RECEIVED
DEC - 3 1990
Department of Water Resources
Southern Region Office

Affidavit of Publication № 21717

STATE OF IDAHO }
COUNTY OF TWIN FALLS } ss.

I, Linda Copps McGuire being first duly sworn upon oath, depose and say that I am Legal Clerk of the TIMES-NEWS, published daily, at Twin Falls, Idaho, and do solemnly swear that a copy of the notice of advertisement, as per clipping attached, was published in the regular and entire issue of said newspaper, and not in any supplement thereof, for Two consecutive Weeks, commencing with the issue dated October 25, 1990, and ending with the issue dated November 1, 1990.

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

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

STATE OF IDAHO
COUNTY OF TWIN FALLS

On this 21 day of November in the year of 1990, before me, a Notary Public, personally appeared Linda Copps McGuire, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

Notary Public for Idaho
Residing at Twin Falls County
My commission expires: 8-8-96

APR 11 1994

NOTICE OF HEARING FOR APPLICATION FOR MINIMUM STREAMFLOW

Notice is hereby given that the Idaho Water Resource Board has submitted two applications to the Department of Water Resources for permits to appropriate water for a minimum streamflow in the Big Wood River. The applications seek a minimum streamflow for fish and wildlife habitat, water quality, aesthetics and recreation, and are further described as follows:

Application No.: 37-8258
Source: Big Wood River
Proposed Priority: January 16, 1986
Amount & Period of Use: 200 cfs from 01/01 through 12/31.
Place of Use: Beginning at the intersection of the Big Wood River with the Sawtooth National Recreational Area Boundary, located in the SE¼NW¼, Section 10, T5N, R17E, B.M., and extending downstream approximately 9 miles to the confluence of the Big Wood River and Warm Springs Creek, located in the SE¼NW¼, Section 13, T4N, R17E, B.M., Blaine County.

Application No.: 37-8307
Source: Big Wood River
Proposed Priority: October 16, 1987
Amount & Period of Use: 119.23 cfs from 01/01 through 12/31.
Place of Use: Beginning at the confluence of the Big Wood River and Warm Springs Creek, located in the SE¼NW¼, Section 13, T4N, R17E, B.M., and extending downstream about 18 miles to the Bellevue diversion located in the SW¼NW¼, Section 36, T2N, R18E, B.M., Blaine County.

These applications are filed in conjunction with a previous minimum streamflow application, now permit to appropriate water no. 37-7919, which authorizes a minimum streamflow of 70 cfs during the entire year in the reach from the confluence of the Big Wood River with Warm Springs Creek downstream to the Bellevue diversion. Application for permit no. 37-8307 overlaps the earlier permit.

The Director of the Department of Water Resources will hold a formal public hearing in Hailey, Idaho, at the Blaine County Courthouse, 206 First Avenue South, 2nd Floor Meeting Room, beginning at 1:30 p.m. on Wednesday, November 14, 1990, for the purpose of gathering evidence regarding 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. The evening meeting will be held in the Ketchum City Hall, 480 East Avenue North, 1st Floor Meeting Room, at the hour of 7:00 p.m.

Any party who wishes to formally appear in this proceeding for the purpose of presenting evidence or cross examining witnesses should file a notice of appearance with the Director of the Department of Water Resources, Statehouse Mail, 1301 N. Orchard Street, Boise, Idaho, 83720, five (5) days prior to the hearing. A formal party must appear at the outset of the afternoon session. Other parties will be granted 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, these permits will be subject to all prior water rights.

R. KEITH HIGGINSON,
Director
Idaho Department of
Water Resources

PUBLISH: **Thursday,** October 25 and November 1, 1990.

CLASSIFIED ADVERTISING INVOICE

TWIN FALLS TIMES NEWS
132 3RD ST W.
P. O. BOX 548
TWIN FALLS ID 8330

Forwarding & address correction requested

INVOICE NO.	CLASS	BILLING DATE
21717	343	11/27/90

INDEXING TERM
37-8258,37-8307

START DATE	TELEPHONE NO.
10/25/90	734-3578

LINES/WORDS	TIMES	RATE	NET AMOUNT	GROSS AMOUNT
139	2		100.08	100.08
AFFIDAVI			3.00	3.00
PAY THIS AMOUNT ▶			103.08	103.08

GROSS AMT DUE AFTER 12/12

RECEIVED
DEC - 4 1990
Department of Water Resources
Southern Region Office

RETURN THIS PORTION WITH YOUR REMITTANCE

21717 10308

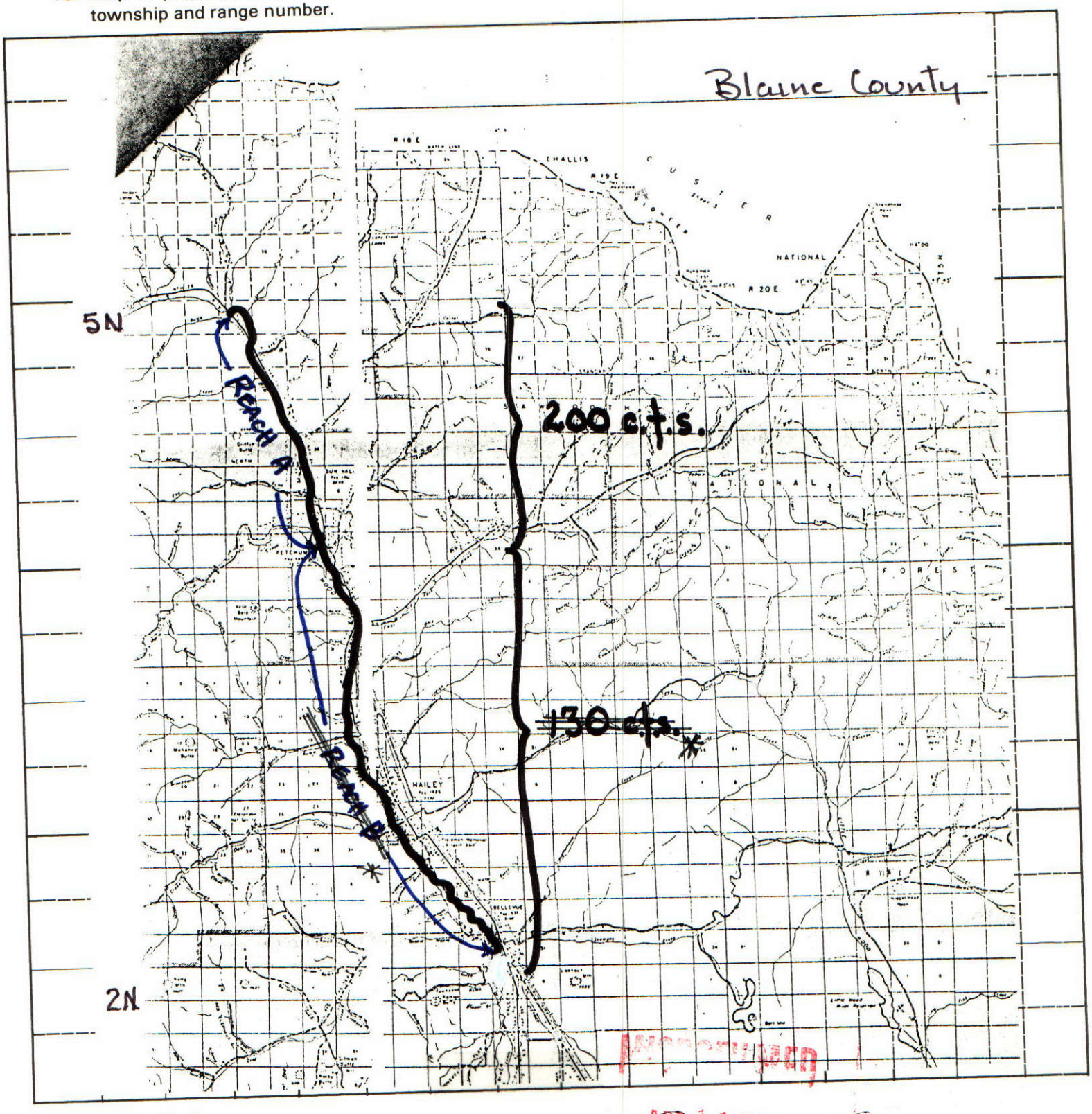
THIS SPACE FOR ADDRESS ONLY

IDAHO WATER RESOURCES
[illegible] SHOSHONE ST EAST
TWIN FALLS ID
83301

APR 1 1 1994

APR 1 1 1994

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



Scale: 2 inches equal 1 mile.

APR 1 1 1994

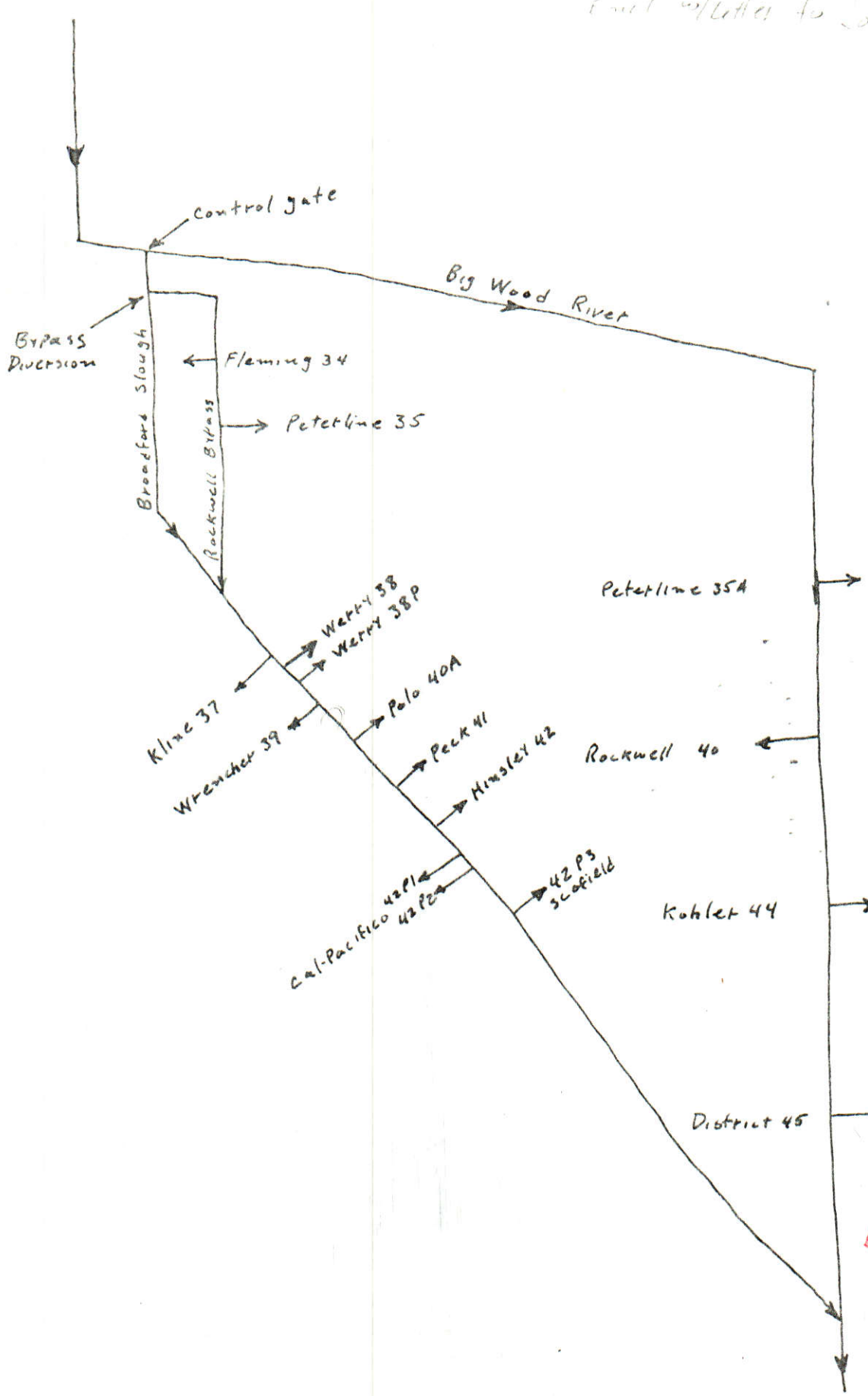
BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

(Applicant)

Chairman, Idaho Water Resource Board

2/15/84

Encl w/Letter to John Burton



Scale

APR 11 1994

(Applicant)

Chairman, Idaho Water Resource Board

AFFIDAVIT OF PUBLICATION

RECEIVED
MAR 14 1986
DEPARTMENT OF WATER RESOURCES
SOUTHERN DISTRICT OFFICE

State of Idaho, } SS.
County of Blaine }

CLINT STENNETT, being first duly sworn, deposes and says that he is the printer (publisher) of the Wood River Journal, a newspaper published every week in Hailey, County of Blaine, State of Idaho; that said newspaper has been continuously and uninterruptedly published for a period of seventy-eight consecutive weeks prior to the first publication of the annexed notice, and is a newspaper qualified to publish legal notices as provided by act of the 1919 session of the legislature of the State of Idaho, known as House Bill 145; that the annexed advertisement was published once each week for 2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication of said advertisement was on the 6th day of March, 19 86, and the date of the last publication was on the 13th day of March, 19 86

Clint Stennett

Subscribed and sworn to before me this 13th day of March, 1986.
(SEAL)

Roberta Kaufman
NOTARY PUBLIC

WOOD RIVER JOURNAL
Hailey, Idaho

COST OF PUBLICATION

Numer of Picas per Line	11		
Number of Lines in Notice	63		
Number of Insertions	2		
	Lines tabular at		5¢/Pica
63	Lines straight at	27.72	4¢/Pica
63	Subsequent lines at	20.79	3¢/Pica
	TOTAL COST	48.51	

APR 11 1994

COPY OF NOTICE
(Paste Here)

Notice of Application
TITLE OF NOTICE
378258 Big Wood River

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Dept. of Water Res.
BILL TO

IWRB applies for minimum stream flow

NOTICE OF APPLICATION FOR MINIMUM STREAM FLOW

Notice is hereby given that the Idaho Water Resource Board has on January 16, 1986, submitted an Application for Permit to the Department of Water Rsources proposing the appropriation of water to preserve the minimum stream flow from the Big Wood River tributary to Snake River and further described as follows:

Application No. 37-8258

Source: Big Wood River

Location of Minimum Stream Flow Reach: Reach A: From the intersection with the Sawtooth National Recreation Area Boundary located in the SE1/4NW1/4, Sec. 10, T5S, R17E, B.M., downstream about 9 miles to the confluence with Warm Springs Creek located in the SE1/4NW1/4, Sec. 13, T4N, R17E, B.M.

Reach B: From the confluence with Warm Springs Creek located in the SE1/4NW1/4, Sec. 13, T4N, R17E, B.M., downstream about 18 miles to the Bellevue diversion located in the SW1/4NW1/4, Sec. 36, T2N, R18E, B.M. Reaches A and B are located in Blaine County.

Rate of Flow and Season of Use: Reach A: (Rate) 200 cfs, (Period of Use) Jan 1 to Dec 31; Reach B: (Rate) 130 cfs, (Period of Use) Jan 1 to Dec 31

Use: For preservation of fish, wildlife, water quality, aesthetic, and recreation in the public interest.

The Idaho Water Resource Board will hold a public meeting on the application at 7:30 p.m., on Wednesday, March 19, 1986, in the Blaine County Planning and Zoning office, old County Courthouse, Hailey, Idaho, for the purpose of gathering information on public interest regarding the above minimum flow applications.

Gene Gray, Chairman
Idaho Water Resource Board

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Gene Gray
Chairman, Idaho Water Resource Board

PUBLISH: **Thursdays**, March 6, and 13, 1986.

Affidavit of Publication

STATE OF IDAHO, }
COUNTY OF TWIN FALLS } ss.

№ 16008

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

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Linda Copps McGuire

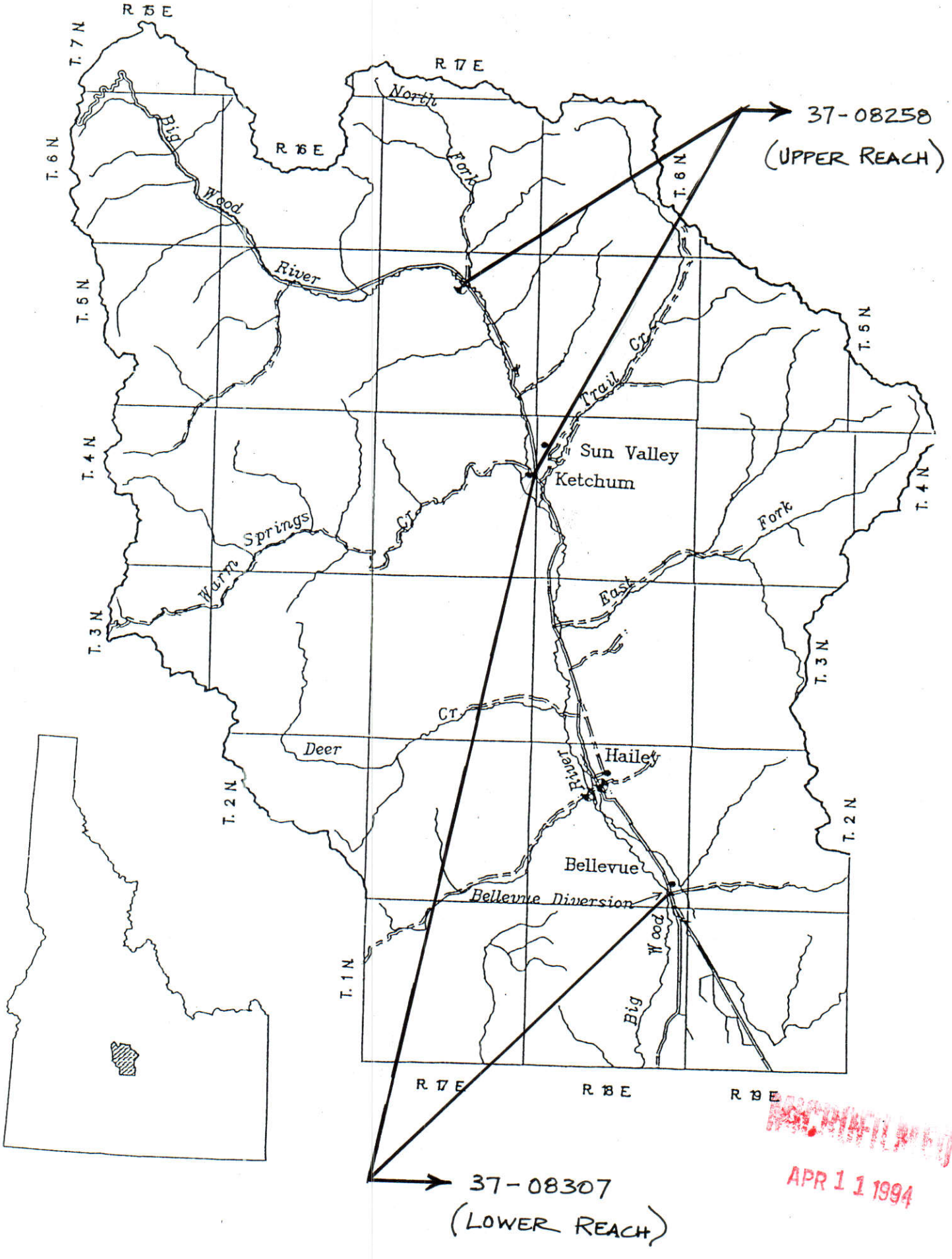
Subscribed and sworn to before me on this 13 day of March, 1986.

Duana Bruce

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

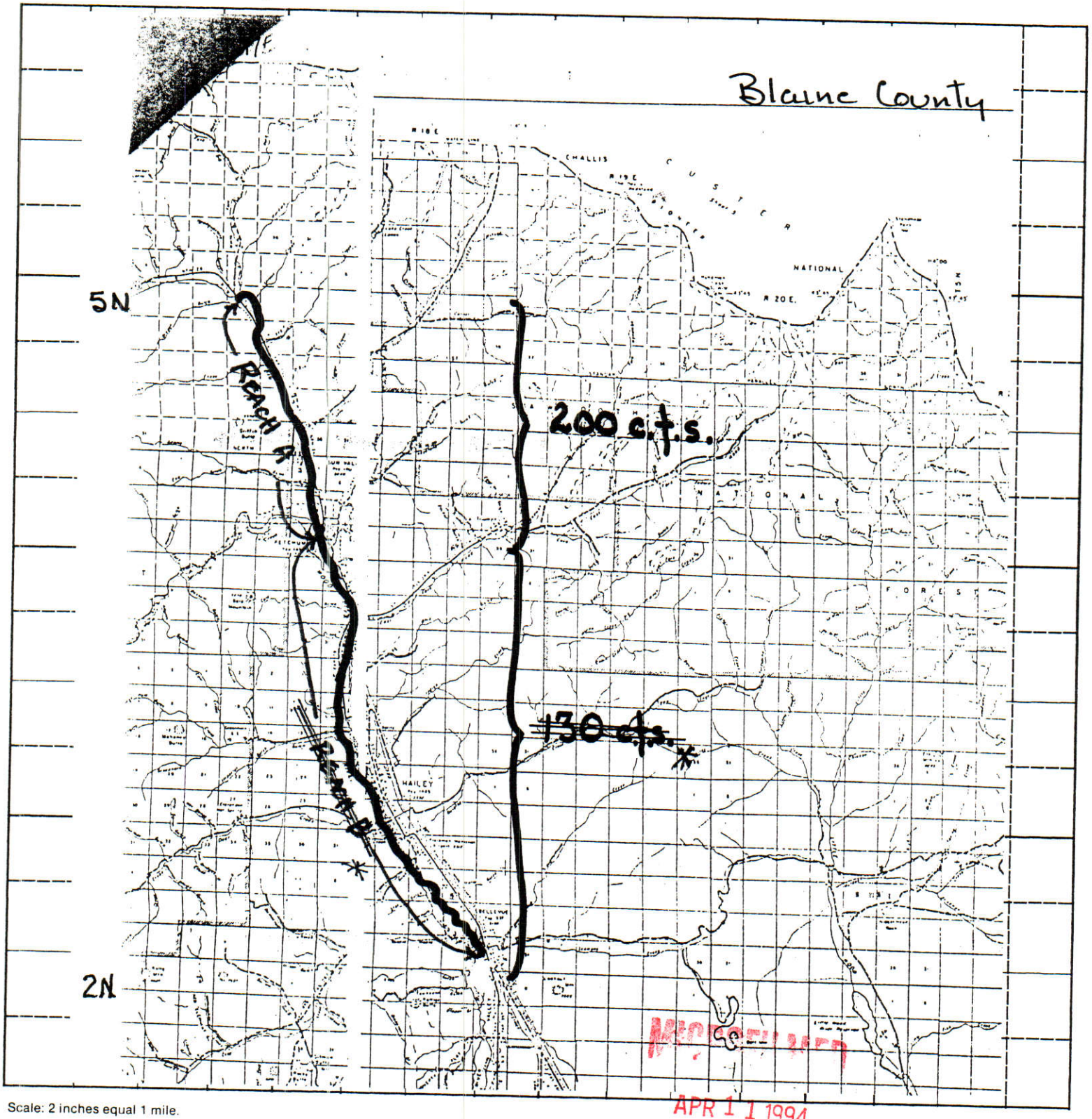
RECEIVED MAR 20 1986 Department of Water Resources Southern Idaho Area
INCORPORATED
APR 11 1994

IWRB Ex 3



APR 11 1994

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



Scale: 2 inches equal 1 mile.

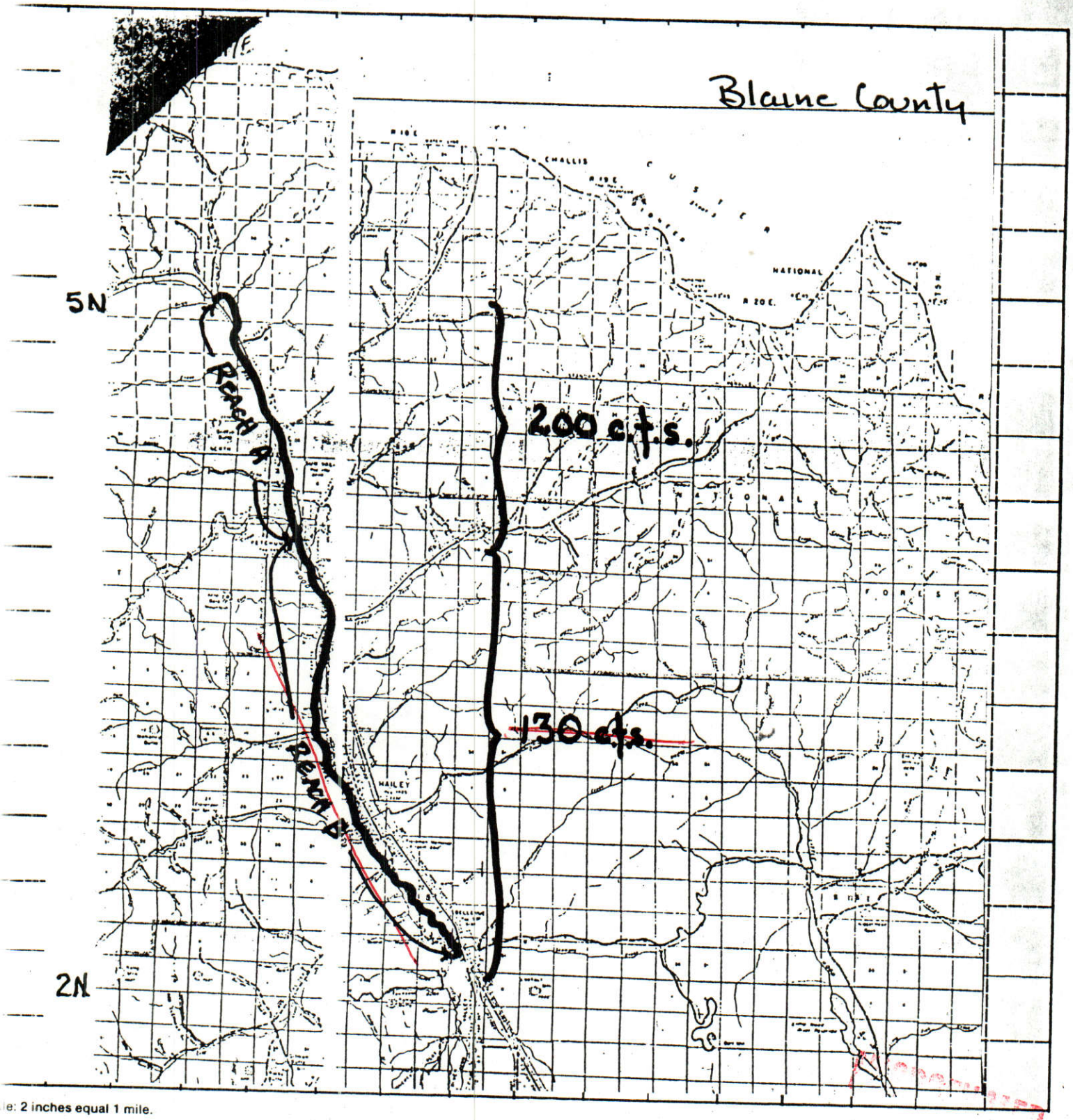
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APR 11 1994

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(Applicant)

Chairman, Idaho Water Resource Board

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APR 11 1994

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Gene Gray, Chairman
Idaho Water Resource Board

Publish: Wood River Journal–March 6 & 13, 1986.

ob maya 2/27/86

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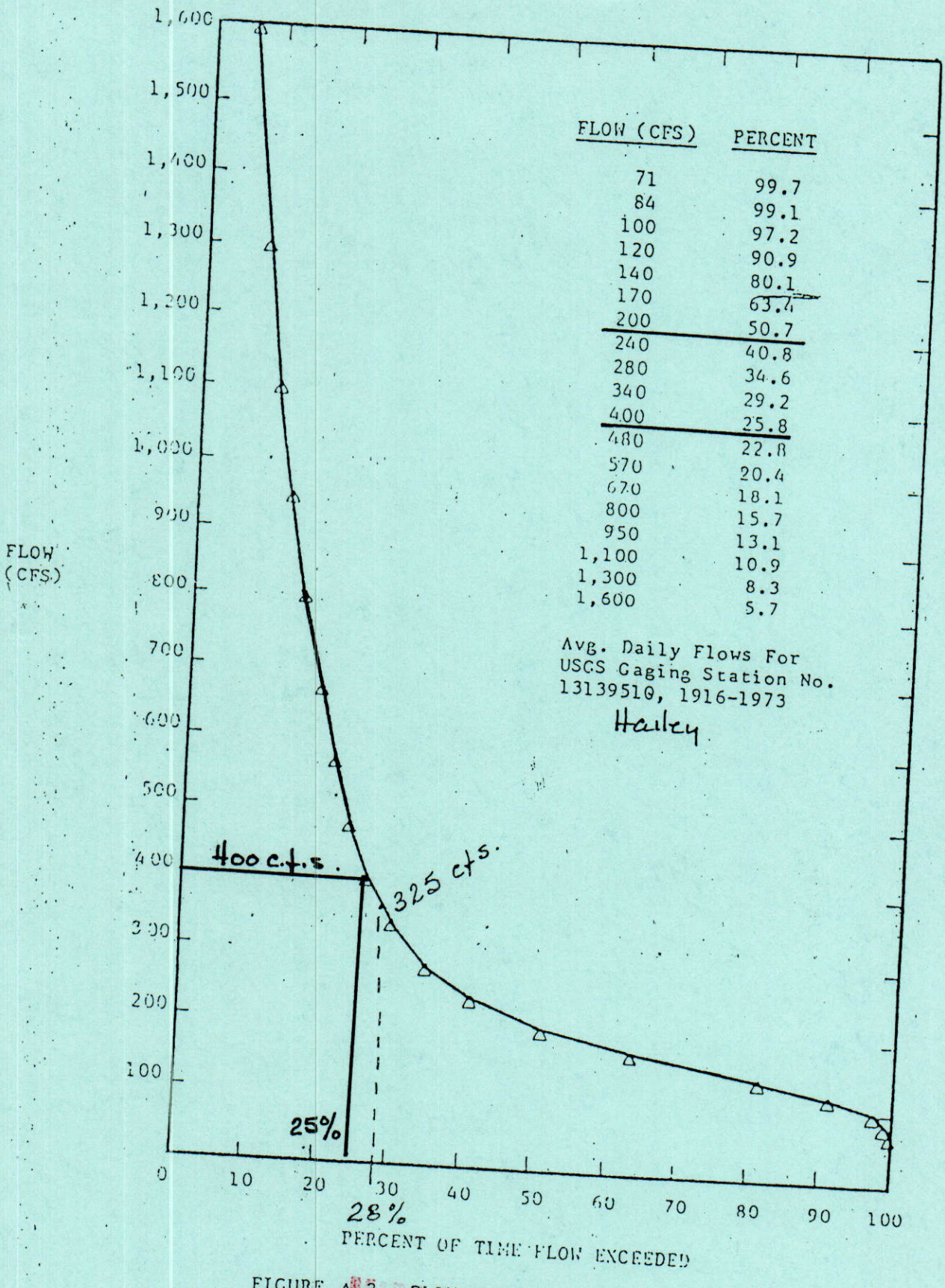
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Gene Gray
Chairman, Idaho Water Resource Board

PUBLISH: **Thursdays,** March 6, and 13, 1986.

ob maya 2/28/86

APR 1 1 1994

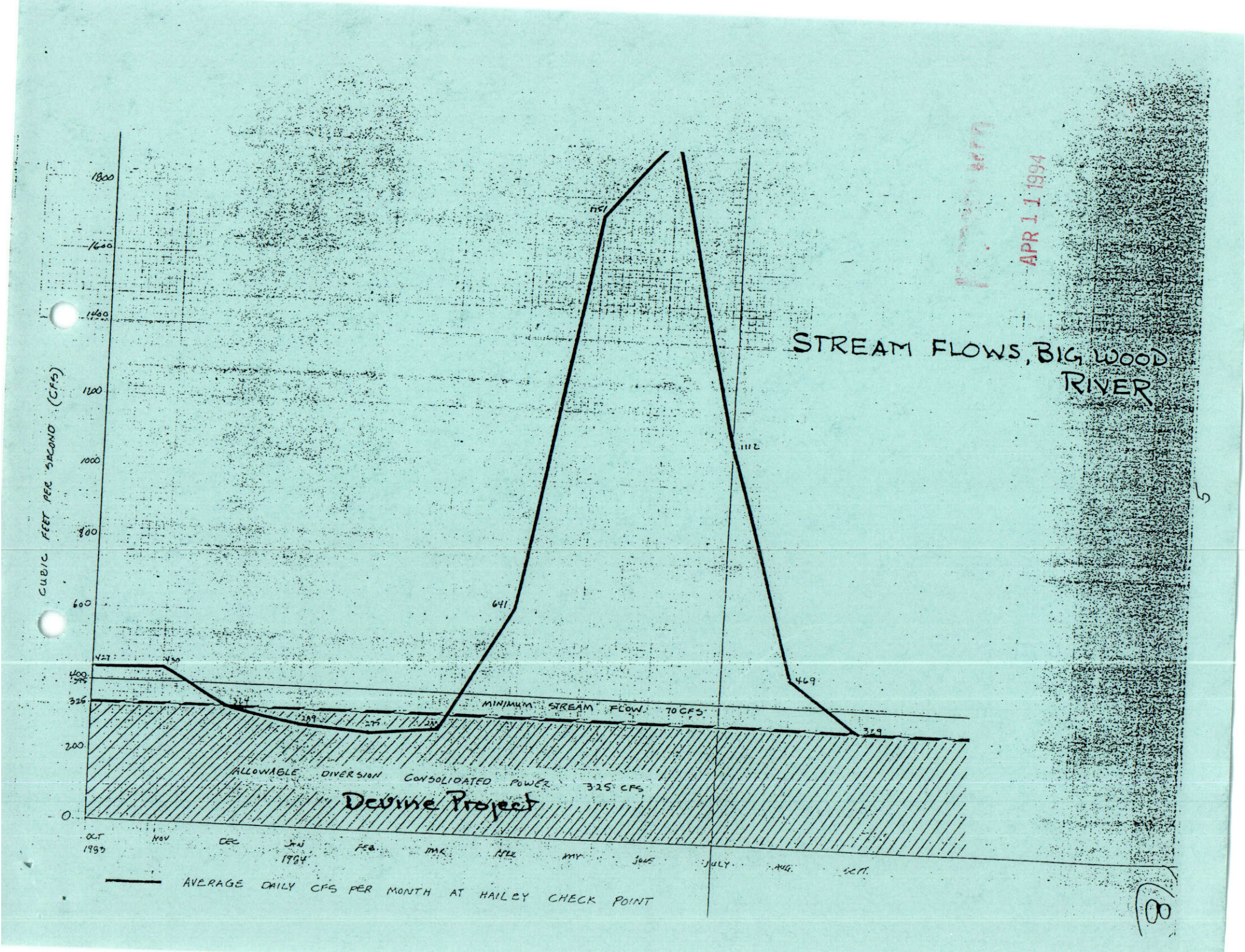


FLOW (CFS)	PERCENT
71	99.7
84	99.1
100	97.2
120	90.9
140	80.1
170	63.4
200	50.7
240	40.8
280	34.6
340	29.2
400	25.8
480	22.8
570	20.4
670	18.1
800	15.7
950	13.1
1,100	10.9
1,300	8.3
1,600	5.7

Avg. Daily Flows For
USGS Gaging Station No.
13139510, 1916-1973
Hailey

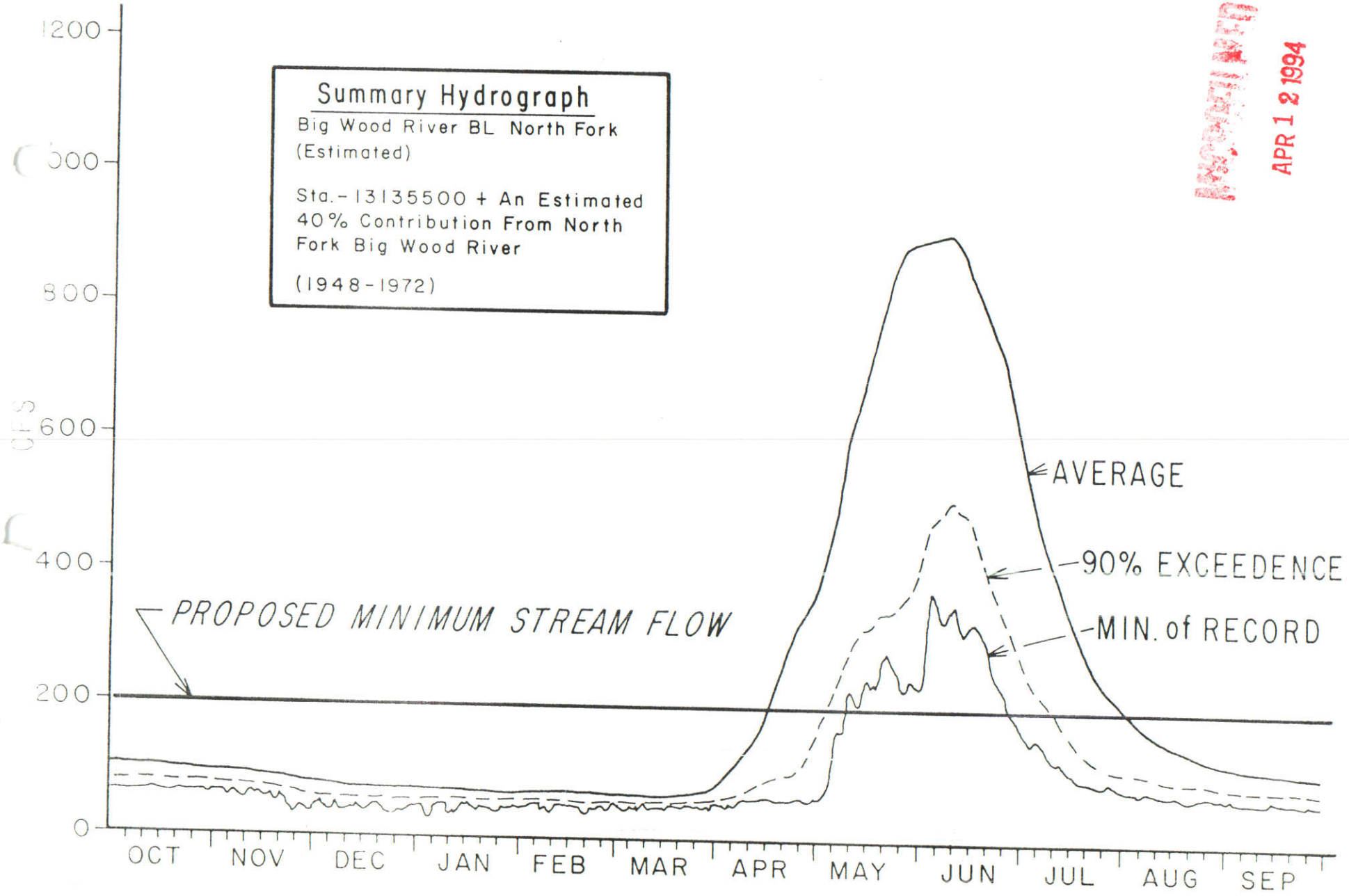
FIGURE A-3. FLOW DURATION CURVE

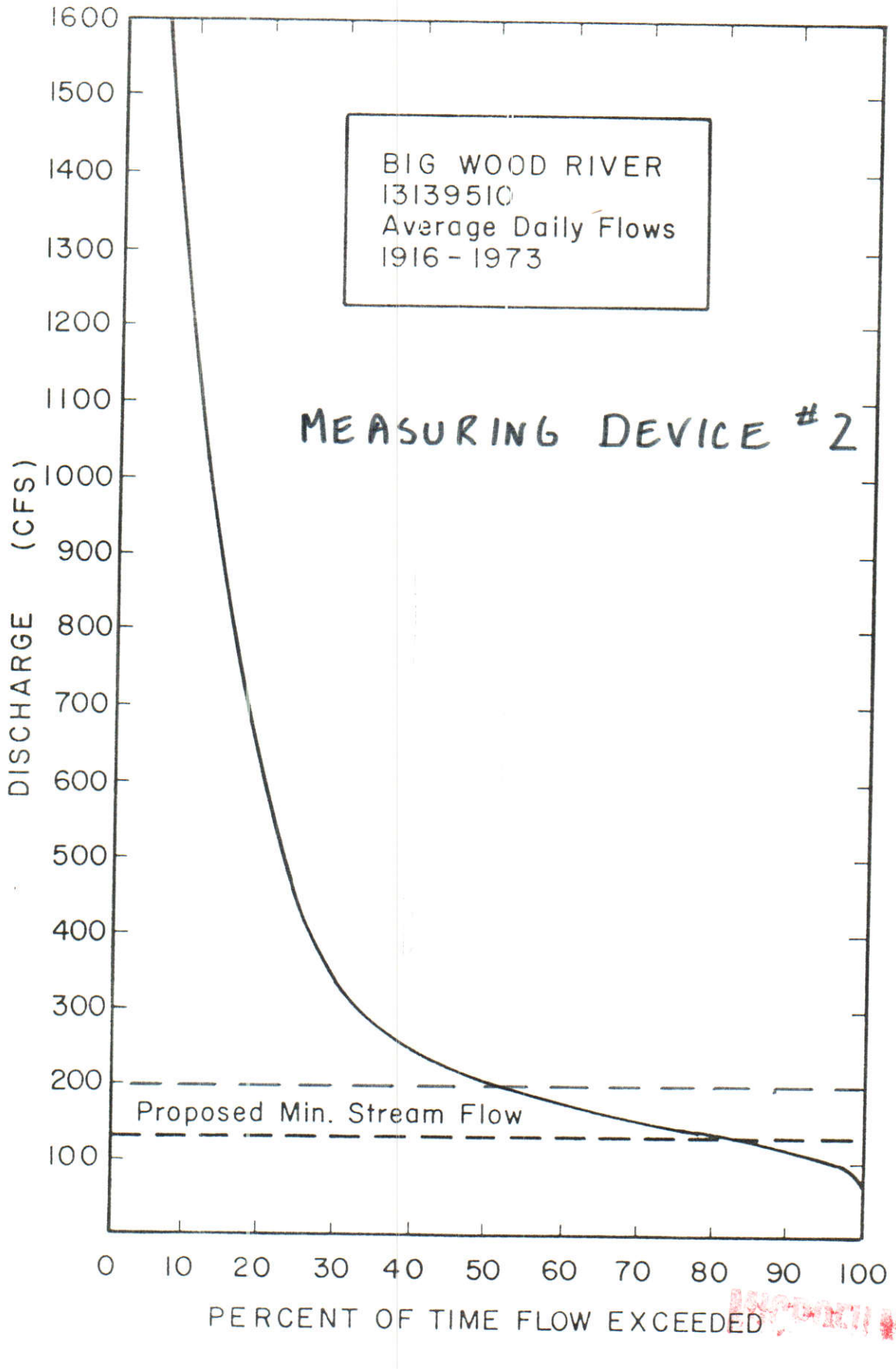
APR 11 1994


STREAM FLOWS, BIG WOOD RIVER
APR 11 1994
CUBIC FEET PER SECOND (CFS)
1800
1600
1400
1200
1000
800
600
400
326
200
0
1151
1112
641
469
379
MINIMUM STREAM FLOW 70 CFS
ALLOWABLE DIVERSION CONSOLIDATED POWER 325 CFS
Deerwe Project
OCT 1993
NOV
DEC
JAN 1994
FEB
MAR
APR
MAY
JUNE
JULY
AUG.
SEPT.
AVERAGE DAILY CFS PER MONTH AT HAILEY CHECK POINT

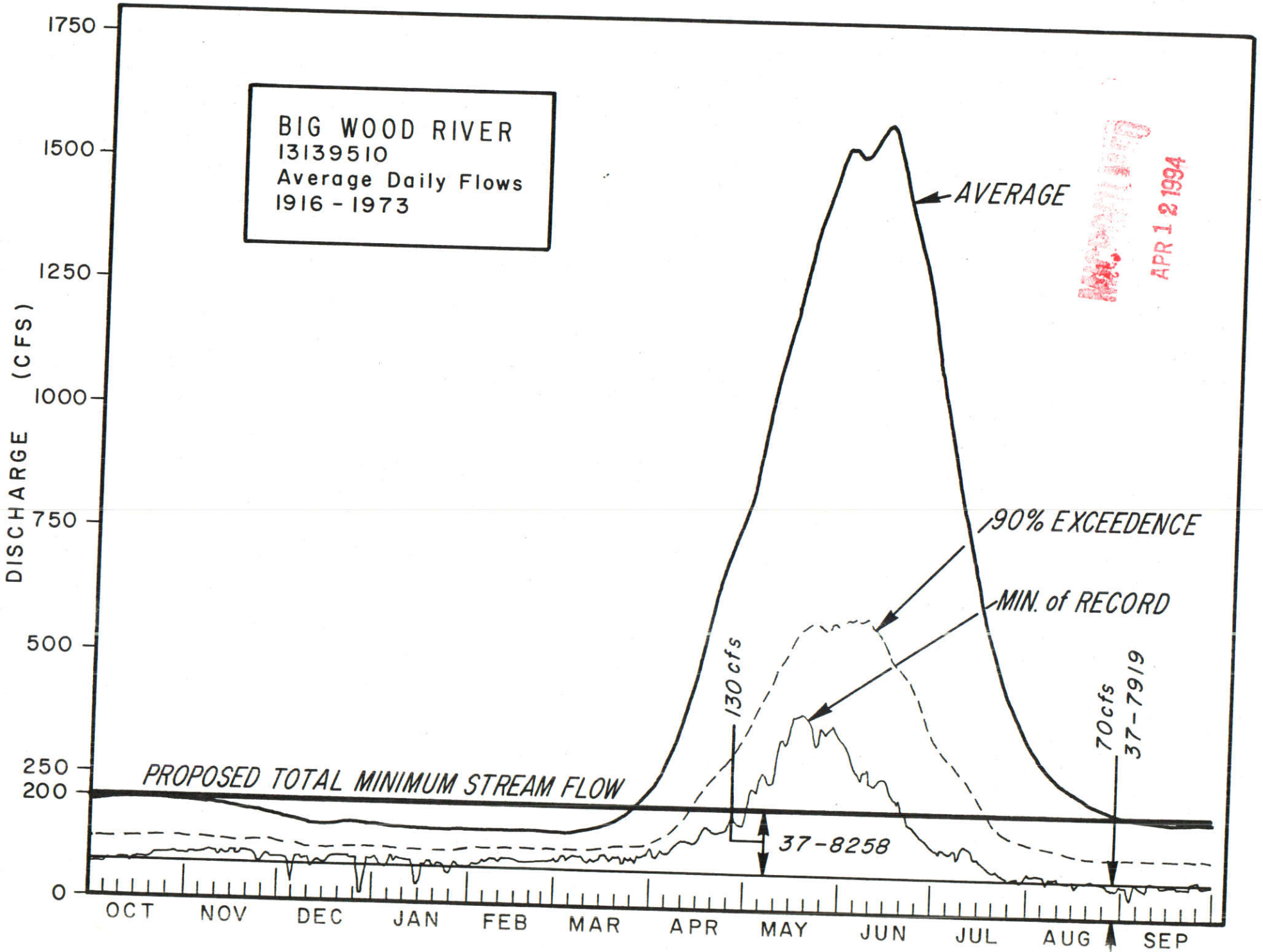
MEASURING DEVICE #1

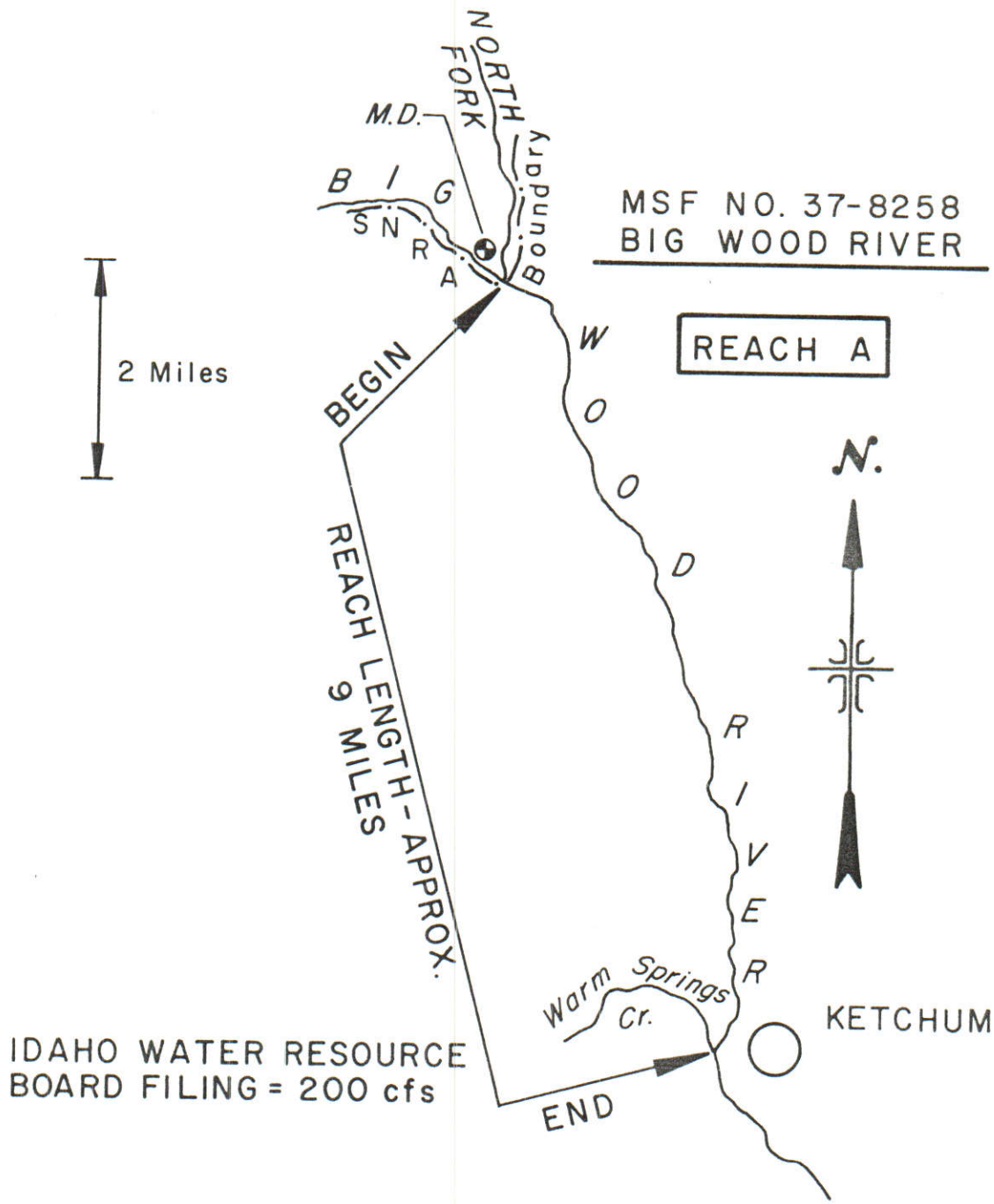
RECEIVED
APR 12 1994



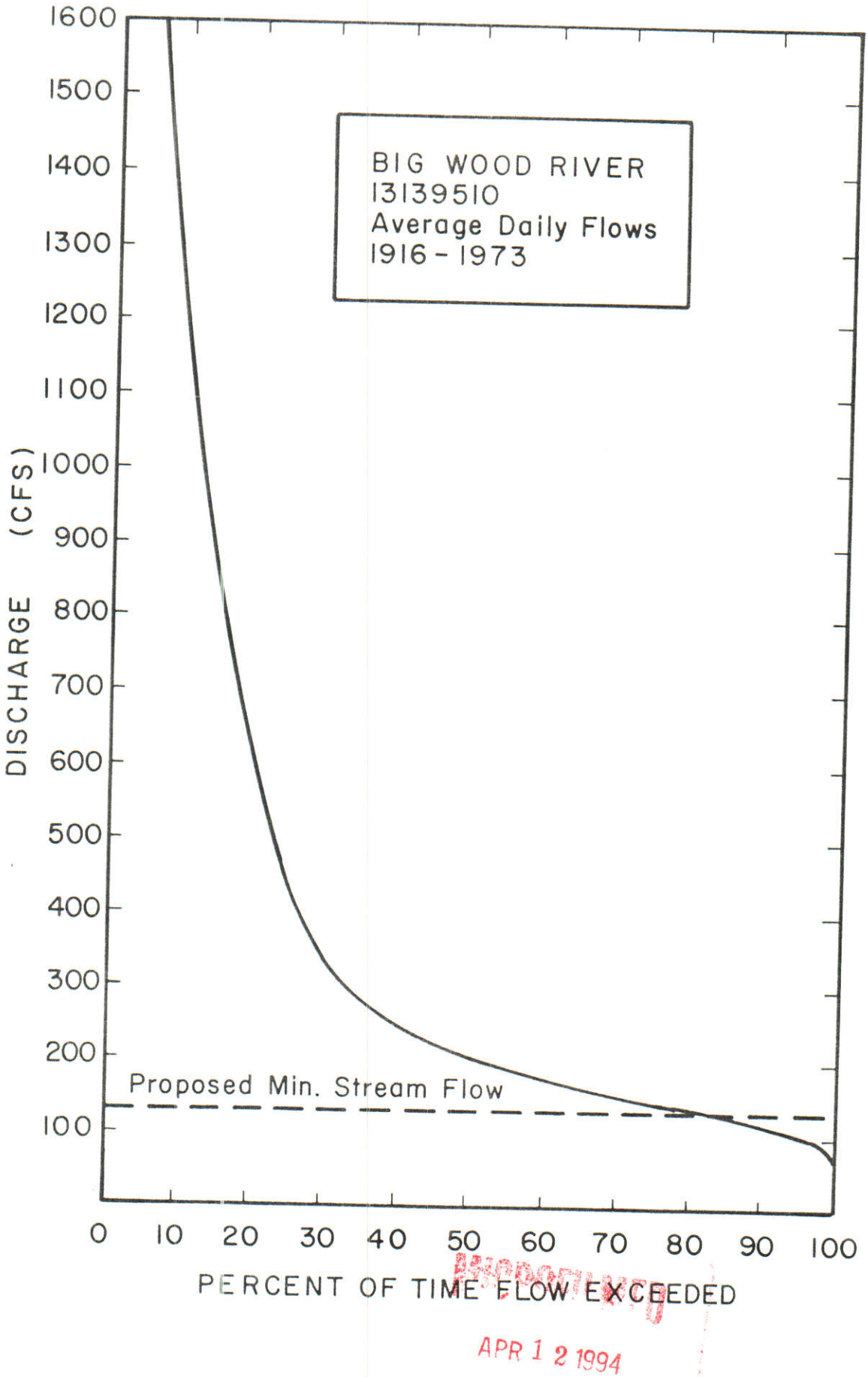

BIG WOOD RIVER
13139510
Average Daily Flows
1916 - 1973
MEASURING DEVICE #2
DISCHARGE (CFS)
1600
1500
1400
1300
1200
1100
1000
900
800
700
600
500
400
300
200
100
Proposed Min. Stream Flow
0
10
20
30
40
50
60
70
80
90
100
PERCENT OF TIME FLOW EXCEEDED

APR 12 1994

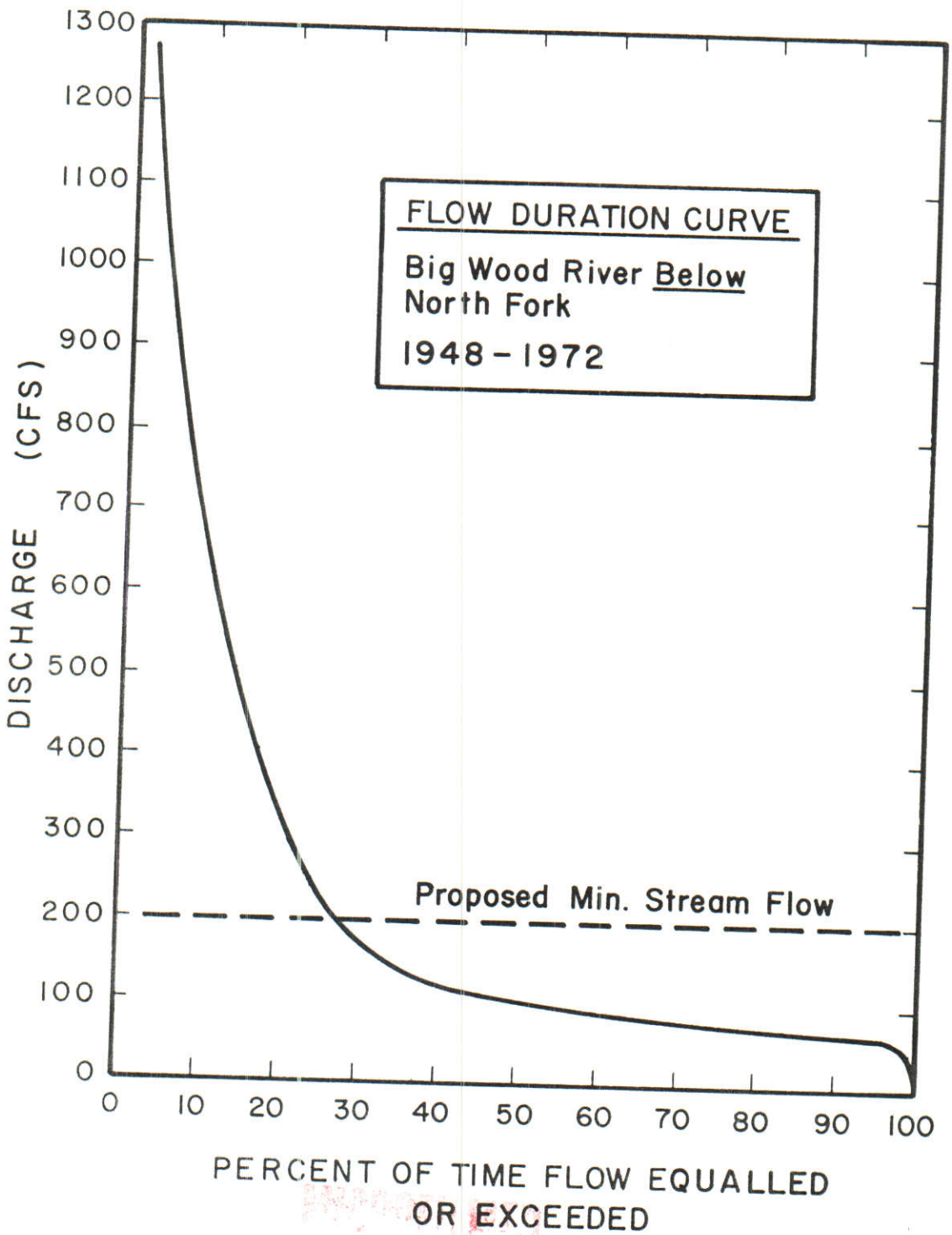

BIG WOOD RIVER
13139510
Average Daily Flows
1916 - 1973
AVERAGE
90% EXCEEDENCE
MIN. of RECORD
PROPOSED TOTAL MINIMUM STREAM FLOW
130 cfs
37-8258
70cfs
37-7919
DISCHARGE (CFS)
1750
1500
1250
1000
750
500
250
200
0
OCT
NOV
DEC
JAN
FEB
MAR
APR
MAY
JUN
JUL
AUG
SEP
APR 12 1994


NORTH FORK
Boundary
M.D.
BIG SNR A
MSF NO. 37-8258
BIG WOOD RIVER
REACH A
2 Miles
BEGIN
WOOD RIVER
N.
REACH LENGTH - APPROX. 9 MILES
Warm Springs Cr.
KETCHUM
END
IDAHO WATER RESOURCE BOARD FILING = 200 cfs

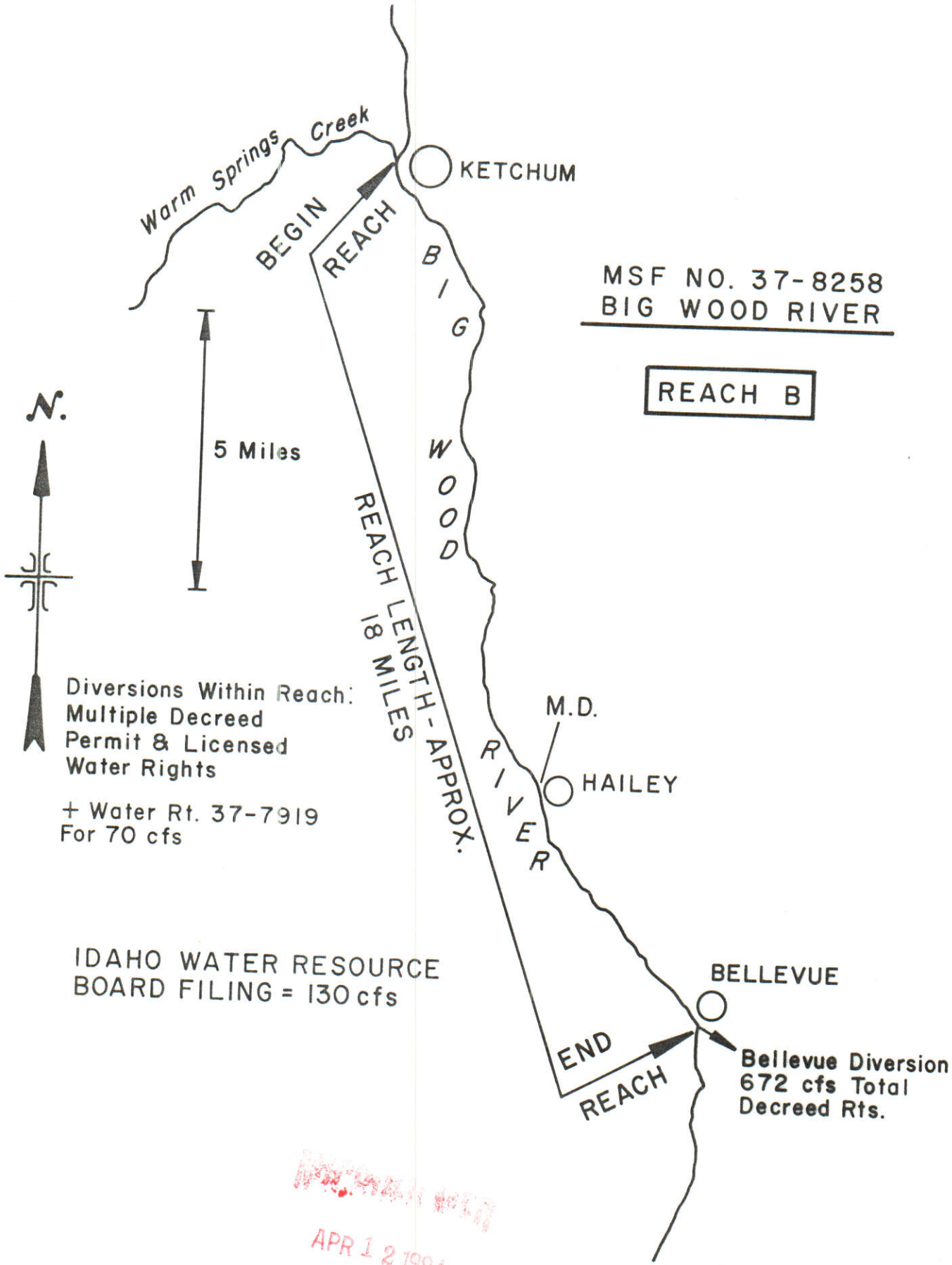
APR 12 1994


BIG WOOD RIVER
13139510
Average Daily Flows
1916 - 1973
DISCHARGE (CFS)
1600
1500
1400
1300
1200
1100
1000
900
800
700
600
500
400
300
200
100
Proposed Min. Stream Flow
0
10
20
30
40
50
60
70
80
90
100
PERCENT OF TIME FLOW EXCEEDED

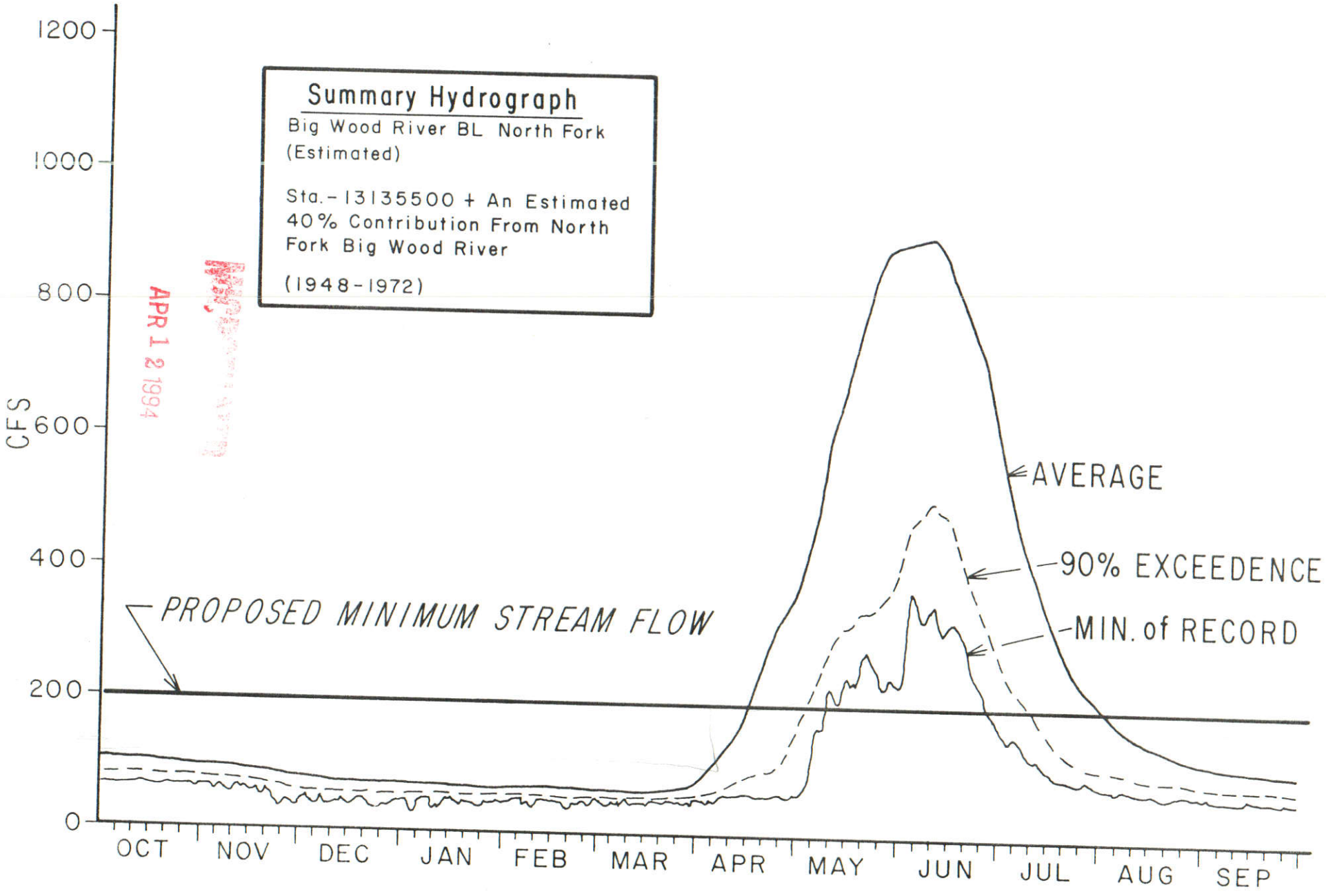
APR 12 1994


FLOW DURATION CURVE
Big Wood River Below North Fork
1948 - 1972
Proposed Min. Stream Flow
DISCHARGE (CFS)
1300
1200
1100
1000
900
800
700
600
500
400
300
200
100
0
0
10
20
30
40
50
60
70
80
90
100
PERCENT OF TIME FLOW EQUALLED OR EXCEEDED

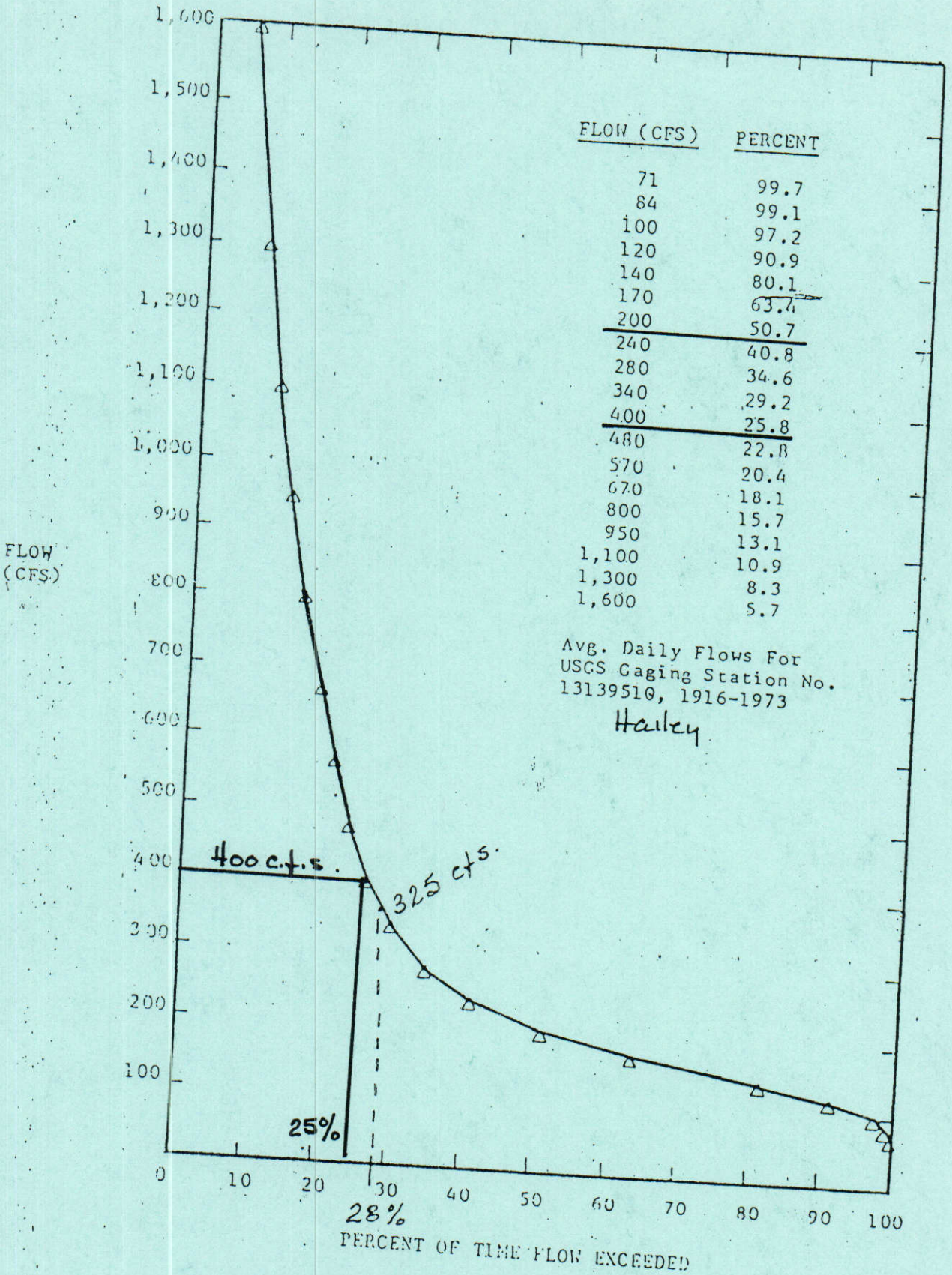
APR 1 2 1994


Warm Springs Creek
KETCHUM
BEGIN REACH
BIG WOOD RIVER
MSF NO. 37-8258
BIG WOOD RIVER
REACH B
N.
5 Miles
REACH LENGTH - APPROX. 18 MILES
M.D.
HAILEY
Diversions Within Reach:
Multiple Decreed
Permit & Licensed
Water Rights
+ Water Rt. 37-7919
For 70 cfs
IDAHO WATER RESOURCE
BOARD FILING = 130 cfs
BELLEVUE
END REACH
Bellevue Diversion
672 cfs Total
Decreed Rts.

