

## HISTORY OF FISHING REGULATIONS ON SILVER CREEK

1. Prior to July 1, 1948, all of the headwater streams of Silver Creek, except for the lower mile of Loving Creek, were closed to fishing.
2. On July 1, 1948, the closure boundary was changed so that an additional 10 miles of stream were opened to fishing.

Approximately 10 miles of the headwater streams still remained closed to fishing. It was thought that adult fish used the headwater streams for spawning and that resultant new populations moved downstream into larger waters after they began to attain maturity.

However, a study was conducted in 1950 by Forrest Hauck (Idaho F&G) and it indicated that the "feeder" stream theory had no basis when applied to Silver Creek and its tributaries. No evidence was found that indicated that rainbow trout migrated downstream when they become larger. Observations made (by Hauck) at various times of the year over a four-year period indicated a "resident" population of large fish in headwater streams, both open and closed to fishing. Spawning migrations were not too evident and it appeared that spawning fish did not move very far upstream to spawn.

As a result of the study, Hauck recommended that all the headwater streams be opened to fishing.

3. It has been unlawful to fish Silver Creek and tributaries with a raft or a boat since prior to 1954. The 1954 fishing regulations read: "It shall be unlawful to fish from a raft or boat on Silver Creek and its tributaries."
4. In 1957 the regulations apparently allowed the use of boats or rafts without motors attached and read as follows: "Fishing in Silver Creek or its tributaries from a raft or boat with motor attached shall be unlawful."
5. In 1958 the regulations were changed back so as not to allow the use of boats or rafts with or without motors.
6. Up until 1958, the fishing season on Silver Creek was from July 1 through September 30 with emergency closures when aquatic vegetation was sparse.
7. In 1959 the season was extended to October 31 (July 1 to October 31).
8. In 1960 the stream was placed under the general fishing season which was then June 4 to October 31.
9. In 1967 a fly fishing only section was placed on the stream: "From the road right-of-way fence on the west side of Kilpatrick Bridge upstream to the mouth of Grove Creek--open to fly fishing only." There was no "definition" of fly fishing listed in the regulations.
10. In 1968 there was no change in the fly fishing only area but a "DEFINITION" section was placed under the GENERAL INFORMATION section of the regulations that defined FLOAT TUBES, FLY FISHING AND ARTIFICIAL FLIES as follows:

FLOAT TUBE: A float tube is not defined as a boat or raft.

FLY FISHING: Defined as fishing with an artificial fly.

ARTIFICIAL FLY: Any fly which is constructed by the method known as fly tying so as to resemble a natural insect and designed either to float or sink below the surface of the water, but does not include any spinner, wobbler, or any attractor blade or device, or any bait attached.

11. In 1971 a portion of Stocker Creek was placed under the "fly fishing only" waters. The regulations read as follows:

STOCKER CREEK: Stocker Creek and tributaries from the county bridge across Stocker Creek upstream to the posted property lines - open to Fly Fishing Only.

12. In 1972 the definition of FLY FISHING was changed under GENERAL INFORMATION as follows:

FLY FISHING: Defined as fishing with a fly rod, fly line and artificial fly. It shall be unlawful to use a spinning reel in those waters restricted to fly fishing only.

Also, in 1972 the regulations under SILVER CREEK were changed to outlaw float tubes in the fly fishing only section of Silver Creek, the limit was reduced to 5 trout. Sullivan Lake was included in the regulation and the season was not opened until July 1. The regulation read as follows:

SILVER CREEK: It shall be unlawful to fish from a raft or a boat. A float tube is not defined as a raft or a boat, but shall be unlawful to use for fishing in those areas restricted to fly fishing only. See also section on Little Wood River. From the road right-of-way fence on the west side of Kilpatrick Bridge upstream including Sullivan Lake and tributaries within the boundaries of Sun Valley Ranch - open to fly fishing only - July 1 to November 30, bag and possession limit 7 pounds and one trout but not to exceed five trout.

Also, in 1972, the fly fishing only section on Stocker Creek was changed from the mouth of the Creek to the posted property lines instead of from the county bridge across the stream as in 1971. The trout limit was also reduced to five fish and the opening date changed to July 1. The regulations read as follows:

STOCKER CREEK: Stocker Creek and tributaries from its mouth upstream to the posted property lines - OPEN to fly fishing only - July 1 to November 30, bag and possession limit 7 pounds and one trout but not to exceed five trout.

13. In 1973 both Silver Creek and Stocker Creek were placed back under the general season again and the bag and possession limits were changed so as to allow only one trout over 14 inches in total length in the five-fish bag limit.

The regulations read as follows:



GENERAL OPENING DAY INFORMATION ON SILVER CREEK

Aerial Counts on Silver Creek and Silver Creek Tributaries on Opening Day of the General Fishing Season - 1967 to 1973 (Approximately 12 miles of Stream)

<u>Year</u>	<u>No. Cars Silver Ck. Prop.</u>	<u>Est. No. Anglers *</u>	<u>No. Cars Silver Ck. &amp; Trib.</u>	<u>Est. No. Anglers *</u>
1967 (June 3)	170	425	241	602
1968 (June 1)	199	497	230	575
1969 (May 31)	257	642	328	820
1970 (May 31)	220	550	276	690
1971 (May 30)			247	618
1972 (May 27) (& July 1)			180**	450
1973 (May 26)	—	—	267	668
TOTALS	846	2114	1769	4423
4-Yr. Av.	211	528		
7-Yr. Av.			295	737

\*Figuring an average of 2.5 anglers per car

\*\*Fly fishing only section did not open until July 1 in 1972 causing lower angling pressure.

<sup>WAL</sup> Data was compiled by Bob Irving (who was then the area fishery biologist) on opening day (July 1) in 1952 and 1953.

In 1952 Irving estimated that a total of 1,400 Silver Creek anglers fished 6,062 hours and caught 6,440 trout with a dressed weight of 4,830 pounds (.75 lbs. dressed av. wt.) for a catch rate of 1.06 trout per hour. = 1.74 lbs. lb

In 1953 Mr. Irving estimated that 2,100 Silver Creek anglers fished 7,840 hours and caught 6,680 trout with a dressed weight of 4,450 pounds (.65 lbs, dressed) for a catch rate of .85 trout per hour. = 1.22 lbs. lb