, Ken D. and Tim Cochnauer. 1977. Development and evaluation of weighted Criteria, Probability-of-use curves for instream flow assessments; Fisheries Instream Flow Information Paper No. 3. Cooperative Instream Flow Service Group, Fort Collins, Colorado. 49 p.
- Bovee, Ken D. 1978. Probability-of-use criteria for the Family Salmonidae. Instream Flow Information Paper No. 4. Cooperative Instream Flow Service Group, Fort Collins, Colorado. 88 p.

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00001	851112	WILDRAIN	80	0
00002	851112	WILDRAIN	204	0
00003	851112	WILDRAIN	167	0
00004	851112	WILDRAIN	161	0
00005	851112	WILDRAIN	100	0
00006	851112	WILDRAIN	113	0
00007	851112	WILDRAIN	230	0 -9"
00008	851112	WILDRAIN	180	0
00009	851112	WILDRAIN	131	0
00010	851112	WILDRAIN	105	0
00011	851112	WILDRAIN	106	0
00012	851112	WILDRAIN	176	0
00013	851112	WILDRAIN	210	0
00014	851112	WILDRAIN	176	0
00015	851112	WILDRAIN	146	0
00016	851112	WILDRAIN	134	0
00017	851112	WILDRAIN	111	0
00018	851112	WILDRAIN	75	0 -3"
00019	851112	WILDRAIN	81	0
00020	851112	WILDRAIN	142	0
00021	851112	WILDRAIN	135	0
00022	851112	WILDRAIN	141	0
00023	851112	WILDRAIN	182	0
00024	851112	WILDRAIN	171	0
00025	851112	WILDRAIN	167	0
00026	851112	WILDRAIN	190	0
00027	851112	WILDRAIN	142	0
00028	851112	WILDRAIN	153	0
00029	851112	WILDRAIN	109	0
00030	851112	WILDRAIN	190	0
00031	851112	WILDRAIN	172	0
00032	851112	WILDRAIN	120	0
00033	851112	WILDRAIN	111	0
00034	851112	WILDRAIN	126	0
00035	851112	WILDRAIN	77	0
00036	851112	WILDRAIN	86	0
00037	851112	WILDRAIN	75	0
00038	851112	WILDRAIN	145	0
00039	851112	WILDRAIN	132	0
00040	851112	WILDRAIN	148	0
00041	851112	WILDRAIN	122	0
00042	401112	WILDRAIN	81	0
00043	851112	WILDRAIN	130	0
00044	851112	WILDRAIN	128	0
00045	851112	WILDRAIN	171	0
00046	851112	WILDRAIN	166	0
00047	851112	WILDRAIN	160	0
00048	851112	WILDRAIN	86	0
00049	851112	WILDRAIN	185	0
00050	851112	WILDRAIN	122	0
00051	851112	WILDRAIN	85	0
00052	851112	WILDRAIN	85	0
00053	851112	WILDRAIN	110	0

late species

Length weights

Fish and Game
Exhibit 3

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E Fork Rock Creek 11/1/85

$$T = 18 + 18 + 11 + 5 = 53$$

$$R = \frac{18 + 2(11) + 3(5)}{53} = \frac{55}{53} = 1.038$$

$$\hat{O} = .8$$

$$N = \frac{T}{\hat{O}} = \frac{53}{.8} = 66$$

$$SE = \sqrt{\frac{66(66-53)(53)}{(53)^2 - 66(66-53) \left[\frac{(47.34)^2}{1 \times 34} \right]}}$$

$$SE = 10.60$$

$$95\% CI = 66 \pm 1.96(10.60)$$

$$95\% CI = 66 \pm 21$$

~~Pop = 45 - 87~~

$$Pop = 45 - 87$$

66 wild rainbow trout / 100 meters

The Zippin-Moran Method - Based on Maximum Likelihood model

From: Platts W.S., Meyerson, W.F., and Mitchell G.W. ¹⁹⁸³ method
for evaluating stream, Riparian, and Benthic ~~invertebrates~~
Technical Report ~~INT-138~~ INT-138, 70 JUN 29 1988

Fish and Game
Exhibit 5

. QUIT
*** END RUN DBASE II ***

. DBASE GENSTAT
*** UNKNOWN COMMAND
DBASE GENSTAT
CORRECT AND RETRY (Y/N)?
. QUIT
*** END RUN DBASE II ***

SINGLE VARIABLE STATISTICS RESULTS

MEAN = 136.43396
VARIANCE = 1546.86575
STANDARD DEV = 39.33021
STANDARD ERROR = 5.40242
COEFFICIENT OF VARIATION =
NO OF POINTS = 53

Press the return key to continue:

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5.3

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28.32729

Fish and Game Exhibit 4

24

77120

13-0776, East Fork Rock Creek near Rockland, Idaho--Continued

Location: Lat 42°33'40", Long 112°47'30", in SW 1/4 sec. 12, T.10 S., R.31 E., on right bank 0.3 mile upstream from Bench Ditch diversion and 4 1/2 miles east of Rockland.

Drainage area: 13.7 sq. mi.

Records available: September 1960 to September 1964 (discontinued).

Gage: Water-stage recorder. Altitude of gage is 5,080 ft. (from topographic map).

Extremes: Maximum and minimum discharges for the water years 1961-64 are contained in the following table:

Water year	Maximum		Minimum daily	
	Date	Discharge (cfs)	Date	Gage height (feet)
1961	Sept. 10, 1961	23	May 20, 1961	12
1962	Mar. 27, 1962	26	Dec. 9-23, 1962	11
1963	Feb. 1, 1963	50	Mar. 9-23, 1963	12
1964	June 12, 1964	43	Mar. 9-27, 1964	14

1960-64: Maximum discharge, 43 cfs June 12, 1964 (gage height, 2.34 ft); minimum daily, 11 cfs for many days in 1962.

Remarks: Records excellent.

Discharge, in cubic feet per second, 1960

Sept. 26, 1960: 14
Sept. 29, 1960: 14
Sept. 30, 1960: 14
Note: Result of discharge measurements made prior to beginning of daily record, 13.0 cfs May 8, 12.1 cfs June 12, and 8 cfs July 14 and Aug. 18, 1960.

DISCHARGE, IN CUBIC FEET PER SECOND, WATER YEAR OCTOBER 1960 TO SEPTEMBER 1961											
DAY	OCT.	NOV.	DEC.	JAN.	FEB.	MAR.	APR.	MAY	JUNE	JULY	SEPT.
1	14	13	12	13	13	13	13	13	12	13	12
2	14	13	12	13	13	13	13	13	12	13	12
3	14	13	12	13	13	13	13	13	12	13	12
4	14	13	12	13	13	13	13	13	12	13	12
5	14	13	12	13	13	13	13	13	12	13	12
6	13	13	13	13	13	13	13	13	12	13	12
7	13	13	13	13	13	13	13	13	12	13	12
8	13	13	13	13	13	13	13	13	12	13	12
9	13	13	13	13	13	13	13	13	12	13	12
10	14	13	13	13	13	13	13	13	12	13	12
11	13	13	13	13	13	13	13	13	12	13	12
12	13	13	13	13	13	13	13	13	12	13	12
13	13	13	13	13	13	13	13	13	12	13	12
14	13	13	13	13	13	13	13	13	12	13	12
15	13	13	13	13	13	13	13	13	12	13	12
16	13	13	13	13	13	13	13	13	12	13	12
17	13	13	13	13	13	13	13	13	12	13	12
18	13	13	13	13	13	13	13	13	12	13	12
19	13	13	13	13	13	13	13	13	12	13	12
20	13	13	13	13	13	13	13	13	12	13	12
21	13	13	13	13	13	13	13	13	12	13	12
22	13	13	13	13	13	13	13	13	12	13	12
23	13	13	13	13	13	13	13	13	12	13	12
24	13	13	13	13	13	13	13	13	12	13	12
25	13	13	13	13	13	13	13	13	12	13	12
26	13	13	13	13	13	13	13	13	12	13	12
27	13	13	13	13	13	13	13	13	12	13	12
28	13	13	13	13	13	13	13	13	12	13	12
29	13	13	13	13	13	13	13	13	12	13	12
30	13	13	13	13	13	13	13	13	12	13	12
31	13	13	13	13	13	13	13	13	12	13	12
TOTAL	409	376	401	403	346	403	366	378	409	394	401
MEAN	13.2	12.0	12.9	13.0	11.1	13.0	12.1	12.2	13.4	12.7	13.4
MAX	14	13	13	13	14	13	13	13	14	13	14
MIN	13	12	12	13	13	13	13	13	12	13	12
AC-FT	811	750	799	799	730	799	730	730	809	823	789
CAL YR 1960: TOTAL	4,716										
MEAN	13.9										
MAX	14										
MIN	12										
AC-FT	9,370										

8861 6 2 JUN 1962

DISCHARGE, IN CUBIC FEET PER SECOND, WATER YEAR OCTOBER 1961 TO SEPTEMBER 1962											
DAY	OCT.	NOV.	DEC.	JAN.	FEB.	MAR.	APR.	MAY	JUNE	JULY	SEPT.
1	14	14	14	13	13	13	13	13	12	13	13
2	14	14	14	13	13	13	13	13	12	13	13
3	14	14	14	13	13	13	13	13	12	13	13
4	14	14	14	13	13	13	13	13	12	13	13
5	14	14	14	13	13	13	13	13	12	13	13
6	14	14	14	13	13	13	13	13	12	13	13
7	14	14	14	13	13	13	13	13	12	13	13
8	14	14	14	13	13	13	13	13	12	13	13
9	14	14	14	13	13	13	13	13	12	13	13
10	14	14	14	13	13	13	13	13	12	13	13
11	14	14	14	13	13	13	13	13	12	13	13
12	14	14	14	13	13	13	13	13	12	13	13
13	14	14	14	13	13	13	13	13	12	13	13
14	14	14	14	13	13	13	13	13	12	13	13
15	14	14	14	13	13	13	13	13	12	13	13
16	14	14	14	13	13	13	13	13	12	13	13
17	14	14	14	13	13	13	13	13	12	13	13
18	14	14	14	13	13	13	13	13	12	13	13
19	14	14	14	13	13	13	13	13	12	13	13
20	14	14	14	13	13	13	13	13	12	13	13
21	14	14	14	13	13	13	13	13	12	13	13
22	14	14	14	13	13	13	13	13	12	13	13
23	14	14	14	13	13	13	13	13	12	13	13
24	14	14	14	13	13	13	13	13	12	13	13
25	14	14	14	13	13	13	13	13	12	13	13
26	14	14	14	13	13	13	13	13	12	13	13
27	14	14	14	13	13	13	13	13	12	13	13
28	14	14	14	13	13	13	13	13	12	13	13
29	14	14	14	13	13	13	13	13	12	13	13
30	14	14	14	13	13	13	13	13	12	13	13
31	14	14	14	13	13	13	13	13	12	13	13
TOTAL	434	420	422	366	359	387	334	376	419	407	404
MEAN	14.0	13.6	13.6	11.5	11.5	12.5	11.1	12.1	14.0	13.5	13.5
MAX	14	14	14	14	14	14	14	14	14	14	14
MIN	13	13	13	13	13	13	13	13	13	13	13
AC-FT	861	838	837	726	672	768	662	740	931	920	920
CAL YR 1961: TOTAL	4,814										
MEAN	13.2										
MAX	14										
MIN	13										
AC-FT	9,550										

DISCHARGE, IN CUBIC FEET PER SECOND, WATER YEAR OCTOBER 1962 TO SEPTEMBER 1963											
DAY	OCT.	NOV.	DEC.	JAN.	FEB.	MAR.	APR.	MAY	JUNE	JULY	SEPT.
1	16	15	13	13	21	13	14	14	15	16	16
2	16	15	13	13	14	13	14	13	15	16	17
3	16	15	13	13	14	13	14	13	15	16	17
4	16	15	13	13	14	13	14	14	15	16	17
5	16	15	13	13	23	14	14	14	15	16	17
6	16	15	13	13	13	13	16	16	15	16	17
7	16	15	13	13	14	13	16	16	15	16	17
8	16	15	13	13	14	13	14	14	15	16	17
9	16	15	13	13	14	13	14	14	15	16	17
20	26	25	12	23	13	13	14	14	16	16	16
11	16	15	12	13	13	13	14	14	15	16	16
12	16	15	12	13	13	13	14	14	15	16	16
13	16	15	12	13	13	13	15	15	16	16	16
14	16	15	12	13	13	14	14	14	15	16	16
15	16	15	12	13	13	14	14	14	15	16	16
16	16	14	12	13	13	14	14	14	15	16	16
17	16	14	12	13	13	14	14	14	15	16	16
18	16	14	12	13	14	14	14	14	15	16	16
19	16	14	12	13	14	14	14	14	15	16	16
20	16	14	12	13	14	14	14	14	15	16	16
21	16	14	12	13	14	14	14	14	15	16	16
22	16	13	12	14	14	14	14	14	15	16	16
23	16	13	12	14	16	14	14	14	15	16	16
24	16	13	12	14	14	14	14	14	15	16	16
25	16	13	12	14	14	14	14	14	15	16	16
26	16	13	12	14	14	14	14	14	15	16	16
27	16	13	12	14	14	14	14	14	15	16	16
28	16	13	12	14	14	14	14	14	15	16	16
29	16	13	12	14	14	14	14	14	15	16	16
30	16	13	12	14	14	14	14	14	15	16	16
31	16	13	12	14	14	14	14	14	15	16	16
TOTAL	494	426	388	390	426	427	427	434	456	494	449
MEAN	16.0	14.2	12.5	12.8	13.9	13.7	14.2	14.0	15.2	16.4	14.3
MAX	16	15	13	17	21	16	18	15	16	17	17
MIN	16	13	12	14	13	14	14	14	15	16	16
AC-PT	984	845	770	789	774	845	847	861	904	984	970
CAL VR 1962: TOTAL 4,932 CAL VR 1963: TOTAL 5,394											

RECORDED
JUN 29 1988

ROCK CREEK BASIN

13-0776. East Fork Rock Creek near Rockland, Idaho--Continued

DISCHARGE, IN CUBIC FEET PER SECOND, WATER YEAR OCTOBER 1963 TO SEPTEMBER 1964

DAY	OCT.	NOV.	DEC.	JAN.	FEB.	MAR.	APR.	MAY	JUNE	JULY	AUG.	SEPT.
1	16	16	16	16	16	15	15	15	16	20	22	22
2	16	16	16	16	16	15	15	15	16	20	22	22
3	16	16	16	16	16	15	15	15	16	20	22	22
4	16	16	16	16	16	15	15	15	16	20	22	22
5	16	16	16	16	16	15	15	15	16	20	22	22
6	16	16	16	16	16	15	15	15	16	20	22	22
7	16	16	16	16	16	15	15	15	16	20	22	22
8	16	16	16	16	16	15	15	15	16	20	22	22
9	16	16	16	16	16	15	15	15	16	20	22	22
10	16	16	16	16	16	15	15	15	16	20	22	22
11	16	16	16	16	16	15	15	15	16	20	22	22
12	16	16	16	16	16	15	15	15	16	20	22	22
13	16	16	16	16	16	15	15	15	16	20	22	22
14	16	16	16	16	16	15	15	15	16	20	22	22
15	16	16	16	16	16	15	15	15	16	20	22	22
16	16	16	16	16	16	15	15	15	16	20	22	22
17	16	16	16	16	16	15	15	15	16	20	22	22
18	16	16	16	16	16	15	15	15	16	20	22	22
19	16	16	16	16	16	15	15	15	16	20	22	22
20	16	16	16	16	16	15	15	15	16	20	22	22
21	16	16	16	16	16	15	15	15	16	20	22	22
22	16	16	16	16	16	15	15	15	16	20	22	22
23	16	16	16	16	16	15	15	15	16	20	22	22
24	16	16	16	16	16	15	15	15	16	20	22	22
25	16	16	16	16	16	15	15	15	16	20	22	22
26	16	16	16	16	16	15	15	15	16	20	22	22
27	16	16	16	16	16	15	15	15	16	20	22	22
28	16	16	16	16	16	15	15	15	16	20	22	22
29	16	16	16	16	16	15	15	15	16	20	22	22
30	16	16	16	16	16	15	15	15	16	20	22	22
31	16	16	16	16	16	15	15	15	16	20	22	22
TOTAL	478	480	496	496	496	496	496	496	496	496	496	496
MEAN	15.4	16.0	16.0	16.0	16.0	16.0	16.0	16.0	16.0	16.0	16.0	16.0
MIN	15	15	15	15	15	15	15	15	15	15	15	15
MAX	16	16	16	16	16	16	16	16	16	16	16	16
AC-FT	948	952	984	984	984	984	984	984	984	984	984	984
CAL YR 1963: TOTAL 5,478												
MEAN 17.4												
MAX 21												
MIN 14												
AC-FT 10,870												
CAL YR 1964: TOTAL 6,383												
MEAN 19.0												
MAX 25												
MIN 12												
AC-FT 12,620												
TOTAL	478	480	496	496	496	496	496	496	496	496	496	496
MEAN	15.4	16.0	16.0	16.0	16.0	16.0	16.0	16.0	16.0	16.0	16.0	16.0
MIN	15	15	15	15	15	15	15	15	15	15	15	15
MAX	16	16	16	16	16	16	16	16	16	16	16	16
AC-FT	948	952	984	984	984	984	984	984	984	984	984	984
CAL YR 1965: TOTAL 1												
MEAN	1.5	1.5	1.5	1.5	1.5	1.5	1.5	1.5	1.5	1.5	1.5	1.5
MIN	1.4	1.4	1.4	1.4	1.4	1.4	1.4	1.4	1.4	1.4	1.4	1.4
MAX	1.6	1.6	1.6	1.6	1.6	1.6	1.6	1.6	1.6	1.6	1.6	1.6
AC-FT	94	94	94	94	94	94	94	94	94	94	94	94
TOTAL	478	480	496	496	496	496	496	496	496	496	496	496

Remarks.--Records R

1.1 cfs for 88 ft

1959-65: Max

1965

1961

1962

1963

1964

1965

1966

1967

1968

1969

1970

1971

1972

1973

1974

1975

1976

1977

1978

1979

1980

1981

1982

1983

1984

1985

1986

1987

1988

1989

1990

1991

1992

1993

CONVERSATION MEMORANDUM

DATE 11/8/85FILE 41-7046NAME OF PARTY Jeff AllenEMPLOYEE Lee Sisco

RE: Mr. Allen requested that he be allowed to present testimony and cross-examine witnesses at the Min-instream-flow hearings on the E Fork Rock Cr. I told him Dave T. would call him back on the 11/12/85 and let him know if this is alright. His # is 548-2603

I called to say OK. Dkt 11/11/85

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JUN 29 1988

SOURCE SEARCH BY INDIAN CREEK
 PRIORITY DATE GREATER THAN OR EQUAL TO 26-APR-1983
 WITHIN BASIN 97

NUMBER	STAGE	DATE	POD	SOURCE
97-7274	A	26-Apr-1985	SWNE 27 61N 04W SESE 13 61N 04W	INDIAN CREEK ✓ MSF

SOURCE SEARCH BY ~~ROCK CREEK, EAST FORK~~
 PRIORITY DATE GREATER THAN OR EQUAL TO 1-JAN-1980
 WITHIN BASIN 41

NUMBER	STAGE	DATE	POD	SOURCE
41-0002	D	1-May-1886	SWSE 06 10S 31E	ROCK CREEK, EAST FORK
41-0018	D	15-May-1887	NWSE 11 10S 31E	ROCK CREEK, EAST FORK
41-0019	D	1-May-1885	SENW 11 10S 31E	ROCK CREEK, EAST FORK
41-0022	D	1-Oct-1885	SWNE 10 10S 31E	ROCK CREEK, EAST FORK
41-0024	D	12-Mar-1881	SWSE 06 10S 31E	ROCK CREEK, EAST FORK
41-0025	D	12-Mar-1881	SESW 05 10S 31E	ROCK CREEK, EAST FORK

41-0026	D	1-May-1888	SWNE 10 10S 31E	ROCK CREEK, EAST FORK
41-0028	D	15-Jun-1883	SWSW 05 10S 31E	ROCK CREEK, EAST FORK
41-0030	D	1-Oct-1883	NENE 09 10S 31E	ROCK CREEK, EAST FORK
41-0031	D	1-Oct-1883	NENE 09 10S 31E	ROCK CREEK, EAST FORK
41-0032A	D	1-Jun-1882	SESW 05 10S 31E	ROCK CREEK, EAST FORK
41-0032B	D	1-Jun-1882	SESW 05 10S 31E	ROCK CREEK, EAST FORK
41-0033	D	1-Jun-1886	SWSW 05 10S 31E	ROCK CREEK, EAST FORK
41-0034	D	1-May-1885	SWSW 05 10S 31E	ROCK CREEK, EAST FORK
41-0035	D	10-May-1884	NWSE 11 10S 31E	ROCK CREEK, EAST FORK
41-0036	D	10-May-1884	NWSE 11 10S 31E	ROCK CREEK, EAST FORK
41-0038	D	10-May-1890	SWSW 04 10S 31E	ROCK CREEK, EAST FORK
41-2001	L	14-Sep-1908	NWSE 11 10S 31E	ROCK CREEK, EAST FORK
41-7059	A	16-Jun-1982	NWSE 11 10S 31E SESW 32 09S 31E	ROCK CREEK, EAST FORK ✓
41-7073	A	21-Mar-1984	NWNE 11 10S 31E NWNE 10 10S 31E	ROCK CREEK, EAST FORK ✓

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SOURCE SEARCH BY ~~EAST FORK ROCK CREEK~~
 PRIORITY DATE GREATER THAN OR EQUAL TO 1-JAN-1980
 WITHIN BASIN 41

NUMBER	STAGE	DATE	POD	SOURCE
41-7074	A	12-Sep-1984	SWSW 12 10S 31E NWNW 18 10S 32E	EAST FORK ROCK CREEK ✓ MSF

CONVERSATION MEMORANDUM

DATE 11/7/85FILE E.F. Rock CrNAME OF PARTY James RobinsonEMPLOYEE Dave Tuthill

RE: _____

Delivers to 5 diversion points, including 18 cfs at Bench
to one for 4 cfs, and 3 for 1 each, to total about 25 cfs
Strung out for 2 to 3 miles. Lowest is about 1/8 mile above bridge.

Requests that reps from Bench Ditch be allowed to be
considered as a full party. I responded that this is adequate
notice, and that we would prefer that one spokesman be selected
to represent the Bench Ditch.

Mr. Robinson, watermaster, will not be able to attend the
hearing.

DW

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JUN 29 1988

Concerning The matter of protest
against appeal of applications for
Permit Nos 41-7038 and 41-7039.

I wish To withdraw both of
these permits, because of
extreme and cruel pressure
brought forth by the opposition.

Glenna Nelson
Glenna Nelson
Box 114
Rockland, Idaho

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APR 27 1984

Department of Water Resources
Southern District Office

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JUN 29 1988



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NOV 2 1985

Department of Water Resources

STATE OF IDAHO
OFFICE OF THE ATTORNEY GENERAL

JIM JONES
ATTORNEY GENERAL
STEPHEN V. GODDARD
WILLIAM B. DILLON, III
DEPUTY ATTORNEYS GENERAL
IDAHO DEPARTMENT OF FISH AND GAME

600 S. WALNUT ST.
P.O. Box 25
BOISE, IDAHO 83707
(208) 334-3715

October 31, 1985

Department of Water Resources
Statehouse
Boise, ID 83720

Re: Minimum Stream Flow Hearings: Big Wood River
East Fork Rock Creek
Warm River
Bitch Creek
Teton River

Gentlemen:

Please be advised that the Idaho Department of Fish and Game wishes to appear, present testimony and cross-examine witnesses at the minimum stream flow hearings set for the above-mentioned streams during the month of November.

Thank you.

Sincerely,

William B. Dillon, III
Deputy Attorney General
Idaho Dept. of Fish and Game

WBD:tlv

cc: Regions 4, 5 and 6

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JUN 29 1988

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NOV 2 1985

Department of Water Resources
Western Regional Office



State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

October 22, 1985

Melvin Nelson
Box 334
Rockland, ID 83271

Re: Minimum Stream Flow Applications on East Fork, Rock Creek

Dear Mr. Nelson:

On October 21, 1985, we received your letter which indicated that there is an error in the published application for minimum stream flow for Application Nos. 41-7046 and 41-7074. You indicated that the rate of flow for the former should be 11.0 cubic feet per second and the rate of flow for the latter should be 20.0 cubic feet per second.

Please be advised that the advertisement is correct as shown. Enclosed for your information we are providing a copy of the first page of Application No. 41-7046, which shows the rate of flow of 20.0 cubic feet per second, and a copy of the computer printout for Application No. 41-7074.

If we have misinterpreted your comments, or if you have additional concerns about these applications, please feel free to contact either this office or our Southern Regional office in Twin Falls.

Sincerely,

A handwritten signature in cursive script that reads "David R. Tuthill, Jr." is written over the typed name.

DAVID R. TUTHILL, JR., P.E.
Acting Supervisor, Water Allocation Section

Is

cc: Southern Region

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JUN 29 1988

Mr. Nelson - Thanks for
your concern about these apps -
we hope to see you at the
hearing.
Dave Tuthill

Director
Dept. of Water Resources

RECEIVED

OCT 21 1985

Dear Sir:

Department of Water Resources

There is an error in the
published application for
Minimum Streamflow -
Application 41-7044
should be the 11.0 cubic feet.
Application 41-7074
should be the 20 cubic feet.

Power Co. Dwyer Stream
town water -

William J. [Signature]

Box 334

JUN 29 1989

Rockland, Idaho

548-2482

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant James Robinson Phone 548-2255

Post office address Box 157, Rockland, ID 83271

2. Source of water supply East Fork Rock Creek which is a tributary of Rock Creek

3. Location of point of diversion is NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 11 Township 10S

Range 31E B.M. Power County, additional points of diversion if any: _____

Rediversion SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec 32 Twp. 9S R. 31E

4. Water will be used for the following purposes:

Amount 0.30 cfs for Irrigation purposes from Mar 1 to Nov. 30 (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)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated:

a. 0.30 cfs cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Headgate and earth ditch to Pond
with 17.5 hp Electric pump to sprinkler system

b. Height of storage dam _____ feet, active reservoir capacity _____ acre-feet; total reservoir capacity 6 acre-feet, materials used in storage dam: _____

Period of year when water will be diverted to storage _____ to _____ inclusive.
(Month/Day) (Month/Day)

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

7. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 years (minimum 1 year - maximum 5 years).

8. Description of proposed uses:

a. If water is not for irrigation:

(1) Give the place of use of water: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____

Range _____ B.M. _____

(2) Amount of power to be generated: _____ horsepower under _____ feet of head.

(3) List number of each kind of livestock to be watered _____

(4) Name of municipality to be served _____, or number of families to be supplied with domestic water _____

(5) If water is to be used for other purposes describe: _____

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b. If water is for irrigation, indicate acreage in each subdivision in the tabulation below:

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
9S	31E	32											7.5				30		37.5

Total number of acres to be irrigated 37.5

c. Describe any other water rights used for the same purposes as described above. Applicant plans
to use excess water gained from changing from flood irrigation to
SPRINKLER irrigation on land in SE SW Sec 32.

9. a. Who owns the property at the point of diversion State of T. Dakota

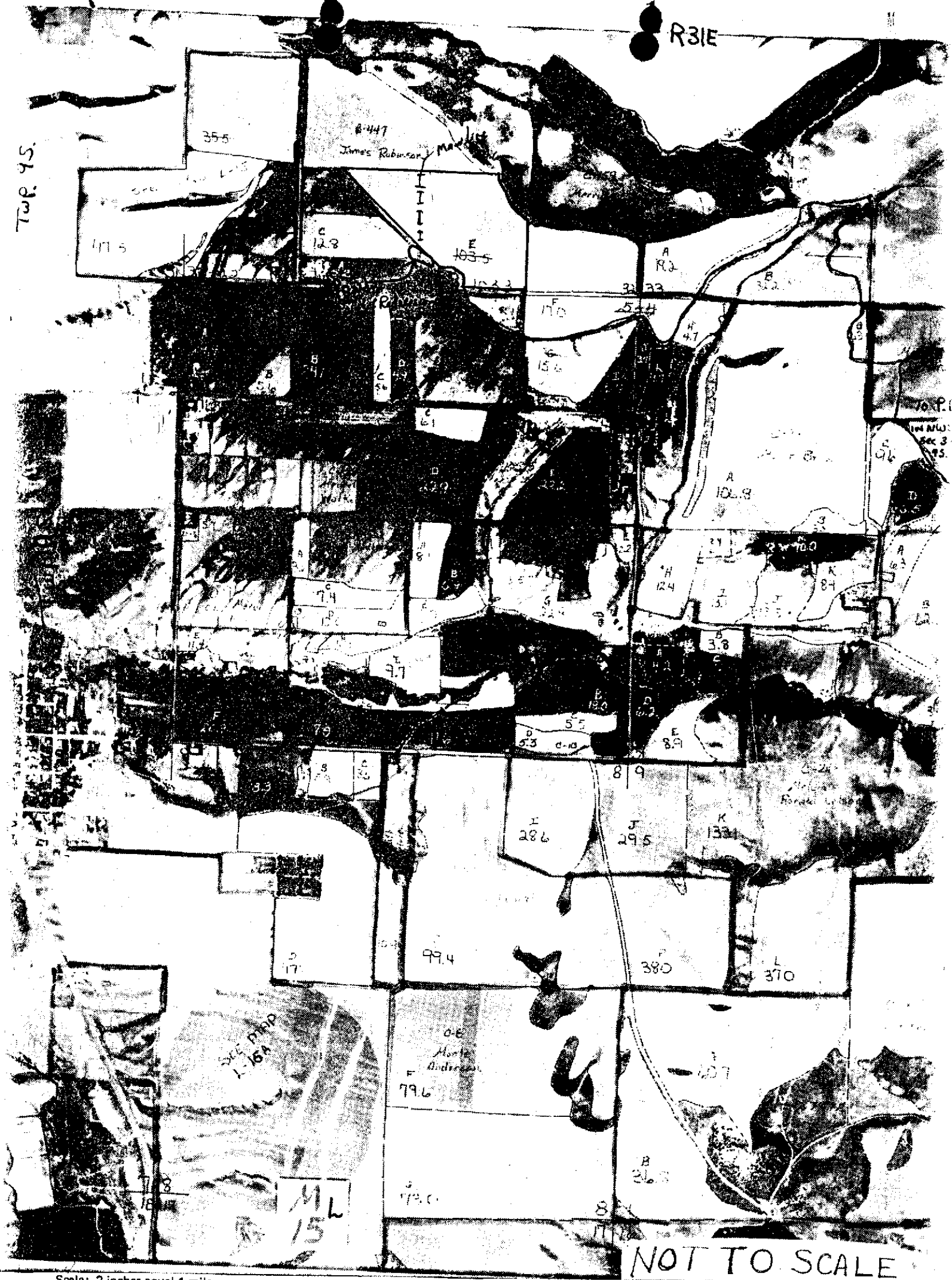
b. Who owns the land to be irrigated or place of use Esther Robinson

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing Applicant has cash lease agreement to farm
this land owned by his grand mother.
Bench ditch has right of way through use on state land.

10. Remarks Applicant does not intend to appropriate additional water
but only seeks to use excess water created by changing
irrigation systems.

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239. 55.



Scale: 2 inches equal 1 mile.

NOT TO SCALE

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.

MICROFILMED

JUN 29 1988

James Robinson
(Applicant)

Proposed Priority 6/16/1982

Received by T.G. Bly Date 6-16-82 Time 2:00

Preliminary check by DS Fee \$ 45 # 20833

Receipted by mays Date 6/17/82

Publication prepared by mays Date 6/29/82

Published in Idaho Co. press

Publication dates 7/8 & 7/14/82

Publication approved mays Date 7/19/82

Protests filed by: None

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by ADM RC

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. 41-7059, and said application is hereby APPROVED.

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 August 1, 19 87.

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. Other: Permit holder shall commence the excavation or construction of diverting works within one year of the date this permit is issued and shall proceed diligently until the project is complete.

A measuring device and lockable controlling works of a type acceptable to the Department shall be permanently installed and maintained as part of the diverting works.

The issuance of this permit in no way grants any right-of-way or easement across the land of another.

Use of water under this permit is subject to control by the watermaster of State Water District No. 41, Rock Creek.

Witness my hand this _____ day of

Chief, Operations Bureau

MICROFILMED

JUN 29 1988

MINIMUM STREAM FLOW
Fact Sheet

Water Right No.: 41-7046

Source: East Fork Rock Creek

Applicant: Idaho Water Resource Board

Requesting Agency: Power County Commissioners

Date Application Filed: January 16, 1980

Rate of Flow: 20 cfs

Location: From the county bridge in the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 4, Township 10S, Range 31E upstream to the measuring device located in the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 12, Township 10S, Range 31E.

Purpose: To maintain trout habitat

Hearing: Thursday, November 14, 1985, County Commissioners' conference room, 540 Bannock, Power County Courthouse in American Falls, 9:30 am.

Water Right No.: 41-7074

Source: East Fork Rock Creek

Applicant: Idaho Water Resource Board

Requesting Agency: Idaho Water Resource Board

Date Application Filed: September 12, 1984

Rate of Flow: 11 cfs

Location: Begins in the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 12, Township 10S, Range 31E and extends upstream to the spring which is the source of water for the East Fork Rock Creek in the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 18, Township 10S, Range 32E.

Purpose: To maintain trout habitat

Hearing: Thursday, November 14, 1985, in the County Commissioners' conference room, 540 Bannock, Power County Courthouse in American Falls, 9:30 am.

WATER RIGHT
JUN 29 1988

On October 31, 1985 copies of the attached materials were sent to the property owners, waterusers, interested parties and legislators identified on the attached mailing labels.

Linda D. Smith
LINDA D. SMITH

Note: On November 1, 1985 copies of the attached materials were sent to James Oren Spillett, Rockland, wateruser and James Robinson, Watermaster.

MICROFILMED

JUN 29 1988

October 31, 1985

Re: Minimum Stream Flow Applications on East Fork Rock Creek

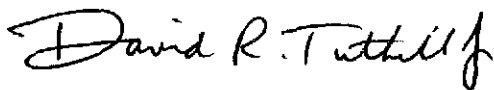
Dear Wateruser:

The Idaho Department of Water Resources will be holding a hearing on two minimum stream flow applications on reaches of East Fork Rock Creek. According to the records of this Department, you have a water right for which the point of diversion is located in or near one or both of the proposed minimum stream flow reaches.

Information describing the application and the time and place of the hearing is shown on the enclosed fact sheet. Also enclosed is a brochure which describes the minimum stream flow procedure.

At the hearing you will have an opportunity to provide testimony. If you wish to become a full party with the opportunity to cross-examine witnesses, please advise this office on or before November 8, 1985. On behalf of the Idaho Department of Water Resources, you are cordially invited to attend.

Sincerely,



DAVID R. TUTHILL, JR., P.E.
Acting Supervisor, Water Allocation Section

1s

Enclosures

MICROFILMED

JUN 29 1988

Clifford Nelson
Rockland, ID 83271

Marvin McLean
Rockland, ID 83271

Delford Ralphs
Rockland, ID 83271

David Morris
Rockland, ID 83271

Richard May
Rockland, ID 83271

James Robinson
Rockland, ID 83271

Farold Nelson
Rockland, ID 83271

Fred Wegner
Rockland, ID 83271

James Woodworth
Rockland, ID 83271

Lish Bros.
Rockland, ID 83271

Richard Nelson
Rockland, ID 83271

Milton Poulson
Rockland, ID 83271

Jeff Allen
Rockland, ID 83271

V.C. Ralphs
Rockland, ID 83271

Munk Bros.
Rockland, ID 83271

Leonard or Lee May
Rockland, ID 83271

Merrill Walker
Rockland, ID 83271

Charles Barnard
Rockland, ID 83271

MICROFILMED

JUN 29 1988

James Oren Spillet
P.O. Box 298
Rockland, ID 83271

Orville Nelson
Rockland, ID 83271

October 31, 1985

Re: Minimum Stream Flow Applications on East Fork Rock Creek

Dear Property Owner:

The Idaho Department of Water Resources will be holding a hearing on two minimum stream flow applications on reaches of East Fork Rock Creek. According to the records at the county courthouse, you are one of the owners of property adjacent to one or both of the reaches where the minimum stream flows are proposed.

Information describing the applications and the time and place of the hearing is shown on the enclosed fact sheet. Also enclosed is a brochure which describes the minimum stream flow procedure.

At the hearing you will have an opportunity to provide testimony. If you wish to become a full party with the opportunity to cross-examine witnesses, please advise this office on or before November 8, 1985. On behalf of the Idaho Department of Water Resources, you are cordially invited to attend.

