

6. Water is claimed for the following purposes:

(both dates are inclusive) (cfs) (acre feet)

- For Fish propagation purposes from Jan. 1 to Dec. 31 amount 50.0 or _____
 For _____ purposes from _____ to _____ amount _____ or _____
 For _____ purposes from _____ to _____ amount _____ or _____
 For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 50.0 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is _____ acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) Fish propagation - See remarks below

10. Description of place of use:

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

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
9S	15E	10	GL _H 1	GL _H 2	GL _H 10	GL _H 9													

Total number of acres irrigated _____

11. In which county (ies) are lands listed above as place of use located? Gooding

12. Do you own the property listed above as place of use? Yes X No _____
 If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
Claim No. 36-4032 and License No. 33448/36-2680 are owned by Rim View Trout or None ()
 Co. and are used at the same place but for separate use from 36-7167 herein described.

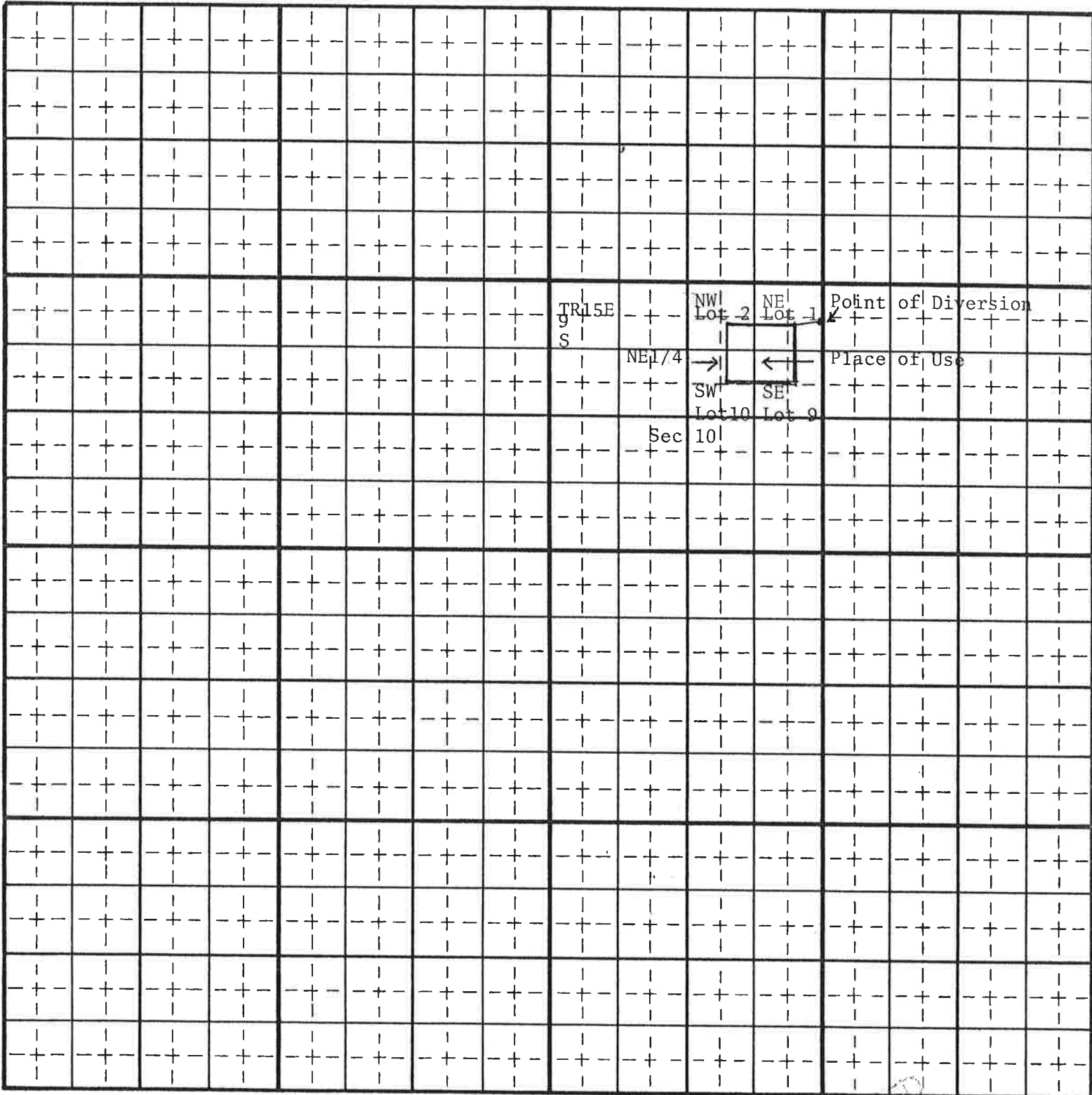
14. Remarks:
Item 9 above-Some of the raceways shown on the drawing included in the beneficial use file have been and are being divided and changed in dimensions and location for a more efficient use of the water. However, these changes will not exceed the 16 acre ft. of facility volume as shown on the license

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Last Name _____ Ident No. _____

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

Scale: 2 inches equals 1 mile



Last Name _____ Ident No. _____

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JAN 28 1969
Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License Permit _____
Decree _____
If applicable provide IDWR Water Right Number 36-7167
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

16. Signature (s)
(a.) By signing below, I/We acknowledge that I/We have received, read, and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not wish to receive and pay a small annual fee for monthly copies of the docket sheet.
Number of attachments _____
For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.
Signature of Claimant (s) _____ Date _____
_____ Date _____

For Organizations: I do solemnly swear or affirm that I am President Title _____
of Rim View Trout Company Organization _____, that I have signed the foregoing
document in the space below as President Title _____ of Rim View Trout Company Organization _____
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent Eileen Harsy
Title and Organization President, Rim View Trout Company Date September 1, 1988

State of Idaho/or Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 1st day of September 1988
SEAL Notary Public Mary Anne Johnson
Residing at Boise, Idaho
My Commission Expires 1-11-92

Please Print Name
17. Notice of Appearance:
Notice is hereby given that I, W. F. RINGERT will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.
Signature W. F. Ringert
Address Box 2773, Boise, ID. 83701
Date 9-1-88

CA

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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A36-07167
Date Received: 9/01/1988
Receipt No: C002454
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: RIM VIEW TROUT CO. 208-344-7321
Address: 1301 VISTA AVE.
BOISE, ID 83705

2. Date of Priority: MAR 18, 1971

3. Source: NIAGARA SPRINGS Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
09S	15E	10	NE	NE		1	GOODING

5. Description of diverting works:
CONCRETE HEADWORKS AND FLUMES, DIRT AND ROCK CANAL AND PIPES.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
FISH PROPAGATION	01/01	12/31	50.000		

7. Total Quantity Appropriated is:
50.000 C.F.S. (and/or) A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
FISH PROPAGATION/ 16 ACRE FEET TOTAL VOLUME CAPACITY.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
09S	15E	10	NE	NE	1	FISH	
			NW	NE	2	FISH	
			SW	NE	10	FISH	

A36-07167

Page 1

Date: 10/04/88

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JAN 28 1993

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
09S	15E	10	SE	NE	9	FISH	

11. Place of use in counties: GOODING

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:

36-04032, 36-02680

14. Remarks:

ITEM 9; SOME OF THE RACEWAYS SHOWN ON THE DRAWING INCLUDED IN THE BENEFICIAL USE FILE HAVE BEEN AND ARE BEING DIVIDED AND CHANGED IN DIMENSIONS AND LOCATION FOR A MORE EFFICIENT USE OF THE WATER. HOWEVER, THESE CHANGES WILL NOT EXCEED THE 16 ACRE FEET OF FACILITY VOLUME AS SHOWN ON THE LICENSE.

15. Basis of Claim: LICENSE

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Organizations:

I do solemnly swear or affirm that I am _____ of _____ Title _____, that I have signed the foregoing Organization _____ document in the space below as _____ of Title _____ and that the statements contained in the Organization _____ foregoing document are true and correct.

Signature of Authorized Agent

Title and Organization

Date

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

8/01/1988

SRBA CLAIMS RECEIVING CHECKLIST

CLAIMANT'S NAME Rim Vie Trout Co. CLAIM INT. NO. A36-07167
DATE RECEIVED 9-1-88 CK # 1788 AMOUNT \$ 550

- | | YES | NO |
|--|-------------------------------------|--------------------------|
| 1. Is the name and address complete with zip code? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 2. Is priority date entered? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Is the water use exempt from the Permit requirements, or if it is not exempt, has a Permit been approved or a License issued?
A Permit is required: (1) for groundwater developed after March 25, 1963 (except single family domestic and stockwater wells using less than 13,000 gpd), or (2) for surface water developed after May 20, 1971 (except for instream stockwater). USE CARE IF CLAIM IS RETURNED. REFER TO ADJUDICATION MEMOS # 1 (ADJ. CLAIMS/APPLICATIONS) AND # 9 (REJECTION OF CLAIMS). EXPLAIN IN COMMENTS. | | |
| 3. (a) Is a source entered? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| (b) Is a tributary to entered? (if required) | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 4. Is the legal description of the p.d. complete? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 5. Is there a description of the diverting works? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 6. Are the water uses appropriate for the form? The short form limited domestic and stockwater. Instream stockwater must use long form. | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Is the period of use included? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Is a quantity claimed for each use? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 7. Is a total quantity claimed entered? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 8. Is the consumptive use correct? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| If required is a consumptive use entered? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, each household must file a separate claim. See Adjudication Memo # 4. | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 10. Is (are) the place(s) of use entered? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 11. Is (are) the county(ies) entered? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 12. Is the ownership of p.u. checked? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 13. Are other water rights listed or "none" checked? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 15. Is the basis of the claim checked? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 16. Is the claim signed by the claimant?
Is the signature appropriate? (If an individual is the claimant, has that individual signed the claim, or if an organization is the claimant, is the organization signature block complete?) | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Has the claim been signed, sealed, and dated by a notary? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Is the fee enclosed correct? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| If this claim is based on an existing water right, has the identification number been entered? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Should this claim be receipted and data entered? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

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JAN 28 1993

Claim checked by: [Signature]

Comments: _____

A36-04032B
W.F. RINGERT
P.O. BOX 2773

BOISE ID 83704

A36-07731
W.F. RINGERT
P.O. BOX 2773

BOISE ID 83701

A36-07167
W.F. RINGERT
P.O. BOX 2773

BOISE ID 83701

A36-02680
W.F. RINGERT
P.O. BOX 2773

BOISE ID 83701

A36-04032A
W.F. RINGERT
P.O. BOX 2773

BOISE ID 83704

A36-04032C
W.F. RINGERT
P.O. BOX 2773

BOISE ID 83704

A36-07725
W.F. RINGERT
P.O. BOX 2773

BOISE ID 83701

A36-02659
W.F. RINGERT
P.O. BOX 2773

BOISE ID 83701

A36-07004
W.F. RINGERT
P.O. BOX 2773

BOISE ID 83701

A36-10855
W. F. RINGERT
P.O. BOX 2773

BOISE ID 83701

A36-07800
W. F. RINGERT
P.O. BOX 2773

BOISE ID 83701

MICROFILMED

JAN 28 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

18-Jul-1990 13:51

A36-07080 *
W.F. RINGERT
P.O. BOX 2773

BOISE

ID 83701

RE: Field examination of a water right claimed
in the Snake River Basin Adjudication

Dear Counselor,

The field staff of this agency may need to conduct water right field examinations of your client's water right claim(s) during the coming season. The field examiner may be visiting your client's property to obtain information necessary to verify the water use.

If a field exam is necessary your client will be contacted directly about the examination unless you contact us otherwise. If you wish to accompany your client at the time of any field examination, or if you have any questions regarding the field examination, you may contact this office.

Sincerely,

Allen Merritt, P.E.
Water Rights Supervisor

*See Attached Pages for Other Water Rights

MICROFILMED

JAN 28 1993

W. F. RINGERT
 D. V. STEENSON
 RINGERT CLARK CHARTERED
 455 S. Third St., P.O. Box 2773
 Boise, Idaho 83701-2773
 Telephone: (208) 342-4591

RECEIVED
 APR 29 1993
 Department of Water Resources
 Adjudication Bureau

Attorneys for Nampa & Meridian Irrigation District,
 Grindstone Butte Mutual Canal Company, Rim View Trout
 Company and others

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

*
 *
 *

In Re the General Adjudication)
 of Rights to the Use of Water)
 from the Snake River Basin Water)
 System)

_____)
 The State of Idaho, ex rel. R.)
 Keith Higginson in his official)
 capacity as Director of the Idaho)
 Department of Water Resources,)

Petitioner,)

-vs-)

The United States; the State of)
 Idaho; and all claimants to the)
 use of water from the Snake River)
 Basin Water System,)

Respondents.)
 _____)

Case No. 36-01767
 (You must insert the
 water right number you
 are objecting to)

OBJECTION

36-01767-0002

~~36-01767-0001/~~
 93-04-0130

INSTRUCTIONS

This form must be used to file an objection to any water
 right recommended in the Director's Report. You may object to
 one water right per objection form. The water right number you

are objecting to must be indicated above in the blank space following "Case No." To object to more than one water right, you must file a separate objection form for each. Forms may be obtained from the Idaho Department of Water Resources (IDWR), or you may copy or reproduce this blank form, as long as it is identical to the court's form. You must file your objection to the deadline shown in the notice that IDWR mailed to you. The objection must be received by the court on or before the deadline specified. Instructions for mailing this objection are found at Page 6, and must be strictly followed.

Any party physically filing 25 (twenty-five) or more objections must make an appointment with the Clerk of the Adjudication Court and arrange for an appointment to file multiple objections.