APR 12 1994


Summary Hydrograph
Big Wood River BL North Fork
(Estimated)
Sta.- 13135500 + An Estimated
40% Contribution From North
Fork Big Wood River
(1948-1972)
APR 12 1994
CFS
1200
1000
800
600
400
200
0
PROPOSED MINIMUM STREAM FLOW
AVERAGE
90% EXCEEDENCE
MIN. of RECORD
OCT
NOV
DEC
JAN
FEB
MAR
APR
MAY
JUN
JUL
AUG
SEP

(9)



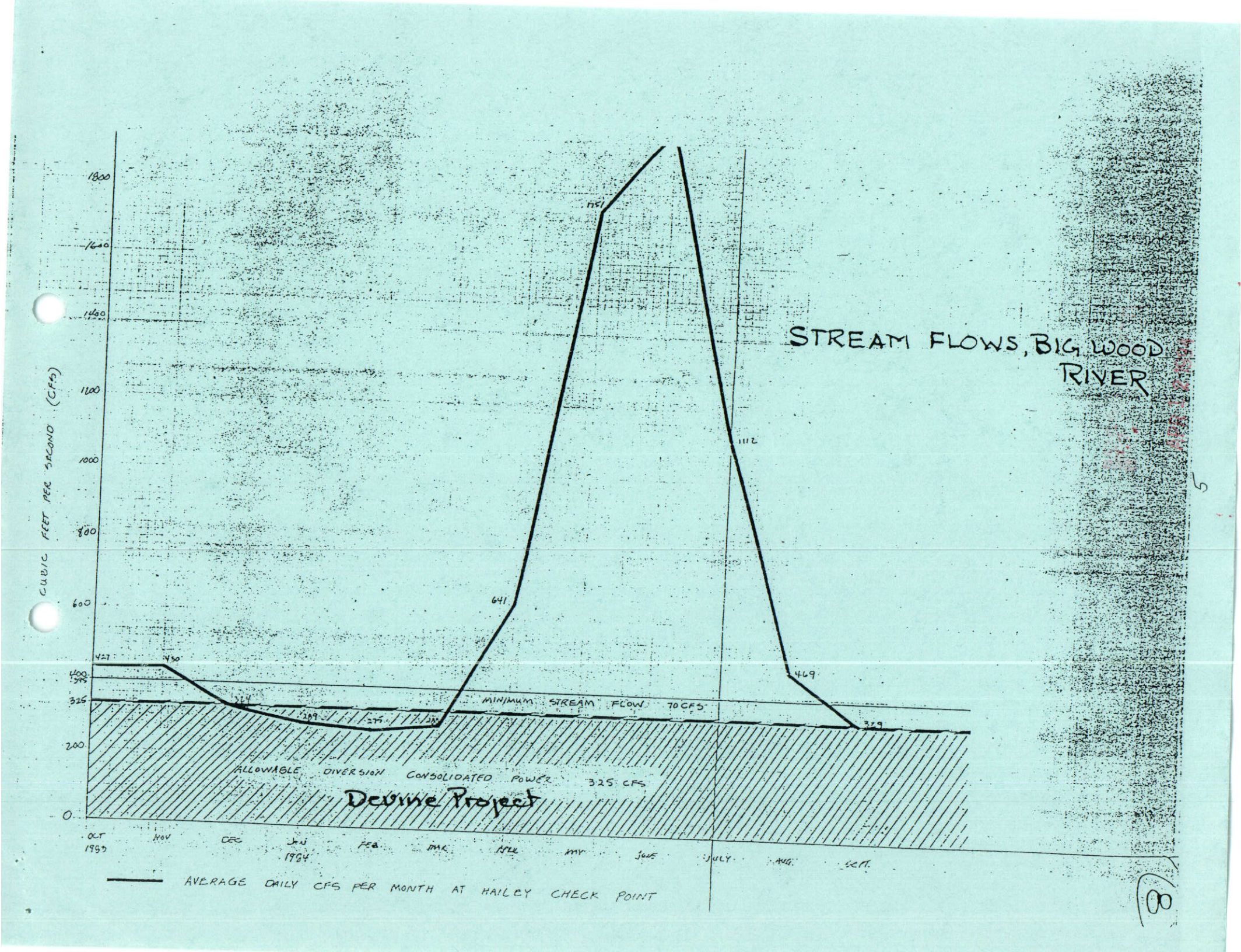
FLOW (CFS)	PERCENT
71	99.7
84	99.1
100	97.2
120	90.9
140	80.1
170	63.4
200	50.7
240	40.8
280	34.6
340	29.2
400	25.8
480	22.8
570	20.4
670	18.1
800	15.7
950	13.1
1,100	10.9
1,300	8.3
1,600	5.7

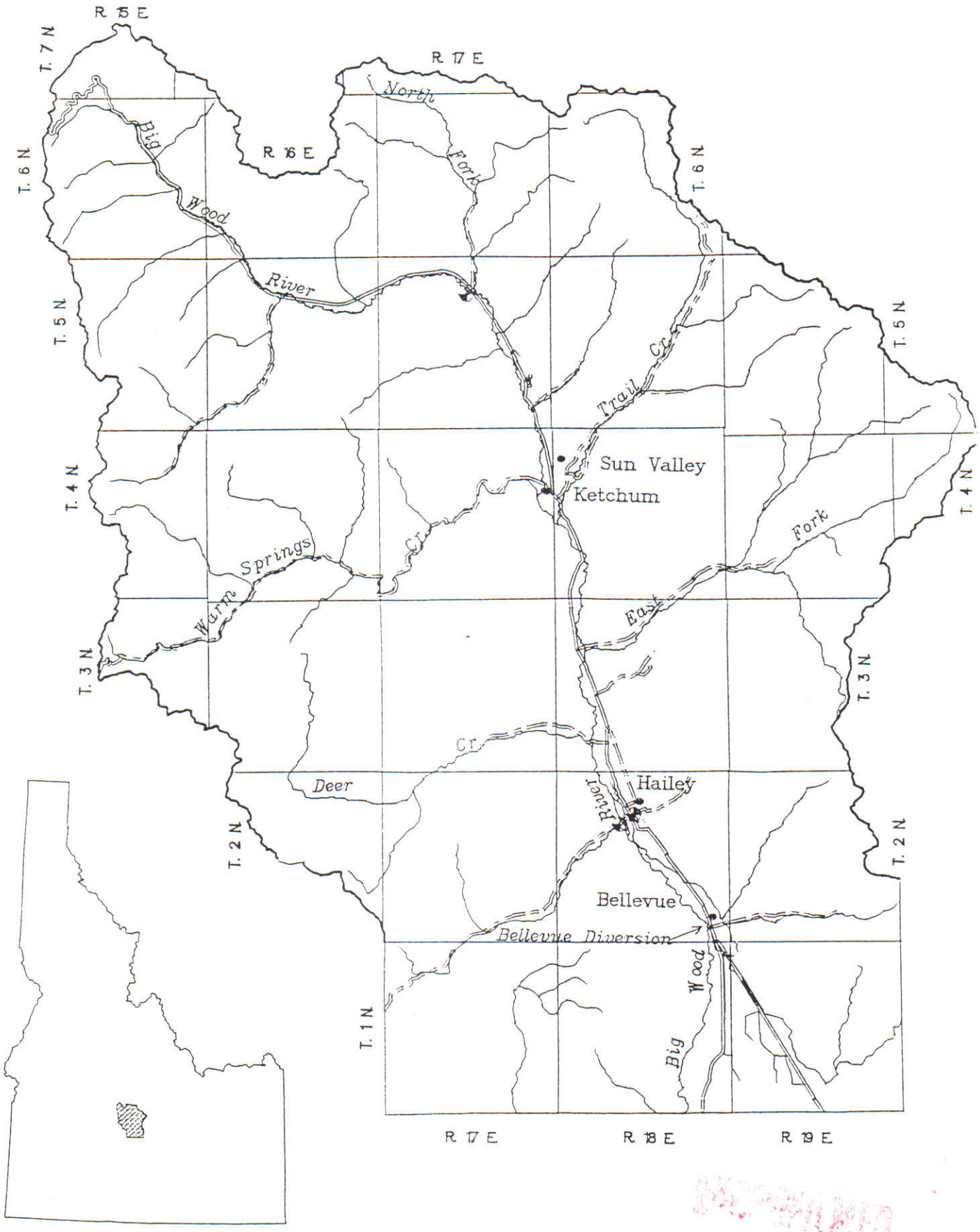
Avg. Daily Flows For USGS Gaging Station No. 13139510, 1916-1973

Hailey

FIGURE A-3. FLOW DURATION CURVE

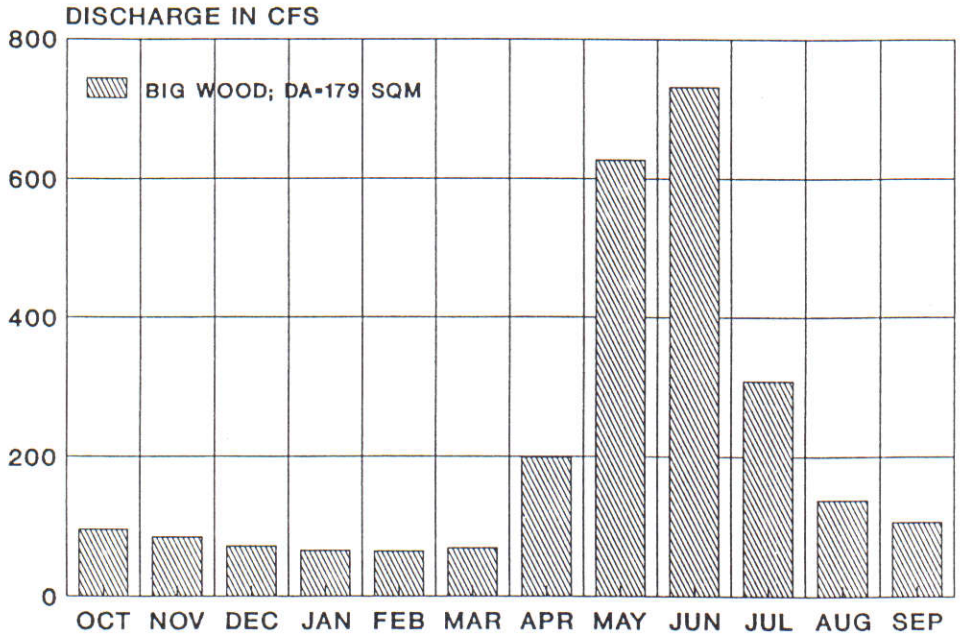
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STREAM FLOWS, BIG WOOD RIVER
CUBIC FEET PER SECOND (CFS)
1800
1600
1400
1200
1000
800
600
400
325
200
0
1151
1112
641
469
329
427
430
314
289
275
MINIMUM STREAM FLOW 70 CFS
ALLOWABLE DIVERSION CONSOLIDATED POWER 325 CFS
Devine Project
OCT 1983
NOV
DEC
JAN 1984
FEB
MAR
APRIL
MAY
JUNE
JULY
AUG.
SEPT.
AVERAGE DAILY CFS PER MONTH AT HAILEY CHECK POINT



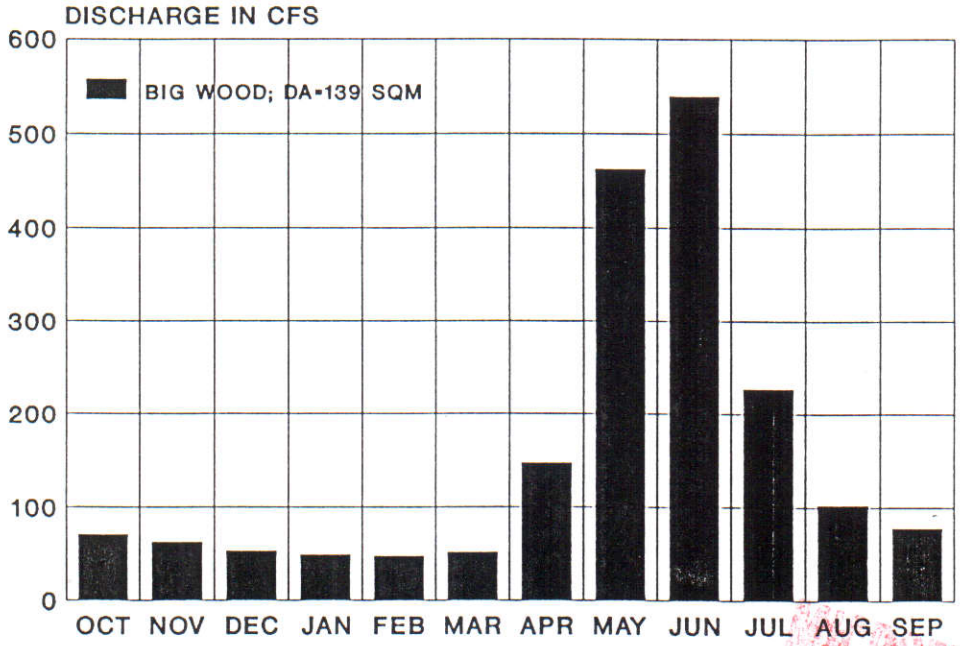
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APR 11 1994

BIG WOOD RIVER NEAR KETCHUM
(SEC 10, T 5 N, R 17 E; DA=179 SQ MILES)



STA 13135500, BASIS.

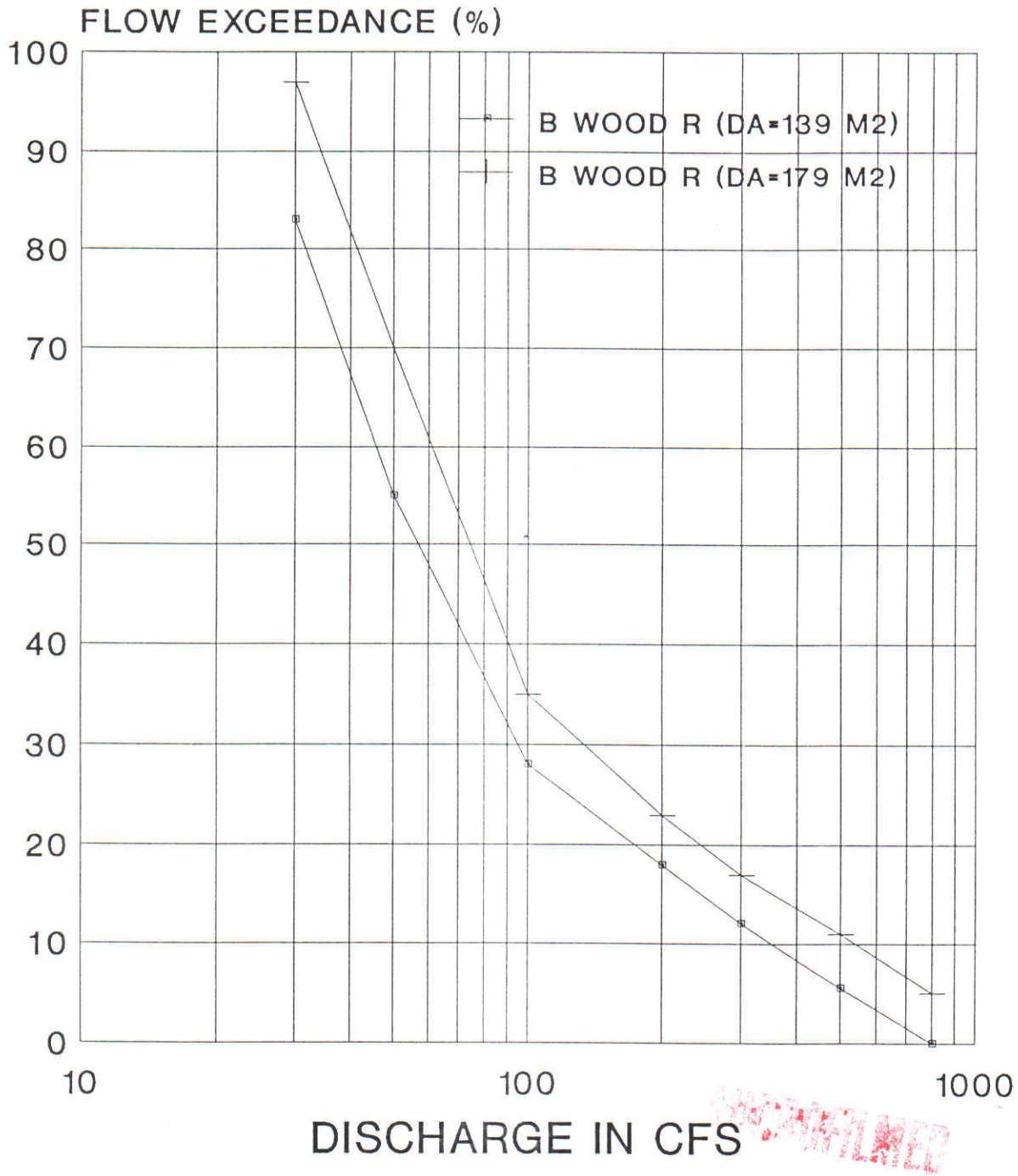
BIG WOOD RIVER NEAR KETCHUM
(SEC , T 5 N, R 16 E; DA=139 SQ MILES)



STA 13135500, BASIS.

APR 11 1994

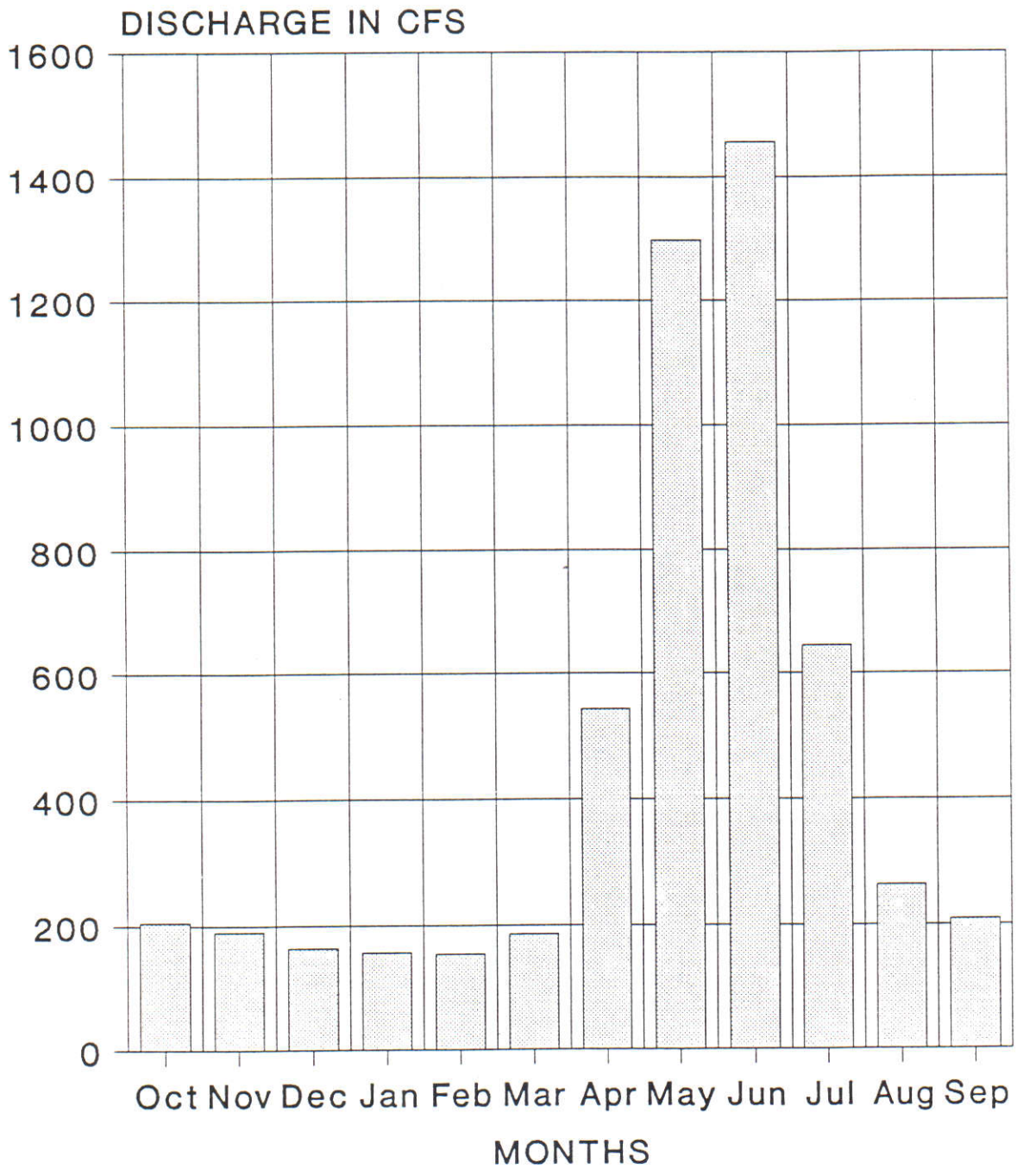
BIG WOOD RIVER NEAR KETCHUM
(HEITZ, WARNICK, ETAL; 1980)



F=173/120=1.45

UNCONFINED
APR 11 1994

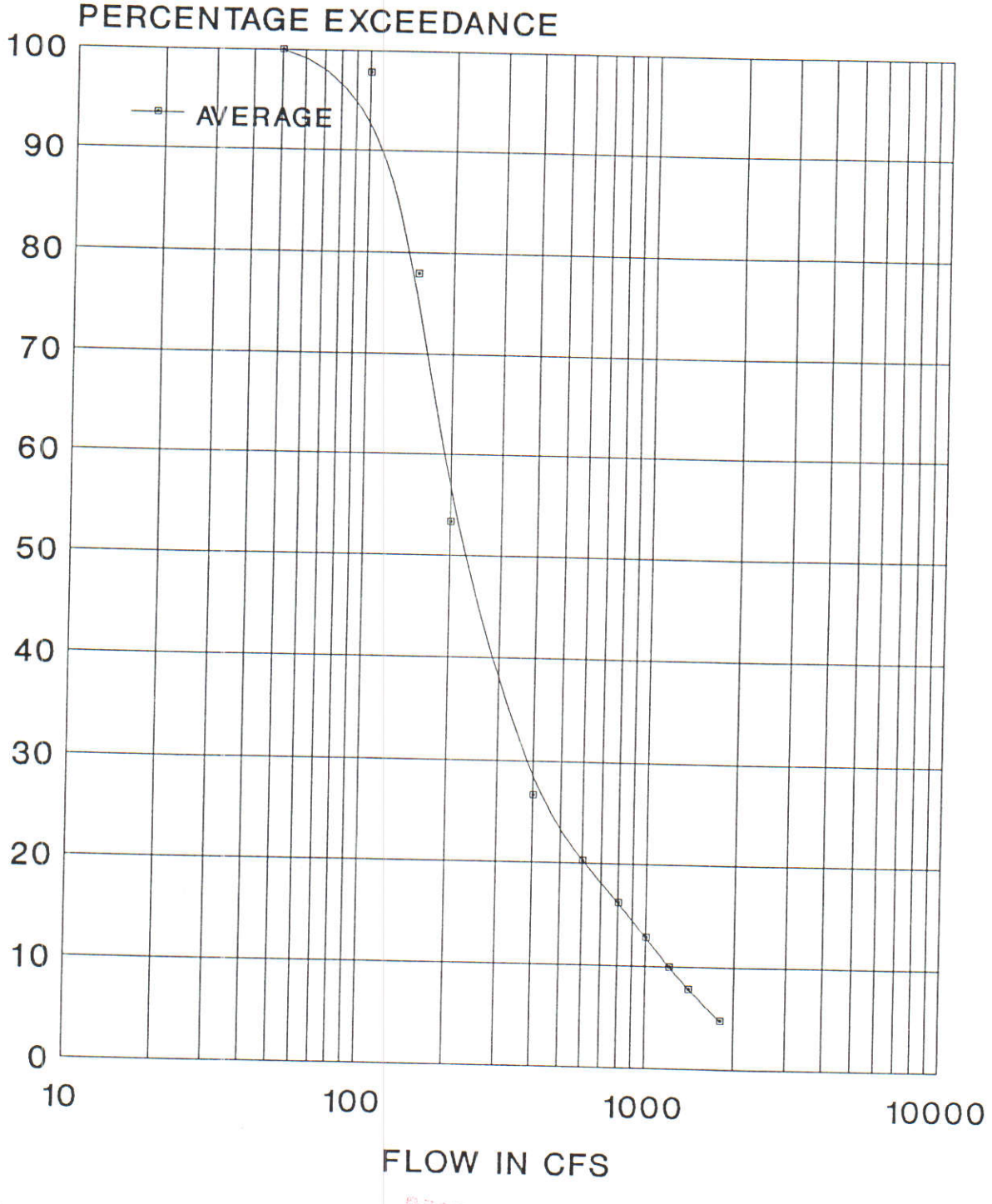
BIG WOOD RIVER AT HAILEY, SLOUGH IS
INCLUDED (SEC 9, T 2 N, R 18; 640 SQM)



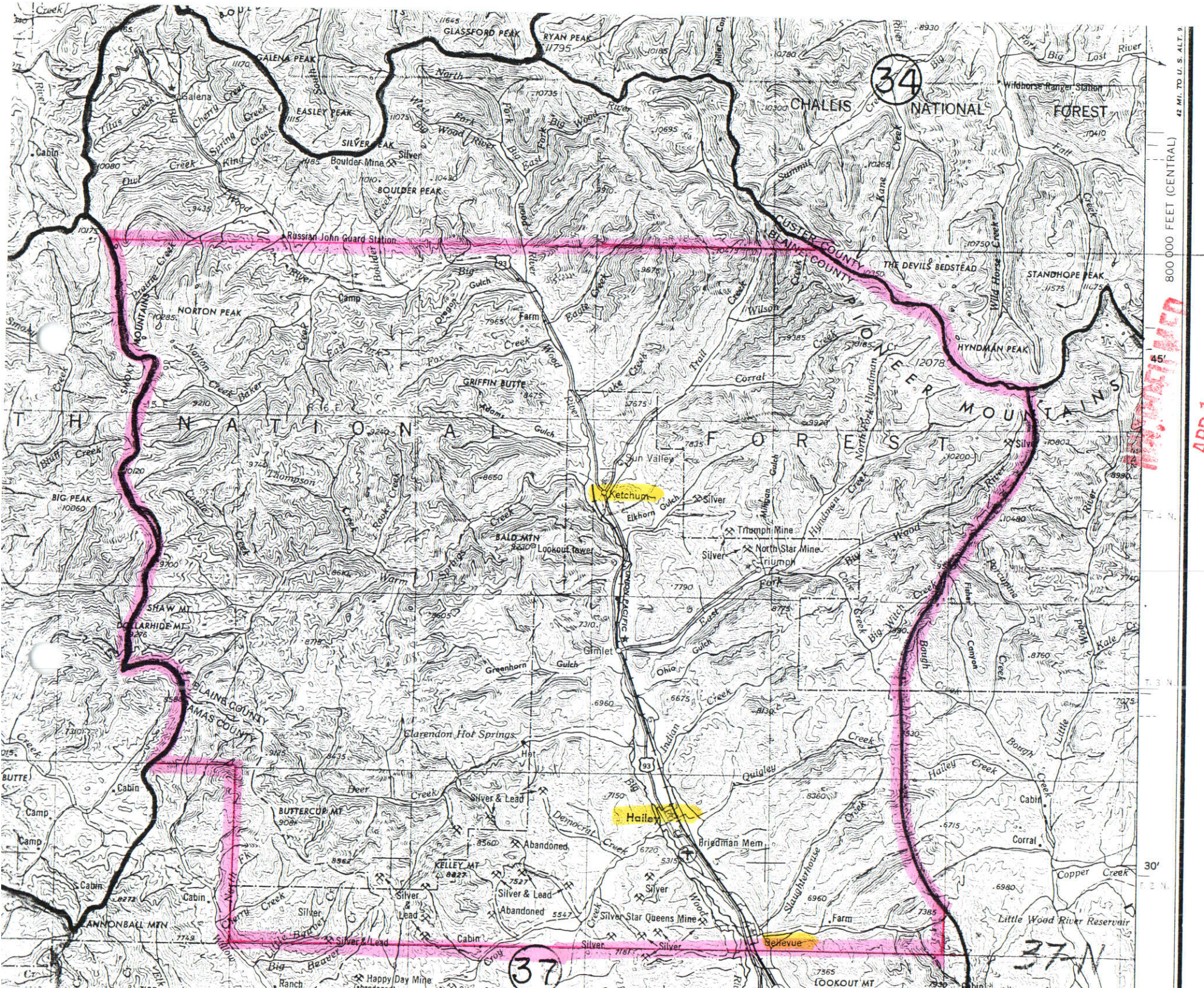
STA 13139500

APR 1 1 1994

FLOW DURATION CURVES, COMBINED BIG WOOD RIVER AND SLOUGH NEAR HAILEY, IDAHO



APR 1 1 1994


GLASSFORD PEAK
RYAN PEAK
11795
GALENA PEAK
EASLEY PEAK
SILVER PEAK
BOULDER PEAK
Boulder Mine
Galena
Cabin
Russian John Guard Station
NORTON PEAK
GRIFFIN BUTTE
BALD MTN
Lookout tower
BIG PEAK
SHAW MT.
DOLLARHIDE MT.
BUTTERCUP MT.
KELLEY MT.
CANNONBALL MTN.
Clarendon Hot Springs
Ketchum
Sun Valley
Hailey
Bellevue
Triumph Mine
North Star Mine
Silver & Lead
Abandoned
Silver Star Queens Mine
Happy Day Mine
Briedman Mem.
Little Wood River Reservoir
CHALLIS NATIONAL FOREST
SAWTOOTH NATIONAL FOREST
PIONEER MOUNTAINS
BLAINE COUNTY
CUSTER COUNTY
LEMHI COUNTY
CAMAS COUNTY
THE DEVILS BEDSTEAD
STANDHOPE PEAK
HYNDMAN PEAK
12078
Wildhorse Ranger Station
42 MI. TO U.S. ALT. 93
800 000 FEET (CENTRAL)
45'
30'
37 N
T. 3 N.
T. 2 N.
34
37
93
APR 11 1994

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 37-08258

Priority: January 16, 1986

This is to certify, that STATE OF IDAHO
IDAHO WATER RESOURCE BOARD
STATEHOUSE
BOISE ID 83720 has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated January 16, 1986; and has submitted Proof of Beneficial Use on March 2, 1994. A mininum stream flow in

BIG WOOD RIVER tributary to **MALAD RIVER**

has been established as follows:

BENEFICIAL USE	PERIOD OF USE	RATE
MINIMUM INSTREAM FLOW	03/01 to 08/31	200.00 CFS
MINIMUM INSTREAM FLOW	09/01 to 02/29	150.00 CFS

LOCATION OF MINIMUM FLOW REACH:

Beginning of Stream Flow Reach SENW , Sec. 10, Township 05N, Range 17E
End of Stream Flow Reach SENW , Sec. 13, Township 04N, Range 17E
BLAINE County

CONDITIONS/REMARKS:

1. This right is subject to all prior water rights.
2. Use of water under this water right will be regulated by the watermaster of State Water District No. 37.
3. Use of water under this right shall be non-consumptive.
4. Use of water under this right shall recognize and allow the continued beneficial diversion of water under any prior existing water right established by diversion and application to beneficial use or by an application, permit, or license on file issued by the Director under provisions of Chapter 2, Title 42, Idaho Code, with the priority of the water right dated earlier than 01/16/86, the priority of this right.
5. Upon the future finding and order of the director that gauging stations are required to maintain the approved minimum flow on the Big Wood River, such measuring devices shall be permanently installed as specified by the Department.
6. This right is subordinate to development of groundwater for domestic and municipal uses as defined by the management plan for the Big Wood River Ground Water Management Area.

OCT 2 0 1994

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 37-08258

CONDITIONS/REMARKS:

7. This minimum stream flow reach is from the intersection with the Sawtooth National Recreation Area boundary in the SENW, S10, T5N, R17E, downstream approximately 9 miles to the confluence with Warm Springs Creek in the SENW, S13, T4N, R17E.
8. 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.

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 11TH day of OCTOBER, 1994.

Acting for R. Keith Higginson, Director

OCT 2 0 1994

Form 217
11/91

RECEIVED
MAR 0 2 1994
Department of Water Resources

OFFICE USE ONLY
Amt. of Fee $_____
Date _____
Receipt No. _____
Receipt by _____

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. 37-08258 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: Big Wood River

   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 200 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.

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2/28/94 F. Dan Gabbert Chair I.W.R.B.
Date Signature (and title, if on behalf of a company or organization)

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

IN THE MATTER OF APPLICATIONS FOR PERMIT TO APPROPRIATE WATER NOS. 37-8258 AND 37-8307 IN THE NAME OF THE IDAHO WATER RESOURCE BOARD TO ESTABLISH MINIMUM STREAMFLOWS IN THE BIG WOOD RIVER	**ORDER ADOPTING PROPOSED MEMORANDUM DECISION AND ORDER**

A Proposed Memorandum Decision and Order in the above-captioned matter has been issued and a copy served on the parties;

More than fifteen days have passed since the service of the Proposed Memorandum Decision and Order and, no exception to the Proposed Memorandum Decision and Order has been received.

The Idaho Water Resource Board filed an exception pertaining to other minimum streamflow decisions pending for the North Fork and South Fork of the Payette River. The exception sought clarification of a condition which is identical to condition no. 7 of the Big Wood River proposed decision. The condition shall be amended as follows:

> 7. The Director retains jurisdiction, as described below, to review and amend any and all parameters of this permit and subsequent license. The Board, upon receiving a request, or upon its own initiative, may petition the Director for an amendment to the permit or license. The petition must set forth any significant change in circumstances and evidence of the public interest supporting

MICROFILMED

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the proposed amendment. The Director will notify the general public and specific persons or known interested parties of the proposed change, and conduct a hearing for the purpose of determining whether the permit or subsequent license should be amended in the public interest. The burden of proof at the hearing shall be upon the persons or parties seeking the amendment to establish that the amendment of the permit or license would be in the public interest.

IT IS, THEREFORE, HEREBY ORDERED that said Proposed Memorandum Decision and Order as amended above, is adopted and issued as the Final Decision and Order.

Dated this 30TH day of December, 1991.

R. KEITH HIGGINSON
Director

CERTIFICATE OF MAILING

I hereby certify that on this 30th day of December, 1991, I mailed a true and correct copy of the Order Adopting Proposed Memorandum Decision and Order, postage prepaid, to the following individuals:

Blaine County Planning and
Zoning Commission
Ralph Cisco
P.O. Box 149
Hailey, ID 83333

Alan Reynolds
Blaine County Commissioners
206 1 Avenue South
Hailey, ID 83333

Dave Rydalch
Rt. 2 Box 108
St. Anthony, ID 83445

Friends of the Big Wood River
P.O. Box 4411
Ketchum, ID 83340

IDWR - Southern Region

JENNIFER SEIFERT
Secretary

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BEFORE THE DIRECTOR OF THE DEPARTMENT

OF WATER RESOURCES OF THE

STATE OF IDAHO

IN THE MATTER OF APPLICATIONS FOR PERMIT TO APPROPRIATE WATER NOS. 37-8258 AND 37-8307 IN THE NAME OF THE IDAHO WATER RESOURCE BOARD TO ESTABLISH MINIMUM STREAMFLOWS IN THE BIG WOOD RIVER

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.

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III.

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

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

C. Oral arguments before the Director on exceptions to the proposed decision shall be heard at the discretion of the Director, pursuant to Idaho Code, Sec. 42-1701A. If oral agruments 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 27th day of November, 19 91.

R. KEITH HIGGINSON
Director

APR 11 1994

BEFORE THE DIRECTOR OF THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

IN THE MATTER OF APPLICATIONS FOR PERMIT TO APPROPRIATE WATER NOS. 37-8258 AND 37-8307 IN THE NAME OF THE IDAHO WATER RESOURCE BOARD TO ESTABLISH MINIMUM STREAMFLOWS IN THE BIG WOOD RIVER	**PROPOSED MEMORANDUM DECISION AND ORDER**

On February 24, 1986, the Idaho Water Resource Board (Board) filed with the Idaho Department of Water Resources (Department) application for permit no. 37-8258 to establish a minimum streamflow in the Big Wood River, located in Blaine County, Idaho. The minimum streamflow was requested by the Blaine County Planning and Zoning Commission, and was filed pursuant to the provisions of Chapter 15, Title 42, Idaho Code. A public meeting was held by the Board in Hailey, during March, 1986, for the purpose of determining whether the public would support the application. Following the local public information meeting, the Board requested that the Director of the Department (Director) consider the merits of the application.

Following the public information meeting, applications for permit to appropriate water nos. 37-8297 and 37-8298 were filed by the Sun Valley Company to divert water from Warm Springs Creek and the Big Wood River for snow-making purposes. Because of concern that the minimum streamflow would prevent diversion of water for snow-making, the Blaine County Planning and Zoning Commission requested that the Board subordinate its filing to the snow-making proposal. After considering the request, the Board withdrew the portion of the original application which proposed a minimum flow downstream from the confluence with Warm Springs Creek and filed application for permit no. 37-8307, which seeks a minimum streamflow for the portion withdrawn.

A proposed memorandum decision and order approving the applications was adopted by the Director and the approved applications were submitted to the Idaho Legislature.

The decision referred to a relationship between surface water and ground water, and subordinated the minimum streamflow to future ground water development for domestic and municipal use. Interested members of the public were sharply divided about the subordination, and the Department withdrew the applications

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from legislative consideration because the ground water surface water relationship had not been adequately addressed at the hearing. The Director, by order dated February 22, 1991, rescinded the previously issued orders approving the minimum streamflows and ordered the Department's records to be suppplemented.

During the spring and summer of 1991, the Department reviewed public comment and technical data. At the conclusion of its review, the Department created a ground water management area. The administration of the ground water management area as it relates to these minimum streamflow applications will be discussed in greater detail in the findings and conclusions.

Another hearing was conducted on October 23, 1991. Based upon the record and the information contained in the Department files and upon his understanding of the law, the hearing officer, as a representative of the Director, proposes the following findings, conclusions and order:

FINDINGS OF FACT

1. Application for permit no. 37-8258 proposes to appropriate a minimum streamflow in a reach of the Big Wood River beginning at the Sawtooth National Recreation Area Boundary, located in the SE¼NW¼, Section 10, T5N, R17E, B.M., and extending downstream approximately 9 miles to the confluence of Warm Springs Creek with the Big Wood River, located in the SE¼NW¼, Section 13, T4N, R17E, B.M., Blaine County. The application proposes a year-round flow rate of 200 cubic feet per second (cfs).

2. Application for permit no. 37-8307 proposes to appropriate a minimum streamflow in a reach of the Big Wood River beginning at the confluence of Warm Springs Creek with the Big Wood River, located in the SE¼NW¼, Section 13, T4N, R17E, B.M., and extending downstream approximately 18 miles to the Bellevue diversion, located in the SW¼NW¼, Section 36, T2N, R18E, B.M., Blaine County. The application proposes a year-round flow rate of 119.23 cfs.

3. The purposes of the minimum streamflow applications are to maintain fish and wildlife habitat, water quality, aesthetics and recreation.

4. The flows of the Big Wood river have been monitored by the United States Geological Service (USGS) at two locations. One gauging station was located North of Ketchum (upper gauge), just upstream from the confluence of the Big Wood River with the

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North Fork of the Big Wood River, approximately at the beginning of the minimum streamflow reach proposed by application no. 37-8258. USGS began gathering data at the station in 1948, but discontinued data gathering in 1971. A second gauging station is presently located near Hailey (lower gauge). This gauge is located within the reach requested in application no. 37-8307. USGS began gathering data at the Hailey gauge in 1915, and continues to gauge flows at the location.

5. The flow records collected at the upper gauge do not account for inflow contributed by the North Fork of the Big Wood River. The drainage area of the North Fork of the Big Wood River is approximately 25% of the drainage area of the Big Wood River above the confluence. Approximately 25% more flow would be measured below the confluence.

6. A review of the hydrologic data for the upper reach reveals two distinct flow periods, April through August, and September through March.

7. For the period of April-August, the maximum flow records for the upper gauge reveal that flows of 200 cfs or more have been recorded during each of the months. When an additional 25% is added to reflect flows contributed by the North Fork of the Big Wood River, 200 cfs is capable of being maintained in the upper reach during April-August.

8. The maximum flow at the upper gauge for the flow period of September-March during the years of record is 119 cubic feet per second. The addition of 25% for flows contributed from the North Fork of the Big Wood River equals approximately 150 cfs. Flows in excess of 150 cfs in the upper reach during the flow period of September-March are not maintainable.

9. A previous water right application, now permit to appropriate water no. 37-7919, authorizes a minimum streamflow of 70 cfs during the entire year in the reach from the confluence of the Big Wood River with Warm Springs Creek downstream to the Bellevue diversion. The combination of 119.23 cfs, proposed by application no. 37-8307, and the 70 cfs previously permitted, equals a total minimum streamflow proposal of 189.23 cfs.

10. The fraction portion of the requested minimum streamflow rate is too small to measure accurately and should be changed to 119.0 cfs.

11. Flow records at the Hailey gauge reveal that 189 cfs flows in the Big Wood River with sufficient frequency during all months of the year that it is capable of being maintained. A few

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water rights are diverted between the gauging station and the Bellevue diversion, but most of the flow measured at the lower gauge is diverted at the Bellevue diversion.

12. Water rights with earlier dates of priority are diverted within the minimum streamflow reaches. The minimum streamflows will not affect the delivery of water to the owners of these earlier-in-time rights.

13. The Department records reveal two power projects authorized within the minimum streamflow reaches. One project was located near Hailey, and the other project was proposed near Bellevue. Evidence presented at the hearing proved that the power plant near Hailey has not operated for many years. The Bellevue project was never constructed, and the permits authorizing its construction, permit nos. 37-7866 and 37-8159, have lapsed.

14. The Big Wood River is a focal resource for the people who reside in and the tourists who visit the Big Wood River Valley.

15. The Big Wood River is a heavily fished trout stream and is also important for aesthetics, recreation, and the general quality of life in the Big Wood River Valley.

16. Testimony of guides who fish the river continuously established that the quality of fishing begins to diminish when flows drop below between 150 and 180 cubic feet per second.

17. In addition, Mary Ostencrofts, Chairman of the Wood River Recreation District, stated that a reduction of flows in the Big Wood River below the amounts that are currently maintainable would drastically diminish the recreational and aesthetic value of the Big Wood River. The Big Wood River is used extensively by the general public for natural interpretation, and is accessible by the public even through private ownership which adjoins the river.

18. The public uses the river extensively, and the maintenance of the river at levels that are fishable and conducive to aesthetic and recreation uses benefits the entire Wood River Valley.

19. Withdrawal of ground water within the Big Wood River basin will affect the flow of the Big Wood River and its tributaries.

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20. A ground water management area has been created which bounds the upper Big Wood River to Magic Reservoir and most of Silver Creek. The purpose of the ground water management area is to protect prior rights from later-in-time ground water diversions.

21. The proposed minimum streamflow reaches are located within the ground water management area.

22. The order creating the ground water management area restricts ground water development unless:

(a) an acceptable hydrologic study concludes that the development will not deplete surface flows, or

(b) the ground water user compensates for surface flows which are lost by his diversion.

23. Uses of water for domestic and municipal purposes were exempted from the "no surface water flow depletion" policy described in paragraph 22.

24. Future development in the Big Wood River Valley will depend on ground water as a source of culinary water.

CONCLUSIONS OF LAW

1. Idaho Code § 42-1501 provides that streamflow preservation for the protection of aesthetics and recreation uses, fish and wildlife habitat, and water quality are in the public interest and are declared to be beneficial use uses of such water.

2. Idaho Code § 42-1503 sets forth 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 whole, or in part, or upon conditions for rejecting said application. Approval of any such application must be based on a finding 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

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appropriation of minimum streamflow filed under the provisions of this act;

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

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

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

e) is capable of being maintained as evidence by records of streamflows and water levels and the existing and future establishment of the necessary gauging stations and benchmarks.

3. Any right acquired pursuant to application for permit no. 37-8258 for instream non-consumptive uses subject to all vested water rights, permits, or water right applications having dates of priority earlier than February 24, 1986.

4. Any right to be acquired pursuant to application for permit no. 37-8307 for instream non-consumptive uses subject to all vested water rights, permits, or water right applications having dates of priority earlier than October 16, 1987.

5. The proposed minimum streamflow appropriations are necessary to preserve fish and wildlife habitat, aesthetics and recreational uses. Evidence was not submitted to show these appropriations are necessary to preserve water quality.

6. The minimum streamflow is in the interest of the public as opposed to the private interest.

7. A flow rate of 200 cubic feet per second is maintainable in the upper reach during the period of April-August. A flow rate of 150 cfs is maintainable in the upper reach during the period of September-March.

8. A flow rate of 189.0 (or 119.0 cfs under this application) is maintainable in the lower reach for the entire year.

9. The flow rates set forth in the preceding two paragraphs are true minimum flow rates, and are not the optimum flow rates

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for full preservation of aesthetics, recreational use, and fish and wildlife habitat.

10. The proposed minimum streamflows will not interfere with any vested water right, permit, or water right application with priority of right date earlier than the date of the minimum streamflow applications.

11. The proposed minimum streamflow should be subordinate to future domestic and municipal development of ground water as defined by the management plan for the Big Wood River Ground Water Management Area.

ORDER

IT IS HEREBY ORDERED that applications for permit nos. 37-8258 and 37-8307 are APPROVED and subject to the following conditions:

1. Use of water under this permit shall recognize and allow the continued beneficial diversion of water under any prior existing water right established by diversion and application to beneficial use or by an application, permit, or license on file issued by the Director under provisions of Chapter 2, Title 42, Idaho Code, with the priority of the water right dated earlier than February 24, 1986, for permit no. 37-8258, and October 16, 1987, for permit no. 37-8307.

2. The use of water pursuant to this permit shall be non-consumptive.

3. Upon the future finding and order of the director that gauging stations are required to maintain the approved minimum flow on the Big Wood River, such measuring devices shall be permanently installed as specified by the Department.

4. The minimum streamflow established by permit no. 37-8258 is limited to 200 cfs during the period of March-August, and 150 cfs during the period of September-March.

5. The minimum streamflow established by permit no. 37-8307 is approved for 119.0 cfs for the entire year.

6. Proof of beneficial use may be submitted to the Department upon final approval of the permit by the Idaho Legislature. In no case shall proof of beneficial use be filed after five (5) years following final approval by the legislature.

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7. 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 subsequent license shall file a request with the Board, which requests shall include the amendment sought, the reasons for the 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 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 public interest supporting the proposed amendment. The Director will notify the general public and specific persons or parties known to be interested in 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.

8. These permits are subordinate to development of ground water for domestic and municipal uses as defined by the management plan for the Big Wood River Ground Water Management Area.

Dated this 19th day of November, 1991.

Gary Spackman

GARY SPACKMAN, Hearing Officer
Department of Water Resources

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CERTIFICATE OF MAILING

I hereby certify that on the 27th day of November, 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:

Blaine County Planning and
Zoning Commission
Ralph Cisco
P.O. Box 149
Hailey, ID 83333

IDWR - Southern Region

Alan Reynolds
Blaine County Commissioners
206 1 Avenue South
Hailey, ID 83333

Dave Rydalch
Rt. 2, Box 108
St. Anthony, ID 83445

Friends of the Big Wood River
P.O. Box 4411
Ketchum, ID 83340

Jennifer Seifert
JENNIFER SEIFERT
Secretary

APR 1 1 1994

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

IN THE MATTER OF APPLICATIONS FOR PERMIT TO APPROPRIATE WATER NOS. 37-8258 AND 37-8307 IN THE NAME OF THE IDAHO WATER RESOURCE BOARD TO ESTABLISH MINIMUM STREAMFLOWS IN THE BIG WOOD RIVER	**ORDER RESCINDING MEMORANDUM DECISION AND ORDER**

After this matter was heard and a final decision issued, additional issues have been raised which require further consideration. Therefore, the Director finds, concludes and orders as follows:

FINDINGS OF FACT

1. A hearing was properly held regarding the minimum streamflows, and a proposed decision issued. The order portion of the proposed decision contained a condition which stated:

> 8. To the extent groundwater withdrawal may affect surface water flows, these permits are subordinate to development of domestic and municipal groundwater supplies.

2. The proposed decision was adopted by the Director by order dated January 2, 1991. The minimum streamflow decision was submitted to the Legislature as required by Idaho Code § 42-1503 on January 10, 1991.

3. Following submittal of the application to the Legislature, substantial controversy arose regarding the condition subjecting the minimum streamflow to depletion by

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domestic and municipal groundwater withdrawals and the coordination of the minimum streams with water management planning for the Big Wood River Basin.

4. The Director notified the Senate President Pro Tem and the Speaker of the House by letter dated February 6, 1991, that he was withdrawing approved permits 37-8258 and 37-8307 from consideration by the legislature until further administrative hearings were held to address the newly raised issues.

CONCLUSIONS OF LAW

1. The recision of the prior proposed order and the order adopting the proposed memorandum decision and order is necessary to allow an additional hearing and data gathering to address the additional issues.

2. The recision of the orders issued approving the minimum streamflow shall not, in any way, vitiate the record that has already been gathered by the Department. Further hearings should augment the existing record.

IT IS HEREBY ORDERED that the Proposed Memorandum Decision and Order, dated December 7, 1990, and the Order Adopting Proposed Decision Memorandum and Order, dated January 2, 1991, are RESCINDED.

IT IS FURTHER ORDERED that additional data will be gathered, and additional hearings held concerning subordination of surface water flows to development of groundwater and to determine the effect and coordination of a minimum streamflow on water management planning in the Big Wood River Basin.

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IT IS FURTHER ORDERED that the record already created for these minimum streamflows shall remain intact, and that additional hearings and data will supplement the existing record.

Dated this 22ND day of February, 1991.

R. KEITH HIGGINSON, Director
Department of Water Resources

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CERTIFICATE OF MAILING

I hereby certify that on this 28th day of February, 1991, I mailed a true and correct copy of the Order Rescinding Memorandum Decision and Order, postage prepaid, to the following individuals:

Blaine County Planning and
Zoning Commission
Ralph Cisco
P.O. Box 149
Hailey, ID 83333

Dave Rydalch
Rt. 2, Box 108
St. Anthony, ID 83445

IDWR - Southern Region

Friends of the Big Wood River
P.O. Box 4411
Ketchum, ID 83340

Jennifer Seifert

JENNIFER SEIFERT
Clerical Assistant

APR 11 1994

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

IN THE MATTER OF APPLICATIONS FOR PERMIT TO APPROPRIATE WATER NOS. 37-8258 AND 37-8307 IN THE NAME OF THE IDAHO WATER RESOURCE BOARD TO ESTABLISH MINIMUM STREAMFLOWS IN THE BIG WOOD RIVER	**ORDER ADOPTING PROPOSED MEMORANDUM DECISION AND ORDER**

A Proposed Memorandum Decision and Order in the above-captioned matter has been issued and a copy served on the parties;

WHEREAS, more than fifteen days have passed since the service of the Proposed Memorandum Decision and Order; and,

WHEREAS, no exception to that Proposed Memorandum Decision and Order has been received;

IT IS, THEREFORE, HEREBY ORDERED that said Proposed Memorandum Decision and Order be adopted and issued as the Final Decision and Order.

Dated this 2ND day of January, 1991.

R. KEITH HIGGINSON
Director

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CERTIFICATE OF MAILING

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

Blaine County Planning and
Zoning Commission
Ralph Cisco
P.O. Box 149
Hailey, ID 83333

Dave Rydalch
Rt. 2, Box 108
St. Anthony, ID 83445

Friends of the Big Wood River
P.O. Box 4411
Ketchum, ID 83340

IDWR- Southern Region

Jennifer Seifert

JENNIFER SEIFERT
Clerical Assistant

RECEIVED
APR 11 1994

BEFORE THE DIRECTOR OF THE DEPARTMENT

OF WATER RESOURCES OF THE

STATE OF IDAHO

IN THE MATTER OF APPLICATIONS FOR PERMIT NOS. 37-8258 AND 37-8307 IN THE NAME OF THE IDAHO WATER RESOURCE BOARD TO ESTABLISH MINIMUM STREAMFLOWS IN THE BIG WOOD RIVER

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.

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III.

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

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

C. Oral arguments before the Director on exceptions to the proposed decision shall be heard at the discretion of the Director, pursuant to Idaho Code, Sec. 42-1701A. If oral agruments 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 10TH day of December, 19 90.

R. KEITH HIGGINSON
Director

APR 11 1991

BEFORE THE DIRECTOR OF THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

IN THE MATTER OF APPLICATIONS FOR PERMIT TO APPROPRIATE WATER NOS. 37-8258 AND 37-8307 IN THE NAME OF THE IDAHO WATER RESOURCE BOARD TO ESTABLISH MINIMUM STREAMFLOWS IN THE BIG WOOD RIVER	PROPOSED MEMORANDUM DECISION AND ORDER

On February 24, 1986, the Idaho Water Resource Board (Board) filed with the Idaho Department of Water Resources (Department) application for permit no. 37-8258 to establish a minimum streamflow in the Big Wood River, located in Blaine County, Idaho. The minimum streamflow was requested by the Blaine County Planning and Zoning Commission, and was filed pursuant to the provisions of Chapter 15, Title 42, Idaho Code. A public meeting was held by the Board in Hailey, during March, 1986, for the purpose of determining whether the public would support the application. Following the local public information meeting, the Board requested that the Director of the Department consider the merits of the application.

Following the public information meeting, applications for permit to appropriate water nos. 37-8297 and 37-8298 were filed by the Sun Valley Company to divert water from Warm Springs Creek and the Big Wood River for snow-making purposes. Because of concern that the minimum streamflow would prevent diversion of water for snow-making, the Blaine County Planning and Zoning

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Commission requested that the Board subordinate its filing to the snow-making proposal. After considering the request, the Board withdrew the portion of the original application which proposed a minimum flow downstream from the confluence with Warm Springs Creek and filed application for permit no. 37-8307, which seeks a minimum streamflow for the portion withdrawn.

Notice describing the proposed applications and setting the time and place for the required hearing was published on October 18 and 25, 1990, by statewide publication. A public hearing was held at the Blaine County Courthouse and at the Ketchum City Hall on November 14, 1990.

Parties appearing in a formal capacity included the Board, the Blaine County Planning and Zoning Commission, the Blaine County Commission, and the Friends of the Big Wood River.

Based upon the record and the information contained in the Department files and upon his understanding of the law, the hearing officer, as a representative of the Director, proposes the following findings, conclusions, and order:

FINDINGS OF FACT

1. Application for permit no. 37-8258 proposes to appropriate a minimum streamflow in a reach of the Big Wood River beginning at the Sawtooth National Recreation Area Boundary, located in the SE1/4NW1/4, Section 10, T5N, R17E, B.M., and extending downstream approximately 9 miles to the confluence of Warm Springs Creek with the Big Wood River, located in the SE1/4NW1/4, Section 13, T4N, R17E, B.M., Blaine County. The

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application proposes a year-round flow rate of 200 cubic feet per second (cfs).

2. Application for permit no. 37-8307 proposes to appropriate a minimum streamflow in a reach of the Big Wood River beginning at the confluence of Warm Springs Creek with the Big Wood River, located in the SE1/4NW1/4, Section 13, T4N, R17E, B.M., and extending downstream approximately 18 miles to the Bellevue diversion, located in the SW1/4NW1/4, Section 36, T2N, R18E, B.M., Blaine County. The application proposes a year-round flow rate of 119.23 cfs.

3. The purposes of the minimum streamflow applications are to maintain fish and wildlife habitat, water quality, aesthetics and recreation.

4. The flows of the Big Wood River have been monitored by the United States Geological Service (USGS) at two locations. One gauging station was located North of Ketchum (upper gauge), just upstream from the confluence of the Big Wood River with the North Fork of the Big Wood River, approximately at the beginning of the minimum streamflow reach proposed by application no. 37-8258. USGS began gathering data at the station in 1948, but discontinued data gathering in 1971. A second gauging station is presently located near Hailey (lower gauge). This gauge is located within the reach requested in application no. 37-8307. USGS began gathering data at the Hailey gauge in 1915, and continues to gauge flows at the location.