Sincerely,

David R. Tuthill, Jr.

DAVID R. TUTHILL, JR., P.E.
Acting Supervisor, Water Allocation Section

1s

Enclosures

REPROFILMED

JUN 29 1988

Property Owners East Fork Rock Creek
SF 41-7046 and 41-7074

Dean L. Williams
590 Gifford
American Falls, ID 83211

Burton Anderson
Rockland, ID 83271 *also
wateruser*

Melvin L. Nelson
Rockland, ID 83271 *also
wateruser*

Melvin R. Munk
Rockland, ID 83271 *also
wateruser*

Glenna Nelson
Rockland, ID 83271

RECEIVED

JUN 29 1988

Re: Public Hearing Regarding Water Rights for Minimum Stream Flows

The Idaho Department of Water Resources has scheduled a public hearing on two minimum stream flow applications for water rights proposed in or near your legislative district.

The hearing for the applications on East Fork Rock Creek will be held in the County Commissioners' conference room, 540 Bannock, Power County Courthouse, American Falls, at 9:30 a.m. on Thursday, November 14, 1985. Please find the enclosed fact sheet describing the applications and a brochure about the minimum stream flow procedure.

On behalf of the Director of the Idaho Department of Water Resources, you are cordially invited to attend.

Sincerely,

DAVID R. TUTHILL, JR., P.E.
Acting Supervisor, Water Allocation Section

1s

Enclosures

MICROFILMED

JUN 29 1988

Legislators for Power County
MSF - East Fork Rock Creek
41-7046 and 41-7074

Rep. L. Ed Brown
288 Thurston
Pocatello, ID 83201

Rep. Linda Dewey
668 Franklin #B
Pocatello, ID 83201

Representative Larry EchoHawk
1777 Lancaster
Pocatello, ID 83201

Rep. Pete Black
530 Cochise
Pocatello, ID 83204

Rep. Albert M. Johnson
RFD 4, Box 212
Pocatello, ID 83201

Rep. Patricia L. McDermott
P.O. Box 3
Pocatello, ID 83204

Sen. C.E. Bilyeu
Rt. 1 N. Box 48
Pocatello, ID 83201

Sen. Ralph E. Lacy
126 S. 15th
Pocatello, ID 83201

Sen. Bert W. Marley
P.O. Box 35
McCammon, ID 83250

MISSA FILMED

JUN 29 1988

October 31, 1985

Re: Minimum Stream Flow Applications on East Fork Rock Creek

Dear Interested Party:

The Idaho Department of Water Resources will be holding a hearing on two minimum stream flow applications on reaches of East Fork Rock Creek. According to our records, you have shown an interest in one or both of these minimum stream flow applications.

Information describing the applications and the time and place of the hearing is shown on the enclosed fact sheet. Also enclosed is a brochure which describes the minimum stream flow procedure.

At the hearing you will have an opportunity to provide testimony. If you wish to become a full party with the opportunity to cross-examine witnesses, please advise this office on or before November 8, 1985. On behalf of the Idaho Department of Water Resources, you are cordially invited to attend.

Sincerely,



DAVID R. TUTHILL, JR., P.E.
Acting Supervisor, Water Allocation Section

Is

Enclosures

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JUN 29 1988

Interested Parties
East Fork Rock Creek
MSF 41-7046, 41-7074

Marvin Vandenburg, Chief
Bureau of Navigable Waters
Statehouse
Boise, ID 83720

Ben Cavaness
376 Roosevelt
American Falls, ID 83211

Board of County Commissioners
Power County
L.P. Schou, Deputy Attorney
P.O. Box 70
American Falls, ID 83211

James Robinson, Watermaster
Box 157
Rockland, ID 83271

James Halderson
Aberdeen, ID 83210

Homer Kress
624 Bannock Ave.
American Falls, ID 83211

Bill Davidson
421 Wayne Ave.
Pocatello, ID 83201

Ronald Nelson
Rockland, ID 83271

Harry and Julie Batterton
American Falls, ID 83211

Patricia Buffi
18 Falls Mobile Manor
American Falls, ID 83211

Gregory May
216 W. Whitman
Pocatello, ID 83201

Gordon Hopson
Dept. of Health and Welfare
150 N. 3rd Ave. (BSMT)
Pocatello, ID 83201

RECORDED

JUN 29 1988



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS

Governor

A. KENNETH DUNN

Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

October 18, 1985

Bob Meinen, Director
Idaho Department of Parks and Recreation
Statehouse
Boise, ID 83720

Virgil Moore
Idaho Department of Fish and Game
Statehouse
Boise, ID 83720

Re: Schedule of Minimum Stream Flow Public Meetings
and Hearings, November, 1985

Gentlemen:

The purpose of this letter is to follow up on our earlier telephone conversations by providing you with a copy of the above-referenced schedule.

Per our discussion, the requesting agency will be invited to present information relative to the applications for both the public meetings and the hearings, as we have done in the past.

Sincerely,

A handwritten signature in cursive script, appearing to read "Dave", is written over the name David R. Tuthill, Jr.

DAVID R. TUTHILL, JR., P.E.
Acting Supervisor, Water Allocation Section

1s

Enclosure

MICROFILMED

JUN 29 1988

SCHEDULE FOR MINIMUM STREAM FLOW PUBLIC MEETINGS AND HEARINGS

November 1985

<u>Water Right No.</u>	<u>Stream</u>	<u>County</u>	<u>Date</u>	<u>Time</u>	<u>Location</u>	<u>Type of Meeting</u>
97-7274 97-7275	Indian Creek Lion Creek	Bonner	Wed, Nov. 6	7:30 p	Sandpoint District Courtroom #1 215 S. 1st St.	Public Meeting Held by IWRB
37-7919	Big Wood River	Blaine	Wed, Nov. 13	1:30 p	Hailey Sherrif's office conf. room Corner of 1st and Walnut	Hearing Held by IDWR
41-7046 41-7074	East Fork Rock Cr. East Fork Rock Cr.	Power	Thurs, Nov. 14	9:30 a	American Falls County Commissioner's conf. room, 543 Bannock Power County Courthouse	Hearing Held by IDWR
21-7283 21-7355	Warm River Warm River	Fremont	Wed, Nov. 20	9:30 a	St. Anthony Fremont Co. Courthouse	Hearing Held by IDWR
22-7369 22-7370	Teton River Bitch Creek	Teton	Thurs, Nov. 21	9:30 a	Driggs Teton County Courthouse	Hearing Held by IDWR

MICROFILMED

JUN 29 1988

RECEIVED
OCT 10 1985

Department of Water Resources
Western Regional Office

NOTICE OF APPLICATION FOR MINIMUM STREAMFLOW

Notice is hereby given that the Idaho Water Resource Board submitted two (2) applications for permit to the Department of Water Resources proposing the appropriation of water to preserve the minimum streamflows from the following creek tributary to Rock Creek and further described as follows:

APPLICATION No. 41-7046

Date Filed: December 12, 1979

Source: East Fork Rock Creek tributary of Rock Creek

Point of Minimum Streamflow: SWSW, Sec. 4, T10S, R31E, B.M., Power County. Point where water is to be left in the stream is the county road bridge in the above tract.

Rate of Flow: 20 cubic feet per second

Season of Use: January 1 to December 31

Use: To maintain trout habitat

APPLICATION No. 41-7074

Date Filed: September 12, 1984

Source: East Fork Rock Creek tributary of Rock Creek

Point of Minimum Streamflow: Reach begins in the SWSW, Sec. 12, T10S, R31E; and extends upstream to the springs in Lt1 (NWNW), Sec. 18, T10S, R32E, B.M., Power County

Rate of Flow: 11.0 cubic feet per second

Season of Use: January 1 to December 31

Use: To maintain trout habitat

The Director of the Department of Water Resources will hold a public hearing on the above applications at 9:30 a.m., on Thursday, November 14, 1985, at the Power County Courthouse, County Commissioners' room, 543 Bannock Street, American Falls, Idaho, for the purpose of hearing evidence in regard to the applications. The hearing will be held pursuant to the provisions of Sec. 42-1503, IDAHO CODE.

If issued, these permits will be subject to all prior water rights. Any party who wishes to formally appear in this proceeding for the purpose of presenting evidence or cross examining witnesses should file a notice of appearance with the Director, Department of Water Resources, Statehouse, Boise, Idaho 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.

A. KENNETH DUNN
Director

Published in Power County Press	October 23 and October 30, 1985
Times News	October 24 and October 31, 1985
Idaho Statesman	October 24 and October 31, 1985
Lewiston Morning Tribune	October 24 and October 31, 1985
Post Register	October 24 and October 31, 1985

MICROFILMED

JUN 29 1988

NEWS RELEASE

TO: Power County Press

FROM: Department of Water Resources
1041 Blue Lakes Blvd. North
Twin Falls, Idaho 83301

Loren O. Holmes - Southern Region Supervisor

The Idaho Department of Water Resources has scheduled a public hearing on an application for permit filed by the Idaho Water Resource Board.

The Board, which filed the application on January 12, 1979, seeks to appropriate 20 cubic feet per second of water in the East Fork of Rock Creek in Power County, for the purpose of establishing an instream flow in order to maintain trout habitat in the creek.

The hearing will be held on Wednesday, June 11, 1980, at 1:00 p.m., in the Production Credit Association office, 127 Idaho Street, in American Falls, Idaho. Persons wishing to appear formally to present evidence or cross-examine witnesses at the hearing should file a notice of appearance with the Department of Water Resources, Statehouse, Boise, Idaho 83720 five days prior to the hearing. Anyone wishing to present views and comments informally will be given an opportunity to do so without the need for filing a notice of appearance.

MICROFILMED

JUN 29 1988

NOTICE OF APPLICATION FOR MINIMUM STREAM FLOW

Notice is hereby given that the Idaho Water Resource Board has on December 12, 1979, submitted an application for permit to the Department of Water Resources proposing the appropriation of water to preserve the minimum streamflow from the East Fork Rock Creek tributary of Rock Creek and further described as follows:

APPLICATION NO. 41-7046

Reach of minimum stream flow: From county bridge in SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 4, T.10S, R.31E, upst
3 miles to SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 12, T.10S, R.31E.

Rate of flow: 20 cubic feet per second

Season of use: January 1 to December 31

Use: To maintain trout habitat

The Director of the Department of Water Resources will hold a public hearing on the application at 1:00 p.m., on Wednesday, June 11, 1980, at the Production Credit Association office, 127 Idaho Street, American Falls, Idaho, for the purpose of hearing evidence in regard to the application. The hearing will be held pursuant to the provisions of Sec. 42-1503, Idaho Code.

If issued, these permits will be subject to all prior water rights. Any party who wishes to formally appear in this proceeding for the purpose of presenting evidence or cross examining witnesses should file a notice of appearance with the Director, Department of Water Resources, Statehouse, Boise, Idaho, 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.

Protests against the granting of any permit must be filed with the Director, Idaho Department of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho 83301 on or before June 10, 1980.

C. STEPHEN ALLRED
Director

Published: Power County Press - May 14¹⁴ and May 21, 1980.

JUN 29 1980

and guarantee an elimination of a minimum 5 cfs bed loss or abandon the project in the Bureau of Land Management's right-of-way permit, the state's water right permit and FERC's hydropower permit. Idaho Department of Fish and Game supports the project as long as some water passes the Reno Ditch diversion; Bureau of Land Management's Advisory Board unanimously approved the project; Utah Power & Light Company has signed a sales contract with Birch Power Company; financing is available and the project is ready to proceed. The department has prepared at the Board's request an amended policy statement on Birch Creek for the Board's consideration.

Gene M. Gray, Vice Chairman, moved Board approval of an amended policy statement (ATTACHMENT 1) on Birch Creek. Robert M. Hammes, Member, seconded the motion.

Motion passed by voice vote: 6 Ayes, 0 Nays, 2 Absent.

b. Information Meetings and Public Hearings. A. Kenneth Dunn, Director, issued for the Board's consideration a scheduled itinerary (ATTACHMENT 2) for minimum stream flow meetings in September and a proposed itinerary (ATTACHMENT 3) for minimum stream flow hearings in October. The director hearing no objection to the itineraries will proceed to make the necessary arrangements.

A. Kenneth Dunn, Director, reported the Board in its June meeting amended its East Fork Rock Creek Minimum Stream Flow Application to include an additional upper reach of the stream. The Idaho Department of Fish and Game has completed a study the Board requested on the actual flow needed in the stream, and has found 11 cfs to be adequate and maintained 96 percent of the time. The department in considering the application will change the amount from 20 cfs to 11 cfs on the permit, if approved, based on the Fish and Game's recommendation. The Board has two alternatives it must consider in making a decision on the minimum stream flow application on East Fork Rock Creek: (1) amend the existing application to include the additional reach whereby the priority date is advanced to the date the amended application is signed, or (2) file a new application for the additional reach of the river whereby the application would have a priority date when it was signed and the original application on the stream would retain its original priority date. Since the Board has filed its original minimum stream flow application on East Fork Rock Creek, there have been two intervening filings of .03 cfs and .04 cfs for irrigation in the middle of the reach of stream where the Board filed its application. If the Board should refile its application to include the additional reach, the Board will have a later priority date than the two irrigation applications.

Gene M. Gray, Vice Chairman, moved Board approval for refiling an application for minimum stream flow on East Fork Rock Creek of 11 cfs for the total reach of the stream in lieu of the 20 cfs. Frank Dave Rydalch, Member, seconded the motion.

Motion Withdrawn.

RECEIVED

JUN 29 1988

Franklin Jones, Secretary, moved Board approval of retaining the original minimum stream flow application on East Fork Rock Creek at 11 cfs and filing a new application (ATTACHMENT 4) for minimum stream flow on the upper reach of East Fork Rock Creek. Gene M. Gray, Vice Chairman, seconded the motion.

Motion passed by voice vote: 7 Ayes, 0 Nays, Shawver, Absent.

Agenda Item No. 8. Water Resource Board Financing Program

- a. Request for Grant from Kidd Island Bay Reclamation Association
- b. Request for Grant from City of Caldwell
- c. Bond and Inducement Resolutions

NEW AGENDA ITEMS

- d. Farmers Union Ditch Co., Ltd.
- e. Big Lost River Irrigation District
- f. Preston Whitney Reservoir Company
- g. Hayden Lake Watershed Improvement District

Wayne T. Haas, Administrator, Resources Analysis Division, explained that the total financial requests to the Board at this meeting is \$130,718.00, but the Water Management Account balance from which grant requests are given totals \$122,404.12--a negative difference of \$8,313.88.

a. Request for Grant from Kidd Island Bay Reclamation Association. Wayne T. Haas, Administrator, Resources Analysis Division, commented that the Kidd Island Bay Reclamation Project, Inc. is a non-profit corporation organized in March, 1984 for the purpose of reclaiming and restoring Kidd Island Bay. The corporation requests a Board grant of \$15,000 to complete an economic and engineering feasibility study. Because Rule 5.2 of the Rules and Regulations governing the Water Management Account only allows grants on a matching dollar-for-dollar basis to conduct feasibility investigations, this project will qualify for a \$7,500 matching grant. The project proposes two phases to remove sedimentation that has been accumulating in the bay at an alarming rate, construct impediments or holding areas that will prevent further deterioration of the bay area and dredging the bay. The purpose of the project is to promote and improve the environment, ecology and aesthetic value of the area on a long term basis. Total project cost is estimated at \$500,000; project is in conformance with the State Water Plan.

Robert M. Hammes, Member, conducted a field review of the project with department staff. Mr. Hammes felt there was nothing in the law from preventing the same type of problem from developing again in the future, once this project is finished. Mr. Hammes recommends the study be completed to determine the cost and feasibility of this type of project to reclaim a small bay and preventing the problem from occurring again. Presently, there is no body of knowledge or research on this type of problem, and therefore, he feels the money would be well invested to preliminary study the problem.

The department has prepared for the Board's consideration a resolution to provide a matching grant of \$7,500 to Kidd Island Bay Reclamation Project, Inc.

JUN 29 1985

Glenna Nelson, an applicant with water right filings prior to the Board's on East Fork Rock Creek, has withdrawn her applications leaving no pending applications with an earlier priority date than the Board's date. The department in reviewing the Board's application found two problems: (1) upstream point of the designated reach (four miles on East Fork Rock Creek) does not include the spring area, and (2) the application does not list the amount of water necessary and it was not mentioned at the hearing. Mr. Young suggested the Board amend the application to include the spring area and request the Dept. of Fish and Game develop the data necessary to establish the amount of water needed for the creek. A re-hearing will then need to be held.

Franklin Jones, Secretary, moved the Board amend the application for a minimum stream flow on East Fork Rock Creek to add the upper end of the stream, including the spring area; and, request the Dept. of Fish and Game develop the necessary data to establish the amount of water necessary in the stream. M. Reed Hansen, Member, seconded the motion. *

Motion passed by voice vote: 7 Ayes, 1 Absent.

The department has prepared for the Board's consideration a schedule (ATTACHMENT 34) for Board information meetings and department hearings on minimum stream flow applications Fall River, Warm River, Teton River and Bitch Creek.

Gene M. Gray, Vice Chairman, moved that on Wednesday, September 26, 1984 the Idaho Water Resource Board hold a public information meeting in St. Anthony at 7:30 p.m. on water right No. 21-7281, Fall River and water right No. 21-7283 on Warm River; I further move that on Thursday, September 27, 1984 at 7:30 p.m. in Driggs, Idaho the Board hold a public information meeting on water right No. 22-7369, Teton River and water right No. 22-7370 on Bitch Creek. Franklin Jones, Secretary, seconded the motion.

Motion passed by voice vote: 7 Ayes, 1 Absent.

Agenda Item No. 13. State Energy Program Activities

Wayne T. Haas, Administrator, Resources Analysis Division, reported that the Energy Division is completing its work and activity for FY 83 under the funding contracts with Bonneville Power Administration and Dept. of Energy. New proposals for FY 84 funding have been submitted to the federal agencies.

The Energy Division is underway with its Commercial Loan Program. This program provides low interest financing for commercial, industrial, agricultural and local government energy projects. Funds are provided for this program from overcharges by major oil companies.

Donald R. Kramer, Chairman, mentioned he attended the "Buhl Energy Week" in Buhl, Idaho this past month. The department helped promote the project which was very educational and worthwhile to the local residents.

RECEIVED
JUN 29 1988



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS

Governor

C. STEPHEN ALLRED

Director

Mailing address:

Statehouse

Boise, Idaho 83720

(208) 334-4440

September 22, 1980

Re: Instream Flow Applications

73-7045	Pahsimeroi
32-7103	Birch Creek
36-7872	Devils Corral Springs
41-7046	E. Fk. Rock Creek

Dear Interested Party:

At the last Idaho Water Resource Board meeting held on August 26, 1980 in Twin Falls, the Board asked the Director to withhold further action on the above-referenced applications for minimum streamflow. The Board has made the request in order to conduct further investigation and research of existing water rights, and of the merits and effects of these instream flow applications.

The Director will delay further action relative to the applications until the Board has had the opportunity to conduct and complete their requested further investigation.

Please feel free to contact this office if you have questions relative to this matter.

Sincerely,

L. Glen Saxton

L. GLEN SAXTON
Chief, Operations Bureau

LGS:DRT:rf

MICROFILMED

JUN 29 1988

*This letter was sent to these
people on Sept. 24, 1980:*

*Dept of Fish & Game
attn: Steve Goddard*

Ben Cavanaugh

Melvin Munk

Clifford Nelson

Orville Nelson

MICROFILMED

JUN 29 1988



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS

Governor

C. STEPHEN ALLRED

Director

Mailing address:

Statehouse

Boise, Idaho 83720

(208) 334-4440

DM Tuthill

*Water Board has asked that action
be withheld on this application*

MEMORANDUM

NOT

TO: Norm Young

FROM: Dave Tuthill

DATE: August 22, 1980

RE: MSF 41-7046 East Fork Rock Creek

A major roadblock to the approval of this application is the total lack of information in the record regarding the amount of water needed to satisfy the requirements to "protect the present fish population" or to "maintain trout habitat". The 20 cfs shown on the application appears to be the ideal, not the minimum flow.

Two options for proceeding are:

- 1) Deny the application and force a rehearing based on a request by the Water Resource Board.
- 2) Delay action on the application until the record can be augmented by further studies made by the Department of Fish and Game.

Please advise on which option to select.

MEMORIALIZED

JUN 29 1988

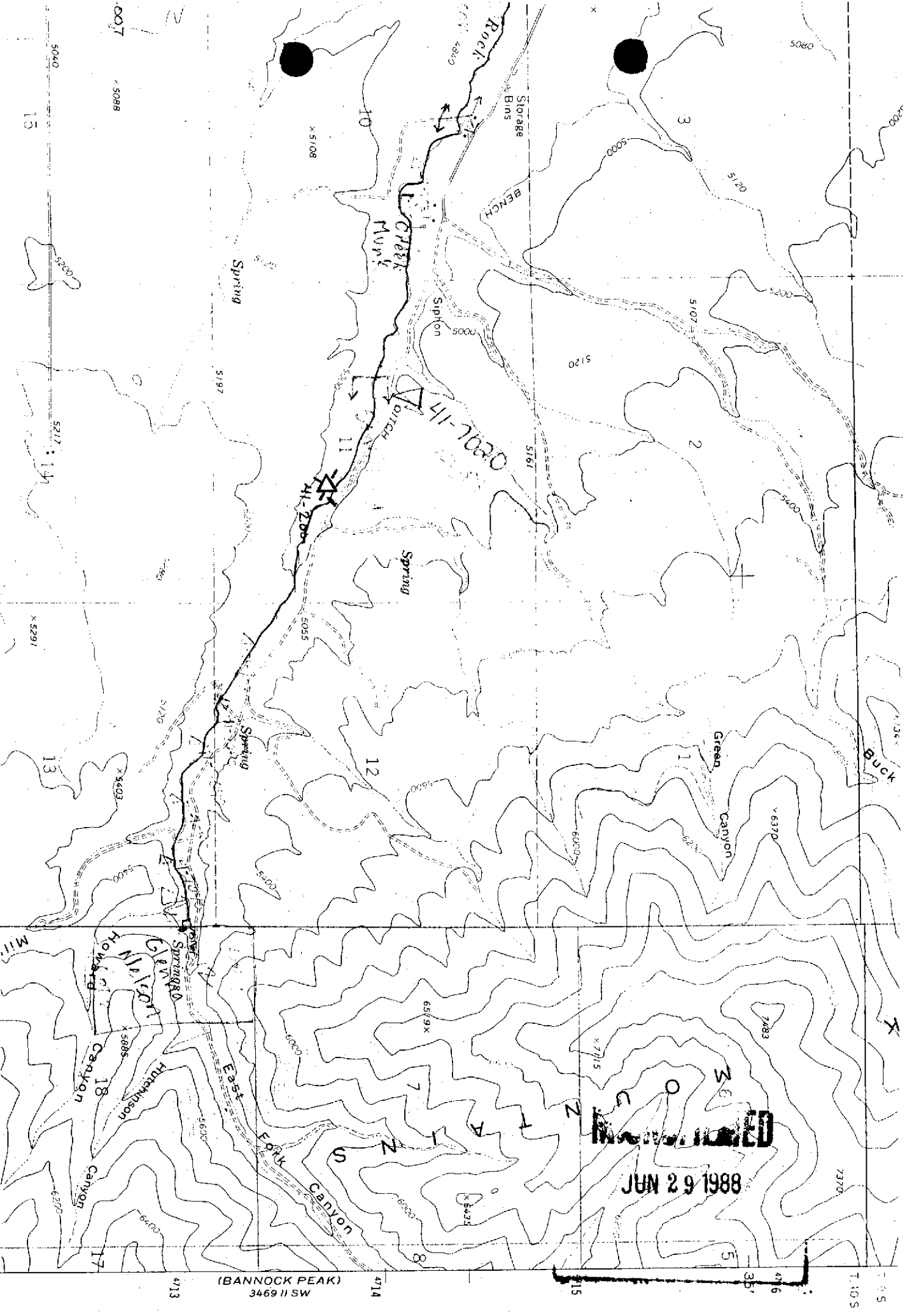
MEMORANDUM

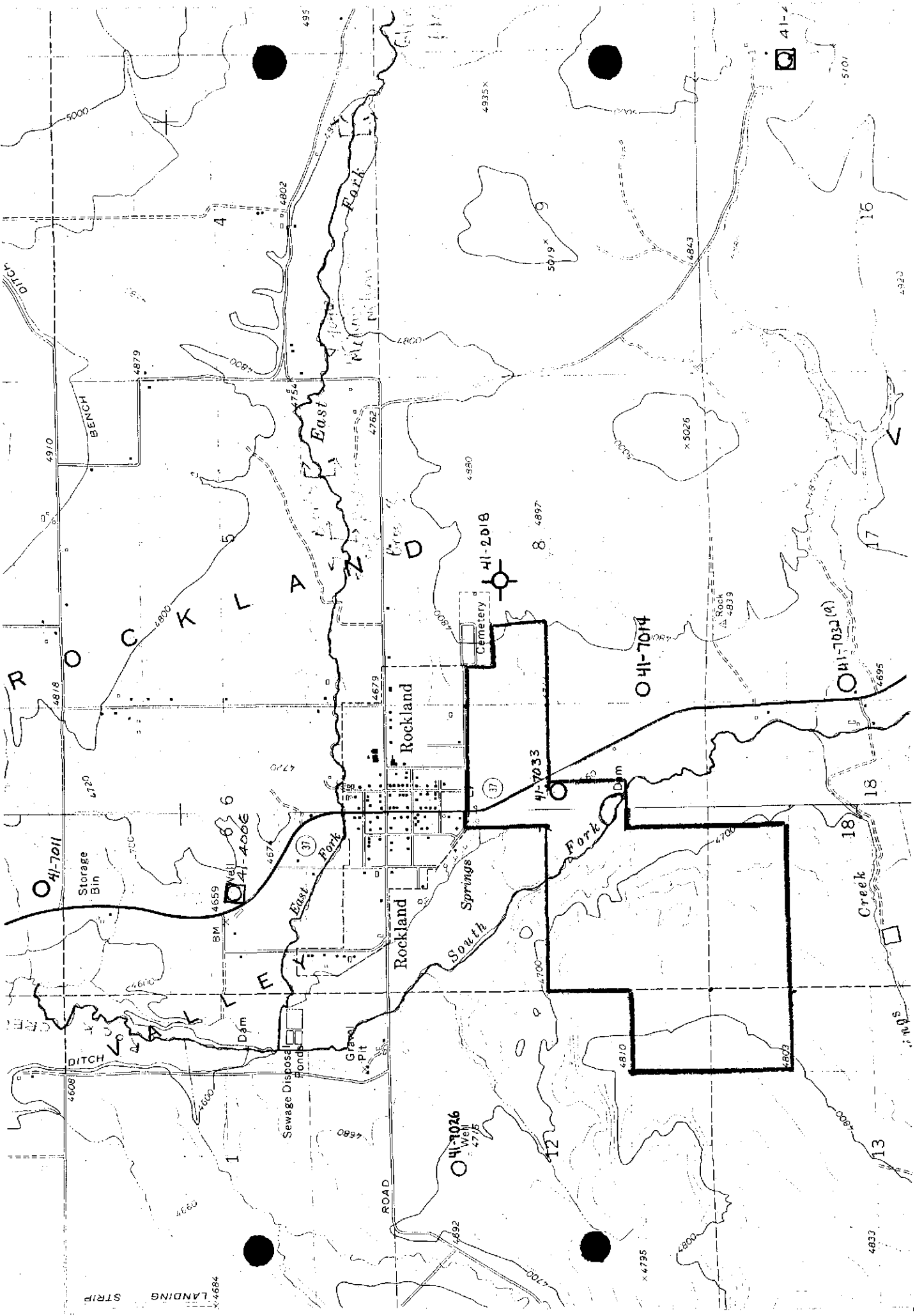
TO: *East Fork Rock Creek*
~~Birch Creek~~ MSF Hearing File
FROM: Dave Tuthill *DT*
DATE: July 3, 1980

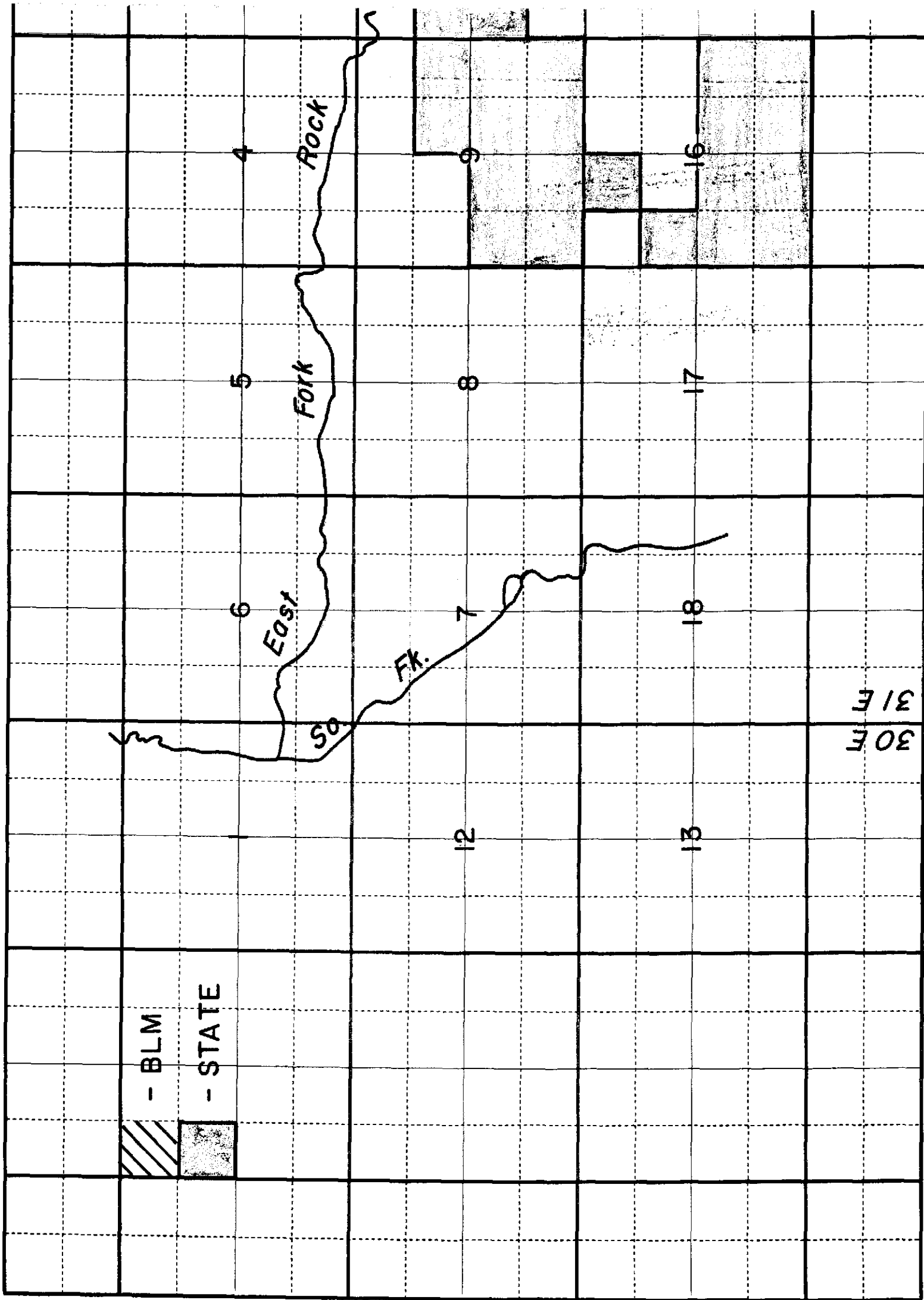
Per a telecon with John Himer of IDFG, no fisheries information is available on E. Fork Rock Creek other than that presented at the June 10, 1980 hearing.

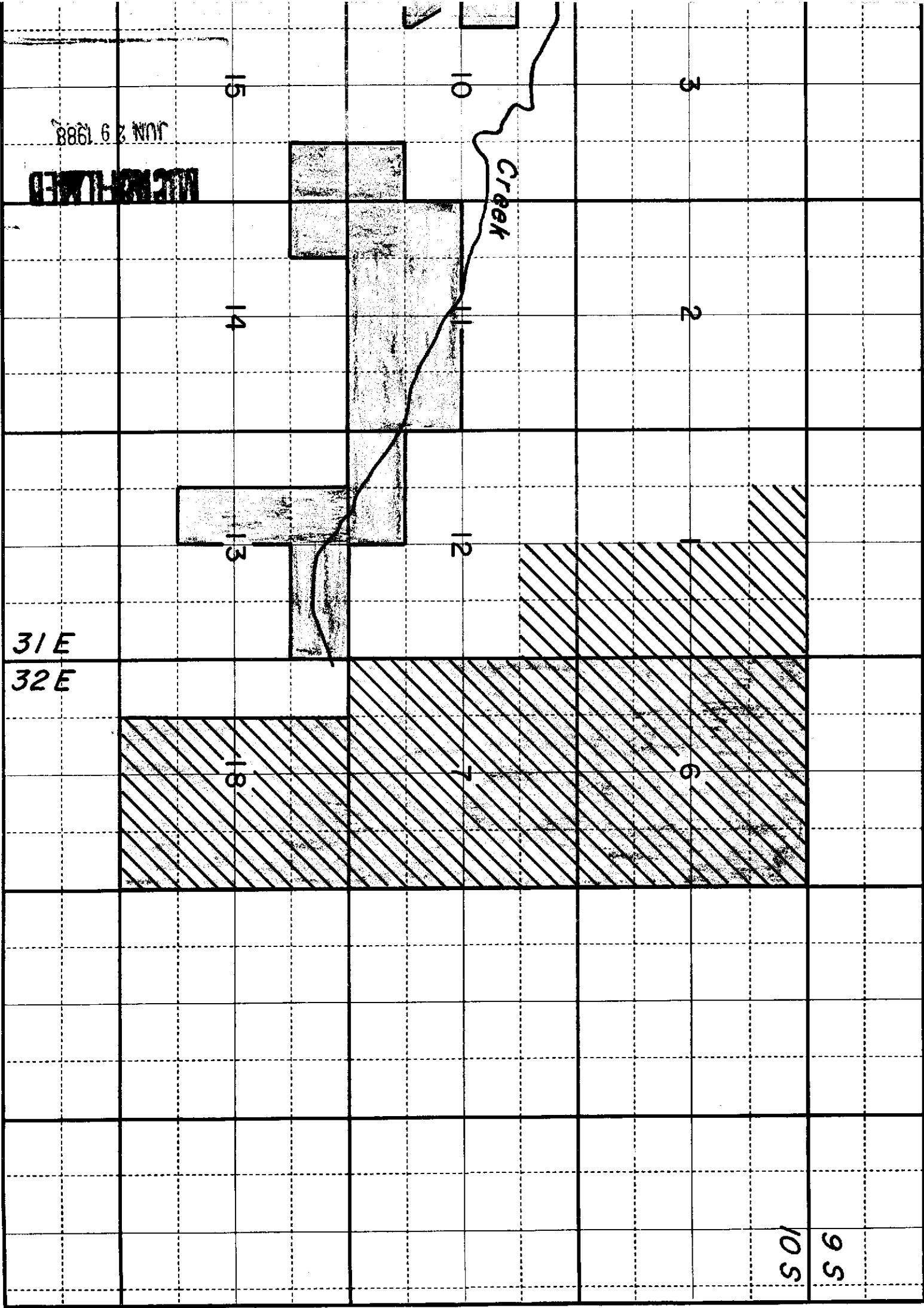
MAILED

JUN 29 1988









SCALE: 2 Inches Equal 1 Mile. Draw in Ink.

STATE & FEDERAL LANDS IN
E. FK. ROCK CREEK VICINITY

THIS CHART WAS PREPARED
FROM USBLM & I.D. LANDS PLATS
BY RON HOWERTON ON 7-3-80

DRT

File

June 12, 1980

Mr. Reed Hansen
Route #5 Box 213
Idaho Falls, Idaho 83401

Dear Reed:

During the minimum streamflow hearing on East Fork Rock Creek yesterday you raised a question that I was unable to adequately answer. I would like to respond to the question at this time for your information and for clarification of the record.

The question related to how representative the data from water years 1961 - 1964 are, as compared with long-term historical data, I indicated that our hydrologist, Bill Ondrechen, had not reported that the data was skewed, so the sample could be assumed to be representative of historical data.

To verify this response, I contacted Mr. Ondrechen who indicated that 1961 through 1964 were good sample years. A long historical record is available for the Portneuf River at Pocatello, and the percent of normal for the years 1961 through 1964 at that measuring station were 56, 103, 87 and 98, respectively. These figures average 86 percent of normal, which represents a good four year sample.

