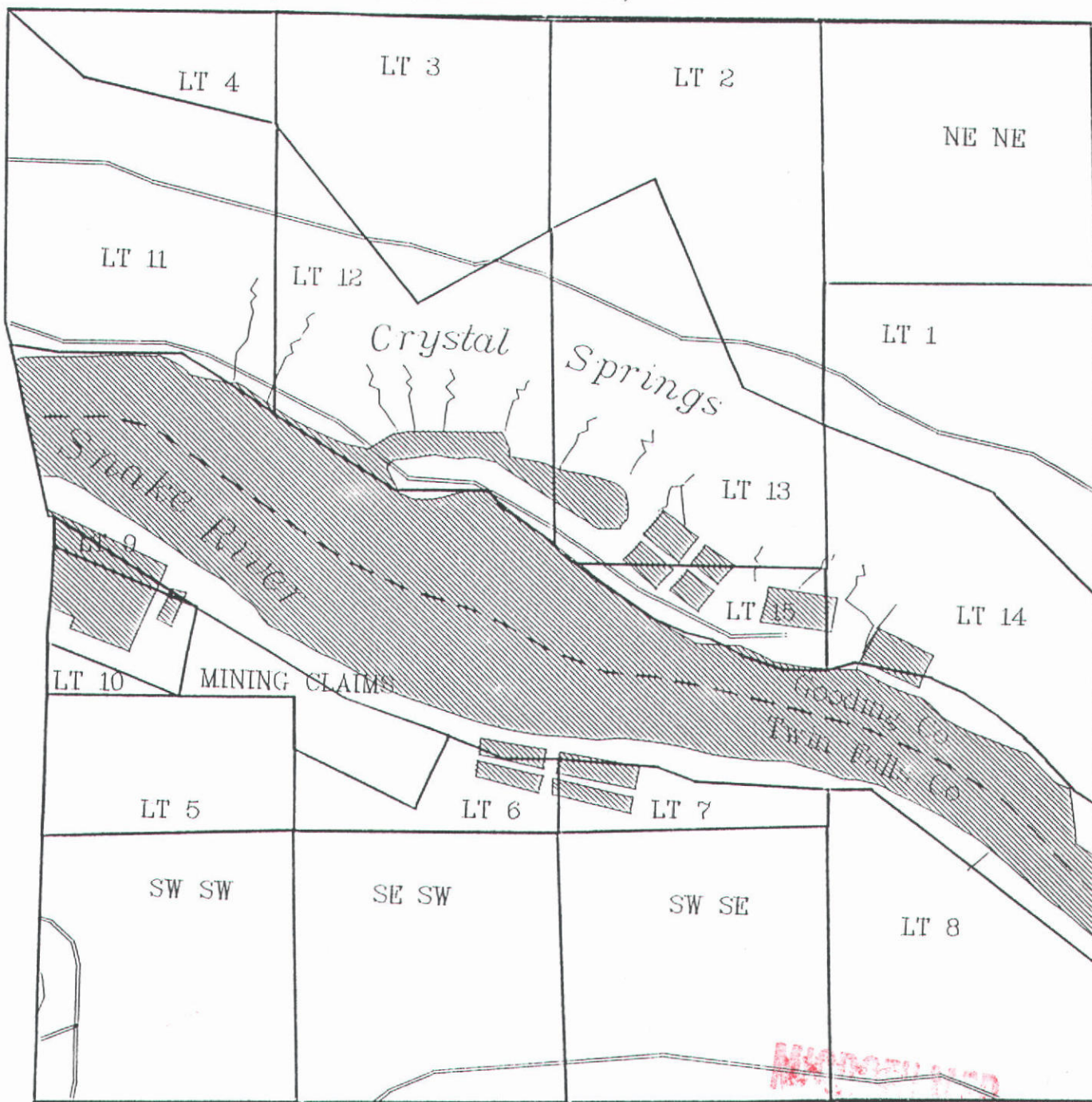
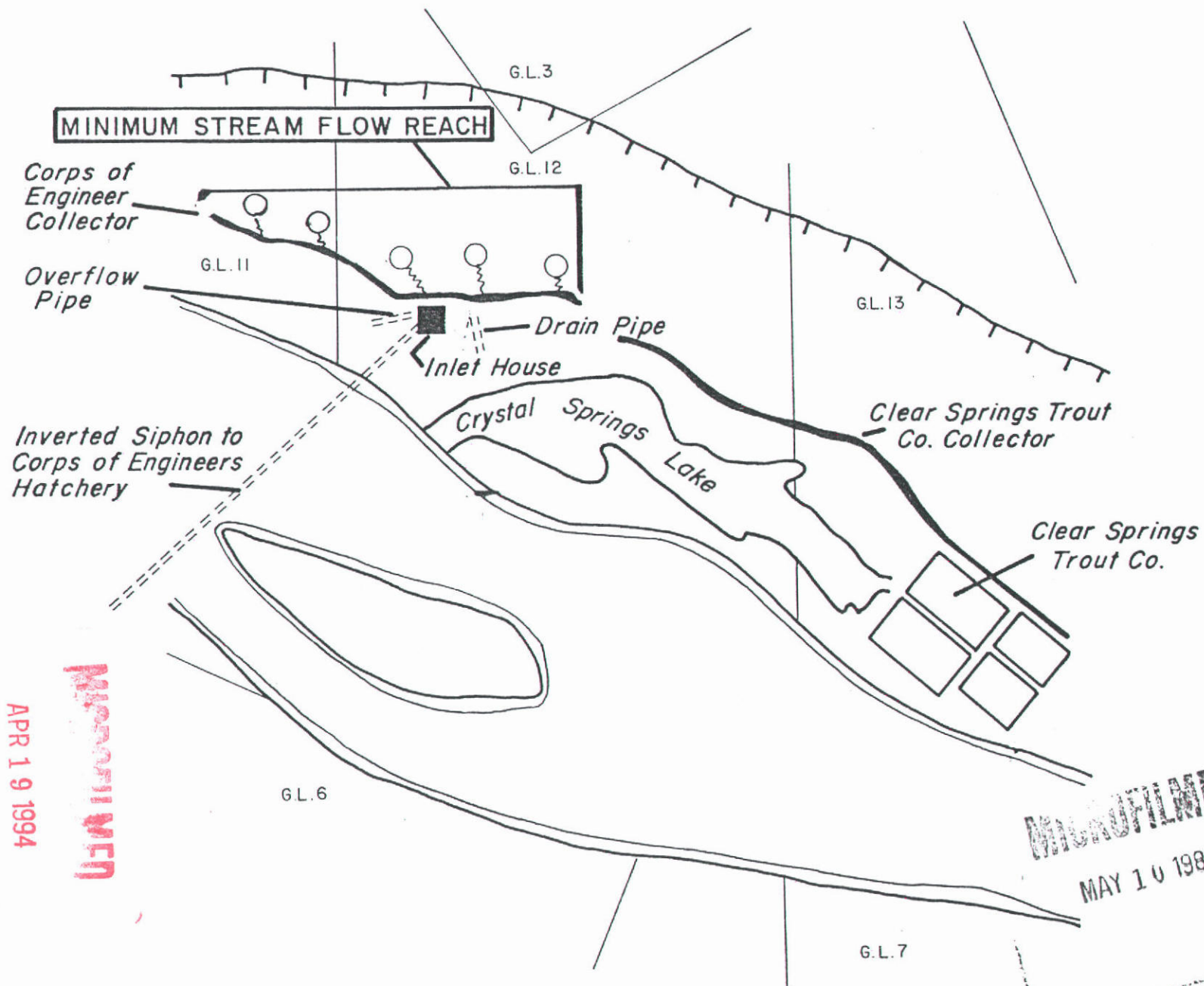


SECTION 12, TOWNSHIP 9S, RANGE 15E



CRYSTAL SPRINGS

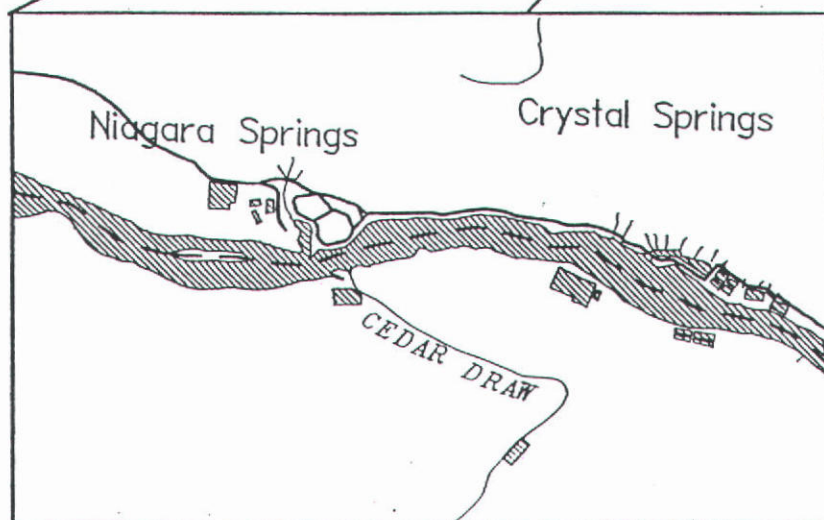
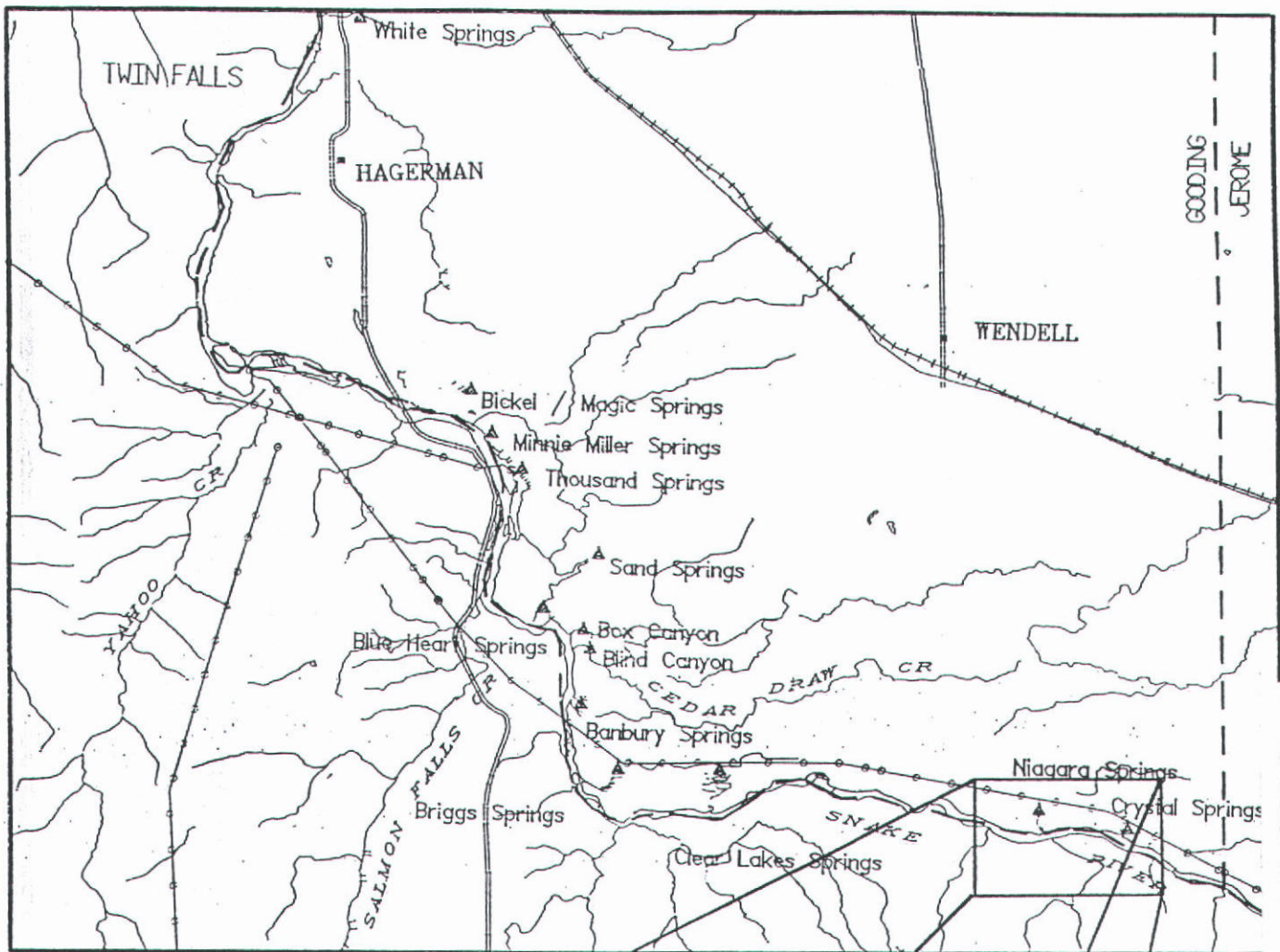
IDWR Exhibit #4



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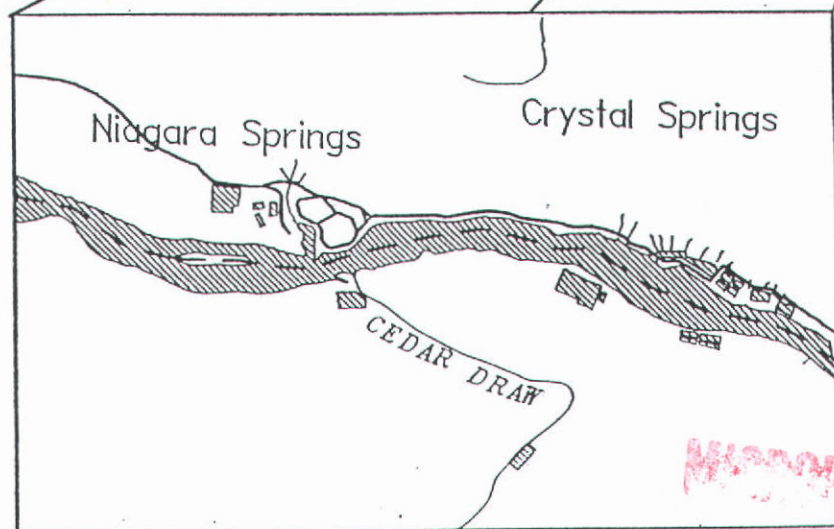
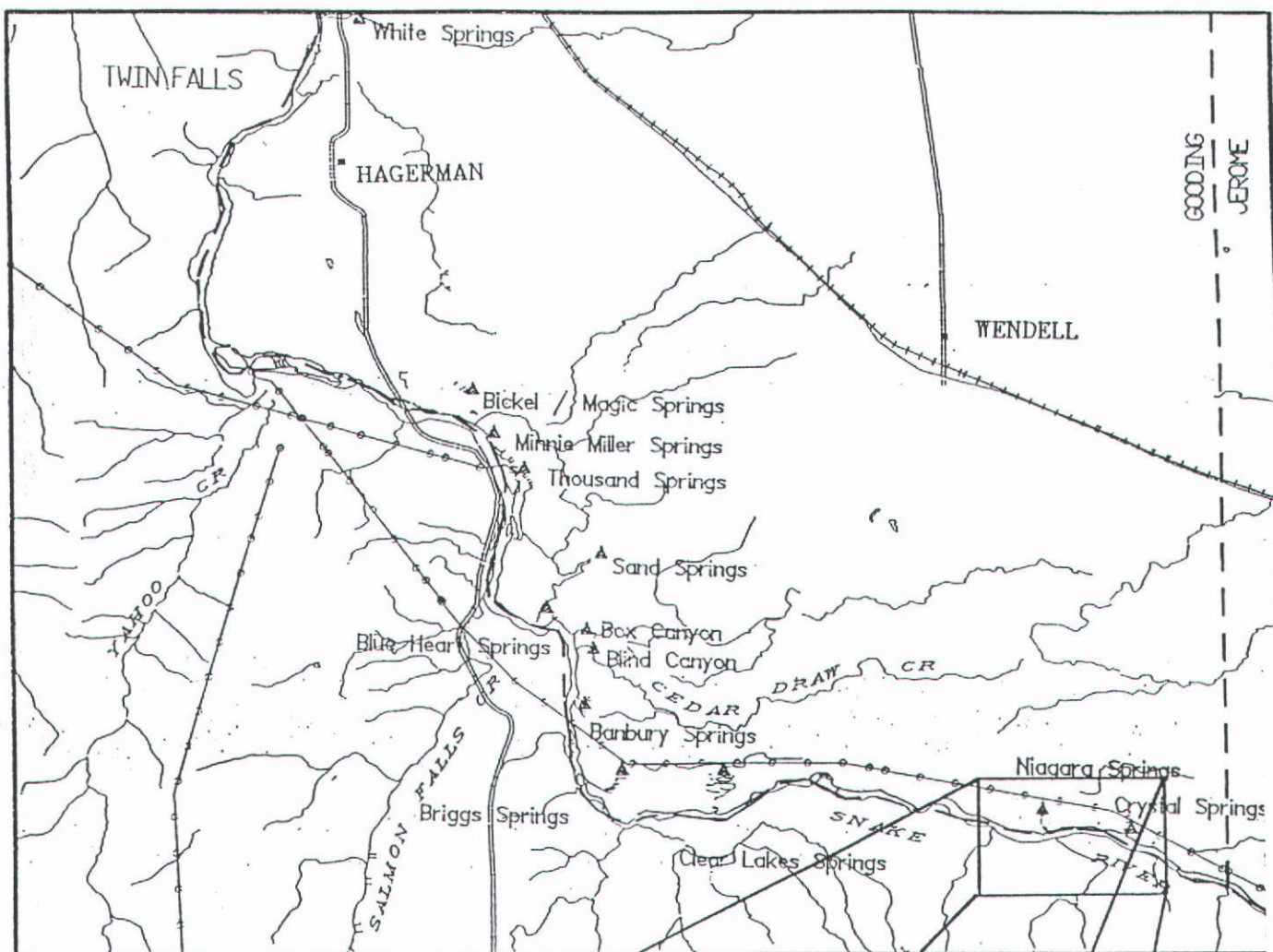
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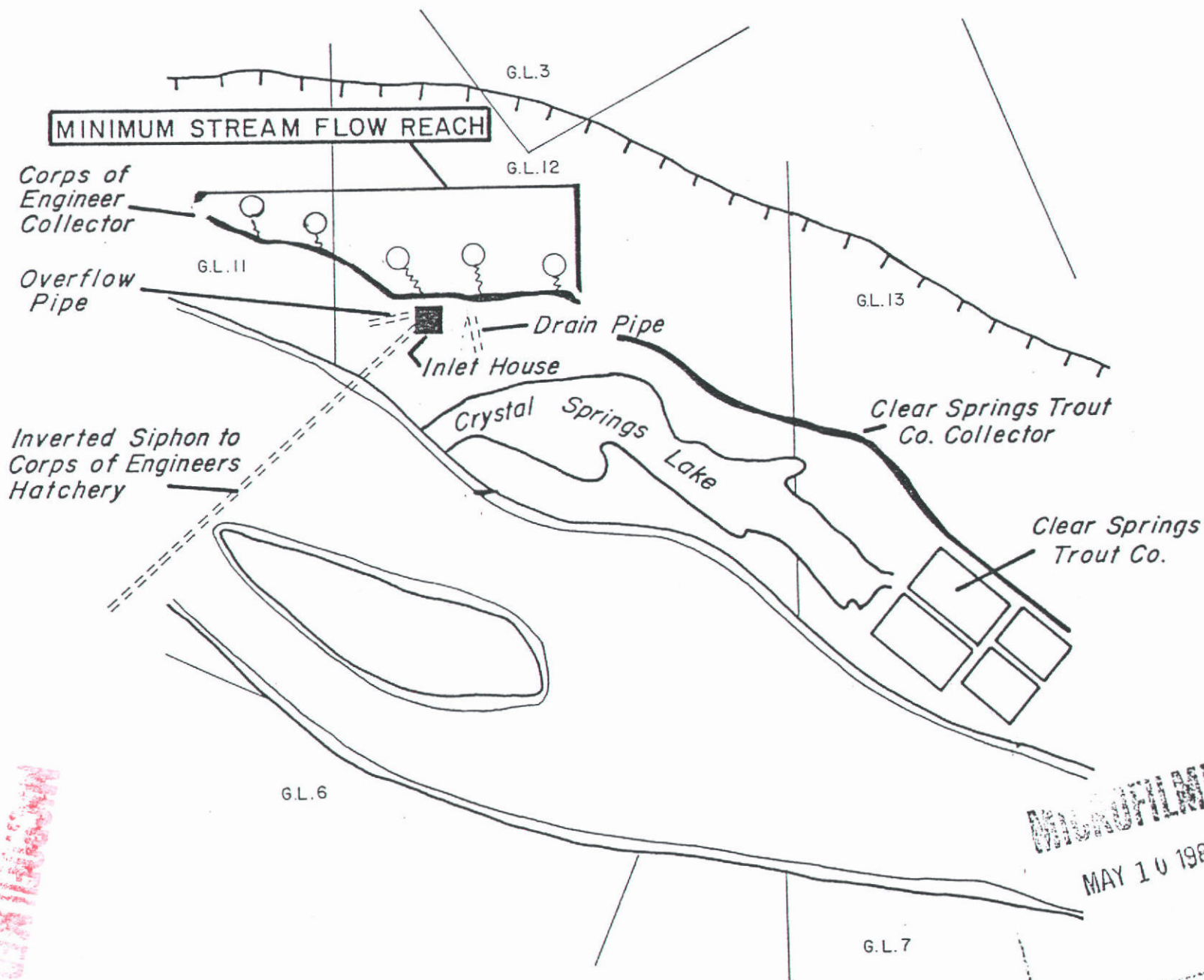


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CRYSTAL SPRINGS

IDWR Exhibit #4



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State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 36-08600

Priority: March 22, 1991

Minimum Instream Flow:

59.00 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 March 22, 1991; and
has submitted Proof of Beneficial Use on March 2, 1994. A minimum stream flow in

CRYSTAL SPRINGS

tributary to SNAKE RIVER

has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE</u>
MINIMUM INSTREAM FLOW	01/01 to 12/31	59.00 CFS

LOCATION OF MINIMUM STREAM FLOW: Lot 13(SWNE), Sec. 12, Township 09S, Range 15E
Lot 12(SENW), Sec. 12, Township 09S, Range 15E
GOODING County

CONDITIONS OF APPROVAL AND REMARKS

1. Use of water under this right shall be non-consumptive.
2. Use of water under this right shall recognize and allow the continued beneficial diversion of water for irrigation or other purposes under any prior existing water right established by diversion and application to beneficial use or by an application, permit, or license on file or issued by the Director under the provisions of Chapter 2, Title 42, Idaho Code, with the priority of water right date earlier than 3/22/1991.
3. Upon the future finding and order of the Director that gauging stations are required to maintain the approved minimum flows on Crystal Springs, such measuring devices shall be permanently installed and maintained as specified by the Department.
4. This minimum streamflow shall be junior and subordinate to all consumptive use rights diverted from groundwater within the Snake River Aquifer tributary to Crystal Springs held in trust by the State of Idaho, which may be approved or diverted later in time than the priority of this right. Approval of this minimum streamflow right shall not give rise to any right or claim against any future rights to the consumptive use of groundwater held in trust by the State of Idaho initiated later in time than the priority of this right to the extent that such uses are within the limits established pursuant to the Swan Falls Agreement, the Idaho State Water Plan, and Chapter 2, Title 42, Idaho Code.