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5. The flow records collected at the upper gauge do not account for inflow contributed by the North Fork of the Big Wood River. The approximate drainage area of the North Fork of the Big Wood River is approximately 25% of the drainage area of the Big Wood River above the confluence. Approximately 25% more flow would be measured below the confluence.

6. A review of the hydrologic data for the upper reach reveals two distinct flow periods, April through August, and September through March.

7. For the period of April-August, the maximum flow records for the upper gauge reveal that flows of 200 cfs or more have been recorded during each of the months. When an additional 25% is added to reflect flows contributed by the North Fork of the Big Wood River, 200 cfs is capable of being maintained in the upper reach during April-August.

8. The maximum flow at the upper gauge for the flow period of September-March during the years of record is 119 cubic feet per second. The addition of 25% for flows contributed from the North Fork of the Big Wood River equals approximately 150 cfs. Flows in excess of 150 cfs in the upper reach during the flow period of September-March are not maintainable.

9. A previous water right application, now permit to appropriate water no. 37-7919, authorizes a minimum streamflow of 70 cfs during the entire year in the reach from the confluence of the Big Wood River with Warm Springs Creek downstream to the Bellevue diversion. The combination of 119.23 cfs, proposed by

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application no. 37-8307, and the 70 cfs previously permitted, equals a total minimum streamflow proposal of 189.23 cfs.

10. The fraction portion of the requested minimum streamflow rate is too small to measure accurately and should be changed to 120.00 cfs.

11. Flow records at the Hailey gauge reveal that 190 cfs flows in the Big Wood River with sufficient frequency during all months of the year that it is capable of being maintained. A few water rights are diverted between the gauging station and the Bellevue diversion, but most of the flow measured at the lower gauge is diverted at the Bellevue diversion.

12. Water rights with earlier dates of priority are diverted within the minimum streamflow reaches. The minimum streamflows will not affect the delivery of water to the owners of these earlier in time rights.

13. The Department records reveal two power projects authorized within the minimum streamflow reaches. One project was located near the City of Hailey, and the other project was proposed near Bellevue. Evidence presented at the hearing proved that the power plant near Hailey has not operated for many years. The Bellevue project was never constructed, and the permits authorizing its construction, permits nos. 37-7866 and 37-8159, have lapsed.

14. The Big Wood River is a focal resource for the residents who reside in and the tourists who visit the Big Wood River Valley.

15. The Big Wood River is a heavily fished trout stream and is also important for aesthetics, recreation, and the general quality of life in the Big Wood River Valley.

16. Testimony of guides who fish the river continuously established that the quality of fishing begins to diminish when flows drop below between 150 and 180 cubic feet per second.

17. In addition, Mary Ostencrofts, Chairman of the Wood River Recreation District, stated that a reduction of flows in the Big Wood River below the amounts that are currently maintainable would drastically diminish the recreational and aesthetic value of the Big Wood River. The Big Wood River is used extensively by the general public for natural interpretation, and is accessible by the public even through private ownership which adjoins the river.

18. The public uses the river extensively, and the maintenance of the river at levels that are fishable and conducive to aesthetic and recreation uses benefits the entire Wood River Valley.

19. Withdrawal of groundwater within the Big Wood River basin may reduce the flow of the Big Wood River and its tributaries.

20. Future development in the Big Wood River Valley will depend on groundwater as a source of culinary water.

CONCLUSIONS OF LAW

1. Idaho Code § 42-1501 provides that streamflow preservation for the protection of aesthetics and recreation

uses, fish and wildlife habitat, and water quality are in the public interest and are declared to be beneficial use uses 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 whole, or in part, or upon conditions for rejecting said application. Approval of any such application must be based on a finding 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 the private interest;
>
> c) it is necessary for the preservation of fish and wildlife habitat, aquatic life, recreation, aesthetic beauty, navigation, transportation, or water quality of the stream;
>
> d) is the minimum flow or lake level and not the ideal or most desirable flow or lake level; and,
>
> e) is capable of being maintained as evidence by records of streamflows and water levels and the existing and future establishment of the necessary gauging stations and benchmarks.

3. Any right acquired pursuant to application for permit no. 37-8258 for instream non-consumptive uses subject to all vested water rights, permits, or water right applications having dates of priority earlier than February 24, 1986.

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4. Any right to be acquired pursuant to application for permit no. 37-8307 for instream non-consumptive uses subject to all vested water rights, permits, or water right applications having dates of priority earlier than October 16, 1987.

5. The proposed minimum streamflow appropriations are necessary to preserve fish and wildlife habitat, aesthetics and recreational uses. Evidence was not submitted to show these appropriations are necessary to preserve water quality.

6. The minimum streamflow is in the interest of the public as opposed to the private interest.

7. A flow rate of 200 cubic feet per second is maintainable in the upper reach during the period of April-August. A flow rate of 150 cfs is maintainable in the upper reach during the period of September-March.

8. A flow rate of 190.00 (or 120.00 cfs under this application) is maintainable in the lower reach for the entire year.

9. The flow rates set forth in the preceding two paragraphs are true minimum flow rates, and are not the optimum flow rates for full preservation of aesthetics, recreational use, and fish and wildlife habitat.

10. The proposed minimum streamflows will not interfere with any vested water right, permit, or water right application with priority of right date earlier than the date of the minimum streamflow applications.

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11. The proposed minimum streamflows should be subordinate to future domestic and municipal development of groundwater which may affect the flow of the Big Wood River and its tributaries.

ORDER

IT IS HEREBY ORDERED that applications for permit nos. 37-8258 and 37-8307 are APPROVED and subject to the following conditions:

1. Use of water under this permit shall recognize and allow the continued beneficial diversion of water under any prior existing water right established by diversion and application to beneficial use or by an application, permit, or license on file issued by the Director under provisions of Chapter 2, Title 42, Idaho Code, with the priority of the water right dated earlier than February 24, 1986, for permit no. 37-8258, and October 16, 1987, for permit no. 37-8307.

2. The use of water pursuant to this permit shall be non-consumptive.

3. Upon the future finding and order of the Director that gauging stations are required to maintain the approved minimum flow on the Big Wood River, such measuring devices shall be permanently installed as specified by the Department.

4. The minimum streamflow established by permit no. 37-8258 is limited to 200 cfs during the period of March-August, and 150 cfs during the period of September-March.

5. The minimum streamflow established by permit no. 37-8307 is approved for 119.00 cfs for the entire year.

6. Proof of beneficial use may be submitted to the Department upon final approval of the permit by the Idaho Legislature. In no case shall proof of beneficial use be filed after five (5) years following final approval by the legislature.

7. 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 subsequent license shall file a request with the Board, which requests shall include the amendment sought, the reasons for the 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 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 public interest supporting the proposed amendment. The Director will notify the general public and specific persons or parties known to be interested in 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.

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8. To the extent groundwater withdrawal may affect surface water flows, these permits are subordinate to development of domestic and municipal groundwater supplies.

Dated this 7th day of December, 1990.

GARY SPACKMAN, Hearing Officer
Department of Water Resources

CERTIFICATE OF MAILING

I hereby certify that on this 10th day of December, 1990, I mailed a true and correct copy of the Proposed Memorandum Decision and Order, postage prepaid, to the following individuals:

Blaine County Planning and
Zoning Commission
Ralph Cisco
P.O. Box 149
Hailey, ID 83333

Dave Rydalch
Rt. 2, Box 108
St. Anthony, ID 83445

Friends of the Big Wood River
P.O. Box 4411
Ketchum, ID 83340

JENNIFER SEIFERT
Clerical Assistant

APR 1 1 1994

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DEC - 1990

Department of Water Resources

Affidavit of Publication

STATE OF IDAHO }
COUNTY OF TWIN FALLS } ss.

№ 21717

I, Linda Copps McBurney, being first duly sworn upon oath, depose and say that I am Legal Clerk of the TIMES-NEWS, published daily, at Twin Falls, Idaho, and do solemnly swear that a copy of the notice of advertisement, as per clipping attached, was published in the regular and entire issue of said newspaper, and not in any supplement thereof, for Two consecutive Weeks, commencing with the issue dated October 25, 1990, and ending with the issue dated November 1, 1990.

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

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

STATE OF IDAHO
COUNTY OF TWIN FALLS

On this 21 day of November in the year of 1990, before me, a Notary Public, personally appeared Linda Copps McBurney, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

Notary Public for Idaho
Residing at Twin Falls County
My commission expires: 8-8-96

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NOTICE OF HEARING
FOR APPLICATION FOR PERMIT TO APPROPRIATE THE WATERS OF THE STATE OF IDAHO

[illegible] the Department of Water Resources for permits to appropriate water for a minimum streamflow in the Big Wood River. The applications seek a minimum streamflow for fish and wildlife, water quality, recreation and miscellaneous purposes.

Application No.: 37-6806
Source: Big Wood River
Proposed Priority: January 16, 1989
Amount & Period of Use: 200 cfs from 01/01 through 12/31.
Place of Use: Beginning at the intersection of the Big Wood River with the Sawtooth National Recreational Area Boundary, located in the SE¼NW¼ Section 10, T5N, R17E, B.M., and extending downstream approximately 9 miles to the confluence of the Big Wood River and Warm Springs Creek, located in the SE¼NW¼, Section 13, T4N, R17E, B.M., Blaine County.

Application No.: 37-6807
Source: Big Wood River
Proposed Priority: October 16, 1987
Amount & Period of Use: 119.23 cfs from 01/01 through 12/31.
Place of Use: Beginning at the confluence of the Big Wood River and Warm Springs Creek, located in the SE¼NW¼ Section 13, T4N, R17E, B.M., and extending downstream about 18 miles to the [illegible] located within the SW¼NW¼, Section 36, T2N, R16E, B.M., Blaine County.

[illegible] are filed for consumptive use of [illegible] water, and pursuant to Section 42-1503, Idaho Code, a minimum stream flow of 75 cfs during the period year in the Big Wood River [illegible] Application for permit no. 37-6807 [illegible] a storage permit.

The Director of the Department of Water Resources will hold a formal public hearing in Hailey, Idaho, at the Blaine County Courthouse, 206 First Avenue South, 2nd Floor Annex Room, beginning at 1:30 p.m. on Wednesday, November 14, 1990, for the purpose of receiving evidence regarding 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. The evening meeting will be held in the Ketchum City Hall, 480 East Avenue North, 1st Floor Meeting Room, at the hour of 7:00 p.m.

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 N. Orchard Street, Boise, Idaho, 83720, five (5) days prior to the hearing. A formal party must appear at the outset of the afternoon session. Other parties will be granted an opportunity to informally present their views and comments without the necessity of filing a notice of appearance. Written material, maps and exhibits may also be submitted to the Department of Water Resources at the hearing.

[illegible] will be subject to all prior [illegible]

R. KEITH HIGGINSON,
Director
Idaho Department of
Water Resources

PUBLISH: Thursday, October 25 and November 1, 1990

CLASSIFIED ADVERTISING INVOICE

TWIN FALLS [illegible]
152 3RD ST [illegible]
P. O. BOX 548
TWIN FALLS ID 8335

Forwarding & address correction requested

INVOICE NO.	CLASS	BILLING DATE
21717	343	11/27/90

INDEXING TERM
37-8258, 37-8337

START DATE	TELEPHONE NO.
11/25/90	734-3573

LINES/WORDS	TIMES	RATE	NET AMOUNT	GROSS AMOUNT
139	2		100.08	100.08
AFFIDAVI			3.00	3.00
PAY THIS AMOUNT ▶			103.08	103.08

GROSS AMT DUE AFTER 12/12

RECEIVED

DEC - 4 1990

Department of Water Resources
Southern Region Office

RETURN THIS PORTION WITH YOUR REMITTANCE

21717 10308

THIS SPACE FOR ADDRESS ONLY

IDAHO WATER RESOURCES

[illegible] SHOSHONE ST EAST
TWIN FALLS ID [illegible]

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JAN 21 1986

Form 202
6/85

Ident. No. 37-8258

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

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

   Post office address Statehouse, Boise, ID 83720

2. Source of water supply Big Wood River which is a tributary of Snake River

3. Location of point of diversion is See Item 12 ¼ of ____ ¼ of ____ ¼, Govt. Lot ____

   Sec. ____ Township ____ Range ____ B.M. ____ County; additional

   points of diversion if any: ____

4. Water will be used for the following purposes:

   Amount 200 (cfs or acre-feet per annum) for Instream Flow, Reach A purposes from Jan. 1 to Dec. 31 (both dates inclusive)

* ~~Amount 130 (cfs or acre-feet per annum) for Instream Flow Reach B purposes from Jan. 1 to Dec. 31 (both dates inclusive)~~

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

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

5. Total quantity to be appropriated is (a) 200.0 cubic feet per second and/or (b) ____ acre feet per annum

6. Proposed diverting works:

   a. Description of ditches, flumes, pumps, headgates, etc. Instream Flow

   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? APR 1 1 1994

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*).

* Deletions from application were requested by the Idaho Water Resource Board in minutes of October 15, 1987 Board Meeting.
11/24/87 LH

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

a. Hydropower; show total feet of head and proposed capacity in KW. _____

b. Stockwatering; list number and kind of livestock. _____

c. Municipal; show name of municipality. _____

d. Domestic; show number of households. _____

e. Other; describe fully. Minimum Stream Flow to be maintained for the local public interest: for fish and wildlife, water quality, aesthetics, recreation, etc.

9. Description of place of use:

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

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

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

Total number of acres to be irrigated _____

10. Describe any other water rights used for the same purposes as described above. Minimum Stream flow Water Right No. 37-7919 in Reach B for 70.0 cfs

11. a. Who owns the property at the point of diversion? NA

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

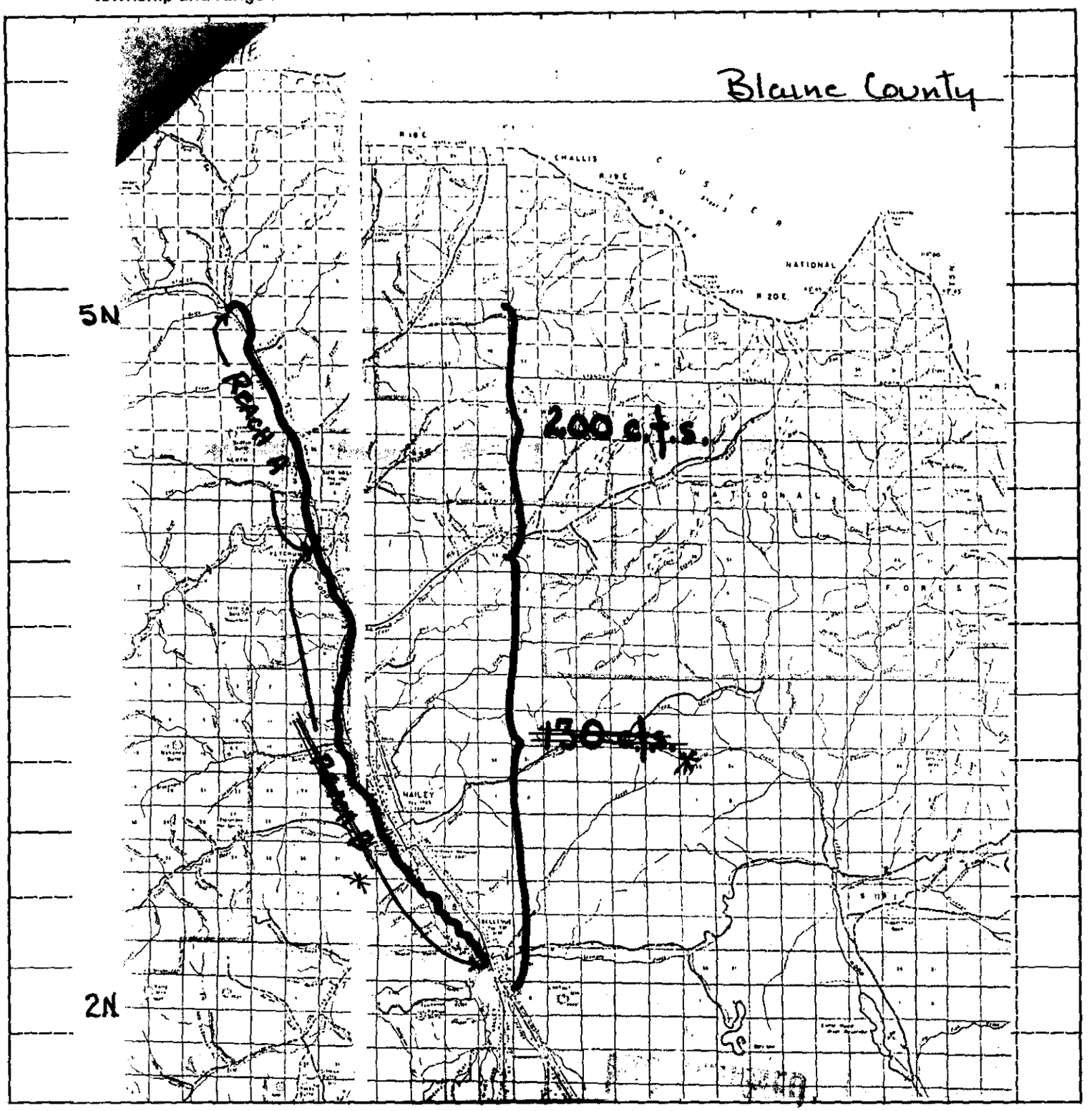
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. _____

12. Remarks: Reach A: From the intersection with the Sawtooth National Recreation Area Boundary located in the SE¼ NW¼, Sec. 10, T5N, R17E, B.M., downstream about 9 miles to the confluence with Warm Springs Creek located in the SE¼ NW¼, Sec. 13, T4N, R17E, B.M.

* ~~Reach B: From the confluence with Warm Springs Creek located in the SE¼ NW¼, Sec. 13, T4N, R17E, B.M., downstream about 18 miles to the Bellevue diversion located in the SW¼NW¼, Sec. 36, T2N, R18E, B.M.~~

Reaches A ~~and B~~ are l ıted in Blaine County.

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



Scale: 2 inches equal 1 mile.

APR 1 1 1994

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.

(Applicant)

Chairman, Idaho Water Resource Board

mailed 1/21/86 1:50p

Received by DRT Date Jan 16, 1986 Time 12:00 pm Preliminary check by DRT

Fee $ None Req'd. Receipted by NA # NA Date NA

Publication prepared by mzw 2/20 Date 10/10/90 2/24/86 Published in Times News Wood River Town & Id. Statesman, Lewiston Tribune, Post Register

Publication approved mzw 2 Date 3/14/86

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. 37-8258, and said application is hereby APPROVED.

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

   a. SUBJECT TO ALL PRIOR WATER RIGHTS.

   b. Proof of construction of works and application of water to beneficial use shall be submitted on or before January 1, 19 97.

   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:

PURSUANT TO PROPOSED MEMORANDUM DECISION AND ORDER AND THE ORDER ADOPTING PROPOSED MEMORANDUM DECISION AND ORDER.

Dated this 30th day of December, 1991.

R. KEITH HIGGINSON, Director
Idaho Department of Water Resources

[redacted]

APR 1 1 1994

Form 202
Supplemental

ATTACHMENT TO APPLICATION FOR PERMIT

TO APPROPRIATE A MINIMUM STREAM FLOW

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

As no water will actually be diverted from the river, there will be no interference with vested rights of an earlier date.

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

Water will be retained in the river for the local interest and will not be used, or diverted, for any private interest. Tourism is the major economic base of this area, and the Big Wood River is a major recreation/tourism resource.

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

In order for the public interest uses (fish and wildlife, water quality, aesthetics, recreation, etc.) to be protected from new uses that might dewater the river, these minimum stream flows must be requested and approved.

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

The ideal flow would be the natural stream flow, or the average monthly high flows. These would do a better job of maintaining the vitality and natural flows of the Big Wood River.

APR 11 1994

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.

Records show that a flow of 200 cfs is maintained 50.7 % of the time. The purpose is not to maintain it 100%, but to prevent dewatering by later rights during periods of low flow.

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

Station 19, Big Wood River, City of Hailey

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

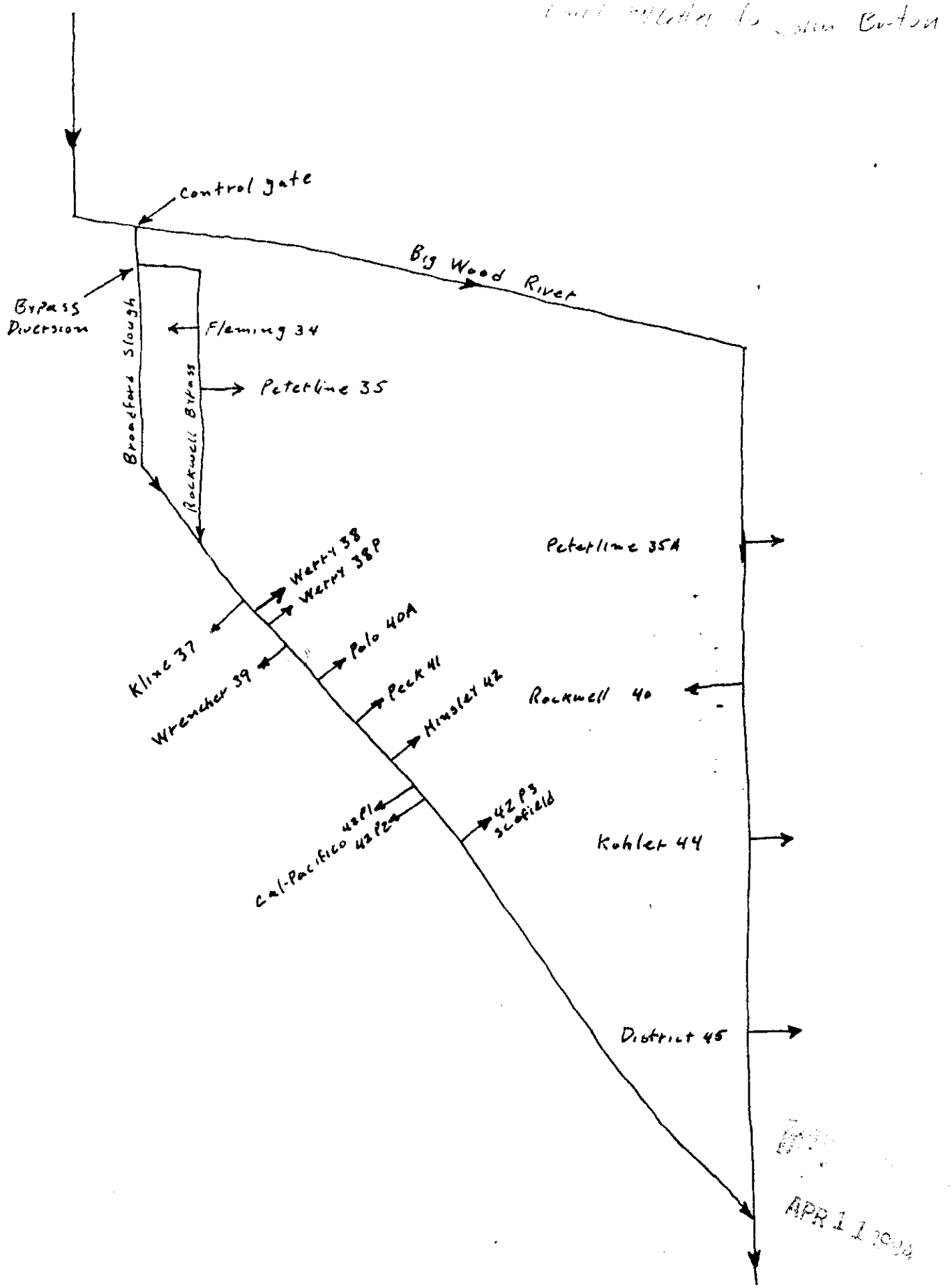
NO

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

In the recent past there has been substantial local public response/input towards the protection of minimum stream flows within the Big Wood River and not allowing dewatering in the reaches that this application speaks to.

APR 1 1 1994

2/12/94



APR 11 1994

Form 202
6/85

Ident. No. 37-8258

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

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

   Post office address Statehouse, Boise, ID 83720

2. Source of water supply Big Wood River which is a tributary of Snake River

3. Location of point of diversion is See Item 12 ¼ of _____ ¼ of _____ ¼, Govt. Lot _____

   Sec. _____ Township _____ Range _____ B.M. _____ County; additional

   points of diversion if any: _____

4. Water will be used for the following purposes:

   Amount 200 (cfs or acre-feet per annum) for Reach A Instream Flow, purposes from Jan. 1 to Dec. 31 (both dates inclusive)

   Amount 130 (cfs or acre-feet per annum) for Reach B Instream Flow purposes from Jan. 1 to Dec. 31 (both dates inclusive)

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

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

5. Total quantity to be appropriated is (a) 200.0 (cubic feet per second) and/or (b) _____ (acre feet per annum)

6. Proposed diverting works:

   a. Description of ditches, flumes, pumps, headgates, etc. Instream Flow

   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 1 1 1984

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

a. Hydropower; show total feet of head and proposed capacity in KW. _____

b. Stockwatering; list number and kind of livestock. _____

c. Municipal; show name of municipality. _____

d. Domestic; show number of households. _____

e. Other; describe fully. Minimum Stream Flow to be maintained for the local public interest: for fish and wildlife, water quality, aesthetics, recreation, etc.

9. Description of place of use:

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

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

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

Total number of acres to be irrigated _____

10. Describe any other water rights used for the same purposes as described above. Minimum Stream flow Water Right No. 37-7919 in Reach B for 70.0 cfs

11. a. Who owns the property at the point of diversion? NA

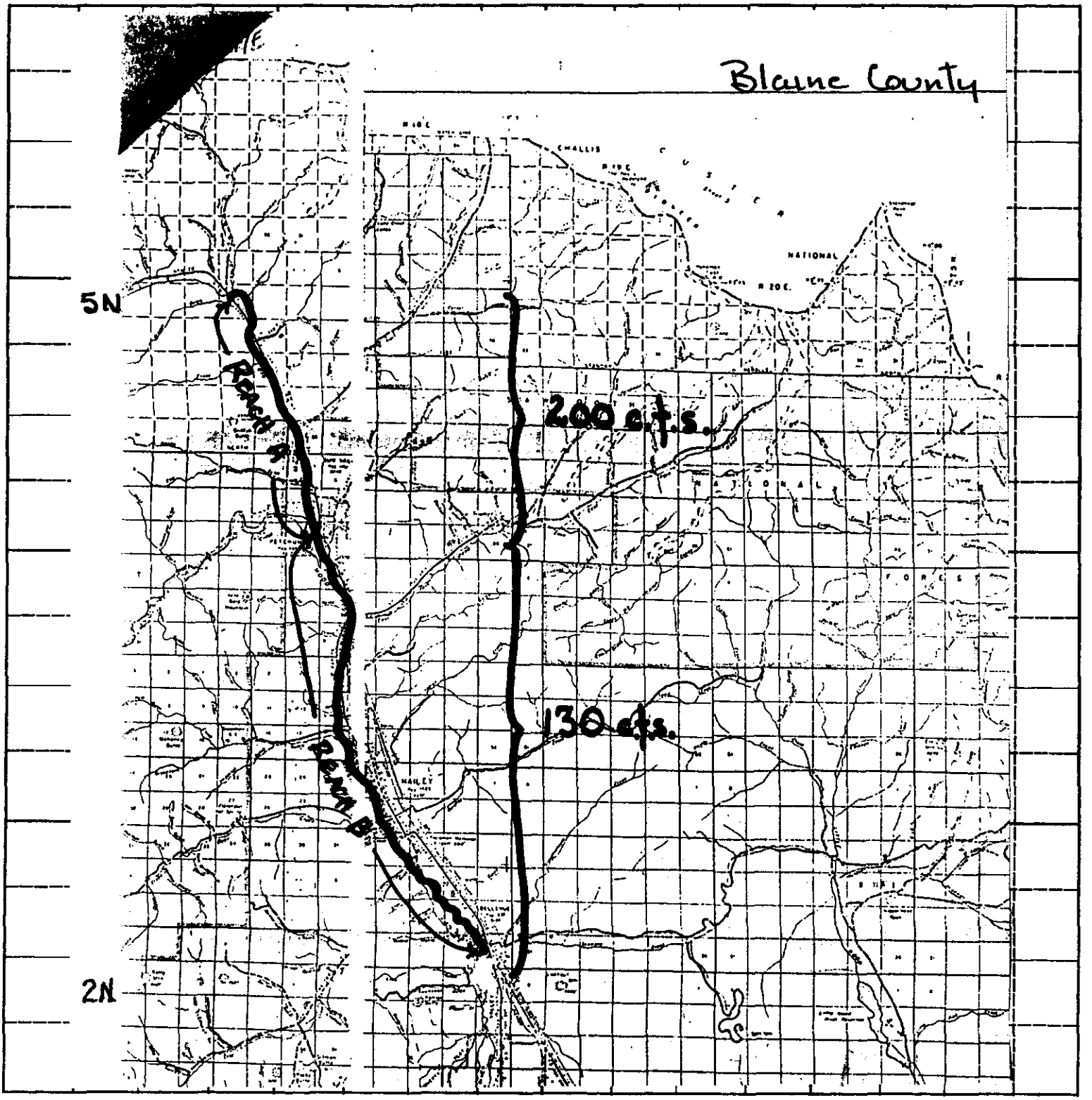
b. Who owns the land to be irrigated or place of use? NA

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

APR 11 1994

12. Remarks: Reach A: From the intersection with the Sawtooth National Recreation Area Boundary located in the SE¼ NW¼, Sec. 10, T5N, R17E, B.M., downstream about 9 miles to the confluence with Warm Springs Creek located in the SE¼ NW¼, Sec. 13, T4N, R17E, B.M.
Reach B: From the confluence with Warm Springs Creek located in the SE¼ NW¼, Sec. 13, T4N, R17E, B.M., downstream about 18 miles to the Bellevue diversion located in the SW¼NW¼, Sec. 36, T2N, R18E, B.M.
Reaches A and B are located in Blaine County.

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



Scale: 2 inches equal 1 mile.

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

APR 1 1 1991

(Applicant)

Chairman, Idaho Water Resource Board

Form 202
Supplemental

ATTACHMENT TO APPLICATION FOR PERMIT

TO APPROPRIATE A MINIMUM STREAM FLOW

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

As no water will actually be diverted from the river; there will be no interference with vested rights of an earlier date.

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

Water will be retained in the river for the local interest and will not be used, or diverted, for any private interest Tourism is the major economic base of this area, and the Big Wood River is a major recreation/tourism resource.

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

In order for the public interest uses (fish & wildlife, water quality, aesthetics, recreation, etc.) to be protected from new uses that might dewater the river, these minimum stream flows must be requested and approved.

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

The ideal flow would be the ~~average~~ natural stream flow, or the average monthly high flows. These would do a better job of maintaining the vitality and natural flows of the Big Wood River. (per telecon w/ Ed Nigbor) DEQ

APR 1 1 1994

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.

Records show that a flow of 200 c.f.s. is maintained 50.7 % of the time. The purpose is not to maintain it 100 %, but to prevent dewatering by later rights during periods of low flow.

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

STATION 19, Big Wood River, City of Hailey

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

No.

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

In the recent past there has been substantial local public response/input towards the protection of minimum stream flows within the Big Wood River and not allowing dewatering in the reaches that this application speaks to.

APR 1 1 1994

Form 202
Supplemental

ATTACHMENT TO APPLICATION FOR PERMIT

TO APPROPRIATE A MINIMUM STREAM FLOW

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

As no water will actually be diverted from the river, there will be no interference with vested rights of an earlier date.

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

Water will be retained in the river for the local interest and will not be used, or diverted, for any private interest. Tourism is the major economic base of this area, and the Big Wood River is a major recreation/tourism resource.

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

In order for the public interest uses (fish and wildlife, water quality, aesthetics, recreation, etc.) to be protected from new uses that might dewater the river, these minimum stream flows must be requested and approved.

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

The ideal flow would be the natural stream flow, or the average monthly high flows. These would do a better job of maintaining the vitality and natural flows of the Big Wood River.

APR 11 1994

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.

Records show that a flow of 200 cfs is maintained 50.7 % of the time. The purpose is not to maintain it 100%, but to prevent dewatering by later rights during periods of low flow.

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

Station 19, Big Wood River, City of Hailey

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

NO

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

In the recent past there has been substantial local public response/input towards the protection of minimum stream flows within the Big Wood River and not allowing dewatering in the reaches that this application speaks to.

APR 1 1 1994

Received by DRT Date Jun 16, 1986 Time 12:00 pm Preliminary check by DRT

Fee $ None Req'd. Receipted by NA # NA Date NA

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 1 1 1994

Changes Made in Red
By DRT 1/6/86

Form 202
6/86

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Ident. No.

RECEIVED
JAN 2 1986
Department of Water Resources

To appropriate the public waters of the State of Idaho no Cancel. LS

1. Name of applicant ~~Blaine County~~ Idaho Water Resource Board ~~Board of County Commissioners~~ Phone ~~788-4665~~ 334-44[illegible]
   Post office address ~~PO Box 100, Hailey, ID 83333~~ Statehouse, Boise Id 8372

2. Source of water supply Big Wood River which is a tributary of Snake River
   See Item 12

3. Location of reach is ____ ¼ of ~~SW~~ ¼ of ~~NW~~ ¼, Govt. Lot ____
   Sec. ~~36~~ Township ~~2N~~ Range 18E B.M. Blaine County; upstream to
   ~~¼ SW ¼ NW¼, Govt. Lot ____~~, Sec. 10, Twp ~~5N~~, Rge ~~17E~~ B.M. Blaine County.
   ~~where the Big Wood River enters lands administered by the SNRA~~

4. Water will be used for the following purposes: ~~See attached Schedule~~
   Amount ~~130~~ 200cfs for ~~local public interest~~ Instream flow, Reach A purposes from Jan 1 to Dec 31 (both dates inclusive)
   (cfs or acre-feet per annum)
   Amount ~~200~~ 130 cfs for ~~local public interest~~ Instream Flow, Reach B purposes from Jan 1 to Dec 31 (both dates inclusive)
   (cfs or acre-feet per annum)
   Amount ____ for ____ purposes from ____ to ____ (both dates inclusive)
   (cfs or acre-feet per annum)
   Amount ____ for ____ purposes from ____ to ____ (both dates inclusive)
   (cfs or acre-feet per annum)

5. Total quantity to be appropriated is (a) 200.0 cubic feet per second and/or (b) ____ acre feet per annum ~~See attached Schedule~~

6. Proposed diverting works: ~~none~~

   a. Description of ditches, flumes, pumps, headgates, etc. Instream Flow

   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 NA 5 years (*minimum 1 year*).

APR 11 1994

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

a. Hydropower; show total feet of head and proposed capacity in KW. _____

b. Stockwatering; list number and kind of livestock. _____

c. Municipal; show name of municipality. _____

d. Domestic; show number of households. _____

e. Other; describe fully. _____

MINIMUM STREAM FLOW TO BE MAINTAINED FOR THE LOCAL PUBLIC INTEREST, for fish and wildlife, water quality, aesthetics, recreation, etc.

9. Description of place of use:

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

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

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

Total number of acres to be irrigated _____

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

Minimum stream flow water right No. 37-7919 in Reach B for 70.0 cfs

11. a. Who owns the property at the point of diversion? NA

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

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

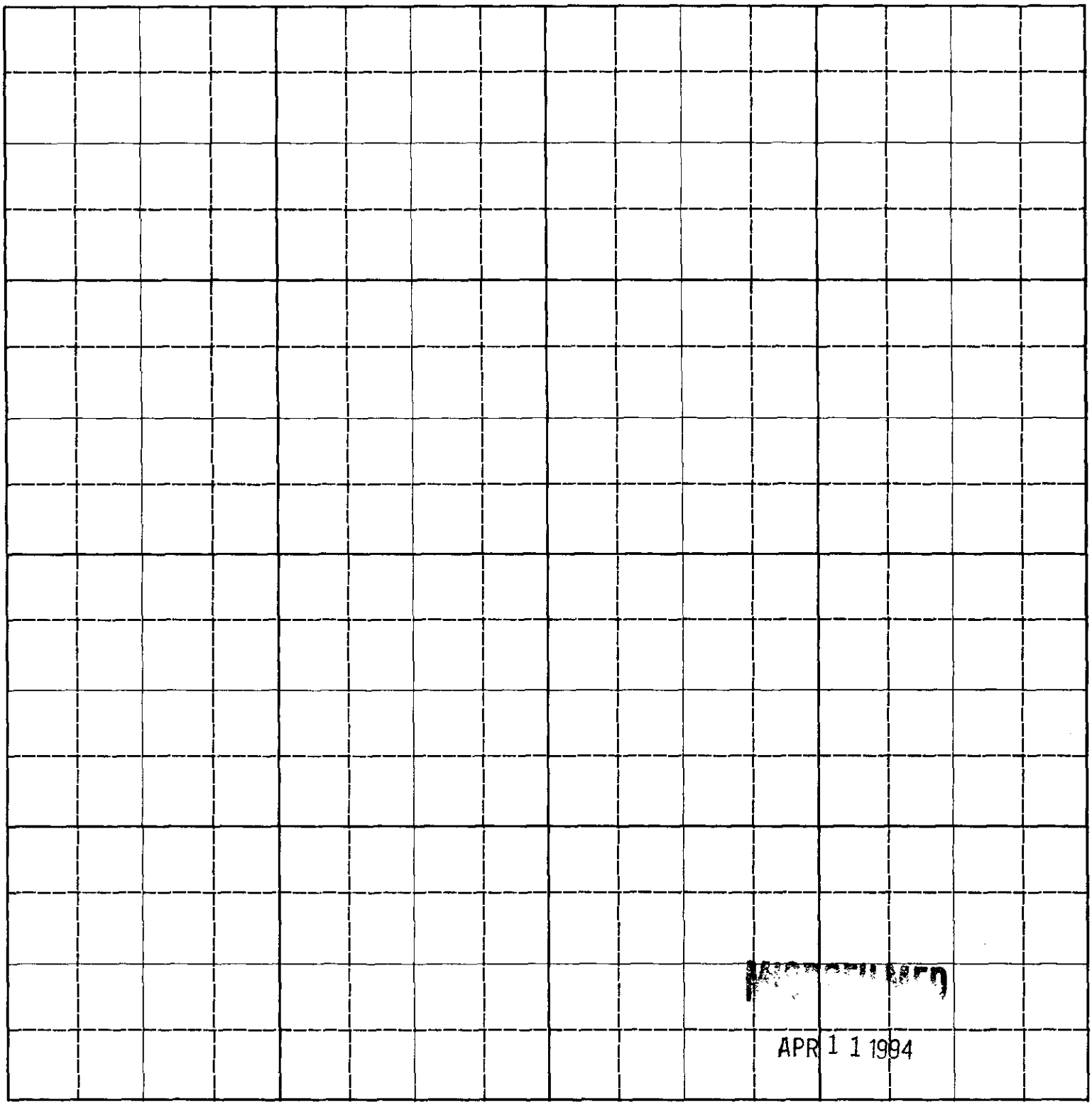
12. Remarks: Reach A: From the ~~boundary~~ intersection with the Sawtooth National Recreation Area Boundary located in the SE¼ NW¼, Sec. 10, T 5 N, R 17 E, B.M., downstream about ___ miles to the confluence with Warm Springs Creek located in the SE¼NW¼, Sec. 13, T4N, R 17E, B.M.

Reach B: From the confluence with Warm Springs Creek located in the SE¼NW¼, Sec. 13 T4N, R17E, B.M. downstream about 18 miles to the Bellevue diversion located in the SW¼ NW¼, Sec. 36 2N, R 18 E, B.M., ~~all in~~

NON-P1Z means: Dave (Map in original is not good one - be creative)

APR 11 199

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



Scale: 2 inches equal 1 mile.

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

Edward V. Neghe, planning director, Blaine County
(Applicant)

Chairman, Idaho Water Resource Board

Received by _____ Date _____ Time _____ Preliminary check by _____

Fee $ None Req'd. Receipted by NA # NA Date NA

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 11 1994

AFFIDAVIT OF PUBLICATION

RECEIVED
MAR 14 1986
DEPARTMENT OF WATER RESOURCES
SOUTHERN IDAHO WATER DIVISION

State of Idaho,
County of Blaine } SS.

CLINT STENNETT, being first duly sworn, deposes and says that he is the printer (publisher) of the Wood River Journal, a newspaper published every week in Hailey, County of Blaine, State of Idaho; that said newspaper has been continuously and uninterruptedly published for a period of seventy-eight consecutive weeks prior to the first publication of the annexed notice, and is a newspaper qualified to publish legal notices as provided by act of the 1919 session of the legislature of the State of Idaho, known as House Bill 145; that the annexed advertisement was published once each week for 2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication of said advertisement was on the 6th day of March, 19 86 and the date of the last publication was on the 13th day of March, 19 86

Clint Stennett

Subscribed and sworn to before me this 13th day of March, 1986.
(SEAL)

Roberta Bracken
NOTARY PUBLIC

WOOD RIVER JOURNAL
Hailey, Idaho

COST OF PUBLICATION

Numer of Picas per Line	11	
Number of Lines in Notice	63	
Number of Insertions	2	
	Lines tabular at	5¢/Pica
63	Lines straight at 27.72	4¢/Pica
63	Subsequent lines at 20.79	3¢/Pica
	TOTAL COST 48.51	

APR 11 1994

COPY OF NOTICE
(Paste Here)

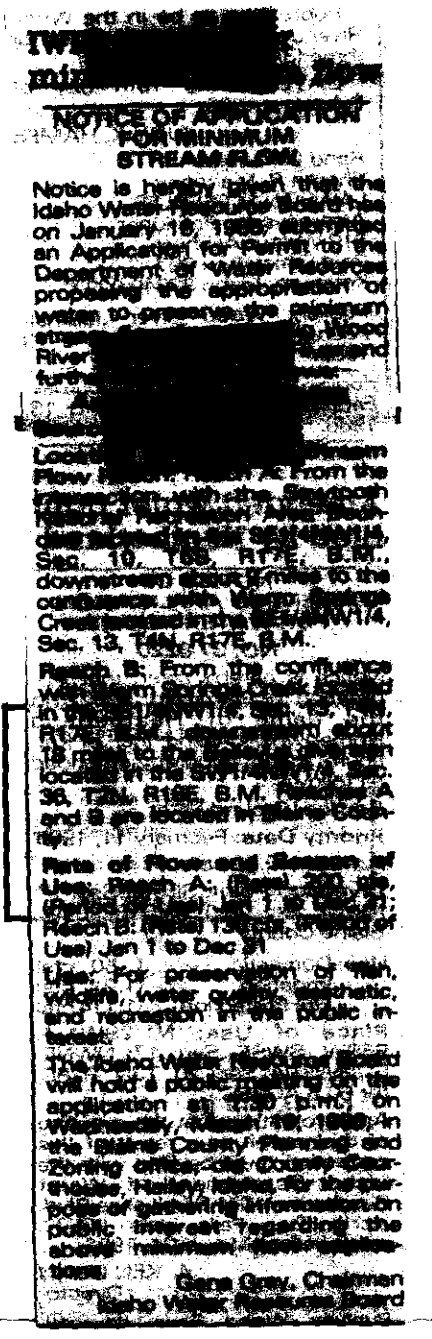
Notice of Application
TITLE OF NOTICE
378.258 Big Wood River

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Dept. of Water Res.
BILL TO



NOTICE OF APPLICATION FOR MINIMUM STREAM FLOW

Notice is hereby given that the Idaho Water Resource Board has on January 16, 1986, submitted an Application for Permit to the Department of Water Resources proposing the appropriation of water to preserve the minimum stream flow of the Big Wood River [redacted] and further [redacted]

Location of Reach A: [redacted] Flow [redacted] from the intersection with the Stanton Ditch [redacted] Sec. 10, T6S, R17E, B.M., downstream about 8 miles to the confluence with Warm Springs Creek [redacted] Sec. 13, T4N, R17E, B.M.

Reach B: From the confluence with Warm Springs Creek [redacted] in the NW¼NW¼ Sec. 6, T3N, R18E, B.M., approximately about 18 miles to the [redacted] located in the SW¼SE¼ Sec. 36, T3N, R16E, B.M. Reaches A and B are located in Blaine County.

Rate of Flow and Season of Use: Reach A: [redacted] (Year Round) Jan 1 to Dec 31

Reach B: [redacted] (Year Round) Jan 1 to Dec 31

Use: For preservation of fish, wildlife, water quality, aesthetic, and recreation in the public interest.

The Idaho Water Resource Board will hold a public meeting on the application at 7:00 p.m. on Wednesday, January 29, 1986, in the Blaine County Planning and Zoning office, the County Courthouse, Hailey, Idaho, for the purpose of gathering information on public interest regarding the above minimum stream flow [redacted]

Gene Gray, Chairman
Idaho Water Resource Board

NOTICE OF APPLICATION FOR MINIMUM STREAM FLOW

Notice is hereby given that the Idaho Water Resource Board has on January 16, 1986, submitted an Application for Permit to the Department of Water Resources proposing the appropriation of water to preserve the minimum stream flow from the Big Wood River tributary to Snake River and further described as follows:

Application #37-8258
Source: Big Wood River
Location of Minimum Streamflow Reach: Reach A: From the intersection with the Sawtooth National Recreation Area Boundary located in the SE¼NW¼, Sec. 10, T5S, R17E, B.M., downstream about 9 miles to the confluence with Warm Springs Creek located in the SE¼NW¼, Sec. 13, T4N, R17E, B.M.
Reach B: From the confluence with Warm Springs Creek located in the SE¼NW¼, Sec. 13, T4N, R17E, B.M., downstream about 18 miles to the Bellevue diversion located in the NW¼NW¼, Sec. 36, T3N, R18E, B.M. Reaches A and B are located in Blaine County.
Rate of Flow and Season of Use: Rate: Period of Use:
Reach A - 200 cfs, Jan. 1 to Dec. 31
Reach B - 130 cfs, Jan. 1 to Dec. 31
Use for preservation of fish, wildlife, water quality, aesthetic, and recreation in the public interest.
The Idaho Water Resource Board will hold a public meeting on this application at 7:30 p.m., on Wednesday, March 19, 1986, in the Blaine County planning and Zoning Office, Old County Courthouse, Hailey, Idaho, for the purpose of gathering information on public interest regarding the above minimum flow applications.
Gene Gray
Chairman, Idaho Water Resource Board
PUBLISH: Thursdays, March 6, and 13, 1986.

Affidavit of Publication

STATE OF IDAHO,)
COUNTY OF TWIN FALLS) ss.

No 16008

I, Linda Copps McGuire being first duly sworn upon oath, depose and say that I am Prod Clerk of the TIMES-NEWS, published daily, at Twin Falls, Idaho, and do solemnly swear that a copy of the notice of advertisement, as per clipping attached, was published in the regular and entire issue of said newspaper, and not in any supplement thereof, for Two consecutive weeks, commencing with the issue dated March 6, 1986, and ending with the issue dated March 13, 1986.

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

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

Linda Copps McGuire

Subscribed and sworn to before me on this 13 day of March, 19 86

Diana Bruce

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

MAR 20 1986 Upper Snake River Water District 01

APR 11 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 12, 1994

STATE OF IDAHO
IDAHO WATER RESOURCE BOARD
STATEHOUSE MAIL
BOISE ID 83720

RE: WATER RIGHT NOS. 36-08337/37-08258/37-08307/43-07295/
95-08560 and 97-07308

Dear Water Right Holder(s):

Enclosed herewith are copies of the Water Right Licenses issued on the above referenced permits. If you have any questions, please contact me within 10 days of receipt of these licenses.

Sincerely,

JIM JOHNSON, Manager
Water Right Permits Section

SK:dc

Enclosure

Sharla -
There are two
hearing tapes in
the Exhibit file.
Dana

[illegible]

OCT 20 1994

LICENSING REVIEW
MINIMUM STREAM FLOW

RIGHT NO. 37-8258

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	added
Jurisdiction retains to amend	
Description of reach(es)	✓
All other applicable permit conditions carried forward	✓

Comments/adjustments Priority date is 1/16/86 (as advertised) 2/24/86 is the date of publication preparation and this date was erroneously listed in the Prop. Mem. Dec. & Order as the priority date

Printed license hand-edited ✓

SC 8/1/94

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM	USE PERIOD TO	DIVERSION RATE	DIVERSION VOLUME
C	STATE OF IDAHO IDAHO WATER RESOURCE BOARD STATEHOUSE BOISE ID 83720 (208) 327-7900	01/16/1986	MINIMUM INSTREAM FLOW MINIMUM INSTREAM FLOW	03-01 09-01	08-31 02-29	200.00 CFS 150.00 CFS	
				TOTAL DIVERSION:		200.00 CFS	

Water Source: BIG WOOD RIVER Tributary to: SNAKE RIVER Stage: LICENSE

Point(s) of Diversion Capacity: 200.00 CFS

Point(s) of Beginning Stream Reach: T05N R17E S10 SENW BLAINE County
Point(s) of Ending Stream Reach: T04N R17E S13 SENW BLAINE County

Pou County:

Other Rights: 37-7919

Conditions of Approval:
R04 - Use of water under this water right will be regulated by the
- watermaster of State Water District No. 37.
027 - Use of water under this right shall be non-consumptive.

Remarks: Use of water under this right shall recognize and allow the continued beneficial diversion of water under any prior existing water right established by diversion and application to beneficial use or by an application, permit, or license on file issued by the Director under provisions of Chapter 2, Title 42, Idaho Code, with the priority of the water right dated earlier than 01/16/86, the priority of this right.
Upon the future finding and order of the director that gauging stations are required to maintain the approved minimum flow on the Big Wood River, such measuring devices shall be permanently installed as specified by the Department.
The Director retains jurisdiction to reivew 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 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.
This right is subordinate to development of groundwater for domestic and municipal uses as defined by the management plan for the Big Wood River Ground Water Management Area.
This minimum stream flow reach is from the intersection with the Sawtooth National Recreation Area boundary in the SENW, S10,

Remarks: T5N, R17E downstream approximately 9 miles to the confluence with Warm Springs Creek in the SENW, S13, T4N, R17E.

Dates:

App. Received:	01/16/1986	Priority Date:	01/16/1986	(Priority Date Advanced.)
Proof Due Date:		Proof Made Date:	03/02/1994	(Proof Received Late.)
Exam Made Date:		Exam Sent to S.O.:		
Licensed Date:				

Misc: Water District Number: 37 Field Exam Fee: N (Not Required)

Audit: 07/28/94 SCURTIS

ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE

Permit No. 37-08258 Reviewed by [signature] Date 3-29-94

GENERAL CONSIDERATIONS

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

TYPES OF USE

mit. 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 29, 1994

STATE OF IDAHO
IDAHO WATER RESOURCE BOARD
STATEHOUSE
BOISE ID 837200000

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 37-08258

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

APR 11 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 9, 1992

Senator Michael Crapo, President
Senate Pro Tem
Statehouse Mail
Boise, ID 83720

RE: Water Right Applications for Permit for Minimum Streamflow Nos.: 37-08258 and 37-08307, Big Wood River; 36-8556, South Thousand Springs Estuary; 36-8557, Sculpin Springs Creek; 36-8558, Springs and Sand Springs Creek; 65-12839 and 65-13059, North Fork Payette River; 65-13060, South Fork Payette River; 97-7308, North Fork East River

Dear Senator Crapo:

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

As you are aware, Section 42-1503, Idaho Code, requires that the applications be reviewed by the legislature. As defined by statute, each application "(i) shall not become finally effective until affirmatively acted upon by concurrent resolution of the Idaho Legislature; or (ii) except that if the legislature fails to act prior to the end of the regular session to which the application was submitted, the application shall be considered approved."

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

Sincerely,

R. KEITH HIGGINSON
Director

GS:RKH:js

Enclosures

cc. Legislative Council



APR 11 1994

Received 1/9/92
Joanne Dick

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 9, 1992

Representative, Tom Boyd
Speaker of the House
Statehouse Mail
Boise, ID 83720

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Dear Representative Boyd:

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Director

GS:RKH:js

Enclosures

cc. Legislative Council

RECEIVED
JAN 9 1992
Office of the Director
Legislative Council

Speaker's Office
1/9/92
T. Frantz

APR 11 1994

State of Idaho
DEPARTMENT OF WATER RESOURCES
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Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

December 30, 1991

Jim Speck
P.O. Box 987
Ketchum, ID 83340

RE: Applications for Permit Nos. 37-8258 and 37-8307 in the Name of the Idaho Water Resource Board to Establish Minimum Streamflows in the Big Wood River

Dear Mr. Speck:

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

GARY SPACKMAN, Manager
Water Right Permits Section

GS:js

Enclosure

APR 1 1 1994

State of Idaho
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CECIL D. ANDRUS
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R. KEITH HIGGINSON
DIRECTOR

December 30, 1991

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

RE: Applications for Permit Nos. 37-8258 and 37-8307 in the Name of the Idaho Water Resource Board to Establish Minimum Streamflows in the Big Wood River

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APR 11 1994

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December 30, 1991

Ralph Cisco
Blaine Planning and Zoning Commission
P.O. Box 149
Hailey, ID 83333

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December 30, 1991

Alan Reynolds
Blaine County Commissioners
206 1 Avenue South
Hailey, ID 83333

RE: Applications for Permit Nos. 37-8258 and 37-8307 in the Name of the Idaho Water Resource Board to Establish Minimum Streamflows in the Big Wood River

Dear Mr. Reynolds:

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CECIL D. ANDRUS
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R. KEITH HIGGINSON
DIRECTOR

December 30, 1991

Friends of the Big Wood River
P.O. Box 4411
Ketchum, ID 83340

RE: Applications for Permit Nos. 37-8258 and 37-8307 in the Name of the Idaho Water Resource Board to Establish Minimum Streamflows in the Big Wood River

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November 27, 1991

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Respectfully,

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APR 11 1994

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RECEIVED
APR 11 1994

State of Idaho
DEPARTMENT OF WATER RESOURCES
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P.O. Box 987
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November 27, 1991

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Gary Spackman

GARY SPACKMAN, Manager
Water Right Permits Section

GS:js

Enclosure

APR 1 1994

ROSTER OF ATTENDANCE

IDAHO DEPARTMENT OF WATER RESOURCES
HEARING - THOUSAND SPRINGS
MINIMUM STREAM FLOW
OCTOBER 22, 1991 - HAGERMAN SENIOR CENTER

Name	Address	Representing
Troy Merrill	307 E. D St Moscow, Id	UofI P.A.G.
Gary Spackman	473 MANGO, EAGLE, ID. 83616	IDWR
Kelly Wilson	58-C Bell Rapids Rd. Hagerman	Citizens Alert
Jill Joseph	3024 B NFH Rd Hagerman	Citizens Alert
Mary E. Joseph	3024A N.F.H. Rd. Hagerman	Self
JOURGE J. PETERSON	1051 CHERRY HILLS COURT ATHENS, GA. 30606	"
Cindy Lunte	PO Box 150 Bellevue ID	The Nature Conservancy
Kevin Lynott	R+1 Hagerman I.D.	IDPR
Mary Luerschick	IDPR	BOISE
Mark Elsbree	Box 165 Sunvalley, ID 83340	Nature Conservancy
FRED PARTRIDGE	PO BOX 428 JEROME ID 83338	ID. FISH + GAME
Ned Switzer	PO Box 32 Hagerman	Hagerman Valley Citizens Alert
Bill Graham	1517 N 7th, Boise	IDWR

RECEIVED
APR 11 1994

10-11-91

RECEIVED
OCT 17 1991
Department of Water Resources

MR. GARY SPACKMAN
I.D.W.R.
1301 NORTH ORCHARD ST.
STATEHOUSE MAIL
BOISE, Idaho 83720-9000

FRIENDS OF THE
BIG WOOD RIVER

Re: Minimum Streamflow Application for the
Big Wood River 37-8258 , 37-8307

Dear Gary:

On behalf of the Friends of The Big Wood River we would like to be included as a full party to the hearing on October 23,1991 at the Blaine Co Court House.

I will be representing the Friends of The Big Wood River.

Sincerely,
Doug Brearey
Doug Brearey
Vice-President
Friends of The Big Wood River

APR 11 1994

IDAHO PARTMENT OF WATER RESOU[illegible]S SOUTHERN: 10-4
BOISE: 10-14

NEWS RELEAS[illegible]

Statehouse Mail, Boise, Idaho 83720

October 4, 1991

Contact: Gerald Grimmett
327-7900

FOR IMMEDIATE RELEASE:

WATER BOARD WILL HEAR COMMENT ON BIG WOOD MINIMUM FLOWS

The Idaho Department of Water Resources will take formal public comment on applications for two minimum stream flows on the Big Wood River by the Idaho Water Resources Board in Hailey.

One application is for a minimum stream flow of 200 cfs from Jan. 1 through Dec. 31 with a proposed priority date of Jan. 16, 1986 beginning at the intersection of the Big Wood River with the Sawtooth National Recreational Area boundary and extending downstream approximately 9 miles to the confluence of the Big Wood River and Warm Springs Creek. The purpose of the application is for fish and wildlife habitat, water quality, aesthetics and recreation.

The second application is for a minimum stream flow of 119.23 cfs from Jan. 1 through Dec. 31 with a proposed priority date of Oct. 16, 1987 beginning at the confluence of the Big Wood River and Warm Springs Creek and extending downstream about 18 miles to the Bellvue Diversion. The purpose of the application is for fish and wildlife habitat, water quality, aesthetics and recreation.

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

APR 11 1994

The hearing will be held in the Blaine County courthouse Wednesday, Oct. 23 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.

The evening meeting will be held in the Ketchum City Hall.

Any party wishing to formally appear in the hearing to present 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 11 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 15, 1991

Ketchum City Hall
480 East Avenue North
Ketchum, ID 83340

I would like to confirm reservations for the Ketchum City Hall, to conduct a hearing, on October 23, 1991, from approximately 7:00 - 10:00 p.m.

If we discover any conflicts with this date, 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

JENNIFER SEIFERT
Secretary

APR 11 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 15, 1991

Blaine County Courthouse
101 2nd Avenue South
Hailey, ID 83333

I would like to confirm reservations for the Blaine County Courthouse, to conduct a hearing, on October 23, 1991, from approximately 1:00 - 6:00 p.m.

If we discover any conflicts with this date, 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

JENNIFER SEIFERT
Secretary

APR 1 1 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 11, 1991

Don Kramer
Rt. 1
Castleford, ID 83321

RE: Minimum Streamflow Applications for the Big Wood River Nos. 37-8258 and 37-8307

Dear Mr. Kramer:

The Idaho Department of Water Resources will conduct a hearing on Wednesday October 23, 1991, to determine whether a minimum streamflow on the Big Wood River should be approved. The hearing will commence at the Blaine County Courthouse, 101 2nd Avenue South, Hailey, Idaho, beginning at 1:30 p.m.

The hearing will recess at the close of formal testimony, but will reconvene at 7:00 p.m. for the taking of public testimony. The evening meeting will be held in the Ketchum City Hall, 480 East Avenue North, Ketchum, Idaho.

Information describing the application is shown on the enclosed fact sheet. 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 become full party to the action. 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

GARY SPACKMAN, Manager
Water Right Permits Section

GS:js

Enclosures

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 11, 1991

Clarence Parr
810 South River Rd.
Heyburn, ID 83336

RE: Minimum Streamflow Applications for the Big Wood River Nos. 37-8258 and 37-8307

Dear Mr. Parr:

The Idaho Department of Water Resources will conduct a hearing on Wednesday October 23, 1991, to determine whether a minimum streamflow on the Big Wood River should be approved. The hearing will commence at the Blaine County Courthouse, 101 2nd Avenue South, Hailey, Idaho, beginning at 1:30 p.m.

The hearing will recess at the close of formal testimony, but will reconvene at 7:00 p.m. for the taking of public testimony. The evening meeting will be held in the Ketchum City Hall, 480 East Avenue North, Ketchum, Idaho.

Information describing the application is shown on the enclosed fact sheet. 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 become full party to the action. 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

GARY SPACKMAN, Manager
Water Right Permits Section

GS:js

Enclosures

CERTIFICATE OF MAILING

I hereby certify that on the 11th day of October, I mailed a true and correct copy of the following letter, postage prepaid, to the attached list of individuals:

Jennifer Seifert

JENNIFER SEIFERT
Secretary

APR 11 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

<name>

RE: Minimum Streamflow Applications for the Big Wood River Nos. 37-8258 and 37-8307

Dear <sal>:

The Idaho Department of Water Resources will conduct a hearing on Wednesday October 23, 1991, to determine whether a minimum streamflow on the Big Wood River should be approved. The hearing will commence at the Blaine County Courthouse, 101 2nd Avenue South, Hailey, Idaho, beginning at 1:30 p.m.

The hearing will recess at the close of formal testimony, but will reconvene at 7:00 p.m. for the taking of public testimony. The evening meeting will be held in the Ketchum City Hall, 480 East Avenue North, Ketchum, Idaho.