By filing an objection form, you are certifying that the objection is well-grounded in fact; is warranted by existing law or a good-faith argument for the extension, modification or reversal of existing law; and that it is not filed for any improper purpose, such as to harass, cause unnecessary delay or needless increase in the cost of litigation.

I. GENERAL INFORMATION

Please fill in the following information:

1. Person objecting:

Name: RIM VIEW TROUT COMPANY
Address: 1301 Vista Avenue
Boise, ID 83705

Briefly describe your interest in this water right:
OWNER

2. Owner of the water right:

Name: RIM VIEW TROUT COMPANY
Address: 1301 Vista Avenue
Boise, ID 83705

3. If this objection is filed by an attorney:

Attorney name: William F. Ringert
Attorney Address: P. O. Box 2773
Boise, ID 83701
Attorney Phone No.: (208) 342-4591

RECEIVED BY CLERK
ADJUDICATION COURT

VBK 5 8 1983

RECEIVED

If filed by an attorney, notice of pending court proceedings will be sent to the attorney only.

II. STATEMENT OF THE OBJECTION

Please check each "box" which states your objection to the recommendation in the Director's Report.

1. Name and address: I object to the name and/or address of the owner of the water right.
2. Source: I object to the source of water.
3. Quantity: I object to:
 - a. the total quantity of water used in cubic feet per second
 - b. the total quantity of water stored in acre-feet per year; or
 - c. the total quantity of water reserved for each and every purpose, including all present and future uses.
4. Priority Date: I object to the priority date.
5. Points of Diversion: I object to the legal description of the point(s) of diversion.
6. Instream Flow: I object to the legal description of the beginning and ending points of the instream flow.
7. Purpose(s) of Use: I object to the purpose(s) of use.
8. Period of Year: I object to the period of year when water is used or is necessary for the purpose stated.
9. Place of Use: I object to:
 - a. the legal description of the place of use; or
 - b. number of irrigated acres within each forty (40) acre subdivision.
10. Consumptive Use: I object to the annual volume of consumptive use.

11. X Remarks: I object to the "remarks" listed with the water right.
12. ☒ Water Right Recommendation: I object to:
- a. ☒ this water right being recommended at all; or
 - b. X this water right not being recommended.
13. ☒ Description of Reservation: I object to the legal description of the reservation.
14. X Other: I object to: General Provision No. 5 and General Provision No. 7.

REASONS SUPPORTING EACH BOX CHECKED

In the space following, you must state the reason(s) by number for each box checked. You may use additional pages if necessary.

11. 1. The Director has no authority to require that return flow shall be treated to insure that the effluent meets Idaho water quality standards. Enforcement of water quality standards is presently under the jurisdiction of the Idaho Board of Health and Welfare, Division of Environmental Quality. Idaho water quality standards presently being applied to aquaculture operations are unconstitutionally vague and any attempt to enforce the present water quality standards against a vested water right will result in an unconstitutional taking of property without payment of just compensation.
2. The facility volume is neither required nor authorized by statute. An increase in facility volume does not necessary involve an expansion of use, and any expansion of use resulting from increase in facilities volume for fish production is within the scope of the water right as established by the original facilities volume. Claimant does not know how volume was calculated and challenges the stated volume.
3. The Director has no authority under the adjudication statutes to require installation of measuring devices and control works with respect to vested water rights or to include General Provision No. 7 in his report. Any authority the Director has in

those areas is contained in Idaho Code § 42-701, and there is neither need nor authority for incorporating the provisions of that statute into the adjudication process or into the decree. Also, another action is pending regarding a measuring device for this diversion.

14. 1. Idaho Code § 42-1410 requires the Director to continue his examination of the water system covered by the Snake River Basin Adjudication "for such a period of time as is necessary to evaluate the extent and nature of each water right for which a notice of claim has been filed. The director may conduct any fact-finding hearing necessary for a full and adequate disclosure of the fact." General Provision No. 5 violates this statutory requirement and claimants whose water rights are in springs fed by the Snake Plain aquifer should not be required to file objections against any ground water rights recommended in Basin 36 until such time as the Director has determined the hydraulic connection between the ground water within the Snake Plain aquifer and the springs that are fed by the Snake Plain aquifer.

CHANGES TO THE DIRECTOR'S REPORT

Specifically describe how you want the Director's Report to be changed. You may use additional pages if necessary.

1. Delete the remarks regarding measuring device, treating effluent to meet Idaho water quality standards, and facility volume.
2. Delete General Provision 5. The Director's Report should be held in abeyance until such time as the necessary investigations have been completed, and the report then should be supplemented or amended, and an additional period of time should be allowed for filing objections to ground water claims in Basin 36.
3. Delete General Provision 7.

Please note: You should attach copies of documents which support your objection. Note on each document the "box number" it supports. The description of the water system in Basin 36, which the Director is required to include in his report (Idaho Code § 42-1411(1), is not adequate or sufficient to enable this claimant to determine whether

there is sufficient connection between ground water rights in Basin 36 and this claimant's water rights in the springs fed by the Snake River aquifer, to warrant investigations to determine whether grounds exist for objections to any of such ground water rights on the basis of abandonment, forfeiture, unauthorized expansion, or any other facts or legal theories upon which any ground water right recommended by the Director in Basin 36 could be challenged.

☒ Check here if you are submitting documents. Please list each document by the title and number of pages. You may use additional pages if necessary. _____

VERIFICATION (Must be Completed)

State of Idaho

County of Ada

William F. Ringert, being first duly sworn, upon oath, deposes and says:

That I am the person or entity filing this objection, that I am a water claimant or party in this proceeding, as defined by I.C. § 42-1401A(1) and (7), and that I have read the foregoing objection, know its contents and that the statements contained therein are true to the best of my knowledge and belief.

Rain View Trout Company
Signature of person filing objection

By: W.F. Ringert
(Attorney/signing in representative capacity)

Subscribed and sworn to before me this 26th day of April, 1993.

Anita C. McCormick
Notary Public for Idaho
Residing at: Boise Idaho
My Commission expires: 11-14-98

INSTRUCTIONS FOR MAILING

You must mail the objection, including all attachments, to the Clerk of the Court. FAX filings will not be accepted by the Clerk of the Court. You must also send a copy to the owner of the water right, if other than yourself; to the Office of the Attorney General, State of Idaho; and to the United States Department of Justice, as set out below in the Certificate of Mailing. Finally, you must sign the Certificate of Mailing to show that you followed these steps.

CERTIFICATE OF MAILING

I hereby certify that on the 28 day of April, 1993, I mailed the original and copies of the foregoing objection, including all attachments, to the following persons, by mailing the original and/or true and correct copies, postage prepaid and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P. O. Box 2707
Twin Falls, Idaho 83303-2707

2. One copy to the owner of the water right, and you must fill in the following information:

Owner name: Rim View Trout Company
Owner's address: 1301 Vista Avenue
Boise, ID 83705

3. One copy to:

Chief, Natural Resources Division
Office of the Attorney General
P. O. Box 44449
Boise, Idaho 83711-4449

4. One copy to:

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, Box 33
Boise, Idaho 83724



Signature of Objector or Attorney
mailing on Objector's behalf

**FACILITY VOLUME REVIEW OF
BLUE LAKES TROUT FARM**

The purpose of this memo is to clarify the calculations used to arrive at the recommended facility volume for SRBA claims A36-02356, A36-07210 & A36-07427.

Lori White (Graves) contacted Percy Greene and requested the number of ponds and raceways and also the dimensions of those facilities. <See conversation memo dated; 12/11/90>

She indicates on that same memo that the information was provided in the form of a map and dimensions. On the memo is an attachment by me, Steve Clelland, showing the total volumes as they apply to the three rights mentioned above.

On the map is written seven lines of calculations. I have shown them below along with a description of the corresponding pond sites.

- #1. $20(10' \times 80' \times 2') = 32,000 \text{ cu.ft.}$
These ponds are south of the Blue Lakes Ditch and just west of the hatchery buildings.
- #2. $29(16' \times 300' \times 3') = 417,600 \text{ cu.ft.}$
This group is the largest set of ponds at the west end of the property.
- #3. $20(20' \times 18' \times 2') = 14,400 \text{ cu.ft.}$
This is the hatchery building.
- #4. $18(2' \times 8' \times 1') = 288 \text{ cu.ft.}$
This is the hatchery troughs.
- #5. $10(20' \times 200' \times 4') = 160,000 \text{ cu.ft.}$
These ponds are located almost south of group #2. They are adjacent to those #2 ponds and run almost perpendicular to them.
- #6. $10(14' \times 120' \times 3') = 50,400 \text{ cu.ft.}$
This group is southeast of the #5 ponds and west of the processing plant.
- #7. $3(20' \times 100' \times 3') = 18,000 \text{ cu.ft.}$
These ponds are referred to on the map as the office ponds and are on the east end of the property near the head of the Blue Lakes Ditch.

The total of all these ponds is 692,688 cu.ft. which converts to 15.9 acre-feet.

In summary, the descriptions of the ponds and the dimensions were provided by the representatives of Blue Lakes Trout Farm, Inc. and I simply performed the above calculations to arrive at the totals also given above. These totals were then divided accordingly to the three respective claims as was indicated by the licenses.

PREPARED BY SCC
ON 7/21/97
FILE(mm:blt-volume.doc)

A36-07210

NOTICE OF ERROR

RESPONSE

CORRECTED R PROOF

MICROFILMED

JAN 28 1993

AUG-24-1992

NOTICE OF ERROR FORM

✓

Please type or print clearly, fill out completely, and return to:

**Idaho Department of Water Resources
Statehouse Mail
Boise, Idaho 83720-9000**

RECEIVED

SEP 23 1992

Department of Water Resources

The notice of error must be received at IDWR by the **deadline date** printed below with your proposed recommendation.

YOUR DEADLINE FOR FILING A NOTICE OF ERROR IS: SEP-24-1992

1. Water right number: 36-07167

RECEIVED

SEP 28 1992

2. Name: Rim View Trout Co.

Department of Water Resources
Southern Region
MICROFILMED
JAN 28 1993

Address: 1301 Vista Avenue, Boise, ID 83705

Attorney: W. F. Ringert

Address: P.O. Box 2773, Boise, ID 83701

Weekday Telephone Number: Rim View Trout Co. - 344-7321

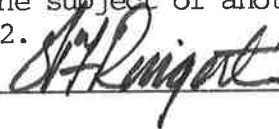
W. F. Ringert - 342-4591

TEAR AT PERFORATIONS AND COMPLETE FORM ON OTHER SIDE

(Instead of filling in items 3 and 4 below you may include a copy of your proposed recommendation with the changes marked on the copy.)

3. Describe the portion of proposed recommendation with which you disagree:
- Remarks - Installation of measuring device required.
 - Remarks - Treatment of effluent to meet state water quality standards required.
 - Remarks - Facility volume stated as 36,198.90 AFY.
 - Remarks - In addition, facility volume is improperly stated in cubic feet, stated as 36,198.90 AFY.
4. Describe the changes you wish to have made in the proposed recommendation:
Delete the four remarks identified in item 3, above.
5. Describe why you disagree with the proposed recommendation: The Director has no authority to impose a total volume requirement on this type of water right, the measuring device requirement and the effluent treatment requirement can not be added as conditions to the water right in the SRBA. The facility volume is neither required nor authorized by statute. The license as originally issued or as previously amended is binding on ~~the state~~ the state and can not be modified in the SRBA. The measuring device requirement is the subject of another pending lawsuit.
6. Date: September 17, 1992.

SIGNATURE _____





State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

20-Oct-1992

Mr. W. F. Ringert, Attorney
PO BOX 2773
Boise, ID 83701

RE: Snake River Basin Adjudication (SRBA)
Notices of Error

Hardy - A36-07510
Clear Lakes Trout Co., Inc - A36-07800, A36-07731,
A36-07725, A36-07080, A36-07004, A36-02659,
Rim View Trout Co. - A36-07167, A36-02680, A36-10819,
A36-04032A, A36-04032B, A36-04032C

Dear Mr. Ringert:

We are in receipt of the Notices of Error on the above referenced claims. Each Notice of Error will be addressed below.

Hardy - A36-07510

No changes have been made to the recommendation. The recommendation is based on a field examination of the place of use which identified the actual acres under irrigation and other IDWR information. The diversion rates and volumes and consumptive use volume are based in IDWR standards for beneficial use and crop requirements.

Clear Lakes Trout Co., Inc. - A36-07800, A36-07731, A36-07725

As to the completion of licensing process remarks, these remarks shown in the recommendations on the above referenced claims are based on Idaho Code 42-1421(3). No change will be made to the recommendation.

Clear Lakes Trout Co., Inc. - A36-07080

Regarding the measuring device condition, this remark is based on Idaho Code 42-701 and conditions set forth in the license. Regarding the effluent standards remark, this remark is carried over to the recommendation as a condition is set forth in the license. As to facility volume, this remark is based on Idaho Code 42-1411(2)(j) which provides that Director's Report

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of water right appropriated under state law shall include such other matters necessary to define the right; facility volume is necessary to prevent future expansion in use of the right. No changes will be made to the recommendation.

Clear Lakes Trout Co., Inc. - A36-02659, A36-07004

Regarding facility volume remarks, see discussion in paragraph immediately above. Regarding the other rights diverted at the recommended points of diversion, the points of diversion recommended for both rights included the same three 10-acre tracts. As you stated in your Amended Notice of Error, a portion of A36-02659 is diverted through the same diversion structure as this right. Both claims referenced above described the same facility system with co-mingled water. Therefore, with the same points of diversion and facility, it is appropriate to include the remarks on both recommendations. Also, the remarks describing rights owned by Clear Springs Trout Co. specifically identify only two of the 10-acre tracts, thereby clearly showing that only a portion of the points of diversion are shared. No changes will be made to the recommendations.

