

SHOSHONE CREEK MINIMUM FLOW REACH

T
16
S

R16E R17E

MICROFILMED

MAY 1 / 1909

BEGIN MINIMUM FLOW
REACH (CONFLUENCE OF
SHOSHONE CREEK AND
HOT CREEK)

END MINIMUM FLOW
REACH (IDAHO-NEVADA
STATE LINE)

13. Map of prop
township and

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.

[Signature]
(Applicant)

26	SESE	04	51-2388	05-27-1959 SPRING	U.S. DEPT. OF INTERIOR
165 12E 04	SHSH	01.43	51-2010	05-27-1959 SPRING	U.S. DEPT. OF INTERIOR
				08-31-1908 DEADWOOD CREEK	CURTIS CURTIS
07	SHSH	01.43	51-2116	11-28-1950 DEER CREEK	CLARK
17	SESE	04	51-2288	01-24-1942 SPRING	U.S. DEPT. OF INTERIOR
30	SESE	04	51-4020	07-06-1922 SPRING	BARKINGA
165 13E 12	HEHE	04	47-4244	01-01-1926 SPRING	MUMFORD
	SESE	01.43	47-2400	12-09-1918 TIMBER CANYON CREEK	CLARK
165 14E		04.16	47-4502	06-28-1934 SALMON FALLS CREEK	U.S. DEPT. OF INTERIOR
16	SHSE	01.43	47-2025	07-06-1907 PLAYER CREEK	PERKINS JONES BROTHERS
				WASH CREEK	
				CHINA CREEK	
	SHSE	01.43	47-2025	07-06-1907 PLAYER CREEK	PERKINS JONES BROTHERS
				WASH CREEK	
				CHINA CREEK	

C12

IDAHO DEPARTMENT OF WATER RESOURCES WATER RIGHTS BY POINT OF DIVERSION											06/28/1987	OWNER CODE
TRN	RNG	SEC	TRACT	LOT	USES	WATER RIGHT NUMBER	STAGE	PRIORITY	RPLG	SOURCE OF WATER	LAST NAME	
165 14E	16				WUSE	01.43		47-2025	L 07-06-1907	PLAYER CREEK WASH CREEK CHINA CREEK	PERKINS JONES BROTHERS	
					WUSE	01.43		47-2025	L 07-06-1907	PLAYER CREEK WASH CREEK CHINA CREEK	PERKINS JONES BROTHERS	
		20			NESE	01.43		47-2025	L 07-06-1907	PLAYER CREEK WASH CREEK CHINA CREEK	PERKINS JONES BROTHERS	
		27			SESH	04.16, 05.06		47-4412	S 09-01-1905	UNNAMED STREAM	U.S. DEPT. OF INTERIOR	
					SHSE	04.16, 05.06		47-4413	S 09-01-1905	UNNAMED STREAM	U.S. DEPT. OF INTERIOR	
		29			04 05			47-2606	10-22-1956	UNNAMED STREAM	U.S. DEPT. OF INTERIOR	
					SHSH	04		47-2631	08-09-1962	SPRING	U.S. DEPT. OF INTERIOR	
165 14E	01				WASH	04		47-2506	L 01-24-1942	SPRING	U.S. DEPT. OF INTERIOR	
		02			WASH	04		47-2571	L 07-28-1941	SPRING	U.S. DEPT. OF INTERIOR	
					SESH	04		47-2611	L 07-24-1957	SPRING	U.S. DEPT. OF INTERIOR	
		03			NESE	05		47-2602	L 08-10-1943	UNNAMED STREAM	U.S. DEPT. OF INTERIOR	
		04				04.16		47-4502	S 06-28-1934	SALMON FALLS CREEK	U.S. DEPT. OF INTERIOR	
		07				04.16		47-4502	S 06-28-1934	SALMON FALLS CREEK	U.S. DEPT. OF INTERIOR	
		12			WESH	01.43		47-2059	L 12-17-1918	THIN SPRINGS	OTNEYBROS LAND & STOCK CO.	
					WESH	04		47-2211	L 06-22-1934	THIN SPRINGS	CALLEN	
		17				04.16		47-4502	S 06-28-1934	SALMON FALLS CREEK	U.S. DEPT. OF INTERIOR	
		18				04.16		47-4502	S 06-28-1934	SALMON FALLS CREEK	U.S. DEPT. OF INTERIOR	
		20				04.16		47-4502	S 06-28-1934	SALMON FALLS CREEK	U.S. DEPT. OF INTERIOR	
		24			SESH	05		47-2604	L 08-10-1953	UNNAMED STREAM	U.S. DEPT. OF INTERIOR	
		29				04.16		47-4502	S 06-28-1934	SALMON FALLS CREEK	U.S. DEPT. OF INTERIOR	
		32				04.16		47-4502	S 06-28-1934	SALMON FALLS CREEK	U.S. DEPT. OF INTERIOR	
165 14E	03				SHSH	04		47-2053	L 01-10-1968	SPRING	U.S. DEPT. OF INTERIOR	

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IDAHO DEPARTMENT OF WATER RESOURCES WATER RIGHTS BY POINT OF DIVERSION											PAGE 3235 06/28/1987
TRN	RNG	SEC	TRACT	LOT	USES	WATER RIGHT NUMBER	STAGE PRIORITY	RPLG	SOURCE OF WATER	LAST NAME	OWNER CODE
165	16E	05	WESH		05.06	47-4504	5	07-01-1950	UNNAMED STREAM	PLEASANT VALLEY GRAZING ASSOC.	
		06	WESH		04.16	47-7475	9	04-12-1978	WABO'S SPRING	U.S. DEPT. OF INTERIOR	
		11	WESH		01.43	47-2150	8	02-21-1921	LOST CREEK	LINGGREN	
		16	SHSE		04.16	47-4515	8	08-15-1963	SHAKE SPRING	U.S. DEPT. OF INTERIOR	
			SEHE		04	47-4497	9	09-25-1948	BATTLESNAKE SPRING	STATE OF IDAHO	
			WASH		04.16	47-7657	9	07-30-1940	PEGGY SPRING	STATE OF IDAHO	
		17	WESH		04	47-2587	9	01-24-1942	SPRING	U.S. DEPT. OF INTERIOR	
			SHSH		02.03	47-7207	9	11-04-1974	HULE CREEK SPRINGS	LENO	
			SHSH		05	51-2357	10	10-22-1956	UNNAMED STREAM	U.S. DEPT. OF INTERIOR	
			WESH		04.16	47-7662	10	08-19-1980	HOUSMAN SPRING	U.S. DEPT. OF INTERIOR	
		20	WASH		05.17	47-8036	10	05-13-1986	UNNAMED STREAM	U.S. DEPT. OF INTERIOR	
			SHSE		05	47-4179	10	06-01-1963	SPRING	U.S. DEPT. OF INTERIOR	
			SHSH		01.43	47-2048	10	01-27-1910	HULE CREEK	SCOTT	
			WASH		01.43	47-2118	10	02-07-1925	HULE CREEK	JONES	
			SHSH		01	47-7106	10	12-25-1970	GROUNDWATER	LENO	
		21	SEHE		04	47-2610	10	07-24-1957	SPRING	U.S. DEPT. OF INTERIOR	
		23	SEHE		04.16	47-4503	10	06-28-1934	SHOSHONE CREEK	U.S. DEPT. OF INTERIOR	
			NESE		04.16	47-4503	10	06-28-1934	SHOSHONE CREEK	U.S. DEPT. OF INTERIOR	
		24	WESH		04.16	47-4503	10	06-28-1934	SHOSHONE CREEK	U.S. DEPT. OF INTERIOR	
			SHSH		04.16	47-4503	10	06-28-1934	SHOSHONE CREEK	U.S. DEPT. OF INTERIOR	
			SESH		04.16	47-4503	10	06-28-1934	SHOSHONE CREEK	U.S. DEPT. OF INTERIOR	
			WASH		04.16	47-4503	10	06-28-1934	SHOSHONE CREEK	U.S. DEPT. OF INTERIOR	
			SHSH		04.16	47-4503	10	06-28-1934	SHOSHONE CREEK	U.S. DEPT. OF INTERIOR	
		25	WASH		04.16	47-4503	10	06-28-1934	SHOSHONE CREEK	U.S. DEPT. OF INTERIOR	
			SHSH		04.16	47-4503	10	06-28-1934	SHOSHONE CREEK	U.S. DEPT. OF INTERIOR	

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23	WASH	05	43-2609
	WASH	04	43-2708
24	WESH	01.43	
	SHSE	01.43	
29	WESH	07.43	
	SHSH	01.43	
31	SHSE	01.43	
33	WASH	07.43	
	SHSH	01.43	
	SHSH	01.43	
	SESH	07.43	

TRN	RNG	SEC	TRACT	LOT	US
165 20E	35		SESE	01.43	
		36	SHSH	01.43	
			SESH	01.43	
165 20E	04		SHSH	05	
			SESE	05	
		05	WASH	01.43	
			SESH	01.43	
		06	SHSH	01.43	
		10	WESH	05	
		11	WASH	05	
		12	WASH	05	
		15	NESE	04	
		17	SESH	04.16	
		18	SHSH	04	
		21	WESH	01.43	
		23	SHSH	07.04	
		26	SESH	07.43	
			SESH	01	
		27	WESH	07.04	
			WESH	07.04	
			SESE	04	

TRN	RNG	SEC	TRACT	LOT	US
165 27E	02		WESH	01.43	
		03	SEHE	01.43	
		04	WESH	01.43	
		12	WESH	04	
		13	NESE	07.43	
		22	SESH	10.43	
		25	SHSH	01	
		27	WESH	07.18	
			WESH	10.43	
			WASH	01.43	
			SHSH	07.43	
			SESE	01.43	
			SESE	07.43	
165 20E	18		SHSH	01	
		19	SHSH	04	
		20	SESH	43	
		29	WASH	04	
			SHSE	07.43	
165 29E	06		SHSH	04	
		26	WASH	04	
		28	WASH	07.01	
			04.04		

Affidavit of Publication

Minimum Streamflow Applied for Shoshone Creek

NOTICE OF APPLICATION FOR MINIMUM STREAMFLOW

Notice is hereby given that the IDAHO WATER RESOURCE BOARD has submitted an Application for Permit to the Department of Water Resources proposing to appropriate water for a minimum streamflow in Shoshone Creek, tributary to the Salmon Falls Creek. The application is further described as follows:

Application No.: 47-8073

Source: Shoshone Creek

Proposed Priority: October 16, 1987

Amount & Period of Use: 5.0 cfs from 01/01 through 03/31. 7.0 cfs from 04/01 through 07/31. 5.0 cfs from 08/01 through 12/31.

Purpose of Minimum Instream Flow: To preserve fish habitat.

Place of Use: That portion of Shoshone Creek located in the following described reach:

Beginning at the confluence of Shoshone Creek and Hot Creek located in the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 22, T16S; R17E, B.M., Twin Falls County, and extending downstream to the Idaho-Nevada state line, located in Lot 1 (NE $\frac{1}{4}$ NE $\frac{1}{4}$), Section 35, T16S, R16E, B.M., Twin Falls County.

The Idaho Water Resource Board will hold a public meeting on the application on November 17, 1987, at 7:00 p.m. in Twin Falls, Idaho at the Aspen Vo-Tech Building Mini Auditorium, Room 108, College of Southern Idaho. The purpose of the meeting is to gather information on the public interest regarding the proposed minimum streamflow.

GENE GRAY, Chairman
IDAHO WATER RESOURCE BOARD
(46t2)

State of Idaho

County of Twin Falls

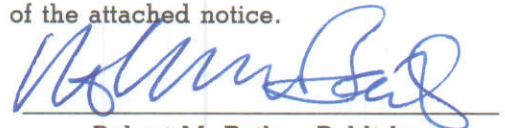
} ss.

I, **Robert M. Bailey**, do solemnly swear that I am the publisher of **The Buhl Herald**, a weekly newspaper of general circulation, published once each week at Buhl, Idaho; that the notice attached hereto was published in said newspaper _____

November 4 and 11, 1987

_____ ;
that said notice was published in the regular and entire issue of every number of the paper during the period and time of publication, and that the said notice was published in the newspaper proper, and not in the supplement thereof.

That said newspaper has been printed and published continuously in **Buhl, Twin Falls County, Idaho**, for a period of more than 78 weeks prior to the first publication of the attached notice.



Robert M. Bailey, Publisher

Subscribed and sworn to before me this

11th day of Nov., 1987



Tamra Burton, Notary Public.

Residing at Buhl, Idaho

My Commission Expires

October 1, 1992

MICROFILMED

MAY 17 1989

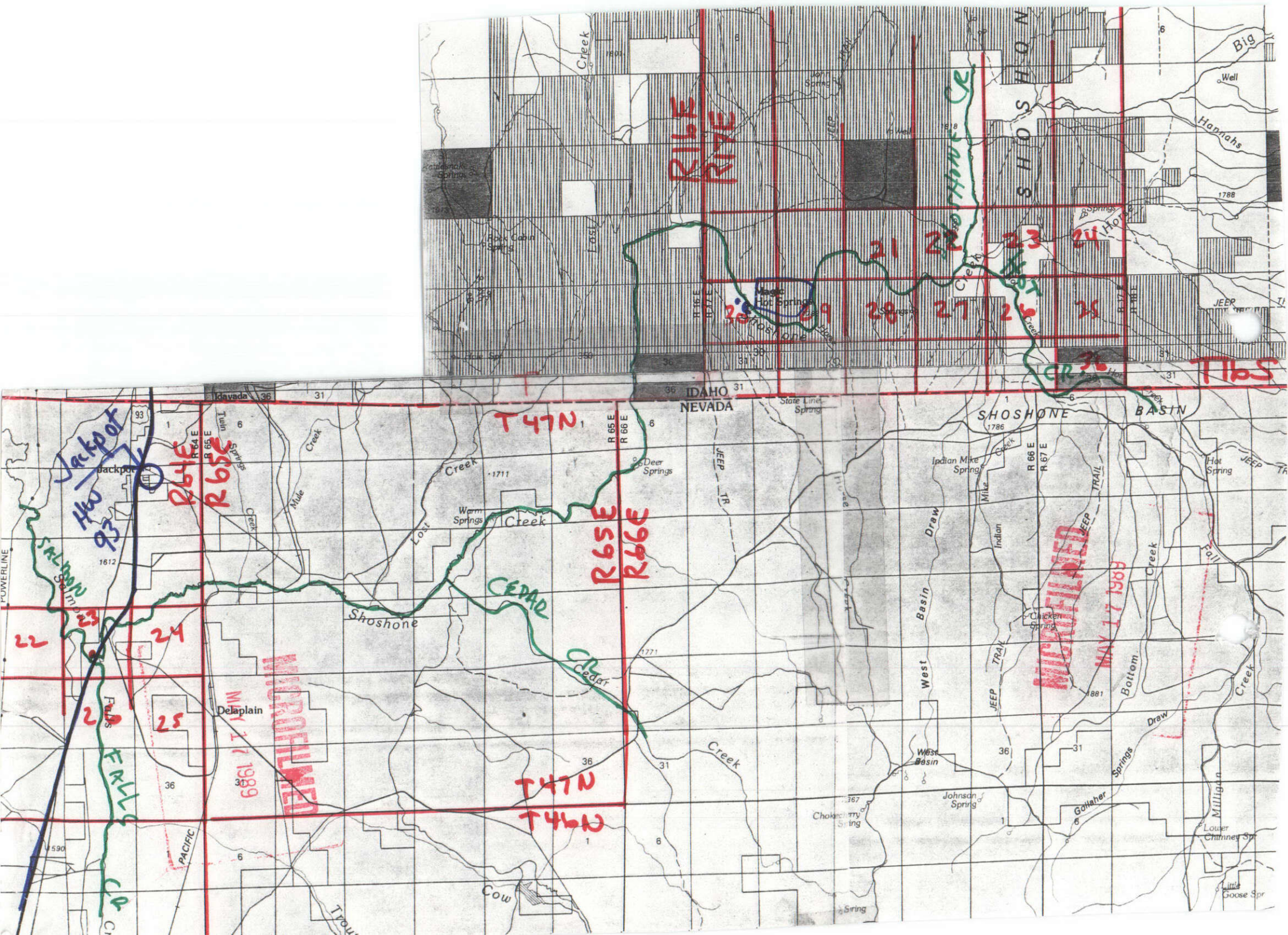




Exhibit No. 1. Looking downstream on Shoshone Creek approximately one-half mile below the mouth of Hot Creek on August 5, 1986. Photo taken by Robert J. Bell of the Idaho Department of Fish and Game.

47-8073



Exhibit No. 2. Department of Fish and Game electrofishing equipment being transported across mouth of Hot Creek enroute to downstream sections on Shoshone Creek on August 20, 1976. Approximately 800 feet of the stream was electrofished in the operation. Photo taken by Robert J. Bell of the Idaho Department of Fish and Game.



Exhibit No. 3. Idaho Department of Fish and Game personnel stocking brown trout fingerlings in Shoshone Creek at the mouth of Hot Creek on June 17, 1982. Photo taken by Robert J. Bell of the Idaho Department of Fish and Game.



Exhibit No. 4. Mike Garey of Twin Falls with a 4 $\frac{1}{4}$ -pound brown trout caught on June 12, 1984. The trout was 23 inches in length and had a girth of 12 inches. Photo taken by Charles L. Garey of the Idaho Department of Fish and Game.

47-8073



Exhibit No. 5. Gordon Richins of Twin Falls with brown trout caught in Shoshone Creek in July of 1985 approximately 0.6 mile below the mouth of Hot Creek. The trout on the left weighed approximately $3\frac{1}{4}$ pounds and the fish on the right about $2\frac{3}{4}$ pounds. Photo taken by Robert J. Bell of the Idaho Department of Fish and Game.

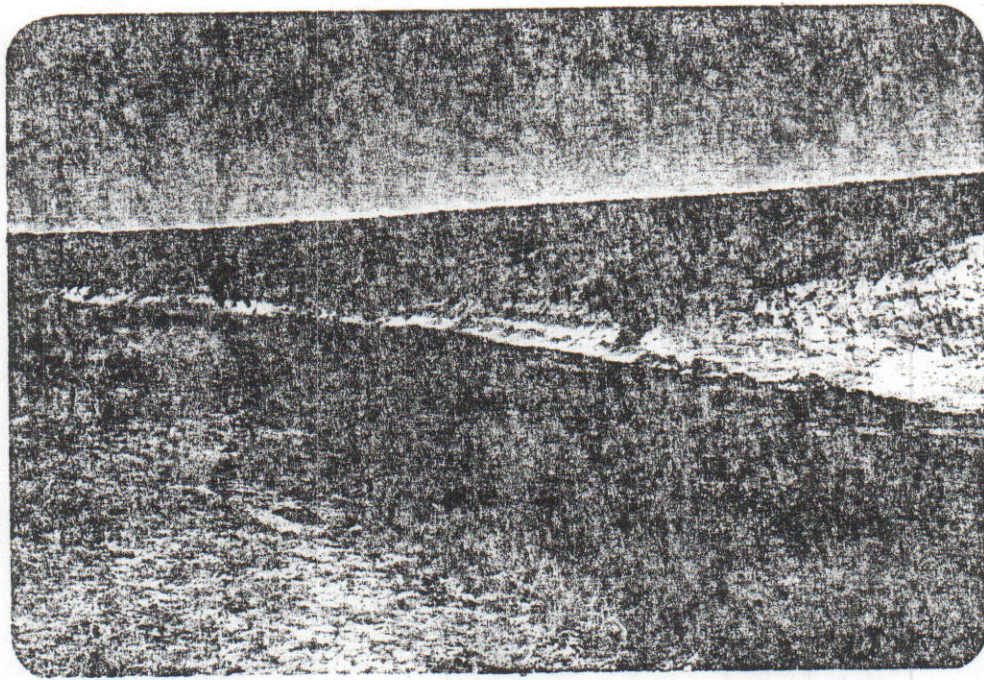


Figure 25. Section 1 - Shoshone Creek above branching channel.



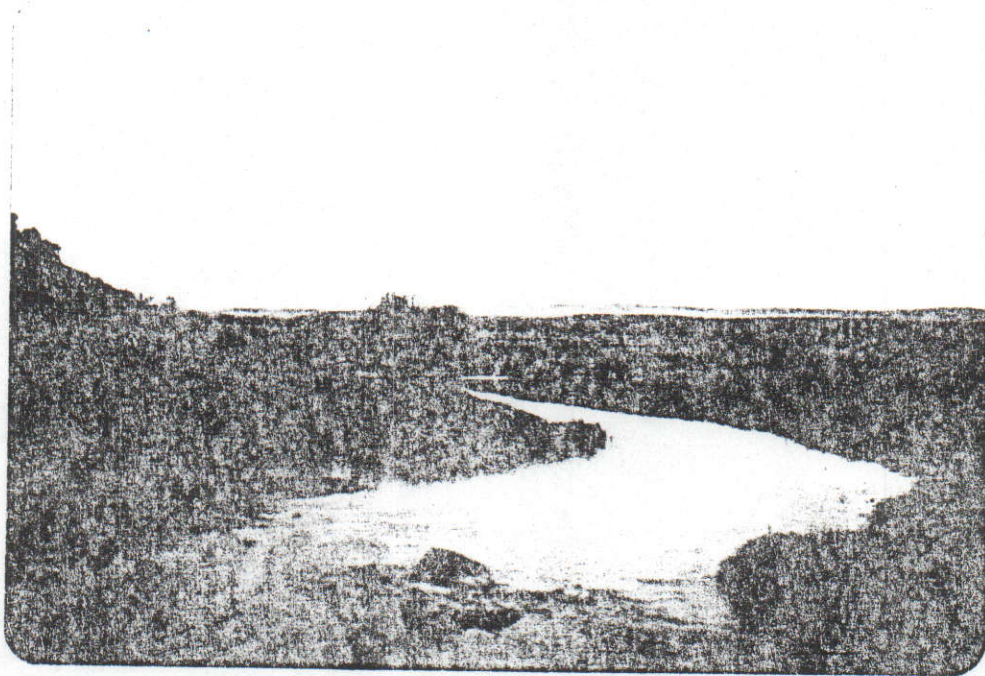


Figure 26. Photopoint: Sample station 1 - Shoshone Creek



Figure 27. Photopoint: Sample station 2 - Shoshone Creek

Habitat data, Table XXVI-C, indicates an increase in water flow which was expected due to the hot springs entering Shoshone Creek above station 3. Water temperature remains high and must be influenced to an extent by the entry of thermal waters the short distance upstream. pH remained high, dissolved oxygen was excellent, water clarity good, and stream gradient is moderate.

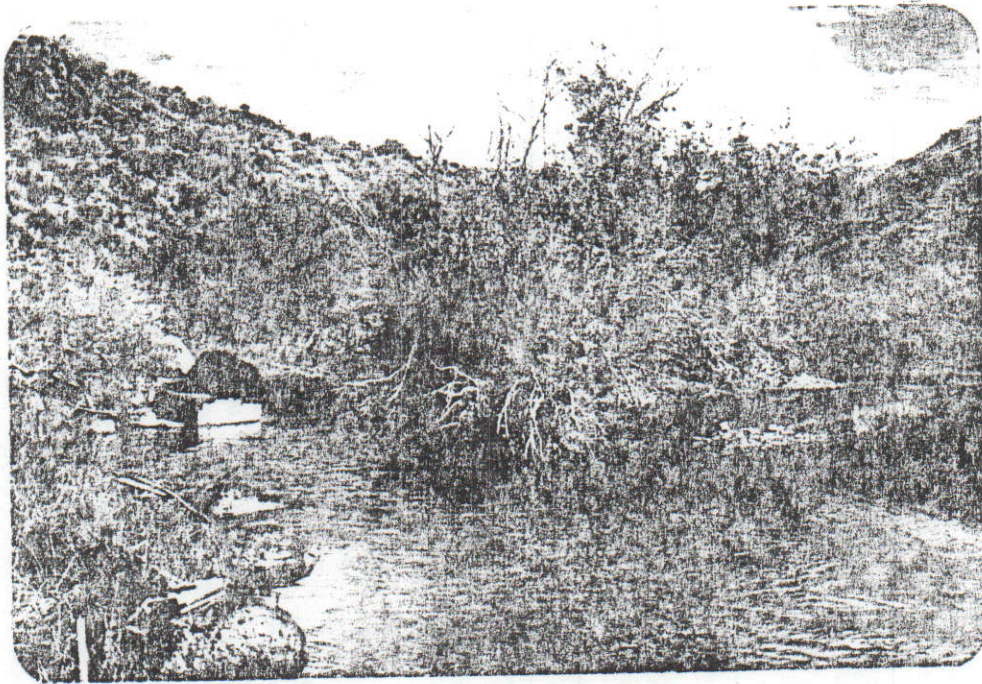


Figure 28. Photopoint: Sample station 3 - Shoshone Creek

Spawning habitat in the area represented by station 3 is poor-to-fair. Gravel size and composition suitable as spawning substrate is abundant, however water velocity and sedimentation are limiting factors. The scarcity of trout in the fish sample and that no trout were sighted during visual surveys of the area is indicative of low reproductive success.

A number of beaver dams were noted above and below sample station 3, though an accurate count was not made. It is estimated that 3 to 5 active dams exist presently in section 3. Willow growth in section 3 is heavier than sections 1 or 2. Overall conditions should be excellent as preferred habitat for beaver.

Sample Station 4

Sample station 4 is located approximately 25-100 yards upstream of the bridge previously described. The 200-foot station is established in a narrow, rock strewn section of stream that parallels the road spur connecting with the Magic Hot Springs road (Fig. 29). Sample station 4 was surveyed on August 21, 1979. Dominant riparian vegetation is comprised of willows, wildrose, sagebrush, grasses and forbs. Aquatic vegetation consists of a variety of algae and macrophytes, mostly at the lower end of section 3.

The riparian zone for the most part is inaccessible to livestock use. The terrain is very rocky and preferred forage for livestock is limited.

Habitat condition for sample station 4 was rated excellent (Table XXVII-A). Shading is fair, estimated at 41-50% of the channel. Stream bank condition, bank stability, channel stability and instream cover were rated as excellent. Sedimentation in station 4 was negligible, estimated at less than 10% of the substrate.

A 100-foot section of station 4 was electrofished using the 500 watt D.C. generator collecting 2 rainbow trout (Salmo gairdneri), 77 suckers (Catostomus sp.), 100 redbelly shiners (Richardsonius balteatus), 34 dace (Rhinichthys sp.) and 15 chiselmouth (Acrocheilus alutecus).



Figure 29. Photopoint: Sample station 4 - Shoshone Creek

Water temperature and pH values remained constant within a narrow range for the stream as a whole and together with low water level may present a strong impediment to trout species. Sediment significantly limits available spawning habitat and probably limits spawning trout.

Grazing damage to the riparian zone is negligible, is not a significant factor in fishery productivity, excepting the lower end of section 3.

Numbers of trout collected in section 3 were very low, numbers of cyprinids collected were very high. This reflects the condition of habitat favoring more tolerant species such as the cyprinids, although brown trout and rainbow trout may be present in deeper areas of the stream such as beaver ponds that were inaccessible to sampling equipment.

Section 4

Section 4 is approximately 1 mile downstream from section 3 and continues downstream another 2 miles. The upper boundary of the survey section is ambiguous, and must be identified by landmarks and a status map. The lower boundary is marked by a B.L.M. cattle fence. Below the cattle fence a short section of state-owned property extends for less than 1/4 of a mile, than B.L.M. ownership resumes to the Idaho/Nevada border. Access to the upper end of section 4 is by a road spur from the Mule Creek-Jackpot, Nevada road to the state-owned section of land.

Two sample stations, 5 and 6, were established on section 4. No fish sample was collected from sample station 6 due to equipment problems.

Sample Station 5

Sample station 5 is located approximately 300 yards below the upper boundary of section 4 and near the upper band of a large u-shaped curve in the stream at the base of a large bluff on the west side of the stream (Fig. 30). The upstream boundary of the station is located at the head of a riffle with an eroded dirt bank on the northeast side of the stream and a grassy flat on the southwest side.

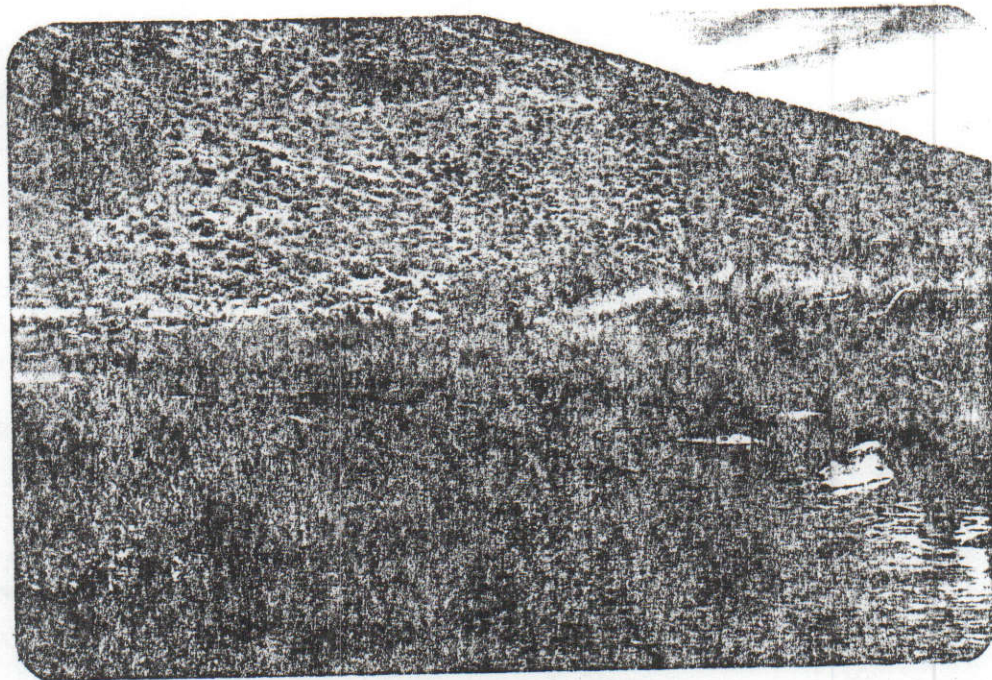
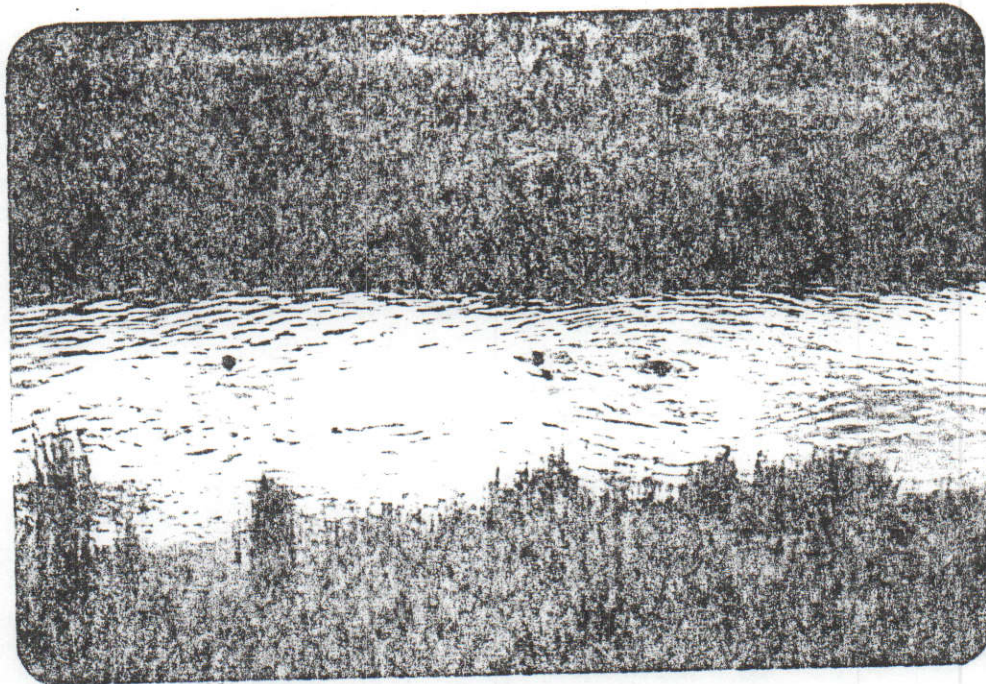


Figure 30. Photopoint: Sample station 5 - Shoshone Creek

Note in both Figures A & B that vegetation is lush and tall, stream banks are very stable and instream cover is excellent, though water flow is still low.



A. River otters below sample station 5 - Shoshone Creek

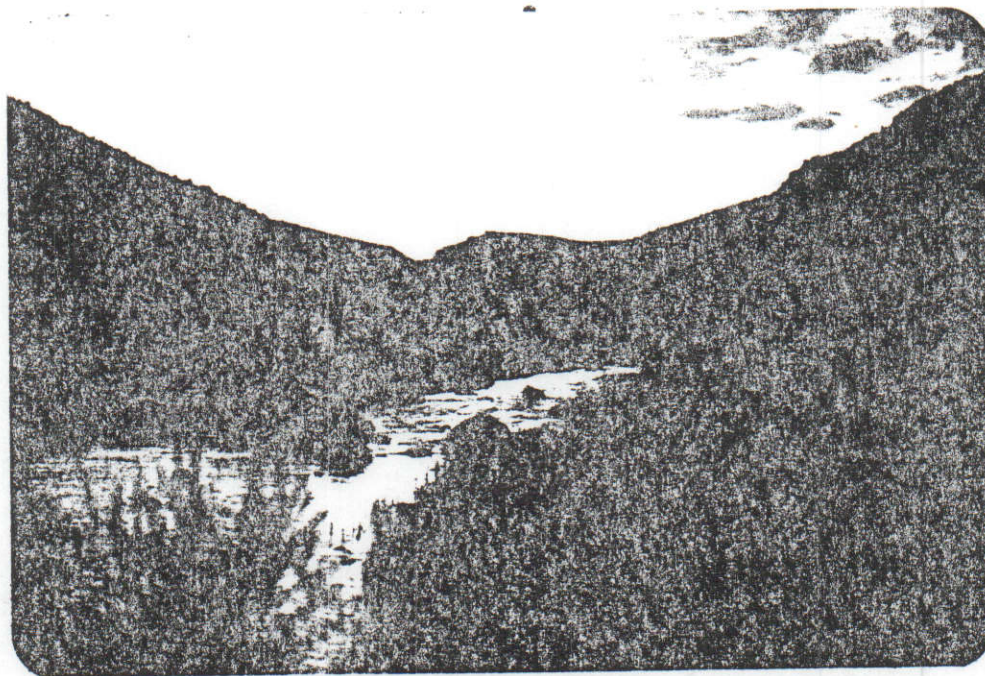


Figure 31. B. Shoshone Creek between sample stations 5 and 6

TABLE GROUP XXX

Shoshone Creek - Sample Station 6 - August 14, 1979

A. Habitat Condition Rating

Shading	Bank vegetation	Bank stability	Channel stability	Sedimentation	Instream cover	Total condition rating
1	2	2	4	2	2	13 - Poor

B. Fish Collected

NOT ELECTROFISHED

C. Habitat Data

Mean stream width(ft)	Mean stream depth(ft)	Temperature(°C)		pH	Dissolved oxygen	Turbidity	Stream gradient
		Water	Air				
20.47	.53	70°F 21°C	64°F 18°C	9.5	8.85	>3 ft visability	≈20 ft/mile

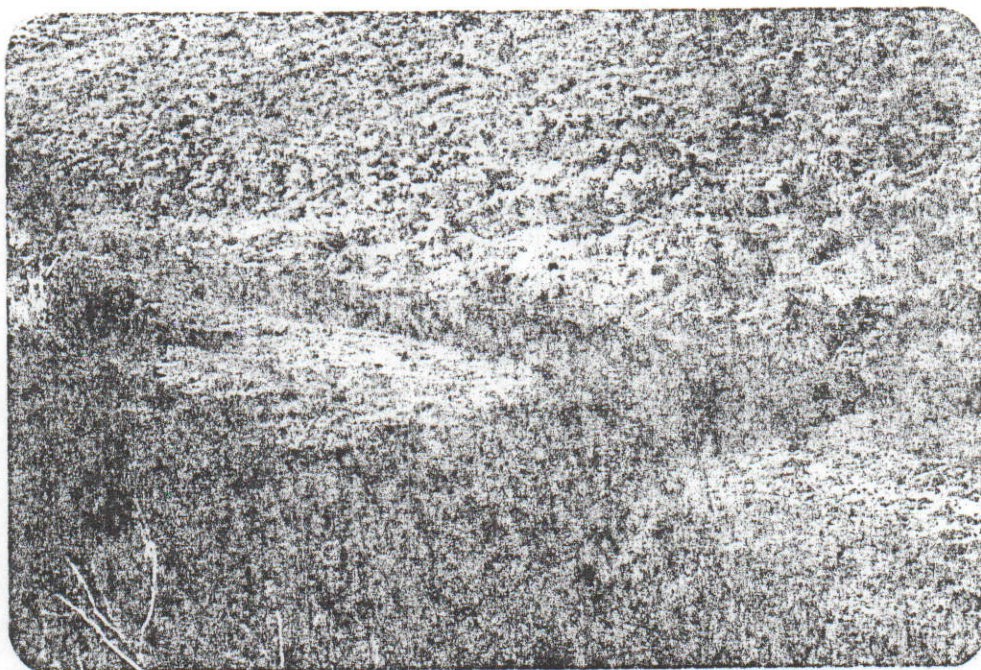


Figure 32. Photopoint: Sample station 6 - Shoshone Creek

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 47-08073

Priority: October 16, 1987

Minimum Instream Flow:

7.00 CFS

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

has complied with the terms and conditions
of the permit, issued pursuant to Application for Permit dated October 16, 1987; and
has submitted Proof of Beneficial Use on March 7, 1994. A minimum stream flow in

SHOSHONE CREEK

tributary to SALMON FALLS CREEK

has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE</u>
MINIMUM INSTREAM FLOW	01/01 through 03/31	5.00 CFS
MINIMUM INSTREAM FLOW	04/01 through 07/31	7.00 CFS
MINIMUM INSTREAM FLOW	08/01 through 12/31	5.00 CFS

LOCATION OF MINIMUM STREAM FLOW REACH:

Beginning of Stream Flow Reach SWSE , Sec. 22, Township 16S, Range 17E
End of Stream Flow Reach Lot 1(NENE), Sec. 35, Township 16S, Range 16E
TWIN FALLS County

CONDITIONS OF APPROVAL AND REMARKS

1. Use of water under this right shall be non-consumptive.
2. The minimum streamflow established under this right shall be subordinated to out-of-stream stockwater diversions for cattle grazing on allotments contiguous to Shoshone Creek.
3. 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 10/16/1987.
4. Upon the future finding and order of the Director that gauging stations are required to maintain the approved minimum flow on Shoshone Creek, such measuring devices shall be permanently intalled as specified by the Department.

RECORDED

OCT 16 1987

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 47-08073

CONDITIONS OF APPROVAL AND REMARKS

5. 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.
6. This minimum stream flow begins at the confluence of Shoshone Creek and Hot Creek in the SWSE, S22, T16S, R17E and ends at the Idaho-Nevada state line in Lot 1 (NENE), S35, T16S, R16E.
7. The purpose of this minimum stream flow is to maintain rainbow, cutthroat, and brown trout habitat.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 15TH day of SEPTEMBER, 1995.

Acting for


KARL J. DREHER, Director

RECEIVE

MAR 07 1994

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

OFFICE USE ONLY

Amt. of Fee \$ _____

Date _____

Receipt No. _____

Receipt by _____

PROOF OF BENEFICIAL USE

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

1. Permit No. 47-08073 Telephone No. 327-7910

2. Name(s) of Permit Holder(s): Idaho Water Resource Board

3. Mailing Address: Statehouse Mail, Boise, ID 83720

4. Source of Water: Shoshone Creek

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

OPTIONAL:

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

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

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

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

6. Total rate and/or volume for which proof is submitted 7 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 _____

APR 13 1994

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.

3/2/94
Date

F. Don Breda Chair I.W.R.B.
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 APPLICATION FOR)	
PERMIT NO. 47-8073 (SHOSHONE CREEK))	ORDER ADOPTING
TO ESTABLISH A MINIMUM STREAMFLOW)	PROPOSED MEMORANDUM
IN THE NAME OF THE IDAHO WATER)	DECISION AND ORDER
RESOURCE BOARD)	
_____)	

This matter having come before the Director of the Department of Water Resources as a result of issuance of a Proposed Memorandum Decision and Order, and exceptions having been filed by the Idaho Department of Fish and Game (Fish & Game), the Director finds, concludes, and orders as follows:

ANALYSIS

Fish & Game is the only party to the minimum streamflow application other than the applicant, the Idaho Water Resource Board. The Board has not filed responses to the exceptions taken by Fish & Game.

Fish & Game has taken exception to two points in the Proposed Memorandum Decision and Order: (1) The subordination of the minimum streamflow to future stockwatering rights on grazing units contiguous to the Shoshone Creek is too broad, and (2) The minimum streamflow of 5-7 cfs in Shoshone Creek should not be characterized as a significant amount of water.

Stockwater Reservation

Three clauses in the Proposed Memorandum Decision refer to the stockwater reservation. Paragraph eight in the findings of

fact states: "The Board requested that the minimum streamflow application, if approved, be subordinated to later in time out-of-stream diversions for stockwater." It also states, as a preface, that " [r]iparian habitat protection policies could restrict direct access of cattle to Shoshone Creek." Conclusion of law number five states that the public interest dictates that "sufficient water be allotted to out-of-stream stockwater of cattle for grazing allotments contiguous to the creek." Finally, paragraph three of the order states that the minimum streamflow "shall be subordinated to out-of-stream stockwater diversions for cattle grazing on allotments contiguous to Shoshone Creek."

Fish & Game alleges that the subordination of the minimum streamflow to out-of-stream stockwater diversions for cattle grazing on allotments contiguous to Shoshone Creek is inconsistent with paragraph eight which refers to riparian habitat protection that may restrict direct access. The controlling language in paragraph eight, however, is the finding that the Board requested the subordination of the minimum streamflow to later in time out-of-stream diversions for stockwater. The request by the board was not restrictive to only out-of-stream diversions necessarily required by riparian habitat protection policies. The testimony of Dave Rydalch, chairman of the Board's minimum streamflow program, clearly indicates that the Board broadly requested subordination of the minimum streamflow to out-of-stream diversions developed subsequent to the minimum streamflow.

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The Department of Water Resources must respond to a request from an applicant for a change in his application. The Department also should not force a use of water upon the applicant which is contrary to the applicant's desires. The important language in paragraph eight is the Board's request for subordination. The reference to riparian habitat protection policies, and the resulting restricted access is merely a statement of at least one of the concerns that gave rise to the Board's request. The Department must honor the Board's request.

Significant Amount Of Water

Fish & Game has alleged that paragraph number nine incorrectly characterizes the minimum streamflow established as "a significant amount of water from Shoshone Creek. . . ." Fish & Game also refers to IDWR Exhibit no. 4 as proof that the requested minimum flow is not a significant amount of water. Exhibit No. 4 illustrates flow records for a gauging station located several miles downstream from the minimum flow reach. At least one stream flowing year round enters Shoshone Creek between the minimum flow reach and the gauging station. As a result, the minimum recorded flows at the gauging station is an inflated representation of what the actual maintainable flows are within the minimum flow reach. The testimony was clear that flows within the minimum streamflow reach would be lower than the flows recorded at the gauging station.

While 5-7 cfs may not be a significant amount of water when compared to other rivers or streams of higher flows, 5 cfs in Shoshone Creek itself is still a significant portion of the

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flows, particularly the base flows that are available in Shoshone Creek during certain periods of the year.

ORDER

IT IS HEREBY ORDERED, that the Proposed Memorandum Decision and Order executed on November 27, 1988, is adopted as the Directors Final Memorandum Decision and Order for application for permit no. 47-8073.

IT IS FURTHER ORDERED, that proof of application of water to beneficial use shall be submitted on or before April 1, 1994.

Dated this 10th day of January, 1989.


R. KEITH HIGGINSON
Director

CERTIFICATE OF MAILING

I certify that on the 11th day of January, 1989, I mailed a true and correct copy, postage prepaid, of the Order Adopting Proposed Memorandum Decision and Order to:

Idaho Dept. of Fish & Game
Attention: Steve Goddard
Attorney at Law
Statehouse
Boise, ID. 83720

Water Resource Board
Statehouse
Boise, ID 83720

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

Gene Gray
2393 Watts Lane
Payette, ID 83661


DIANA SCHUETT, Clerical
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BEFORE THE DIRECTOR OF THE DEPARTMENT
OF WATER RESOURCES OF THE
STATE OF IDAHO

IN THE MATTER OF APPLICATION FOR)
PERMIT NO. 47-8073 IN THE NAME OF THE)
IDAHO WATER RESOURCE BOARD TO)
ESTABLISH A MINIMUM STREAMFLOW IN)
SHOSHONE CREEK)

ORDER ISSUING
PROPOSED MEMORANDUM
DECISION

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

Each party to these proceedings who appeared at the hearing is given the opportunity, pursuant to Idaho Code, Sec. 421701A 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 arguments are to be heard, the Director will, within a reasonable time, notify each party of the place, date and hour the oral arguments will take place and of the period of time allocated for the arguments of this case. Unless the Director orders otherwise, all oral arguments shall be heard in Boise, Idaho.

IV.

CERTIFICATE OF SERVICE

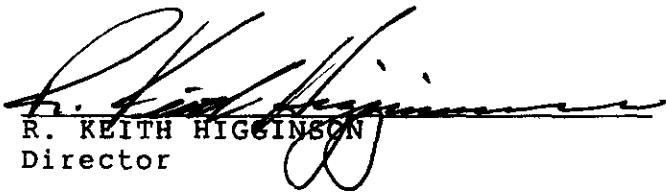
All exceptions, briefs, requests oral arguments and other matters filed with the Director in connection with the proposed decision shall be served on all other parties to these proceedings in accordance with Rule 7.2.

V.

FINAL DECISION

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

Dated this 5th day of December, 1988.


R. KEITH HIGGINSON
Director

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

IN THE MATTER OF APPLICATION FOR)
PERMIT NO. 47-8073 IN THE)
NAME OF THE IDAHO WATER RESOURCE)
BOARD TO ESTABLISH A MINIMUM)
STREAMFLOW IN SHOSHONE CREEK)

PROPOSED MEMORANDUM
DECISION AND ORDER

On October 16, 1987, the Idaho Water Resource Board (Board) filed with the Idaho Department of Water Resources (Department) an application for permit to establish a minimum streamflow on Shoshone Creek, tributary to Salmon Falls Creek, located in Twin Falls County, Idaho. The application was filed in accordance with provisions of chapter 15, title 42, Idaho Code.

A public meeting was held by the Board on November 17, 1987 for the purpose of determining local public interest in the application. Following the public information meeting, the Board requested the Director of the Department to proceed with administrative action on the application, but asked that the application be subordinated to out-of-stream stockwater diversions.

Notice describing the proposed application and setting the time and place for the required hearing was published on March 3 and March 10, in the Times News, in Twin Falls. The public hearing was held at the Hollister Grange, Hollister, on March 22, 1988.

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Parties appearing in a formal capacity included the Board and the Idaho Department of Fish and Game (Fish and Game).

Based upon sworn testimony, documentation, and statements included in the record, and upon his understanding of the law, the hearing officer, as a representative of the Director, Finds, Concludes, and Orders as follows:

FINDINGS OF FACT

1. Application for Permit No. 47-8073 proposes to appropriate a minimum streamflow in a reach of Shoshone Creek beginning at the confluence of Shoshone Creek and Hot Creek, located in the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 22, T16^SN, R17E, B.M., Twin Falls County, and extending approximately eight miles downstream to the Idaho-Nevada state line, located in Lot 1 (NE $\frac{1}{4}$ NE $\frac{1}{4}$), Sec. 35, T16S, R16E, B.M., Twin Falls County. The application proposes a flow rate of 5.0 cubic feet per second (cfs) from January 1 through March 31, 7.0 cfs from April 1 through July 31, and 5.0 cfs from August 1 through December 31.

2. The purpose of the minimum streamflow application is to maintain fish spawning and rearing habitat throughout the reach described above.

3. Streamflows have not been measured and recorded within the minimum streamflow reach. Only limited flow data has been recorded from 1983 through 1987 at a station near San Jacinto, Nevada.

4. The San Jacinto gauging station is located several miles downstream from the end of the minimum flow reach and was prior to the confluence of Shoshone Creek with Salmon Falls

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Creek. Flows in Shoshone Creek at the gauging station through the period 1983 through 1987 have always exceeded the requested minimum flow.

5. Additional water may flow into Shoshone Creek after it leaves the proposed minimum streamflow reach. Approximately seventy percent of the Shoshone Creek drainage, however, is located upstream from the proposed minimum streamflow reach. The drainage area above the minimum streamflow reach is also higher in elevation, and probably sustains the majority of the base flow.

6. Two water rights filed with the department identify points of diversion within the proposed minimum flow reach:

(A). License number 47-2455. This license authorizes diversion of 17.37 cfs for power generation. Testimony at the hearing established that the power site has not been used for several years.

(B). Claim number 47-4503. The claim alleges use of 3.16 cfs for stockwater from Shoshone Creek, and is in the name of the Bureau of Land Management. The claim alleges an instream stockwater right.

7. Additional water rights, totaling 41.37 cfs are perfected upstream from the minimum streamflow reach. Despite these earlier upstream rights, records of flows at the San Jacinto gauging station establish that the minimum streamflow requested is available most of the time.

8. Riparian habitat protection policies could restrict direct access of cattle to the Shoshone Creek. As a result, the

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Board requested that the minimum streamflow application, if approved, be subordinated to later in time out-of-stream diversions for stockwater.

9. Shoshone Creek supports a self sustaining population of trout, and is one of the few trout streams in the Twin Falls County area.

10. Expert testimony by Fish and Game personnel established that 5 and 7 cfs during the respective periods of use would not be an optimum flow but a true minimum flow in Shoshone Creek.

CONCLUSIONS OF LAW

1. Idaho Code § 42-1501 provides that streamflow preservation for the protection of fish and wildlife habitat, when made pursuant to this statute, is in the public interest and is declared to be a beneficial use of such water.

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

Upon the conclusion of the hearings and completion of any investigation conducted by the director, he shall enter his findings in writing approving the application in whole, or in part, or upon conditions or rejecting said application. Approval of any such application must be based upon 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) is necessary for the preservation of fish and wildlife habitat, aquatic life, recreation, aesthetic beauty, navigation, transportation, or water quality of the stream;

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

(e) is capable of being maintained as evidenced by records of streamflows and water levels and the existing and future establishment of necessary gauging stations and bench marks.