Information describing the application is shown on the enclosed fact sheet. 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 become full party to the action. 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

Enclosures

RECEIVED
APR 11 1994

<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>Russell W. Newcomb
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 83338
<sal>Representative Peters
<>

<name>Friends of the Big Wood River
c/o Doug Brearey
Box 1628
Hailey, ID 83333
<sal>Mr. Brearey
<>

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

<name>Health and Welfare
Division of Environmental Quality
Statehouse Mail
Boise, ID 83720

APR 11 1994

<sal>Interested Party
<>

<name>Steve Goddard, Attorney at Law
Dept. of Fish & Game
Statehouse Mail
Boise, ID 83720
<sal>Mr. Goddard
<>

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

<name>Ralph Cisco
Planning and Zoning Commission
P.O. Box 149
Hailey, ID 83333
<sal>Mr. Cisco
<>

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

<name>Tom Blanchard
Blaine County Commissioners
Box 225
Bellevue, ID 83313
<sal>Mr. Blanchard
<>

<name>Michael Hoffeiber
Box 5646
Ketchum, ID 83340
<sal>Mr. Hoffeiber
<>

<name>Mary A. Crofts
Box 297
Hailey, ID 83333
<sal>Ms. Crofts
<>

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

APR 11 1994

<sal>Mr. Rydalch
<>

<name>Adam Peck
Box 2771
Ketchum, ID 83340
<sal>Mr. Peck
<>

<name>Dick Dahlgren
Box 4402
Ketchum, ID 83340
<sal>Mr. Dahlgren
<>

<name>Carl Pendleton
Wood River Soil Conservation District
P.O. Box 398
Shoshone, ID 83352
<sal>Mr. Pendleton
<>

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

<name>Peter Gray, Vice President
Graystone Inc.
380 Washington St. No. 103
P.O. Box 2473
Ketchum, ID 83340
<sal>Mr. Gray
<>

<name>Doug Greene
Box 1986
Ketchum, ID 83340
<sal>Mr. Greene
<>

<name>Peter Crow
Box 2741
Ketchum ID 83340
<sal>Mr. Crow
<>

<name>Ford Rollo
Box 3218
Ketchum, ID 83340
<sal>Mr. Rollo
<>

APPROVED
APR 11 1994

<name>Chris Conroy
Box 3485
Ketchum, ID 83340
<sal>Mr. Conroy
<>

<name>Mike Medberry
Box 2480
Ketchum, ID 83340
<sal>Mr. Medberry
<>

<name>James H. Poppy
P.O. Box 1592
Hailey, ID 83333
<sal>Mr. Poppy
<>

<name>Natalie and Peter Miller
Box 2131
Hailey, ID 83333
<sal>Mr. and Mrs. Miller
<>

<name>Hugh Koonce
Rt. 1 Box 1120
Fairfield, ID 83327
<sal>Mr. Koonce
<>

<name>Harold Boggs
P.O. Box 219
Fairfield, ID 83327
<sal>Mr. Boggs
<>

<name>Mannie Shaw
Fairfield, ID 83327
<sal>Ms. Shaw
<>

<name>James Calkins
Corral, ID 83322
<sal>Mr. Calkins
<>

<name>Terry Lee
Fairfield, ID 83327
<sal>Mr. Lee
<>

<name>Stanley Babington
Corral, ID 83322
<sal>Mr. Babington

APR 1 1 1994

<>

<name>Allen Bauscher
Box 333
Fairfield, ID 83327
<sal>Mr. Bauscher
<>

<name>Chris Christensen
Rt. 1 Box 1286
Fairfield, ID 83327
<sal>Mr. Christensen
<>

<name>Lynn Stevenson
Box 100
Fairfield, ID 83327
<sal>Mr. Stevenson
<>

<name>Terry Gregory
Box 128
Hill City, ID 83337
<sal>Mr. Gregory
<>

<name>Steve Miller
Rt. 1 Box 1130
Fairfield, ID 83327
<sal>Mr. Miller
<>

<name>Rueben Miller
128 Manard Ave. W.
Fairfield, ID 83327
<sal>Mr. Miller
<>

<name>Ian Ireland
Rt. 1 Box 1005
Fairfield, ID 83327
<sal>Mr. Ireland
<>

<name>Harold Lee
Box 182
Fairfield, ID 83327
<sal>Mr. Lee
<>

<name>Mike Telleria
P.O. Box 279
Fairfield, ID 83327
<sal>Mr. Telleria

APR 11 1994

<>

<name>Dennis Strom
P.O. Box 137
Hill City, ID 83337
<sal>Mr. Strom
<>

<name>Don Carson
P.O. Box 10
Fairfield, ID 83327
<sal>Mr. Carson
<>

<name>Gwinn Rice
Box 131
Hill City, ID 83337
<sal>Mr. Rice
<>

<name>Bill Stewart
Box 285
Fairfield, ID 83327
<sal>Mr. Stewart
<>

<name>Cindy Varin
Box 190
Fairfield, ID 83327
<sal>Ms. Varin
<>

<name>Marvin France
Box 17
Corral, ID 83337
<sal>Mr. France
<>

<name>Wes and Marypat Fields
Rt. 1 Box 2085
Corral, ID 83337
<sal>Mr. and Mrs. Fields
<>

<name>Bill Simon
P.O. Box 364
Fairfield, ID 83327
<sal>Mr. Simon
<>

<name>Elmer W. Johnson
P.O. Box 426
Fairfield, ID 83327
<sal>Mr. Johnson

MICROFILMED
APR 1 1 1994

<>

<name>Kenneth Peck
Rt. 1 Box 1205
Fairfield, ID 83327
<sal>Mr. Peck
<>

<name>Mel Fletcher
Box 287
Fairfield, ID 83327
<sal>Mr. Fletcher
<>

<name>Zane Harrison
Hill City, ID 83337
<sal>Mr. Harrison
<>

<name>Celia Brown
Box 8
Corral, ID 83337
<sal>Ms. Brown
<>

<name>Matt and Debbie McLamm
P.O. Box 253
Fairfield, ID 83327
<sal>Mr. and Mrs. McLamm
<>

<name>Brian Miller
P.O. Box 602
Gooding, ID 83330
<sal>Mr. Miller
<>

<name>Reed Stewart
P.O. Box 285
Fairfield, ID 83327
<sal>Mr. Stewart
<>

<name>Jack Frostenson
Rt. 1 Box 1020
Fairfield, ID 83327
<sal>Mr. Frostenson
<>

<name>Bob Frostenson
Rt. 1 Box 1040
Fairfield, ID 83327
<sal>Mr. Frostenson
<>

APR 1 1 1994

<name>Ron Wilcox
Box 1255
Sun Valley, ID 83353
<sal>Mr. Wilcox
<>

<name>Dick Oneida
Box C
Shoshone, ID 83352
<sal>Mr. Oneida
<>

<name>Lee Peterson
Box T
Shoshone, ID 83352
<sal>Mr. Peterson
<>

<name>Charles Brockway
706 Sunrise Boulevard North
Twin Falls, ID 83301
<sal>Mr. Brockway
<>

<name>Eugene Walker
624 Pierce St.
Idaho Falls, ID 83401
<sal>Mr. Walker
<>

returned

<name>Steve Hansen
City of Ketchum
Box 2315
Ketchum, ID 83340
<sal>Mr. Hansen
<>

<name>Bart Rinker
P.O. Box 972
Ketchum, ID 83340
<sal>Mr. Rinker
<>

<name>Harvey Buckett
P.O. Box 237
Gooding, ID 83330
<sal>Mr. Buckett
<>

<name>A. W. Molyneux
Rt. 1 Box 400
Bellevue, ID 83313
<sal>A. W.

APR 1 1 1994

<>

<name>Frederick H. Blechmann
Box 184
Sun Valley, ID 83353
<sal>Mr. Blechmann
<>

<name>Geoffrey K. Meredyth
P.O. Box 3539
Ketchum, ID 83340
<sal>Mr. Meredyth
<>

<name>Harold R. Beemer
Box 793
Sun Valley, ID 83353
<sal>Mr. Beemer
<>

<name>Jim Speck
Box 987
Ketchum, ID 83340
<sal>Mr. Speck
<>

<name>Ralph Naser
Box 910
Ketchum, ID 83340
<sal>Mr. Naser
<>

<name>Greg Moore
Box 1321
Hailey, ID 83333
<sal>Mr. Moore
<>

<name>Nick Purdy
Box 748
Picabo, ID 83348
<sal>Mr. Purdy
<>

<name>Dean Rogusta
Rt. 1 Box 305
Bellevue, ID 83313
<sal>Mr. Rogusta
<>

<name>Nicholas Latham
Box 419
Sun Valley, ID 83353
<sal>Mr. Latham

APR 1 1994

<>

<name>Dan Brown
247 Glendale Rd.
Bellevue, ID 83313
<sal>Mr. Brown
<>

<name>Rod Kegley
Box 2063
Ketchum, ID 83340
<sal>Mr. Kegley
<>

<name>Ann Christensen
HC 64 Box 8288
Ketchum, ID 83340
<sal>Ms. Christensen
<>

<name>Eileen Sharples
Box 1113
Ketchum, ID 83340
<sal>Ms. Sharples
<>

<name>Bruce Lium
Box 1979
Hailey, ID 83333
<sal>Mr. Lium
<>

<name>Gary Slette
Box 1906
Twin Falls, ID 83301
<sal>Mr. Slette
<>

<name>Ken Smith
Box 1165
Hailey, ID 83333
<sal>Mr. Smith
<>

<name>Dick Toomey
Box 3806
Ketchum, ID 83340
<sal>Mr. Toomey
<>

<name>Roy Tinker
Box 1920
Sun Valley, ID 83353
<sal>Mr. Tinker

APR 1 1 1994

<>

<name>Jim Koonce
Box 2015
Hailey, ID 83333
<sal>Mr. Koonce
<>

<name>Jed Gray
Box 326
Sun Valley, ID 83353
<sal>Mr. Gray
<>

<name>Fred Brossy
Box 424
Shoshone, ID 83352
<sal>Mr. Brossy
<>

<name>Lloyd Betts
Box 4919
Ketchum, ID 83340
<sal>Mr. Betts
<>

<name>Brian Ballard
319 Walnut Avenue North
Ketchum, ID 83340
<sal>Mr. Ballard
<>

<name>Melina Pinkstaff
P.O. Box 1643
Sun Valley, ID 83353
<sal>Ms. Pinkstaff
<>

1994

CERTIFICATE OF MAILING

I hereby certify that on the 10th 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

[redacted]

APR 11 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

<name>

RE: Minimum Streamflow Applications for the Big Wood River Nos. 37-8258 and 37-8307

Dear <sal>:

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A notice of appearance must be filed with the Department at least five days (5) prior to the hearing if you want to become full party to the action. 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

Enclosures

RECEIVED
APR 11 1994

37-08501
DANIEL L. DUGGAN
12751 EVANSTON STREET

LOS ANGELES CA 90049

37-08550
RONDELL B. HANSON
C/O JAMES P. SPECK, ESQ.
P.O. BOX 987
KETCHUM ID 83340

37-08552
RONALD K. REESE
P.O. BOX 652

BELLEVUE ID 83313

37-08554
WILLIAM J. SWANSON
C/O JAMES P. SPECK, ESQ.
P.O. BOX 987
KETCHUM ID 83340

37-08580
DON J. FARNES
P.O. BOX 207

SHOSHONE ID 83352

37-08587
GREGG K. STURTEVANT
P.O. BOX 2924

KETCHUM ID 83340

37-08598
RANDALL HERMANN
P.O. BOX 1204

KETCHUM ID 83340

37-08606
STEVE F. EDSALL
P.O. BOX 584

BELLEVUE ID 83313

37-08609
HIDDEN PARADISE PROPERTY OWNERS A
P.O. BOX 279

FAIRFIELD ID 83327

37-08613B
WOOD RIVER COUNTRY CLUB PARTNERS
C/O JAMES P. SPECK
P.O. BOX 987
KETCHUM ID 83340

37-08620
JACK FRANKS
P.O. BOX 2555

SUN VALLEY ID 83353

H. WILL[illegible] ALMA
214 BAY [illegible]RSE RD.
P.O. BOX 497
BELLEVUE ID 83313-0497

37-08383
CHARLES GATES
P.O. BOX 1111

HAILEY ID 83333

37-08423
TOM RICHMOND
P.O. BOX 1105

HAILEY ID 83333

37-08439
STARWEATHER SUBDIVISION PROPERTY
C/O BRIAN BALLARD, ATTY.
P.O. BOX 297
KETCHUM ID 83340

37-08441
WOOD RIVER RANCH
P.O. BOX 479

BELLEVUE ID 83313

37-08447
GARY WADE GUTCHES
P.O. BOX 705

HAILEY ID 83333

37-08457
ROBERT G. HUNT
P.O. BOX 1939

SUN VALLEY ID 83353

37-08459
KATHRYN MC MAHAN
P.O. BOX 595

BELLEVUE ID 83313

37-08466
LAKE CREEK MEADOWS HOMEOWNERS ASS
P.O. BOX 3144

KETCHUM ID 83340

37-08470
SALLY HUNT
P.O. BOX 1939

SUN VALLEY [illegible]

37-08478
RIVERWOODS HOMEOWNERS ASSN.
C/O GREGG K. STURTEVANT
P.O. BOX 2924
KETCHUM ID 83340

[illegible] 1994

37-08682
PHILIP F. PUCHNER
P.O. BOX 240

KETCHUM ID 83340

37-08686
G. M. M. K. GROUP B
P.O. BOX 1814

HAILEY ID 83333

37-08688
LAWRENCE Z. TEWS
680 N. 350 W.

SHOSHONE ID 83352

37-08689
FLYING HEART RANCH II SUBDIVISION
P.O. BOX 2163

HAILEY ID 83333

37-08694
WANDA VLADIMIROFF
P.O. BOX 1771

HAILEY ID 83333

37-08695
WANDA VLADIMIROFF
P.O. BOX 1771

HAILEY ID 83333

37-08696
SCOTT MC ILHENNY
P.O. BOX 310

BELLEVUE ID 83313

37-08698
TIMOTHY H. HARRIS
C/O JAMES P. SPECK
P.O. BOX 987
KETCHUM ID 83340

37-08699
ROBERT L. LIEDER
P.O. BOX 3609

KETCHUM ID 83340

37-08701
CITY OF BELLEVUE
CITY HALL
115 E. PINE
BELLEVUE ID 83313

37-08703
FRANKLIN L. BRAMON
P.O. BOX 392

HAILEY ID 83333

37-08656
JOHN BRO INC.
247 GLENDALE RD.

BELLEVUE ID 83313

37-08660
REID E. KANTENWEIN
PO BOX 1525

HAILEY ID 83333

37-08661
KENNETH A. BACKSTROM
PO BOX 17

CORRAL ID 83322

37-08666
TIMOTHY O. KOHL
P.O. BOX 2745

SUN VALLEY ID 83353

37-08671
PAUL C. RAMM
P.O. BOX 535

BELLEVUE ID 83313

37-08672
PAUL C. RAMM
P.O. BOX 535

BELLEVUE ID 83313

37-08674
NEW DEER CREEK RANCH INC.
C/O JAY SEVY
P.O. BOX 187
HAILEY ID 83333

37-08675
DONALD M. LEVIN
P.O. BOX 699

HAILEY ID 83333

37-08676
RON WILCOX
C/O JAMES P. SPECK
P.O. BOX 987
KETCHUM ID 83340

37-08677
LORRAINE WILCOX
C/O JAMES P. SPECK
P.O. BOX 987
KETCHUM ID 83340

37-08680
PHILIP F. PUCHNER
P.O. BOX 240

KETCHUM ID 83340

APR 11 1994

37-08737
CRAIG REMBER
HC 64 BOX 9928

STANLEY ID 83278

37-08738
IAN DAVID IRELAND
RT. 1 BOX 1005

FAIRFIELD ID 83327

37-08744
STEVE KING
P.O. BOX 1285

SUN VALLEY ID 83353

37-08747
BLAINE COUNTY RECREATION DISTRICT
C/O JAMES P SPECK ESQUIRE
HOGUE SPECK & AANESTAD
KETCHUM ID 83340

37-08749
JOSEPHINE HEAD
BOX 126 003 MULDOON CANYON RD

BELLEVUE ID 83313

37-08749
DERRIS HEAD
BOX 126
003 MULDOON CANYON RD
BELLEVUE ID 83313

37-08752
ELIZABETH K GRAY
C/O JAMES P SPECK ESQUIRE
HOGUE SPECK & AANESTAD
KETCHUM ID 83340

37-08708
G.M. MC AY
P.O. BOX 307

BELLEVUE ID 83313

37-08709
ROBERT GARDNER
12 HERON LANE

BELLEVUE ID 83313

37-08711
JIM HOBBS
P.O. BOX 2011

HAILEY ID 83333

37-08714
LINDA C. CROPPER
P.O. BOX 669

HAILEY ID 83333

37-08718
STEVE PALKEN
P.O. BOX 1643

SUN VALLEY ID 83353

37-08723
GMMK-B
P.O. BOX 1814

HAILEY ID 83333

37-08724
DONNA ROSE
P.O. BOX 3730

KETCHUM ID 83340

37-08725
KENT MC ATEE
P.O. BOX 744

HAILEY ID 83333

37-08727
DONNA ROSE
P.O. BOX 3730

KETCHUM ID 83340

37-08728
CHUCK KENDALL
P.O. BOX 665

LA CANADA CA 91012

37-08730
LIMELIGHT CONDOMINIUMS INC.
P.O. BOX 1312

KETCHUM ID 83340

APR 11 1994

37-08057
STROM RANCHES INC.
P.O. BOX 124

HILL CITY ID 83337

37-08195
CRAIG H. NEILSEN
BOX 452

TWIN FALLS ID 83301

37-08204
SUN VALLEY LAND AND MINERAL INC.
P.O. BOX 1959

SUN VALLEY ID 83353

37-08268
RINKER CO.
C/O GARY D. SLETTE
ROSHOLT, ROBERTSON, TOLMAN
TWIN FALLS ID 83303-1906

37-08276
PATRICIA G. MILLINGTON
BOX 707

PICABO ID 83348-0000

37-08291
EDMUND W. DUMKE
BOX 569

SUN VALLEY ID 83353-0000

37-08294
ROBERT E. GARDNER
P.O. BOX 470

BELLEVUE ID 83313-0000

37-08295
GERALD B. BASHAW
1631 COTEAU DRIVE

RIVERSIDE CA 92504

37-08334
EVERETT TRADER
P.O. BOX 102

HILL CITY ID 83337-0000

37-08334
ADELIA TRADER
P.O. BOX 102

HILL CITY ID 83337-0000

37-08498
BRADLEY D. BILLGER
P.O. BOX 1245

HAILEY ID 8338[illegible]

37-08681
PHILIP F. PUCHNER
P.O. BOX 240

KETCHUM ID 83340
KETCHUM [illegible]

37-08731
EMER WOOD
P.O. BOX 1540

HAILEY ID 83333

MINIMUM STREAMFLOW
Fact Sheet

Water Right No. 37-08258

Source: Big Wood River

Applicant: Idaho Water Resource Board

Requesting Agency: Blaine County Planning and Zoning Commission

Date Application Filed: January 16, 1986

Rate of Flow: 200.0 cfs from January 1 through December 31

Place of Use: Beginning at the intersection of the Big Wood River with the Sawtooth National Recreational Area Boundary, located in the SE¼NW¼, Section 10, T5N, R17E, B.M., and extending downstream approximately 9 miles to the confluence of the Big Wood River and Warm Springs Creek, located in the SE¼NW¼, Section 13, T4N, R17E, B.M., Blaine County.

Purpose: Preserve fish and wildlife habitat, water quality, and aesthetics and recreational uses.

Water Right No. 37-08307

Source: Big Wood River

Applicant: Idaho Water Resource Board

Requesting Agency: Blaine County Planning and Zoning Commission

Date Application Filed: October 16, 1987

Rate of Flow: 119.23 cfs from January 1 through December 31

Place of Use: Beginning at the confluence of the Big Wood River and Warm Springs Creek, located in the SE¼NW¼, Section 13, T4N, R17E, B.M., and extending downstream about 18 miles to the Bellevue diversion located in the SW¼NW¼, Section 36, T2N, R18E, B.M., Blaine County.

Purpose: Preserve fish and wildlife habitat, water quality, and aesthetic and recreational purposes.

APR 11 1994

Hearing Location for both Water Rights

Blaine County Courthouse, 101 2nd Avenue South, Hailey, Idaho, beginning at 1:30 p.m. on Wednesday October 23, 1991.

An evening session will be held for the taking of public testimony located at the Ketchum City Hall, 480 East Avenue North, Ketchum, Idaho, beginning at 7:00 p.m.

APR 11 1994

Post-it™ brand fax transmittal memo 7671 | # of pages ▸

To	From
Co. State Office	Co. Idaho
Dept. WR Records	Phone # 736 3037
Fax #	Fax #

Legals-Announcements

LEGAL NOTICE

College.
Jeffery M. Harmon
Assistant Dean of Finance
PUBLISH: Thursday, October 3 and 10, 1991.

NOTICE OF HEARING FOR APPLICATION FOR MINIMUM STREAMFLOW

Notice is hereby given that the Idaho Water Resource Board submitted applications for permit to appropriate water the the Department of Water Resources on August 5, 1990, proposing to appropriate water for minimum instream flows in several springs and outflow channels in the vicinity of Thousand Springs. The applications are further described as follows:

Source: South Thousand Springs Channel
Application No.: 36-8556
Proposed Priority: August 3, 1990
Amount and Period of Use: 500.0 cfs from January 1 through December 31
Purpose of Minimum Flow: Preservation of aesthetics, recreation, aquatic life, beauty, and fish and wildlife habitat.
Place of Use: Beginning at the Idaho Power Thousand Springs Power Plant, in Government Lot 3 (SE¼NE¼SW¼), Section 8, T8S, R14E, and extending downstream to the confluence with the Snake River, located in Government Lot 1 (NE¼NE¼NW¼), Section 17, T8S, R14E.
Source: Soulpin Springs Creek
Application No.: 36-8557
Proposed Priority: August 3, 1990
Amount and Period of Use: 33.0 cfs from January 1 through December 31
Purpose of Minimum Flow: Preservation of aesthetics, recreation, aquatic life, and fish and wildlife habitat.
Place of Use: Beginning at a point where the water falls off the Snake River canyon wall, located in the NW¼SW¼SE¼, Section 17, T8S, R14E, and extending downstream to the confluence of Soulpin Springs Creek and the Snake River, located in Government Lot 4 (SE¼SE¼NW¼), Section 17, T8S, R14E, B.M., Gooding County.
Source: Springs and Sand Springs Creek
Application No.: 36-8558
Proposed Priority: August 3, 1990
Amount and Period of Use: 34.0 cfs from January 1 through December 31
Purpose of Minimum Flow: Preservation of aesthetics, recreation aquatic life; and fish and wildlife habitat.
Place of Use: Beginning at the outflow of the headwater spring from the Snake River wall, located in the SW¼SW¼SE¼, Section 17, T8S, R14E, and extending downstream to where Sand Springs Creek discharges into the Snake River, located in Government Lot 6 (SE¼NE¼SW¼), Section 17, T8S, R14E, B.M., Gooding County. This minimum streamflow would include all unappropriated water that discharges to the creek within the reach, including any springs from their point of origin to their discharge into the creek.

The Director of the Department of Water Resources will hold a public hearing in the Hagerman Senior Citizen's Center, 140 Lake Street, Hagerman, Idaho, beginning at 1:30 p.m. on Tuesday, October 22, 1991, for the purpose of hearing evidence in regard to the application. The hearing will be conducted pursuant to the provisions of Section 42-1503, Idaho Code.

The hearing will recess at the close of formal testimony but will reconvene at

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, 222 Shoshone St. East, Twin Falls, Idaho 83301, five (5) days prior to the hearing. Other parties will be given an opportunity to informally present their views and comments without 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, these permits will be subject to all prior water rights.

R. KEITH HIGGINSON
Director
Idaho Department of Water Resources
PUBLISH: Thursday, October 3 and 10, 1991.

NOTICE OF HEARING FOR APPLICATION FOR MINIMUM STREAMFLOW

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

Source: Willow Creek
Application No.: 25-7697
Proposed Priority: June 24, 1991
Amount and Period of

continued

1994

page 2 of 4 pages

LEGAL NOTICE
continued

Use: 30.0 cfs from December 1 to March 31
250.0 cfs from April 1 to May 31
100.0 cfs from June 1 to July 15
30.0 cfs from July 16 to September 30
40.0 cfs from October 1 to November 30
Purpose of Minimum Flow: Preservation of fish and wildlife habitat, aquatic life and water quality.
Place of Use: Willow Creek, commencing at the confluence of Grays Lake Outlet in the SE¼ of the NW¼, Section 33, T1N, R40E, and extending downstream to the backwaters of Ririe Reservoir in the NW¼ of the SE¼, Section 27, T2N, R40E, B.M. Bonneville County.

The Director of the Department of Water Resources will hold a public hearing in the State Office Building, 2nd Floor Conference Room, 150 Shoup Avenue, Idaho Falls, Idaho, beginnning at 1:30 p.m. on Tuesday, October 29, 1991, for the purpose of hearing evidence in regard to the application. The hearing will be held pursuant to the provisions of Section 42-1503, Idaho Code.

Any party who wishes to formally appear in the proceeding for the purpose of presenting evidence or cross examining witnesses should file a notice of appearance with the Director of the Department of Water Resources, Statehouse Mail, 1301 North Orchard Street, Boise, 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.
PUBLISH: Thursday, October 3 & 10, 1991

NOTICE OF HEARING FOR APPLICATION FOR MINIMUM STREAMFLOW

Notice is hereby given that the Idaho Water Resource Board has submitted two applications to the Department of Water Resources for permits to appropriate water for a minimum streamflow in the Big Wood River. The applications are further described as follows:

Source: Big Wood River
Application No.: 37-8258
Proposed Priority: January 16, 1986
Amount and Period of Use: 200.0 cfs from January 1 through December 31
Purpose of Minimum Flow: Fish and wildlife habitat, water quality, aesthetics and recreation.
Place of Use: Beginning at the intersection of the Big Wood River with the Sawtooth National Recreational Area Boundary, located in the SE¼NW¼, Section 20, T5N, R17E, B.M., and extending downstream approximately 9 miles to the confluence of the Big Wood River and Warm Springs Creek, located in the SE¼NW¼, Section 18, T4N, R17E, B.M., Blaine County.

Source: Big Wood River
Application No.: 37-8307
Proposed Priority: October 16, 1987
Amount and Period of Use: 119.23 cfs from January 1 through December 31
Purpose of Minimum Flow: Fish and wildlife habitat, water quality, aesthetics and recreation.
Place of Use: Beginning at the confluence of the Big Wood River and Warm Springs Creek, located in the SE¼NW¼, Section 18, T4N, R17E, B.M., and extending downstream about 16 miles to the Bellevue diversion located in the SW¼NW¼, Section 36, T2N, R18E, B.M., Blaine County.

The Director of the Department of Water Resources will hold a public hearing in the Blaine County Courthouse, 101 2nd Avenue South, Hailey, Idaho, beginning at 1:30 p.m. on Wednesday, October 23, 1991, for the purpose of hearing evidence in regard to the application. 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. The evening meeting will be held in the Ketchum City Hall, 480 East Avenue North, Ketchum, Idaho.

Any party who wishes to formally appear in this proceeding for the purpose of presenting evidence or cross examining witnesses should file a notice of appearance with the Director of the Department of Water Resources, Statehouse Mail, 1301 N. Orchard Street, Boise, Idaho 83720, five (5) days prior to the hearing. Other parties will be granted 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, these permits will be subject to all prior water rights.

R. KEITH HIGGINSON,
Director
Idaho Department of Water Resources.
PUBLISH: Thursday, October 3 and 10, 1991.

APR

NOTICE OF HEARING FOR APPLICATION FOR MINIMUM STREAMFLOW

Notice is hereby given that the Idaho Water Resource Board has submitted two applications to the Department of Water Resources for permits to appropriate water for a minimum streamflow in the Big Wood River. The applications are further described as follows:

Source:	Big Wood River
Application No.:	37-8258
Proposed Priority:	January 16, 1986
Amount and Period of Use:	200.0 cfs from January 1 through December 31
Purpose of Minimum Flow:	Fish and wildlife habitat, water quality, aesthetics and recreation.
Place of Use:	Beginning at the intersection of the Big Wood River with the Sawtooth National Recreational Area Boundary, located in the SE¼NW¼, Section 10, T5N, R17E, B.M., and extending downstream approximately 9 miles to the confluence of the Big Wood River, and Warm Springs Creek, located in the SE¼NW¼, Section 13, T4N, R17E, B.M., Blaine County.

Source:	Big Wood River
Application No.:	37-8307
Proposed Priority:	October 16, 1987
Amount and Period of Use:	119.23 cfs from January 1 through December 31
Purpose of Minimum Flow:	Fish and wildlife habitat, water quality, aesthetics and recreation.
Place of Use:	Beginning at the confluence of the Big Wood River and Warm Springs Creek, located in the SE¼NW¼, Section 13, T4N, R17E, B.M., and extending downstream

APR 1 1 1994

about 18 miles to the Bellevue diversion located in the SW¼NW¼, Section 36, T2N, R18E, B.M., Blaine County.

The Director of the Department of Water Resources will hold a public hearing in the Blaine County Courthouse, 101 2nd Avenue South, Hailey, Idaho, beginning at 1:30 p.m. on Wednesday October 23, 1991, for the purpose of hearing evidence in regard to the application. 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. The evening meeting will be held in the Ketchum City Hall, 480 East Avenue North, Ketchum, Idaho.

Any party who wishes to formally appear in this proceeding for the purpose of presenting evidence or cross examining witnesses should file a notice of appearance with the Director of the Department of Water Resources, Statehouse Mail, 1301 N. Orchard Street, Boise, Idaho 83720, five (5) days prior to the hearing. Other parties will be granted 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, these permits will be subject to all prior water rights.

R. KEITH HIGGINSON, Director
Idaho Department of Water Resources

APR 1 1 199

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 327-7900

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

February 28, 1991

Friends of the Big Wood River
P.O. Box 4411
Ketchum, ID 83340

RE: Applications for Permit to Appropriate Water Nos. 37-8258 and 37-8307 in the Name of the Idaho Water Resource Board

Dear Interested Party:

The memorandum decision and order previously issued on December 7, 1990, on the above referenced permits, has been rescinded. Please find enclosed the order of rescission.

Respectfully,

GARY SPACKMAN, Manager
Water Right Permits Section

GS:js

Enclosure

APR 1 1 1994

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 327-7900

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

February 28, 1991

Dave Rydalch
Rt. 2, Box 108
St. Anthony, ID 83445

RE: Applications for Permit to Appropriate Water Nos. 37-8258 and 37-8307 in the Name of the Idaho Water Resource Board

Dear Mr. Rydalch:

The memorandum decision and order previously issued on December 7, 1990, on the above referenced permits, has been rescinded. Please find enclosed the order of rescission.

Respectfully,

GARY SPACKMAN, Manager
Water Right Permits Section

GS:js

Enclosure

APR 1 1 1994

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 327-7900

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

February 28, 1991

Blaine County Planning and
Zoning Commission
Ralph Cisco
P.O. Box 149
Hailey, ID 83333

RE: Applications for Permit to Appropriate Water Nos. 37-8258 and 37-8307 in the Name of the Idaho Water Resource Board

Dear Mr. Cisco:

The memorandum decision and order previously issued on December 7, 1990, on the above referenced permits, has been rescinded. Please find enclosed the order of rescission.

Respectfully,

GARY SPACKMAN, Manager
Water Right Permits Section

GS:js

Enclosure

APR 11 1994

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 327-7900

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

February 6, 1991

Senator Michael Crapo
Pesident Pro Tem
Statehouse
Boise, Idaho 83720

Representative Tom Boyd
Speaker of the House
Statehouse
Boise, Idaho 83720

RE: Water Right Applications for Permit for Minimum Streamflow Nos.: 37-08258 and 37-08307, Big Wood River

Dear Sirs:

On January 10, 1991, the above referenced applications approving minimum streamflows on two reaches of the Big Wood River were forwarded to you for legislative review as required by Section 42-1503, Idaho Code. Certain public interests issues have now been raised that were not heard at the administrative hearing on the applications, and the administrative record is not complete.

Accordingly, I am entering an order rescinding the approval of these filings and providing for reconsideration. Additional hearings will be held as necessary to address the newly identified issues and to reconsider the department's action on the applications.

Therefore, I am hereby formally notifying you that the request for legislative review of the above referenced applications is withdrawn.

Sincerely,

for R. KEITH HIGGINSON
Director

cc: Senator Laird Noh

MINIMUM STREAMFLOW
Fact Sheet

Water Right No. 37-08258

Source: Big Wood River

Applicant: Idaho Water Resource Board

Requesting Agency: Blaine County Planning & Zoning Commission

Date Application Filed: January 16, 1986

Rate of Flow: 200 cfs from 04/01 through 08/31
150 cfs from 09/01 through 03/31

Place of Use: Beginning at the intersection of the Big Wood River with the Sawtooth National Recreational Area Boundary, located in the SE¼NW¼, Section 10, T5N, R17E, B.M., and extending downstream approximately 9 miles to the confluence of the Big Wood River and Warm Springs Creek, located in the SE¼NW¼, Section 13, T4N, R17E, B.M., Blaine County.

Purpose: Preserve fish and wildlife habitat, water quality, and aesthetics and recreational uses.

Unique Facts: Strong public support and no opposition.

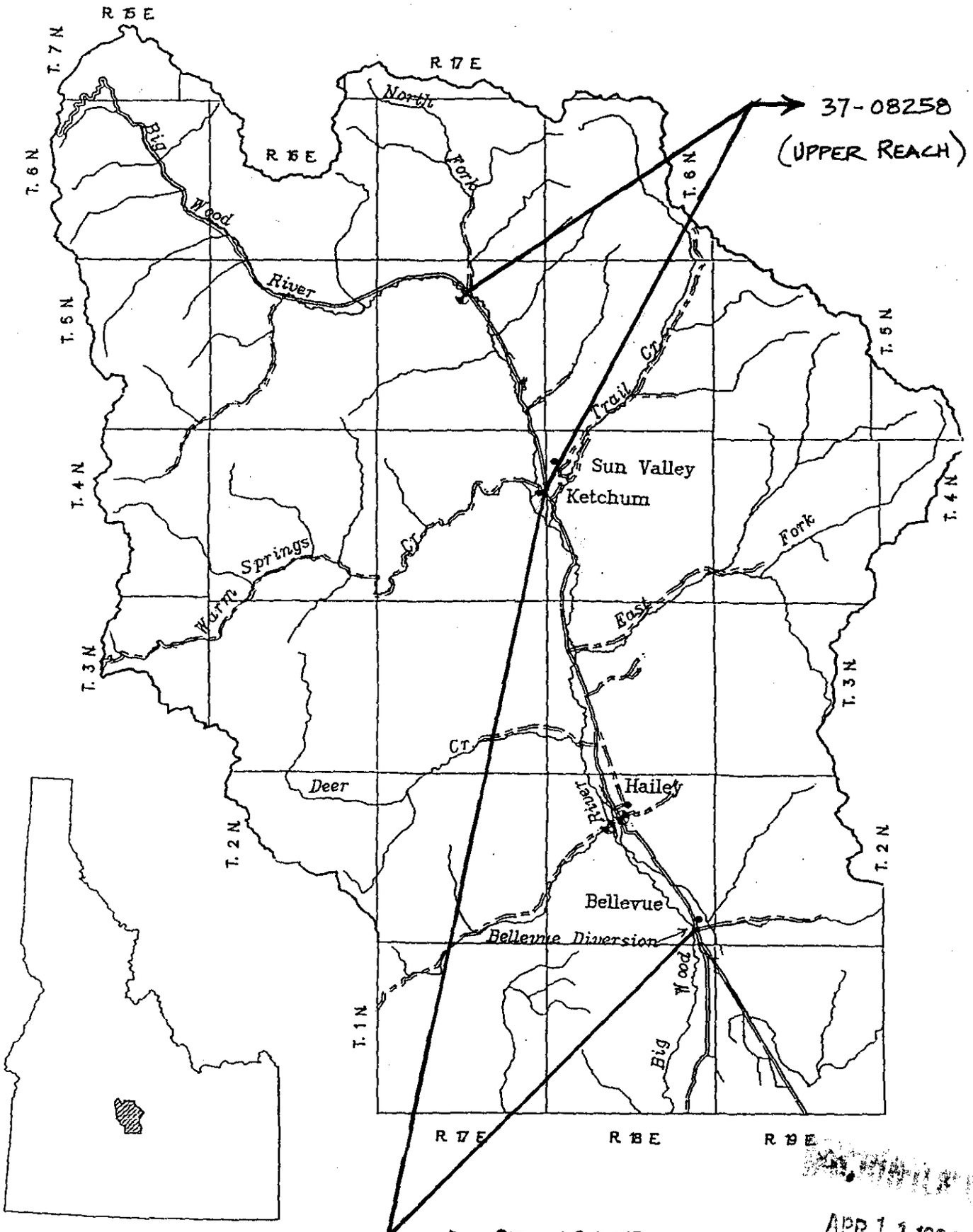
Supported by Blaine County Commissioners and Wood River Recreation District.

Subordinated to future groundwater development for domestic and municipal use.

Subject to review by the Director if the public interest changes.

APR 1 1 1994

IWRB EX 3



APR 1 1 1994

Wood River Soil Conservation District
Box 398 - Shoshone, Idaho 83352

January 14, 1991

Director
Idaho Dept. of Water Resources
1301 North Orchard
Boise, ID. 83706-2237

RECEIVED
JAN 17 1991
Department of Water Resources

Dear Mr. Higgenson:

With what appears to be another dry year developing on the heels of four of the previous five years drought, we are concerned that Magic Reservoir will not fill again this year. Because the aquifer underlying the Big Wood River Valley has been depleted, both by increased development, and late season irrigation pumping during these years of low snowpack, we are concerned that its recharge takes place before any runoff reaches Magic Reservoir, compounding the effect of the drought here in Lincoln County. The irrigation of the tract served by Magic Reservoir predates the use of irrigation wells in the Big Wood River Valley. When surface water rights run out there, the pumps are turned on, while we are left with an empty Reservoir, unable to irrigate. The effect of this is felt throughout Lincoln County, not just under Magic Reservoir. Water rights on the Little Wood River, which is fed by Silver Creek and in turn from this same aquifer, are also affected.

We therefore request the formation of a groundwater management area overlying the Big Wood River and Silver Creek aquifers. We are aware that the issue of surface water rights vs. ground water rights is controversial, but feel based on the aforementioned situation, and considering direction by the Swan Falls Adjudication to tie together surface and groundwater irrigation rights, we feel this conflict cannot be ignored any longer in this area.

Sincerely,

Carl Pendleton
Chairman
Wood River Soil & Water Conservation District

cc. Dick Oneida, Mgr. Big Wood Canal Co.

CPjmk

APR 1 1 1994

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 327-7900

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

January 10, 1991

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

RE: Water Right Applications for Permit for Minimum Streamflow Nos.: 43-07295, Circle Creek; 37-08258 and 37-08307, Big Wood River

Dear Representative Boyd:

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

As you are aware, Section 42-1503, Idaho Code, requires that the applications be reviewed by the legislature. As defined by statute, each application "(i) shall not become finally effective until affirmatively acted upon by concurrent resolution of the Idaho Legislature; or (ii) except that if the legislature fails to act prior to the end of the regular session to which the application was submitted, the application shall be considered approved."

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

Sincerely,

for R. KEITH HIGGINSON
Director

GS:RKH:js
Enclosures

cc. Legislative Council

APR 11 1991

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

January 10, 1991

Senator Michael Crapo
Senate Pro Tem
Statehouse
Boise, ID 83720

RE: Water Right Applications for Permit for Minimum Streamflow Nos.: 43-07295, Circle Creek; 37-08258 and 37-08307, Big Wood River

Dear Senator Crapo:

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

As you are aware, Section 42-1503, Idaho Code, requires that the applications be reviewed by the legislature. As defined by statute, each application "(i) shall not become finally effective until affirmatively acted upon by concurrent resolution of the Idaho Legislature; or (ii) except that if the legislature fails to act prior to the end of the regular session to which the application was submitted, the application shall be considered approved."

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

Sincerely,

for R. KEITH HIGGINSON
Director

GS:RKH:js
Enclosures

cc. Legislative Council

APR

gs 1-10-91

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 327-7900

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

January 10, 1991

Senator Michael Crapo
Senate Pro Tem
Statehouse
Boise, ID 83720

RE: Water Right Applications for Permit for Minimum Streamflow Nos.: 43-07295, Circle Creek; 37-08258 and 37-08307, Big Wood River

Dear Senator Crapo:

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

As you are aware, Section 42-1503, Idaho Code, requires that the applications be reviewed by the legislature. As defined by statute, each application "(i) shall not become finally effective until affirmatively acted upon by concurrent resolution of the Idaho Legislature; or (ii) except that if the legislature fails to act prior to the end of the regular session to which the application was submitted, the application shall be considered approved."

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

Sincerely,

for R. KEITH HIGGINSON
Director

GS:RKH:js
Enclosures

cc. Legislative Council - Ann Ingram 1-10-91

APR 1 1 1994

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 327-7900

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

January 10, 1991

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

RE: Water Right Applications for Permit for Minimum Streamflow Nos.: 43-07295, Circle Creek; 37-08258 and 37-08307, Big Wood River

Dear Representative Boyd:

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

As you are aware, Section 42-1503, Idaho Code, requires that the applications be reviewed by the legislature. As defined by statute, each application "(i) shall not become finally effective until affirmatively acted upon by concurrent resolution of the Idaho Legislature; or (ii) except that if the legislature fails to act prior to the end of the regular session to which the application was submitted, the application shall be considered approved."

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

Sincerely,

Wayne Haas
for R. KEITH HIGGINSON
Director

GS:RKH:js
Enclosures

cc. Legislative Council-Ann Ingram 1-10-91

AP

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

January 3, 1991

Friends of the Big Wood River
P.O. Box 4411
Ketchum, ID 83340

RE: Permits Nos. 37-8258 and 37-8307; Minimum Streamflows in the Big Wood River

Dear Interested Party:

Please find enclosed a copy of the order Adopting Proposed Memorandum Decision and Order on the above referenced 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

GARY SPACKMAN, Manager
Water Right Permits Section

GS:js

Enclosure

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 327-7900

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

January 3, 1991

Dave Rydalch
Rt. 2, Box 108
St. Anthony, ID 83445

RE: Permits Nos. 37-8258 and 37-8307; Minimum Streamflows in the Big Wood River

Dear Mr. Rydalch:

Please find enclosed a copy of the order Adopting Proposed Memorandum Decision and Order on the above referenced 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

GARY SPACKMAN, Manager
Water Right Permits Section

GS:js

Enclosure

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 327-7900

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

January 3, 1991

Blaine County Planning and
Zoning Commission
Ralph Cisco
P.O. Box 149
Hailey, ID 83333

RE: Permits Nos. 37-8258 and 37-8307; Minimum Streamflows in the Big Wood River

Dear Mr. Cisco:

Please find enclosed a copy of the order Adopting Proposed Memorandum Decision and Order on the above referenced 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

GARY SPACKMAN, Manager
Water Right Permits Section

GS:js

Enclosure

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 327-7900

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

December 10, 1990

Idaho Dept. of Parks and Recreation
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 to Appropriate Water Nos. 37-8258 and 37-8307 in the name of the Idaho Water Resource Board to establish minimum streamflows in the Big Wood River.

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

GARY SPACKMAN, Manager
Water Right Permits Section

GS:js

Enclosure

APR 1 1 1994

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 327-7900

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

December 10, 1990

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

Dear Interested Party:

Please find enclosed a copy of the Proposed Memorandum Decision and Order and Order Issuing Proposed Memorandum Decision for Applications for Permit to Appropriate Water Nos. 37-8258 and 37-8307 in the name of the Idaho Water Resource Board to establish minimum streamflows in the Big Wood River.

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Respectfully,

Gary Spackman

GARY SPACKMAN, Manager
Water Right Permits Section

GS:js

Enclosure

APR 1 1 1994

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 327-7900

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

December 10, 1990

Dave Rydalch
Rt. 2, Box 108
St. Anthony, ID 83445

Dear Dave:

Please find enclosed a copy of the Proposed Memorandum Decision and Order and Order Issuing Proposed Memorandum Decision for Applications for Permit to Appropriate Water Nos. 37-8258 and 37-8307 in the name of the Idaho Water Resource Board to establish minimum streamflows in the Big Wood River.

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

GARY SPACKMAN, Manager
Water Right Permits Section

GS:js

Enclosure

1994

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

December 10, 1990

Friends of the Big Wood River
P.O. Box 4411
Ketchum, ID 83340

Dear Interested Party:

Please find enclosed a copy of the Proposed Memorandum Decision and Order and Order Issuing Proposed Memorandum Decision for Applications for Permit to Appropriate Water Nos. 37-8258 and 37-8307 in the name of the Idaho Water Resource Board to establish minimum streamflows in the Big Wood River.

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

GARY SPACKMAN, Manager
Water Right Permits Section

GS:js

Enclosure

APR - 3

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

December 10, 1990

Blaine County Planning
and Zoning Commission
Ralph Cisco
P.O. Box 149
Hailey, ID 83333

Dear Mr. Cisco:

Please find enclosed a copy of the Proposed Memorandum Decision and Order and Order Issuing Proposed Memorandum Decision for Applications for Permit to Appropriate Water Nos. 37-8258 and 37-8307 in the name of the Idaho Water Resource Board to establish minimum streamflows in the Big Wood River.

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

GARY SPACKMAN, Manager
Water Right Permits Section

GS:js

Enclosure

APR

MINIMUM STREAMFLOW
Fact Sheet

Water Right No. 37-08258

Source: Big Wood River

Applicant: Idaho Water Resource Board

Requesting Agency: Blaine County Planning & Zoning Commission

Date Application Filed: January 16, 1986

Rate of Flow: 200 cfs from 01/01 through 12/31

Place of Use: Beginning at the intersection of the Big Wood River with the Sawtooth National Recreational Area Boundary, located in the SE¼NW¼, Section 10, T5N, R17E, B.M., and extending downstream approximately 9 miles to the confluence of the Big Wood River and Warm Springs Creek, located in the SE¼NW¼, Section 13, T4N, R17E, B.M., Blaine County.

Purpose: Preserve fish and wildlife habitat, water quality, and aesthetics and recreational uses.

Water Right No. 37-08307

Source: Big Wood River

Applicant: Idaho Water Resource Board

Requesting Agency: Blaine County Planning & Zoning Commission

Date Application Filed: October 16, 1987

Place of Use: Beginning at the confluence of the Big Wood River and Warm Springs Creek, located in the SE¼NW¼, Section 13, T4N, R17E, B.M., and extending downstream about 18 miles to the Bellevue diversion located in the SW¼NW¼, Section 36, T2N, R18E, B.M., Blaine County.

APR - 1 1994

Purpose: Preserve fish and wildlife habitat, water quality, and aesthetic and recreational purposes.

Hearing Location for both Water Rights

Blaine County Courthouse, 206 First Avenue South, 2nd Floor Meeting Room, Hailey, Idaho. Beginning at 1:30 p.m. on Tuesday, October 16, 1990.

The hearing will recess at the close of formal testimony, but will reconvene at 7:00 p.m. for the taking of public testimony. The evening meeting will be held in the Ketchum City Hall, 480 East Avenue North, 1st Floor Meeting Room, at the hour of 7:00 p.m.

Big Wood River Hearing

37-8258 37-8307
Minimum streamflow applications

Hearing on November 14, 1990

Recognize the prior record
Since that time the Dept. held mtgs in the spring, reviewed hydrologic data - held several meetings -
Dept. reached several conclusions
generally the gw & sw upstream from Magic is ~~[illegible]~~ closely related

2. ~~[illegible]~~ Time delay between gw withdrawal and effect on the river is relatively short

Order issued establishing a gw management area management policy -

Domestic defined as -

Municipal Ok - but not large scale irrigation parks or golf courses -

[illegible]

APR 11 1994

Does not close development
~~Land~~ Applicants proposing projects

Clarence Parr
8258

Bill Graham
Look at the summary sheet of groundwater applications.
Split them up.
August - March
April - July

Big Wood River -

Doug Brearey
Average flow 459 cfs
At the Hailey gauge 0.04 cfs
Minimum stream flow should prevent nonconsumptive ~~use~~ consumption

Ralph Cisco
APR 11 1994
Passage of riparian set back ordinance
Completion of the bike path ←
Been a phenomenal feature on the river
Rivers are important to the citizens -
Set back of 75 feet from the Big Wood from the highwater - Is a riparian - cannot alter

Do you have a copy

Protect importance of riparian zones

Jim Speck

Represents many water users —
Requests for domestic use irrigation of lots in the county —
Irrigation of common area
Will minimum flow present an additional impediment —
Is or may there be a delayed impact
Impact will come after November 1, 1990
This will be a fully appropriated river after non irrigation season —
How can compensate for past irrigation season effects
GW Management area —
Conjunctive management —
What will a gw applicant be faced with —
County supports the goals of the minimum streamflow
Nobody

Alan Reynolds - Commissioners ~~[redacted]~~ supports the minimum streamflow

Will Miller Blaine Co. resident -
- Environmental planner - Maintenance of riparian & wetlands community -
Any derogatory remarks?

NOTICE OF HEARING FOR APPLICATION FOR MINIMUM STREAMFLOW

Notice is hereby given that the Idaho Water Resource Board has submitted two applications to the Department of Water Resources for permits to appropriate water for a minimum streamflow in the Big Wood River. The applications seek a minimum streamflow for fish and wildlife habitat, water quality, aesthetics and recreation, and are further described as follows:

Application No.: 37-8258
Source: Big Wood River
Proposed Priority: January 16, 1986
Amount & Period of Use: 200 cfs from 01/01 through 12/31.
Place of Use: Beginning at the intersection of the Big Wood River with the Sawtooth National Recreational Area Boundary, located in the SE¼NW¼, Section 10, T5N, R17E, B.M., and extending downstream approximately 9 miles to the confluence of the Big Wood River and Warm Springs Creek, located in the SE¼NW¼, Section 13, T4N, R17E, B.M., Blaine County.

Application No.: 37-8307
Source: Big Wood River
Proposed Priority: October 16, 1987
Amount & Period of Use: 119.23 cfs from 01/01 through 12/31.
Place of Use: Beginning at the confluence of the Big Wood River and Warm Springs Creek, located in the SE¼NW¼, Section 13, T4N, R17E, B.M., and extending downstream about 18 miles to the Bellevue diversion located in the SW¼NW¼, Section 36, T2N, R18E, B.M., Blaine County.

These applications are filed in conjunction with a previous minimum streamflow application, now permit to appropriate water no. 37-7919, which authorizes a minimum streamflow of 70 cfs during the entire year in the reach from the confluence of the Big Wood River with Warm Springs Creek downstream to the Bellevue diversion. Application for permit no. 37-8307 overlaps the earlier permit.

The Director of the Department of Water Resources will hold a formal public hearing in Hailey, Idaho, at the Blaine County Courthouse, 206 First Avenue South, 2nd Floor Meeting Room, beginning at 1:30 p.m. on Wednesday, November 14, 1990, for the purpose of gathering evidence regarding 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. The evening meeting will be held in the Ketchum City Hall, 480 East Avenue North, 1st Floor Meeting Room, at the hour of 7:00 p.m.

Any party who wishes to formally appear in this proceeding for the purpose of presenting evidence or cross examining witnesses should file a notice of appearance with the Director of the Department of Water Resources, Statehouse Mail, 1301 N. Orchard Street, Boise, Idaho, 83720, five (5) days prior to the hearing. A formal party must appear at the outset of the afternoon session. Other parties will be granted 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, these permits will be subject to all prior water rights.

R. KEITH HIGGINSON,
Director
Idaho Department of
Water Resources

PUBLISH: **Thursday,** October 25 and November 1,

OK MB 10/23/90

Times News

RECEIVED
OCT 29 1990
Department of Water Resources
Southern Region Office

APR 11 1994

SL: SOUWTR VER: 01 BY: LEGALS;10/16,10:16
PUB: ED: SEC: PG: PDATE:
HJ: Y011.26/0102 FM: legals FG: fn NOTE:
10:18:16

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R. Keith Higginson, Director
Idaho Department
of Water Resources

Pub. Oct. 25, Nov. 1, 1990 xx

Idaho Statesman

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OCT 19 1990
Department of Water Resources
Southern Region Office

Corrections

OK
mb
10/23/90

APR 1 1991

RECEIVED
OCT 12 1990
Department of Water Resources
Southern Region Office

Hearing set on water apps

NOTICE OF HEARING FOR APPLICATION FOR MINIMUM STREAMFLOW

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Proposed Priority: October 16, 1987

Amount & Period of Use: 119.23 cfs from 01/01 through 12/31

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R. Keith Higginson, Director
Idaho Department
of Water Resources

Publish: Wood River Journal–
October 24 & 31, 1990.

OK
MB
10/12/90

RECEIVED

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 327-7900

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

October 11, 1990

<name>

RE: Minimum Streamflow Application on the Big Wood River, Nos. 37-08258 and 37-08307

Dear <sal>:

You previously received notice of a hearing for a minimum streamflow on the Big Wood River. The hearing has been rescheduled because of flaws in the legal notice. Please disregard the prior notice.

The Idaho Department of Water Resources will conduct a hearing on Wednesday, November 14, 1990, to determine whether a minimum streamflow on the Big Wood River should be approved. The hearing will commence at the Blaine county Courthouse, 206 First Avenue South, 2nd Floor Meeting Room, Hailey, Idaho, beginning at 1:30 p.m.

The hearing will recess at the close of formal testimony, but will reconvene at 7:00 p.m. for the taking of public testimony. The evening meeting will be held in the Ketchum City Hall, 480 East Avenue North, 1st Floor Meeting Room, at the hour of 7:00 p.m.

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

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

APR 11 1994

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

APR 11 1994

<name>Larrey Anderson
Route 1
Eden, ID 83325
<sal>Senator Anderson
<>

<name>Gary Robbins
1421 Poplar
Twin Falls, ID 83301
<sal>Representative Robbins
<>

<name>Ralph B. Peters
601 W. Avenue A
Jerome, ID 83338
<sal>Representative Peters
<>

<name>Friends of the Big Wood River
P.O. Box 4411
Ketchum, ID 83340
<sal>Interested Party
<>

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

<name>Thomas L. Morrison
340 14th Avenue W.
Box 504
Gooding, ID 83330
<sal>Representative Morrison
<>

<name>Mack Wm. Neibaur
Route 1, Box 1478
Paul, ID 83347
<sal>Representative Neibaur
<>

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

<name>Rinda Just, Attorney at Law
Dept. of Parks & Recreation
Statehouse Mail
Boise, ID 83720
<sal>Ms. Just

APR 11 1994

<>

<name>Health & Welfare
Division of Environmental Quality
Statehouse Mail
Boise, ID 83720
<sal>Interested Party
<>

<name>Steve Goddard, Attorney at Law
Dept. of Fish & Game
Statehouse Mail
Boise, ID 83720
<sal>Mr. Goddard
<>

<name>Ralph Cisco
Blaine County Planning & Zoning Commission
P.O. Box 149
Hailey, ID 83333
<sal>Mr. Cisco
<>

NOTICE OF HEARING FOR
APPLICATION FOR MINIMUM
STREAMFLOW

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APR 1 1 1994

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

R. KEITH HIGGINSON, Director
Idaho Department of Water Resources

Published 10/24/90 & 10/31/90

APR 11 1994

The Director of the Department of Water Resources will hold a formal public hearing in Hailey, Idaho, at the Blaine County Courthouse, 206 First Avenue South, 2nd Floor Meeting Room, beginning at 1:30 p.m. on Wednesday, November 14, 1990, for the purpose of gathering evidence regarding the applications. The hearing will be held pursuant to the provisions of Section 42-1503, Idaho Code.

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R. KEITH HIGGINSON, Director
Idaho Department of Water Resources

Published 10/25 & 11/01/90

APR 11 1994

10-Oct-1990

TIMES NEWS
PO BOX 548
TWIN FALLS ID 83301

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the required publication dates. If time allows, please submit a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. If you cannot publish the notice on the proposed dates, please contact us immediately.

In order to receive payment, an affidavit of publication must be submitted to the Department along with the publication bill.

Very truly yours,

Mary Baldwin
Secretary/Office Coordinator

Enclosure

APR 11 1994

10-Oct-1990

POST REGISTER
PO BOX 1800
IDAHO FALLS ID 83402

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the required publication dates. If time allows, please submit a galley proof for review before publication.

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Very truly yours,

Mary Baldwin
Secretary/Office Coordinator

Enclosure

APR 1 1

10-Oct-1990

IDAHO STATESMAN
PO BOX 40
BOISE ID 83707

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the required publication dates. If time allows, please submit a galley proof for review before publication.

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Very truly yours,

Mary Baldwin
Secretary/Office Coordinator

Enclosure

10-Oct-1990

WOOD RIVER JOURNAL
PO BOX 988
HAILEY ID 83333

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the required publication dates. If time allows, please submit a galley proof for review before publication.

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Very truly yours,

Mary Baldwin
Secretary/Office Coordinator

Enclosure

APR 1 1 1994

10-Oct-1990

LEWISTON MORNING TRIBUNE
505 C STREET
LEWISTON ID 83501

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the required publication dates. If time allows, please submit a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. If you cannot publish the notice on the proposed dates, please contact us immediately.

In order to receive payment, an affidavit of publication must be submitted to the Department along with the publication bill.

Very truly yours,

Mary Baldwin
Secretary/Office Coordinator

Enclosure

APR 1 1 1991

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

September 28, 1990

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

Larrey Anderson
Route 1
Eden, ID 83325

RE: Minimum Streamflow Application on Big Wood River, Nos. 37-08258 and 37-08307

Dear Senator Anderson:

The Idaho Department of Water Resources will conduct a hearing on Tuesday, October 16, 1990, to determine whether a minimum streamflow on the Big Wood River should be approved. The hearing will commence at the Blaine County Courthouse, 206 First Avenue South, 2nd Floor Meeting Room, Hailey, Idaho, beginning at 1:30 p.m.

The hearing will recess at the close of formal testimony, but will reconvene at 7:00 p.m. for the taking of public testimony. The evening meeting will be held in the Ketchum City Hall, 480 East Avenue North, 1st Floor Meeting Room, at the hour of 7:00 p.m.

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

A notice of appearance must be filed with the Department at least five (5) days prior to the hearing if you want to become a full party to the action. 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

GARY SPACKMAN, Manager
Water Right Permits Section

GS:js

Enclosures

APR 11 1994

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

September 28, 1990

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

Gary Robbins
1421 Poplar
Twin Falls, ID 83301

RE: Minimum Streamflow Application on Big Wood River, Nos. 37-08258 and 37-08307

Dear Representative Robbins:

The Idaho Department of Water Resources will conduct a hearing on Tuesday, October 16, 1990, to determine whether a minimum streamflow on the Big Wood River should be approved. The hearing will commence at the Blaine County Courthouse, 206 First Avenue South, 2nd Floor Meeting Room, Hailey, Idaho, beginning at 1:30 p.m.

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Sincerely,

Gary Spackman

GARY SPACKMAN, Manager
Water Right Permits Section

GS:js

Enclosures

APR 11 1994

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

September 28, 1990

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

Ralph B. Peters
601 W. Avenue A
Jerome, ID 83338

RE: Minimum Streamflow Application on Big Wood River, Nos. 37-08258 and 37-08307

Dear Representative Peters:

The Idaho Department of Water Resources will conduct a hearing on Tuesday, October 16, 1990, to determine whether a minimum streamflow on the Big Wood River should be approved. The hearing will commence at the Blaine County Courthouse, 206 First Avenue South, 2nd Floor Meeting Room, Hailey, Idaho, beginning at 1:30 p.m.

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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

APR 11 1996

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

September 28, 1990

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

Friends of the Big Wood River
P.O. Box 4411
Ketchum, ID 83340

RE: Minimum Streamflow Application on Big Wood River, Nos. 37-08258 and 37-08307

Dear Interested Party:

The Idaho Department of Water Resources will conduct a hearing on Tuesday, October 16, 1990, to determine whether a minimum streamflow on the Big Wood River should be approved. The hearing will commence at the Blaine County Courthouse, 206 First Avenue South, 2nd Floor Meeting Room, Hailey, Idaho, beginning at 1:30 p.m.

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Sincerely,

Gary Spackman

GARY SPACKMAN, Manager
Water Right Permits Section

GS:js

Enclosures

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 327-7900

September 28, 1990

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

Laird Noh
3442 Addison Avenue E.
Kimberly, ID 83341

RE: Minimum Streamflow Application on Big Wood River, Nos. 37-08258 and 37-08307

Dear Senator Noh:

The Idaho Department of Water Resources will conduct a hearing on Tuesday, October 16, 1990, to determine whether a minimum streamflow on the Big Wood River should be approved. The hearing will commence at the Blaine County Courthouse, 206 First Avenue South, 2nd Floor Meeting Room, Hailey, Idaho, beginning at 1:30 p.m.

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Sincerely,

Gary Spackman

GARY SPACKMAN, Manager
Water Right Permits Section

GS:js

Enclosures

APR 11 1994

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

September 28, 1990

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

Thomas L. Morrison
340 14th Avenue W.
Box 504
Gooding, ID 83330

RE: Minimum Streamflow Application on Big Wood River, Nos. 37-08258 and 37-08307

Dear Representative Morrison:

The Idaho Department of Water Resources will conduct a hearing on Tuesday, October 16, 1990, to determine whether a minimum streamflow on the Big Wood River should be approved. The hearing will commence at the Blaine County Courthouse, 206 First Avenue South, 2nd Floor Meeting Room, Hailey, Idaho, beginning at 1:30 p.m.

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Sincerely,

Gary Spackman

GARY SPACKMAN, Manager
Water Right Permits Section

GS:js

APR 1 1994

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 327-7900

September 28, 1990

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

Mack Wm. Neibaur
Route 1, Box 1478
Paul, ID 83347

RE: Minimum Streamflow Application on Big Wood River, Nos. 37-08258 and 37-08307

Dear Representative Neibaur:

The Idaho Department of Water Resources will conduct a hearing on Tuesday, October 16, 1990, to determine whether a minimum streamflow on the Big Wood River should be approved. The hearing will commence at the Blaine County Courthouse, 206 First Avenue South, 2nd Floor Meeting Room, Hailey, Idaho, beginning at 1:30 p.m.

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Sincerely,

Gary Spackman

GARY SPACKMAN, Manager
Water Right Permits Section

GS:js

Enclosures

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

September 28, 1990

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

John T. Peavey
P.O. Box 88
Carey, ID 83320

RE: Minimum Streamflow Application on Big Wood River, Nos. 37-08258 and 37-08307

Dear Senator Peavey:

The Idaho Department of Water Resources will conduct a hearing on Tuesday, October 16, 1990, to determine whether a minimum streamflow on the Big Wood River should be approved. The hearing will commence at the Blaine County Courthouse, 206 First Avenue South, 2nd Floor Meeting Room, Hailey, Idaho, beginning at 1:30 p.m.

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Sincerely,

Gary Spackman

GARY SPACKMAN, Manager
Water Right Permits Section

GS:js

Enclosures

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

September 28, 1990

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

Rinda Just, Attorney at Law
Dept. of Parks & Recreation
Statehouse Mail
Boise, ID 83720

RE: Minimum Streamflow Application on Big Wood River, Nos. 37-08258 and 37-08307

Dear Ms. Just:

The Idaho Department of Water Resources will conduct a hearing on Tuesday, October 16, 1990, to determine whether a minimum streamflow on the Big Wood River should be approved. The hearing will commence at the Blaine County Courthouse, 206 First Avenue South, 2nd Floor Meeting Room, Hailey, Idaho, beginning at 1:30 p.m.

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Sincerely,

Gary Spackman

GARY SPACKMAN, Manager
Water Right Permits Section

GS:js

APR 11 1994

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

September 28, 1990

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

Health & Welfare
Division of Environmental Quality
Statehouse Mail
Boise, ID 83720

RE: Minimum Streamflow Application on Big Wood River, Nos. 37-08258 and 37-08307

Dear Interested Party:

The Idaho Department of Water Resources will conduct a hearing on Tuesday, October 16, 1990, to determine whether a minimum streamflow on the Big Wood River should be approved. The hearing will commence at the Blaine County Courthouse, 206 First Avenue South, 2nd Floor Meeting Room, Hailey, Idaho, beginning at 1:30 p.m.

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Sincerely,

Gary Spackman

GARY SPACKMAN, Manager
Water Right Permits Section

GS:js

APR

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 327-7900

September 28, 1990

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

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

RE: Minimum Streamflow Application on Big Wood River, Nos. 37-08258 and 37-08307

Dear Mr. Goddard:

The Idaho Department of Water Resources will conduct a hearing on Tuesday, October 16, 1990, to determine whether a minimum streamflow on the Big Wood River should be approved. The hearing will commence at the Blaine County Courthouse, 206 First Avenue South, 2nd Floor Meeting Room, Hailey, Idaho, beginning at 1:30 p.m.

The hearing will recess at the close of formal testimony, but will reconvene at 7:00 p.m. for the taking of public testimony. The evening meeting will be held in the Ketchum City Hall, 480 East Avenue North, 1st Floor Meeting Room, at the hour of 7:00 p.m.

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Sincerely,

Gary Spackman

GARY SPACKMAN, Manager
Water Right Permits Section

GS:js

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

September 28, 1990

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

Ralph Cisco
Blaine County Planning & Zoning Commission
P.O. Box 149
Hailey, ID 83333

RE: Minimum Streamflow Application on Big Wood River, Nos. 37-08258 and 37-08307

Dear Mr. Cisco:

The Idaho Department of Water Resources will conduct a hearing on Tuesday, October 16, 1990, to determine whether a minimum streamflow on the Big Wood River should be approved. The hearing will commence at the Blaine County Courthouse, 206 First Avenue South, 2nd Floor Meeting Room, Hailey, Idaho, beginning at 1:30 p.m.

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Sincerely,

Gary Spackman

GARY SPACKMAN, Manager
Water Right Permits Section

GS:js

OCT 1 1990

MEMORANDUM

To: Wayne Haas, Norm Young, Glen Saxton & Frank Sherman
From: Gary Spackman Gary
Date: September 7, 1990

Re: Minimum Streamflow Hearings: Fall, 1990

Two minimum streamflow hearings have been scheduled for the fall of 1990.

A hearing for the Circle Creek application, no. 43-07295, will be conducted on October 15, 1990 at 7:00 p.m. in the Raft River Electric Coop, Malta, Idaho.

A hearing for two Big Wood River applications, nos. 37-8258 and 37-8307, will be conducted on October 16, 1990. An afternoon session for formal testimony has been scheduled at 1:30 p.m. in the Blaine Co. Courthouse, 2nd Floor Conference Room, Hailey, Idaho. An evening session for informal comment has been scheduled for the Ketchum City Hall conference room at 7:00 p.m.

Attached are copies of the legal notices that have been prepared for publication.

Because of the large number of landowners adjoining the Big Wood River, we have decided to saturate the press rather than send individual notice to landowners.

APR 1 1 1994

State of Idaho
DEPARTMENT OF WATER RESOURCES
Southern Region

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

Mailing Address:
Southern Region
2148 4th Ave. East
Twin Falls, Idaho 83301
(208) 734-3578

MEMORANDUM

DATE: 25-Nov-1987

FROM: Loren Holmes

TO: Gary Spackman

SUBJECT: Big Wood River MSF Applications 37-8258 & 37-8307

Attached are copies of the applications and associated correspondence. We will continue to hold the files until further notice.