OCT 03 1991

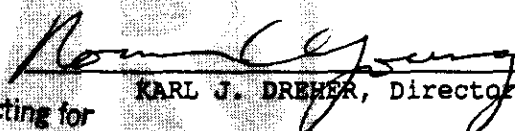
State of Idaho
Department of Water Resources**WATER RIGHT LICENSE**

WATER RIGHT NO. 36-08600

CONDITIONS OF APPROVAL AND REMARKS

5. The combined minimum streamflow for this right and Right 36-08330 shall not exceed 100.0 cfs.
6. The Director retains jurisdiction, as described below, to review and amend any and all parameters of this right. The Board, upon receiving a request, or upon its own initiative, may petition the Director for an amendment to the right. The petition must set forth any significant change in circumstances and evidence of the public interest supporting the proposed amendment. The Director will notify the general public and specific persons or known interested parties of the proposed change, and conduct a hearing for the purpose of determining whether the right should be amended in the public interest. The burden of proof at the hearing shall be upon the persons or parties seeking the amendment to establish that the amendment of the right would be in the public interest.
7. The springs described in the point of diversion are directly beneath and discharge into Crystal Springs Lake.
8. This minimum stream flow is for recreation, aesthetic, and fish and wildlife habitat purposes.

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

91235

Amt. of Fee \$ _____
Date _____
Receipt No. _____
Receipt by _____

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Department of Water Resources

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

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

1. Permit No. 36-08600 Telephone No. 208-327-7910
2. Name(s) of Permit Holder(s): IDAHO WATER RESOURCE BOARD
3. Mailing Address: Statehouse, Boise, ID 83720
4. Source of Water: Crystal Springs

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

OPTIONAL:

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

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

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

Irrigation _____ (No. of acres) Other Minimum Instream Flow

6. Total rate and/or volume for which proof is submitted 59 cfs OR _____ acre/feet

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

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

OR

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

8. Fee Enclosed: \$ NA (See License Fee Schedule on back of Instruction Sheet)

9. Person to contact to accompany the Department representative during field examination of the water system.

Name _____ Telephone No. _____

Address _____

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

2/28/94
Date

F. Joe Byrd Chair I.W.R.B.
Signature (and title, if on behalf of a company or organization)

MAR 09 1994

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 36-08600

Proposed Priority: March 22, 1991 Maximum Diversion Rate: 59.00 CFS
This is to certify, that STATE OF IDAHO

IDAHO WATER RESOURCE BOARD
STATEHOUSE
BOISE ID 83720

has applied for a permit to appropriate water from:

CRYSTAL SPRINGS tributary of SNAKE RIVER

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
-----------------------	----------------------	--------------------------

MINIMUM INSTREAM FLOW	01/01 to 12/31	59.00 CFS
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LOCATION OF POINT(S) OF DIVERSION: Lot 13(SWNE), Sec. 12, Township 09S, Range 15E
Lot 12(SENW), Sec. 12, Township 09S, Range 15E
GOODING County

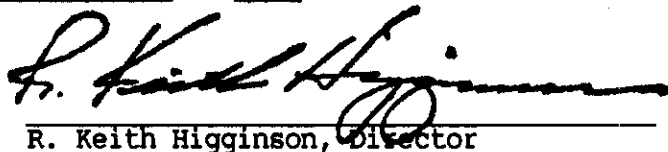
PLACE OF USE: MINIMUM INSTREAM FLOW
TWN RGE SEC

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before April 1, 1997.
2. Subject to all prior water rights.
3. SEE FINAL MEMORANDUM DECISION AND ORDER FOR CONDITIONS OF APPROVAL.

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

25th day of November, 1992


R. Keith Higginson, Director

APR 19 1994

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF APPLICATION FOR PERMIT	)	
	)	
NOS. 36-8390 AND 36-8600 (CRYSTAL SPRINGS	)	
	)	
AND CRYSTAL LAKE) TO ESTABLISH MINIMUM	)	FINAL ORDER ADOPTING
	)	PROPOSED MEMORANDUM
STREAMFLOWS IN THE NAME OF THE IDAHO	)	DECISION AND ORDER
	)	
WATER RESOURCE BOARD	)	
	)	

A proposed memorandum decision and order regarding applications for permit nos. 36-8390 and 36-8600 (Crystal Springs and Crystal Lake) was issued on November 25, 1991. Exceptions were filed by the Idaho Department of Fish and Game (Fish and Game) and the Gooding County Commission (Gooding County). A summary of the exceptions and analysis follows:

EXCEPTIONS

Fish and Game Exceptions

1. Fish and Game alleges Tim Litke did not testify that 80-100 cfs is the minimum streamflow necessary and that the appropriate minimum flow is 59.0 cfs.

2. Fish and Game contends conclusion of law no. 10, which states that Magic Valley Hatchery is wasting water, finding of fact no. 4, which states some water diverted is not beneficially used, and finding of fact no. 19, which states no action has been taken against the entities with a vested interest in the Magic Valley Hatchery, is not consistent with the testimony, and these portions of the order encourage litigation.

APR 19 1994

Gooding County Exceptions

1. Gooding County argues that the decision limiting the minimum flow to 80-100 cfs conflicts with Tim Litke's opinion expressed to the Commission after the hearing.

ANALYSIS

Tim Litke of the Division of Environmental Quality testified that approximately 80-100 cfs of fresh water must flow continuously through Crystal Lake to maintain the minimum values and beneficial uses anticipated for the lake once cleanup is complete. Fish and Game's allegations that 59.0 cfs is the appropriate minimum flow is not supported by the evidence.

Magic Valley Hatchery is discharging water diverted through its collectors into a drainage west of its collection box when the water is not being beneficially used at the fish rearing facility. Water which normally would have flowed into Crystal Lake is being collected by the Magic Valley Hatchery collectors, and is being discharged unnaturally to the Snake River instead of remaining in its natural channel. Water collected is being discharged to the Snake River without any beneficial use. Excess water diverted but not beneficially used by an appropriator, which spills after bypassing a portion of the natural water course is "wasted" by the appropriator. This water should be left in the natural water course.

Finally, despite Gooding County's representation of Mr. Litke's opinion, the Department of Water Resources can only rely upon the information in the record. Tim Litke, in response to

APR 19 1994

specific questions, stated the minimum flow necessary to maintain the beneficial values contemplated for Crystal Lake at the conclusion of cleanup is 80-100 cfs. If more water is necessary for maintenance of a minimum streamflow, Litke did not testify that any additional water was needed.

There is no need to revise or modify the proposed decision as issued.

ORDER

IT IS HEREBY ORDERED that the Proposed Memorandum Decision and Order, dated November 25, 1991, is adopted and issued as the Final Decision and Order with all the conditions of approval as stated, with the exception that conditions one and five should refer to "this permit" rather than "these permits" because only application no. 36-8600 was approved as a permit for minimum streamflow.

IT IS FURTHER ORDERED that proof of beneficial use may be submitted immediately following concurrence by the legislature as required by Idaho Code § 42-1503, or may be submitted on or before April 1, 1997.

Dated this 25th day of November, 1992.


R. KEITH HIGGINSON, Director
Department of Water Resources

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1994

CERTIFICATE OF MAILING

I hereby certify that on the 30th day of November, 1992, I mailed a true and correct copy of the Order Adopting Proposed Memorandum Decision and Order, postage prepaid, to the following individuals:

Dept. of Fish & Game
Steve Goddard
Statehouse Mail
Boise, ID 83720

Dept. of Parks and Recreation
Rinda Just
Statehouse Mail
Boise, ID 83720

Tim Litke
DEQ
P.O. Box 1626
Twin Falls, ID 83303

Bill Platts
Idaho Water Resource Board
1603 Sunrise Rim Rd.
Boise, ID 83705

Gooding County Commissioners
Gooding, ID 83330

S.G. Carleton
P.O. Box 32
Hagerman, ID 83332

Corps of Engineers
Building 602
City-County Airport
Walla Walla, WA 99362

Clear Springs Trout Co.
P.O. Box 548
Buhl, ID 83316


JENNIFER SEIFERT, Secretary
Department of Water Resources

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

IN THE MATTER OF APPLICATIONS FOR PERMIT NOS.
36-8390 AND 36-8600 (CRYSTAL SPRINGS AND CRYSTAL
LAKE) TO ESTABLISH MINIMUM STREAMFLOWS IN THE NAME
OF THE IDAHO WATER RESOURCE BOARD

ORDER ISSUING
PROPOSED MEMORANDUM
DECISION

R. Keith Higginson, Director of the Department of Water Resources, having reviewed the attached proposed decision prepared by this appointee, GARY SPACKMAN, who conducted the hearing or who has read the record in this case, hereby approves the same as a proposed decision pursuant to Idaho Code, Sec. 67-5211.

Each party to these proceedings who appeared at the hearing is given the opportunity, pursuant to Idaho Code, Sec. 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 served upon the responding party.

APR 19 1994

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, Sec. 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 for oral argument 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 4TH day of DECEMBER, 19 91.


R. KEITH HIGGINSON
Director

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APR 19 1994

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

IN THE MATTER OF APPLICATIONS FOR PERMIT)
)
NOS. 36-8390 AND 36-8600 (CRYSTAL SPRINGS)
)
AND CRYSTAL LAKE) TO ESTABLISH MINIMUM) PROPOSED MEMORANDUM
) DECISION AND ORDER
STREAMFLOWS IN THE NAME OF THE IDAHO)
)
WATER RESOURCE BOARD)

On November 7, 1991, the Idaho Department of Water Resources (Department) conducted a hearing for two applications for permit to appropriate water for minimum streamflow, numbered in the Department records as 36-8390 and 36-8600. The applications seek establishment of minimum streamflows in Crystal Springs, tributary to Crystal Lake, located in Gooding County.

Notice of hearing for consideration of the proposed minimum streamflows was properly published. The Idaho Water Resource Board (Board), Idaho Department of Parks and Recreation (Parks & Recreation, 36-8600 only), Gooding County Commission (Bob Burks acting as a spokesman), Idaho Department of Fish and Game (Fish & Game), Edward Shokal, and Clear Springs Trout Company (Clear Springs) appeared formally as parties. Other individuals also appeared and presented their views and comments as public witnesses, or submitted written comment to the Department.

The record having closed, the hearing officer, as a representative of the Director of the Department, proposes the following findings, conclusions and order:

FINDINGS OF FACT

1. Vital information regarding the two minimum streamflow applications is summarized below:

Application for Permit No. 36-8390

Rate of Flow:	126 cfs year-round
Location:	Government Lots 11 and 12, Section 12, T9S, R15E, B.M.
Purpose:	Scenic enjoyment, recreation and water quality.
Priority:	October 24, 1988

APR 19 1994

Application for Permit No. 36-8600

Rate of Flow: 59 cfs year-round

Location: Spring flowing beneath Crystal Lake or at the approximate water level of the lake located in Government Lot 12 (SENW) and Government Lot 13 (SWNE), Section 12, T9S, R15E, B.M.

Purpose: Scenic enjoyment, aesthetic beauty, recreation, fisheries maintenance and wildlife habitat.

Priority: March 22, 1991

2. Application for permit no. 36-8390 proposes release of up to 126 cfs of water now captured by the Magic Valley fish rearing facility, located on the south side of the river. The Magic Valley fish hatchery was developed by the U.S. Army Corps of Engineers (Corps) as mitigation for losses of anadromous fish caused by its dams. The facility is now owned by the U.S. Fish and Wildlife Service, and is operated by Fish & Game. Water is captured in a concrete channel, collected to a central inlet box, and delivered to the south side of the river through an inverted siphon.

3. The Magic Valley hatchery has been used solely for steelhead rearing since approximately 1987. Steelhead fry are brought to the hatchery in early summer. The full 126 cfs is not needed for rearing of the fry during early growth. As the fish mature, flows must be increased in the raceways until the fish become smolt size in April, when the entire 126 cfs is needed for rearing.

4. Application no. 36-8390 seeks release to Crystal Lake of water diverted during the early months of fry development when water is not beneficially used in the Magic Valley fish facility.

5. Application no. 36-8600 seeks the appropriation of springs which discharge from the bottom of Crystal Lake and of springs discharging to the lake at the approximate surface level of the lake.

6. In addition to the diversion by Magic Valley hatchery, Clear Springs also diverts a substantial quantity of water from Crystal Springs. Clear Springs is authorized to divert 351 cfs under existing rights. Some of the springs Clear Springs

PROPOSED MEMORANDUM DECISION AND ORDER

Page - 2

APPROVED

APR 19 1994

captures normally would have been tributary to the lake near the east end, where its facility is also located.

7. Clear Springs has discharged water from its fish rearing facility to Crystal Lake and to the Snake River. It has the ability to discharge either to the Snake River or to Crystal Lake.

8. During the time when Clear Springs was not discharging water to Crystal Lake, Tim Litke of the Division of Environmental Quality (DEQ), Department of Health and Welfare, measured the outflow from Crystal Lake at 59 cfs.

9. Crystal Lake was once a very clear, pristine lake with a rock and gravel bottom. Local residents fished for trout in the lake. Skin divers swam in the lake because of the clear water. It was enjoyed by the local residents because of its aesthetic values.

10. During the construction of a fish rearing facility at the present location of the Clear Springs raceways, significant sediment was dumped in the lake. In addition, fish wastes have been released to the lake during the time that the fish rearing facility at the Clear Springs site has operated.

11. Clear Springs has exerted considerable effort to improve the quality of its effluent.

12. Because of the degraded condition of the lake, a federal grant was obtained to assist the restoration of Crystal Lake. Clear Springs dredged the lake as part of the restoration, which has improved the condition of the lake.

13. The outlet for Crystal Lake is located on the west end of the lake. Clear Springs discharges its effluent at the most remote point of flow on the east end of the lake. The Clear Springs effluent commingles with some additional spring flow (the 59 cfs sought by application for permit no. 36-8600). The spring flows do not mix adequately with the effluent from the hatchery to dilute the effluent. Furthermore, there are insufficient fresh water flows to the lake at the present time.

14. Tim Litke of DEQ is managing the study and restoration of Crystal Lake. Several options for improving water quality have been explored by a task force. Replacing the current hatcheries release with spring flows would improve the water quality. Construction of an outlet, or outlets to the Snake River near the east side of Crystal Lake will promote better mixing with effluent releases.

PROPOSED MEMORANDUM DECISION AND ORDER

Page - 3

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APR 19 1994

15. Tim Litke testified that the minimum flows of the springs needed to maintain the values sought for the lake is 80-100 cfs.

16. Clear Springs owns application for permit no. 36-7796 which proposes the diversion of 440 cfs from Crystal Springs. David Erickson of Clear Springs Trout Company stated that Clear Springs does not intend to capture any of the 59 cfs sought for minimum streamflow by application for permit no. 36-8600.

17. Most of the land surrounding Crystal Lake is owned by the Idaho Department of Parks and Recreation. The park manager testified that use of the lake has at least doubled since the lake was dredged. Many of the visitor fish for trout, and facilities for picnicking and fishing are being installed by Parks & Recreation. Many of the trout being caught in Crystal Lake are 2½ pound fish.

18. Two prior minimum streamflows for Crystal Springs have been approved by the Department. Permit no. 36-8330 recognizes a minimum streamflow of 50 cfs, which is already captured by the Corps collection works east of the siphon inlet. These springs were originally tributary to Crystal Lake. The 50 cfs is water in of excess water rights which the Corps is entitled to divert. The 50 cfs minimum streamflow has not been released to Crystal Lake from the Corps collection works.

19. No action has been taken against the Corps, U.S. Fish and Wildlife Service, or the Idaho Department of Fish and Game to force release of water diverted which exceed their rights back to Crystal Lake.

20. Permit no. 36-8374 establishes a minimum streamflow of 25 cfs which should be discharged from the Corps' collector to a small drainage on the west side of the syphon inlet.

21. At the minimum streamflow hearing, Bob Burks testified that the 50 cfs minimum streamflow established by permit no. 36-8330 is included in the 126 cfs sought by application no. 36-8390. When asked whether the Board concurred with Burks' statement, Don Kramer, a member of the Board, indicated that the Board agreed with Burks' interpretation of the minimum streamflow application.

22. Fish & Game testified that it captures approximately two-thirds of its total diversion from springs located west of the inlet box, and approximately one-third of its diversion from springs located east of the inlet box. Springs located west of the inlet box were not tributary to Crystal Lake prior to

PROPOSED MEMORANDUM DECISION AND ORDER

Page - 4

APR 19 1994

construction. Springs located east of the inlet box were tributary to Crystal Springs prior to the Corps' interception. The total spring flow from the spring complex tributary to Crystal Lake now intercepted by the Corps did not exceed 50 cfs.

23. Crystal Springs are fed by the Snake River Plain Aquifer, which emits into the Snake River Canyon as springs.

24. Flows of Crystal Springs will fluctuate depending on the future withdrawal of ground water from the aquifer, and the volume of surface water diverted onto lands overlying the Snake River Plain Aquifer that might recharge the aquifer.

25. The long term maintenance of spring flows directly relates to water use on the lands overlying the Snake River Plain Aquifer.

CONCLUSIONS OF LAW

1. Idaho Code § 42-1501 provides that streamflow preservation for the protection of fish and wildlife habitat, aquatic life, recreation, aesthetic beauty, navigation, and water quality when made pursuant to the minimum streamflow statutes, is in the public interest and is declared to be a beneficial use of such water.

2. Idaho Code § 42-1503 sets forth the criteria to be considered by the Department in reviewing an application for minimum streamflow:

Upon the conclusion of the hearings and completion of any investigation conducted by the director, he shall enter his findings in writing approving the application in full, or in part, or upon conditions or rejecting said application. Approval of any such application must be based upon the findings that such appropriation of minimum streamflow:

- (a) will not interfere with any vested water right, permit, or water right application with priority of right date earlier than the date of receipt in the office of the director of a complete application for appropriation of minimum streamflow filed under the provisions of this act;
- (b) is in the public, as opposed to private, interest;
- (c) is necessary for the preservation of fish and wildlife habitat, aquatic life, recreation, aesthetic beauty, navigation, transportation, or water quality of the stream;

PROPOSED MEMORANDUM DECISION AND ORDER

Page - 5

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APR 19 1994

- (d) is the minimum flow or lake level and not the ideal or most desirable flow or lake level; and
- (e) is capable of being maintained as evidenced by records of streamflows and water levels and the existing or future establishment of necessary gauging stations and bench marks.

3. The applicant bears the initial burden of coming forward with evidence and ultimately proving all of the criteria contained in Idaho Code § 42-1503.

4. The testimony at the hearing showed that 59 cfs of undiverted spring flow is discharging into Crystal Lake at the present time. The minimum flow for application no. 36-8600 is capable of being maintained.

5. The testimony showed that, at most, only approximately 50 cfs of the entire flow diverted by the Corps of Engineers is derived from the east bank of the springs, which were originally tributary to Crystal Lake. This 50 cfs, once naturally tributary to Crystal Lake, is already protected by permit no. 36-8330. The minimum streamflow requested pursuant to application 36-8390 did not enter Crystal Lake under natural conditions, and the flow rate requested is not capable of being maintained.

6. Dr. Litke's testimony regarding the minimum streamflow necessary to maintain the recreational, aesthetic and fish and wildlife values establishes the minimum streamflow at a level of 100 cfs. Fifty-nine cfs is discharging into the lake and is not presently diverted. The 59 cfs should first be recognized as a minimum streamflow. The 50 cfs minimum streamflow established by permit 36-8330 added to the 59 cfs equals 109 cfs, which is more flow than Dr. Litke stated is necessary for a minimum streamflow. Discharge of additional water would exceed the minimum as testified to by Dr. Litke. The minimum flow for rights nos. 36-8330 and 36-8600 should not exceed 100 cfs.

7. Preservation of the fishing, recreational and aesthetic uses of Crystal Lake are in the public interest as opposed to the private interest, as evidenced by the increasing use and noticeable interest by the local people.

8. A minimum streamflow is necessary to preserve aesthetics, recreational values, and fish and wildlife habitat.

9. Any right to be acquired under these applications is for instream nonconsumptive use, and is subject to all vested water rights, permits or water right applications having dates of priority earlier than the respective filing dates of the

PROPOSED MEMORANDUM DECISION AND ORDER

Page - 6

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APR 19 1994

application set forth in the findings of fact. The minimum streamflow will not interfere with water rights held by the Corps of Engineers to the extent the rights are being used beneficially.

10. Testimony showed that the current operator of the Magic Valley Hatchery is wasting water during the early summer months. The water should be returned to its natural water course.

11. Application for minimum streamflow no. 65-8600 should be approved.

12. Application for permit to appropriate water for a minimum streamflow no. 36-8390 should be rejected because it seeks appropriation of more water than is necessary for a minimum streamflow, and it is also not capable of being maintained because the springs which would have discharged to Crystal Lake only produce approximately 50 cfs, which is the minimum streamflow established by permit no. 36-8330.

13. The Director of the Department of Water Resources has considerable flexibility to grant appropriations subject to future appropriation for which the public interest may show to be of greater importance. Shokal v. Dunn, 109 Idaho 330, 337, 707 P2D. 441 (1985).

14. In response to litigation over the depletion of ground water discharge from the Snake River Plain Aquifer initiated by Idaho Power company to protect its surface water flows in the Snake River, the Idaho Legislature declared in Idaho Code § 42-203B that it was in the public interest to regulate the use of Snake River water for power purposes in order to assure an adequate supply of water in the Snake River Plain Aquifer for all future beneficial uses.

15. The Idaho Legislature specifically ratified an agreement between the State of Idaho and Idaho Power Company in Idaho Code § 42-203B(5) which implements the public interest of supplying water for future beneficial use. The agreement expressly provides for a partial depletion of Snake River surface water flows resulting from development in the Snake River Plain Aquifer.

16. The analysis portion of Policy 5G of the State Water Plan, which has been ratified by the legislature, states:

Aquaculture can expand when and where water supplies are available and where such uses do not conflict with other beneficial uses. It is recognized, however, that future

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APR 19 1994

management and development of the Snake River Plain Aquifer may reduce the present flow of springs tributary to the Snake River

17. Policy 5G of the State Water Plan contemplates a reduction in ground water discharge to the Snake River as a result of development in the Snake River Plain Aquifer. Policy 5G implies a determination by the Water Board and the ratifying legislature that a reduction of discharge to the Snake River in exchange for development in the Snake River Plain Aquifer is in the public interest.

18. The spring flows from Crystal Springs are a portion of the ground water discharge flows which the legislature has declared may be partially reduced in favor of the public interest in development of the Snake River Plain Aquifer.

ORDER

IT IS HEREBY ORDERED that application for permit no. 36-8600 is APPROVED subject to the following conditions:

1. Use of water under these permits shall recognize and allow the continued beneficial diversion of water for irrigation or other purposes under any prior existing water right established by diversion and application to beneficial use or by an application, permit, or license on file or issued by the Director under the provisions of Chapter 2, Title 42, Idaho Code, with a priority of water right date earlier than March 22, 1991, for application no. 36-8600.

✓2. Use of water under permit no. 36-8600 shall be nonconsumptive.