I hope that this information will serve to solidify the value of the measurement information.

Sincerely,

DAVID R. TUTHILL JR., P. E.
Supervisor, Water Allocation Section

DRT:jg

cc: File 41-7046

MAINTAINED

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Hearing procedure - ~~St Charles CR~~ 1/

1) Prior to going on record

check for interventions - objections

sign-up sheet

explain process -

introduce board members

2) Date, time, place, hearing officer

~~Applicant~~ Purpose of hearing is to consider
application for min flow 11-7152

Application review process

request to board → apply to director → log →
judicial review

Record will close at end of oral hearing

Held according to APP and the rules of
practice & procedure adopted by Town

Two types of parties

full parties - argument, evidence,
witness, testimony, X-exam
& Appeal.

Public witnesses -

#

3) Take appearances of full parties

BoardOthers

4) Have staff review @ application

mention judicial notice
of records -

⑥ existing rights

⑦ Hydrology records

⑧ boating facilities

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⑤ Board

⑥ Others -

HEARING Notes
EAST FORK ROCKCREEK
6/11/80 # 41-7046
Hearing @ AMERICAN FALLS

Tape 1

1) INTERVENORS & FULL PARTIES

Board - Reed Hansen
Power Co ^{comm} - Dan Cavanaugh - 226-2562
MELVIN NELSON - landowner
MELVIN MUNK - landowner
Glenna NELSON - Clifford Nelson

2) Dave Tuthill

Is measuring device intact - yes
Location ^(M.D.) with respect to canal - Tuthill
below the Canal
Springs - located downstream from springs

- Map - dept's exhibit #1

Tuthill reviewed map & W.R. schematic

~~Map~~ W.R. schematic - dept exhibit #2

Melvin Nelson - concern that 3
decadal nights ^{not} shown on
schematic.

Reviewed Flow Duration Curve - Dept Ex #3

Max discharge period 61-64 was 24 cfs

- Note a normal distribution - {Smoothly are
61-64 -

Oct. 14 1/2 cfs F - 13 1/2

N - 14 1/2

O - 14 1/2

S - 14

M - 13

A - 13

M - 14 1/2

June

July 17 1/2

Aug 19

Sept 19

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2/

3) Reed Hansen

Preliminary review by Board ~~on~~ felt it met the criteria -

4) Power Country - by Ben Cavanaugh

Resource unique to the county

@ Ralph W. Kendall - County Commissioner
Nealey Road - Amer. Falls, Id.

- Moderate to conservative free government
- Responsive officials to wishes of citizens
- Petitions opposing hatcheries on creek -
- Commissioners took position of majority
- last remaining water stream for recreation
- Scout troops - overnight

X-EXAM

Hansen Recreation aspects? - camping

Area was clean, why? - Citizens take pride in area & county

No program except county wide trash pick up -

Strategically located camp

Size of stream to value of recreation - if cut in 1/2 or flow - camping would still go down - hunt fishing

Drink water - I never have don't know

Munk - Rights of property owners thru which stream passes - take away rights -

Clifford Nelson - question on minority on petitions - just the complaints? No, Commissioners satisfied as to majority

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⑥ John Heimer (F&G)

- Studies on creek - 1978 electrofished a section at county road bridge - 22 wild rainbow & some cutthroat - some bullheads.
- May 1979 electrofished section @ gaging station - 25 to 40 wild trout estimated per 100 meters of stream

Plantings - 3000 catchable rainbows in section per year -

spawning
size
user days
creel census

Distance from gaging station upstream to spring - $\frac{3}{4}$ mile -

Any fish in this reach? yes but habitat is not as good -

Does this reach of stream warrant protection? - yes -

Would reduction in flow hurt the fishery? - More detailed information needed to assess effect dewatering of stream - substantial dewatering would not be good.

Observations on visitors - fishing and camping purposes - heavy use on state section - perhaps extremely heavy -

- Only major small stream with wild fish available in power canal **MICROFILMED**

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X-Exam - Hansen

- Fish Counts clarified
 - What would "ideal" flow be - natural flow
- What is there now -

Muse - 5 cfs dewatering now, are fish affected

Horn's questions

Spawning/rearing area - recent days -

Size - 6 to 8"

4

Heimer - ~~that~~ young's question

Does stream flow increase or decrease below gage? - Diversion take some but partly made up by reach gains. Flow @ gage is not a bad representation of flow in entire reach.

Tape 3 Melvin Nelson

- Landowner on creek
- Represents sportsman group
- fully in favor of application

Took under
advisement
need to respond
in decision

Should amend filing to cover more stream upstream and down - springs to state highway bridge - Survey of use - Survey has been made May to Sept - 8000+ overnight camps - Fisheries, camping, day use also - Good youngster camp area - fuel costs - good close place to go

Water Quality - After survey @ midpoint 6 Bacteria count/ml - Coliform -

Swimming also occurs -

Fishing opening morning this year limit in 2 hrs 10 & 16" Event 4 people

German Brown, Eastern brook, rainbow, in bag limit

Petitions collected entirely in

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Power County - 2500+ signatures
235 residents of Richland
out of 209 residents

Represent landowners from springs to Snake River - only three address

X-EXAM - HANSEN

Water user? yes, believe it will protect his water right from quality degradation
mass water loss etc -

flow rates
constant?

Bend ditch + other ditches -

- water master - Shirley Boynton

bus - not this year but other
masters have quit because of shortages

Clifford Nelson -

General trend over last 10 to 20 yrs
losing some recharge to stream

Topic 4 →

Melvin Munk

Landowner of creek

wants quality protected

Does object to infringing upon right
of landowner to make use of stream
Protests point of diversion - should
be beginning at state land -

Discriminates against 4 land owner
as is now or should include
all of Rock Creek valley

- Contemplating putting in hydropower
unit -

- preserve quality but allow uses
that can meet quality needs

- request is excessive - 20 cfs is
maximum & unnecessary - felt
FtA believes 10 cfs would be
adequate.

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X-EXAM - ^{by Hansen} will infringe on existing
rights ~~and~~ no but will promote future
development ✓

would dewatering of a segment of the stream
of say 50 would be degradation of creek -
yes unless some minimal flow was maintained.

What would a realistic ~~minimum~~
flow be ~~say~~ 4 cfs

All camping & fishing is in 1st
1 to 1 1/2 miles - private land owners below
only allow limited access -

Agrees private land was valuable for
fish spawning & rearing.

- Marked exhibit #1 to show locations

5 cfs F&G comment - was by Hansen.

@ Glenn Nelson hearing - reference to short
dewatered stream &

Clifford Nelson -

50-50 owners maybe 3 out of 4
downstream owners oppose the flow
Exhibit #2 -

Upper application ⁴¹⁻⁷⁰³⁸ would be @ Spring
source for egg house - would use all of
water - Lower application ⁴¹⁻⁷⁰³⁹ about midway
down stream - some flow would be allowed
for about 100 yds of dewatering -
- Little pollution compared to livestock
pollution now on stream.

Tape 5

Wonders about stream ~~management~~ ^{given}

~~Norm Hansen~~ - Protesting tying up 4 land
owners - electricity etc JUN 29 1988
Not objection because of prior filing

Do not feel that it is the public interest. Commissioners were harassed into making request -

- quality should be preserved -

X-Exam - Cawness -

Should any portion be given instream flow status - yes but at state land & above of 20 cfs.

if 4 or 5 cfs entire reach would be acceptable.

Concern is not to impact private land

X-exam by Walter Nelson

- any change in water quality of springs would damage fishing & camping values - springs are part of stream? - No, not good quality now no worse than could be if used for some other uses -

- Were your petitions accepted @ hearing by IDWR - Don't know -

X-exam by Hansen - IF F&B could support that 15 cfs was needed would you agree to that as a minimum flow - Do you support keeping the present level of trout fish production yes ^{to upper area} but lowering flow for a short section does not hurt fishing -

Go for 20 cfs on the ~~stream~~ state ground

Greg May attorney @ Pocatello, actively engaged with Scouting Program - use the state

~~ground~~ ground & stream for summer & winter

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Camping & some fishing.

Finest fishing stream in Pocatello & A.R. area

- Topographer is Hefner & good to use

Travel is limited - good fish streams close (Extend to river - yes) are needed.

EAST FORK ROCK CREEK 41-7046

- On December 12, 1979, the Water Resource board received a request for a minimum streamflow on East Fork Rock Creek from the Board of County Commissioners of Power County.
- This request was considered by the Idaho Water Resource Board on January 16, 1980 and on that date the Board filed the application to the Department.
- Copies of the application were sent to State Departments of Fish and Game, Health and Welfare, and Parks and Recreation.
- A public notice of the application was advertised in the *Power County Press* for ~~on~~ *two weeks* ^{and} *(May 14 & 21)*. The notice included information about this hearing.
- Letters in support of the application were received from:
 1. Melvin L. Nelson, Power Co. Field & Stream .
 - 2.
 - 3.
- No letters in opposition to the application have been received.
- Present staff exhibit 1 which depicts the location of the reach of stream in question.
- Present staff exhibit 2 which is a schematic of the reach, showing:
 - Measuring points
 - Other rights
- Hydrography of source
 - Stream fed by springs
 - Max flows in Aug. or Sep, minimum flows in Mar. or Apr.
 - Flow is 20 cfs or greater only 8% of time.
 - Flow is 15 cfs or greater about 50% of time.

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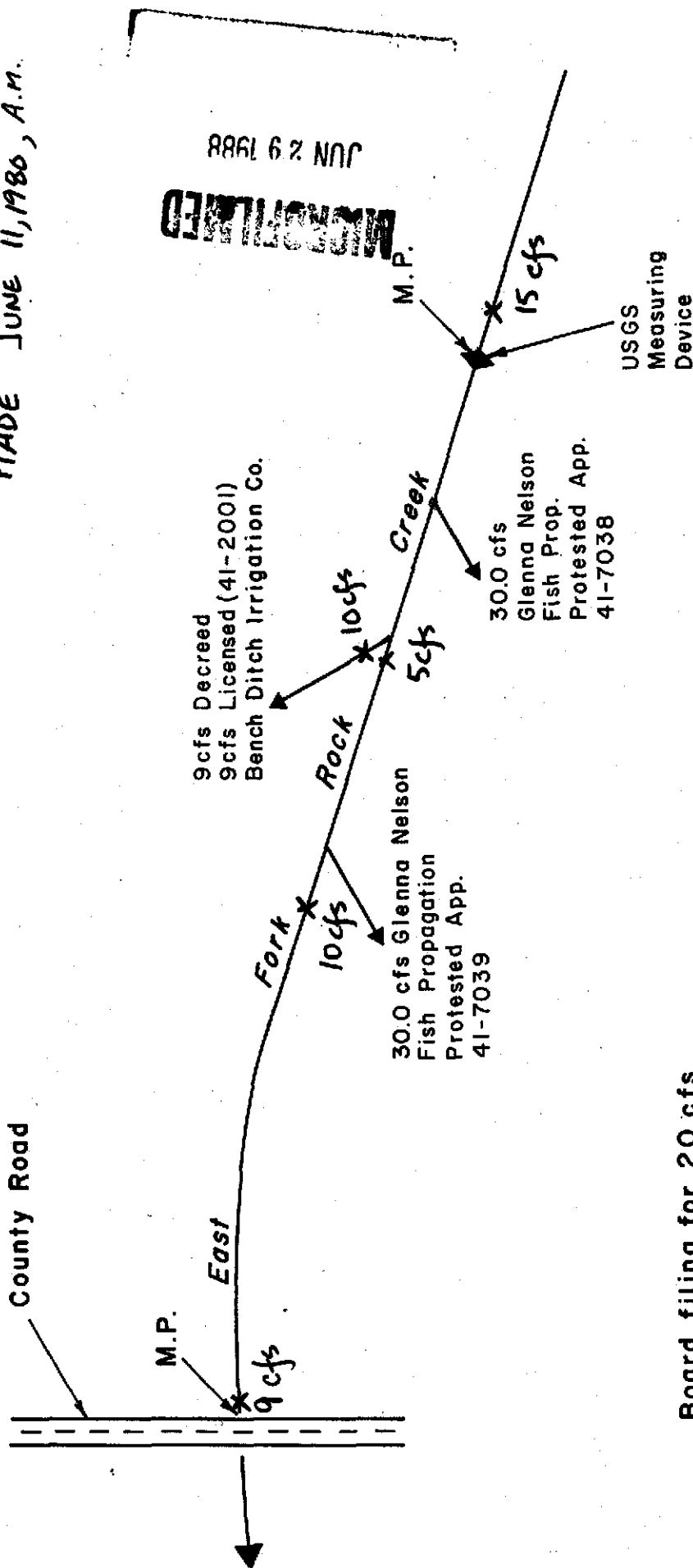
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EAST FORK ROCK CREEK

41-7046

* HASTY MEASUREMENTS

MADE JUNE 11, 1986, A.M.

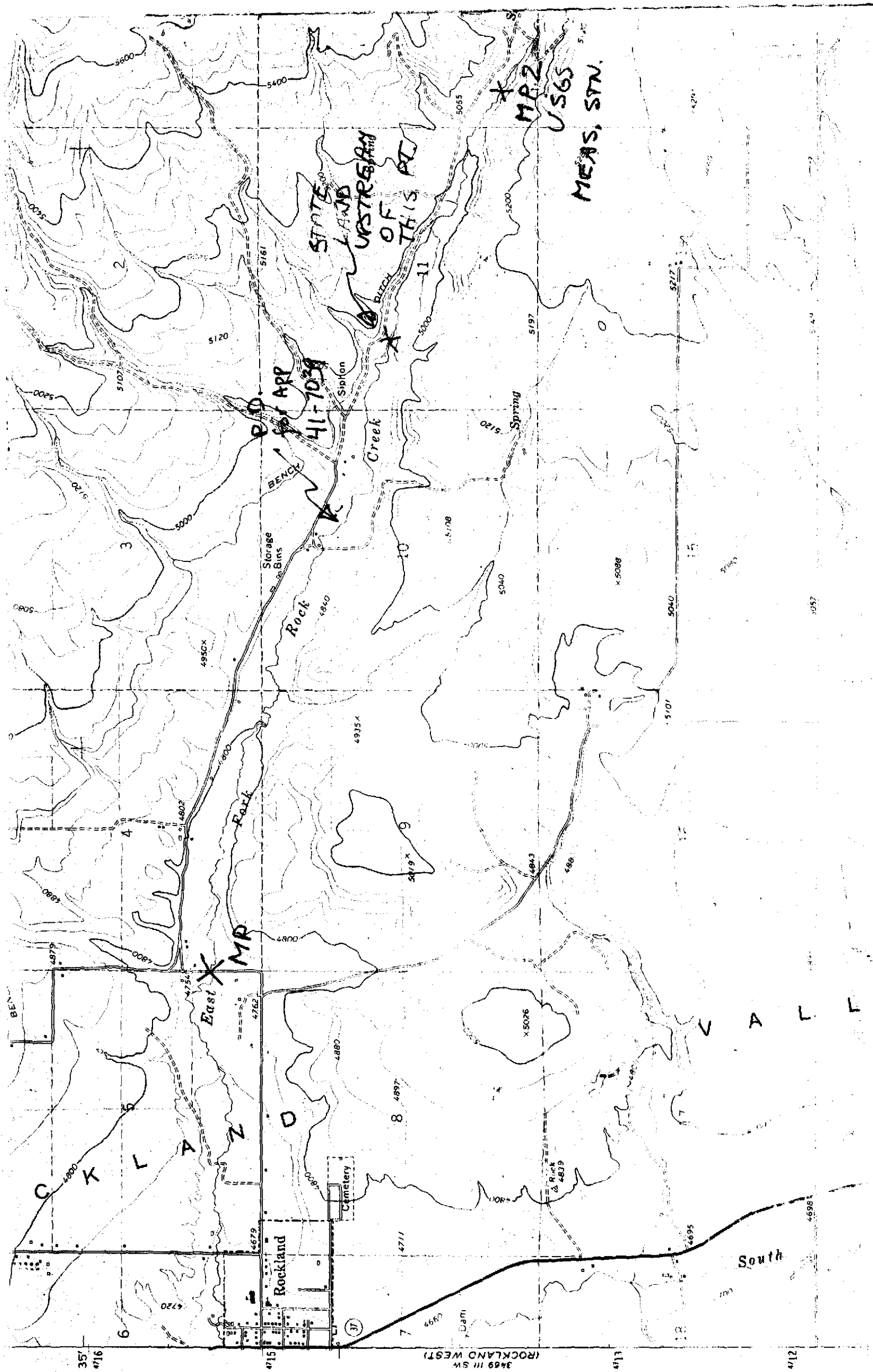


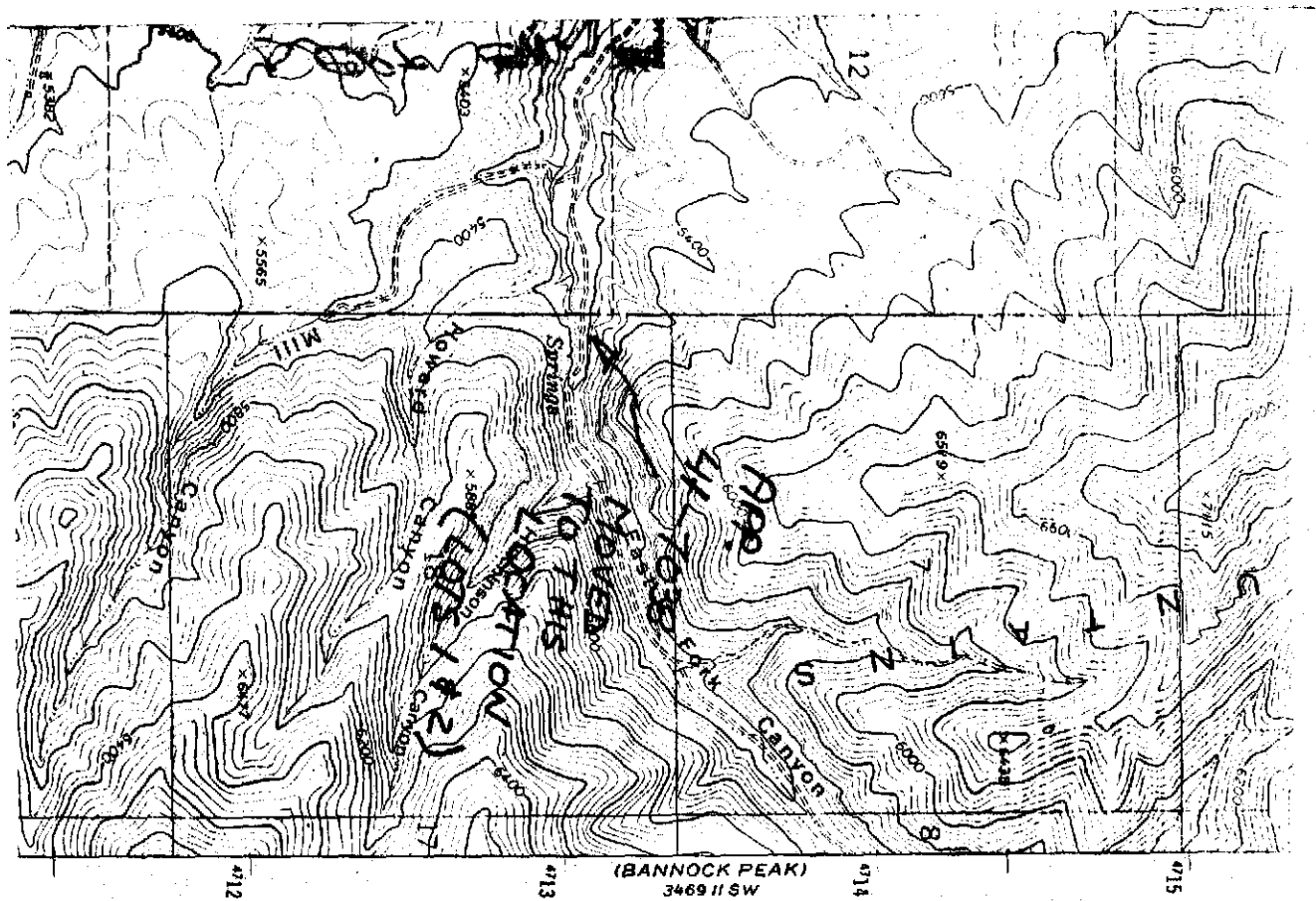
Board filing for 20 cfs

Distance from M.P. to M.P. = 4 Mi.

* Estimate based on estimated X-Section
and estimated average rate of flow

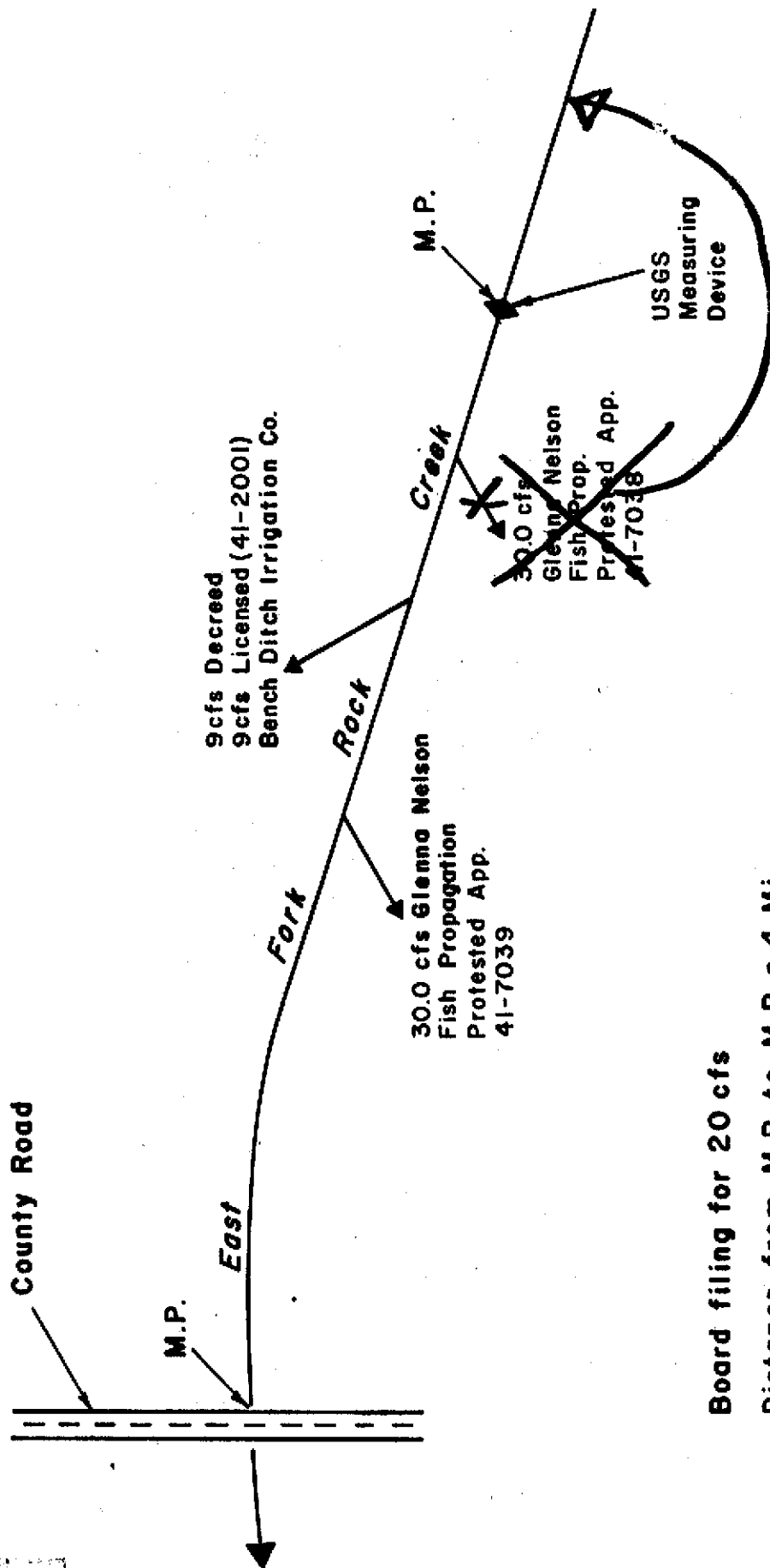
Exhibit 1





EAST FORK ROCK CREEK

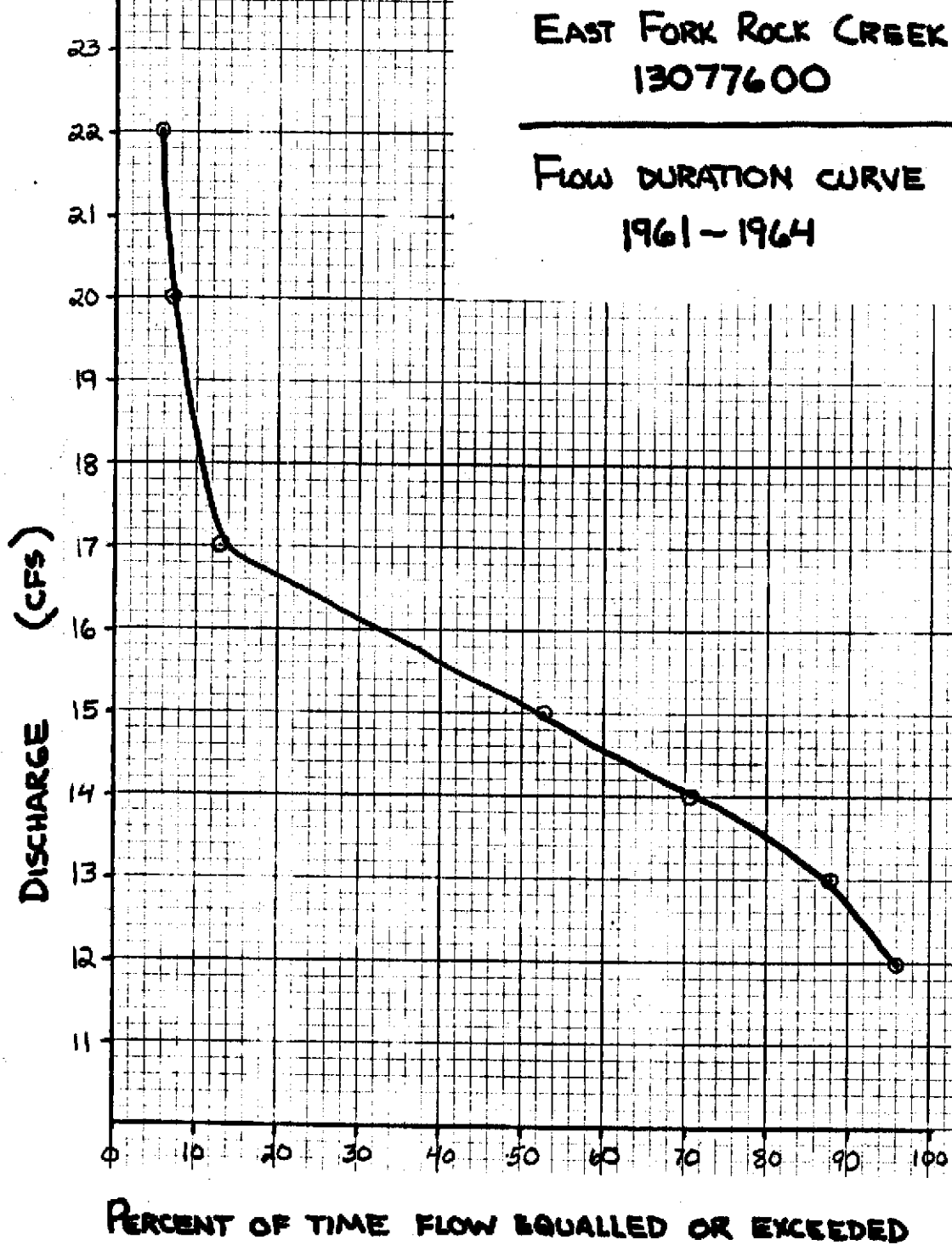
41-7046



Board filing for 20 cfs

Distance from M.P. to M.P. = 4 Mi.

2-23-1998



DEPT EX. #3

I R Hearing on East Fork Rock Cr.

Minimum Flow 6-11-80

Do you
intend to
testify

Name

Representing

Address

James Halderman

Univ. of Idaho

Aberdeen

BEN CAVANESS

POWER COUNTY

AM. FALLS

YES

Lester Holmes

IDWR

Twain Falls

JOHN T. HEIMER

IDAHO FISH + GAME

POCATELLO

Yes

Homer Kress

County Comm., Am. Falls

Ralph W. Kendall

County Comm.: Am. Falls

yes

Lee May

Citizen

Rockland

yes

Clifford E Nelson

Shirley Nelson & self

Rockland

yes

Melvin R Munk

Self

Rockland

yes

Bill Davidson

Idaho Fish & Game

Pocatello

NO

Donald J. Nelson

Pres. of West Ditch Co.
land owner on creek

Rockland

NO

Conrad Nelson

Land Owner on creek

Rockland

Burton Anderson

Land owner on creek

Rockland

Harry Battiston

Citizen

Am. Falls

NO

Patricia J. Buffi

Citizen ^{against} ^{sub. farm}

Am. Falls

no

Julia Battiston

Citizen ^{against} ^{fresh} ^{farm}

Am. Falls

no

Ray May

Myself

Pocatello

yes

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State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 41-07046

Priority: January 16, 1980

Minimum Instream Flow:

11.00 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 January 16, 1980; and
has submitted Proof of Beneficial Use on April 28, 1992. A minimum stream flow in

ROCK CREEK, EAST FORK

tributary to ROCK CREEK

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	11.00 CFS

LOCATION OF MINIMUM STREAM FLOW REACH:

Beginning of Stream Flow Reach
End of Stream Flow Reach

SWSW , Sec. 12, Township 10S, Range 31E
SWSW , Sec. 4, Township 10S, Range 31E
POWER County

CONDITIONS OF APPROVAL AND REMARKS

1. The use of water under this right is subject to all prior water rights.
2. Use of water under this right shall be non-consumptive.
3. Pending a general adjudication of the Rock Creek stream system, the use of water under this right shall recognize and allow the continued beneficial diversion, both within and upstream from the minimum flow reach, of water for irrigation and other purposes under any prior existing water right established by diversion and application to a 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 1/16/1980.
4. Upon the future finding and order of the Director that gauging stations are required to maintain the approved minimum flow on Rock Creek, East Fork, such devices shall be installed and maintained as specified by the Department.

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OCT 04 1995

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

WATER RIGHT NO. 41-07046

CONDITIONS OF APPROVAL AND REMARKS

5. The Director retains jurisdiction to review and amend any and all parameters of the water right. The Director shall identify the reasons for exercising retained jurisdiction under this condition and give notice thereof to the public generally and to specific persons or parties known by the Director to be interested. The Director shall thereafter conduct a hearing for the purpose of determining whether the minimum stream flow should be amended in the public interest. The burden of proof at the hearing shall be upon the person or party seeking to establish that a particular parameter of the water right should be modified or amended to satisfy the public interest. Review of the water right under this condition may not occur prior to 15 years after issuance of the license.
6. This minimum stream flow begins at the USGS measuring station in the SWSW, S12, T10S, R31E, and ends at the county bridge located in the SWSW, S4, T10S, R31E.
7. The purpose of this minimum stream flow is to maintain trout habitat.

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 15TH day of SEPTEMBER, 1995.

Acting for

KARL J. DREHER, Director

RECORDED

OCT 04 1995

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

IN THE MATTER OF APPLICATION)
NO. 41-7046 TO ESTABLISH A)
MINIMUM STREAMFLOW IN EAST FORK)
ROCK CREEK IN THE NAME OF THE)
IDAHO WATER RESOURCE BOARD)

ORDER ADOPTING PROPOSED
MEMORANDUM DECISION AND
ORDER

A. Kenneth Dunn, Director of the Department of Water Resources, issued a Proposed Memorandum Decision and Order approving Application No. 41-7046 on April 20, 1987, and served copies on the parties pursuant to Idaho Code § 67-5211.

More than fifteen days have passed since the service of the Proposed Memorandum Decision and Order.

No exceptions to the Proposed Memorandum Decision and Order having been filed with the Department of Water Resources;

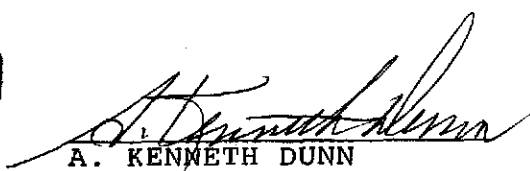
IT IS HEREBY ORDERED that the Proposed Memorandum Decision and Order be adopted as the Final Decision and Order of the Director, and that the terms and conditions imposed therein be incorporated into approved Application No. 41-7046.

IT IS FURTHER ORDERED that proof of completion of works and beneficial use shall be submitted on or before February 1, 1993.

Dated this 24 day of June, 1987.

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JUN 29 1988


A. KENNETH DUNN
Director

CERTIFICATE OF MAILING

I hereby certify that on the 24th day of June, 1987, I mailed a true and correct copy, by U.S. Mail, postage prepaid, of the Order Adopting Proposed Memorandum Decision and Order to:

Water Resource Board
Gene Gray
Route 1, Box 46-A
Payette, ID 83661

Water Resource Board
Dave Rydalch
Route 2, Box 108
St. Anthony, ID 83445

Department of Fish & Game
Steve Goddard
600 South Walnut
Boise, ID 83706

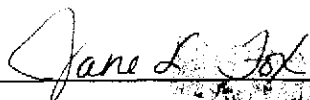
Board of Power County Commissioners
c/o L. R. Schou
P.O. Box 70
American Falls, ID 83211

Melvin Nelson
Power County Field & Stream Committee
P.O. Box 334
Rockland, ID 83271

Merrill E. Walker
Bench Ditch
Rockland, ID 83271

Jeff Allen
Rockland, ID 83271

James Robison, Watermaster
P.O. Box 157
Rockland, ID 83271


JANE L. FOX, Receptionist
JUN 29 1988

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

IN THE MATTER OF APPLICATION FOR PERMIT)
NO. 41-7046 TO ESTABLISH A MINIMUM STREAM)
FLOW IN THE EAST FORK ROCK CREEK IN THE)
NAME OF THE IDAHO WATER RESOURCE BOARD)

ORDER ISSUING
PROPOSED MEMORANDUM
DECISION

A. Kenneth Dunn, Director of the Department of Water Resources, having reviewed the attached proposed decision prepared by his appointee, NORMAN C. YOUNG, who conducted the hearing or who has read the record in the this case, hereby approves the same as a proposed decision pursuant to Idaho Code, §67-5211.

Each party to these proceedings who appeared at the hearing is given the opportunity, pursuant to Idaho Code, §§42-1701A and 67-5211, to file exceptions to the proposed decision and to present briefs and oral arguments. If no timely and proper exceptions are received, an order by the Director will be entered adopting the proposed decision as his final decision.

I.
EXCEPTIONS

A. To be considered by the Director, exceptions must:

1. be received by the Director on or before the 15th day following the day of service of this Order and the proposed decision,

2. specifically identify the portions of the proposed decision to which exceptions are made and specifically state the grounds for those exceptions, and

3. be sent to each of the parties who appeared or their attorneys.

II.
BRIEFS

A. Any briefs in support of exceptions to the proposed decision shall be filed with the Director at the same time that party's exceptions are filed with the Director.

B. All response briefs to the exceptions must be filed with the Director within 15 days after the exceptions were responding party.

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III.

A. No oral arguments before the Director on the proposed decision will be held unless specifically requested by a party filing exceptions to the proposed decision and unless that request is filed with the Director concurrently with the filing of that party's exception.

B. If oral arguments have been properly requested by a party filing exceptions, any other party, upon reasonable notice to the Director, shall have the right to present oral argument in response to the exceptions filed.

C. Oral arguments before the Director on exceptions to the proposed decision shall be heard at the discretion of the Director, pursuant to Idaho Code, §42-1701A. If oral arguments are to be heard, the Director will, within a reasonable time, notify each party of the place, date and hour the oral arguments will take place and of the period of time allocated for the arguments of this case. Unless the Director orders otherwise, all oral arguments shall be heard in Boise, Idaho.

IV.

CERTIFICATE OF SERVICE

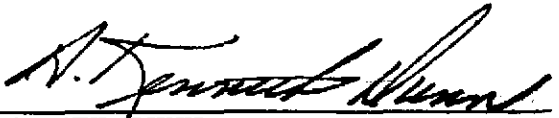
All exceptions, briefs, requests oral arguments and other matters filed with the Director in connection with the proposed decision shall be served on all other parties to these proceedings in accordance with Rule 7.2.

V.

FINAL DECISION

Following the submission of all exceptions, briefs and oral arguments, if they are heard, the Director shall issue a final decision adopting, modifying or rejecting and replacing the proposed decision. Copies of the decision and order shall be served on all parties.