3. Any right to be acquired under this application is for instream non-consumptive use and is subject to all vested water rights, permits or water right applications having dates of priority earlier than October 16, 1987.

4. The proposed minimum streamflow appropriation is necessary to preserve fish and wildlife habitat.

5. The minimum streamflow is in the interest of the public as opposed to the private interest. Public interest also dictates, however, that sufficient water be allotted for out-of-stream stockwatering of cattle using BLM grazing allotments which are contiguous to the creek.

6. A flow rate of 5.0 cfs from January 1 through March 31, 7.0 cfs from April 1 through July 31, and 5.0 cfs from August 1 through December 31, is a true minimum flow rate, and is not the optimum flow for full preservation of the fish habitat.

7. The proposed minimum streamflow is capable of being maintained.

8. The Director of the Department of Water Resources has considerable flexibility and authority to grant appropriations subject to future appropriations for uses which the public interest may show to be of greater importance. Shokal v. Dunn, 109 Idaho 330, 337, 707 P.2d 441 (1985).

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9. A perpetual commitment of a significant amount of water from Shoshone Creek for minimum streamflow without a workable method of changing the terms of the use could at some future date adversely affect the public interest.

ORDER

IT IS HEREBY ORDERED that Application for Permit No. 47-8073 is APPROVED 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 October 16, 1987, the priority date of this permit.

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

3. The minimum streamflow established under this permit shall be subordinated to out-of-stream stockwater diversions for cattle grazing on allotments contiguous to Shoshone Creek.

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

5. Proof of instream beneficial use of the minimum streamflow appropriation shall be submitted to the Department within five (5) years after the permit approval is **finally**

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effective. Proof shall be limited to submittal of flow data showing that the permitted flows are capable of being maintained.

8. The Director retains jurisdiction to review and amend any and all parameters of this permit and subsequent license. Any person seeking review and amendment of the permit or license shall file a request with the Board, which request shall 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 permit or license. 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 party seeking the amendment to establish that amendment of the permit or license would be in the public interest.

Dated this 27th day of November, 1988.


GARY SPACKMAN, ~~HEARING OFFICER~~
Hearing Officer
Dept. of Water Resources

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CERTIFICATE OF MAILING

I hereby certify that on the 28th day of November, 1988, I mailed a true and correct copy, postage prepaid, of the Proposed Memorandum Decision and Order to:

Idaho Department of Fish & Game
P.O. Box 25
Boise, ID 83720

Idaho Water Resource Board

Diana L. Schuett
DIANA L. SCHUETT, Clerical
Assistant

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OCT 16 1987

Form 202
6/85

Ident. No. 47-8073

Department of Water Resources

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, Idaho 83720
2. Source of water supply Shoshone Creek which is a tributary of Salmon Falls Creek
3. Location of ^{reach} point of diversion is NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Govt. Lot 1
Sec. 35 Township 16S Range 16E B.M. Twin Falls County; ~~additional~~
^{upstream to the} ~~points of diversion if any:~~ SW $\frac{1}{4}$ SE $\frac{1}{4}$, of Section 22, T16S, R17E, B.M., Twin Falls County
4. Water will be used for the following purposes:
- Amount 5.0 cfs for Fish Habitat purposes from 01-01 to 03-31 (both dates inclusive)
(cfs or acre-feet per annum)
- Amount 7.0 cfs for Fish Habitat purposes from 04-01 to 07-31 (both dates inclusive)
(cfs or acre-feet per annum)
- Amount 5.0 cfs for Fish Habitat purposes from 08-01 to 12-31 (both dates inclusive)
(cfs or acre-feet per annum)
- Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) 7.0 _{cubic feet per second} and/or (b) _____ _{acre feet per annum}
6. Proposed diverting works:
- a. Description of ditches, flumes, pumps, headgates, etc. _____

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

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

- Hydropower; show total feet of head and proposed capacity in KW. _____
- Stockwatering; list number and kind of livestock. _____
- Municipal; show name of municipality. _____
- Domestic; show number of households. _____
- Other; describe fully. To maintain rainbow, cutthroat, and brown trout habitat from the point of requested flow upstream to Hot Creek in the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 22, T16S, R17E.

9. Description of place of use:

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

TWP	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	

Total number of acres to be irrigated _____

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

11. a. Who owns the property at the point of diversion? N/A

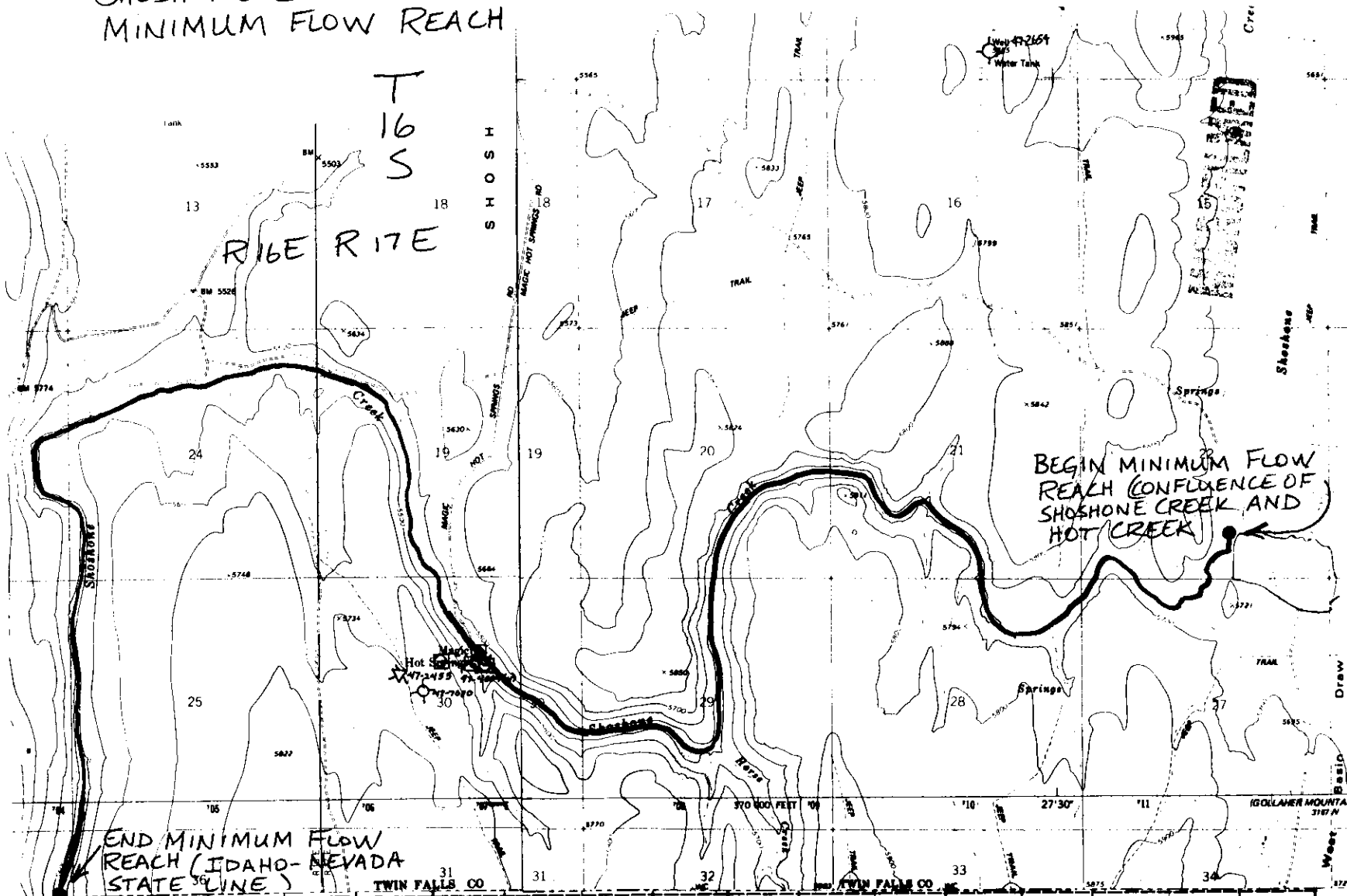
b. Who owns the land to be irrigated or place of use? _____

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

12. Remarks: This proposed minimum streamflow would begin at the Idaho-Nevada state line and extend upstream to the confluence of Shoshone Creek and Hot Creek, a distance of about ten (10) miles.

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SHOSHONE CREEK MINIMUM FLOW REACH



13. Map of prop
township and

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.

[Signature]
(Applicant)

mb 10/22/87 4:00 pm.
G.S. 10-16-87 10:00 A.M.
Received by ALW Date 10-15-87 Time 11:40A Preliminary check by _____
Fee \$ No fee Reg'd Receipted by _____ # _____ Date _____
Publication prepared by Gary Spackman, SO. Date 10/29/87 Published in Buhl Herald Times News
Publication approved M. Baldwin Date 3/22/88

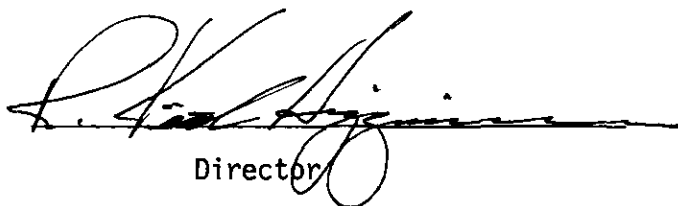
ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

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: Pursuant to PROPOSED MEMORANDUM DECISION AND ORDER and ORDER ADOPTING PROPOSED MEMORANDUM DECISION AND ORDER

Witness my hand this 10 day of January, 1989


Director

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Figure A-3. Instream flow request for maintenance of game fish habitat in Shoshone Creek from the Idaho state line upstream to Hot Creek.

NAME OF STREAM: Shoshone Creek, a tributary to Salmon Falls Creek.

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

Twin Falls County, NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 35, T16S, R16E.

THE PROPOSED STREAM FLOW IN CUBIC FEET PER SECOND:

1 January - 31 March:	5.0 cfs
1 April - 31 July:	7.0 cfs
1 August - 31 December:	5.0 cfs

THE PURPOSE FOR WHICH THE MINIMUM STREAM FLOW IS PROPOSED:

To maintain rainbow, cutthroat and brown trout habitat from the point of requested flow upstream to Hot Creek in the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 22, T16S, R17E.

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

As above.

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

The requested flow is an instream use and will be subject to all vested water rights, permits or application of earlier dates of priority.

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

The above requested flow is for instream non-consumptive use to support fish and wildlife for the State of Idaho and its general public.

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

During 1982, personnel from the Idaho Department of Fish and Game collected field data for use with instream flow methodologies to determine flows for fish and wildlife resources. Flow recommendations are presented in the following report:

Horton, W.D. 1983. Instream flow investigations, annual report.
Bureau of Land Management contract number YA-553-CT0-1080.
Idaho Department of Fish and Game.

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Figure A-3. Continued.

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

The ideal flow would be a bankfull discharge, which was 7.5 cfs in November, 1982. The request is two-thirds of this except in the spring runoff when flows should be considerably higher.

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

No records available.

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

None.

30-Sep-1987

SOURCE: SHOSHONE CREEK

TRIBUTARY: SALMON FALLS CREEK

STATE OF IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS ABSTRACTWR-NUMBER:
47-0009CCURRENT OWNER:
UTAH CONSTRUCTION CO.PRIORITY DATE:
1-Aug-1889STAGE:
DECREECOUNTY: TWIN FALLS
SOURCE: SHOSHONE CREEK

TRIBUTARY: SALMON FALLS CREEK

WATER USE:

DIVERSION-RATE:

DIVERSION-VOLUME:

IRRIGATION

1.280 CFS

0.00 AF

DOMESTIC

0.000 CFS

0.00 AF

TOTAL RATE:

1.280 CFS

TOTAL VOLUME:

0.00 AF

REMARKS: AC. IRRIG. = 63.94.
ACTUAL DIVERSION RATE IS 1.2788 CFS.

PLACE OF USE:	T16S	R17E	S10	NENE	AC 10
	T16S	R17E	S10	SENE	AC 21
	T16S	R17E	S10	NESE	AC 09
	T16S	R17E	S11	SWNW	AC 16
	T16S	R17E	S11	NWSW	AC 08
	TOTAL ACRES: 64				

WR-NUMBER:
47-0011CURRENT OWNER:
FRANCIS E. MCCONNELLPRIORITY DATE:
19-Apr-1907STAGE:
DECREECOUNTY: TWIN FALLS
SOURCE: SHOSHONE CREEK

TRIBUTARY: SALMON FALLS CREEK

WATER USE:

DIVERSION-RATE:

DIVERSION-VOLUME:

IRRIGATION

0.880 CFS

0.00 AF

TOTAL RATE:

0.880 CFS

TOTAL VOLUME:

0.00 AF

REMARKS: SUPERCEEDS LIC. 47-2021.
P/D NOT GIVEN IN DECREE BUT SHOWN ON LICENSE.
P/D APPEARS TO BE INCORRECT ON LICENSE; SEE LICENSE FILE.
SEE DECREE FOR DELIVERY CONDITIONS.

POINT OF DIVERSION:	T15S	R17E	S23	SWNE	
	T15S	R17E	S23	NWNE	
PLACE OF USE:	T15S	R17E	S23	NWSW	AC 06
	T15S	R17E	S23	SESW	AC 15
	T15S	R17E	S26	NENW	AC 17
	T15S	R17E	S26	SENW	AC 06
	TOTAL ACRES: 44				

WR-NUMBER:
47-4503CURRENT OWNER:
U.S. DEPT. OF INTERIOR
BUREAU OF LAND MGMT.
IDAHO STATE OFFICE
3380 AMERICANA TERRACE
BOISE, ID 83706PRIORITY DATE:
28-Jun-1934STAGE:
STATUTORY CLAIMCOUNTY: TWIN FALLS
SOURCE: SHOSHONE CREEK

TRIBUTARY: SALMON FALLS CREEK

WATER USE:

DIVERSION-RATE:

DIVERSION-VOLUME:

STOCKWATER

0.150 CFS

0.00 AF

WILDLIFE

0.010 CFS

0.00 AF

TOTAL RATE:

3.160 CFS

TOTAL VOLUME:

0.00 AF

REMARKS: RT. INCLUDES 3.0 CFS FOR CHANNEL LOSS.

POINT OF DIVERSION:	T15S	R17E	S34	SESE
	T16S	R17E	S27	NENW
	T16S	R17E	S27	NWNW
	T16S	R17E	S22	SWSW
	T16S	R17E	S22	SESW
	T16S	R17E	S28	NENE
	T16S	R17E	S28	NWNE
	T16S	R17E	S21	NESW
	T16S	R17E	S21	NWSW
	T16S	R17E	S21	SESW
	T16S	R17E	S21	SWSE
	T16S	R17E	S20	NESE
	T16S	R17E	S20	NWSE
	T16S	R17E	S20	SWSE
	T16S	R17E	S29	NWNE
	T16S	R17E	S29	SWNE
	T16S	R17E	S29	NESW
	T16S	R17E	S29	NWSW
	T16S	R17E	S29	NWSE
	T16S	R17E	S30	SENE
	T16S	R17E	S30	NESE
	T16S	R17E	S19	NWNW
	T16S	R17E	S19	SWNW
	T16S	R17E	S19	SENW
	T16S	R17E	S19	NESW
	T16S	R17E	S19	SESW
	T16S	R16E	S24	NENW
	T16S	R16E	S24	SWNW
	T16S	R16E	S24	SENW
	T16S	R16E	S24	NWSW
	T16S	R16E	S24	SWSW
	T16S	R16E	S23	SENE
	T16S	R16E	S23	NESE
	T16S	R16E	S25	NWNW
	T16S	R16E	S25	SWNW
	T16S	R16E	S25	NWSW
	T16S	R16E	S25	SWSW
	T16S	R16E	S35	NENE
	T16S	R17E	S03	NENE
	T16S	R17E	S03	NWNE
	T16S	R17E	S03	SENE
	T16S	R17E	S03	NESE
	T16S	R17E	S03	SESE

PLACE OF USE:	T15S	R17E	S34	SESE
	T16S	R17E	S27	NENW
	T16S	R17E	S27	NWNW
	T16S	R17E	S22	SWSW
	T16S	R17E	S22	SESW
	T16S	R17E	S28	NENE
	T16S	R17E	S28	NWNE
	T16S	R17E	S21	NESW
	T16S	R17E	S21	NWSW
	T16S	R17E	S21	SESW
	T16S	R17E	S21	SWSE
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	T16S	R17E	S29	NESW
	T16S	R17E	S29	NWSW
	T16S	R17E	S29	NWSE
	T16S	R17E	S30	SENE
	T16S	R17E	S30	NESE
	T16S	R17E	S19	NWNW

T16S	R17E	S19	SWNW
T16S	R17E	S19	SENW
T16S	R17E	S19	NESE
T16S	R17E	S19	SESW
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T16S	R16E	S25	SWSW
T16S	R16E	S35	NENE
T16S	R17E	S03	NENE
T16S	R17E	S03	NWNE
T16S	R17E	S03	NESE
T16S	R17E	S03	SESE
T16S	R17E	S03	SENE

WR-NUMBER:
47-2455

CURRENT OWNER:
JOHNNIE KUEST
P.O. BOX 1254
TWIN FALLS, ID 83301

PRIORITY DATE:
28-Mar-1963

STAGE:
LICENSE

COUNTY: TWIN FALLS
SOURCE: SHOSHONE CREEK

TRIBUTARY: SALMON FALLS CREEK

WATER USE:

DIVERSION-RATE:

DIVERSION-VOLUME:

POWER

17.370 CFS

12575.00 AF

TOTAL RATE: 17.370 CFS

TOTAL VOLUME: 12575.00 AF

POINT OF DIVERSION: T16S R17E S30 SENW

PLACE OF USE: T16S R17E S30 SENW

DATE	DESCRIPTION	AMOUNT	BALANCE
1	SALES	05	03-26.30
23	SALES	05	03-26.00
	SALES	00	03-27.00
24	SALES	01.03	
	SALES	01.03	
25	SALES	07.03	
	SALES	01.03	
31	SALES	01.03	
32	SALES	07.03	
	SALES	01.03	
	SALES	01.03	
	SALES	07.03	

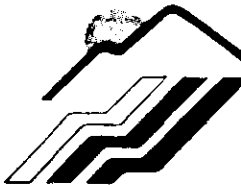
53-39

TIME	DATE	SEC	TRACT	LOT	VAL
1:05	2/02	05	00000		01.00
		36	00000		01.00
			00000		01.00
1:05	2/02	09	00000		00
			00000		00
		05	00000		01.00
			00000		01.00
		06	00000		01.00
		10	00000		00
		11	00000		00
		12	00000		00
		15	00000		00
		17	00000		00.00
		18	00000		00
		21	00000		01.00
		23	00000		01.00
		26	00000		01.00
			00000		01
		27	00000		01.00
			00000		01.00
			00000		00

INDEX

FORM	ENG	SEC	TRACT	LOT	MS
145	270	02	1000	01	01.03
		03	1000		01.03
		04	1000	01	01.03
		12	1000		01
		13	1000		01.03
		22	1000		10.03
		25	1000		01
		27	1000		01.03
			1000		01.03
			1000		01.03
			1000		01.03
			1000		01.03
			1000		01.03
145	270	10	1000		01
		19	1000		01
		20	1000		03
		29	1000		01
			1000		01.03
145	270	06	1000		01
		26	1000		01
		27	1000		01.03

111



The Times-News

P.O. Box 548 • Twin Falls, Id. 83303-0548

March 11, 1988

RECEIVED

MAR 16 1988

Department of Water Resources
Southern Region Office

Idaho Water Resources
2148 4th Ave East
Twin Falls ID 83301

NOTICE OF HEARING #47-8073

Two Times

March 3, 1988, 91 lines @ .32- - \$29.12
March 10, 1988, 91 lines @ .24- - \$21.84

TOTAL DUE \$50.96

OK MB
3/22/88

INVOICE

AGE PTS.

18360

CLASSIFIED ADVERTISING INVOICE
TWIN FALLS TIMES NEWS.
132 3RD ST W.
P. O. BOX 548
TWIN FALLS ID 83303

RECEIVED

MAR 16 1988

RETURN THIS PORTION WITH YOUR REMITTANCE

18360 5096

THIS SPACE FOR ADDRESS ONLY

IDAHO WATER RESOURCES

2148 4TH AVE EAST
TWIN FALLS ID
83301

MICROFILMED

MAR 17 1988

RETURN POSTAGE GUARANTEED					
INVOICE NO.		CLASS	INDEXING DATE		
18360		343	03/11/88		
INDEXING TERM					
#47-8073					
START DATE		TELEPHONE NO.		ORDER NO.	
3/03/88		734-3578			
LINES/WORDS	TIMES	RATE	NET AMOUNT	GROSS AMOUNT	
91	2		50.96	50.96	
			50.96	50.96	
PAY THIS AMOUNT			GROSS AMT DUE AFTER 03/26		

OK MB
3/22/88

Affidavit of Publication



State of Idaho
County of Twin Falls

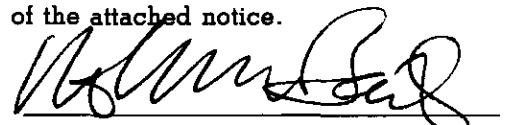
} ss.

I, **Robert M. Bailey**, do solemnly swear that I am the publisher of **The Buhl Herald**, a weekly newspaper of general circulation, published once each week at Buhl, Idaho; that the notice attached hereto was published in said newspaper _____

November 4 and 11, 1987

_____;
that said notice was published in the regular and entire issue of every number of the paper during the period and time of publication, and that the said notice was published in the newspaper proper, and not in the supplement thereof.

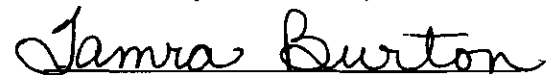
That said newspaper has been printed and published continuously in **Buhl, Twin Falls County, Idaho**, for a period of more than 78 weeks prior to the first publication of the attached notice.



Robert M. Bailey, Publisher

Subscribed and sworn to before me this

11th day of Nov., 1987



Tamra Burton, Notary Public.

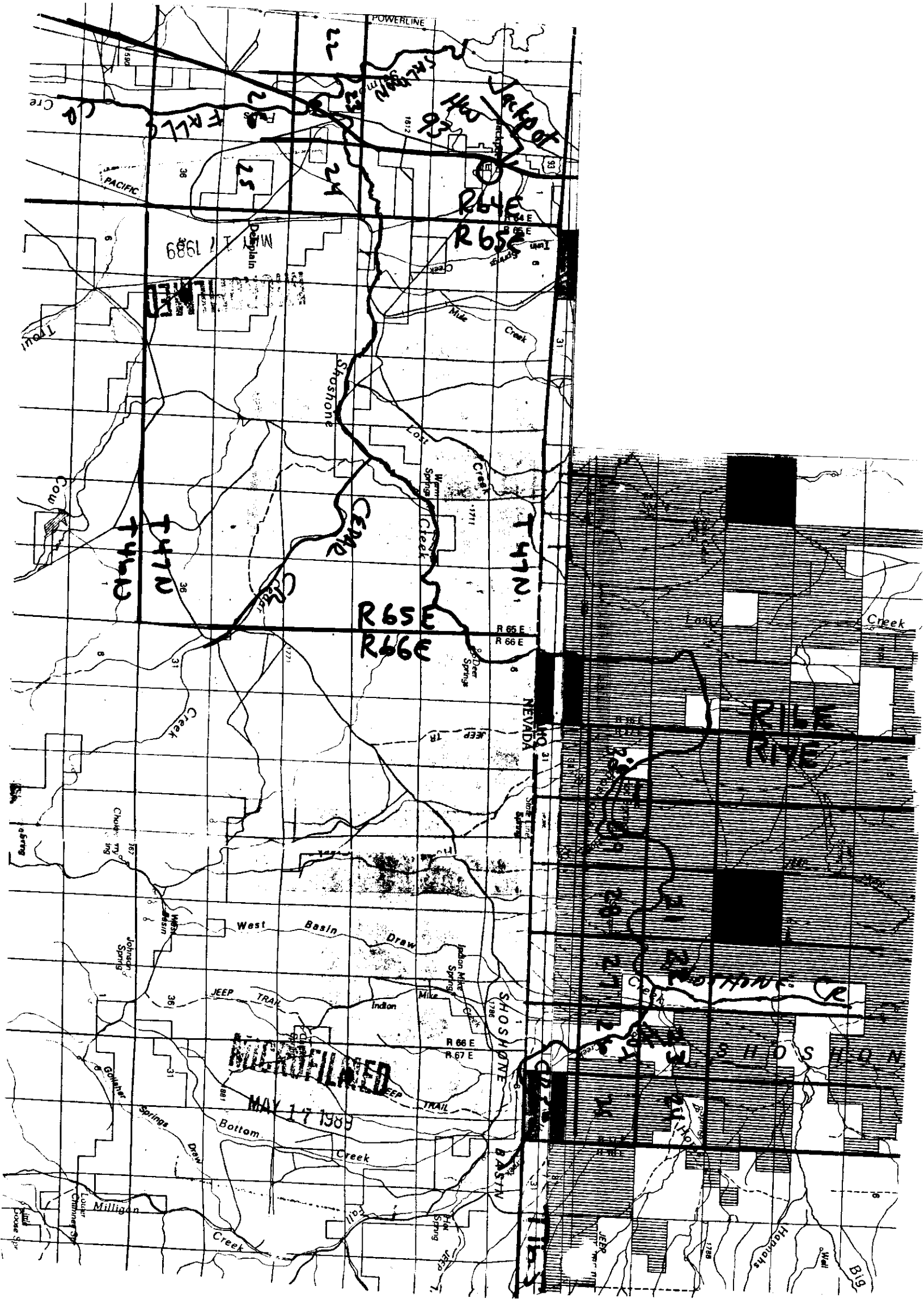
Residing at Buhl, Idaho

My Commission Expires

October 1, 1992

MICROFILMED

MAY 17 1989



RECEIVED

SEP 01 1987

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

not used To appropriate the public waters of the State of Idaho
 Department of Water Resources

1. Name of applicant IDAHO WATER RESOURCE BOARD Phone 334-4440

Post office address Statehouse, Boise, ID 83720

2. Source of water supply Shoshone Creek which is a tributary of Salmon Falls Creek

3. Location of point of diversion is N E $\frac{1}{4}$ of N E $\frac{1}{4}$ of Section 35 Township 16S

Range 16E B.M. Twin Falls County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 5.0 cfs for instream flow purposes from January 1 to March 31 (both dates inclusive)
 (cfs or acre-feet per annum)

Amount 7.0 cfs for instream flow purposes from April 1 to July 31 (both dates inclusive)
 (cfs or acre-feet per annum)

Amount 5.0 cfs for instream flow purposes from August 1 to December 31 (both dates inclusive)
 (cfs or acre-feet per annum)

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

5. Total quantity to be appropriated:

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

6. Proposed diverting works:

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

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

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

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

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

8. Description of proposed uses:

a. If water is not for irrigation:

(1) Give the place of use of water: NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 35 Township 16S

Range 16E B.M.

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

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

(4) Name of municipality to be served MAY 17 1989, or number of families to be supplied with domestic water _____

(5) If water is to be used for other purposes describe: to maintain rainbow, cutthroat, and brown trout habitat from the point of requested flow upstream to Hot Creek in the SW 1/4, SE 1/4, Sec. 22, T 16S, R17E.

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

A full-page sheet of white graph paper featuring a uniform grid of thin black horizontal and vertical lines. The grid consists of 20 columns and 20 rows, creating a total of 400 small squares. There are no margins, text, or other markings on the page.

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.

DECLASSIFIED

MAY 1 1909

(Applicant)

Received by JS Date 9-1-87 Time 9:05
Preliminary check by _____ Fee \$ _____
Receipted by _____ Date _____
Publication prepared by _____ Date _____
Published in _____
Publication dates _____
Publication approved _____ Date _____
Protests filed by: _____

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

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

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

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

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before _____, 19 ____.
- c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.
- d. Other: _____

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

Director

RECEIVED
MAY 11 1987

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 on October 16, 1987, proposing to appropriate water for a minimum streamflow in Shoshone Creek, tributary to Salmon Falls Creek. The application is further described as follows:

Application No.: 47-8073

Source: Shoshone Creek

Proposed Priority: October 16, 1987

Amount & Period of Use: 5.0 cfs from 01/01 through 03/31;
7.0 cfs from 04/01 through 07/31;
5.0 cfs from 08/01 through 12/31.

Purpose of Minimum Flow: To preserve fish habitat.

Place of Use: That portion of Shoshone Creek located in the following described reach:

Beginning at the confluence of Shoshone Creek and Hot Creek located in the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 22, T16S, R17E, B.M., Twin Falls County, and extending downstream to the Idaho-Nevada state line located in Lot 1 (NE $\frac{1}{4}$ NE $\frac{1}{4}$) Section 35, T16S, R16E, B.M., Twin Falls County.

The Director of the Department of Water Resources will hold a public hearing at the Hollister Grange, Hollister, Idaho, beginning at 2:00 p.m. on Tuesday, March 22, 1988, 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 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 North Orchard Street, Boise, ID 83720, five (5) days prior to the hearing. Other parties will be given an opportunity to informally present their views and comments without the necessity of filing a notice of appearance. Written informal views and comments may also be submitted to the Department of Water Resources prior to the hearing.

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

R. KEITH HIGGINSON, Director
Idaho Department Water Resources

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

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7.0 cfs from 04/01 through 07/31;

5.0 cfs from 08/01 through 12/31.

Purpose of Minimum

Flow: to preserve fish habitat.

Place of Use: That portion of Shoshone Creek

located in the following described reach:

Beginning at the confluence of Shoshone Creek and Hot Creek located in the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 22, T16S, R17E, B.M., Twin Falls County, and extending downstream to the Idaho-Nevada state line located in Lot 1 (NE $\frac{1}{4}$ NE $\frac{1}{4}$) Section 35, T16S, R16E, B.M., Twin Falls County.

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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 North Orchard Street, Boise, ID 83720, ~~15~~ (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 Water Resources.

PUBLISH: Thursday,
March 3, and 10, 1988.

*Correction called
June News - Karam
3/3/88, 9:30 a.m.*



ate of Idaho
DEPARTMENT OF WATER RESOURCES
Southern Region

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

February 25, 1988

Mailing Address:
Southern Region
2148 4th Ave. East
Twin Falls, Idaho 83301
(208) 734-3578

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

Re: Notice of Hearing, 47-8073

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on 3/3 & 3/10/88.

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

MICROFILMED

MAY 17 1988

**NOTICE OF
APPLICATION FOR
MINIMUM
STREAMFLOW**

Notice is hereby given that the IDAHO WATER RESOURCE BOARD has submitted an Application for Permit to the Department of Water Resources proposing to appropriate water for a minimum streamflow in Shoshone Creek, tributary to Salmon Falls Creek. The application is further described as follows:

Application No.: 47-8073
Source: Shoshone Creek

Proposed Priority: October 16, 1987

Amount & Period of Use:
5.0 cfs from 01/01 through 03/31

7.0 cfs from 04/01 through 07/31

5.0 cfs from 08/01 through 12/31

Purpose of Minimum In-stream Flow: To preserve fish habitat

Place of Use: That portion of Shoshone Creek located in the following described reach:

Beginning at the confluence of Shoshone Creek and Hot Creek located in the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 22, T16S, R17E, B.M., Twin Falls County, and extending downstream to the Idaho-Nevada state line, located in Lot 1 (NE $\frac{1}{4}$ NE $\frac{1}{4}$), Section 35, T16S, R16E, B.M., Twin Falls County.

The Idaho Water Resource board will hold a public meeting on the application on November 17, 1987, at 7:00 p.m. in Twin Falls, Idaho at the Aspen Vot-Tech Building Mini Auditorium, Room 108, College of Southern Idaho. The purpose of the meeting is to gather information on the public interest regarding the proposed minimum streamflow.

GENE GRAY, Chairman
IDAHO WATER RESOURCE BOARD
PUBLISH: Thursday, November 5, and 12, 1987.

Affidavit of Publication

STATE OF IDAHO,
COUNTY OF TWIN FALLS }

ss.

No 17984

I, Linda Copps McQuire being first duly sworn upon oath, depose and say that I am Print Clerk of the TIMES-NEWS, published daily, at Twin Falls, Idaho, and do solemnly swear that a copy of the notice of advertisement, as per clipping attached, was published in the regular and entire issue of said newspaper, and not in any supplement thereof, for Two consecutive Weeks, commencing with the issue dated November 5, 1987, and ending with the issue dated November 12, 1987.

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

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

Linda Copps McQuire
Subscribed and sworn to before me on this 13 day of November, 1987.

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

NOTICE OF HEARING
FOR APPLICATION FOR
MINIMUM
STREAMFLOW

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The Director of the Department of Water Resources will hold a public hearing at the Hollister Grange, Hollister, Idaho, beginning at 2:00 p.m. on Tuesday, March 22, 1988, 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 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 North Orchard Street, Boise, ID 83720, five (5) days prior to the hearing. Other parties will be given an opportunity to informally present their views and comments without the necessity of filing a notice of appearance. Written informal views and comments may also be submitted to the Department of Water Resources prior to the hearing.

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

R. Keith Higginson,
Director
Idaho Department Water Resources.

PUBLISH: Thursday,
March 3, and 10, 1988.

Affidavit of Publication

STATE OF IDAHO.

COUNTY OF TWIN FALLS

ss.

RECEIVED No. 18360

I, Linda Capps McSwine being first duly sworn upon oath, depose and say that I am Printer 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 3, 1988, and ending with the issue dated March 10, 1988.

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 uninterrupted 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 uninterrupted.

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.

MICROFILMED

MAY 17 1989

Subscribed and sworn to before me on this

10 day of

March, 1988.

Brenda Parker

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



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

September 18, 1995

STATE OF IDAHO
IDAHO WATER RESOURCE BOARD
STATEHOUSE
BOISE ID 837200000

RE: WATER RIGHT NO. 47-08073

Dear Water Right Holder(s):

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

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:rl

Enclosure

RECEIVED

OCT 16 1995

March 25, 1994

STATE OF IDAHO
IDAHO WATER RESOURCE BOARD
STATEHOUSE
BOISE ID 837200000

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 47-08073

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 13 1994

MEMORANDUM

To: Water Right File 47-08073

From: John Beal

Date: February 28, 1994

Re: Proof of Beneficial Use

The Proposed Memorandum Decision and Order for this minimum instream flow states that the Proof of Beneficial Use "shall be limited to submittal of flow data showing that the permitted flows are capable of being maintained."

With this memo and the Proof of Beneficial Use Form is a summary hydrograph for the San Jacinto, Nevada gage for the years 1982-1993. This gage is located approximately ten miles downstream of the minimum streamflow reach and is maintained by the U. S. Soil Conservation Service.

Plotted on the hydrograph is the average flow, the minimum daily flow and the permitted minimum instream flow (displayed by the dashed line near the x-axis). This hydrograph shows that the permitted flow is less than or near the minimum flow of record (1992 was the only time during the 11 years of record when the minimum flow was below the permitted flow). The hydrograph also shows that the permitted flow is well below the average flow during the period of record.

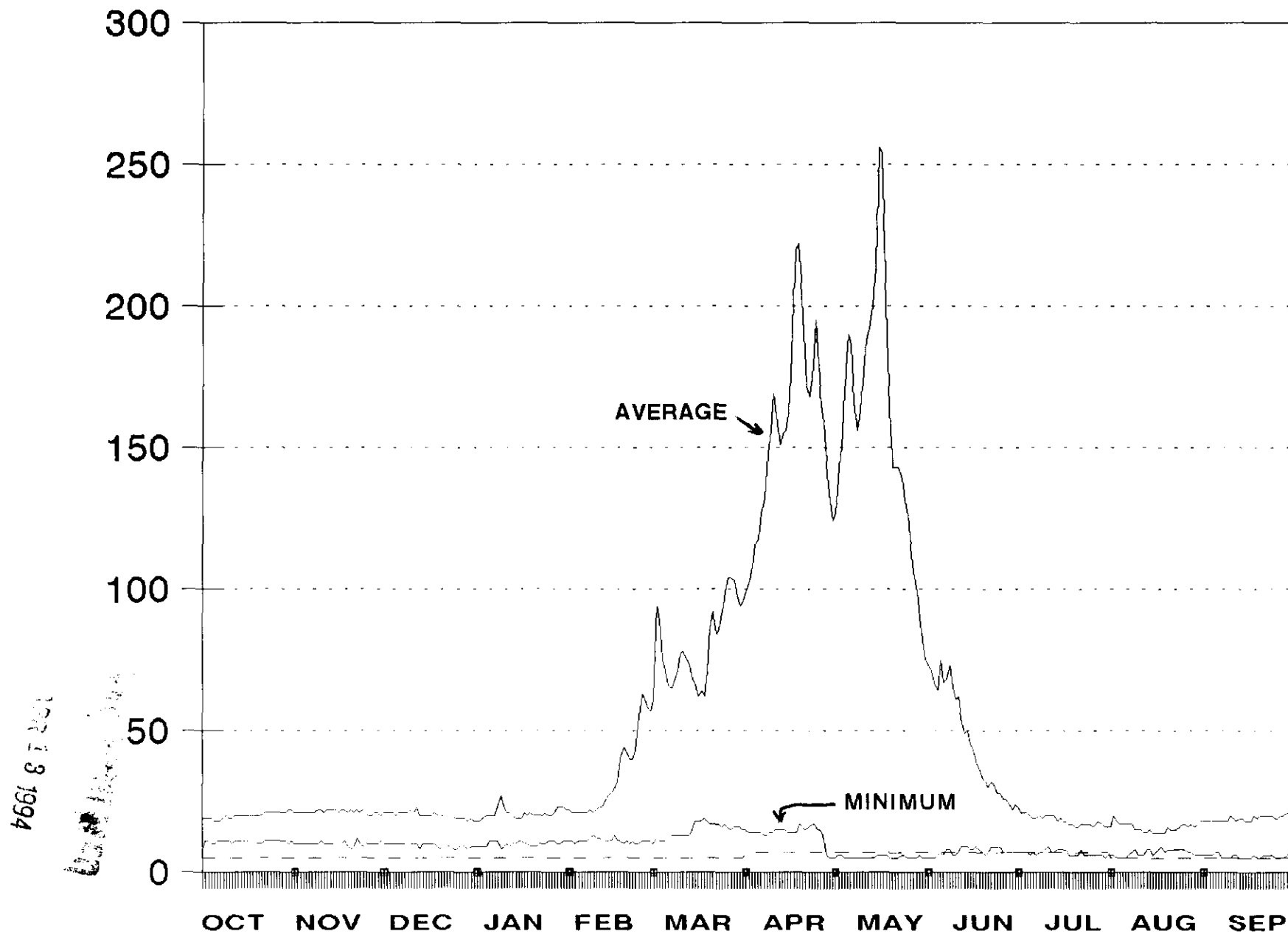
The permit states that the minimum instream flow is requested at the downstream end of the reach (the Idaho-Nevada state line). Since the gage is located near the state line, it is apparent that the permitted flows have been maintained in the minimum instream flow reach most of the time during the permit period 1989 through 1993. It is important to remember that a drought existed from 1989 to 1992.

[Handwritten signature]

APR 13 1994

SHOSHONE CREEK NR SAN JACINTO, NV

SUMMARY HYDROGRAPH 1982-93



9. A perpetual commitment of a significant amount of water from Shoshone Creek for minimum streamflow without a workable method of changing the terms of the use could at some future date adversely affect the public interest.

ORDER

IT IS HEREBY ORDERED that Application for Permit No. 47-8073 is APPROVED 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 October 16, 1987, the priority date of this permit.

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

3. The minimum streamflow established under this permit shall be subordinated to out-of-stream stockwater diversions for cattle grazing on allotments contiguous to Shoshone Creek.

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

5. Proof of instream beneficial use of the minimum streamflow appropriation shall be submitted to the Department within five (5) years after the permit approval is finally

MAY 17 1994

APR 13 1994

47-803

effective. Proof shall be limited to submittal of flow data showing that the permitted flows are capable of being maintained.

6. The Director retains jurisdiction to review and amend any and all parameters of this permit and subsequent license. Any person seeking review and amendment of the permit or license shall file a request with the Board, which request shall 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 permit or license. 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 party seeking the amendment to establish that amendment of the permit or license would be in the public interest.

Dated this 27th day of November, 1988.


GARY SPACKMAN,
Hearing Officer,
Dept. of Water Resources

MAY 17 1989

APR 13 1994

January 31, 1994

STATE OF IDAHO
IDAHO WATER RESOURCE BOARD
STATEHOUSE
BOISE ID 837200000

PROOF DUE NOTICE

RE: PERMIT NO. 47-08073

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before April 1, 1994.

(See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the lapse notice, the permit will no longer be of any force nor effect.

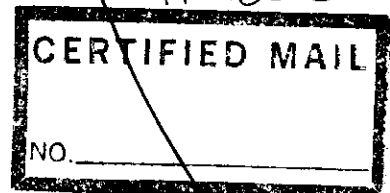
SINCERELY,

JULIE L. YARBROUGH
Senior Secretary

Enclosures

RECEIVED

APR 13 1994





STATE OF IDAHO

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JAN 06 1989

IDAHO WATER RESOURCE BOARD

STATEHOUSE
BOISE, IDAHO 83720

Department of Water Resources

December 30, 1988

Idaho Department of Water Resources
ATTN: Gary Spackman
1301 North Orchard
Boise, ID 83706

RE: Application for Permit No. 47-8073; Exceptions filed by
Fish and Game

Dear Mr. Spackman:

I have reviewed the exception filed by Fish and Game regarding the proposed decision establishing minimum streamflow in Shoshone Creek. The Idaho Water Resource Board does not wish to file a response to the exceptions, but relies on the testimony now in the record.

Sincerely,

F. Dave Rydalch

F. DAVE RYDALCH
Chairman, Minimum Streamflows
Idaho Water Resource Board

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MAY 17 1989

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DEC 19 1988

Department of Water Resources

JIM JONES
Attorney General
State of Idaho
Statehouse, Room 210
Boise, Idaho 83720
Telephone: (208) 334-2400

STEPHEN V. GODDARD
SUSAN MATTOS
Deputy Attorneys General
Idaho Department of Fish and Game
P. O. Box 25
600 South Walnut
Boise, ID 83707
Telephone (208) 334-3715

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

In the Matter of Application for)
Permit No. 47-8073 in the Name of)
the Idaho Water Resource Board to)
Establish a Minimum Streamflow in)
Shoshone Creek)

EXCEPTIONS TO THE
PROPOSED MEMORANDUM
DECISION AND ORDER

COMES NOW the Idaho Department of Fish and Game, hereafter
Fish and Game, who takes exception to the proposed Memorandum
Decision and Order in the proceeding referenced above.

EXCEPTIONS

1. Fish and Game takes exception with Conclusion of Law 5
that public interest dictates that sufficient water be allotted
for out-of-stream stockwatering of cattle using BLM allotments
which are contiguous to the creek. This should be amended to be
consistent with Finding of Fact 8, i.e., only in the event BLM
riparian habitat policies restrict direct cattle access to the

MAY 17 1989

1 creek. The term "sufficient water" should also be defined and
2 the amount quantified. Finding of Fact 6 also indicates BLM has
3 a claim for 3.16 cfs for instream stockwater use. If this claim
4 is proven, it could be used to provide for out-of-stream
5 stockwater.

6 2. Fish and Game takes exception to paragraph 3 of the
7 Order for the same reasons given in paragraph 1 above.

8 3. Fish and Game takes exception to Conclusion of Law 9
9 that the 5 to 7 cfs minimum stream flow for Shoshone Creek is a
10 significant amount of water that could affect the future public
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12 finding. In fact, the record clearly indicates the opposite.
13 Findings of Fact 6 and 7 indicate there are claims and water
14 rights upstream of the reach for over 44 cfs. Water Resource
15 Exhibit No. 4 shows that flows from 1983 through 1987 greatly
16 exceeded the minimum stream amounts. Finding of Fact 10 states
17 the flows are true minimum flows for Shoshone Creek.

18 DATED this 16th day of December, 1988.

19
20 
21 Stephen V. Goddard
22 Deputy Attorney General
23
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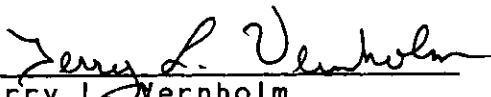
JIM JONES
Attorney General
State of Idaho
Statehouse, Room 210
Boise, Idaho 83720
Telephone: (208) 334-2400

CERTIFICATE OF SERVICE

I HEREBY CERTIFY That on this the 16th day of December, 1988, true and correct copies of the foregoing EXCEPTIONS TO THE PROPOSED MEMORANDUM DECISION AND ORDER were mailed, postage prepaid to:

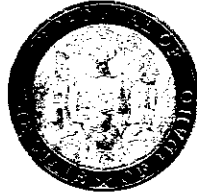
Gary Spackman
Hearing Officer
Dept. of Water Resources
1301 North Orchard Street
STATEHOUSE
Boise, ID 83720

Idaho Water Resource Board
STATEHOUSE
Boise, ID 83720


Terry L. Vernholm
Secretary/Records Manager



MAY 17 1989



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DEC 19 1988

Department of Water Resources

STATE OF IDAHO
OFFICE OF THE ATTORNEY GENERAL

JIM JONES
ATTORNEY GENERAL
STEPHEN V. GODDARD
SUSAN MATTOS
DEPUTY ATTORNEYS GENERAL
IDAHO DEPARTMENT OF FISH AND GAME

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

December 16, 1988

Mr. Gary Spackman
Hearing Officer
Dept. of Water Resources
1301 North Orchard Street
STATEHOUSE
Boise, ID 83720

Re: Permit No. 47-8073, Shoshone Creek

Dear Mr. Spackman:

Enclosed is an original and two copies of the State of Idaho, Department of Fish and Game's Exceptions to the Proposed Memorandum Decision and Order in the above-referenced proceeding.

Please file stamp the date on a copy and return to me at the above address.

Sincerely,

Stephen V. Goddard
Deputy Attorney General
Idaho Dept. of Fish and Game

SVG:tiv

Enclosures

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MAY 17 1989

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DEC 19 1988

JIM JONES

Attorney General

State of Idaho

Statehouse, Room 210

Boise, Idaho 83720

Telephone: (208) 334-2400

Department of Water Resources

STEPHEN V. GODDARD

SUSAN MATTOS

Deputy Attorneys General

Idaho Department of Fish and Game

P. O. Box 25

600 South Walnut

Boise, ID 83707

Telephone (208) 334-3715

BEFORE THE DIRECTOR OF THE DEPARTMENT OF WATER RESOURCES

OF THE STATE OF IDAHO

In the Matter of Application for)
Permit No. 47-8073 in the Name of)
the Idaho Water Resource Board to)
Establish a Minimum Streamflow in)
Shoshone Creek)

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RECEIVED

MAY 17 1989

JIM JONES
Attorney General
State of Idaho
Statehouse, Room 210
Boise, Idaho 83720
Telephone: (208) 334-2400

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18 DATED this 16th day of December, 1988.

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21 Stephen V. Goddard
22 Deputy Attorney General
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MAY 17 1989

JIM JONES

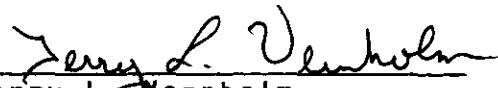
Attorney General
State of Idaho
Statehouse, Room 210
Boise, Idaho 83720
Telephone: (208) 334-2400

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Gary Spackman
Hearing Officer
Dept. of Water Resources
1301 North Orchard Street
STATEHOUSE
Boise, ID 83720

Idaho Water Resource Board
STATEHOUSE
Boise, ID 83720


Terry L. Vernholm
Secretary/Records Manager

MICROFILMED

MAY 17 1989

1 **JIM JONES**
2 Attorney General
3 State of Idaho
4 Statehouse, Room 210
5 Boise, Idaho 83720
6 Telephone: (208) 334-2400

7 STEPHEN V. GODDARD
8 SUSAN MATTOS
9 Deputy Attorneys General
10 Idaho Department of Fish and Game
11 P. O. Box 25
12 600 South Walnut
13 Boise, ID 83707
14 Telephone (208) 334-3715

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

17 In the Matter of Application for)
18 Permit No. 47-8073 In the Name of)
19 the Idaho Water Resource Board to)
20 Establish a Minimum Streamflow in)
21 Shoshone Creek)

22 EXCEPTIONS TO THE
23 PROPOSED MEMORANDUM
24 DECISION AND ORDER

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26 Fish and Game, who takes exception to the proposed Memorandum
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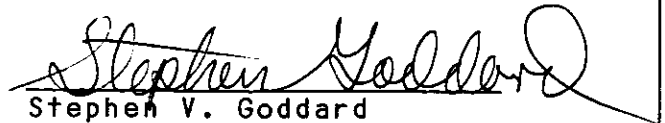
35 MAY 17 1989

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DEC 17 1988

JIM JONES

Attorney General

State of Idaho

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Terry L. Vernholm
Terry L. Vernholm
Secretary/Records Manager

RECEIVED

MAY 17 1989

STEPHEN V. GODDARD
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EXCEPTIONS TO THE PROPOSED MEMORANDUM DECISION AND ORDER - p. 1
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26 MAY 17 1989

JIM JONES

Attorney General

State of Idaho

Statehouse, Room 210

Boise, Idaho 83720

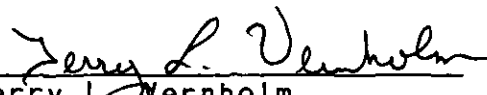
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Gary Spackman
Hearing Officer
Dept. of Water Resources
1301 North Orchard Street
STATEHOUSE
Boise, ID 83720

Idaho Water Resource Board
STATEHOUSE
Boise, ID 83720


Terry L. Vernholm
Secretary/Records Manager

FILED

MAY 17 1989

SHOSHONE CREEK
MINIMUM STREAMFLOW
Fact Sheet

Water Right No.: 47-8073

Source: Shoshone Creek

Applicant: Idaho Water Resource Board

Requesting Agency: Idaho Department of Fish and Game

Date Application Filed: October 16, 1987

Rate of Flow: 5.0 cfs from 01/01 through 03/31;
7.0 cfs from 04/01 through 07/31;
5.0 cfs from 08/01 through 12/31.