APR 11 1994

State of Idaho
DEPARTMENT OF WATER RESOURCES
Southern Region

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

Mailing Address:
Southern Region
2148 4th Ave. East
Twin Falls, Idaho 83301
(208) 734-3578

November 25, 1987

Ed Nigbor, Planning Director
Blaine County Planning and Zoning Comm.
P.O. Box 149
Hailey, ID 83333

Re: Applications for Minimum Streamflow 37-8258 & 37-8307

Dear Mr. Nigbor:

Enclosed are copies of the Water Resource Board's new application No. 37-8307 and application 37-8258 as amended on October 15, 1987.

The new filing and amended application result in the requested flow in the Ketchum to Bellevue reach of the river being junior in time to application 37-8298 filed by the Sun Valley Co. for snowmaking as requested by the Blaine County Commissioners. In application 37-8307, The amount requested by Sun Valley and one other intervening permit in the reach have been subtracted from the requested flow.

This office will hold further action on the applications until a public meeting is set by the Board and/or hearings are scheduled by the Department.

If you have any questions or if we can be of further assistance, please let us know.

Very Truly yours,

Loren O. Holmes, P. E.
Southern Region Manager

LOH:mb
Encl

APR 1 1988

State of Idaho
DEPARTMENT OF WATER RESOURCES
Southern Region

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

Mailing Address:
Southern Region
2148 4th Ave. East
Twin Falls, Idaho 83301
(208) 734-3578

November 25, 1987

Idaho Water Resource Board
Statehouse
Boise, ID 83720

Re: Applications for Minimum Streamflow 37-8258 & 37-8307

Gentlemen:

This office acknowledges receipt of Application 37-8307 to appropriate 119.23 cfs of water from the Big Wood River for Minimum Streamflow between Ketchum and Bellevue and amendment of application 37-8258 deleting the requested flow of 130 cfs in the same reach.

Copies of the applications are enclosed and copies are being sent to the requesting agency, Blaine County Planning & Zoning commission.

If this office can be of further service, please let us know.

Very Truly yours,

Loren O. Holmes, P. E.
Southern Region Manager

LOH:mb
Encl

APPROVED
APR 11 1994

State of Idaho
DEPARTMENT OF WATER RESOURCES
Southern Region

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

Mailing Address:
Southern Region
2148 4th Ave. East
Twin Falls, Idaho 83301
(208) 734-3578

November 30, 1987

Idaho Dept. of Parks & Recreation
Statehouse
Boise, ID 83701

RE: Applications for Water Permit Nos. 37-8258, 37-8307

Gentlemen:

Enclosed for your information are copies of applications for water permit which have been filed with this office.

If you have any questions or need additional information regarding these application, please feel free to contact this office.

Very truly yours,

Loren O. Holmes, P.E.
Southern Region Manager

LH:MB

Enclosures

APR 11 1994

State of Idaho
DEPARTMENT OF WATER RESOURCES
Southern Region

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

Mailing Address:
Southern Region
2148 4th Ave. East
Twin Falls, Idaho 83301
(208) 734-3578

November 30, 1987

Gary R. Burkett
Idaho Dept. of Health & Welfare
P.O. Box 1626
Twin Falls, ID 83301

RE: Applications for Water Permit Nos. 37-8258, 37-8307

Dear Mr. Burkett:

Enclosed for your information are copies of applications for water permit which have been filed with this office.

If you have any questions or need additional information regarding these application, please feel free to contact this office.

Very truly yours,

Loren O. Holmes, P.E.
Southern Region Manager

LH:MB

Enclosures

APR 11 1994

State of Idaho
DEPARTMENT OF WATER RESOURCES
Southern Region

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

Mailing Address:
Southern Region
2148 4th Ave. East
Twin Falls, Idaho 83301
(208) 734-3578

November 25, 1987

Ed Nigbor, Planning Director
Blaine County Planning and Zoning Comm.
P.O. Box 149
Hailey, ID 83333

Re: Applications for Minimum Streamflow 37-8258 & 37-8307

Dear Mr. Nigbor:

Enclosed are copies of the Water Resource Board's new application No. 37-8307 and application 37-8258 as amended on October 15, 1987.

The new filing and amended application result in the requested flow in the Ketchum to Bellevue reach of the river being junior in time to application 37-8298 filed by the Sun Valley Co. for snowmaking as requested by the Blaine County Commissioners. In application 37-8307, The amount requested by Sun Valley and one other intervening permit in the reach have been subtracted from the requested flow.

This office will hold further action on the applications until a public meeting is set by the Board and/or hearings are scheduled by the Department.

If you have any questions or if we can be of further assistance, please let us know.

Very Truly yours,

Loren O. Holmes, P. E.
Southern Region Manager

LOH:mb
Encl

APR 11 1994

State of Idaho
DEPARTMENT OF WATER RESOURCES
Southern Region

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

Mailing Address:
Southern Region
2148 4th Ave. East
Twin Falls, Idaho 83301
(208) 734-3578

November 30, 1987

Bob Bell
Idaho Dept. of Fish & Game
P.O. Box 428
Jerome, ID 83338

RE: Applications for Water Permit Nos. 37-8258, 37-8307

Dear Mr. Bell:

Enclosed for your information are copies of applications for water permit which have been filed with this office.

If you have any questions or need additional information regarding these application, please feel free to contact this office.

Very truly yours,

Loren O. Holmes, P.E.
Southern Region Manager

LH:MB

Enclosures

MICROFILMED
APR 11 1994

State of Idaho
DEPARTMENT OF WATER RESOURCES
Southern Region

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

Mailing Address:
Southern Region
2148 4th Ave. East
Twin Falls, Idaho 83301
(208) 734-3578

November 30, 1987

U.S. Department of Agriculture
Forest Service
2647 Kimberly Rd. East
Twin Falls, ID 83301

RE: Applications for Water Permit Nos. 37-8258, 37-8307

Gentlemen:

Enclosed for your information are copies of applications for water permit which have been filed with this office.

If you have any questions or need additional information regarding these application, please feel free to contact this office.

Very truly yours,

Loren O. Holmes, P.E.
Southern Region Manager

LH:MB

Enclosures

APR 11 1994

State of Idaho
DEPARTMENT OF WATER RESOURCES
Southern Region

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

Mailing Address:
Southern Region
2148 4th Ave. East
Twin Falls, Idaho 83301
(208) 734-3578

RECEIVED
DEC 01 1987
Department of Water Resources

MEMORANDUM

DATE: 25-Nov-1987

FROM: Loren Holmes

TO: Gary Spackman

SUBJECT: Big Wood River MSF Applications 37-8258 & 37-8307

Attached are copies of the applications and associated correspondence. We will continue to hold the files until further notice.

APR 11 1994

RECEIVED

JAN 21 1988

Form 202
6/85

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

RECEIVED
DEC 01 1987
Department of Water Resources

To appropriate the public waters of the State of Idaho

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

   Post office address Statehouse, Boise, ID 83720

2. Source of water supply Big Wood River which is a tributary of Snake River

3. Location of point of diversion is See Item 12 ¼ of ¼ of ¼, Govt. Lot

   Sec. Township Range B.M. County; additional

   points of diversion if any:

4. Water will be used for the following purposes:

   Amount 200 (cfs or acre-feet per annum) for Instream Flow, Reach A purposes from Jan. 1 to Dec. 31 (both dates inclusive)

* Amount ~~130~~ (cfs or acre-feet per annum) for ~~Instream Flow~~ ~~Reach B~~ purposes from ~~Jan. 1~~ to ~~Dec. 31~~ (both dates inclusive)

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

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

5. Total quantity to be appropriated is (a) 200.0 cubic feet per second and/or (b) acre feet per annum

6. Proposed diverting works:

   a. Description of ditches, flumes, pumps, headgates, etc. Instream Flow

   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? APR 1 1 1994

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*).

* Deletions from application were requested by the Idaho Water Resource Board in minutes of October 15, 1987 Board Meeting. 11/24/87 LH

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

a. Hydropower; show total feet of head and proposed capacity in KW. _____

b. Stockwatering; list number and kind of livestock. _____

c. Municipal; show name of municipality. _____

d. Domestic; show number of households. _____

e. Other; describe fully. Minimum Stream Flow to be maintained for the local public interest: for fish and wildlife, water quality, aesthetics, recreation, etc.

9. Description of place of use:

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

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

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

Total number of acres to be irrigated _____

10. Describe any other water rights used for the same purposes as described above. Minimum Stream flow Water Right No. 37-7919 in Reach B for 70.0 cfs

11. a. Who owns the property at the point of diversion? NA

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

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

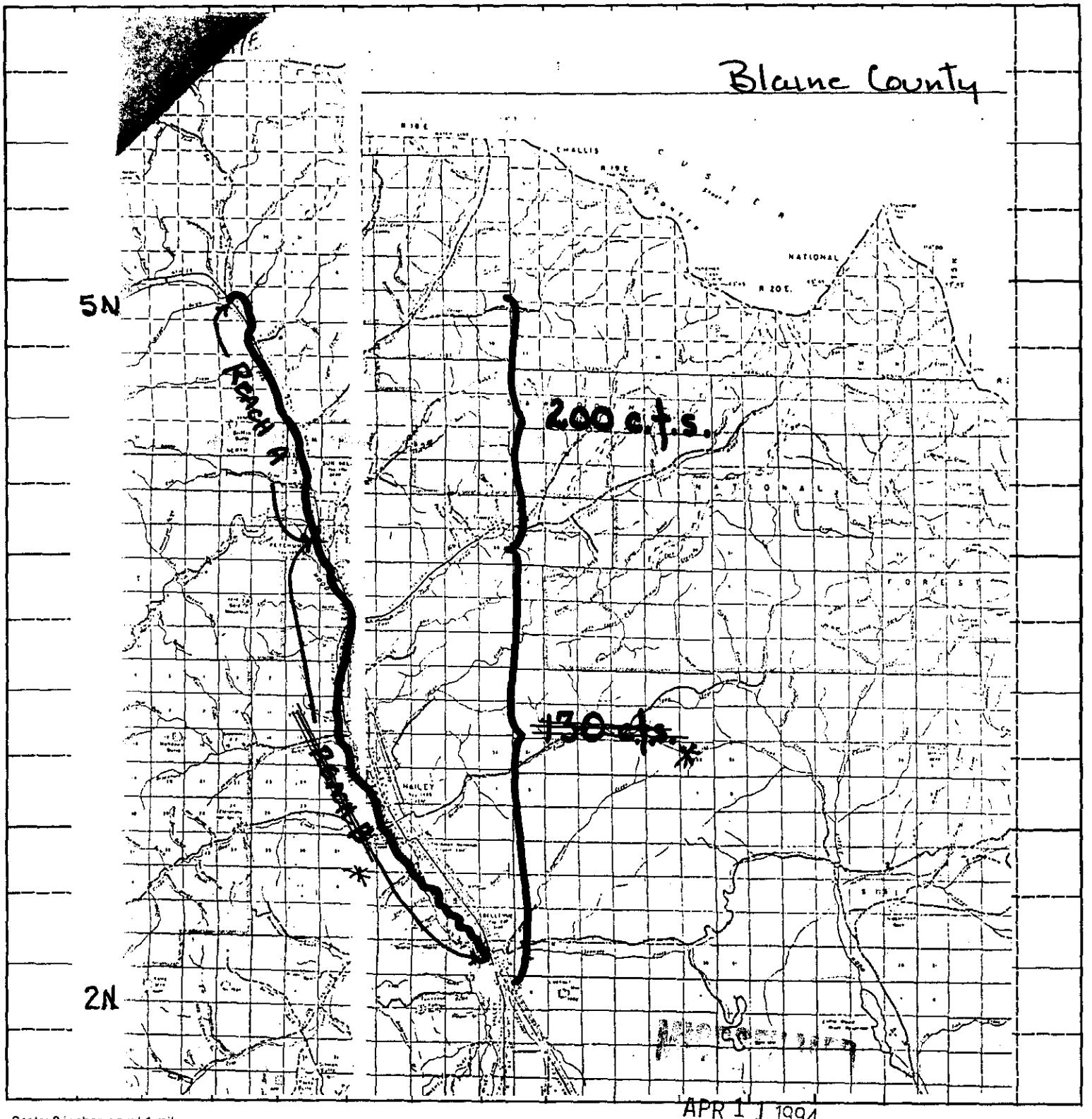
APR 11 1994

12. Remarks: Reach A: From the intersection with the Sawtooth National Recreation Area Boundary located in the SE¼ NW¼, Sec. 10, T5N, R17E, B.M., downstream about 9 miles to the confluence with Warm Springs Creek located in the SE¼ NW¼, Sec. 13, T4N, R17E, B.M

* ~~Reach B: From the confluence with Warm Springs Creek located in the SE¼ NW¼, Sec. 13, T4N, R17E, B.M., downstream about 18 miles to the Bellevue diversion located in the SW¼NW¼, Sec. 36, T2N, R18E, B.M.~~

Reaches A ~~and B~~ are located in Blaine County.

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



Scale: 2 inches equal 1 mile.

APR 11 1994

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.

(Applicant)

Chairman, Idaho Water Resource Board

marya 1/. 86 1:50p

Received by DRT Date Jan 16, 1986 Time 12:00 am Preliminary check by DRT

Fee $ None Req'd. Receipted by NA # NA Date NA

Publication prepared by mary 2 Date 2/24/86 Published in Times News Lead River Journal

Publication approved mary 2 Date 3/14/86

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 1 1 1994

Form 202
Supplemental

ATTACHMENT TO APPLICATION FOR PERMIT

TO APPROPRIATE A MINIMUM STREAM FLOW

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

As no water will actually be diverted from the river, there will be no interference with vested rights of an earlier date.

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

Water will be retained in the river for the local interest and will not be used, or diverted, for any private interest. Tourism is the major economic base of this area, and the Big Wood River is a major recreation/tourism resource.

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

In order for the public interest uses (fish and wildlife, water quality, aesthetics, recreation, etc.) to be protected from new uses that might dewater the river, these minimum stream flows must be requested and approved.

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

The ideal flow would be the natural stream flow, or the average monthly high flows. These would do a better job of maintaining the vitality and natural flows of the Big Wood River.

APR 1 1 1994

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.

Records show that a flow of 200 cfs is maintained 50.7 % of the time. The purpose is not to maintain it 100%, but to prevent dewatering by later rights during periods of low flow.

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

Station 19, Big Wood River, City of Hailey

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

NO

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

In the recent past there has been substantial local public response/input towards the protection of minimum stream flows within the Big Wood River and not allowing dewatering in the reaches that this application speaks to.

APR 1 1 1994

MEMORANDUM

RECEIVED
NOV 9 1987
Department of Water Resources
Southern Region Office

TO: Loren Holmes

FROM: Gary Spackman Gary

DATE: November 6, 1987

RE: Application for Permit to Appropriate Water No. 37-8258 for Minimum Streamflow on the Big Wood River

Enclosed is a copy of a portion of the minutes of the Idaho Water Resource Board meeting held in Preston, Idaho on October 14 and 15, 1987. The minutes discuss the new filing on the Big Wood River for minimum streamflow, No. 37-8307 wherein the Board requested a minimum streamflow of 119 cfs.

As you are probably aware, Application No 37-8307 duplicates a portion of Application No. 37-8258 for a minimum streamflow. The purpose of the refiling was to establish a later priority for the lower subreach of Application No. 37-8258. Since the Board intends to replace the lower subreach under No. 37-8258 with the new filing, some notation should be endorsed on the original Application No. 37-8258. I have reviewed our files, and have determined that southern region has retained the originals.

I have enclosed a revised copy of the document which we have in our files. If it meets with your agreement, please change the original filing to reflect the deletion of the second subreach from the original filing. Please send me a copy of the amended application.

APR 11 1994

F. Dave Rydalch, Secretary and minimum stream flow chairman, moved the Board leave the prior application filed on the Big Wood River in reach B for 70 cfs unaffected by this action, the minimum stream flow application in reach A for 200 cfs intact, **withdraw the application in reach B for 130 cfs** and refile an application today for 119.23 cfs on reach B of the Big Wood River allowing for 4 cfs filed for nonconsumptive wildlife purposes and 6.77 cfs requested by Sun Valley Company given the current understanding of the water right priorities as explained by department staff. Because of the public support for the Board's action, the Board will not hold an information meeting. J. D. Williams, Member, seconded the motion.

Motion passed by voice vote: 7 Ayes, 0 Nays, 1 Absent.

Chairman Gray requested staff provide more information on how a private citizen gets a water permit for wildlife purposes, particularly in this instance.

c. Status Report on Board Application for Minimum Stream Flow From Crystal Springs. F. Dave Rydalch, Secretary and minimum stream flow chairman, stated on July 27, 1987 Chairman Gene M. Gray signed

L---T---T----------T----------R----------

APR 1 1 1994

Form 202
6/85

Ident. No. 37-8258

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

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

   Post office address Statehouse, Boise, ID 83720

2. Source of water supply Big Wood River which is a tributary of Snake River

3. Location of point of diversion is See Item 12 ¼ of _____ ¼ of _____ ¼, Govt. Lot _____

   Sec. _____ Township _____ Range _____ B.M. _____ County; additional

   points of diversion if any: _____

4. Water will be used for the following purposes:

   Amount 200 (cfs or acre-feet per annum) for Instream Flow, Reach A purposes from Jan. 1 to Dec. 31 (both dates inclusive)

   * Amount ~~130~~ (cfs or acre-feet per annum) for ~~Instream Flow~~ Reach B purposes from ~~Jan. 1~~ to ~~Dec. 31~~ (both dates inclusive)

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

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

5. Total quantity to be appropriated is (a) 200.0 cubic feet per second and/or (b) _____ acre feet per annum

6. Proposed diverting works:

   a. Description of ditches, flumes, pumps, headgates, etc. Instream Flow

   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.

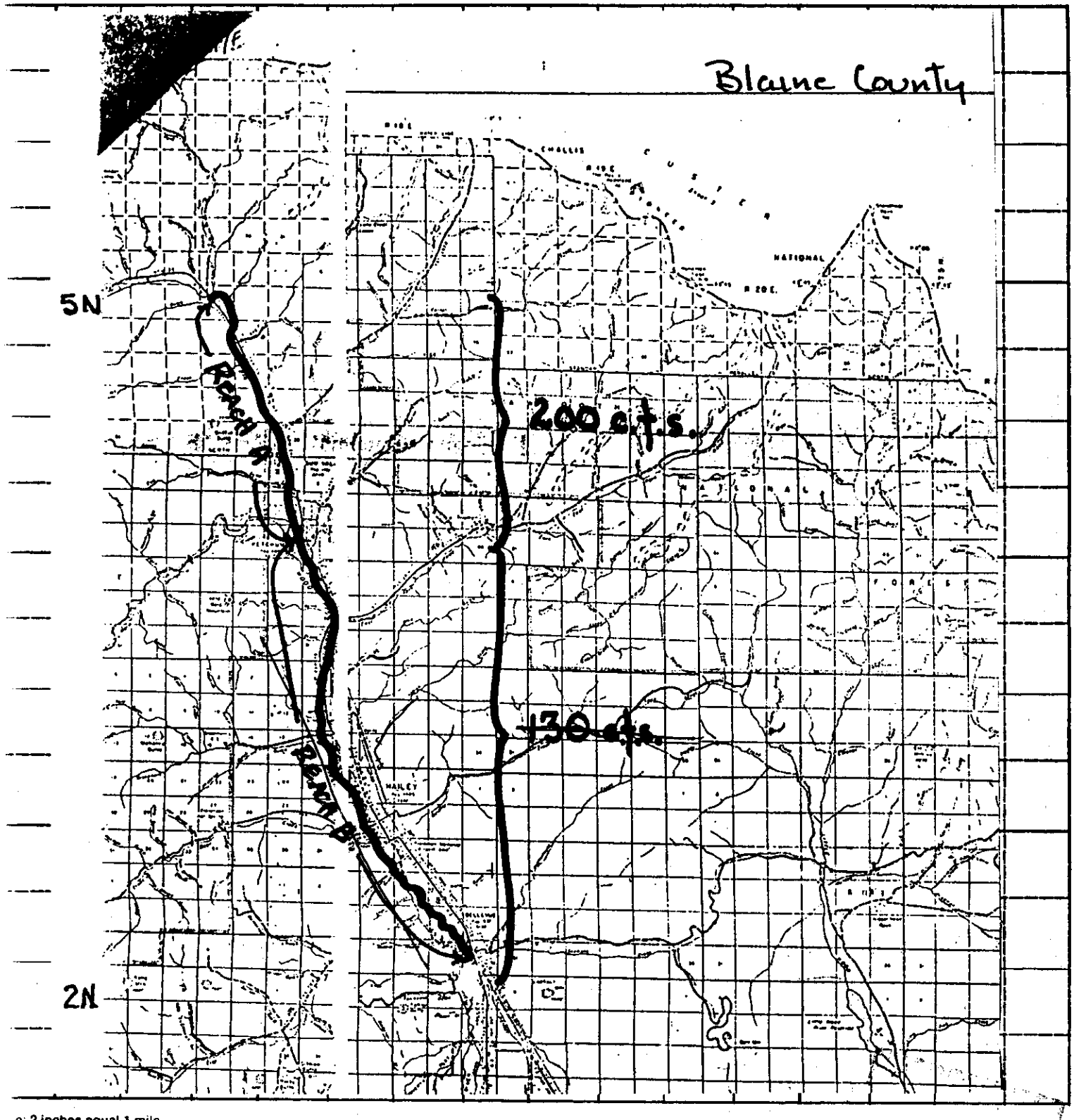
   d. Is ground water with a temperature of greater than 90°F being sought? _____

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 11 1988

* Deletions from application were requested by Idaho Water Resource Board in minutes of October 15, 1987 Board Meeting. 11/87 (Jm

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



e: 2 inches equal 1 mile.

APR 11 1994

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.

(Applicant)

Chairman, Idaho Water Resource Board

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

a. Hydropower; show total feet of head and proposed capacity in KW. _____

b. Stockwatering; list number and kind of livestock. _____

c. Municipal; show name of municipality. _____

d. Domestic; show number of households. _____

e. Other; describe fully. Minimum Stream Flow to be maintained for the local public interest: for fish and wildlife, water quality, aesthetics, recreation, etc.

9. Description of place of use:

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

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			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

Total number of acres to be irrigated _____

10. Describe any other water rights used for the same purposes as described above. Minimum Stream flow Water Right No. 37-7919 in Reach B for 70.0 cfs

11. a. Who owns the property at the point of diversion? NA

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

APR 1 1 1994

12. Remarks: Reach A: From the intersection with the Sawtooth National Recreation Area Boundary located in the SE¼ NW¼, Sec. 10, T5N, R17E, B.M., downstream about 9 miles to the confluence with Warm Springs Creek located in the SE¼ NW¼, Sec. 13, T4N, R17E, B.M.

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Reaches A ~~and B~~ are located in Blaine County.

Received by DRT Date Jan. 6, 1986 Time 12:00 pm Preliminary check by DRT

Fee $ None Req'd. Receipted by NA # NA Date NA

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 11 1994

Form 202
Supplemental

ATTACHMENT TO APPLICATION FOR PERMIT

TO APPROPRIATE A MINIMUM STREAM FLOW

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APR 1 1 1994

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Station 19, Big Wood River, City of Hailey

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

NO

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

In the recent past there has been substantial local public response/input towards the protection of minimum stream flows within the Big Wood River and not allowing dewatering in the reaches that this application speaks to.

APR 1 1 1994

ELAM, BURKE AND BOYD
ATTORNEYS AND COUNSELORS AT LAW

FIRST INTERSTATE BUILDING
702 WEST IDAHO
POST OFFICE BOX 1559
BOISE, IDAHO 83701
TELEPHONE 208-343-5454
TELECOPIER 208-343-5454

LAUREL E. ELAM (1888-1974)
CARL A. BURKE (1898-1961)
CARL P. BURKE
PETER J. BOYD
J. RAY DURTSCHI
M. ALLYN DINGEL, JR.
JACK S. GJORDING
JOHN MAGEL
DAVID B. LINCOLN
RICHARD C. MELLON, JR.
ROBERT M. TYLER, JR.
JAMES D. LARUE
RANDALL A. PETERMAN
WILLIAM J. RUSSELL
KAYE L. O'RIORDAN
RYAN P. ARMBRUSTER
DAVID E. COMSTOCK
MELVILLE W. FISHER II
WILLIAM G. DRYDEN
TODD J. WILCOX
PETER C. K. MARSHALL
KENNETH M. SEBBY
TRUDY HANSON FOUSER
D. ALAN KOFOED
SCOTT L. CAMPBELL
BOBBI KILLIAN DOMINICK
W. DALLAS BURKHALTER
ALAN CONILOGUE
ELAINE D. HANSON
JEFFERY J. VENTRELLA
BRENDA G. MEIER
JOHN J. JANIS
WENDY E.D. SMITH

July 15, 1987

RECEIVED
JUL 16 1987
Department of Water Resources

Mr. Gary Spackman, Supervisor
Water Allocations Division
Department of Water Resources
State of Idaho
450 W. State Street
Boise, ID 83702

Re: Application for Permit No. 37-8258

Dear Gary:

Pursuant to our telephone conversation of July 13, 1987, I am hereby requesting that you provide me with written notice of the public hearing which you indicated will probably be conducted during the next several months regarding the Application for Water Permit No. 37-8258.

This law firm represents the Sun Valley Company, which has recently applied for water permits to increase the snow-making capabilities on Mt. Baldy. The requested appropriations for these applications involve Warm Springs Creek and the Big Wood River. Accordingly, the Sun Valley Company has a substantial interest in how the Application for Permit No. 37-8258 is resolved.

Thank you for your assistance in this regard.

Very truly yours,

ELAM, BURKE AND BOYD

Scott L. Campbell

Scott L. Campbell

SLC:ls
xc: Wallace Huffman
Carl Burke

APR 11 1994

market conditions are erratic and difficult in making sale subject to greater net interest cost risk, (3) market analysis is necessary to determine the best security, maturity and other features to ensure a successful sale, and (4) easier to resolve uncertainties presented by potential investors.

There are no guarantees on the tax overhaul ongoing in Congress. The Board's mirror bond program would be under small-issues IDB's, which in the House version, H.R. 3838, leaves the bonds tax exempt, capped with no elimination date; while the Senate version leaves the bonds tax exempt and capped but has an elimination date of December 31, 1988. Mr. Wrigley urged the Board contact Idaho Senator, Steve Symms, on the Senate Finance Committee, to keep water projects tax exempt.

Mr. Wrigley recommended the Board consider for underwriters on this bond the firm, Shearson Lehman American Express. They have experience in putting together pool bonds in the past, are a retailing firm in addition to being an institution firm, and have a large presence in Idaho and Northwest. Scott Clements, Vice President, Foster & Marshall Division, Shearson Lehman Brothers, appreciated the opportunity to express his interest and excitement in the program. His firm has a great deal of experience in designing and implementing pool financing; it has underwritten as senior manager $1.6 billion. Mr. Clements endorses the financial advisor's approach to assuring the bond. Assurance provides an added comfort in that a letter of credit from a commercial bank provides recourse if the project goes into default. The firm's role as underwriter is to essentially represent the market's interest--what sells best today.

Agenda Item No. 10. Items Board Members May Wish to Present

F. Dave Rydalch, chairman of Minimum Stream Flow Committee, explained a public information meeting was held on March 19, 1986 on a minimum stream flow in the Big Wood River. Local residents expressed concern that the minimum flow request of 200 cfs was in excess of the river flow most of the year. A. Kenneth Dunn, Director, said the North Fork Big Wood River was an unregulated stream with few diversions above Ketchum. A hydrograph chart shows the average flow in the river from September to April to be 100 cfs and the rest of the year above 200 cfs.

F. Dave Rydalch, chairman of Minimum Stream Flow Commmittee, moved the Board reduce the flow request of its minimum stream flow application on the North Fork Big Wood River in reach A to 100 cfs during the period from September 1 to April 1 and maintain the flow of 200 cfs during the period of April 1 to September 1. J. D. Williams, Member, seconded the motion.

Motion passed by voice vote: 7 Ayes, 0 Nays, 1 Absent.

F. Dave Rydalch, Member, reported the bill to study Henrys Fork for inclusion in the Wild and Scenic Rivers System has passed the

Note: Reach B left at 130 cfs APR 1 1 1994

DATE: 4-29-86

3-86 MEETING OF IDAHO WATER RESOURCE BOARD

MOVED BY Rydalch SECONDED BY Williams

O z C w S Big Wood River

N.F. S April 1 to Sept 1 - 200 cfs
Sept 1 to April - 100 cfs

RECORD OF VOTE:

NAMES:	AYE	NAY	ABSENT
BROOKS			✓
GRAY			
HUNGERFORD			
LANTING			
RYDALCH			
SHAWVER			
WAGNER			
WILLIAMS			
TOTALS	7		

MOTION: _____ PASSED _____ FAILED

APR 11 1994

NOTICE OF APPLICATION FOR MINIMUM STREAM FLOW

Notice is hereby given that the Idaho Water Resource Board has on January 16, 1986, submitted an Application for Permit to the Department of Water Resources proposing the appropriation of water to preserve the minimum stream flow from the Big Wood River tributary to Snake River and further described as follows:

Application No. 37-8258

Source: Big Wood River

Location of Minimum Streamflow Reach: Reach A: From the intersection with the Sawtooth National Recreation Area Boundary located in the SE1/4NW1/4, Sec. 10, T5S, R17E, B.M., downstream about 9 miles to the confluence with Warm Springs Creek located in the SE1/4NW1/4, Sec. 13, T4N, R17E, B.M.

Reach B: From the confluence with Warm Springs Creek located in the SE1/4NW1/4, Sec. 13, T4N, R17E, B.M., downstream about 18 miles to the Bellevue diversion located in the SW1/4NW1/4, Sec. 36, T2N, R18E, B.M. Reaches A and B are located in Blaine County.

Rate of Flow and Season of Use:	Rate	Period of Use
Reach A	200 cfs	Jan 1 to Dec 31
Reach B	130 cfs	Jan 1 to Dec 31

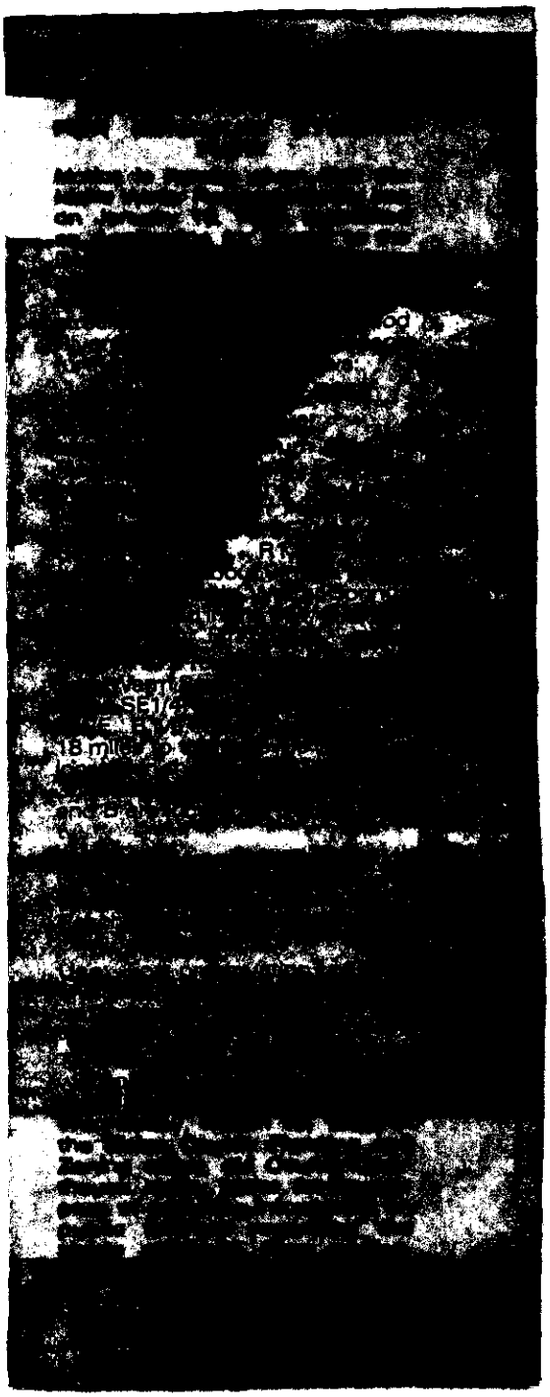
Use: For preservation of fish, wildlife, water quality, aesthetic, and recreation in the public interest.

The Idaho Water Resource Board will hold a public meeting on the application at 7:30 p.m., on Wednesday, March 19, 1986 in the Blaine County Planning and Zoning Office, Old County Courthouse, Hailey, Idaho, for the purpose of gathering information on public interest regarding the above minimum flow applications.

Gene Gray
Chairman - Idaho Water Resource Board

Published in Wood River Journal on March 6 and 13, 1986
Times News on March 6 and 13, 1986.

APR 1 1 1994



NOTICE OF APPLICATION FOR MINIMUM STREAM FLOW

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Rate of Flow and Season of Use: Rate: Period of Use:

Reach A - 200 cfs, Jan. 1 to Dec. 31

Reach B - 130 cfs, Jan. 1 to Dec. 31

Use for preservation of fish, wildlife, water quality, aesthetic, and recreation in the public interest.

The Idaho Water Resource Board will hold a public meeting on the application at 7:30 p.m., on Wednesday, March 19, 1986, in the Blaine County planning and Zoning Office, Old County Courthouse, Hailey, Idaho, for the purpose of gathering information on public interest regarding the above minimum flow applications.

Gene Gray
Chairman, Idaho Water Resource Board

PUBLISH: **Thursdays,** March 6, and 13, 1986.

APR 1 1 1994

DEPARTMENT OF WATER RESOURCES
PUBLIC INFORMATION HEARING
BLAINE COUNTY REQUEST FOR A MINIMUM STREAM FLOW

March 19, 1986

****

A. LOCAL PUBLIC INTEREST -- The state holds all waters in trust for the benefit of the public and does not have the power to abdicate its role of trustee in favor of private parties. Quoted in the Troutco case as heard by the Supreme Court of the State of Idaho.

B. REASON FOR THE MINIMUM STREAM FLOW REQUEST:

1) The Big Wood River is an important natural resource to the entire county, not just to the property owners that have riverfront property.

2) Tourism is the main economic base of Blaine County, and the Big Wood River is an important tourist attraction.

3) Because of the large amount of revenue that comes from tourism, large amounts of sales tax revenues go into the state coffers.

4) No other economic activity in Blaine County, including agriculture and hydro-electric projects, comes close to generating the amount of revenue that tourism does.

5) Therefore, the Blaine County Commissioners felt that it was necessary to request a minimum stream flow for the Big Wood River to protect it from any future diversions that might cause any negative impacts to the river.

C. PUBLIC INPUT TO DATE:

1) Blaine County Commissioners public hearing on application for a hydro-electric project (Divine project). Public input was overwhelmingly against the project, with a 900-signature petition against it. Was denied by the Commissioners.

2) Department of Water Resources hearing on November 13, 1985, for a 70 c.f.s. minimum stream flow -- a request by the Dept. of Fish and Game.

3) Passage on March 10, 1986, by the Blaine County Commissioners of an amendment to the Blaine County Zoning Ordinance 77-5, sections on the Floodplain Management District and Stream Alteration Permit. This complete rewriting of these sections is the result of a citizen's committee which met over a period of two years.

4) Editorials in the media which have all been in favor of the preservation of the Big Wood River for recreational and aesthetic uses.

APR 11 1994

D. SECTION 42-1503, IDAHO CODE. CRITERIA FOR THE APPROVAL OF A MINIMUM STREAM FLOW:

1) 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 STREAM FLOW FILED UNDER THE PROVISIONS OF THIS ACT.

This application will not affect any water rights issued prior to January 16, 1986, the date the application was accepted by the Water Resources Board.

2) IS IN THE PUBLIC, AS OPPOSED TO PRIVATE, INTEREST.

The application was made by the Blaine County Commissioners in the name of the citizens of Blaine County.

3) IS NECESSARY FOR THE PRESERVATION OF FISH AND WILDLIFE HABITAT, AQUATIC LIFE, RECREATION, AESTHETIC BEAUTY, NAVIGATION, TRANSPORTATION, OR WATER QUALITY OF THE STREAM.

These are listed as the proposed uses in the application.

4) IS THE MINIMUM FLOW OR LAKE LEVEL AND NOT THE IDEAL OR MOST DESIRABLE FLOW OR LAKE LEVEL.

This is the minimum flow that would most adequately meet the requirements of the uses listed in No. 3 above. Part of the input for this decision came from studies of the Dept. of Fish and Game. The ideal flow would be the natural flows during the year if unhampered by any development or diversion.

5) IS CAPABLE OF BEING MAINTAINED AS EVIDENCED BY RECORDS OF STREAM FLOWS AND WATER LEVELS AND THE EXISTING OR FUTURE ESTABLISHMENT OF NECESSARY GAUGING STATIONS AND BENCH MARKS.

There are accurate measurements at the City of Hailey gauging station which show that a minimum flow of 200 c.f.s. can be maintained 50.7% of the time.

I do not have access to any long term measurements above Hailey but the following flows were recorded in 1983/84.

APR 1 1 1994

FLOWS OF THE BIG WOOD RIVER

"Impacts of Individual On-Site Sewage Disposal Facilities on Mountain Valleys -- Phase II -- Water Quality Considerations."

Idaho Water and Energy Resources Research Institute. S. P. Lottrell and C. E. Brockway.

May, 1984

LOCATION	1983 Sept 12-14	1984 Mar 12-14
Big Wood River:		
near North Fork	171	94
near Lake Creek	182	104
at Ketchum (above Warm Springs)	193	120
at Warm Springs	253	171
near Gimlet	327	
above Deer Creek	318	241
at Hailey	410	325

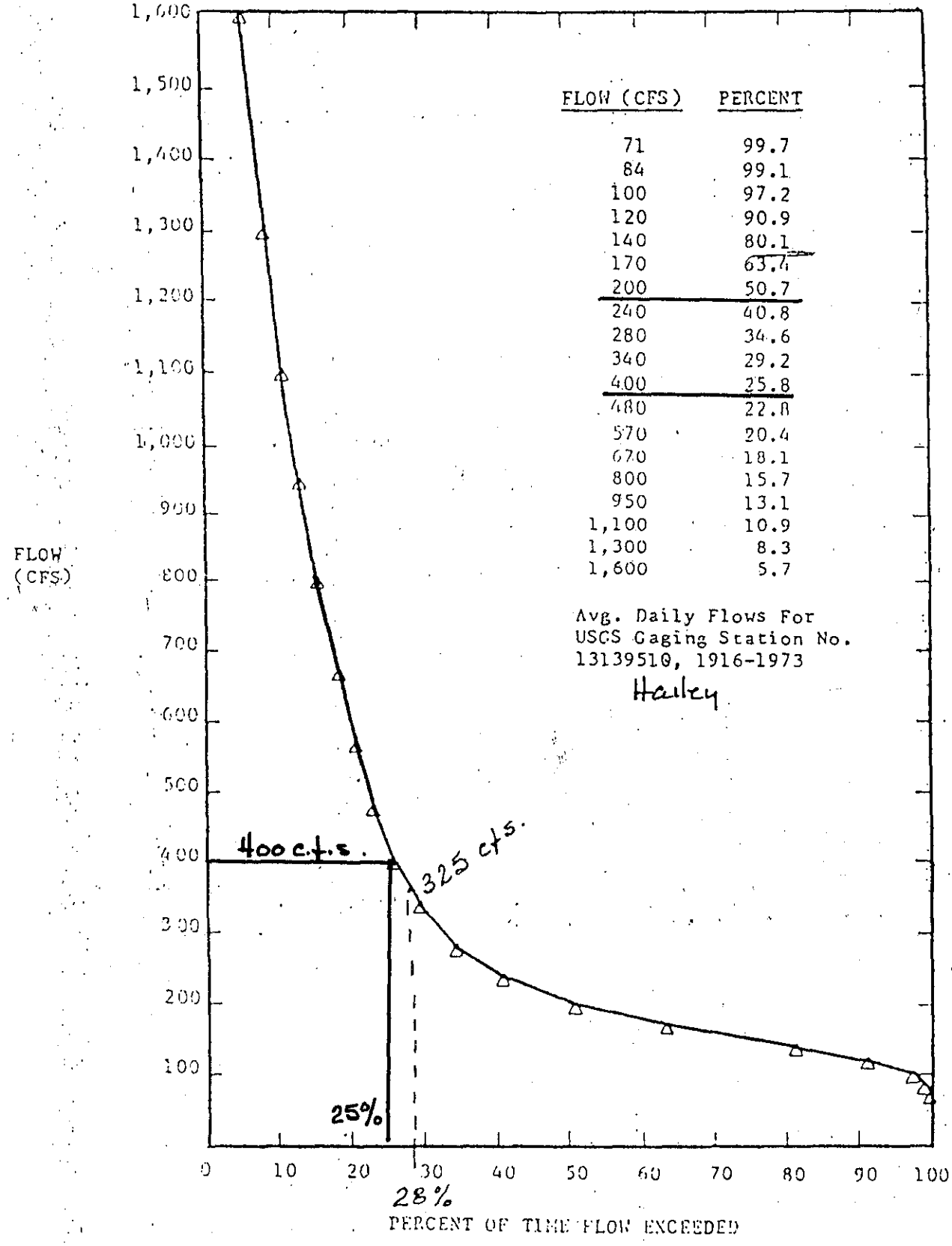
It would appear that our request may not meet criteria No. 5. If not (and it must be met?), then I wish to ask a question or two based on previous water rights approvals.

a. It would appear that in approvals for private use, there is a record of overallocation of water, based on criteria No. 5. A local example is the approval of 325 c.f.s. for Mr. Divine -- when records at the Hailey gauging station show that (together with the Fish and Game minimum stream flow of 70 c.f.s.) 400 c.f.s. can be met only 25.8% of the year. Why the different standards?

b. Is not the Big Wood River unique in that the highest and best use is only for recreation and aesthetic purposes? Thus it is reasonable to ask if criteria No. 5 is really relevant?

SUMMARY:

Blaine County requests this minimum stream flow approval in order to protect and promote the lifestyle and economic well-being of its citizens and the area, and to gain the highest return on this natural resource for the people of the State of Idaho. The Blaine County Commissioners feels that the Water Resources Board recognizes its responsibilities to the citizens and will look and act upon this application very favorably.



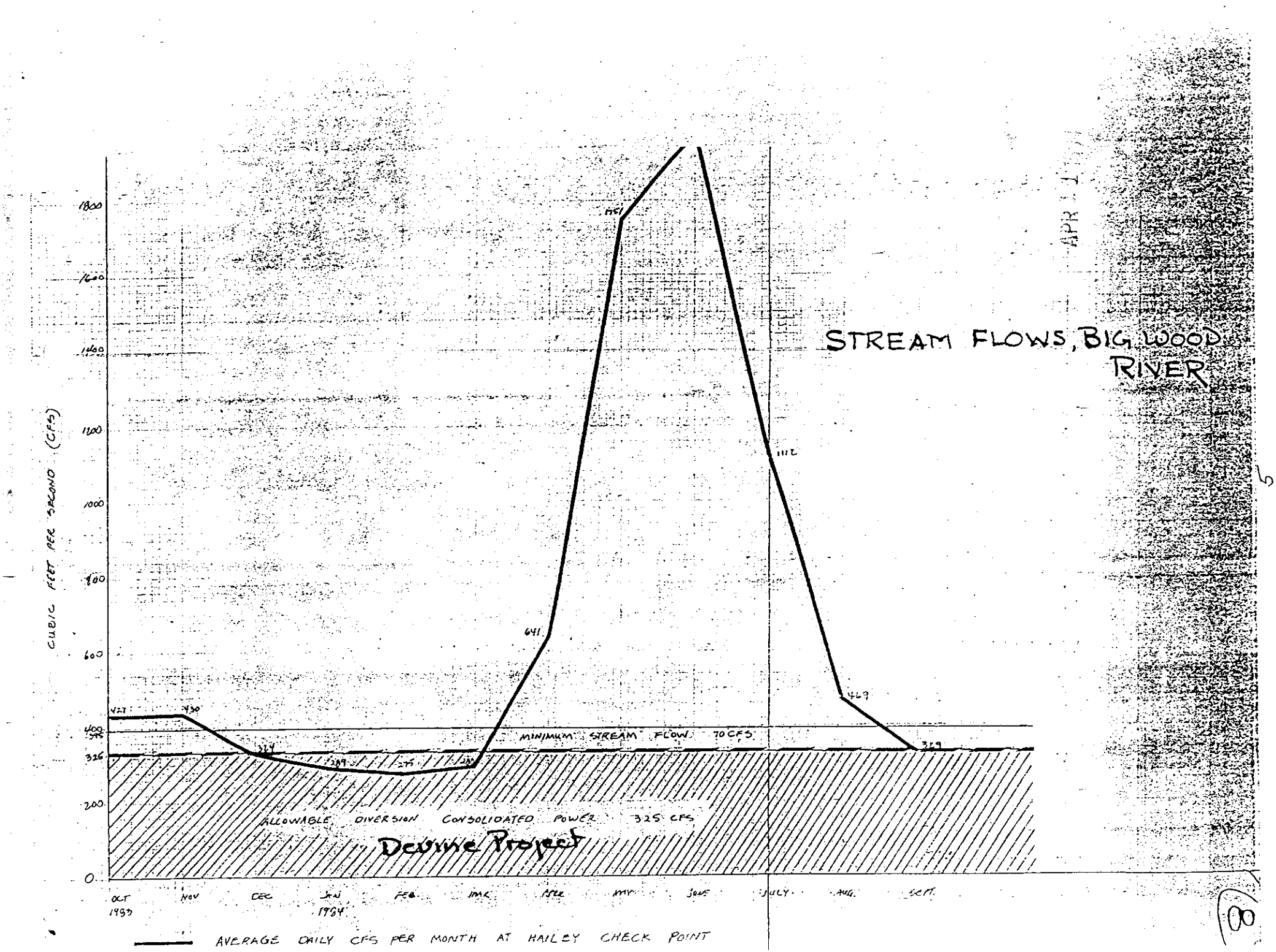
FLOW (CFS)	PERCENT
71	99.7
84	99.1
100	97.2
120	90.9
140	80.1
170	63.4
200	50.7
240	40.8
280	34.6
340	29.2
400	25.8
480	22.8
570	20.4
670	18.1
800	15.7
950	13.1
1,100	10.9
1,300	8.3
1,600	5.7

Avg. Daily Flows For USGS Gaging Station No. 13139510, 1916-1973

Hailey

FIGURE A-3. FLOW DURATION CURVE

APP A-6


STREAM FLOWS, BIG WOOD RIVER
APR 1
CUBIC FEET PER SECOND (CFS)
1800
1600
1400
1200
1000
800
600
400
326
200
0
641
1112
449
MINIMUM STREAM FLOW 70 CFS
ALLOWABLE DIVERSION CONSOLIDATED POWER 325 CFS
Deerwe Project
OCT 1983
NOV
DEC
JAN 1984
FEB
MAR
APR
MAY
JUNE
JULY
AUG.
SEPT.
AVERAGE DAILY CFS PER MONTH AT HAILEY CHECK POINT

CONSTRUCTION REPORTS BASED ON VALUE:

Ketchum -- 1985

June	=	$1,493,195
July	=	1,118,695
Aug	=	1,211,538
Sept	=	252,414

Sun Valley -- 1985

June	=	$471,000
July	=	961,500
Aug	=	68,700
Sept	=	357,500

Blaine County -- 1985

June	=	$ 771,300
July	=	1,179,100
Aug	=	565,280
Sept	=	762,000

Hailey -- 1985

June	=	$227,732
July	=	66,340
Aug	=	254,500
Sept	=	417,550

Total County and Cities

January through September:

$ 24,267,965
267 permits

REAL ESTATE SALES, YEAR-TO-DATE =

$ 23,963,923

VOLUME OF SALES IN BLAINE COUNTY:
(fiscal year ending 6-30-85)

Total Sales		$ 200,143,786
Exempt Sales	-	77,660,253
Subject to Use Tax	+	1,071,165
NET TAXABLE SALES	=	123,554,699
TAXES GENERATED	=	5,068,345

1980 CENSUS:

County	=	9,825
Ketchum	=	2,197
Hailey	=	2,107
Bellevue	=	1,015
Sun Valley	=	550

SNRA -- NUMBER OF TOURISTS
(Cars with 3.5 persons/car)

June	=	51,000
July	=	63,000
Aug	=	62,000

FOREST SERVICE -- # OF TOURISTS
(Visitors to Ketchum office)

June	=	645
July	=	1,531
Aug	=	1,666
Sept	=	1;076

FISHING LICENSES ISSUED IN BLAINE COUNTY -- 1984:

Resident combo	2,490
Resident fishing	2,060
Senior combo	141
Junior combo	103
Junior fishing	131
Non-resident fishing . . .	1,004
Non-resident 7-day	3,763
Non-resident 1-day	5,284
TOTAL . . .	14,977

APR 1 1 1994

LAND IN BLAINE COUNTY USED FOR RECREATIONAL PURPOSES

1970

LAND USE AND OWNERSHIP

The federal government owns 1,297,336 of Blaine County's 1,695,360 acres of land area, comprising 76 percent of the total.[1] Another 4.6 percent, 79,533 acres is owned by the state.[2]

Of the county's 54,062 acres designated as cropland, 39,280 acres, 72 percent are presently irrigated. Pasture and rangelands occupy 312,858 acres and forests cover another 16,078 acres. The remainder of the county's land consists of 6,967 acres of urban area and 1,056 acres of streams and lakes.

Land used for all types of recreation accounts for 690,577 acres in Blaine County, including 10 acres of municipal, 3,417 acres of private, and 687,150 acres of federal land. The following acres and classes of lands are used for recreational purposes in Blaine County:[3]

10 acres	Class I land – Municipal ownership
18 acres	Class I land – Private ownership
1,476 acres	Class II land – Federal ownership
21,213 acres	Class II land – Private ownership
685,634 acres	Class III land – Federal ownership
3,186 acres	Class III land – Private ownership
40 acres	Class VI land – Federal ownership

The Recreational Land Classification is defined as follows:

- Class I Lands – High density use lands – games, bicycling, sports events, concerts, and swimming pools.
- Class II Lands – General outdoor recreation – camping and picnicking.
- Class III Lands – Natural environment areas – water sports, fishing and hunting.
- Class IV Lands – Outstanding natural areas – sightseeing and nature study.
- Class V Lands – Primitive areas – back country camping and sightseeing.
- Class VI Lands – Historic and cultural areas – scenes of national and state history.

---

[1] Source: U.S. Soil Conservation Service, State Land Use Inventory, 1967.

[2] Source: Thirty-eighth Biennial Report, Leasing Status of State Lands by County, 1970.

[3] Source: Outdoor Recreation Plan Summary, Recreation Lands by County, 1970.

APR 1 1 1994

1985 - 66,000 acres of cropland. 80% are irrigated

Total Assessed Valuation in Blaine County

1960 - $ 7,437,137

1970 - 15,468,198

1980 - 630,104,576

1985 - 1,062,007,383

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES
Southern Region

1041 Blue Lakes Blvd N.
Twin Falls, Idaho 83301
(208) 734-3578

FEBRUARY 24, 1986

Wood River Journal
P.O.Box 988
Hailey, ID 83333

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. We have allowed ample time for you to submit a galley proof to this office for review before the first publication date. If you cannot publish the notice on the proposed dates, please contact us immediately.

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

Please send the affidavit of publication and publication billing to this office before MARCH 24, 1986.

Yours truly,

Mary A. Newby
Secretary

Encl.

[illegible]

APR 1 1 1994

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES
Southern Region

1041 Blue Lakes Blvd N.
Twin Falls, Idaho 83301
(208) 734-3578

FEBRUARY 24, 1986

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

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. We have allowed ample time for you to submit a galley proof to this office for review before the first publication date. If you cannot publish the notice on the proposed dates, please contact us immediately.

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

Please send the affidavit of publication and publication billing to this office before MARCH 24, 1986.

Yours truly,

Mary A. Newby
Secretary

Encl.

RECEIVED

APR 11 1994

NOTICE OF APPLICATION FOR WATER RIGHT

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

37-8258

IDAHO WATER RESOURCE BOARD

STATEHOUSE, BOISE, ID 83720

Source: BIG WOOD RIVER trib. to SNAKE RIVER

Diversion Pt: SENW Sec 10 T 05N R 17E SENW Sec 13 T 04N R 17E SWNW Sec 36 T 02N R 18E

Use: MINIMUM INSTREAM FLOW (200.0 CFS)
MINIMUM INSTREAM FLOW (130.0 CFS)

Date Filed: 01/16/1986

The permit(s) will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, Southern Region, 1041 Blue Lakes Blvd. N. Twin Falls, Idaho 83301 on or before MARCH 24, 1986.

KEN DUNN, Dir.

Published 3/6 & 3/13/86.

APR 1 1 1994

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

SOUTHERN REGION

John V. Evans
Governor

A. Kenneth Dunn
Director

1041 Blue Lakes Blvd. North
Twin Falls, Idaho 83301
(208) 734-3578

February 13, 1986

Ed Nigbor - Director
Blaine County Planning & Zoning
P. O. Box 149
Hailey, Idaho 83333

Dear Mr. Nigbor:

This is to confirm the use of your conference room a hearing to be held by this Department on Wednesday, March 19, 1986 at 7:30 p.m.

Thank you very much for your cooperation.

Very truly yours,

Mary A. Newby
Sec/Office Coord.

APR 1 1 1994

MINIMUM STREAMFLOW REQUEST/APPLICATION

PROCESSING CHECKLIST

		Assigned to	Initials/Date
1.	Request received and checklist attached.	Records Chief	DRT 1/2/86
2.	Request indexed.	Records Chief	~~cg~~ 1/21/86
3.	Preliminary review. Application prepared for signature.	Section Supv.	DRT 1/2/86
4.	Streamflow information requested from hydrology.	Section Supv.	DRT 1/6/86
5.	Region advised of request	Section Supv.	DRT 1/15/86
6.	Acknowledgement letter sent.	Section Supv.	DRT 1/10/86
7.	Copy of request routed to: Reg. Off. Bur. Chief; Oper. Bur. Chief; Admin.; Director.	Section Supv.	DRT 1/10/86
8.	Copy of request routed to Administrator, Resources Analysis Division for placement on Board Agenda.	Section Supv.	DRT 1/10/86
9.	Water Rights researched and abstracted.	Records Chief	Preliminary already completed for 37-7911 DRT
10.	Request and related data presented to Board.	Requestor	Ed Nigbor, Blaine 1/16/86
11.	Filed or Rejected by Board.	IWRB, Section Supv.	Filed, DRT 1/16/86
12.	Board action indexed.	Records Chief	
13.	Original application sent to region	Section Supv.	DRT 1/16/86
14.	Copy of application sent to F&G, H&W, Parks & Recreation (mandatory)	Region	
15.	Application advertised w/o hearing date.	Region	
16.	Notice sent to each water right holder or applicant on MSF reach.	Section Supv.	
17.	Personal contact made with riparian land owners.	Requestor	
18.	Visual aid request prepared. (location, water rights, hydrology)	Section Supv.	
19.	Visual aids reviewed.	Section Supv.	
20.	Need for informal public meeting determined. If yes, proceed with step 21. If no, skip to step 24.	Both Administrators & IWRB	
21.	Informal public meeting advertised in legal notices.	Region	

MINIMUM STREAMFLOW REQUEST/APPLICATION PROCESSING CHECKLIST

		Assigned to	Initials/Date
1.	Request received and checklist attached.	Records Chief	DRT 1/2/86
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19.	Visual aids reviewed.	Section Supv.	
20.	Need for informal public meeting determined. If yes, proceed with step 21. If no, skip to step 24.	Both Administrators & IWRB	
21.	Informal public meeting advertised in legal notices.	Region	

		Assigned to	Initials/Date
22.	Notification of informal public meeting sent to:		
	a. IWRB members	Section Supv.	
	b. Local Legislators	Section Supv.	
	c. Watermaster	Section Supv.	
	d. Department Personnel	Section Supv.	
	e. Local TV and Radio Stations	Section Supv.	
	f. Water Right Holders	Requestor	
	g. Riparian Owners	Requestor	
23.	Informal public meeting held.	IWRB and Section Supv.	
24.	Notice of formal hearing advertised in legal notices.	Region	
25.	Notification of formal hearing sent to:		
	a. IWRB members	Section Supv.	
	b. Local Legislators	Section Supv.	
	c. Watermaster	Section Supv.	
	d. Department Personnel	Section Supv.	
	e. Local TV and Radio Stations	Section Supv.	
	f. Water right holders	Section Supv.	
	g. Attendees of informal public meetings	Section Supv.	
	h. Riparian Owners (with data generated by Requestor)	Section Supv.	
26.	Hearings held (mandatory).	Hearing Officer and Regional Rep.	
27.	Standard approval procedure for memorandum decision.	Hearing Officer	
28.	If application is approved, Legislative approval procedure attached.	Records Chief	

INTER-DEPARTMENT MEMO — 1

FROM Dave Tuthill

DATE 1/16/86

TO Loren Holmes/Mary Newby

SUBJECT Attached Original Minimum Stream Flow App

Here's another MSF app to process.

Please

1) Advertise statewide without a hearing date.
2) Route copies to IDFG, IDHW & IDPR
3) Return a numbered copy to this office. (to my attention).

Dave

SIGNATURE

APR 11 1994

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

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

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

M E M O

TO: Dave Tuthill, Western Region DATE: January 15, 1986

FROM: Bill Ondrechen, Hydrology

SUBJECT: STREAMFLOW CHARACTERISTICS OF BIG WOOD RIVER RELATING TO BLAINE COUNTY PLANNING AND ZONING INSTREAM FLOW REQUESTS

Reach A: Big Wood River from confluence with North Fork downstream to confluence with Warm Springs Creek.

Flow characteristics for this reach are not defined by a continuous record gaging station. A 24 year record (1948-72) for the Big Wood River near Ketchum (13035500) station just above the confluence and miscellaneous measurements on the North Fork form the data base for this reach. There have also been a few miscellaneous measurements made at the lower end of the reach. Since the basins are quite similar, the gaging record for the site above the North Fork can be reasonably assumed to represent that for the Big Wood below the North Fork, if discharges are increased about 40 percent to account for the larger drainage area.

Based on a summary hydrograph analysis of the Big Wood near Ketchum record for the 1948-72 period that has been adjusted for the larger drainage area, a rough estimate can be made that the 200 cfs proposed minimum flow will be equaled or exceeded about 27 percent of the time. Extending results from the monthly flow duration calculations to the below North Fork location give the following percentages for times the 200 cfs is equaled or exceeded:

October through March	0%
April	33%
May	97%
June	99%
July	78%
August	14%
September	2%

APR 11 1994

As a supplement to the above data, miscellaneous measurements made during the 1977 drought indicated 94.3 cfs on August 15 and 55.4 cfs on October 24. Flows at the lower end of the reach, just above Warm Springs Creek, will reflect the increase in drainage area to 240 square miles from approximately 187 square miles just below the North Fork. Generally the increased drainage area will mean greater flows. The only exception would be during periods of low flow, when tributary inflows are small and might be offset by diversions. For example, measurements made in 1977 just above Warm Springs Creek showed 88.9 cfs on August 16 and 62.4 cfs on October 25.

Reach B: Big Wood River from confluence of Warm Springs Creek downstream to Bellevue diversion.

The flow regime for the lower portion of this reach is well defined by the Big Wood River at Hailey gaging station. From a flow duration analysis for the period 1916-73, it appears that the proposed total instream flow of 200 cfs would be equaled or exceeded about 50 percent of the time. Also, as referenced in a memo of September 20, 1985, flows at the upper end of Reach B are not as well defined, although flows may be as low as 70 cfs during winter low flow periods. The following miscellaneous measurements are available for the Big Wood below Warm Springs Creek:

9-14-72	185 cfs
4-09-73	152
7-10-73	197
9-18-73	128
12-19-73	67.4
2-06-74	90.2
8-16-77	114
10-25-77	86.3

BO:cjk

APR 1 1 1994

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

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

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

January 10, 1986

Ed Nigbor, Planning Director
Blaine County Planning and Zoning Commission
Box 149
Hailey, ID 83333

Re: Request for a Minimum Stream Flow on the Big Wood River in Blaine County

Dear Mr. Nigbor:

On behalf of the Idaho Water Resource Board, I have been asked to review the request for a minimum stream flow on the Big Wood River which you submitted with a cover letter dated December 31, 1985.

The information that you have provided has been sufficient to prepare a draft application for permit in the name of the Idaho Water Resource Board. Please find enclosed a copy of the draft application. If you wish to make any changes to the draft application, feel free to give me a call at 334-2190.

As we discussed, you or a member of the Blaine County Planning and Zoning Commission are invited to present the request for a minimum stream flow to the Board at the next scheduled meeting on Thursday, January 16, 1986.

Sincerely,

David R. Tuthill Jr

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

ls

Enclosure

cc: Wayne Haas
Glen Saxton

Fish and Game - Virgil Moore
Parks and Recreation - Todd Graeff

APR 11 1994

CONVERSATION MEMORANDUM

DATE

FILE Big Wood Min Stra

NAME OF PARTY Sawtooth Natl Rec Area 726-8291

EMPLOYEE D. Duthill

RE: Legal Description of the Upper boundary of Reach A

I called to confirm the legal desc.
The USFS Employee said the location is in the

SE¼ NW¼ Sec 10, T 5N R 17E.

This confirms the location that I plotted on the 1:100,000 BLM Map.

DRT

APR 11 1994

Blaine County Planning & Zoning Commission

Box 149, Hailey, Idaho 83333
(208) 788-4665

RECEIVED
JAN 2 1986
Department of Water Resources

December 31, 1985

Water Resources Board
450 West State Street
Boise, Idaho 83720

RE: REQUEST FOR A MINIMUM STREAM FLOW
BIG WOOD RIVER, BLAINE COUNTY

On December 23, 1985, the Blaine County Commissioners voted to request a minimum stream flow for the Big Wood River of 200 cubic feet per second. Because of the pending request of the Idaho Fish and Game for 70 cfs, our application will consist of two parts:

1. An additional 130 cfs for the reach from Bellevue (SW 1/4 of NW 1/4, Sec. 36, T2N, R18E) to the confluence with Warm Springs Creek (SE 1/4 NW 1/4, Sec. 13, T4N, R17E).

2. 200 cfs from the confluence with Warm Springs Creek upstream to the SNRA lands (SW/SE 1/4 NW 1/4, Sec. 10, T5N, R17E).

I'm sure that when you review the November 13 hearing proceedings, you will agree that there is solid local support for this minimum stream flow application. We feel strongly that the maintenance of the Big Wood River is vital for our tourist and recreation industry, retaining the natural beauty of this valley, and for the sales tax revenue received by the state. Furthermore, this minimum stream flow will have no effect upon irrigation water needed by the farms and ranches south of Bellevue.

Our applications are enclosed and if you have any comments or questions, please call me at 788-4665.

Sincerely,

Ed Nigbor

Ed Nigbor
Planning Director

cc: Bob Bell, Idaho Fish and Game
Ted Chu

APR 11 1994

SCHEDULE

No 4 and 5 (Application for Permit)

---

130 cfs is for the reach from the SW 1/4 NW 1/4, Section 36, T2N, R18E (south of Bellevue) upstream to the SE 1/4 NW 1/4, Section 13, T4N, R17E (confluence with the Warm Springs Creek).

200 cfs is for the reach from the SE 1/4 NW 1/4, Section 13, T4N, R17E (confluence with the Warm Springs Creek) upstream to the SW 1/4 NW 1/4, Section 10, T5N, R17E (SNRA lands).

APR 1 1 1994

Changes made as directed by DOT 1/2/86

Form 202
6/85

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Ident. No.

RECEIVED
JAN 2 1986
Department of Water Resources

To appropriate the public waters of the State of Idaho no renewal fee

1. Name of applicant Blaine County Idaho Water Resource Board, Board of County Commissioners Phone 788-4665-334
   Post office address PO Box 400, Hailey, ID 83333 Statehouse, Boise Id

2. Source of water supply Big Wood River which is a tributary of Snake River

3. Location of reach is See item 12 ¼ of SW ¼ of NW ¼, Govt. Lot _____
   Sec. 36 Township 2N Range 18E B.M. Blaine County; upstream to
   ¼ SW ¼ NW ¼, Govt. Lot ____, Sec. 10, Twp 5N, Rge 17E B.M. Blaine County.
   where the Big Wood River enters lands administered by the SNRA

4. Water will be used for the following purposes: See attached Schedule
   Amount 200cfs (130cfs) for Instream flow, Reach A local public interests purposes from Jan 1 to Dec 31 (both dates inclusive)
   (cfs or acre-feet per annum)
   Amount 200 cfs (130) for Instream Flow, Reach B local public interests purposes from Jan 1 to Dec 31 (both dates inclusive)
   (cfs or acre-feet per annum)
   Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
   (cfs or acre-feet per annum)
   Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
   (cfs or acre-feet per annum)

5. Total quantity to be appropriated is (a) 200.0 cubic feet per second and/or (b) _____ See attached Sched
   acre feet per annum

6. Proposed diverting works: none
   a. Description of ditches, flumes, pumps, headgates, etc. Instream Flow

   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 NA 5 years (*minimum 1 year*).