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

4. The Director retains jurisdiction to review and amend any and all parameters of this permit and subsequent license. Any person seeking review and amendment of the permit or license shall file a request with the Board, which request shall describe the amendment sought, the reasons for the proposed amendment, and a statement of the change in circumstances since the permit or license was issued or last reviewed that merit a review of the permit or license. A copy of the petition shall be served upon the Director of the Department of Water Resources. The Board,

PROPOSED MEMORANDUM DECISION AND ORDER

Page - 8

RECEIVED

APR 19 1994

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

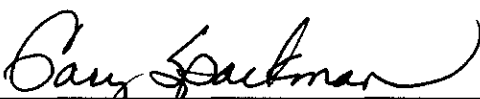
5. These permits for minimum streamflow shall be junior and subordinate to all consumptive use rights diverted from ground water within the Snake River Aquifer tributary to Crystal Springs held in trust by the State of Idaho, which may be approved or diverted later in time than the priority of these permits. Approval of these minimum streamflow permits shall not give rise to any right or claim against any future rights to the consumptive use of ground water held in trust by the State of Idaho initiated later in time than the proposed priority of these permits and any subsequent license to the extent that such uses are within the limits established pursuant to the Swan Fall Agreement, the Idaho State Water Plan, and Chapter 2, Title 42, Idaho Code.

6. The combined minimum streamflow for right no. 36-8330 and right no. 36-8600 shall not exceed 100.0 cfs.

7. Proof of instream beneficial use of the minimum streamflow may be submitted immediately following concurrence by the legislature as required by Idaho Code § 42-1503.

IT IS FURTHER ORDERED that application for permit to appropriate minimum streamflow 36-8390 is REJECTED.

Dated this 25th day of November, 1991.


GARY SHACKMAN, Hearing Officer
Idaho Department of Water Resources

APR 19 1994

CERTIFICATE OF MAILING

I hereby certify that on the 4th day of December, 1991, I mailed a true and correct copy of the Proposed Memorandum Decision and Order and the Order Issuing Proposed Memorandum Decision, postage prepaid, to the following individuals:

Dept. of Fish & Game
Steve Goddard
Statehouse Mail
Boise, ID 83720

Dept. of Parks and Recreation
Rinda Just
Statehouse Mail
Boise, ID 83720

Tim Litke
DEQ
P.O. Box 1626
Twin Falls, ID 83303

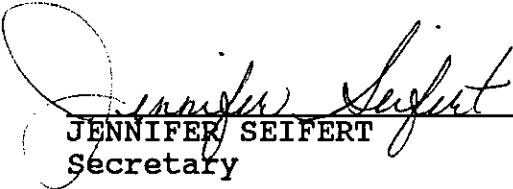
Dave Rydalch
Idaho Water Resource Board
Rt. 2 Box 108
St. Anthony, ID 83445

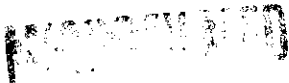
Gooding County Commissioners
Gooding, ID 83330

S.G. Carleton
P.O. Box 32
Hagerman, ID 83332

Corps of Engineers
Building 602
City-County Airport
Walla Walla, WA 99362

Clear Springs Trout Co.
P.O. Box 548
Buhl, ID 83316


JENNIFER SEIFERT
Secretary


APR 19 1994

Form 202
RECEIVED
MAR 22 1991

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Ident. No. 63
36-8600

To appropriate the public waters of the State of Idaho

Department of Water Resources

1. Name of applicant Idaho Water Resource Board Phone 327-7900

Post office address Statehouse, Boise, Idaho 83720

2. Source of water supply Crystal Springs which ^{are} ~~is~~ a tributary of Snake River

3. Location of point of diversion is SE $\frac{1}{4}$ of NW $\frac{1}{4}$, Govt. Lot 12

Sec. 12 Township 9S Range 15E B.M. Gooding County; additional

points of diversion if any: Government Lot 13, SW1/4NE1/4, Section 12, T9S, R15E

4. Water will be used for the following purposes:

Amount 59 cfs for min. streamflow purposes from 01/01 to 12/31 (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 is (a) and/or (b)
cubic feet per second acre feet per annum

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. The requested flow is discharged
directly into Crystal Lake via springs located in the lake bottom.

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

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

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

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

APR 19 1994

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

- Hydropower; show total feet of head and proposed capacity in KW. _____
- Stockwatering; list number and kind of livestock. _____
- Municipal; show name of municipality. _____
- Domestic; show number of households. _____
- Other; describe fully. Minimum streamflow for the purposes of scenic enjoyment,
aesthetic beauty, recreation, fisheries maintenace, and wildlife habitat.

9. Description of place of use:

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

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
9S	15E	12			L13 M					L12 M									

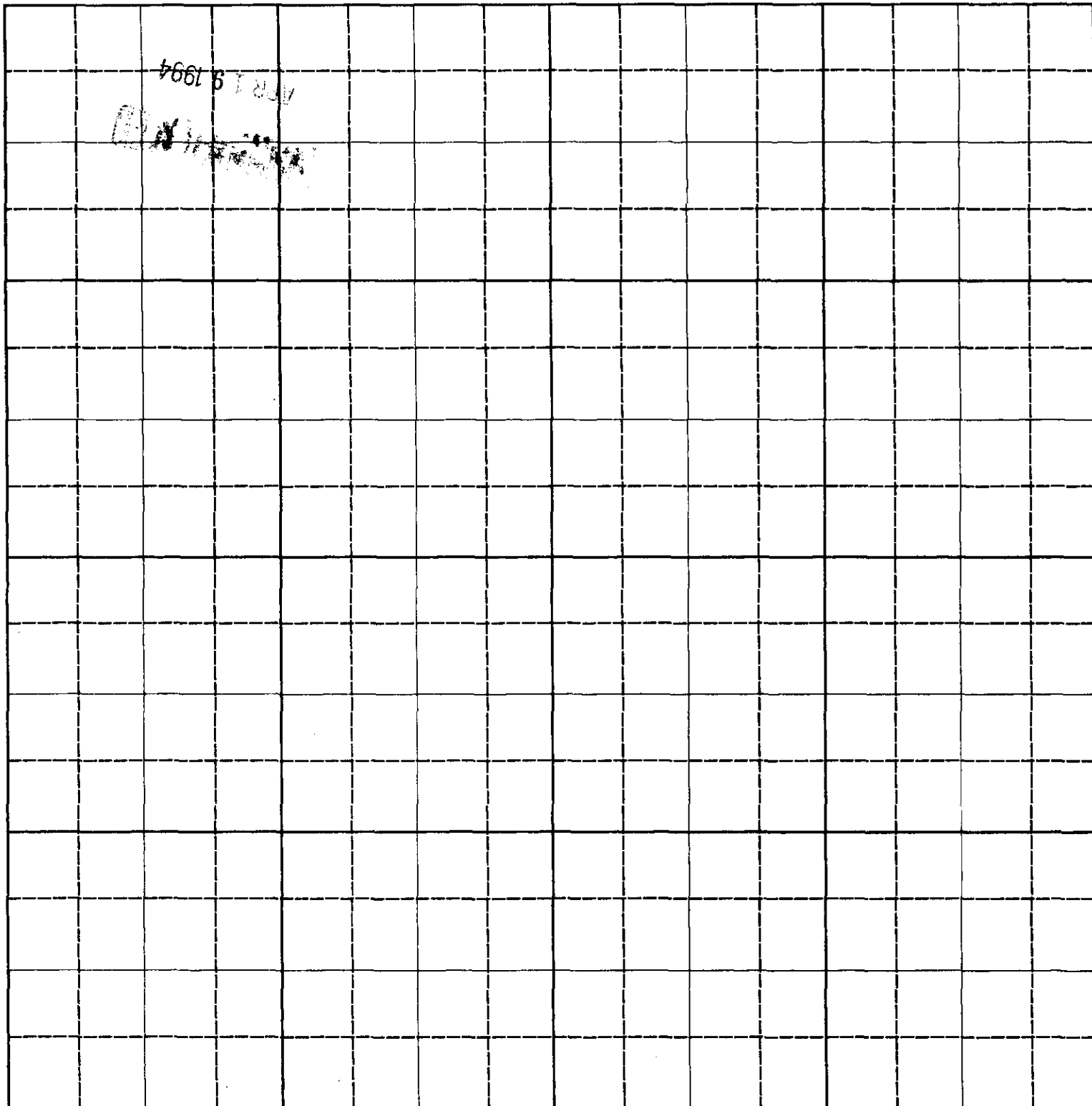
Total number of acres to be irrigated _____

10. Describe any other water rights used for the same purposes as described above. Permit numbers
36-8330 and 36-8374; Application number 36-8390
11. a. Who owns the property at the point of diversion? Idaho Department of Parks and Recreation
b. Who owns the land to be irrigated or place of use? State of Idaho
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the
applicant to make this filing. _____

12. Remarks: _____

APR 19 1994

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



Scale: 2 inches equal 1 mile.

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

F. D. One G. D. One
(applicant)

Received by Gary S. Date 2/22/91 Time 1:00 P.M. Preliminary check by Gary S.
Fee \$ N/A Receipted by _____ # _____ Date _____
Publication prepared by _____ Date _____ Published in _____
Publication approved _____ Date _____

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

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

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

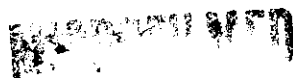
a. SUBJECT TO ALL PRIOR WATER RIGHTS.

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

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

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

e. Other:



APR 19 1994

ATTACHMENT TO APPLICATION FOR PERMIT
TO APPROPRIATE A MINIMUM STREAMFLOW

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

This application will be junior to all previously granted rights and will not interfere with them.

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

Crystal Springs Lake is at the base of one of the largest canyon-side spring complexes in the United States, and is on public land managed by the Idaho Department of Parks and Recreation. The springs described in this application are directly beneath and discharge into Crystal Springs Lake, and provide year-around base flows for the lake.

13. Provide evidence of justification that the appropriation is necessary for the purposes shown in Item 4.

These are the only springs in the Crystal Springs complex that discharge into Crystal Springs Lake, and are not appropriated for other beneficial uses. These springs are essential to the maintenance of the lake and its biological communities.

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

The total discharge from the Crystal Springs complex is estimated at 520 cfs, including the springs discharging directly under the lake. The total amount required to meet existing appropriations for fish propagation and irrigation is 465 cfs. When these water rights are fully utilized, the only remaining source of water to Crystal Springs Lake is the underlying springs.

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

See flow data presented in attached memorandum.

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

None.

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APR 19 1994

17. Do you intend to install additional gaging stations? Describe the locations.

Additional flow measurements would not be made unless required as a condition of approval.

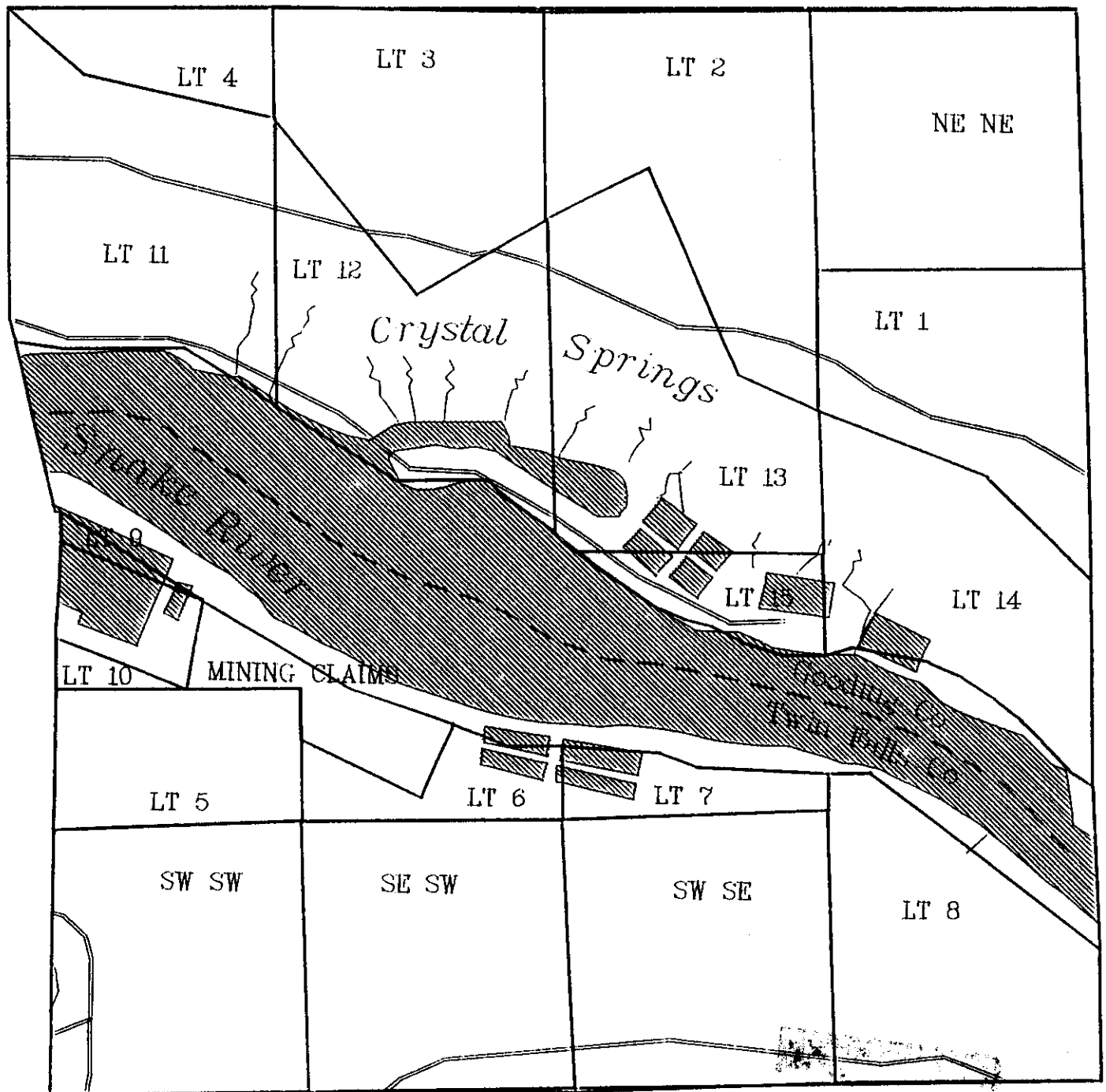
18. List any additional remarks to this minimum streamflow application.

Substantial public interest has been displayed in the Magic Valley area for protection of Crystal Lake for its scenic and recreational values, and fish and wildlife habitat.

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APR 19 1994

SECTION 12, TOWNSHIP 9S, RANGE 15E



APR 19 1994



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

September 18, 1995

STATE OF IDAHO
IDAHO WATER RESOURCE BOARD
STATEHOUSE
BOISE ID 83720

RE: WATER RIGHT NO. 36-08600

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

OCT 03 1995

LICENSING REVIEW
MINIMUM STREAM FLOW

RIGHT NO. 36-08600

Proof of beneficial use rec'd 3/2/94

Was flow data submittal a requirement
with proof submittal? Yes No ✓

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

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

Data Entry for License:

Name Standardized

Total cfs & div. capacity listed as highest flow

P/D(s) ~~beginning and ending~~ descriptions listed

Use flows defined for entire year

P/U left blank (description in remarks)

Remarks/non-standard conditions

Non-consumptive

Watermaster control

Jurisdiction retains to amend

Description of ~~reach(es)~~ right

All other applicable permit conditions
carried forward

Comments/adjustments Conditioned not to exceed 1000 cfs
in comb. w/ Rt 36-08330 - this permit is not yet licensed,
although earlier in priority - proof of b.u. is due in 1999.

Printed license hand-edited

ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE

Permit No. 36-08600

Reviewed by [Signature]

Date 3-25-94

GENERAL CONSIDERATIONS

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

TYPES OF USE

min. stream flow

Correct Uses? yes

SOURCE OF WATER

☒ Surface water source
☐ Ground water source

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

LICENSE EXAMINATION FEE

☐	Required?
☐	Amount Submitted
☐	Correct?

MEASURING DEVICE

☐	Required?
☐	Installed?
☐	Waiver requested?

PRIORITY CALCULATION

Date proof received		
Date proof due	☐	☐
No. of days late	☐	☐
Priority Date	☐	☐
New Priority Date	☐	☐

DEFICIENCIES OR ACTION ITEMS

Proof acceptable

DATA ENTRY

New Address _____

Proof Made 3-2-94

March 25, 1994

STATE OF IDAHO
IDAHO WATER RESOURCE BOARD
STATEHOUSE
BOISE ID 83720

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 36-08600

Dear Permit Holder:

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

If you have questions concerning this matter, please feel free to contact the SOUTHERN Regional Office in Twin Falls at (208)736-3033.

Sincerely,

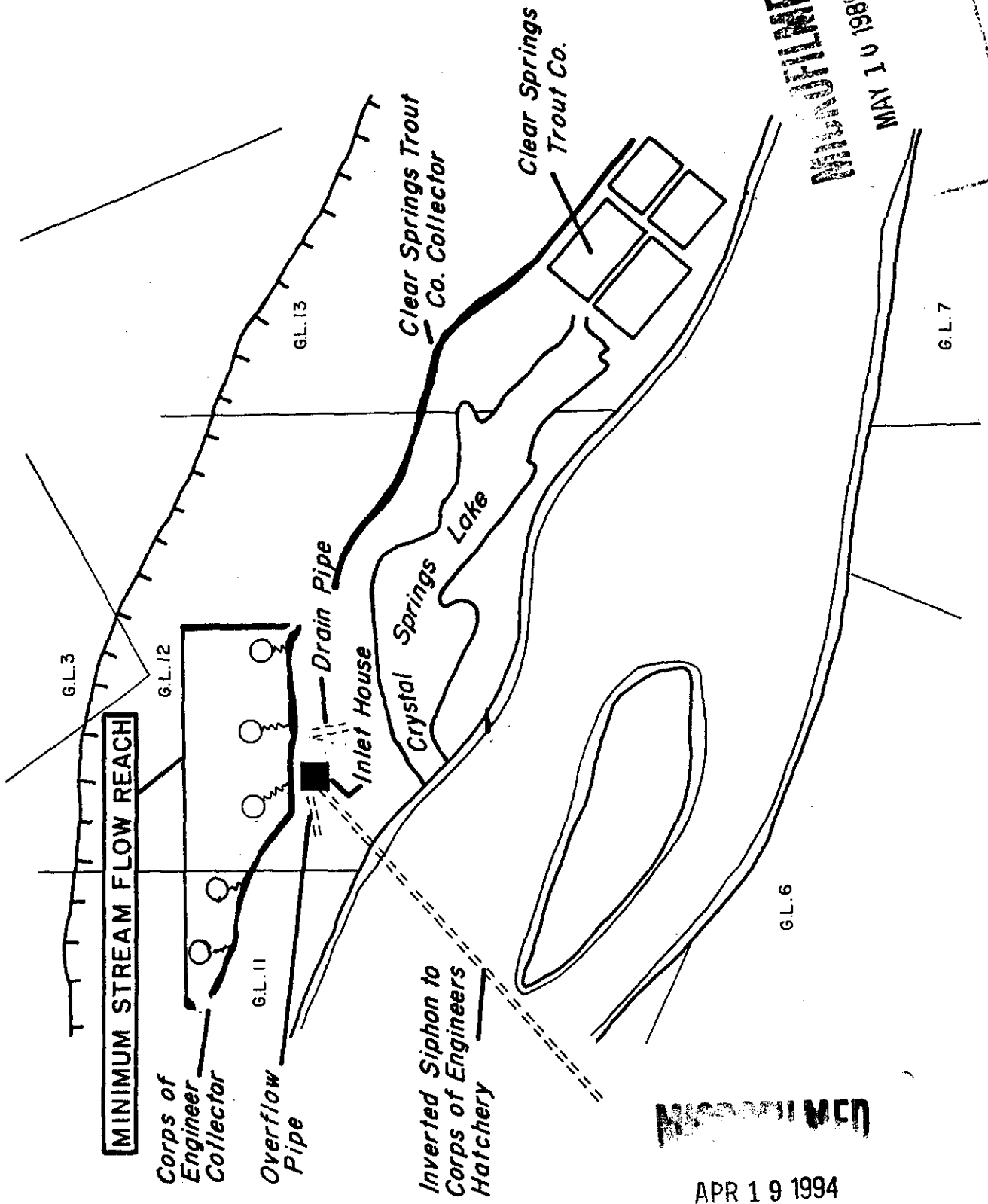
JULIE L. YARBROUGH
Senior Secretary

c: IDWR - Region

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APR 19 1994

CRYSTAL SPRINGS



MINIMUM STREAMFLOW
Fact Sheet

Water Right No. 36-8600

Source: Crystal Springs

Applicant: Idaho Water Resource Board

Requesting Agency: Idaho Department of Parks and Recreation

Date Application Filed: March 22, 1991

Rate of Flow: 59.0 cfs from January 1 through December 31

Place of Use: Crystal Springs, contained within Government Lots
12 and 13, Section 12, T9S, R15E.

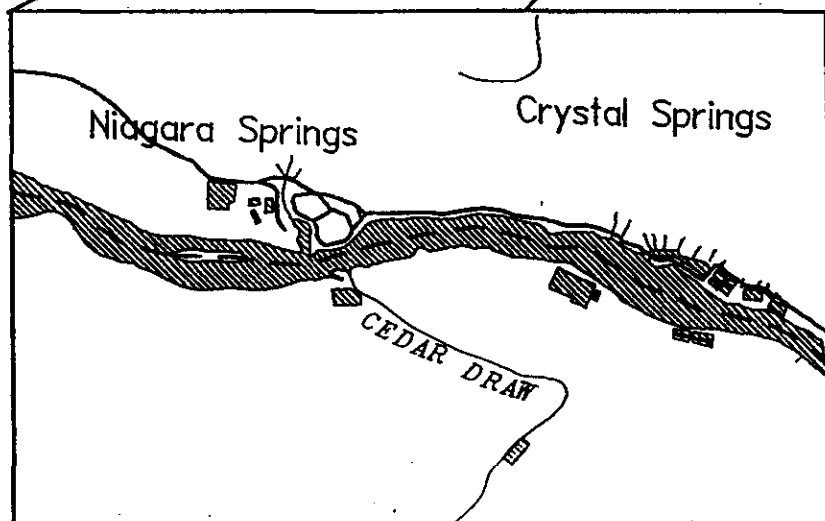
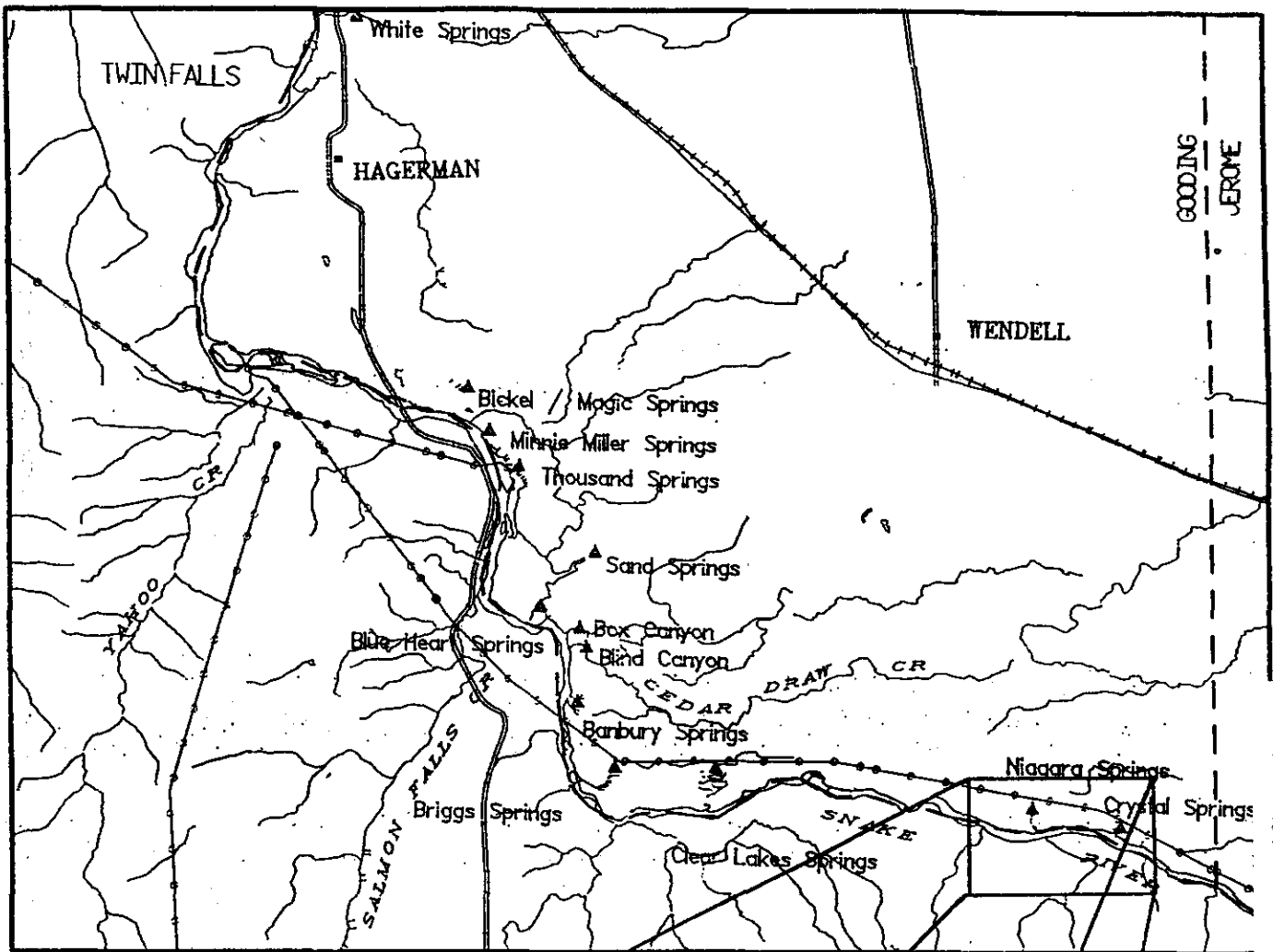
Purpose: Recreation, aesthetics, and fish and wildlife habitat.