Place of Use: That portion of Shoshone Creek located
in the following described reach:

Beginning at the confluence of Shoshone Creek and
Hot Creek located in the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 22, T16S,
R17E, B.M., Twin Falls County, and extending
downstream to the Idaho-Nevada state line located
in Lot 1 (NE $\frac{1}{4}$ NE $\frac{1}{4}$) Section 35, T16S, R16E, B.M.,
Twin Falls County.

MICROFILMED

Purpose: To preserve fish habitat.

MAY 17 1989

Hearing: March 22, 1988 Hollister, Idaho

Attended by approximately 15 people

The Board requested at the hearing that the minimum
streamflow be subject to the future off stream
stockwater diversions. Fish & Game objected to the
request.

Permit: Order Adopting Proposed Decision dated January 10, 1988

Special Conditions: The minimum streamflow is subject to future
off stream stockwater diversions.

General Information: Fish & Game filed an exception to the off
stream stockwatering provision. After
considering the objection, the Director
decided to adopt the proposed memorandum
decision and order as originally written.

Fish & Game also filed an exception
contesting that the minimum streamflow was

not a significant amount of water. The
director held that the flow for Shoshone
Creek was a significant amount of water.

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MAY 17 1971

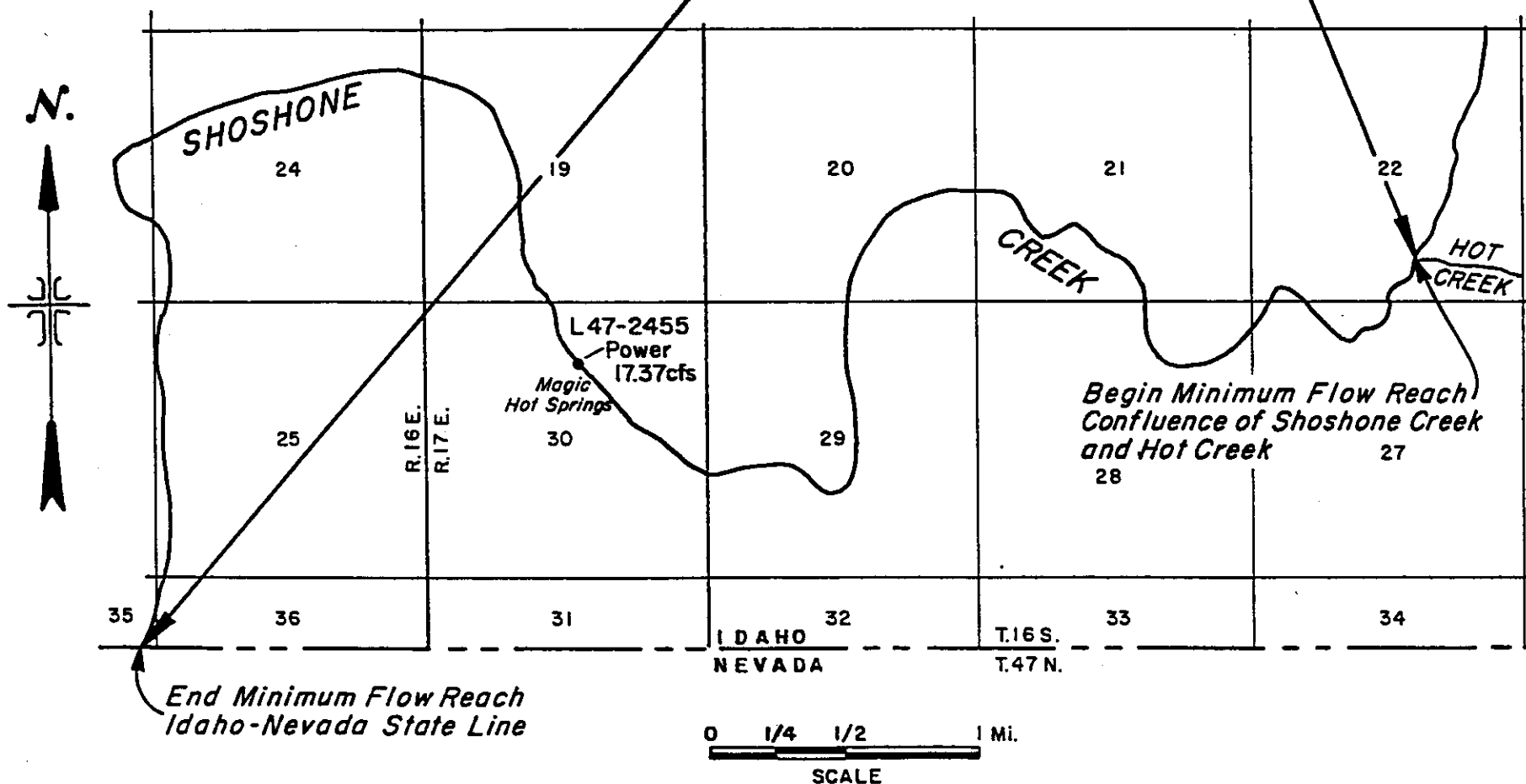
MSF NO. 47-8073
SHOSHONE CREEK

WATER RIGHTS WITHIN REACH

Licence No. 47-2455, Power: 17.37 cfs
Claim No. 47-4503, Stockwater &
Wildlife: 3.16 cfs

MAY 17 1989

MSF REACH
APPROX. 9 MILES





State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 334-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

January 9, 1989

Senator Michael Crapo, President
Senate pro Tem
Statehouse
Boise, ID 83720

RE: Water Right Applications for Permit for Minimum Streamflow
Nos.: 36-8374 and 36-8330, Crystal Springs; 22-7370, Bitch
Creek; 37-7920, Malad River; 36-8337, Box Canyon Creek;
21-7283 and 21-7355, Warm River; 47-8073, Shoshone Creek;
97-7275, Lion Creek; and 97-7274, Indian Creek; 36-7820,
Blind Canyon Springs.

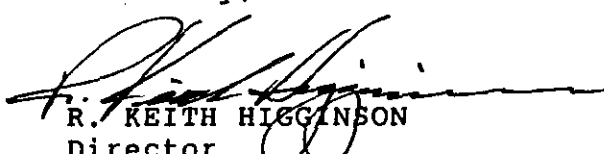
Dear Senator Crapo:

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
information or presentation on the nature of the applications.
Department personnel are also willing to assist with preparation
of draft concurrent resolutions if requested.

Sincerely,


R. KEITH HIGGINSON
Director

GS:ds
Enclosures

CC: Legislative Council

MICROFILMED
MAY 17 1989



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 334-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

January 9, 1989

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

RE: Water Right Applications for Permit for Minimum Streamflow

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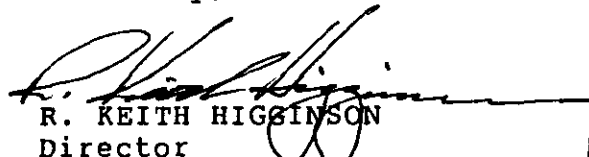
Dear Representative Boyd:

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to act prior to the end of the regular session to which the
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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.
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Sincerely,


R. KEITH HIGGINSON
Director

GS:ds
Enclosures

CC: Legislative Council

MICROFILMED

MAY 17 1989



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 334-7900

November 28, 1988

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

Idaho Dept. of Fish & Game
P.O. Box 25
Boise, ID 83720

Re: Application for Permit No. 47-8073

Dear Gentlemen:

Please find enclosed a copy of the Proposed Memorandum Decision and Order and Order Issuing Proposed Memorandum Decision and Order for Application No. 47-8073. The application, filed by the Idaho Water Resource Board, proposes a minimum streamflow on Shoshone Creek.

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

Sincerely,

GARY SPACKMAN, Supervisor
Water Allocation Section

GS:ds

RECEIVED

MAY 17 1989



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 334-7900

November 28, 1988

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

Idaho Water Resource Board
c/o Gene Gray
Statehouse
Boise, ID 83720

Re: Application for Permit No. 47-8073

Dear Mr. Gray:

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Sincerely,

GARY SPACKMAN, Supervisor
Water Allocation Section

GS:ds

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MAY 17 1989

WRR100
47-8073

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS PROOF READING REPORT

PAGE 1
29-Oct-1987 20:56:54

01 Water Right Number - 47-8073 02 Old (D) Number - Adj. Flag Translation: STANDARD WATER RIGHT NUMBER

03001 - STATE OF IDAHO 04001 - 05001 - C

06 Add Line 1 - IDAHO WATER RESOURCE BOARD 07 Add Line 2 - STATEHOUSE

08 Add Line 3 - 09 City - BOISE 10 State - ID 11 ZIP - 83720000

12 Stage - A APPLICATION 13 Status -

14001 - SOURCE 15001 - TRIBUTARY OF
SHOSHONE CREEK SALMON FALLS CREEK

16 Diversion Means - NONE-INSTREAM FLOW 17 County - 83 TWIN FALLS

18 Diversion Capacity - .000 19 Total Diversion Rate - 7.000 20 Total Diversion Volume - .00

21 Water District -

----- DIVERSION POINTS -----														
Tract	Sec	Twn	Rng	Lot	Rflg	S T R E A M I N D E X F I E L D S								
22001 - NENE	23001 - 35	24001 - 16S	25001 - 16E	26001 - 01	27001 -									
				28001 - 0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0	0	0.0
22002 - SWSE	23002 - 22	24002 - 16S	25002 - 17E	26002 -	27002 -									
				28002 - 0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0	0	0.0

29 Non-Irrigation Use -

----- PLACE OF USE -----						
Use Code / Use	Twn	Rng	Sec	Tract	Acres	Lot
30001 -	31001 -	32001 -	33001 -	34001 -	35001 -	36001 -
						Total Acres: 0

----- WATER USE -----				
Period From	Period To	Use Code / Use	Diversion Rate	Diversion Volume
37001 - 0101	38001 - 0331	39001 - 34 MINIMUM INSTREAM FLOW	40001 - 5.000	41001 - 0.00
37002 - 0401	38002 - 0731	39002 - 34 MINIMUM INSTREAM FLOW	40002 - 7.000	41002 - 0.00
37003 - 0801	38003 - 1231	39003 - 34 MINIMUM INSTREAM FLOW	40003 - 5.000	41003 - 0.00

42 Decree Plaintiff Name -

43 Decree Defendant Name -

REMARKS
44001 - MINIMUM STREAM FLOW FROM CONFLUENCE WITH HOT CREEK TO NEVADA
44002 - LINE.

Approval Conditions: 45001 -

46 Other Rights for Same Use -

WRR100
47-8073

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS PROOF READING REPORT

PAGE 2
29-Oct-1987 20:56:54

----- D A T E S -----		----- D A T E S -----		----- F L A G S -----	
47	Priority - 16-Oct-1987	55	License -	63	Transfer/Amended -
48	Proof Due -	56	Appl Received -	64	DLE/Carey Act -
49	Proof Made -	57	Field Exam Made -	65	Flas_1 -
50	Approve/Denied -	58	Decree -	66	Flas_2 -
51	Protested -	59	Start Work -	67	Flas_3 -
52	Hearings -	60	Order Show Cause -		
53	Verified -	61	Date_1 -		
54	Last Update - 29-Oct-1987	62	Date_2 -		

NAY 3/22/88

Testimony for Shoshone Co. Min. Flow

1) Position with Dept of Administration of
Resource Admin. Div. since 1977 to present

2) Application filed October 16, 1987
Notice of the public hearing before
the director was given by
Legal notice in the Twin Falls News Times
on March 3 and 10 - a newspaper of
general circulation in the county
Ac 42-1503

Notice of the application & hearing
provided to Dept of FGA, NFW, Parks & Rec, & BLM

Notice of the application & hearing was
provided to the owners of property along the
stream reach & to those attending the bond
public meeting, state legislators & others
known to have an interest in the stream as
the application. (53 notices mailed to individuals &
agencies)

Press releases relative to the hearing were issued

3) Review the 1st slide + 2nd slide
MICROFILMED

4) Review Water Rights - MAY 17 1989

Water is fully diverted 18 water rights for irrigation totaling 41.37 cfs
& used by various stock, domestic, & wildlife rights
water rights downstream Power right for 17.37 cfs -

99 mile
237 mile

5) More than 70% of the drainage area upstream has
relative duration of consumptive rights

Rights upstream of Harbor Ck

Shoshone Ck	Ingration	-	1.28 cp ✓	decre
"	Ingration	-	.88 cp ✓	"
Big Ck	Ingration	-	6.70 cp ✓	"
"	Ingration	-	4.20 cp ✓	"
"	Ingration	-	8.26 cp ✓	"
"	Ingration	-	2.30 cp ✓	"
Hart Ck	Ingration	-	1.40 cp ✓	"
"	Ingration	-	2.70 cp ✓	less
"	Ingration	-	1.50 cp ✓	decre
Cottonwood Ck	Ingration	-	1.60 cp ✓	decre
Big Ck	Ingration	-	3.00 cp ✓	decre
Lampford H Ck	"	-	1.00 cp ✓	decre
Cottonwood Ck	"	-	1.04 cp	decre
"	"	-	1.04 cp	decre
Cottonwood Ck	"	-	1.20 ✓	"
Cottonwood Ck	"	-	3.44 ✓	"
Spring	"	-	0.70 ✓	"
House Ck	"	-	0	"
Spring	"	-	.04 ✓	"
Spring	"	-	.09 ✓	"

17 rights for 40.29 cp
1.08 ✓

18 rights - 41.37 cp

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MAY 17 1969

ER-DEPARTMENT MEMO — 1

FROM CHERYL

DATE 3-17-8

TO FILE 47-8073

SUBJECT

LETTERS DATED 3/9/88 TO: LARRY ANDERSON, HAROLD HOSKAW,
& BETTY WAGNER IN REFERENCE TO THE HEARING ON 3/22/88,
WERE RETURNED WITH NO FORWARDING ADDRESS ON 3/15/88.

THE LETTERS WERE NOT RETAINED IN

MICROFILMED

MAY 17 1989

SIGNATURE

March 9, 1988

<name>

Re: Minimum Streamflow Application on <stream/no>

Dear <sal>

The Idaho Department of Water Resources will conduct a hearing on <day> to determine whether a minimum streamflow in <stream> should be approved. The hearing will commence at <time/place>.

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. 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, Supervisor
Water Allocation Section

GS:jf

Enclosures

RECORDED

MAY 17 1989

A CONCURRENT RESOLUTION
APPROVING AN APPLICATION TO APPROPRIATE WATER
FOR MINIMUM STREAMFLOW
47-8073

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. 47-8073, on January 10, 1989, by adopting a Proposed Memorandum Decision and Order authorizing the appropriation of a minimum streamflow in Shoshone Creek of 5 cfs during the period beginning January 1 through March 31, 7 cfs beginning April 1 through July 31, and 5 cfs beginning August 1 through December 31. The reach begins at the confluence of Shoshone Creek and Hot Creek, located in the SW1/4SE1/4, Section 22, T16S, R17E, B.M., Twin Falls County, and extends approximately eight (8) miles downstream to the Idaho-Nevada state line, located in Lot 1 (NE1/4NE1/4), Section 35, T16S, R16E, B.M., Twin Falls County;

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Forty Ninth Idaho Legislature, the Senate and the House of Representatives concurring therein, that the same is hereby approved subject to the conditions and limitations contained in the Proposed Memorandum Decision and Order, dated November 27, 1988, adopted by the Director of the Department of Water Resources.

MINIMUM STREAMFLOW
Fact Sheet

Water Right No.: 47-8073

Source: Shoshone Creek

Applicant: Idaho Water Resource Board

Requesting Agency: Idaho Department of Fish and Game

Date Application Filed: October 16, 1987

Rate of Flow: 5.0 cfs from 01/01 through 03/31;
7.0 cfs from 04/01 through 07/31;
5.0 cfs from 08/01 through 12/31.

Place of Use: That portion of Shoshone Creek located
in the following described reach:

Beginning at the confluence of Shoshone Creek and
Hot Creek located in the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 22, T16S,
R17E, B.M., Twin Falls County, and extending
downstream to the Idaho-Nevada state line located
in Lot 1 (NE $\frac{1}{4}$ NE $\frac{1}{4}$) Section 35, T16S, R16E, B.M.,
Twin Falls County.

Purpose: To preserve fish habitat.

Hearing: Hollister Grange, Hollister, Idaho, beginning at
2:00 p.m. on Tuesday, March 22, 1988.

RECEIVED

MAY 17 1989

\ <>
<name>Jonnie Kuest
P.O. Box 1254
Twin Falls, ID 83301
<stream/no>Shoshone Creek, No. 47-8073
<sal>Water Right Holder:
<day>Tuesday, March 22, 1988
<stream>Shoshone Creek
<time/place>2:00 p.m. at the Hollister Grange, Hollister, Idaho
<>

✓ <name>US Department of Interior
Bureau of Land Management
Idaho State Office
3380 Americana Terrace
Boise, ID 83706
<stream/no>Shoshone Creek, No. 47-8073
<sal>Water Right Holder:
<day>Tuesday, March 22, 1988
<stream>Shoshone Creek
<time/place>2:00 p.m. at the Hollister Grange, Hollister, Idaho
<>

✓ <name>Ralph Schnell
P.O. Box 122
Regerson, ID 83302
<stream/no>Shoshone Creek, No. 47-8073
<sal>Water Right Holder:
<day>Tuesday, March 22, 1988
<stream>Shoshone Creek
<time/place>2:00 p.m. at the Hollister Grange, Hollister, Idaho
<>

x <name>Bruce Billington
Route 2, Box 5630
Twin Falls, ID 83301
<stream/no>Shoshone Creek, No. 47-8073
<sal>Water Right Holder:
<day>Tuesday, March 22, 1988
<stream>Shoshone Creek
<time/place>2:00 pm.m at the Hollister Grange, Hollister, Idaho
<>

✓ <name>Peter Link
Route 1, Box 271
Hansen, ID 83334
<stream/no>Shoshone Creek, No. 47-8073
<sal>Land Owner:
<day>Tuesday, March 22, 1988
<stream>Shoshone Creek
<time/place>2:00 p.m. at the Hollister Grange, Hollister, Idaho
<>

✓ <name>John Brannon

MAY 17 1989

^ Rt. 1, Box 270
Bellevue, ID 83313
<stream/no>Shoshone Creek, No. 47-8073
<sal>Land Owner:
<day>Tuesday, March 22, 1988
<stream>Shoshone Creek
<time/place>2:00 p.m. at the Hollister Grange, Hollister, Idaho
<>

y <name>Harold Hoshaw
Rt. 2
Kimberly, ID 83341
<stream/no>Shoshone Creek, No. 47-8073
<sal>Land Owner:
<day>Tuesday, March 22, 1988
<stream>Shoshone Creek
<time/place>2:00 p.m. at the Hollister Grange, Hollister, Idaho
<>

g <name>Ralph Schnell
Box 122
Rogerson, ID 83302
<stream/no>Shoshone Creek, No. 47-8073
<sal>Land Owner:
<day>Tuesday, March 22, 1988
<stream>Shoshone Creek
<time/place>2:00 p.m. at the Hollister Grange, Hollister, Idaho
<>

^ <name>Emily Baker
Rt. 1
Filer, ID 83328
<stream/no>Shoshone Creek, No. 47-8073
<sal>Land Owner:
<day>Tuesday, March 22, 1988
<stream>Shoshone Creek
<time/place>2:00 p.m. at the Hollister Grange, Hollister, Idaho
<>

^ <name>Waldo Martens
Rt. 3, Box 3498
Jerome, ID 83338
<stream/no>Shoshone Creek, No. 47-8073
<sal>Mr. Martens:
<day>Tuesday, March 22, 1988
<stream>Shoshone, Creek
<time/place>2:00 p.m. at the Hollister Grange, Hollister, Idaho
<>

W <name>Steve Antone
1141 Link Street
Rupert, ID 83350
<stream/no>Shoshone Creek, No. 47-8073
<sal>Mr. Antone:

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MAY 17 1989

<day>Tuesday, March 22, 1988
<stream>Shoshone Creek
<time/place>2:00 p.m. at the Hollister Grange, Hollister, Idaho
<>

3) <name>Bruce Newcomb
1626 Monroe
Burley, ID 83318
<stream/no>Shoshone Creek, No. 47-8073
<sal>Mr. Newcomb:
<day>Tuesday, March 22, 1988
<stream>Shoshone Creek
<time/place>2:00 p.m. at the Hollister Grange, Hollister, Idaho
<>

4) <name>Darrel McRoberts
342 Monroe Place
Twin Falls, ID 83301
<stream/no>Shoshone Creek, No. 47-8073
<sal>Mr. McRoberts:
<day>Tuesday, March 22, 1988
<stream>Shoshone Creek
<time/place>2:00 p.m. at the Hollister Grange, Hollister, Idaho
<>

5) <name>Laird Noh
Rt. 1, Box 65
Kimberly, ID 83341
<stream/no>Shoshone Creek, No. 47-8073
<sal>Mr. Noh:
<day>Tuesday, March 22, 1988
<stream>Shoshone Creek
<time/place>2:00 p.m. at the Hollister Grange, Hollister, Idaho
<>

6) <name>Ronald Black
240 Locust North
Twin Falls, ID 83301
<stream/no>Shoshone Creek, No. 47-8073
<sal>Mr. Black:
<day>Tuesday, March 22, 1988
<stream>Shoshone Creek
<time/place>2:00 p.m. at the Hollister Grange, Hollister, Idaho
<>

7) <name>Celia Gould Folkinga
Rt. 4, Box 113
Buhl, ID 83316
<stream/no>Shoshone Creek, No. 47-8073
<sal>Ms. Gould-Folkinga:
<day>Tuesday, March 22, 1988
<stream>Shoshone Creek
<time/place>2:00 p.m. at the Hollister Grange, Hollister, Idaho
<>

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MAY 17 1989

4 <name>Douglas Jones
Rt. 2
Filer, ID 83328
<stream/no>Shoshone Creek, No. 47-8073
<sal>Mr. Jones:
<day>Tuesday, March 22, 1988
<stream>Shoshone Creek
<time/place>2:00 p.m. at the Hollister Grange, Hollister, Idaho
<>

4 <name>Russell Newcomb
RFD #3, Highland Drive
Twin Falls, ID 83301
<stream/no>Shoshone Creek, No. 47-8073
<sal>Mr. Newcomb:
<day>Tuesday, March 22, 1988
<stream>Shoshone Creek
<time/place>2:00 p.m. at the Hollister Grange, Hollister, Idaho
<>

2 <name>Denton Farrington
Rt. 1
Declo, ID 83323
<stream/no>Shoshone Creek, No. 47-8073
<sal>Mr. Farrington:
<day>Tuesday, March 22, 1988
<stream>Shoshone Creek
<time/place>2:00 p.m. at the Hollister Grange, Hollister, Idaho
<>

2 <name>Lynn Tominaga
Rt. 5, Box 184
Rupert, ID 83350
<stream/no>Shoshone Creek, No. 47-8073
<sal>Ms. Tominaga:
<day>Tuesday, March 22, 1988
<stream>Shoshone Creek
<time/place>2:00 p.m. at the Hollister Grange, Hollister, Idaho
<>

2 <name>Ernest Hale
725 E. 16th
Burley, ID 83318
<stream/no>Shoshone Creek, No. 47-8073
<sal>Mr. Hale:
<day>Tuesday, March 22, 1988
<stream>Shoshone Creek
<time/place>2:00 p.m. at the Hollister Grange, Hollister, Idaho
<>

2 <name>Larry Anderson
2639 Eastgate Drive
Twin Falls, ID 83301

FILED
MAY 17 1989

<stream/no>Shoshone Creek, No. 47-8073
<sal>Mr. Anderson:
<day>Tuesday, March 22, 1988
<stream>Shoshone Creek
<time/place>2:00 p.m. at the Hollister Grange, Hollister, Idaho
<>

24 <name>Jerry Callen
427-A West 500 South
Jerome, ID 83338
<stream/no>Shoshone Creek, No. 47-8073
<sal>Mr. Callen:
<day>Tuesday, March 22, 1988
<stream>Shoshone Creek
<time/place>2:00 p.m. at the Hollister Grange, Hollister, Idaho
<>

25 <name>Ralph Peters
601 E. Avenue A
Jerome, ID 83338
<stream/no>Shoshone Creek, No. 47-8073
<sal>Mr. Peters:
<day>Tuesday, March 22, 1988
<stream>Shoshone Creek
<time/place>2:00 p.m. at the Hollister Grange, Hollister, Idaho
<>

26 <name>Department of Fish and Game
Statehouse Mail
Boise, ID 83720
<stream/no>Shoshone Creek, No. 47-8073
<sal>Department of Fish and Game:
<day>Tuesday, March 22, 1988
<stream>Shoshone Creek
<time/place>2:00 p.m. at the Hollister Grange, Hollister, Idaho
<>

27 <name>Department of Lands
Statehouse Mail
Boise, ID 83720
<stream/no>Shoshone Creek, No. 47-8073
<sal>Department of Lands:
<day>Tuesday, March 22, 1988
<stream>Shoshone Creek
<time/place>2:00 p.m. at the Hollister Grange, Hollister, Idaho
<>

28 <name>Department of Health & Welfare
Statehouse Mail
Boise, ID 83720
<stream/no>Shoshone Creek, No. 47-8073
<sal>Department of Health & Welfare:
<day>Tuesday, March 22, 1988
<stream>Shoshone Creek

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MAR 27 1989

<time/place>2:00 p.m. at the Hollister Grange, Hollister, Idaho
<>

29 <name>Department of Parks & Recreation
Statehouse Mail
Boise, ID 83720
<stream/no>Shoshone Creek, No. 47-8073
<sal>Department of Parks & Recreation
<day>Tuesday, March 22, 1988
<stream>Shoshone Creek
<time/place>2:00 p.m. at the Hollister Grange, Hollister, Idaho
<>

30 <name>Gene Gray
Rt. 1, Box 46-A
Payette, ID 83661
<stream/no>Shoshone Creek, No. 47-8073
<sal>Mr. Gray:
<day>Tuesday, March 22, 1988
<stream>Shoshone Creek
<time/place>2:00 p.m. at the Hollister Grange, Hollister, Idaho
<>

31 <name>Dave Rydalch
Rt. 2, Box 198
St. Anthony, ID 83445
<stream/no>Shoshone Creek, No. 47-8073
<sal>Mr. Rydalch:
<day>Tuesday, March 22, 1988
<stream>Shoshone Creek
<time/place>2:00 p.m. at the Hollister Grange, Hollister, Idaho
<>

32 <name>J.F. Ingard, Jr.
575 Heyburn Avenue
Twin Falls, ID 83301
<stream/no>Shoshone Creek, No. 47-8073
<sal>Mr. Ingard:
<day>Tuesday, March 22, 1988
<stream>Shoshone Creek
<time/place>2:00 p.m. at the Hollister Grange, Hollister, Idaho
<>

33 <name>Oliver Ingram
235 N. Washington
Twin Falls, ID 83301
<stream/no>Shoshone Creek, No. 47-8073
<sal>Mr. Ingram:
<day>Tuesday, March 22, 1988
<stream>Shoshone Creek
<time/place>2:00 p.m. at the Hollister Grange, Hollister, Idaho
<>

34 <name>Joan Ingram

FILED
MAR 17 1989

255 N. Washington
Twin Falls, ID 83301
<stream/no>Shoshone Creek, No. 47-8073
<sal>Ms. Ingram:
<day>Tuesday, March 22, 1988
<stream>Shoshone Creek
<time/place>2:00 p.m. at the Hollister Grange, Hollister, Idaho
<>

h7 <name>Venton W. and Maxine Nelson
Rt. 2, Box 5602
Twin Falls, ID 83301
<stream/no>Shoshone Creek, No. 47-8073
<sal>Interested Party:
<day>Tuesday, March 22, 1988
<stream>Shoshone Creek
<time/place>2:00 p.m. at the Hollister Grange, Hollister, ID
<>

h4 <name>Lloyd Webb
Box 1768
Twin Falls, ID 83301
<stream/no>Shoshone Creek, No. 47-8073
<sal>Mr. Webb:
<day>Tuesday, March 22, 1988
<stream>Shoshone Creek
<time/place>2:00 p.m. at the Hollister Grange, Hollister, ID
<>

h2 <name>Wm. J. Lanting
Rt. 1
Twin Falls, ID 83301
<stream/no>Shoshone Creek, No. 47-8073
<sal>Mr. Lanting:
<day>Tuesday, March 22, 1988
<stream>Shoshone Creek
<time/place>2:00 p.m. at the Hollister Grange, Hollister, ID
<>

h6 <name>Tom Kunkel
Rt 1
Twin Falls, ID 83301
<stream/no>Shoshone Creek, No. 47-8073
<sal>Mr. Kenkel:
<day>Tuesday, March 22, 1988
<stream>Shoshone Creek
<time/place>2:00 p.m. at the Hollister Grange, Hollister, ID
<>

h5 <name>James W. Lanting
Rt. 1
Twin Falls, ID 83301
<stream/no>Shoshone Creek, No. 47-8073
<sal>Mr. Lanting:

1988

MAY 17 1989

<day>Tuesday, March 22, 1988
<stream>Shoshone Creek
<time/place>2:00 p.m. at the Hollister Grange, Hollister, ID
<>

40
<name>John R. Bramm
P.O. Box 368
Jackpot, NV 89825
<stream/no>Shoshone Creek, No. 47-8073
<sal>Mr. Bramm:
<day>Tuesday, March 22, 1988
<stream>Shoshone Creek
<time/place>2:00 p.m. at the Hollister Grange, Hollister, ID
<>

41
<name>Stuart L. Murrell
604 Twin View Rd
Jerome, ID 83338
<stream/no>Shoshone Creek, No. 47-8073
<sal>Mr. Murrell:
<day>Tuesday, March 22, 1988
<stream>Shoshone Creek
<time/place>2:00 p.m. at the Hollister Grange, Hollister, ID
<>

42
<name>William K. Chisholm
Rt. 3, Box 431
Buhl, ID 83316
<stream/no>Shoshone Creek, No. 47-8073
<sal>Mr. Chisholm:
<day>Tuesday, March 22, 1988
<stream>Shoshone Creek
<time/place>2:00 p.m. at the Hollister Grange, Hollister, ID
<>

43
<name>Kathleen Sursely
Rt. 3, Box 431
Buhl, ID 83316
<stream/no>Shoshone Creek, No. 47-8073
<sal>Ms. Sursely:
<day>Tuesday, March 22, 1988
<stream>Shoshone Creek
<time/place>2:00 p.m. at the Hollister Grange, Hollister, ID
<>

44
<name>Keith Fullmer
Rt. , Box 4346
Twin Falls, ID 83301
<stream/no>Shoshone Creek, No. 47-8073
<sal>Mr. Fullmer:
<day>Tuesday, March 22, 1988
<stream>Shoshone Creek
<time/place>2:00 p.m. at the Hollister Grange, Hollister, ID
<>

1989

45
<name>Steve Fullmer
Rt. 2, Box 4346
Twin Falls, ID 83301
<stream/no>Shoshone Creek, No. 47-8073
<sal>Mr. Fullmer:
<day>Tuesday, March 22, 1988
<stream>Shoshone Creek
<time/place>2:00 p.m. of the Hollister Grange, Hollister, ID
<>

44
<name>Betty Wagner
300 Lawndale Drive
Twin Falls, ID 83301
<stream/no>Shoshone Creek, No. 47-8073
<sal>Ms. Wagner:
<day>Tuesday, March 22, 1988
<stream>Shoshone Creek
<time/place>2:00 p.m. at the Hollister Grange, Hollister, ID
<>

47
<name>Geneva Fuller
1423 Lawndale Drive
Twin Falls, ID 83301
<stream/no>Shoshone Creek, No 47-8073
<sal>Ms. Fuller:
<day>Tuesday, March 22, 1988
<stream>Shoshone Creek
<time/place>2:00 p.m. at the Hollister Grange, Hollister, ID
<>

44
<name>Bob Hoag
2006 Sherry Lane
Twin Falls, ID 83301
<stream/no>Shoshone Creek, No. 47-8073
<sal>Mr. Hoag:
<day>Tuesday, March 22, 1988
<stream>Shoshone Creek
<time/place>2:00 p.m. at the Hollister Grange, Hollister, ID
<>

44
<name>Robert S. Luntley
Rt. 3, Box 240
Buhl, ID 83316
<stream/no>Shoshone Creek, No. 47-8073
<sal>Mr. Luntley:
<day>Tuesday, March 22, 1988
<stream>Shoshone Creek
<time/place>2:00 p.m. at the Hollister Grange, Hollister, ID
<>

40
<name>R.W. and Louise Franzen
820 9th Avenue N.
Buhl, ID 83316

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MAY 17 1989

<stream/no>Shoshone Creek, No. 47-8073
<sal>Interested Party:
<day>Tuesday, March 22, 1988
<stream>Shoshone Creek
<time/place>2:00 p.m. at the Hollister Grange, Hollister, ID
<>

<name>Robert Pettygrove
Rt. 1, Box 261
Hansen, ID 83334

<stream/no>Shoshone Creek, No. 47-8073
<sal>Mr. Pettygrove:
<day>Tuesday, March 22, 1988
<stream>Shoshone Creek
<time/place>2:00 p.m. at the Hollister Grange, Hollister, ID
<>

<name>Jeff Jarvis
P.O. Box 476
Shoshone, ID 83352

<stream/no>Shoshone Creek, No. 47-8073
<sal>Mr. Jarvis:
<day>Tuesday, March 22, 1988
<stream>Shoshone Creek
<time/place>2:00 p.m. at the Hollister Grange, Hollister, ID
<>

<name>Roy Hancock
Box 432
Hansen, ID 83334

<stream/no>Shoshone Creek, No. 47-8073
<sal>Mr. Hancock:
<day>Tuesday, March 22, 1988
<stream>Shoshone Creek
<time/place>2:00 p.m. at the Hollister Grange, Hollister, ID
<>

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MAY 17 1989

Spokane
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JIM JONES
Attorney General
State of Idaho
Statehouse, Room 210
Boise, Idaho 83720
Telephone: (208) 334-2400

Department of Water Resources

STEPHEN V. GODDARD
SUSAN MATTOS
Deputy Attorneys General
Idaho Department of Fish and Game
600 South Walnut, P. O. Box 25
Boise, ID 83707
Telephone (208) 334-3715

Attorney for the Idaho Department of Fish and Game

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

In the Matter of the)
Application for a)
Minimum Stream Flow on)
Shoshone Creek)
Application No. 47-8073)
_____)

NOTICE OF APPEARANCE

Stephen V. Goddard, Deputy Attorney General, hereby enters an appearance as attorney of record for the Idaho Department of Fish and Game for the hearing to be held in this matter on March 22, 1988 in Hollister, Idaho.

DATED this 25 day of February, 1988.

Stephen V. Goddard
Stephen V. Goddard
Attorney for the
Idaho Dept. of Fish and Game

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CERTIFICATE OF MAILING

I hereby certify that on the 25th day of February, 1988, I served a true and correct copy of the NOTICE OF APPEARANCE by depositing same in the United States Mail, postage prepaid, to the following persons:

Mr. David Rydalch
Minimum Stream Flow Chairman
Idaho Water Resource Board
STATEHOUSE
Boise, ID 83720

Mr. Gene M. Gray, Chairman
Idaho Water Resource Board
Route 1, Box 46-A
Payette, ID 83661

Ms. Rinda Ray Just
Deputy Attorney General
Idaho Dept. of Parks and Recreation
STATEHOUSE
Boise, ID 83720


Stephen V. Goddard
Deputy Attorney General

JIM JONES

Attorney General

State of Idaho

Statehouse, Room 210

Boise, Idaho 83720

Telephone: (208) 334-2400

MAY 17 1989

SHOSHONE CREEK
NOTES FOR DAVE RYDALCH

On September 1, 1987, the Idaho Department of Fish and Game requested that the Idaho Water Resource Board file an application to appropriate a minimum stream flow on Shoshone Creek, located in Twin Falls, County.

The Board considered the request ~~at~~ a Board meeting on October 15, 1987, and determined that the application to appropriate a minimum stream flow on Shoshone Creek should be filed. The Board filed an application for minimum stream flow to the Idaho Department of Water Resources on October 16, 1987.

A public information meeting regarding the minimum stream flow was held in Twin Falls, Idaho on November 17, 1987. The purpose of the meeting was to gather public opinion about the proposed minimum flow.

After the comments were submitted, the Board determined that the minimum stream flow was meritorious and requested that the Department of Water Resources proceed with processing the minimum stream flow application. Based on public comment at the public information meeting, however, the Board resolved that the minimum flow should be subject to diversion for stockwater from the minimum flow reach. *and would be subject to review every 10 years*

The water from Shoshone Creek ultimately flows into Salmon Falls Creek, and supply water to irrigation projects in the downstream drainages. This minimum flow filing will be subject to all prior rights for irrigation and other purposes which are either upstream or downstream from the minimum flow reach.

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SHOSHONE CREEK
MINIMUM STREAMFLOW
FACT SHEET

Water Right No.: 47-8073

Source: Shoshone Creek

Applicant: Idaho Water Resource Board

Requesting Agency:

Date Application Filed: October 16, 1987

Rate of Flow: 5.0 cfs from 01/01 through 03/31
7.0 cfs from 04/01 through 07/31
5.0 cfs from 08/01 through 12/31

Location of Springs: That portion of Shoshone Creek located in the following described reach:

Beginning at the confluence of Shoshone Creek and Hot Creek located in the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 22, T16S, R17E, B.M., Twin Falls County, and extending downstream to the Idaho-Nevada state line, located in Lot 1 (NE $\frac{1}{4}$ NE $\frac{1}{4}$), Section 35, T16S, R16E, B.M., Twin Falls County.

Purpose: To preserve fish habitat.

Public Meeting: The purpose of the meeting is to gather information on the public interest regarding the proposed minimum streamflow. The meeting is to be held November 17, 1987, 7:00 p.m., in the Aspen Vo-Tech Building Mini Auditorium, Room 108, College of Southern Idaho, Twin Falls, Idaho.

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SHOSHONE CREEK
MINIMUM STREAMFLOW APPLICATION

Water Right No.: 47-8073

Source: Shoshone Creek

Rate of Flow: 5.0 cfs from 01/01 through 03/31
7.0 cfs from 04/01 through 07/31
5.0 cfs from 08/01 through 12/31

Date Application Filed: October 16, 1987

Applicant: Idaho Water Resource Board

Requesting Agency: Department of Fish and Game

Purpose: Preserve fish habitat

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MINIMUM STREAMFLOW
Fact Sheet

Water Right No.: 47-8073

Source: Shoshone Creek

Applicant: Idaho Water Resource Board

Requesting Agency: Idaho Department of Fish and Game

Date Application Filed: October 16, 1987

Rate of Flow: 5.0 cfs from 01/01 through 03/31;
7.0 cfs from 04/01 through 07/31;
5.0 cfs from 08/01 through 12/31.

Place of Use: That portion of Shoshone Creek located
in the following described reach:

Beginning at the confluence of Shoshone Creek and
Hot Creek located in the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 22, T16S,
R17E, B.M., Twin Falls County, and extending
downstream to the Idaho-Nevada state line located
in Lot 1 (NE $\frac{1}{4}$ NE $\frac{1}{4}$) Section 35, T16S, R16E, B.M.,
Twin Falls County.

Purpose: To preserve fish habitat.

Hearing: Hollister Grange, Hollister, Idaho, beginning at
2:00 p.m. on Tuesday, March 22, 1988.

MICROFILMED

MAY 17 1989

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 on October 16, 1987, proposing to appropriate water for a minimum streamflow in Shoshone Creek, tributary to Salmon Falls Creek. The application is further described as follows:

Application No.: 47-8073

Source: Shoshone Creek

Proposed Priority: October 16, 1987

Amount & Period of Use: 5.0 cfs from 01/01 through 03/31;
7.0 cfs from 04/01 through 07/31;
5.0 cfs from 08/01 through 12/31.

Purpose of Minimum Flow: To preserve fish habitat.

Place of Use: That portion of Shoshone Creek located in the following described reach:

Beginning at the confluence of Shoshone Creek and Hot Creek located in the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 22, T16S, R17E, B.M., Twin Falls County, and extending downstream to the Idaho-Nevada state line located in Lot 1 (NE $\frac{1}{4}$ NE $\frac{1}{4}$) Section 35, T16S, R16E, B.M., Twin Falls County.

The Director of the Department of Water Resources will hold a public hearing at the Hollister Grange, Hollister, Idaho, beginning at 2:00 p.m. on Tuesday, March 22, 1988, 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 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 North Orchard Street, Boise, ID 83720, five (5) days prior to the hearing. Other parties will be given an opportunity to informally present their views and comments without the necessity of filing a notice of appearance. Written informal views and comments may also be submitted to the Department of Water Resources prior to the hearing.

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

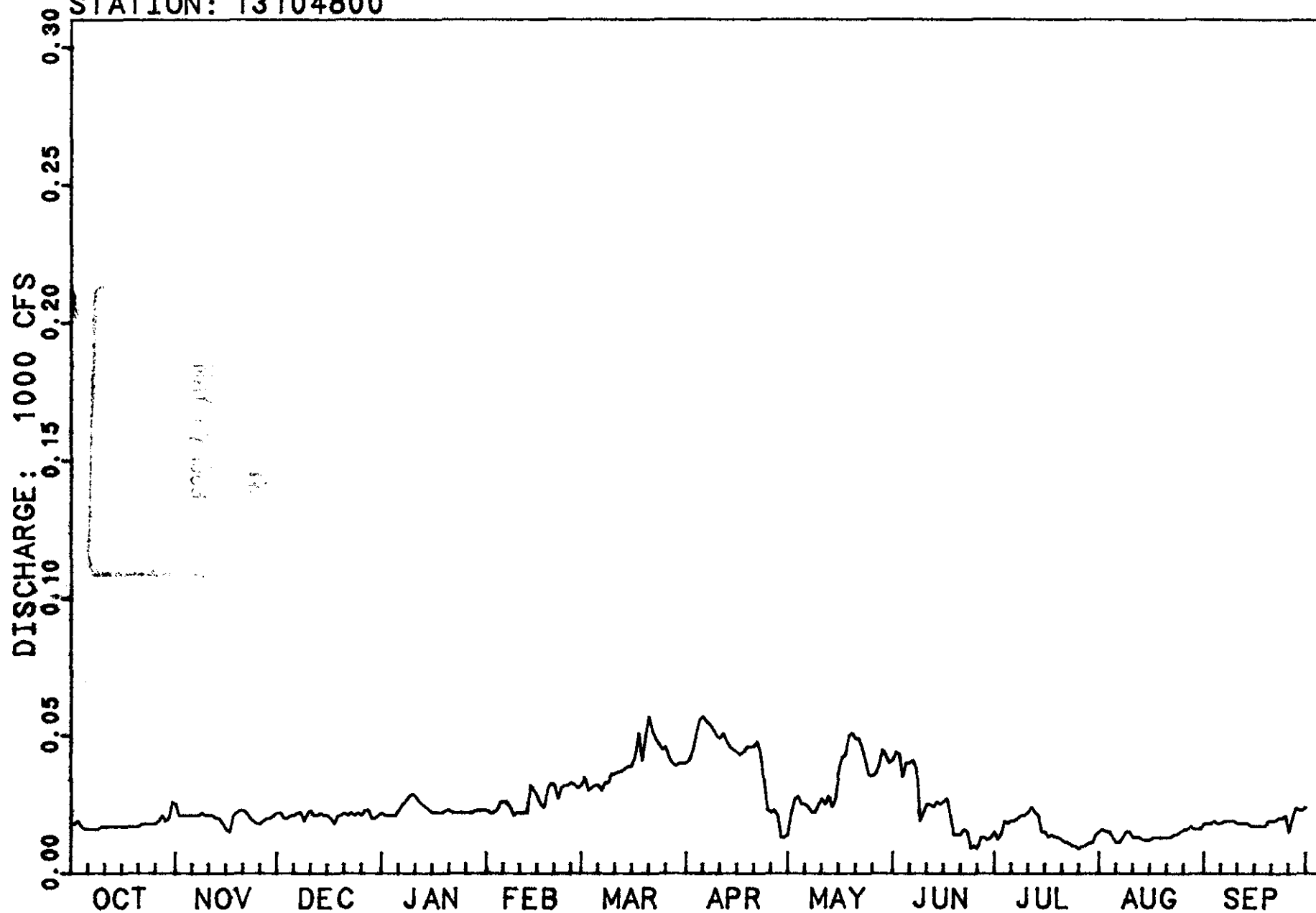
RECEIVED

MAY 17 1989

R. KEITH HIGGINSON, Director
Idaho Department Water Resources

NAME: SHOSHONE CREEK NR SAN JACINTO, NV

STATION: 13104800



MSF NO. 47-8073
SHOSHONE CREEK

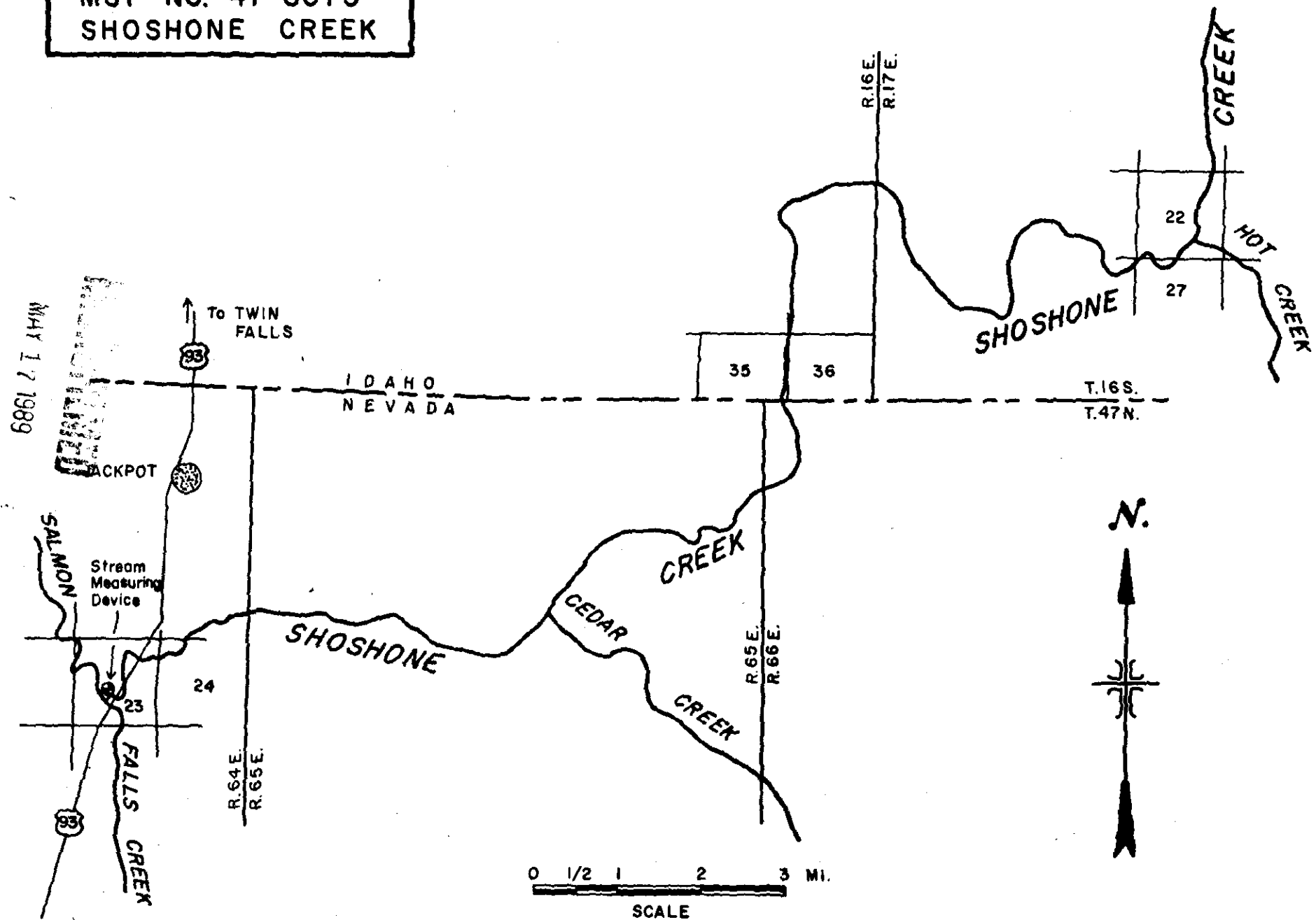


Figure A-3. Instream flow request for maintenance of game fish habitat in Shoshone Creek from the Idaho state line upstream to Hot Creek.

NAME OF STREAM: Shoshone Creek, a tributary to Salmon Falls Creek.

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

Twin Falls County, NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 35, T16S, R16E.

THE PROPOSED STREAM FLOW IN CUBIC FEET PER SECOND:

1 January - 31 March:	5.0 cfs
1 April - 31 July:	7.0 cfs
1 August - 31 December:	5.0 cfs

THE PURPOSE FOR WHICH THE MINIMUM STREAM FLOW IS PROPOSED:

To maintain rainbow, cutthroat and brown trout habitat from the point of requested flow upstream to Hot Creek in the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 22, T16S, R17E.

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

As above.

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

The requested flow is an instream use and will be subject to all vested water rights, permits or application of earlier dates of priority.

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

The above requested flow is for instream non-consumptive use to support fish and wildlife for the State of Idaho and its general public.

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

During 1982, personnel from the Idaho Department of Fish and Game collected field data for use with instream flow methodologies to determine flows for fish and wildlife resources. Flow recommendations are presented in the following report:

Horton, W.D. 1983. Instream flow investigations, annual report.
Bureau of Land Management contract number YA-553-CT0-1080.
Idaho Department of Fish and Game.

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MAY 17 1989

Figure A-3. Continued.

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

The ideal flow would be a bankfull discharge, which was 7.5 cfs in November, 1982. The request is two-thirds of this except in the spring runoff when flows should be considerably higher.

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

No records available.

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

None.

MICROFILMED

MAY 17 1989



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS

Governor

R. KEITH HIGGINSON

Director

Mailing address:

Statehouse

Boise, Idaho 83720

(208) 334-4440

M E M O

TO: Gary Spackman

DATE: October 1, 1987

FROM: Alan Robertson *AR*

SUBJECT: Shoshone Creek Instream Flow Request

Based upon approximately 3-1/2 years of data at the mouth of Shoshone Creek, the following preliminary comments can be made with regard to flow availability in the requested reach:

1 Jan - 31 Mar requested flow = 5 cfs. Comment: Flow at the gage has generally been several times this amount. During brief very cold periods there may be occasions when flow is this low, especially at the upper end of the requested reach. This probably does not occur frequently.

1 Apr - 31 Jul requested flow = 7 cfs. Comment: During April and May the reach probably has flows far in excess of this amount in all but the very driest years. In June and July flows less than 7 cfs may occur, especially at the upper end of the reach.