APR 1 1986

8. Description of proposed use: (*irrigation only, go to item 9*):

a. Hydropower; show total feet of head and proposed capacity in KW. _____

b. Stockwatering; list number and kind of livestock. _____

c. Municipal; show name of municipality. _____

d. Domestic; show number of households. _____

e. Other; describe fully. _____

MINIMUM STREAM FLOW TO BE MAINTAINED FOR THE LOCAL PUBLIC INTEREST, for fish and wildlife, water quality, aesthetics, recreation, etc.

9. Description of place of use:

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

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

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

Total number of acres to be irrigated _____

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

Minimum stream flow water right No. 37-7919 in Reach B for 70.0 cfs

11. a. Who owns the property at the point of diversion? NA

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

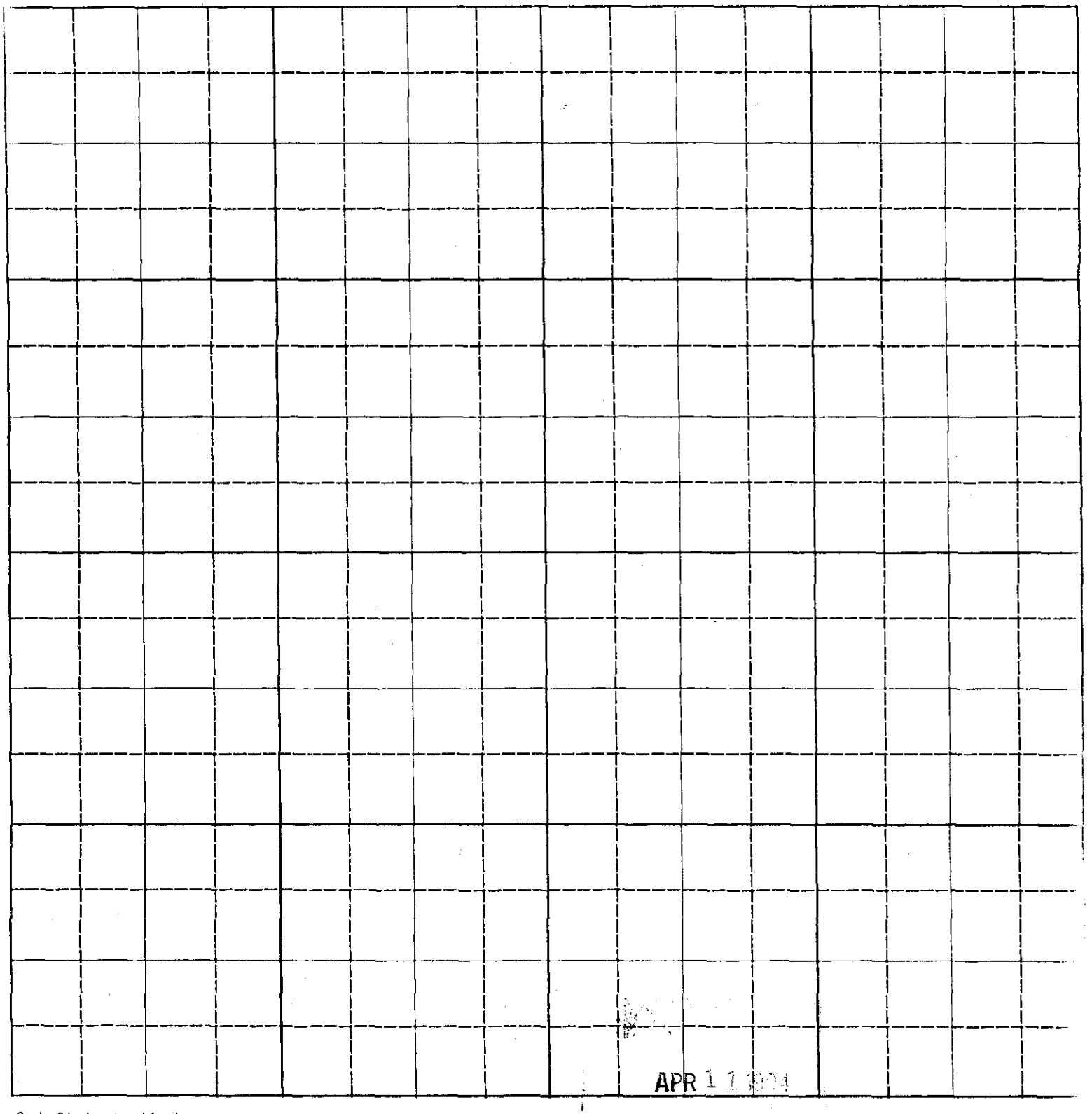
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. _____

12. Remarks: Reach A: From the ~~boundary~~ intersection with the Sawtooth National Recreation Area Boun located in the SE¼ NW¼, Sec. 10, T5N, R17E, B.M., downstream about ___ miles to the confluence with Warm Springs Creek located in the SE¼NW¼, Sec. 13, T4N, R17E, B

Reach B: From the confluence with Warm Springs Creek located in the SE¼NW¼, Sec. 13, T4N, R17E, B.M. downstream about 18 miles to the Bellevue diversion located in the SW¼NW¼, Sec. 36, T2N, R18E, B.M. ~~all in~~

APR 1 1 1991

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



Scale: 2 inches equal 1 mile.

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

Edward V. Neglot, planning direct
(Applicant)
Blaine County
Chairman, Idaho Water Resource Board

Received by _____ Date _____ Time _____ Preliminary check by _____

Fee $ None Req'd. Receipted by NA # NA Date NA

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 1 1

Form 202
Supplemental

ATTACHMENT TO APPLICATION FOR PERMIT

TO APPROPRIATE A MINIMUM STREAM FLOW

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

As no water will actually be diverted from the river; there will be no interference with vested rights of an earlier date.

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

Water will be retained in the river for the local interest and will not be used, or diverted, for any private interest Tourism is the major economic base of this area, and the Big Wood River is a major recreation/tourism resource.

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

In order for the public interest uses (fish & wildlife, water quality, aesthetics, recreation, etc.) to be protected from new uses that might dewater the river, these minimum stream flows must be requested and approved.

14. Provide evidence that the minimum flow or lake level is minimum and not the ideal or most desirable flow or lake level. (per telecon w/Ed Nigbor, DC

The ideal flow would be the natural average stream flow, or the average monthly high flows. These would do a better job of maintaining the vitality and natural flows of the Big Wood River.

1994

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.

Records show that a flow of 200 c.f.s. is maintained 50.7 % of the time. The purpose is not to maintain it 100 %, but to prevent dewatering by later rights during periods of low flow.

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

STATION 19, Big Wood River, City of Hailey

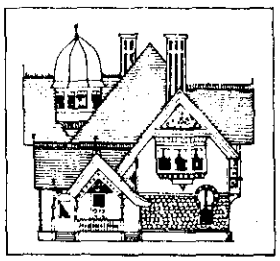
17. Do you intend to install additional gaging stations? Describe the location.

No.

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

In the recent past there has been substantial local public response/input towards the protection of minimum stream flows within the Big Wood River and not allowing dewatering in the reaches that this application speaks to.

APR 1 1 1994



Sirs: Please make this letter a part of the official hearing record.

We desire a minimum stream flow of 200 cfm for the Big Wood River

Best Regards

Paul Randolph

RECEIVED
JAN 14 1986
Department of Water Resources
Western Regional Office

THE RANDOLPH COMPANY
BOX 1247 ◻ SUN VALLEY ◻ IDAHO 83353 ◻ 208-726-4734
RESTORATION ◻ RENOVATION ◻ REMODELS

F. Dave Rydalch, chairman of Minimum Stream Flow Committee, moved the Board amend the minimum stream flow request on the North Fork, Big Wood River to 200 cfs from April 1 to September 1 and 100 cfs from September 1 to April 1. J. D. Williams, Member, seconded the motion.

Motion passed by voice vote: 7 Ayes, 1 Absent. (REACH A ONLY)

APR 1 1 1984

MIN~UM STREAMFLOW REQUEST/APPLICATI~

PROCESSING CHECKLIST

		Assigned to	Initials/Date
1.	Request received and checklist attached.	Records Chief	DRT 1/2/86
2.	Request indexed.	Records Chief	cfg 1/21/86
3.	Preliminary review. Application prepared for signature.	Section Supv.	DRT 1/2/86
4.	Streamflow information requested from hydrology.	Section Supv.	DRT 1/6/86
5.	Region advised of request	Section Supv.	DRT 1/15/86
6.	Acknowledgement letter sent.	Section Supv.	DRT 1/10/86
7.	Copy of request routed to: Reg. Off. Bur. Chief; Oper. Bur. Chief; Admin.; Director.	Section Supv.	DRT 1/10/86
8.	Copy of request routed to Administrator, Resources Analysis Division for placement on Board Agenda.	Section Supv.	DRT 1/10/86
9.	Water Rights researched and abstracted.	Records Chief	Preliminary - already completed for 37-7917 DRT
10.	Request and related data presented to Board.	Requestor	Ed Nigbor, Blaine Co 1/16/86
11.	Filed or Rejected by Board.	IWRB, Section Supv.	Filed, DRT 1/16/86
12.	Board action indexed.	Records Chief	cfg 1/21/86
13.	Original application sent to region	Section Supv.	DRT 1/16/86
14.	Copy of application sent to F&G, H&W, Parks & Recreation (mandatory)	Region	
15.	Application advertised w/o hearing date.	Region	
16.	Notice sent to each water right holder or applicant on MSF reach.	Section Supv.	
17.	Personal contact made with riparian land owners.	Requestor	To be done via media blitz by Ed Nigbor
18.	Visual aid request prepared. (location, water rights, hydrology)	Section Supv.	
19.	Visual aids reviewed.	Section Supv.	
20.	Need for informal public meeting determined. If yes, proceed with step 21. If no, skip to step 24.	Both Administrators & IWRB	Yes
21.	Informal public meeting advertised in legal notices.	Region	Coordinated w/ Mary N. on Feb 11 DRT

		Assigned to	Initials/Date
22.	Notification of informal public meeting sent to:		
	a. IWRB members	Section Supv.	Via Board Minutes Dtd 2/28
	b. Local Legislators	Section Supv.	Dtd 2/28
	c. Watermaster	Section Supv.	Dtd 2/28
	d. Department Personnel	Section Supv.	LS 3/3
	e. Local TV and Radio Stations	Section Supv.	
	f. Water Right Holders	Requestor	LS/2/28
	g. Riparian Owners	Requestor	To be advised via media - See conv memo dated 2/11/86
23.	Informal public meeting held.	IWRB and Section Supv.	
24.	Notice of formal hearing advertised in legal notices.	Region	
25.	Notification of formal hearing sent to:		
	a. IWRB members	Section Supv.	
	b. Local Legislators	Section Supv.	
	c. Watermaster	Section Supv.	
	d. Department Personnel	Section Supv.	
	e. Local TV and Radio Stations	Section Supv.	
	f. Water right holders	Section Supv.	
	g. Attendees of informal public meetings	Section Supv.	
	h. Riparian Owners (with data generated by Requestor)	Section Supv.	
26.	Hearings held (mandatory).	Hearing Officer and Regional Rep.	
27.	Standard approval procedure for memorandum decision.	Hearing Officer	
28.	If application is approved, Legislative approval procedure attached.	Records Chief	

Blaine County Planning & Zoning Commission

Box 149, Hailey, Idaho 83333
(208) 788-4665

January 17, 1986

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

RE: Minimum Stream Flow Application
Blaine County

Dear Dave:

First of all I wish to thank you for pushing me to get our application in as soon as we could. Your interest is appreciated.

After approving our application it was evident that you wished to schedule the Information Meeting in the fall, rather than this spring. We have no objection to waiting until the fall if that is your normal procedure - as David Tuthill had previously told me it was.

Sincerely,

Ed Nigbor

Ed Nigbor
Planning Director

EN:rr

cc: David Tuthill

RECEIVED
JAN 20 1986
Department of Water Resources
Western Regional Office

APR 11 1994

INTER-DEPARTMENT MEMO — 1

FROM Dave Tuthill

DATE 1/16/86

TO Loren Holmes/Mary Newby

SUBJECT Attached Original Minimum Stream Flow App

Here's another MSF app to process.

Please

1) Advertise statewide without a hearing date.
2) Route copies to IDFG, IDHW & IDPR
3) Return a numbered copy to this office. (to my attention).

/Dave
SIGNATURE

APR 11 1994

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

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

RECEIVED
JAN 1 5 1986
Department of Water Resources
Western Regional Office

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

M E M O

TO: Dave Tuthill DMT, Western Region DATE: January 15, 1986

FROM: Bill Ondrechen WTO, Hydrology

SUBJECT: STREAMFLOW CHARACTERISTICS OF BIG WOOD RIVER RELATING TO BLAINE COUNTY PLANNING AND ZONING INSTREAM FLOW REQUESTS

Reach A: Big Wood River from confluence with North Fork downstream to confluence with Warm Springs Creek.

Flow characteristics for this reach are not defined by a continuous record gaging station. A 24 year record (1948-72) for the Big Wood River near Ketchum (13035500) station just above the confluence and miscellaneous measurements on the North Fork form the data base for this reach. There have also been a few miscellaneous measurements made at the lower end of the reach. Since the basins are quite similar, the gaging record for the site above the North Fork can be reasonably assumed to represent that for the Big Wood below the North Fork, if discharges are increased about 40 percent to account for the larger drainage area.

Based on a summary hydrograph analysis of the Big Wood near Ketchum record for the 1948-72 period that has been adjusted for the larger drainage area, a rough estimate can be made that the 200 cfs proposed minimum flow will be equaled or exceeded about 27 percent of the time. Extending results from the monthly flow duration calculations to the below North Fork location give the following percentages for times the 200 cfs is equaled or exceeded:

October through March	0%
April	33%
May	97%
June	99%
July	78%
August	14%
September	2%

RECEIVED
APR 1 1 1994

As a supplement to the above data, miscellaneous measurements made during the 1977 drought indicated 94.3 cfs on August 15 and 55.4 cfs on October 24. Flows at the lower end of the reach, just above Warm Springs Creek, will reflect the increase in drainage area to 240 square miles from approximately 187 square miles just below the North Fork. Generally the increased drainage area will mean greater flows. The only exception would be during periods of low flow, when tributary inflows are small and might be offset by diversions. For example, measurements made in 1977 just above Warm Springs Creek showed 88.9 cfs on August 16 and 62.4 cfs on October 25.

Reach B: Big Wood River from confluence of Warm Springs Creek downstream to Bellevue diversion.

The flow regime for the lower portion of this reach is well defined by the Big Wood River at Hailey gaging station. From a flow duration analysis for the period 1916-73, it appears that the proposed total instream flow of 200 cfs would be equaled or exceeded about 50 percent of the time. Also, as referenced in a memo of September 20, 1985, flows at the upper end of Reach B are not as well defined, although flows may be as low as 70 cfs during winter low flow periods. The following miscellaneous measurements are available for the Big Wood below Warm Springs Creek:

9-14-72	185 cfs
4-09-73	152
7-10-73	197
9-18-73	128
12-19-73	67.4
2-06-74	90.2
8-16-77	114
10-25-77	86.3

BO:cjk

APR 1 1 1994

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

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

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

January 10, 1986

Ed Nigbor, Planning Director
Blaine County Planning and Zoning Commission
Box 149
Hailey, ID 83333

Re: Request for a Minimum Stream Flow on the Big Wood River in Blaine County

Dear Mr. Nigbor:

On behalf of the Idaho Water Resource Board, I have been asked to review the request for a minimum stream flow on the Big Wood River which you submitted with a cover letter dated December 31, 1985.

The information that you have provided has been sufficient to prepare a draft application for permit in the name of the Idaho Water Resource Board. Please find enclosed a copy of the draft application. If you wish to make any changes to the draft application, feel free to give me a call at 334-2190.

As we discussed, you or a member of the Blaine County Planning and Zoning Commission are invited to present the request for a minimum stream flow to the Board at the next scheduled meeting on Thursday, January 16, 1986.

Sincerely,

David R. Tuthill Jr

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

ls

Enclosure

cc: Wayne Haas
Glen Saxton
Fish and Game - Virgil Moore
Parks and Recreation - Todd Graeff

APR 1 1 1994

CONVERSATION MEMORANDUM

DATE _____

FILE Big Wood Min Strm

NAME OF PARTY Sawtooth Natl Rec Area 726-8291

EMPLOYEE D. Futhill

RE: Legal Description of the Upper boundary of Reach A

I called to confirm the legal desc.
The USFS Employee said the location is in the

SE¼ NW¼ Sec 10, T 5N R 17E.

This confirms the location that I plotted on the 1:100,000 BLM Map.

DRT

APR 11 1994

Blaine County Planning & Zoning Commission

Box 149, Hailey, Idaho 83333
(208) 788-4665

RECEIVED
JAN 2 1986
Department of Water Resources

December 31, 1985

Water Resources Board
450 West State Street
Boise, Idaho 83720

RE: REQUEST FOR A MINIMUM STREAM FLOW
BIG WOOD RIVER, BLAINE COUNTY

On December 23, 1985, the Blaine County Commissioners voted to request a minimum stream flow for the Big Wood River of 200 cubic feet per second. Because of the pending request of the Idaho Fish and Game for 70 cfs, our application will consist of two parts:

1. An additional 130 cfs for the reach from Bellevue (SW 1/4 of NW 1/4, Sec. 36, T2N, R18E) to the confluence with Warm Springs Creek (SE 1/4 NW 1/4, Sec. 13, T4N, R17E).

2. 200 cfs from the confluence with Warm Springs Creek upstream to the SNRA lands (SW SE) 1/4 NW 1/4, Sec. 10, T5N, R17E).

I'm sure that when you review the November 13 hearing proceedings, you will agree that there is solid local support for this minimum stream flow application. We feel strongly that the maintenance of the Big Wood River is vital for our tourist and recreation industry, retaining the natural beauty of this valley, and for the sales tax revenue received by the state. Furthermore, this minimum stream flow will have no effect upon irrigation water needed by the farms and ranches south of Bellevue.

Our applications are enclosed and if you have any comments or questions, please call me at 788-4665.

Sincerely,

Ed Nigbor

Ed Nigbor
Planning Director

cc: Bob Bell, Idaho Fish and Game
Ted Chu

SCHEDULE

No 4 and 5 (Application for Permit)

---

130 cfs is for the reach from the SW 1/4 NW 1/4, Section 36, T2N, R18E (south of Bellevue) upstream to the SE 1/4 NW 1/4, Section 13, T4N, R17E (confluence with the Warm Springs Creek).

200 cfs is for the reach from the SE 1/4 NW 1/4, Section 13, T4N, R17E (confluence with the Warm Springs Creek) upstream to the SW 1/4 NW 1/4, Section 10, T5N, R17E (SNRA lands).

APR 1 1 1994

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

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

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

September 20, 1983

MEMO

TO: Dave Tuthill, Water Allocation Section

FROM: William Ondrechen, Hydrology Section

SUBJECT: HYDROLOGY OF SILVER CREEK FROM HIGHWAY U.S. 20 TO CONFLUENCE WITH LITTLE WOOD RIVER AND BIG WOOD RIVER FROM WARM SPRINGS CREEK TO HAILEY

Silver Creek

The flow of Silver Creek is influenced primarily by groundwater discharge from springs, with snowmelt runoff being a secondary factor. The average flow hydrograph for Silver Creek near Picabo in Figure 1 shows a pattern of low flows in May and June. Discharge begins to increase in June and gradually rises to a maximum in November as a result of recharge of the groundwater system by irrigation. Through the winter the groundwater discharge gradually declines until the next irrigation season. Snowmelt runoff in late March or early April causes the hydrograph to rise abruptly. These snowmelt peaks are of short duration and the streamflow rapidly declines to seasonal (low) levels. Groundwater storage causes a lag of several months between the times of maximum or minimum recharge and the flows of Silver Creek.

Streamflow in the reach of Silver Creek downstream from the U.S. 20 highway bridge to its confluence with the Little Wood River is represented fairly well by the Silver Creek near Picabo gage. This station operated until 1963, at which time it was discontinued. The present gaging station, Silver Creek at Sportsman's Access, is about 6 miles upstream. Based on streamflow measurements made by the USGS (Ground Water - Surface Water Relations in the Silver Creek Area, Water Info. Bull. No. 45), the stream gains or loses (depending on season) below the Sportsman's Access site to the old gaging station. Below the old gaging station, the stream is believed to be perched above the regional water table and gains or losses are minor.

APR 1 1 1994

Big Wood River

The discharge of the Big Wood River is primarily influenced by snowmelt in the mountainous portion of the basin. The months of April through July yield about 70 percent of the annual runoff, with the peak flow usually occurring in May or June. Low flows generally occur in the December through February period.

The discharge at the lower end of the indicated reach is well defined by the Big Wood River at Hailey gaging station. A flow duration analysis of this record for the period 1916-73 indicates that a flow of 70 cfs is equaled or exceeded about 97 percent of the time. Flows at the upstream end of the reach, that is just below Warm Springs Creek, are not as well defined due to lack of a continuous record. Tributary streams below Warm Springs Creek include Trail Creek, East Fork of the Wood River, and Deer Creek. Miscellaneous streamflow measurements made at various points of interest are listed in the attached table.

99.7 per flow data Dir

Based on these limited data, it appears that flows can be as low as 70 cfs occasionally during the winter months.

Miscellaneous Flow Measurements below Big Wood R. ~~bl~~ Warm Sprgs. Cr.

9-14-72	185 cfs
4-9-73	152
7-10-73	197
9-18-73	128
12-19-73	67.4
2-6-74	90.2
8-16-77	114
10-25-77	86.3

below Big Wood R. ~~bl~~ East Fork

(Estimated from Big Wood bl Sewage Plant + East Fork)

9-14-72	247 cfs
4-9-73	206
7-10-73	270
9-18-73	155

WO:mb

APR 1 1 1994

Re: Minimum Stream Flow Hearing
Big Wood River

Place: Old County Courthouse, Hailey, ID

Date: 7:30 p.m., March 19, 1986

Hearing conducted by: Idaho Water Resource Board

ROSTER OF ATTENDANCE

Name	Address	Representing
Jim Eskin	Box 296, Bellevue,	Dist 45 Irrigation- Upper Big Wood Water Users
Gene Dressel	307 Baseline Road	Dist 45 Irrigation upper Big Wood Waterusers
Melvin Snyder	506 5th Ave. N. Hailey	John Doppler Hiawatha Connal
Ted Divine	Box 133 - Bellevue Id	self
BOB DEMAREST	BOX 1701, KETCHUM, ID	FISH
George Miller	Ketchum	Wood River Journal.
Bob Beel	Box 428 JEROME	Idaho F&G.
Scott Grunder	Box 428 Jerome	Idaho F&G
W R Watts	Box 172 Bellevue Ida	Id240
X Bend of the River Ranch C/O Nelson & Lucas	Hailey Idaho Box 521	
Orville Drexler	Box 1514 Hailey, Id.	John Drexler
Thomas E Cooper	Box 295 Hailey Id.	
Reid J. Newby	Box N Shoshone, Ida.	Watermaster
Lonnie Studer	Box 185, Shoshone, Ida.	myself
Sean Sheehan	Box 302, Hailey	
Tom Blanchard	Bx 325, Bellevue	Self
Marty Taylor	Box 992 SUN VALLEY	WATER RESOURCES FOUNDATION
Dr Bruce Lium	Box 2679, Ket, Id. 83340	WATER RESOURCES FOUND.
Robert H. Sherwood	Box 373 Sun Valley ID	REPRESENTING: FASSETT RIVER'S EDGE RANCH
Ron Kelly	Box 2139 Hailey	Self
Frank Braman	P.O. 392 Hailey Id.	BELLEVUE BIBLE CAMP & SELF AS PROPERTY OWNER

1994

Re: Minimum Stream Flow Hearing
Big Wood River

Place: Old County Courthouse, Hailey, ID

Date: 7:30 p.m., March 19, 1986

Hearing conducted by: Idaho Water Resource Board

ROSTER OF ATTENDANCE

Name	Address	Representing
David RW Hoefer	Box 1131 Hailey	self
Dr. Bruce Lium	Box 2679 Ket, Id.	Water Res. Foundation.
Dave Lewis	Box 831 Sun Valley	Times - News

MEMORANDUM

TO: FILE 37-08258 IN THE NAME OF THE IDAHO WATER RESOURCE BOARD; MINIMUM STREAMFLOW FOR BIG WOOD RIVER

FROM: GARY SPACKMAN

DATE: JULY 14, 1993

The proposed decision and order issued in 1991, which was subsequently adopted by the Director, defines two flow periods. The order portion mistakenly overlaps the months of March, and, strictly interpreted, would confuse a reader who would not know whether the flow should be 150 cfs or 200 cfs during March. The Findings of Fact and Conclusions of Law correctly list the flows and months as 200 cfs from April 1 through August 31, and 150 cfs from September 1 through March 31. Furthermore, a Senate concurrent resolution, attached to this memo properly describes the period of use.

When the Department of Water Resources submitted permit no. 37-08258 to the legislature, the Senate approved the concurrent resolution, but the House Resources and Conservation Committee failed to introduce the resolution to the full house floor. As a result, the minimum streamflow permit was approved by default. The resolution document considered by the legislature is the final document which describes the minimum streamflow, even though it was not affirmatively approved by both Houses.

C: Don Shaff - Adjudication

APR 1 2

LEGISLATURE OF THE STATE OF IDAHO

Fifty-first Legislature — Second Regular Session — 1992

IN THE SENATE

SENATE CONCURRENT RESOLUTION NO. 123

BY RESOURCES AND ENVIRONMENT COMMITTEE

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

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

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

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

WHEREAS, the Director of the Department of Water Resources approved Application for Permit No. 37-8258 on December 30, 1991, by adopting a Proposed Memorandum Decision and Order authorizing the appropriation of a minimum streamflow in the Big Wood River of 200.0 cfs from April 1 through August 31, and 150.0 cfs from September 1 through March 31. The minimum streamflow begins at the intersection of the Big Wood River with the Sawtooth National Recreational Area Boundary, located in the SE1/4NW1/4, Section 10, T5N, R17E, B.M., and extends downstream approximately 9 miles to the confluence of the Big Wood River and Warm Springs Creek, located in the SE1/4NW1/4, Section 13, T4N, R17E, B.M., Blaine County.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Fifty-first Idaho Legislature, the Senate and the House of Representatives concurring therein, that the same is hereby approved subject to the conditions and limitations contained in the Final Memorandum Decision and Order, dated November 19, 1991, and adopted by the Director of the Department of Water Resources on December 30, 1991.

APR 12 1994

1-14-92

FRIENDS OF THE
BIG WOOD RIVER

Mr. Gary Spackman
Idaho Dept. of Water Resources
1301 N. Orchard St.
Boise, Idaho 83720

Re. The Bruce Willis Diversion

Dear Gary:

This is a letter from me to you, there are no copies that have gone to anybody else. Just a few things I wanted to discuss and explain to let you know how I/we feel.

Since Nick and I have been involved with the Friends, the following are key issues our group has been very active with.

1. Big Wood River Restoration. (Approx. $285,000)
2. Community Education of River value and projects.
3. Educating our selves so we are knowledgeable on the subject.
4. New protective fishing regulations on Big Wood.
5. Minimum Streamflow.
6. Ground Water Mang. Plan.
7. Protesting of "certain" water applications.
8. Comprehensive County Riparian Setback Ordinance.
9. Helping the Water Resources Board with legislation to have the ability to convert water rights to instream use.

We have always been a constructive organization and witch hunts have never been an issue with us. The issue with Bruce Willis goes way back and was wrong from the beginning. As of this date we have had <u>many</u> calls and letters telling us what a good job we did on this issue. Remember the bottom line, this is water that is critical to down stream users and the river.

APR 12 1994

POST OFFICE BOX 4411 • KETCHUM, IDAHO 83340

We too, dislike people who use their position and influence to try and get what they want at the expense of this community. Had the local watermasters done what they should have at the beginning, none of this would have happened.

FRIENDS OF THE BIG WOOD RIVER

Tinker has made several statements to me about the river that might be his opinion but have no place in his decision making. I will tell you what they are, during the Ted Devine Hydro Project Application back about 6 years, Tinker said, "I am in favor of this project, what is the flap over fish anyway, the Wood River is only 10 feet wide and 2 feet deep and their ain't no fish in it anyway." Another statement after I told him that the Willis caretaker cut the lock off the headgate was, " well, I'm not working now so I won't go and turn it off, and I don't see where what he (Willis) is doing is hurting anything." The water that we protect is going to benefit those users on the system who are entitled to it.

Tinker is a great guy and we get along just fine, but he does not have the knowledge of fisheries and aquatic ecosystems that we do. I also doubt that he fully understands what this river system is worth to our community. In dollars and cents, it is by far the single most important economic drawing card this valley has to offer.

We hope there are no hard feelings over this issue. All we are doing is to protect the water of this valley, which is crucial for the economic survival of this area. We enjoy working with Lee, Tinker and especially you. Your help educating us and explaining situations has been invaluable. We appreciate all you have helped us with and look forward to a productive working relationship with the I.D.W.R.

Sincerely,

Doug

Board of Directors, Friends of The Big Wood River

APR 12 1994

HAILEY OFFICE BOX 2401 KETCHUM, IDAHO 83340

CERTIFICATE OF MAILING

I hereby certify that on the 6th day of October, 1987, I mailed a true and correct copy of the following letter and fact sheets to the following people by U.S. Mail, postage prepaid.

Jane Fox

JANE FOX, Receptionist

APR 12 1994

October 6, 1987

Re: Application No. 37-8258, minimum streamflow filing on Big Wood River.

Dear Interested Party:

The records of the Department of Water Resources indicate that you may have an interest in a minimum streamflow application on the Big Wood River, No. 37-8258, requested by the Blaine County Commissioners, and filed by the Idaho Water Resource Board.

Recently, the Sun Valley Company filed an application to withdraw water from Warm Springs Creek and Big Wood River during winter months for snow-making purposes. There is a possibility that the snow-making filing might conflict with the minimum streamflow application.

Attached is a resolution signed by the Blaine County Commissioners regarding the proposed diversion for snow-making purposes. Also enclosed is a proposed draft resolution defining the relationship of the minimum flow filing and the snow-making filing that will be considered by the Idaho Water Resource Board at a board meeting to be held on October 15, 1987, at the Preston City Council Chambers, 70 West Oneida, Preston, Idaho. The meeting will convene at 8:30 a.m.

If you have an interest in submitting comments about the proposed resolution, you are invited to either attend or submit written comment to the Board. Any written comments should be addressed to the Idaho Water Resource Board, Statehouse, Boise, Idaho 83720.

Sincerely,

Gary Spackman

GARY SPACKMAN, Supervisor
Water Allocation Section

GS:jf

Enclosures

APR 12 1994

RECEIVED
SEP 30 1987
Department of Water Resources

Scott L. Campbell
ELAM, BURKE AND BOYD
1010 First Interstate Building
P.O. Box 1559
Boise, Idaho 83701
(208) 343-5454

Attorneys for Sun Valley Company

BEFORE THE WATER RESOURCE BOARD

OF THE STATE OF IDAHO

IN THE MATTER OF SUBORDINATION OF APPLICATION FOR PERMIT NO. 37-8258 FOR A MINIMUM STREAM FLOW IN THE BIG WOOD RIVER	RESOLUTION

WHEREAS, On January 16, 1986, the Idaho Water Resource Board filed with the Idaho Department of Water Resources, Application for Permit No. 37-8258, for a permit to beneficially use the waters of the Big Wood River for in-stream flow as follows;

1. Two hundred cubic feet per second (cfs) for the reach of the Big Wood River (designated Reach A) from the confluence of the Big Wood River with Warm Springs Creek upstream to the Sawtooth National Recreation Area lands (Southeast 1/4 of the Northwest 1/4, Section 10, Township 5 North, Range 17 East); and

2. One hundred thirty cubic feet per second (cfs) for the reach of the Big Wood River (designated Reach B) from Bellevue, Idaho (Southwest 1/4 of the Northwest 1/4, Section 36, Township 2 North, Range 18 East), and to the confluence with Warm Springs Creek (Southeast 1/4 of Northwest 1/4, Section 13, Township 4 North, Range 17 East); and

APR 1 2 1994

WHEREAS, The Application for Permit No. 37-7919 for in-stream flow purposes in the Big Wood River (Reach B) was approved with conditions by the Director of the Idaho Department of Water Resources and ultimately ratified by the 1987 Idaho Legislature since the date of the filing of Application for Permit No. 37-8258; and

WHEREAS, On or about May 2, 1987, the Sun Valley Company filed Applications for Permits Nos. 37-8297 and 37-8298 with the Idaho Department of Water Resources, requesting 6.77 cfs of water from Warm Springs Creek and 6.77 cfs of water from the Big Wood River (Reach B), during the period of November 1 through and including April 10, for the commercial purpose of snow making; and

WHEREAS, On September 15, 1987, the Blaine County Board of Commissioners adopted a resolution requesting the Idaho Water Resource Board to modify Application for Water Permit No. 37-8258 to permit the Sun Valley Company's Application for Water Permits Nos. 37-8297 and 37-8298 to have priority over Application for Water Permit No. 37-8258 to the extent of 6.77 cfs from the waters of the Big Wood River or Warm Springs Creek; and

WHEREAS, In said Resolution of the Blaine County Board of Commissioners, said Board concluded that the use of 6.77 cfs of water from the Big Wood River during the period of November 1 through April 10 by the Sun Valley Company for snow-making purposes would provide a substantial economic benefit to the residents of Blaine County by providing increased revenues from tourism, resulting from the availability of man-made snow on

APR 12 1994

Mt. Baldy, thereby creating a substantial number of additional jobs, increasing the sales tax revenues in Blaine County, and diminishing the burden upon the unemployment and welfare systems caused by underemployment of the citizens of Blaine County during the winter season; and

WHEREAS, The Sun Valley Company's Applications for Water Permits Nos. 37-8297 and 37-8298 will be effectively nullified, thereby preventing the expansion of the Sun Valley Company's snow-making system on Mt. Baldy, unless the pending Application for Water Permit No. 37-8258 is modified to permit the Applications for Water Permits Nos. 37-8297 and 37-8298 to have priority over Application for Water Permit No. 37-8258 to the extent of 6.77 cfs of water because of the relatively lower wintertime flows in the Big Wood River; and

WHEREAS, The use of 6.77 cfs of water from the Big Wood River or Warm Springs Creek, pursuant to Applications for Water Permits Nos. 37-8297 and 37-8298 for the expansion of the snow-making facilities of the Sun Valley Company on Mt. Baldy would provide a substantial economic benefit to the residents of Blaine County by providing increased revenues from tourism, resulting from the availability of man-made snow on Mt. Baldy, thereby creating a substantial number of additional jobs, increasing the sales tax revenues in Blaine County, and diminishing the burden upon the unemployment and welfare systems caused by underemployment of the citizens in Blaine County during the winter season, all of which is in the public interest.

APR 1 2 1994

NOW, THEREFORE, BE IT RESOLVED, That Application for Water Permit No. 37-8258 be subordinated to Applications for Water Permits Nos. 37-8297 and 37-8298 to the extent of 6.77 cfs from the Waters of the Big Wood River or Warm Springs Creek for the purposes of snow making on Mt. Baldy by the Sun Valley Company.

BE IT FURTHER RESOLVED, That this Resolution be included as part of the record of the Idaho Department of Water Resources regarding Application for Water Permit No. 37-8258.

PASSED AND APPROVED This 15th day of October, 1987.

Gene M. Gray, Chairman

ATTEST:

Secretary

APR 1 2 1994

RESOLUTION

The Board of Commissioners of Blaine County, meeting in a regular session in Hailey, Idaho, on September 15, 1987, duly considered and adopted the following:

WHEREAS, On December 23, 1985, the Board of Commissioners of Blaine County voted to request the Idaho Water Resource Board to establish a minimum stream flow for the Big Wood River of 200 cfs; and

WHEREAS, Because of the pending application before the Idaho Department of Water Resources of the Idaho Department of Fish and Game for a minimum stream flow for the Big Wood River of 70 cfs, on December 31, 1985, the Board of Commissioners of Blaine County submitted an application for an additional minimum stream flow for the Big Wood River to the Idaho Water Resource Board, consisting of two parts:

1. Two hundred cfs for the reach of the Big Wood River (designated Reach A) from the confluence with Warm Springs Creek upstream to the Sawtooth National Recreation Area lands (Southeast 1/4 of the Northwest 1/4, Section 10, Township 5 North, Range 17 East); and

2. An additional 130 cfs for the reach of the Big Wood River (designated Reach B) from Bellevue, Idaho (Southwest 1/4 of the Northwest 1/4, Section 36, Township 2 North, Range 18 East), to the confluence with Warm Springs Creek (Southeast 1/4 of the Northwest 1/4, Section 13, Township 4 North, Range 17 East); and

WHEREAS, On January 16, 1986, the Idaho Water Resource Board filed with the Idaho Department of Water Resources, Application No. 37-8258, for a permit to beneficially use for instream flow, 200 cfs for Reach A of the Big Wood River and 130 cfs for Reach B of the Big Wood River; and

APR 1 8 1994

WHEREAS, the Application for Permit No. 37-7919, previously filed by the Idaho Department of Fish and Game for instream flow purposes in the Big Wood River (Reach B) has been approved by the Idaho Department of Water Resources and ratified by the Idaho Legislature since the filing of Application for Permit No. 37-8258; and

WHEREAS, The Sun Valley Company filed Applications for Permits Nos. 37-8297 and 37-8298 with the Idaho Department of Water Resources, requesting 6.77 cfs of water from Warm Springs Creek and 6.77 cfs of water from the Big Wood River, during the period of November 1 through and including April 10, for the commercial purpose of snow making; and

WHEREAS, Blaine County filed a protest against Applications for Water Permits Nos. 37-8297 and 37-8298 by correspondence, dated June 30, 1987, submitted to the Director of the Idaho Department of Water Resources, Southern Region; and

WHEREAS, On July 29, 1987, a prehearing conference, regarding Applications for Water Permits Nos. 37-8297 and 37-8298, was conducted by Mr. Bob Fleenor, Hearing Officer, Idaho Department of Water Resources, in the meeting room of the Blaine County Sheriff's Office in Hailey, Idaho; and

WHEREAS, Following said prehearing conference, the Board of Commissioners of Blaine County, met on August 10, 1987, and voted to withdraw the protest of Blaine County against Applications for Water Permits Nos. 37-8297 and 37-8298 if the Sun Valley Company would comply with any permit requirements of the Blaine County ordinances, including the requirement of a stream alteration permit, and that Blaine County would cooperate with the Idaho

APR 1 2 1994

Department of Water Resources in allowing Applications for Water Permits Nos. 37-8297 and 37-8298 to have priority over the Blaine County's proposed supplemental minimum instream flow application, as reflected in Application for Water Permit No. 37-8258; and

WHEREAS, Blaine County Commissioner Alan Reynolds submitted a letter, dated August 12, 1987 (Exhibit A hereto), to Mr. Robert Fleenor, Hearing Officer, Idaho Department of Water Resources, indicating the decision of the Blaine County Board of Commissioners of August 10, 1987; and

WHEREAS, Mr. Scott L. Campbell, an attorney with the law firm of Elam, Burke and Boyd, Boise, Idaho, counsel for the Sun Valley Company, has appeared before the Blaine County Board of Commissioners on September 15, 1987, and informed said Board that the Idaho Water Resource Board will require a specific expression from the Blaine County Board of Commissioners, indicating that the said Board desires to permit Applications for Water Permits Nos. 37-8297 and 37-8298 to have priority over Blaine County's proposed supplemental minimum instream flow, as reflected in Application for Water Permit No. 37-8258; and

WHEREAS, The Sun Valley Company's Applications for Water Permits Nos. 37-8297 and 37-8298 will be effectively nullified, thereby preventing the expansion of the Sun Valley Company's snow-making system on Mt. Baldy, unless the pending Application for Water Permit No. 37-8258 is modified to permit the Applications for Water Permits Nos. 37-8297 and 37-8298 to have priority over Application for Water Permit No. 37-8258 to the extent of 6.77 cfs because of the relatively lower wintertime flows in the Big Wood River; and

2 1994

WHEREAS, T Blaine County Board of Co issioners strongly believes that the use of 6.77 cfs of water from the Big Wood River during the period of November 1 through April 10 by the Sun Valley Company for snow-making purposes would provide a substantial economic benefit to the residents of Blaine County by providing increased revenues from tourism, resulting from the availability of man-made snow on Mt. Baldy, thereby creating a substantial number of additional jobs, increasing the sales tax revenues in Blaine County, and diminishing the burden upon the unemployment and welfare systems caused by underemployment of the citizens of Blaine County during the winter season.

THEREFORE, BE IT HEREBY RESOLVED THAT:

The Blaine County Board of Commissioners respectfully requests the Idaho Water Resource Board to modify Application for Water Permit No. 37-8258 to permit Applications for Water Permits Nos. 37-8297 and 37-8298 to have priority over Application for Water Permit No. 37-8258 to the extent of 6.77 cfs from the waters of the Big Wood River or Warm Springs Creek.

DATED This 15 day of September, 1987.

BLAINE COUNTY BOARD OF COMMISSIONERS

ATTEST:

County Clerk

RESOLUTION - 4

Apr & 1994

Alan Reynolds
P. O. Box 1474
Ketchum, ID 83340

August 12, 1987

Mr. Robert Fleenor
Hearing Officer
Idaho Department of Water Resources
Statehouse
Boise, ID 83702

RE: Water Permit Applications Nos. 37-8297 and 37-8298

Dear Mr. Fleenor:

Regarding the above water applications, on August 10, 1987, the Blaine County Board of Commissioners met in regular session and agreed that Blaine County would withdraw its protest of these applications if the applicant would abide by any permits required under County ordinance, including a stream alteration permit.

Furthermore, Blaine County will cooperate with the IDWR in allowing these applications to have priority to the County's proposed supplemental minimum instream flow application above the 70 CFS minimum instream flow now in place. Please inform us how this switch may be accomplished.

Sincerely,

Alan Reynolds

Alan Reynolds
Blaine County Commissioner
District 3

AR:js
cc: Scott Campbell

EXHIBIT A

APR 1 2 1994

Re: Minimum Stream Flow Hearing
Big Wood River

Place: Old County Courthouse, Hailey, ID

Date: 7:30 p.m., March 19, 1986

Hearing conducted by: Idaho Water Resource Board

ROSTER OF ATTENDANCE

Name	Address	Representing
Jim Eskin	Box 296, Bellevue	Dist 45 Irrigation. Upper Big Wood Water Users
Dave Darrasel	307 Baseline Road N.	Dist 45 Irrigation upper Big wood Waterusers
Melvin Dreyer	506 5th Ave. N. Hailey	John Drexler Big Wood Canal
Ted Devine	Box 133 - Bellevue Id	self
Bob Lamarest	Box 1104, KETCHUM, ID	FISH
George Miller	Ketchum	Wood River Journal.
Bob Beel	Box 428 JEROME	Idaho F&G.
Scott Grunder	Box 428 Jerome	Idaho F&G
W R Watts	Box 122 Bellevue Ida	Id240
X Bend of the River Road c/o Nelson Anderson	Hailey Idaho Box 521	
Orville Drexler	Box 1514 Hailey, Id.	John Drexler
Thomas E. Cooper	Box 295 Hailey Id.	
Reid J. Newby	Box N Shoshone, Ida.	Watermaster
Louis Studer	Box 185, Shoshone, Ida.	myself
Sean Sheehan	Box 302, Hailey	
Tom Blanchard	Bx 325, Bellevue	Self
Matt Taylor	Box 992 SUN VALLEY	WATER RESOURCES FOUNDATION
Dr Bruce Lium	Box 2679, Ket, Id. 83340	WATER RESOURCES FOUN REPRESENTING: FASSETT. RIVER'S EDGE RANCH
Robert H. Sherwood	Box 373 Sun Valley ID	
Ron Kelly	Bx 2139 HAILEY	Self
Frank Diamon	P.O. 392 Hailey Id.	BELLEVUE BIBLE CAMP & SELF AS PROPERTY OWNE
Big Wood Canal	Co. Box C	Shoshone, Id 83352

APR 12 1994

RECEIVED
SEP 2[illegible] 1987
Department of Water Resources

ELAM, BURKE AND BOYD
ATTORNEYS AND COUNSELORS AT LAW

FIRST INTERSTATE BUILDING
702 WEST IDAHO
POST OFFICE BOX 1559
BOISE, IDAHO 83701
TELEPHONE 208-343-5454
TELECOPIER 208-343-5454

LAUREL E. ELAM (1888-1974)
CARL A. BURKE (1898-1961)
CARL P. BURKE
PETER J. BOYD
J. RAY DURTSCHI
M. ALLYN DINGEL, JR.
[illegible] SJORDING
JOHN MAGEL
DAVID B. LINCOLN
RICHARD C. MELLON, JR.
ROBERT M. TYLER, JR.
JAMES D. LaRUE
RANDALL A. PETERMAN
WILLIAM J. RUSSELL
KAYE L. O'RIORDAN
RYAN P. ARMBRUSTER
DAVID E. COMSTOCK
MELVILLE W. FISHER II
WILLIAM G. DRYDEN
TODD J. WILCOX
PETER C. K. MARSHALL
KENNETH M. SEBBY
TRUDY HANSON FOUSER
D. ALAN KOFOED
SCOTT L. CAMPBELL
BOBBI KILLIAN DOMINICK
W. DALLAS BURKHALTER
ALAN CONILOGUE
ELAINE D. HANSON
JEFFERY J. VENTRELLA
BRENDA G. MEIER
JOHN J. JANIS
WENDY E.D. SMITH
JAMES A. FORD

September 25, 1987

Mr. Phillip J. Rassier
Deputy Attorney General
Department of Water Resources
State of Idaho
450 W. State, Third Floor
Boise, ID 83720

Re: Subordination of Application for Permit No. 37-8258

Dear Phil:

I have enclosed a draft Resolution for your review which deals with the proposed subordination of Application for Permit No. 37-8258.

As I indicated during our telephone conversations regarding this matter, I would like to present this Resolution to the Idaho Water Resource Board for its consideration at the October 15, 1987, hearing in Pocatello, Idaho. Before submitting this Resolution to the Board, however, I would like to obtain your comments and suggested revisions. In order to assist you in your review of this draft Resolution, I have also enclosed a copy of the executed original of the Resolution adopted by the Blaine County Board of County Commissioners on September 15, 1987.

After you have had an opportunity to review this documentation, please contact me so that we may discuss your observations. Since the October 15, 1987, hearing is only three weeks away, I would appreciate your review of this matter at the earliest convenience.

Thank you for your kind assistance in this regard.

Very truly yours,

ELAM, BURKE AND BOYD

Scott L. Campbell

Scott L. Campbell

SLC:ls
Enclosure
xc: Wallace Huffman, Manager
Sun Valley Company

APR 12 1994

RECEIVED
SEP 30 1987
Department of Water Resources

Scott L. Campbell
ELAM, BURKE AND BOYD
1010 First Interstate Building
P.O. Box 1559
Boise, Idaho 83701
(208) 343-5454

Attorneys for Sun Valley Company

BEFORE THE WATER RESOURCE BOARD

OF THE STATE OF IDAHO

IN THE MATTER OF SUBORDINATION OF APPLICATION FOR PERMIT NO. 37-8258 FOR A MINIMUM STREAM FLOW IN THE BIG WOOD RIVER	)	RESOLUTION

WHEREAS, On January 16, 1986, the Idaho Water Resource Board filed with the Idaho Department of Water Resources, Application for Permit No. 37-8258, for a permit to beneficially use the waters of the Big Wood River for in-stream flow as follows:

1. Two hundred cubic feet per second (cfs) for the reach of the Big Wood River (designated Reach A) from the confluence of the Big Wood River with Warm Springs Creek upstream to the Sawtooth National Recreation Area lands (Southeast 1/4 of the Northwest 1/4, Section 10, Township 5 North, Range 17 East); and

2. One hundred thirty cubic feet per second (cfs) for the reach of the Big Wood River (designated Reach B) from Bellevue, Idaho (Southwest 1/4 of the Northwest 1/4, Section 36, Township 2 North, Range 18 East), and to the confluence with Warm Springs Creek (Southeast 1/4 of Northwest 1/4, Section 13, Township 4 North, Range 17 East); and

APPROVED
APR 12 1994

WHEREAS, The Application for Permit No. 37-7919 for in-stream flow purposes in the Big Wood River (Reach B) was approved with conditions by the Director of the Idaho Department of Water Resources and ultimately ratified by the 1987 Idaho Legislature since the date of the filing of Application for Permit No. 37-8258; and

WHEREAS, On or about May 2, 1987, the Sun Valley Company filed Applications for Permits Nos. 37-8297 and 37-8298 with the Idaho Department of Water Resources, requesting 6.77 cfs of water from Warm Springs Creek and 6.77 cfs of water from the Big Wood River (Reach B), during the period of November 1 through and including April 10, for the commercial purpose of snow making; and

WHEREAS, On September 15, 1987, the Blaine County Board of Commissioners adopted a resolution requesting the Idaho Water Resource Board to modify Application for Water Permit No. 37-8258 to permit the Sun Valley Company's Application for Water Permits Nos. 37-8297 and 37-8298 to have priority over Application for Water Permit No. 37-8258 to the extent of 6.77 cfs from the waters of the Big Wood River or Warm Springs Creek; and

WHEREAS, In said Resolution of the Blaine County Board of Commissioners, said Board concluded that the use of 6.77 cfs of water from the Big Wood River during the period of November 1 through April 10 by the Sun Valley Company for snow-making purposes would provide a substantial economic benefit to the residents of Blaine County by providing increased revenues from tourism, resulting from the availability of man-made snow on

APR 1 2 1988

Mt. Baldy, thereby creating a substantial number of additional jobs, increasing the sales tax revenues in Blaine County, and diminishing the burden upon the unemployment and welfare systems caused by underemployment of the citizens of Blaine County during the winter season; and

WHEREAS, The Sun Valley Company's Applications for Water Permits Nos. 37-8297 and 37-8298 will be effectively nullified, thereby preventing the expansion of the Sun Valley Company's snow-making system on Mt. Baldy, unless the pending Application for Water Permit No. 37-8258 is modified to permit the Applications for Water Permits Nos. 37-8297 and 37-8298 to have priority over Application for Water Permit No. 37-8258 to the extent of 6.77 cfs of water because of the relatively lower wintertime flows in the Big Wood River; and

WHEREAS, The use of 6.77 cfs of water from the Big Wood River or Warm Springs Creek, pursuant to Applications for Water Permits Nos. 37-8297 and 37-8298 for the expansion of the snow-making facilities of the Sun Valley Company on Mt. Baldy would provide a substantial economic benefit to the residents of Blaine County by providing increased revenues from tourism, resulting from the availability of man-made snow on Mt. Baldy, thereby creating a substantial number of additional jobs, increasing the sales tax revenues in Blaine County, and diminishing the burden upon the unemployment and welfare systems caused by underemployment of the citizens in Blaine County during the winter season, all of which is in the public interest.

APR 1 8 1994

NOW, THEREFORE, BE IT RESOLVED, That Application for Water Permit No. 37-8258 be subordinated to Applications for Water Permits Nos. 37-8297 and 37-8298 to the extent of 6.77 cfs from the Waters of the Big Wood River or Warm Springs Creek for the purposes of snow making on Mt. Baldy by the Sun Valley Company.

BE IT FURTHER RESOLVED, That this Resolution be included as part of the record of the Idaho Department of Water Resources regarding Application for Water Permit No. 37-8258.

PASSED AND APPROVED This 15th day of October, 1987.

Gene M. Gray, Chairman

ATTEST:

Secretary

APR 12 1994

RESOLUTION

The Board of Commissioners of Blaine County, meeting in a regular session in Hailey, Idaho, on September 15, 1987, duly considered and adopted the following:

WHEREAS, On December 23, 1985, the Board of Commissioners of Blaine County voted to request the Idaho Water Resource Board to establish a minimum stream flow for the Big Wood River of 200 cfs; and

WHEREAS, Because of the pending application before the Idaho Department of Water Resources of the Idaho Department of Fish and Game for a minimum stream flow for the Big Wood River of 70 cfs, on December 31, 1985, the Board of Commissioners of Blaine County submitted an application for an additional minimum stream flow for the Big Wood River to the Idaho Water Resource Board, consisting of two parts:

1. Two hundred cfs for the reach of the Big Wood River (designated Reach A) from the confluence with Warm Springs Creek upstream to the Sawtooth National Recreation Area lands (Southeast 1/4 of the Northwest 1/4, Section 10, Township 5 North, Range 17 East); and

2. An additional 130 cfs for the reach of the Big Wood River (designated Reach B) from Bellevue, Idaho (Southwest 1/4 of the Northwest 1/4, Section 36, Township 2 North, Range 18 East), to the confluence with Warm Springs Creek (Southeast 1/4 of the Northwest 1/4, Section 13, Township 4 North, Range 17 East); and

WHEREAS, On January 16, 1986, the Idaho Water Resource Board filed with the Idaho Department of Water Resources, Application No. 37-8258, for a permit to beneficially use for instream flow, 200 cfs for Reach A of the Big Wood River and 130 cfs for Reach B of the Big Wood River; and

APR 1 2

WHEREAS, The Application for Permit No. 37-7919, previously filed by the Idaho Department of Fish and Game for instream flow purposes in the Big Wood River (Reach B) has been approved by the Idaho Department of Water Resources and ratified by the Idaho Legislature since the filing of Application for Permit No. 37-8258; and

WHEREAS, The Sun Valley Company filed Applications for Permits Nos. 37-8297 and 37-8298 with the Idaho Department of Water Resources, requesting 6.77 cfs of water from Warm Springs Creek and 6.77 cfs of water from the Big Wood River, during the period of November 1 through and including April 10, for the commercial purpose of snow making; and

WHEREAS, Blaine County filed a protest against Applications for Water Permits Nos. 37-8297 and 37-8298 by correspondence, dated June 30, 1987, submitted to the Director of the Idaho Department of Water Resources, Southern Region; and

WHEREAS, On July 29, 1987, a prehearing conference, regarding Applications for Water Permits Nos. 37-8297 and 37-8298, was conducted by Mr. Bob Fleenor, Hearing Officer, Idaho Department of Water Resources, in the meeting room of the Blaine County Sheriff's Office in Hailey, Idaho; and

WHEREAS, Following said prehearing conference, the Board of Commissioners of Blaine County, met on August 10, 1987, and voted to withdraw the protest of Blaine County against Applications for Water Permits Nos. 37-8297 and 37-8298 if the Sun Valley Company would comply with any permit requirements of the Blaine County ordinances, including the requirement of a stream alteration permit, and that Blaine County would cooperate with the Idaho

Department of Water Resources in allowing Applications for Water Permits Nos. 37-8297 and 37-8298 to have priority over the Blaine County's proposed supplemental minimum instream flow application, as reflected in Application for Water Permit No. 37-8258; and

WHEREAS, Blaine County Commissioner Alan Reynolds submitted a letter, dated August 12, 1987 (Exhibit A hereto), to Mr. Robert Fleenor, Hearing Officer, Idaho Department of Water Resources, indicating the decision of the Blaine County Board of Commissioners of August 10, 1987; and

WHEREAS, Mr. Scott L. Campbell, an attorney with the law firm of Elam, Burke and Boyd, Boise, Idaho, counsel for the Sun Valley Company, has appeared before the Blaine County Board of Commissioners on September 15, 1987, and informed said Board that the Idaho Water Resource Board will require a specific expression from the Blaine County Board of Commissioners, indicating that the said Board desires to permit Applications for Water Permits Nos. 37-8297 and 37-8298 to have priority over Blaine County's proposed supplemental minimum instream flow, as reflected in Application for Water Permit No. 37-8258; and

WHEREAS, The Sun Valley Company's Applications for Water Permits Nos. 37-8297 and 37-8298 will be effectively nullified, thereby preventing the expansion of the Sun Valley Company's snow-making system on Mt. Baldy, unless the pending Application for Water Permit No. 37-8258 is modified to permit the Applications for Water Permits Nos. 37-8297 and 37-8298 to have priority over Application for Water Permit No. 37-8258 to the extent of 6.77 cfs because of the relatively lower wintertime flows in the Big Wood River; and

WHEREAS, The Blaine County Board of Commissioners strongly believes that the use of 6.77 cfs of water from the Big Wood River during the period of November 1 through April 10 by the Sun Valley Company for snow-making purposes would provide a substantial economic benefit to the residents of Blaine County by providing increased revenues from tourism, resulting from the availability of man-made snow on Mt. Baldy, thereby creating a substantial number of additional jobs, increasing the sales tax revenues in Blaine County, and diminishing the burden upon the unemployment and welfare systems caused by underemployment of the citizens of Blaine County during the winter season.

THEREFORE, BE IT HEREBY RESOLVED THAT:

The Blaine County Board of Commissioners respectfully requests the Idaho Water Resource Board to modify Application for Water Permit No. 37-8258 to permit Applications for Water Permits Nos. 37-8297 and 37-8298 to have priority over Application for Water Permit No. 37-8258 to the extent of 6.77 cfs from the waters of the Big Wood River or Warm Springs Creek.

DATED This 15 day of September, 1987.

BLAINE COUNTY BOARD OF COMMISSIONERS

Ingrid T. Howe

Robert Gardner

Dan Reynolds

ATTEST:

Mary Green
County Clerk

RESOLUTION - 4

APR 12 1994

Alan Reynolds
P. O. Box 1474
Ketchum, ID 83340

August 12, 1987

Mr. Robert Fleenor
Hearing Officer
Idaho Department of Water Resources
Statehouse
Boise, ID 83702

RE: Water Permit Applications Nos. 37-8297 and 37-8298

Dear Mr. Fleenor:

Regarding the above water applications, on August 10, 1987, the Blaine County Board of Commissioners met in regular session and agreed that Blaine County would withdraw its protest of these applications if the applicant would abide by any permits required under County ordinance, including a stream alteration permit.

Furthermore, Blaine County will cooperate with the IDWR in allowing these applications to have priority to the County's proposed supplemental minimum instream flow application above the 70 CFS minimum instream flow now in place. Please inform us how this switch may be accomplished.