Unique Facts:

- Appropriates water which discharges from springs below the water surface of Crystal Lake.
- Combines with 50.0 cfs authorized by minimum streamflow no. 36-8330 for minimum flow not to exceed 100.0 cfs. A flow of 100.0 cfs is needed to restore Crystal Lake.
- No public opposition.

APPROVED

APR 19 1994



APR 19 1994

MINIMUM STREAMFLOW
Fact Sheet

Water Right No. 36-8600

Source: Crystal Springs

Applicant: Idaho Water Resource Board

Requesting Agency: Idaho Department of Parks and Recreation

Date Application Filed: March 22, 1991

Rate of Flow: 59.0 cfs from January 1 through December 31

Place of Use: Crystal Springs, contained within Government Lots
12 and 13, Section 12, T9S, R15E.

Purpose: Recreation, aesthetics, and fish and wildlife habitat.

Unique Facts:

- Appropriates water which discharges from springs below the water surface of Crystal Lake.

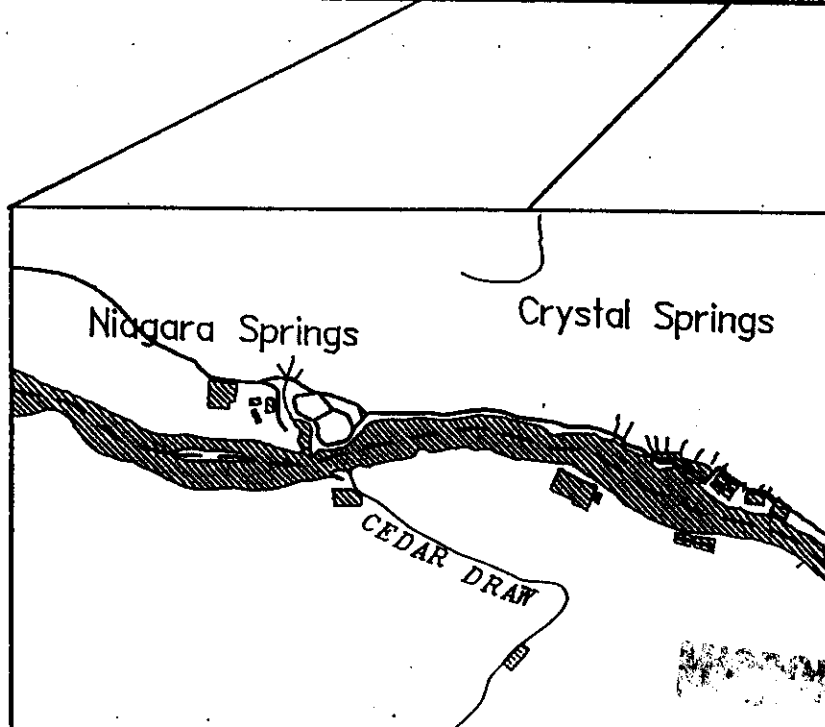
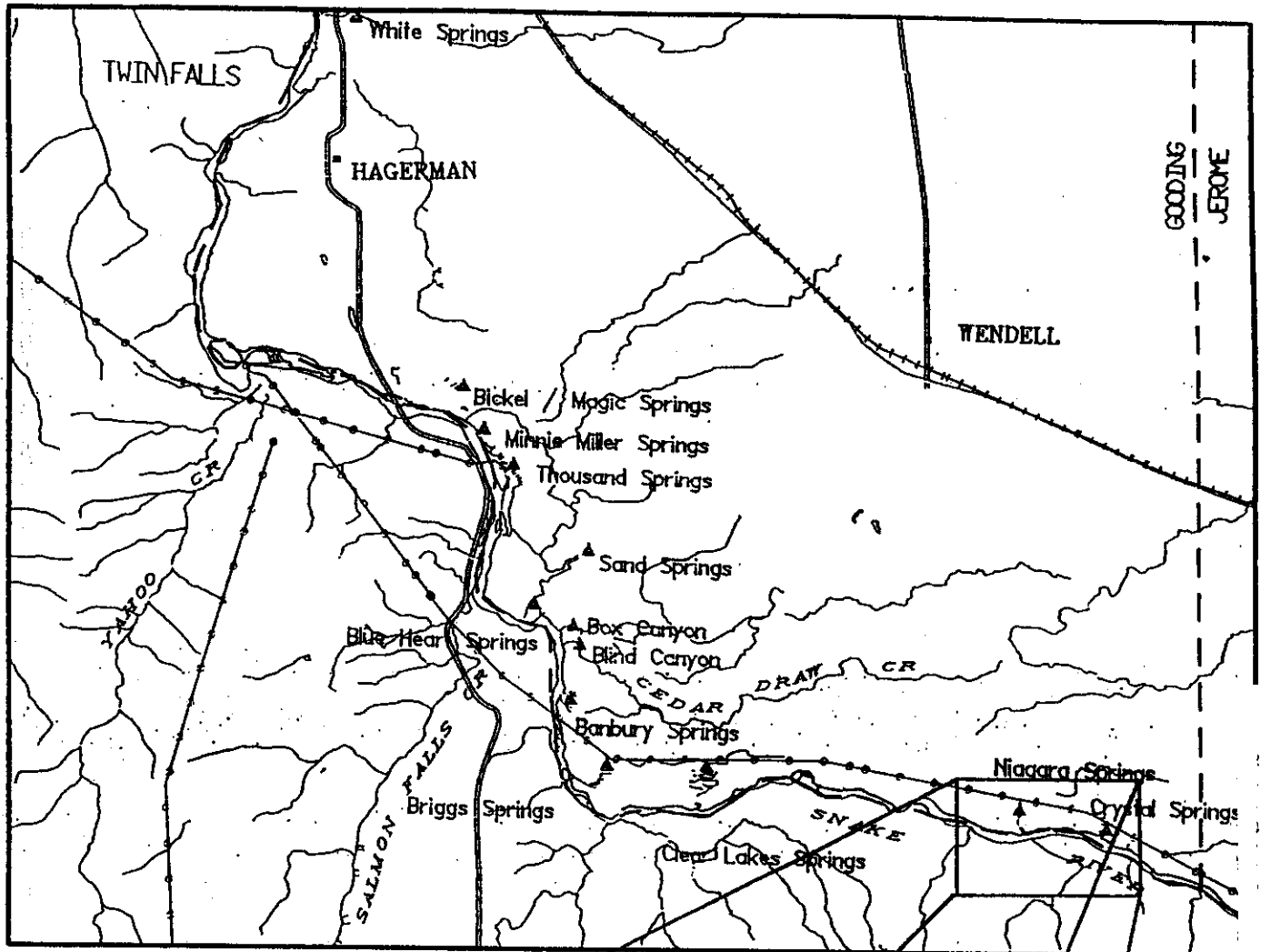
- Combines with 50.0 cfs authorized by minimum streamflow no. 36-8330 for minimum flow not to exceed 100.0 cfs. A flow of 100.0 cfs is needed to restore Crystal Lake.

- No public opposition.

- Minimum streamflow from springs cannot preclude further dev. of Snake Plain Aquifer
- Retains jurisdiction to review minimum streamflow upon appropriate request.

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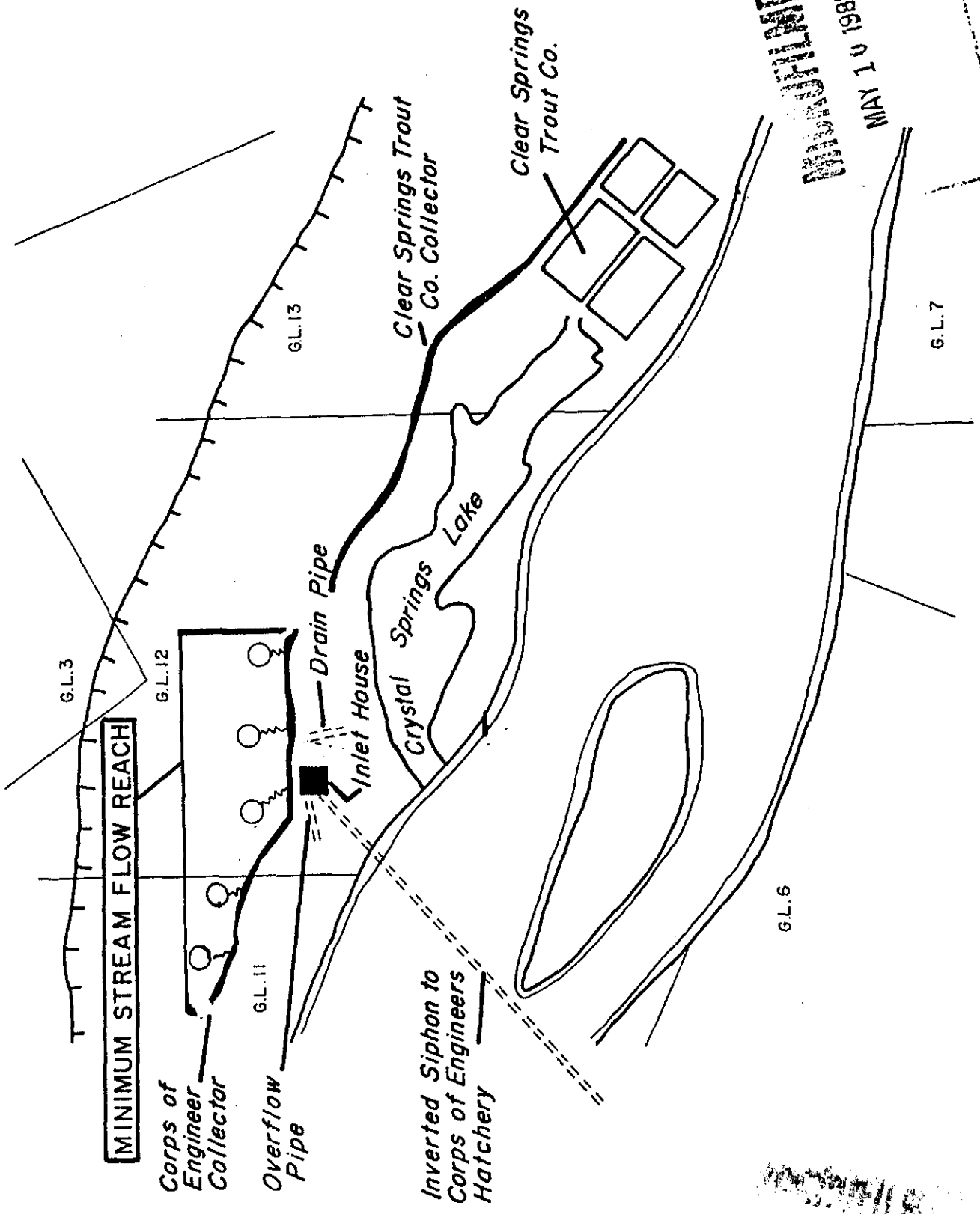
APR 19 1994



UNCLASSIFIED

APR 19 1994

CRYSTAL SPRINGS



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MAY 10 1989

APR 19 1994

AGENDA
RESOURCES AND CONSERVATION COMMITTEE

WILL MEET UPON ADJOURNMENT
Room 412
MARCH 9, 1993

BILL NO.	DESCRIPTION	SPONSOR
SCR ¹⁰⁵ ~~104~~	WATER, MINIMUM FLOW, CRYSTAL SPRINGS	DEPT. WATER RESOURCES
SB 1047	RECORDKEEPING/TAXIDERMISTS/FURBUYERS	SEN. SCHROEDER
SB 1048	SALE/POSSESSION OF SHED ANTLERS	SEN. SCHROEDER
SB 1049	WOLF ENVIRONMENTAL IMPACT STATEMENT	IDAHO WOOLGROWERS ASSOC.
SB 1056	INTERSTATE FOREST FIRE SUPPRESSION	DEPT. LANDS
SB 1094	LOG SCALING, VIOLATION, TIME	DEPT. LANDS
SB 1095	LOG BRANDS, REGISTRATION	DEPT. LANDS
SB1121	FORESTED LANDS/PRIV./FIRE PROTECTION	JOE HINSON

COMMITTEE MEMBERS

Linford, Chrm.
Steele, Vice Chairman
Wood
Lucas
Field
Jones (22)
Newcomb
Mahoney
Bell
Loosli
Sutton
Barracclough
Mader

Stoicheff
Johnson (35)
Robison
White
Cuddy

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APR 19 1994



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

January 13, 1993

Representative, Michael K. Simpson
Speaker of the House
Statehouse Mail
Boise, ID 83720

RE: Water Right Applications for Permit for Minimum Streamflow
Nos.: 36-8600, Crystal Springs; 25-7597, Willow Creek

Dear Representative Simpson:

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

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
Department of Water Resources

GS:RKH:js

Enclosures

cc. Legislative Council

12-1-1240

APR 19 1994

RG 1-13-93
Sharon Natanson



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

January 13, 1993

Senator Jerry T. Twiggs, President
Senate Pro Tem
Statehouse Mail
Boise, ID 83720

RE: Water Right Applications for Permit for Minimum Streamflow
Nos.: 36-8600, Crystal Springs; 25-7597, Willow Creek

Dear Senator Twiggs:

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

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.

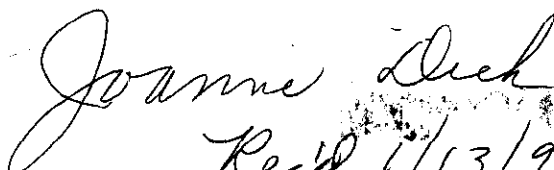
Sincerely,

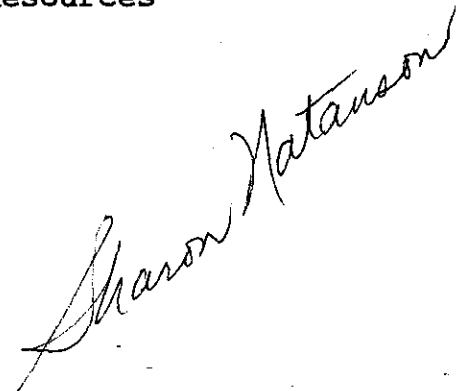

R. KEITH HIGGINSON, Director
Department of Water Resources

GS:RKH:js

Enclosures

cc. Legislative Council


Rec'd 1/13/93
APR 13 1993





State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

December 1, 1992

RE: Applications for Permit Nos. 36-8390, Crystal Springs; 36-8600, Crystal Lake to Establish Minimum Streamflows in the Name of the Idaho Water Resource Board

Dear Interested Party:

Please find enclosed a copy of the Order Adopting Proposed Memorandum Decision and Order on the above referenced applications for permit.

Any party who disagrees with the decision of the Director may request a rehearing before the Director within twenty (20) days or may appeal to the district court within thirty (30) days from the date this decision is mailed.

Sincerely,

GARY SPACKMAN, Manager
Water Right Permits Section

GS:js

Enclosure

RECEIVED

DEC 1 1992



IDAHO DEPARTMENT
OF HEALTH AND WELFARE

DIVISION OF
ENVIRONMENTAL QUALITY

RECEIVED

AUG 19 1992

Department of Water Resources

1410 North Hilton, Statehouse Mail, Boise, ID 83720-9000, (208) 334-0502

Cecil D. Andrus, Governor Richard P. Donovan, Director

August 18, 1992

To: Andy Brunelle
Yvonne Ferrell
~~Keith Higginson~~
Jerry Conley

From: Joe Nagel

Subject: *Schedule and Cost Estimates to Complete Crystal Springs Lake Project*

At the August 10, 1992 natural resources meeting, I was asked to have our staff prepare a schedule and cost estimates for completion of the Crystal Springs Lake project.

Enclosed please find an e-mail to me from our Twin Falls staff, a project schedule and budget, and a revised work plan dated August 15, 1992.

In summary, completion of the project will cost an estimated \$115,000. DEQ has \$45,000 available until June, 1993 to contribute toward the costs. I do not know the status of the \$50,000 which was appropriated to Fish & Game for this project in a previous fiscal year.

I recommend we discuss at our next natural resources meeting and decide whether we are going to complete the project, and which agency will request any additional funds which may be required. If we are not going to complete the project, I intend to work with EPA to transfer the funds to another clean lakes project so we don't lose the money to the state.

Enclosures: (3)

cc: Tim Litke
Mike McMasters

RECEIVED

APR 19 1994

FROM: McMasters, Mike

SCIRO

TO: NagelJ DEQ/POENV

DATE: 08-18-92

TIME: 08:47

CC: Litke, Tim

SCIRO

Poole, Walt DEQ/POENV

SUBJECT: REQUEST FOR HELP FROM STATE PARKS

PRIORITY:

ATTACHMENTS: crystal.bud
crystal.lke

Joe,

Enclosed as attachments is the revised workplan for the Crystal Springs Lake Restoration Project. The attachments address the history of the project to date and I have included a revised workplan for 1992-1993 which covers the projected project schedule and preliminary budget.

We have \$ 45,000 available for this project in EPA Clean Lakes Grant funds which we recently requested and received an extension until June 1993.

Consultation with EHM Engineers have estimated costs for design and construction of the outlet control structure to be \$ 5,000 for design alternative and design and approximately \$ 50,000 for construction.

Phase II project completion will require and additional estimated \$ 60,000.

Idaho Dept of Fish & Game has completed the design work for the diversion works from the Army Corps network, but they have no funds for construction of the diversion. Grant Christensen from IFG estimated that construction costs of the diversion would be approximately \$ 50,000. IFG (Christensen) is not convinced that the diversion of clean spring flows into the lake will improve the fishery and therefore does not fully support the project. The clean spring flows entering the lake in the summer should result in significant improvement in water quality and aesthetics and result in a complete lake restoration project.

Clear Spring Trout Company (Larry Cope) has also indicated that they do not support the phase II project, however the citizen task force is in full support of the proposed diversion of clean spring water and rerouting the flow of the lake. We will be convening the local citizen task force in mid September to discuss the revised project schedule, budget, and other projects issues and concerns.

The diversion of the hatchery flows away from the lake is an alternative to diverting in the additional spring flows. Although this alternative would be at minimal cost since the hatchery already has the capability to divert to the river, we believe that water quality benefits and full beneficial uses of the lake would not be achieved. Solids and nutrients are being contributed by the hatchery that will result in future decline in lake water quality unless controlled.

Should any questions arise please contact me.

Mike

SEP 19 1994

1 Crystal Springs Lake Project - 1992-1993
Project Schedule and Budget

Task Description	Begin	Complete	Resources Required	Costs
1. Develop contract with Gooding Co. to conduct engineering work	9/15/92	10/1/92	Gooding Co.	None
2. Develop detailed work plan	10/1/92	10/15/92	Task Force	None
3. Gooding Co. hire engineering firm to perform work	10/15/92	10/15/92	Gooding Co.	None
4. Engineering firm develop design alternatives	10/15/92	11/15/92	Consulting Engineer	\$5,000
5. Task force review design alternatives; select preferred alternative	11/15/92	12/1/92	Task Force	None
6. Engineering firm prepares final design drawings	12/1/92	12/30/92	Consulting Engineer	Part of above
7. Develop RFP	12/30/92	1/15/93	Task Force, IDHW-DEQ	None
8. Publish RFP	1/15/93	1/31/93	Gooding Co.	Adm. Costs*
9. Review Proposals	1/31/93	2/15/93	Task Force	None
10. Select proposal and review work plan; apply for permits	2/15/93	2/28/93	Task Force, IDHW-DEQ	None
11. Award Contract	3/1/93	3/1/93	Gooding Co.	Adm. Costs
12. Construction	3/1/93	6/30/93	Selected	\$100,000
13. Field review of project status	As Needed		Task Force	None

*Administrative costs to Gooding County - amount should be minimal

APR 19 1994

Crystal Springs Lake Restoration Project
Gooding County, Idaho

-Revised Work Plan-
August 15, 1992

BACKGROUND

The IDHW-Division of Environmental Quality submitted a Phase II grant application for Federal Clean Lakes funding to restore Crystal Springs Lake in March of 1989. Beneficial uses of the lake including cold water biota, salmonid spawning, primary contact recreation (including SCUBA diving), and secondary contact recreation were impaired or precluded by eutrophic conditions in the lake, as well as by the physical presence of accumulated solids, as a result of historic loading of the lake by fish hatchery wastes. Management actions identified in the Phase II application to restore beneficial uses of the lake included:

- a. Removal of sediment accumulations from the lake.
- b. Diversion of 50 cfs of spring water from the Army Corps of Engineers collection network into Crystal Springs Lake during periods when this water is not used by the Magic Valley steelhead hatchery. This 50 cfs is part of a water right of the Idaho Department of Parks and Recreation. In addition, Gooding County has filed a water right application for 126 cfs on this same water for a minimum flow to Crystal Springs Lake during periods of nonuse at the steelhead hatchery. The stated beneficial use of this water is cold water biota and aesthetics to enhance public use of this resource.
- c. Reducing effluent flow from Clear Springs Trout Company to Crystal Springs Lake to minimize solids and nutrient loading of the lake.
- d. Stabilization of Crystal Springs Lake level.

The major focus of the Phase II grant application was to secure a portion of the funding needed to dredge Crystal Springs Lake. The dredging alternative selected by an interagency and public task force involved removal of about 22,000 cubic yards of solids by suction dredge with slurry pumping to land application on farm ground. Total cost of this project including agency and private actions on the restoration activities identified above was \$319,750.00 with a request submitted for \$159,875.00 in Federal Clean Lakes funds.

