

## X-Stream Fishing

# A taste of X-Stream fishing on the Tongue

The Tongue River has its headwaters in the Bighorn Mountains of northcentral Wyoming and flows east and north before exiting the state into Montana. Near its origins on top of the mountain, the north and south forks flow through low-gradient meadows before joining and carving a deep canyon to the U.S. Forest Service boundary near Dayton.

People have found shelter, sustenance and enjoyment from the cold, clear waters of the Tongue for centuries. One of the notable Indian battles of the late 1800s was fought here when General Patrick Connor made a surprise attack on the Arapaho tribe of Chief Black Bear on the morning of August 29, 1865, that helped bring an end to those conflicts on the Western plains. Today, the river still affords outstanding angling and esthetic experiences where it flows through public lands.

## The Fishery

The first formal fish survey of the Tongue River was done by Professor Barton Evermann on July 20, 1893, a few miles below the mouth of the canyon. His notes show the presence of "mountain



The Tongue River has been noted as an excellent trout fishery since its first formal fish survey in 1893.

trout" (Yellowstone cutthroat trout), "black-nosed dace" (longnose dace) and mountain whitefish. He observed that: "Small parties have reported as many as 800 fish taken with hook and line in a few days.

There is so much fishing done now in that region that most residents are of the opinion that if something is not done to stock the stream its fame as a fishing resort will soon be lost."

Unfortunately, their fears proved well-founded, and the native trout fishery did in time diminish. The stream was stocked with non-native trout in the early 1900s. In combination with extreme angling pressure, the native trout fishery was replaced with non-native rainbow and brown trout that still dominate the fishery today.

## How to Get There

Take Exit 9 off I-90 (about 15 miles north of Sheridan). Go west on Highway 14 toward Dayton; just as you reach the edge of town and before crossing the river, turn right onto Highway 343. After turning onto Highway 343, look for the Tongue Canyon Road within about a mile on your left. This road parallels the river to the Sheridan County Picnic Ground, where the Tongue Canyon Trail starts. Once you cross onto state lands, you can fish anywhere you wish. You can also take the trail into the canyon.

## The Instream Flow

**Permit Number:** 3 I.F.

**Priority Date:** June 15, 1987

**Status of the filing:** A public hearing was held on August 22, 1988, in Sheridan. The state engineer approved the water right without any reduction of the recommended amounts on March 11, 1990. The Board of Control formally adjudicated the water right on November 6, 1998.

**Quantity:** 60 cubic feet per second (cfs) from July 1 to March 31; 80 cfs from April 1 to April 30; 180 cfs from May 1 to June 30.

**Location and length:** The segment extends approximately 8.3 miles downstream from the confluence of the North and South Forks of the Tongue River to where the river leaves a section of state land in section 10, township 56, range 87 near Dayton.

**Land ownership:** All lands crossed by the segment are owned by the State of Wyoming or the U. S. Forest Service.

**Rationale:** The flows recommended above will maintain brown trout spawning and incubation success by protecting the majority of available

flows from October through March (brown trout spawn in the fall). The recommended spring flows will protect rainbow trout spawning and incubation at present or higher levels. Studies done by the Game and Fish Department documented the need for 60 cfs from July 1 through March 1 to maintain existing rates of trout growth in the summer and survival in the winter; 80 cfs in April is needed to maintain existing rates of rainbow trout spawning; and 180 cfs in May and June was needed to ensure adequate habitat for the survival

and growth of trout eggs and fry. **Related details:** After adjusting for other permitted water rights, the average monthly flow is 64 cfs in the winter, 107 cfs in April, 651 cfs in May and June, and 173 cfs in late summer. The amount of water recommended for instream flow is 3.6 percent of the total average annual discharge of the river. Instream flows to maintain existing habitat features by flushing sediment and maintaining bedload equilibrium (channel maintenance) are not protected by this filing.

## Clearing the Air on Water

# Instream flow water rights are junior by nature

There's one question about instream flow that just won't go away. I heard it again just the other day, and it goes something like, "Isn't it true that the Wyoming Game and Fish Department really views instream flow as a way to take away existing water rights and put water back in all our streams?"

Though some folks might think this way, the fact is that this view is counter to both state law and our agency mission. It's not our goal at all.

Sure, we do spend a lot of time working to improve habitat and fisheries wherever we can, and there's always more we'd like to do. But our motivation is guided mostly by a state law that assigns our agency the responsibility to manage all fish and wildlife for the benefit of all Wyoming citizens.

Our actions are also driven by an agency mission statement that commits us to conserve all aquatic wildlife and their habitats while balancing our efforts with public desires. As for our instream flow intentions, we have a five-year instream flow

plan that details our goals and objectives. The instream flow law itself also provides some pretty strict criteria under which the state can acquire water for streams and fish. None of these guiding documents gives even the slightest hint that taking away existing water rights is a possibility, let alone a goal.

As much as some people may want to think there really is an agenda to grab water rights away from others without their consent, there's a practical consideration that makes this idea just plain unrealistic.

Wyoming's water law is based on a system of prior appropriation that lets those who got water rights first use water before those who requested water later. The law establishes that only the State Engineer can issue a water right, which assures that any change in any water right has to go through a formal public process.

What's more, Wyoming law is also structured to ensure that any changes that do occur may not

injure any other water right.

The bottom line is that any notion the Game and Fish really wants to take the water rights of others against their will and use them for instream flow simply isn't realistic. The fact is an instream flow right is just another kind of water right that allows us to meet our responsibilities for maintaining and improving the great fishing you've become accustomed to in Wyoming.

Though there is indeed much work yet to do, we're committed to doing our job by focusing on one stream at a time; one stream segment at a time; and where private landowners are involved (on a voluntary basis), with one landowner at a time. We work hard to conserve wildlife and serve people, and obtaining instream flow water rights for fisheries is just a way for us to provide the best fisheries we can for the many sportsmen and women who value our fisheries today. They're just as important for ensuring that those who come after us have the same opportunities in the future.

To get more information about instream flow, visit the Wyoming Game and Fish Department's Web site at <http://gf.state.wy.us/fish/instreamflow>