Sincerely,

Alan Reynolds

Alan Reynolds
Blaine County Commissioner
District 3

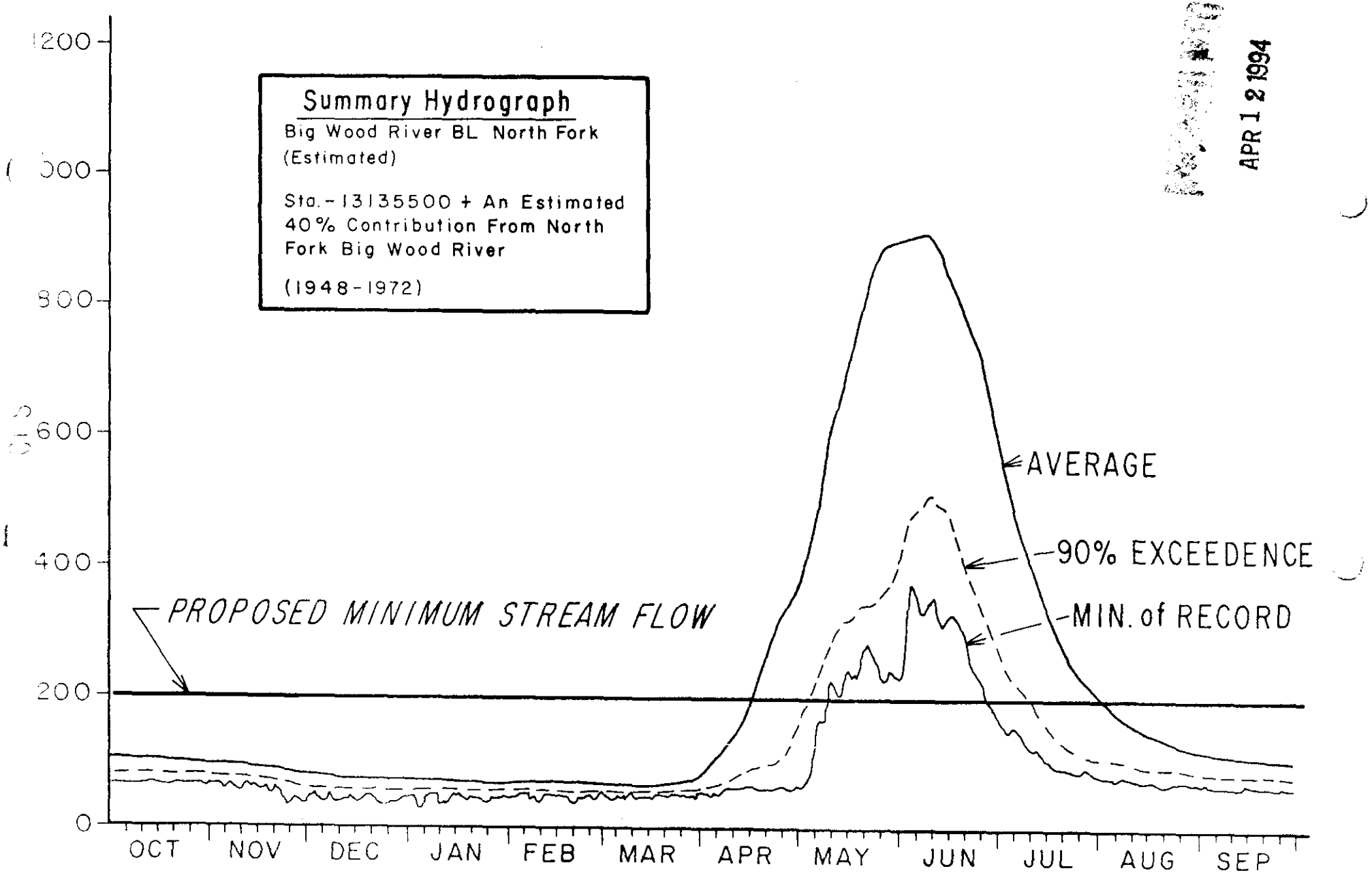
AR:js
cc: Scott Campbell

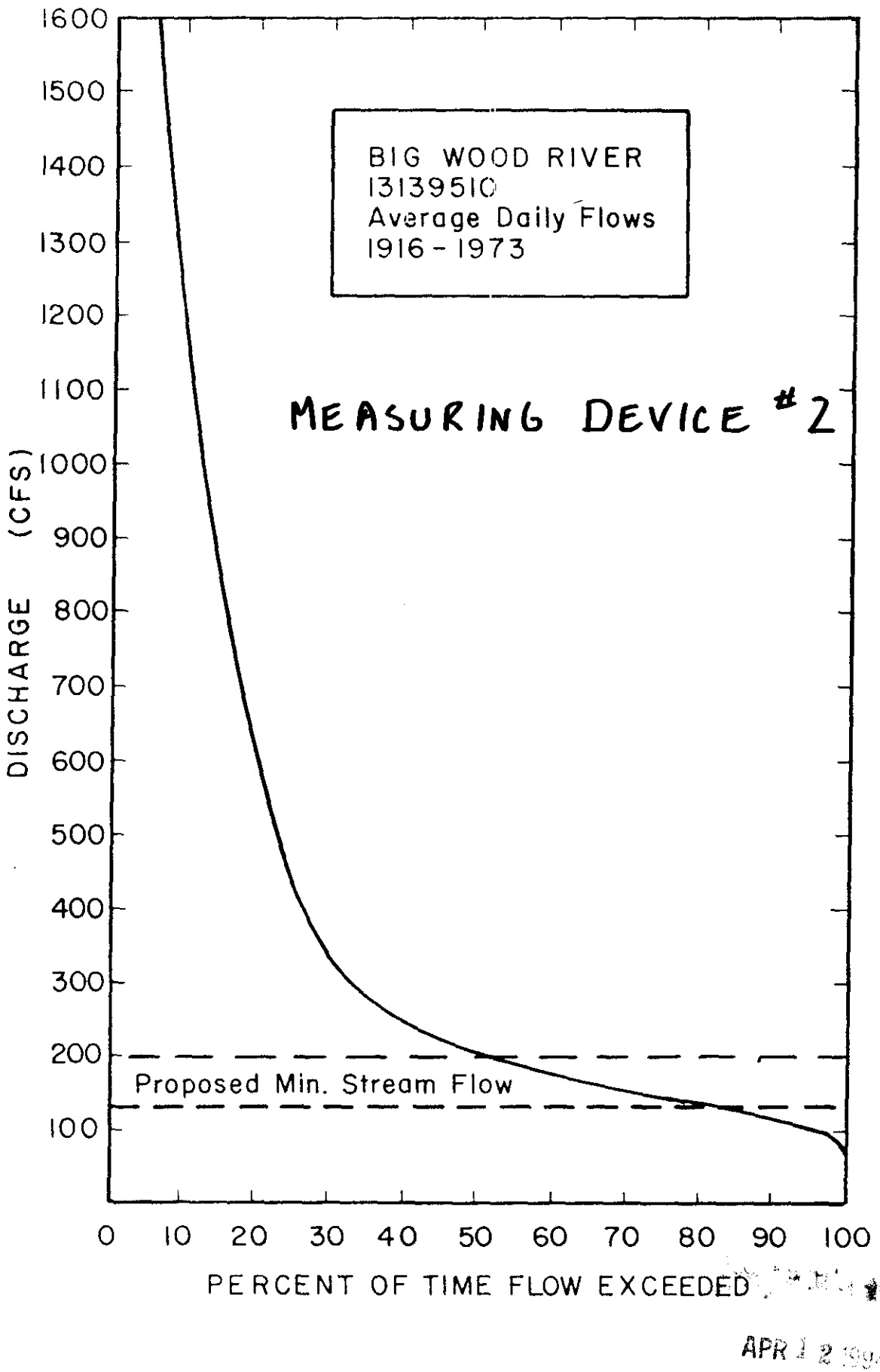
APR 1 2 19

EXHIBIT A

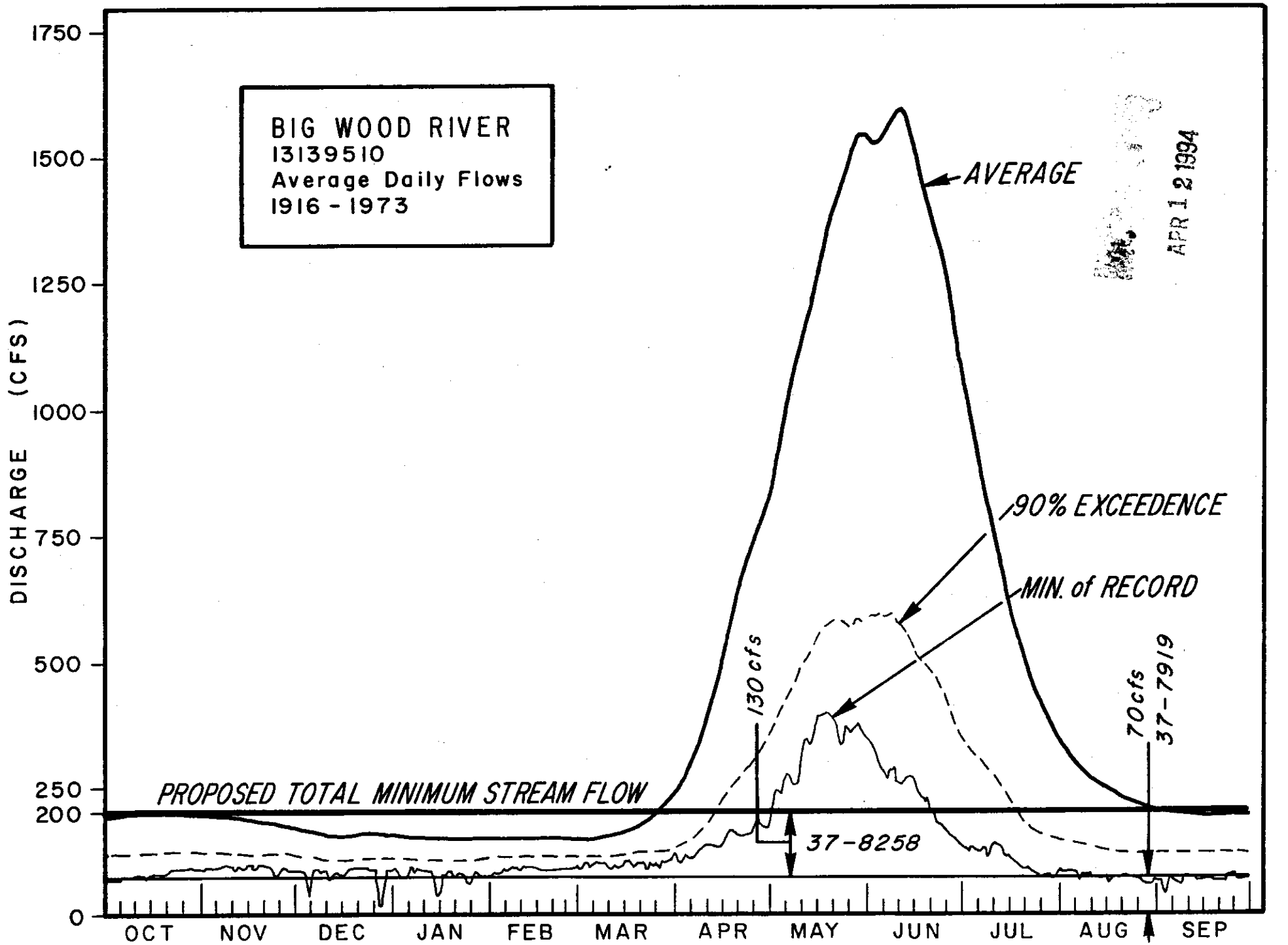
MEASURING DEVICE #1

APR 12 1994




BIG WOOD RIVER
13139510
Average Daily Flows
1916 - 1973
MEASURING DEVICE #2
DISCHARGE (CFS)
1600
1500
1400
1300
1200
1100
1000
900
800
700
600
500
400
300
200
100
Proposed Min. Stream Flow
0
10
20
30
40
50
60
70
80
90
100
PERCENT OF TIME FLOW EXCEEDED

APR 1 2 19


BIG WOOD RIVER
13139510
Average Daily Flows
1916 - 1973
AVERAGE
90% EXCEEDENCE
MIN. of RECORD
PROPOSED TOTAL MINIMUM STREAM FLOW
130 cfs
37-8258
70 cfs
37-7919
DISCHARGE (CFS)
1750
1500
1250
1000
750
500
250
200
0
OCT
NOV
DEC
JAN
FEB
MAR
APR
MAY
JUN
JUL
AUG
SEP
APR 12 1994

Stream flow hearing W[illegible]d.

By GEORGE MILLER
Wood River Journal

The Idaho Water Resource Board will hold a public meeting on March 19 at 7:30 p.m. in the Blaine County Courthouse to solicit public opinion regarding Blaine County's new minimum stream flow water right application on the Big Wood River.

The application was filed by the Board at the request of the Blaine County Commissioners in January and calls for the establishment of minimum flows in two reaches of the river.

Reach A is a nine mile section from the boundary of the Sawtooth National Recreation Area downstream to the confluence with Warm Springs Creek near Ketchum. Blaine County requested a year-round minimum flow of 200 cubic feet per second (cfs) for this reach.

Reach B extends 18 miles from the end of reach A downstream to the diversion of the Bellevue Canal. The County requested an additional 130 cfs as the minimum stream flow for this reach.

The purposes for the requests are to protect the fish and wildlife habitat, water quality, aesthetics and recreational values in and along the Big Wood River.

Blaine County planning administrator Ed Nigbor said there is currently no minimum flow for reach A. Reach B, however, already has a minimum stream flow of 70 cfs. If approved, the minimum stream flow for reach B would total 200 cfs. Nigbor said the new minimum stream flow, if approved, would not affect prior water rights.

Board of Water Resource chairman Gene M. Gray said, "the county commissioners indicated that the previously filed minimum stream flow water right for seventy cfs is not sufficient to protect the river. If both minimum stream flow applications are fully approved, the minimum stream flow would total to two hundred cfs for the entire twenty-seven-mile reach."

"People are encouraged to attend the public meeting," Gray said, "to find out about what a minimum stream flow water right is and to express their views about this application."

The minimum stream flow is the minimum flow – not the ideal or the most desirable – necessary to protect the fish and wildlife habita[illegible] and the water quality of [illegible] stream. Only the [illegible] Resource Board, [illegible] an instream f[illegible] any person governm[illegible] quest[illegible] plic[illegible] ri[illegible]

APR 1 2 1994

March 13, 1986 - Wood River Journal -

Input sought on Big Wood stream flow

MARCH 19, 1986

By DAVE LEWIS
Times-News correspondent

HAILEY — The Idaho Water Resources Board will hold a public meeting today to obtain public opinion on a new application for a minimum stream flow for portions of the Big Wood River in Blaine County.

The meeting, which begins at 7:30 p.m. in the county courthouse in Hailey, will cover an application by the Water Resource Board on behalf of the county Board of Commissioners to guarantee a minimum stream flow of 200 cubic feet per second in the river from the Sawtooth National Recreation Area to Bellevue, a distance of about 27 miles.

The application covers two reaches of the river. The first extends from the recreation area boundary to the river's confluence with Warm Springs Creek in Ketchum. The board has applied for a minimum stream flow of 200 cfs along this reach.

The second reach covers the river from Warm Springs Creek to Bellevue where the board has applied for 130 cfs as a minimum stream flow. The board earlier this year applied for a 70 cfs minimum stream flow for the lower portion of the river on behalf of the Idaho Department of Fish and Game.

The Idaho Department of Water Resources issued a preliminary order approving Fish and Game's request, but it is reviewing objections to the proposed decision before issuing a final order.

Board Chairman Gene M. Gray said the board is now reviewing the county's application to determine if it is in the local public interest.

The Blaine County Board of Commissioners sought the minimum flow after it determined the 70 cfs obtained for Fish and Game was insufficient to protect the streams fisheries, its streamside vegetation and wildlife, and its economic contribution to the county's tourist economy.

APR 1 2 1994

FORUM

Protect the stream flow

Next Wednesday evening the Idaho Water Resource Board will hold a public meeting to find out what locals think about the county's minimum stream flow application for the Big Wood River.

If the Board ultimately approves the application it will mean that any future applications for diversions can only be granted if the diversion would not lower the instream flow below 200 cubic feet per second.

We urge the Board to grant the county's request because we think the health of the Big Wood River is of paramount importance to the local economy as well as to our cherished way of life.

If the county commissioners, people with a vested interest in diverting the river, and a few environmentalists are the only people the state board hears from then those people will be the only ones with any effect on the board's decision.

We think they ought to hear from considerably more people than that. Everyone in this county has an interest in this matter whether they be farmers, people with river front property, fishermen, or restaurant owners. The river is a public resource and its management is a public matter.

We strongly believe that more good will come to the people of this county if the river is full than if its waters are diverted to the point that less than 200 cfs remains.

Two hundred cfs is not a lot of water. During spring runoff the river often runs at about 1,000 cfs. Guaranteeing that it cannot be diverted below 200 cfs is not a radical proposal. In fact it is about the bare minimum needed to maintain healthy fisheries.

The aesthetic value of a rushing river also cannot be overlooked. People driving into the valley from the south see the river several times before they pull into Ketchum. What they see is an important part of their impression of the Wood River Valley. If they come in the summer they may well cast a fly or two onto the river. If they enjoy it they will come back and do it again.

The state board will make its decision whether anybody goes to the meeting or not. That is their job. Unlike the last meeting that board hosted up here, at this one public input will be welcome. If we go to the meeting we have some control over the future of the river. If we do not, we do not.

The meeting will begin at 7:30 next Wednesday in the County Courthouse.

EDITORIAL PAGE

APR 1 2 19

THE WOOD RIVER
JOURNAL
Box 928, 112 S. Main, Hailey
(208) 788-3444
Colonnade Center, Ketchum
(208) 726-8231

GUEST OPINION

Wood River Journal MARCH 27, 1986

by Edward V. Nigbor

Minimum stream flow won't affect prior rights

From comments that I received at last week's minimum stream flow meeting, it became clear that there are two erroneous impressions that must be corrected. As the county planning director and the person most deeply involved, it becomes my duty to clarify things. These misconceptions are:

1. The county wishes to interfere with or restrict recorded water rights.

Some feel that this is one of the purposes of the request for the Minimum Stream Flow and the recent Floodplain Management District and Stream Alteration Permit ordinance. *Nothing could be further from the truth.*

On the contrary, the county commissioners and the P&Z Commission have made it clear that existing recorded water rights shall not be restricted. They are a creature of the Idaho Constitution, regulated by the Idaho Code, and the permit holders have very clear rights.

Furthermore, we all recognize that agriculture is very important to the economic life, aesthetics, and to the lifestyle of Blaine County. Fortunately, the natural division of the Wood River Valley — below Bellevue are agriculture uses; above Bellevue are residential, tourism and recreation — greatly reduces potential conflicts.

In fact, the Minimum Stream Flow and the Floodplain ordinance should preserve or increase water flows, which will be of benefit to the water users in the south county.

2. If the minimum stream flow of 200 cfs (cubic feet per second) is approved, this will mean that the Big Wood River will have 200 cfs of water flowing in the channel at all times of the year.

False!

We cannot add to the natural flow of the river. If the minimum stream flow is 200 cfs and the natural flow in January is 150 cfs, then the flow will only be 150 cfs. Simple? Yes, but the term "Minimum Stream Flow" can be misleading.

What it does mean is that any *new* water rights can only divert water when the flow is more than 200 cfs and only in amounts in excess of that minimum stream flow. Examples: actual stream flow is 175 cfs, amount available for other users is 0 cfs; actual stream flow is 260 cfs, then other users can take up to 60 cfs, but no more.

The purpose of the mininum stream flow is to make it impossible, or difficult, for a new hydroelectric project or other new large diversion to have enough water available year-round to divert to make the project economically feasible. Thus, preserving the Big Wood River for the highest and best use — recreational and aesthetic enjoyment by the public.

APR 12 1994

Correspondence

Continued from Page 4A

price. One local book has stated it will not be lowering rates; the other just issued a rate card with increased prices! Even if they finally do come down, how long will they stay down and who will have caused it? One person suggested, "Go with the lowest bidder." That's us, and by a very significant margin. Further, as explained in our advertising, we will maintain low rates.

Let this opportunity slip by and you will be looking at too many books and high prices for the next 20 years.

We are happy to relate most advertisers readily recognized our intentions and have responded to us far beyond our expectations.

Having only one book cuts your advertising costs in half. Make it our book and they're cut in half again!

We can only offer this opportunity — you must make the choice.

Sincerely,

THE VALLEY Directory
Mark Kashino
Ellen Kashino
Doug Sweitzer
Debbie Sweitzer

Easter

Editor:

Easter Sunday represents and typifies the resurrection of Jesus Christ. It does not have a thing to do with Easter baskets or chocolate bunnies. In Acts 12:4, the word that is translated "Easter" in the King James Bible is the Greek word, "Pascha," meaning Passover. The word "Easter" comes from "Astarte," the pagan goddess of fertility. She was worshipped in the spring, a time when the earth is coming back to life from winter. Christianity had become popular at the time of Constantine and the people combined the pagan rituals with the resurrection of Jesus.

In John 11:25-26, Jesus said, "I am

Continued on Page 9A

RECEIVED
MAR 21 1986
Department of Water Resources
Western Regional Office

March 20, 1986

Dear Sirs:

I wont to let you know that I fully support the minimum stream flow recommended by the Blaine Co. Comm. as chairman of the camp development Comm. of the Bellevue Bible Camp and also property owner of 2 parcels of property that has river front property I feel we must not only protect the river for ourselves but for all of Blaine County.

Sincerely

Frank L. Dramon

C.C. ED NICBOR

APR 1 2 1994

Frank Bronson
P.O. 392
Hailey Id.
83333

APR 12 1994

Dept. of Water Resources Office
State office
State House
Boise Idaho
83720

Water Right No.: 37-8258

Source: Big Wood River

Applicant: Idaho Water Resource Board

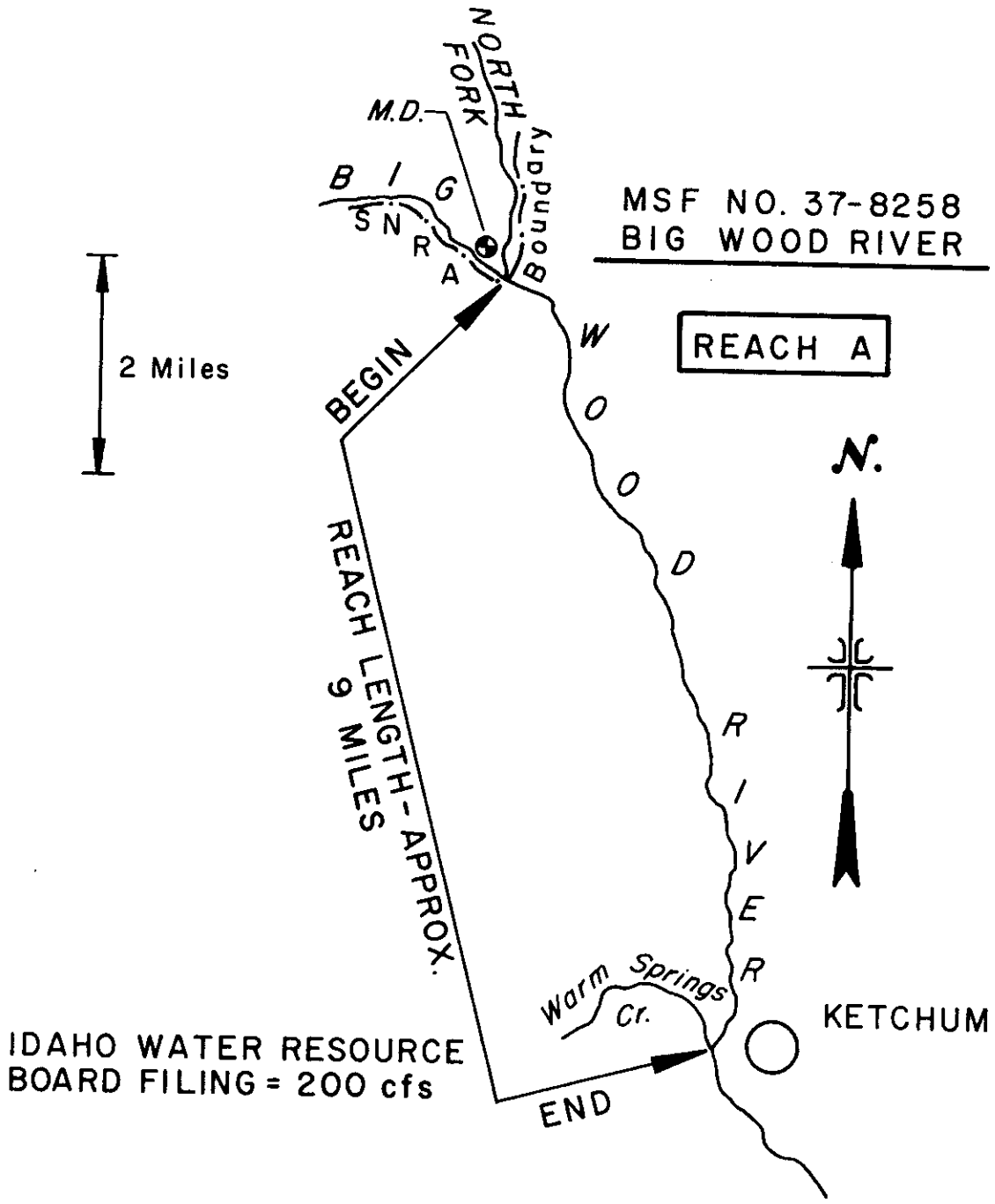
Requesting Agency: Blaine County Commissioners

Date Application Filed: January 16, 1986

Rate of Flow: Reach A - 200 cfs year round
Reach B - 130 cfs year round

Purpose: Flows to be maintained for the local public interest: for fish and wildlife, water quality, aesthetics, recreation, etc.

APR 12 1994

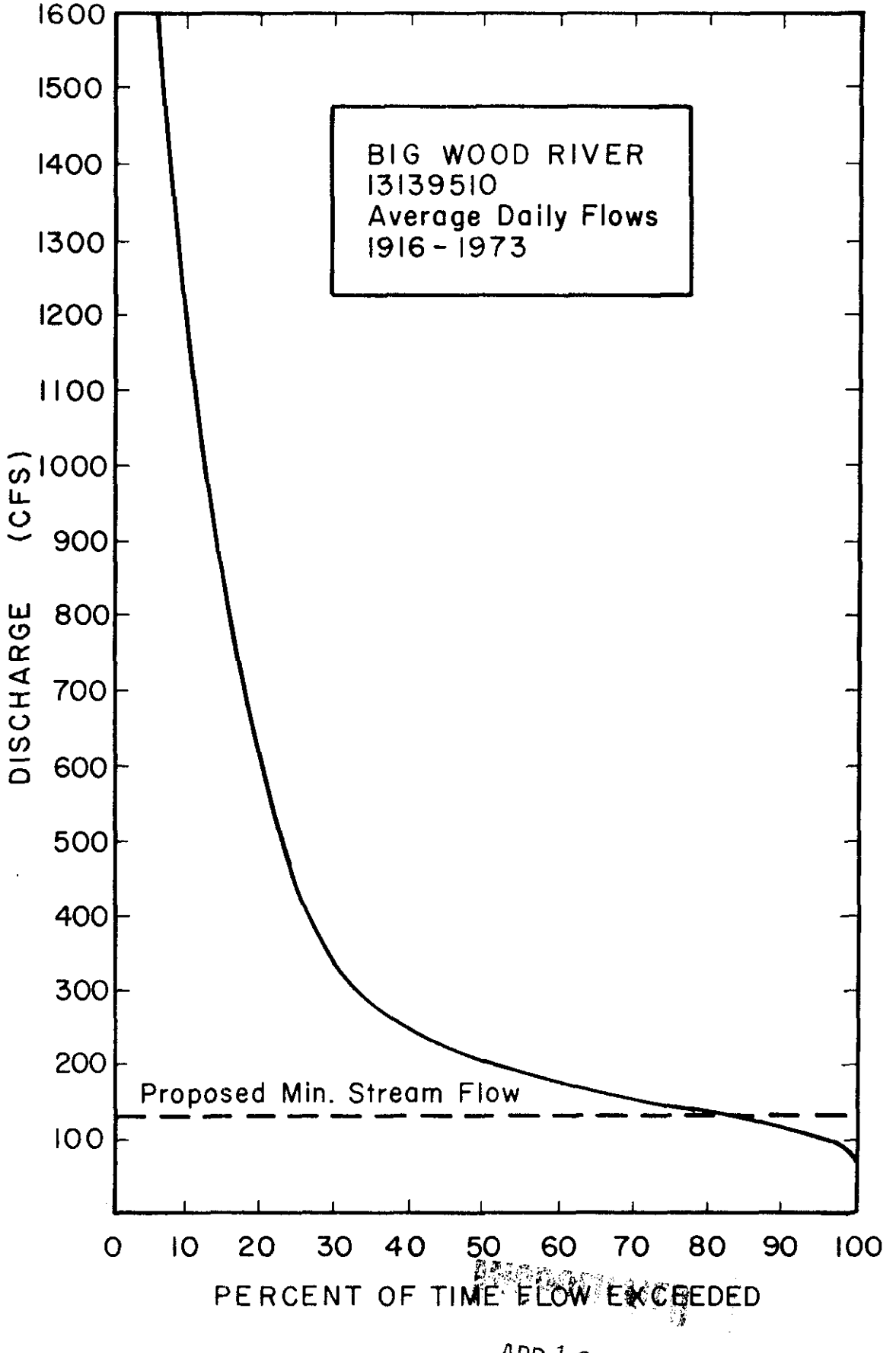

NORTH FORK
Boundary
M.D.
B I G
S N R A
MSF NO. 37-8258
BIG WOOD RIVER
REACH A
2 Miles
BEGIN
WOOD
RIVER
N.
REACH LENGTH - APPROX. 9 MILES
Warm Springs Cr.
KETCHUM
END
IDAHO WATER RESOURCE BOARD FILING = 200 cfs

APR 12 1994

BIG WOOD RIVER HYDROLOGIC INFORMATION

- Discharge primarily influenced by snowmelt
- Months of April thru July yield 70% of annual runoff
- River is "gaining" - flows increase downstream

APR 1 2 1994


BIG WOOD RIVER
13139510
Average Daily Flows
1916 - 1973
Proposed Min. Stream Flow
DISCHARGE (CFS)
1600
1500
1400
1300
1200
1100
1000
900
800
700
600
500
400
300
200
100
0
10
20
30
40
50
60
70
80
90
100
PERCENT OF TIME FLOW EXCEEDED

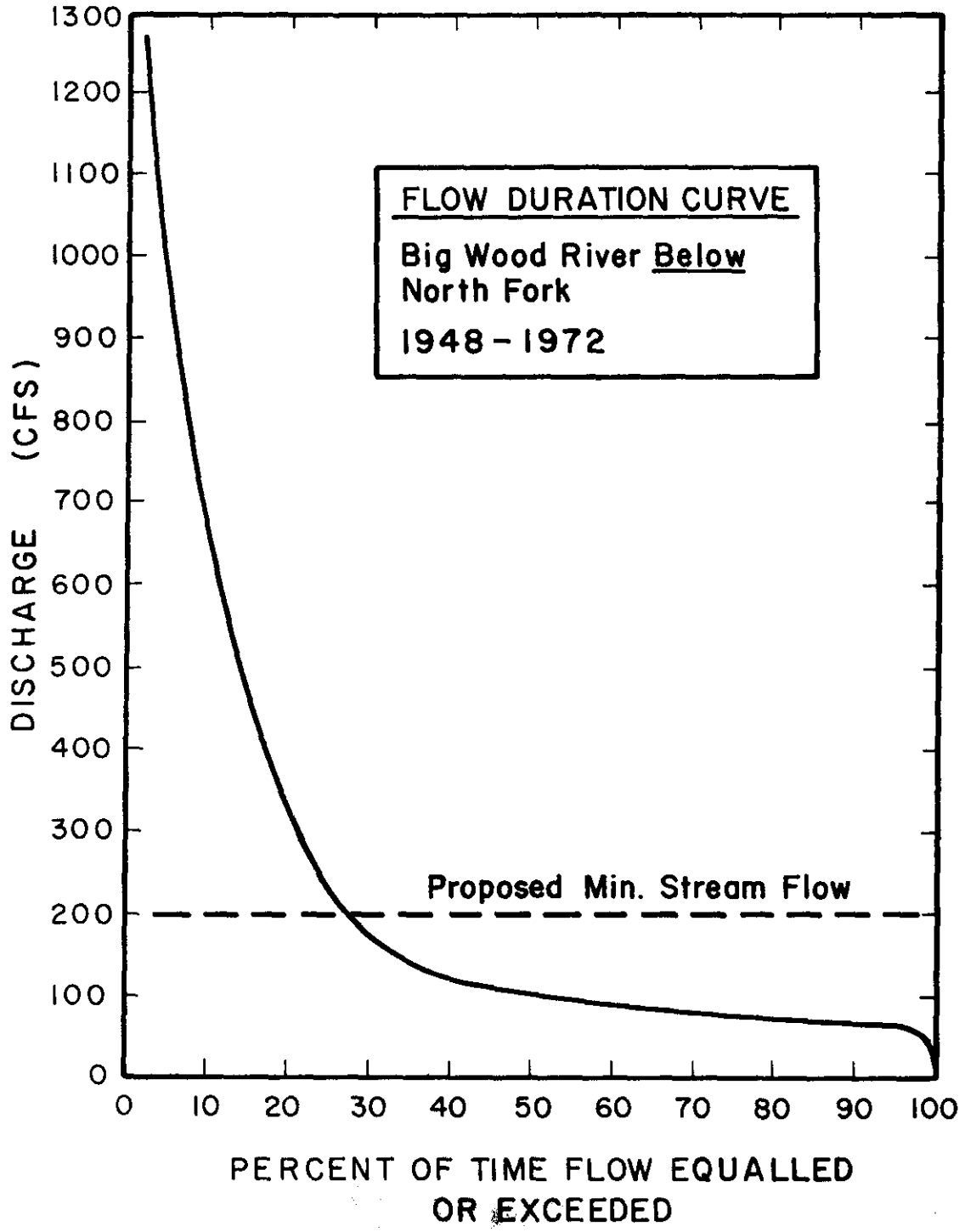
APR 12 1994

MISCELLANEOUS FLOW MEASUREMENTS

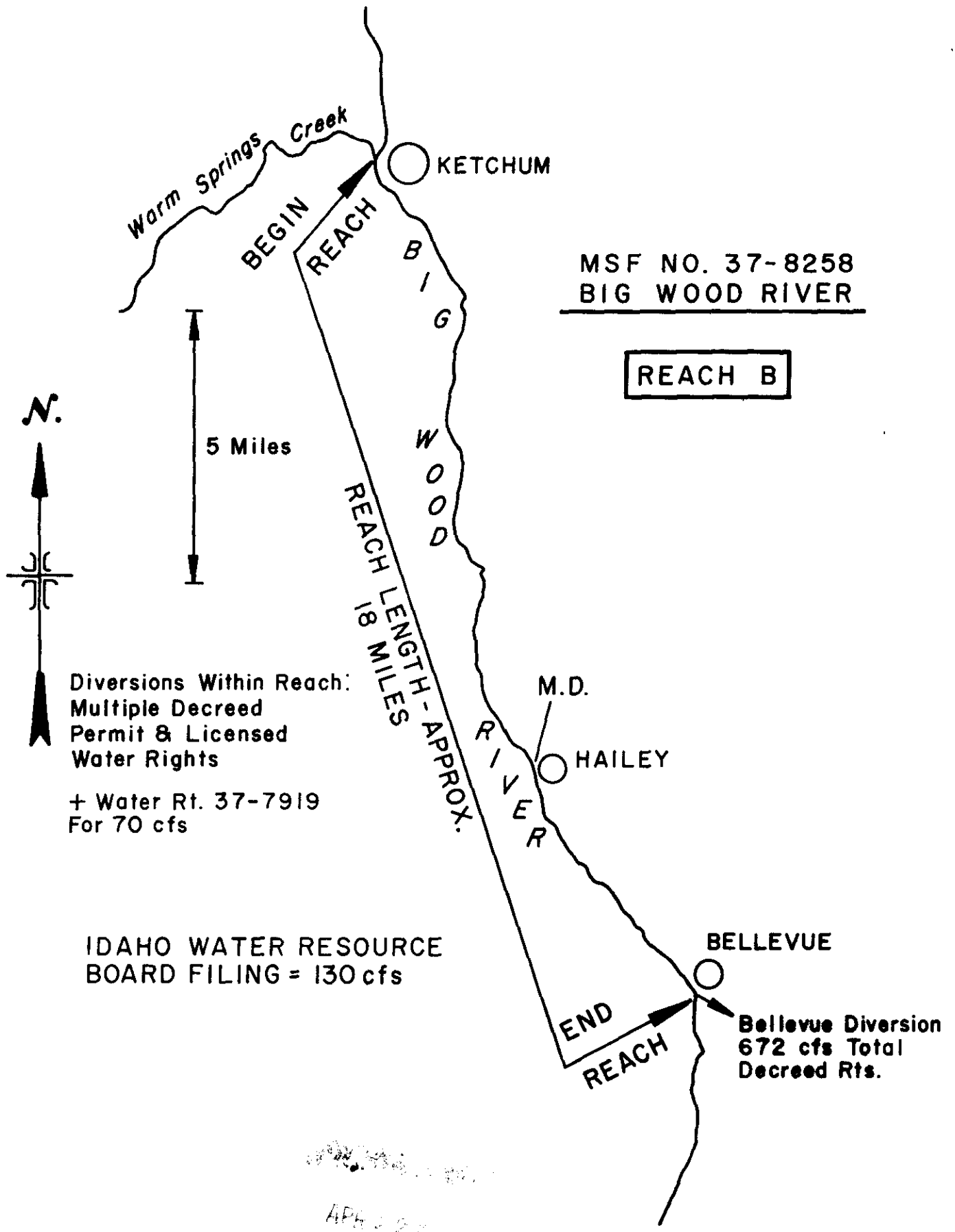
Big Wood R. below East Fork

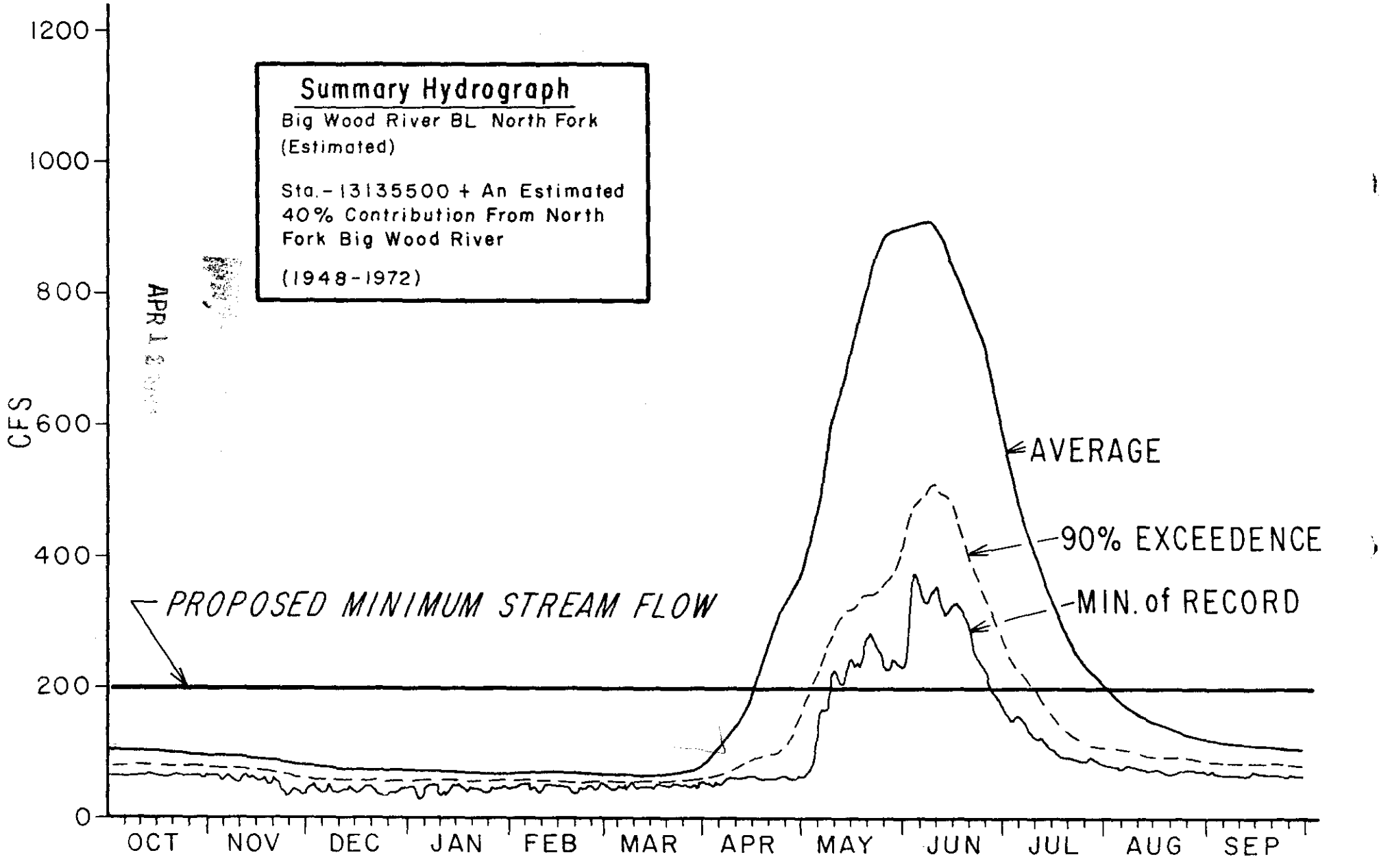
9-14-72	247 cfs
4-9-73	206 cfs
7-10-73	270 cfs
9-18-73	155 cfs

APR 12 1994


FLOW DURATION CURVE
Big Wood River Below North Fork
1948 - 1972
Proposed Min. Stream Flow
DISCHARGE (CFS)
1300
1200
1100
1000
900
800
700
600
500
400
300
200
100
0
0
10
20
30
40
50
60
70
80
90
100
PERCENT OF TIME FLOW EQUALLED OR EXCEEDED

Nov 3 & 1994


MSF NO. 37-8258
BIG WOOD RIVER
REACH B
Warm Springs Creek
KETCHUM
BEGIN REACH
BIG WOOD RIVER
REACH LENGTH - APPROX. 18 MILES
N.
5 Miles
Diversions Within Reach:
Multiple Decreed
Permit & Licensed
Water Rights
+ Water Rt. 37-7919
For 70 cfs
M.D.
HAILEY
IDAHO WATER RESOURCE
BOARD FILING = 130 cfs
BELLEVUE
END REACH
Bellevue Diversion
672 cfs Total
Decreed Rts.


Summary Hydrograph
Big Wood River BL North Fork
(Estimated)
Sta.-13135500 + An Estimated
40% Contribution From North
Fork Big Wood River
(1948-1972)
APR 1 3
CFS
1200
1000
800
600
400
200
0
AVERAGE
90% EXCEEDENCE
MIN. of RECORD
PROPOSED MINIMUM STREAM FLOW
OCT
NOV
DEC
JAN
FEB
MAR
APR
MAY
JUN
JUL
AUG
SEP

CONVERSATION MEMORANDUM

DATE _____

FILE 37-8258-Public Mtg Folder

NAME OF PARTY Ed Nigbor - Blaine Co Planning & Zoning

EMPLOYEE Dave Tuthill

RE: Notification Of Riparian Landowners

We discussed the fact that it is the responsibility of the requestor to notify riparian landowners about the MSF app and about the Board's info mtng.

In this case, where there are likely 500 owners in the reach, it is impractical to notify each owner separately. As an alternative, Ed Nigbor will insure that there is a lot of publicity so the riparian owners are advised.

DRT

APR 11 1994

INTER-DEPARTMENT MEMO — 1

DATE 1/22/86

TO Dave T

TO Glen ~~VLS~~, Bob —, Norm ~~NCY~~, Wayne ~~WK~~

SUBJECT Min Stream Flow app on Big Wood River (filed by IWRB on 1/16/86)

Dave Rydalch has requested that we assist in conducting a Board Public Meeting on the above-ref app on Mar 19, 1986.

1. What is the status of the other Big Wood R. app? Rec'd Proposed Memo Dec signed 1986 Jan 21
2. Would this conflict with other Board meetings? Not scheduled but doubt it. ~~WK~~

- Proposed decision given to Linda S to mail on 1-21
- Suggest we finish Dept action on 1st one before starting 2nd ~~VLS~~
- 3/19/86 is satisfactory with me. (ncy)

Dave T.
SIGNATURE

DEPARTMENT OF WATER RESOURCES
PUBLIC INFORMATION HEARING
BLAINE COUNTY REQUEST FOR A MINIMUM STREAM FLOW

March 19, 1986

****

A. LOCAL PUBLIC INTEREST -- The state holds all waters in trust for the benefit of the public and does not have the power to abdicate its role of trustee in favor of private parties. Quoted in the Troutco case as heard by the Supreme Court of the State of Idaho.

B. REASON FOR THE MINIMUM STREAM FLOW REQUEST:

1) The Big Wood River is an important natural resource to the entire county, not just to the property owners that have riverfront property.

2) Tourism is the main economic base of Blaine County, and the Big Wood River is an important tourist attraction.

3) Because of the large amount of revenue that comes from tourism, large amounts of sales tax revenues go into the state coffers.

4) No other economic activity in Blaine County, including agriculture and hydro-electric projects, comes close to generating the amount of revenue that tourism does.

5) Therefore, the Blaine County Commissioners felt that it was necessary to request a minimum stream flow for the Big Wood River to protect it from any future diversions that might cause any negative impacts to the river.

C. PUBLIC INPUT TO DATE:

1) Blaine County Commissioners public hearing on application for a hydro-electric project (Divine project). Public input was overwhelmingly against the project, with a 900-signature petition against it. Was denied by the Commissioners.

2) Department of Water Resources hearing on November 13, 1985, for a 70 c.f.s. minimum stream flow -- a request by the Dept. of Fish and Game.

3) Passage on March 10, 1986, by the Blaine County Commissioners of an amendment to the Blaine County Zoning Ordinance 77-5, sections on the Floodplain Management District and Stream Alteration Permit. This complete rewriting of these sections is the result of a citizen's committee which met over a period of two years.

4) Editorials in the media which have all been in favor of the preservation of the Big Wood River for recreational and aesthetic uses.

APR 12 1994

D. SECTION 42-1503, IDAHO CODE. CRITERIA FOR THE APPROVAL OF A MINIMUM STREAM FLOW:

1) 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 STREAM FLOW FILED UNDER THE PROVISIONS OF THIS ACT.

This application will not affect any water rights issued prior to January 16, 1986, the date the application was accepted by the Water Resources Board.

2) IS IN THE PUBLIC, AS OPPOSED TO PRIVATE, INTEREST.

The application was made by the Blaine County Commissioners in the name of the citizens of Blaine County.

3) IS NECESSARY FOR THE PRESERVATION OF FISH AND WILDLIFE HABITAT, AQUATIC LIFE, RECREATION, AESTHETIC BEAUTY, NAVIGATION, TRANSPORTATION, OR WATER QUALITY OF THE STREAM.

These are listed as the proposed uses in the application.

4) IS THE MINIMUM FLOW OR LAKE LEVEL AND NOT THE IDEAL OR MOST DESIRABLE FLOW OR LAKE LEVEL.

This is the minimum flow that would most adequately meet the requirements of the uses listed in No. 3 above. Part of the input for this decision came from studies of the Dept. of Fish and Game. The ideal flow would be the natural flows during the year if unhampered by any development or diversion.

5) IS CAPABLE OF BEING MAINTAINED AS EVIDENCED BY RECORDS OF STREAM FLOWS AND WATER LEVELS AND THE EXISTING OR FUTURE ESTABLISHMENT OF NECESSARY GAUGING STATIONS AND BENCH MARKS.

There are accurate measurements at the City of Hailey gauging station which show that a minimum flow of 200 c.f.s. can be maintained 50.7% of the time.

I do not have access to any long term measurements above Hailey but the following flows were recorded in 1983/84.

APR 12 1994

FLOWS OF THE BIG WOOD RIVER

"Impacts of Individual On-Site Sewage Disposal Facilities on Mountain Valleys -- Phase II -- Water Quality Considerations."

Idaho Water and Energy Resources Research Institute.
S. P. Lottrell and C. E. Brockway.

May, 1984

LOCATION	1983 Sept 12-14	1984 Mar 12-14
Big Wood River:		
near North Fork	171	94
near Lake Creek	182	104
at Ketchum (above Warm Springs)	193	120
at Warm Springs	253	171
near Gimlet	327	
above Deer Creek	318	241
at Hailey	410	325

It would appear that our request may not meet criteria No. 5. If not (and it must be met?), then I wish to ask a question or two based on previous water rights approvals.

a. It would appear that in approvals for <u>private</u> use, there is a record of overallocation of water, based on criteria No. 5. A local example is the approval of 325 c.f.s. for Mr. Divine -- when records at the Hailey gauging station show that (together with the Fish and Game minimum stream flow of 70 c.f.s.) 400 c.f.s. can be met only 25.8% of the year. Why the different standards?

b. Is not the Big Wood River unique in that the highest and best use is <u>only</u> for recreation and aesthetic purposes? Thus it is reasonable to ask if criteria No. 5 is really relevant?

<u>SUMMARY</u>:

Blaine County requests this minimum stream flow approval in order to protect and promote the lifestyle and economic well-being of its citizens and the area, and to gain the highest return on this natural resource for the people of the State of Idaho. The Blaine County Commissioners feels that the Water Resources Board recognizes its responsibilities to the citizens and will look and act upon this application very favorably.

APR 12 1994

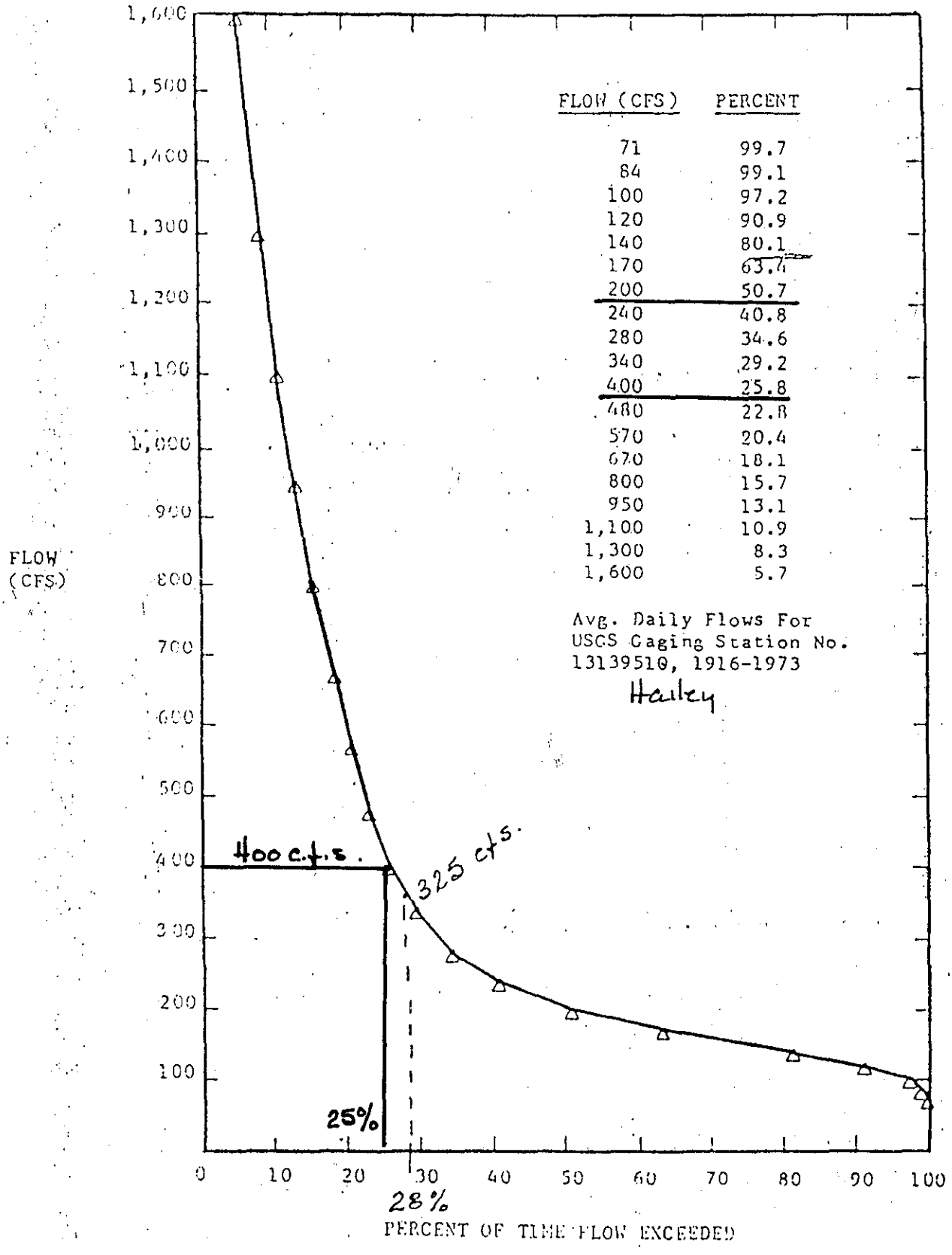
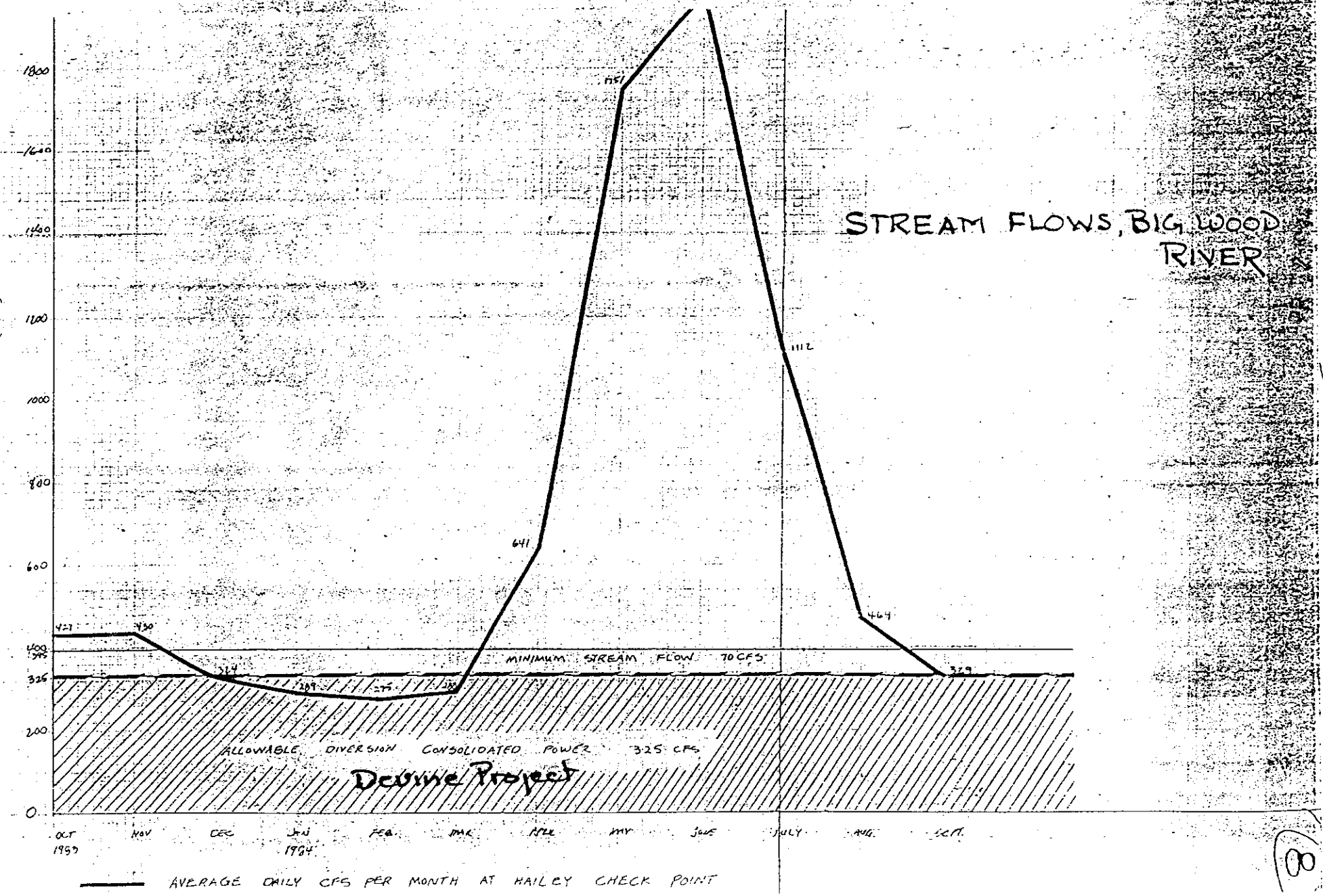


FIGURE A-3. FLOW DURATION CURVE.

APR 1 2 1994

STREAM FLOWS, BIG WOOD RIVER



CONSTRUCTION REPORTS BASED ON VALUE:

Ketchum -- 1985

June	=	$1,493,195
July	=	1,118,695
Aug	=	1,211,538
Sept	=	252,414

Sun Valley -- 1985

June	=	$471,000
July	=	961,500
Aug	=	68,700
Sept	=	357,500

Blaine County -- 1985

June	=	$ 771,300
July	=	1,179,100
Aug	=	565,280
Sept	=	762,000

Hailey -- 1985

June	=	$227,732
July	=	66,340
Aug	=	254,500
Sept	=	417,550

Total County and Cities

January through September:

$ 24,267,965
267 permits

REAL ESTATE SALES,
YEAR-TO-DATE =

$ 23,963,923

VOLUME OF SALES IN
BLAINE COUNTY:
(fiscal year ending 6-30-85)

Total Sales	$	200,143,786
Exempt Sales	-	77,660,253
Subject to Use Tax	+	1,071,165
NET TAXABLE SALES	=	123,554,699
TAXES GENERATED	=	5,068,345

1980 CENSUS:

County	=	9,825
Ketchum	=	2,197
Hailey	=	2,107
Bellevue	=	1,015
Sun Valley	=	550

SNRA -- NUMBER OF TOURISTS
(Cars with 3.5 persons/car)

June	=	51,000
July	=	63,000
Aug	=	62,000

FOREST SERVICE -- # OF TOURISTS
(Visitors to Ketchum office)

June	=	645
July	=	1,531
Aug	=	1,666
Sept	=	1,076

FISHING LICENSES ISSUED IN BLAINE COUNTY -- 1984:

Resident combo	2,490
Resident fishing	2,060
Senior combo	141
Junior combo	103
Junior fishing	131
Non-resident fishing . . .	1,004
Non-resident 7-day	3,763
Non-resident 1-day	5,284
TOTAL . . .	14,977

LAND IN BLAINE COUNTY USED FOR RECREATIONAL PURPOSES

1970

LAND USE AND OWNERSHIP

The federal government owns 1,297,336 of Blaine County's 1,695,360 acres of land area, comprising 76 percent of the total.[1] Another 4.6 percent, 79,533 acres is owned by the state.[2]

Of the county's 54,062 acres designated as cropland, 39,280 acres, 72 percent are presently irrigated. Pasture and rangelands occupy 312,858 acres and forests cover another 16,078 acres. The remainder of the county's land consists of 6,967 acres of urban area and 1,056 acres of streams and lakes.

Land used for all types of recreation accounts for 690,577 acres in Blaine County, including 10 acres of municipal, 3,417 acres of private, and 687,150 acres of federal land. The following acres and classes of lands are used for recreational purposes in Blaine County:[3]

10 acres Class I land – Municipal ownership
18 acres Class I land – Private ownership
1,476 acres Class II land – Federal ownership
21,213 acres Class II land – Private ownership
685,634 acres Class III land – Federal ownership
3,186 acres Class III land – Private ownership
40 acres Class VI land – Federal ownership

The Recreational Land Classification is defined as follows:

Class I Lands – High density use lands – games, bicycling, sports events, concerts, and swimming pools.
Class II Lands – General outdoor recreation – camping and picnicking.
Class III Lands – Natural environment areas – water sports, fishing and hunting.
Class IV Lands – Outstanding natural areas – sightseeing and nature study.
Class V Lands – Primitive areas – back country camping and sightseeing.
Class VI Lands – Historic and cultural areas – scenes of national and state history.

---

[1] Source: U.S. Soil Conservation Service, State Land Use Inventory, 1967.
[2] Source: Thirty-eighth Biennial Report, Leasing Status of State Lands by County, 1970.
[3] Source: Outdoor Recreation Plan Summary, Recreation Lands by County, 1970.

1985 - 66,000 acres of cropland. 80% are irrigated

Total Assessed Valuation in Blaine County

1960 - $ 7,437,137
1970 - 15,468,198
1980 - 630,104,576
1985 - 1,062,007,383

D. Tuthill

Notes on Minimum Stream Flow Public Meeting.

March 19, 1986 IWRB Public Meeting, held by Dave Rydalch, Chairman, Min Flows Committee 7:30 pm Hailey

In attendance:

Ed Nigbor - Blaine Co Planning & Zoning Director
Dave Tuthill & Loren Holmes - IDWR

plus other individuals (see sign-in sheets)

- Dave Rydalch began the meeting by describing what the Board is and considerations of the minimum stream flow

Jim Aiken - on Board of Directors for Belleview diversion ditch
Rate of flow required is excessive

Bruce Lium - Supports variable flow amounts, wants optimum flows to be retained in the stream.

David Haffer (Forester) - Supports MSF Law. Likes flows @

Tom Blanchard - Supports MSF for 200 cfs.
Shawn Shannon - Supports minimum flow.
Frank Bramen - " "

10 in favor - 5 against application.

APR 12 1994

Warm River

Full Parties

IDFG

IWRB

Leigh Cantrill

APR 1 2 1994

On February 28, 1986 copies of the attached materials were sent to the waterusers and legislators on the attached mailing labels.

Linda D. Smith

LINDA D. SMITH

RECEIVED
APR 12 1994

MINIMUM STREAM FLOW

Fact Sheet

Water Right No.: 37-8258

Source: Big Wood River tributary of Snake River

Applicant: Idaho Water Resource Board

Requesting Agency: Blaine County Commissioners

Date Application Filed: January 16, 1986

Rate of Flow: Reach A - 200 cubic feet per second year round
Reach B - 130 cubic feet per second year round

Location of Reaches: Reach A - From the intersection with the Sawtooth National Recreation Area Boundary located in the SE¼ NW¼, Sec. 10, T5N, R17E, B.M., downstream about 9 miles to the confluence with Warm Springs Creek located in the SE¼ NW¼, Sec. 13, T4N, R17E, B.M.

Reach B - From the confluence with Warm Springs Creek located in the SE¼ NW¼, Sec. 13, T4N, R17E, B.M., downstream about 18 miles to the Bellevue diversion located in the SW¼ NW¼, Sec. 36, T2N, R18E, B.M.

Both reaches are located in Blaine County.

Purpose: Flows to be maintained for the local public interest: for fish and wildlife, water quality, aesthetics, recreation, etc.

Other Rights: This filing is in addition to and additive with Water Right No. 37-7919, for 70 cubic feet per second throughout a reach corresponding with Reach B above.

Public Meeting: Wednesday, March 19, 1986, in Hailey in the Planning and Zoning Commission conference room in the old Courthouse near the corner of 1st and Walnut, 7:30 pm.

APR 1 2 1994

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

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

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

February 28, 1986

Re: Minimum Stream Flow Application on the Big Wood River,
Application No. 37-8258

Dear Wateruser:

The Idaho Water Resource Board will be holding a public meeting to solicit public input regarding a proposed minimum stream flow water right on two reaches of the Big Wood River. According to the records of this Department, you have a water right for which the point of diversion is located in or near the proposed minimum stream flow reaches.

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

At the meeting you will have an opportunity to learn more about the application and to express your views. On behalf of the Idaho Water Resource Board, you are cordially invited to attend.

Sincerely,

David R. Tuthill Jr.

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

ls

Enclosures

APR 1 2 1994

WATERUSERS

Big Wood River - MSF (37-8258)

ASPEN LAKES LTD.
C/O WAYNE ROTH
BOX 2040
SUN VALLEY, ID 83353

BILL GEHRKE
BOX 1327
HAILEY, ID 83333

ARTHUR RICHARDS
BOX 636
HAILEY, ID 83333

CITY OF HAILEY
HAILEY, ID 83333

JOHN BASOVSKY
BOX 914
HAILEY, ID 83333

JOHN DREXLER
BOX 396
HAILEY, ID 83333

DERRIS HEAD
BELLEVUE, ID 83313

DUANE DUDLEY
BELLEVUE, ID 83313

CANDIDA FORSTMANN
BOX 1041
HAILEY, ID 83333

DR. JOHN MC NEES
P.O. BOX 2996
KETCHUM, ID 83340

CASTLE, GEORGE C.
BARNES, JOSEPH B.
P.O. BOX 1310A
KETCHUM, ID 83340

FAIRFIELD, RICHARD W.
P.O. BOX 1356
HAILEY, ID 83333

LEWIS, W.A.
503 7TH AVE S.
NAMPA, ID 83651

WOOD RIVER PROPERTIES INC.
P.O. BOX 7250
NEWPORT BEACH, CA 92663

GIMLET PROPERTY OWNERS ASSOC.
P.O. BOX 985
SUN VALLEY, ID 83353

FOX, JOHN
HAILEY, ID 83333

CONSOLIDATED POWER CO.
DIVISION ROTOMATIC IRRIG., INC.
P.O. BOX 133
BELLEVUE, ID 83313

DAN OLMSTEAD
4621 TELLER AVE., SUITE 130
NEWPORT BEACH, CA 92660

QUIGLEY LAND COMPANY
C/O TIM HICKEY
BOX 1197
KETCHUM, ID 83340

returned

ROBERT LOGAN
HAILEY, ID 83333

APR 1 8 1994

K.R. BUTTRAM
BOX 487
HAILEY, ID 83333

BURR SMITH
BOX 783
HAILEY, ID 83333

LENIER SMITH
P.O. BOX 274
SUN VALLEY, ID 83353

MARY MIZER AND DALE MIZER
BOX 728
HAILEY, ID 83333

MICHAEL MC GRAW
BOX 1225
HAILEY, ID 83333

MICHAEL SHEFFER
BOX 1234
HAILEY, ID 83333

MAXINE FOX
FOX ACRES
BOX 116
HAILEY, ID 83333

NORTHRIDGE PROPERTIES
C/O MR. ROBERT NEWSON
517 EAST BAYSHORE
REDWOOD CITY, CA 94063

PACESETTER DEVELOPMENT
4540 CAMPUS DRIVE
NEWPORT BEACH, CA 92660

QUIGLEY CANYON CO.
C/O JOHN BURKE
BOX 1113 H
HAILEY, ID 83333

MR. EDWARD DOWNE, JR.
C/O EVAN J. ROBERTSON, ATTORNEY
BOX 1906
TWIN FALLS, ID 83301

GIMLET PROPERTIES ASSOC., INC.
C/O WALLY WRIGHT
P.O. BOX 985
SUN VALLEY, ID 83353

GLENDALE RANCHES
C/O GOULD BROTHERS
ROUTE 4
BUHL, ID 83316

JOHN MC DONALD
BOX 1
KETCHUM, ID 83340

RED TOP CABINS
S. EFFA ALLRED
BOX 386
KETCHUM, ID 83340

ROBERT BLOOMFIELD
BOX 746
KETCHUM, ID 83340

BROADFORD POLO LTD.
C/O ROBERT BOUTTIER
BOX 476
BELLEVUE, ID 83313

THOMAS PECK
ROUTE 1, BOX 36
BELLEVUE, ID 83313

WOOD RIVER RANCH COMPANY, INC.
BELLEVUE, ID 83313

FASSETT, HELEN M.
BOX 273
SUN VALLEY, ID 83353

APR 12 1994

DAVID ANDERSON
BOX 449
HAILEY, ID 83333

DAVID L. CROPPER
P.O. BOX 516
HAILEY, ID 83333

DICK WRIGHT
BOX 457
HAILEY, ID 83333

GARY J. HIBBARD
BOX 414
SHOSHONE, ID 83352

PETER CETERA
P.O. BOX 326
MALIBU, CA 90265

HIAWATHA CANAL COMPANY
C/O HAZEL BARBER
HAILEY, ID 83333

J.R. SIMPLOT
C/O RON GRAVES
P.O. BOX 27
BOISE, ID 83701

JAMES GORMAN
DEH BOX 912
APO, NY 09019

JANET LEE
BOX 841
HAILEY, ID 83333

JIM SAVANA
BOX 751
HAILEY, ID 83333

HARRY S. RINKER
BOX 7250
NEWPORT BEACH, CA 92663

RICHARD BERTEA
173 SHORECLIFF ROAD
CORONA DEL MAR, CA 92625

DR. ROBERT SMITH
BOX 672
KETCHUM, ID 83340

FREDRICK BLECHMAN
BOX 184
SUN VALLEY, ID 83353

HEATHERLANDS HOMEOWNERS ASSOC., INC
C/O ANN WILLIAMS
P.O. BOX 3901
KETCHUM, ID 83340

BUCKHORN INVESTMENTS
9061 SANTA MONICA BLVD.
LOS ANGELES, CA 90069

ELIZABETH COOK
BOX 1869
KETCHUM, ID 83340

WAYNE GANN
P.O. BOX 1920
SUN VALLEY, ID 83353

KENNETH L. MOORE
3500 BUCHANAN #146
RIVERSIDE, CA 92503

ANTON A. BODNER
P.O. BOX 268
HAILEY, ID 83333

APR 12 1994

LOU KREIGER-WOOD STREAM RANCH
ROUTE 1, BOX 37
BELLEVUE, ID 83313

CAL PACIFICO
C/O RALPH GIRTON
ROUTE 1, BOX 40
BELLEVUE, ID 83313

ELLEN SCOFIELD
BOX 302
BELLEVUE, ID 83313

LYLE SCOFIELD
BELLEVUE, ID 83313

MAXINE HAZEN
BOX 94
BELLEVUE, ID 83313

JIM EAKIN
BOX 296
HAILEY, ID 83333

TED DEVINE
BOX 133
BELLEVUE, ID 83313

CLIFF NOXEN
BELLEVUE, ID 83313

TROEGER, ANNA B. AND
HIBBARD, GARY J. AND DONNA
P.O. BOX 414
SHOSHONE, ID 83352

WATTS, W.R. AND ANNA LEE
P.O. BOX 172
BELLEVUE, ID 83313

GREGORY A. MOORE
BOX 1321
HAILEY, ID 83333

LEROY LEWIS
ROUTE 3, BOX 318
IDAHO FALLS, ID 83401

GEORGE E. WISE
BOX 164
BELLEVUE, ID 83313

STANLEY STEELE
BOX 1021
HAILEY, ID 83333

JACK PARKER
BOX 418
BELLEVUE, ID 83313

BILL EVANS
P.O. BOX 2404
SUN VALLEY, ID 83353

DIANA HUXFORD
ROUTE 1 BOX 41
BELLEVUE, ID 83313

JOHN BORTON
BOX 1275
HAILEY, ID 83333

JOYCE PEARSON
BOX 449
BELLEVUE, ID 83313

ASSEMBLY OF GOD CHURCH
C/O L.I. LAMANCE BOX 308
NAMPA, ID 83651

APR 1 2 1994

WILLIAM NORRIS
BOX 146
SUN VALLEY, ID 83353

CRAIG STEWART
BOX 262
HAILEY, ID 83333

DAN RAMSLAND
BOX 235
HAILEY, ID 83333

DON JUSTUS
1024 RANCH ROAD
BOISE, ID 83702

JAMES STEWART
BOX 61
HAILEY, ID 83333
returned

JOHN J. CAMPAGNA, JR.
BOX 1608
HAILEY, ID 83333

PAULINE BIRD
128 BLAIR DRIVE
TWIN FALLS, ID 83301

RICHARD THOMPSON
C/O MRS. JOE ARRATE
ROUTE 1, BOX 170
SHOSHONE, ID 83352

ROBERT VERNON
ROUTE 5
CALDWELL, ID 83605

WARREN A. LEWIS
503 7TH AVE. SO.
NAMPA, ID 83651

WESTERN OUTFITTERS TRUST
C/O EARL MANN, ATTORNEY-AT-LAW
550 TACOMA SAVINGS CENTER
820 A STREET
TACOMA, WA 98402

ED VAN EVERY
P.O. 2044
SUN VALLEY, ID 83353

FRANCIS FRIESTAD ESTATE
BOX 251
BELLEVUE, ID 83313
returned

GERALD W. DAUBY
BOX 438
BELLEVUE, ID 83313

LARRY MC KENZIE
BOX 805
HAIELY, ID 83333

RAYMOND KINCAID
BELLEVUE, ID 83313

RICHARD WELCH, JR.
P.O. BOX 813
KETCHUM, ID 83340

S.F. ECCLES
BOX 30006
SALT LAKE CITY, UT 84125

W.R. WATTS
BELLEVUE, ID 83313

BEND OR RIVER RANCH
C/O NELS SISIAM
BOX 818
HAILEY, ID 83333

APR 1 2 1994

CRAIG WILLIAM JOHNSON
BOX 1288
KETCHUM, ID 83340

ROSTAN, INC.
C/O STANLEY K. LEVISON
2600 REYNOLDS ROAD NORTH
TOLEDO, OH 43615

S.F. ECCLES
P.O. BOX 30006
SALT LAKE CITY, UT 84125

SPRENGER, GRUBB & ASSOC., INC.
C/O C.H. GRUBB
P.O. BOX 1570H
HAILEY, ID 83333

STATE OF IDAHO
C/O DALE MIZER
HAILEY, ID 83333

TOM RICHMOND
P.O. BOX 1105
HAILEY, ID 83333

ANTON BODNER
P.O. BOX 268
HAILEY, ID 83333

DOROTHY CHAPMAN
MANAGER: COM DAGGETT
615 FILLMORE
TWIN FALLS, ID 83301

J.H. POPPY
139 TOYAN ROAD
ATHERTON, CA 94025

TOM SHANKLIN
BOX 217
HAILEY, ID 83333

APR 12 1994

Letter to Legislators

Big Wood River - MSF (37-8258)

Re: Public Meeting on a Minimum Stream Flow Application on the Big Wood River, Application No. 37-8258

The Idaho Water Resource Board is planning to hold a public meeting to solicit public input and reaction to a minimum stream flow application for a water right proposed in or near your legislative district.