Rim View Trout Co. - A36-02680

See paragraph under A36-07080 for discussion on facility volumes. The total volume is calculated based on the diversion rate over 365-day period. The diversion rate recommended is based on IDWR records and documents relating to this and associated rights. No changes will be made to the recommendation.

Rim View Trout Co. - A36-04032A, A36-04032B

The recommendations are based on measurement data available for the diversion rates corresponding to the dates of priority recommended. See A36-07080 above for facility volume discussion. No changes will be made to the recommendations.

Rim View Trout Co. - A36-04032C

The recommendation is based on measurements and records reflecting the balance of diversion rate put to beneficial use was diverted under development described in 36-02680. No changes will be made to the recommendation.

Rim View Trout Co. - A36-10819

The remarks have been changed to identify recommendation for 36-02680 as the right under which this water use is described.

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This recommendation is based on measurements and records supporting the development of the water use at the priority date recommended. No other changes will be made to the recommendation.

Rim View Trout Co. - A36-07167

See paragraph under A36-07080 for discussion of measuring devices, effluent standards and facility volumes. For clarification the total diversion volume of the system based on the season of use and diversion rate. The facility volume described in the remarks is a description of the facility dimensions. No changes will be made to the recommendation.

If you still do not agree with the proposed IDWR recommendation to the court, you may file an objection with the court after you receive the final recommendation of your water right. The objection process will be explained when you receive your final recommendation of your water right.

Sincerely,



Helen Harrington-Thornton
Water Resource Agent

HHT

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R PROOF



CVR



MAPS



PHOTOS



MISC

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REGISTERED ADM

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Water Right Number - R36-07167 Prefix Translation: RESEARCH Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** A - ATTORNEY ***
RINGERT WF 1 - PO BOX 2773
2 -
3 -
City- BOISE State- ID Zip- 83701
Phone - 208-000-0000

*** C - CURRENT OWNER ***
RIM VIEW TROUT CO 1 - 1301 VISTA AVE
2 -
3 -
City- BOISE State- ID Zip- 83705
Phone - 208-344-7321

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
03/18/1971 17 SOUTHERN L - LICENSE

+ - - - - Source - - - - + + - - - - Tributary - - - - +
NIAGARA SPRINGS SNAKE RIVER

+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County
09S 15E 10 SE NE NE 1 (47) GOODING

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
19 - FISH PROPAGATION 01/01 12/31 50.000 36198.90

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
50.000 36198.90 0.0

+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County
09S 15E 10 NE NE 1 19 FISH PROPAGATION (47) GOODING
09S 15E 10 NW NE 2 19 FISH PROPAGATION (47) GOODING
09S 15E 10 SW NE 10 19 FISH PROPAGATION (47) GOODING
09S 15E 10 SE NE 9 19 FISH PROPAGATION (47) GOODING

Total Acres:

- + - - Diversion Means - CONCRETE HEADWORKS, TWO 42" HEADGATES, 7'X 4' CONCRETE CHANNEL
- + - - Non-Irrigation Use - FISH PROPAGATION/COMMERCIAL HATCHERY
- + - - Other Rights for Same Use - 36-02680, 36-04032A, 36-04032B & 36-04032C

STATE OF IDAHO
 DEPARTMENT OF WATER RESOURCES
 ADJUDICATION CLAIM VERIFICATION REPORT

08:12:45
 07/26/90

PAGE: 13
 QUICKLOOK INFORMATION

CLAIM NUMBER: A36-07167

WR ELEMENT	FIELD EXAM Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	VERIFIED BY CODE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE	
PRIORITY DATE			4-30-91 5-18-91 SCC	N		R.V. [Signature] 3/31/92	SCC 5-13-91	R.V. [Signature] 3/31/92	
POINT OF DIV	Y		↓	Ⓢ 10Ac.	1, 6	↓	↓	↓	
SOURCE				N					
PLACE OF USE	Y			N					
DIV. AMOUNT CFS/VOLUME				Ⓢ	6 Acres				
CONSUMPTIVE USE	-			N					
PURPOSES				N					
PERIOD OF USE				N					
BASIS OF CLAIM				N					
REMARKS	Y			Ⓢ					6

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"VERIFIED BY" CODES

- TOPO MAP/ORTHO-PQ = 1
- ASCS MAP = 2
- WATERMASTER RECORDS = 3
- NAPP PHOTOS = 4
- FIELD EXAM = 5
- OTHER (SEE REMARKS) = 6

THESE CODES ARE USED TO INDICATE HOW THE FIELD EXAMINER VERIFIED THE INFORMATION USED FOR THIS FIELD EXAMINATION. INDICATED ARE ALL CODES WHICH APPLY.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

08:12:45
07/26/90

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A36-07167

LAST: RIM VIEW TROUT CO.
ADDRESS: 1301 VISTA AVE.
CITY: BOISE
PHONE NUMBER: 208-344-7321

FIRST:
STATE: ID ZIP: 83705

OWNER CODE: C

LAST: RINGERT
ADDRESS: P.O. BOX 2773
CITY: BOISE
PHONE NUMBER: 208-000-0000

FIRST: W.F.
STATE: ID ZIP: 83701

OWNER CODE: A

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

DATABASE
Y

FIELD
EXAMINER

CLAIM REMARKS: ITEM 9; SOME OF THE RACEWAYS SHOWN ON THE DRAWING INCLUDED IN THE BENEFICIAL USE FILE HAVE BEEN AND ARE BEING DIVIDED AND CHANGED IN DIMENSIONS AND LOCATION FOR A MORE EFFICIENT USE OF THE WATER. HOWEVER, THESE CHANGES WILL NOT EXCEED THE 16 ACRE FEET OF FACILITY VOLUME AS SHOWN ON THE LICENSE.

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CONTACT PERSON: _____

PHONE NUMBER: (____) ____-____

DATE OF FIELD EXAM: __/__/__

APPOINTMENT MADE: Y(____) N(____)

TIME: ____:____ A(____) P(____)

ACCOMPANIED BY: _____

PHONE NUMBER: (____) ____-____

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / REMARKS:

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A. AJ CLAIM: # A36-07167 PRIORITY DATE: 03-18-1971 STAGE: L
B. WR RECORD: # 36-07167 PRIORITY DATE: 03-18-1971 STAGE: L

C. FIELD EXAM REQUIRED?
DUE TO PRIORITY DATE DISCREPANCY? (Y/N) DATABASE N FIELD EXAMINER M

ARE THERE OBVIOUS REASONS TO QUESTION THE PRIORITY DATE CLAIMED? Y() N(X)
IF YES EXPLAIN.

REMARKS: _____

===== RECOMMENDED PRIORITY DATE: 03-18-1971 =====

REVIEWED BY See

DATE 4-18-91

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A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A36-07167	09S	15E	10	SE	NE	NE	1	GOODING

OTHER AJ CLAIMS WITH SAME AJ POD

A PREFIX R PREFIX

A36-04032B NONE

A36-04032C

A36-04020

A36-02704

A36-10819

A36-02680

A36-04032A

WR RECORDS IN SAME 40 ACRE TRACT

36-02001

36-02680

36-02704

36-07200

36-07628

36-07789

36-07791

36-07983

36-08347

SOURCE: NIAGARA SPRINGS

TRIB: SNAKE RIVER

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
36-07167	09S	15E	10		NE	NE	1	GOODING

OTHER WR RECORDS WITH SAME WR POD

36-02001

36-02680

36-02704

36-07200

36-07628

36-07789

36-07791

36-07983

36-08347

AJ CLAIMS IN SAME 40 ACRE TRACT

A PREFIX

R PREFIX

A36-04032B

NONE

A36-04032C

A36-04020

A36-02704

A36-10819

A36-02680

A36-04032A

SOURCE: NIAGARA SPRINGS

TRIB: SNAKE RIVER

C. FIELD EXAM REQUIRED?

DUE TO POD DISCREPANCY? (Y/N)
 DUE TO SOURCE DISCREPANCY? (Y/N)

DATABASE
 Y
 N

FIELD EXAMINER

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REMARKS:

=====

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	COUNTY
---	---	---	---	---	---	---	---
---	---	---	---	---	---	---	---

SE

SOURCE: NIAGARA SPRINGS

TRIB: SNAKE RIVER

REVIEWED BY: *see*

DATE: *4-18-91*

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A. ROOT WATER RIGHT NUMBERS: A36-07167

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
09S 15E 10	NW	NE	2	RIM VIEW TROUT CO.	A36-07167 /	36-07167 /			FISH		
				RIM VIEW TROUT CO.	A36-02680 /	- /					
				RIM VIEW TROUT CO.	A36-04032A /	- /					
				RINGERT, W.F.	A36-04032B / 3.5	- /					
				RIM VIEW TROUT CO.	A36-04032C /	- /					
				RIM VIEW TROUT CO. INC.		36-07791 /					
				RIM VIEW TROUT CO. INC.		36-07789 /					
09S 15E 10	SW	NE	10	RIM VIEW TROUT CO.	A36-07167 /	36-07167 /			FISH		
				RIM VIEW TROUT CO.	A36-02680 /	- /					
				RIM VIEW TROUT CO.	A36-04032A /	- /					
				RINGERT, W.F.	A36-04032B / 3.5	- /					
				RIM VIEW TROUT CO.	A36-04032C /	- /					
				RIM VIEW TROUT CO. INC.		36-07791 /					
				RIM VIEW TROUT CO. INC.		36-07789 /					
09S 15E 10	SE	NE	9	RIM VIEW TROUT CO.	A36-07167 /	36-07167 /			FISH		
				RIM VIEW TROUT CO.	A36-02680 /	- /					
				RIM VIEW TROUT CO.	A36-04032A /	- /					
				RINGERT, W.F.	A36-04032B / 3.5	- /					
				RIM VIEW TROUT CO.	A36-04032C /	- /					
				IDAHO POWER CO.	A36-02704 / 2.0	36-02704 /					
				RIM VIEW TROUT CO. INC.		36-07791 /					
				STATE OF IDAHO		36-08347 /					
RIM VIEW TROUT CO. INC.		36-07789 /									
09S 15E 10	NE	NE	1	RIM VIEW TROUT CO.	A36-07167 /	36-07167 /			FISH		
				RIM VIEW TROUT CO.	A36-02680 /	36-02680 /					
				RIM VIEW TROUT CO.	A36-04032A /	- /					
				RINGERT, W.F.	A36-04032B / 3.5	- /					
				RIM VIEW TROUT CO.	A36-04032C /	- /					
				RIM VIEW TROUT CO. INC.	A36-10819 /	- /					
				RIM VIEW TROUT CO. INC.		36-07791 /					
				STATE OF IDAHO		36-08347 /					
RIM VIEW TROUT CO. INC.		36-07789 /									
TOTAL ACRES					A36-07167						

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ARE IRRIGATED ACRES FOUND IN TRACTS OTHER THAN INDICATED ABOVE, Y() N()
 IF YES SEE ATTACHED SHEET:

C. FIELD EXAM REQUIRED?

DUE TO POU DISCREPANCY? (Y/N)

DATABASE
Y

FIELD
EXAMINER

N

PRESUMPTION FLAG:

REMARKS:

Facility Vol. = 16 Ac Ft.

RECOMMENDATIONS:

TOTAL ACRES: Ø FISH ONLY
REVIEWED BY: see

DATE: 4-18-91

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A. AJ CLAIMED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
A36-07167 FISH PROPAGATION	FROM 01-01 TO 12-31	50.000 CFS
TOTAL DIVERSION RATE/VOLUME CLAIMED		50.000 CFS

B. WR RECORDED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
36-07167 FISH PROPAGATION	FROM 01-01 TO 12-31	50.000 CFS
TOTAL DIVERSION RATE/VOLUME CLAIMED		50.000 CFS

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PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

	DATABASE	FIELD EXAMINER
DUE TO WATER-USE DISCREPANCY? (Y/N)	N	<u>N</u>
DUE TO DIVERSION RATE DISCREPANCY? (Y/N)	N	<u>N</u>
DUE TO PERIOD FROM/TO DISCREPANCY? (Y/N)	N	<u>N</u>

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

Y() N()

RECOMMEND TO WR STANDARDS OR OTHER?

Y() N() Explain in remarks, below.

REMARKS:

A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS? Y(~~X~~) N()

AJ TOTAL CLAIMED DIVERSION RATE: 50.000 CFS
 WR ROOT RIGHT TOTAL DIVERSION RATE: 50.000 CFS

*** IF NO or IF STATUTORY CLAIM or BENEFICIAL USE then flow measurement required. ***
 ** If an amount smaller than the original diversion rate is **
 ** claimed and an exam is NOT required, explain in remarks. **

FLOW MEASUREMENT REQUIRED? FIELD
 DUE TO STAGE OR DIVERSION RATE DISCREPANCY? (Y/N) DATABASE EXAMINER Y N

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B. FLOW MEASUREMENT

MEASUREMENT METHOD _____, SEE ATTACHED CALCULATIONS.

C. ARE OTHER WATER RIGHTS USED? Y(Y) N() IF YES COMPLETE OVERLAP REVIEW.

OTHER RIGHTS LISTED IN CLAIM: ~~A36-02680, DIFFERENT USES, A36-04032A, B, & C~~ *change claim*

LIST ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE:

CLAIM	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A36-04032B	NIAGARA SPRINGS	RINGERT, W.F.	15.000	1.071		

LIST ALL RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION.