1 Aug - 31 Dec requested flow = 5 cfs. Comment: Flows less than 5 cfs may occur occasionally in dry years.

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MAY 17 1989

SOURCE: SHOSHONE CREEK

TRIBUTARY: SALMON FALLS CREEK

STATE OF IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS ABSTRACTWR-NUMBER:
47-0009CCURRENT OWNER:
UTAH CONSTRUCTION CO.PRIORITY DATE:
1-Aug-1889STAGE:
DECREE

COUNTY: TWIN FALLS

SOURCE: SHOSHONE CREEK

TRIBUTARY: SALMON FALLS CREEK

WATER USE:

DIVERSION-RATE:

DIVERSION-VOLUME:

IRRIGATION

1.280 CFS

0.00 AF

DOMESTIC

0.000 CFS

0.00 AF

TOTAL RATE:

1.280 CFS

TOTAL VOLUME:

0.00 AF

REMARKS: AC. IRRIG. = 63.94.

ACTUAL DIVERSION RATE IS 1.2788 CFS.

PLACE OF USE:	T16S	R17E	S10	NENE	AC 10
	T26S	R17E	S10	SENE	AC 21
	T16S	R17E	S10	NESE	AC 09
	T16S	R17E	S11	SWNW	AC 16
	T16S	R17E	S11	NWSW	AC 08
	TOTAL ACRES: 64				

WR-NUMBER:
47-0011CURRENT OWNER:
FRANCIS E. MCCONNELLPRIORITY DATE:
19-Apr-1907STAGE:
DECREE

COUNTY: TWIN FALLS

SOURCE: SHOSHONE CREEK

TRIBUTARY: SALMON FALLS CREEK

WATER USE:

DIVERSION-RATE:

DIVERSION-VOLUME:

IRRIGATION

0.880 CFS

0.00 AF

TOTAL RATE:

0.880 CFS

TOTAL VOLUME:

0.00 AF

REMARKS: SUPERCEEDS LIC. 47-2021.

P/D NOT GIVEN IN DECREE BUT SHOWN ON LICENSE.

P/D APPEARS TO BE INCORRECT ON LICENSE; SEE LICENSE FILE.

SEE DECREE FOR DELIVERY CONDITIONS.

POINT OF DIVERSION:	T15S	R17E	S23	SWNE
	T15S	R17E	S23	NWNE

PLACE OF USE:	T15S	R17E	S23	NWSW	AC 06
	T15S	R17E	S23	SESW	AC 15
	T15S	R17E	S26	NENW	AC 17
	T15S	R17E	S26	SENW	AC 06
	TOTAL ACRES: 44				

WR-NUMBER:
47-4503CURRENT OWNER:
U.S. DEPT. OF INTERIOR
BUREAU OF LAND MGMT.
IDAHO STATE OFFICE
3380 AMERICANA TERRACE
BOISE, ID 83706PRIORITY DATE:
28-Jun-1934STAGE:
STATUTORY CLAIM

COUNTY: TWIN FALLS

SOURCE: SHOSHONE CREEK

TRIBUTARY: SALMON FALLS CREEK

WATER USE:

DIVERSION-RATE:

DIVERSION-VOLUME:

STOCKWATER

0.150 CFS

0.00 AF

WILDLIFE

0.010 CFS

0.00 AF

TOTAL RATE:

3.160 CFS

TOTAL VOLUME:

0.00 AF

REMARKS: RT. INCLUDES 3.0 CFS FOR CHANNEL LOSS.

T16S	R17E	S27	NENW
T16S	R17E	S27	NWNW
T16S	R17E	S22	SWSW
T16S	R17E	S22	SESW
T16S	R17E	S28	NENE
T16S	R17E	S28	NWNE
T16S	R17E	S21	NESW
T16S	R17E	S21	NWSW
T16S	R17E	S21	SESW
T16S	R17E	S21	SWSE
T16S	R17E	S20	NESE
T16S	R17E	S20	NWSE
T16S	R17E	S20	SWSE
T16S	R17E	S29	NWNE
T16S	R17E	S29	SWNE
T16S	R17E	S29	NESW
T16S	R17E	S29	NWSW
T16S	R17E	S29	NWSE
T16S	R17E	S30	SENE
T16S	R17E	S30	NESE
T16S	R17E	S19	NWNW
T16S	R17E	S19	SWNW
T16S	R17E	S19	SENW
T16S	R17E	S19	NESW
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T16S	R16E	S24	NWSW
T16S	R16E	S24	SWSW
T16S	R16E	S23	SENE
T16S	R16E	S23	NESE
T16S	R16E	S25	NWNW
T16S	R16E	S25	SWNW
T16S	R16E	S25	NWSW
T16S	R16E	S25	SWSW
T16S	R16E	S35	NENE
T16S	R17E	S03	NENE
T16S	R17E	S03	NWNE
T16S	R17E	S03	SENE
T16S	R17E	S03	NESE
T16S	R17E	S03	SESE

PLACE OF USE:

T15S	R17E	S34	SESE
T16S	R17E	S27	NENW
T16S	R17E	S27	NWNW
T16S	R17E	S22	SWSW
T16S	R17E	S22	SESW
T16S	R17E	S28	NENE
T16S	R17E	S28	NWNE
T16S	R17E	S21	NESW
T16S	R17E	S21	NWSW
T16S	R17E	S21	SESW
T16S	R17E	S21	SWSE
T16S	R17E	S20	NESE
T16S	R17E	S20	NWSE
T16S	R17E	S20	SWSE
T16S	R17E	S29	NWNE
T16S	R17E	S29	SWNE
T16S	R17E	S29	NESW
T16S	R17E	S29	NWSW
T16S	R17E	S29	NWSE
T16S	R17E	S30	SENE
T16S	R17E	S30	NESE
T16S	R17E	S19	NWNW

T16S	R17E	S19	SENW
T16S	R17E	S19	NESW
T16S	R17E	S19	SESW
T16S	R16E	S24	NENW
T16S	R16E	S24	SWNW
T16S	R16E	S24	SENW
T16S	R16E	S24	NWSW
T16S	R16E	S24	SWSW
T16S	R16E	S23	SENE
T16S	R16E	S23	NESE
T16S	R16E	S25	NWNW
T16S	R16E	S25	SWNW
T16S	R16E	S25	NWSW
T16S	R16E	S25	SWSW
T16S	R16E	S35	NENE
T16S	R17E	S03	NENE
T16S	R17E	S03	NWNE
T16S	R17E	S03	NESE
T16S	R17E	S03	SESE
T16S	R17E	S03	SENE

WR-NUMBER:
47-2455

CURRENT OWNER:
JOHNNIE KUEST
P.O. BOX 1254
TWIN FALLS, ID 83301

PRIORITY DATE:
28-Mar-1963

STAGE:
LICENSE

COUNTY: TWIN FALLS
SOURCE: SHOSHONE CREEK
WATER USE:

TRIBUTARY: SALMON FALLS CREEK

DIVERSION-RATE:

DIVERSION-VOLUME:

POWER

17.370 CFS

12575.00 AF

TOTAL RATE: 17.370 CFS

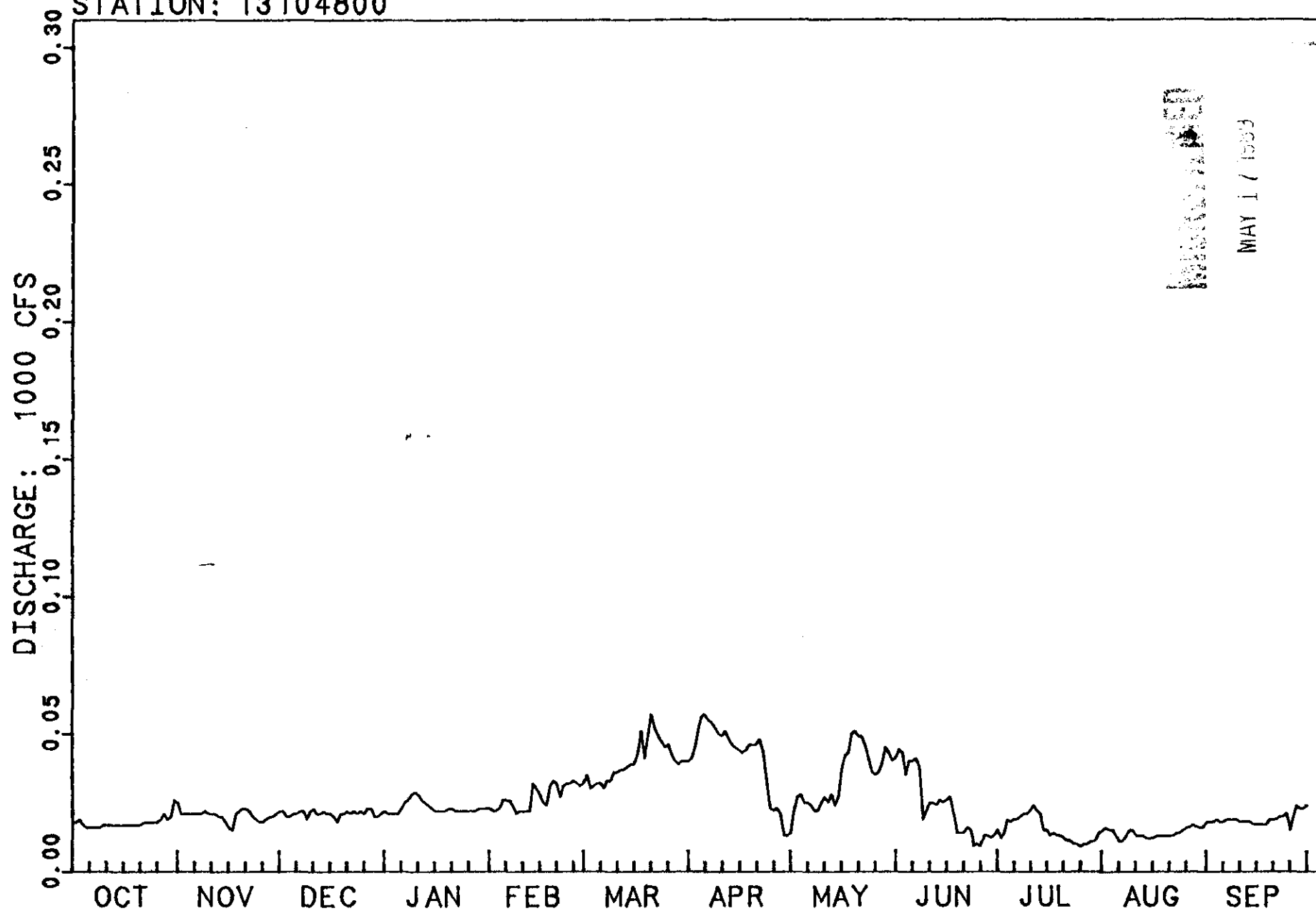
TOTAL VOLUME: 12575.00 AF

POINT OF DIVERSION: T16S R17E S30 SENW

PLACE OF USE: T16S R17E S30 SENW

NAME: SHOSHONE CREEK NR SAN JACINTO, NV

STATION: 13104800



SHOSHONE CREEK
MINIMUM STREAMFLOW APPLICATION

Water Right No.: 47-8073

Source: Shoshone Creek

Rate of Flow: 5.0 cfs from 01/01 through 03/31
7.0 cfs from 04/01 through 07/31
5.0 cfs from 08/01 through 12/31

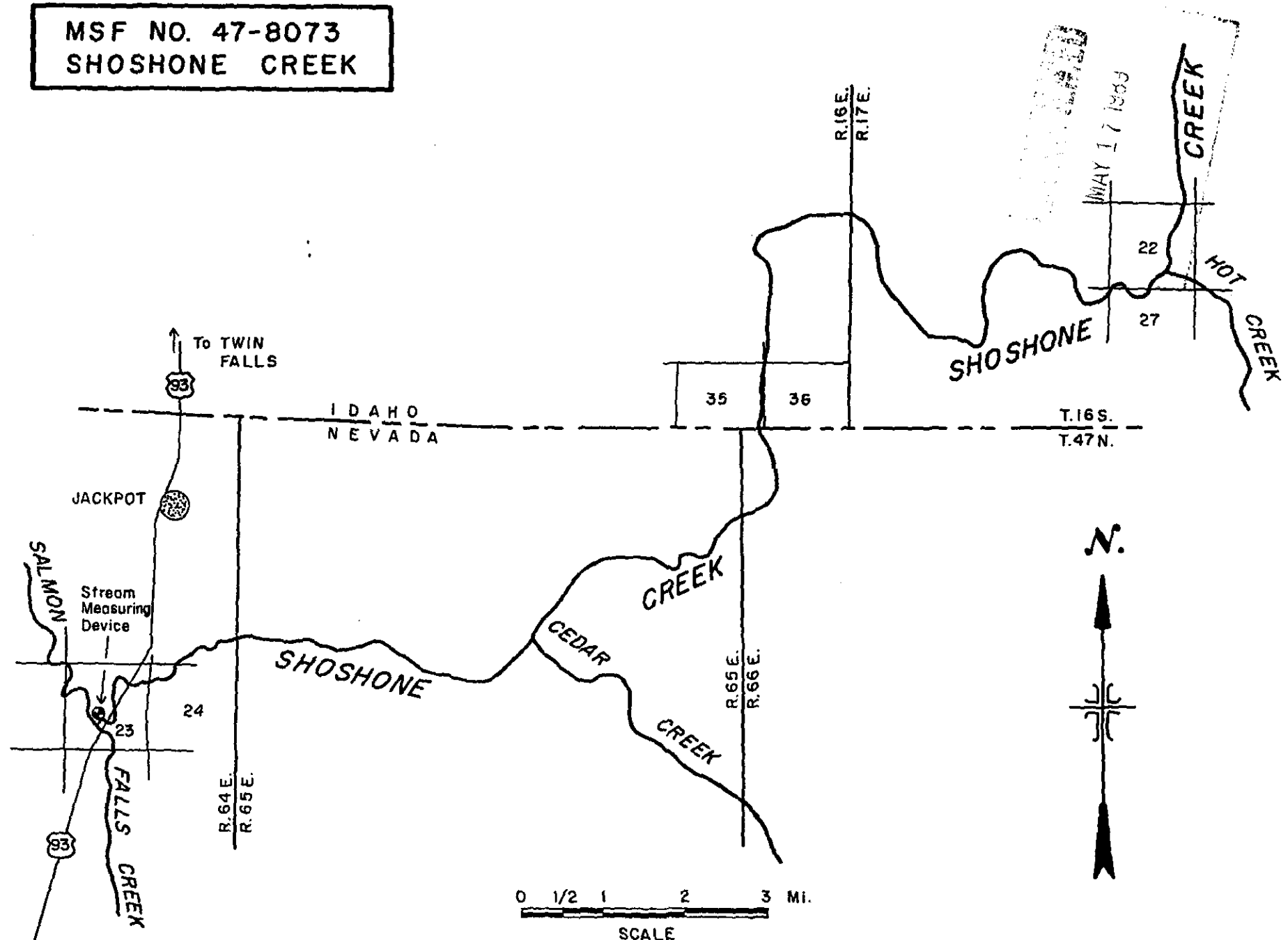
Date Application Filed: October 16, 1987

Applicant: Idaho Water Resource Board

Requesting Agency: Department of Fish and Game

Purpose: Preserve fish habitat

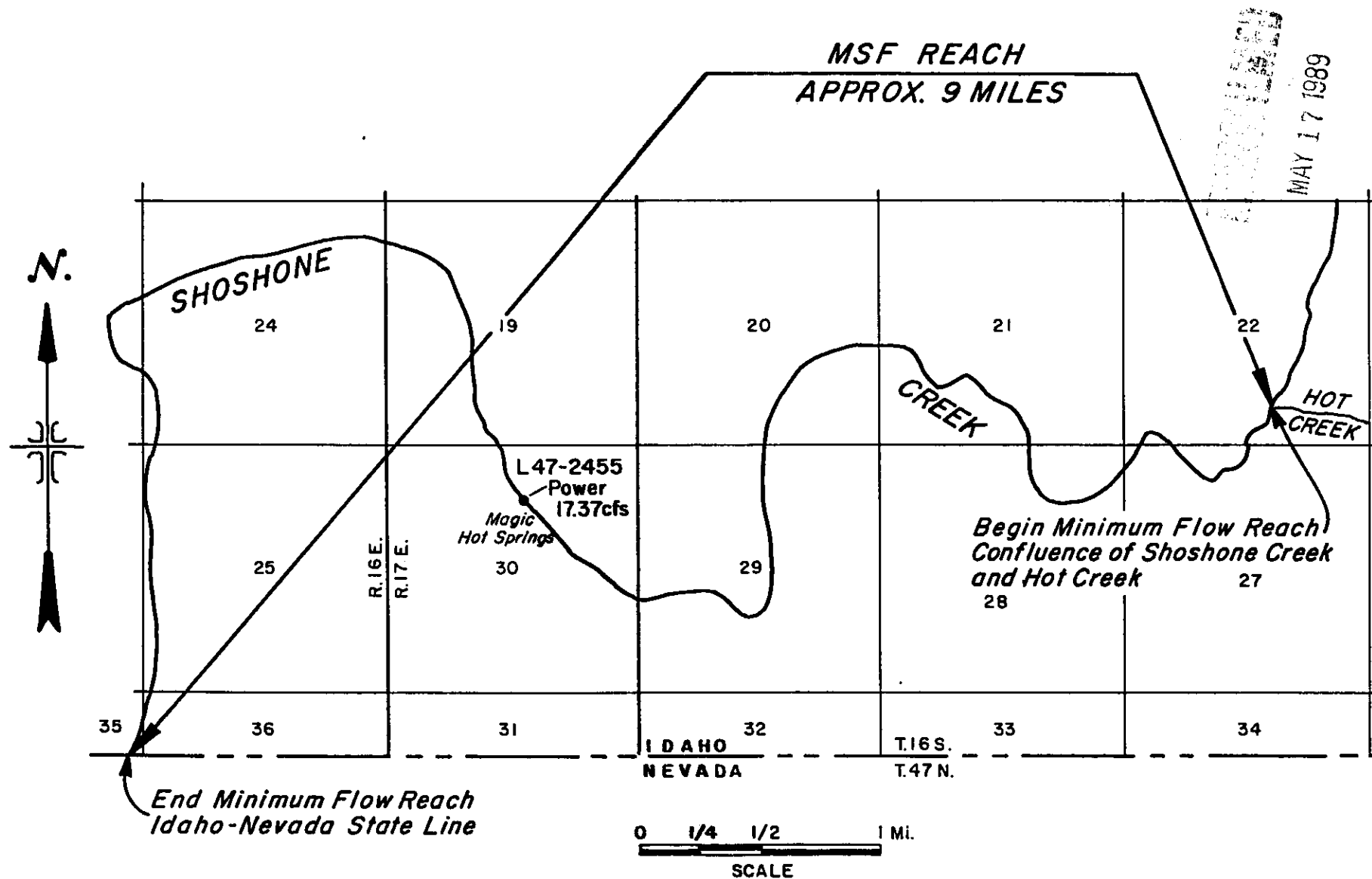
MSF NO. 47-8073
SHOSHONE CREEK



MSF NO. 47-8073
SHOSHONE CREEK

WATER RIGHTS WITHIN REACH

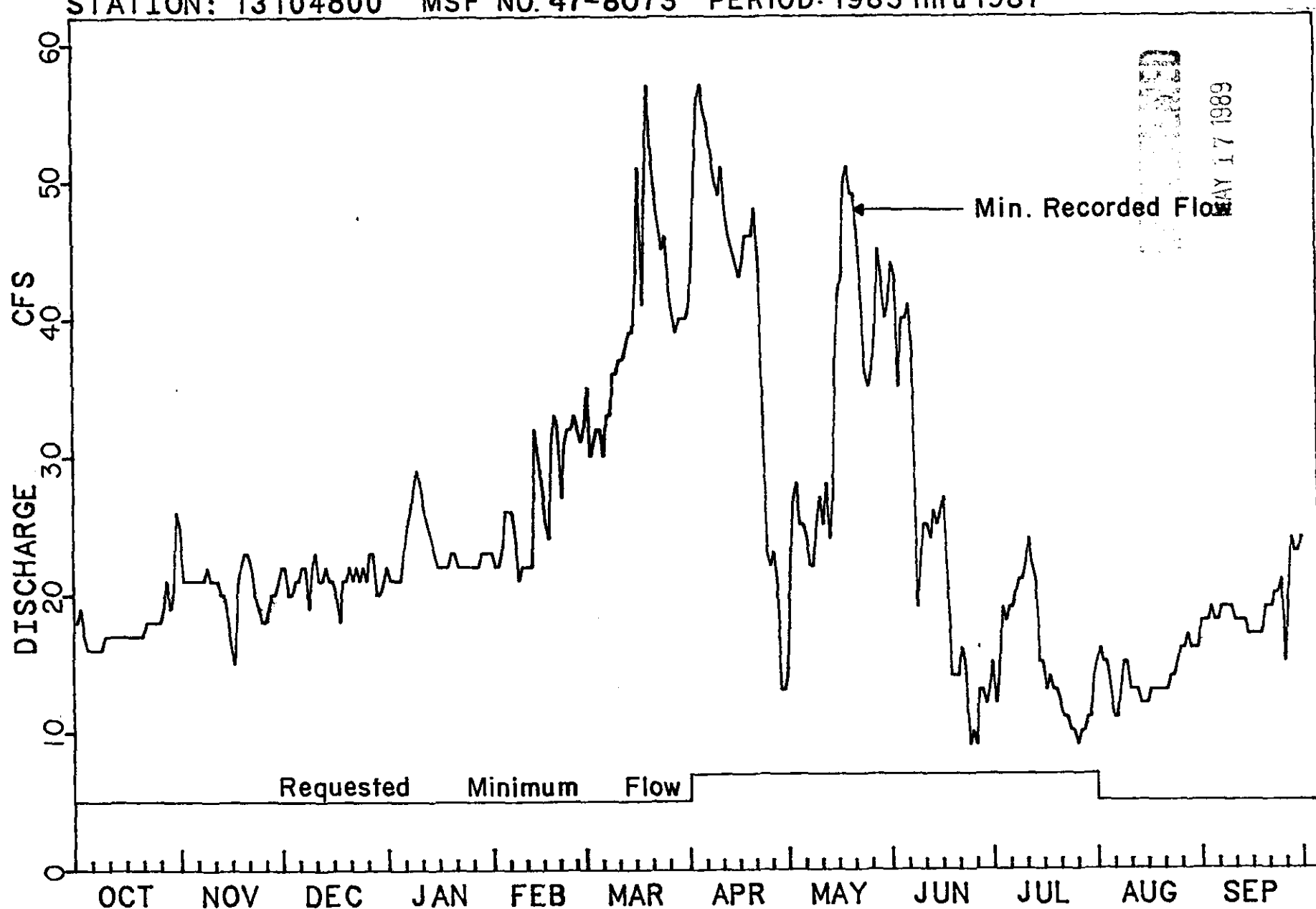
Licence No. 47-2455, Power: 17.37 cfs
Claim No. 47-4503, Stockwater &
Wildlife: 3.16 cfs



IDWR
EXHIBIT No. 1

NAME: SHOSHONE CREEK NR SAN JACINTO, NV

STATION: 13104800 MSF NO. 47-8073 PERIOD: 1983 thru 1987



REQUESTS FOR MINIMUM STREAMFLOWS

<u>Source</u>	<u>County</u>	<u>Amount</u>	<u>Period</u>	<u>Agency</u>
✓ Shoshone Creek	Twin Falls	5 cfs 7 cfs 5 cfs	1/1 to 3/31 4/1 to 7/31 8/1 to 12/31	Fish & Game
Hayden Creek	Kootenai	4 cfs 20 cfs 4 cfs	1/1 to 2/29 3/1 to 6/30 7/1 to 12/31	Fish & Game
Box Canyon Creek	Gooding	*75-162 cfs	1/1 to 12/31	BLM
Round Lake	Bonner	**	**	Parks & Rec.

* Graduated flows to be maintained through several reaches of the creek.

** Todd Graeff requested time for a presentation to the Board. Application has not yet been filed.

RESOLUTION TO CONTINUE OR WITHDRAW

<u>Source</u>	<u>County</u>	<u>Amount</u>	<u>Period</u>	<u>Agency</u>
Crystal Springs	Gooding	50 cfs	1/1 to 12/31	Parks & Rec.

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SHOSHONE CREEK
MINIMUM STREAMFLOW APPLICATION

Water Right No.: 47-8073

Source: Shoshone Creek

Rate of Flow: 5.0 cfs from 01/01 through 03/31
7.0 cfs from 04/01 through 07/31
5.0 cfs from 08/01 through 12/31

Date Application Filed: October 16, 1987

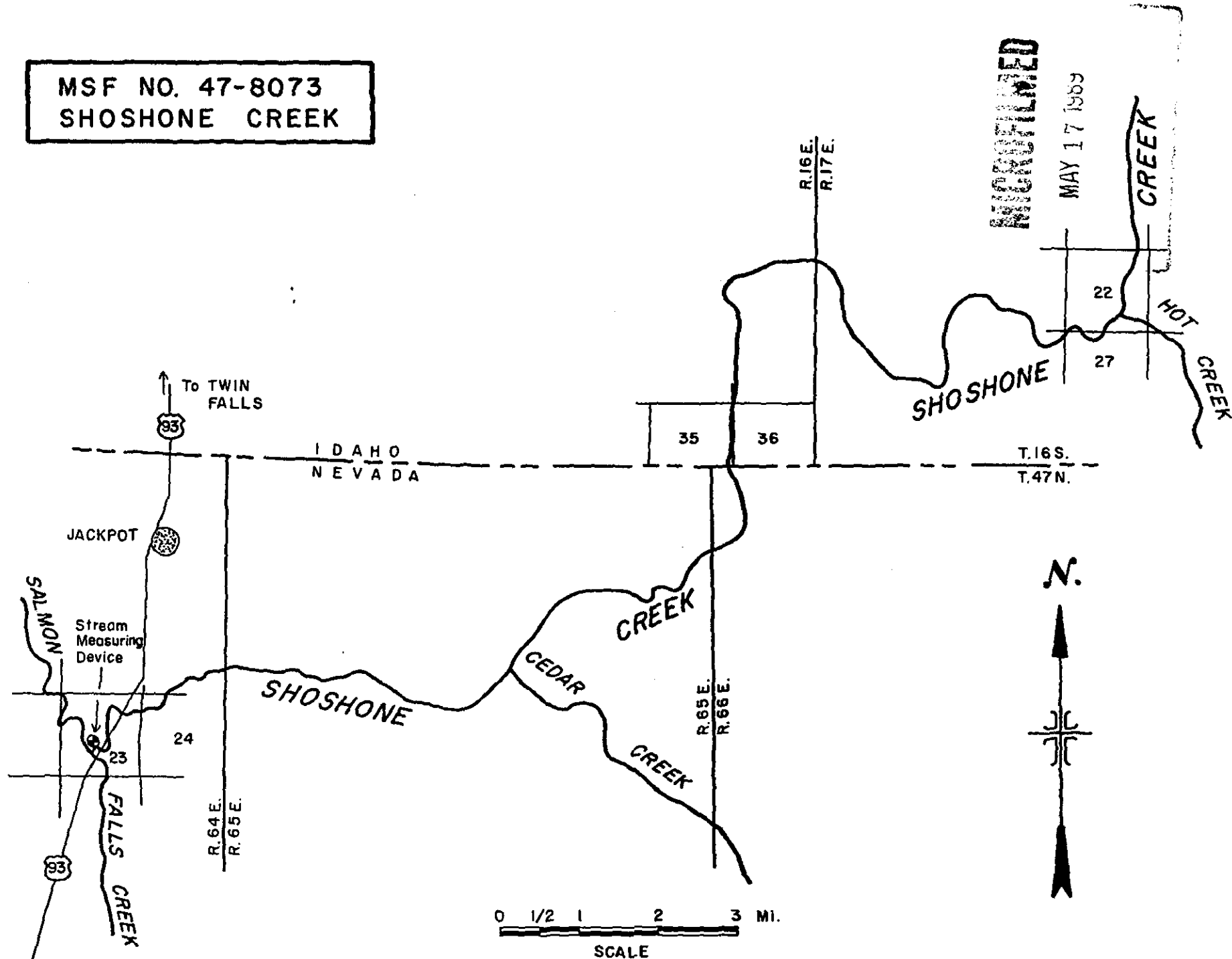
Applicant: Idaho Water Resource Board

Requesting Agency: Department of Fish and Game

Purpose: Preserve fish habitat

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MAY 17 1989

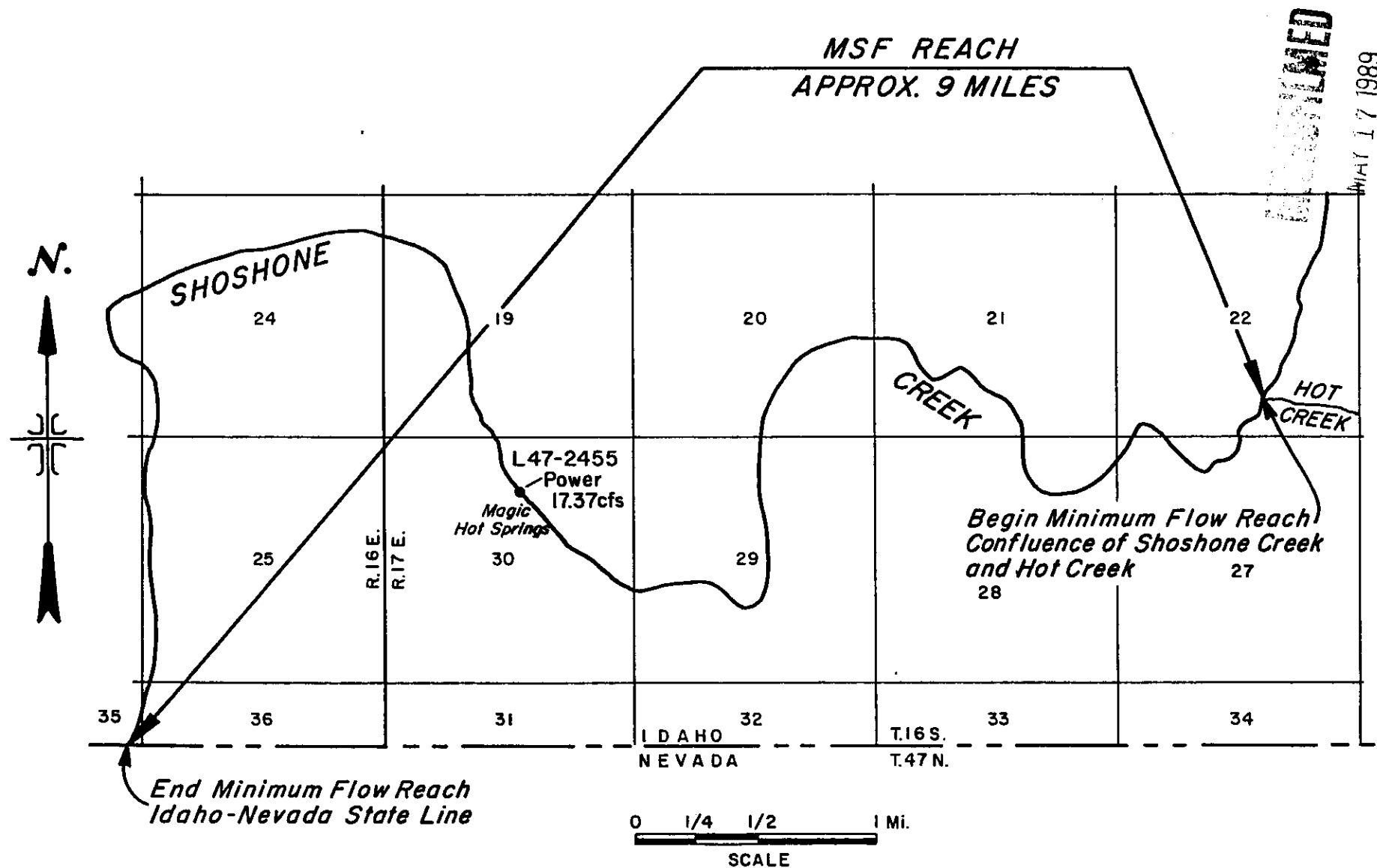
MSF NO. 47-8073
SHOSHONE CREEK



MSF NO. 47-8073
SHOSHONE CREEK

WATER RIGHTS WITHIN REACH

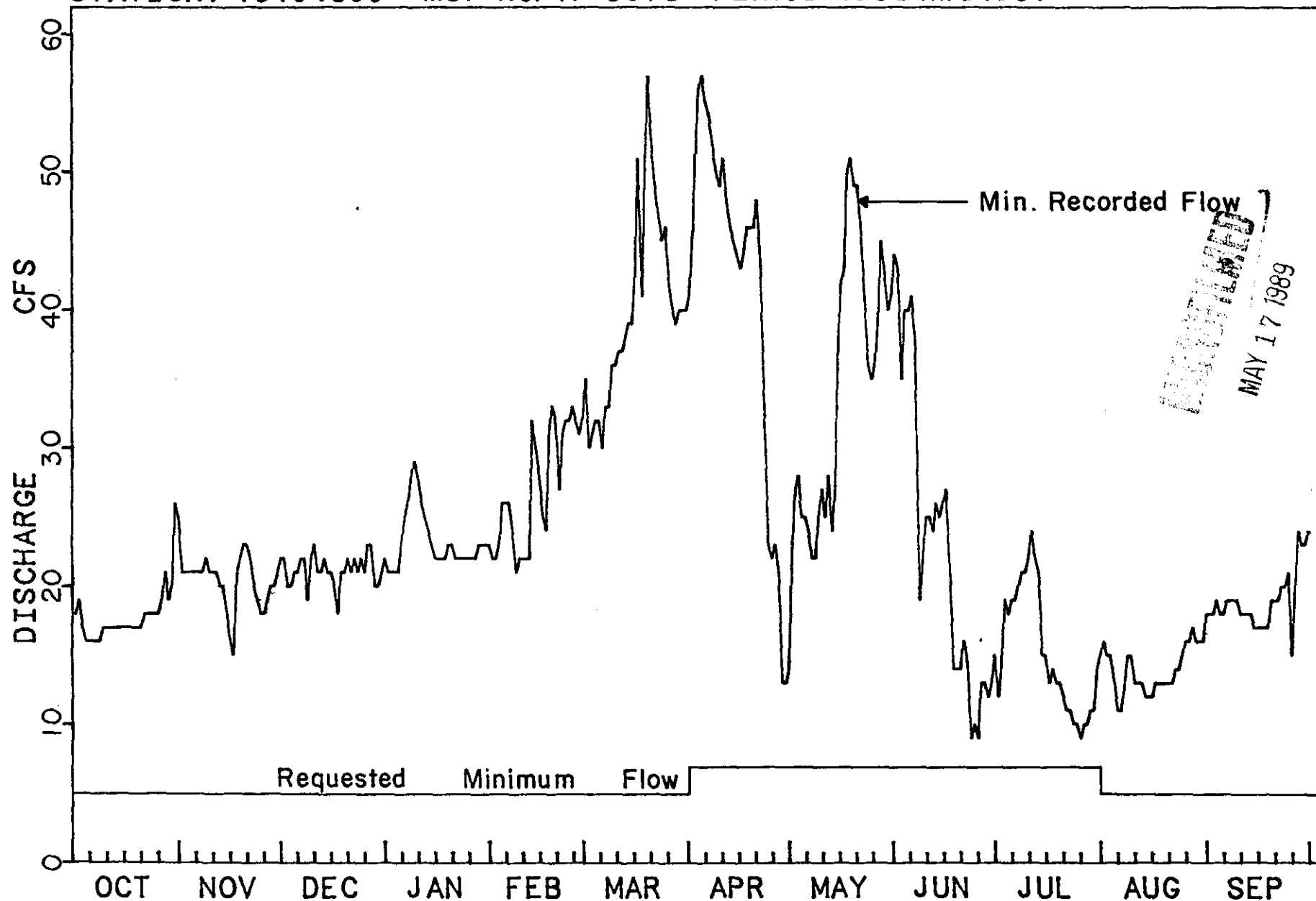
Licence No. 47-2455, Power: 17.37 cfs
Claim No. 47-4503, Stockwater &
Wildlife: 3.16 cfs.



IDWR
EXHIBIT NO. 1

NAME: SHOSHONE CREEK NR SAN JACINTO, NV

STATION: 13104800 MSF NO. 47-8073 PERIOD: 1983 thru 1987



COLLEGE OF SOUTHERN IDAHO
P. O. Box 1238
Twin Falls, Idaho 83301

APPLICATION AND AGREEMENT FOR USE OF
ACADEMIC AND VOCATIONAL SCHOOL FACILITIES

TITLE OF EVENT Idaho Water Resource Board Public Meeting

SPONSORED BY Idaho Water Resource Board

IF THE ORGANIZATION CONDUCTING THE EVENT IS DIFFERENT THAN THE SPONSOR LISTED ABOVE, INDICATE WHO WILL MANAGE THE MEETING _____

WILL ADMISSION BE CHARGED? No IF SO, WHAT PRICES _____

HAVE FUNDS BEEN SET ASIDE FROM ANY SOURCE TO DEFRAY THE COST OF PROCURING FACILITIES FOR THIS EVENT? No

BUILDING REQUESTED Aspen Vo-Tech ROOM(S) 108 (Mini Aud.)

DATE OF EVENT November 17 TIME 7:00 pm TO 10:00 pm
(AM or PM) (AM or PM)

ANTICIPATED NUMBER OF PEOPLE IN ATTENDANCE Approximately 100

PERSON TO CONTACT IF APPLICANT IS UNAVAILABLE Loren Holmes, Southern Region Mgr.

PHONE NUMBER 734-3578

NARRATIVE DESCRIPTION OF EVENT _____

10/29/87

DATE OF APPLICATION

Idaho Water Resource Board

APPLICANT'S NAME

Loren O. Holmes

By: Loren O. Holmes
Southern Region Manager - Dept. Water Reso.

APPLICANT'S PHONE NO. _____

APPLICANT'S ADDRESS _____

CONDITIONS

1. Due to inflationary costs in building maintenance and energy, it has become necessary to make a charge for facilities under certain conditions. Generally if a classroom usage is commercial in nature, funded by a grant, or if a registration fee is charged to defray expenses, the following rates apply:
Fewer than 50 people \$35.00 per classroom
50 people or more 60.00 per classroom
2. Food or coffee is not allowed in classrooms. Applications for food or coffee may be made through the cafeteria.
3. Applicants must be responsible for arrangements for Audio Visual Equipment.
4. A facilities meeting is held each Monday to approve applications and determine charges.

DATE OF APPROVAL _____

APPROVAL _____

THE CHARGE FOR THIS FACILITY USE IS: _____

SURFACE WATER RIGHTS BY POD TOWNSHIP AND RANGE

Research of water rights.

Place of use is not shown in report

Address of current owner not shown in report

All counties selected in search

All basins searched

Search limited to surface water rights

Points of diversion researched for water rights:

16S

17E

16S

18E

15S

17E

15S

18E

14S

17E

100-17-1000

Bert,

Please research all surface water rights
with points of diversion w/in the
following described parcels:

T 16 S	R 17 E
T 16 S	R 18 E
T 15 S	R 17 E
T 15 S	R 18 E
T 14 S	R 17 E

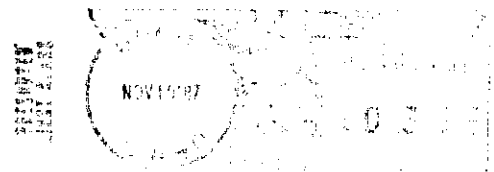
Need name, priority, stage, co., source,
rate, volume, remarks

Gary -

I need this info by Wed., Mar. 16.

RECEIVED

MAY 17 1969



State of Idaho
Department of Water Resources
Statehouse
Boise, Idaho 83720

THE IDAHO FIRST NATIONAL BANK
HEAD OFFICE
P.O. BOX 7009
BOISE, IDAHO 83727

AFFILIATE OF MOORE FINANCIAL GROUP

10-Mar-1988

POINT OF DIVERSION: Township 15S Range 17E

WR-NUMBER:
47-0011

CURRENT OWNER:
FRANCIS E. MCCONNELL

PRIORITY DATE:
19-Apr-1907

STAGE:
DECREE

COUNTY: TWIN FALLS
SOURCE: SHOSHONE CREEK
WATER USE:

TRIBUTARY: SALMON FALLS CREEK

DIVERSION-RATE:

DIVERSION-VOLUME:

IRRIGATION

0.880 CFS

0.00 AF

TOTAL RATE:

0.880 CFS

TOTAL VOLUME:

0.00 AF

DECREE PLAINTIFF: UTAH CONSTRUCTION CO.
DECREE DEFENDANT: TWIN FALLS-SHOSHONE CANAL CO. ET AL

REMARKS: SUPERCEEDS LIC. 47-2021.
P/D NOT GIVEN IN DECREE BUT SHOWN ON LICENSE.
P/D APPEARS TO BE INCORRECT ON LICENSE; SEE LICENSE FILE.
SEE DECREE FOR DELIVERY CONDITIONS.

POINT OF DIVERSION: T15S R17E S23 SWNE
T15S R17E S23 NWNE

POINT OF DIVERSION: Township 16S Range 18E

WR-NUMBER:
47-0014

CURRENT OWNER:
MAUDE CAMERON
BRYANT WILLIS

PRIORITY DATE:
15-Sep-1908

STAGE:
DECREE

COUNTY: TWIN FALLS
SOURCE: BIG CREEK
WATER USE:

TRIBUTARY: SHOSHONE CREEK

DIVERSION-RATE:

DIVERSION-VOLUME:

IRRIGATION

4.200 CFS

0.00 AF

TOTAL RATE:

4.200 CFS

TOTAL VOLUME:

0.00 AF

DECREE PLAINTIFF: UTAH CONSTRUCTION CO.
DECREE DEFENDANT: TWIN FALLS-SHOSHONE CANAL CO. ET AL

REMARKS: SUPERCEEDS LIC. 47-2443.
P/D NOT GIVEN IN DECREE BUT SHOWN IN LICENSE.

POINT OF DIVERSION: T16S R18E S03 SENW

POINT OF DIVERSION: Township 15S Range 18E

WR-NUMBER:
47-0018

CURRENT OWNER:
RAY POND

PRIORITY DATE:
5-Apr-1911

STAGE:
DECREE

COUNTY: TWIN FALLS
SOURCE: COTTONWOOD CREEK
WATER USE:

TRIBUTARY: SHOSHONE CREEK

DIVERSION-RATE:

DIVERSION-VOLUME:

IRRIGATION

1.600 CFS

0.00 AF

TOTAL RATE:

1.600 CFS

TOTAL VOLUME:

0.00 AF

DECREE PLAINTIFF: UTAH CONSTRUCTION CO.
DECREE DEFENDANT: TWIN FALLS-SHOSHONE CANAL CO. ET AL

POINT OF DIVERSION: T15S R18E S19 SWSE
T15S R18E S30 NENW

TOTAL VOLUME: 0.00 AF

TOTAL VOLUME:	0.00	AF
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TOTAL VOLUME:	0.00	AF
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DECREE PLAINTIFF: UTAH CONSTRUCTION CO.
DECREE DEFENDANT: TWIN FALLS SHOSHONE CANAL CO. ET AL

REMARKS: SUPERCEEDS LIC. 47-2080.
P/D NOT GIVEN IN DECREE BUT SHOWN ON LICENSE.
SEE DECREE FOR DELIVERY CONDITIONS.

POINT OF DIVERSION: T16S R18E S16 SENE

POINT OF DIVERSION: Township 15S Range 18E

WR-NUMBER:
47-0022

CURRENT OWNER:
PHIL HARDY

PRIORITY DATE:
14-Mar-1914

STAGE:
DECREE

COUNTY: TWIN FALLS

SOURCE: LANGFORD FLAT CREEK

TRIBUTARY: SHOSHONE CREEK

WATER USE:

DIVERSION-RATE:

DIVERSION-VOLUME:

IRRIGATION

1.000 CFS

0.00 AF

TOTAL RATE:

1.000 CFS

TOTAL VOLUME:

0.00 AF

DECREE PLAINTIFF: UTAH CONSTRUCTION CO.

DECREE DEFENDANT: TWIN FALLS-SHOSHONE CANAL CO. ET AL

REMARKS: P/D NOT GIVEN IN DECREE BUT SHOWN ON CANCELLED PERMIT 47-2087.
SOURCE GIVEN INCORRECTLY IN DECREE AS LANGFORD CREEK.
SEE DECREE FOR DELIVERY CONDITIONS.
AC. IRRIG. = 50.

POINT OF DIVERSION: T15S R18E S18 NENW

POINT OF DIVERSION: Township 14S Range 17E

WR-NUMBER:
47-2006A

CURRENT OWNER:
JAMES B. RICE

PRIORITY DATE:
13-Apr-1906

STAGE:
LICENSE

COUNTY: TWIN FALLS

SOURCE: COTTONWOOD CREEK

TRIBUTARY: DEEP CREEK
COTTONWOOD CREEK

COTTONWOOD CREEK, SOUTH FORK

WATER USE:

DIVERSION-RATE:

DIVERSION-VOLUME:

IRRIGATION

1.040 CFS

0.00 AF

DOMESTIC

0.000 CFS

0.00 AF

TOTAL RATE:

1.040 CFS

TOTAL VOLUME:

0.00 AF

REMARKS: AC. IRR. = 51.2.
SOURCES ARE COTTONWOOD CK. TRIB. TO DEEP CK. & COTTONWOOD CK.,
S. FK. TRIB. TO COTTONWOOD CK.
SOURCES KNOWN AS GREEN CK. & RICE CK. ON U.S.G.S. MAPS.

POINT OF DIVERSION: T13S R17E S32 NENE
T14S R17E S05 SENE

POINT OF DIVERSION: Township 14S Range 17E

WR-NUMBER:
47-2006B

CURRENT OWNER:
JAMES B. RICE

PRIORITY DATE:
13-Apr-1906

STAGE:
LICENSE

COUNTY: TWIN FALLS

SOURCE: COTTONWOOD CREEK
COTTONWOOD CREEK, SOUTH FORK
WATER USE: IRRIGATION
DOMESTIC
DIVERSION-RATE: 1.000 CFS
0.000 CFS
TOTAL RATE: 1.000 CFS
TRIBUTARY: DEEP CREEK
COTTONWOOD CREEK
DIVERSION-VOLUME: 0.00 AF
0.00 AF
TOTAL VOLUME: 0.00 AF

REMARKS: SOURCES ARE COTTONWOOD CK. TRIB. TO DEEP CK. & COTTONWOOD CK.,
S. FK. TRIB. TO COTTONWOOD CK.
LICENSE INCORRECTLY LISTS P/D IN NENE, SEC. 32, T11S, R17E.
SOURCES KNOWN AS GREEN CREEK AND RICE CREEK ON U.S.G.S. MAPS.

POINT OF DIVERSION: T13S R17E S32 NENE
T14S R17E S05 SENE

POINT OF DIVERSION: Township 15S Range 17E

WR-NUMBER: 47-2042
CURRENT OWNER: HENRY B. CARR
PRIORITY DATE: 28-Jul-1909
STAGE: LICENSE

COUNTY: TWIN FALLS
SOURCE: COTTONWOOD CREEK
WATER USE: IRRIGATION
DOMESTIC
DIVERSION-RATE: 1.200 CFS
0.000 CFS
TOTAL RATE: 1.200 CFS
TRIBUTARY: SHOSHONE CREEK
DIVERSION-VOLUME: 0.00 AF
0.00 AF
TOTAL VOLUME: 0.00 AF

POINT OF DIVERSION: T15S R17E S24 SWNE

POINT OF DIVERSION: Township 14S Range 17E

WR-NUMBER: 47-2050
CURRENT OWNER: JEFFERSON D. WISEMAN
PRIORITY DATE: 4-Dec-1911
STAGE: LICENSE

COUNTY: TWIN FALLS
SOURCE: SOLDIER CREEK
WATER USE: IRRIGATION
DOMESTIC
DIVERSION-RATE: 3.000 CFS
0.000 CFS
TOTAL RATE: 3.000 CFS
TRIBUTARY: DEEP CREEK
DIVERSION-VOLUME: 0.00 AF
0.00 AF
TOTAL VOLUME: 0.00 AF

POINT OF DIVERSION: T14S R17E S09 NESW

POINT OF DIVERSION: Township 14S Range 17E

WR-NUMBER: 47-2056
CURRENT OWNER: JEFFERSON D. WISEMAN
PRIORITY DATE: 22-Sep-1910
STAGE: LICENSE

COUNTY: TWIN FALLS
SOURCE: SOLDIER CREEK
WATER USE: IRRIGATION
DOMESTIC
DIVERSION-RATE: 2.000 CFS
0.000 CFS
TOTAL RATE: 2.000 CFS
TRIBUTARY: DEEP CREEK
DIVERSION-VOLUME: 0.00 AF
0.00 AF
TOTAL VOLUME: 0.00 AF

REMARKS: 2 P/D IN SENW, S8, T14S, R17E.

POINT OF DIVERSION: T14S R17E S08 SENW
T14S R17E S08 SENE
T14S R17E S08 SWNE

POINT OF DIVERSION: Township 14S Range 17E

WR-NUMBER:
47-2066CURRENT OWNER:
JAMES B. RICEPRIORITY DATE:
22-Jan-1912STAGE:
LICENSECOUNTY: TWIN FALLS
SOURCE: RICE CREEK
GREEN CREEKTRIBUTARY: GREEN CREEK
DEEP CREEK

WATER USE:

DIVERSION-RATE:

DIVERSION-VOLUME:

IRRIGATION

2.000 CFS

0.00 AF

DOMESTIC

0.000 CFS

0.00 AF

TOTAL RATE:

2.000 CFS

TOTAL VOLUME:

0.00 AF

REMARKS: SOURCES KNOWN LOCALLY AS COTTONWOOD CK. & COTTON WOOD CK., S. FK.
DIVERSION RATE IS 1.0 CFS FROM RICE CK. & 1.0 CFS FROM GREEN CK.
SOURCES ARE RICE CK. TRIB. TO GREEN CK. & GREEN CK. TRIB. TO
DEEP CK.POINT OF DIVERSION: T13S R17E S32 NENE
T14S R17E S05 SENE

POINT OF DIVERSION: Township 15S Range 18E

WR-NUMBER:
47-2082CURRENT OWNER:
SARAH M. JOSLINPRIORITY DATE:
16-Aug-1913STAGE:
LICENSECOUNTY: TWIN FALLS
SOURCE: COTTONWOOD CREEK

TRIBUTARY: SHOSHONE CREEK

WATER USE:

DIVERSION-RATE:

DIVERSION-VOLUME:

IRRIGATION

3.440 CFS

0.00 AF

DOMESTIC

0.000 CFS

0.00 AF

TOTAL RATE:

3.440 CFS

TOTAL VOLUME:

0.00 AF

REMARKS: LICENSE INCORRECTLY LISTS TRIB. AS SNAKE RIVER.