Although this project was not funded by EPA from the regional Federal Clean Lakes allocation, the IDHW-DEQ was notified in September, 1990 that \$45,000 was awarded the project from over-target funds by EPA-Washington, D.C. It was the intent of the IDHW-DEQ to initiate the project during the summer of 1991 and simultaneously resubmit the application to EPA for the remainder of the needed funding from the Clean Lakes Program.

APR 19 1994

The IDHW-DEQ was notified by Clear Springs Trout Company in January 1991 that they wanted to conduct the dredging of Crystal Springs Lake. This work was initiated in late February, 1991 with Clear Springs following the dredging plan proposed in the Phase II application. The only modification to this plan was the location of solids disposal. Clear Springs disposed of the solids in two ponds (about 4 surface acres total) on company property, and will allow the solids to dry and then reclaim the ponds and revegetate with natural species. Dredging of Crystal Springs Lake is now completed by Clear Springs Trout Company with costs exceeding \$100,000.00.

The interagency and public task force met on February 13, 1991 to evaluate the status of the overall restoration project given the action taken by Clear Springs Trout Company. It was apparent that the only restoration action identified in the original Phase II application that had not yet been implemented was delivery of the mitigation hatchery spring flows to the lake during periods of nonuse. The task force continues to believe that the lake needs this spring water to help reduce water column nutrient levels, enhance aesthetics, and to reduce any need for hatchery return flows to the lake to maintain the lake. In addition, these flows would be available during the low flow critical summer period to help prevent excessive plant growths and enhance aesthetics for recreational uses.

During this meeting, a proposal related to the spring flows was introduced and discussed. This proposal involved reversing the flow of the lake system in conjunction with delivery of the 50 cfs of spring water to the lake. The benefits of such an action are several and include 1) the spring water that would now only enter the lower end of the lake and be quickly discharged to the Snake River would be able to flow through and flush the entire lake, b) water column nutrient levels would be reduced throughout the lake system during summer critical plant growth periods, c) constructing an additional outlet from the lake near the Crystal Springs Hatchery outfall would help to short-circuit the remaining nutrient and solids load from this facility into the Snake River and not allow this material to enter the lake, and d) the additional spring flows through the lake during periods of maximum public use would improve the overall aesthetics of the lake system.

As a result of this meeting, the Idaho Department of Fish and Game agreed to develop plans and specifications to deliver at least 50 cfs from the Army Corps collection network to Crystal Springs Lake. This design work has been completed by Idaho Department of Fish and Game for a 50 cfs structure. The 126 cfs water right application of Gooding County is yet to be resolved, but it appears that Idaho Department of Water Resources will not grant the county application for 126 cfs. The Idaho Department of Fish and Game had received and one time authorization for \$50,000.00 from the Idaho Legislature to deliver spring water to Crystal Springs Lake. Idaho Department of Fish and Game indicates that there is no funds budgeted to do diversion construction work.

APR 19 1994



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

Gary

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

MEMORANDUM

TO: Bill Platts, IWRB
Loren Holmes, IDWR
Tim Litke, IDHW-DEQ
Fred Partridge, IDFG
Bud Ainsworth, IDFG
Kevin Lynott, IDPR
Bob Muffley, Gooding Co. Commission

24 June 1992

From: Bill Graham BG.

Subject: Determination of Relative Discharges and Percent Contributions from Crystal Springs to the East and West Collectors of the Magic Valley Hatchery System.

On June 15, 1992, I met with Tim Litke, Mike McMasters, Fred Partridge, Bud Ainsworth, and Kevin Lynott to determine the quantity of water presently collected by the Magic Valley Hatchery that could be returned to Crystal Lake when not used for fish production. The agency representatives agreed that the relative discharges and percent contributions from Crystal Springs to the hatchery's east and west collectors should be determined. If relative discharges were determined in the same manner for both collectors, a fairly accurate percent contribution could be determined. The only other alternative would be to delay measurements until the hatchery was at full capacity, and the total flows could be measured at the two ten-foot inlet gates to the hatchery's water supply conduit.

Relative discharges were determined by measuring gate or overflow widths and water depths just upstream of the openings. Water was flowing through three different openings at the downstream end of each collector; (a) a 10 ft-wide inlet gate, (b) a 4-ft wide stoplog gate, and (c) a concrete overflow structure, 54 ft in length for the east collector and 40 feet in length for the west collector. All three devices were treated as standard contracted rectangular weirs, and discharges were determined using the appropriate tables and formulas from the Water Measurement Manual (US Department of Interior, 1967). The following discharges were determined for each collector:

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A. EAST COLLECTOR:

(1)	Gate width:	10 ft		
	Water level:	0.49 ft	Discharge:	11.30 cfs
(2)	Gate width:	4 ft		
	Water level:	0.54 ft	Discharge:	5.14 cfs
(3)	Overflow wid:	54 ft		
	Water level:	0.167 ft	Discharge:	12.26 cfs

TOTAL RELATIVE DISCHARGE, EAST COLLECTOR: 28.7 cfs
(52.1%)

B. WEST COLLECTOR:

(1)	Gate width:	10 ft		
	Water level:	0.31 ft	Discharge:	5.71 cfs
(2)	Gate width:	4 ft		
	Water level:	0.29 ft	Discharge:	2.05 cfs
(3)	Overflow wid:	40 ft		
	Water level:	0.27 ft	Discharge:	18.66 cfs

TOTAL RELATIVE DISCHARGE, WEST COLLECTOR: 26.4 cfs
(47.9%)

Contributions of the east and west collectors to the total hatchery flow established through these measurements are 52.1% for the east collector and 47.9% for the west collector.

The east collector diverts water from Crystal Springs that, under natural conditions, was likely tributary to Crystal Lake. Based on these measurements, the flows to Crystal Lake before the diversions were constructed comprised approximately 52 percent of the total hatchery diversion. At the maximum permitted rate, this would be 65.4 cfs.

APR 19 1994

Gary S.

IDWR TRIP REPORT

NAME: Bill Graham DATE OF TRIP: 5/6&7-8/92
DESTINATION: Hagerman and Twin Falls.
PURPOSE: Attend hearings of the Middle Snake Study Group
regarding their Coordinated Water Resource
Management Plan for the middle Snake River.
TRAVEL METH: IDWR-32

NARRATIVE REPORT

Attended the Middle Snake Study Group's hearings for Gooding County in Hagerman on 5/6, and for Twin Falls County in Twin Falls on 5/7. Six persons testified at the informal afternoon session in Hagerman. The formal evening session was attended by 34 persons, of which nine testified. The hearing in Twin Falls was attended by 53 persons, of which 12 testified. Comments relating to IDWR authorities pertained to wells going dry, reduced spring flows, and continued authorization of injection wells.

Visited the Corps of Engineers collection facilities at Crystal Springs on Friday, 5/8 to take pictures, and to determine which collector intercepts the most spring water. It appears that the west collector intercepts approximately twice as much water as the east collector.

SIGNATURE Bill Graham

SUPERVISOR _____

APR 19 1994



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

MEMORANDUM

TO: Jerry Conley
FROM: R. Keith Higginson *RKH*
DATE: April 30, 1992

RE: Use of Water Diverted from Crystal Springs for the Magic Valley Steelhead Hatchery

Two independent records created during hearings for minimum streamflow applications filed for Crystal Springs establish that the Idaho Department of Fish and Game is diverting approximately 126 cfs year-round from Crystal Springs to its Magic Valley facility, located on the south side of the river. The records also establish that, beginning about now through the summer, most of the water is not being beneficially used for the rearing of fish, but is diverted due to the configuration of the collection system and discharged to the Snake River from the other side of the river.

Construction of the spring collectors and siphon by the Corps of Engineers, and also by its predecessor, has substantially altered the topography between Crystal Springs and Crystal Lake. Questions have been raised about the quantity of water which once discharged to Crystal Lake. In order to determine the quantity of water which once discharged to Crystal Lake, the springs which once flowed into Crystal Lake must be identified.

The Department of Water Resources will be conducting an investigation of this matter. In conducting the investigation, the Department may need access to the siphon-inlet box, and any structures therein which may assist the Department in measuring the flows. I ask your cooperation in conducting this study. A determination of the flow which once discharged to Crystal Lake may ultimately determine the amount of water which must be discharged to Crystal Lake when the water is not beneficially used.

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APR 19 1994

INTER-DEPARTMENT MEMO

TO: File # 36-8600

SUBJECT: _____

FROM: J. Siefert

DATE: 1/8/92

Hearing tapes, hearing notes,
Exhibits and public comments are
filed in 36-8390.

~~RECEIVED~~

Thank you.

APR 19 1994

() For your information

() Response required

J. Siefert
signature

1 LARRY ECHOHAWK
2 ATTORNEY GENERAL

3 Stephen V. Goddard
4 W. Dallas Burkhalter
5 Deputy Attorney Generals
6 P O Box 25
7 Boise, ID 83707
8 Telephone (208) 334-3715
9 FAX (208) 334-2114

Received -
December 19, 1991
Gary S.

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

8 In the Matter of the)
9 Minimum Streamflow)
10 Applications for Crystal) EXCEPTIONS TO PROPOSED
11 Springs) MEMORANDUM DECISION
AND ORDER
Nos. 36-8390, 36-8600)

12 The Idaho Department of Fish and Game submits the following
13 exceptions to the Proposed Memorandum Decision and Order.

14 FINDINGS OF FACT

15 Finding No. 4

16 The Department of Fish and Game ("Fish and Game") disagrees with
17 this proposed finding because it is not supported in the record and it
18 is incorrect. No evidence was submitted concerning Magic Valley
19 Hatchery's "beneficial use" of water other than sheer speculation by Mr.
20 Burks. Mr. Burks had no knowledge of the operation of Magic Valley
21 Hatchery and instead testified to his observations of other
22 hatcheries. The testimony submitted by Fish and Game employees was
23 that water not diverted to the Magic Valley Hatchery is discharged to
24 the river with the 25 cfs minimum streamflow under Permit No. 36-8374.

25 Finding No. 15

26 Fish and Game disagrees with this finding because Dr. Tim Litke
27 testified that the minimum flow required for Crystal Springs Lake was
59 cfs, and that 80-100 cfs might be required to clean up the lake.

EXCEPTIONS TO PROPOSED MEMORANDUM
DECISION AND ORDER - 1

APR 19 1994

1 Kevin Lincott testified that 59 cfs is truly a minimum flow for the
2 lake. The testimony did not establish that 80-100 cfs was a minimum
3 flow rather than a desirable flow. Thus, the minimum flow required to
4 maintain Crystal Springs Lake is 59 cfs.

5 Finding No. 19

6 Fish and Game objects to this proposed finding for several
7 reasons. First, it is irrelevant to the two permit applications which
8 are the subject matter of this hearing. Second, there was no testimony
9 presented at the hearing which even suggested that Magic Valley
10 Hatchery was diverting water in excess of established rights. Finally,
11 this finding appears to be an attempt to encourage litigation.

12 CONCLUSIONS OF LAW

13 Conclusion No. 6

14 Fish and Game disagrees with this conclusion because the testimony
15 did not establish 80 or 100 cfs to be the required minimum streamflow.
16 The testimony established that the minimum streamflow is 59 cfs.
17 Please see exception to Finding No. 15 above.

18 Conclusion No. 10

19 Fish and Game objects to this proposed conclusion for the same
20 reasons outlined above in Finding No. 4. No evidence was submitted
21 that Magic Valley Hatchery is wasting water. Instead, the evidence is
22 that two permits govern 75 cfs of water which is not needed by the
23 Hatchery (Permits No. 36-8330 and 36-8374) and that water not diverted
24 to the Hatchery is discharged to the river in the channel to the west
25 of the collector box. Additionally, Fish and Game is unaware of any
26 evidence or finding of fact that supports the conclusion that water
27 should be returned to "its natural water course" or what that natural
course would be.

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ORDER

Paragraph No. 6

Please see Finding No. 15 and Conclusion No. 6 above.

DATED this 19th day of December, 1991.

W. Dallas Burkhalter

W. Dallas Burkhalter
Deputy Attorney General

CERTIFICATE OF MAILING

I hereby certify that on the 19th day of December, 1991 I caused to be mailed a true and correct copy of the EXCEPTIONS TO PROPOSED MEMORANDUM DECISION AND ORDER, postage prepaid, to the following individuals:

Tim Litke
DEQ
Post Office Box 1626
Twin Falls, Idaho 83303

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

Gooding County Commissioners
Gooding, Idaho 83330

S. G. Carleton
Post Office Box 32
Hagerman, Idaho 83332

Corps of Engineers
Building 602
City-County Airport
Walla Walla, Washington 99362

Clear Springs Trout Company
Post Office Box 548
Buhl, Idaho 83316

Rinda Just
Department of Parks & Recreation
Boise, Idaho 83720
STATEHOUSE MAIL

W. Dallas Burkhalter

W. Dallas Burkhalter

WDB:mc

APR 19 1992



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

December 4, 1991

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

Clear Springs Trout Co.
P.O. Box 548
Buhl, ID 83316

Dear Gentlemen:

Please find enclosed a copy of the Proposed Memorandum Decision and Order and Order Issuing Proposed Memorandum Decision for applications for permit nos. 36-8390 and 36-8600. The applications, in the name of the Idaho Water Resource Board, establish minimum streamflows on Crystal Springs and Crystal Lake, respectively.

Any party who disagrees with the Proposed Decision may file exceptions to the decision within fifteen (15) days of service of the Proposed Decision.

Respectfully,

A handwritten signature in cursive script that reads 'Gary Spackman'.

GARY SPECKMAN, Manager
Water Right Permits Section

GS:js

Enclosure

NOTED

APR 19 1994



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

December 4, 1991

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

Corps of Engineers
Building 602
City-County Airport
Walla Walla, WA 99362

Dear Gentlemen:

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Respectfully,

GARY SPACKMAN, Manager
Water Right Permits Section

GS:js

Enclosure

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December 4, 1991

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

Gooding County Commissioners
Gooding, ID 83330

Dear Gentlemen:

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Respectfully,

GARY SPACKMAN, Manager
Water Right Permits Section

GS:js

Enclosure

APR 19 1992



State of Idaho

DEPARTMENT OF WATER RESOURCES

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December 4, 1991

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

S.G. Carleton
P.O. Box 32
Hagerman, ID 83332

Dear Mr. Carleton:

Please find enclosed a copy of the Proposed Memorandum Decision and Order and Order Issuing Proposed Memorandum Decision for applications for permit nos. 36-8390 and 36-8600. The applications, in the name of the Idaho Water Resource Board, establish minimum streamflows on Crystal Springs and Crystal Lake, respectively.

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Respectfully,

GARY SPACKMAN, Manager
Water Right Permits Section

GS:js

Enclosure

APR 19 1994



State of Idaho

DEPARTMENT OF WATER RESOURCES

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December 4, 1991

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

Dept. of Parks and Recreation
Rinda Just
Statehouse Mail
Boise, ID 83720

Dear Ms. Just:

Please find enclosed a copy of the Proposed Memorandum Decision and Order and Order Issuing Proposed Memorandum Decision for applications for permit nos. 36-8390 and 36-8600. The applications, in the name of the Idaho Water Resource Board, establish minimum streamflows on Crystal Springs and Crystal Lake, respectively.

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Respectfully,

GARY SPACKMAN, Manager
Water Right Permits Section

GS:js

Enclosure

9 1994



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

December 4, 1991

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

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

Dear Mr. Goddard:

Please find enclosed a copy of the Proposed Memorandum Decision and Order and Order Issuing Proposed Memorandum Decision for applications for permit nos. 36-8390 and 36-8600. The applications, in the name of the Idaho Water Resource Board, establish minimum streamflows on Crystal Springs and Crystal Lake, respectively.

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Respectfully,

GARY SPACKMAN, Manager
Water Right Permits Section

GS:js

Enclosure

[Faint handwritten notes and stamps at the bottom of the page]



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

December 4, 1991

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

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

Dear Mr. Rydalch:

Please find enclosed a copy of the Proposed Memorandum Decision and Order and Order Issuing Proposed Memorandum Decision for applications for permit nos. 36-8390 and 36-8600. The applications, in the name of the Idaho Water Resource Board, establish minimum streamflows on Crystal Springs and Crystal Lake, respectively.

Any party who disagrees with the Proposed Decision may file exceptions to the decision within fifteen (15) days of service of the Proposed Decision.

Respectfully,

A handwritten signature in cursive script that reads 'Gary Spackman'.

GARY SPACKMAN, Manager
Water Right Permits Section

GS:js

Enclosure

APR 11 1992



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

December 4, 1991

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

Tim Litke
DEQ
P.O. Box 1626
Twin Falls, ID 83303

Dear Mr. Litke:

Please find enclosed a copy of the Proposed Memorandum Decision and Order and Order Issuing Proposed Memorandum Decision for applications for permit nos. 36-8390 and 36-8600. The applications, in the name of the Idaho Water Resource Board, establish minimum streamflows on Crystal Springs and Crystal Lake, respectively.

Any party who disagrees with the Proposed Decision may file exceptions to the decision within fifteen (15) days of service of the Proposed Decision.

Respectfully,

GARY SPACKMAN, Manager
Water Right Permits Section

GS:js

Enclosure

November 6, 1991

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NOV 12 1991

Office of Counsel

Department of Water Resources

Mr. Gary Spackman
State of Idaho
Department of Water Resources
1301 North Orchard Street
Statehouse Mail
Boise, Idaho 83720-9000

RE: Minimum Streamflow Hearings for Crystal Springs

Dear Mr. Spackman:

Thank you for your letter of October 16, 1991, concerning the above subject. This letter was received by the Walla Walla District on October 28, 1991. For the reasons set forth below, we do not believe that this is an appropriate time or forum for a decision that may affect Federal water uses and we write to express our strenuous objections to any proceeding or decision that in any way diminishes the right of the Federal government to carry out Congressional direction. As described below, we believe the water uses at the Magic Valley Fish Hatchery represent use for a beneficial purpose under Federal and State law.

The Fact Sheet attached to your letter indicates that the applicants for minimum streamflow seek water from January 1 through December 31 from Crystal Springs, contained within certain Government lots. The attached brochure indicates that in order to approve applications for minimum instream flows, the Director must find, among other things, that the water is unappropriated and is not in use by earlier, established water rights with older priority dates. Your letter indicates that since the Corps does not raise fish in the Magic Valley Fish Hatchery during the late spring and early summer, but diverts water during that timeframe, the water is not being put to beneficial use.

The water rights held by the Corps are for the purpose of effecting Congressional direction contained in the Water Resources Development Act of 1976 (Public Law 94-587) to provide for fish and wildlife compensation in connection with the Lower Snake River, Washington and Idaho, substantially in accordance with a 1975 report on file with the Chief of Engineers. The report provided for the building of fish hatcheries at unspecified locations to provide for the rearing of fall Chinook, spring and summer Chinook, and steelhead trout. In carrying

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APR 19 1994

out this Federal responsibility, the U.S. Army Corps of Engineers constructed 11 hatcheries and in that process has taken steps to ensure that sufficient amounts of water are available for efficient operations.

The Magic Valley Fish Hatchery is operated in accordance with the Lower Snake Fish and Wildlife Compensation Plan with the goal of mitigating fish losses. While this project is currently producing steelhead trout, it may be expanded to rear other types of fish since the Compensation Plan generally contemplates the propagation of several species of fish. The water use is not limited as to time, but used year-round for the benefit of fish mitigation and is not available for other use as contemplated in the Lower Snake Fish and Wildlife Compensation Plan. This letter constitutes notice that the Corps may be using water at other times of the year for the recognized beneficial use of fish propagation under the authority granted by Congress to compensate for the operation of the Lower Snake River Projects, authorized and maintained pursuant to the Commerce Clause of the U.S. Constitution.

The water use of the Corps at the Magic Valley Fish Hatchery is evidenced by Idaho water right licenses 36-7033 and 36-7164 and water right permit 36-7653, which provide for the diversion of water from Crystal Springs for the beneficial use of fish propagation from January 1 to December 31. Copies of these documents are attached for your ready reference.

The Federal government acquired the lands for this project from Crystal Springs Ranch, Inc. The appurtenant water rights were also acquired at considerable expense to the Federal Government. Under Idaho law, a licensed water right is real property and ownership of such rights is obtained when the real estate, to which the water right is appurtenant, is purchased. Although the use and control of the water to operate this hatchery is accomplished pursuant to the Commerce Clause Power of the United States Constitution, the ground water source was acquired, along with the real property, at the time the Corps acquired Crystal Springs Ranch, Inc.

In addition, the use and control of the water for the Magic Valley Fish Hatchery are part of the ongoing water adjudication, In re the General Adjudication of Rights to the Use of Water from the Snake River Basin Water System, Civil Case No. 39576, Fifth Judicial District Court, County of Twin Falls, State of Idaho, with priority dates of July 10, 1968 (No. 36-7033), March 5, 1971 (No. 36-7164), and October 22, 1976 (No. 36-7653). We do not anticipate that the Department of Water

APR 19 1994

Resources will take administrative action which prejudices its ongoing negotiations of these same water rights as part of the water rights adjudication.

The information in this response is provided as a matter of comity and is not intended as a waiver by the United States of any right, power, or authority it may have under the laws or United States Constitution or otherwise.

Because of the very short notice we received, we will not be able to attend the hearing. We ask that this letter be placed in the record of this proceeding and treated as an objection to the proceeding. We anticipate that if you should act in any way to affect the water rights now claimed by the Federal Government at the Magic Valley Fish Hatchery, you will provide us with adequate notice of the proposed action.

Sincerely,

Robert D. Volz
Lieutenant Colonel, Corps of Engineers
District Engineer

HOPKINS/ibm
BROWNLOW/OC
Engineers
TURNER/EA

Enclosures

Copies furnished:

Mr. Peter Monson
Land & Natural Resources Division
U.S. Department of Justice
Box 44378
Washington, D.C. 20026

Mr. Larry Echohawk
Attorney General
Statehouse, Room 210
Boise, Idaho 83720

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

KURKJIAN/DE-D

VOLZ/DE

IM/SM

FILES/OC

APR 19 1994

OFFICIAL BUSINESS
PENALTY FOR PRIVATE USE, \$300
CENPW-OC

AN EQUAL OPPORTUNITY EMPLOYER

Director, Idaho Water Resources
1301 North Orchard Street
Statehouse Mall
Boise, Idaho 83720-9000

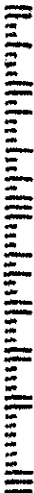
EMPLOYER

100

Give
The United Way

RECEIVED

APR 19 1994



LARRY ECHOHAWK
ATTORNEY GENERAL

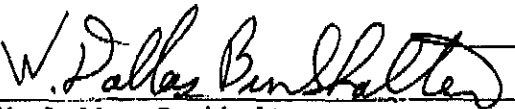
Stephen V. Goddard
W. Dallas Burkhalter
Deputy Attorney Generals
P O Box 25
Boise, ID 83707
Telephone (208) 334-3715
FAX (208) 334-2114

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

In the Matter of the	)	
Minimum Streamflow	)	
Applications for Crystal	)	REQUEST FOR OFFICIAL NOTICE
Springs	)	
	)	
Nos. 36-8390, 36-8600	)	
	)	

Pursuant to Idaho Code section 67-5210(4) and Rule 9,16,
Department of Water Resources Rules of Practice and Procedure, the
Idaho Department of Fish and Game requests that official notice be
taken of the following vested water rights utilized by the Magic Valley
Hatchery: 1) No. 36-07033, Priority Date July 10, 1968; 2) No.
36-07164, Priority Date March 5, 1971; and 3) No. 36-07653, Priority
Date November 3, 1976. A copy of the Profile Report received from the
Department of Water Resources for these water rights is attached.