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A36-07167	FISH PROPAGATION	RIM VIEW TROUT CO.	FROM 01-01 TO 12-31	50.000 CFS	
A36-02680	FISH PROPAGATION	RIM VIEW TROUT CO.	FROM 01-01 TO 12-31	90.300 CFS	
A36-04032A	FISH PROPAGATION	RIM VIEW TROUT CO.	FROM 01-01 TO 12-31	10.000 CFS	
A36-04032B	DOMESTIC	RINGERT, W.F.	FROM 01-01 TO 12-31	.100 CFS	
A36-04032B	FISH PROPAGATION	RINGERT, W.F.	FROM 01-01 TO 12-31	14.500 CFS	
A36-04032C	FISH PROPAGATION	RIM VIEW TROUT CO.	FROM 01-01 TO 12-31	15.000 CFS	
A36-10819	FISH PROPAGATION	RIM VIEW TROUT CO. INC.	FROM 01-01 TO 12-31	.250 CFS	

D. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1b. CALCULATIONS

1a. IRRIGATION RATE

ACRES _____ x 0.02 CFS/ACRE = _____ CFS
(Taken from p/u review)

DOES AMOUNT CLAIMED EXCEED 0.02 CFS/ACRE? Y() N()

*** IF YES ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y() N() ***

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = _____ AF/A
ACRES _____ x CONSUMPTIVE VOL. AF/A FOR AREA _____ =
TOTAL CONSUMPTIVE USE _____ AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = _____ AF/A
ACRES _____ x DIVERSION VOL. AF/A FOR AREA _____ =
TOTAL DIVERSION VOLUME _____ AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y() N()

per license

REMARKS: (Include limitations on CONSUMPTIVE USE for combined rights.)

Max Volume Diversion = 50.0 cfs x 1.9835 x 365 = 36,198 AF

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RECOMMENDATIONS:

REC. PURPOSES	REC. PERIOD		REC. DIV		REC. DIV		REC. CONS.	
	FROM	TO	RATE	CFS	VOL.	AF/A	USE	
FISH PROPAGATION	01-01	12-31	50.000	EXAMINER	50.000	EXAMINER	0.0	EXAMINER
TOTAL FOR THIS RIGHT			50.000		36,198		0.0	

REVIEWED BY: SC DATE: 4-18-91

<update> SC 5-13-91

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Remarks:
Facility Volume = 16.0 AF

COA:
<left on RO9> See Krozhe-Hampe Memo 6/10/90

A. CHECK ONLY THE FOLLOWING THAT APPLY:

OWNERSHIP _____
FORFEIT/ABANDON _____
ADDITIONAL DIV. AMOUNT _____

ACCEPTED AS CLAIMED ()
NEEDS REVIEW () () ()

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 36-07167

TOTAL DIVERSION RATE OF WR SPLITS

DATABASE 50.000

N/A

EXAMINER _____

CFS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A36-07167	50.000	-		36-07167	50.000
TOTAL CFS		50.000				50.000

DIVERSION RATE REVIEW

DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N)
IF NO, is the written review sheet attached? (Y/N)

DATABASE Y
FIELD EXAMINER _____

REMARKS:

AUTHENTICATION:

SIGNATURE: Steve [Signature]

DATE: 4-18-81

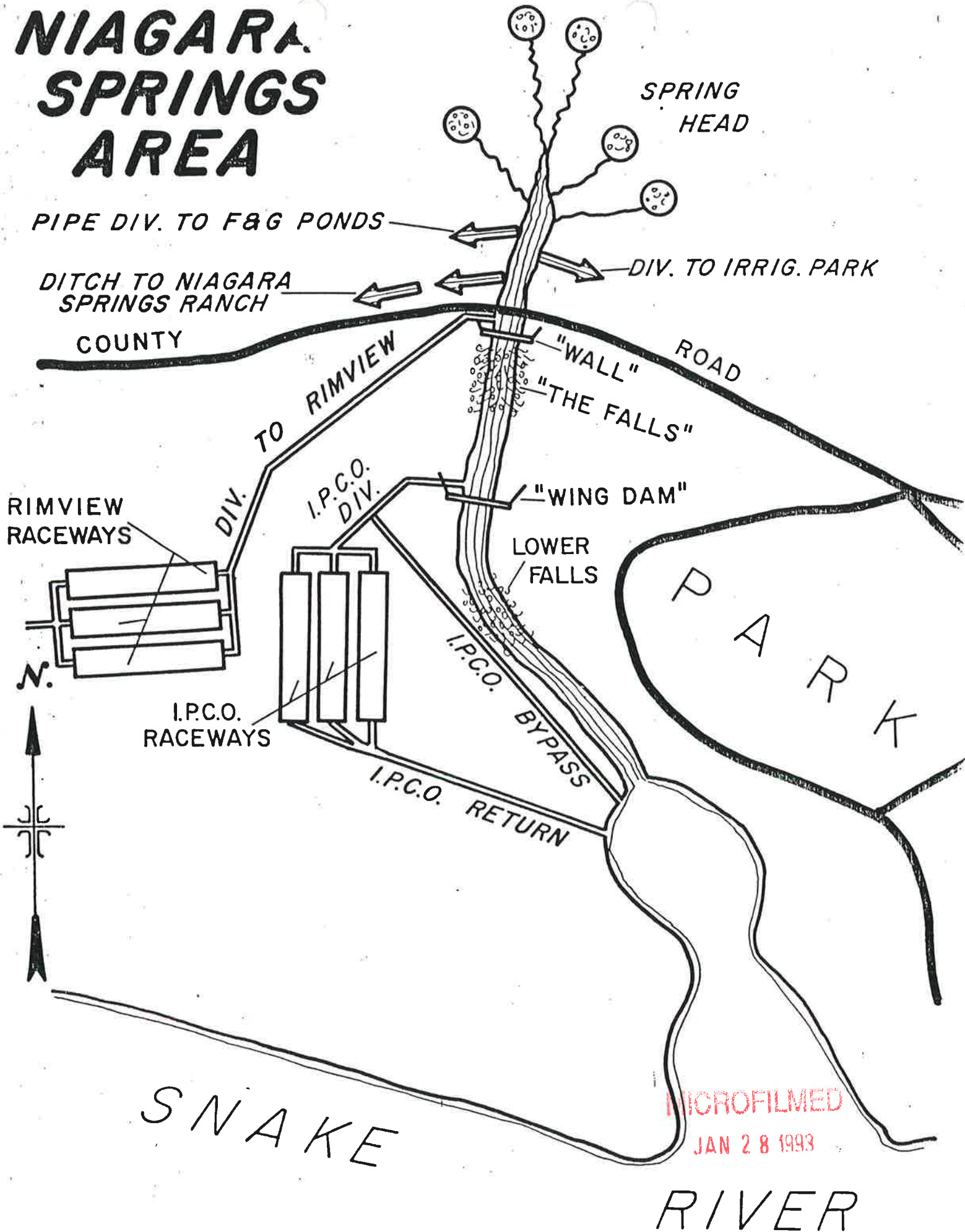
NAME OF FIELD EXAMINER: _____

TITLE: _____

[Signature]
3/30/92

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JAN 28 1993

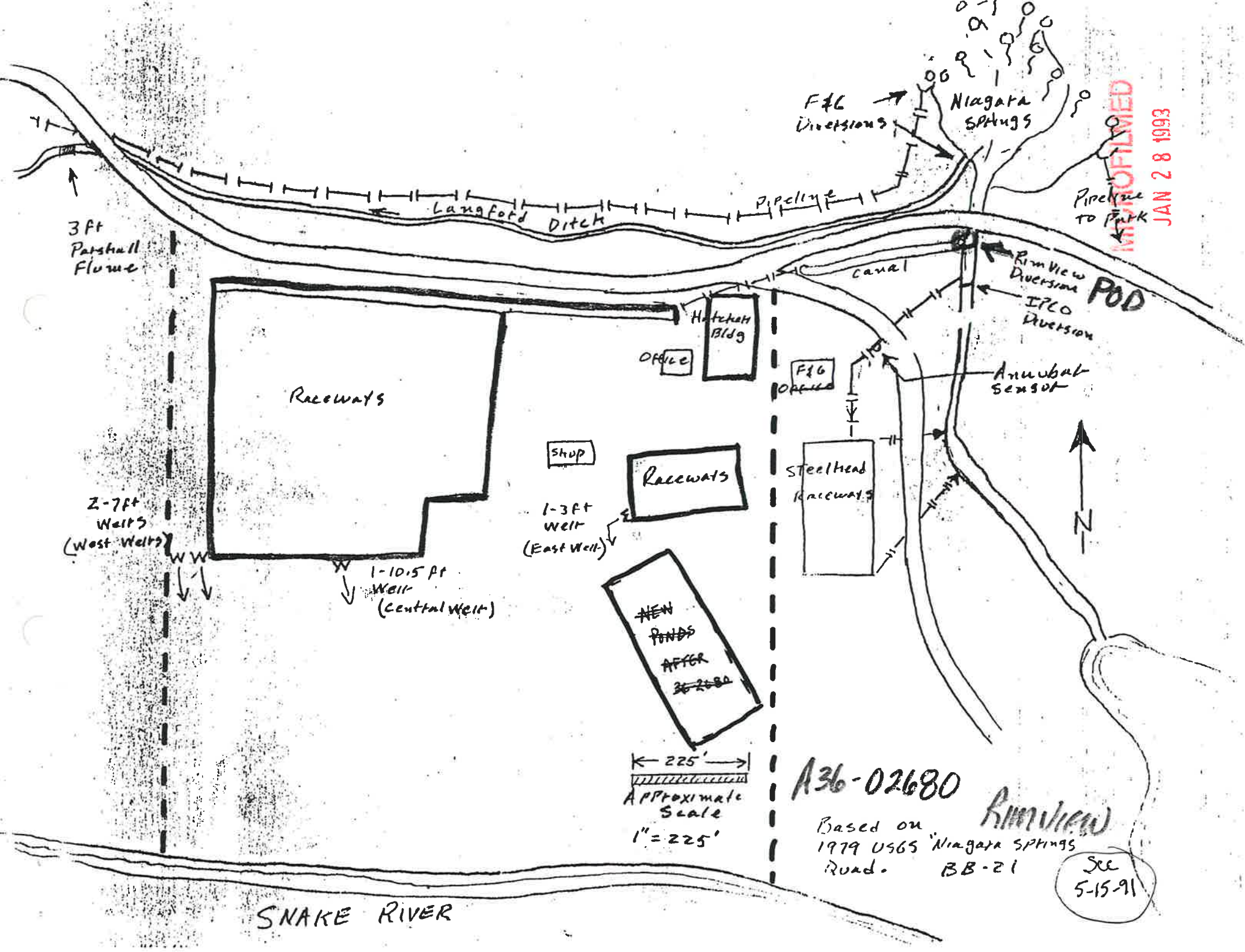
NIAGARA SPRINGS AREA



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UNRECORDED

JAN 28 1993



F#6 Diversion

Niagara Springs

Pipeline to Park

3ft Parshall Flume

Langford Ditch

Pipeline

canal

Rim View Diversion
IPLC Diversion

POD

Annular sensor

Raceways

Hatchery Bldg

Office

F#6 Office

Shop

Raceways

Steelhead Raceways

1-3ft Well (East Well)

2-7ft Weirs (West Weirs)

WW

1-10.5 ft Well (Central Well)

NEW PONDS AREA 36-2680

← 225' →
Approximate Scale
1" = 225'

A36-02680

Rim View

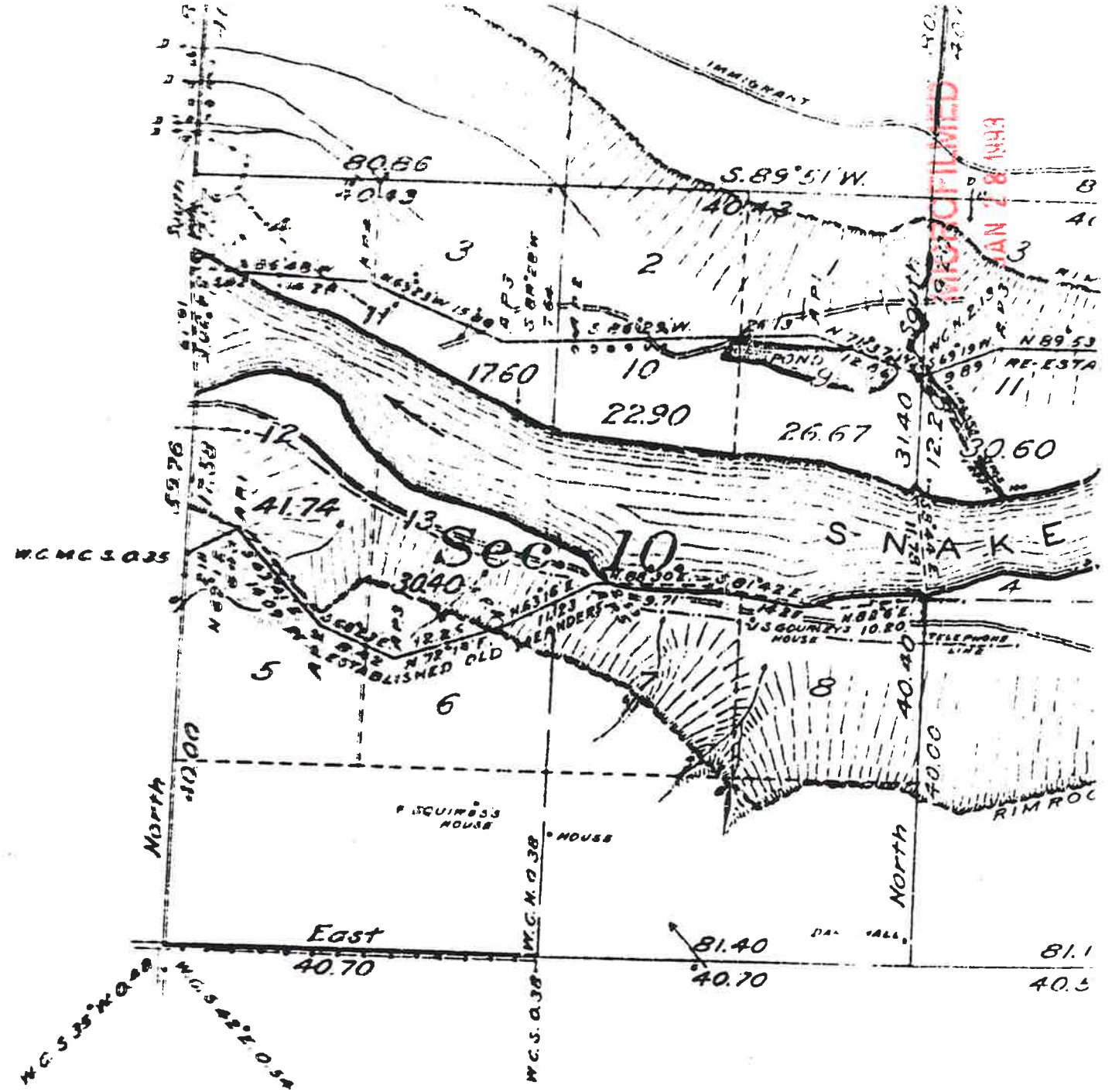
Based on 1979 USGS Niagara Springs Road. BB-21

See 5-15-91

SNAKE RIVER

T 9 S
R 15 E
Sec 10

1920 Survey



MEMORANDUM

DATE: 08-Apr-1991

FROM: Loren Holmes *LH*

TO: Norm Young

SUBJECT: Measurement of Niagara Springs diversions, 4/5/91

On April 5, 1991, at 3:45 PM, I made an unannounced visit to Niagara Springs to read measuring devices.