POINT OF DIVERSION: T15S R18E S28 NESE

POINT OF DIVERSION: Township 14S Range 17E

WR-NUMBER:
47-2086CURRENT OWNER:
JOSEPH S. WEECHPRIORITY DATE:
5-Feb-1914STAGE:
LICENSECOUNTY: TWIN FALLS
SOURCE: SPRINGS

TRIBUTARY: SHOSHONE CREEK

WATER USE:

DIVERSION-RATE:

DIVERSION-VOLUME:

IRRIGATION

0.700 CFS

0.00 AF

DOMESTIC

0.000 CFS

0.00 AF

TOTAL RATE:

0.700 CFS

TOTAL VOLUME:

0.00 AF

POINT OF DIVERSION: T14S R17E S22 NWNW
T14S R17E S22 SENW
T14S R17E S27 NWNW

POINT OF DIVERSION: Township 14S Range 17E

WR-NUMBER:

CURRENT OWNER:

PRIORITY DATE:

STAGE:

47-2125

JOSEPH S. WEECH

16-Nov-1916

LICENSE

COUNTY: TWIN FALLS

SOURCE: SPRING

WATER USE:

IRRIGATION

DOMESTIC

DIVERSION-RATE:

0.040 CFS

0.000 CFS

TOTAL RATE:

0.040 CFS

TRIBUTARY: DEEP CREEK

DIVERSION-VOLUME:

0.00 AF

0.00 AF

TOTAL VOLUME:

0.00 AF

POINT OF DIVERSION: T14S R17E S21 SESE

POINT OF DIVERSION: Township 16S Range 18E

WR-NUMBER:
47-2447

CURRENT OWNER:

DAN J. CAVANAUGH

PRIORITY DATE:

6-May-1947

STAGE:

LICENSE

COUNTY: TWIN FALLS

SOURCE: HORSE CREEK
SPRINGTRIBUTARY: SHOSHONE CREEK
HORSE CREEK

WATER USE:

STOCKWATER STORAGE

STOCKWATER FROM STORAGE

DIVERSION-RATE:

0.000 CFS

0.000 CFS

TOTAL RATE:

0.000 CFS

DIVERSION-VOLUME:

3.00 AF

3.00 AF

TOTAL VOLUME:

3.00 AF

POINT OF DIVERSION: T16S R18E S21 NENE

POINT OF DIVERSION: Township 15S Range 17E

WR-NUMBER:
47-2580

CURRENT OWNER:

U.S. DEPT. OF INTERIOR

PRIORITY DATE:

24-Jan-1942

STAGE:

LICENSE

COUNTY: TWIN FALLS

SOURCE: SPRING

TRIBUTARY:

WATER USE:

STOCKWATER

DIVERSION-RATE:

0.010 CFS

0.010 CFS

TOTAL RATE:

DIVERSION-VOLUME:

0.00 AF

0.00 AF

TOTAL VOLUME:

POINT OF DIVERSION: T15S R17E S30 NENW

POINT OF DIVERSION: Township 16S Range 18E

WR-NUMBER:
47-2595

CURRENT OWNER:

U.S. DEPT. OF INTERIOR

PRIORITY DATE:

16-Feb-1949

STAGE:

LICENSE

COUNTY: TWIN FALLS

SOURCE: UNNAMED STREAM

TRIBUTARY:

WATER USE:

STOCKWATER STORAGE

DIVERSION-RATE:

0.000 CFS

0.000 CFS

TOTAL RATE:

DIVERSION-VOLUME:

2.00 AF

2.00 AF

TOTAL VOLUME:

POINT OF DIVERSION: T16S R18E S33 NWNW

POINT OF DIVERSION: Township 16S Range 18E

WR-NUMBER:
47-2596

CURRENT OWNER:

U.S. DEPT. OF INTERIOR

PRIORITY DATE:

16-Feb-1949

STAGE:

LICENSE

COUNTY: TWIN FALLS

COUNTY: TWIN FALLS
SOURCE: DAVE'S SPRING

TRIBUTARY: DEEP CREEK, NORTH FORK

WATER USE: STOCKWATER
DIVERSION-RATE: 0.006 CFS
TOTAL RATE: 0.006 CFS
DIVERSION-VOLUME: 0.00 AF
TOTAL VOLUME: 0.00 AF
POINT OF DIVERSION: T14S R17E S27 NWNW

POINT OF DIVERSION: Township 15S Range 17E

WR-NUMBER: 47-4426
CURRENT OWNER: NOH SHEEP CO.
PRIORITY DATE: 30-Sep-1968
STAGE: STATUTORY CLAIM

COUNTY: TWIN FALLS
SOURCE: UNNAMED STREAM
WATER USE: STOCKWATER

TRIBUTARY: DEEP CREEK
DIVERSION-RATE: 0.000 CFS
TOTAL RATE: 0.000 CFS

DIVERSION-VOLUME: 5.00 AF
TOTAL VOLUME: 5.00 AF

POINT OF DIVERSION: T15S R17E S06 NENW LT03

POINT OF DIVERSION: Township 15S Range 17E

WR-NUMBER: 47-4427
CURRENT OWNER: NOH SHEEP CO.
PRIORITY DATE: 30-Sep-1948
STAGE: STATUTORY CLAIM

COUNTY: TWIN FALLS
SOURCE: UNNAMED SPRING
WATER USE: STOCKWATER

TRIBUTARY: SINKS
DIVERSION-RATE: 0.000 CFS
TOTAL RATE: 0.000 CFS

DIVERSION-VOLUME: 8.00 AF
TOTAL VOLUME: 8.00 AF

POINT OF DIVERSION: T15S R17E S07 NWNW LT01

POINT OF DIVERSION: Township 16S Range 18E

WR-NUMBER: 47-4441
CURRENT OWNER: VICTOR W. NELSON
MAXINE M. NELSON
PRIORITY DATE: 1-Jun-1938
STAGE: STATUTORY CLAIM

COUNTY: TWIN FALLS
SOURCE: BIG CREEK, HANNAHS FORK
WATER USE: STOCKWATER

TRIBUTARY: BIG CREEK
DIVERSION-RATE: 0.000 CFS
TOTAL RATE: 0.000 CFS

DIVERSION-VOLUME: 2.00 AF
TOTAL VOLUME: 2.00 AF

POINT OF DIVERSION: T16S R18E S07 SESE

POINT OF DIVERSION: Township 15S Range 17E

WR-NUMBER: 47-4493
CURRENT OWNER: VICTOR W. NELSON
MAXINE NELSON
PRIORITY DATE: 1-Apr-1940
STAGE: STATUTORY CLAIM

COUNTY: TWIN FALLS
SOURCE: SPRING
WATER USE: STOCKWATER

TRIBUTARY: SINKS
DIVERSION-RATE: 0.050 CFS
TOTAL RATE: 0.050 CFS

DIVERSION-VOLUME: 0.00 AF
TOTAL VOLUME: 0.00 AF

POINT OF DIVERSION: T15S R17E S19 NWSW

POINT OF DIVERSION: Township 15S Range 17E
POINT OF DIVERSION: Township 14S Range 17E

WR-NUMBER:
47-4500

CURRENT OWNER:
U.S. DEPT. OF INTERIOR

PRIORITY DATE:
28-Jun-1934

STAGE:
STATUTORY CLAIM

COUNTY: TWIN FALLS

SOURCE: DEEP CREEK
DEEP CREEK, NORTH FORK
DEEP CREEK, SOUTH FORK

TRIBUTARY: SNAKE RIVER
DEEP CREEK
DEEP CREEK

WATER USE:

DIVERSION-RATE:

DIVERSION-VOLUME:

STOCKWATER

0.200 CFS

0.00 AF

WILDLIFE

0.010 CFS

0.00 AF

TOTAL RATE:

0.650 CFS

TOTAL VOLUME:

0.00 AF

REMARKS: RT. INCLUDES 0.44 CFS FOR CHANNEL LOSS.

POINT OF DIVERSION: T15S R17E S06 NENW
T14S R17E S32 NENW
T14S R17E S32 SENW
T14S R17E S32 NESW
T14S R17E S32 SESW
T14S R17E S29 NENE
T14S R17E S29 NWNW
T14S R17E S29 NENW
T14S R17E S29 SWNW
T14S R17E S29 SENW
T14S R17E S29 NWSW
T14S R17E S29 SWSW
T14S R17E S30 SENE
T14S R16E S13 NENW
T14S R16E S13 SENW
T14S R16E S13 NESW
T14S R16E S13 NWSW
T14S R16E S13 SESW
T13S R16E S28 SWSW
T13S R16E S29 NENW
T13S R16E S29 NWNW
T13S R16E S29 NESE
T13S R16E S29 SESE
T13S R16E S20 NWSW
T13S R16E S20 SWSW
T13S R16E S20 SESW
T13S R16E S19 NESE
T13S R16E S19 SESE
T14S R17E S20 SESE
T13S R16E S34 NWSW

POINT OF DIVERSION: Township 15S Range 17E

WR-NUMBER:
47-4503

CURRENT OWNER:
U.S. DEPT. OF INTERIOR

PRIORITY DATE:
28-Jun-1934

STAGE:
STATUTORY CLAIM

COUNTY: TWIN FALLS

SOURCE: SHOSHONE CREEK

TRIBUTARY: SALMON FALLS CREEK

WATER USE:

DIVERSION-RATE:

DIVERSION-VOLUME:

STOCKWATER

0.150 CFS

0.00 AF

WILDLIFE

0.010 CFS

0.00 AF

TOTAL RATE:

3.160 CFS

TOTAL VOLUME:

0.00 AF

REMARKS: RT. INCLUDES 3.0 CFS FOR CHANNEL LOSS.

POINT OF DIVERSION:	T15S	R17E	S34	SESE
	T16S	R17E	S27	NENW
	T16S	R17E	S27	NWNW
	T16S	R17E	S22	SWSW
	T16S	R17E	S22	SESW
	T16S	R17E	S28	NENE
	T16S	R17E	S28	NWNE
	T16S	R17E	S21	NESW
	T16S	R17E	S21	NWSW
	T16S	R17E	S21	SESW
	T16S	R17E	S21	SWSE
	T16S	R17E	S20	NESE
	T16S	R17E	S20	NWSE
	T16S	R17E	S20	SWSE
	T16S	R17E	S29	NWNE
	T16S	R17E	S29	SWNE
	T16S	R17E	S29	NESW
	T16S	R17E	S29	NWSW
	T16S	R17E	S29	NWSE
	T16S	R17E	S30	SENE
	T16S	R17E	S30	NESE
	T16S	R17E	S19	NWNW
	T16S	R17E	S19	SWNW
	T16S	R17E	S19	SENW
	T16S	R17E	S19	NESW
	T16S	R17E	S19	SESW
	T16S	R16E	S24	NENW
	T16S	R16E	S24	SWNW
	T16S	R16E	S24	SENW
	T16S	R16E	S24	NWSW
	T16S	R16E	S24	SWSW
	T16S	R16E	S23	SENE
	T16S	R16E	S23	NESE
	T16S	R16E	S25	NWNW
	T16S	R16E	S25	SWNW
	T16S	R16E	S25	NWSW
	T16S	R16E	S25	SWSW
	T16S	R16E	S35	NENE
	T16S	R17E	S03	NENE
	T16S	R17E	S03	NWNE
	T16S	R17E	S03	SENE
	T16S	R17E	S03	NESE
	T16S	R17E	S03	SESE

POINT OF DIVERSION: Township 14S Range 17E

WR-NUMBER:
47-4507

CURRENT OWNER:
WILMOTH KINSEY

PRIORITY DATE:
1-Jun-1915

STAGE:
STATUTORY CLAIM

COUNTY: TWIN FALLS
SOURCE: SPRINGS
SPRINGS

TRIBUTARY: SINKS
DEEP CREEK, NORTH FORK

WATER USE:

DIVERSION-RATE:

DIVERSION-VOLUME:

STOCKWATER

0.120 CFS

0.00 AF

TOTAL RATE:

0.120 CFS

TOTAL VOLUME:

0.00 AF

POINT OF DIVERSION:	T14S	R17E	S21	SESE
	T14S	R17E	S22	SESE
	T14S	R17E	S26	SWNW

POINT OF DIVERSION: Township 15S Range 18E

WR-NUMBER:
47-7588

CURRENT OWNER:
U.S. DEPT. OF AGRI.

PRIORITY DATE:
11-Oct-1979

STAGE:
LICENSE

COUNTY: TWIN FALLS
SOURCE: SANITARY SPRING
WATER USE:

DIVERSION-RATE:

TRIBUTARY: LANGFORD FLAT CREEK

DIVERSION-VOLUME:

STOCKWATER

0.020 CFS

6.10 AF

TOTAL RATE:

0.020 CFS

TOTAL VOLUME:

6.10 AF

POINT OF DIVERSION: T15S R18E S09 SENW

POINT OF DIVERSION: Township 16S Range 18E

WR-NUMBER:
47-7589

CURRENT OWNER:
U.S. DEPT. OF AGRI.

PRIORITY DATE:
11-Oct-1979

STAGE:
LICENSE

COUNTY: TWIN FALLS
SOURCE: SPRING
WATER USE:

DIVERSION-RATE:

TRIBUTARY: BIG CREEK

DIVERSION-VOLUME:

STOCKWATER

0.020 CFS

2.30 AF

TOTAL RATE:

0.020 CFS

TOTAL VOLUME:

2.30 AF

POINT OF DIVERSION: T16S R18E S03 SWNE

POINT OF DIVERSION: Township 15S Range 18E

WR-NUMBER:
47-7594

CURRENT OWNER:
U.S. DEPT. OF AGRI.

PRIORITY DATE:
11-Oct-1979

STAGE:
LICENSE

COUNTY: TWIN FALLS
SOURCE: CLIFF SPRING
WATER USE:

DIVERSION-RATE:

TRIBUTARY: SINKS

DIVERSION-VOLUME:

STOCKWATER

0.020 CFS

6.00 AF

TOTAL RATE:

0.020 CFS

TOTAL VOLUME:

6.00 AF

POINT OF DIVERSION: T15S R18E S08 NESE

POINT OF DIVERSION: Township 15S Range 18E

WR-NUMBER:
47-7599

CURRENT OWNER:
U.S. DEPT. OF AGRI.

PRIORITY DATE:
11-Oct-1979

STAGE:
LICENSE

COUNTY: TWIN FALLS
SOURCE: DIAMOND FLAT SPRING
WATER USE:

DIVERSION-RATE:

TRIBUTARY: EAGLE SPRING CREEK

DIVERSION-VOLUME:

STOCKWATER

0.020 CFS

6.10 AF

TOTAL RATE:

0.020 CFS

TOTAL VOLUME:

6.10 AF

POINT OF DIVERSION: T15S R18E S15 SWNE

POINT OF DIVERSION: Township 16S Range 18E

WR-NUMBER:
47-7604

CURRENT OWNER:
U.S. DEPT. OF AGRI.

PRIORITY DATE:
1-Nov-1979

STAGE:
LICENSE

COUNTY: TWIN FALLS

SOURCE: JAP SPRING NO. THREE TRIBUTARY: SINKS
WATER USE: DIVERSION-RATE: DIVERSION-VOLUME:
STOCKWATER 0.020 CFS 2.70 AF
TOTAL RATE: 0.020 CFS TOTAL VOLUME: 2.70 AF
POINT OF DIVERSION: T16S R18E S03 SENW

POINT OF DIVERSION: Township 15S Range 18E

WR-NUMBER: 47-7651 CURRENT OWNER: U.S. DEPT. OF AGRI. PRIORITY DATE: 6-Jun-1980 STAGE: LICENSE
COUNTY: TWIN FALLS
SOURCE: WILLIAMS SPRING TRIBUTARY: LANGFORD FLAT CREEK
WATER USE: DIVERSION-RATE: DIVERSION-VOLUME:
STOCKWATER 0.020 CFS 1.60 AF
TOTAL RATE: 0.020 CFS TOTAL VOLUME: 1.60 AF
POINT OF DIVERSION: T15S R18E S04 NWNW

POINT OF DIVERSION: Township 14S Range 17E

WR-NUMBER: 47-7937 CURRENT OWNER: U.S. DEPT. OF AGRI. PRIORITY DATE: 11-Aug-1983 STAGE: PERMIT
COUNTY: TWIN FALLS
SOURCE: SPRING TRIBUTARY: SOLDIER CREEK
WATER USE: DIVERSION-RATE: DIVERSION-VOLUME:
STOCKWATER STORAGE 0.000 CFS 0.10 AF
IRRIGATION FROM STORAGE 0.000 CFS 0.10 AF
WILDLIFE STORAGE 0.000 CFS 0.10 AF
WILDLIFE FROM STORAGE 0.000 CFS 0.10 AF
TOTAL RATE: 0.000 CFS TOTAL VOLUME: 0.10 AF
REMARKS: REINSTATED 2-3-1986.
POINT OF DIVERSION: T14S R17E S03 NESE

POINT OF DIVERSION: Township 14S Range 17E

WR-NUMBER: 47-7938 CURRENT OWNER: U.S. DEPT. OF AGRI. PRIORITY DATE: 13-Jul-1983 STAGE: PERMIT
COUNTY: TWIN FALLS
SOURCE: SOLDIER SPRING TRIBUTARY: SOLDIER CREEK
WATER USE: DIVERSION-RATE: DIVERSION-VOLUME:
STOCKWATER STORAGE 0.000 CFS 0.10 AF
STOCKWATER FROM STORAGE 0.000 CFS 0.10 AF
WILDLIFE STORAGE 0.000 CFS 0.10 AF
WILDLIFE FROM STORAGE 0.000 CFS 0.10 AF
TOTAL RATE: 0.000 CFS TOTAL VOLUME: 0.10 AF
POINT OF DIVERSION: T14S R17E S03 SENE

POINT OF DIVERSION: Township 15S Range 18E

WR-NUMBER: 47-7940 CURRENT OWNER: U.S. DEPT. OF AGRI. PRIORITY DATE: 11-Aug-1983 STAGE: PERMIT

COUNTY: TWIN FALLS
SOURCE: SPRING
WATER USE: DIVERSION-RATE: DIVERSION-VOLUME:
STOCKWATER STORAGE 0.000 CFS 0.10 AF
STOCKWATER FROM STORAGE 0.000 CFS 0.10 AF
WILDLIFE STORAGE 0.000 CFS 0.10 AF
WILDLIFE FROM STORAGE 0.000 CFS 0.10 AF
TOTAL RATE: 0.000 CFS TOTAL VOLUME: 0.10 AF

REMARKS: REINSTATED 2-3-1986.

POINT OF DIVERSION: T15S R18E S21 NESE

POINT OF DIVERSION: Township 15S Range 18E

WR-NUMBER: 47-7941
CURRENT OWNER: U.S. DEPT. OF AGRI.
PRIORITY DATE: 1-Sep-1983
STAGE: PERMIT

COUNTY: TWIN FALLS
SOURCE: SPRING
WATER USE: DIVERSION-RATE: DIVERSION-VOLUME:
STOCKWATER STORAGE 0.000 CFS 0.10 AF
STOCKWATER FROM STORAGE 0.000 CFS 0.10 AF
WILDLIFE STORAGE 0.000 CFS 0.10 AF
WILDLIFE FROM STORAGE 0.000 CFS 0.10 AF
TOTAL RATE: 0.000 CFS TOTAL VOLUME: 0.10 AF

REMARKS: REINSTATED 2-3-1986.

POINT OF DIVERSION: T15S R18E S15 SWSE

POINT OF DIVERSION: Township 14S Range 17E

WR-NUMBER: 47-7943
CURRENT OWNER: U.S. DEPT. OF AGRI.
PRIORITY DATE: 11-Aug-1983
STAGE: PERMIT

COUNTY: TWIN FALLS
SOURCE: SPRING
WATER USE: DIVERSION-RATE: DIVERSION-VOLUME:
STOCKWATER STORAGE 0.000 CFS 0.10 AF
STOCKWATER FROM STORAGE 0.000 CFS 0.10 AF
WILDLIFE STORAGE 0.000 CFS 0.10 AF
WILDLIFE FROM STORAGE 0.000 CFS 0.10 AF
TOTAL RATE: 0.000 CFS TOTAL VOLUME: 0.10 AF

REMARKS: REINSTATED 2-3-1986.

POINT OF DIVERSION: T14S R17E S12 NWSE

POINT OF DIVERSION: Township 14S Range 17E

WR-NUMBER: 47-7949
CURRENT OWNER: U.S. DEPT. OF AGRI.
PRIORITY DATE: 15-Jul-1983
STAGE: PERMIT

COUNTY: TWIN FALLS
SOURCE: SPRING
WATER USE: DIVERSION-RATE: DIVERSION-VOLUME:
STOCKWATER STORAGE 0.000 CFS 0.10 AF
STOCKWATER FROM STORAGE 0.000 CFS 0.10 AF

WILDLIFE STORAGE	0.000	CFS	0.10	AF
WILDLIFE FROM STORAGE	0.000	CFS	0.10	AF
TOTAL RATE:	0.000	CFS	TOTAL VOLUME:	0.10 AF

POINT OF DIVERSION: T14S R17E S14 SWNE

POINT OF DIVERSION: Township 15S Range 17E

WR-NUMBER: 47-7984	CURRENT OWNER: BILLY D. JACOBSEN MAURINE JACOBSEN	PRIORITY DATE: 28-Jun-1984	STAGE: PERMIT
COUNTY: TWIN FALLS	TRIBUTARY: LANGFORD FLAT CREEK		
SOURCE: SPRING			
WATER USE:	DIVERSION-RATE:	DIVERSION-VOLUME:	
IRRIGATION	0.090 CFS	0.00	AF
STOCKWATER	0.020 CFS	0.00	AF
DOMESTIC	0.040 CFS	0.00	AF
RECREATION	0.200 CFS	0.00	AF
TOTAL RATE:	0.200 CFS	TOTAL VOLUME:	0.00 AF

POINT OF DIVERSION: T15S R17E S13 NESWSE

POINT OF DIVERSION: Township 14S Range 17E

WR-NUMBER: 47-7986	CURRENT OWNER: U.S. DEPT. OF INTERIOR	PRIORITY DATE: 21-Sep-1984	STAGE: LICENSE
COUNTY: TWIN FALLS	TRIBUTARY: SINKS		
SOURCE: SPRINGS			
WATER USE:	DIVERSION-RATE:	DIVERSION-VOLUME:	
STOCKWATER	0.010 CFS	0.70	AF
WILDLIFE	0.010 CFS	0.10	AF
TOTAL RATE:	0.010 CFS	TOTAL VOLUME:	0.80 AF

REMARKS: Source also known as Twin Reservoir.

POINT OF DIVERSION: T14S R17E S22 NESW

POINT OF DIVERSION: Township 15S Range 17E

WR-NUMBER: 47-8037	CURRENT OWNER: U.S. DEPT. OF INTERIOR	PRIORITY DATE: 13-Mar-1986	STAGE: PERMIT
COUNTY: TWIN FALLS	TRIBUTARY: SINKS		
SOURCE: WINTER SPRING			
WATER USE:	DIVERSION-RATE:	DIVERSION-VOLUME:	
STOCKWATER	0.020 CFS	0.00	AF
WILDLIFE	0.020 CFS	0.00	AF
TOTAL RATE:	0.020 CFS	TOTAL VOLUME:	0.00 AF

POINT OF DIVERSION: T15S R17E S30 NENWNW LT01

POINT OF DIVERSION: Township 16S Range 18E

WR-NUMBER: 47-8062	CURRENT OWNER: U.S. DEPT. OF AGRI.	PRIORITY DATE: 24-Mar-1987	STAGE: PERMIT
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COUNTY: TWIN FALLS
SOURCE: SPRING
WATER USE: DIVERSION-RATE: DIVERSION-VOLUME:
STOCKWATER 0.100 CFS 0.00 AF
WILDLIFE 0.010 CFS 0.00 AF
TOTAL RATE: 0.100 CFS TOTAL VOLUME: 0.00 AF

REMARKS: SOURCE ALSO KNOWN AS KLAAS SPRING.

POINT OF DIVERSION: T16S R18E S27 NENWSE

POINT OF DIVERSION: Township 15S Range 17E

WR-NUMBER: 47-8077
CURRENT OWNER: BUREAU OF LAND MANAGEMENT
PRIORITY DATE: 6-Jan-1988
STAGE: APPLICATION

COUNTY: TWIN FALLS
SOURCE: UNNAMED STREAMS
WATER USE: DIVERSION-RATE: DIVERSION-VOLUME:
STOCKWATER FROM STORAGE 0.000 CFS 2.00 AF
WILDLIFE FROM STORAGE 0.000 CFS 1.00 AF
STOCKWATER STORAGE 0.000 CFS 2.00 AF
WILDLIFE STORAGE 0.000 CFS 1.00 AF
TOTAL RATE: 0.000 CFS TOTAL VOLUME: 3.00 AF

REMARKS: GRAZING SYS. IN ROTATION, WILL USE WATER SOURCES AT
DIFFERENT TIMES OF YEAR, NOT OVER 60 DAYS/SEASON.

POINT OF DIVERSION: T15S R17E S33 NENW
T15S R17E S33 NESE
T15S R17E S34 SWNW
T16S R17E S02 NESE

16-Nov-1987

SOURCE: BIG CREEK

TRIBUTARY: SHOSHONE CREEK

STATE OF IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS ABSTRACT

WR-NUMBER:
47-0009A

CURRENT OWNER:
UTAH CONSTRUCTION CO.

PRIORITY DATE:
1-Aug-1889

STAGE:
DECREE

COUNTY: TWIN FALLS

SOURCE: BIG CREEK

TRIBUTARY: SHOSHONE CREEK

WATER USE:

DIVERSION-RATE:

DIVERSION-VOLUME:

IRRIGATION

6.698 CFS

0.00 AF

DOMESTIC

0.000 CFS

0.00 AF

TOTAL RATE:

6.698 CFS

TOTAL VOLUME:

0.00 AF

REMARKS: ACRES IRRIG. = 334.88.

PLACE OF USE:	T16S	R17E	S10	NESE	AC 28
	T16S	R17E	S10	SWSE	AC 03
	T16S	R17E	S10	SESE	AC 41
	T16S	R17E	S11	NWSW	AC 04
	T16S	R17E	S12	NESW	AC 03
	T16S	R17E	S12	NESE	AC 30
	T16S	R17E	S12	NWSE	AC 28
	T16S	R17E	S15	NENE	AC 36
	T16S	R17E	S15	SENE	AC 31
	T16S	R17E	S15	NESE	AC 20
	T16S	R17E	S15	SESE	AC 13
	T16S	R17E	S22	NENE	AC 12
	T16S	R17E	S22	SENE	AC 26
	T16S	R17E	S22	NESE	AC 25
	T16S	R17E	S22	NWSE	AC 07
	T16S	R18E	S07	SWNE	AC 08
	T16S	R18E	S07	NESW	AC 04
	T16S	R18E	S07	NWSW LT03	AC 18
				TOTAL ACRES:	337

WR-NUMBER:
47-0014

CURRENT OWNER:
MAUDE CAMERON
BRYANT WILLIS

PRIORITY DATE:
15-Sep-1908

STAGE:
DECREE

COUNTY: TWIN FALLS

SOURCE: BIG CREEK

TRIBUTARY: SHOSHONE CREEK

WATER USE:

DIVERSION-RATE:

DIVERSION-VOLUME:

IRRIGATION

4.200 CFS

0.00 AF

TOTAL RATE:

4.200 CFS

TOTAL VOLUME:

0.00 AF

REMARKS: SUPERCEEDS LIC. 47-2443.

P/D NOT GIVEN IN DECREE BUT SHOWN IN LICENSE.

POINT OF DIVERSION: T16S R18E S03 SENW

PLACE OF USE:	T16S	R18E	S05	NENW LT03	AC 40
	T16S	R18E	S05	NWNW LT04	AC 40
	T16S	R18E	S05	SWNW	AC 20
	T16S	R18E	S05	SENW	AC 10
	T16S	R18E	S06	NENE LT01	AC 20
	T16S	R18E	S06	SWNE	AC 40
	T16S	R18E	S06	SENE	AC 40
				TOTAL ACRES:	210

WR-NUMBER:
47-0015

CURRENT OWNER:
H. B. LORAIN

PRIORITY DATE:
24-Jul-1909

STAGE:
DECREE

COUNTY: TWIN FALLS
SOURCE: BIG CREEK
WATER USE:

TRIBUTARY: SHOSHONE CREEK
DIVERSION-RATE:
IRRIGATION 1.080 CFS
TOTAL RATE: 1.080 CFS

DIVERSION-VOLUME:
0.00 AF
TOTAL VOLUME: 0.00 AF

REMARKS: SUPERCEEDS LIC. 47-2461.
P/D NOT GIVEN IN DECREE BUT SHOWN IN LIC. FILE (WRONG ON LIC.).
THERE ARE 2 P/D IN NESE S11 T16S R17E.

POINT OF DIVERSION: T16S R17E S11 NESE
PLACE OF USE: T16S R17E S11 SWNE AC 06
T16S R17E S11 SESW AC 10
T16S R17E S11 NWSE AC 30
T16S R17E S11 SWSE AC 08
TOTAL ACRES: 54

WR-NUMBER:
47-0019

CURRENT OWNER:
JOSHUA T. WILLIS
JOSEPH WILLIS
MARIA WILLIS

PRIORITY DATE:
13-Aug-1911

STAGE:
DECREE

COUNTY: TWIN FALLS
SOURCE: BIG CREEK
WATER USE:

TRIBUTARY: SHOSHONE CREEK
DIVERSION-RATE:
IRRIGATION 8.260 CFS
TOTAL RATE: 8.260 CFS

DIVERSION-VOLUME:
0.00 AF
TOTAL VOLUME: 0.00 AF

REMARKS: SUPERCEEDS LIC. 47-2034.
P/D NOT GIVEN IN DECREE BUT SHOWN ON LICENSE.

POINT OF DIVERSION: T16S R18E S03 SENW
PLACE OF USE: T16S R18E S05 SWNE AC 40
T16S R18E S05 SENE AC 40
T16S R18E S05 NESW AC 38
T16S R18E S05 NWSW AC 37
T16S R18E S05 SWSW AC 30
T16S R18E S05 SESW AC 18
T16S R18E S05 NESE AC 20
T16S R18E S05 NWSE AC 40
T16S R18E S06 NESE AC 40
T16S R18E S06 NWSE AC 40
T16S R18E S06 SWSE AC 40
T16S R18E S06 SESE AC 30
TOTAL ACRES: 413

WR-NUMBER:
47-0020

CURRENT OWNER:
BERTHA SCHNITKER

PRIORITY DATE:
26-Aug-1911

STAGE:
DECREE

COUNTY: TWIN FALLS
SOURCE: BIG CREEK
WATER USE:

TRIBUTARY: SHOSHONE CREEK
DIVERSION-RATE:
IRRIGATION 2.300 CFS
TOTAL RATE: 2.300 CFS

DIVERSION-VOLUME:
0.00 AF
TOTAL VOLUME: 0.00 AF

REMARKS: SUPERCEEDS LIC. 47-2463.
P/D NOT GIVEN IN DECREE BUT SHOWN IN LICENSE FILE.
P/D GIVEN INCORRECTLY ON LIC. AS SWNW S4 T16S R18E.

POINT OF DIVERSION: T16S R18E S04 SENW
PLACE OF USE: T16S R18E S06 NESW AC 40
T16S R18E S06 SESW AC 40
T16S R18E S07 NENW AC 35

TOTAL ACRES: 115

16-Nov-1987

SOURCE: SHOSHONE CREEK

TRIBUTARY: SALMON FALLS CREEK

STATE OF IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS ABSTRACT

WR-NUMBER:
47-0009C

CURRENT OWNER:
UTAH CONSTRUCTION CO.

PRIORITY DATE:
1-Aug-1889

STAGE:
DECREE

COUNTY: TWIN FALLS
SOURCE: SHOSHONE CREEK

TRIBUTARY: SALMON FALLS CREEK

WATER USE:

DIVERSION-RATE:

DIVERSION-VOLUME:

IRRIGATION

1.280 CFS

0.00 AF

DOMESTIC

0.000 CFS

0.00 AF

TOTAL RATE:

1.280 CFS

TOTAL VOLUME:

0.00 AF

REMARKS: AC. IRRIG. = 63.94.

ACTUAL DIVERSION RATE IS 1.2788 CFS.

PLACE OF USE:	T16S	R17E	S10	NENE	AC 10
	T16S	R17E	S10	SENE	AC 21
	T16S	R17E	S10	NESE	AC 09
	T16S	R17E	S11	SWNW	AC 16
	T16S	R17E	S11	NWSW	AC 08
	TOTAL ACRES: 64				

WR-NUMBER:
47-0011

CURRENT OWNER:
FRANCIS E. MCCONNELL

PRIORITY DATE:
19-Apr-1907

STAGE:
DECREE

COUNTY: TWIN FALLS
SOURCE: SHOSHONE CREEK

TRIBUTARY: SALMON FALLS CREEK

WATER USE:

DIVERSION-RATE:

DIVERSION-VOLUME:

IRRIGATION

0.880 CFS

0.00 AF

TOTAL RATE:

0.880 CFS

TOTAL VOLUME:

0.00 AF

REMARKS: SUPERCEEDS LIC. 47-2021.

P/D NOT GIVEN IN DECREE BUT SHOWN ON LICENSE.

P/D APPEARS TO BE INCORRECT ON LICENSE; SEE LICENSE FILE.

SEE DECREE FOR DELIVERY CONDITIONS.

POINT OF DIVERSION:	T15S	R17E	S23	SWNE
	T15S	R17E	S23	NWNE

PLACE OF USE:	T15S	R17E	S23	NWSW	AC 06
	T15S	R17E	S23	SESW	AC 15
	T15S	R17E	S26	NENW	AC 17
	T15S	R17E	S26	SENW	AC 06
	TOTAL ACRES: 44				

WR-NUMBER:
47-4503

CURRENT OWNER:
U.S. DEPT. OF INTERIOR
BUREAU OF LAND MGMT.
IDAHO STATE OFFICE
3380 AMERICANA TERRACE
BOISE, ID 83706

PRIORITY DATE:
28-Jun-1934

STAGE:
STATUTORY CLAIM

COUNTY: TWIN FALLS
SOURCE: SHOSHONE CREEK

TRIBUTARY: SALMON FALLS CREEK

WATER USE:

DIVERSION-RATE:

DIVERSION-VOLUME:

STOCKWATER

0.150 CFS

0.00 AF

WILDLIFE

0.010 CFS

0.00 AF

TOTAL RATE:

3.160 CFS

TOTAL VOLUME:

0.00 AF

REMARKS: RT. INCLUDES 3.0 CFS FOR CHANNEL LOSS.

POINT OF DIVERSION:	T15S	R17E	S34	SESE
	T16S	R17E	S27	NENW
	T16S	R17E	S27	NWNW
	T16S	R17E	S22	SWSW
	T16S	R17E	S22	SESW
	T16S	R17E	S28	NENE
	T16S	R17E	S28	NWNE
	T16S	R17E	S21	NESW
	T16S	R17E	S21	NWSW
	T16S	R17E	S21	SESW
	T16S	R17E	S21	SWSE
	T16S	R17E	S20	NESE
	T16S	R17E	S20	NWSE
	T16S	R17E	S20	SWSE
	T16S	R17E	S29	NWNE
	T16S	R17E	S29	SWNE
	T16S	R17E	S29	NESW
	T16S	R17E	S29	NWSW
	T16S	R17E	S29	NWSE
	T16S	R17E	S30	SENE
	T16S	R17E	S30	NESE
	T16S	R17E	S19	NWNW
	T16S	R17E	S19	SWNW
	T16S	R17E	S19	SENW
	T16S	R17E	S19	NESW
	T16S	R17E	S19	SESW
	T16S	R16E	S24	NENW
	T16S	R16E	S24	SWNW
	T16S	R16E	S24	SENW
	T16S	R16E	S24	NWSW
	T16S	R16E	S24	SWSW
	T16S	R16E	S23	SENE
	T16S	R16E	S23	NESE
	T16S	R16E	S25	NWNW
	T16S	R16E	S25	SWNW
	T16S	R16E	S25	NWSW
	T16S	R16E	S25	SWSW
	T16S	R16E	S35	NENE
	T16S	R17E	S03	NENE
	T16S	R17E	S03	NWNE
	T16S	R17E	S03	SENE
	T16S	R17E	S03	NESE
	T16S	R17E	S03	SESE

PLACE OF USE:	T15S	R17E	S34	SESE
	T16S	R17E	S27	NENW
	T16S	R17E	S27	NWNW
	T16S	R17E	S22	SWSW
	T16S	R17E	S22	SESW
	T16S	R17E	S28	NENE
	T16S	R17E	S28	NWNE
	T16S	R17E	S21	NESW
	T16S	R17E	S21	NWSW
	T16S	R17E	S21	SESW
	T16S	R17E	S21	SWSE
	T16S	R17E	S20	NESE
	T16S	R17E	S20	NWSE
	T16S	R17E	S20	SWSE
	T16S	R17E	S29	NWNE
	T16S	R17E	S29	SWNE
	T16S	R17E	S29	NESW
	T16S	R17E	S29	NWSW
	T16S	R17E	S29	NWSE
	T16S	R17E	S30	SENE
	T16S	R17E	S30	NESE
	T16S	R17E	S19	NWNW

T16S	R17E	S19	SWNW
T16S	R17E	S19	SENW
T16S	R17E	S19	NESW
T16S	R17E	S19	SESW
T16S	R16E	S24	NENW
T16S	R16E	S24	SWNW
T16S	R16E	S24	SENW
T16S	R16E	S24	NWSW
T16S	R16E	S24	SWSW
T16S	R16E	S23	SENE
T16S	R16E	S23	NESE
T16S	R16E	S25	NWNW
T16S	R16E	S25	SWNW
T16S	R16E	S25	NWSW
T16S	R16E	S25	SWSW
T16S	R16E	S35	NENE
T16S	R17E	S03	NENE
T16S	R17E	S03	NWNE
T16S	R17E	S03	NESE
T16S	R17E	S03	SESE
T16S	R17E	S03	SENE

WR-NUMBER:
47-2455

CURRENT OWNER:
JOHNNIE KUEST
P.O. BOX 1254
TWIN FALLS, ID 83301

PRIORITY DATE:
28-Mar-1963

STAGE:
LICENSE

COUNTY: TWIN FALLS
SOURCE: SHOSHONE CREEK

TRIBUTARY: SALMON FALLS CREEK

WATER USE:

DIVERSION-RATE:

DIVERSION-VOLUME:

POWER

17.370 CFS

12575.00 AF

TOTAL RATE: 17.370 CFS

TOTAL VOLUME: 12575.00 AF

POINT OF DIVERSION: T16S R17E S30 SENW

PLACE OF USE: T16S R17E S30 SENW

WR-NUMBER:
47-8073

CURRENT OWNER:
STATE OF IDAHO
IDAHO WATER RESOURCE BOARD
STATEHOUSE
BOISE, ID 837200000

PRIORITY DATE:
16-Oct-1987

STAGE:
APPLICATION

COUNTY: TWIN FALLS
SOURCE: SHOSHONE CREEK

TRIBUTARY: SALMON FALLS CREEK

WATER USE:

DIVERSION-RATE:

DIVERSION-VOLUME:

MINIMUM INSTREAM FLOW

5.000 CFS

0.00 AF

MINIMUM INSTREAM FLOW

7.000 CFS

0.00 AF

MINIMUM INSTREAM FLOW

5.000 CFS

0.00 AF

TOTAL RATE: 7.000 CFS

TOTAL VOLUME: 0.00 AF

REMARKS: MINIMUM STREAM FLOW FROM CONFLUENCE WITH HOT CREEK TO NEVADA
LINE.

POINT OF DIVERSION: T16S R16E S35 NENE LT01

T16S R17E S22 SWSE

TOTAL ACRES:

16-Nov-1987

SOURCE: HOT CREEK

TRIBUTARY: SHOSHONE CREEK

STATE OF IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS ABSTRACT

WR-NUMBER:
47-0012

CURRENT OWNER:
W. L. HOWARD

PRIORITY DATE:
1-Jun-1907

STAGE:
DECREE

COUNTY: TWIN FALLS
SOURCE: HOT CREEK
HORSE CREEK

TRIBUTARY: SHOSHONE CREEK
SHOSHONE CREEK

WATER USE:
IRRIGATION

DIVERSION-RATE:

1.400 CFS

DIVERSION-VOLUME:

0.00 AF

TOTAL RATE: 1.400 CFS

TOTAL VOLUME: 0.00 AF

REMARKS: ACRES IRRIG. = 70.

DIVERSION RATE IS 1.0 CFS FROM HORSE CR. & 0.4 CFS FROM HOT CR.

PLACE OF USE:	T16S	R17E	S23	SWNE
	T16S	R17E	S23	NESE
	T16S	R17E	S23	NWSE
	T16S	R17E	S26	NWNE
	T16S	R17E	S26	SWNE
	T16S	R17E	S26	SENW

WR-NUMBER:
47-2022

CURRENT OWNER:
PETER OE
TWIN FALLS, ID 83301

PRIORITY DATE:
7-Jun-1907

STAGE:
LICENSE

COUNTY: TWIN FALLS
SOURCE: HOT CREEK
WATER USE:

TRIBUTARY: SHOSHONE CREEK

DIVERSION-RATE:

2.700 CFS

DIVERSION-VOLUME:

0.00 AF

IRRIGATION

0.000 CFS

0.00 AF

DOMESTIC

TOTAL RATE: 2.700 CFS

TOTAL VOLUME: 0.00 AF

REMARKS: AC. IRR. IN S26, T16S, R17E=120 AC.
TOTAL AC. IRR. = 135.0

POINT OF DIVERSION: T16S R17E S35 NENE LT01

PLACE OF USE:	T16S	R17E	S26	NESW
	T16S	R17E	S26	SESW
	T16S	R17E	S26	NWSE
	T16S	R17E	S26	SWSE
	T16S	R17E	S35	NENE LT01 AC 10
	T16S	R17E	S35	NWNE LT02 AC 05
	TOTAL ACRES: 15			

WR-NUMBER:
47-0016

CURRENT OWNER:
BEN L. SCHULTZ

PRIORITY DATE:
28-Jul-1909

STAGE:
DECREE

COUNTY: TWIN FALLS
SOURCE: HOT CREEK
WATER USE:

TRIBUTARY: SHOSHONE CREEK

DIVERSION-RATE:

1.500 CFS

DIVERSION-VOLUME:

0.00 AF

IRRIGATION

TOTAL RATE: 1.500 CFS

TOTAL VOLUME: 0.00 AF

REMARKS: SUPERCEEDS LIC. 47-2041.
P/D NOT GIVEN IN DECREE BUT SHOWN ON LICENSE.
AC. IRRIG. = 75.

POINT OF DIVERSION: T16S R17E S23 SWSW

PLACE OF USE:	T16S	R17E	S22	SWSE	AC 17
	T16S	R17E	S22	SESE	AC 26
	T16S	R17E	S23	SWSW	AC 01
	T16S	R17E	S26	NWNW	AC 02
	T16S	R17E	S27	NENE	AC 26
	T16S	R17E	S27	NWNE	AC 04
				TOTAL ACRES:	76

MINIMUM INSTREAM FLOW HEARING

47-8073 - Shoshone Creek

ROSTER OF ATTENDANCE

Please Print

Check () if formal
testimony or state-
ment will be given

Name	Address	Representing	Check () if formal testimony or state- ment will be given
J. E. Ingard Jr.	575 Heyburn Ave W TF	Me.	
Oliver Ingram	235 No Washington	Self	
Jean Ingram	255 No Washington	Self	
Vernon W Nelson	R#2 Twin Falls Id.	Self	
Mary Kay Nelson	RT 2 Box 5602 Twin Falls, Id.	Self	
Walter Hill	Box 1768 TWIN FALLS	SALMON R. CANAL CO.	✓
Paul J. Lanting	RT. 1	T. F	
Tom Kunkel	RT 1	T F	Self
James W. Lanting	RT 1	T. F	Salmon R. Canal Co.
John R. Brann	PO 368 Jackpot, Nev.	Self	
Stuart L. Murrell	604 Twin View Rd, Jerome, Id 83338	Self	✓
William K. Chisholm	RT. #3 Box 431, Buhl, Id. 83316	Self	
Kathleen Sursely	RT 3 Box 431, Buhl	self	
Keith Fullmer	RT Box 4346 Twin Falls Idaho	Self-Salmon River Canal Co.	
Steve Fullmer	RT. 2 Box 5542 Twin Falls, Id.	Self	
Betty W. Wagner	300 Mainway #224, Twin Falls, Id	Self	
Geneva L. Fuller	1433 Laurelale Dr, Twin Falls, Id	Self	
Bob Hua G	2006 S Herby Lane, Twin Falls, Id	Self	
Jerry Collea	Jerome	Idaho House of Rep.	
Robert S. Luntay	RT 3, Box 240 Buhl, Idaho 83316	Self	
R. W. Franzen	820 9th Ave. N Buhl, Idaho 83316	Self	
Louise Franzen	820 9th Ave. N, Buhl, Id. 83316	Self	
Lizard Noel	RT 1	Timberly	83340 St. Joe.
Robert L. Haggard	RT #1 Box 201 Hansen		
JEFF JARVIS	PO Box 476 SHOSHONE		Self

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MAY 17 1989

MINIMUM INSTREAM FLOW HEARING

47-8073 - Shoshone Creek

ROSTER OF ATTENDANCE

Please Print

Check () if formal
testimony or state-
ment will be given

Name	Address	Representing	Check () if formal testimony or state- ment will be given
Wm J. Lanting	Rt. 1 T F	IWRB	
Ralph Schnell	Regina 2 ca.		
Margaret Nelson	Rt. 2 Twin Falls		
Victor W Nelson	R#2 Twin Falls Idaho		
Elmer R Parrott	Box 687 Filer Id		
Louise Parrott	Box 687 Filer Id		
James W. Lanting	Rt. 1 T.F	Salmon River Canal Co.	
John Hayley	Buhl		
Kyle Haylock	Burley	ACM	
John A. Courtney	Rt 1 Twin Falls		
Gott A Grunder	808 E. Main St. Box 428	IDFG	
Carl H. Nellis	42 W 600 S Jerome	IDFG	
Robert J. Bell	816 16 th Ave E. JEROME	IDFG	
WILLIAM D. HORTON	PO Box 25 Boise ID	IDFG	
Tom Kunkel	Rt 1 Twin Falls Id		

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MAY 17 1989



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

RECEIVED

February 22, 1988

FEB 25 1988

Department of Water Resources
Southern Region Office

Loren Holmes
Southern Region
Twin Falls, ID

Re: Minimum Flow Application Nos. 36-8337 & 47-8073

Dear Loren:

Attached are legal notices of hearings for Shoshone Creek, Application No. 47-8073 and Box Canyon Creek, Application No. 36-8337. Please review the notices carefully for accuracy.

The Box Canyon Creek notice should be published statewide. The Shoshone Creek notice only needs to be published in the local paper.

Thank you,

A handwritten signature in cursive script, reading "Gary Spackman", is written over the typed name.

GARY SPACKMAN, Supervisor
Water Allocation Section

GS:jf

Enclosure

MICROFILMED

MAY 17 1989



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

February 10, 1988

Bill Lanting
Rt. 1
Hollister, ID 83301

Dear Mr. Lanting:

This is to confirm the use of the Grange Hall for a conference and/or hearing to be held by this office on Tuesday, March 22, 1988 from 1:00 p.m. to 5:00 p.m.

Thank you very much for your cooperation.

Very truly yours,

Mary Baldwin
Secretary/Office Coordinator

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MAY 17 1989

SUMMARY ANALYSIS OF MINIMUM STREAMFLOW REQUESTS

Shoshone Creek

The request for minimum streamflow on Shoshone Creek was submitted by the Idaho Department of Fish and Game. The original application which was submitted was incomplete in that it did not adequately describe the minimum streamflow reach, and it did not contain a map depicting the proposed reach. The application was retyped in the state office of the Department of Water Resources, and a copy was forwarded to Fish and Game.

The hydrologic summary prepared by Alan Robertson indicates that the minimum flow of 5 cfs from January 1 to March 31 and the increased flow from April 1 to June 1 of 7 cfs can be maintained most of the time. After June 1, a proposed flow of 7 cfs through July 31, and a proposed flow of 5 cfs from August 1 through December 31 may be more difficult to maintain.

One hydropower license, No. 47-2455, authorizing a diversion rate of 17.37 cfs, may conflict with the minimum flow filing. The license has a priority of March 28, 1963. I don't have information as to whether the project is still operational.

Hayden Creek

The Hayden Creek application was not in proper form, in that it improperly described the reach and did not contain a map showing the reach. The application was amended in the state office of the Department of Water Resources, and a copy was mailed to Fish and Game.

Hydrology indicates that the stream flow requested will be exceeded most of the time, except in June when the requested 20 cfs will only be available approximately half of the time.

No substantial conflicts with water rights are apparent.

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Box Canyon Creek

MAY 17 1989

This application by BLM is unique because it seeks a continuously increasing streamflow from the upstream end of the reach to the downstream end. The minimum streamflow is to be assured by agreement with Earl Hardy that calls for non-development of 75 cfs of water on the upstream end. Throughout the entire proposed streamflow reach, diffuse groundwater

discharge increases the flows by 87 cfs, totaling 162 cfs at the mouth of the Snake River. I have prepared two attachments for the application which describes the reach, and also describes the minimum flow sought. If the Board wishes to do so, the attachments can be incorporated as part of the application.

There are numerous water right filings from Box Canyon Springs or Box Canyon Creek. The following is a summary of the rights. I have attempted to total the diversions, but at this point in time, I am uncertain how much development has taken place, how much is anticipated, and how much water is discharged back into Box Canyon Creek prior to reaching the proposed minimum streamflow reach. The estimate I have attached is rough, but a more careful field examination must be conducted prior to determining how much water may be available for appropriation. Suspected non-accumulating flows are contained in parenthesis.