Dated this 20th day of APRIL, 1987.

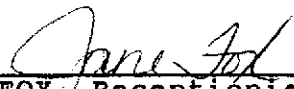

A. KENNETH DUNN
Director

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JUN 29 1988



I hereby certify that on the 20th of April, 1987, I sent copies of the Proposed Memorandum Decision and Order and the Order Issuing Proposed Memorandum Decision to the following people:


JANE FOX, Receptionist

Water Resource Board
Gene Gray

Water Resource Board
Dave Rydalch

Dept. of Fish & Game
Steve Goddard
600 South Walnut
Boise, ID 83706

Board of Power County Commissioners
c/o L. R. Schou
P.O. Box 70
American Falls, ID 83211

Melvin R. Munk
P.O. Box 325
Rockland, ID 83271

Clifford E. Nelson
Rockland, ID 83271

Melvin Nelson
Power County Field & Stream Committee
P.O. Box 334
Rockland, ID 83271

Merrill E. Walker
Bench Ditch
Rockland, ID 83271

Jeff Allen
Rockland, ID 83271

James Robison, Watermaster
P.O. Box 157
Rockland, ID 83271

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JUN 29 1988

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

IN THE MATTER OF APPLICATION FOR PERMIT)
NO. 41-7046 TO ESTABLISH A MINIMUM STREAM)
FLOW IN THE EAST FORK ROCK CREEK IN THE)
NAME OF THE IDAHO WATER RESOURCE BOARD)
_____)

PROPOSED
MEMORANDUM DECISION
AND ORDER

On January 16, 1980, at the request of the Power County Commissioners, the Idaho Water Resource Board (Board) filed with the Department of Water Resources (Department) an application for permit to appropriate water to establish a minimum stream flow in East Fork Rock Creek, tributary to Rock Creek, Power County, Idaho. The application was filed in accordance with the provisions of Chapter 15, Title 42, Idaho Code.

Notice describing the proposed appropriation and setting the time and place for hearing was published in the Power County Press on May 14 and 21, 1980. A public hearing was held at American Falls, Idaho on June 11, 1980. Norman C. Young of the Department served as hearing officer.

Parties appearing in a formal capacity included the Board, the Idaho Department of Fish and Game, Power County Commissioners, Mr. Melvin R. Munk, Mr. Clifford E. Nelson, and Mr. Melvin Nelson, Chairman of the Power County Field and Stream Committee.

In addition, Mr. Gregory May, appeared to present views and comments as a public witness.

On June 8, 1984, the Board voted to amend Application No. 41-7046 reducing the proposed rate of diversion from 20.0 cubic feet per second (cfs) to 11.0 cfs.

On September 12, 1984, the Board filed with the Department a second

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application for permit to establish a minimum stream flow on an adjacent but different reach of East Fork Rock Creek than identified on Application for Permit No. 41-7046. The second application is identified in Department records as Application for Permit No. 41-7074.

Notice of a combined hearing for Application No. 41-7046 and Application No. 41-7074 was published on October 24 and 31, 1985, in the Times News, Idaho Statesman, Lewiston Morning Tribune, and Post Register and on October 16 and 23, 1985, in the Power County Press. A public hearing was held at American Falls, Idaho on November 14, 1985. Norman C. Young of the Department served as hearing officer. Parties appearing in a formal capacity included the Board, the Idaho Department of Fish and Game, Power County Commissioners, Mr. Merrill E. Walker on behalf of the Bench Ditch, and Mr. Jeff Allen. Mr. Max Newlin appeared as a public witness.

Based upon sworn testimony, documentation and public statements included in the record, and his understanding of the law, the Director of the Idaho Department of Water Resources makes the following Findings of Fact, Analysis, Conclusions of Law, and Order:

FINDINGS OF FACT

1. On January 16, 1980, the Idaho Water Resource Board filed Application for Permit No. 41-7046 to appropriate a minimum stream flow in East Fork Rock Creek (creek) tributary to Rock Creek in Power County, pursuant to provisions of Chapter 15, Title 42, Idaho Code.

2. Application for Permit No. 41-7046 proposes to appropriate a minimum stream flow in a reach of the East Fork of Rock Creek from the U.S.G.S. measuring station in the SW1/4SW1/4, Sec. 12, Twp. 10S, Rge. 31E, B.M., downstream approximately three (3) miles to the county bridge in the SW1/4SW1/4, Sec. 4, Twp. 10S, Rge. 31E, B.M. The proposed rate of flow is 20.0 cfs. This reach will

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JUN 29 1988

be referred to as the lower reach.

3. On September 12, 1984, the Board filed Application for Permit No. 41-7074 with the Department to appropriate a minimum stream flow of 11.0 cfs on a reach of the East Fork of Rock Creek adjacent to and upstream from the reach described in Application No. 41-7046.

4. The reach proposed in Application No. 41-7074 is from the springs located in Lot 1 (NWNW) Sec. 18, Twp. 10S, Rge. 32E B.M. downstream approximately one (1) mile to the U.S.G.S. measuring station located in the SW1/4SW1/4, Sec. 12, Twp. 10S, Rge. 31E B.M. This reach will be referred to as the upper reach.

5. On November 14, 1985, the Board amended Application for Permit No. 41-7046 reducing the requested rate of diversion from 20.0 cfs to 11.0 cfs.

6. The purpose of the proposed minimum stream flow appropriations for both Applications Nos. 41-7046 and 41-7074 is to maintain trout habitat in the respective reaches. The requested season of use is year around.

7. Based upon testimony of the staff of the Department, a finding is made that various water rights evidenced by licenses, decrees and permits exist with points of diversion located within the lower reach. No recorded rights exist within the upper reach. The testimony of the Board specifically provided that the minimum stream flows are not intended to interfere with the delivery of any vested water right, decree, license, permit or application. Unrecorded beneficial use rights could exist in the lower reach.

8. All rights acquired under Application Nos. 41-7046 or 41-7074 are for instream non-consumptive uses.

9. The point of diversion for the Bench Ditch, the major diversion in the lower reach, is approximately one-half mile downstream from the U.S.G.S. measuring station.

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10. The flows at the U.S.G.S. measuring station which operated during the years of 1961 through 1964 were testified to as being representative of the usual flows in the East Fork of Rock Creek.

11. Flow in the amount of 11.0 cfs is available at the U.S.G.S. measuring station 95 per cent of the time.

12. Measurements taken near the county bridge show that 11.0 cfs is usually in the stream after the irrigation diversions have diverted their rights at various points along the lower reach, since return flow from diversions and springs along the lower reach contribute to the flow of the creek.

13. Most of the land adjacent to the creek in the upper reach is owned by the State of Idaho. Approximately three quarters of a mile at the upper end of the lower reach is also owned by the State of Idaho with the remaining portion of the lower reach down to the county bridge being in private ownership.

14. Testimony repeatedly described the East Fork of Rock Creek as a unique resource in Power County that must be preserved.

15. Based upon the sworn testimony, documentation, and statements comprising the record in this matter, a finding is made that the minimum stream flows are necessary to maintain trout habitat.

16. Based upon testimony presented at the hearing, a finding is made that the benefits to be derived from the minimum stream flow applications will be enjoyed by members of the public as opposed to being limited to private use or enjoyment.

17. Based upon the testimony and evidence submitted by the Idaho Department of Fish and Game, a finding is made that the flow requested in the applications is the minimum flow required to preserve the existing unique characteristics of the creek for the public benefit and is not the ideal or most desirable flow which could be utilized for that purpose.

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18. Based upon testimony and evidence submitted concerning flow measurement data, a finding is made that the flows requested are generally capable of being maintained.

ANALYSIS

There essentially is no opposition to the minimum stream flow application in the upper reach (41-7074). The opposition to a minimum stream flow in the lower reach (41-7046) involves a property rights question, flows actually available in the creek, and a concern of tying up the resource for all time.

Several land owners adjacent to the lower reach questioned the minimum stream flow would actually be for the benefit of the public, since they controlled access to the stream. Testimony provided shows that only one land owner posted his property, but that he had granted access by permission. The other land owners have, in most cases, allowed access to the public by permission.

One land owner adjacent to the creek in the lower reach was of the opinion that a flow rate of 11.0 cfs was not available at the time diversions were being made for irrigation purposes. The only measurements available downstream from the irrigation diversions, however, were taken by another adjacent land owner. The testimony of this land owner shows that 11.0 cfs generally is available at the point measured near the lower end of the lower reach.

Concern was expressed by several land owners adjacent to the stream that establishment of a minimum stream flow would forever prevent future use of the water such as hydro power generation. The record shows, however, that the Power County Commissioners requested the applications be filed with the support of their constituents for the very purpose of maintaining a minimum flow in the

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creek to prevent future out of stream diversions such as hydro power or other uses which would interfere with maintaining the trout habitat. The record does not show there are any existing hydro power applications on either reach.

The Director is charged with determining that appropriations of water for minimum stream flow purposes are in and remain in the public interest. The opportunity must be preserved to periodically review whether a minimum stream flow remains in the public interest. A periodic review of the public interest associated with a minimum stream flow appropriation should satisfactorily address concerns such as those raised in this hearing of having the resource forever tied up in the future.

CONCLUSIONS OF LAW

1. The proposed minimum stream flow appropriation will not interfere with any vested water right, permit or application having a priority date earlier than January 16, 1980. An exception is to the application of Sec. 42-607, Idaho Code, which requires the watermaster to distribute water only to decreed, permitted or licensed rights in times of scarcity. Distribution of water to prior existing water rights established by diversion and application to a beneficial use may be interfered with in contravention of Sec. 42-1503, Idaho Code, if delivery of water to the minimum stream flow right is not subordinated to such rights.

2. The proposed minimum stream flow should not be allowed to alter historic delivery practices to valid beneficial use water rights on the East Fork Rock Creek.

3. The proposed minimum stream flow appropriation is in the public, as opposed to private, interest.

4. The proposed minimum stream flow appropriation is necessary to maintain trout habitat.

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5. The proposed minimum stream flow appropriation is the minimum flow required for the purpose cited in Conclusion of Law No. 4 and is not the ideal or most desirable flow.

ORDER

IT IS, THEREFORE, HEREBY ORDERED that Application for Permit No. 41-7046 is APPROVED subject to the following conditions:

1. Upon the future finding and order of the Director that gauging stations are required to maintain the approved minimum flow on East Fork Rock Creek, such devices shall be installed and maintained as specified by the Department.

2. Proof of instream beneficial use of the minimum stream flow shall be submitted in a manner approved by the Department within five years after the permit approval is finally effective as herein provided. The proof submitted shall include at least three years of flow data for the water course. The proposed frequency of the data accumulation must be submitted to the Director for review and approval.

3. The use of water under this permit shall be non-consumptive.

4. The use of water under this permit is subject to all prior rights.

5. Pending a general adjudication of the Rock Creek stream system, the use of water under this permit shall recognize and allow the continued beneficial diversion, both within and upstream from the minimum flow reach, of water for irrigation and other purposes under any prior existing water right established by diversion and application to a 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 the January 16, 1980 priority date of this permit.

6. The Director retains jurisdiction to ~~review~~ and amend any and all

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parameters of this permit and subsequent license. Prior to undertaking a review of the water right, the Director shall identify the reasons for exercising retained jurisdiction under this condition, and give notice thereof to the public generally and to specific persons or parties known by the Director to be interested. The Director shall thereafter conduct a hearing for the purpose of determining whether the minimum stream flow should be modified or amended in the public interest. The burden of proof at the hearing shall be upon the person or party seeking to establish that a particular parameter of the water right should be modified or amended to satisfy the public interest. Review of the water right under this condition may not occur prior to 15 years after issuance of either the permit or the license.

7. The application hereby approved by the Director shall be submitted to the Idaho Legislature by the fifth day of the next regular legislative session and the Directors's approval shall not become finally effective until approved by the Legislature pursuant to the procedure provided by Section 42-1503, Idaho Code.

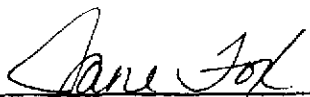
Dated this 9TH day of APRIL, 1987.


NORMAN C. YOUNG
Hearing Officer

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JUN 29 1988

I hereby certify that on the 15th of April, 1987, I sent copies of the Proposed Memorandum Decision and Order to the following people:


JANE FOX, Receptionist

Water Resource Board
Gene Gray

Water Resource Board
Dave Rydalch

Dept. of Fish & Game
Steve Goddard
600 South Walnut
Boise, ID 83706

Board of Power County Commissioners
c/o L. R. Schou
P.O. Box 70
American Falls, ID 83211

Melvin R. Munk
P.O. Box 325
Rockland, ID 83271

Clifford E. Nelson
Rockland, ID 83271

Melvin Nelson
Power County Field & Stream Committee
P.O. Box 334
Rockland, ID 83271

Merrill E. Walker
Bench Ditch
Rockland, ID 83271

Jeff Allen
Rockland, ID 83271

James Robison, Watermaster
P.O. Box 157
Rockland, ID 83271

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JUN 29 1988

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

Department of Water Resources
Southern District Office

1. Name of applicant Idaho Water Resource Board Phone 334-4440

Post office address Statehouse Boise, Idaho 83720

2. Source of water supply East Fork Rock Creek which is a tributary of Rock Creek

3. Location of point of diversion is SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 4 Township 10S

Range 31E B.M. Power County, additional points of diversion if any: _____

Point where water is to be left in the stream is the county road bridge in the above quarter section.

4. Water will be used for the following purposes:

11.0 F.D.R. 11/14/85
Amount 20 for Instream Flow purposes from Jan. 1 to Dec. 31 (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)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated:

11.0 F.D.R. 11/14/85
a. 20 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. None required, water for minimum flow to protect present stream fish population.

b. Height of storage dam _____ feet, active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet, materials used in storage dam: _____

Period of year when water will be diverted to storage _____ to _____ inclusive.
(Month/Day) (Month/Day)

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

7. Time required for the completion of the works and application of the water to the proposed beneficial use is _____ years (minimum 1 year — maximum 5 years).

8. Description of proposed uses: Water to be left in the stream at the county road bridge at

a. If water is not for irrigation: the following location:

(1) Give the place of use of water: SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 4 Township 10S

Range 31E B.M.

(2) Amount of power to be generated: _____ horsepower under _____ feet of head.

(3) List number of each kind of livestock to be watered _____

(4) Name of municipality to be served _____, or number of families to be supplied with domestic water _____

(5) If water is to be used for other purposes describe: To maintain trout habitat from the point of requested flow upstream to the spring which is the source of water for the East Fork Rock Creek.

b. If water is for irrigation, indicate acreage in each subdivision in the tabulation below:

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 _____

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

9. a. Who owns the property at the point of diversion _____

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

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing No diversion required, water to be left for instream flows.

10. Remarks East Fork Rock Creek contains an excellent population of wild rainbow trout.

In addition because it is an extremely popular fishing stream, it is also planted by the Idaho Department of Fish and Game. It is the only small fishing stream in Power County. In many sections the stream flows adjacent to public land, thereby permitting public access.

This application is to maintain water flows in this stream to protect its fish population for the benefit of all area anglers.

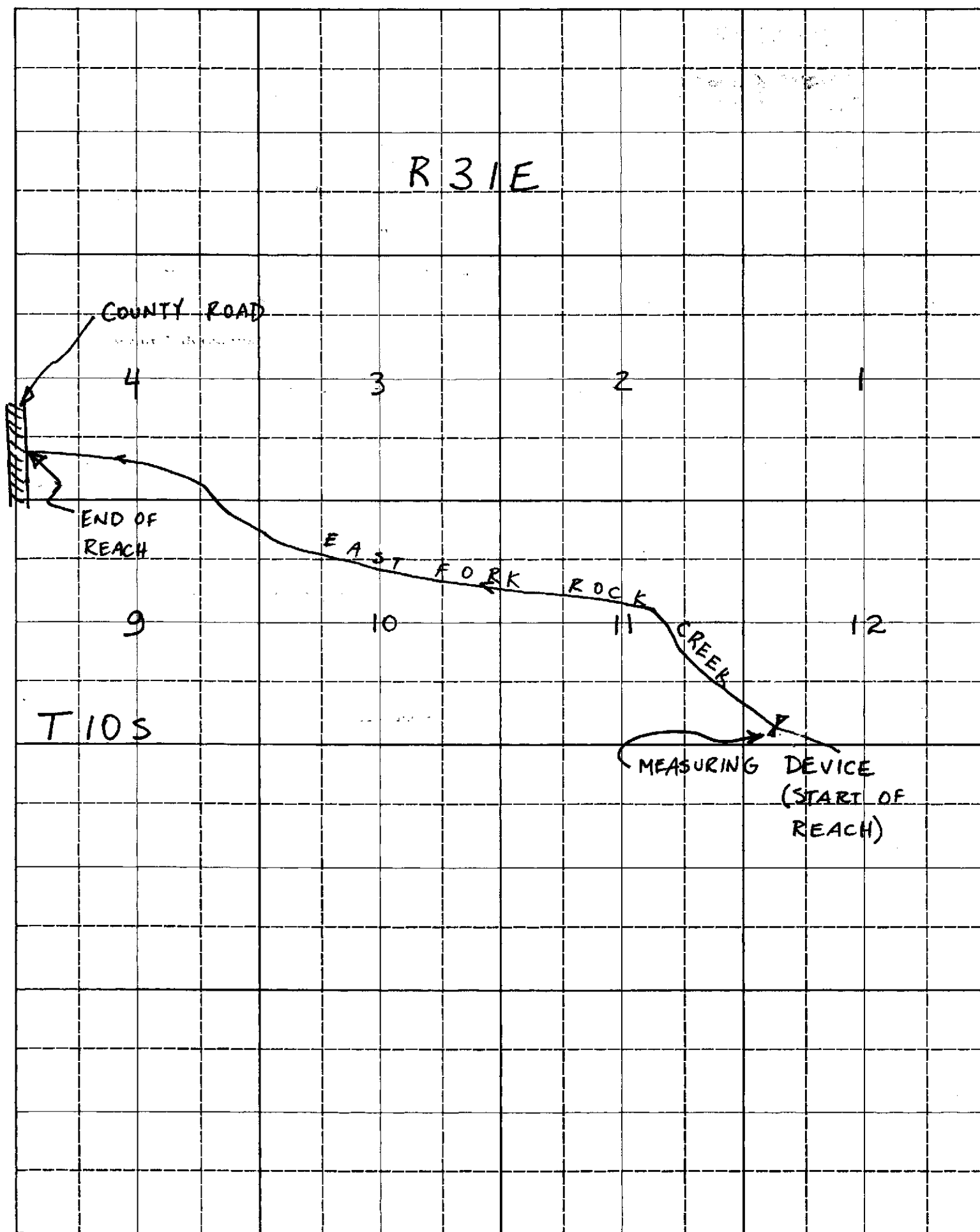
11.0 E.D.R. 11/4/85

A minimum stream flow of 20 cfs is requested for the entire reach from the measuring station in SW¼SW¼, Sec. 12, Twp. 10S, Rge. 31E, to the county bridge in SW¼SW¼, Sec. 4, Twp. 10S, Rge. 31E.

11.0 E.D.R. 11/4/85

JUN 29 1985

11. 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.

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JUN 29 1988

Joe Nettleton
Joe Nettleton
(Applicant)

Chairman, Water Resource Board

Received by marpa DRT Date 1-23-80 Time 11:30 am
Preliminary check by DRT ✓ Fee \$ 0
Receipted by — Date —
Publication prepared by marpa Date 5/2/80
Published in power county press
Publication dates 5/15 + 5/22/80
Publication approved marpa Date 5/12/80
Protests filed by: —
—
—
Copies of protests forwarded by —
Hearing held by — Date —
Recommended for approval denial by —

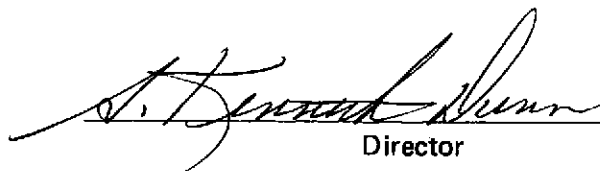
ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 41-7046, and said application is hereby APPROVED.

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 February 1, 19 93.
- 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. Other: Pursuant to PROPOSED MEMORANDUM DECISION AND ORDER and ORDER ADOPTING PROPOSED MEMORANDUM DECISION AND ORDER
—
—
—

Witness my hand this 24 day of June, 19 87.


Director

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JUN 29 1988

NAME OF STREAM: East Fork Rock Creek

LEGAL DESCRIPTION OF THE POINT OF THE STREAM WHERE STREAM FLOW IS REQUESTED:

In Power County, SE $\frac{1}{4}$, Section 4, Township 10 S., Range 31 E., B. M. Point where water is to be left in the stream is the county road bridge in the above quarter section.

THE PROPOSED STREAM FLOW IN CUBIC FEET PER SECOND: ^{11.0 F.D.R. 11/14/85} ~~20~~ cfs.

THE PURPOSE FOR WHICH THE MINIMUM STREAM FLOW IS PROPOSED:

To maintain trout habitat from the point of requested flow upstream to the spring source.

THE PERIOD OF TIME OR SEASON OF YEAR DURING WHICH APPROPRIATIONS IS PROPOSED:

All year

EVIDENCE THAT THE APPROPRIATION WILL NOT INTERFERE WITH ANY VESTED WATER RIGHT, PERMIT OR WATER APPLICATION OF EARLIER DATE OF PRIORITY:

The above requested flow is for instream nonconsumptive use and will be subject to all vested water rights, permits or water applications of earlier dates of priority.

EVIDENCE THAT THE APPROPRIATION WOULD BE IN THE PUBLIC INTEREST AS OPPOSED TO PRIVATE INTEREST:

The East Fork Rock Creek supports a high quality rainbow trout fishery. The requested instream water right will be held in trust for the people of Idaho by the Idaho Water Resource Board.

EVIDENCE OR JUSTIFICATION THAT THE APPROPRIATION IS NECESSARY FOR THE PURPOSES AS SHOWN ABOVE:

During 1975, personnel of the Idaho Department of Fish and Game collected field data for use with instream flow methodologies in determining flows for fish and wildlife resources. Methodologies, techniques and flow recommendations are presented in the following publication:

Cochnauer, Tim. 1976. Stream Flow Investigations--Stream Resource Maintenance Flow Determinations on Idaho Streams. Job Performance Report. Project F-69-R-1, Job II. Idaho Department of Fish and Game. 44 pp.

EVIDENCE THAT THE REQUESTED FLOW IS MINIMUM AND NOT THE IDEAL OR MOST DESIRABLE FLOW:

^{11.0 F.D.R. 11/14/85}
The ideal flow would probably be more than ~~20~~ cfs.; however, the exact amount is not known at this time.

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EVIDENCE THAT THE REQUESTED FLOW IS CAPABLE OF BEING MAINTAINED AS EVIDENCED BY
RECORDS OF STREAM FLOW:

Flow records are available from the gage station described below.

LOCATION OF EXISTING GAGING STATION THAT CAN BE USED IN THE ADMINISTRATION OF
THIS APPROPRIATION:

Gage Station No. 13077600, Power County, S. W. $\frac{1}{4}$, SW $\frac{1}{4}$, Section 12, Township 10 S.,
Range 31 E.

RECEIVED

JUN 29 1988

Affidavit of Publication

STATE OF IDAHO

COUNTY OF POWER

} s.s.

Robert Crompton

being first duly sworn

on oath, states:

That he is the publisher of the Power County Press, a newspaper of general circulation in Power County, Idaho, published weekly at American Falls in said County; that said newspaper has been published in said County uninterruptedly and continuously for over seventy-eight consecutive weeks, prior to the first publication of the annexed notice or advertisement:

That the annexed notice or advertisement was published as per clipping attached in the regular and entire edition of said

newspaper and not in any supplement thereof for 2 successive weekly issues thereof, the date of the first publication being the 14th day of May, 1980

the date of last publication being the

21st day of May, 1980

(Signed)

Subscribed and sworn to before me this

21st day of May, 1980

Notary Public, residing at American Falls, Idaho.

My Commission expires the

(SEAL)

20 day of April, 1982

Legal Notice

Published in The Power County Press May 14, and May 21, 1980

NOTICE OF APPLICATION FOR MINIMUM STREAM FLOW

Notice is hereby given that the Idaho Water Resource Board has on December 12, 1979, submitted an application for permit to the Department of Water Resources proposing the appropriation of water to preserve the minimum streamflow from the East Fork Rock Creek tributary of Rock Creek and further described as follows:

APPLICATION NO. 41-7046

Reach of minimum stream flow: From county bridge in SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 4, T. 10S, R. 31E, upstream 3 miles to SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 12, T. 10S, R. 31E.

Rate of flow: 20 cubic feet per second.

Season of use: January 1 to December 31

Use: To maintain trout habitat

The Director of the Department of Water Resources will hold a public hearing on the application at 1:00 p.m., on Wednesday, June 11, 1980, at the Production Credit Association office, 127 Idaho Street, American Falls, Idaho, for the purpose of hearing evidence in regard to the application. The hearing will be held pursuant to the provisions of Sec. 42-1503, Idaho Code.

If issued, these permits will be subject to all prior water rights. Any party who wishes to formally appear in this proceeding for the purpose of presenting evidence or cross examining witnesses should file a notice of appearance with the Director, Department of Water Resources, Statehouse, Boise, Idaho, 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.

Protests against the granting of any permit must be filed with the Director, Idaho Department of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho 83301 on or before June 10, 1980.

Department of Water Resources
Southern District Office

JUN 29 1988

RECEIVED

Request

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant Idaho Water Resource Board Phone 384-2215

Post office address Statehouse, Boise, Idaho 83720

2. Source of water supply East Fork Rock Creek which is a tributary of Rock Creek

3. Location of point of diversion is SE ^{SW} $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 4 Township 10 S.

Range 31E. B.M. Power County, additional points of diversion if any: _____

Point where water is to be left in the stream is the county road bridge in the above quarter section.

4. Water will be used for the following purposes:

Amount 20 for Instream flow purposes from Jan. 1 to Dec. 31 (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)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated:

a. 20 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. None required, water for minimum flow to protect present stream fish population.

b. Height of storage dam _____ feet, active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet, materials used in storage dam: _____

Period of year when water will be diverted to storage _____ to _____ inclusive.
(Month/Day) (Month/Day)

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

7. Time required for the completion of the works and application of the water to the proposed beneficial use is _____ years (minimum 1 year - maximum 5 years).

8. Description of proposed uses: Water to be left in the stream at the county road bridge at the following location:

a. If water is not for irrigation, following location:

(1) Give the place of use of water: SE ^{SW} $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 4 Township 10 S.
Range 31E. B.M.

(2) Amount of power to be generated: _____ horsepower under _____ feet of head.

(3) List number of each kind of livestock to be watered _____

(4) Name of municipality to be served _____, or number of families to be supplied with domestic water _____

(5) If water is to be used for other purposes describe: To maintain trout habitat from the point of requested flow upstream to the spring which is the source of water for the East Fork Rock Creek.

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JUN 29 1988

b. If water is for irrigation, indicate acreage in each subdivision in the tabulation below: Water is for instream flow to protect trout.

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 _____

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

9. a. Who owns the property at the point of diversion _____

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

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing No diversion required, water to be left for instream flows.

10. Remarks East Fork Rock Creek contains an excellent population of wild rainbow trout. In addition, because it is an extremely popular fishing stream, it is also planted by the Idaho Department of Fish and Game. It is the only small fishing stream in Power County. In many sections the stream flows adjacent to public land, thereby permitting public access.

Recently a commercial trout hatchery has been proposed for this stream and a water right applied for. Depending on its location, design, capacity and water required, this trout hatchery could have a deleterious affect on the stream's trout population. This application is an attempt to maintain water flows in this stream to protect its fish population for the benefit of all area anglers.

A minimum streamflow of 20 c.f.s. is requested for the entire reach from the measuring station in SW¼ SW¼ S.12 T 10 S, R 31 E, to the county bridge in SW¼ SW¼ S.4 T 10 S, R 31 E.

JUN 29 1988

Received by _____ Date _____ Time _____
Preliminary check by _____ Fee \$ _____
Receipted by _____ Date _____
Publication prepared by _____ Date _____
Published in _____
Publication dates _____
Publication approved _____ Date _____
Protests filed by: _____

Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial by _____

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. Other: _____

Witness my hand this _____ day of _____, 19 ____.

Director

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JUN 29 1988

NOTICE OF
APPLICATION FOR
MINIMUM
STREAMFLOW

Notice is hereby given that the Idaho Water Resource Board submitted two (2) applications for permit to the Department of Water Resources proposing the appropriation of water to preserve the minimum streamflows from the following creek tributary to Rock Creek and further described as follows:

APPLICATION
No. 41-7046

Date Filed: December
12, 1979

Source: East Fork
Rock Creek tributary of
Rock Creek.

Point of Minimum
Streamflow: SWSW,
Sec. 4, T10S, R31E,
B.M., Power County.
Point where water is to
be left in the stream is
the county road bridge
in the above tract.

Rate of Flow: 20 cubic
feet per second.

Season of Use:
January 1 to December
31.

Use: To maintain trout
habitat.

APPLICATION No. 41-
7074.

Date Filed: September
12, 1984.

Source: East Fork
Creek tributary of Rock
Creek.

Point of Minimum
Streamflow: Reach
begins in the SWSW,
Sec. 12, T10S, R31E; and
extends upstream to the
springs in Lf1 (NWNW),
Sec. 18, T10S, R32E,
B.M., Power County.

Rate of Flow: 11.0
cubic feet per second.

Season of Use:
January 1 to December
31.

Use: To maintain trout
habitat.

The Director of the
Department of Water
Resources will hold a
public hearing on the
above applications at
9:30 a.m., on Thursday,
November 14, 1985, at
the Power County Cour-
thouse, County Com-
missioners' room, 543
Bannock Street,
American Falls, Idaho,
for the purpose of hear-
ing evidence in regard
to the applications. The
hearing will be held pur-
suant to the provisions
of Sec. 42-1503, IDAHO
CODE.

If issued, these per-
mits will be subject to all
prior water rights. Any
party who wishes to
formally appear in this
proceeding for the pur-
pose of presenting
evidence or cross ex-
amining witnesses
should file a notice of
appearance with the
Director, Department of
Water Resources,
Statehouse, Boise,
Idaho 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 ap-
pearance.

A KENNETH DUNN
Director

PUBLISH: Thursday, Oc-
tober 24 and 31.

Affidavit of Publication

STATE OF IDAHO,
COUNTY OF TWIN FALLS

ss.

Department of Water Resources

No. 15618

I, Linda Copps McQuinn, being first duly sworn upon
oath, depose and say that I am Print Clerk of the TIMES-NEW
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

October 24, 1985, and ending with the issue dated
October 31, 1985.

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 com-
petent 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 there-
of, Thursday is announced as the day on which said legal notices will be published.

Linda Copps McQuinn
Subscribed and sworn to before me on this 31 day of
October, 1985.

Deanna House
Notary Public in and for the County of Twin Falls,
State of Idaho, residing at Twin Falls, Idaho



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

September 18, 1995

STATE OF IDAHO
IDAHO WATER RESOURCE BOARD
STATEHOUSE
BOISE ID 837200000

RE: WATER RIGHT NO. 41-07046

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

RECORDED

OCT 04 1995

RIGHT NO. 41-07046

4/28/92

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

3 yrs

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



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

December 29, 1992

William Platts
Idaho Water Resource Board
1301 North Orchard
Statehouse Mail
Boise, ID 83720

Re: Permit to appropriate minimum streamflow no. 41-07046; East
Fork Rock Creek

Dear Mr. Platts:

The Department acknowledges receipt of the proof of beneficial
use form submitted for the above referenced permit. Department
staff have also reviewed three years of flow data and find the data
is supportive of the minimum streamflow permitted.

No further field examination or data is required. A license
for the minimum streamflow will be issued.

Sincerely,


Gary Spackman

C: Power County Commission
Will Reid, Idaho Dept of Fish & Game

RECEIVED

OCT 04 1995

MEMORANDUM

TO: FILE 41-7046

FROM: GEORGE AUSTIGUY GA

DATE: SEPTEMBER 23, 1992

RE: MINIMUM STREAMFLOW DATA

Existing stream flow data for the East Fork of Rock Creek for the years of record has been attached to File 41-7046. Data indicates a minimum stream flow of 11 cfs has been met for the years of record.