Based on the corrected rating tables for the Rim View hatchery, the discharge from the hatchery was 124.17 cfs.

The Fish & Game/Langdon ditch diversion was 10.9 cfs.

The Fish & Game/IPCO hatchery diversion was 108 cfs.

Both the Rim View and IPCO regulating headgates at "the Wall" were full open and clear of the water surface. All water going through the wall headgate was being diverted at the wing dam to the IPCO hatchery.

Fish & Game employees at the hatchery indicated that their determination of flows over Rim View's weirs had been based on USBR standard weir tables.

Summary of measurements:

LOCATION	H	Q(cfs)	MD TYPE
West $\frac{1}{2}$ Rim View west weir:	1.17	30.91*	7' Supp. Rect
East $\frac{1}{2}$ Rim View west weir	0.97	23.12*	7' Supp. Rect
Rim View center weir:	1.55	70.14*	10.5' Supp. Rect
Fish & Game/Langdon ditch:	0.87	10.90	4' Cipp. Weir
Fish & Game/IPCO hatchery		108.0	Annubar/recorder

* Q values from 3/29/88 rating table corrected for approach velocity.

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MEMO

TO: File A36-7167
FROM: A. Lynne Krogh-Hampe
DATE: June 10, 1990
RE: Changes in "R" record

The following changes were made from the "R" records dated 5/29/91 based on the state office review:

1. Diversion volume was changed to show diversion volume to nearest tenth.

2. Condition R09 was deleted; this will be covered by a general conclusion in the preamble of the report.

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Calculations

#	L	W	D	cubic feet
46	x 1.5	x 16	x 4	= 4416
28	x 4	x 55	x 4	= 24640
20	x 12	x 75	x 4	= 72000
12	x 6	x 75	x 4	= 21,600
18	x 12	x 100	x 4	= 86,400
15	x 10	x 161	x 4	= 96,600
10	x 16	x 161	x 4	= 103040
14	x 32	x 161	x 4	= <u>288,512</u>

697,208 cubic ft

$$\frac{697208}{43560} = 16.0 \text{ Af - facility Volume}$$

$$V = \text{Capacity } 140.9 \text{ cfs} \times 1.9835 \times 365 = 102,008.4$$

$$- 65,919.0 \text{ L } 36-2680$$

$$36,089.4$$

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JAN 2 8 1971

Identification No. _____
Permit No. _____

RECEIVED

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

JAN 8 1972

Department of Water Administration

1. a) Name of Permit Holder Rim View Trout Co.
b) Post Office Address 2901 Idaho St., Boise, Idaho, or Wendell, Idaho
2. Permit Number 33448/35-2680
3. Date of Priority that you are prepared to establish *(See explanation below)
4. a) Source from which water was appropriated Niagara Spring
b) Location of the point of diversion: N.E. 1/4 N.E. 1/4 Section 10
Township 9 South Range 15 East Boise Meridian, Other points of diversion:

5. a) The amount of water and use to which the water has been applied:
amount 39.5 cfs * for fish propagation purposes from Jan. 1 to Dec. 31 incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
amount 60.0 cfs * for " " purposes from Jan. 1 to Dec. 31 incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
amount .5 cfs for Domestic & Irrigation purposes from Jan. 1 to Dec. 31 incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
b) Total amount appropriated 100 cfs and/or acre feet per annum
- a) Describe how and by whom measurement of rate of flow or amount of storage was made and the qualifications of the person making the measurement: 99 sec. ft. was measured by George Lesson of Hagerman, Idaho. Method-cross section and rate of flow.
6. If the means of diversion and conveyance are owned by someone other than the Permit Holder:
a) Give the name or description of the canal, ditch or other works by which the water is conducted to the place of use: The means of diversion and conveyance are owned by Permit holder, upon an easement across Idaho Power property.
b) Describe the agreement or understanding by which you take water from the works: Permit holder owns the works.
7. a) Briefly describe the works for diverting and conveying the water to the place of use, (If from a subterranean source, give the pump size, motor size, size of well casing, depth of well; if from surface water, give brief description of diversion structure and/or canal or ditch) Concrete head works and concrete canal. The dimensions are approximately 7 feet wide and 4 feet deep.
b) Describe the type and size of measuring device which you have installed at your point of diversion: None. At the time the application was filed no measuring device was required.
c) Give well drillers name and address and date the well was completed Not applicable

*Rim View Trout Co. claims a use right for the first 40 cfs with a priority dating from 1939. The balance of 60 cfs in the application is based upon a June 6, 1966, priority date. (See the Stipulation between Rim View Trout Co. and Idaho Power Co. on file in this file and in the Idaho Power Co. application, Permit No. _____). The domestic and irrigation right is part of the use right in the first 40 cfs. The balance of the application, i.e. 60.0 cfs, is entirely for fish propagation purposes.

RECEIVED
JAN 28 1993

May 15, 1973

Commercial State Bank
117 North 6th Street
Boise, Idaho 83702

Gentlemen:

A representative of this Department has made an examination of the works covered by your Permit No. 33448/36-2680 and has found the following:

Quantity of water diverted: 90.30 cfs

Amount of water that can be recognized as beneficially used under Idaho law: 90.30 cfs

The maximum quantity diverted shall not exceed 66,932.2 acre feet per year.

Beneficial use: Fish propagation purposes, domestic use and the irrigation of 3 acres within the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 10, Twp. 9S, Rge. 15E, B. M.

Point of diversion: NE $\frac{1}{4}$ NE $\frac{1}{4}$ (Lot #1), Sec. 10, Twp. 9S, Rge. 15E, B. M.

Priority date established: June 6, 1966

Domestic and irrigation use was not listed under the original permit, therefore, it will be necessary to amend the permit to include these uses before a water license can be issued. We have enclosed a partially completed application for amendment for your use in this matter. Please sign the amendment application and return it to this office with a \$10.00 filing fee within 10 days of the date of this letter in order that we may issue the water license as set forth above.

If you do not concur with these findings, or have any questions, please contact us within the 10 day period.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF:DR
Enc: Amendment form

cc: Mr. W. Lowell Bakes
2212 Norcrest, Boise, Idaho

36 2680

ENT MEMO - 1

RECEIVED

1973

30 P/ce
658 0.32 210
0/ce

231 cfs

BDF 5/19/73

SIGNATURE

JAN 28 1973
MICROFILMED

Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 36-7167 Priority March 18, 1971 Amount 50.0 cfs

THIS IS TO CERTIFY, that Rim View Trout Co. of Boise, Idaho, has complied with the terms and conditions of Permit No. 36-7167 issued pursuant to Application for Permit dated March 18, 1971, and has submitted proof to the Department of Water Resources on June 30, 1981, that he has applied water to a beneficial use; an examination by the Department indicates that the works have a capacity for the diversion of 140.9 cfs of water from Niagara Springs tributary to Snake River, and that the permit holder has applied to a beneficial use and established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Fish Propagation	from January 1 to December 31	at 50.0 cfs and	n/a
	from _____ to _____	cfs and	
	from _____ to _____	at _____ cfs and	

(both dates inclusive)

Subject, however, to the condition that no more than 50.0 cfs of water be diverted at any one time, and that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed n/a acre feet per year, said waters to be diverted within the Government Lot 1 (NE 1/4 NE 1/4) Section 10, Twp 9S, Rge 15E in the County of Gooding

Description and location of place of use:

Twp.	Range	Sec.	NE 1/4				NW 1/4				SW 1/4				Totals			
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4				
9S	15E	10	GL1	GL2	GL10	GL9												
			X	X	X	X												

Total number of acres irrigated _____

Facility Volume = 16.0 af
A measuring device of a type approved by this Department shall be maintained as a part of the diverting works.
Return water shall be treated to insure that the effluent meets Idaho Water Quality Standards.

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use herein described, and is subject to all prior water rights, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 30th day of MARCH, 1984.

Acting for the Director [Signature]

RECORDED

MICROFILMED

MAR 29 1984

116

36-07167

Identification No. 36-7167

Application No. _____

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
APPLICATION FOR PERMIT

APPROVED

To Appropriate the Public Waters of the State of Idaho
(TYPE OR PRINT IN INK)

1. Name of applicant Rim View Trout Co., a corporation
post office address Wendell, Gooding County, Idaho

2. Source of water supply Niagra Springs which is a tributary of Snake River

3. a. Location of point of diversion is NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 10 Township 9 S.
Range 15 E. B.M. Gooding County; additional points of diversion if any:
580 bearings S 12 degrees West from the NE corner Section 10 T. 9 S. R. 15 E. Boise Meridian, and more particularly in the NE 1/4 NE 1/4 (Lot 1) Section 10 T. 9 S. R. 15 E.

b. If water is not consumed, it will be discharged into Snake River at a point in NE $\frac{1}{4}$
of NE $\frac{1}{4}$ of Section 16 Township 9 S. Range 15 E. B.M. _____

4. Water will be used for the following purposes:
Amount 50 cfs for fish propagation purpose from January 1 to December 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated:
a. 50 cubic feet per second and/or
b. _____ acre feet per annum.

6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. concrete ditch

b. Height of storage dam NA feet, active reservoir capacity NA acre feet; total reservoir
capacity NA acre feet, materials used in storage dam: NA
Period of year during which storage will occur NA to _____ inclusive.
(Mo. Day) (Mo. Day)
c. Proposed well diameter is NA inches; proposed depth of well is _____ feet.

7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
is 5 years.
b. Estimated construction cost is \$ 20,000.00

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 10 Township 9 S.
Range R 15 E. B.M.
(2) Amount of power to be generated: NA hp under _____ feet of head.
(3) List number of each kind of livestock to be watered NA

(4) Name of municipality to be served NA, or number of families to be
supplied with domestic water _____
(5) If water is to be used for other purposes describe: Fish propagation (non-consumptive)
Construction additional raceways.

36 7167

MICROFILMED
JAN 28 1993

11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number. **(See map attached as Exhibit B)**

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.

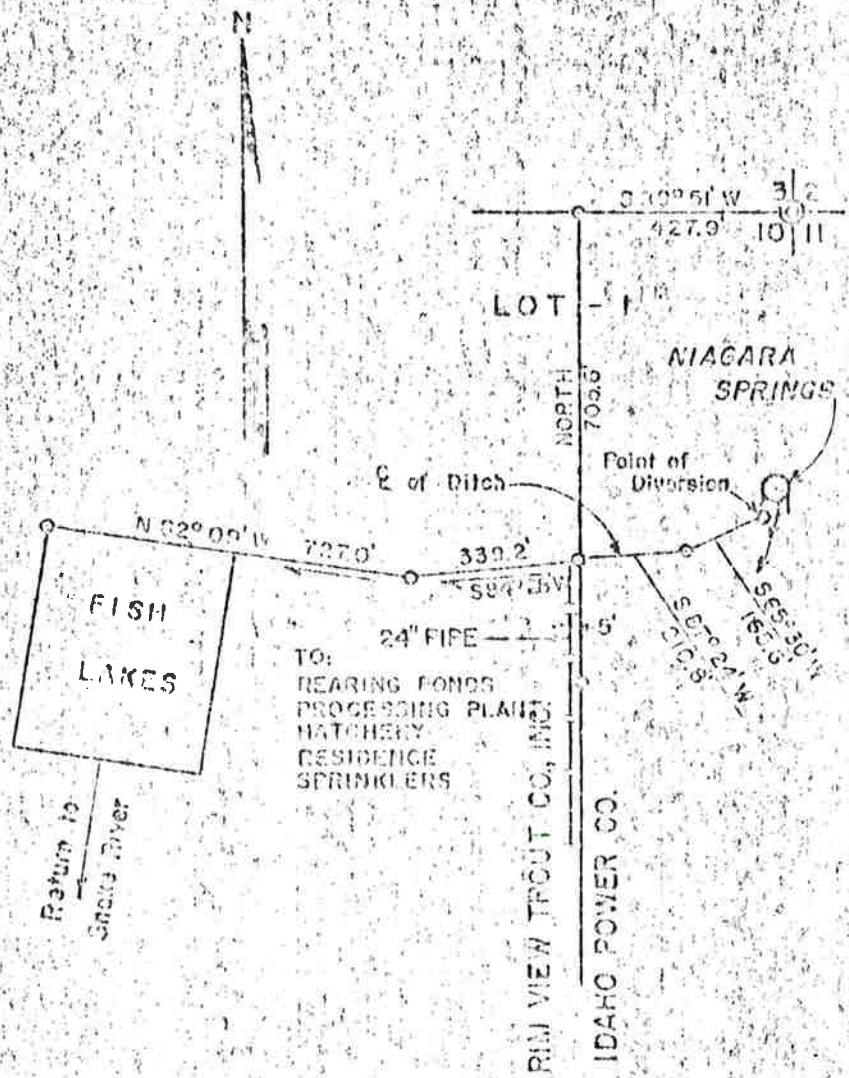
W. Lowell Baker
(Applicant) PRESIDENT

3607167

MICROFILMED

JAN 28 1993

T. 9 S., R. 15 E., B.M.



SURVEYOR'S CERTIFICATE

I, Orvie A. Jensen of Jerome, Idaho, a Land Surveyor licensed by the State of Idaho, do hereby certify that this map was made from notes taken during an actual survey made by me on May 28, 1966, and that it correctly represents the works described in the accompanying application.