DATED this 5th day of November, 1991.


W. Dallas Burkhalter
Deputy Attorney General

APR 19 1994

CERTIFICATE OF MAILING

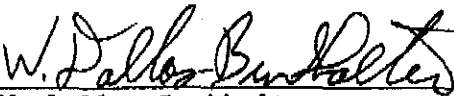
I hereby certify that on this 5th day of November, 1991, I caused to be served a true and correct copy of the above REQUEST FOR OFFICIAL NOTICE by placing a copy thereof in the U.S. Mail, postage prepaid, addressed to:

Bob Muffley, Chairman
Gooding Board of County Commissioners
Post Office Box 417
Gooding, Idaho 83330

Edward C. Shokal
963 Pioneer Road
Hagerman, Idaho 83332

Rinda Just
Deputy Attorney General
Idaho Department of Parks and Recreation
STATEHOUSE MAIL
Boise, Idaho 83720-8000

Bob Burks
Box 298
Wendell, Idaho 83355


W. Dallas Burkhalter

RECEIVED

APR 19 1994

DATE: 10/25/91
PAGE: 3

**DIVISION
POLICE**

Stage: PENULT

JOBS	215E	S12	Lot 12(	SA	INTJ
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14

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41
20251

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[illegible]

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3
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99 22

14 11

Other Rights: LIC. 36-7033 & 36-7164-

Other Water Rights Listing overlying Plac(s) of use:		
26-03100	47-07971	P47-07971
26-03100	47-07971	P47-07971

Conditions of Approval:

OF APPROVAL: _____
 A measuring device of a type approved by the Department shall be installed and maintained as part of the diverting

works -

- Return water shall be filtered to remove any inorganic stress water quality standards.

013 - Should the use of the water on this right reduce the quality of

- satisfy the prior appropriations, then the diversion under this

- right most cable.

App. Received:	05/01/1947	Priority Date:	11/03/1976	Priority Date Advanced:	12/13/1947
Proof Made Date:	11/22/1947	Proof Made Date:	11/22/1947	Proof Received Date:	12/13/1947

FROM DATE: 06/28/2007
TO DATE: 07/28/2007
FROM MODE: 03/28/1990
EXIN SENT TO S.O.:

Indexed notes:

Misc:

Wator District Number: 36

FIELD FROM: (Received)

APR 19 1994

W5409NP
No. 36-07164IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFIT REPORTDATE: 10/25/91
PAGE: 2OWNER: STATE & AGENCIES
CODE:PRIORITY
DATE

WATER USE

USE PERIOD
FROM TODIVERSION
DATEDIVERSION
VOLUME

C CRYSTAL SPRINGS WATER INC.

03/05/1971 FISH PROTECTION

01-01 12-31

6.49 CFS

P.O. BOX 109
BURL IN 83316

TOTAL DIVERSION:

6.49 CFS

O JOSEPH L. BURCH

Water Source: CRYSTAL SPRINGS

Tributary to: SNAIL RIVER

Scope: LICENSE

Point(s) of Diversion:

T093 N15E S12 Lot 12(SE NW)

Place of use Legal Description for: FISH PROTECTION

NE	NW	SE	SW
045 15E 11 :	07-E :	F :	F :
045 15E 12 :			

Other Water Rights Listing Overlapping Place(s) of use:

36-02709 43-0774E 43-0797N 143-6797L

Conditions of Approval:

D16 - See remarks for additional conditions of approval.

Remarks:

THE FACILITY REMAINS FOR THIS RT. & RT. 36-7033 SHALL NOT EXCEED 13.2 AF. MEASURING DEVICES OF A TYPE APPROVED BY THE DEPT. AND CAPABLE OF MEASURING THE QUANTITY OF WATER DIVERTED FROM THE SPRINGS & THE QUANTITY OF WATER RETURNED TO THE SNAIL R. SHALL BE PERMANENTLY MAINTAINED.

Dates:

App. Received: 03/05/1971
 Proof Due Date: Proof Made Date:
 Exam Made Date: Exam Sent to S.O.:
 Licensed Date: 05/01/1970

Misc:

Water District Number: Field Exam Fee:

APR 19 1994

WA1889ED
No. 36-07033IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORTDATE: 10/25/91
PAGE: 1

OWNER	PRIORITY	WATER USE	USE PERIOD	DIVERSION	DIVERSION
CODE	DATE		FROM TO	RATE	VOLUME
C	07/10/1968	FISH PROPAGATION	01-01 12-31	50.00 CFS	
TOTAL DIVERSIONS:				50.00 CFS	

O JOSEPH L. BROWN

Water Source: CRYSTAL SPRINGS

Tributary to: SHANE RIVER

Stage: INCREASE

Point(s) of Diversion:

T095 R15N S12 T01 N1 SE NW1

Place of use legal description for: FISH PROPAGATION

NE	SE	SW	SW	SE
093 15E 11 :	07-F :	F :	F :	
093 15E 12 :				

Other water rights listing overlapping place(s) of use:

36-02709 47-07141 47-07971 47-07971

Conditions of Approval:

016 - See remarks for additional conditions of approval.

Remarks:

THE FACILITY VOLUME FOR THIS IT. AND IT. 36-7164 SHALL NOT EXCEED 13.2 ACFT. MEASURING DEVICES OF A TYPE APPROVED BY THE DEPT. AND CAPABLE OF MEASURING THE QUANTITY OF WATER DIVERTED FROM THE SPRINGS AND THE QUANTITY OF WATER RETURNED TO THE SHANE RIVER SHALL BE PERMANENTLY MAINTAINED.

Dates:

App. Received: 07/10/1968
 Proof Due Date: 07/10/1968
 Exam Made Date: 05/01/1979
 Exam Sent to S.O.:
 Licensed Date:

Misc:

Water District Number: 36 Field Exam Fee:

APR 19 1994

LARRY ECHOHAWK
ATTORNEY GENERAL

Stephen V. Goddard
W. Dallas Burkhalter
Deputy Attorney Generals
P O Box 25
Boise, ID 83707
Telephone (208) 334-3715
FAX (208) 334-2114

RECEIVED
NOV 01 1991

Department of Water Resources

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

In the Matter of the)
Minimum Streamflow)
Applications for Crystal)
Springs)
Nos. 36-8390, 36-8600)
_____)

NOTICE OF APPEARANCE

W. Dallas Burkhalter, Deputy Attorney General, hereby enters
an appearance as attorney of record for the Idaho Department of Fish
and Game for the hearing to be held in this matter on Thursday,
November 7, 1991 in Hagerman, Idaho.

DATED this 1st day of November, 1991.



W. Dallas Burkhalter
Deputy Attorney General
Attorney for the
Idaho Department of Fish & Game

APR 19 1994

OCT 31 '91 01:17PM CLEAR SPRINGS TROUT

110

Clear Springs®

TROUT COMPANY

FACSIMILE TRANSMITTAL

DATE: October 31, 1991

TO: MR. GARY Spackman

FAX #: 327-7866

FROM: Dave Erickson
Clear Springs Trout Company
P.O. Box 712
Buhl, ID 83316

RE: Nov. 7th Hearing

PAGE 1 OF 2

IF YOU DO NOT RECEIVE ALL PAGES PLEASE CALL: 208/543-4316

RECEIVED

APR 19 1994



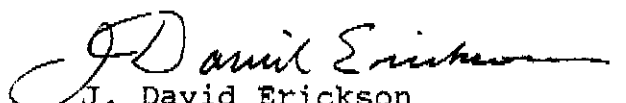
October 31, 1991

Mr. Gary Spackman
manager, water right permits
Idaho Dept. of Water Resources
1301 N. Orchard Street
Boise, ID 83720-9000

Dear Mr. Spackman:

This letter declares our notice of appearance for the hearing on November 7, 1991 on Minimum Streamflow Application Nos. 36-8390 and 36-8600.

Sincerely,


J. David Erickson
Director, Technical Services

JDE:et

RECEIVED

APR 19 1994



DEPARTMENT OF THE ARMY
WALLA WALLA DISTRICT, CORPS OF ENGINEERS
WALLA WALLA, WASHINGTON 99362-9265

RECEIVED
NOV 04 1991

REPLY TO
ATTENTION OF:

October 30, 1991

Department of Water Resources

Real Estate Division

Mr. Gary Spackman
Manager, Water Right Permits
Department of Water Resources
1301 North Orchard Street
Statehouse Mail
Boise, Idaho 83720-9000

Dear Mr. Spackman:

In response to your notice on the proposed minimum stream-flows for Crystal Springs, the Corps of Engineers will be represented at the hearing beginning at 1:30 P.M., 140 Lake Street, Hagerman, Idaho. We understand the representatives of the Idaho Department of Fish and Game, which operates the Magic Valley Hatchery, will also attend.

Sincerely,

for James R. Day
Richard Carlton
Chief, Real Estate Division

Enclosure

RECEIVED

APR 10 1994

**GOODING COUNTY
BOARD OF COUNTY COMMISSIONERS**

P.O. Box 417
GOODING, IDAHO 83330

RECEIVED
NOV 04 1991

Robert Muffley, Dist. III 934-4781
Robert E. Tupper, Dist. II 837-4862
Don C. Morrow, Dist. I 934-5233
John A. Myers, Clerk 934-4221

October 28, 1991

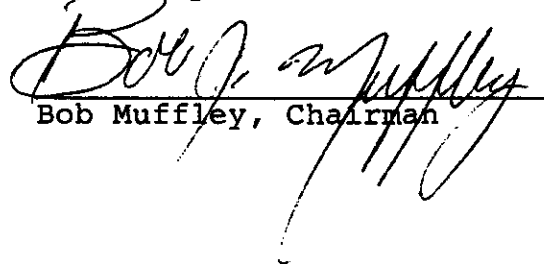
Department of Water Resources

Gary Spackman, Manager
Water Right Permits Section
Department of Water Resources
1301 North Orchard Street
Statehouse Mail
Boise, Idaho 83720-9000

Dear Gary:

Since I won't be able to attend your meeting on Minimum stream flow I would like to take this opportunity to tell you that the Gooding County Commissioners have given Mr. Bob Burks the authority to speak on their behalf at your hearing. Mr. Burks is well versed on the problems involved in our area and has been in attendance at all of the meetings and hearings that have been held in regard to this issue and will represent Gooding County very well, I'm sure. Thank you.

Sincerely,


Bob Muffley, Chairman

BM/jm

RECEIVED

APR 19 1994

The

Yarrow

Oct. 27, 1991

Dear Sir:

I wish to formally appear on
the Crystal Lake Minimum
Stream Flow applications
36-8390 for 126 CFS
and

36-8600 for 59 CFS

I will appear on behalf of
Gooding County and the
Crystal Lake Task Force.

— Thanking you

Bob Burkes
Box 298
Wendell, Ida

RECEIVED

OCT 29 1991

Department of Water Resources

Crystal Lake

A Resort Hotel/Conference Center

1800 Park Ave. • P.O. Box 1840 • Park City, Utah 84060 • 801/649-7000

**GOODING COUNTY
BOARD OF COUNTY COMMISSIONERS**

P.O. Box 417
GOODING, IDAHO 83330

RECEIVED
OCT 22 1991

Robert Muffley, Dist. III	934-4781
Robert E. Tupper, Dist. II	837-4862
Don C. Morrow, Dist. I	934-5233
John A. Myers, Clerk	934-4221

October 21, 1991

Department of Water Resources

Gary Spackman, Manager
Water Right Permits Section
Department of Water Resources
1301 North Orchard Street
Statehouse Mail
Boise, Id 83720-9000

Dear Gary:

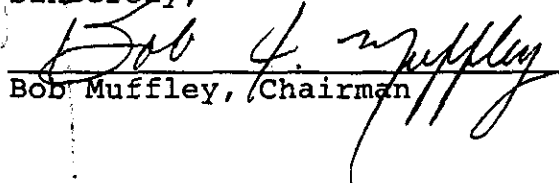
Thank you for your letter of 10-17-91 concerning the application for minimum stream flow in Crystal Springs. The change in date for the hearing has made it impossible for me, acting as Chairman of the Gooding County Commission, to appear at the hearing so I offer this letter as my testimony. Commissioners Morrow & Tupper may be present.

Crystal Springs Lake has been recognized as a valuable recreational and tourism asset by the County of Gooding. The Lake has historically been used by fishermen and scuba diving enthusiasts and it is the intention of the County to restore these uses. The Lake and area surrounding it has been placed under the authority of the State Parks Department so we will see an expansion in users to picnickers, hikers and sightseers.

The Commissioners now believe that it is imperative, if the Lake is to be enhanced and utilized to its full potential, that the minimum stream flow be established at the 59.0 CFS requested by the Idaho Department of Parks and Recreation and be supplemented by the County's request of 126.0 CFS when not being used for fish propagation by the Federal Facility on the Twin Falls side of the Snake River. Crystal Springs Lake was dredged early this summer, but sediment and algae buildup continue to occur making the Lake uninviting to visitors by late summer. This proved to the Commissioners that flow through the Lake must be increased to enhance the exchange of spring water through the Lake thereby increasing the flushing action in the Lake.

The commissioners are also studying the feasibility of changing the flow of the Lake. It is the belief of many that reversing the Lake's flow coupled with an increase in the minimum stream flow will be the ultimate solution in restoring the historical uses of Crystal Springs Lake.

Sincerely,


Bob Muffley, Chairman

BM/jm

LARRY ECHOHAWK
Attorney General
State of Idaho
Statehouse, Room 210
Boise, ID 83720
Telephone: (208) 334-2400

RINDA JUST
Deputy Attorney General
Idaho Department of Parks and Recreation
Statehouse Mail
Boise, ID 83720-8000
Telephone: (208) 327-7444

Attorney for the Idaho Department of Parks and Recreation

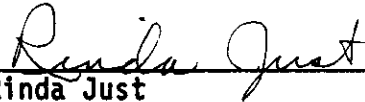
BEFORE THE DIRECTOR OF THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

In the Matter of the Application)
For A Minimum Streamflow At)
Crystal Springs)
Application No. 36-8600)

NOTICE OF APPEARANCE

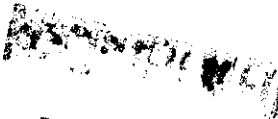
Rinda Just, Deputy Attorney General, hereby enters an appearance as attorney of record for the Idaho Department of Parks and Recreation for the hearing to be held in this matter on November 7, 1991, in Hagerman, Idaho.

DATED this 18th day of October, 1991.



Rinda Just
Deputy Attorney General
Idaho Department of Parks and Recreation

0636R


APR 19 1994

LARRY ECHOHAWK
Attorney General
State of Idaho
Statehouse, Room 210
Boise, ID 83720
Telephone: (208) 334-2400

RINDA JUST
Deputy Attorney General
Idaho Department of Parks and Recreation
Statehouse Mail
Boise, ID 83720-8000
Telephone: (208) 327-7444

Attorney for the Idaho Department of Parks and Recreation

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

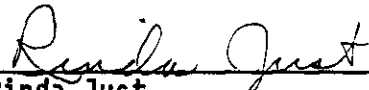
In the Matter of the Application)
For A Minimum Streamflow At)
Crystal Springs)

Application No. 36-8600)
_____)

NOTICE OF APPEARANCE

Rinda Just, Deputy Attorney General, hereby enters an appearance as attorney of record for the Idaho Department of Parks and Recreation for the hearing to be held in this matter on November 7, 1991, in Hagerman, Idaho.

DATED this 18th day of October, 1991.



Rinda Just
Deputy Attorney General
Idaho Department of Parks and Recreation

0636R

APR 19 1994

GARY SPACKMAN, MANAGER
WATER RIGHTS PERMITS SECTION
WATER RESOURCES DEPARTMENT
STATEHOUSE MAIL

Post-It™ brand fax transmittal memo 7671

of pages > 2

To <i>Mary Baldwin</i>	From <i>Wendell</i>
Co. <i>EDWR</i>	Co. <i>Post R & 2</i>
Dept. <i>W/R</i>	Phone #
Fax # <i>736-3037</i>	Fax #

Shake those Tigers

Was the theme for Wendell High School's freshman class float during homecoming week.

Legal Notices

CORRECTED NOTICE OF HEARING FOR APPLICATIONS FOR MINIMUM STREAMFLOW

A minimum streamflow hearing for Crystal Springs, originally scheduled for October 22, 1991, has been rescheduled for November 7, 1991, as described below:

Notice is hereby given that the Idaho Water Resource Board has submitted two applications for permit to appropriate water to the Department of Water Resources, proposing to appropriate water for minimum streamflows in Crystal Springs, tributary to the Snake River. The applications are further described as follows:

Application No.: 36-5390

Source: Crystal Springs

Proposed Priority: October 24, 1988

Amount and Period of Use: 126.0 cfs from January 1 through December 31

Purpose of Minimum Flow: Recreation, aesthetics, fish and

wildlife habitat, and water quality

Place of Use: Crystal Springs, contained within Government Lots 11 and 12,

Section 12, T9S, R15E.

Application No.: 36-8600

Source: Crystal Springs

Proposed Priority: March 22, 1991

Amount and Period of Use: 59.0 cfs from January 1 through December 31

Purpose of Minimum Flow: Recreation, aesthetics, and fish and wildlife

habitat.

Place of Use: Crystal Springs, contained within Government Lots 12 and 13,

Section 12, T9S, R15E.

The Director of the Department of Water Resources will hold a public hearing in the Hagerman Valley Senior

Citizen's Center, 140 Lake Street, Hagerman, Idaho, beginning at 1:30 p.m. on

November 7, 1991, for the purpose of hearing evidence in regard to the applications. The hearing will be held pursuant to the provisions of Section 42-1503, Idaho Code.

The hearing will recess at the close of formal testimony, but will reconvene at 7:00 p.m. for the taking of public testimony.

Any party who wishes to formally appear in the proceeding for the purpose of presenting evidence or cross examining witnesses should file a notice of appearance with the Director of the Department of Water Resources, Statehouse Mall, 1301 North Orchard Street, Boise,

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. Written informal views and comments may also be submitted to the Department of Water Resources prior to the hearing.

If issued, this permit will be subject to all prior water rights.

-by-R. Keith Higginson, Director
Idaho Department of Water Resources
PUB: 10-16, 10-23 G10084

JEROME SHEET METAL



High Efficiency

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You've seen the light
Now feel the comfort.



The Quality name in
indoor comfort

- HEAT PUMPS • AIR CLEANERS
- AIR CONDITIONERS
- ELECTRIC FURNACES
- SHEET METAL FABRICATION

MOBILE HOME
AND
RESIDENTIAL

JEROME SHEET METAL

324-5481

239 So. Cedar

Jerome

Time and time again,

he said, "I'll start plan-

Taxes

Over 100 Years of Service
MADE TO ORDER AND REPAIRS

APR 19 1994

- 11 Fertilizer & Top Soil
- 12 Hay, Grain & Feed
- 13 Horses
- 14 Horse Equipment
- 15 Irrigation
- 16 Poultry & Rabbits
- 17 Sheep & Goats
- 18 Swine

The Times News
10/19/91

Get details on specials by calling a News Customer Service Representative
your ad the first day it appears. In case of error, report it to the Customer Service receive an adjustment.
reserves the right to censor, reclassify or reject any classified advertisement standards of the publisher.

CORRECTED NOTICE OF HEARING FOR APPLICATION FOR MINIMUM STREAMFLOW
A minimum streamflow hearing for Crystal Springs, originally scheduled for October 22, 1991, has been rescheduled for November 7, 1991, as described below:
Notice is hereby given that the Idaho Water Resource Board has submitted two applications for permit to appropriate water to the Department of Water Resources, proposing to appropriate water for minimum streamflows in Crystal Springs, tributary to the Snake River. The applications are further described as follows:
Application No.: 89-0392
Source: Crystal Springs
Proposed Priority: October 24, 1988
Amount and Period of Use: 126.0 cfs from January 1 through December 31
Purpose of Minimum Flow: Recreation, aesthetics, fish and wildlife habitat, and water quality.
Place of Use: Crystal Springs, contained within Government Lots 12 and 13, Section 12, T9S, R15E.
The Director of the Department of Water Resources will hold a public hearing in the Hagerman Valley Senior Citizen's Center, 140 Lake Street, Hagerman, Idaho, beginning at 1:30 p.m. on November 7, 1991, for the purpose of hearing evidence in regard to the applications. The hearing will be held pursuant to the provisions of Section 42-1503, Idaho Code.
The hearing will recess at the close of formal testimony, but will reconvene at 7:00 p.m. for the taking of public testimony.
Any party who wishes to formally appear in the proceeding for the purpose of presenting evidence or cross examining witnesses should file a notice of appearance with the Director of the Department of Water Resources, Statehouse Mail, 1301 North Orchard Street, Boise, 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. Written informal views and comments may also be submitted to the Department of Water Resources prior to the hearing.
If issued, this permit will be subject to all prior water rights.
R. KEITH HIGGINSON, Director
Idaho Department of Water Resources

LEGAL NOTICE

Hall, Room 23, 321 Second Avenue East, Twin Falls, Idaho.
Sharon M. Bryan
Deputy City Clerk
City of Twin Falls, Idaho
Open: October 24, 1991
PUBLISH: Thursday, October 10 and 17, 1991.

NOTICE OF APPLICATION FOR WATER RIGHT

The Following application(s) have been filed to appropriate the public waters of the State of Idaho:

47-08278
NORTHWEST FARM CREDIT SERVICES ACA
129 EASTLAND DR
PO BOX 288
TWIN FALLS, ID 833030288

PHOENIX
C/O NORMA AND RICHARD VIERSTRA
RT 2 BOX 5820
TWIN FALLS, ID 83301
Source: GROUNDWATER
Division Pt: SWSWE
Sec 14 T 10S R 15E
Use: STOCKWATER (.300 CFS)
COMMERCIAL (.300 CFS)
Total Diversion: (.300 CFS)
Date Filed: 7/17/1991
In: T10S R15E S14 SWSE

47-08279
RANGEN INC
115 13TH AVE S
BUHL, ID 3315
Source: GROUNDWATER
Division Pt: NENESE
Sec 2 T 10S R 15E
Use: COMMERCIAL (.200 CFS)
Total Diversion: (.200 CFS)
Date Filed: 7/18/1991
In: T10S R15E S02 NESE

The permit(s) will be subject to all prior water rights. Protests must be filed with the Director, Dept of Water Resources, Southern Region, 222 Shoshone Street East, Twin Falls, Idaho 83301 on or before NOVEMBER 4, 1991.
R. KEITH HIGGINSON, Director
PUBLISH: Thursday, October 17 & 24, 1991.

NOTICE OF PUBLIC SALE

By Order of the Secured Party, the following property of Precious Metals Technology, Inc. will be offered at public sale at Central Equipment Company, 2700 1/2 S. 5th Ave., Pocatello, Idaho 83205 on 10-28-91 at 11:00 a.m. Item to be sold is One (1) 1989 V.M.E. L-190 Wheel Loader.

on the East margin of Lot 26 and a one-half interest in the strip of land of which said water is located".
The Trustee has no knowledge of a more particular description of the above referenced real property, but for purposes of compliance with Section 60-111 Idaho Code, the Trustee has been informed that the address of 320 Main Avenue North, Twin Falls, Idaho is sometimes associated with said real property.