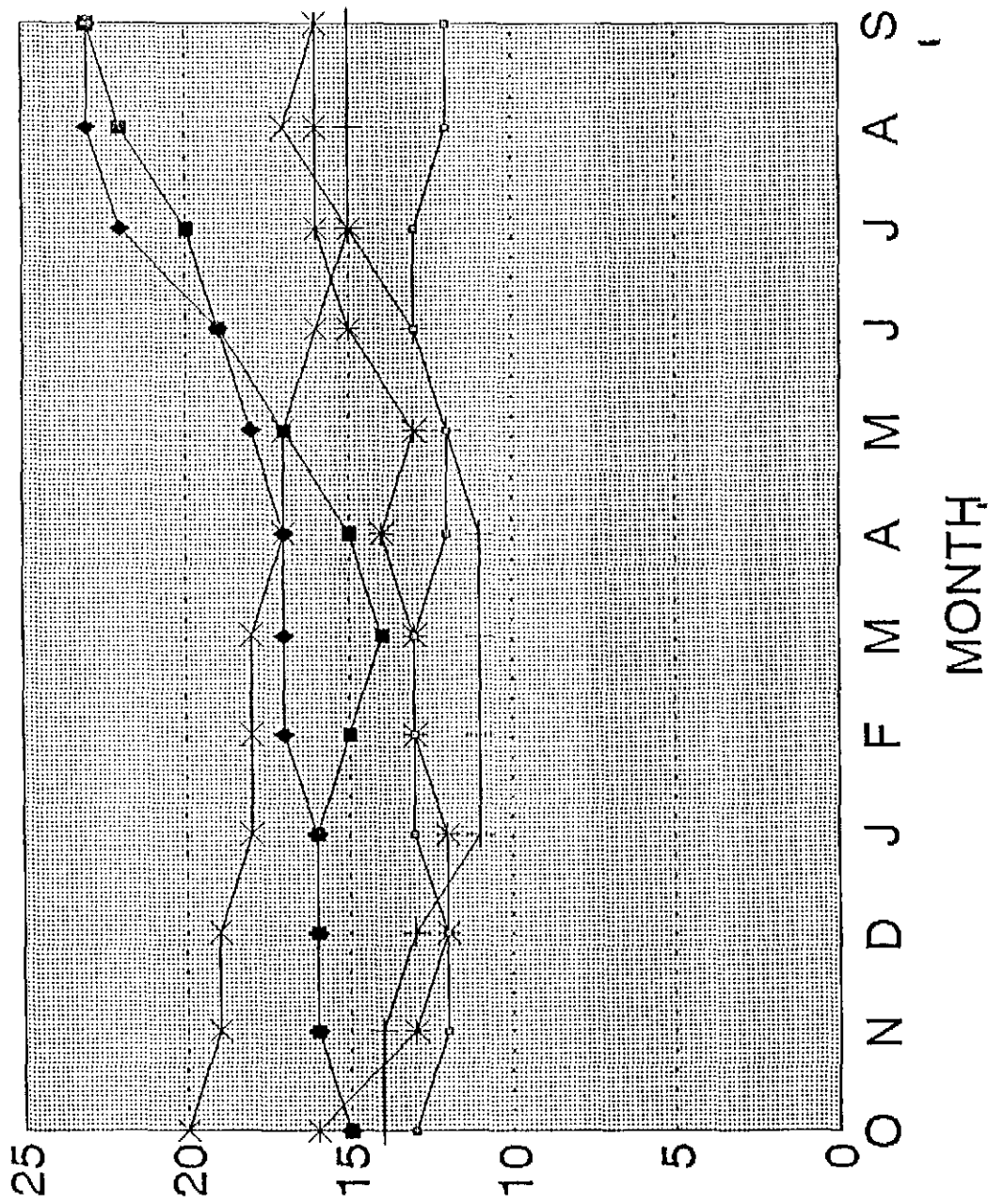
MICROFILMED

OCT 04 1995

EAST FORK OF ROCK CREEK

MINIMUM STREAM FLOW (CFS)

WATER RESOURCES DIVISION
 OCT 04 1985



5-NOV-1961
OCT 04 1961

13077600 EAST FORK ROCK CREEK NR ROCKLAND
DISCHARGE, CUBIC FEET PER SECOND, WATER YEAR OCTOBER 1961 TO SEPTEMBER 1962
MEAN VALUES

DAY	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP
1	14	14	14	13	11	13	11	12	13	15	16	15
2	14	14	14	13	11	13	11	12	13	15	16	15
3	14	14	14	13	11	13	11	12	13	15	16	15
4	14	14	14	13	11	12	11	12	13	15	16	15
5	14	14	14	13	12	12	11	12	13	15	16	15
6	14	14	14	13	11	12	11	12	13	15	16	15
7	14	14	13	14	12	12	11	12	13	15	16	15
8	14	14	14	13	12	12	11	12	13	15	16	16
9	14	14	13	12	12	12	11	12	13	15	16	16
10	14	14	13	12	14	12	11	12	14	15	16	16
11	14	14	13	12	13	12	11	12	14	15	16	16
12	14	14	13	12	12	12	11	12	14	15	16	15
13	14	14	13	11	12	12	11	12	14	15	16	15
14	14	14	13	11	12	12	11	12	14	15	16	15
15	14	14	13	11	12	12	11	12	14	15	16	15
16	14	14	13	11	12	12	11	12	14	15	16	15
17	14	14	13	11	12	12	11	12	14	15	16	15
18	14	14	13	12	12	13	11	12	14	15	16	15
19	14	14	13	12	12	13	11	12	14	15	16	15
20	14	14	14	11	12	13	11	12	14	15	16	15
21	14	14	14	11	12	13	11	12	14	15	16	15
22	14	14	14	11	12	13	11	12	14	15	16	15
23	14	14	14	11	12	13	11	12	14	15	16	15
24	14	14	14	12	13	13	11	12	15	15	16	16
25	14	14	14	12	13	13	11	12	15	15	16	16
26	14	14	14	11	12	13	11	12	14	15	15	16
27	14	14	14	11	12	13	11	12	14	15	15	16
28	14	14	14	11	13	12	12	13	15	15	15	16
29	14	14	14	11	13	12	12	13	15	15	15	16
30	14	14	14	11	---	11	12	12	15	16	15	16
31	14	---	14	11	---	11	---	13	---	16	15	---
TOTAL	434	420	422	366	339	387	334	376	419	467	490	464
MEAN	14	14	14	12	12	12	11	12	14	15	16	15
MAX	14	14	14	14	14	15	12	13	15	16	16	16
MIN	14	14	13	11	11	11	11	12	13	15	15	15
AC-FT	861	833	837	726	672	768	662	746	831	926	972	920
			TOTAL	4918	MEAN	13	AC-FT	9754				

NOV-91 10 100
 1962
 1962

13077600 EAST FORK ROCK CREEK NR ROCKLAND
 DISCHARGE, CUBIC FEET PER SECOND, WATER YEAR OCTOBER 1962 TO SEPTEMBER 1963
 MEAN VALUES

DAY	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP
1	16	15	13	13	21	13	14	14	15	16	16	17
2	16	15	13	13	14	13	14	13	15	16	16	17
3	16	15	13	13	14	13	14	14	15	16	16	17
4	16	15	13	13	14	13	14	14	15	16	16	17
5	16	15	13	13	14	13	14	14	15	16	16	17
6	16	15	13	13	13	13	18	14	15	16	16	17
7	16	15	13	13	14	13	16	14	15	16	16	17
8	16	15	13	13	14	13	14	14	15	16	16	17
9	16	15	12	13	14	13	14	14	15	16	16	16
10	16	15	12	13	13	13	14	14	16	16	16	16
11	16	15	12	13	13	13	14	14	15	16	16	16
12	16	15	12	13	13	13	14	14	15	16	16	16
13	16	15	12	13	13	13	14	14	15	16	16	16
14	16	15	12	13	13	14	14	14	15	16	16	16
15	16	15	12	13	13	14	14	14	15	16	16	16
16	16	14	12	13	13	14	14	14	15	16	16	16
17	16	14	12	13	13	14	14	14	15	16	16	16
18	16	14	12	13	14	14	14	14	15	16	16	16
19	16	14	12	13	14	14	14	14	15	16	16	16
20	16	14	12	13	14	14	14	14	15	16	16	16
21	16	14	12	13	14	14	14	14	15	16	16	16
22	16	13	12	12	14	15	14	14	15	16	16	16
23	16	13	12	12	14	16	14	14	15	16	16	16
24	16	13	13	12	14	14	14	14	15	16	16	16
25	16	13	13	12	14	14	14	14	15	16	16	16
26	16	13	13	12	15	14	14	14	16	16	16	16
27	16	13	13	12	14	14	14	14	16	16	16	16
28	16	13	13	12	13	16	14	14	16	16	16	16
29	16	13	13	12	---	14	14	14	16	16	16	16
30	16	13	13	12	---	14	14	14	16	16	16	16
31	16	---	13	17	---	14	---	15	---	16	17	---
TOTAL	496	426	388	398	390	426	427	434	456	496	508	489
MEAN	16	14	13	13	14	14	14	14	15	16	16	16
MAX	16	15	13	17	21	16	18	15	16	16	17	17
MIN	16	13	12	12	13	13	14	13	15	16	16	16
AC-PT	984	845	770	789	774	845	847	861	904	984	1000	970

WATER YEAR 1963 TOTAL 5334 MEAN 15 AC-PT 10600

13077600 EAST FORK ROCK CREEK NR ROCKLAND
DISCHARGE, CUBIC FEET PER SECOND, WATER YEAR OCTOBER 1963 TO SEPTEMBER 1964
MEAN VALUES

13077600

EAST FORK ROCK CREEK NR ROCKLAND

DISCHARGE, CUBIC FEET PER SECOND, WATER YEAR OCTOBER 1963 TO SEPTEMBER 1964

MEAN VALUES

DAY	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG
1	16	16	16	16	16	15	15	16	18	20	22
2	16	16	16	16	16	15	15	16	18	20	22
3	16	16	16	16	15	15	15	16	18	20	22
4	16	16	16	16	15	15	15	16	18	20	22
5	16	16	16	16	15	15	15	16	18	20	22
6	16	16	16	16	15	15	15	16	18	20	22
7	16	16	16	16	15	15	15	16	19	20	22
8	16	16	16	16	15	15	15	16	18	20	22
9	16	16	16	16	15	14	15	16	18	20	22
10	16	16	16	16	15	14	16	16	18	20	22
11	16	16	16	16	15	14	15	16	18	20	22
12	16	16	16	16	15	14	15	16	19	20	22
13	15	16	16	16	15	14	15	16	18	20	22
14	16	16	16	16	15	14	15	17	18	20	22
15	15	16	16	16	15	14	15	17	18	20	22
16	15	16	16	16	15	14	15	17	19	20	22
17	15	16	16	16	15	14	15	17	20	20	22
18	15	16	16	16	15	14	15	17	19	20	22
19	15	16	16	16	15	14	15	17	18	20	22
20	15	16	16	16	15	14	15	17	18	20	22
21	15	16	16	16	15	14	15	17	19	21	22
22	15	16	16	16	15	14	15	17	19	21	22
23	15	16	16	16	15	14	15	17	19	21	22
24	15	16	16	16	15	14	15	18	19	21	22
25	15	16	16	16	15	14	15	18	19	21	22
26	15	16	16	16	15	14	15	18	19	21	22
27	15	16	16	16	15	14	15	18	19	21	22
28	15	16	16	16	15	15	15	18	19	22	22
29	15	16	16	16	15	15	15	18	19	22	22
30	15	16	16	16	---	15	15	18	19	22	22
31	15	---	16	16	---	15	---	18	---	22	22
TOTAL	478	480	496	496	437	446	451	522	556	635	682
MEAN	15	16	16	16	15	14	15	17	19	20	22
MAX	16	16	16	16	16	15	16	18	20	22	22
MIN	15	16	16	16	15	14	15	16	18	20	22
C-FT	948	952	984	984	867	885	895	1000	1100	1300	1400

5-NOV-91

13077600 EAST FORK ROCK CREEK NR ROCKLAND
DISCHARGE, CUBIC FEET PER SECOND, WATER YEAR OCTOBER 1977 TO SEPTEMBER 1978
MEAN VALUES

DAY	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP
1	---	---	---	---	---	---	---	---	---	---	---	---
2	---	---	---	---	---	---	---	---	---	---	---	---
3	---	---	---	---	---	---	---	---	---	---	---	---
4	---	---	---	---	---	---	---	---	---	---	---	---
5	---	---	---	---	---	---	---	---	---	---	---	---
6	---	---	---	---	---	---	---	---	---	---	---	---
7	---	---	---	---	---	---	---	---	---	---	---	---
8	---	---	---	---	---	---	---	---	---	---	---	---
9	---	---	---	---	---	---	---	---	---	---	---	---
10	---	---	---	---	---	---	---	---	---	---	---	---
11	---	---	---	---	---	---	---	---	---	---	---	---
12	---	---	---	---	---	---	---	---	---	---	---	---
13	---	---	---	---	---	---	---	---	---	---	---	---
14	---	---	---	---	---	---	---	---	---	---	---	---
15	---	---	---	---	---	---	---	---	---	---	---	---
16	---	---	---	---	---	---	---	---	---	---	---	---
17	---	---	---	---	---	---	---	---	---	---	---	---
18	---	---	---	---	---	---	---	---	---	---	---	---
19	---	---	---	---	---	---	---	---	---	---	---	---
20	---	---	---	---	---	---	---	---	---	---	---	---
21	---	---	---	---	---	---	---	---	---	---	---	21
22	---	---	---	---	---	---	---	---	---	---	---	21
23	---	---	---	---	---	---	---	---	---	---	---	21
24	---	---	---	---	---	---	---	---	---	---	---	21
25	---	---	---	---	---	---	---	---	---	---	---	---
26	---	---	---	---	---	---	---	---	---	---	---	21
27	---	---	---	---	---	---	---	---	---	---	---	21
28	---	---	---	---	---	---	---	---	---	---	---	21
29	---	---	---	---	---	---	---	---	---	---	---	21
30	---	---	---	---	---	---	---	---	---	---	---	21
31	---	---	---	---	---	---	---	---	---	---	---	---
TOTAL	999999	999999	999999	999999	999999	999999	999999	999999	999999	999999	999999	189
MEAN												21
MAX												21
MIN												21
AC-FT												375

WATER YEAR 1978 TOTAL 189 MEAN 1 AC-FT 374

OCT 04 1980

5-NOV-91

13077600 EAST FORK ROCK CREEK NR ROCKLAND
DISCHARGE, CUBIC FEET PER SECOND, WATER YEAR OCTOBER 1978 TO SEPTEMBER 1979
MEAN VALUES

DAY	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP
1	21	20	20	19	18	18	18	17	17	16	17	17
2	21	20	19	19	18	18	18	17	17	16	17	17
3	21	20	19	19	18	18	18	17	17	16	17	17
4	21	20	20	18	18	18	18	17	17	16	17	17
5	21	20	19	18	18	18	17	17	17	16	17	17
6	20	20	19	18	18	18	17	17	16	16	17	17
7	20	20	19	18	18	18	17	18	17	16	17	17
8	20	20	19	18	18	18	17	18	17	15	17	17
9	20	20	19	18	18	18	17	18	17	15	17	17
10	20	20	19	18	18	18	17	18	17	15	17	17
11	20	20	19	18	18	18	17	18	17	16	17	17
12	20	20	19	18	18	18	17	18	17	15	17	17
13	20	20	19	18	18	18	17	18	17	15	17	17
14	20	20	19	18	18	18	17	18	17	15	17	17
15	20	20	19	18	18	18	17	18	17	16	18	17
16	20	20	19	18	18	18	17	18	17	16	18	16
17	20	20	19	18	18	18	17	18	16	16	17	16
18	20	20	19	18	18	18	17	18	17	16	17	16
19	20	20	19	18	18	18	17	18	17	16	17	16
20	20	20	19	18	18	18	17	17	17	16	17	17
21	20	20	19	18	18	18	17	17	17	16	18	16
22	20	20	19	18	18	18	17	17	17	16	17	16
23	20	20	19	18	18	18	17	17	17	17	17	16
24	20	19	19	18	18	18	17	17	16	17	17	16
25	20	19	19	18	18	18	17	17	16	17	17	16
26	20	19	19	18	18	18	17	17	16	17	17	16
27	20	19	19	18	18	18	17	17	16	17	17	16
28	20	19	19	18	18	18	17	17	16	17	17	16
29	20	19	19	18	18	18	17	17	16	17	17	16
30	20	20	19	18	18	18	17	17	16	17	17	16
31	20	---	19	18	18	18	---	17	---	17	17	---
TOTAL	625	594	591	561	504	558	514	540	501	499	531	496
MEAN	20	20	19	18	18	18	17	17	17	16	17	17
MAX	21	20	20	19	18	18	18	18	17	17	18	17
MIN	20	19	19	18	18	18	17	17	16	15	17	16
AC-FT	1200	1200	1200	1100	1000	1100	1000	1100	994	990	1100	984
				6514	MEAN	18	AC-FT	12900				
			TOTAL									
			WATER YEAR 1979									

007 04 1993

5-NOV-91

13077600 EAST FORK ROCK CREEK NR ROCKLAND
DISCHARGE, CUBIC FEET PER SECOND, WATER YEAR OCTOBER 1979 TO SEPTEMBER 1980
MEAN VALUES

DAY	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP
1	16	16	17	16	17	17	17	18	19	22	24	24
2	16	16	17	16	17	17	17	18	20	22	24	24
3	16	16	17	16	17	17	17	18	20	22	24	24
4	16	16	17	16	17	17	17	18	19	22	24	24
5	16	16	17	16	17	17	17	18	19	22	24	24
6	16	16	17	16	17	17	17	18	20	23	24	24
7	16	16	17	16	17	17	17	18	20	23	24	24
8	16	16	17	16	17	17	17	18	20	23	24	24
9	16	16	17	16	17	17	17	18	20	23	24	24
10	16	16	17	16	17	17	17	18	20	23	24	24
11	16	16	17	16	17	17	17	18	20	23	24	24
12	16	17	17	16	17	17	17	18	20	23	23	24
13	16	17	17	16	17	17	17	18	20	23	23	24
14	16	17	17	16	17	17	17	18	20	23	23	24
15	16	17	17	16	17	17	17	18	20	23	23	24
16	16	17	17	16	17	17	17	19	20	23	23	24
17	16	17	17	17	17	17	17	19	21	23	23	24
18	16	17	17	17	17	17	17	18	21	24	23	24
19	16	17	17	17	18	17	18	18	21	24	24	24
20	16	17	17	17	18	17	17	18	21	24	24	24
21	16	17	16	17	17	17	17	18	21	24	24	24
22	16	17	16	17	17	17	17	18	21	24	24	24
23	16	17	16	17	17	17	17	19	21	24	24	24
24	16	17	16	17	17	17	17	19	21	24	24	24
25	16	17	16	17	17	17	17	19	21	24	24	23
26	16	17	16	17	17	17	17	19	21	24	24	23
27	16	17	16	17	17	17	18	19	21	24	24	23
28	16	17	16	17	17	17	18	19	22	24	24	23
29	16	17	16	17	17	17	18	19	22	24	24	23
30	16	17	16	17	---	17	18	19	22	24	24	23
31	16	---	16	17	---	17	---	19	---	24	24	---
TOTAL	491	499	516	511	497	527	515	569	614	722	737	714
MEAN	16	17	17	16	17	17	17	18	20	23	24	24
MAX	16	17	17	17	19	17	18	19	22	24	24	24
MIN	15	16	16	16	17	17	17	18	19	22	23	23
AC-FT	974	990	1000	1000	986	1000	1000	1100	1200	1400	1500	1400
WATER YEAR 1980	TOTAL											
	6912 MEAN 19 AC-FT 13700											

OCT 04 1980

5-NOV-91

13077600 EAST FORK ROCK CREEK NR ROCKLAND
DISCHARGE, CUBIC FEET PER SECOND, WATER YEAR OCTOBER 1980 TO SEPTEMBER 1981
MEAN VALUES

DAY	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	999999
1	23	---	---	---	---	---	---	---	---	---	---	---	999999
2	23	---	---	---	---	---	---	---	---	---	---	---	999999
3	23	---	---	---	---	---	---	---	---	---	---	---	999999
4	23	---	---	---	---	---	---	---	---	---	---	---	999999
5	23	---	---	---	---	---	---	---	---	---	---	---	999999
6	23	---	---	---	---	---	---	---	---	---	---	---	999999
7	23	---	---	---	---	---	---	---	---	---	---	---	999999
8	23	---	---	---	---	---	---	---	---	---	---	---	999999
9	23	---	---	---	---	---	---	---	---	---	---	---	999999
10	23	---	---	---	---	---	---	---	---	---	---	---	999999
11	23	---	---	---	---	---	---	---	---	---	---	---	999999
12	23	---	---	---	---	---	---	---	---	---	---	---	999999
13	23	---	---	---	---	---	---	---	---	---	---	---	999999
14	23	---	---	---	---	---	---	---	---	---	---	---	999999
15	24	---	---	---	---	---	---	---	---	---	---	---	999999
16	23	---	---	---	---	---	---	---	---	---	---	---	999999
17	23	---	---	---	---	---	---	---	---	---	---	---	999999
18	23	---	---	---	---	---	---	---	---	---	---	---	999999
19	---	---	---	---	---	---	---	---	---	---	---	---	999999
20	---	---	---	---	---	---	---	---	---	---	---	---	999999
21	---	---	---	---	---	---	---	---	---	---	---	---	999999
22	---	---	---	---	---	---	---	---	---	---	---	---	999999
23	---	---	---	---	---	---	---	---	---	---	---	---	999999
24	---	---	---	---	---	---	---	---	---	---	---	---	999999
25	---	---	---	---	---	---	---	---	---	---	---	---	999999
26	---	---	---	---	---	---	---	---	---	---	---	---	999999
27	---	---	---	---	---	---	---	---	---	---	---	---	999999
28	---	---	---	---	---	---	---	---	---	---	---	---	999999
29	---	---	---	---	---	---	---	---	---	---	---	---	999999
30	---	---	---	---	---	---	---	---	---	---	---	---	999999
31	---	---	---	---	---	---	---	---	---	---	---	---	999999
TOTAL	415	999999	999999	999999	999999	999999	999999	999999	999999	999999	999999	999999	999999
MEAN	23												
MAX	24												
MIN	23												
AC-FT	823												
WATER YEAR 1981	TOTAL	415	MEAN	1	AC-FT	823							

RECEIVED

STATE OF IDAHO

APR 28 1992

DEPARTMENT OF WATER RESOURCES

Department of Water Resources **PROOF OF BENEFICIAL USE**

The Idaho Department of Water Resources will consider this form as 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 or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

1. Permit No. 41-7046 Telephone No. 327-79002. Name(s) of Permit Holder(s): Idaho Water Resource Board3. Post Office Address: Statehouse, Boise, ID 837204. Source of Water: Rock Creek, East Fork

a. If ground water, well driller's name: _____ Date drilled: _____

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

5. Extent of Use:

Domestic _____ (No. of households) Irrigation _____ (No. of acres)

Stockwater _____ (No. and type of stock) Other minimum streamflow6. Total rate and/or volume for which proof is submitted 11 cfs _____ acre/feet

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

Measuring device: Required? ☐ Yes ☐ No Installed? ☐ Yes ☐ No

OR

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

8. Fee Enclosed: \$ _____ (See License Examination Fee Schedule)

9. Person to contact to accompany the Department representative during the field examination:

Frank Sherman327-7900

Name

Telephone No.

IDWR, Statehouse, Boise, ID 83720

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.

Date

Signature (and title if on behalf of a company or organization)

RECORDED

OCT 04 1995

ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE

Permit No. 41-07046

Reviewed by Klg

Date 5/20/92

GENERAL CONSIDERATIONS

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

TYPES OF USE

minimum streamflow
Correct Uses? yes

SOURCE OF WATER

✓ Surface water source
Ground water source

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

LICENSE EXAMINATION FEE

NA Required?
Amount Submitted
Correct?

MEASURING DEVICE

NA Required?
Installed?
Waiver requested?

PRIORITY CALCULATION

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

DEFICIENCIES OR ACTION ITEMS

Proof acceptable

DATA ENTRY

New Address _____

Proof Made 4/28/92
5/20/92 Klg

23 1979

UNITED STATES DEPARTMENT OF INTERIOR - GEOLOGICAL SURVEY
PRIMARY COMPUTATION OF GAGE DATA PROCESSED

13077600
EF ROCK C NR ROCKLAND IDAHO

PROVISIONAL DATA FOR WATER YEAR ENDING SEPT. 30, 1979 TEST C

	DATE	MAX GH (TIME)	MIN GH (TIME)	MEAN GH	EQUIV GH	MEAN DISCH	SHIFT AT ADJ HR	DATUM AT CORR HR
	10-01	1.61 (0030)	1.60 (0830)	1.61	1.61	21	.03	
	10-02	1.61 (0300)	1.60 (0030)	1.61	1.61	21	.03	
	10-03	1.61 (0030)	1.60 (0430)	1.61	1.61	21	.03	
	10-04	1.61 (0030)	1.60 (1300)	1.61	1.61	21	.03	
	10-05	1.61 (0030)	1.60 (0230)	1.61	1.61	21	.03	
	10-06	1.60 (0030)	1.60 (0030)	1.60	1.60	21	.03	
	10-07	1.60 (0030)	1.59 (1000)	1.60	1.60	21	.03	
	10-08	1.60 (0030)	1.59 (0200)	1.59	1.59	21	.03	
	10-09	1.60 (0200)	1.59 (0030)	1.59	1.59	21	.03	
	10-10	1.59 (0030)	1.59 (0030)	1.59	1.59	21	.03	
	10-11	1.59 (0030)	1.59 (0030)	1.59	1.59	21	.03	
	10-12	1.59 (0030)	1.59 (0030)	1.59	1.59	20	.02	
	10-13	1.59 (0030)	1.59 (0030)	1.59	1.59	20	.02	
	10-14	1.59 (0030)	1.59 (0030)	1.59	1.59	20	.02	
	10-15	1.59 (0030)	1.59 (0030)	1.59	1.59	20	.02	
	10-16	1.59 (0030)	1.59 (0030)	1.59	1.59	20	.02	
	10-17	1.59 (0030)	1.59 (0030)	1.59	1.59	20	.02	
	10-18	1.59 (0030)	1.59 (0030)	1.59	1.59	20	.02	
	10-19	1.59 (0030)	1.59 (0030)	1.59	1.59	20	.02	
	10-20	1.59 (0030)	1.59 (0030)	1.59	1.59	20	.02	
	10-21	1.60 (1600)	1.59 (0030)	1.59	1.59	20	.02	
	10-22	1.59 (0030)	1.59 (0030)	1.59	1.59	20	.02	
	10-23	1.59	1.58	1.59	1.59	20	.02	

MICROFILMED
OCT 04 1995

UNITED STATES DEPARTMENT OF INTERIOR - GEOLOGIC
PRIMARY COMPUTATION OF GAGE
DATA PROCESSED

13077600
EF ROCK C NR ROCKLAND IDAHO

PROVISIONAL DATA FOR WATER YEAR ENDING SEPT. 30, 1979 TEST

DATE	MAX GH (TIME)	MIN GH (TIME)	MEAN GH	EQUIV GH	MEAN DISCH	SHIFT AT ADJ HR	DATUM A CORR H
78 10-24	(0030) 1.59	(0730) 1.58	1.58	1.58	20	.02	
	(0030)	(0330)					
10-25	1.59	1.58	1.58	1.58	20	.01	
	(0300)	(0030)					
10-26	1.58	1.58	1.58	1.58	20	.01	
	(0030)	(0030)					
10-27	1.59	1.58	1.58	1.58	20	.01	
	(1600)	(0030)					
10-28	1.59	1.58	1.58	1.58	20	.01	
	(1730)	(0030)					
10-29	1.59	1.58	1.59	1.59	20	.01	
	(0030)	(0430)					
10-30	1.59	1.58	1.59	1.59	20	.01	
	(0400)	(0030)					
10-31	1.59	1.58	1.59	1.59	20	.01	
	(0100)	(0030)					
MONTH					20.4		
78 11-01	1.59	1.59	1.59	1.59	20	.01	
	(0030)	(0030)					
11-02	1.59	1.59	1.59	1.59	20	.01	
	(0030)	(0030)					
11-03	1.59	1.59	1.59	1.59	20	.02	
	(0030)	(0030)					
11-04	1.59	1.59	1.59	1.59	20	.02	
	(0030)	(0030)					
11-05	1.59	1.59	1.59	1.59	20	.02	
	(0030)	(0030)					
11-06	1.59	1.59	1.59	1.59	20	.02	
	(0030)	(0030)					
11-07	1.59	1.59	1.59	1.59	21	.03	
	(0030)	(0030)					
11-08	1.59	1.59	1.59	1.59	21	.03	
	(0030)	(0030)					
11-09	1.59	1.59	1.59	1.59	21P		
	(0030)	(0030)					
PERIOD	1.61	1.58					

NOTE. SYMBOLS USED ABOVE HAVE THE FOLLOWING MEANINGS
A - SUCCESSIVE ADJUSTED PUNCH READINGS DIFFER BY MORE THAN 1%
P - DAILY SUMMARY IS FOR AN INCOMPLETE DAY
R - ONE OR MORE INPUT VALUE IS OUTSIDE THE RANGE OF THE RATIO
W - SHIFT IS A VALUE WEIGHTED BY DISCHARGE WHERE SHIFT VARIES
% - UNIT VALUES RECORD WRITTEN

RECORDED
OCT 04 1995

UNITED STATES DEPARTMENT OF INTERIOR - GEOLOGIC
PRIMARY COMPUTATION OF GAGE
DATA PROCESSED

13077600

EF ROCK C NR ROCKLAND IDAHO

PROVISIONAL DATA FOR WATER YEAR ENDING SEPT. 30, 1979 TEST D

DATE	MAX GH (TIME)	MIN GH (TIME)	MEAN GH	EQUIV GH	MEAN DISCH	SHIFT AT ADJ HR	DATUM AT CORR HR
11-09	1.60 (1330)	1.59 (1400)	1.58	1.59	21	.03	
11-10	1.59 (0030)	1.59 (0030)	1.59	1.59	21	.03	
11-11	1.59 (0030)	1.59 (0030)	1.59	1.59	21	.03	
11-12	1.59 (0030)	1.59 (0030)	1.59	1.59	21	.03	
11-13	1.59 (0030)	1.58 (2130)	1.59	1.59	21	.03	
11-14	1.59 (0030)	1.58 (1000)	1.59	1.59	21	.03	
11-15	1.58 (0030)	1.58 (0030)	1.58	1.58	20	.03	
11-16	1.58 (0030)	1.58 (0030)	1.58	1.58	20	.03	
11-17	1.58 (0030)	1.58 (0030)	1.58	1.58	20	.03	
11-18	1.58 (0030)	1.58 (0030)	1.58	1.58	20	.03	
11-19	1.58 (0030)	1.58 (0030)	1.58	1.58	20	.03	
11-20	1.58 (0030)	1.58 (0030)	1.58	1.58	20	.03	
11-21	1.58 (0030)	1.58 (0030)	1.58	1.58	20	.03	
11-22	1.58 (0030)	1.58 (0030)	1.58	1.58	20	.03	
11-23	1.58 (0030)	1.57 (2100)	1.58	1.58	20	.03	
11-24	1.58 (1430)	1.57 (0030)	1.57	1.57	20	.03	
11-25	1.57 (0030)	1.57 (0030)	1.57	1.57	20	.03	
11-26	1.57 (0030)	1.57 (0030)	1.57	1.57	20	.03	
11-27	1.57 (0030)	1.57 (0030)	1.57	1.57	20	.03	
11-28	1.57 (0030)	1.57 (0030)	1.57	1.57	20	.03	
11-29	1.58 (2300)	1.57 (0030)	1.57	1.57	20	.03	
11-30	1.58 (0030)	1.57 (0730)	1.58	1.58	20	.03	
MONTH					20.3		

MICROFILMED
OCT 04 1995

UNITED STATES DEPARTMENT OF INTERIOR - GEOLOGICAL
PRIMARY COMPUTATION OF GAGE
DATA PROCESSED

13077600
EF ROCK C NR ROCKLAND IDAHO

PROVISIONAL DATA FOR WATER YEAR ENDING SEPT. 30, 1979 TEST

DATE	MAX GH (TIME)	MIN GH (TIME)	MEAN GH	EQUIV GH	MEAN DISCH	SHIFT AT ADJ HR	DATUM ADJ CORR H
75 12-01	1.59 (0300)	1.57 (1000)	1.58	1.58	20	.03	
12-02	1.57 (0030)	1.57 (0030)	1.57	1.57	20	.03	
12-03	1.57 (0030)	1.57 (0030)	1.57	1.57	20	.03	
12-04	1.59 (0900)	1.57 (0030)	1.58	1.58	20	.03	
12-05	1.58 (0030)	1.57 (0200)	1.57	1.57	20	.03	
12-06	1.57 (0030)	1.57 (0030)	1.57	1.57	20P	.03	
PERIOD	1.60	1.57					RECORDER

NOTE. SYMBOLS USED ABOVE HAVE THE FOLLOWING MEANINGS
 A - SUCCESSIVE ADJUSTED PUNCH READINGS DIFFER BY MORE THAN TH
 P - DAILY SUMMARY IS FOR AN INCOMPLETE DAY
 R - ONE OR MORE INPUT VALUE IS OUTSIDE THE RANGE OF THE RATING
 * - SHIFT IS A VALUE WEIGHTED BY DISCHARGE WHERE SHIFT VARIES
 % - UNIT VALUES RECORD WRITTEN

MICROFILMED
OCT 04 1995

UNITED STATES DEPARTMENT OF INTERIOR - GEOLOGIC
PRIMARY COMPUTATION OF GAGE H
DATA PROCESSED 0

13077600
EF ROCK C NR ROCKLAND IDAHO

PROVISIONAL DATA FOR WATER YEAR ENDING SEPT. 30, 1979 TEST DI

DATE	MAX GH (TIME)	MIN GH (TIME)	MEAN GH	EQUIV GH	MEAN DISCH	SHIFT AT ADJ HR	DATUM AT CORR HR
12-06	1.56 (1300)	1.56 (1300)	1.56	1.56	20	.03	A P
12-07	1.56 (0030)	1.56 (0030)	1.56	1.56	20	.03	A P
12-08	1.56 (0030)	1.56 (0030)	1.56	1.56	20	.03	A P
12-09	1.56 (0030)	1.55 (0300)	1.55	1.55	20	.03	A P
12-10	1.55 (0030)	1.55 (0030)	1.55	1.55	20	.03	A P
12-11	1.55 (0030)	1.55 (0030)	1.55	1.55	19	.02	A P
12-12	1.55 (0030)	1.55 (0030)	1.55	1.55	19	.02	A P
12-13	1.55 (0030)	1.55 (0030)	1.55	1.55	19	.02	A P
12-14	1.55 (0030)	1.55 (0030)	1.55	1.55	19	.02	A P
12-15	1.55 (0030)	1.55 (0030)	1.55	1.55	19	.02	A P
12-16	1.55 (0030)	1.55 (0030)	1.55	1.55	19	.02	AM PM
12-17	1.55 (0030)	1.55 (0030)	1.55	1.55	19	.02	AM PM
12-18	1.57 (0930)	1.55 (0030)	1.56	1.56	20	.02	AM PM
12-19	1.56 (0030)	1.56 (0030)	1.56	1.56	20	.02	AM PM
12-20	1.56 (0030)	1.56 (0030)	1.56	1.56	20	.02	AM PM
12-21	1.56 (0030)	1.56 (0030)	1.56	1.56	19	.01	AM PM
12-22	1.56 (0030)	1.56 (0030)	1.56	1.56	19	.01	AM PM
12-23	1.56 (0030)	1.56 (0030)	1.56	1.56	19	.01	AM PM
12-24	1.56 (0030)	1.56 (0030)	1.56	1.56	19	.01	AM PM
12-25	1.56 (0030)	1.55 (2100)	1.56	1.56	19	.01	AM PM
12-26	1.56 (1330) (1330)	1.55 (0030)	1.55	1.55	19	.01	AM PM
12-27	1.56 (0030)	1.56 (0030)	1.56	1.56	19	.01	AM PM
12-28	1.56	1.56	1.56	1.56	19	.01	AM

RECEIVED
OCT 04 1995

UNITED STATES DEPARTMENT OF INTERIOR - GEOLOGICAL
PRIMARY COMPUTATION OF GAGE
DATA PROCESSED

13077600
EF ROCK C NR ROCKLAND IDAHO

PROVISIONAL DATA FOR WATER YEAR ENDING SEPT. 30, 1979 TEST D

DATE	MAX GH (TIME)	MIN GH (TIME)	MEAN GH	EQUIV GH	MEAN DISCH	SHIFT AT ADJ HR	DATUM AT CORR HR
7 ⁸ 12-29	(0030) 1.56	(0030) 1.55	1.55	1.55	19	.01	
12-30	(0030) 1.55	(0530) 1.55	1.55	1.55	19	.01	
12-31	(0030) 1.55	(0030) 1.55	1.55	1.55	19		
MONTH	(0030)	(0030)			19.4		
7 ⁹ 1-01	1.55 (0030)	1.55 (0030)	1.55	1.55	19		
1-02	1.55 (0030)	1.55 (0030)	1.55	1.55	19		
1-03	1.55 (0030)	1.54 (1330)	1.55	1.55	19		
1-04	1.54 (0030)	1.54 (0030)	1.54	1.54	18		
1-05	1.54 (0030)	1.54 (0030)	1.54	1.54	18		
1-06	1.54 (0030)	1.54 (0030)	1.54	1.54	18		
1-07	1.54 (0030)	1.54 (0030)	1.54	1.54	18		
1-08	1.54 (0030)	1.54 (0030)	1.54	1.54	18		
1-09	1.54 (0030)	1.54 (0030)	1.54	1.54	18		
1-10	1.54 (0030)	1.54 (0030)	1.54	1.54	18	-.01	
1-11	1.55 (1330)	1.54 (0030)	1.54	1.54	18	-.01	
1-12	1.55 (0030)	1.54 (0400)	1.54	1.54	18	-.01	
1-13	1.54 (0030)	1.54 (0030)	1.54	1.54	18	-.01	
1-14	1.54 (0030)	1.53 (0100)	1.54	1.54	18	-.01	
1-15	1.54 (0030)	1.54 (0030)	1.54	1.54	18	-.01	
1-16	1.55 (0330)	1.53 (0600)	1.53	1.53	18		
1-17	1.53 (0030)	1.53 (0030)	1.53	1.53	18		
1-18	1.53 (0030)	1.53 (0030)	1.53	1.53	18		
1-19	1.53	1.53	1.53	1.53	18		

01
-01
OCT 04 1995
-01

UNITED STATES DEPARTMENT OF INTERIOR - GEOLOG
PRIMARY COMPUTATION OF GAGE
DATA PROCESSED

13077600
EF ROCK C NR ROCKLAND IDAHO .

PROVISIONAL DATA FOR WATER YEAR ENDING SEPT. 30, 1979 TEST

DATE	MAX GH (TIME)	MIN GH (TIME)	MEAN GH	EQUIV GH	MEAN DISCH	SHIFT AT ADJ HR	DATUM A COPR H
7 ⁹ 1-20	(0030) 1.53 (0030)	(0030) 1.52 (1630)	1.53	1.53	18	-.02	
1-21	1.53 (1000)	1.52 (0030)	1.53	1.53	18	-.02	
1-22	1.53 (0030)	1.53 (0030)	1.53	1.53	18	-.02	
1-23	1.53 (0030)	1.52 (0800)	1.52	1.52	17	-.02	
1-24	1.53 (0730)	1.52 (0030)	1.53	1.53	18P	-.02	

PERIOD 1.57 1.52

NOTE. SYMBOLS USED ABOVE HAVE THE FOLLOWING MEANINGS
A - SUCCESSIVE ADJUSTED PUNCH READINGS DIFFER BY MORE THAN T
P - DAILY SUMMARY IS FOR AN INCOMPLETE DAY
R - ONE OR MORE INPUT VALUE IS OUTSIDE THE RANGE OF THE PATI
W - SHIFT IS A VALUE WEIGHTED BY DISCHARGE WHERE SHIFT VAPYS
% - UNIT VALUES RECORD WRITTEN