Orvie A. Jensen

 (Professional Seal)

MAP TO ACCOMPANY APPLICATION FOR MICROFILMED
 BY: RIM VIEW TROUT CO., INC.
 WENDELL, IDAHO
 MAY 28, 1966
 Scale: 1 inch = 300 Feet
 EXHIBIT B

MICROFILMED
JAN 28 1993
 36 7167
 7167

Received by DEW Date 3-18-71 Time 4:39 PM

Preliminary check by DEW Fee \$ 100^{CG}

Received by ej Date 3-18-71 rec'd # 5770 given

Publication prepared by dr Date 3-24-71

Published in Gooding County Leader

Publication dates 4-1 & 4-8, 1971

Publication approved de Date 4-15-71

Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by DEW DR

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER ADMINISTRATION

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 36-7167, and said application is hereby APPROVED.

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

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before July 1, 1976.
- c. Other: The permit holder shall permanently install and maintain as part of the diverting works measuring devices at the points of diversion of a type approved by this Department.

2. Denial of said application is for the following reasons: _____

Witness my hand this 6th day of July, 1971.

R. Kent Higinbotham
Director

MICROFILMED
JAN 28 1993

CANAL EASEMENT

THIS INDENTURE, Made this 3rd day of October, 1966, by and between IDAHO POWER COMPANY, a corporation, with its principal place of business in Boise, Idaho, as party of the first part, and RIMVIEW TROUT COMPANY, a corporation, of Wendell, Idaho, as party of the second part:

WITNESSETH: That for ONE DOLLAR (\$1) and other valuable consideration, receipt of which is hereby acknowledged, the party of the first part does hereby convey and grant a canal right-of-way unto the Rimview Trout Company, its successors or assigns for the purpose of maintaining, reconstructing and enlarging a canal presently existing between the property of the second party across the property of the first party to Niagara Springs located in Gooding County, Idaho, more particularly described as follows, to-wit:

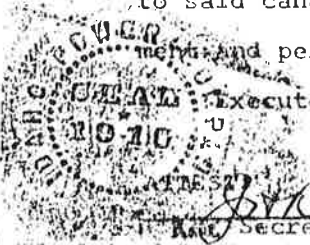
A strip of land twenty (20) feet in width extending ten (10) feet on either side of the center line of the existing Rimview Canal described as follows:

Beginning at a common corner to Sections 3, 2, 10 & 11, Township 9 South, Range 15 East, Boise Meridian; thence S. 89°51' W., 427.9 feet to a point, which point is the northwest property corner of Niagara Springs Tract No. 1; thence south along west boundary of Niagara Springs Tract No. 1 832.0 feet to a point more or less in center line of Rim View Ditch; thence N. 78°30' E., 139 feet to a point; thence East, 122 feet to a point; thence N. 77°30' E., 80 feet to a point; thence N. 59° E., 43 feet to a point, which is on the west edge of the main body of water of Niagara Springs, the point of diversion.

Also a strip of land five (5) feet in width beginning at a point along the center line of the existing Rimview canal approximately twelve (12) feet N. 78°30' E. of the west boundary line of the Niagara Springs Tract No. 1, where the existing 24" pipe enters said Rimview canal, said 5 foot strip extending southwesterly approximately Thirty (30) feet to the intersection of the west line of Niagara Springs Tract No. 1, and to generally follow the course of said existing 24" pipe from its inlet on the Rimview canal, to its outlet on the Rimview property.

For the purpose of performing construction work and maintenance, the second party shall have the use of such additional land adjacent to said canal as is reasonably necessary for the movement of equipment and personnel.

Executed this 5TH day of October, 1966.



J. H. Rogers
Notary Secretary

IDAHO POWER COMPANY
By H. M. Moore
Vice President

MICROFILMED
JAN 24 1967

STATE OF IDAHO)
) ss.
COUNTY OF ADA)

On this 5th day of October, 1966, before me, the undersigned,
a Notary Public, personally appeared H. R. Moore,
and J. H. Rogers, known to me to be the Vice
President and Assistant Secretary of Idaho Power Company, and
the persons executing the foregoing instrument on its behalf, and
acknowledged to me that said corporation executed the same.

IN WITNESS WHEREOF, I Have hereunto set my hand and affixed
my official seal, the day and year in this certificate first above



H. R. Moore
Notary Public for Idaho
Residing at Boise, Idaho

36 7167

Exhibit
back
copy

10223

RECEIVED
OCT 10 1966
IDAHO POWER COMPANY
BOISE, IDAHO

By J. H. Rogers
Assistant Secretary
Idaho Power Company
Boise, Idaho

MICROFILMED
JAN 28 1968

36-07167



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

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

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

April 4, 1983

RE: Permit No. 36-7167

Rim View Trout Co.
1301 Vista Ave.
Boise, ID 83705

Gentlemen:

A representative of this Department has made an examination of the works covered by your Permit No. 36-7167, and has found the following:

Amount of water that can be recognized as beneficially used under Idaho law: 50.0 cfs Source: Niagara Springs

The maximum quantity diverted shall not exceed ~~304,000~~ acre feet per year.

Point(s) of diversion: Gov. Lot 1(NE $\frac{1}{4}$ NE $\frac{1}{4}$), Sec. 10, Twp. 9S, Rge. 15E, Gooding County

Beneficial use: Fish Propagation use within Gov. Lot 1(NE $\frac{1}{4}$ NE $\frac{1}{4}$), Gov. Lot 2 (NW $\frac{1}{4}$ NE $\frac{1}{4}$), Gov. Lot 10(SW $\frac{1}{4}$ NE $\frac{1}{4}$), Gov. Lot 9(SE $\frac{1}{4}$ NE $\frac{1}{4}$), Sec. 10, Twp. 9S, Rge. 15E

Priority date established: March 18, 1971

Conditions (if any): Facility volume - 16.0 acre feet.
Return water shall be treated to insure that the effluent meets Idaho Water Quality Standards.

If you do not concur with these findings please contact us within 10 days, otherwise a water license will be issued as set forth above.

Sincerely,



JIM JOHNSON
Water Distribution Supervisor

JJ:kw

MICROFILMED

JAN 28 1983

36-07167

RIM VIEW TROUT COMPANY REVISED FROM 1/4/88 CONFIGURATION C.E. BROCKWAY
 7 FOOT RECTANGULAR SUPPRESSED WEIRS-WEST SIDE - *two side-by-side 57 THIS SIDE*

WIDTH 7.00 FT
 WEIR HT 1.50 FT
 GAGE ZERO READ 0.00 FT
 MAX GAGE READ 1.50 FT

3/29/1988 *Ralph Mellin*

$Q=3.33*L*((H+h)^{1.5}-h^{1.5})$ h= VELOCITY HEAD
 DISCHARGE IN CFS

		D I S C H A R G E C F S									
GAGE		0	0.01	0.02	0.03	0.04	0.05	0.06	0.07	0.08	0.09
READING	0	0.01	0.02	0.03	0.04	0.05	0.06	0.07	0.08	0.09	0.09
	0.3	3.83	4.02	4.22	4.42	4.62	4.83	5.03	5.25	5.46	5.68
	0.4	5.90	6.12	6.34	6.57	6.80	7.04	7.27	7.51	7.75	8.00
	0.5	8.24	8.49	8.74	8.99	9.25	9.51	9.77	10.03	10.30	10.56
	0.6	10.83	11.11	11.38	11.66	11.93	12.22	12.50	12.78	13.07	13.36
	0.7	13.65	13.95	14.24	14.54	14.84	15.14	15.44	15.75	16.06	16.37
	0.8	16.68	16.99	17.31	17.63	17.95	18.27	18.59	18.92	19.24	19.57
	0.9	19.90	20.24	20.57	20.91	21.24	21.58	21.93	22.27	22.61	22.96
	1.0	23.31	23.66	24.01	24.37	24.72	25.08	25.44	25.80	26.16	26.53
	1.1	26.89	27.26	27.63	28.00	28.37	28.75	29.12	29.50	29.88	30.26
	1.2	30.64	31.03	31.41	31.80	32.19	32.58	32.97	33.36	33.76	34.15
	1.3	34.55	34.95	35.35	35.75	36.16	36.56	36.97	37.38	37.79	38.20
	1.4	38.61	39.03	39.44	39.86	40.28	40.70	41.12	41.54	41.97	42.40
	1.5	42.82	43.25	43.68	44.11	44.55	44.98	45.42	45.86	46.29	46.73

		D I S C H A R G E C F S									
		C O R R E C T E D F O R V E L O C I T Y O F A P P R O A C H									
GAGE		0	0.01	0.02	0.03	0.04	0.05	0.06	0.07	0.08	0.09
READING	0	0.01	0.02	0.03	0.04	0.05	0.06	0.07	0.08	0.09	0.09
	0.3	3.86	4.05	4.25	4.45	4.66	4.87	5.08	5.30	5.52	5.74
	0.4	5.96	6.19	6.42	6.65	6.89	7.13	7.37	7.62	7.86	8.12
	0.5	8.37	8.63	8.88	9.15	9.41	9.68	9.95	10.22	10.49	10.77
	0.6	11.05	11.34	11.62	11.91	12.20	12.49	12.79	13.09	13.39	13.69
	0.7	13.99	14.30	14.61	14.92	15.24	15.56	15.88	16.20	16.52	16.85
	0.8	17.18	17.51	17.84	18.18	18.52	18.86	19.20	19.55	19.89	20.24
	0.9	20.60	20.95	21.31	21.66	22.03	22.39	22.75	23.12	23.49	23.86
	1.0	24.23	24.61	24.99	25.37	25.75	26.13	26.52	26.91	27.30	27.69
	1.1	28.09	28.48	28.88	29.28	29.69	30.09	30.50	30.91	31.32	31.73
	1.2	32.15	32.56	32.98	33.40	33.83	34.25	34.68	35.11	35.54	35.97
	1.3	36.40	36.84	37.28	37.72	38.16	38.61	39.05	39.50	39.95	40.40
	1.4	40.86	41.31	41.77	42.23	42.69	43.15	43.62	44.08	44.55	45.02
	1.5	45.49	45.97	46.44	46.92	47.40	47.88	48.37	48.85	49.34	49.83