Said sale will be made without covenant or warranty regarding title, possession or encumbrances to satisfy the obligation secured by and pursuant to the power of sale conferred in the deed of trust executed by ELLIS R. ENGBERG, single grantor, to FIRST AMERICAN TITLE COMPANY OF IDAHO INC., an Idaho corporation, as successor trustee for the benefit and security of Metropolitan Mortgage & Securities Co., Inc., dba Metropolitan Financial Services Inc., recorder November 2, 1990 as instrument No. 978140 Mortgage Records of Twin Falls County, Idaho.

THE ABOVE GRANTORS ARE NAMED TO COMPLY WITH SECTION 42-1506 (4) (a), IDAHO CODE. NO REPRESENTATION IS MADE THAT THEY ARE, OR ARE NOT, PRESENTLY RESPONSIBLE FOR THIS OBLIGATION. The default for which this sale is to be made is the failure to pay when due, under Deed of Trust Note dated September 21, 1990 the monthly payments for Principal, Interest and Impounds of \$773.76 per month for the months of June through September, 1991 and all subsequent payments until the date of sale or reinstatement, with advance of \$1,726.70 for taxes, \$1,560.00 for insurance and the principal balance owing as of this date on the obligation secured by said Deed of Trust is \$99,102.81, plus accruing interest. All delinquent payments are now due, together with unpaid and accruing taxes, assessments, trustee's fees, attorney's fees, costs and advances made to protect the security associated with this foreclosure. The

Idaho Water Resource Board has submitted two applications for permit to appropriate water to the Department of Water Resources, proposing to appropriate water for minimum streamflows in Crystal Springs, tributary to the Snake River. The applications are further described as follows:
Application No.: 89-0392
Source: Crystal Springs
Proposed Priority: October 24, 1988
Amount and Period of Use: 126.0 cfs from January 1 through December 31
Purpose of Minimum Flow: Recreation, aesthetics, fish and wildlife habitat, and water quality.
Place of Use: Crystal Springs, contained within Government Lots 12 and 13, Section 12, T9S, R15E.
The Director of the Department of Water Resources will hold a public hearing in the Hagerman Valley Senior Citizen's Center, 140 Lake Street, Hagerman, Idaho, beginning at 1:30 p.m. on November 7, 1991, for the purpose of hearing evidence in regard to the applications. The hearing will be held pursuant to the provisions of Section 42-1503, Idaho Code.
The hearing will recess at the close of formal testimony, but will reconvene at 7:00 p.m. for the taking of public testimony.
Any party who wishes to formally appear in the proceeding for the purpose of presenting evidence or cross examining witnesses should file a notice of appearance with the Director of the Department of Water Resources, Statehouse Mail, 1301 North Orchard Street, Boise, 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. Written informal views and comments may also be submitted to the Department of Water Resources prior to the hearing.
If issued, this permit will be subject to all prior water rights.
R. KEITH HIGGINSON, Director
Idaho Department of Water Resources

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO

LEGAL NOTICE

and wife, Plaintiffs

vs- BRENT A. FRANK Defendant

THE STATE OF IDAHO SENDS GREETINGS TO DEFENDANT ABOVE-NAMED:

YOU ARE HEREBY NOTIFIED that a Complaint has been filed against you in the above entitled Court, and you are hereby directed to enter with the Clerk of the Court written appearance and response to said complaint.

Times News did not include 36-8700 in Correction Notice. I telephoned 88-50 on 10-18-91.

WITNESS MY HAND THE SEAL OF THIS COURT this 24th day of September, 1991.

FREDERICKSEN, WILLIAMS & MERSERVY, by Robert E. Williams III Clerk of the District Court by Sheri Buchner Deputy Clerk

PUBLISH: Thursday, October 3, 10, 17 and 24, 1991.

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

Case No. CV 91-3005
NOTICE OF HEARING
In the Matter of the Application of: GERTRUDE "TRUDY" JENE KENT for Name Change
A Petition for Gertrude "Trudy" Jene Kent, born August 25, 1944, in Arimo, Bannock County, State of Idaho, now residing at 661 Falls Avenue West, Twin Falls, Idaho, proposing a change in name to Trudy Jene Denton, has been filed in the above entitled Court, the reason for the change being that this is the maiden name of Petitioner. The name and address of Petitioner's nearest relative is: Pat Grambow, Keyville, Utah.

Such petition will be heard at 1:30 p.m. on the 30th day of October, 1991, or as soon thereafter as counsel may be heard.

That said cause of action is based upon alleged grounds of irreconcilable differences and you are hereby directed to appear and plead to said Complaint within twenty (20) days of the service of this Alias Summons upon you; and you are further notified that unless you so appear and plead to said Complaint within the time herein specified, the plaintiff will take judgment against you as prayed in said complaint.

and the 24th of September, 1991.

WITNESS MY HAND THE SEAL OF THIS COURT this 24th day of September, 1991.

PUBLISH: Thursday, October 3, 10, 17, 24, 1991.

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

Case No. SP-91-555
NOTICE TO CREDITORS
IN THE MATTER OF THE ESTATE OF RICHARD WILLIAM TRUSTCOTT, SR. ESTATE
NOTICE IS HEREBY GIVEN that the undersigned has been appointed personal representative of the above named decedent. All persons having claims against the decedent or his estate are required to present their claims within four (4) months after the date of the first publication of this notice or said claims will be forever barred. Claims must either be filed with the Clerk of the Court or be presented to the undersigned at the law office of Paula Brown Sinclair, 303 Shoshone Street North, Twin Falls, Idaho 83301.

MARILYN THOMPSON
Personal Representative
PUBLISH: Thursday, October 3, 11 & 17, 1991.

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF JEROME
MAGISTRATE DIVISION
Case No. SP 4100002
ORDER, NOTICE, AND SUMMONS FOR HEARING

Roger Burdick
Magistrate
DATED: 9-13-91
PUBLISH: Thursday, October 3, 10 and 17, 1991.

IN THE COURT OF JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS
MAGISTRATE
Case No. SP AMENDED COMPLAINT, AND FOR HEARING
In the Interest of JOHNNY LEE d.o.b. 8-11-65 A Child of

A Petition for termination of Act has been Department of Welfare. The petition will in an evidentiary hearing on December 9:30 a.m. in the State's Court County Court Falls, Idaho.

The following shall persons the hearing: Sandra mother named ch Raul Tell the above. The above individuals are that they are represented. sel. If they are unable to reney, they may Court, prior to for appointm sel.
S/Redman
Date: 9/19/91
PUBLISH: Thursday, October 10, 17,

IN THE COURT OF JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS
NOTICE OF Case No. SP IN THE MATTER OF PETITION OF GEORGE A. JR. and "GINGER" and wife,

TO TERM PARENT-CHILDSHIP TAMMY LE MELONE POOLE. AND TO AD MELONE POOLE. A MINOR

Oct 17 91
RECEIVED
OCT 21 1991

Department of Water Resources

State of Idaho
Dept of Water Resources
1309 North Orchard St, Statehouse Mail
Boise Idaho 83720-9000
Mr. Gary Spackman Manager

Dear Mr. Spackman:

Please enter my name to be a full
party at the meetings in Hagerman on Oct 22 1991
concerning minimum stream flows of water right

Nos 36-8390
36-8556
36-8557
36-8558

Thank you

Yours Truly

Edward C. Shokal
963 Pioneer Rd.
Hagerman Idaho
83332

APR 19 1994



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

October 16, 1991

Corps of Engineers
Building 602
City-County Airport
Walla Walla, WA 99362

RE: Minimum Streamflow Hearings for Crystal Springs

Dear Sirs:

The Department of Water Resources is conducting a hearing on November 7, 1991, to determine whether additional minimum streamflows should be established for Crystal Springs, located in Gooding County, Idaho. The Corps of Engineers owns a fish propagation facility directly across the river from Crystal Springs, and captures a significant amount of flow from Crystal Springs (approximately 125 cfs) which flow under the Snake River through an inverted siphon to the Corps hatchery.

One of the applications seeks a minimum streamflow of 126 cfs, which approximates the flow rate diverted by the Corps of Engineers. My reading of the application indicates that the application proposes release of water captured by the Corps to Crystal Lake when the Corps is not raising steelhead in its fish propagation facility. I have been told that the Corps of Engineers does not raise fish in their facility during the late spring and early summer, but diverts water anyway despite the fact that much of the water is not being beneficially used.

I am writing this special letter to apprise you of the upcoming hearings, since the hearings may affect the water rights held by the Corps.

Respectfully,

GARY SPACKMAN, Manager
Water Right Permits Section

GS:js

cc: Fish and Game

APR 19 1994



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

October 16, 1991

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

Clarence Parr
810 South River Rd.
Heyburn, ID 83336

RE: Correction Notice of Minimum Streamflow Applications for
Crystal Springs; Nos. 36-8390 and 36-8600

Dear Mr. Parr:

A minimum streamflow hearing for Crystal Springs, originally scheduled for October 22, 1991, has been rescheduled.

The Idaho Department of Water Resources will conduct a hearing on Thursday November 7, 1991, to determine whether minimum streamflows on Crystal Springs should be approved. The hearing will commence at the Hagerman Valley Senior Citizen's Center, 140 Lake Street, Hagerman, Idaho, beginning at 1:30 p.m.

The Director will also receive public testimony regarding the minimum streamflow applications on the evening of Thursday November 7, 1991, at a public comment session, beginning at 7:00 p.m.

Information describing the applications are shown on the enclosed fact sheets. Also, enclosed is a brochure which describes the minimum flow procedure.

A notice of appearance must be filed with the Department at least five (5) days prior to the hearing if you want to be a full party. A full party may call and cross examine witnesses.

If you do not wish to become a full party, you may also testify informally without filing a notice of appearance. Written comments may also be filed with the Department prior to the hearing.

Sincerely,

GARY SPACKMAN, Manager
Water Right Permits Section

GS:js

Enclosure

APR 19 1991



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

October 16, 1991

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

Don Kramer
Rt. 1
Castleford, ID 83321

RE: Correction Notice of Minimum Streamflow Applications for
Crystal Springs; Nos. 36-8390 and 36-8600

Dear Mr. Kramer:

A minimum streamflow hearing for Crystal Springs, originally scheduled for October 22, 1991, has been rescheduled.

The Idaho Department of Water Resources will conduct a hearing on Thursday November 7, 1991, to determine whether minimum streamflows on Crystal Springs should be approved. The hearing will commence at the Hagerman Valley Senior Citizen's Center, 140 Lake Street, Hagerman, Idaho, beginning at 1:30 p.m.

The Director will also receive public testimony regarding the minimum streamflow applications on the evening of Thursday November 7, 1991, at a public comment session, beginning at 7:00 p.m.

Information describing the applications are shown on the enclosed fact sheets. Also, enclosed is a brochure which describes the minimum flow procedure.

A notice of appearance must be filed with the Department at least five (5) days prior to the hearing if you want to be a full party. A full party may call and cross examine witnesses.

If you do not wish to become a full party, you may also testify informally without filing a notice of appearance. Written comments may also be filed with the Department prior to the hearing.

Sincerely,

GARY SPACKMAN, Manager
Water Right Permits Section

GS:js

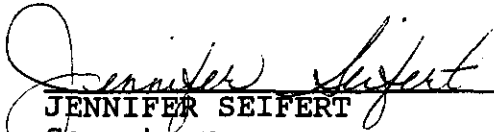
Enclosure

RECEIVED

APR 19 1994

CERTIFICATE OF MAILING

I hereby certify that on the 16th day of October, I mailed a true and correct copy of the following correction letter, postage prepaid, to the attached list of individuals:


JENNIFER SEIFERT
Secretary

APR 19 1994



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

October 16, 1991

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

<name>

RE: Correction Notice of Minimum Streamflow Applications for
Crystal Springs; Nos. 36-8390 and 36-8600

Dear <sal>:

A minimum streamflow hearing for Crystal Springs, originally scheduled for October 22, 1991, has been rescheduled.

The Idaho Department of Water Resources will conduct a hearing on Thursday November 7, 1991, to determine whether minimum streamflows on Crystal Springs should be approved. The hearing will commence at the Hagerman Valley Senior Citizen's Center, 140 Lake Street, Hagerman, Idaho, beginning at 1:30 p.m.

The Director will also receive public testimony regarding the minimum streamflow applications on the evening of Thursday November 7, 1991, at a public comment session, beginning at 7:00 p.m.

Information describing the applications are shown on the enclosed fact sheets. Also, enclosed is a brochure which describes the minimum flow procedure.

A notice of appearance must be filed with the Department at least five (5) days prior to the hearing if you want to be a full party. A full party may call and cross examine witnesses.

If you do not wish to become a full party, you may also testify informally without filing a notice of appearance. Written comments may also be filed with the Department prior to the hearing.

Sincerely,

GARY SPACKMAN, Manager
Water Right Permits Section

GS:js

Enclosure

RECORDED

APR 19 1994

<name>Corps of Engineers
Building 602
City-County Airport
Walla Walla, WA 99362
<sal>Interested Party
<>

<name>Clear Springs Trout Co.
P.O. Box 548
Buhl, ID 83316
<sal>Interested Party
<>

<name>Dave Rydalch
Rt. 2 Box 108
St. Anthony, ID 83345
<sal>Mr. Rydalch
<>

<name>Bill Platts
1603 Sunrise Rim Rd.
Boise, ID 83705
<sal>Mr. Platts
<>

<name>Mary Lucachick
Dept. of Parks and Recreation
Statehouse Mail
Boise, ID 83720
<sal>Ms. Lucachick
<>

<name>Cindy Robertson
Dept. of Fish and Game
Statehouse Mail
Boise, ID 83720
<sal>Ms. Robertson
<>

<name>Kimberley Ryan
1100 Blue Lakes Blvd. N.
Twin Falls, ID 83301
<sal>Ms. Ryan
<>

<name>Bob Muffley
Gooding County Commissioners
Gooding, ID 83330
<sal>Mr. Muffley
<>

<name>Bob Burks
Box 298
Wendell, ID 83355

APR 19 1994

<sal>Mr. Burks
<>

<name>Steve Thompson
616 Blue Lakes #147
Twin Falls, ID 83301
<sal>Mr. Thompson
<>

<name>Nancy Ritter
3379 A. Honeycut Rd.
Salt Lake City, UT 84106
<sal>Ms. Ritter
<>

<name>Jill Joseph
RR 1 #79
Hagerman, ID 83332
<sal>Ms. Joseph
<>

<name>Kevin Lynott
Rt. 1, Box 358
Hagerman, ID 83332
<sal>Mr. Lynott
<>

<name>Marne Mercer
919 Justice Grade
Hagerman, ID 83332
<sal>M. Mercer
<>

<name>Bell Stinemates
Box 115
Hagerman, ID 83332
<sal>Mr. Stinemates
<>

<name>George Lemmon
Box 218
Hagerman, ID 83332
<sal>Mr. Lemmon
<>

<name>Alice Wilson
RR 1 #79
Hagerman, ID 83332
<sal>Ms. Wilson
<>

<name>The Nature Conservancy
ATTN: Mark
Box 04

RECEIVED
APR 19 1994

Sun Valley, ID 83353
<sal>Mark
<>

<name>Guy Bonnivier
Box 64
Sun Valley, ID 83353
<sal>Mr. Bonnivier
<>

<name>Jeff Fereday
Box 2720
Boise, ID 83701
<sal>Mr. Fereday
<>

<name>Steve Goddard
Dept. of Fish and Game
Statehouse Mail
Boise, ID 83720
<sal>Mr. Goddard
<>

<name>Idaho Power Co.
Box 70
Boise, ID 83707
<sal>Interested Party
<>

<name>David Meyers
Box 70
Boise, ID 83707
<sal>Mr. Meyers
<>

<name>Rinda Just
Dept. of Parks and Recreation
Statehouse Mail
Boise, ID 83720
<sal>Ms. Just
<>

<name>Scott A. Grunder
Dept. of Fish and Game
P.O. Box 428
Jerome, ID 83338
<sal>Mr. Grunder
<>

<name>Henry Whiting
P.O. Box 101
Bliss, ID 83314
<sal>Mr. Whiting
<>

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APR 19 1994

<name>Aldrich Bowler
HC 60 Box 1110
Bliss, ID 83314
<sal>Mr. Bowler
<>

<name>Gretchen Uppiano
929 Justice Grade Rd.
Hagerman, ID 83332
<sal>Ms. Uppiano
<>

<name>Kathryn Dahlgren
Box 325
Hagerman, ID 83332
<sal>Ms. Dahlgren
<>

<name>Mary Elizabeth Joseph
Rt. 1, Box 254
Hagerman, ID 83332
<sal>Ms. Joseph
<>

<name>Billie L. Reid
P.O. Box 416
Hagerman, ID 83332
<sal>Mr. Reid
<>

<name>Jamie G. Marten
P.O. Box 356
Hagerman, ID 83332
<sal>Jamie
<>

<name>Burt Holmes
Route 1
Hagerman, ID 83332
<sal>Mr. Holmes
<>

<name>Irene Adolf
1801 Poplar St.
Buhl, ID 83316-1728
<sal>Ms. Adolf
<>

<name>Dick Struckland
Box 484
Gooding, ID 83330
<sal>Mr. Struckland
<>

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APR 19 1994

APR 19 1994

<name>C.J. Stopp
Box 476
Gooding, ID 83330
<sal>Mr. Stopp
<>

<name>Edward C. Shokal
Rt. 1, Box 410
Hagerman, ID 83332
<sal>Mr. Shokal
<>

<name>Stephen B. Loop
9637 Kampton Dr.
Boise, ID 83704
<sal>Mr. Loop
<>

<name>Ralph Crowley
Garden Creek Ranch
Lewiston, ID 83501
<sal>Mr. Crowley
<>

<name>S.G. Carleton
P.O. Box 32
Hagerman, ID 83332
<sal>Mr. Carleton
<>

<name>Pisces Investments Co.
P.O. Box 701
Twin Falls, ID 83301
<sal>Interested Party
<>

<name>John T. Peavey
P.O. Box 88
Carey, ID 83320
<sal>Senator Peavey
<>

<name>W. Clinton Stennett
P.O. Box 475
Ketchum, ID 83340
<sal>Representative Stennett
<>

<name>Pattie Nafziger
1787 East 3100 South
Wendell, ID 83355
<sal>Representative Nafziger
<>

RECEIVED
APR 19 1994

<name>Laird Noh
3442 Addison Ave. E.
Kimberly, ID 83341
<sal>Senator Noh
<>

<name>B. Joyce McRoberts
342 Monroe Place
Twin Falls, ID 83301
<sal>Senator McRoberts
<>

<name>Ronald L. Black
240 N. Locust
Twin Falls, ID 83301
<sal>Representative Black
<>

<name>Celia R. Gould
Route 4 Box 113
Buhl, ID 83316
<sal>Representative Gould
<>

<name>Lee Barnes
4604 Clear Lake Grade
Buhl, ID 83316
<sal>Representative Barnes
<>

<name>Douglas R. Jones
Route 2
Filer, ID 83328
<sal>Representative Jones
<>

<name>Denton Darrington
Route 1
Declo, ID 83323
<sal>Senator Darrington
<>

<name>Lynn S. Tominaga
Route 5 Box 184
Rupert, ID 83350
<sal>Senator Tominaga
<>

<name>Jim D. Kempton
Star Rt. Box 28
Albion, ID 83311
<sal>Representative Kempton
<>

APR 19 1994

<name>Bruce Newcomb
1626 Monroe
Burley, ID 83318
<sal>Representative Newcomb
<>

<name>Steve Antone
1141 Link St.
Rupert, ID 83350
<sal>Representative Antone
<>

<name>Maxine T. Bell
194 S. 300E.
Jerome, ID 83338
<sal>Representative Bell
<>

<name>Russell W. Newcomb, M.D.
666 Shoshone St.
Twin Falls, ID 83301
<sal>Senator Newcomb
<>

<name>Mark D. Stubbs
2030 Bitterroot Dr.
Twin Falls, ID 83301
<sal>Representative Stubbs
<>

<name>Ralph B. Peters
601 E. Avenue A
Jerome, ID 833380
<sal>Representative Peters
<>

<name>Scott Jacobs
312 5th St. South
Nampa, ID 83651
<sal>Mr. Jacobs
<>

<name>Robert Johnson
1624 Harmon Park
Twin Falls, ID 83301
<sal>Mr. Johnson
<>

<name>Bud Ainsworth
Route 1
Filer, ID 83328
<sal>Mr. Ainsworth
<>

APR 19 1994

<name>Verle S. Sullivan
412 E. Main
Jerome, ID 83338
<sal>Mr. Sullivan
<>

<name>Arlyne Thompson
553 Sparks St.
Twin Falls, ID 83301
<sal>Mr. Thompson
<>

<name>Bob Berentz
530 Prospector Drive
Jerome, ID 83338
<sal>Mr. Berentz
<>

<name>Lloyd Trimner
738 Utah St.
Gooding, ID 83330
<sal>Mr. Trimner
<>

<name>Glenn Shewmaker
Rt. 2
Kimberly, ID 83341
<sal>Mr. Shewmaker
<>

<name>Harold Ramsey
2122 Meadowlark Ln.
Big Arm, MT 59910-9106
<sal>Mr. Ramsey
<>

<name>Janet OCrowley
P.O. Box 705
Picabo, ID 83348
<sal>Ms. OCrowley
<>

<name>Robert S. Luntay
Rt. 3, Box 240
Buhl, ID 83316
<sal>Mr. Luntay
<>

APR 19 1994

MINIMUM STREAMFLOW
Fact Sheet

Water Right No. 36-8390

Source: Crystal Springs

Applicant: Idaho Water Resource Board

Requesting Agency: Gooding County Commissioners

Date Application Filed: October 24, 1988

Rate of Flow: 126.0 cfs from January 1 through December 31

Place of Use: Crystal Springs, contained within Government Lots 11
and 12, Section 12, T9S, R15E.

Purpose: Recreation, aesthetics, fish and wildlife habitat, and
water quality.

Water Right No. 36-8600

Source: Crystal Springs

Applicant: Idaho Water Resource Board

Requesting Agency: Idaho Department of Parks and Recreation

Date Application Filed: March 22, 1991

Rate of Flow: 59.0 cfs from January 1 through December 31

Place of Use: Crystal Springs, contined within Government Lots 12
and 13, Section 12, T9S, R15E.

Purpose: Recreation, aesthetics, and fish and wildlife habitat.

Public Hearing: Hagerman Valley Senior Citizen's Center, 140 Lake
Street, Hagerman, Idaho, beginning at 1:30 p.m.
on Thursday November 7, 1991.

A public comment session will be held the
evening of November 7, 1991, at 7:00 p.m.

APR 19 1994

NEWS RELEASE

Statehouse Mail, Boise, Idaho 83720

ATTENTION - TIME CHANGE

October, 15, 1991

Contact: Gerald Grimmert
327-7900

FOR IMMEDIATE RELEASE:

CORRECTED NOTICE OF HEARING FOR CRYSTAL SPRINGS MINIMUM STREAMFLOW

A minimum streamflow application hearing for Crystal Springs, originally scheduled for October 22, 1991, has been rescheduled for November 7, 1991.

The applications are as follows:

Crystal Springs-Application No. 36-8390 for 126 cfs from Jan. 1 through Dec. 31 for the purpose of recreation, aesthetics, fish and wildlife habitat, and water quality with a proposed priority date of October 24, 1988. And Application No. 36-8600 for 59 cfs from Jan. 1 through Dec. 31 for the purpose of recreation, aesthetics, and fish and wildlife habitat with a proposed priority date of March 22, 1991.

If issued, these permits will be subject to all prior water rights.