MICROFILMED
OCT 04 1995

UNITED STATES DEPARTMENT OF INTERIOR - GEOLOGICAL SURVEY
PRIMARY COMPUTATION OF GAGE DATA PROCESSED

13077600
EF ROCK C NR ROCKLAND IDAHO

PROVISIONAL DATA FOR WATER YEAR ENDING SEPT. 30, 1979 TEST

DATE	MAX GH (TIME)	MIN GH (TIME)	MEAN GH	EQUIV GH	MEAN DISCH	SHIFT AT ADJ HR	DATUM A CORR F
1-24 ²⁹	1.53 (1530)	1.53 (1530)	1.52	1.54	18	-.02	
1-25	1.53 (0030)	1.52 (0100)	1.52	1.52	17	-.02	
1-26	1.52 (0030)	1.52 (0030)	1.52	1.52	17	-.02	
1-27	1.52 (0030)	1.52 (0030)	1.52	1.52	17	-.02	
1-28	1.52 (0030)	1.52 (0030)	1.52	1.52	17	-.02	
1-29	1.52 (0030)	1.52 (0030)	1.52	1.52	17	-.02	
1-30	1.52 (0030)	1.52 (0030)	1.52	1.52	17	-.02	
1-31	1.52 (0030)	1.52 (0030)	1.52	1.52	17	-.02	
MONTH					17.8		
2-01	1.52 (0030)	1.52 (0030)	1.52	1.52	17	-.02	
2-02	1.52 (0030)	1.52 (0030)	1.52	1.52	17	-.02	
2-03	1.52 (0030)	1.51 (1000)	1.52	1.52	17	-.02	
2-04	1.52 (0030)	1.51 (0530)	1.51	1.51	17	-.02	
2-05	1.51 (0030)	1.51 (0030)	1.51	1.51	17	-.02	
2-06	1.53 (1700)	1.52 (0030)	1.52	1.52	17	-.03	.01
2-07	1.53 (1630)	1.52 (0030)	1.52	1.52	17	-.03	.01
2-08	1.52 (0030)	1.52 (0030)	1.52	1.52	17	-.03	.01
2-09	1.52 (0030)	1.52 (0030)	1.52	1.52	17	-.03	.01
2-10	1.52 (0030)	1.52 (0030)	1.52	1.52	17	-.03	.01
2-11	1.52 (0030)	1.52 (0030)	1.52	1.52	17	-.03	.01
2-12	1.52 (0030)	1.52 (0030)	1.52	1.52	17	-.03	.01
2-13	1.53 (1400)	1.52 (0030)	1.52	1.52	17	-.03	.01
2-14	1.55 (1400)	1.53 (0030)	1.54	1.54	17	-.03	.01

REPRODUCTION
OCT 04 1985

UNITED STATES DEPARTMENT OF INTERIOR - GEOLOGICAL
PRIMARY COMPUTATION OF GAGE
DATA PROCESSED

13077600
EF ROCK C NR ROCKLAND IDAHO

PROVISIONAL DATA FOR WATER YEAR ENDING SEPT. 30, 1979 TEST

DATE	MAX GH (TIME)	MIN GH (TIME)	MEAN GH	EQUIV GH	MEAN DISCH	SHIFT AT ADJ HR	DATUM CORP
2-15	1.53 (0030)	1.53 (0030)	1.53	1.53	17	-.03	.01
2-16	1.53 (0030)	1.52 (0400)	1.53	1.53	17	-.03	.01
2-17	1.53 (0030)	1.52 (0530)	1.52	1.52	17	-.03	.01
2-18	1.52 (0030)	1.52 (0030)	1.52	1.52	17	-.03	.01
2-19	1.53 (1130)	1.52 (0030)	1.52	1.52	17	-.03	.01
2-20	1.52 (0030)	1.52 (0030)	1.52	1.52	17	-.03	.01
2-21	1.52 (0030)	1.52 (0030)	1.52	1.52	17	-.03	.01
2-22	1.52 (0030)	1.52 (0030)	1.52	1.52	17	-.03	.01
2-23	1.53 (1730)	1.52 (0030)	1.52	1.52	17	-.03	.01
2-24	1.52 (0030)	1.51 (2200)	1.52	1.52	17	-.03	.01
2-25	1.52 (1700)	1.51 (0030)	1.51	1.51	17	-.03	.01
2-26	1.52 (0030)	1.52 (0030)	1.52	1.52	17	-.03	.01
2-27	1.52 (0030)	1.52 (0030)	1.52	1.52	17	-.03	.01
2-28	1.52 (0030)	1.52 (0030)	1.52	1.52	17	-.03	.01
MONTH					17.0		
3-01	1.52 (0030)	1.52 (0030)	1.52	1.52	17	-.03	.01
3-02	1.52 (0030)	1.51 (1000)	1.51	1.51	17	-.03	.01
3-03	1.52 (0030)	1.52 (0030)	1.52	1.52	17	-.04	.02
3-04	1.52 (0030)	1.52 (0030)	1.52	1.52	17	-.04	.02
3-05	1.52 (0030)	1.52 (0030)	1.52	1.52	17	-.04	.02
3-06	1.52 (0030)	1.52 (0030)	1.52	1.52	17	-.04	.01
3-07	1.53 (1300)	1.52 (0030)	1.52	1.52	17	-.04	.0
3-08	1.53	1.52	1.52	1.52	17	-.04	.0

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UNITED STATES DEPARTMENT OF INTERIOR - GEOLOGICAL SURVEY
 PRIMARY COMPUTATION OF GAGE DATA PROCESSED

13077600
 EF ROCK C NR ROCKLAND IDAHO

PROVISIONAL DATA FOR WATER YEAR ENDING SEPT. 30, 1979 TEST 0

DATE	MAX GH (TIME)	MIN GH (TIME)	MEAN GH	EQUIV GH	MEAN DISCH	SHIFT AT ADJ HR	DATUM AT CORR HR
	(0030)	(1000)					
3-09	1.52	1.52	1.52	1.52	17	-.04	.02
	(0030)	(0030)					
3-10	1.52	1.52	1.52	1.52	17	-.04	.02
	(0030)	(0030)					
3-11	1.52	1.52	1.52	1.52	17	-.04	.02
	(0030)	(0030)					
3-12	1.53	1.52	1.52	1.52	17	-.04	.02
	(1530)	(0030)					
3-13	1.52	1.52	1.52	1.52	17	-.04	.02
	(0030)	(0030)					
3-14	1.53	1.52	1.52	1.52	17	-.04	.02
	(1700)	(0030)					
3-15	1.52	1.52	1.52	1.52	17P	-.04	.02
	(0030)	(0030)					
PERIOD	1.55	1.51					

NOTE. SYMBOLS USED ABOVE HAVE THE FOLLOWING MEANINGS
 A - SUCCESSIVE ADJUSTED PUNCH READINGS DIFFER BY MORE THAN T
 P - DAILY SUMMARY IS FOR AN INCOMPLETE DAY
 R - ONE OR MORE INPUT VALUE IS OUTSIDE THE RANGE OF THE GATI
 W - SHIFT IS A VALUE WEIGHTED BY DISCHARGE WHERE SHIFT VARYS
 % - UNIT VALUES RECORD WRITTEN

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UNITED STATES DEPARTMENT OF INTERIOR - GEOLOGIC
PRIMARY COMPUTATION OF GAGE
DATA PROCESSED

13077600
EF ROCK C NR ROCKLAND IDAHO

PROVISIONAL DATA FOR WATER YEAR ENDING SEPT. 30, 1979 TEST 1

DATE	MAX GH (TIME)	MIN GH (TIME)	MEAN GH	EQUIV GH	MEAN DISCH	SHIFT AT ADJ HR	DATUM AT CORR FT
3-15 ⁷⁷	1.53 (0930)	1.52 (0900)	1.52	1.53	17	-.04	
3-16	1.54 (1800)	1.53 (0030)	1.53	1.53	17	-.04	
3-17	1.53 (0030)	1.53 (0030)	1.53	1.53	17	-.04	
3-18	1.53 (0030)	1.52 (1100)	1.53	1.53	17	-.04	
3-19	1.53 (0030)	1.53 (0030)	1.53	1.53	17	-.03	
3-20	1.53 (0030)	1.53 (0030)	1.53	1.53	17	-.03	
3-21	1.53 (0030)	1.53 (0030)	1.53	1.53	17	-.03	
3-22	1.52 (0030)	1.51 (0230)	1.51	1.51	17	-.03	-.01
3-23	1.51 (0030)	1.51 (0030)	1.51	1.51	17	-.03	-.01
3-24	1.51 (0030)	1.51 (0030)	1.51	1.51	17	-.03	-.01
3-25	1.51 (0030)	1.51 (0030)	1.51	1.51	17	-.03	-.01
3-26	1.51 (0030)	1.51 (0030)	1.51	1.51	17	-.02	-.01
3-27	1.54 (1530)	1.51 (0030)	1.52	1.52	17	-.02	-.01
3-28	1.53 (0700)	1.52 (0030)	1.52	1.52	17	-.02	-.01
3-29	1.52 (0030)	1.51 (1100)	1.51	1.51	17	-.02	-.01
3-30	1.51 (0030)	1.51 (0030)	1.51	1.51	17	-.02	-.01
3-31	1.51 (0030)	1.51 (0030)	1.51	1.51	17	-.02	-.01
MONTH					17.0		
4-01	1.52 (0330)	1.51 (0030)	1.51	1.51	17	-.02	-.01
4-02	1.51 (0030)	1.51 (0030)	1.51	1.51	17	-.01	-.01
4-03	1.51 (0030)	1.51 (0030)	1.51	1.51	17	-.01	-.01
4-04	1.51 (0030)	1.51 (0030)	1.51	1.51	17	-.01	-.01
4-05	1.50 (0030)	1.50 (0030)	1.50	1.50	17	-.01	-.02

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UNITED STATES DEPARTMENT OF INTERIOR - GEOLOGICAL SURVEY
PRIMARY COMPUTATION OF GAGE DATA PROCESSED

13077600
EF ROCK C NR ROCKLAND IDAHO

PROVISIONAL DATA FOR WATER YEAR ENDING SEPT. 30, 1979 TEST

DATE	MAX GH (TIME)	MIN GH (TIME)	MEAN GH	EQUIV GH	MEAN DISCH	SHIFT AT ADJ HR	DATUM CORP
79							
4-06	1.50 (0030)	1.50 (0030)	1.50	1.50	17	-.01	-.02
4-07	1.50 (0030)	1.50 (0030)	1.50	1.50	17	-.01	-.02
4-08	1.50 (0030)	1.50 (0030)	1.50	1.50	17		-.02
4-09	1.51 (1000)	1.50 (0030)	1.50	1.50	18		-.02
4-10	1.50 (0030)	1.50 (0030)	1.50	1.50	17		-.02
4-11	1.50 (0030)	1.50 (0030)	1.50	1.50	17		-.02
4-12	1.50 (0030)	1.50 (0030)	1.50	1.50	17		-.02
4-13	1.51 (0700)	1.50 (0030)	1.50	1.50	17		-.02
4-14	1.50 (0030)	1.50 (0030)	1.50	1.50	17		-.02
4-15	1.50 (0030)	1.50 (0030)	1.50	1.50	18	.01	-.02
4-16	1.50 (0030)	1.50 (0030)	1.50	1.50	18	.01	-.02
4-17	1.50 (0030)	1.50 (0030)	1.50	1.50	18	.01	-.02
4-18	1.50 (0030)	1.50 (0030)	1.50	1.50	18	.01	-.02
4-19	1.49 (0030)	1.49 (0030)	1.49	1.49	17	.01	-.03
4-20	1.49 (0030)	1.49 (0030)	1.49	1.49	17	.01	-.03
4-21	1.49 (0030)	1.49 (0030)	1.49	1.49	17	.01	-.03
4-22	1.49 (0030)	1.48 (0500)	1.49	1.49	18	.02	-.03
4-23	1.49 (1530)	1.48 (0030)	1.48	1.48	17	.02	-.03
4-24	1.49 (0030)	1.49 (0030)	1.49	1.49	18	.02	-.03
4-25	1.49 (0030)	1.49 (0030)	1.49	1.49	18P	.02	-.03
PERIOD	1.54	1.48					

RECORDED
OCT 04 1995

RECOR

NOTE. SYMBOLS USED ABOVE HAVE THE FOLLOWING MEANINGS
A - SUCCESSIVE ADJUSTED PUNCH READINGS DIFFER BY MORE THAN

DISCHARGE AT PARTIAL-RECORD STATIONS AND MISCELLANEOUS SITES

Discharge measurements made at low-flow partial-record stations during water year 1976						
Station No.	Station name	Location	Drainage area (sq mi)	Period of record	Measurements	
					Date	Discharge (cfs)
Portneuf River basin						
13072100	Portneuf River tributary at Bancroft	Lat 42°43'30", long 111°54'25", in SE¼ sec.16, T.8 S., R.39 E., Caribou County, at U.P. Railroad crossing and 1 mi (1.6 km) north-west of Bancroft.	a130	1962-63, 1973-74, 1976	9-8-76	0
13073700	Robbers Roost Creek near McCammon	Lat 42°42'20", long 112°12'10", in SE¼ sec.23, T.8 S., R.36 E., Bannock County, at culvert on U.S. Highway 30N, 3.5 mi (5.6 km) north of McCammon, and 6.5 mi (10.5 km) south of Inkom.	a5.7	1961-71b, 1973-76	9-8-76	.09
13075300	East Fork Mink Creek near Pocatello	Lat 42°44'20", long 112°23'30", in sec.8, T.8 S., R.35 E., Bannock County, 9 mi (14 km) southeast of Pocatello.	14.7	1912, 1963-71b, 1973-76	9-17-76	1.43
13075600	North Fork Pocatello Creek near Pocatello	Lat 42°53'10", long 112°23'45", in NW¼ sec.20, T.6 S., R.35 E., Bannock County, 300 ft (91 m) upstream from confluence with South Fork Pocatello Creek, 2 mi (3.2 km) northeast of Idaho State University, and 3.5 mi (5.6 km) east of Pocatello.	14	1961-71b, 1973-76	9-17-76	1.63
Bannock Creek basin						
13076000	Bannock Creek below Moonshine Creek, near Pauline	Lat 42°41'40", long 112°35'40", in NE¼SE¼ sec.28, T.8 S., R.33 E., Power County, on Fort Hall Indian Reservation, 0.3 mi (0.5 km) upstream from Rattlesnake Creek, 9.5 mi (15.3 km) north of Pauline, and 14 mi (23 km) southwest of Pocatello.	227	1955-58+, 1962-63, 1965, 1973-76	9-17-76	27.6
13076100	Rattlesnake Creek near Pocatello	Lat 42°42'00", long 112°33'40", in NE¼ sec.26, T.8 S., R.33 E., Power County, 2 mi (3.2 km) upstream from mouth and 12 mi (19 km) southwest of Pocatello.	77	1955-59, 1962, 1973-76	9-17-76	10.7
Warm Creek basin						
13077400	Rock Creek near Rockland	Lat 42°30'40", long 112°50'30", in NE¼NW¼ sec.33, T.10 S., R.31 E., Power County, 1.9 mi (3.1 km) upstream from former gage site and 4.6 mi (7.4 km) southeast of Rockland.	158	1947, 1963, 1965, 1973-76	9-10-76	5.37
Raft River basin						
13077659	Raft River near Yost, Utah	Lat 41°56'50", long 113°42'00", in NE¼NE¼ sec.17, T.14 N., R.16 W., Box Elder County, at road crossing and 8 mi (13 km) west of Yost, Utah.	146	1965-67, 1973-76	9-19-76	9.84
1307980	Heglar Canyon tributary near Rockland	Lat 42°28'30", long 113°08'40", in SE¼SW¼ sec.11, T.11 S., R.38 E., Cassia County, 600 ft (183 m) upstream from Heglar Canyon road crossing and 16 mi (26 km) southwest of Rockland.	7.72	1958, 1961-71b, 1973-76	9-19-76	0
Goose Creek basin						
13084400	Birch Creek above diversions, near Oakley	Lat 42°10'40", long 113°49'05", in SE¼SW¼NE¼ sec.25, T.14 S., R.22 E., Cassia County, at county road crossing, 0.3 mi (0.5 km) downstream from North Carson Creek, and 5.3 mi (8.5 km) south-east of Oakley.	-	1973-76	9-19-76	3.86
Dry Creek basin						
13088500	Big Cottonwood Creek near Oakley	Lat 42°16'50", long 114°02'10", in SE¼NE¼ sec.19, T.13 S., R.21 E., Cassia County, Sawtooth National Forest, 1.0 mi (1.6 km) upstream from diversion of Twin Falls-Oakley Land and Water Co. canal and 10 mi (16 km) northeast of Oakley.	a29	1909-15+, 1916, 1973, 1975-76	9-20-76	2.42
Rock Creek basin						
13092500	McMullen Creek near Rock Creek	Lat 42°25'05", long 114°22'18", on line between sec.32, T.11 S., R.18 E., and sec.5, T.12 S., R.18 E., Twin Falls County, at road crossing, 3.6 mi (5.8 km) southwest of Rock Creek, and 8 mi (12.9 km) south of Kimberly.	22.7	1910-12+, 1973, 1975-76	9-18-76	0
Salmon Falls Creek basin						
13104800	Shoshone Creek at mouth, near San Jacinto	Lat 41°56'36", long 114°41'02", in SE¼ sec.23, T.47 N., R.64 E., Elko County, at mouth and 5 mi (8 km) north of San Jacinto.	-	1909, 1914, 1938, 1942, 1969-73, 1975-76	9-17-76	15.9
Mud Lake-Lost River basins						
13108200	West Camas Creek near Kilgore	Lat 44°28'40", long 112°02'40", on SE sec. line of sec.1, T.13 N., R.37 E., Clark County, at Frazier Dam, 1.5 mi (2.4 km) downstream from Pete Creek, 9 mi (14 km) northwest of Kilgore, and 11 mi (18 km) northeast of Spencer.	-	1957-58, 1973-76	8-26-76	9.53
13112300	Beaver Creek at Humphrey	Lat 44°28'40", long 112°13'30", in SE¼ sec.4, T.13 N., R.36 E., Clark County, at Union Pacific Railroad bridge, 0.3 mi (0.5 km) downstream from Humphrey, and 8.4 mi (13.5 km) north of Spencer.	-	1957-58, 1973-76	8-26-76	3.23
13112900	Huntley Canyon at Spencer	Lat 44°21'50", long 112°11'00", in SW¼ sec.14, T.12 N., R.36 E., Clark County, at railroad crossing opposite the Spencer Mercantile Store at Spencer.	3.9	1961-71b, 1973-76	8-26-76	.66
13113000	Snake Lodge Creek near Ellis Ranch, near Argona	Lat 44°17'30", long 112°30'05", in SW¼SE¼ sec.7, T.11 N., R.34 E., Clark County, on left bank 4 mi (7 km) upstream from Middle Creek, 6.5 mi (10.5 km) southeast of Argona, and 16 mi (26 km) northwest of Dubois.	165	1940-69+, 1973-76	8-26-76	57.9

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Discharge measurements made at miscellaneous sites during water year 1965

Discharge measurements made at miscellaneous sites during water year 1965						
Stream	Tributary to	Location	Drainage area (sq mi)	Measured previously (water years)	Measurements	
					Date	Discharge (cfs)
Blackfoot River basin						
Angus Creek...	Blackfoot River.	Operated as a crest-stage station. See Station No. 13-627	13.9	1962-64	4-26-65 5-13-65	118 28.1
Portneuf River basin						
Robbers Roost Creek.	Portneuf River..	Operated as a crest-stage station. See Station No. 13-737.	b5.7	1961-64	10- 1-64 3- 2-65 4- 2-65 4-10-65 5-27-65	0 a2 a5 3.93 6.73
East Fork Mink Creek.	Mink Creek.....	Operated as a crest-stage station. See Station No. 13-753.	b14.7	1963-64	4- 9-65 4-24-65	3.54 13.3
North Fork Pocatello Creek.	Pocatello Creek	Operated as a crest-stage station. See Station No. 13-756.	14.0	1961-64	12-23-64 1-25-65 4- 2-65 5- 3-65 8-30-65	7.92 a1 a3 a3 a1
Snake River basin						
Ruegar Springs.	Snake River....	Sec.31, T.7 S., R.31 E., at fish hatchery about 1 mile below American Falls Dam.	-	1961-64	5-15-65 6-26-65 7-22-65 8-18-65 9-25-65	26.8 20.1 24.4 24.1 23.8
Rock Creek basin						
Rock Creek.....	Snake River.....	NE¼NW¼ sec.33, T.10 S., R.31 E., 1.9 miles upstream from former gage site and 4.6 miles southeast of Rockland.	156	1947, 1963-64	12-23-64	†3,750
Rock Creek.....	do.....	SW¼ sec.12, T.9 S., R.29 E., above U.S. Highway 30 N crossing 12 miles southwest of American Falls.	320	1962	12-23-64	†7,950
Raft River basin						
Raft River.....	Snake River.....	Operated as a crest-stage station. See Station No. 13-776.59.	146	-	6-16-65 7-19-65 8-22-65 9-23-65	27.1 9.63 7.95 6.28
Circle Creek...	Raft River.....	NW¼ sec.32, T.15 S., R.24 E., at road culvert on county road and 3 miles southwest of Almo.	b7.5	-	6-17-65 7-19-65 8-22-65 9-24-65	1.68 .55 .36 .34
Edwards Creek..	do.....	SW¼ sec.10, T.15 S., R.24 E., 2 miles north of Almo.	b3.9	-	6-17-65 7-19-65 8-22-65 9-24-65	5.12 3.45 1.68 1.08
Johnson Creek..	do.....	SE¼NE¼ sec.21, T.14 N., R.15 W., at Sawtooth National Forest boundary and 3 miles south of Yost, Utah.	14.4	-	6-16-65 7-19-65 8-22-65 9-23-65	15.9 5.07 3.24 2.15
Onemile Creek..	do.....	SE¼NE¼ sec.3 T.14 N., R.14 W., Salt Lake meridian, about 500 ft inside Sawtooth National Forest boundary and 2 miles southwest of Standrod.	7.84	-	6-16-65 8-22-65 9-23-65	9.51 1.71 1.15
Clear Creek above Italian Creek	do.....	SW¼NW¼ sec.11, T.14 N., R.13 W., (Salt Lake meridian), on downstream side of road bridge at Sawtooth National Forest boundary and 4 miles south of Naf.	16.1	-	7- 6-65 8-22-65 9-23-65	68.6 9.99 5.31
Rice Creek.....	do.....	SE¼SE¼ sec.12, T.14 N., R.13 W., (Salt Lake meridian), 20 ft downstream from Sawtooth National Forest boundary and 4½ miles south of Naf.	2.31	-	7- 6-65 7- 6-65 9-23-65	2.82 3.12 .45
Kelsaw Canyon.	Clear Creek	NE¼NW¼ sec.28, T.15 S., R.28 E., 0.5 mile upstream from Sawtooth National Forest boundary and 6½ miles south of Strevell.	6.52	-	6-15-65 8-21-65 9-23-65	1.60 .10 0
Meadow Creek..	Raft River.....	Operated as a crest-stage station. See Station No. 13-790.7.	36.8	-	8- 2-65 8-21-65	0 0
Stinson Creek.	Cassia Creek...	Lot 2, sec.33, T.13 S., R.24 E., at mouth and 5 miles west of Elba.	4.5	-	8-23-65 9-24-65	.87 .42
Cassia Creek below Stinson Creek	Raft River	Lot 2, sec.33, T.13 S., R.24 E., 5 miles west of Elba.	11.8	-	6-18-65 7- 7-65 8-23-65 9-24-65	9.41 5.42 2.43 1.88
Dry Creek.....	Cassia Creek...	NW¼ sec.12, T.14 S., R.24 E., at Sawtooth National Forest boundary and 3 miles southwest of Elba.	b9.2	-	6-17-65 7-19-65 8-23-65 9-24-65	52.0 24.0 7.30 3.57

† Peak flow
a Estimated.
b Approximately.

MICROFILMED
OCT 04 1995

ROCK CREEK BASIN

107

13-776. East Fork Rock Creek near Rockland, Idaho

Location.--Lat 42°33'40", long 112°47'20", in SW¼SW¼ sec.12, T.10 S., R.31 E., on right bank 0.3 mile upstream from Bench Ditch diversion and 4½ miles east of Rockland.

Drainage area.--13.7 sq mi.

Records available.--September 1960 to September 1964 (discontinued).

Gage.--Water-stage recorder. Altitude of gage is 5,030 ft (from topographic map).

Extremes.--Maximum discharge during year, 43 cfs June 12 (gage height, 2.34 ft); minimum daily, 14 cfs Mar. 9-27. 1960-64: Maximum discharge, that of June 12, 1964; minimum daily, 11 cfs on many days in 1962.

Remarks.--Records excellent.

Rating table (gage height, in feet, and discharge, in cubic feet per second)

1.3	12
1.5	17
2.0	32
2.4	46

Discharge, in cubic feet per second, water year October 1963 to September 1964

Day	Oct.	Nov.	Dec.	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.
1	16	16	16	16	16	15	15	16	18	20	22	22
2	16	16	16	16	16	15	15	16	18	20	22	22
3	16	16	16	16	15	15	15	16	18	20	22	22
4	16	16	16	16	15	15	15	16	18	20	22	22
5	16	16	16	16	15	15	15	16	18	20	22	22
6	16	16	16	16	15	15	15	16	18	20	22	22
7	16	16	16	16	15	*15	15	16	19	20	22	22
8	16	16	16	16	15	15	15	16	18	20	22	22
9	*16	16	16	16	15	14	15	16	18	20	22	22
10	16	16	16	16	15	14	*16	16	18	20	22	22
11	16	16	16	16	15	14	15	16	18	20	22	22
12	16	16	16	16	15	14	15	16	19	20	22	23
13	15	16	16	16	15	14	15	16	18	20	22	23
14	16	*16	16	16	15	14	15	17	18	20	22	23
15	15	16	16	16	15	14	15	17	18	20	22	23
16	15	16	16	16	15	14	15	17	19	20	22	23
17	15	16	16	16	15	14	15	17	20	20	22	23
18	15	16	16	16	15	14	15	17	19	20	22	23
19	15	16	16	16	15	14	15	*17	18	20	22	23
20	15	16	16	16	15	14	15	17	18	20	22	23
21	15	16	*16	16	15	14	15	17	19	21	22	23
22	15	16	16	16	15	14	15	17	19	21	22	23
23	15	16	16	16	15	14	15	17	*19	*21	22	23
24	15	16	16	16	15	14	15	18	19	21	22	23
25	15	16	16	16	15	14	15	18	19	21	22	23
26	15	16	16	16	15	14	15	18	19	21	22	24
27	15	16	16	16	15	14	15	18	19	21	*22	24
28	15	16	16	16	15	15	15	18	19	22	22	24
29	15	16	16	*16	15	15	15	18	19	22	22	24
30	15	16	16	16	15	15	15	18	19	22	22	24
31	15	16	16	16	15	15	15	18	19	22	22	24
Total	478	480	496	496	437	446	451	522	556	635	682	684
Mean	15.4	16.0	16.0	16.0	15.1	14.4	15.0	16.8	18.5	20.5	22.0	22.8
Ac-ft	948	952	984	984	867	885	895	1,040	1,100	1,260	1,350	1,360

Calendar year 1963: Max 21 Min 12 Mean 15.0 Ac-ft 10,870
 Water year 1963-64: Max 24 Min 14 Mean 17.4 Ac-ft 12,620

* Discharge measurement made on this day.

UNRECORDED
 OCT 04 1995

ROCK CREEK BASIN

113

13-776. East Fork Rock Creek near Rockland, Idaho

Location.--Lat 42°33'40", long 112°47'20", in SW¼SW¼ sec.12, T.10 S., R.31 E., on right bank 0.3 mile upstream from Bench Ditch diversion and 4½ miles east of Rockland.

Drainage area.--13.7 sq mi.

Records available.--September 1960 to September 1963.

Gage.--Water-stage recorder. Altitude of gage is 5,030 ft (from topographic map).

Extremes.--Maximum discharge during year, 39 cfs Feb. 1 (gage height, 2.25 ft); minimum daily, 12 cfs Dec. 9-23, Jan. 22-30. 1960-63: Maximum discharge, that of Feb. 1, 1963; minimum daily, 11 cfs on many days in 1962.

Remarks.--Records good.

Rating table (gage height, in feet, and discharge, in cubic feet per second)

1.3 12
1.7 23

Discharge, in cubic feet per second, water year October 1962 to September 1963

Day	Oct.	Nov.	Dec.	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.
1	16	15	13	13	21	13	14	14	15	16	16	17
2	16	15	13	13	14	13	*14	13	15	16	16	17
3	16	15	13	13	14	13	14	14	15	16	16	17
4	16	15	13	13	14	13	14	14	15	16	16	17
5	16	15	*13	13	14	13	14	14	15	16	16	17
6	16	15	13	13	13	13	18	14	15	16	16	*17
7	16	15	13	13	14	13	16	14	15	16	16	17
8	16	15	13	13	14	13	14	14	15	16	16	17
9	16	15	12	13	14	13	14	14	15	16	16	17
10	16	15	12	13	13	13	14	14	16	16	16	16
11	16	15	12	13	13	13	14	14	15	16	16	16
12	16	15	12	a13	13	13	14	14	15	16	16	16
13	16	15	12	a13	13	13	15	14	15	16	16	16
14	16	15	12	a13	13	14	14	14	15	16	16	16
15	16	15	12	a13	13	14	14	*14	15	16	16	16
16	16	14	12	a13	13	14	14	14	15	16	16	16
17	16	14	12	a13	13	14	14	14	15	16	16	16
18	16	14	12	*13	14	14	14	14	15	16	16	16
19	16	14	12	13	14	14	14	14	15	16	17	16
20	16	14	12	13	14	14	14	14	15	16	17	16
21	16	14	12	13	14	14	14	14	15	16	16	16
22	16	13	12	12	14	15	14	14	15	16	17	16
23	16	13	12	12	14	16	14	14	15	16	17	16
24	*16	13	13	12	14	14	14	14	15	16	17	16
25	16	13	13	12	14	14	14	14	*15	16	17	16
26	16	13	13	12	*15	14	14	14	16	16	17	16
27	16	13	13	12	14	14	14	14	16	16	17	16
28	16	13	13	12	13	16	14	14	16	16	17	16
29	16	13	13	12	-	14	14	14	16	16	17	16
30	16	13	13	12	-	14	14	14	16	*16	17	16
31	16	-	13	17	-	14	-	15	-	16	17	-
Total	496	426	388	398	390	426	427	434	456	496	508	489
Mean	16.0	14.2	12.5	12.8	13.9	13.7	14.2	14.0	15.2	16.0	16.4	16.3
Ac-ft	984	845	770	789	774	845	847	861	904	984	1,010	970

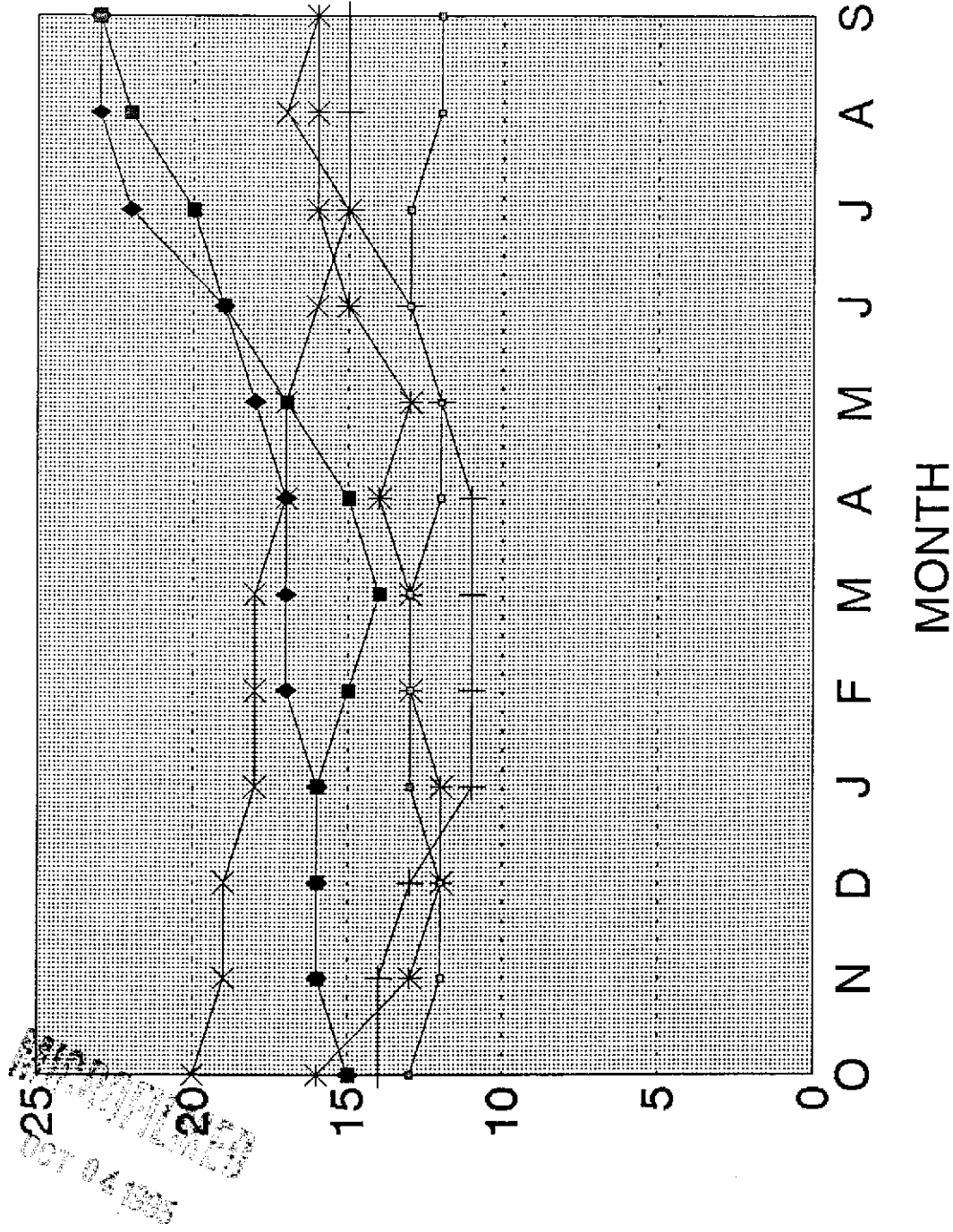
Calendar year 1962: Max 16 Min 11 Mean 13.6 Ac-ft 9,820
Water year 1962-63: Max 21 Min 12 Mean 14.6 Ac-ft 10,580

* Discharge measurement made on this day.
a No gage-height record.