The application on the Big Wood River will be reviewed at a meeting in Hailey in the Planning and Zoning Commission conference room in the old Courthouse near the corner of 1st and Walnut, at 7:30 p.m. on Wednesday, March 19, 1986. Please find enclosed the fact sheet regarding the application and a brochure which describes the minimum stream flow procedure.

On behalf of the Idaho Water Resource Board, you are cordially invited to attend.

Sincerely,

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

ls

Enclosures

APR 11 1994

LEGISLATORS

Blaine County
Big Wood River - MSF (37-8258)

The Honorable Mack Wm. Neibaur
House of Representatives
Idaho State Legislature
State Capitol Building
Boise, ID 83720

The Honorable Gary Robbins
House of Representatives
Idaho State Legislature
State Capitol Building
Boise, ID 83720

The Honorable John T. Peavey
Senate
Idaho State Legislature
State Capitol Building
Boise, ID 83720

The Honorable Jeff Stoker
House of Representatives
Idaho State Legislature
State Capitol Building
Boise, ID 83720

The Honorable Jerry Callen
House of Representatives
Idaho State Legislature
State Capitol Building
Boise, ID 83720

The Honorable Larrey Anderson
Senate
Idaho State Legislature
State Capitol Building
Boise, ID 83720

APR 1 1 1993

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

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

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

March 6, 1986

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

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

Steve Goddard
Idaho Department of Fish and Game
Statehouse
Boise, ID 83720

Re: Minimum Stream Flow Application on the Big Wood River,
Application No. 37-8258

Gentlemen:

The purpose of this letter is to advise you that the Idaho Water Resource Board will be holding a public meeting to solicit public input regarding a proposed minimum stream flow water right on two reaches of the Big Wood River.

Information describing the application and the time and place of the public meeting is shown on the enclosed fact sheet.

Sincerely,

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

ls

Enclosure

RECEIVED
APR 11 1994

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

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

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

February 28, 1986

Reid Newby, Watermaster
Box T
Shoshone, ID 83352

Re: Public Meeting on a Minimum Stream Flow Application on the Big Wood River, Application No. 37-8258

Dear Mr. Newby:

The Idaho Water Resource Board is planning to hold a public meeting to solicit public input and reaction to a minimum stream flow application for a water right on the Big Wood River.

The application will be reviewed at a meeting in Hailey in the Planning and Zoning Commission conference room in the old Courthouse near the corner of 1st and Walnut, at 7:30 p.m. on Wednesday, March 19, 1986. Please find enclosed the fact sheet regarding the application and a brochure which describes the minimum stream flow procedure.

On behalf of the Idaho Water Resource Board, you are cordially invited to attend.

Sincerely,

Dave

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

ls

Enclosures

Reid - hope to see you there...

[redacted]

APR -

State of Idaho, Statehouse, Boise, Idaho 83720
Phone: (208) 334-4440

NEWS RELEASE

RELEASE BY MARCH 12, 1986

March 5, 1986
Contact: David Tuthill
334-2190 in Boise or
1-800-334-SAVE

The Idaho Water Resource Board will conduct a public meeting March 19, 1986, to solicit public opinion regarding a new minimum stream flow water right application on the Big Wood River. The meeting will begin at 7:30 p.m. in the Old Courthouse in Hailey.

The application, which was filed by the Board at the request of the Blaine County Commissioners on Jan. 16, 1986, calls for establishment of minimum flows in two reaches of the river. Reach A is a nine mile section from the boundary of the Sawtooth National Recreation Area downstream to the confluence with Warm Springs Creek near Ketchum. A minimum flow of 200 cubic feet per second (cfs) year around has been requested for this reach.

Reach B extends 18 miles from the lower end of reach A downstream to the diversion of the Bellevue Canal near Bellevue. The rate of flow requested for this reach is 130 cfs. The purposes for the proposed minimum flows are fish and wildlife habitat, water quality, aesthetics and recreation.

According to Gene M. Gray, Board chairman, the application is currently being reviewed by the Board to determine if it is in the local public interest.

(MORE)

APR 1 1 1994

"People are encouraged to attend the public meeting," Gray said, "to find out about what a minimum stream flow water right is and to express their views about this application."

He said that if approved, the minimum stream flow water right would not affect prior vested water rights, but rather would limit future diversions from the river. The proposed application would be in addition to an earlier streamflow application on the 18-mile reach defined as Reach B for 70 cfs.

"The county commissioners indicated that the previously filed minimum stream flow water right for 70 cfs is not sufficient to protect the river," Gray added. "If both minimum stream flow applications are fully approved, the minimum stream flow would total to 200 cfs for the entire 27-mile reach."

The Idaho Department of Water Resources held a hearing on the earlier minimum stream flow water right on Nov. 13, 1985. A proposed memorandum Decision and Order approving 70 cfs minimum flow was issued by Norman C. Young, hearing officer. Objections to the proposed decision are being evaluated before A. Kenneth Dunn, Director, issues the final decision.

-30-

APR 11 1994

ROSTER OF ATTENDANCE

IDAHO DEPARTMENT OF WATER RESOURCES
HEARING - BIG WOOD RIVER
MINIMUM STREAM FLOW
OCTOBER 23, 1991 - BLAINE COUNTY COURTHOUSE

Name	Address	Representing
Rod Swift	Bellevue	Self
Ted Dale	210 Meadowbrook	Friends of B.W.
Doug Bramley	BOX 1628 HAILEY	FRIENDS OF B.W.
Rupert Howell	308 East 9th Road	Hailey Id
BLEDSOE, FRED	Box 184 S.V. ID. 83353	Self
Gale Roberts	Box 1300 Hailey	Soil Cons. Service
Dave Jensen	Box 2963 Ketchum	River Field
Dick Enside	Box C Shoshone	Big Wood Canal
Otis Bonnemort	Box 216 Bellevue	Deputy water master Big Wood
Lee Peterson	Box T Shoshone	Water Dist 37

APR 1 1 1994

R O S T E R O F A T T E N D A N C E

IDAHO DEPARTMENT OF WATER RESOURCES
HEARING - BIG WOOD RIVER
MINIMUM STREAM FLOW
OCTOBER 23, 1991 - BLAINE COUNTY COURTHOUSE

Name	Address	Representing

APR 1 1 1994

IWRB Exhibit 1

BIG WOOD RIVER
MINIMUM STREAMFLOW APPLICATION DATA

WATER RIGHT NUMBER: 37-8258

SOURCE: BIG WOOD RIVER

APPLICANT: IDAHO WATER RESOURCE BOARD

REQUESTING AGENCY:
BLAINE COUNTY PLANNING AND ZONING COMMISSION

DATE FILED: FEBRUARY 24, 1986

MINIMUM STREAMFLOW REACH:

COMMENCES AT THE INTERSECTION OF THE BIG WOOD RIVER WITH THE SAWTOOTH NATIONAL RECREATION AREA BOUNDARY LOCATED IN THE SE1/4 OF THE SW1/4, SECTION 10, T5N, R17E, B.M., AND EXTENDS DOWNSTREAM APPROXIMATELY 9 MILES TO THE CONFLUENCE OF WARM SPRINGS CREEK WITH THE BIG WOOD RIVER, LOCATED IN THE SE1/4 OF THE NW1/4, SECTION 13, T4N, R17E, B.M., BLAINE COUNTY.

RATE OF FLOW: 200 CFS

PERIOD OF USE: JANUARY 1 - DECEMBER 31

PURPOSES:
FISH AND WILDLIFE, WATER QUALITY, AESTHETICS AND RECREATION

APR 1 1 1994

BIG WOOD RIVER
MINIMUM STREAMFLOW APPLICATION DATA

WATER RIGHT NUMBER: 37-8307

SOURCE: BIG WOOD RIVER

APPLICANT: IDAHO WATER RESOURCE BOARD

REQUESTING AGENCY:
BLAINE COUNTY PLANNING AND ZONING COMMISSION

DATE FILED: OCTOBER 16, 1987

MINIMUM STREAMFLOW REACH:

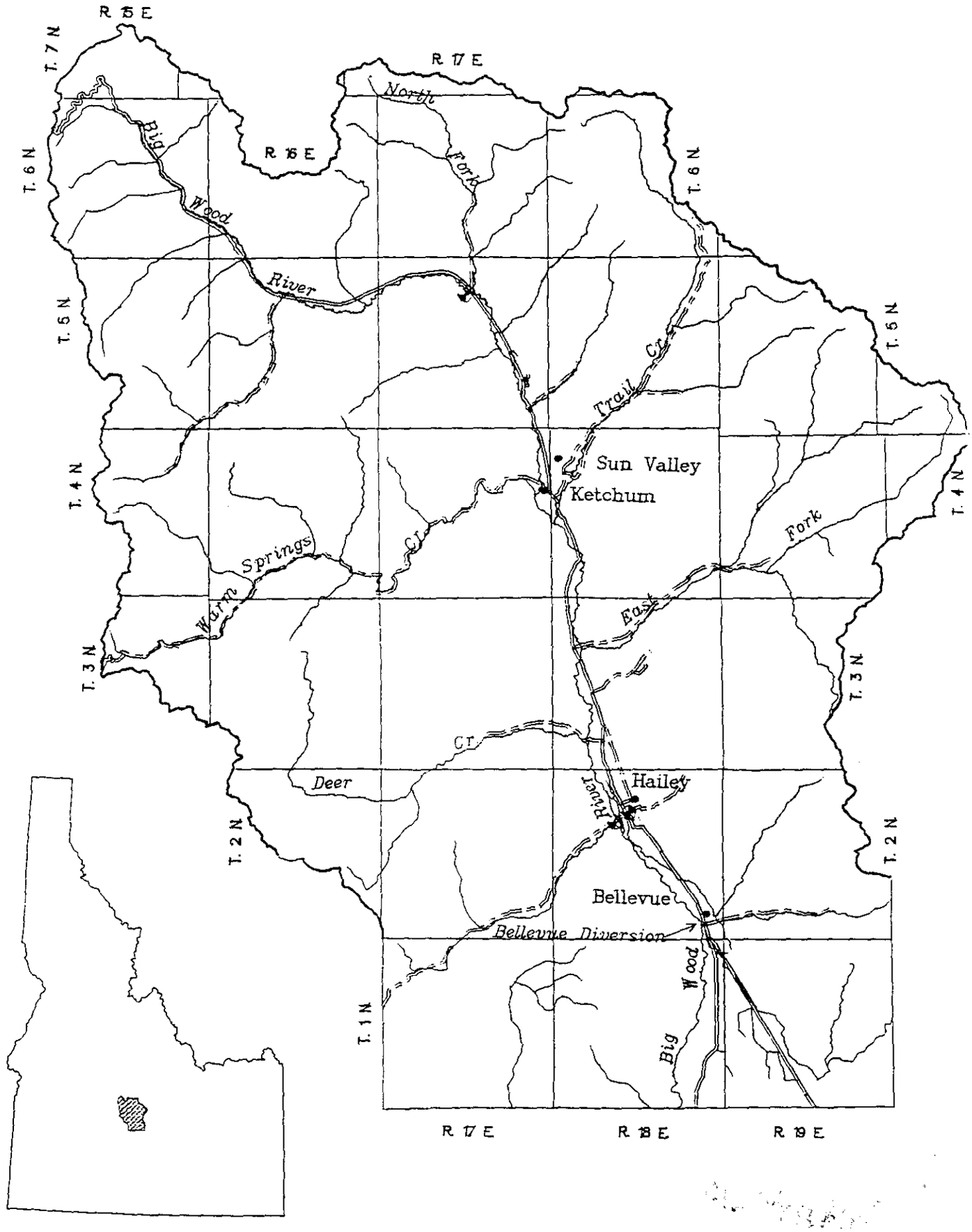
COMMENCES AT THE CONFLUENCE OF THE BIG WOOD RIVER WITH WARM SPRINGS CREEK IN THE SE1/4 OF THE NW1/4, SECTION 13, T4N, R17E, B.M., AND EXTENDS DOWNSTREAM APPROXIMATELY 18 MILES TO THE BELLEVUE DIVERSION LOCATED IN THE SW1/4 OF THE NW1/4, SECTION 36, T2N, R18E, B.M., BLAINE COUNTY.

RATE OF FLOW: 119.23 CFS

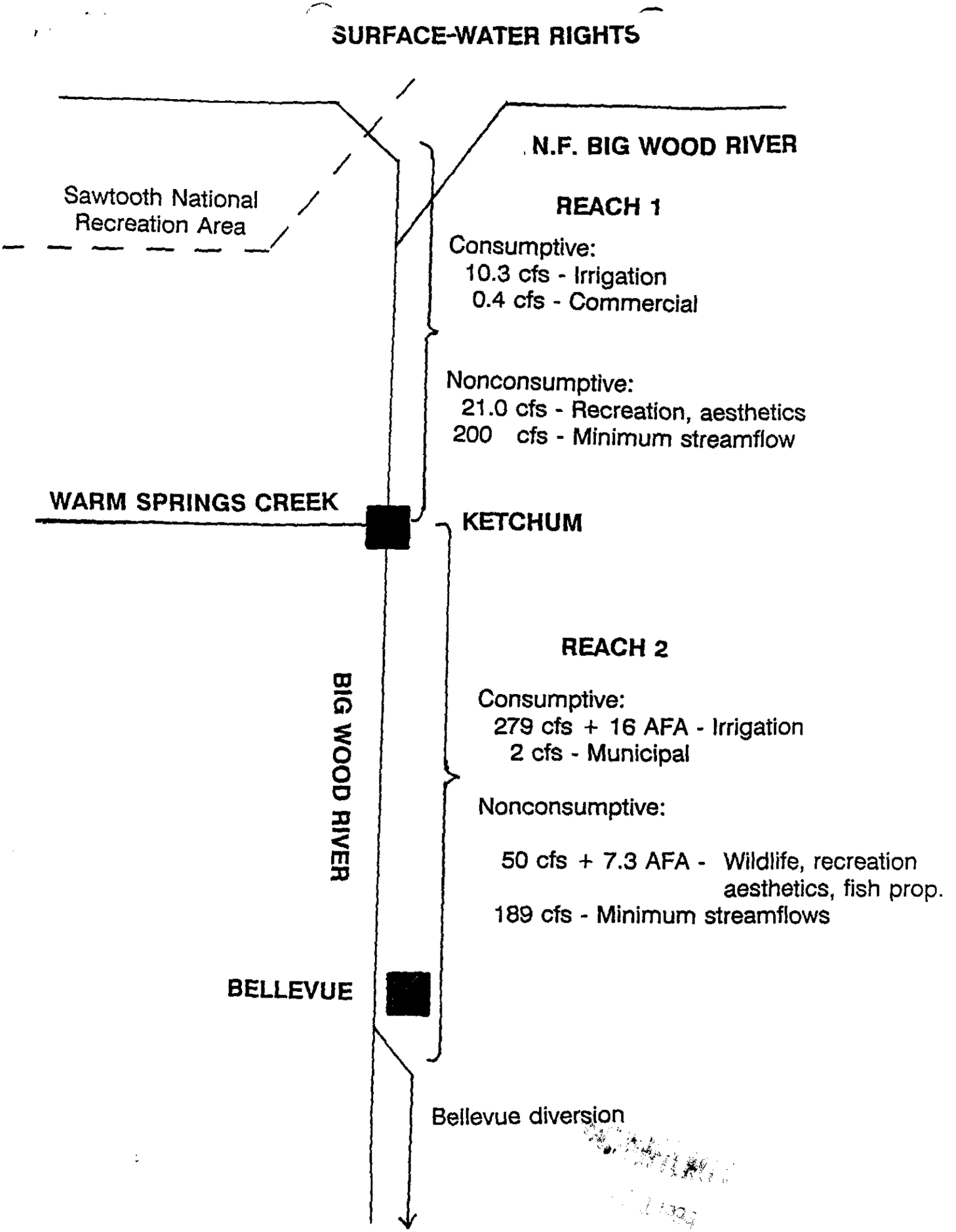
PERIOD OF USE: JANUARY 1 - DECEMBER 31

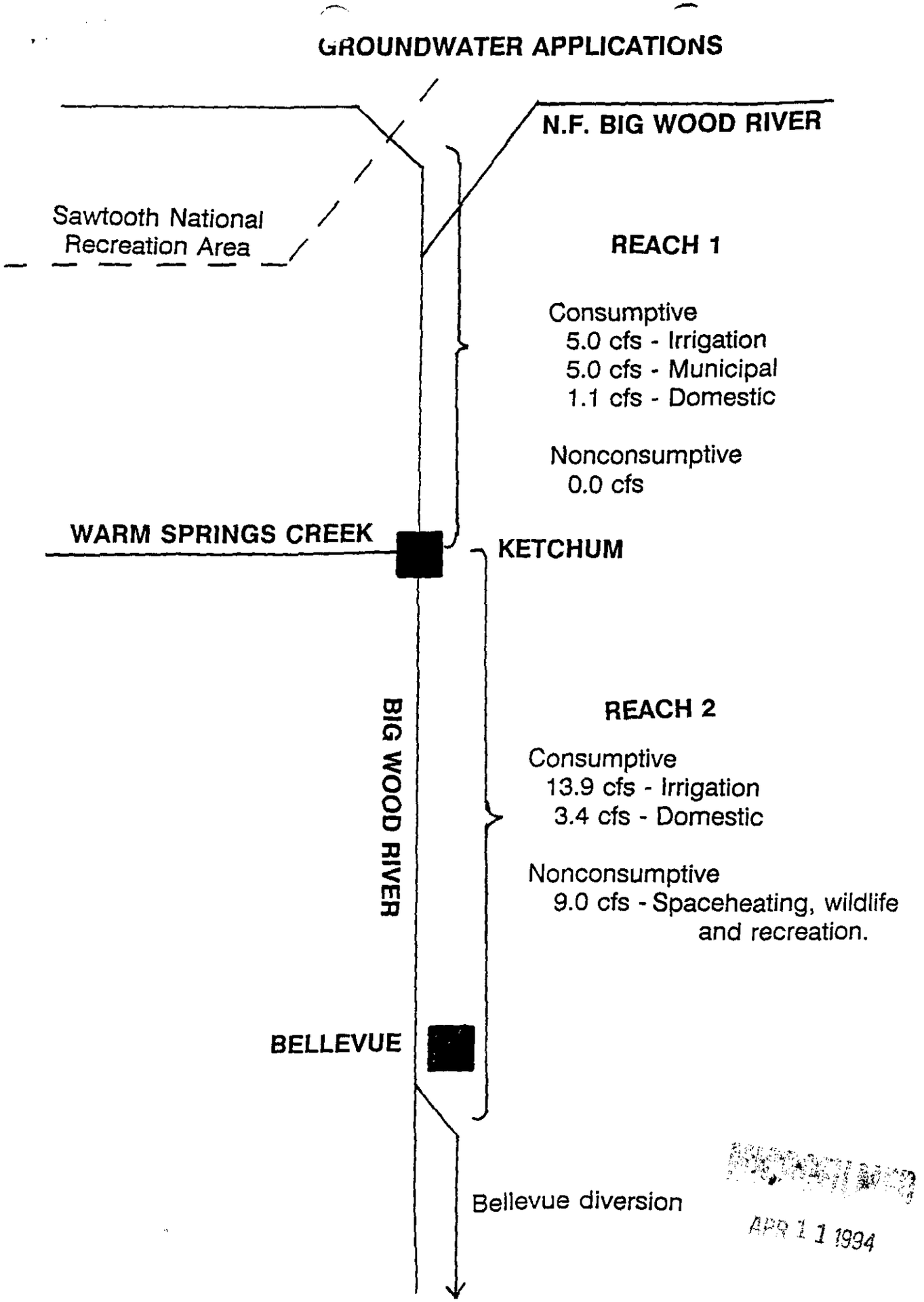
PURPOSES:
FISH AND WILDLIFE, WATER QUALITY, AESTHETICS AND RECREATION

APR 1 1 1994


R 15 E
R 16 E
R 17 E
R 18 E
R 19 E
T. 7 N
T. 6 N
T. 5 N
T. 4 N
T. 3 N
T. 2 N
T. 1 N
Big Wood River
North Fork
Trail Cr
Sun Valley
Ketchum
Warm Springs Cr
East Fork
Deer Cr
Hailey
Big Wood River
Bellevue
Bellevue Diversion

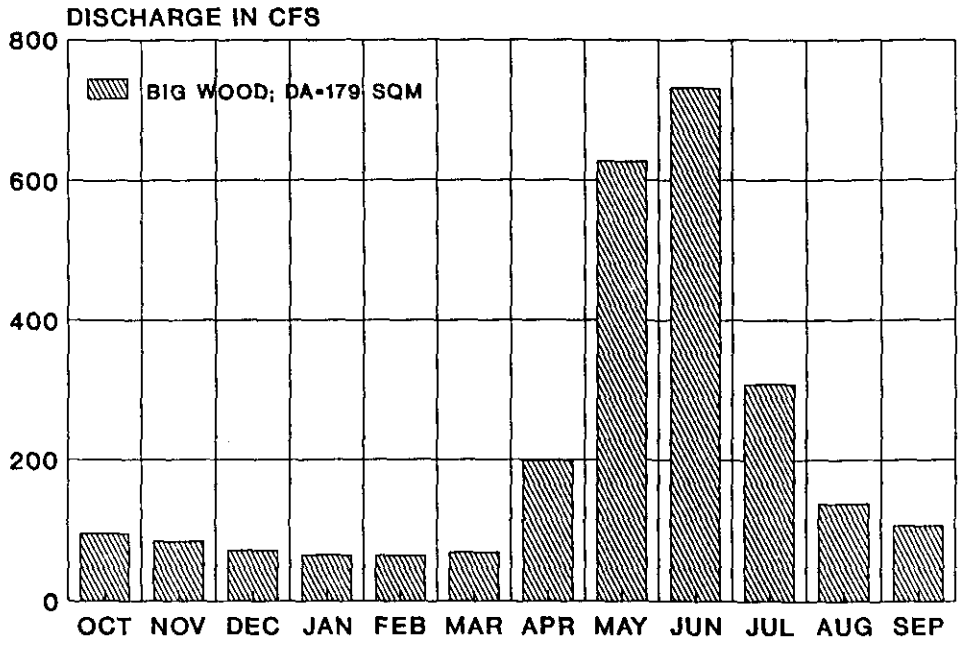
1994


SURFACE-WATER RIGHTS
N.F. BIG WOOD RIVER
Sawtooth National Recreation Area
REACH 1
Consumptive:
10.3 cfs - Irrigation
0.4 cfs - Commercial
Nonconsumptive:
21.0 cfs - Recreation, aesthetics
200 cfs - Minimum streamflow
WARM SPRINGS CREEK
KETCHUM
REACH 2
BIG WOOD RIVER
Consumptive:
279 cfs + 16 AFA - Irrigation
2 cfs - Municipal
Nonconsumptive:
50 cfs + 7.3 AFA - Wildlife, recreation aesthetics, fish prop.
189 cfs - Minimum streamflows
BELLEVUE
Bellevue diversion


GROUNDWATER APPLICATIONS
N.F. BIG WOOD RIVER
Sawtooth National Recreation Area
REACH 1
Consumptive
5.0 cfs - Irrigation
5.0 cfs - Municipal
1.1 cfs - Domestic
Nonconsumptive
0.0 cfs
WARM SPRINGS CREEK
KETCHUM
BIG WOOD RIVER
REACH 2
Consumptive
13.9 cfs - Irrigation
3.4 cfs - Domestic
Nonconsumptive
9.0 cfs - Spaceheating, wildlife and recreation.
BELLEVUE
Bellevue diversion

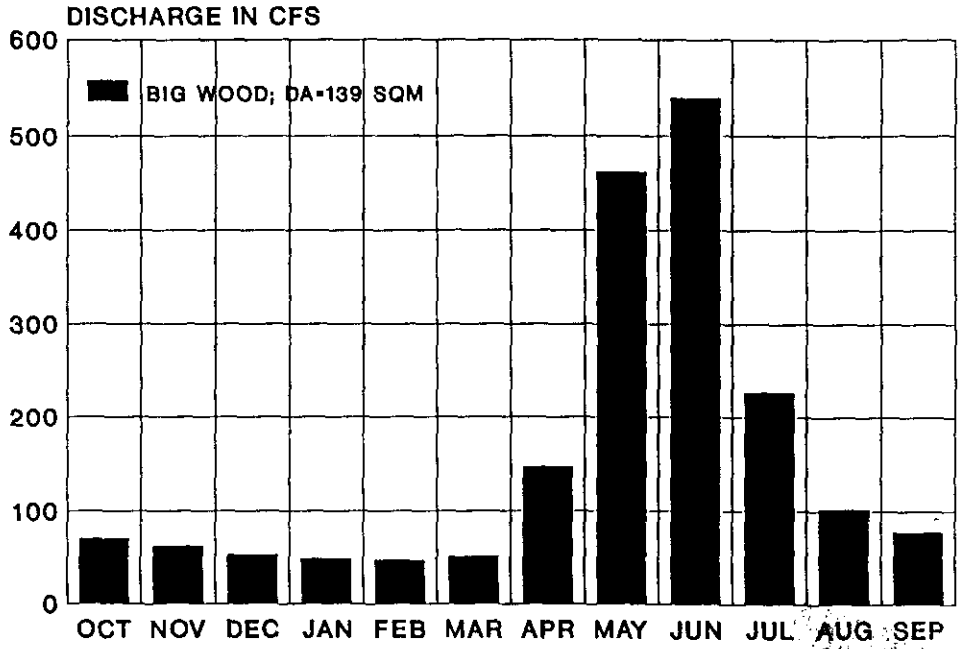
APR 11 1994

BIG WOOD RIVER NEAR KETCHUM
(SEC 10, T 5 N, R 17 E; DA=179 SQ MILES)



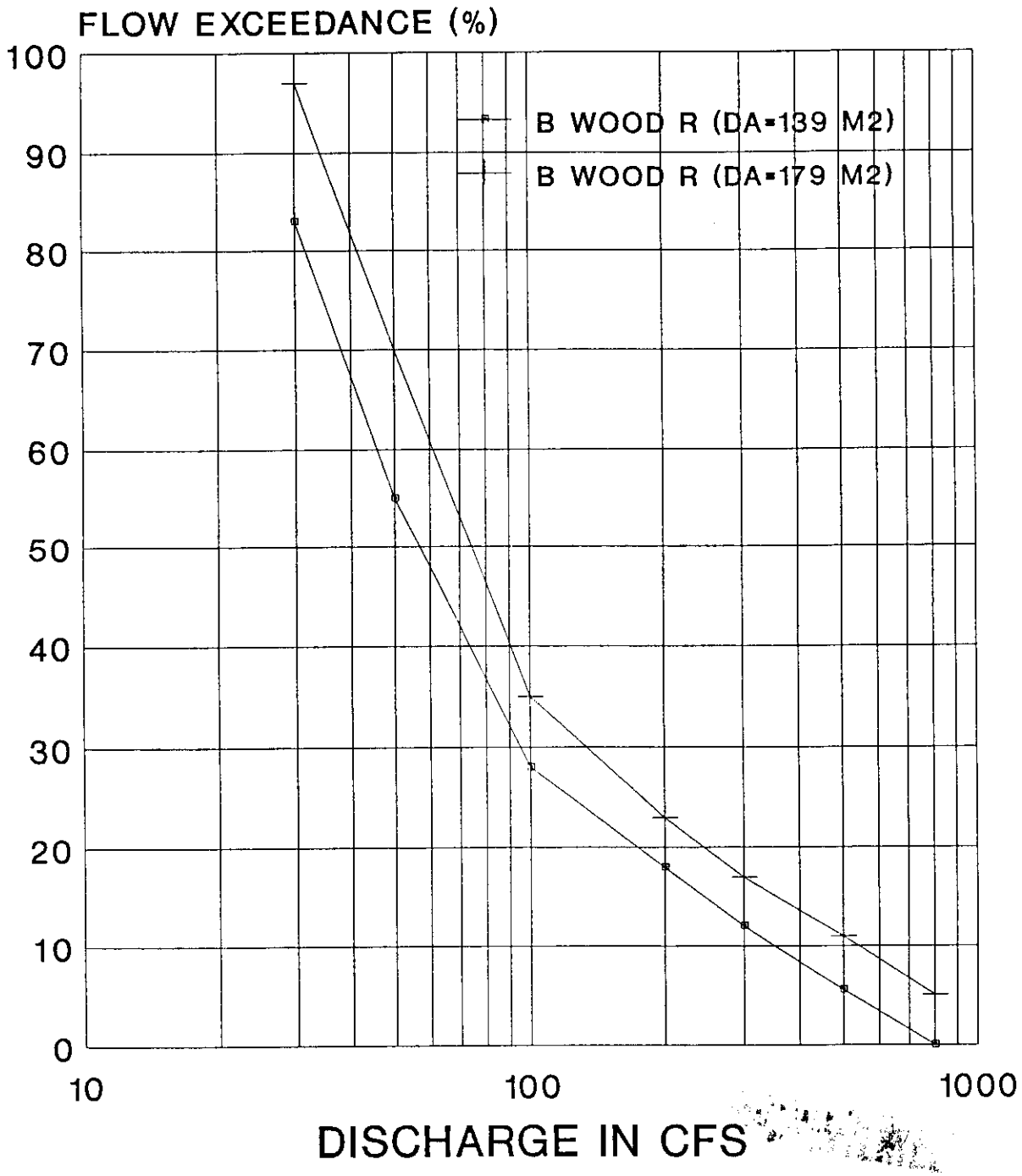
STA 13135500, BASIS.

BIG WOOD RIVER NEAR KETCHUM
(SEC , T 5 N, R 16 E; DA=139 SQ MILES)



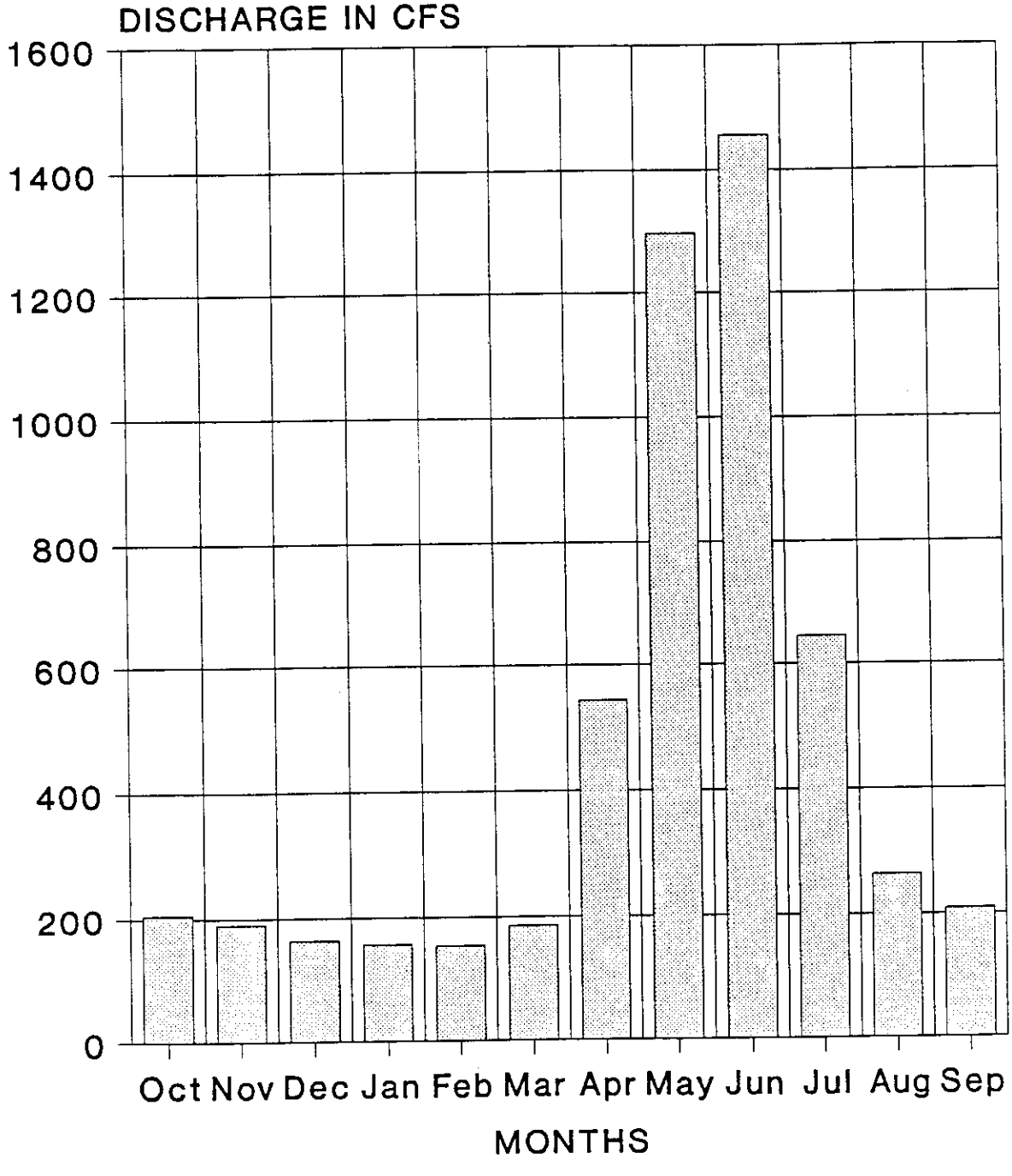
STA 13135500, BASIS.

BIG WOOD RIVER NEAR KETCHUM
(HEITZ, WARNICK, ETAL; 1980)



F=173/120=1.45

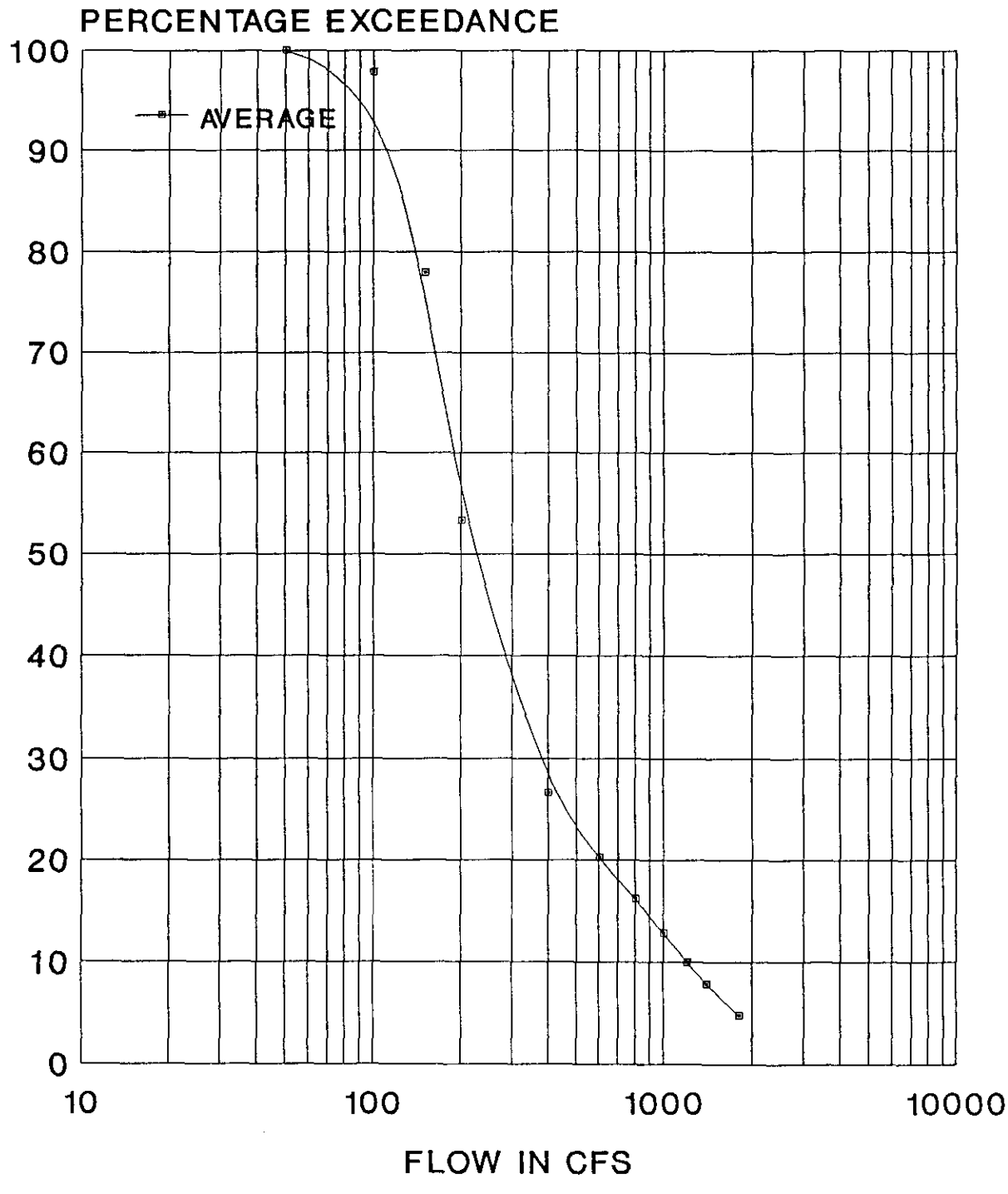
BIG WOOD RIVER AT HAILEY, SLOUGH IS
INCLUDED (SEC 9, T 2 N, R 18; 640 SQM)



STA 13139500

APR 1 1 1994

FLOW DURATION CURVES, COMBINED BIG WOOD RIVER AND SLOUGH NEAR HAILEY, IDAHO



BIG WOOD RIVER BASIN

PENDING APPLICATIONS

FOR WATER APPROPRIATIONS

APR 11 1994

WATER RIGHT NUMBER	CURRENT OWNER NAME	PRIORITY DATE	STG/STS	POINT OF DIVERSION	TOTAL DIVERSION	WATER USES
WATER SOURCE: BIG WOOD RIVER						
37-08258	STATE OF IDAHO	01/16/1986	A/	05N 17E 10 SENW	200.000 CFS	34,34
37-08307	STATE OF IDAHO	10/16/1987	A/	02N 18E 36 SWNW	119.230 CFS	34
37-08329	DUININCK STEVEN P.	02/02/1988	A/	02N 18E 22 NESW	0.300 CFS	52
37-08605	GROSSMAN SAM S.	04/17/1990	A/	04N 17E 12 NESWNE	10.000 CFS	46
37-08611	RIVERS EDGE PARTNERS	05/10/1990	A/	04N 18E 30 SESENE	4.000 CFS	52
WATER SOURCE: DEER CREEK						
37-08748	NEW DEER CREEK RANCH INC	07/17/1991	A/	03N 18E 30 NESESW	1.000 CFS	47,55
WATER SOURCE: GROUNDWATER						
37-08195	NEILSEN CRAIG H.	10/05/1984	A/	04N 17E 1 SWSE	2.750 CFS	01,40,43
37-08205	INTERSTATE INVESTMENT CORP.	03/12/1985	A/	03N 17E 27 SWSE	5.000 CFS	22,46
37-08204	SUN VALLEY LAND AND MINERAL INC.	03/12/1985	A/	03N 17E 27 SWSE	4.380 CFS	01,04,10,43,46
37-08268	RINKER CO.	03/24/1986	A/	03N 18E 18 NESWNE	2.620 CFS	01
37-08291	DUMKE EDMUND W.	04/06/1987	A/	04N 18E 16 NWSW	0.400 CFS	01
37-08354	ALMA H. WILLEM	07/07/1988	A/	02N 19E 31 SWSW	0.175 CFS	01
37-08383	GATES CHARLES	08/29/1988	A/	02N 18E 27 SWSESE	0.040 CFS	01
37-08423	RICHMOND TOM	10/18/1988	A/	02N 18E 4 NWNWNW 4	0.200 CFS	43,10,01,04
37-08439	STARWEATHER SUBDIVISION PROPERTY OWNERS	10/25/1988	A/	03N 18E 20 NWNWNW	0.960 CFS	43,01,49
37-08466	LAKE CREEK MEADOWS HOMEOWNERS ASSN. INC.	10/27/1988	A/	05N 18E 36 NWNE	0.070 CFS	01
37-08457	HUNT ROBERT G.	11/03/1988	A/	04N 17E 1 SENW	0.190 CFS	01,43
37-08470	HUNT SALLY	11/03/1988	A/	04N 17E 1 NESENW	0.160 CFS	43,01
37-08478	RIVERWOODS HOMEOWNERS ASSN.	12/05/1988	A/	04N 17E 1 NWSWSE	0.870 CFS	43,01
37-08498	BILLGER BRADLEY D.	03/28/1989	A/	02N 17E 25 SENENE	0.130 CFS	01,43
37-08504	CITY OF KETCHUM	05/23/1989	A/	04N 17E 12 SWSE	4.990 CFS	40
37-08554	SWANSON WILLIAM J.	08/08/1989	A/	03N 18E 7 NWNESW	0.600 CFS	01
37-08550	HANSON RONDELL B.	08/25/1989	A/	02N 18E 35 NWSE	0.940 CFS	01

APR 11 1994

WATER RIGHT NUMBER	CURRENT OWNER NAME	PRIORITY DATE	STG/STS	POINT OF DIVERSION	TOTAL DIVERSION	WATER USES
37-08552	REESE RONALD K.	09/11/1989	A/	02N 18E 30 SWSWSW 4	0.200 CFS	01,43,52
37-08587	STURTEVANT GREGG K.	01/09/1990	A/	02N 18E 19 NWNWNE	0.110 CFS	01
37-08598	HERMANN RANDALL	03/01/1990	A/	05N 17E 10 SENWSE	0.120 CFS	01
37-08613B	WOOD RIVER COUNTRY CLUB PARTNERS	04/03/1990	A/	03N 18E 28 NENWNW	0.380 CFS	01
37-08620	FRANKS JACK	04/12/1990	A/	03N 18E 5 SWNW	0.300 CFS	43,01,53,55
37-08606	EDSALL STEVE F.	04/24/1990	A/	02N 18E 30 SWSWNW 2	0.130 CFS	01,43
37-08670	CRYSTAL HOT SPRINGS RANCH	08/13/1990	A/	02N 18E 18 NWNWSE	4.000 CFS	22,46,16
37-08666	KOHL TIMOTHY O.	08/30/1990	A/	03N 18E 29 SWNESE	0.080 CFS	01,43
37-08675	LEVIN DONALD M.	09/07/1990	A/	03N 18E 29 SWSW	0.130 CFS	43,01
37-08674	NEW DEER CREEK RANCH INC.	09/07/1990	A/	03N 18E 30 SESE	0.090 CFS	01
37-08686	G. M. M. K. GROUP B	09/28/1990	A/	03N 18E 17 SWNWSE	0.860 CFS	49,43,01
37-08676	WILCOX RON	10/04/1990	A/	02N 18E 4 SESWNE	0.130 CFS	43,01,55,50
37-08677	WILCOX LORRAINE	10/04/1990	A/	02N 18E 4 NESWNE	0.130 CFS	43,01,55,50
37-08698	HARRIS TIMOTHY H.	10/16/1990	A/	04N 17E 1 SWSWSW	0.130 CFS	01,43,50,55
37-08689	FLYING HEART RANCH II SUBDIVISION	10/29/1990	A/	02N 18E 5 SWNENE	0.320 CFS	01
37-08699	LIEDER ROBERT L.	11/26/1990	A/	03N 18E 7 NENE	0.100 CFS	01,43
37-08695	VLADIMIROFF WANDA	11/27/1990	A/	02N 17E 25 SWSENE	0.130 CFS	43,01
37-08694	VLADIMIROFF WANDA	11/27/1990	A/	02N 17E 25 NESE	0.130 CFS	43,01
37-08696	MC ILHENNY SCOTT	11/30/1990	A/	02N 19E 31 SWNWSW 3	0.100 CFS	01,43
37-08703	BRAMON FRANKLIN L.	01/31/1991	A/	02N 18E 26 SESESE	0.130 CFS	43,55,53,50
37-08708	MC STAY G.M.	02/13/1991	A/	02N 18E 10 SWSESE	0.130 CFS	43,01
37-08711	HOBBS JIM	02/19/1991	A/	03N 18E 33 NESESW	0.070 CFS	43,01
37-08714	CROPPER LINDA C.	02/27/1991	A/	02N 19E 31 SENWSW 3	0.130 CFS	01,43
37-08725	MC ATEE KENT	03/08/1991	A/	02N 17E 35 NWNENE	2.000 CFS	01
37-08718	PALKEN STEVE	03/13/1991	A/	03N 18E 17 NWSW	0.170 CFS	43,01
37-08744	KING STEVE	04/08/1991	A/	02N 17E 25 NWSENE	0.160 CFS	01,43
37-08724	ROSE DONNA	05/16/1991	A/	04N 18E 25 SESW	0.150 CFS	01,43

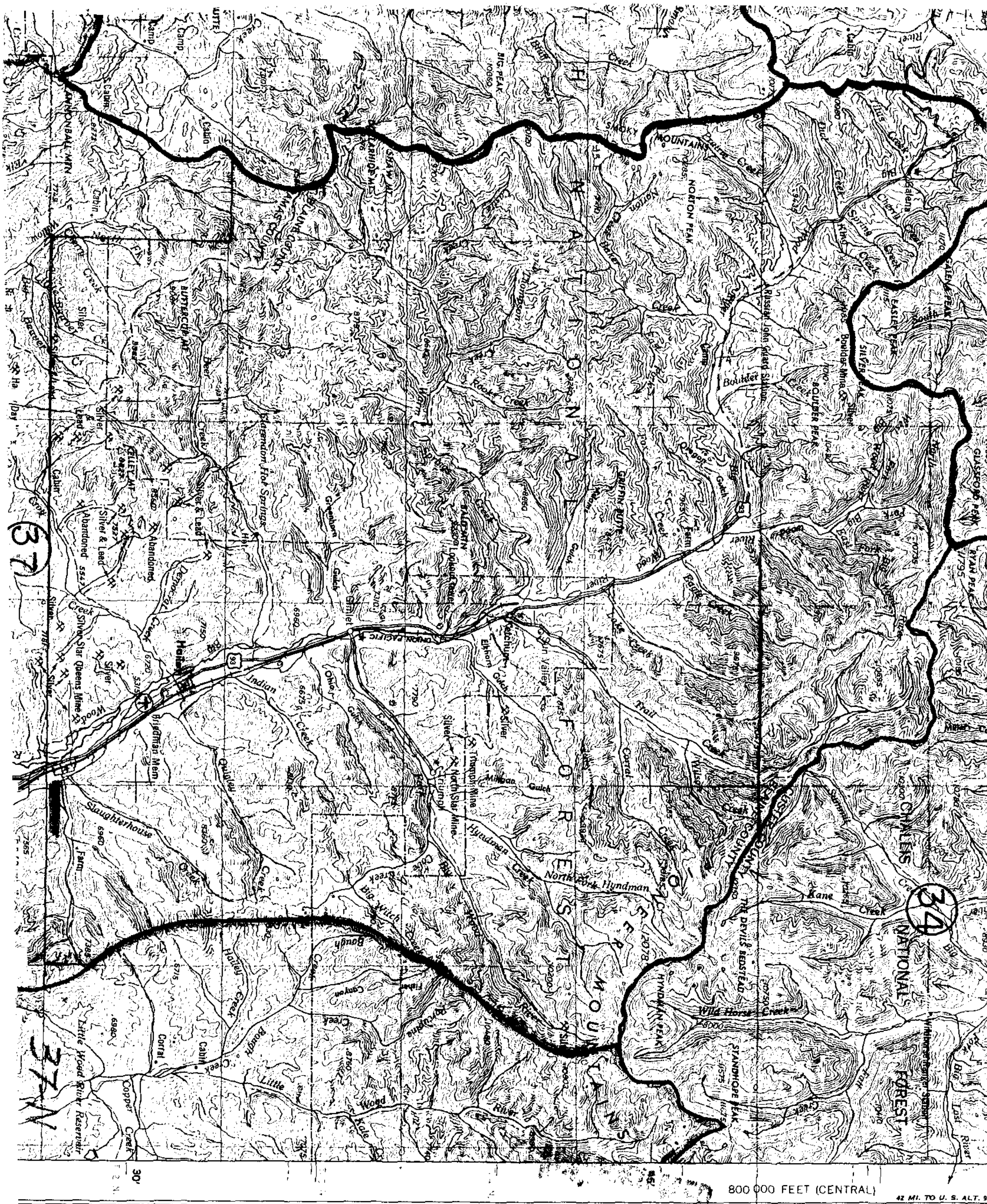
APR 1 1 1994

WATER RIGHT NUMBER	CURRENT OWNER NAME	PRIORITY DATE	STG/STS	POINT OF DIVERSION	TOTAL DIVERSION	WATER USES
37-08727	ROSE DONNA	05/16/1991	A/	04N 18E 25 SESW	0.060 CFS	01,50
37-08728	KENDALL CHUCK	05/21/1991	A/	04N 18E 19 SESENW	0.130 CFS	01,43
37-08730	LIMELIGHT CONDOMINIUMS INC.	06/06/1991	A/	04N 17E 11 SWNESE	0.200 CFS	01,43,46
37-08746	OLBUM CAROLYN	07/08/1991	A/	05N 17E 25 NWNW	0.040 CFS	43
37-08749	HEAD JOSEPHINE	07/18/1991	A/	02N 18E 36 SENE	0.360 CFS	01
37-08752	GRAY ELIZABETH K	07/22/1991	A/	04N 17E 1 NESENW	1.500 CFS	01,43,49
37-08747	BLAINE COUNTY RECREATION DISTRICT	08/02/1991	A/	03N 18E 6 SESWSE	0.100 CFS	01
WATER SOURCE: GUYER HOT SPRINGS						
37-08173	BRANDT DAVID C.	04/24/1984	A/	04N 17E 15 NENE	3.000 CFS	22
WATER SOURCE: HEINE MINE						
37-08206	SILVER STRIKE MINING CO.	03/28/1985	A/	02N 18E 33 NENE	4.000 CFS	28
WATER SOURCE: INDIAN CREEK						
37-08721	INDIAN CREEK RANCHES OWNERS ASSN. INC.	04/26/1991	A/	03N 18E 22 SENESE	7.300 AFA	17,47,50
WATER SOURCE: SEAMANS CREEK						
37-08739	SHOEMAKER PROPERTIES	03/04/1991	A/	02N 19E 33 NENENW	12.000 AFA	02,03
WATER SOURCE: SPRING						
37-08281	WOODS ROY R.	10/20/1986	A/	05N 17E 15 SESENE	0.040 CFS	01
37-08692	SHELTON JOSEPH W.	08/09/1990	A/	04N 16E 36 NENENE	0.166 CFS	43,22,52,49,46
37-08691	BABCOCK FAMILY PARTNERSHIP	08/09/1990	A/	04N 16E 36 SENENE	0.166 CFS	43,22,52,49,46
37-08692	SHELTON JOSEPH W.	08/09/1990	A/	04N 16E 36 SENENE	0.166 CFS	43,22,52,49,46
37-08743	KING STEVE	04/08/1991	A/	02N 17E 25 NWSENE	0.020 CFS	04
WATER SOURCE: SPRINGS						
37-08722	STENNETT W. CLINTON	04/30/1991	A/	02N 18E 14 NENESE	0.200 CFS	01,04

APR 1 1 1994

WATER RIGHT NUMBER	CURRENT OWNER NAME	PRIORITY DATE	STG/STS	POINT OF DIVERSION	TOTAL DIVERSION	WATER USES
WATER SOURCE: TRAIL CREEK						
37-08583	NEWFOUNDLAND PARTNERS	12/12/1989	A/	04N 18E 5 NESW	1.000 CFS	53,17,55
WATER SOURCE: UNNAMED STREAM						
37-08418	HAYWARD LOUIS S.	10/14/1988	A/	04N 16E 36 SENESE	0.200 CFS	01
37-08741	MASSARO CARL	03/15/1991	A/	04N 18E 25 SESW	0.200 CFS	01,28,49,52

APR 1 1994



APR 1 1 1994

WATER USE CODES

WATER USE CODE	SHORT DESCRIPTION	USE DESCRIPTION
01	IRR	IRRIGATION
02	IRR S	IRRIGATION STORAGE
03	IRR FS	IRRIGATION FROM STORAGE
04	STOCK	STOCKWATER
05	STOC S	STOCKWATER STORAGE
06	STOC FS	STOCKWATER FROM STORAGE
07	INDUST	INDUSTRIAL
08	IND S	INDUSTRIAL STORAGE
10	COMMER	COMMERCIAL
13	MINING	MINING
14	MIN S	MINING STORAGE
15	MIN FS	MINING FROM STORAGE
16	WILDLF	WILDLIFE
17	WILD S	WILDLIFE STORAGE
18	WLD FS	WILDLIFE FROM STORAGE
19	FISH	FISH PROPAGATION
20	FIS S	FISH PROPAGATION STORAGE
22	HEAT	HEATING
25	COOL	COOLING
28	POWER	POWER
29	POW S	POWER STORAGE
30	POW FS	POWER FROM STORAGE
31	WAQ	WATER QUALITY IMPROVEMENT
34	MIF	MINIMUM INSTREAM FLOW
37	GWR	GROUNDWATER RECHARGE
40	MUNI	MUNICIPAL
41	MUN S	MUNICIPAL STORAGE
42	MUN FS	MUNICIPAL FROM STORAGE
43	DOMEST	DOMESTIC
44	DOM S	DOMESTIC STORAGE
45	DOM FS	DOMESTIC FROM STORAGE
46	REC	RECREATION
47	REC S	RECREATION STORAGE
48	REC FS	RECREATION FROM STORAGE
49	FIRE	FIRE PROTECTION
52	AES	AESTHETIC
53	AES S	AESTHETIC STORAGE
54	AES FS	AESTHETIC FROM STORAGE
55	DIV S	DIVERSION TO STORAGE
56	LAKELM	LAKE LEVEL MAINTENANCE
57	FLD S	FLOOD CONTROL STORAGE

A = Application for permit
P = Permit
L = License
S = Claim to a water right
D = Decree

APR 1 1 1994

ROSTER OF ATTENDANCE

IDAHO DEPARTMENT OF WATER RESOURCES
PUBLIC COMMENT SESSION - BIG WOOD RIVER
MINIMUM STREAM FLOW
OCTOBER 23, 1991 - KETCHUM CITY HALL

TESTIFY?	Name	Address	Representing
	WILL MILLER	PO BOX 1020 SV IDAHO	SELF
	LLOYD BETTS	BOX 4919 KETCHUM	SELF
	Alan Reynolds	B1474 KET	BLAINE CO. COMM'LS

RECEIVED
APR 11 1994

DOUGLAS NOBLE GREENE
BOX 524 SUN VALLEY, ID. 83353 208·726·4229

Thursday 17 October 91

RECEIVED
OCT 23 1991
Department of Water Resources

Gary Spackman, Mgr. H2O Permits Sct
Dept. of Water Resources
1301 North Orchard St
Statehouse Mall
Boise, ID 83720-9000

Dear Mr. Spackman:

Please register my approval for a minimum streamflow on the Big Wood River by approving Applications 37-8258 and 37-8307.

While I would like to see more than 200 cfs for the upper section and 119.23 cfs for the lower section, it's at least a starting point.

In the future, I hope that there will be ways where the needs of the existing biosystem will be given priority over man's needs. Yeah, I'm one of those conservationists that believes that man rates, at most, as an equal with the existing systems.

But barring that, let's at least acknowledge the needs of the ecosystems, especially one like the Wood River's that - despite the Transportation Dept's efforts - still has some semblance of a natural system.

I mean, heck, there are still fish that actually manage to live in the Wood River. 200 cfs might give them a chance to hang on a bit longer.

Sincerely,

Douglas Greene

APR 1 1 1994

Philip Frederick Puchner
Box 240
Ketchum, Idaho 83340

RECEIVED
OCT 18 1991
Department of Water Resources

October 17, 1991

Mr. Gary Spackman, Manager
Water Rights Permits Section
Idaho Department of Water Resources
Statehouse Mail
Boise, ID 83720-9000

Dear Mr. Spackman:

As a water rights holder and applicant in the Wood River Valley, I wish to protest the application of the Idaho Resources Board, No. 37-08258, for a minimum flow of 200 c.f.s. on the Big Wood River from the SNRA to Warm Springs Creek.

This section of the river was only gaged once, at least fifty years ago, and the flow was only 40 c.f.s. from August to April. I cannot see how they can claim 200 c.f.s. is necessary to "maintain" habitat, etc.

To my regret, I will not be in town for the public meeting October 23rd, but I hope my comment will go in the record.

Sincerely,

Philip F. Puchner, P. E.

PFP:a

copy to: Watermaster
Wood River Canal Co.

APR - 1 1994

Blaine County Recreation District
Post Office Box 297, Hailey, Idaho 83333 (208) 788-2117

October 15, 1991

RECEIVED
OCT 17 1991
Department of Water Resources

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

Dear Mr. Spackman:

Thank you for the notice of hearing on minimum streamflow on the Big Wood River next week in Hailey, Idaho.

I have commented in the past about this issue and would like to submit this written testimony to reaffirm my feelings about the critical importance of a minimum streamflow on the Big Wood River.

The Big Wood River is a major recreational and natural resource for the Wood River Valley and for all of Blaine County. Because tourism and recreation form the base of our economy, the Big Wood River deserves to be preserved and protected for current and future generations.

Without adequate streamflow, residents would lose some very important reasons for living here and guests would lose some very important reasons for visiting here:

- The simple beauty of the river and the joys that walking along it or just sitting in a quiet spot to enjoy it brings.
- The fishing and the fisheries; the challenge and joy it adds to life.
- The water sports that kids and others young at heart enjoy, like swimming holes, boogies boards, tubing and kayaking the river.
- The wildlife who count on the river and the importance of those wildlife to our environment.

The Big Wood River is the major water resource for the Wood River Valley. To ensure the recreational and other values of this great natural resource is critical to our economic future and our quality of life.

Thank you for pursuing this important step to protect and preserve our river. If I can help further in the hearing process, please feel free to call on me.

Sincerely,

Mary Austin Crofts, Director
Blaine County Recreation District

APR 11 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

RECEIVED
OCT 15 1991
Department of Water Resources

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

October 10, 1991

Harvey Buckett
P.O. Box 237
Gooding, ID 83330

RE: Minimum Streamflow Applications for the Big Wood River Nos. 37-8258 and 37-8307

Dear Mr. Buckett:

The Idaho Department of Water Resources will conduct a hearing on Wednesday October 23, 1991, to determine whether a minimum streamflow on the Big Wood River should be approved. The hearing will commence at the Blaine County Courthouse, 101 2nd Avenue South, Hailey, Idaho, beginning at 1:30 p.m.

The hearing will recess at the close of formal testimony, but will reconvene at 7:00 p.m. for the taking of public testimony. The evening meeting will be held in the Ketchum City Hall, 480 East Avenue North, Ketchum, Idaho.

Information describing the application is shown on the enclosed fact sheet. 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 become full party to the action. 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

GARY SPACKMAN, Manager
Water Right Permits Section

GS:js

Enclosures

I would like to see the two applications be approved.

APR 1 1 1994

Harvey Buckett



Sirs: Please make this letter a part of the official hearing record.

We desire a minimum stream flow of 200 cfm for the Big Wood River

Best Regards

Paul Randolph

APR 11 1994

JAN 12 1995

THE RANDOLPH COMPANY
BOX 1247 ▫ SUN VALLEY ▫ IDAHO 83353 ▫ 208-726-4734
RESTORATION ▫ RENOVATION ▫ REMODELS

Department of Water Resources
Western Regional Office