The Director of the Department of Water Resources will hold a public hearing in the Hagerman Valley Senior Citizen's Center Thursday Nov. 7 beginning at 1:30 p.m. and will be held pursuant to the provisions of Section 42-1503, Idaho Code.

The hearing will recess at the close of formal testimony but will reconvene at 7:00 p.m. for the taking of public testimony.

Any party wishing to formally appear in the hearing to present

NOT FOR PUBLICATION

APR 19 1994

evidence or cross examine witnesses should file a notice of appearance with the Director of the Department of Water Resources, Statehouse Mail, 1301 N. Orchard St., Boise, ID 83720 at least five days prior to the hearing. Other parties will be given an opportunity to informally present their views and comments without the necessity of filing a notice of appearance. Written informal views and comments may also be submitted to the Department prior to the hearing.

APR 19 1994



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

October 15, 1991

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

Peggy Johnson
Hagerman Valley Senior Citizen's Center
140 Lake Street
Hagerman, ID 83332

I would like to confirm reservations for the Senior Center on the following dates.

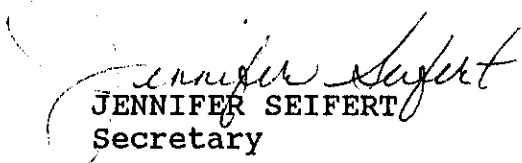
October 22, 1991 1:00 - 10:00 p.m.

November 7, 1991 1:00 - 10:00 p.m.

If we discover any conflicts with these dates, we will notify you before the hearing. If you have any problems, please contact us immediately.

If you have any questions, please call me at 327-7907.
Thank you for your cooperation.

Sincerely,


JENNIFER SEIFERT
Secretary

RECEIVED

APR 19 1994

**GOODING COUNTY
BOARD OF COUNTY COMMISSIONERS**

**P.O. Box 417
GOODING, IDAHO 83330**

Robert Muffley, Dist. III	934-4781
Robert E. Tupper, Dist. II	837-4862
Don C. Morrow, Dist. I	934-5233
John A. Myers, Clerk	934-4221

October 16 1994
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OCT 16 1994

Department of Water Resources

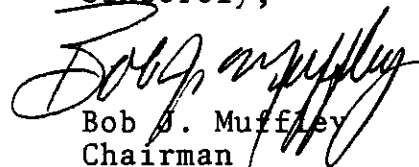
Gary Spackman, Manager
Water Right Permits Sections
Department of Water Resources
1301 North Orchard Street
Statehouse Mail
Boise, Idaho 83720-9000

Re: Minimum Streamflow
Applications
Crystal Springs &
Channels

Dear Mr. Spackman:

This letter is confirmation that Bob Muffley, Chairman of the Gooding County Commissioners and acting for Gooding County will appear at the hearing for Crystal Springs. The County wishes to be a full participant in the hearing process.

Sincerely,


Bob M. Muffley
Chairman

BJM:jp

APR 19 1994

**CORRECTED NOTICE
OF HEARING FOR
APPLICATIONS FOR
MINIMUM STREAMFLOW**

A minimum streamflow hearing for Crystal Springs, originally scheduled for October 22, 1991, has been rescheduled for November 7, 1991, as described below:

Notice is hereby given that the Idaho Water Resource Board has submitted two applications for permit to appropriate water to the Department of Water Resources, proposing to appropriate water for minimum streamflows in Crystal Springs, tributary to the Snake River. The applications are further described as follows:

Application No.:

36-8390

Source:

Crystal Springs

Proposed Priority:

October 24, 1988

Amount and Period of Use:

126.0 cfs from January 1 through December 31

Purpose of Minimum Flow:

Recreation, aesthetics, fish and wildlife habitat, and water quality.

Place of Use:

Crystal Springs, contained within Government Lots 11 and 12, Section 12, T9S, R15E.

Application No.:

36-8600

Source:

Crystal Springs

Proposed Priority:

March 22, 1991

Amount and Period of Use:

59.0 cfs from January 1 through December 31

Purpose of Minimum Flow:

Recreation, aesthetics, and fish and wildlife habitat.

Place of Use:

Crystal Springs, contained within Government Lots 12 and 13, Section 12, T9S, R15E.

The Director of the Department of Water Resources will hold a public hearing in the Hagerman Valley Senior Citizen's Center, 140 Lake Street, Hagerman, Idaho, beginning at 1:30 p.m. on November 7, 1991, for the purpose of hearing evidence in regard to the applications. The hearing will be held pursuant to the provisions of Section 42-1503, Idaho Code.

The hearing will recess at the close of formal testimony, but will reconvene at 7:00 p.m. for the taking of public testimony.

Any party who wishes to formally appear in the proceeding for the purpose of presenting evidence or cross examining witnesses should file a notice of appearance with the Director of the Department of Water Resources, Statehouse Mall, 1301 North Orchard Street, Boise, 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. Written informal views and comments may also be submitted to the Department of Water Resources prior to the hearing.

If issued, this permit will be subject to all prior water rights.

R. Keith Higginson, Director
Idaho Department of Water
Resources

Pub. October 17, 24, 1991 9609

NOTICE

APR 19 1994



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

October 10, 1991

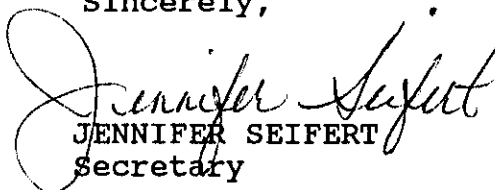
Gooding County Leader
442 Main
Gooding, ID 83330

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. The required publication dates are October 16 and 23, 1991. If time allows, please submit a galley proof for review.

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,


JENNIFER SEIFERT
Secretary

Enclosure

APR 19 1991



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

October 10, 1991

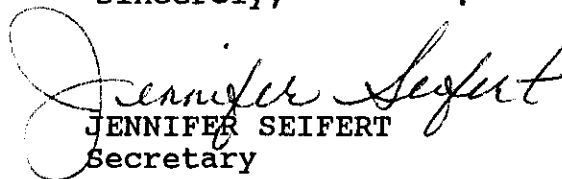
Post Register
P.O. Box 1800
Idaho Falls, ID 83402

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. The required publication dates are October 17 and 24, 1991. If time allows, please submit a galley proof for review.

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.

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Sincerely,


JENNIFER SEIFERT
Secretary

Enclosure



APR 19 1994



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

October 10, 1991

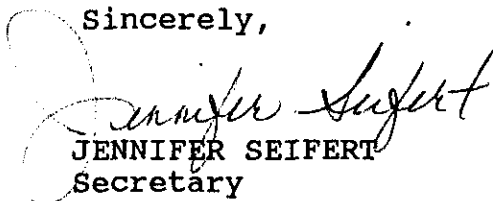
Lewiston Morning Tribune
505 C Street
Lewiston, ID 83501

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. The required publication dates are October 17 and 24, 1991. If time allows, please submit a galley proof for review.

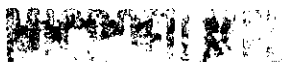
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Sincerely,


JENNIFER SEIFERT
Secretary

Enclosure



OCT 19 1994



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

October 10, 1991

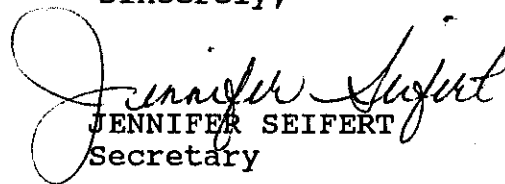
Times News
P.O. Box 548
Twin Falls, ID 83301

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. The required publication dates are October 17 and 24, 1991. If time allows, please submit a galley proof for review.

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,


JENNIFER SEIFERT
Secretary

Enclosure

1994



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

October 10, 1991

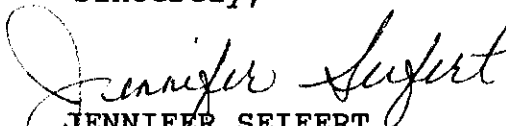
Idaho Statesman
P.O. Box 40
Boise, ID 83707

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. The required publication dates are October 17 and 24, 1991. If time allows, please submit a galley proof for review.

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,


JENNIFER SEIFERT
Secretary

Enclosure

RECEIVED

OCT 10 1991

CORRECTED NOTICE OF HEARING FOR APPLICATIONS
FOR MINIMUM STREAMFLOW

A minimum streamflow hearing for Crystal Springs, originally scheduled for October 22, 1991, has been rescheduled for November 7, 1991, as described below:

Notice is hereby given that the Idaho Water Resource Board has submitted two applications for permit to appropriate water to the Department of Water Resources, proposing to appropriate water for minimum streamflows in Crystal Springs, tributary to the Snake River. The applications are further described as follows:

Application No.:	36-8390
Source:	Crystal Springs
Proposed Priority:	October 24, 1988
Amount and Period of Use:	126.0 cfs from January 1 through December 31
Purpose of Minimum Flow:	Recreation , aesthetics, fish and wildlife habitat, and water quality.
Place of Use:	Crystal Springs, contained within Government Lots 11 and 12, Section 12, T9S, R15E.

Application No.:	36-8600
Source:	Crystal Springs
Proposed Priority:	March 22, 1991
Amount and Period of Use:	59.0 cfs from January 1 through December 31
Purpose of Minimum Flow:	Recreation, aesthetics, and fish and wildlife habitat.
Place of Use:	Crystal Springs, contained within Government Lots 12 and 13, Section 12, T9S, R15E.

The Director of the Department of Water Resources will hold a public hearing in the Hagerman Valley Senior Citizen's Center, 140 Lake Street, Hagerman, Idaho, beginning at 1:30 p.m. on November 7, 1991, for the purpose of hearing evidence in regard

APR 19 1994

to the applications. The hearing will be held pursuant to the provisions of Section 42-1503, Idaho Code.

The hearing will recess at the close of formal testimony, but will reconvene at 7:00 p.m for the taking of public testimony.

Any party who wishes to formally appear in the proceeding for the purpose of presenting evidence or cross examining witnesses should file a notice of appearance with the Director of the Department of Water Resources, Statehouse Mail, 1301 North Orchard Street, Boise, 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. Written informal views and comments may also be submitted to the Department of Water Resources prior to the hearing.

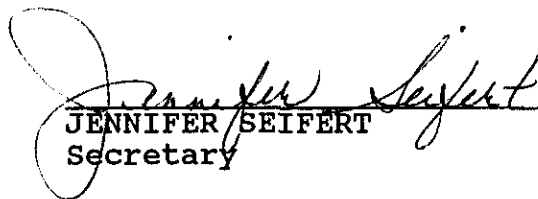
If issued, this permit will be subject to all prior water rights.

R. KEITH HIGGINSON, Director
Idaho Department of Water Resources

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APR 19 1994

CERTIFICATE OF MAILING

I hereby certify that on the 4th day of October, I mailed a true and correct copy of the following letter, postage prepaid, to the attached list of individuals:


JENNIFER SEIFERT
Secretary

UNRECORDED

APR 19 1994



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

October 4, 1991

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

<name>

RE: Minimum Streamflow Applications for Crystal Springs and
Channels in the Vicinity of the Thousand Springs

Dear <sal>:

The Idaho Department of Water Resources will conduct a hearing on Tuesday October 22, 1991, to determine whether a minimum streamflow on Crystal Springs should be approved. The hearing will commence at the Hagerman Valley Senior Citizen's Center, 140 Lake Street, Hagerman, Idaho, beginning at 9:30 a.m.

The Department will conduct a hearing to determine whether a minimum streamflow on South Thousand Springs Channel, Sculpin Springs Creek, and Springs and Sand Springs Creek, at the same location stated above, beginning at 1:30 p.m.

The Director will also receive public testimony regarding the minimum streamflow applications on the evening of Tuesday October 22, 1991, at a joint public comment session, beginning at 7:00 p.m.

Information describing the applications are shown on the enclosed fact sheets. Also, enclosed is a brochure which describes the minimum flow procedure.

A notice of appearance must be filed with the Department at least five days (5) prior to the hearing if you want to be a full party. A full party may can and cross examine witnesses.

If you do not wish to become a full party, you may also testify informally without filing a notice of appearance. Written comments may also be filed with the Department prior to the hearing.

Sincerely,

GARY SPACKMAN, Manager
Water Right Permits Section

GS:js

Enclosures

MISSOURI

APR 19 1994

<name>Corps of Engineers
Building 602
City-County Airport
Walla Walla, WA 99362
<sal>Interested Party
<>

<name>Clear Springs Trout Co.
P.O. Box 548
Buhl, ID 83316
<sal>Interested Party
<>

<name>Crystal Springs Ranch
Dave Millard
P.O. Box 109
Buhl, ID 83316
<sal>Mr. Millard
<>

returned

<name>Dave Rydalch
Rt. 2 Box 108
St. Anthony, ID 83345
<sal>Mr. Rydalch
<>

<name>Bill Platts
1603 Sunrise Rim Rd.
Boise, ID 83705
<sal>Mr. Platts
<>

<name>Mary Lucachick
Dept. of Parks and Recreation
Statehouse Mail
Boise, ID 83720
<sal>Ms. Lucachick
<>

<name>Cindy Robertson
Dept. of Fish and Game
Statehouse Mail
Boise, ID 83720
<sal>Ms. Robertson
<>

<name>Kimberley Ryan
1100 Blue Lakes Blvd. N.
Twin Falls, ID 83301
<sal>Ms. Ryan
<>

<name>Bob Muffley
Gooding County Commissioners

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APR 19 1994

Gooding, ID 83330
<sal>Mr. Muffley
<>

<name>Bob Burks
Box 298
Wendell, ID 83355
<sal>Mr. Burks
<>

<name>Steve Thompson
616 Blue Lakes #147
Twin Falls, ID 83301
<sal>Mr. Thompson
<>

<name>Nancy Ritter
3379 A. Honeycut Rd.
Salt Lake City, UT 84106
<sal>Ms. Ritter
<>

<name>Jill Joseph
RR 1 #79
Hagerman, ID 83332
<sal>Ms. Joseph
<>

<name>Kevin Lynott
Rt. 1, Box 358
Hagerman, ID 83332
<sal>Mr. Lynott
<>

<name>Marne Mercer
919 Justice Grade
Hagerman, ID 83332
<sal>M. Mercer
<>

<name>Bell Stinimates
Box 115
Hagerman, ID 83332
<sal>Mr. Stinimates
<>

<name>George Lemmon
Box 218
Hagerman, ID 83332
<sal>Mr. Lemmon
<>

<name>Alice Wilson
RR 1 #79

UNRECORDED
APR 19 1994

Hagerman, ID 83332
<sal>Ms. Wilson
<>

<name>The Nature Conservancy
ATTN: Mark
Box 04
Sun Valley, ID 83353
<sal>Mark
<>

<name>Guy Bonnivier
Box 64
Sun Valley, ID 83353
<sal>Mr. Bonnivier
<>

<name>Jeff Fereday
Box 2720
Boise, ID 83701
<sal>Mr. Fereday
<>

<name>Steve Goddard
Dept. of Fish and Game
Statehouse Mail
Boise, ID 83720
<sal>Mr. Goddard
<>

<name>Idaho Power Co.
Box 70
Boise, ID 83707
<sal>Interested Party
<>

<name>David Meyers
Box 70
Boise, ID 83707
<sal>Mr. Meyers
<>

<name>Rinda Just
Dept. of Parks and Recreation
Statehouse Mail
Boise, ID 83720
<sal>Ms. Just
<>

<name>Scott A. Grunder
Dept. of Fish and Game
P.O. Box 428
Jerome, ID 83338
<sal>Mr. Grunder

UNRECORDED

APR 19 1994

<>

<name>Henry Whiting
P.O. Box 101
Bliss, ID 83314
<sal>Mr. Whiting
<>

<name>Aldrich Bowler
HC 60 Box 1110
Bliss, ID 83314
<sal>Mr. Bowler
<>

<name>John A. McDaniel
1008 Gridley Dr.
Hagerman, ID 83332
<sal>Mr. McDaniel
<>

returned

<name>Gretchen Uppiano
929 Justice Grade Rd.
Hagerman, ID 83332
<sal>Ms. Uppiano
<>

<name>Kathryn Dahlgren
Box 325
Hagerman, ID 83332
<sal>Ms. Dahlgren
<>

<name>Mary Elizabeth Joseph
Rt. 1, Box 254
Hagerman, ID 83332
<sal>Ms. Joseph
<>

<name>Billie L. Reid
P.O. Box 416
Hagerman, ID 83332
<sal>Mr. Reid
<>

<name>Jamie G. Marten
P.O. Box 356
Hagerman, ID 83332
<sal>Jamie
<>

<name>Burt Holmes
Route 1
Hagerman, ID 83332
<sal>Mr. Holmes

MAILED 11-11

APR 19 1994

<>

<name>Alice Holmes
Box 111
Hagerman, ID 83332
<sal>Ms. Holmes
<>

returned

<name>Irene Adolf
~~1171 E. 2800 S.~~
Hagerman, ID 83332
<sal>Ms. Adolf
<>

*1801 Poplar St.
Buhl 83316-1728*

<name>Dick Struckland
Box 484
Gooding, ID 83330
<sal>Mr. Struckland
<>

<name>C.J. Stopp
Box 476
Gooding, ID 83330
<sal>Mr. Stopp
<>

<name>Edward C. Shokal
Rt. 1, Box 410
Hagerman, ID 83332
<sal>Mr. Shokal
<>

<name>Stephen B. Loop
9637 Kampton Dr.
Boise, ID 83704
<sal>Mr. Loop
<>

<name>Norman and Sue Thompson
400 State St.
Hagerman, ID 83332
<sal>Mr. and Mrs. Thompson
<>

returned

<name>Ralph Crowley
~~Rt. 1, Box 231~~
Wendell, ID 83355
<sal>Mr. Crowley
<>

*Carden Creek Ranch
Lewiston 83501*

<name>S.G. Carleton
P.O. Box 32
Hagerman, ID 83332
<sal>Mr. Carleton

Microfilm

APR 19 1994

<>

<name>Pisces Investments Co.
P.O. Box 701
Twin Falls, ID 83301
<sal>Interested Party
<>

<name>John T. Peavey
P.O. Box 88
Carey, ID 83320
<sal>Senator Peavey
<>

<name>W. Clinton Stennett
P.O. Box 475
Ketchum, ID 83340
<sal>Representative Stennett
<>

<name>Pattie Nafziger
1787 East 3100 South
Wendell, ID 83355
<sal>Representative Nafziger
<>

<name>Laird Noh
3442 Addison Ave. E.
Kimberly, ID 83341
<sal>Senator Noh
<>

<name>B. Joyce McRoberts
342 Monroe Place
Twin Falls, ID 83301
<sal>Senator McRoberts
<>

<name>Ronald L. Black
240 N. Locust
Twin Falls, ID 83301
<sal>Representative Black
<>

<name>Celia R. Gould
Route 4 Box 113
Buhl, ID 83316
<sal>Representative Gould
<>

<name>Lee Barnes
4604 Clear Lake Grade
Buhl, ID 83316
<sal>Representative Barnes

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APR 19 1994

<>

<name>Douglas R. Jones
Route 2
Filer, ID 83328
<sal>Representative Jones
<>

<name>Denton Darrington
Route 1
Declo, ID 83323
<sal>Senator Darrington
<>

<name>Lynn S. Tominaga
Route 5 Box 184
Rupert, ID 83350
<sal>Senator Tominaga
<>

<name>Jim D. Kempton
Star Rt. Box 28
Albion, ID 83311
<sal>Representative Kempton
<>

<name>Bruce Newcomb
1626 Monroe
Burley, ID 83318
<sal>Representative Newcomb
<>

<name>Steve Antone
1141 Link St.
Rupert, ID 83350
<sal>Representative Antone
<>

<name>Maxine T. Bell
194 S. 300E.
Jerome, ID 83338
<sal>Representative Bell
<>

<name>Russell W. Newcomb, M.D.
666 Shoshone St.
Twin Falls, ID 83301
<sal>Senator Newcomb
<>

<name>Mark D. Stubbs
2030 Bitterroot Dr.
Twin Falls, ID 83301
<sal>Representative Stubbs

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APR 19 1994

<>

<name>Ralph B. Peters
601 E. Avenue A
Jerome, ID 833380
<sal>Representative Peters
<>

<name>Scott Jacobs
312 5th St. South
Nampa, ID 83651
<sal>Mr. Jacobs
<>

<name>Robert Johnson
1624 Harmon Park
Twin Falls, ID 83301
<sal>Mr. Johnson
<>

<name>Bud Ainsworth
Route 1
Filer, ID 83328
<sal>Mr. Ainsworth
<>

<name>Verle S. Sullivan
412 E. Main
Jerome, ID 83338
<sal>Mr. Sullivan
<>

<name>Arlyne Thompson
553 Sparks St.
Twin Falls, ID 83301
<sal>Mr. Thompson
<>

<name>Bob Berentz
530 Prospector Drive
Jerome, ID 83338
<sal>Mr. Berentz
<>

<name>Lloyd Trimner
738 Utah St.
Gooding, ID 83330
<sal>Mr. Trimner
<>

<name>Glenn Shewmaker
Rt. 2
Kimberly, ID 83341
<sal>Mr. Shewmaker

APR 19 1994

APR 19 1994

<>

<name>Harold Ramsey

~~1650 E. 2800 S.~~ *2122 Meadowlark Ln*

~~Wendell, ID 83355~~

<sal>Mr. Ramsey

<>

Big Arm MT 59910 - 9106

<name>Janet OCrowley

P.O. Box 705

Picabo, ID 83348

<sal>Ms. OCrowley

<>

<name>Robert S. Luntley

Rt. 3, Box 240

Buhl, ID 83316

<sal>Mr. Luntley

<>

[Faint, illegible stamp]

APR 19 1994

MINIMUM STREAMFLOW
Fact Sheet

Water Right No. 36-8390

Source: Crystal Springs

Applicant: Idaho Water Resource Board

Requesting Agency: Idaho Department of Parks and Recreation

Date Application Filed: October 24, 1988

Rate of Flow: 126.0 cfs from January 1 through December 31

Place of Use: Crystal Springs, contained within Government Lots 11
and 12, Section 12, T9S, R15E.

Purpose: Recreation, aesthetics, fish and wildlife habitat, and
water quality.

Public Hearing: Hagerman Valley Senior Citizen's Center, 140 Lake
Street, Hagerman, Idaho, beginning at 9:30 a.m.
on Tuesday October 22, 1991.

A public comment session will be held the
evening of October 22, 1991, at 7:00 p.m.

MINIMUM

APR 19 1994



State of Idaho
DEPARTMENT OF HEALTH AND WELFARE
Division of Environmental Quality

CECIL D. ANDRUS
Governor

RICHARD P. DONOVAN
Director

P.O. Box 1626
Twin Falls, ID 83303-1626
(208) 734-9520

February 15, 1991

Mary Lucachick
Department of Parks and Recreation
Statehouse Mail
Boise, Idaho 83720

Re: Crystal Springs Lake

Dear Ms. Lucachick:

We have reviewed our records for estimated flows entering Crystal Springs Lake from springs within or directly adjacent to the lake. These flows were estimated during our water quality study of the lake from July 1988 through September 1989. These flows are as follows:

<u>Date</u>	<u>Estimated Flow (cfs)</u>
7/26/88	58.5
8/23/88	60.3
11/1/88	92.3
2/8/89	50.4
5/2/89	46.1
6/6/89	50.0
8/29/89	60.8
9/19/89	54.8
Average	59.1

If you have any questions concerning these flows or if you need additional information, please call.

Sincerely,

R. Tim Litke
Water Quality Compliance Officer

RTL/ta

APR 19 1994