<u>Water Right</u>	<u>Name</u>	<u>Amount (cfs)</u>	<u>Stage</u>
36-2705	Mountain View Irrigation	200	P
36-7091	Earl Hardy	300	P
36-7175	Earl Hardy	330	P
36-7824	Manteck, Inc.	(300)	P
36-7334	Box Canyon Trout Co. Earl Hardy	600	P
36-7040	Clear Springs Trout Co.	300	L
36-7797	Clear Springs Trout Co.	(300)	P
36-8080	Clear Springs Trout Co.	(300)	P
36-7066	Blind Canyon Aqua Ranch	400	P
36-7198	Idaho Parks & Recreation	(850)	A
	Earl Hardy	(425)	A
ESTIMATED FLOWS OF EXISTING FILINGS		2,130	

Southern Region represents that Mountain View Irrigation intends to relinquish their permit, and that Blind Canyon Aqua Ranch did not develop any water from Box Canyon Springs. The elimination of Mountain View and Blind Canyon reduces the diversion demands to 300 cfs diverted from the Clear Springs Trout Co. and Manteck, Inc. operation, and flows under permits now held by Earl Hardy. If the contract with Hardy and BLM doesn't contain loopholes regarding quality or amount of the

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water, Hardy should be contractually bound to deliver 75 cfs at the upper end.

The most recent application by Earl Hardy seeking 425 cfs for hydropower purposes does not interfere with a minimum streamflow reach as proposed.

The hydrology report shows sufficient water to fill the minimum streamflow. The measurements do not take into account possible future development under existing permits, however.

Round Lake

The application probably should state that Round Lake is the source of the water supply.

Two water rights on Round Lake are listed in the database. The lake is fed by Cocolalla Creek and Cocolalla Lake, however, and there are numerous upstream consumptive rights. Although the filing should not affect prior rights, some declination in water levels could occur from upstream permits not yet developed. Parks and Recreation also stated that they are concerned about ground water withdrawals that might affect the lake. Again, there may be undeveloped permitted uses that might cause further declines.

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NOTICE OF APPLICATION FOR MINIMUM STREAMFLOW

Notice is hereby given that the IDAHO WATER RESOURCE BOARD has submitted an Application for Permit to the Department of Water Resources proposing to appropriate water for a minimum streamflow in Shoshone Creek, tributary to Salmon Falls Creek. The application is further described as follows:

Application No.: 47-8073

Source: Shoshone Creek

Proposed Priority: October 16, 1987

Amount & Period of Use: 5.0 cfs from 01/01 through 03/31
7.0 cfs from 04/01 through 07/31
5.0 cfs from 08/01 through 12/31

Purpose of Minimum Instream Flow: To preserve fish habitat.

Place of Use: That portion of Shoshone Creek located in the following described reach:

Beginning at the confluence of Shoshone Creek and Hot Creek located in the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 22, T16S, R17E, B.M., Twin Falls County, and extending downstream to the Idaho-Nevada state line, located in Lot 1 (NE $\frac{1}{4}$ NE $\frac{1}{4}$), Section 35, T16S, R16E, B.M., Twin Falls County.

The Idaho Water Resource Board will hold a public meeting on the application on November 17, 1987, at 7:00 p.m. in Twin Falls, Idaho at the Aspen Vo-Tech Building Mini Auditorium, Room 108, College of Southern Idaho. The purpose of the meeting is to gather information on the public interest regarding the proposed minimum streamflow.

GENE GRAY, Chairman
IDAHO WATER RESOURCE BOARD

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MAY 17 1989

MEMORANDUM

TO: Files Nos. 36-8337, Box Canyon Creek; **47-8073**, Shoshone Creek; 96-8503, Round Lake; 95-8560, Hayden Creek

FROM: Gary Spackman *Gary*

DATE: November 23, 1987

RE: Date of Filing Minimum Flow Applications with IDWR

At a meeting conducted on October 15, 1987, the Idaho Water Resource Board decided to file applications for minimum streamflow on Box Canyon Creek, Shoshone Creek, Round Lake, and Hayden Creek. Gene Gray, Chairman of the board, signed the applications, and they were given to the Director and Anita Warntjes.

Anita dated the applications on the back page at the time they were received. The statutes governing the filing of the applications state, however, that an application for minimum streamflow must be filed in the office of the Director. The applications were received in the state office on October 16, 1987. Therefore, the proposed date of priority should be October 16, 1987.

423

MAY 17 1988



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NOV 20 1987

Department of Water Resources HEAD OFFICE

November 18, 1987

State of Idaho
Department of Water Resources
Statehouse
Boise, Idaho 83720
Attn: Gary Spackman

47-8073

Dear Mr. Spackman:

The enclosed letter was received by my office on November 16, 1987. The letter came to me via our internal mail system. The letter does not indicate who sent it to me and/or how the letter originally was received by the Bank. There is no listing in the telephone directory for a Mr. Johnnie Kuest in Twin Falls, and I do not find his name or the loan number written on the front of the envelope in our Bank records.

After several unsuccessful attempts to contact you by telephone I felt it was necessary to return the enclosed for your attention.

Sincerely,

James P. McGee
Loan Officer
Business Banking Center

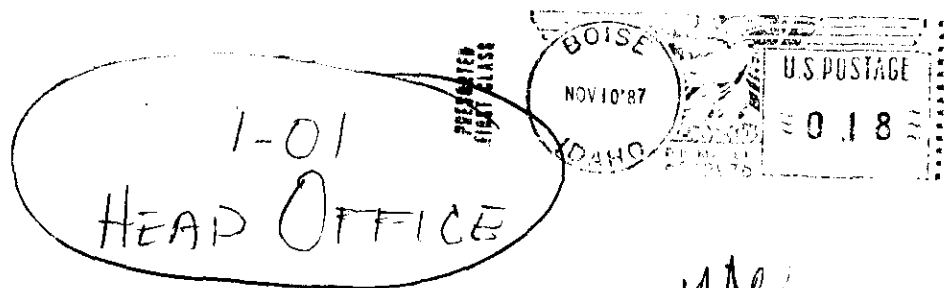
JPM:lb

Enclosures

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MAY 17 1989

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Statehouse
Boise, Idaho 83720



1-01
HEAD OFFICE

attn:
James McGee

JOHNNIE KUEST
P.O. BOX 1254
TWIN FALLS, ID 83301

Not Com'd

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MAY 11 1988

1001-1940734
Loan #

Does An Instream Flow Right Mean No More Development Can Occur On The Stream?

No. Any unappropriated water can still be used, above or below the instream flow reach on the stream. No water right developed after the minimum streamflow, however, can use the water needed to maintain the instream flow for a consumptive use, such as irrigation.

Can A Stream With An Instream Flow Be Dried Up?

Yes. Water rights with earlier priority dates fill their needs before the minimum streamflow. In a drought year or one with below normal flows, these earlier diversions could legally dewater the stream, leaving no water for the minimum streamflow.

Can A Non-Consumptive Use Be Made Of The Instream Flow?

Yes, in some cases. For instance, a power right filed after the instream flow right was perfected could be developed above the minimum streamflow location, provided that the instream flow is maintained at the site or in the reach specified.

How Will Streams Be Administered To Maintain Streamflows?

The watermaster, if there is one, can see that the allotted amount of water is left in the channel. If there is no watermaster, gages and benchmark stations will show whether or not the minimum flow or lake level is being maintained. Consideration of new applications will take into account the minimum flow or lake level.

Department of Water Resources Offices

State Office

Statehouse
Boise, ID 83720

Western Region

450 W. State St.
(Third Floor, State Office Tower)
Boise, ID 83720

Southern Region

1041 Blue Lakes Boulevard North
Twin Falls, ID 83301

Eastern Region

150 Shoup, Suite 15
Idaho Falls, ID 83401

Northern Region

4055 Government Way
Coeur d'Alene, ID 93914

MINIMUM STREAMFLOW



What Is A "Minimum Streamflow?"

A minimum streamflow, also called an instream flow, is one in which water is not diverted and used, as is the case with most other water rights in Idaho. Instead, it remains in a given reach of a river channel or in a lake to protect fish and wildlife habitat, aquatic life or the water quality of the stream, or for navigation, transportation, recreation and/or aesthetic beauty. Under Idaho Law (Chapter 15, Title 42, **Idaho Code**), non-diverted uses can become valid water rights, which the Idaho Water Resource Board holds in trust for the people of the state.

Why was the Minimum Streamflow Law passed?

In 1978, the Idaho Legislature recognized the need to preserve flows in some streams for public health, safety and welfare. In addition, the lawmakers wished to keep Idaho's water from being diverted and used out-of-state, either by another state government or by the Federal government. Because the minimum streamflow law was passed in 1978, an instream flow right cannot have a priority date earlier than that year.

What Is The Priority Date Of A Minimum Streamflow?

Each instream flow right may have a different priority date; it is the day the application filed by the Idaho Water Resource Board is received by the Director of the Idaho Department of Water Resources. Since Idaho law states that "*first in time is first in right*," all instream flow rights are junior to those rights with earlier priority dates. Minimum streamflow rights, however, are senior in time to those rights with later priority dates.

How Is A Minimum Streamflow Right Determined?

The instream flow right is the minimum flow or lake level—not the ideal or the most desirable—necessary to protect the fish and wildlife habitat, water quality, etc. of the stream. Usually it is measured in cubic feet per second (cfs), or in acre feet. (A cubic foot per second is about 450 gallons per minute.)

All minimum streamflows are filed on unappropriated waters, those not used by an established water right. Existing prior water rights or permits to divert water, which carry an earlier priority date, must be satisfied before the water is allowed to remain in the stream as a minimum streamflow.

Who Can File For An Instream Flow?

Only the Idaho Water Resource Board may file for an instream flow; however, any person, association or government agency may request the board to file an application for an instream flow right on any stream in the state. The board's policy, however, has been to accept such requests only from local, state or federal governments.

What Happens After The Request Is Made To The Idaho Water Resource Board?

The board reviews the request and on those streams that it determines a minimum streamflow is desirable, it files an application for a permit to appropriate the public water. The application is submitted to the Department of Water Resources, and shows the stream, the amount of water sought for the instream flow, the purpose and location of the instream flow proposed, and the other information requested on the agency's form.

The board may hold an informal public meeting in the locality to gather information and public reaction to the filing before asking the director to process the filing. Like all other applications for a water right, the instream flow request is then advertised two times in a newspaper near the instream flow request location. In the advertised notice, the time, date and place for a public hearing by the director of the Department of Water Resources is set. At the hearing, people have the opportunity to give their testimony against or in support of the proposed minimum streamflow application. In addition, the board members may explain their reasons for seeking the water right.

Following the hearing, the director of the Department of Water Resources will issue a decision on the application.

What Conditions Must The Proposed Instream Flow Right Meet Before The Director Approves The Application?

The filing must meet four conditions to be approved. It must be in the public (not the private) interest. There must be unappropriated water, that is water not used by earlier, established water rights with older priority dates. It must be the minimum streamflow or lake level necessary to obtain the stated goal — not the ideal or optimum flow or level. Finally, it must be capable of being maintained and must be necessary to preserve the fish and wildlife habitat, aquatic life, aesthetic beauty, navigation, transportation or water quality of a stream.

Is The Director's Decision Final?

No. Anyone who testified at the hearing held by the director of the Department of Water Resources may request a rehearing or may appeal the decision to the District Court.

All instream flow rights approved by the director must then be submitted to the Idaho Legislature by the fifth day of the next regular session. A flow right shall become effective when the legislature affirms it by concurrent resolution. Should the lawmakers fail to act on any submitted instream flow before the end of the regular session in which the minimum streamflow right is submitted, the application shall be considered approved.

Do All Streams In Idaho Have Minimum Flow Rights?

No. Only a small number of the many streams in the state have minimum streamflow rights established. A listing of these rights is available from the Idaho Department of Water Resources, Statehouse, Boise, ID 83720.

SHOSHONE CREEK
MINIMUM STREAMFLOW
FACT SHEET

Water Right No.: 47-8073

Source: Shoshone Creek

Applicant: Idaho Water Resource Board

Requesting Agency:

Date Application Filed: October 16, 1987

Rate of Flow: 5.0 cfs from 01/01 through 03/31
7.0 cfs from 04/01 through 07/31
5.0 cfs from 08/01 through 12/31

Location of Springs: That portion of Shoshone Creek located in the following described reach:

Beginning at the confluence of Shoshone Creek and Hot Creek located in the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 22, T16S, R17E, B.M., Twin Falls County, and extending downstream to the Idaho-Nevada state line, located in Lot 1 (NE $\frac{1}{4}$ NE $\frac{1}{4}$), Section 35, T16S, R16E, B.M., Twin Falls County.

Purpose: To preserve fish habitat.

Public Meeting: The purpose of the meeting is to gather information on the public interest regarding the proposed minimum streamflow. The meeting is to be held November 17, 1987, 7:00 p.m., in the Aspen Vo-Tech Building Mini Auditorium, Room 108, College of Southern Idaho, Twin Falls, Idaho.

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MAY 17 1988



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

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

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

November 9, 1987

Re: Minimum Streamflow Application No. 47-8073 on Shoshone Creek

Dear Water Right Holder:

The Idaho Water Resource Board will be holding a public meeting to solicit public input regarding a proposed minimum streamflow water right on Shoshone Creek. 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 streamflow 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 streamflow procedure.

At this meeting, you will have an opportunity to learn more about the application and to express your views.

Sincerely,

Gary Spackman

334-4104

GARY SPACKMAN, Supervisor
Water Allocation Section

GS:jf

Enclosures

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MAY 11 1989



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS

Governor

R. KEITH HIGGINSON

Director

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

November 9, 1987

Re: Minimum Streamflow Application on Shoshone Creek No. 47-8073

Dear Land Owner:

The Idaho Water Resource Board will be holding a public meeting to solicit public input regarding a proposed minimum streamflow water right on Shoshone Creek. According to the records at the county courthouse, you are one of the owners of property adjacent to the reach where the minimum streamflow is proposed.

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

At the meeting you will have an opportunity to learn more about the application and to express your views.

Sincerely,

GARY SPACKMAN, Supervisor
Water Allocation Section

GS:jf

Enclosures

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NOV 17 1987

SHOSHONE CREEK
MINIMUM STREAMFLOW
FACT SHEET

Water Right No.: 47-8073

Source: Shoshone Creek

Applicant: Idaho Water Resource Board

Requesting Agency:

Date Application Filed: October 16, 1987

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Purpose: To preserve fish habitat.

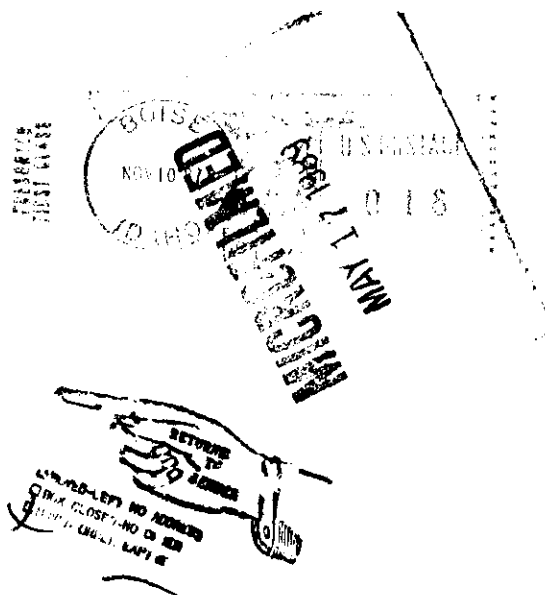
Public Meeting: The purpose of the meeting is to gather information on the public interest regarding the proposed minimum streamflow. The meeting is to be held November 17, 1987, 7:00 p.m., in the Aspen Vo-Tech Building Mini Auditorium, Room 108, College of Southern Idaho, Twin Falls, Idaho.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Statehouse
Boise, Idaho 83720

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NOV 13 1987

Department of Water Resources

HAROLD HOSHAW
ROUTE 2
KINBERLY, ID 83341



INTERESTED PARTIES, IDWR BOARD, REPRESENTATIVES, SENATORS
SHOSHONE CREEK

WALDO MARTENS
ROUTE 3, BOX 3498
JEROME, ID 83338

STEVE ANTONE
1141 LINK STREET
RUPERT, ID 83350

BRUCE NEWCOMB
1626 MONROE
BURLEY, ID 83318

DARREL MCROBERTS
342 MONROE PLACE
TWIN FALLS, ID 83301

LAIRD NOH
ROUTE 1, BOX 65
KIMBERLY, id 83341

RONALD BLACK
240 LOCUST NORTH
TWIN FALLS, ID 83301

CELIA GOULD FOLKINGA
ROUTE 4, BOX 113
BUHL, ID 83316

DOUGLAS JONES
ROUTE 2
FILER, ID 83328

RUSSELL NEWCOMB
RFD #3, HIGHLAND DRIVE
TWIN FALLS, ID 83301

DENTON FARRINGTON
ROUTE 1
DECLO, ID 83323

LYNN TOMINAGA
ROUTE 5, BOX 184
RUPERT, ID 83350

ERNEST HALE
725 E. 16TH
BURLEY, ID 83318

LARRY ANDERSON
2639 EASTGATE DRIVE
TWIN FALLS, ID 83301

JERRY CALLEN
427-A WEST 500 SOUTH
JEROME, ID 83338

RALPH PETERS
601 E AVENUE "A"
JEROME, ID 83338

STATE OF IDAHO
DEPARTMENT OF FISH AND GAME

STATE OF IDAHO
DEPARTMENT OF LANDS

STATE OF IDAHO
DEPARTMENT OF HEALTH AND WELFARE

STATE OF IDAHO
DEPARTMENT OF PARKS AND RECREATION

BOARD MEMBERS

MICROFILMED

MAY 17 1989

LAND OWNERS FOR SHOSHONE CREEK

PETER LINK
ROUTE 1, BOX 271
HANSEN, ID 83334

JOHNBRANNON
ROUTE 1, BOX 270
BELLEVUE, ID 83313

HAROLD HOSHAW
ROUTE 2
KIMBERLY, ID 83341

RALPH SCHNELL
BOX 122
ROGERSON, ID 83302

EMILY BAKER
ROUTE 1
FILER, ID 83328

MAY 17

WATER RIGHT HOLDERS FOR SHOSHONE CREEK

JONNIE KUEST
P.O. BOX 1254
TWIN FALLS, ID 83301

US DEPARTMENT OF INTERIOR
BUREAU OF LAND MANAGEMENT
IDAHO STATE OFFICE
3380 AMERICANA TERRACE
BOISE, ID 83706

RALPH SCHNELL
P.O. BOX 122
REGERSON, ID 83302

BRUCE BILLINGTON
ROUTE 2, BOX 5630
TWIN FALLS, ID 83301

MICROFILMED

MAY 17 1969

INTER-DEPARTMENT MEMO — 1

FROM

TO

SUBJECT

Bruce Billington
Rt. 2 Box 5630
Twin Falls, Idaho
83301

Ralph Schnell
P.O. Box 122
Rogerson, Idaho
83302

DATE

RECORDED

MAY 17 1989

SIGNATURE

SOURCE: SHOSHONE CREEK

TRIBUTARY: SALMON FALLS CREEK

STATE OF IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS ABSTRACTWR-NUMBER:
47-0009CCURRENT OWNER:
UTAH CONSTRUCTION CO.PRIORITY DATE:
1-Aug-1889STAGE:
DECREECOUNTY: TWIN FALLS
SOURCE: SHOSHONE CREEK
WATER USE:TRIBUTARY: SALMON FALLS CREEK
DIVERSION-RATE:

DIVERSION-VOLUME:

IRRIGATION
DOMESTIC1.280 CFS
0.000 CFS
1.280 CFS0.00 AF
0.00 AF
0.00 AF

TOTAL RATE:

TOTAL VOLUME:

REMARKS: AC. IRRIG. = 63.94.
ACTUAL DIVERSION RATE IS 1.2788 CFS.

PLACE OF USE:	T16S	R17E	S10	NENE	AC 10
	T16S	R17E	S10	SENE	AC 21
	T16S	R17E	S10	NESE	AC 09
	T16S	R17E	S11	SWNW	AC 16
	T16S	R17E	S11	NWSW	AC 08
	TOTAL ACRES: 64				

WR-NUMBER:
47-0011CURRENT OWNER:
FRANCIS E. MCCONNELLPRIORITY DATE:
19-Apr-1907STAGE:
DECREECOUNTY: TWIN FALLS
SOURCE: SHOSHONE CREEK
WATER USE:TRIBUTARY: SALMON FALLS CREEK
DIVERSION-RATE:

DIVERSION-VOLUME:

IRRIGATION

0.880 CFS
0.880 CFS0.00 AF
0.00 AF

TOTAL RATE:

TOTAL VOLUME:

REMARKS: SUPERCEEDS LIC. 47-2021.
P/D NOT GIVEN IN DECREE BUT SHOWN ON LICENSE.
P/D APPEARS TO BE INCORRECT ON LICENSE; SEE LICENSE FILE.
SEE DECREE FOR DELIVERY CONDITIONS.

POINT OF DIVERSION:	T15S	R17E	S23	SWNE	
	T15S	R17E	S23	NWNE	
PLACE OF USE:	T15S	R17E	S23	NWSW	AC 06
	T15S	R17E	S23	SESW	AC 15
	T15S	R17E	S26	NENW	AC 17
	T15S	R17E	S26	SESW	AC 06
	TOTAL ACRES: 44				

WR-NUMBER:
47-4500CURRENT OWNER:
U.S. DEPT. OF INTERIOR
BUREAU OF LAND MGMT.
IDAHO STATE OFFICE
3380 AMERICANA TERRACE
BOISE, ID 83706PRIORITY DATE:
28-Jun-1934STAGE:
STATUTORY CLAIMCOUNTY: TWIN FALLS
SOURCE: SHOSHONE CREEK
WATER USE:TRIBUTARY: SALMON FALLS CREEK
DIVERSION-RATE:

DIVERSION-VOLUME:

STOCKWATER
WILDLIFE0.150 CFS
0.010 CFS
3.160 CFS0.00 AF
0.00 AF
0.00 AF

TOTAL RATE:

TOTAL VOLUME:

REMARKS: RT. INCLUDES 3.0 CFS FOR CHANNEL LOSS.

POINT OF DIVERSION:	T15S	R17E	S34	SESE
	T16S	R17E	S27	NENW
	T16S	R17E	S27	NWNW
	T16S	R17E	S22	SWSW
	T16S	R17E	S22	SESW
	T16S	R17E	S28	NENE
	T16S	R17E	S28	NWNE
	T16S	R17E	S21	NESW
	T16S	R17E	S21	NWSW
	T16S	R17E	S21	SESW
	T16S	R17E	S21	SWSE
	T16S	R17E	S20	NESE
	T16S	R17E	S20	NWSE
	T16S	R17E	S20	SWSE
	T16S	R17E	S29	NWNE
	T16S	R17E	S29	SWNE
	T16S	R17E	S29	NESW
	T16S	R17E	S29	NWSW
	T16S	R17E	S29	NWSE
	T16S	R17E	S30	SENE
	T16S	R17E	S30	NESE
	T16S	R17E	S19	NWNW
	T16S	R17E	S19	SWNW
	T16S	R17E	S19	SENW
	T16S	R17E	S19	NESW
	T16S	R17E	S19	SESW
	T16S	R16E	S24	NENW
	T16S	R16E	S24	SWNW
	T16S	R16E	S24	SENW
	T16S	R16E	S24	NWSW
	T16S	R16E	S24	SWSW
	T16S	R16E	S23	SENE
	T16S	R16E	S23	NESE
	T16S	R16E	S25	NWNW
	T16S	R16E	S25	SWNW
	T16S	R16E	S25	NWSW
	T16S	R16E	S25	SWSW
	T16S	R16E	S35	NENE
	T16S	R17E	S03	NENE
	T16S	R17E	S03	NWNE
	T16S	R17E	S03	SENE
	T16S	R17E	S03	NESE
	T16S	R17E	S03	SESE

PLACE OF USE:	T15S	R17E	S34	SESE
	T16S	R17E	S27	NENW
	T16S	R17E	S27	NWNW
	T16S	R17E	S22	SWSW
	T16S	R17E	S22	SESW
	T16S	R17E	S28	NENE
	T16S	R17E	S28	NWNE
	T16S	R17E	S21	NESW
	T16S	R17E	S21	NWSW
	T16S	R17E	S21	SESW
	T16S	R17E	S21	SWSE
	T16S	R17E	S20	NESE
	T16S	R17E	S20	NWSE
	T16S	R17E	S20	SWSE
	T16S	R17E	S29	NWNE
	T16S	R17E	S29	SWNE
	T16S	R17E	S29	NESW
	T16S	R17E	S29	NWSW
	T16S	R17E	S29	NWSE
	T16S	R17E	S30	SENE
	T16S	R17E	S30	NESE
	T16S	R17E	S19	NWNW

T16S	R17E	S19	SWNW
T16S	R17E	S19	SENW
T16S	R17E	S19	NESW
T16S	R17E	S19	SESW
T16S	R16E	S24	NENW
T16S	R16E	S24	SWNW
T16S	R16E	S24	SENW
T16S	R16E	S24	NWSW
T16S	R16E	S24	SWSW
T16S	R16E	S23	SENE
T16S	R16E	S23	NESE
T16S	R16E	S25	NWNW
T16S	R16E	S25	SWNW
T16S	R16E	S25	NWSW
T16S	R16E	S25	SWSW
T16S	R16E	S35	NENE
T16S	R17E	S03	NENE
T16S	R17E	S03	NWNE
T16S	R17E	S03	NESE
T16S	R17E	S03	SESE
T16S	R17E	S03	SENE

WR-NUMBER:
47-2455

CURRENT OWNER:
JOHNNIE KUEST
P.O. BOX 1254
TWIN FALLS, ID 83301

PRIORITY DATE:
28-Mar-1963

STAGE:
LICENSE

COUNTY: TWIN FALLS
SOURCE: SHOSHONE CREEK

TRIBUTARY: SALMON FALLS CREEK

WATER USE:

DIVERSION-RATE:

DIVERSION-VOLUME:

POWER

17.370 CFS

12575.00 AF

TOTAL RATE: 17.370 CFS

TOTAL VOLUME: 12575.00 AF

POINT OF DIVERSION: T16S R17E S30 SENW

PLACE OF USE: T16S R17E S30 SENW

November 9, 1987

Re: Minimum Streamflow Application No. 47-8073 on Shoshone Creek

Dear Water Right Holder:

The Idaho Water Resource Board will be holding a public meeting to solicit public input regarding a proposed minimum streamflow water right on Shoshone Creek. 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 streamflow 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 streamflow procedure.

At this meeting, you will have an opportunity to learn more about the application and to express your views.

Sincerely,



GARY SPACKMAN, Supervisor
Water Allocation Section

GS:jf

Enclosures

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MAY 17 1989



868 East Main, Box 428
Jerome, Idaho 83338

RECEIVED
NOV 05 1987

November 4, 1987

Department of Water Resources

Mr. Gary Spackman
Idaho Department of Water Resources
Statehouse
Boise, ID 83720

RE: Landowners on Shoshone Creek within requested

Dear Gary:

Following is a list of landowners on Shoshone Creek from the mouth of Big Creek to the Nevada state line. The actual section involved in the instream flow application goes from the mouth of Hot Creek to the Nevada line.

Shoshone Creek Landowners

Peter Link
Rt. 1, Box 271
Hansen, ID 83334

Ralph Schnell
Box 122
Rogerson, ID 83302

John Brannon (sole)
Rt. 1, Box 270
Bellevue, ID 83313

Emily Baker
Rt. 1
Filer, ID 83328

Harold Hoshaw
Rt. 2
Kimberly, ID 83341

Sincerely,

Robert J. Bell
Regional Fishery Manager

RJB:lm

cc: Bill Horton

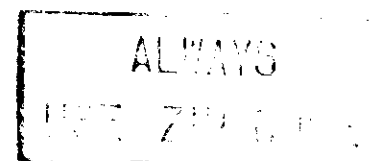
MICROFILMED

MAY 17 1989

EQUAL OPPORTUNITY EMPLOYER



Region 4
868 E. Main St.
P.O. Box 428
Jerome, Idaho 83338



Mr. Gary Spackman
Idaho Dept. of Water Resources
Statehouse
Boise, ID 83720



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

CECIL D. ANDRUS
Governor

R. KETH HIGGINSON
Director

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

October 29, 1987

RECEIVED

NOV 3 1987

Department of Water Resources
Southern Region Office

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

Re: Applications Nos. 36-8337 and 47-8073

Gentlemen:

Enclosed you will find two legal notices which we wish to have published in your newspaper on November 5 and November 12, 1987.

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

Sincerely,

A handwritten signature in cursive script, reading "Gary Spackman", is written over the typed name.

GARY SPACKMAN, Supervisor
Water Allocation Section

GS:jf

Enclosure

RECORDED

MAY 17 1989



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

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

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

October 29, 1987

RECEIVED

NOV 3 1987

Buhl Herald
P.O. Box 312
Buhl, ID 83316

Department of Water Resources
Southern Region Office

Re: Applications Nos. 36-8337 and 47-8073

Gentlemen:

Enclosed you will find two legal notices which we wish to have published in your newspaper on November 4 and November 11, 1987.

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

Sincerely,

GARY SPACKMAN, Supervisor
Water Allocation Section

GS:jf

Enclosure

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MAR 17 1989



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

October 29, 1987

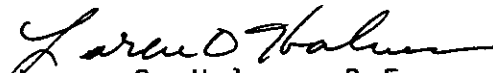
College of Southern Idaho
Area Vocational-Technical School
P.O. Box 1238
Twin Falls, ID 83303-1238

Attention: Lorraine

This is to confirm the use of the Aspen Vo-Tech Building, Mini Auditorium, Room 108 for a public information meeting to be held by the Idaho Water Resource Board on November 17, 1987 from 7:00 p.m. - 10:00 p.m.

Thank you very much for your cooperation.

Very truly yours,


Loren O. Holmes, P.E.
Southern Region Manager

LH:mb

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MAY 17 1989

COLLEGE OF SOUTHERN IDAHO
P. O. Box 1238
Twin Falls, Idaho 83301

APPLICATION AND AGREEMENT FOR USE OF
ACADEMIC AND VOCATIONAL SCHOOL FACILITIES

TITLE OF EVENT Idaho Water Resource Board Public Meeting

SPONSORED BY Idaho Water Resource Board

IF THE ORGANIZATION CONDUCTING THE EVENT IS DIFFERENT THAN THE SPONSOR LISTED ABOVE, INDICATE WHO WILL MANAGE THE MEETING _____

WILL ADMISSION BE CHARGED? No IF SO, WHAT PRICES _____

HAVE FUNDS BEEN SET ASIDE FROM ANY SOURCE TO DEFRAY THE COST OF PROCURING FACILITIES FOR THIS EVENT? No

BUILDING REQUESTED Aspen Vo-Tech ROOM(S) 108 (Mini Aud.)

DATE OF EVENT November 17 TIME 7:00 pm TO 10:00 pm
(AM or PM) (AM or PM)

ANTICIPATED NUMBER OF PEOPLE IN ATTENDANCE Approximately 100

PERSON TO CONTACT IF APPLICANT IS UNAVAILABLE Loren Holmes, Southern Region Mgr.

PHONE NUMBER 734-3578

NARRATIVE DESCRIPTION OF EVENT _____

10/29/87
DATE OF APPLICATION

Idaho Water Resource Board
APPLICANT'S NAME

Loren O Holmes

By: Loren O. Holmes
Southern Region Manager - Dept. Water Resources

APPLICANT'S PHONE NO. _____

APPLICANT'S ADDRESS _____

CONDITIONS

1. Due to inflationary costs in building maintenance and energy, it has become necessary to make a charge for facilities under certain conditions. Generally if a classroom usage is commercial in nature, funded by a grant, or if a registration fee is charged to defray expenses, the following rates apply:
Fewer than 50 people \$35.00 per classroom
50 people or more 60.00 per classroom
2. Food or coffee is not allowed in classrooms. Applications for food or coffee may be made through the cafeteria.
3. Applicants must be responsible for arrangements for Audio Visual Equipment.
4. A facilities meeting is held each Monday to approve applications and determine charges.

DATE OF APPROVAL _____

APPROVED
APPROVAL

THE CHARGE FOR THIS FACILITY USE IS: _____



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

October 29, 1987

U.S. Dept. of Interior
Bureau of Land Management
Rt. 3, Box 1
Burley, ID 83318

RE: Application for Water Permit Nos. 36-8337, 47-8073

Gentlemen:

Enclosed for your information are copies of applications for water permit which has been filed with this office.

If you have any questions or need additional information regarding these applications, please feel free to contact this office.

Very truly yours,

Loren O. Holmes, P.E.
Southern Region Manager

LH:MB

Enclosures

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MAY 17 1989



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

October 29, 1987

Donald E. Hobbs, Chief
Department of Lands
Bureau of Land Management
Statehouse
Boise, ID 83720

RE: Application for Water Permit Nos. 36-8337, 47-8073

Dear Mr. Hobbs:

Enclosed for your information are copies of applications for water permit which has been filed with this office.

If you have any questions or need additional information regarding these applications, please feel free to contact this office.

Very truly yours,

Loren O. Holmes, P.E.
Southern Region Manager

LH:MB

Enclosures

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NOV 1 1987



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

October 29, 1987

Idaho Dept. of Fish & Game
P.O. Box 428
Jerome, ID 83338

RE: Application for Water Permit Nos. 36-8337, 47-8073

Gentlemen:

Enclosed for your information are copies of applications for water permit which has been filed with this office.

If you have any questions or need additional information regarding these applications, please feel free to contact this office.

Very truly yours,

Loren O. Holmes, P.E.
Southern Region Manager

LH:MB

Enclosures

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MAY 17 1989



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

October 29, 1987

Idaho Dept. of Health & Welfare
P.O. Box 1626
Twin Falls, ID 83303-1626

RE: Application for Water Permit Nos. 36-8337, 47-8073

Gentlemen:

Enclosed for your information are copies of applications for water permit which has been filed with this office.

If you have any questions or need additional information regarding these applications, please feel free to contact this office.

Very truly yours,

Loren O. Holmes, P.E.
Southern Region Manager

LH:MB

Enclosures

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MAY 17 1989



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

October 29, 1987

Idaho Dept. of Parks & Recreation
Statehouse
Boise, ID 83711

RE: Application for Water Permit Nos. 36-8337, 47-8073

Gentlemen:

Enclosed for your information are copies of applications for water permit which has been filed with this office.

If you have any questions or need additional information regarding these applications, please feel free to contact this office.

Very truly yours,

Loren O. Holmes, P.E.
Southern Region Manager

LH:MB

Enclosures

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MAY 17 1989



600 South Walnut • Box 25
Boise, Idaho 83707

RECEIVED

SEP 01 1987

August 25, 1987

Department of Water Resources

RECEIVED

OCT 22 1987

Department of Water Resources
Southern Region Office

Mr. Gene Gray, Chairman
Idaho Water Resources Board
Statehouse
Boise, ID 83720

Dear Mr. Gray:

Attached are two applications to appropriate minimum instream flows which we would request the Board make on behalf of the Department of Fish and Game.

Shoshone Creek, in Twin Falls County, is one of a relatively few streams south of the Snake River in southcentral Idaho still supporting native cutthroat. Hayden Creek in Kootenai County provides a major source of recruitment supporting the rainbow and cutthroat fisheries in Hayden Lake.

The requested flows are not ideal, but minimum for maintaining fishery values which we feel are of particular interest to the public.

Thank you for your consideration. If you have any questions, please feel free to contact Al Van Vooren of our staff.

Sincerely,

Jerry Mallet
for Jerry M. Conley
Director

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MAY 17 1989

EQUAL OPPORTUNITY EMPLOYER

47-8073

RECEIVED

INTER-DEPARTMENT MEMO — 1

FROM

Bert thru Gary

OCT 22 1987

DATE

10-20-87

TO

Southern

Dept. of Water Resources
Region Office

SUBJECT

MSF - Box Canyon Cr., Shoshone Cr.

Gary requests to hold off
advertising.

Bert

SIGNATURE



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

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

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

M E M O

TO: Gary Spackman

DATE: October 1, 1987

FROM: Alan Robertson *R*

SUBJECT: Shoshone Creek Instream Flow Request

Based upon approximately 3-1/2 years of data at the mouth of Shoshone Creek, the following preliminary comments can be made with regard to flow availability in the requested reach:

1 Jan - 31 Mar requested flow = 5 cfs. Comment: Flow at the gage has generally been several times this amount. During brief very cold periods there may be occasions when flow is this low, especially at the upper end of the requested reach. This probably does not occur frequently.

1 Apr - 31 Jul requested flow = 7 cfs. Comment: During April and May the reach probably has flows far in excess of this amount in all but the very driest years. In June and July flows less than 7 cfs may occur, especially at the upper end of the reach.

1 Aug - 31 Dec requested flow = 5 cfs. Comment: Flows less than 5 cfs may occur occasionally in dry years.

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MAY 17 1989

47-8073

MINIM STREAMFLOW REQUEST/APPLICATION

PROCESSING CHECKLIST SHOSHONE CREEK

	Assigned to	Initials/Date
1. Request received and checklist attached.	Records Chief	<u>14 10-13-87</u>
2. Request indexed.	Records Chief	<u>14 10-13-87</u>
3. Preliminary review. Application prepared for signature.	Section Supv.	<u>G.S. 10-13/87</u>
4. Streamflow information requested from hydrology.	Section Supv.	<u>G.S. 10-11/87</u>
5. Region advised of request	Section Supv.	<u>G.S. 10/13/87</u>
6. Acknowledgement letter sent.	Section Supv.	<u>G.S. 10/7/87</u>
7. Copy of request routed to: Reg. Off. Bur. Chief; Oper. Bur. Chief; Admin.; Director.	Section Supv.	<u>G.S. 10/13/87</u>
8. Copy of request routed to Administrator, Resources Analysis Division for placement on Board Agenda.	Section Supv.	<u>G.S. 10/11/87</u>
9. Water Rights researched and abstracted.	Records Chief	<u>9-30-87</u> <u>14 10-13-87</u>
10. Request and related data presented to Board.	Requestor	<u> </u>
11. Filed or Rejected by Board.	IWRB, Section Supv.	<u>G.S. 10/16/87</u>
12. Board action indexed.	Records Chief	<u> </u>
13. Original application sent to region	Section Supv.	<u>G.S. 10/14/87</u>
14. Copy of application sent to F&G, H&W, Parks & Recreation (mandatory)	Region	<u>G.S. 11/87</u>
15. Application advertised w/o hearing date.	Region	<u>G.S. 11/87</u>
16. ^{Public Info mtg} Notice sent to each water right holder or applicant on MSF reach.	Section Supv.	<u>G.S. 11/87</u>
17. Personal contact made with riparian land owners.	Requestor	<u>G.S. 11/87</u>
18. Visual aid request prepared. (location, water rights, hydrology)	Section Supv.	<u>G.S. 11/87</u>
19. Visual aids reviewed.	Section Supv.	<u>G.S. 11/87</u>
20. Need for informal public meeting determined. If yes, proceed with step 21. If no, skip to step 24.	Both Administrators & IWRB	<u>G.S. 11/87</u>
21. Informal public meeting advertised in legal notices.	Region	<u>G.S. 11/87</u>

Held

	<u>Assigned to</u>	<u>Initials/Date</u>
22. Notification of informal public meeting sent to:		
a. IWRB members	Section Supv.	<u>G.S.</u>
b. Local Legislators	Section Supv.	<u>G.S.</u>
c. Watermaster	Section Supv.	<u>-</u>
d. Department Personnel	Section Supv.	<u>G.S.</u>
e. Local TV and Radio Stations	Section Supv.	<u>G.S.</u>
f. Water Right Holders	Requestor	<u>G.S.</u>
g. Riparian Owners	Requestor	<u>G.S.</u>
23. Informal public meeting held.	IWRB and Section Supv.	<u> </u>
24. Notice of formal hearing advertised in legal notices.	Region	<u> </u>
25. Notification of formal hearing sent to:		
a. IWRB members	Section Supv.	<u> </u>
b. Local Legislators	Section Supv.	<u> </u>
c. Watermaster	Section Supv.	<u> </u>
d. Department Personnel	Section Supv.	<u> </u>
e. Local TV and Radio Stations	Section Supv.	<u> </u>
f. Water right holders	Section Supv.	<u> </u>
g. Attendees of informal public meetings	Section Supv.	<u> </u>
h. Riparian Owners (with data generated by Requestor)	Section Supv.	<u> </u>
26. Hearings held (mandatory).	Hearing Officer and Regional Rep.	<u> </u>
27. Standard approval procedure for memorandum decision.	Hearing Officer	<u> </u>
28. If application is approved, Legislative approval procedure attached.	Records Chief	<u> </u>



Region 4
868 E. Main, P.O. Box 428
Jerome, Idaho 83338
Telephone: (208) 324-4350

**STATEMENT OF ROBERT J. BELL, REGIONAL FISHERY MANAGER
IDAHO DEPARTMENT OF FISH AND GAME
REGARDING INSTREAM WATER APPLICATION NO. 47-8073
FOR SHOSHONE CREEK FROM THE MOUTH OF HOT CREEK
TO THE IDAHO-NEVADA STATELINE**

TO: Idaho Water Resource Board

**DATE: March 18, 1988
Hollister, Idaho**

Shoshone Creek is a tributary to Salmon Falls Creek and enters that stream in Nevada. The stream originates in the South Hills region of the Cassia Division of the Sawtooth National Forest and flows southwesterly through mostly private ranch land. It then flows through BLM-administered and private ranch land from just above the mouth of Big Creek until it crosses the Idaho-Nevada border. Numerous springs also contribute additional water and there is a large thermal spring (Magic Hot Springs) on private land near the stateline. The drainage area of the stream is approximately 176 square miles. Major land uses are cattle grazing and dryland wheat production.

In 1972, a cooperative chemical treatment program of a large portion of the Salmon Falls Creek drainage was undertaken between the Idaho Department of Fish and Game and the Nevada Fish and Game Department to decrease high populations of non-game species. Roughly 32 miles of stream in the Shoshone Creek drainage within Idaho were treated by Idaho Department of Fish and Game personnel. The Nevada Department of Fish and Game treated approximately 100 miles of Salmon Falls Creek and tributary streams in Nevada. A fish migration barrier to prevent non-game fish from ascending the Salmon Falls Creek drainage was constructed in 1972 by the BLM. Following the treatment project, the drainages were restocked with brown, rainbow and cutthroat trout and trout populations have done very well.

Shoshone Creek is typically a slow-flowing, meandering system with an abundance of pool and riffle areas well suited for trout (Exhibit No. 1). The section of the stream involved in this application currently supports excellent populations of brown trout and wild rainbow trout. Fishing opportunities for anglers who enjoy remote and less frequented areas are excellent. Fine catches of both rainbow and brown trout are made annually in Shoshone Creek. Brown trout exceeding 20 inches in length and weighing more than four pounds are not uncommon (Exhibits No. 4 & 5). Wild trout populations are

EQUAL OPPORTUNITY EMPLOYER

supplemented annually by stockings of approximately 49,000 brown trout fry or fingerlings (Exhibit No. 3). Brown trout spawning has been observed in this portion of Shoshone Creek by Department personnel. These and other miscellaneous field observations are summarized in Exhibit No. 8.

Department of Fish and Game personnel have conducted numerous electrofishing surveys in Shoshone Creek to assess the status of trout populations. These surveys have been performed periodically since 1956 (Exhibit No. 2 & 6). Additionally, a comprehensive biological study of Shoshone Creek was conducted in 1979 (Exhibit No. 7).

Exhibit No. 9 summarizes rough current angler use estimates made by Department personnel in the section of Shoshone Creek being considered. Due to the remote nature of the stream section, angler pressure is currently fairly light. It receives an estimated 293 angler days of use annually and the approximate annual economic value of the resource would be about \$12,072. It is possible future angler use of the area could increase significantly.

In addition to the high fishery resource value, this part of Shoshone Creek supports an abundance of wildlife species. The water and associated riparian vegetation provided by this section of Shoshone Creek is important in determining the abundance and diversity of terrestrial wildlife found within the area. The stream helps support healthy populations of mule deer and sage grouse which provide a substantial number of hunter-days annually. Other wildlife species whose abundance and distribution depend on this part of Shoshone Creek include chukar, beaver, otter, mink, waterfowl, raptors and a variety of non-game mammalian and avian species. Maintenance or enhancement of wildlife populations in this area are closely tied to the quality of habitat associated with Shoshone Creek.

The Department of Fish and Game feels the requested minimum instream flows of 5.0 cfs for the periods 1 January - 31 March and 1 August - 31 December, and 7.0 cfs during 1 April - 31 July, are the absolute minimum flows necessary to protect fisheries and wildlife habitat in the stream section of Shoshone Creek involved.



Exhibit No. 1. Looking downstream on Shoshone Creek approximately one-half mile below the mouth of Hot Creek on August 5, 1986. Photo taken by Robert J. Bell of the Idaho Department of Fish and Game.

47-8073



Exhibit No. 2. Department of Fish and Game electrofishing equipment being transported across mouth of Hot Creek enroute to downstream sections on Shoshone Creek on August 20, 1976. Approximately 800 feet of the stream was electrofished in the operation. Photo taken by Robert J. Bell of the Idaho Department of Fish and Game.



Exhibit No. 3. Idaho Department of Fish and Game personnel stocking brown trout fingerlings in Shoshone Creek at the mouth of Hot Creek on June 17, 1982. Photo taken by Robert J. Bell of the Idaho Department of Fish and Game.



Exhibit No. 4. Mike Garey of Twin Falls with a 4 $\frac{1}{4}$ -pound brown trout caught on June 12, 1984. The trout was 23 inches in length and had a girth of 12 inches. Photo taken by Charles L. Garey of the Idaho Department of Fish and Game.

47-8073

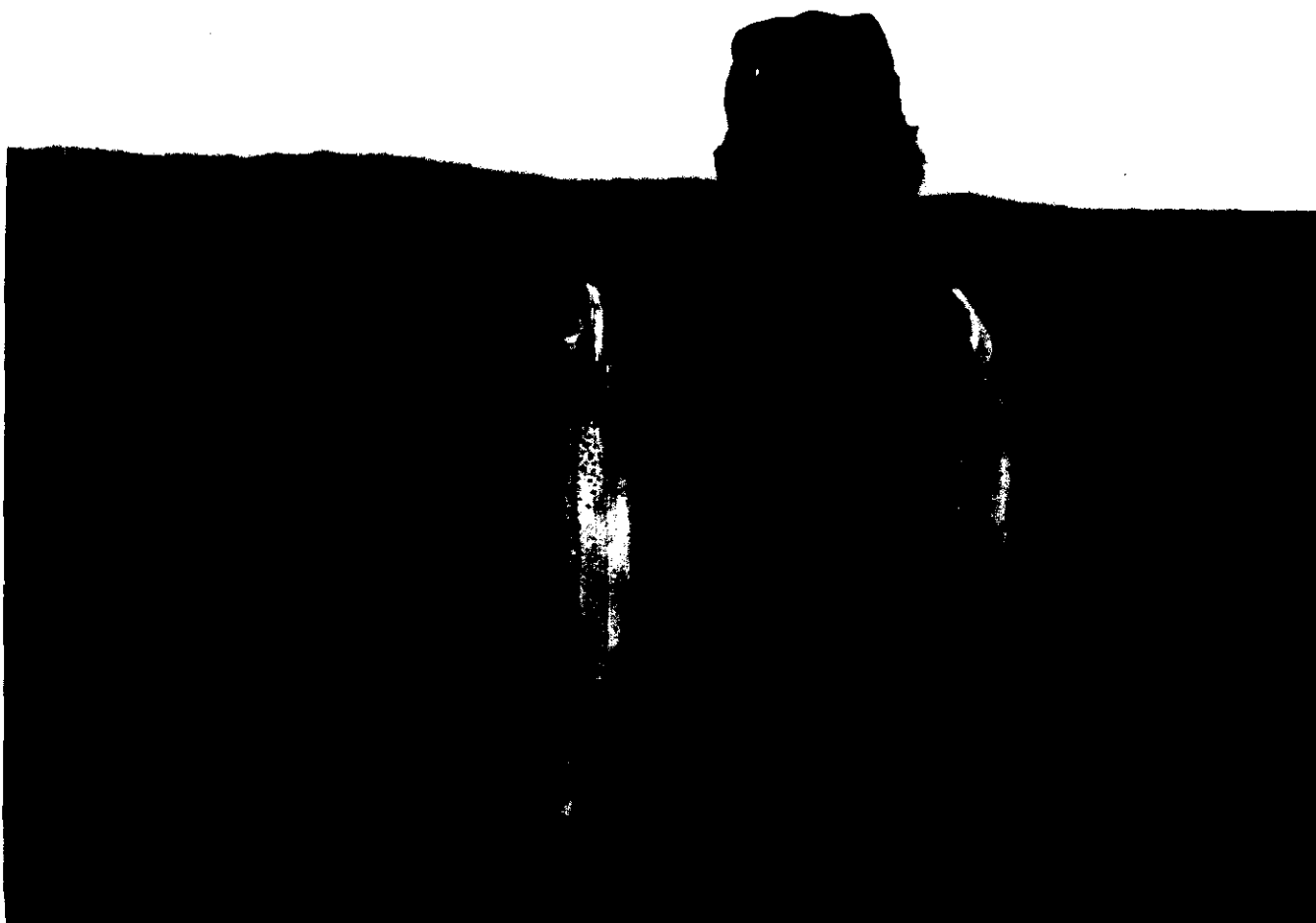
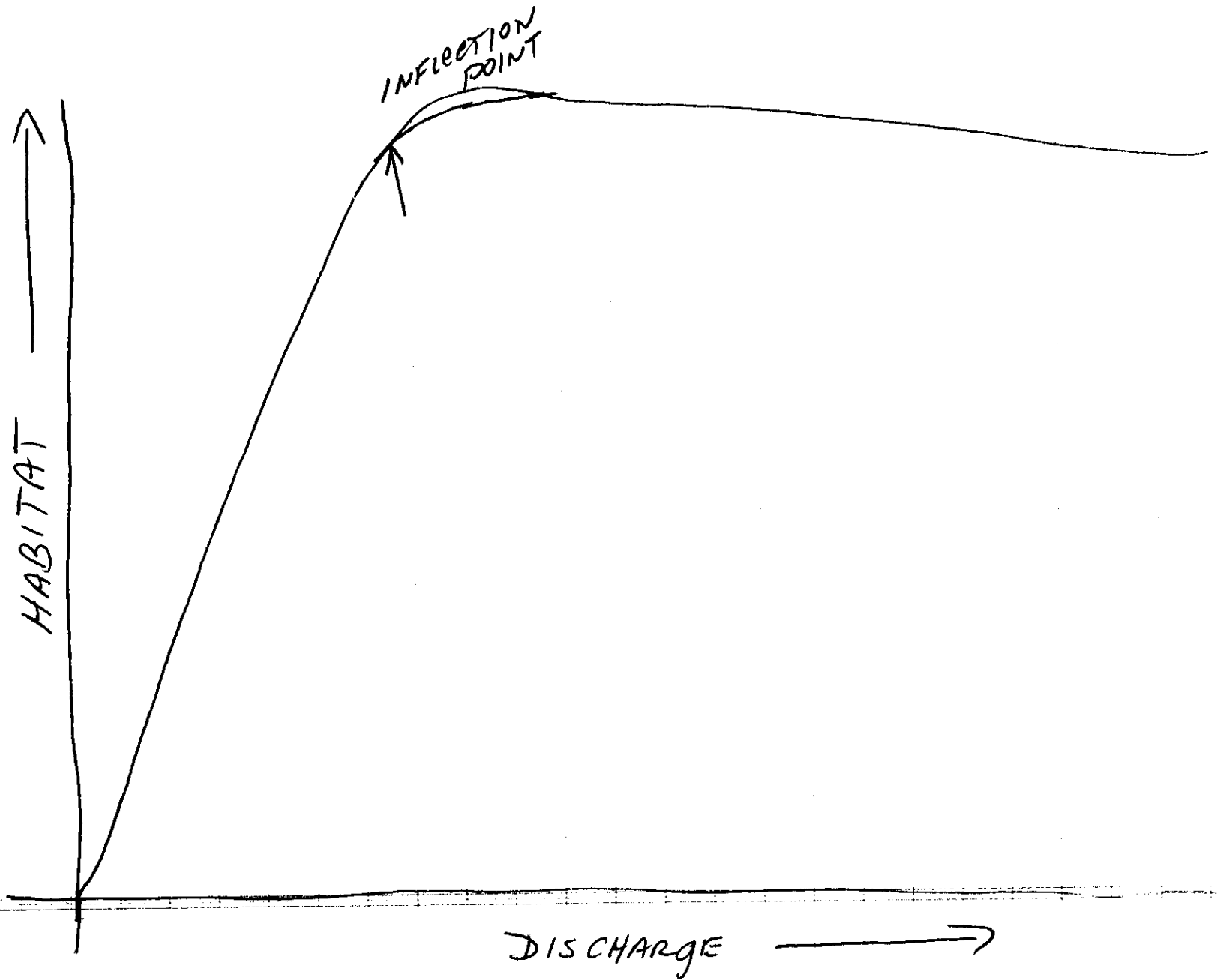


Exhibit No. 5. Gordon Richins of Twin Falls with brown trout caught in Shoshone Creek in July of 1985 approximately 0.6 mile below the mouth of Hot Creek. The trout on the left weighed approximately $3\frac{1}{4}$ pounds and the fish on the right about $2\frac{3}{4}$ pounds. Photo taken by Robert J. Bell of the Idaho Department of Fish and Game.