RECEIVED
OCT 04 1965

EAST FORK OF ROCK CREEK

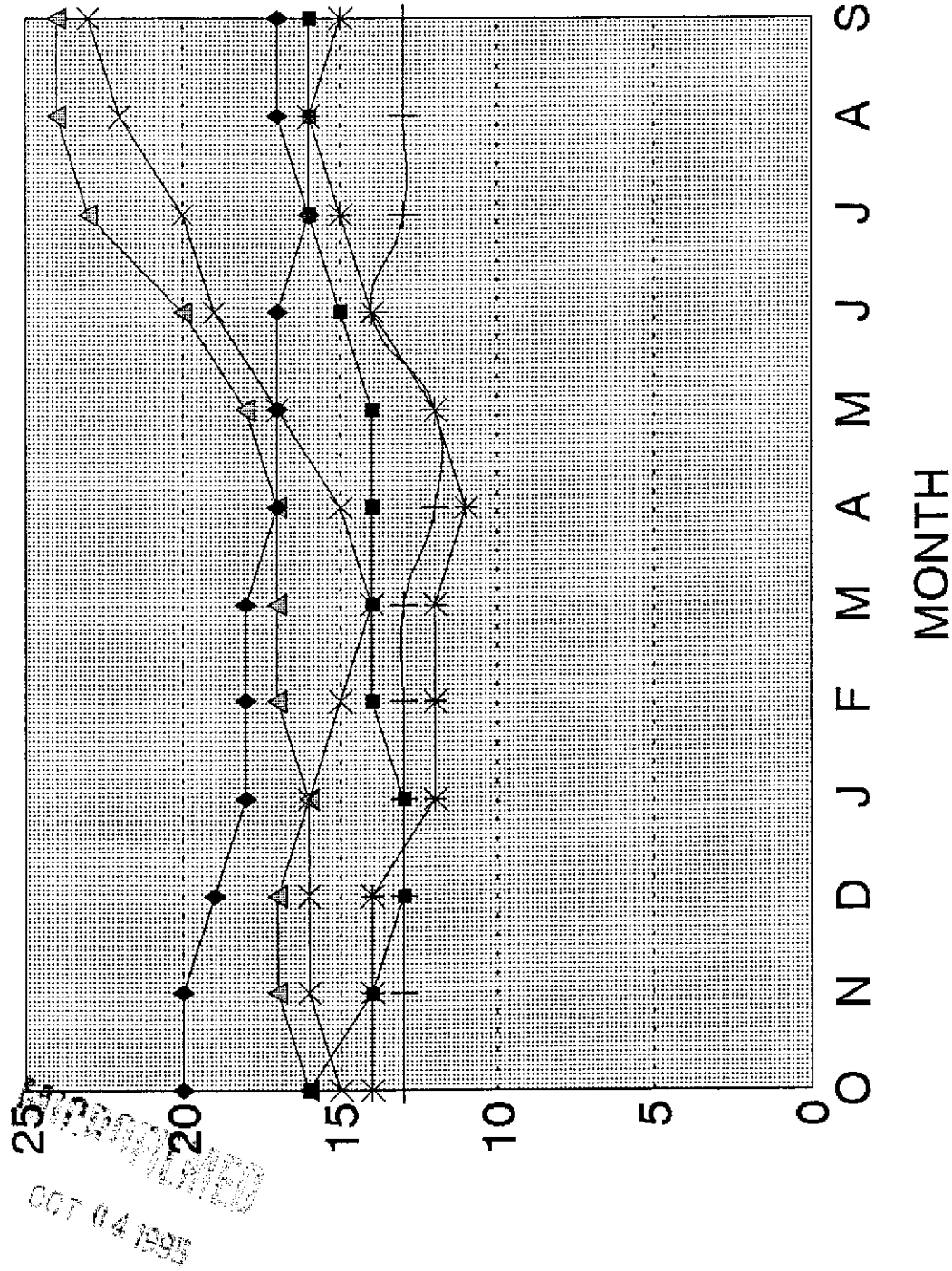
MINIMUM STREAM FLOW (CFS)



- 1960/1961
- 1961/1962
- 1962/1963
- 1963/1964
- 1978/1979
- 1979/1980

EAST FORK OF ROCK CREEK

MEAN STREAM FLOW (CFS)



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13077600 EAST FORK ROCK CREEK NR ROCKLAND
DISCHARGE, CUBIC FEET PER SECOND, WATER YEAR OCTOBER 1960 TO SEPTEMBER 1961
MEAN VALUES

DAY	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP
1	14	13	12	13	13	13	13	12	13	14	13	12
2	14	13	12	13	13	13	13	12	13	14	13	13
3	14	13	13	13	13	13	13	12	13	14	13	12
4	14	13	13	13	13	13	13	12	13	14	13	12
5	13	13	13	13	13	13	13	12	13	14	13	13
6	13	13	13	13	13	13	13	12	13	14	13	13
7	13	13	13	13	13	13	13	12	13	14	13	13
8	13	13	13	13	13	13	13	12	13	14	13	13
9	14	13	13	13	13	13	12	12	13	14	13	13
10	14	13	13	13	14	13	12	12	13	14	13	13
11	13	13	13	13	14	13	12	12	13	13	13	13
12	13	13	13	13	14	13	12	12	13	13	13	13
13	13	13	13	13	13	13	12	12	14	13	13	13
14	13	13	13	13	13	13	12	12	14	13	13	13
15	13	13	13	13	13	13	12	12	14	13	13	13
16	13	13	13	13	13	13	12	12	14	13	13	13
17	13	13	13	13	13	13	12	12	14	13	13	14
18	13	13	13	13	13	13	12	12	14	13	13	14
19	13	12	13	13	13	13	12	12	14	13	13	14
20	13	12	13	13	13	13	12	12	14	13	13	14
21	13	12	13	13	13	13	12	12	14	13	13	14
22	13	12	13	13	14	13	12	12	14	13	13	14
23	13	12	13	13	13	13	12	12	14	13	12	14
24	13	12	13	13	13	13	12	12	14	13	12	14
25	13	12	13	13	13	13	12	12	14	13	12	14
26	13	12	13	13	13	13	12	13	14	14	12	14
27	13	12	13	13	13	13	12	13	14	14	12	14
28	13	12	13	13	13	13	12	13	14	13	12	14
29	13	12	13	13	---	13	12	13	14	13	12	14
30	13	12	13	13	---	13	12	13	14	13	12	14
31	13	---	13	13	---	13	---	13	---	13	12	---
TOTAL	409	378	401	403	368	403	368	378	408	415	394	401
MEAN	13	13	13	13	13	13	12	12	14	13	13	13
MAX	14	13	13	13	14	13	13	13	14	14	13	14
MIN	13	12	12	13	13	13	12	12	13	13	12	12
AC-FT	811	750	795	799	730	799	730	750	809	823	781	795
WATER YEAR 1961												TOTAL
												4726
												MEAN
												13
												AC-FT
												9374

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13077600 EAST FORK ROCK CREEK NR ROCKLAND
DISCHARGE, CUBIC FEET PER SECOND, WATER YEAR OCTOBER 1961 TO SEPTEMBER 1962
MEAN VALUES

DAY	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP
1	14	14	14	13	11	13	11	12	13	15	16	15
2	14	14	14	13	11	13	11	12	13	15	16	15
3	14	14	14	13	11	13	11	12	13	15	16	15
4	14	14	14	13	11	12	11	12	13	15	16	15
5	14	14	14	13	12	12	11	12	13	15	16	15
6	14	14	14	13	11	12	11	12	13	15	16	15
7	14	14	13	14	12	12	11	12	13	15	16	15
8	14	14	14	13	12	12	11	12	13	15	16	16
9	14	14	13	12	12	12	11	12	13	15	16	16
10	14	14	13	12	14	12	11	12	14	15	16	16
11	14	14	13	12	13	12	11	12	14	15	16	16
12	14	14	13	12	12	12	11	12	14	15	16	16
13	14	14	13	11	12	12	11	12	14	15	16	15
14	14	14	13	11	12	12	11	12	14	15	16	15
15	14	14	13	11	12	12	11	12	14	15	16	15
16	14	14	13	11	12	12	11	12	14	15	16	15
17	14	14	13	11	12	12	11	12	14	15	16	15
18	14	14	13	12	12	13	11	12	14	15	16	15
19	14	14	13	12	12	13	11	12	14	15	16	15
20	14	14	14	11	12	13	11	12	14	15	16	15
21	14	14	14	11	13	13	11	12	14	15	16	15
22	14	14	14	11	12	13	11	12	14	15	16	15
23	14	14	14	11	12	13	11	12	15	15	16	16
24	14	14	14	12	13	13	11	13	15	15	16	16
25	14	14	14	12	13	13	11	12	15	15	16	16
26	14	14	14	11	12	15	11	12	15	15	15	16
27	14	14	14	11	13	15	12	13	15	15	15	16
28	14	14	14	11	13	12	12	13	15	15	15	16
29	14	14	14	11	---	12	12	12	15	15	15	16
30	14	14	14	11	---	11	12	12	15	16	15	16
31	14	---	14	11	---	11	---	13	---	16	15	---
TOTAL	434	420	422	366	339	387	334	376	419	467	490	464
MEAN	14	14	14	12	12	12	11	12	14	15	16	15
MAX	14	14	14	14	14	15	12	13	15	16	16	16
MIN	14	14	13	11	11	11	11	12	13	15	15	15
AC-FT	861	833	837	726	672	768	662	746	831	926	972	920
WATER YEAR 1962												
TOTAL												
MEAN												
AC-FT												

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13077600 EAST FORK ROCK CREEK NR ROCKLAND
DISCHARGE, CUBIC FEET PER SECOND, WATER YEAR OCTOBER 1963 TO SEPTEMBER 1964
MEAN VALUES

DAY	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP
1	16	16	16	16	16	15	15	16	18	20	22	22
2	16	16	16	16	16	15	15	16	18	20	22	22
3	16	16	16	16	15	15	15	16	18	20	22	22
4	16	16	16	16	15	15	15	16	18	20	22	22
5	16	16	16	16	15	15	15	16	18	20	22	22
6	16	16	16	16	15	15	15	16	18	20	22	22
7	16	16	16	16	15	15	15	16	18	20	22	22
8	16	16	16	16	15	15	15	16	18	20	22	22
9	16	16	16	16	15	15	15	16	18	20	22	22
10	16	16	16	16	15	15	16	16	18	20	22	22
11	16	16	16	16	15	15	15	16	18	20	22	22
12	16	16	16	16	15	15	15	16	18	20	22	22
13	15	16	16	16	15	15	15	16	18	20	22	22
14	16	16	16	16	15	15	15	16	18	20	22	22
15	15	16	16	16	15	15	15	17	18	20	22	22
16	15	16	16	16	15	15	15	17	19	20	22	22
17	15	16	16	16	15	15	15	17	19	20	22	22
18	15	16	16	16	15	15	15	17	19	20	22	22
19	15	16	16	16	15	15	15	17	18	20	22	22
20	15	16	16	16	15	15	15	17	18	20	22	22
21	15	16	16	16	15	15	15	17	19	21	22	22
22	15	16	16	16	15	15	15	17	19	21	22	22
23	15	16	16	16	15	15	15	17	19	21	22	22
24	15	16	16	16	15	15	15	18	19	21	22	22
25	15	16	16	16	15	15	15	18	19	21	22	22
26	15	16	16	16	15	15	15	18	19	21	22	22
27	15	16	16	16	15	15	15	18	19	21	22	22
28	15	16	16	16	15	15	15	18	19	21	22	22
29	15	16	16	16	15	15	15	18	19	21	22	22
30	15	16	16	16	15	15	15	18	19	21	22	22
31	15	15	16	16	15	15	15	18	19	21	22	22
TOTAL	478	480	496	496	437	446	451	522	556	635	682	684
MEAN	15	16	16	16	15	15	15	17	19	20	22	23
MAX	16	16	16	16	16	15	16	18	19	21	22	23
MIN	15	16	16	16	15	15	15	16	18	20	22	22
AC-FT	948	952	984	984	867	885	895	1000	1100	1300	1400	1400
WATER YEAR 1964	TOTAL											
	6363											
	MEAN											
	17											
	AC-FT											
	12600											

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13077600 EAST FORK ROCK CREEK NR ROCKLAND
DISCHARGE, CUBIC FEET PER SECOND, WATER YEAR OCTOBER 1977 TO SEPTEMBER 1978
MEAN VALUES

DAY	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP
1	---	---	---	---	---	---	---	---	---	---	---	---
2	---	---	---	---	---	---	---	---	---	---	---	---
3	---	---	---	---	---	---	---	---	---	---	---	---
4	---	---	---	---	---	---	---	---	---	---	---	---
5	---	---	---	---	---	---	---	---	---	---	---	---
6	---	---	---	---	---	---	---	---	---	---	---	---
7	---	---	---	---	---	---	---	---	---	---	---	---
8	---	---	---	---	---	---	---	---	---	---	---	---
9	---	---	---	---	---	---	---	---	---	---	---	---
10	---	---	---	---	---	---	---	---	---	---	---	---
11	---	---	---	---	---	---	---	---	---	---	---	---
12	---	---	---	---	---	---	---	---	---	---	---	---
13	---	---	---	---	---	---	---	---	---	---	---	---
14	---	---	---	---	---	---	---	---	---	---	---	---
15	---	---	---	---	---	---	---	---	---	---	---	---
16	---	---	---	---	---	---	---	---	---	---	---	---
17	---	---	---	---	---	---	---	---	---	---	---	---
18	---	---	---	---	---	---	---	---	---	---	---	---
19	---	---	---	---	---	---	---	---	---	---	---	---
20	---	---	---	---	---	---	---	---	---	---	---	---
21	---	---	---	---	---	---	---	---	---	---	---	---
22	---	---	---	---	---	---	---	---	---	---	---	21
23	---	---	---	---	---	---	---	---	---	---	---	21
24	---	---	---	---	---	---	---	---	---	---	---	21
25	---	---	---	---	---	---	---	---	---	---	---	21
26	---	---	---	---	---	---	---	---	---	---	---	21
27	---	---	---	---	---	---	---	---	---	---	---	21
28	---	---	---	---	---	---	---	---	---	---	---	21
29	---	---	---	---	---	---	---	---	---	---	---	21
30	---	---	---	---	---	---	---	---	---	---	---	21
31	---	---	---	---	---	---	---	---	---	---	---	---
TOTAL	999999	999999	999999	999999	999999	999999	999999	999999	999999	999999	999999	189
MEAN												21
MAX												21
MIN												21
AC-FT												375

WATER YEAR 1978 TOTAL 189 MEAN 1 AC-FT 374

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13077600 EAST FORK ROCK CREEK NR ROCKLAND
DISCHARGE, CUBIC FEET PER SECOND, WATER YEAR OCTOBER 1978 TO SEPTEMBER 1979
MEAN VALUES

DAY	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP
1	21	20	20	19	18	18	18	17	17	16	17	17
2	21	20	19	19	18	18	18	17	17	16	17	17
3	21	20	19	19	18	18	18	17	17	16	17	17
4	21	20	20	18	18	18	18	17	17	16	17	17
5	21	20	19	18	18	18	17	17	17	16	17	17
6	20	20	19	18	18	18	17	17	16	16	17	17
7	20	20	19	18	18	18	17	17	17	16	17	17
8	20	20	19	18	18	18	17	18	17	15	17	17
9	20	20	19	18	18	18	17	18	17	15	17	17
10	20	20	19	18	18	18	17	18	17	15	17	17
11	20	20	19	18	18	18	17	18	17	16	17	17
12	20	20	19	18	18	18	17	18	17	15	17	17
13	20	20	19	18	18	18	17	18	17	15	17	17
14	20	20	19	18	18	18	17	18	17	15	18	17
15	20	20	19	18	18	18	17	18	17	16	18	17
16	20	20	19	18	18	18	17	18	17	16	18	16
17	20	20	19	18	18	18	17	18	16	16	17	16
18	20	20	19	18	18	18	17	18	17	16	17	16
19	20	20	19	18	18	18	17	18	17	16	17	16
20	20	20	19	18	18	18	17	17	17	16	17	17
21	20	20	19	18	18	18	17	17	17	16	18	16
22	20	20	19	18	18	18	17	17	17	16	17	16
23	20	20	19	18	18	18	17	17	17	17	17	16
24	20	19	19	18	18	18	17	17	16	17	17	16
25	20	19	19	18	18	18	17	17	16	17	17	16
26	20	19	19	18	18	18	17	17	16	17	17	16
27	20	19	19	18	18	18	17	17	16	17	17	16
28	20	19	19	18	18	18	17	17	16	17	17	16
29	20	19	19	18	---	18	17	17	16	17	17	16
30	20	20	19	18	---	18	17	17	16	17	17	16
31	20	---	19	18	---	18	---	17	---	17	17	---
TOTAL	625	594	591	561	504	558	514	540	501	499	531	496
MEAN	20	20	19	18	18	18	17	17	17	16	17	17
MAX	21	20	20	19	18	18	18	18	17	17	18	17
MIN	20	19	19	18	18	18	17	17	16	15	17	16
AC-FT	1200	1200	1200	1100	1000	1100	1000	1100	994	990	1100	984
WATER YEAR 1979												
TOTAL												
6514 MEAN 18 AC-FT 12900												

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13077600 EAST FORK ROCK CREEK NR ROCKLAND
DISCHARGE, CUBIC FEET PER SECOND, WATER YEAR OCTOBER 1979 TO SEPTEMBER 1980
MEAN VALUES

	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP
1	16	16	17	16	17	17	17	18	19	22	24	24
2	16	16	17	16	17	17	17	18	20	22	24	24
3	16	16	17	16	17	17	17	18	20	22	24	24
4	16	16	17	16	17	17	17	18	19	22	24	24
5	16	16	17	16	17	17	17	18	19	22	24	24
6	16	16	17	16	17	17	17	18	20	23	24	24
7	16	16	17	16	17	17	17	18	20	23	24	24
8	16	16	17	16	17	17	17	18	20	23	24	24
9	16	16	17	16	17	17	17	18	20	23	24	24
10	16	16	17	16	17	17	17	18	20	23	24	24
11	16	16	17	16	17	17	17	18	20	23	24	24
12	16	17	17	16	17	17	17	18	20	23	23	24
13	16	17	17	16	17	17	17	18	20	23	23	24
14	16	17	17	16	17	17	17	18	20	23	23	24
15	16	17	17	16	17	17	17	18	20	23	23	24
16	16	17	17	16	17	17	17	19	20	23	23	24
17	16	17	17	17	17	17	17	19	21	23	23	24
18	16	17	17	17	19	17	17	18	21	24	23	24
19	16	17	17	17	18	17	18	18	21	24	24	24
20	16	17	17	17	18	17	17	18	21	24	24	24
21	15	17	16	17	17	17	17	18	21	24	24	24
22	15	17	16	17	17	17	17	18	21	24	24	24
23	15	17	16	17	17	17	17	19	21	24	24	24
24	15	17	16	17	17	17	17	19	21	24	24	24
25	15	17	16	17	17	17	17	19	21	24	24	23
26	16	17	16	17	17	17	17	19	21	24	24	23
27	16	17	16	17	17	17	18	19	21	24	24	23
28	16	17	16	17	17	17	18	19	22	24	24	23
29	16	17	16	17	17	17	18	19	22	24	24	23
30	16	17	16	17	---	17	18	19	22	24	24	23
31	16	---	16	17	---	17	---	19	---	24	24	---
TOTAL	491	499	516	511	497	527	515	569	614	722	737	714
MEAN	16	17	17	16	17	17	17	18	20	23	24	24
MAX	16	17	17	17	19	17	18	19	22	24	24	24
MIN	15	16	16	16	17	17	17	18	19	22	23	23
AC-FT	974	990	1000	1000	986	1000	1000	1100	1200	1400	1500	1400
WATER YEAR 1980												
TOTAL												
MEAN												
MAX												
MIN												
AC-FT												

WATER YEAR 1980 TOTAL 6912 MEAN 19 AC-FT 13700

OCT 04 1985

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13077600 EAST FORK ROCK CREEK NR ROCKLAND
DISCHARGE, CUBIC FEET PER SECOND, WATER YEAR OCTOBER 1980 TO SEPTEMBER 1981
MEAN VALUES

DAY	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP
1	23	---	---	---	---	---	---	---	---	---	---	---
2	23	---	---	---	---	---	---	---	---	---	---	---
3	23	---	---	---	---	---	---	---	---	---	---	---
4	23	---	---	---	---	---	---	---	---	---	---	---
5	23	---	---	---	---	---	---	---	---	---	---	---
6	23	---	---	---	---	---	---	---	---	---	---	---
7	23	---	---	---	---	---	---	---	---	---	---	---
8	23	---	---	---	---	---	---	---	---	---	---	---
9	23	---	---	---	---	---	---	---	---	---	---	---
10	23	---	---	---	---	---	---	---	---	---	---	---
11	23	---	---	---	---	---	---	---	---	---	---	---
12	23	---	---	---	---	---	---	---	---	---	---	---
13	23	---	---	---	---	---	---	---	---	---	---	---
14	23	---	---	---	---	---	---	---	---	---	---	---
15	24	---	---	---	---	---	---	---	---	---	---	---
16	23	---	---	---	---	---	---	---	---	---	---	---
17	23	---	---	---	---	---	---	---	---	---	---	---
18	23	---	---	---	---	---	---	---	---	---	---	---
19	---	---	---	---	---	---	---	---	---	---	---	---
20	---	---	---	---	---	---	---	---	---	---	---	---
21	---	---	---	---	---	---	---	---	---	---	---	---
22	---	---	---	---	---	---	---	---	---	---	---	---
23	---	---	---	---	---	---	---	---	---	---	---	---
24	---	---	---	---	---	---	---	---	---	---	---	---
25	---	---	---	---	---	---	---	---	---	---	---	---
26	---	---	---	---	---	---	---	---	---	---	---	---
27	---	---	---	---	---	---	---	---	---	---	---	---
28	---	---	---	---	---	---	---	---	---	---	---	---
29	---	---	---	---	---	---	---	---	---	---	---	---
30	---	---	---	---	---	---	---	---	---	---	---	---
31	---	---	---	---	---	---	---	---	---	---	---	---
TOTAL	415	999999	999999	999999	999999	999999	999999	999999	999999	999999	999999	999999
MEAN	23											
MAX	24											
MIN	23											
AC-FT	823											

WATER YEAR 1981 TOTAL 415 MEAN 1 AC-FT 823

IN THE HOUSE OF REPRESENTATIVES

HOUSE CONCURRENT RESOLUTION NO. 45

BY RESOURCES AND CONSERVATION COMMITTEE

1 A CONCURRENT RESOLUTION
2 APPROVING AN APPLICATION TO APPROPRIATE WATER FOR MINIMUM STREAMFLOW.

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

4 WHEREAS, the Idaho Water Resource Board may apply for a permit to appro-
5 priate unappropriated waters of any stream to establish a minimum streamflow;
6 and

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

12 WHEREAS, the Director of the Department of Water Resources approved Appli-
13 cation for Permit No. 41-7046 in a Memorandum Decision and Order dated June
14 24, 1987, authorizing the appropriation of 11.0 cubic feet per second on a
15 reach of the East Fork Rock Creek from the U.S.G.S. measuring station in the
16 SW1/4SW1/4, Section 12, Twp. 10S, Rge. 31E, B.M. downstream approximately
17 three (3) miles to the county bridge in the SW1/4SW1/4, Section 4, Twp. 10S,
18 Rge. 31E, B.M., Power County, Idaho.

19 NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Ses-
20 sion of the Forty-ninth Idaho Legislature, the House of Representatives and
21 the Senate concurring therein, that the approved Application for Permit No.
22 41-7046 is hereby approved subject to the conditions and limitations contained
23 in the Memorandum Decision and Order of the Director of the Department of
24 Water Resources dated June 24, 1987.

RECEIVED

JUN 29 1988

MINIMUM INSTREAM FLOW

EAST FORK ROCK CREEK

(Lower Reach)

41-7046

- Applicant: Idaho Water Resource Board
- Sponsor: Power County Commissioners
- Applic. Date: January 16, 1980
- Rate: 11.0 cfs (Amended from 20.0 cfs)
- Purpose: Maintain trout habitat
- Hearing:
 - June 11, 1980 in American Falls, Id
(Attended by 17 people)
 - November 14, 1985 in American Falls, Id
(Joint hearing on amended 41-7046
and app. 41-7074)
(Attended by 15 people)
 - The only real opposition related to property
rights i.e. access to the creek
- Permit: Proposed decision issued April 9, 1987
Final decision issued June 24, 1987, since no
exceptions were filed.
- Special conditions:
 - Term condition to allow review of permit/license
after 15 years.
 - Provides for recognition of use rights with
priority earlier than msf priority
- General information

JUL 29 1982

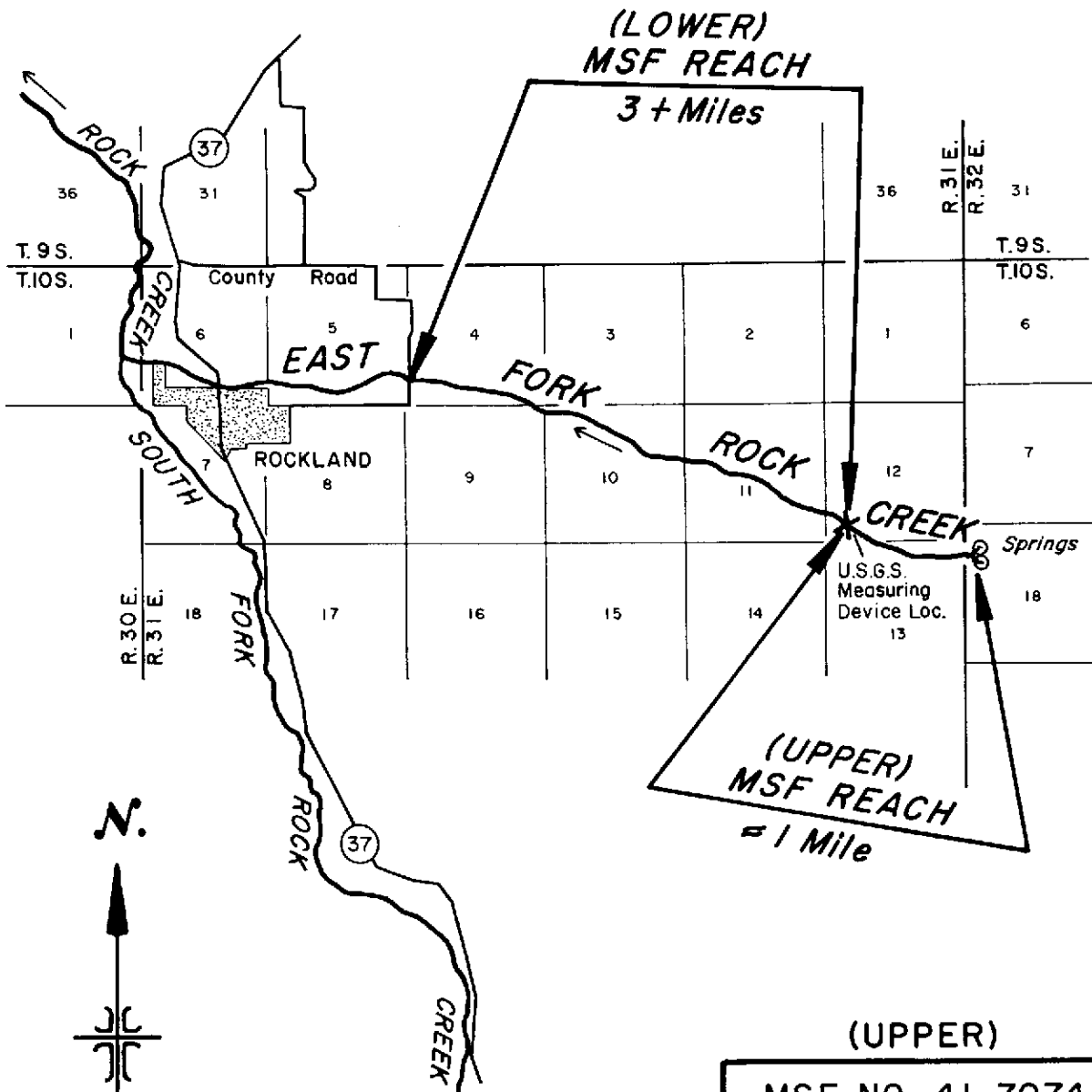
- There are prior recorded water rights in the
min str flow reach.

RECEIVED

JUN 29 1988

(LOWER)

MSF NO. 41-7046
E.F. ROCK CREEK
11.0 cfs 1/16/1980



(UPPER)

MSF NO. 41-7074
E.F. ROCK CREEK
11.0 cfs 9/12/1984

JUN 29 1988

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 any 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. 41-7046 in a Memorandum Decision and Order dated June 24, 1987 authorizing the appropriation of 11.0 cubic feet per second on a reach of the East Fork Rock Creek from the U.S.G.S. measuring station in the SW1/4SW1/4, Section 12, Twp. 10S, Rge. 31E, B.M. downstream approximately three (3) miles to the county bridge in the SW1/4SW1/4, Section 4, Twp. 10S, Rge. 31E, B.M., Power County, Idaho.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Forty Ninth 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 Memorandum Decision and Order of the Director of the Department of Water Resources dated June 24, 1987.

RECEIVED

JUN 29 1988



State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 1301 North Orchard Street Boise, Idaho 83706-2237 • (208) 334-4440

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

January 13, 1987

*Received
1/14/88
js*

Senator James Risch, President
Senate Pro Tem
Statehouse
Boise, ID 83720

Re: Water Right Applications for Permit for Minimum Streamflow
Nos.: 96-7980, Grouse Creek, 41-7046, East Fork, Rock
Creek; 36-8307, Minnie Miller; 41-7074, Rock Creek, East
Fork; and 96-7979, Lightning Creek; 65-12733, South Fork and
Main Stem, Payette River.

Dear Senator Risch:

Enclosed please find copies of the above referenced
Applications for Permit. Enclosed with the applications are the
decisions and orders which conclude the administrative processing
of the applications.

As you are aware, Section 42-1503, Idaho Code, requires that
the applications be reviewed by the legislature. As defined by
statute, each application "(i) shall not become finally effective
until affirmatively acted upon by concurrent resolution of the
Idaho Legislature; or (ii) 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."

This letter constitutes submittal of the applications to the
legislature for approval. Please advise me if you desire further
information or presentation on the nature of the applications.

Sincerely,


R. KEITH HIGGINSON
Director

GS:RKH:jf
Enclosures

CC: Legislative Council

RECEIVED

JUN 29 1988



State of Idaho
DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 1301 North Orchard Street Boise, Idaho 83706-2237 • (208) 334-4440

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

January 13, 1987

Representative Tom Boyd, Speaker
House of Representatives
Statehouse
Boise, ID 83720

*Rec'd 1/14/88
C. Belmain
AA to Speaker*

Re: Water Right Applications for Permit for Minimum Streamflow
Nos.: 96-7980, Grouse Creek; 41-7046, East Fork, Rock
Creek; 36-8307, Minnie Miller; 41-7074, Rock Creek, East
Fork; and 96-7979, Lightning Creek; 65-12733, South Fork and
Main Stem, Payette River.

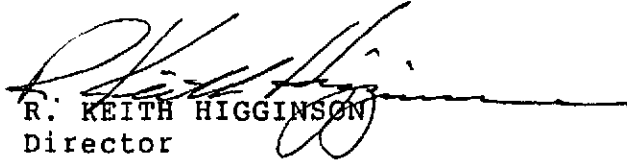
Dear Representative Boyd:

Enclosed please find copies of the above referenced
Applications for Permit. Enclosed with the applications are the
decisions and orders which conclude the administrative processing
of the applications.

As you are aware, Section 42-1503, Idaho Code, requires that
the applications be reviewed by the legislature. As defined by
statute, each application "(i) shall not become finally effective
until affirmatively acted upon by concurrent resolution of the
Idaho Legislature; or (ii) 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."

This letter constitutes submittal of the applications to the
legislature for approval. Please advise me if you desire further
information or presentation on the nature of the applications.

Sincerely,


R. KEITH HIGGINSON
Director

GS:RKH:jf
Enclosures

CC: Legislative Council

JUN 29 1988



State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 450 W. State Street, Boise, Idaho

CECIL D. ANDRUS
Governor

A. KENNETH DUNN
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

June 24, 1987

Idaho Water Resource Board
Statehouse
Boise, ID 83720

Re: Application for Permit No. 41-7046

Dear Applicant:

Enclosed is a copy of approved Application for Permit No. 41-7046 along with a copy of the Order Adopting Proposed Memorandum Decision and Order. We direct your attention to the conditions of approval as set forth in the Order.

Any person who does not agree with the decision of the Department may request a rehearing before the Director within twenty (20) days, or may appeal directly to the district court within thirty (30) days of the date of the decision is mailed.

Please note that the application will not ripen into a permit until finally approved by the Idaho Legislature.

Sincerely,

Gary Spackman
GARY SPACKMAN, Supervisor
Water Allocation Section

GS:jf

Enclosures

CC: Protestants
(see certificate of mailing)

MICROFILMED

JUN 29 1988

Water Right No.: 41-7074

Source: East Fork Rock Creek

Applicant: Idaho Water Resource Board

Requesting Agency: Idaho Water Resource Board

Date Application Filed: September 12, 1984

Rate of Flow: 11 cfs

Purpose: To maintain trout habitat

MICROFILMED

JUN 29 1988

FROM

Dave Tuttle

DATE 10/26/84

TO

File, East Fork Rock (r MSF (Min Flow)

SUBJECT

41-7046

I called Loren Holmes today to ask him
to request that a retraction be printed by
the Power Co Press, as they advertised the hearing on
the above-referenced ~~matter~~ ^{MILWAUKEE} though we had
called to cancel.

JUN 29 1988

Drt

SIGNATURE

41-7046



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

August 9, 1984

Mr. Virgil Moore
State Fisheries Manager
Idaho Department of Fish and Game
600 S. Walnut St.
Boise, ID 83707

Re: Minimum Stream Flows

Dear Virgil:

Throughout the past four months we have had numerous telephone conversations regarding the Idaho Minimum Stream Flow Program. The purpose of this letter is to document the current status of the various minimum stream flow filings for which your Department is the requesting agency. The letter has been organized into three phases corresponding to the stages of water right processing.

Applications

Currently we have four remaining applications for which no hearings have yet been held by this Department. To confirm our earlier conversation, enclosed is a list of projected dates for public meetings to be held in September. As we discussed, we will mail the individual notifications of the meetings based on copies of plats and other information on riparian ownerships that you supply.

Permits

We have received the letter dated July 25, 1984, from Bruce E. Rieman, the Regional Fishery Manager of Region 1, regarding the minimum stream flow permits on Granite Creek, No. 96-7771; Sullivan Springs, No. 96-7772; and, Wolf Lodge Creek, No. 95-7874. The information includes enough documentation of beneficial use for the three permits. However, as we discussed, more thorough stream flow information will be required before licenses can be issued. For example, the discharge measurements for Sullivan Springs range from a minimum of 5.85 cfs to a maximum of 9.95 cfs. It is unclear how these measurements relate to the 45 cfs identified in the permit. As another example, the discharge measurements on Granite

JUN 29 1988

Mr. Virgil Moore
August 9, 1984
Page 2

Creek range from 8.97 cfs to 70.76 cfs. Again, the relationship to the 45 cfs identified in the permit is unclear. For all three permits, a series of gauge readings is needed to augment the staff gauge-discharge relationships that have been developed. The frequency of gauge reading should be a minimum of once every two weeks throughout the year. This office would be happy to entertain a proposal in this regard.

Because proof of beneficial use is due for these three permits on September 1, 1984, extensions of time will be required to maintain the permits in a valid status while the discharge measurements are being collected. We have prepared the three Requests for Extension of Time forms for the signature of Mr. Don Kramer, the chairman of the Idaho Water Resource Board. By separate letter we are mailing the request forms to Mr. Kramer, with the request that they be signed and returned to this office by August 24, 1984. In this way the dates of priority of the minimum stream flow applications will be preserved.

These are the final three minimum stream flow permits for which further documentation will be required this year. Regarding permits with proof due in upcoming years, you may wish to review the conditions of approval to insure that the needed measurements are being made on a current basis to enable timely filing of statements of beneficial use. I would be happy to review the requirements on the permits at your convenience.

Licenses

As you are aware, water right licenses have been issued for both of the upper reaches on Silver Creek. License Nos. 37-7727 and 37-7728 represent the first two licenses issued as a result of the minimum stream flow program. We have received statements of beneficial use for permit Nos. 37-7734, Bancroft Springs, and 36-7818, Vinyard Creek. We are currently reviewing the data on these files and plan to issue licenses in the near future.

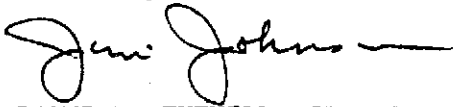
This completes the information that I wanted to summarize regarding the water rights based on requests from your agency. In addition, we would like to request that a study of in-stream flow needs be made on the east fork of Rock Creek, tributary to Rock Creek near American Falls. Minimum stream flow application No. 41-7046 was originally filed by the Idaho Water Resource Board based on a request from the Power County Commissioners. The application was held pending the outcome of an existing protested application for permit located upstream on the east fork of Rock Creek. That application has now been withdrawn and further action can be taken on the application. However, the information provided in the original hearing does not provide a sufficient technical basis for a minimum flow. Therefore, it appears that the next step for action regarding the minimum flow is some type of fishery-related study. Enclosed JUN 29 1985

Mr. Virgil Moore
August 9, 1984
Page 3

your information is a copy of the application. Please advise me regarding the possibilities of an instream flow study on not only the proposed reach, but upstream to the source of the stream as well.

If you wish to clarify or add to any portion of this letter, Virgil, please feel free to give me a call. I will be out of the office until August 27 on military leave, but Jim Johnson of this office should be able to assist you until that date. I look forward to working with you and your staff regarding this program in the future.

Sincerely,

for 

DAVID R. TUTHILL, JR., P.E.
Supervisor, Water Allocation Section

DRT:ls

Enclosures

RECEIVED

JUN 29 1988

EAST FORK ROCK CREEK

Minimum proposed - 20 cfs.

15 cfs available 50% of the time.

12 cfs available 96% of the time.

Problem with upstream point for minimum flow.

Springs origin?

Gauge site?

Note that nowhere in the application is recreation or aesthetic use mentioned. Only fish habitat is shown as a use.

Alternatives

Approve application from gauge to county road bridge for 12 cfs.

Amend application to include the reach from springs to stream gauge and hold another hearing.

Request a study to provide justification for the requested flows. How much do the fish need? Fish & Game said in record that 20 cfs is ideal.

MICROFILMED

JUN 29 1988

East Fork Rock Creek

ISSUES

1. Length of Reach

- a) Stream passes thru private land - disregard since this is a valid approp. & the public benefits
- b) Upstream location should be more clearly defined
 - app supports springs as upper point
 - readvertising could solicit testimony on additional reach

2. Minimum flow necessary

- No data whatsoever
- Need $f \& g$ analysis

Proposal:

- 1) Request $f \& g$ analysis
- 2) Readvertise & re-hear based on new info

MICROFILMED

JUN 29 1988

MEMORANDUM

TO: Norm Young

FROM: Dave Tuthill

DATE: August 22, 1980

RE: MSF 41-7046 East Fork Rock Creek

A major roadblock to the approval of this application is the total lack of information in the record regarding the amount of water needed to satisfy the requirements to "protect the present fish population" or to "maintain trout habitat". The 20 cfs shown on the application appears to be the ideal, not the minimum flow.