MICROFILMED

JAN 28 1993

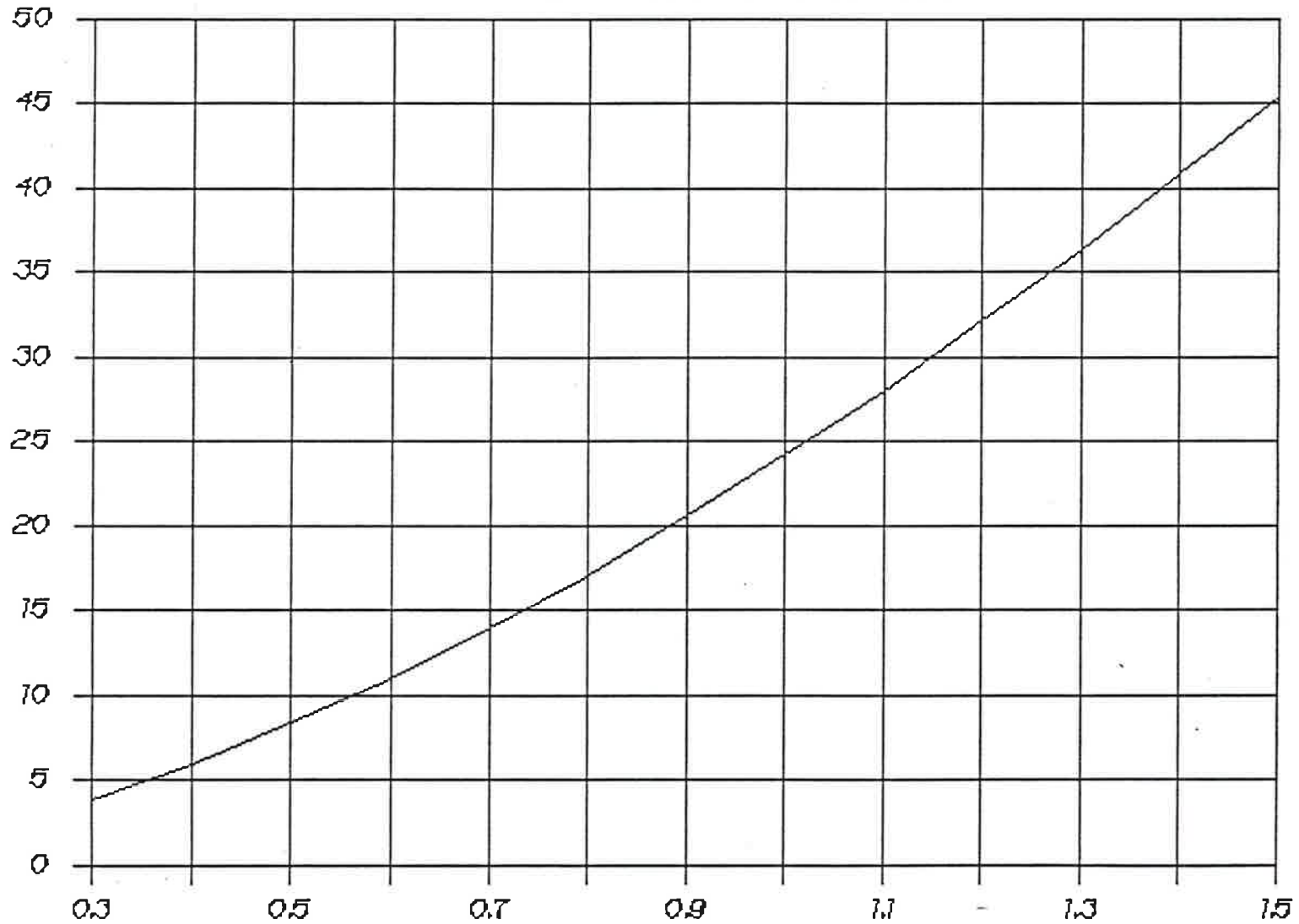
56
 78
 134

36-07167

DISCHARGE CFS

RIM VIEW TROUT COMPANY - WEST WEIRS

7 FT WEIR(S) DISCHARGE RATING CURVE



— REVISED 3/29/88

GAGE READING FT
C.E. BROCKWAY P.E.

MICROFILMED

JAN 28 1993

36-07167

RIM VIEW TROUT COMPANY

EAST POND TAILRACE WEIR

Discharge Rating Table*

STAFF GAGE FT	.00	.01	.02	.03	.04	.05	.06	.07	.08	.09
3.5	3.0	3.1	3.2	3.3	3.4	3.5	3.6	3.7	3.9	4.0
3.6	4.1	4.2	4.3	4.4	4.6	4.7	4.8	4.9	5.0	5.2
3.7	5.3	5.4	5.5	5.7	5.8	5.9	6.1	6.2	6.3	6.5
3.8	6.6	6.7	6.9	7.0	7.1	7.3	7.4	7.6	7.7	7.9
3.9	8.0	8.1	8.3	8.4	8.6	8.7	8.9	9.0	9.2	9.3
4.0	9.5	9.7	9.8	10.0	10.1	10.3	10.4	10.6	10.8	10.9
4.1	11.1	11.2	11.4	11.6	11.7	11.9	12.1	12.2	12.4	12.6
4.2	12.8	12.9	13.1	13.3	13.5	13.6	13.8	14.0	14.2	14.3
4.3	14.5	14.7	14.9	15.1	15.2	15.4	15.6	15.8	16.0	16.2
4.4	16.4	16.5	16.7	16.9	17.1	17.3	17.5	17.7	17.9	18.1
4.5	18.3	18.5	18.7	18.9	19.1	19.3	19.5	19.7	19.9	20.1
4.6	20.3	20.5	20.7	20.9	21.1	21.3	21.5	21.7	21.9	22.1
4.7	22.3	22.5	22.8	23.0	23.2	23.4	23.6	23.8	24.0	29.3
4.8	24.5	24.7	24.9	25.1	25.3	25.6	25.8	26.0	26.2	26.5
4.9	26.7	26.9	27.1	27.4	27.6	27.8	28.0	28.3	28.5	28.7
5.0	29.0	29.2	29.4	29.6	29.9	30.1	30.4	30.6	30.8	31.1

*Weir length 3.06 ft

Rectangular suppressed

Discharge corrected for velocity of approach

Zero of weir = 3.06 ft. on staff gage

C. E. Brockway, P.E.
September 19, 1981

MICROFILMED

JAN 28 1983

36-07167

for license # 2267

Rating charts for reconstructed weirs - received 6-20-88 from Chuck Brockway Ralph Mellin

RIM VIEW TROUT COMPANY C.E. BROCKWAY
10.5 FOOT RECTANGULAR SUPPRESSED WEIR-CENTRAL
WIDTH 10.50 FT
WEIR HT 2.33 FT
GAGE ZERO READ 0.00 FT
MAX GAGE READ 1.50 FT
 $Q=3.33*L*(H+h)^{1.5}-h^{1.5}$ h= VELOCITY HEAD
DISCHARGE IN CFS

REVISED 3/29/1988

		D I S C H A R G E C F S									
GAGE											
READING	0	0.01	0.02	0.03	0.04	0.05	0.06	0.07	0.08	0.09	0.10
	0.3	5.75	6.03	6.33	6.63	6.93	7.24	7.55	7.87	8.19	8.51
	0.4	8.85	9.18	9.52	9.86	10.20	10.55	10.91	11.27	11.63	11.99
	0.5	12.36	12.73	13.11	13.49	13.87	14.26	14.65	15.05	15.44	15.83
	0.6	16.25	16.66	17.07	17.48	17.90	18.32	18.75	19.18	19.61	20.03
	0.7	20.48	20.92	21.36	21.81	22.26	22.71	23.17	23.62	24.09	24.54
	0.8	25.02	25.49	25.96	26.44	26.92	27.40	27.89	28.37	28.86	29.33
	0.9	29.85	30.35	30.85	31.36	31.87	32.38	32.89	33.40	33.92	34.43
	1.0	34.97	35.49	36.02	36.55	37.08	37.62	38.16	38.70	39.24	39.77
	1.1	40.34	40.89	41.44	42.00	42.56	43.12	43.68	44.25	44.82	45.38
	1.2	45.96	46.54	47.12	47.70	48.28	48.87	49.45	50.04	50.63	51.21
	1.3	51.83	52.43	53.03	53.63	54.24	54.84	55.46	56.07	56.68	57.28
	1.4	57.92	58.54	59.17	59.79	60.42	61.05	61.68	62.32	62.95	63.57
	1.5	64.23	64.88	65.52	66.17	66.82	67.47	68.13	68.78	69.44	70.09
	1.6	70.76	71.43	72.10	72.76	73.43	74.11	74.78	75.46	76.14	76.81
	1.7	77.50	78.19	78.87	79.56	80.25	80.95	81.64	82.34	83.04	83.73

		D I S C H A R G E C F S									
		C O R R E C T E D F O R V E L O C I T Y O F A P P R O A C H									
GAGE											
READING	0	0.01	0.02	0.03	0.04	0.05	0.06	0.07	0.08	0.09	0.10
	0.3	5.76	6.06	6.35	6.65	6.96	7.27	7.59	7.91	8.23	8.55
	0.4	8.89	9.23	9.57	9.92	10.27	10.62	10.98	11.35	11.71	12.07
	0.5	12.46	12.84	13.22	13.61	14.00	14.39	14.79	15.19	15.60	16.00
	0.6	16.42	16.84	17.26	17.68	18.11	18.54	18.97	19.41	19.85	20.28
	0.7	20.75	21.20	21.66	22.12	22.58	23.04	23.51	23.99	24.46	24.93
	0.8	25.42	25.91	26.40	26.89	27.39	27.89	28.39	28.89	29.40	29.90
	0.9	30.43	30.94	31.47	31.99	32.52	33.05	33.58	34.12	34.66	35.19
	1.0	35.74	36.29	36.84	37.40	37.96	38.52	39.08	39.65	40.22	40.78
	1.1	41.36	41.94	42.52	43.11	43.69	44.28	44.88	45.47	46.07	46.66
	1.2	47.28	47.88	48.49	49.10	49.72	50.34	50.96	51.58	52.21	52.83
	1.3	53.47	54.10	54.74	55.38	56.02	56.67	57.32	57.97	58.62	59.27
	1.4	59.94	60.60	61.26	61.93	62.60	63.27	63.95	64.62	65.30	65.97
	1.5	66.67	67.36	68.05	68.74	69.44	70.14	70.84	71.54	72.25	72.95
	1.6	73.67	74.38	75.10	75.82	76.54	77.26	77.99	78.72	79.45	80.17
	1.7	80.92	81.66	82.40	83.14	83.89	84.64	85.39	86.14	86.90	87.65

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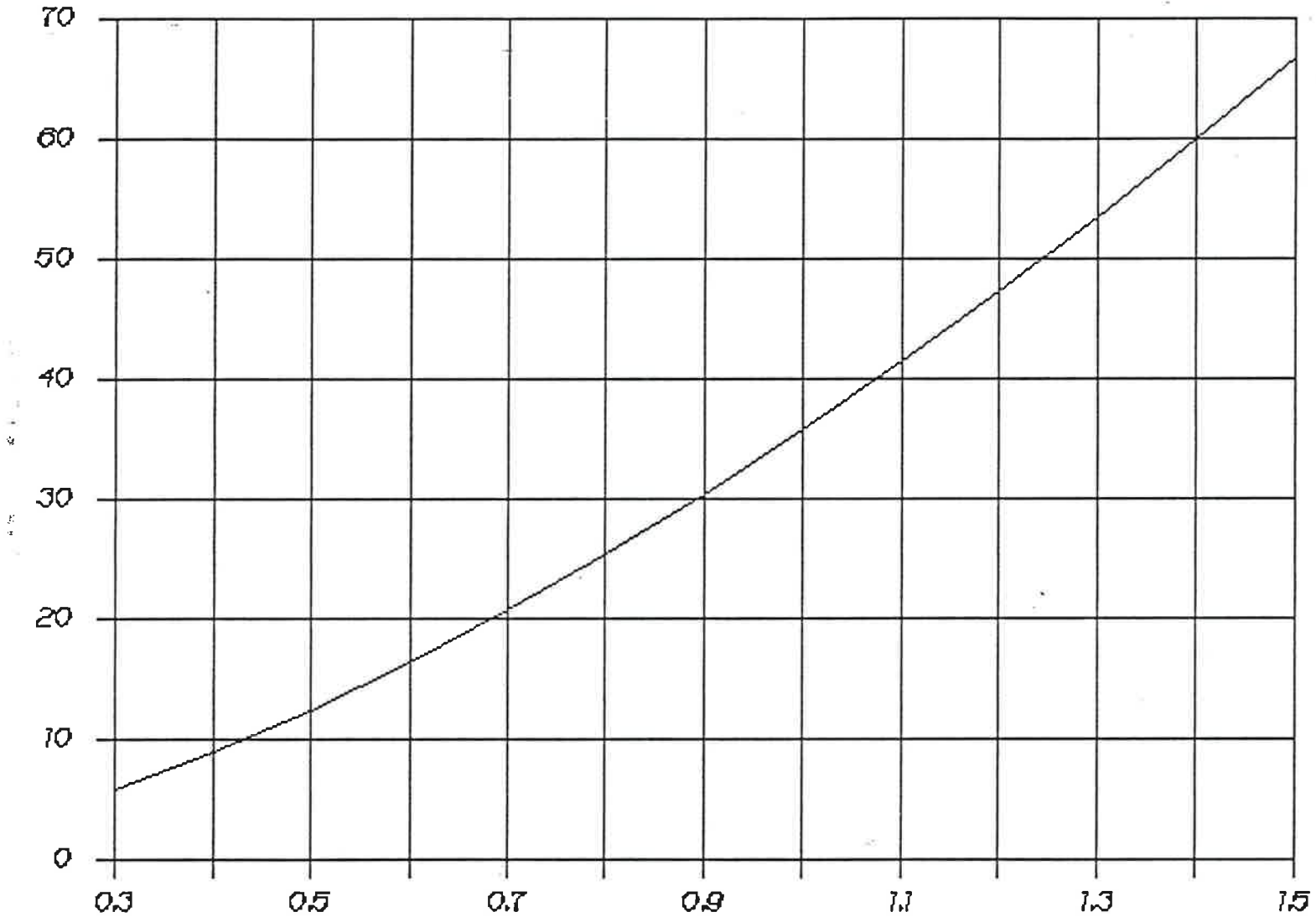
JAN 28 1983

36-07167

DISCHARGE CFS

RIM VIEW TROUT CENTRAL WEIR

RATING CURVE-10.5FT WEIR



REVISID 3/28/88

GAGE READING FT

C.E. BROCKWAY P.E.

MICROFILMED

JAN 28 1993

State of Idaho
DEPARTMENT OF WATER RESOURCES
FIELD REPORT

RESERVED

36-07167

DEC 18 1981

Department of Water Resources 36-7167

Permit No.