SHOSHONE CREEK
MINIMUM STREAMFLOW APPLICATION

Water Right No.: 47-8073

Source: Shoshone Creek

Rate of Flow: 5.0 cfs from 01/01 through 03/31
7.0 cfs from 04/01 through 07/31
5.0 cfs from 08/01 through 12/31

Date Application Filed: October 16, 1987

Applicant: Idaho Water Resource Board

Requesting Agency: Department of Fish and Game

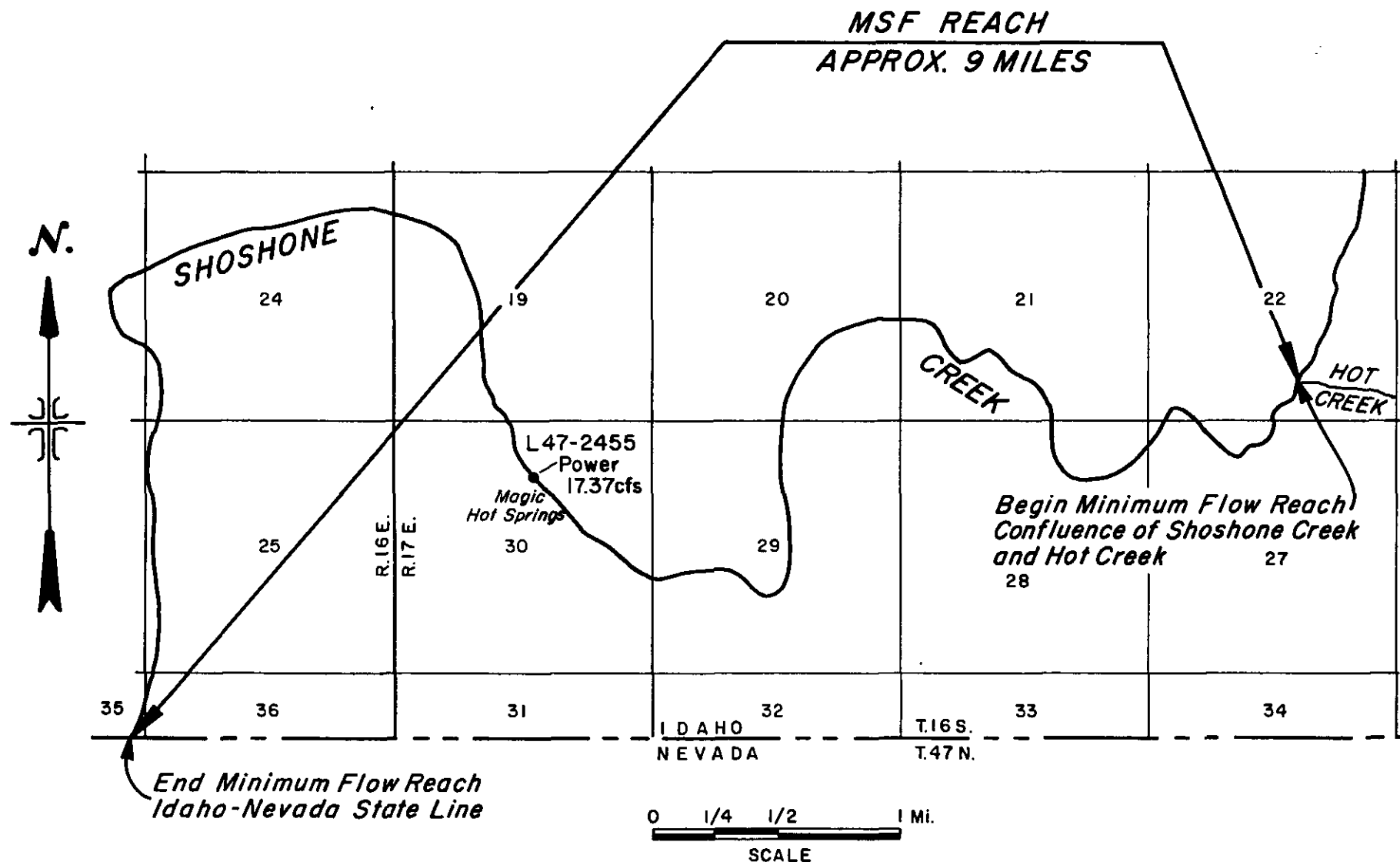
Purpose: Preserve fish habitat

MSF NO. 47-8073
SHOSHONE CREEK

WATER RIGHTS WITHIN REACH

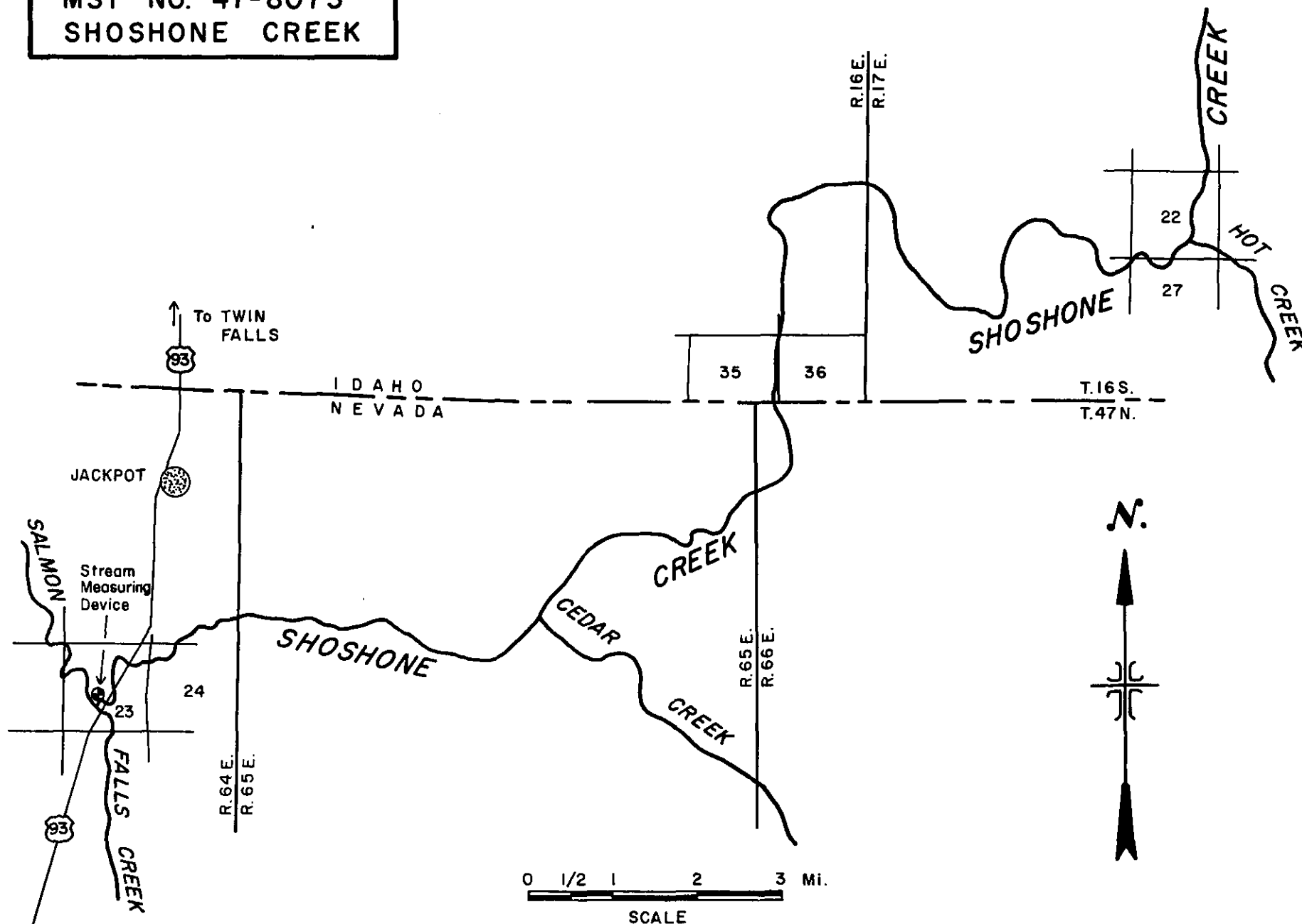
Licence No. 47-2455, Power: 17.37 cfs

Claim No. 47-4503, Stockwater &
Wildlife: 3.16 cfs



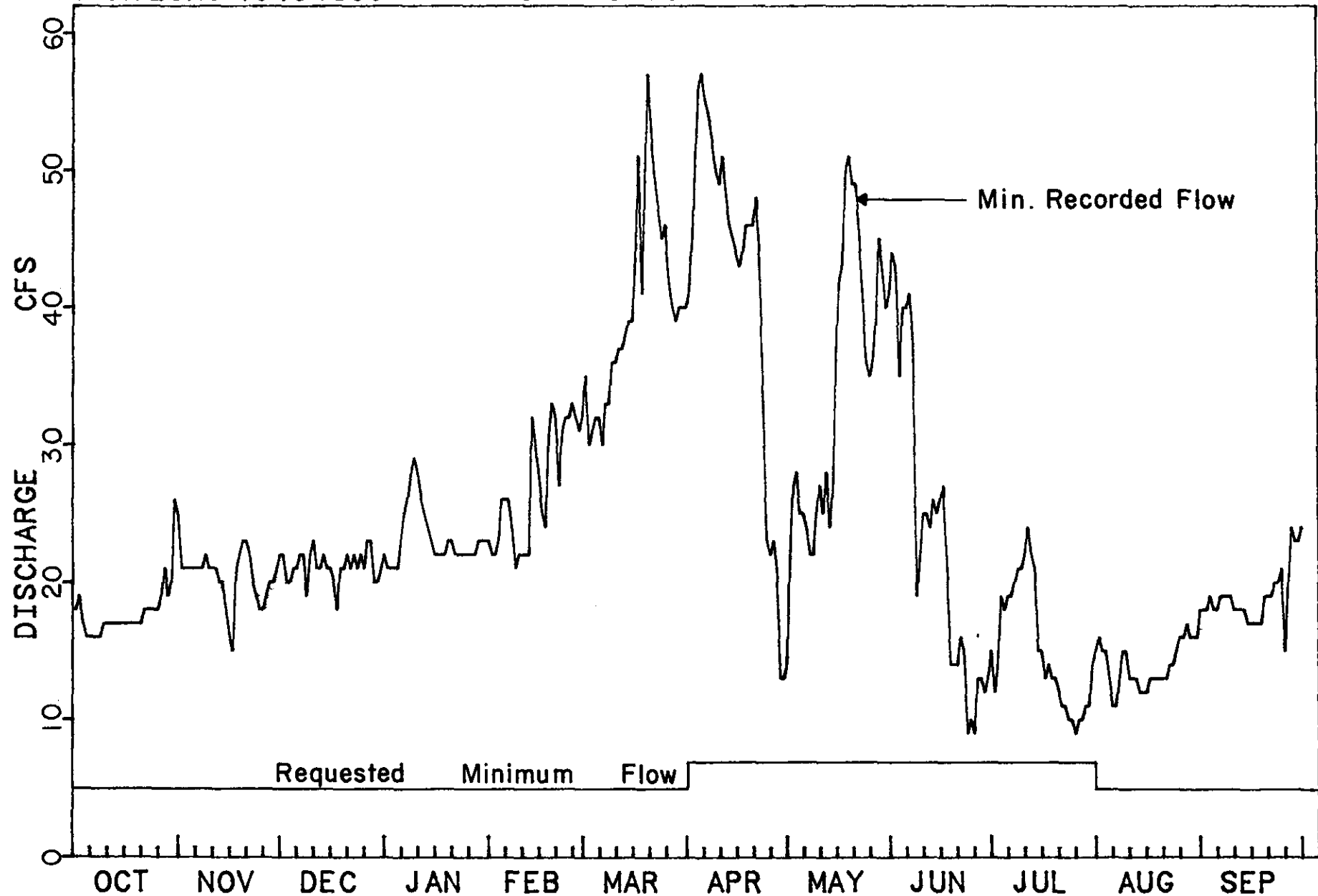
#3

MSF NO. 47-8073
SHOSHONE CREEK



NAME: SHOSHONE CREEK NR SAN JACINTO, NV

STATION: 13104800 MSF NO. 47-8073 PERIOD: 1983 thru 1987



1DF+G

EXHIBIT 11



INSTREAM FLOW INVESTIGATIONS

Annual Report for 1982

Bureau of Land Management Contract No. YA-553-CTO-1080



William D. Horton
Senior Fishery Research Biologist
November, 1983

FISHERY RESEARCH

ABSTRACT

Instream flow studies were conducted on 25 stream reaches in 1982. Instream flow requests for maintenance of game fish habitat were prepared on 23 stream reaches for submission to the Idaho Water Resource Board. Two streams will receive additional analysis in 1983. Assessments on 21 stream reaches were made using the Instream Flow Incremental Methodology developed by the U.S. Fish and Wildlife Service, Instream Flow Service Group, Fort Collins, Colorado. Hydraulic simulation was accomplished through use of the IFG-4 computer model, or a modified version of the Water Surface Profile (IFG-2) computer model. Fish habitat was simulated using the IFG-3 (HABITAT) computer model. All computer processing was done through the IBM 4341 system at the University of Idaho. Because of unique conditions, instream flow determinations for two other stream reaches were made on the basis of discharge records and knowledge of fish species present, instead of computer simulation.

Author:

William D. Horton
Senior Fishery Research Biologist

Table 2. Streams for which instream flows are being recommended in this report. Legal descriptions of established transects are included.

Stream	Township	Range	Section
Big Timber Creek	T15N	R26E	20
Big Wood River	T2S	R18E	18
Birch Creek	T10N	R29E	3
	T8N	R30E	3
Boulder Creek	T22N	R1E	34
Camas Creek	T1S	R16E	18
Cottonwood Creek	T31N	R3W	26
Divide Creek	T29N	R3W	29
Elkhorn Creek	T24N	R3E	34
Fall Creek	T22N	R1E	21
French Creek	T24N	R3E	13
Friedman Creek	T2N	R21E	12
Hard Creek	T21N	R2E	19
Hazard Creek	T21N	R1E	1
Jordan Creek	T5S	R4W	6
King Hill Creek	T4S	R10E	26
Lake Creek	T24N	R2E	33
Little Salmon River	T23N	R1E	8
	T22N	R1E	35
Muldoon Creek	T2N	R20E	22
Partridge Creek	T24N	R3E	19
Salmon Falls Creek	T9S	R13E	1
Shoshone Creek	T16S	R17E	22
Slate Creek	T27N	R2E	32
Trail Creek	T21N	R1E	2

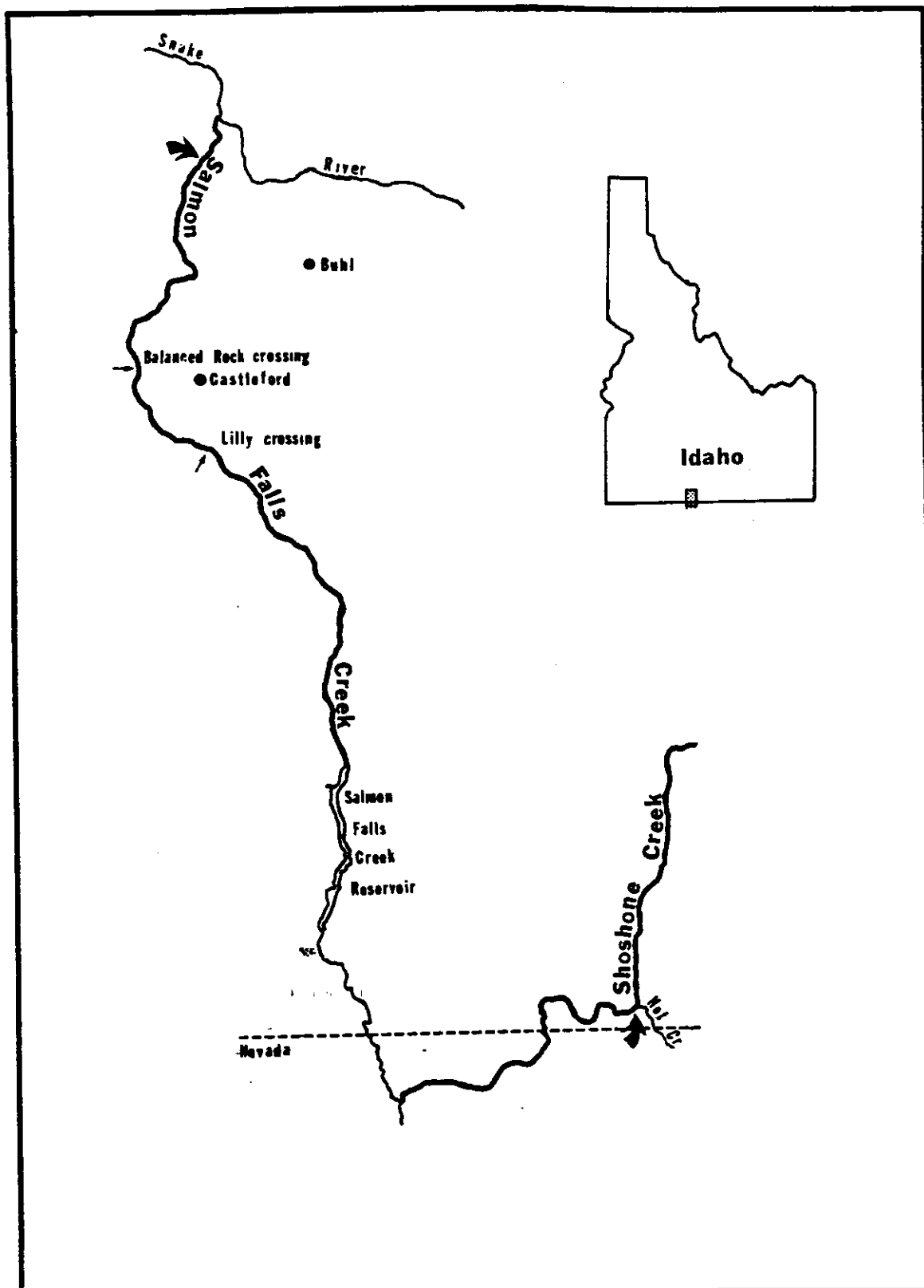


Figure 3. Location of instream flow study sites (large arrows) and discharge monitoring sites (small arrows) on Salmon Falls Creek and Shoshone Creek.

Salmon Falls Creek, below the dam, cuts a 400-500 foot deep canyon through basalt flow rock limiting access to approximately 45 miles of stream. We established discharge monitoring sites at Lilly crossing and Balanced Rock crossing in addition to our transect site approximately five miles upstream from the mouth. Access to the site is through private property, but the site is located on BLM land. The owners of the private land (Herzinger) have applied for exemption to FERC licensing for a small hydro-power project. The transect is located on representative habitat of short riffles between deep, long pools over a substrate of basalt bedrock and boulders covered with heavy silt deposits.

Rainbow trout, smallmouth bass, cutthroat trout and mountain whitefish have been sampled from the lower reaches of the stream (Gamblin 1980). Additionally, Salmon Falls Creek and side sloughs are popular habitat for ducks and geese.

The instream flow recommendations for Salmon Falls Creek from the mouth upstream to Balanced Rock crossing, based on rainbow trout requirements, are for 23 cfs from 1 August to 31 March, 59 cfs from 1 April to 30 June and 43 cfs for July.

Shoshone Creek

Shoshone Creek is a tributary to Salmon Falls Creek, entering that stream in Nevada (Fig. 3). It originates in the Sawtooth National Forest and flows southerly, mostly through private land, until it enters BLM administered lands near the Nevada border. Its drainage in Idaho is approximately 176 square miles; a very large area relative to the 7.5 cfs discharge measured in November, 1982, and 10.4 cfs measured in July, 1983.

Shoshone Creek flows through sagebrush-grassland biome with occasional pines and junipers. The major land use is dryland wheat production with grazing on private and public lands. Overgrazing has caused widespread bank erosion and destruction of the riparian vegetation.

The study transect was established immediately downstream of Hot Creek on privately owned property (Fig. 3). Our hydraulic control was a shallow riffle which could be critical for passage of migrating spawners. We also measured a run and two pool cross-sections, which were representative habitat for this reach. The riffle and run have been observed as spawning areas for brown trout, and rainbow trout and cutthroat trout have been sampled in the stream (Tim Cochnauer, pers. comm.).

The instream flow recommendations are 5.0 cfs for rainbow, cutthroat and brown trout rearing needs from 1 August to 31 March and 7.0 cfs for spawning and incubation from 1 April to 31 July.

Figure A-3. Instream flow request for maintenance of game fish habitat in Shoshone Creek from the Idaho state line upstream to Hot Creek.

NAME OF STREAM: Shoshone Creek, a tributary to Salmon Falls Creek.

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

Twin Falls County, NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 35, T16S, R16E.

THE PROPOSED STREAM FLOW IN CUBIC FEET PER SECOND:

1 January - 31 March:	5.0 cfs
1 April - 31 July:	7.0 cfs
1 August - 31 December:	5.0 cfs

THE PURPOSE FOR WHICH THE MINIMUM STREAM FLOW IS PROPOSED:

To maintain rainbow, cutthroat and brown trout habitat from the point of requested flow upstream to Hot Creek in the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 22, T16S, R17E.

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

As above.

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

The requested flow is an instream use and will be subject to all vested water rights, permits or application of earlier dates of priority.

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

The above requested flow is for instream non-consumptive use to support fish and wildlife for the State of Idaho and its general public.

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

During 1982, personnel from the Idaho Department of Fish and Game collected field data for use with instream flow methodologies to determine flows for fish and wildlife resources. Flow recommendations are presented in the following report:

Horton, W.D. 1983. Instream flow investigations, annual report.
Bureau of Land Management contract number YA-553-CT0-1080.
Idaho Department of Fish and Game.

Figure A-3. Continued.

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

The ideal flow would be a bankfull discharge, which was 7.5 cfs in November, 1982. The request is two-thirds of this except in the spring runoff when flows should be considerably higher.

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

No records available.

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

None.

EXHIBIT NO. 6

SUMMARY OF ELECTROFISHING DONE BY IDAHO DEPARTMENT OF FISH AND GAME PERSONNEL
IN SHOSHONE CREEK WITHIN THE REQUESTED INSTREAM FLOW SECTION BETWEEN 1956-1983

Date	Location of Electrofishing	Approx. Length of Stream Section	Fish Species Sampled (Number)			Total Length Ranges (in.)		
			Brown Trout	Rainbow Trout	Cutthroat Trout	Brown Trout	Rainbow Trout	Cutthroat
8/8/56	Near Middle BLM exclosure in area known at Narrows	100 feet	---	16 ^a	---	---	3-8 in.	
8/21/72	Approx. 3 mi. below Magic Hot Springs	400 feet	---	15	---	---	n/a	
8/2/74	From an area 1 mile below mouth of Hot Creek to confluence with Hot Creek	800 feet	18	38	2	3.5-13	4-14	10-12
8/20/76	Below confluence with Hot Creek	800 feet	12	25 ^b	---	5-15.5	2-15	
1979	From confluence with Hot Creek downstream	600 feet	FOR SUMMARY OF DATA, SEE EXHIBIT NO. 7					
6/17/82	Near mouth of Hot Creek and below Hot Creek approx. 0.75 miles	700 feet	2 ^c	5 ^c	---	8-18.5	6-12	
8/26/83	Near mouth of Hot Creek and downstream approx. 1 mile below Magic Hot Springs	650 feet	111	6	---	3-16.5	4-11	
TOTALS		4,050 feet	143	107	2			

a Additionally, 10 mountain whitefish were collected ranging in length from 5-10 inches; no longer thought to be present in drainage.

b Seventeen of the rainbow trout were young-of-the-year indicating natural reproduction.

c Low numbers ascribed to extreme low water conditions of 1981; water temperature of 76° F measured.

Exhibit No. 7. Summary of biological study performed by Gamblin (1980) at Shoshone Creek in 1979, including results of electrofishing six 100 foot sections.

Shoshone Creek

Shoshone Creek is a tributary to Salmon Falls Creek originating in the South Hills region of the Cassia Division of the Sawtooth National Forest following southwest through private ranch land then intermittently through B.L.M. administered and privately-owned land from just above the Big Creek confluence until it crosses the Idaho-Nevada border. The major tributaries to Shoshone Creek, after leaving national forest land, are Big Creek and Hot Creek in Shoshone Basin. Additional water flow is contributed by numerous springs, including a large thermal spring on privately owned property near the stateline. Cattle grazing is widespread in the region and was noted on a large portion of the surveyed sections.

A total of 6 sampling stations were established on Shoshone Creek to inventory approximately 10 miles of B.L.M. administered aquatic habitat. These 6 stations are located on 3 survey sections bounded and separated by privately owned land. A fourth survey section, the uppermost section of B.L.M. administered habitat was surveyed but a sample station was not established due to very low water flow and little to no fishery potential at that time. For purposes of discussion, Shoshone Creek will be divided into these 4 sections and referred to as section 1, 2, 3 and 4.

Section 1

Section 1, the uppermost survey section on Shoshone Creek begins at the bridge crossing of Shoshone Creek on the Shoshone Basin cutoff road and continues downstream for approximately 1-1/4 miles. B.L.M. boundaries are identified by cattle fences. The upper boundary is approximately 100-150 yards upstream of the bridge crossing while the lower boundary is approximately 1-1/4 mile downstream below a branching section of the stream.

This section of Shoshone Creek was observed throughout the summer from late May until late August. Early in the summer water flow was low but adequate to provide cover for fish populations, and cattle were not present on the B.L.M. managed land.

However, by the end of July stream flow was all but halted, leaving dry gravel bars, stagnant pools and no suitable habitat for viable salmonid populations. At this time a sizable number of cattle were present on the survey section (more than 25) and associated use damage was heavy and extensive (Figure 25). Note from the photos in Figure 25 and low flow of water, large clumps of algae, heavily damaged stream banks, and large quantities of feces and other organic matter. The condition observed in these photos was typical for the whole of section 1 at the time the photos were taken.

It should be noted that riparian vegetation and general stream bank condition for Shoshone Creek on private land above and below section 1 appeared to be in much better condition than that observed within the survey section. Shoshone Creek was not surveyed on private property.

Because of the extreme condition of the aquatic habitat in section 1, and because at that time the project was behind schedule, data sampling on section 1 was restricted to water quality conditions.

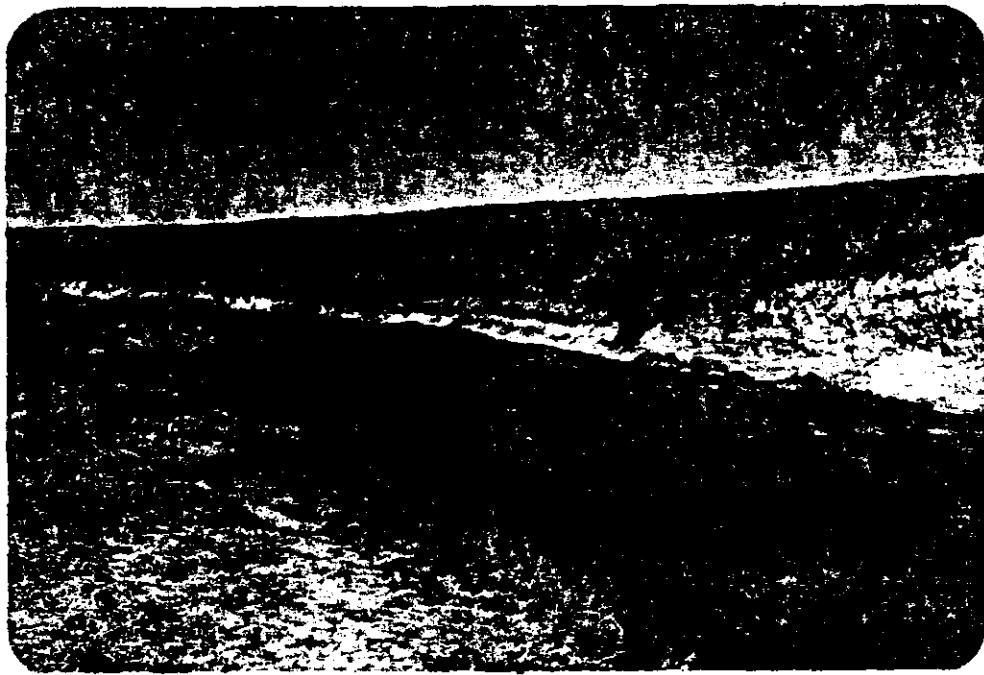


Figure 25. Section 1 - Shoshone Creek above branching channel.



TABLE XXI

Water Quality Data - Section 1 - Shoshone Creek

Date	Discharge	Temperature(C)		pH	Dissolved oxygen	Electrical conductivity	Alkalinity (CaCO ₃)
		Air	Water				
7-31-79	--	29	25	9.5	10	--	--
8-14-79* Upper site	1.1 cfs	22	18.5	8.1	6.5	155	73
8-14-79* Lower site	2.1 cfs	24	22	8.0	7.2	160	70
8-29-79* Upper site	.02 cfs	25	20	7.8	8.6	180	74
9-12-79* Lower site	.40 cfs	22	12	8.5	9.1	130	--

* Data from BLM Burley District, 1979 - Lenore Thomas

Table XXI presents data collected for this project and for the B.L.M. water quality survey. Although fluctuations in the data are apparent, it is plain that for the latter part of the summer discharge is very low, water temperatures were high and pH was high. The relatively high dissolved oxygen values should be expected given conditions at the time the measurements were made. The water was shallow, highly enriched with organic matter, contained large mats of algae, and was subject to direct sunlight. Under these conditions the algae and other green plants in the water are photosynthesizing, producing oxygen and will have a considerable influence on DO levels in the water. Dissolved oxygen levels in the same area at night when the plants respire would be expected to be quite low.

Small forage fish, primarily redbreast shiners (Rhichardonius balteatus), dace (Rhinichthys sp.), and small suckers (Catostomus species) were extremely abundant in the stagnant pools and shallow runs. These species are tolerant of habitat conditions unacceptable to salmonids and in the numbers observed are another indicator of seriously degraded habitat.

Summary

Section 1, under the observed conditions described, is considered to have no fishery value on a year-round basis. It could be important early in the summer as spawning habitat. Further, it should be noted that 1979 was a drought year and that given a more normal water year, water levels may be sufficient to support game fish if habitat quality were good.

Section 2

Section 2 on Shoshone Creek extends from Hot Creek downstream to the property line of the Magic Hot Springs property, covering a stream distance of approximately 3.5 miles. Sample stations 1 and 2 are located at the upper and lower ends of the section. Section 2 was surveyed in its entirety over several occasions, mostly from

the rim of the shallow canyon Shoshone Creek cuts in this area.

Between section 1 and the upper boundary of section 2, 2 tributaries join Shoshone Creek substantially increase its water flow. Big Creek and Hot Creek both cross private lands at their respective confluences and are not subject to BLM management.

Livestock (cattle) were noted along the majority of section 2, but did not seem to be concentrated in any one location along the stream, with the exception of the confluence of Horse Creek near Magic Hot Springs.

Sample Station 1

Sample Station 1 is located approximately 30 yards downstream from the cattle fence marking the BLM boundary. The upper boundary of the sample station is parallel to an eroded dirt bank (Fig. 26).

Sample Station 1 is accessible by an unimproved dirt road connecting with the Basin cutoff road. This road crosses private and BLM land before crossing a runoff channel of Hot Creek and Horse Creek. During spring and early summer this channel is bog and in the absence of a bridge is not fordable by vehicle including 4 wheel drive. The road continues to the Hot Creek confluence. The BLM boundary is approximately 150-200 yards downstream from Hot Creek.

Sample Station 1 was surveyed on August 12. Riparian vegetation is comprised of willows, currants, sagebrush, grasses and forbs. Riparian vegetation overall is sparse and scattered. Aquatic vegetation was limited, consisting primarily of algae and few macrophytes.

Habitat condition was rated as poor overall (Table XXII-A). Shading was estimated at 31-40% of the stream channel. Bank vegetation was closely cropped and shallow rooted. Some surface erosion was evident. Bank stability was fair, with damage estimated at 40% or less. Some erosion and sloughing attributed to close cropping of bank sod and trampling by cattle was noted. Channel stability was excellent.

Sedimentation was significant. It was estimated that 10-25% of the stream bed was affected. Instream cover was rated as fair with only 10 to 25% of the stream channel affording adequate cover. This was primarily a function of low water, lack of riparian vegetation, and poor bank condition. Numerous holes, large rocks and rocky substrate are present, but insufficient water, shading and debris are a significant shortcoming in habitat quality.

It appeared that at one time willows were the predominant riparian vegetation along with currants and other woody species. The present lack of this vegetation type may be the result of heavy livestock use, eradication by poisoning or a combination of the two.

A fish population sample was taken, making one pass through a 100-foot section of the sample station using the 500 watt D.C. portable generator (Table XXII-B). Four rainbow trout (S. gairdneri), 1 brown trout (salmo trutta), 14 sculpin (Cottus sp.), 33 reidside shiners (Richardsonius balteatus) and 63 dace (Rhinichthys sp.) were collected.

Additional fish population data collected by Department of Fish and Game personnel on July 21, 1977 above sample station 1 above and below Hot Creek is pre-



Figure 26. Photopoint: Sample station 1 - Shoshone Creek

TABLE GROUP XXII

Shoshone Creek - Sample Station 1 - August 12, 1979

A. Habitat Condition Rating

Shading	Bank vegetation	Bank stability	Channel stability	Sedimentation	Instream cover	Total condition rating
1	2	2	4	2	2	13 - Poor

B. Fish Collected

Length	Species					
		Rainbow trout	Brown trout	Sculpin	Shiner	Dace
<2.0"	<50 mm			1	6	11
2.0-3.9"	50- 99 mm			13	17	52
3.9-5.9"	100-149 mm	1				
5.9-7.8"	150-199 mm	3				
7.9-9.8"	200-249 mm		1			

C. Habitat Data

Mean stream width(ft)	Mean stream depth(ft)	Temperature(C)		pH	Dissolved oxygen	Turbidity	Stream gradient
23.3	.50	66°F 19°C	--	9.0	7.9	>3-ft visability	<20 ft/mile

TABLE XXIII

Gamefish collected by Department of Fish and Game personnel on July 21, 1977 from Shoshone Creek above and below Hot Creek (above Sample Section 1). Sample method - electroshock; stream reach sampled unknown.

Species Length	Rbt	Brt	Ct
1 inch	1		
4 inches	5		
5 inches	1		
6 inches	2	1	
7 inches	6	1	2
8 inches	4		1
10 inches	3	4	
11 inches	1	3	
12 inches		5	1
13 inches		3	
16 inches		1	

Rbt - Rainbow trout Salmo gairdneri

Brt - Brown trout Salmo trutta

Ct - Cutthroat trout Salmo clarki

sented in Table XXIII. Length of stream section sampled is unknown. Note that numbers of brown trout approximate numbers of rainbow trout captured and also that 4 cutthroat trout were collected.

Habitat data, Table XXII-C, indicates below optimum conditions. Water level is low for the size of the stream channel, temperature is higher than optimum for salmonid species and pH is above optimum levels and may indicate a low level stress factor for salmonid species, particularly any resident cutthroat trout. Dissolved oxygen and water clarity were excellent, gradient is low.

Spawning habitat is fair in the area surrounding sample station 1. Sedimentation is significant, water quantity and velocity is low, and spawning gravel is not abundant.

Beaver activity was found along the length of section 2. Within 1/4 mile downstream of sample station 1, 4-5 active beaver dams were noted along with several families of beaver. Beaver activity does appear somewhat limited however by a scarcity of woody vegetation, principally willows.

Factors limiting fisheries productivity in the area represented by sample station 1 are 1) low water flow 2) poor instream cover 3) poor riparian vegetation 4) sedimentation.

The 3 - 3-1/2 miles of stream habitat between sample stations 1 and 2 is representative of that described above. Gradient is low, water depth is shallow for channel width. Riparian vegetation, primarily willows and other woody types are reduced. Cattle use remains somewhat constant. Livestock use-damage is significant. Several small springs enter Shoshone Creek along this section and are important in contributing water to the stream but have no fisheries value alone. Beaver activity remains continuous between stations 1 and 2. It is estimated that 10-12 beaver dams are present in the 3-3 1/2 mile section. The largest concentration of cattle on section 2 was observed at the confluence of Horse Creek where a concentration of willows appeared to attract cattle for the shade provided.

Sample Station 2

Sample station 2 is located approximately 25 yards upstream of the upper Magic Hot Springs property boundary. The lower end of the sample station is approximately 20 yards above the slack water formed by a small dam on Shoshone Creek on Magic Hot Springs property. Access to sample station 2 is by an unimproved dirt road to the Magic Hot Springs property, then, with permission, across the private property and on a foot path paralleling Shoshone Creek.

Station 2 was surveyed August 21. Dominant riparian vegetation consists of willows, grasses and forbs. Riparian vegetation in this area is abundant, thick and shows no use-damage from livestock grazing. Aquatic vegetation is scarce primarily due to a narrow stream channel with a substrate of large rubble. Bank rock composition is high. Large boulders are abundant both along and in the stream channel.

Habitat condition was rated as excellent (Table XXIV-A). Shading is good, provided by large clumps of willows, tall grasses and large boulders. Bank vegetation was in excellent condition showing no sign of grazing use. Cattle were not observed



Figure 27. Photopoint: Sample station 2 - Shoshone Creek

TABLE GROUP XXIV

Shoshone Creek - Sample Station 2 - August 21, 1979

A. Habitat Condition Rating

Shading	Bank vegetation	Bank stability	Channel stability	Sedimentation	Instream cover	Total condition rating
3	4	4	4	2	4	21 - Excellent

B. Fish Collected

Species		Rainbow trout	Brown trout	Sucker	Shiner	Dace	Chiselmouth
Length							
<2.0"	<50 mm				14	9	
2.0-3.9"	50- 99 mm	4			72	53	
3.9-5.9"	100-149 mm	12		18	3		2
5.9-7.8"	150-199 mm			31			3
7.9-9.8"	200-249 mm		1	10			
9.8-11.8"	250-299 mm			1			

C. Habitat Data

Mean stream width(ft)	Mean stream depth(ft)	Temperature(C)			Dissolved oxygen	Turbidity	Stream gradient
		Water	Air	pH			
12.9	.57	68°F 20°C	68°F 20°C	9.0	7.7	>3-ft visability	≈40 ft/mile

in the immediate area of station 2. Bank stability is excellent as was channel stability and instream cover. Sedimentation in the area is significant, estimated at 10-25% of the substrate in station 2.

The fish population was sampled using the 500 watt D.C. generator. In one pass through a 100-foot section of the sample station the following fish were collected (Table XXIV-B): 17 rainbow trout (Salmo gairdneri), 1 brown trout (Salmo trutta), 60 suckers (Catostomus sp.), 89 redbside shiners (Richardsonius balteatus), 62 dace (Rhinichthys sp.), and 5 chiselmouth (Acrocheilus alutecus).

Habitat, Table XXIV-C, is indicative of good habitat conditions. Water depth is adequate for channel width. Water temperature was higher than optimum despite good shading and water depth. This may be due in part to the large hot springs on the Magic Hot Springs property. Again, pH was high and may indicate a low level stress on salmonid species. Dissolved oxygen and water clarity were excellent and stream gradient is moderate.

Additional water quality data collected on the B.L.M. water quality inventory are presented in Table XXV.

Spawning habitat in the immediate area of sample station 2 is poor due to the large percentage of cobble size and larger rubble in the substrate. Gradient is higher in this area and sedimentation is not as much of a factor as in the area of station 1.

Beaver activity above sample station 2 is high. Between station 2 and the confluence of Horse Creek, approximately 1/2 mile upstream, 7-10 active beaver dams were noted. Willows and other woody vegetation are more abundant in the lower end of section 2 than the upper end and may be a factor contributing to the high activity. Long pools of slack water provided by the dams are frequent in this stretch of stream adding to the quality of holding cover for fish.

Summary

Factors limiting fishery productivity in section 2 at the time of survey can be listed in four categories, and are given in order of importance - 1) low water flow, 2) reduced riparian vegetation, 3) water quality (specifically temperature and pH, 4) sedimentation.

It is noted that fish collected during this project and by Department personnel in 1977 included brown and cutthroat trout as well as rainbow. Shoshone Creek in the area of Hot Creek has been reported in the past by Department of Fish and Game personnel to produce large brown trout. Idaho Fish and Game Region 4 Fishery Biologist, Bob Bell, considers Shoshone Creek from the mouth of Big Creek to Magic Hot Springs to be a quality fishery for rainbow and brown trout. Bob reported that from Big Creek to Hot Creek, Shoshone Creek supports an excellent population of brown and rainbow trout and brown trout 14 inches and over in length are common in that area.

Bob also feels that high water temperatures in streams of this region are not necessarily a serious limiting factor for trout populations, which he feels have adapted to above optimum temperatures. The presence of cutthroat trout is especially noteworthy and important in that this is the only stream on the inventory list reporting cutthroat. Present habitat conditions in Shoshone Creek and other surveyed streams are not representative of preferred cutthroat trout habitat.

Additionally, it is noted that no squawfish were collected in section 2. Squaw-

TABLE GROUP XXV

Water Quality Data - Section 2 - Shoshone Creek (BLM Burley District, 1979)

Date Location	Discharge	Temperature(C)		pH	Dissolved oxygen	Electrical conductivity	Alkalinit
		Air	Water				
S.S.1 8-19-79	8.0 cfs	88 ⁰ F 31 ⁰ C	72 ⁰ F 22 ⁰ C	8.4	11.2	190	--
S.S.1 8-16-79	--	72 ⁰ F 22 ⁰ C	64 ⁰ F 18 ⁰ C	9.4	10.2	200	--
S.S.1 9-18-79	3.0 cfs	68 ⁰ F 20 ⁰ C	55 ⁰ F 13 ⁰ C	6.8	8.8	160	103
S.S.2 8-9-79	19 cfs	77 ⁰ F 25 ⁰ C	66 ⁰ F 19 ⁰ C	7.1	7.5	180	189
S.S.2 8-16-79	--	75 ⁰ F 24 ⁰ C	59 ⁰ F 15 ⁰ C	8.2	7.4	170	--
S.S.2 9-12-79	10.31 cfs	52 ⁰ F 11 ⁰ C	50 ⁰ F 10 ⁰ C	7.3	8.4	150	94

fish are known to be native to the drainage and in fact were found in abundance below the Magic Hot Springs property. Idaho Department of Fish and Game conducted an extensive eradication project on Shoshone Creek in the 1960s from the Idaho border upstream to the headwaters. It is suggested that the small impoundment on the Magic Hot Springs property has acted as a barrier to squawfish moving back upstream and accounts for the absence of that species in fish samples.

The present beaver activity and the presence of the reservoir at Magic Hot Springs are particularly significant as important factors buffering the impacts on the fishery resulting from low water flow, loss of riparian habitat and the loss of instream cover associated with the two.

Beaver dams and the reservoir are particularly important in a low water period in providing stable water flows, and in providing holding cover and overwintering habitat for larger trout. Though it could not be substantiated, it is expected that the reservoir and larger beaver ponds hold larger fish particularly brown trout which may move upstream out of the sanctuaries to spawn in the fall.

Section 3

Section 3 on Shoshone Creek extends from the lower property line of the Magic Hot Springs property identified by a gate across the unimproved road into the property and a cattle fence extending to the stream (downstream approximately 1 mile to a section of privately-owned ranch land marked again by a cattle fence a short distance below a bridge across the stream). A very rough road spur reaches this bridge from the Magic Hot Springs road.

The approximately 1 mile of stream habitat in section 3 flows through a shallow canyon heavily vegetated with willows and other woody plants including sagebrush as well as grasses and forbs.

Two sample stations, 3 and 4, were established at each end of the section.

Sample Station 3

Sample station 3 is located approximately 15 yards downstream from the B.L.M. boundary. The upstream boundary of the sample station is immediately below an island in the stream grown over with willows. The 200-foot station continues downstream into slack water of a beaver pond (see Fig. 28).

Station 3 was surveyed on August 21. Dominant riparian vegetation is comprised of willows, wildrose, grasses and forbs. Aquatic vegetation is limited to sparse algae and fewer macrophytes.

Overall habitat condition was rated as good (Table XXVI-A). Shading is good, estimated at 71-80% of the channel and provided mainly by willows. Bank vegetation, bank stability, and channel stability were all rated as excellent. Sedimentation is moderate, 10-25% of the substrate and instream cover was rated as good, with 25-50% cover, 50-75% exposed. There was no evidence of grazing damage to the riparian zone. This area is fairly steep sloped and does not appear that it would attract heavy grazing use in the riparian zone.

Fish sampling was conducted using the 500 watt D.C. generator. In one pass through 100-feet of the sample station the following fish were collected: 1 brown trout (Salmo trutta), 56 suckers (Catostomus sp.), 1 chiselmouth (Acrocheilus alutecus) and 2 squawfish (Ptychocheilus oregonensis) Table XXVI-B.

Habitat data, Table XXVI-C, indicates an increase in water flow which was expected due to the hot springs entering Shoshone Creek above station 3. Water temperature remains high and must be influenced to an extent by the entry of thermal waters the short distance upstream. pH remained high, dissolved oxygen was excellent, water clarity good, and stream gradient is moderate.



Figure 28. Photopoint: Sample station 3 - Shoshone Creek

Spawning habitat in the area represented by station 3 is poor-to-fair. Gravel size and composition suitable as spawning substrate is abundant, however water velocity and sedimentation are limiting factors. The scarcity of trout in the fish sample and that no trout were sighted during visual surveys of the area is indicative of low reproductive success.

A number of beaver dams were noted above and below sample station 3, though an accurate count was not made. It is estimated that 3 to 5 active dams exist presently in section 3. Willow growth in section 3 is heavier than sections 1 or 2. Overall conditions should be excellent as preferred habitat for beaver.

TABLE GROUP XXVI

Shoshone Creek - Sample Station 3 - August 21, 1979

A. Habitat Condition Rating

Shading	Bank vegetation	Bank stability	Channel stability	Sedimentation	Instream cover	Total condition rating
3	4	4	4	2	3	20 - Good

B. Fish Collected

Length		Brown trout	Sucker	Shiner	Dace	Chiselmouth	Squawfish
<2.0"	< 50 mm		1	20	8		
2.0-3.9"	50- 99 mm			91	15		
3.9-5.9"	100-149 mm		36	5		1	
5.9-7.8"	150-199 mm		18				
7.9-9.8"	200-249 mm		1				1
9.8-11.8"	250-299 mm	1					1

C. Habitat Data

Mean stream width(ft)	Mean stream depth(ft)	Temperature(C)		pH	Dissolved oxygen	Turbidity	Stream gradient
		Water	Air				
25.3	.72	70°F 21°C	81°F 27°C	9.0	8.0	>3 ft visability	~40 ft/mile

Sample Station 4

Sample station 4 is located approximately 25-100 yards upstream of the bridge previously described. The 200-foot station is established in a narrow, rock strewn section of stream that parallels the road spur connecting with the Magic Hot Springs road (Fig. 29). Sample station 4 was surveyed on August 21, 1979. Dominant riparian vegetation is comprised of willows, wildrose, sagebrush, grasses and forbs. Aquatic vegetation consists of a variety of algae and macrophytes, mostly at the lower end of section 3.

The riparian zone for the most part is inaccessible to livestock use. The terrain is very rocky and preferred forage for livestock is limited.

Habitat condition for sample station 4 was rated excellent (Table XXVII-A). Shading is fair, estimated at 41-50% of the channel. Stream bank condition, bank stability, channel stability and instream cover were rated as excellent. Sedimentation in station 4 was negligible, estimated at less than 10% of the substrate.