Two options for proceeding are:

- 1) Deny the application and force a rehearing based on a request by the Water Resource Board.
- 2) Delay action on the application until the record can be augmented by further studies made by the Department of Fish and Game.

Please advise on which option to select.

RECEIVED
AUG 23 1980
FISH AND GAME
DEPARTMENT

June 25, 1980

Mr. Melvin P. Munk
Box 325
Rockland, Idaho 83271

Dear Mr. Munk:

Pursuant to our discussion at the East Fork Rock Creek MSF hearing on June 11, 1980, I have inquired about the letter of protest that you indicated was mailed to our Southern Regional Office. Apparently the letter was received by that office, but due to a misunderstanding, it was filed there rather than forwarded to the state office.

The letter is now a part of the original file, and will be considered by the Director in his decision making process.

Please accept my apologies for the error, which was certainly an inconvenience. Since your testimony at the hearing covered all points made in the letter, I trust that no lasting problems were created.

Sincerely,

DAVID R. TUTTILL JR., P. E.
Supervisor, Water Allocation Section

DRT:jg

RECEIVED
JUL 1 1980

Melvin R Munk
Box 325
Rockland, Id.
83371

May 25, 1980

Director, Idaho Dept of Water Resources
1041 Blue Lakes Blvd. North
Twin Falls, Idaho 83301.

RECEIVED

MAY 28 1980
Department of Water Resources
Southern District Office

Dear Sirs:

I hereby formally protest against the
granting of application No. 41-7046
on the grounds that the requested
rate of minimum flow is excessive.

I am a farmer rancher in this area
and own property through which this stream
flows for $\frac{3}{4}$ of a mile.

If this application were granted it would completely
limit future use or development along this stream
& this would be extremely short sighted planning
& damaging to property owners in this area.

Thank you

RECORDED

JUN 29 1980

Melvin R. Munk

INTER-DEPARTMENT MEMO — 1

DATE

June 18, 1980

FROM

Dave Tuthill

TO

41-7046

SUBJECT

For information on MSF hearing held June 11, 1980, see hearing file

MICROFILMED

JUN 29 1980

DRF
SIGNATURE



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

C. STEPHEN ALLRED
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

MEMORANDUM

TO: Dave Tuthill, Water Allocation Section DATE: May 23, 1980
FROM: Bill Ondrechen, Hydrology Section ^{WTO}
SUBJECT: Hydrologic Analysis of Minimum Streamflow Applications
36-7872, 41-7046, 73-7045 and 32-7103

Devils Corral Springs (36-7872)

An examination of the annual discharge measurements for the period 1950-78 shows that the requested instream flow of 48 cfs can be maintained, in fact it is very close to the average discharge for the period of 48.6 cfs. These annual measurements, made during March or April, are thought to represent the yearly minimum of the spring flow. Table 1 lists the discharge data.

East Fork Rock Creek nr Rockland (41-7046)

An analysis was made using the summary hydrograph program of the data for gaging station 13077600. Only four years of record exist for the station, however. The stream is fed by spring discharge and has yearly maximum flows in August or September and yearly minimum flows in March or April. Table 2 illustrates part of the results of the analysis. The flow duration portion of the analysis shows that the requested instream flow of 20 cfs is only equalled or exceeded 8 percent of the time, while a flow of 15 cfs occurs about 50 percent of the time. It appears that the 20 cfs requested is not a "minimum flow" in the sense that it has a low probability of exceedance. Also, an examination of miscellaneous measurements made just above the lower end of the reach shows that flows are less than 15 cfs most of the time. These measurements were made between May, 1955, and December, 1960, so they do not overlap with the period of record for the upstream site.

While the 20 cfs might be a desirable flow from other than a hydrologic standpoint, records indicate that it can't be maintained very much of the time.

MAINTAINED

JUN 29 1988

TABLE 2.

IDAHO DEPARTMENT WATER RESOURCES

SUMMARY HYDROGRAPH DATA

EAST FORK ROCK CREEK NR ROCKLAND, ID

13077600

***** MEAN DAILY FLOW BY MONTH *****

MONTH	MAXIMUM	YEAR	DAY	MINIMUM	YEAR	DAY	AVERAGE	COUNT
OCT	16.	1963	1	13.	1961	5	15.	124
NOV	16.	1964	1	12.	1961	19	14.	120
DEC	16.	1964	1	12.	1961	1	14.	124
JAN	17.	1963	31	11.	1962	13	14.	93
FEB	21.	1963	1	11.	1962	1	14.	85
MAR	16.	1963	23	11.	1962	30	14.	93
APR	18.	1963	6	11.	1962	1	13.	90
MAY	18.	1964	24	12.	1962	1	14.	93
JUN	20.	1964	17	13.	1962	1	16.	90
JUL	22.	1964	28	15.	1962	1	17.	93
AUG	22.	1964	1	15.	1962	26	18.	93
SEP	24.	1964	26	15.	1962	1	18.	90

***** YEARLY FLOW DATA *****

MAXIMUM	YEAR	MINIMUM	YEAR	AVERAGE	COUNT
24.	1964	11.	1962	15.	1186

***** MEAN MONTHLY FLOW DATA *****

MONTH	MAXIMUM	YEAR	MINIMUM	YEAR
OCT	16.	1963	13.	1961
NOV	16.	1964	13.	1961
DEC	16.	1964	13.	1963
JAN	16.	1964	12.	1962
FEB	15.	1964	12.	1962
MAR	14.	1964	12.	1962
APR	15.	1964	11.	1962
MAY	17.	1964	12.	1962
JUN	19.	1964	14.	1962
JUL	20.	1964	15.	1962
AUG	22.	1964	16.	1962
SEP	23.	1964	15.	1962

***** MEAN ANNUAL FLOW DATA *****

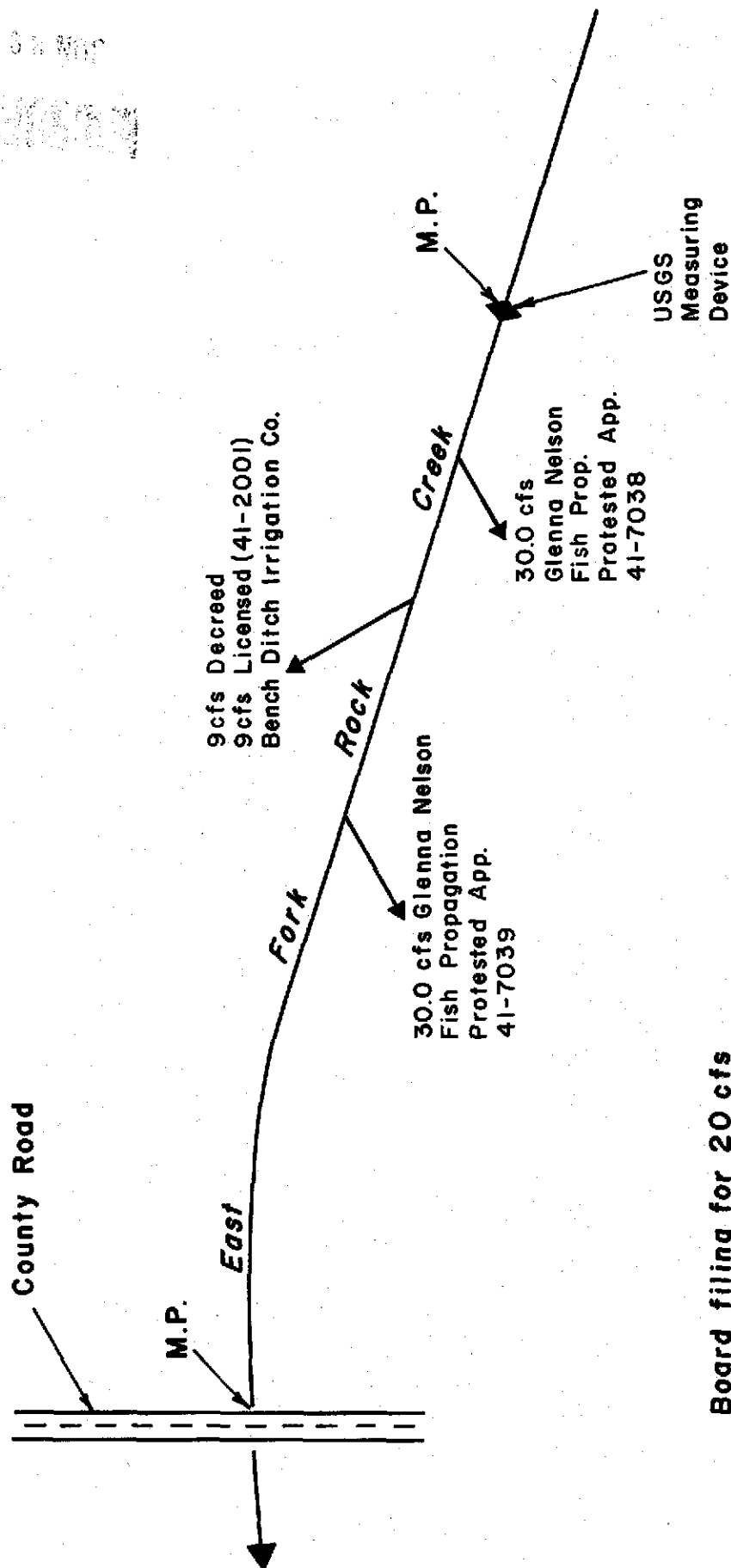
MAXIMUM	YEAR	MINIMUM	YEAR
17.	1964	13.	1962

NOV 1964

JUN 29 1968

EAST FORK ROCK CREEK

41-7046



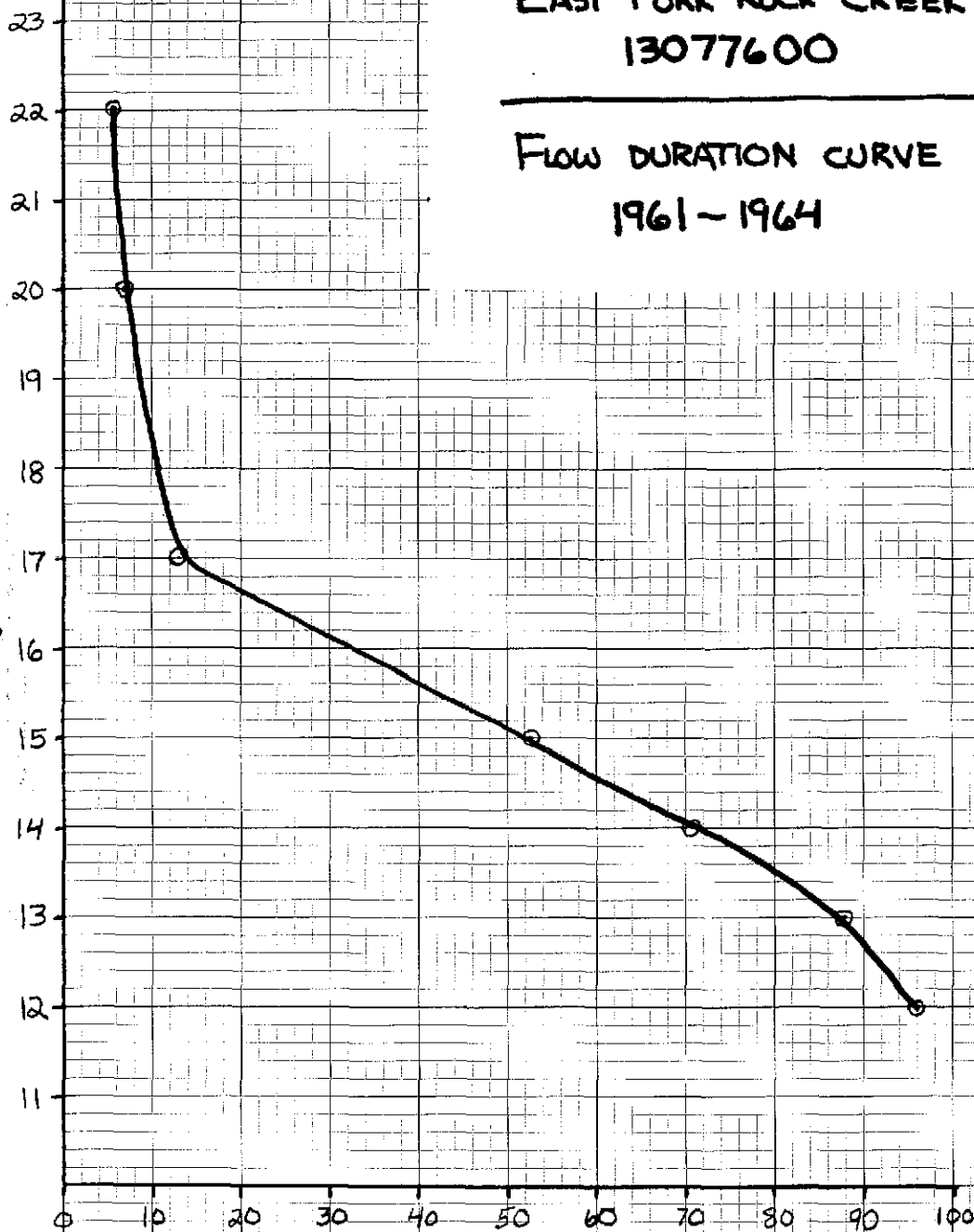
Board filing for 20 cfs

Distance from M.P. to M.P. = 4 Mi.

EAST FORK ROCK CREEK
13077600

FLOW DURATION CURVE
1961-1964

DISCHARGE (CFS)



PERCENT OF TIME FLOW EQUALLED OR EXCEEDED

REPRODUCED

JUN 29 1988



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION

John V. Evans
Governor

C. Stephen Allred
Director

1041 Blue Lakes Blvd. North
Twin Falls, Idaho 83301
(208) 734-3578

Idaho Dept. of Parks & Recreation
2177 Warm Springs Ave.
Boise, Idaho
83702

June 4, 1980

RE: Application For Permit No. 41-7046, Idaho Water Resource Board

Dear Sirs;

Please find enclosed a copy of the above-referenced application for permit for your information. A public hearing has been scheduled on this application for Wednesday, June 11, 1980, at 1:00 pm, in the Production Credit Association office at 127 Idaho St., American Falls, Idaho. If you wish to appear formally to present evidence or cross-examine witnesses, please notify our Boise office five days in advance of the hearing. Informal views and comments will also be accepted without prior notice.

Sincerely,

J. F. Stanton
for Loren O. Holmes
Southern Region Supervisor

LH: js

Encl

MICROFILMED

JUN 29 1988



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION

John V. Evans
Governor

1041 Blue Lakes Blvd. North
Twin Falls, Idaho 83301
(208) 734-3578

C. Stephen Allred
Director

Idaho Dept. of Health & Welfare
Region 7 Office
1655 S. Woodruff Ave.
Idaho Falls, Idaho
83401

RE: Application For Permit No. 41-7046, Idaho Water Resource Board

Dear Sirs;

Enclosed is a copy of the above-referenced application for permit for your information. A public hearing has been scheduled on this application; a copy of the news release is attached.

Sincerely,

J P Stanton
for Loren O. Holmes
Southern Region Supervisor

LH: js

Encl

MAILED

JUN 29 1988



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION

John V. Evans
Governor

C. Stephen Allred
Director

1041 Blue Lakes Blvd. North
Twin Falls, Idaho 83301
(208) 734-3578

June 2, 1980

Board of County Commissioners
Power County
% L. R. Schou
Deputy Attorney
P.O. Box 70
American Falls, Idaho 83211

Dear Mr. Schou:

Please be advised that the hearing on Application for Permit No. 41-7046 in the name of Idaho Water Resource Board has been set for Wednesday, June 11, 1980, at 1:00 p.m., in the Production Credit Association office, 127 Idaho Street, in American Falls, Idaho.

If you have any questions concerning this hearing, please feel free to contact this office.

Sincerely,

Mary A. Hill
Secretary

for

Loren O. Holmes
Southern Region Supervisor

RECEIVED

JUN 29 1988

AFTER FIVE DAYS RETURN TO

William Nelson
Ruckland, Idaho

ZIP CODE

Department of Water Resources
Statehouse,
Boise, Idaho



RECEIVED

JUN 29 1988

From the desk of

RECEIVED

MAY 29 1980

MELVIN NELSON

Department of Water Resources

Ida. Water Resources Board

Gentlemen:

Ref. Affiliation No. 41-7046

Minimum Stream flow, East
Fork Creek.

Public Hearing Wed. June
11 American Falls.

I would like to appear
in this proceeding for the
purpose of presenting evidence
in favor of this Affiliation

Melvin L. Nelson
Powers Co. Field & Stream
Committee Chairman

MICROFILMED

JUN 29 1988

NEWS RELEASE

TO: Power County Press

FROM: Department of Water Resources
1041 Blue Lakes Blvd. North
Twin Falls, Idaho 83301

Loren O. Holmes - Southern Region Supervisor

The Idaho Department of Water Resources has scheduled a public hearing on an application for permit filed by the Idaho Water Resource Board.

The Board, which filed the application on January 12, 1979, seeks to appropriate 20 cubic feet per second of water in the East Fork of Rock Creek in Power County, for the purpose of establishing an instream flow in order to maintain trout habitat in the creek.

The hearing will be held on Wednesday, June 11, 1980, at 1:00 p.m., in the Production Credit Association office, 127 Idaho Street, in American Falls, Idaho. Persons wishing to appear formally to present evidence or cross-examine witnesses at the hearing should file a notice of appearance with the Department of Water Resources, Statehouse, Boise, Idaho 83720 five days prior to the hearing. Anyone wishing to present views and comments informally will be given an opportunity to do so without the need for filing a notice of appearance.

REPROFILMED

JUN 29 1988



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
SOUTHERN DISTRICT

1041 Blue Lakes Blvd. North
Twin Falls, Idaho 83301
(208) 734-3578

May 2, 1980

Power County Press
174 Idaho Street
Ameridan Falls, Idaho 83211

Re: Notice of Application for Minimum Stream Flow - No. 41-7046

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. If you cannot publish the notice on the proposed dates, please contact us immediately.

In order to receive payment, an affidavit of publication must be submitted to the Department along with the publication bill.

Sincerely,

Mary A. Hill
Secretary

for

Loren O. Holmes
Southern Region Supervisor

Encl:

RECEIVED

JUN 29 1988

NOTICE OF APPLICATION FOR MINIMUM STREAM FLOW

Notice is hereby given that the Idaho Water Resource Board has on December 12, 1979, submitted an application for permit to the Department of Water Resources proposing the appropriation of water to preserve the minimum streamflow from the East Fork Rock Creek tributary of Rock Creek and further described as follows:

APPLICATION NO. 41-7046

Reach of minimum stream flow: From county bridge in SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 4, T.10S, R.31E, upstr
3 miles to SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 12, T.10S, R.31E.

Rate of flow: 20 cubic feet per second

Season of use: January 1 to December 31

Use: To maintain trout habitat

The Director of the Department of Water Resources will hold a public hearing on the application at 1:00 p.m., on Wednesday, June 11, 1980, at the Production Credit Association office, 127 Idaho Street, American Falls, Idaho, for the purpose of hearing evidence in regard to the application. The hearing will be held pursuant to the provisions of Sec. 42-1503, Idaho Code.

If issued, these permits will be subject to all prior water rights. Any party who wishes to formally appear in this proceeding for the purpose of presenting evidence or cross examining witnesses should file a notice of appearance with the Director, Department of Water Resources, Statehouse, Boise, Idaho, 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.

Protests against the granting of any permit must be filed with the Director, Idaho Department of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho 83301 on or before June 10, 1980.

C. STEPHEN ALLRED
Director

Published: Power County Press - May ¹⁴~~15~~ and May 21, 1980.

JUN 29 1980

Published in The Power County
Press May 14, and May 21, 1980

**NOTICE OF APPLICATION
FOR MINIMUM STREAM FLOW**

Notice is hereby given that the
Idaho Water Resource Board has
on December 12, 1979, submitted
an application for permit to the
Department of Water Resources
proposing the appropriation of
water to preserve the minimum
streamflow from the East Fork
Rock Creek tributary of Rock
Creek and further described as fol-
lows:

APPLICATION NO. 41-7046

Reach of minimum stream flow:
from county bridge in SW $\frac{1}{4}$ SW $\frac{1}{4}$,
Sec. 4, T. 10S, R. 31E, upstream
1.5 miles to SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 12,
T. 10S, R. 31E.

Rate of flow: 20 cubic feet per
second

Season of use: January 1 to Dec-
ember 31

Use: To maintain trout habitat
The Director of the Department
of Water Resources will hold a
public hearing on the application at
1:00 p.m., on Wednesday, June 11,
1980, at the Production Credit As-
sociation office, 127 Idaho Street,
American Falls, Idaho, for the pur-
pose of hearing evidence in regard
to the application. The hearing will
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of Sec. 42-1503, Idaho Code.

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Director, Department of Water Re-
sources, Statehouse, Boise, Idaho,
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portunity to informally present their
views and comments without the
necessity of filing a notice of ap-
pearance.

Protests against the granting of
any permit must be filed with the
Director, Idaho Department of
Water Resources, 1041 Blue Lakes
Blvd. North, Twin Falls, Idaho
83301 on or before June 10, 1980.

C. STEPHEN ALLRED
Director

*ok
merge
5/12/80*

MICROFILMED

JUN 29 1988



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

SOUTHERN REGION

John V. Evans
Governor

C. Stephen Allred
Director

1041 Blue Lakes Blvd. North
Twin Falls, Idaho 83301
(208) 734-3578

May 2, 1980

Ann Holden
Production Credit Association
P.O. Box 300
American Falls, Idaho 83211

Dear Mrs. Holden:

This is to confirm the use of the conference room for conference and/or hearing to be held by this office on Wednesday, June 11, 1980, at 1:00 p.m.

Thank you for your cooperation in this matter.

Sincerely,

Mary A. Hill
Secretary

for

Loren O. Holmes
Southern Region Supervisor

FILED

JUN 29 1988



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION

John V. Evans
Governor

C. Stephen Allred
Director

1041 Blue Lakes Blvd. North
Twin Falls, Idaho 83301
(208) 734-3578

May 2, 1980

Mr. Bob Bell, Regional Fisheries Biologist
Idaho Fish & Game Department
Region #4
P. O. Box 428
Jerome, Idaho 83338

Re: Application for Permit No. 41-7046 - Idaho Water Resource Board

Dear Mr. Bell:

Please find enclosed a copy of the above referenced application for permit for your information and files.

Sincerely,

Mary A. Hill
Secretary

for

Loren O. Holmes
Southern Region Supervisor

Encl:

MICROFILMED

JUN 29 1980

INTER-DEPARTMENT MEMO — 1

FROM Dave Tuthill *DT*

DATE

January 14, 1988

TO Glen Saxton

SUBJECT MSF #19

Diversions through Bench Ditch are:

41-0018	.2 cfs
41-0019	.8 cfs
41-0035	6.5 cfs
41-0036	1.5 cfs
41-2001	9.0 cfs
	<u>18</u> cfs

MICROFILMED

JUN 29 1988

Verified per telecon with watermaster James Woodward.

DT

SIGNATURE

Notes
E FK. Rock Cr. Request

- Mr. Chairman, members of the board.

- On (Dec 10, 1979), the County Commissioners of Power Co. submitted a request to the Board to estab. min stream flow on E FK of Rock Cr. in Power County

- Schematic will assist in explanation of the request

- Min flow of 20 cfs from Gaging station to county road about 4 mi in length

- Existing rts

- 18 cfs - lic & decreed (Bench Ditch)

- Protest apps (

- Hearing has been held

- Decision not issued

- Flows available

12 to 15 cfs

- Article in Power County Press (11-8-79)

- Less than accurate -

- Caption - suggests Bd has filed

- Appeared prior to request to the Board

- Article states that the board intends to compete w / a prior applic's of Shenna Nelson (extremely misleading)

MICROFILMED

JUN 29 1988

- A reporter did inquire of Dept & did receive some factual info.

- Specifically that

1. The board would have to submit an app to Dept to be considered (which event had not yet taken place)
2. Any app. filed by the board would be subsequent to all prior sts incl prior applications.
3. Dept would complete action on prior applications prior to taking action on a later applic. that might be filed by the Board

Mr. Chairman

- This concludes my report
- Appropriate to provide an opportunity for

Ben Cavaness

representing Deputy County Prosecutor
Lower County Commissioners

to provide add'l info or answer questions that the Board may have relative to the request.

RECEIVED

JUN 29 1988

State board files for East Fork water

The Idaho Water Resources Board is going to compete with Glenna Nelson for the water in the East Fork of Rock Creek.

The Water Resources Board is going to file an application for a minimum stream flow of 20 cubic feet per second this week.

Two weeks ago the Department of Water Resources held a public hearing in American Falls to gather facts in favor and opposing two stream flow diversions in the stream by Glenna Nelson.

Nelson is a Rockland resident who wants to divert 20 cubic feet per second in one location and 30 feet per second in another location for the development of a trout farm along the East Fork.

Testimony given during the hearing indicates the average stream flow in the creek is only 13 cubic feet per second.

The Department of Fish and Game opposes the diversions by Nelson because of the amount of

water that Nelson has requested.

Monday morning, the regional director of Fish and Game, Bill Davidson met with the county commissioners and asked for their endorsement of a minimum flow application by the Water Resources Board.

The Water Resources Board is a panel of eight men appointed by Gov. John Evans to make general policy for the state water plan. A section of the Idaho Code authorizes the board to apply for minimum stream flow.

An application for a minimum flow of 20 cubic feet per second on the East Fork would have to be submitted to the Department of Water Resources for approval. The department is a separate entity from the Water Resources Board.

A supervisor in the Boise regional office of the Department of Water Resources, Glen Saxon said the department

would probably decide the fate of Glenna Nelson's applications before they considered a minimum stream flow application by the Water Resources Board.

"Any application filed later in time than the applications by Glenna Nelson would have to be considered subsequent to the outcome of the Nelson applications," Saxon said.

Despite the potential timing problem, the Power County commissioners endorsed the minimal flow application by the Water Resources Board. The application is also supported by the Department of Fish and Game.

RECEIVED
JUN 28 1980

[illegible]

TITLE OF CASE: In the matter of the application of H. P. Houtz, et al., for the arbitration of the claims to the use of the waters of Rock Creek and tributaries
 SOURCE: Rock Creek and tributaries
 WATER DIST: 41
 JUDICIAL DIST: 5
 DATE OF DECREE: Jun 6, 1903
 COUNTY Power (formerly Oneida) arbitration committee JUDGE Frank Campbell, D. W. Standrod, H. P. Evans.
 FILE NO. 29-1
 AT PAGE NO. 1
 IN BOOK NO. 1
 RECORDED

P.N.	DN.	DECEED OWNER	NAME	PRESENT OWNER	AMT SEC. FT. D	PRIORITY	DIVERSION			REMARKS, LAND TO BE IRRIGATED, ETC.	C.T.
							SUBDIV.	SEC.	TWP.	R&G	
11	1020	Guadalupe Valdez	47-027		EAST FORK	ROCK CREEK					
11	1021	Lewis Lance			100	2-15-79	East Fork				100
11	1022				100	8-1-79	Rock Creek				200
11	1023	H. Houtz, Jr.			34	3-12-81	East Fork				234
11	1024	H. C. Wood			70	3-12-81	Rock Creek				304
11	1025	Joseph Henry-Grantee			60	6-1-82	East Fork				364
11	1026	Guadalupe Valdez			50	5-1-83	Rock Creek				414
11	1027	D. C. Tyler, Jr.			40	6-15-83	East Fork				454
11	1028	Promontory Stock Ranch Co.			25	10-1-83	Rock Creek				479
11	1029	Lyman S. Barnard			40	10-1-83	East Fork				554
11	1030	D. A. Budge			35	10-1-83	Rock Creek				514
11	1031	Bench Ditch			325	5-10-84	East Fork				879
11	1032	Bench Ditch			75	5-10-84	Rock Creek				954
11	1033	James Shearman			10	3-15-85	East Fork				964
11	1034	George Stanger			40	5-1-85	Rock Creek				1004
11	1035	D. C. Tyler, Sr			30	5-1-85	East Fork				1034
11	1036	Promontory Stock Ranch Co.			10	6-1-85	East Fork				1044
11	1037	Neil Danilson			10	10-1-85	Rock Creek				1054
11	1038	H. P. Houtz			10	5-1-86	East Fork				
11	1039	Joseph Henry			25	6-1-86	Rock Creek				1064
11	1040										1089

January 4, 1980

Mr. Vernon Ravenscroft
Consulting Associates
P.O. Box 893
Boise, ID

Dear Mr. Ravenscroft:

Please find enclosed a copy of the Agenda for the next meeting
of the Idaho Water Resource Board.

Sincerely,

DAVID R. TUTHILL, JR., P.E.
Supervisor, Water Allocations Section

DRT:rr

Enclosure

RECEIVED
JAN 13 1980

January 4, 1980

Board of County Commissioners
% L. R. Schou, Deputy Attorney
P.O. Box 70
American Falls, ID 83211

Gentlemen:

Please find enclosed a copy of the Agenda for the next meeting
of the Idaho Water Resources Board.

Sincerely,

DAVID R. TUTHILL, JR., P.E.
Supervisor, Water Allocations Section

DRT:rr

Enclosure



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS

Governor

C. STEPHEN ALLRED

Director

NOTICE OF MEETING AND AGENDA

FOR

Meeting No. 1-80 of the Idaho Water Resource Board

January 16, 1980

January 16, 1980 -- 9:30 a.m. Board Convenes -- Department of Water Resources
Conference Room, (2nd Floor) State Towers Building,
450 W. State Street, Boise, Idaho

A G E N D A

1. Roll Call
2. State Water Plan Funding Strategy
 - a. Legislative Package and Report
 - b. Board Action
3. Citizens Advisory Committee
 - a. Proposed Charter
 - b. Board Action
4. Reynolds Irrigation District
 - a. Field Inspection Report
 - b. Loan Request
5. Disposal Well Program
 - a. Status of IDWR Program
 - b. Board Approval of Procedures for Adoption of Disposal Well Standards
6. Instream Flow Application
East Fork Rock Creek From Power County Commissioners
7. Status Report on Water Bank Rules and Regulations
8. Status Report on Establishing Minimum Standards for Tailing Ponds
9. Contract to Retain a Financial Advisor
10. Director's Report
 - a. Governor's State-of-the-State Message
 - b. State Natural and Recreational River System Legislation
11. Items Board Members Wish to Present

RECORDED

JUN 29 1988

XXXXXXXXXXXXXXXXXXXXX
450 W. State Street

XXXXXXXXXX
334-4440

December 21, 1979

Board of County Commissioners
% L. R. Schou, Deputy Attorney
P.O. Box 70
American Falls, Idaho 83211

Gentlemen:

Enclosed we are returning a copy of your minimum streamflow request, as modified pursuant to a telephone conversation between Mr. Ben Cavaness and myself on December 17, 1979.

Based on a December 18, 1979 conversation between Mr. Cavaness and Norm Young of this Department, this minimum streamflow request was not formally presented to the Water Resource Board at their meeting yesterday. Since a representative from your office could not attend, the existence of the request was mentioned to the Board, but no formal action was taken.

The next meeting of the Water Resource Board has been tentatively scheduled for January 16, 1979, in the Department conference room in Boise. Please have a representative plan to attend the meeting and assist in the presentation of the request.

You may wish to verify the date of the next Board meeting early in January. Meanwhile, we will advise you of any new developments on the request.

Sincerely,

DAVID R. TUTHILL JR., P.E.
Supervisor, Water Allocation Section

DRT:jg

Enclosures

MICROFILMED

JUN 29 1988

John
L. R. SCHOU
BEN CAVANESS
MARK BEEBE

Schou, Cavaness and Beebe

ATTORNEYS-AT-LAW
P. O. Box 70
American Falls, Idaho 83211

TELEPHONE (208)
226-2562 or
226-2563

RECEIVED

DEC 12 1979

December 10, 1979

Department of Water Resources

Idaho Water Resources Board
Statehouse
Boise, Idaho 83720

Gentlemen:

The Board of County Commissioners of Power County, Idaho, by action taken at their regular meeting of December 10, 1979, has directed me to request that you file an application for the appropriation of 20 cfs upon the unappropriated waters of Rock Creek in Power County, Idaho, in order to provide a minimum stream flow therein. The information required by Idaho Code 42-1504 is contained in the "Application for Permit" form and supporting documents attached to, and made a part of this request.

Very truly yours

Mark Beebe
Power County Attorney



By: L. R. Schou, Deputy

LRS:cs

Enc.

MICROFILMED

JUN 29 1988

DRAFT

MINIMUM STREAMFLOW REQUEST APPLICATIONPROCESSING CHECKLIST

<u>PROCEDURE</u>	<u>ASSIGNED TO</u>	<u>INITIALS/DATE</u>
1. Request received and checklist attached. (Priority established).	Receptionist	✓
2. Request indexed.	Records Chief	tg 1/15/80
3. Preliminary review. Application prepared for signature.	Section Supv.	DRT 12/13
4. Region advised of request.	Section Supv.	DRT 12/31
5. Acknowledgment letter sent.	Section Supv.	DRT 12/21
6. Copy of request routed to: Reg. Off. Bur. Ch.; Oper. Bur. Ch.; Admin.; Asst. Dir.; Dir.	Records Chief	DRT 1/10
7. Copy of request routed to Administrator, Resources Analysis Division for placement on Board Agenda.	Records Chief	LGS 12-16?
8. Water rights researched and abstracted.	Records Chief	DRT 12/31 (HAB)
9. Visual aid request prepared.	Section Supv.	RH 1-8
10. Visual aid reviewed.	Section Supv.	DRT 1-10
11. Request and related data present- ed to Board.	Admin., Res. Admin. Div.	LGS 1-16
12. <u>Filed</u> or Rejected by Board.	Sec. Supv. et.al.	DRT 1-16
13. Board Action indexed.	Records Chief	✓
14. Original app. sent to region.	Records Chief	tg 1/21
15. Copy of app. sent to F&G, H&W, Parks & Rec. (mandatory).	Region	✓ Region
16. App. advertised after a suitable hearing date determined by S.O. <i>Requester notified of date.</i>	Region	✓ Region
17. Hearing held (mandatory).	Hearing Officer & Regional Rep.	✓ Held by Ncy
18. Decision prepared for Directors signature.	Attorneys	
19. Approval/Denial of app. indexed.	Records Chief	
20. Copy of Approval/Denial sent to parties formally appearing @ Hearing.	Records Chief	
21. Copy of signed app. submitted to the legislature for approval.	Section Supv.	
22. Copy of legislative action placed in file. If no overt approval is made, place memo in file.	Section Supv.	

MICROFILMED

JUN 29 1988

State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET IDAHO WATER RESOURCE BOARD

INITIAL REVIEW BY: J.E. Stanton
CHECK:

APPLICATION NUMBER: 41-7046

- ☒ Source.
☒ Point of diversion.
☒ County.
☒ Description of diverting works.
☒ Time required for beneficial use of water.
☒ Place of use or acres irrigated.
☒ Map.
☒ Signature.
☒ Fee.
☐ Yes ☒ No Field check required.
☐ Yes ☒ No Critical groundwater area.
☐ Yes ☒ No Request dam safety information. Sent by: _____ Date: _____
☒ Yes ☐ No* In form to receipt.

Field check by: _____

Date: _____

Comments: _____

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT: _____

SEND COPIES TO:

- ☐ Idaho State Health Department. Copies sent by: _____ Date: _____
☒ Idaho Fish and Game Department. masepa 5/2/80
☐ Idaho Department of Lands. _____
☐ U.S. Bureau of Land Management. _____
☐ U.S. Forest Service. _____
☒ Other IDWA Boise masepa 5/2/80

PROCESSING:

- ☐ Yes ☒ No Platted by: JS Map No. BB-86
☐ Yes ☐ No Other rights on same place of use. _____
☐ Yes ☐ No* In form for advertising. 4/10/80
☐ Yes ☐ No Final date for protests: _____
☐ Yes ☐ No Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

- ☐ Affidavit of publication received. Date: _____
☒ Application published correctly. If not, record action taken: _____
☐ Fee amount, receipt date & number, recorded on application.
☐ Publication dates and paper, recorded on application.
☐ Protests, dates, withdrawal, etc., recorded on application.
☐ Recommendation & initial, recorded on application.
☐ Yes ☐ No Measuring device required.
☐ Yes ☐ No Access port required.
☐ Yes ☐ No Will water be delivered by watermaster? If yes, what district? _____
Date of priority recommended. _____

Special conditions of approval or cover letter. _____

By: _____ Date: _____

STATE OFFICE REVIEW:

- ☐ See attached sheet for more information.
By: _____ Date: _____