A 100-foot section of station 4 was electrofished using the 500 watt D.C. generator collecting 2 rainbow trout (Salmo gairdneri), 77 suckers (Catostomus sp.), 100 redbside shiners (Richardsonius balteatus), 34 dace (Rhinichthys sp.) and 15 chiselmouth (Acrocheilus alutecus).



Figure 29. Photopoint: Sample station 4 - Shoshone Creek

TABLE GROUP XXVII

Shoshone Creek - Sample Station 4 - August 21, 1979

A. Habitat Condition Rating

Shading	Bank vegetation	Bank stability	Channel stability	Sedimentation	Instream cover	Total condition rating
2	4	4	4	3	4	21 - Excellent

B. Fish Collected

Length	Species					
		Rainbow trout	Sucker	Shiner	Dace	Chiselmouth
<2.0"	< 50 mm			19	20	
2.0-3.9"	50- 99 mm		10	79	14	
3.9-5.9"	100-149 mm	2	42	2		11
5.9-7.8"	150-199 mm		23			4
7.9-9.8"	200-249 mm		2			

C. Habitat Data

Mean stream width(ft)	Mean stream depth(ft)	Temperature(C)		pH	Dissolved oxygen	Turbidity	Stream gradient
30.4	.50	69°F 20.5°C	79°F 26°C	9.0	8.8	>3 ft visability	≈20 ft/mile

Judging by visual observation, the habitat in station A appears to be good salmonid habitat. It was expected that more trout would be collected than actually were. The low numbers of trout and large numbers of cyprinids is more likely a result of water quality than any other factor.

Habitat data, Table XXVII-C, indicated good aquatic habitat in every category except water temperature and pH. Measured water temperature and pH again were above preferred levels for salmonid species and indicate an impingement on fishery productivity emphasizing trout species.

TABLE XXVIII

Water Quality Data - Section 3 - Shoshone Creek - (BLM Hydrological Survey)

Date	location	Discharge	Temperature(C)		pH	Dissolved oxygen	Electrical conductivity	Alkalinity (CaCO ₃)
			Air	Water				
S.S.4	8-7-79	8.3 cfs	93 ⁰ F 34 ⁰ C	59 ⁰ F 15 ⁰ C	8.5	8.0	170	86
S.S.3	8-9-79	11 cfs	68 ⁰ F 20 ⁰ C	66 ⁰ F 19 ⁰ C	7.2	7.2	180	89
S.S.4	9-11-79	8.20 cfs	68 ⁰ F 20 ⁰ C	59 ⁰ F 15 ⁰ C	7.8	9.2	170	94
S.S.3	9-12-79	8.1 cfs	55 ⁰ F 13 ⁰ C	59 ⁰ F 15 ⁰ C	8.4	9.5	175	96
S.S.3	8-16-79	--	68 ⁰ F 20 ⁰ C	63 ⁰ F 17 ⁰ C	8.4	7.5	180	--

Additional water quality data for sample station 3, provided by the B.L.M. water quality survey conducted by Lenore Thomas, is shown in Table XXVIII. Fluctuations in discharge measurements, air and water temperatures, and pH and dissolved oxygen measurements are likely the result of intermittent rainstorms which were quite heavy and periodic during the time those measurements were made.

Spawning habitat in station 4 and nearby is negligible. Substrate within the station is too large to provide any suitable habitat at all, and above and below the station, water velocity is low and sedimentation is too great to provide desirable habitat.

Beaver activity in the lower end of section 3 is low. One or two dams were noted within 1/4 mile above station 4, none were observed from sample station 4 downstream.

Summary

Factors limiting fish production in section 3 are ranked in order of importance as follows: 1) low water, 2) water quality (temperature and pH), 3) sedimentation.

Water flow is increased over section 2 by the addition of thermal waters from Magic Hot Springs and stream flow is somewhat stabilized by the reservoir on the Magic Hot Springs property and the numerous beaver dams along section 3, but it is believed that fishery productivity would be substantially enhanced by increased water flow.

Water temperature and pH values remained constant within a narrow range for the stream as a whole and together with low water level may present a strong impediment to trout species. Sediment significantly limits available spawning habitat and probably limits spawning trout.

Grazing damage to the riparian zone is negligible, is not a significant factor in fishery productivity, excepting the lower end of section 3.

Numbers of trout collected in section 3 were very low, numbers of cyprinids collected were very high. This reflects the condition of habitat favoring more tolerant species such as the cyprinids, although brown trout and rainbow trout may be present in deeper areas of the stream such as beaver ponds that were inaccessible to sampling equipment.

Section 4

Section 4 is approximately 1 mile downstream from section 3 and continues downstream another 2 miles. The upper boundary of the survey section is ambiguous, and must be identified by landmarks and a status map. The lower boundary is marked by a B.L.M. cattle fence. Below the cattle fence a short section of state-owned property extends for less than 1/4 of a mile, than B.L.M. ownership resumes to the Idaho/Nevada border. Access to the upper end of section 4 is by a road spur from the Mule Creek-Jackpot, Nevada road to the state-owned section of land.

Two sample stations, 5 and 6, were established on section 4. No fish sample was collected from sample station 6 due to equipment problems.

Sample Station 5

Sample station 5 is located approximately 300 yards below the upper boundary of section 4 and near the upper band of a large u-shaped curve in the stream at the base of a large bluff on the west side of the stream (Fig. 30). The upstream boundary of the station is located at the head of a riffle with an eroded dirt bank on the northeast side of the stream and a grassy flat on the southwest side.



Figure 30. Photopoint: Sample station 5 - Shoshone Creek

TABLE GROUP XXIX

Shoshone Creek - Sample Station 5 - August 15, 1979

A. Habitat Condition Rating

Shading	Bank vegetation	Bank stability	Channel stability	Sedimentation	Instream cover	Total condition rating
1	4	4	4	2	2	17 - Fair

B. Fish Collected

Length		Sucker	Shiner	Dace	Chiselmouth
<2.0"	<50 mm		17	24	
2.0-3.9"	50- 99 mm	15	108	43	1
3.9-5.9"	100-149 mm	11	6		2
5.9-7.8"	150-199 mm	14			
7.9-9.8"	200-249 mm	1			

C. Habitat Data

Mean stream width(ft)	Mean stream depth(ft)	Temperature(C)		pH	Dissolved oxygen	Turbidity	Stream gradient
		Water	Air				
22.2	.47	67°F 19.5°C	79°F 26°C	9.0	12.0	>3 ft visability	≈20 ft/mile

Sample station 5 was surveyed on August 15. Dominant riparian vegetation consists of willows, water hemlock, sagebrush and grasses. Aquatic vegetation consists primarily of beds of vascular plants identified as Ranunculus sp.

Habitat condition in station 5 was rated as fair. Bank vegetation, bank stability, and channel stability are excellent. There was no indication of recent grazing activity on station 5 or the surrounding area. Note in Figure 30 that eroded and wasted portions of the stream bank are in a process of revegetation. It is unclear whether this damage was the result of overgrazing, annual runoff erosion or some other cause. It was noted that well worn stock trails parallel the stream for most of the length of section 4. It may be that this area was previously impacted by grazing.

The riparian vegetation along sample station 4 is predominantly grasses with scattered clumps of the woody types described. Consequently there is little over-story vegetation to provide shade. Shading was estimated at 31-40% of the channel. Sedimentation was estimated at approximately 10% of the substrate and instream cover is poor, only 10-25%. Instream cover was scarce.

Station 5 was electrofished using the 500 watt D.C. generator. One pass was made through a 100 foot section collecting the following fish: 41 suckers (Catostomus sp.), 131 redbside shiners (Richardsonius balteatus), 67 dace (Rhinichthys sp.) and 3 chiselmouth (Acrocheilus alutecus) Table XXIX. The absence of trout was unexpected and it is doubtful that the area is devoid of trout, but the large numbers of tolerant species, the low water, and lack of holding cover clearly indicate that conditions are poor for salmonid species.

Habitat data, Table XXIX-C, indicates low water flow, high water temperature, and pH. The unusually high dissolved oxygen value again is best explained as the result of photosynthesizing aquatic vegetation. Algae and macrophyte beds were extensive, water was shallow and sunlight was intense. It is likely that D.O. values would be depressed at night as the vegetation respire, creating stress for sensitive species of fish such as trout. Water clarity was excellent and gradient is quite low.

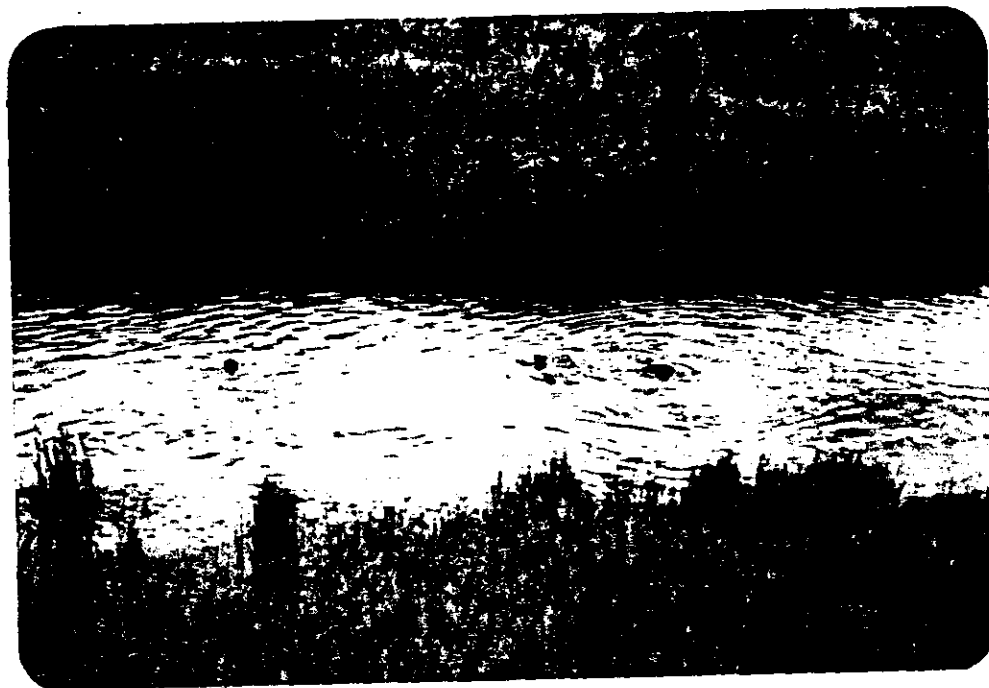
Spawning habitat is fair in this area. Sedimentation is not extreme and gravel size suitable for spawning is fairly abundant. Lack of spawning habitat should not be a significant factor in low numbers of trout.

Beaver activity was not noted in section 4. Gradient is low and the terrain does not lend itself to easily damming the stream. Also preferred vegetation such as willows, alders and other woody types is fairly scarce.

Sample station 6 was sampled on August 14 in the afternoon, and on completing the sampling procedure of station 6, the length of the survey section was walked to its upper boundary. On nearing the location of sample station 5 shortly before dusk a group of 4 otters (Lutra canadensis) was sighted at a short distance in Shoshone Creek and several photos were taken (Fig. 31-A). It is noted that otters are not a common mammal in southern Idaho, and for that matter, the remainder of the state. The remoteness of this area, an abundance of forage fish and crustaceans may provide conditions particularly advantageous to the animal.

This section of stream, from sample station 5 to within 1/4 mile above sample station 6 is by far the highest quality BLM managed habitat surveyed during the project from the standpoint of the condition of the riparian zone, bank condition, instream cover, absence of cattle and grazing damage.

Note in both Figures A & B that vegetation is lush and tall, stream banks are very stable and instream cover is excellent, though water flow is still low.



A. River otters below sample station 5 - Shoshone Creek



Figure 31. B. Shoshone Creek between sample stations 5 and 6

TABLE GROUP XXX

Shoshone Creek - Sample Station 6 - August 14, 1979

A. Habitat Condition Rating

Shading	Bank vegetation	Bank stability	Channel stability	Sedimentation	Instream cover	Total condition rating
1	2	2	4	2	2	13 - Poor

B. Fish Collected

NOT ELECTROFISHED

C. Habitat Data

Mean stream width(ft)	Mean stream depth(ft)	Temperature(°C)		pH	Dissolved oxygen	Turbidity	Stream gradient
		Water	Air				
20.47	.53	70°F 21°C	64°F 18°C	9.5	8.35	>3 ft visibility	≈20 ft/mile



Figure 32. Photopoint: Sample station 6 - Shoshone Creek

Sample Station 6

Dominant riparian vegetation in the area of station 6 is representative of that found the length of section 4. Grasses predominate, willows and sagebrush are also relatively abundant.

Habitat condition overall was rated as poor at station 6 (Table XXX-A). Shading was poor, estimated at 31-40% of the channel. Stream bank condition is poor. Grazing use and damage were evident and cattle were observed below station 6. Estimation of bank damage from use was 20-40%. Soils are fragile in this area and some trampling and surface erosion was evident. Stream channel stability is excellent, no sign of lateral movement or scour was noted. Sedimentation was estimated at 10-25% of the substrate and instream cover was rated poor at 10-25%.

Due to problems with the portable backpack shocker station 6 was not electro-fished. The fish population would be expected to closely approximate the sample taken at station 5.

Habitat data, Table XXX-C, is a repetition of that taken at station 5. Low water flow was indicated, water temperature and pH are high, dissolved oxygen was high, likely for the same reason postulated earlier, and water clarity was high. Stream gradient remains low.

Spawning habitat again is poor, and no beaver activity was noted.

Aquatic Invertebrate Analysis (Appendix D)

Benthos samples were collected for analysis from sample stations 1, 3 and 6 to give an integrated view of habitat condition for the lower three survey stations.

The majority of aquatic invertebrates from the three station are sediment tolerant taxa, though clean water taxa are present at each station. Dr. Mangum interpreted this to indicate that rock substrate was a limiting factor to the clean water taxa; however, this is not entirely the case. Rock substrate is abundant at station 1 and in moderate quantities at stations 3 and 6. It is suggested that low water flow and high water temperatures are more significant as factors limiting those taxa. The scarcity or absence of taxa dependent on riparian habitat correlates with the generally poor condition of the riparian community at all three stations.

Some organic enrichment was indicated at all three stations and is explained by the grazing activity previously noted.

Station 1, with a community tolerance quotient of 91, has the worst habitat condition of the three lower sections. CTQs improve slightly at the remaining two stations, but remain higher than desirable. Poor habitat quality is indicated for the three lower survey sections, suggesting a marginal resident fishery.

Summary

Section 4 on Shoshone Creek was found to have very low numbers of trout if any at all. Electroshocking efforts were quite skimpy and may not accurately reflect fish population composition, but habitat condition, particularly water

quantity and quality indicates that trout success would be poor.

Grazing use during the survey appeared very low along the upper 3/4 of the survey section, and higher along the lower 1/4. A short section of state-owned land below sample station 6 is very heavily grazed.

A large portion of the survey section from station 5 to above station 6 is in excellent condition, and given better water quality and quantity could provide an excellent fishery. It was in this area that 4 otters were sighted.

Factors limiting salmonid production in section 4 are in order of importance as follows: 1) low water, 2) poor water quality (primarily temperature and pH), 3) lack of overstory riparian vegetation, 4) sedimentation.

Additional water quality data collected and provided by the B.L.M. Water Quality Inventory directed by Lenore Thomas is given in Table XXXI.

TABLE XXXI

Water Quality Data - Section 4 Shoshone Creek - (BLM Water Quality Inventory)

Date	Location	Discharge	Temperature(C)		pH	Dissolved oxygen	Electrical conductivity	Alkalinit (CaCa ₃)
			Air	Water				
S.S.5	8-8-79	9.2 cfs	82 ⁰ F 28 ⁰ C	69 ⁰ F 20.5 ⁰ C	8.3	9.2	180	88
S.S.5	9-12-79	4.9 cfs	75 ⁰ F 24 ⁰ C	67 ⁰ F 19.5 ⁰ C	8.5	11.2	188	100
S.S.6	8-8-79	10 cfs	84 ⁰ F 29 ⁰ C	70 ⁰ F 21 ⁰ C	8.5	9.4	160	--
S.S.6	9-17-79	8.8 cfs	75 ⁰ F 24 ⁰ C	58 ⁰ F 14.5 ⁰ C	7.8	8.7	185	102

RECOMMENDATIONS

In the course of the aquatic inventory, 5 of the 14 designated streams, Fifth Fork of Rock Creek, Dry Creek, McMullen Creek, Salmon Falls Creek, and Shoshone Creek, were deemed capable of supporting a viable fishery. On completing surveys of those 5 streams, 3 factors impacting the productivity were identified. Those 3 factors are: Livestock grazing; return irrigation and/or municipal waste water; inadequate water flow.

Cattle Grazing

Cattle grazing is virtually a universal practice on public lands in the intermountain west and has been shown to alter riparian and aquatic habitats to the detriment of wildlife and fishery resources (Duff, 1977; Duff, Wydoski, undated paper, Platts, Meehan, 1978; Crouch, 1978).

Aquatic habitat and fishery resources, are affected negatively in a variety of ways by overgrazing of the riparian zone. Results of overgrazing include removal of streamside (riparian) vegetation causing loss of shading and stream bank erosion; trampling and mass wasting of stream banks resulting in loss of bank associated fish habitat, accelerated erosion, and stream channel alteration.

Erosion, cutting and mass wasting of stream banks are important sources of sedimentation resulting in lowered reproductive success of salmonids and reduction in productivity of aquatic invertebrates, the primary food base of salmonids.

Loss of shading removes both escape and holding cover for fish, and a screen from solar radiation resulting in increased water temperatures.

Platts and Meehan, 1978, cite studies that demonstrate a wide variety of negative effects on aquatic systems caused by livestock grazing that include: accelerated water runoff and increased erosion; significant decreases in biotic production (37, 59%) in aquatic environments resulting from sedimentation, by grazing practices; ungrazed watersheds producing only 71 to 76% as much sediment as grazed watersheds and quantity of trout being 32-42% higher in streams adjacent to ungrazed areas than streams adjacent to grazed areas.

Recent studies examining management alternatives to alleviate stress on the aquatic environment from grazing practices indicate that options are limited in providing effective long term relief to and recovery of aquatic resources from detrimental effects of grazing. Presently a number of grazing management systems are employed by agencies regulating grazing on public lands. Platts (1978) evaluated 8 grazing systems as to effectiveness in protecting the aquatic environment:

<u>System</u>	<u>Condition of resulting riparian-aquatic habitat</u>
1. Yearlong grazing	Poor
2. Seasonlong grazing	Poor
3. Deferred grazing	Poor to fair
4. Rotation grazing	Poor to fair
5. Deferred-rotation grazing	Poor to fair
6. Rest-rotation grazing	Poor to variable*
7. Short duration, high intensity grazing	Variable*
8. No grazing	Good to excellent

* Resource damage, especially bank cutting, within heavy use limits may not be repaired within the grazing cycle.

Three factors appear to most strongly influence the degree of damage inflicted on aquatic resources by grazing practices and success of grazing systems in protecting the aquatic resources, particularly in the arid and semiarid regions of the west. Those factors are: Scarcity of water and shade in the surrounding range; susceptibility of the riparian and aquatic environments to damage; recovery time from damaged to undamaged condition of riparian and aquatic habitats. Cooper (1977) states that "Sensitive" stream banks can be heavily damaged within one season of use, and those that attract livestock cannot be protected just by reducing numbers. He states that in nonforested areas cattle are attracted by shading more than palatability of forage and tend to congregate in riparian zones.

In a stream enclosure study on Big Creek, Rich County, Utah, Duff (1977) reported that 6 years rest with some trespass were required to achieve 85% stability within a livestock enclosure (fenced) on 2/3 mile of stream. In a similar study on Summit Creek, Idaho, Keller, Anderson and Tappel (1979) studied changes within a 2 mile fenced section considered to be degraded by overgrazing. Within two years significant changes were recorded. Stream width decreased, depth increased, pool quality and bank cover improved, bank stability and instream aquatic vegetation increased and livestock damage to the stream channel decreased. Similar changes in habitat quality were not observed in adjacent areas that were grazed during the study. Additionally, trout were found to be more plentiful in the fenced area, after the 2 year recovery period.

Keller et al, noted that the response observed within the fenced enclosure was unexpected, and considered to be a short recovery period. The quick recovery was attributed to unique environmental conditions on Summit Creek which is spring fed near the study area. They concluded that a high water table, constant stream-flow, deep soil, low gradient, and moderate stream temperatures enabled the quick response after fencing and stated that not all streams on western rangelands could be expected to recover from long term grazing effects as quickly as Summit Creek. This view is in line with findings by Duff on Big Creek, Utah which indicate that for streams in habitat typical of the semiarid regions of Utah, recovery of habitat degraded by livestock grazing may require 4 to 6 years or longer to approach full

potential of the resource, and that serious damage may result from grazing use in as short a period as one season or use of less (Duff, 1977).

Based on the consensus of the reviewed literature, management policy required to achieve potential or near potential habitat improvement on grazing-affected areas of inventoried streams, is probably limited in options to either cessation of grazing on range surrounding the affected streams or enclosures of those areas by fencing. Supplemental measures for habitat improvement in inventoried streams should probably be limited to restoration of riparian vegetation, specifically willow planting. Duft and Wydoski cite a Forest Service study which demonstrated an increase of stream bank stability of 95% after planting willows along the stream banks of a 300 foot stream enclosure on Diamond Fork Creek, Utah. Revegetation of the riparian zone has beneficial results beyond bank stability that include shading, fish cover and provision of additional food sources for fish.

Return Wastewater

Agriculture in the areas surrounding inventoried streams depends on irrigation water, supplied in large part by canal systems and rerouting water away from natural rivers and streams, using a portion of that water and returning the remainder to the natural drainage system. Virtually without exception, on return to a natural stream, the wastewater is laden with suspended silt and often with a variety of nutrients.

Sediment has been extensively documented as one of the most important factors affecting spawning success of salmonids. Shelton and Pollack (1966) report mortality as high as 85% in egg survival of spawning fall chinook salmon when 15-30% of the voids in gravel beds are filled with sediments.

Sediment also adversely affects aquatic invertebrate communities by smothering required habitat such as well aerated clean rocky substrate, and vegetated substrate. Keller et al reported dramatic increases in instream vegetation and aquatic invertebrates after recovery of stream habitat from grazing effects that included siltation.

Secondary effects of turbidity and sedimentation include reduction in light penetration which inhibit photosynthesis by instream vegetation, leading to decreased basic production of the ecosystem and thereby the carrying capacity, possible reduction of dissolved oxygen by decomposition of organic matter introduced with wastewater and changes in fish species composition by altering the preferred habitat of indigenous species (Ritchie 1972).

Remedial management policy for agencies managing public lands is limited unless wastewater enters streams on public lands, giving those agencies some jurisdiction. Amelioration of habitat degradations caused by siltation is expensive and ineffective if the source of those sediments are not controlled.

Low Water

Low water level is a factor limiting fishery productivity common to the semiarid regions of the intermountain west. Low water results in reduced escape and holding cover for fishes, reduces the food base for fish populations and increases water temperatures and other stress factors such as lower dissolved oxygen.

Remedial management policy is limited. California Wildlife Conservation Board utilized flow maintenance dams in the 1950s and found them to be effective. However, this practice is limited in application by necessity of suitable sites for construction (Duff, Wydoski, undated), and is likely to be both expensive and counter to current trends in land management policy. Probably the best management alternative is to protect and enhance natural watershed buffering mechanisms, such as quality range and forest condition and particularly beaver activity. Beaver dams provide valuable habitat in the form of increased water depth and area creating important holding areas and overwintering habitat as well as water storage.

STREAMS WITH FISHERIES POTENTIAL

Fifth Fork of Rock Creek

Factors limiting game fish production were identified as livestock grazing within and above the B.L.M. survey section, and low water levels during late summer and fall.

Relief from grazing will be required on a continual basis for the stream to achieve potential productivity. Because cattle grazing is a major use of public lands in the region, it is unreasonable to suggest total cessation of grazing use on range adjacent to affected stream habitat. Habitat enclosure by fencing is the only practical alternative presently available. It is recommended that the entire length of B.L.M. managed stream be fenced to exclude cattle access to the riparian zone. Beaver activity within the survey section was noted during the survey and should be protected and encouraged.

Grazing activities above the B.L.M. survey section will continue to contribute adversely to habitat quality, primarily in the form of sedimentation. This area of stream is Forest Service managed. It is recommended that improved grazing management in National Forest lands be encouraged.

Limited beaver activity was noted on the stream survey section. It is recommended that this activity be protected as a buffer against reduced water flow in late season and seasons of drought.

Dry Creek

One factor was identified as limiting game fish production on the B.L.M. survey section of Dry Creek. An off site point source, the wastewater outfall above the B.L.M. managed section of stream is believed to be degrading habitat quality in both Dry Creek and the Snake River primarily through extreme turbidity of the water and sedimentation of the stream.

Identification of the upper B.L.M. boundary was uncertain. It is possible that the wastewater outfall enters Dry Creek on B.L.M. property. If this is the case there might be a basis for measures to control or halt the introduction of the wastewater to Dry Creek. This should be considered not only for the benefit of this short segment of Dry Creek but for the benefit of general water quality in the Snake River as well.

Expected results from the control of sediment contributed by the wastewater

outfall would include: significant increase in water quality; increased aquatic vegetation; increase in production of aquatic invertebrates; significant increase in both numbers and diversity of the game fish population in the survey section, including rainbow trout and smallmouth bass.

McMullen Creek

Cattle grazing and low water level are the two factors currently limiting game fish production in McMullen Creek. The road paralleling the lower 1.5 miles of the survey section is considered to be a possible factor stressing the McMullen Creek fishery in the future. Because of the fragility of the riparian and aquatic habitats on McMullen Creek and its proximity to a large population, the road could impact the stream by contributing to erosion-sedimentation problems if use of the road were to significantly increase in the future. Increased angling pressure would also be expected to significantly affect the fishery.

The following recommendations are made for the remedy of limiting factors and prevention of future problems:

1. If possible, the entire survey section should be enclosed by means of fencing to prevent access to the riparian zone by cattle. It is not considered to be feasible to fence the entire survey section, priority should be given to the lower 1/3 of the survey section where damage to riparian vegetation, erosion of stream banks, channel instability and other damage to habitat quality are greater than on the upper 2/3 of the survey section. Under any circumstances cattle use of the riparian zone along the entire survey section should be limited as far as possible.
2. Present grazing practices on Forest Service land above the survey section are a significant contributing factor to habitat degradation within the survey section. As with recommendations for Fifth Fork Rock Creek, a course of action encouraging similar remedial management stream habitat should be followed.
3. Neither beaver or beaver activity were observed during the stream survey. It is recommended that the introduction of beaver to the survey section be considered for the purpose of establishing a series of beaver dams to provide water retention, and increased habitat in the form of holding cover and overwintering areas.
4. The secondary road paralleling the survey section should be closed as it crosses B.L.M. managed land.

Salmon Falls Creek

Management policy should be considered on a case by case basis for each of the 3 sections of Salmon Falls Creek described in the stream survey.

Section 1 is limited in fish production by extensive sediment, lack of shading and poor stream habitat caused by erosion of the riparian zone during annual spring runoff. It is believed that the sources of habitat degradation are the result of natural processes or overgrazing of the watershed within Nevada outside the survey section. The soils, terrain and vegetation types surrounding the survey section appeared to be particularly fragile and

susceptible to erosion.

There is little in the way of practical management policy to improve the present fishery in section 1. Erosion and sedimentation are massive in scale, primarily associated with high water periods during spring runoff. Stream banks are unstable over a large percentage of the survey section, however, it appears that a program of revegetating stream banks would not be effective, due to extensive loss of existing riparian vegetation including willow banks, and other desirable plant species to the very process hoped to be controlled by revegetation.

Management policy should at the present be directed toward maintenance of the present condition of the fishery without further loss of productivity. Any practice that potentially might increase stream sediments introduced from off side sources should be carefully considered. Any disturbance of the range community above the canyon such as sagebrush eradication should be considered a source of additional sediments to Salmon Falls Creek via erosion and ground water runoff, that would further burden a system that has adapted to a high sediment load, but which might not tolerate significant increases.

Section 2 varies in game fish production from high at the upper end of the survey section to moderate at the lower end. Two limiting factors to fish production were identified. Most important is the large accumulation of sediment increasing progressively downstream, suggested to be the result of the lack of stream channel flushing normally associated with high water during annual spring runoff.

Of less importance is the trend towards higher water temperatures encountered progressing downstream.

Management recommendations for section 2 are essentially the same as for section 1. No practical remedial measures to remove or prevent further accumulation of sediments in section 2 are available. The condition is perceived to be the result of a very stable, nonfluctuating stream discharge, which will remain so as long as the Salmon Dam stands.

Any further sources of sediment accumulation should be prevented to safeguard the present high quality fishery in section 2. Possible problems may result from range improvement projects near the Salmon Falls Creek Canyon on tributary streams to Salmon Falls Creek, involving the practice of sagebrush poisoning or dragging to alter the range composition to improve grazing qualities.

Any management policy affecting Salmon Falls Creek - section 2 - should consider the unusually high quality fishery existing in the section.

Section 3 on Salmon Falls Creek at the present, offers fair to poor fishery productivity.

The area from above Lilly Grade downstream to the point where agricultural waste water begins returning to the stream has good water quality and fishery productivity is limited primarily by the same factors identified for sections 1 and 2 which are largely beyond the control of B.L.M. management policy. Cattle use was noted and grazing damage has occurred between Lilly Grade and Cedar Creek, though this area was not comprehensively surveyed on foot. Damage to aquatic habitat over and above that occurrent from natural deposition of sediments may be minimal, but cattle should be restricted from this area. The distance and area may make fencing unfeasible and manpower and materials could be better spent on other areas. A reduction in number of cattle and time spent in this area is probably the most viable remedial measure. The season of use should also be considered. Late fall or winter use would result in less damage to stream banks.

The area from above Balanced Rock downstream to sample station 12 is seriously degraded by return irrigation and possibly other forms of wastewater, raising drastically the load of suspended sediments in the water and thus increasing sedimentation and its associated impacts. Virtually all of the wastewater enters Salmon Falls Creek from property not managed by the B.L.M. and thus is beyond control.

Cattle were observed above the reservoir at station 12 and some grazing damage to the riparian habitat was noted, but probably has little additional impact over and above that occurring from previously described sources. Low priority should be given to this area.

Further effort should be made to determine if waste water is entering Salmon Falls Creek from B.L.M. managed property. If so, measures should be taken to reduce as much as possible the sediment load to the stream.

Shoshone Creek

Section 1 on Shoshone Creek is presently of no fishery value as a result of very low water flow and very serious grazing damage to riparian vegetation, stream banks and the stream channel itself.

Reports from Fish and Game Department personnel in the area indicate that low water above Big Creek is a perennial problem on Shoshone Creek and it is clear that without the water any remedial management policy will not be effective.

Priority should, therefore, be given to areas on Shoshone Creek, which will be more responsive to habitat improvement efforts. However, given a continuous flow of water sufficient to support a fishery in non-drought conditions, effort should be made to rehabilitate the habitat by fencing the lower one-third to one-half of the section to exclude cattle use and revegetation of the riparian zone should be encouraged. Willows and other woody vegetation are particularly important.

Section 2 appeared to have both the best potential for a quality fishery and best potential for good response to habitat improvement. Low water is an important limiting factor to fishery productivity, and to a lesser extent so is grazing use and reduced riparian vegetation.

It appears that willow growth in the area of station 1 was in the past more extensive than at present and may have been reduced by unknown factors - possibly overgrazing, poisoning or a combination of the two.

Fencing the stream from the upper boundary downstream one-quarter to one-half mile to exclude cattle and replanting willow cover would aid the fishery in several ways. Excluding cattle will reduce damage directly to riparian cover and resultant erosion. Any revegetation efforts would also require isolation from grazing use to allow establishment of the vegetation. Increased willow cover would provide additional shading, food and cover to the fish population as well as encourage additional beaver activity to the benefit of the watershed and the fishery.

Fencing may not be feasible the length of section 2 and because habitat condition was lower at the upper end to Horse Creek priority should be given to that area.

Section 3 did not appear to support a large trout population, possibly due to water quality (i.e. low water, high temperatures, high ph.). Grazing use/damage was not significant and no other manageable factors affecting habitat quality were identified.

Management policy for the present should be to maintain present grazing levels as much as possible and protect and encourage beaver activity.

Section 4 is somewhat unique in that presence of otters was confirmed in this area. Special consideration should be given to that situation. Section 4, judging from brief observations and limited data, supports a poor trout fishery. Again, water quality conditions (low water, high water temperatures and ph.) is the best explanation. Grazing use of the upper two-thirds (approximately) of the section was not evident and overall habitat condition was excellent. Management policy should be geared to maintain that situation as much as possible.

Shoshone Creek

Coordinates for B.L.M. managed aquatic habitat (north to south):

T. 15S. R. 17E.

Sec. 34 - .84 miles

T. 16S. R. 17E.

Sec. 32 - .3 miles

Sec. 30 - .44 miles

Sec. 29 - .58 miles

Sec. 28 - .7 miles

Sec. 27 - .46 miles

Sec. 24 - .2 miles

Sec. 23 - .26 miles

Sec. 22 - .34 miles

Sec. 21 - 1.0 miles

Sec. 20 - .8 miles

Sec. 19 - 1.16 miles

Sec. 3 - 1.2 miles

T. 16S. R. 16E.

Sec. 35 - .2 miles

Sec. 25 - 1.1 miles

Sec. 24 - .4 miles

Sec. 23 - .4 miles

Coordinates for sample stations:

Sample station 1 T. 16S. R. 17E. Sec. 27 N.E.1/4N.W.1/4

Sample station 2 T. 16S. R. 17E. Sec. 30 N.E.1/4S.W.1/4

Sample station 3 T. 16S. R. 17E. Sec. 19 S.W.1/4S.E.1/4

Sample station 4 T. 16S. R. 17E. Sec. 19 N.W.1/4N.W.1/4

Sample station 5 T. 16S. R. 16E. Sec. 23 N.E.1/4S.E.1/4

Sample station 6 T. 16S. R. 16E. Sec. 25 S.W.1/4S.W.1/4

Cottonwood Creek (North)

Coordinates of B.L.M. managed habitat: T. 11S. R. 18E. Sec. 30 - .18 miles

Green Creek

Coordinates of B.L.M. managed habitat: T. 14S. R. 17E. Sec. 4 - .66 miles

Deep Creek

Coordinates of B.L.M. managed habitat:

T. 15S. R. 17E.

Sec. 6 - .26 miles

T. 14S. R. 17E.

Sec. 29 - .4 miles

Sec. 20 - .08 miles

T. 14S. R. 16E.

Sec. 13 - 1.22 miles

Sec. 12 - .24 miles

EXHIBIT NO. 8

SUMMARY OF MISCELLANEOUS FIELD OBSERVATIONS COMPILED BY IDAHO DEPARTMENT OF FISH AND GAME PERSONNEL CONCERNING

SHOSHONE CREEK, 1956-1986

Date	Field Note Summary	Personnel Involved/Reporting
8/8/56	Estimated approximately 15 cfs of water in Shoshone Creek below mouth of Hot Creek.	Robert Irving, Fishery Biologist
9/12-9/18 1972	Idaho Department of Fish and Game personnel performed chemical rehabilitation of about 19 miles of Shoshone Creek, seven miles of Big Creek, five miles of Hot Creek, one-half mile of Cottonwood Creek, one-quarter mile of Hannah's Fork Creek and one-quarter mile of an unnamed tributary just below Hot Creek.	Robert J. Bell, Regional Fishery Management Biologist
8/2/74	In addition to electrofishing performed on this date, two members of crew fished and caught 30 trout.	Stu Murrell, Regional Conservation Educator
Late July 1975	Excellent catches of brown trout, rainbow trout and cutthroat trout made by local anglers in Shoshone Creek. Best angling occurred in Shoshone Creek approximately 1.5 miles downstream from mouth of Hot Creek. Two Jerome anglers limited out on 13-14 inch brown trout and rainbow trout last week of the month.	Robert J. Bell, Regional Fishery Manager
Mid-Late Nov. 1977	Department personnel noted the presence of large numbers of spawning brown trout in riffle areas. Redds were seen in late November but with no fish observed indicating peak of spawning activity had passed	Tim Cochnauer, Fishery Research Biologist; Bud Ainsworth, Hatchery Superintendent; Robert J. Bell, Regional Fishery Manager
8/14/79	Four river otters observed at dusk while completing sampling on Shoshone Creek. See Exhibit No. 7, page 86. River otter are not a common mammal in Southern Idaho.	Mark Gamblin, Biological Aide
8/26/83	In addition to electrofishing performed on this date, an observation was made that excellent flows for trout were present in Shoshone Creek and tributaries.	Robert J. Bell, Regional Fishery Manager

EXHIBIT NO. 9

ROUGH CURRENT ANGLER USE ESTIMATE DURING
THE FISHING SEASON ON SHOSHONE CREEK
FROM THE MOUTH OF HOT CREEK DOWNSTREAM
TO THE NEVADA STATE LINE

<u>Month</u>	<u>Estimated Total Angler Days</u>
May 26-31	52
June	48
July	40
August	40
September	40
October	48
November	<u>25</u>
	293

The net value per day of fishing streams in Idaho (updated with the Consumer Price Index) comparable to this section of Shoshone Creek amounted to approximately \$41.20 in December 1987. Using this figure, the estimated annual economic value of this fishery on this portion of Shoshone Creek would be approximately \$12,072 (41.20×293).

These associated costs are primarily for expenses involved with transportation to and staying in the fishing area (gas, meals, motel, etc.). Durable costs for permanent items such as fishing or camping gear are not included.

Exhibit No. 10. Letter from Mr. Stan Melton,
Jerome, Idaho.

3-21-88

Stan Melton

403 W G

Jerome, ID

83338
208-324-3319

Idaho

Dept. of Water Resources:

To: Hearing Board members: In Regards to
Stream Flow: Shoshone Creek - below Hat Creek to
mouth.

I do recommend to the Board as to allot a
Minimum Flow as to meet State of Idaho
Water quality standards as outlined in the
U.S. Environmental Impact Statement Final June 1982
this statement indicates a 8 CFS as Reservoir data
Crees Conducted on as being within those State
Guidelines. Having been a farmer, Stockman (small)
Sportman also life long Resident of Magic Valley,
I have worked, fished, hunted the area for quite a few
years about 40 - also knowing quite a few of the private
land owners in the area, feel that 8 CFS Flow is not
unreasonable as to benefit wildlife, domestic livestock
fishers, and recreation.

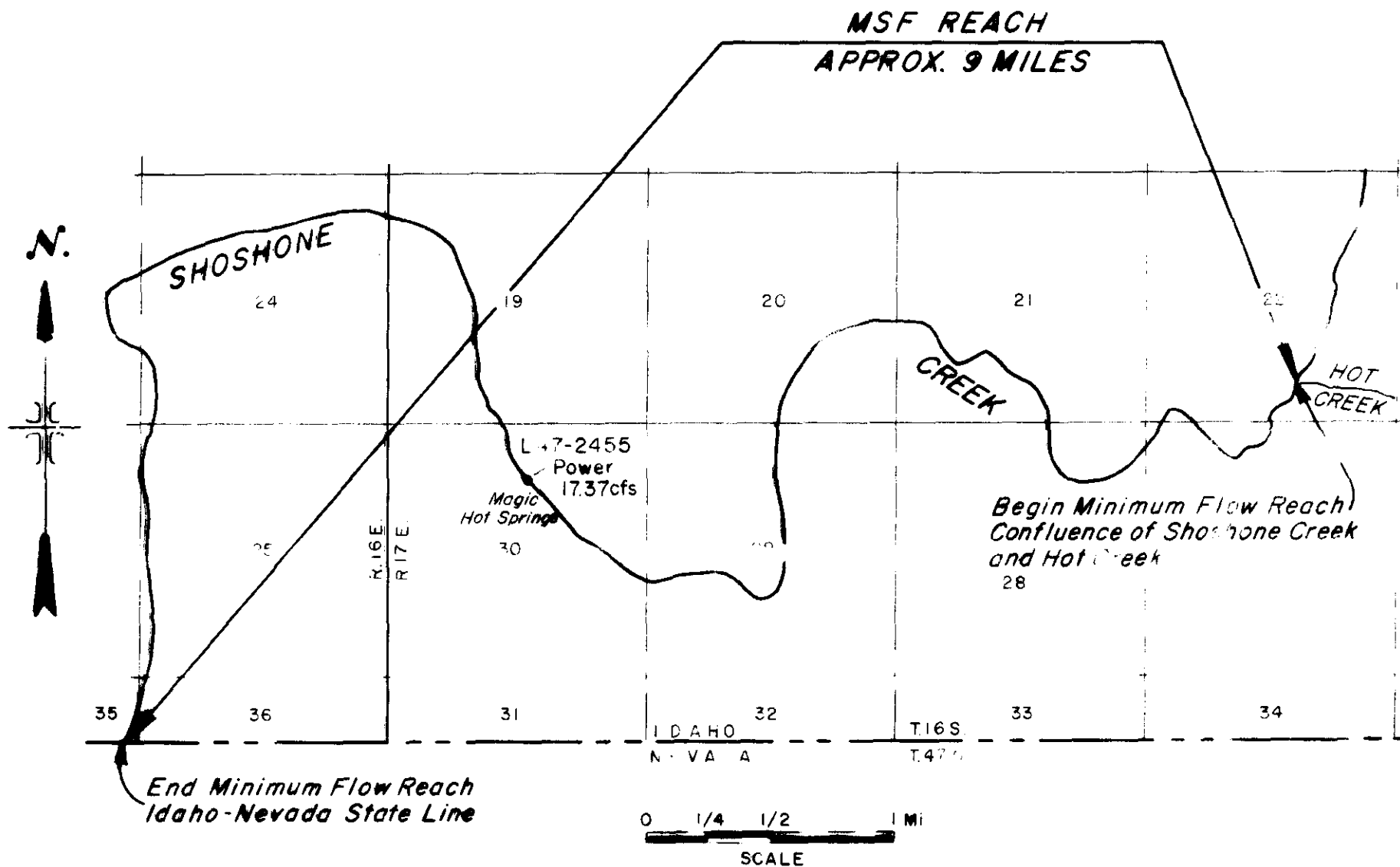
Sincerely

Stan Melton

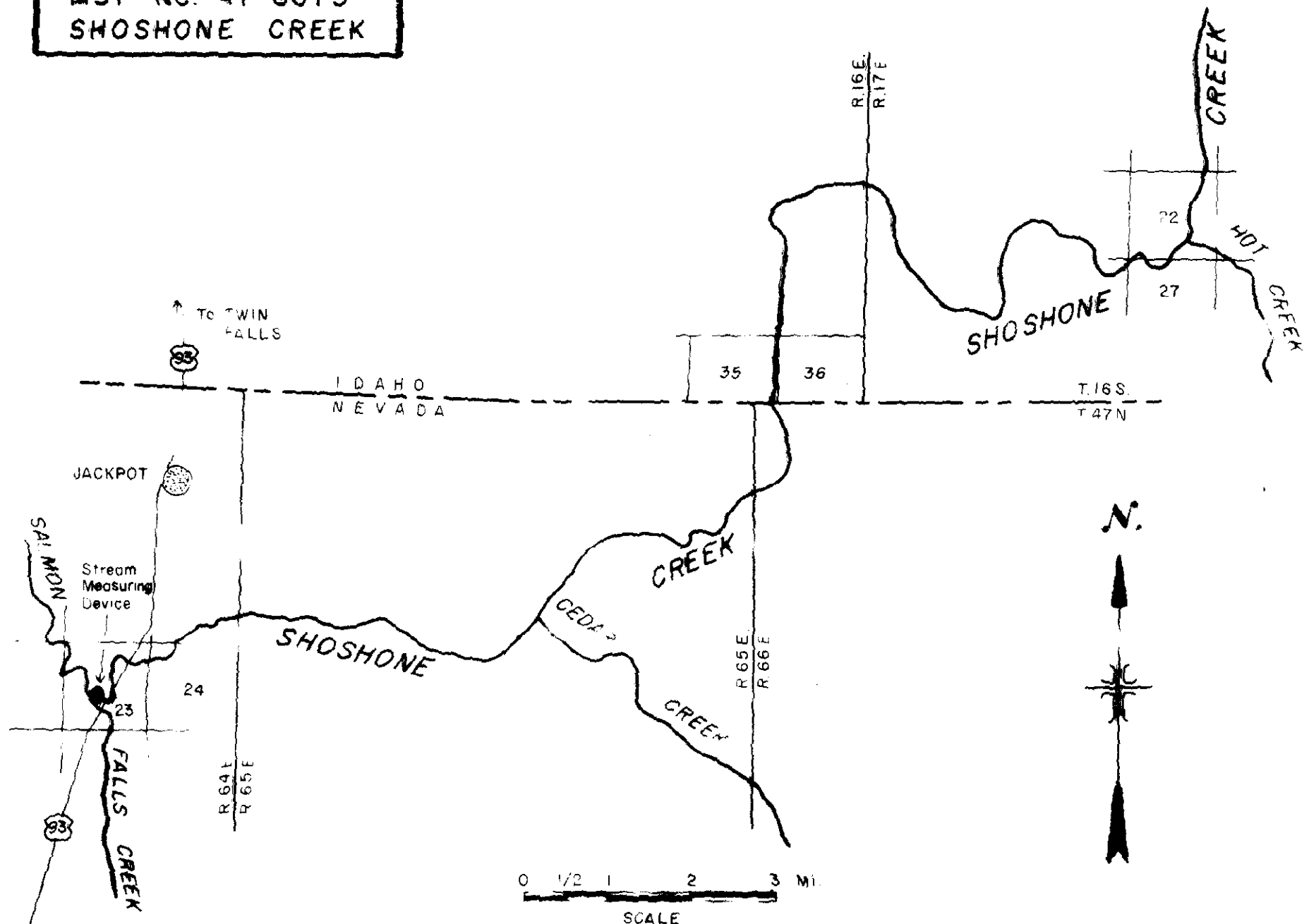
MSF NO. 47-8073
SHOSHONE CREEK

ATL R IT WI IN EA I

Licence No. 47-2455, Power: 17.37 cfs
Claim No. 47-4503, Stockwater &
Wildlife: 3-6 cr

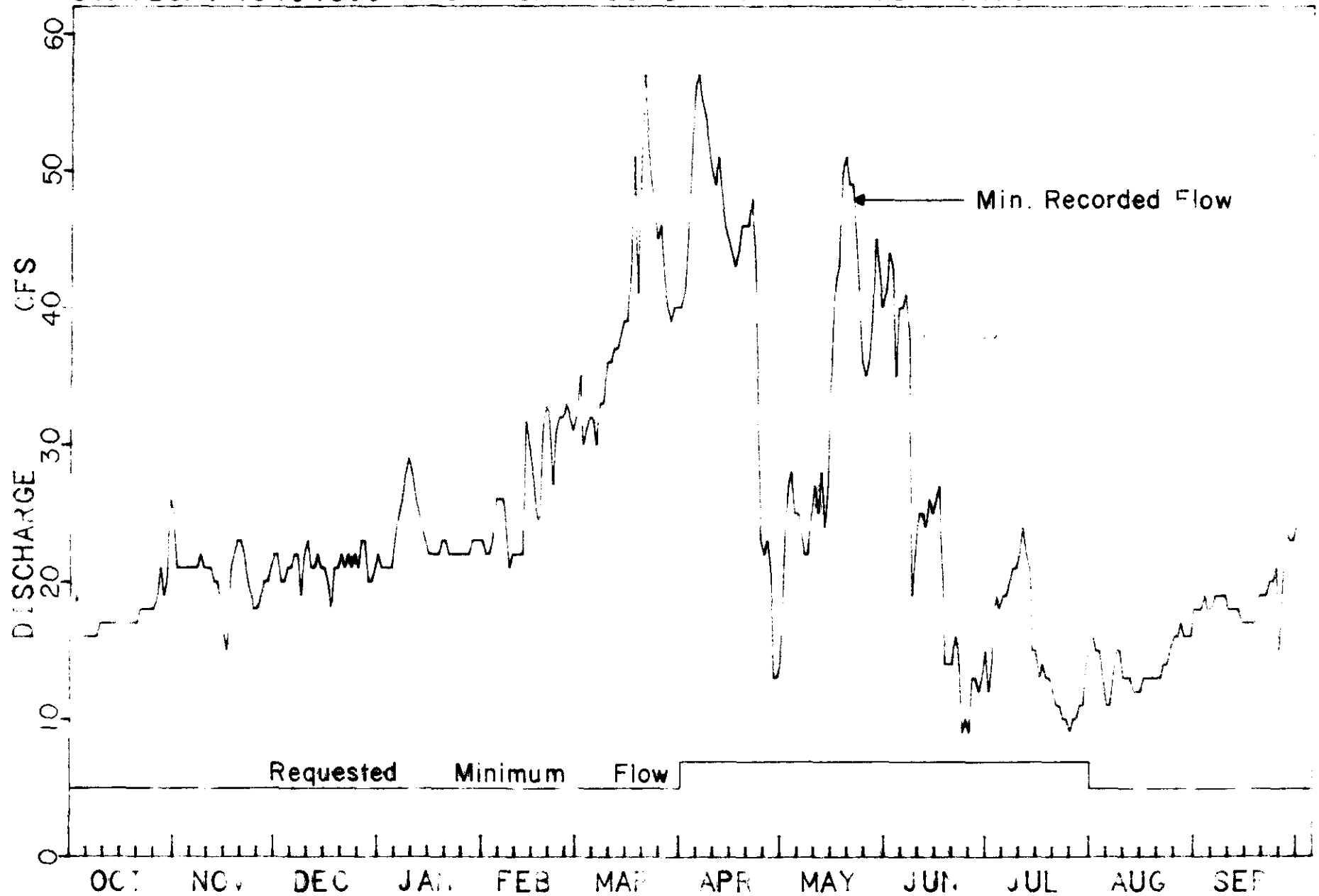


MSF NO. 47-8073
SHOSHONE CREEK



NAME SHOSHONE CREEK NF S. J. AC N^o. 3, NV

STATION: 13104800 MSF NO. 47-8073 PERIOD: 1983 thru 1987



SHOSHONE CREEK
MINIMUM STREAMFLOW APPLICATION

Water Right No.: 47-8073

Source: Shoshone Creek

Rate of Flow: 5.0 cfs from 01/01 through 03/31
7.0 cfs from 04/01 through 07/31
5.0 cfs from 08/01 through 12/31

Date Application Filed: October 16, 1987

Applicant: Idaho Water Resource Board

Requesting Agency: Department of Fish and Game

Purpose: Preserve fish habitat