CONTACT WITH PERMIT HOLDER

	DATE	INITIALS	REMARKS
<input type="checkbox"/> Appointment letter mailed:	July 8, 1981		
<input type="checkbox"/> Telephone call made: (List Telephone No. used)			
<input type="checkbox"/> Appointment scheduled for: (Date, time, location)			

EXAMINATION

Date: Oct 1, 1981 Accompanied by CHUCK BROCKWAY Total Q measured 140.9 C.F.S.
 If source is surface water, estimate total flow of source ✓
 Methods of measurement WEIR - READINGS Meets Permit requirements? yes-

Measurement calculations: See CHUCK BROCKWAYS CERTIFIED MEASUREMENT.
 $140.9 \text{ C.F.S.} - 90.30 \text{ C.F.S. (Lic 36-2680)} = \overset{50.6}{\underline{\underline{49.70}}} \text{ C.F.S.}$
 $\text{Size of Ponds} \div 43560 \frac{\text{ft}^2}{\text{ac}} = \underline{\underline{16.0}} \text{ ac-ft.}$
 $1135128 \text{ ft}^3 = \underline{\underline{26.06}} \text{ ac-ft.}$ See attached calculations

WELL/DIVERSION* NO.	HP	MOTOR MAKE	MOTOR SERIAL NO.	PUMP MAKE	PUMP SERIAL NO.	MEASURING DEVICE TYPE	CONDITION OF MEAS. DEV.	REMARKS

System Description Spring water is collected in a concrete ditch (HEAD DITCH) and diverted water to THE concrete Raceways.

*Code with map on reverse side. Disregard code if only one.

RECOMMENDED AMOUNTS

USE	Q (cfs)	V (ft ³ /ac)	FROM	TO
<u>Fish Propagation</u>	<u>49.70 C.F.S.</u>	<u>16.0 ac-ft</u>	<u>JAN. 1</u>	<u>Dec 31</u>
	<u>50.6 cfs ✓</u>	<u>26.06</u>		
	<u>50.0</u>	<u>36,089.4</u>		
	<u>50.0</u>	<u>36,089.4</u>		
	<u>50.6</u>	<u>26.06</u>		
Total	<u>49.70 C.F.S.</u>	<u>16.0 ac-ft</u>		

Remarks THERE IS ANOTHER Lic# 36-2680 TO COVER THESE SAME PONDS.



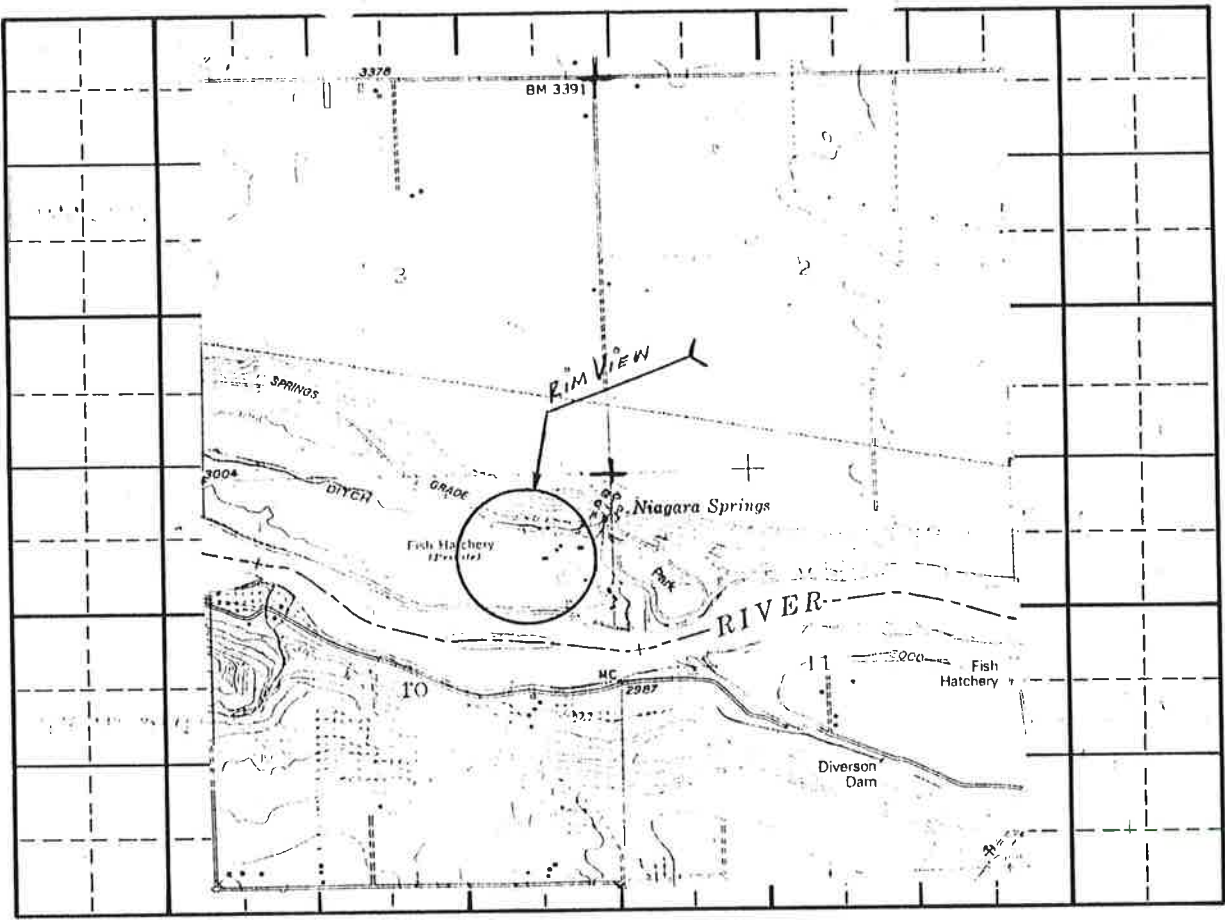
Overlap Review attached

MICROFILMED

JAN 28 1993

36-07167

MAP (Attach Aerial Photo)



SCHEMATIC DIAGRAM OF SYSTEM

(Include distance from pump to measuring device, if applicable.)

SEE ATTACHMENT

MICROFILMED

Point(s) of diversion: Lt 1 (NENE), Sec 10 ; TOWNSHIP 9 SOUTH
Range 15 EAST

Place(s) of Use

TWP.	RGE.	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS	
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼		
9S	15E	10		Lot 2	Lot 18	Lot 9														

Recommended Amendments:

- Change P.D. as reflected above
- Change P.U. as reflected above
- Add P.D. as reflected above
- Add P.U. as reflected above
- None
- Other

MICROFILMED

Examiner's Signature: Gary Junderburg
 Checked by: Sarah J. Blau
 Approved by: [Signature]

Date 12-2-1981
 Date 12-4-1981
 Date 3-3-83

Rim View 36-07167 10083

RECEIVED

DEC 18 1981

Department of Water Resources

D459
(9541)

B
5.2

A
11.8



Rim View
Hatchery

DEPARTMENT

Idaho
Power

RECREATION
AREA



MICROFILMED

JAN 28 1983

"NOT TO SCALE"

Overlap Review for 36-7167

License 36-2704 Niagara Springs

Note: this right is for a different fish propagation operations.

Aerial photo shows that Idaho Power (36-2704) & Rim View Trout (36-2680 & 36-~~2704~~⁷¹⁶⁷) are neighbors. No OverlapLicense 36-2680 Niagara Springs P/D G/LI (NENE)
Sec 10 T95 R15E
(same)P/O see attached
license copy

Q = Capacity 140.9 cfs
 - 90.3 cfs L 36-2680
50.6 cfs ✓ ← permit limits to 50.0 cfs

MICROFILMED

see attached page "Calculations"

RC 3/3/83

MICROFILMED

JAN 28 1984

Calculations

#	L	W	D		cubic feet
46	x 1.5	x 16	x 4	=	4416
28	x 4	x 55	x 4	=	24640
20	x 12	x 75	x 4	=	72000
12	x 6	x 75	x 4	=	21,600
18	x 12	x 100	x 4	=	86,400
15	x 10	x 161	x 4	=	96,600
10	x 16	x 161	x 4	=	103040
14	x 32	x 161	x 4	=	<u>288,512</u>

697,208 cubic ft

$$\frac{697208}{43560} = 16.0 \text{ Af - facility Volume}$$

$$\begin{aligned}
 V &= \text{Capacity } 140.9 \text{ cfs} \times 1.9835 \times 365 = 102,008.4 \\
 &\quad - \underline{65,919.0 \text{ L } 36-2680} \\
 &\quad \quad \quad 36,089.4
 \end{aligned}$$

MICROFILMED

MICROFILMED
JAN 28 1983

36-07167

C. E. BROCKWAY, P.E.
706 Sunrise Blvd. N.
Twin Falls, ID 83301

October 1, 1981

RECEIVED

DEC 18 1981

Department of Water Resources

Mr. Gary Funderburg
Idaho Department of Water Resources
1041 Blue Lakes Blvd. N.
Twin Falls, ID 83301

Re: Rim View Trout Co. License 36-2680 on Permit 36-7167.

Dear Gary:

The weir installations (4) at Rim View Trout Company have been completed in compliance with the waiver of the inlet measuring device. The four installations are standard rectangular suppressed weirs with permanent staff gages. I inspected all of the weirs on September 18, 1981 and all are constructed according to standards which will allow application of the Francis formula for calibration (See pg 23, USBR Water Measurement Manual).

I am enclosing rating tables prepared for each installation considering velocity of approach and correction to staff gage for zero shift.

On September 30, 1981, I inspected the facilities and observed discharges being utilized in the hatchery and ponds as measured by the four weirs. Discharges were as follows:

East tailrace weir	Reading 4.45'	Discharge	17.3
12 ft ponds tailrace weir	Reading 4.27'	Discharge	23.0
Central weir 16 ft ponds	Reading 4.43'	Discharge	57.1
West weir 16 ft ponds	Reading 4.19'	Discharge	43.5
Total			140.9 cfs

These discharges are valid measurements of the total water being used at the facility and being diverted from Niagara Springs to the Rim View Trout Company facilities on this date.

Sincerely,

C. E. Brockway, P.E.

enc.

cc: Earl Hardy



RECEIVED

RIM VIEW TROUT COMPANY
 EAST POND TAILRACE WEIR
 Discharge Rating Table*

RECEIVED
 36-07167
 DEC 18 1981
 Department of Water Resources

STAFF GAGE FT	.00	.01	.02	.03	.04	.05	.06	.07	.08	.09
3.5	3.0	3.1	3.2	3.3	3.4	3.5	3.6	3.7	3.9	4.0
3.6	4.1	4.2	4.3	4.4	4.6	4.7	4.8	4.9	5.0	5.2
3.7	5.3	5.4	5.5	5.7	5.8	5.9	6.1	6.2	6.3	6.5
3.8	6.6	6.7	6.9	7.0	7.1	7.3	7.4	7.6	7.7	7.9
3.9	8.0	8.1	8.3	8.4	8.6	8.7	8.9	9.0	9.2	9.3
4.0	9.5	9.7	9.8	10.0	10.1	10.3	10.4	10.6	10.8	10.9
4.1	11.1	11.2	11.4	11.6	11.7	11.9	12.1	12.2	12.4	12.6
4.2	12.8	12.9	13.1	13.3	13.5	13.6	13.8	14.0	14.2	14.3
4.3	14.5	14.7	14.9	15.1	15.2	15.4	15.6	15.8	16.0	16.2
4.4	16.4	16.5	16.7	16.9	17.1	17.3	17.5	17.7	17.9	18.1
4.5	18.3	18.5	18.7	18.9	19.1	19.3	19.5	19.7	19.9	20.1
4.6	20.3	20.5	20.7	20.9	21.1	21.3	21.5	21.7	21.9	22.1
4.7	22.3	22.5	22.8	23.0	23.2	23.4	23.6	23.8	24.0	29.3
4.8	24.5	24.7	24.9	25.1	25.3	25.6	25.8	26.0	26.2	26.5
4.9	26.7	26.9	27.1	27.4	27.6	27.8	28.0	28.3	28.5	28.7
5.0	29.0	29.2	29.4	29.6	29.9	30.1	30.4	30.6	30.8	31.1

*Weir length 3.06 ft
 Rectangular suppressed
 Discharge corrected for velocity of approach
 Zero of weir = 3.06 ft. on staff gage

C. E. Brockway, P.E.
 September 19, 1981

RECEIVED

Charles E. Brockway
 10/11/81
RECORDED
 JAN 28 1982

RIM VIEW TROUT COMPANY
 CENTRAL WEIR 16 FT PONDS
 Discharge Rating Table*

RECEIVED
 36-07167
 DEC 18 1981

Department of Water Resources

STAFF GAGE FT	.00	.01	.02	.03	.04	.05	.06	.07	.08	.09
3.5	9.9	10.3	10.6	11.0	11.3	11.7	12.1	12.4	12.8	13.2
3.6	13.6	14.0	14.4	14.8	15.2	15.6	16.0	16.4	16.8	17.2
3.7	17.7	18.1	18.5	18.9	19.4	19.8	20.3	20.7	21.2	21.6
3.8	22.1	22.5	23.0	23.5	23.9	24.4	24.9	25.4	25.9	26.3
3.9	26.8	27.3	27.8	28.3	28.8	29.3	29.8	30.3	30.9	31.4
4.0	31.9	32.4	33.0	33.5	34.0	34.6	35.1	35.6	36.2	36.7
4.1	37.3	37.8	38.4	39.0	39.5	40.1	40.7	41.2	41.8	42.4
4.2	43.0	43.5	44.1	44.7	45.3	45.9	46.5	47.1	47.7	48.3
4.3	48.9	49.5	50.1	50.7	51.4	52.0	52.6	53.2	53.9	54.5
4.4	55.1	55.8	56.4	57.1	57.7	58.3	59.0	59.6	60.3	61.0
4.5	61.6	62.3	63.0	63.6	64.3	65.0	65.6	66.3	67.0	67.7
4.6	68.4	69.1	69.8	70.4	71.1	71.8	72.5	73.2	73.9	74.7
4.7	75.4	76.1	76.8	77.5	78.2	79.0	79.7	80.4	81.1	81.9
4.8	82.6	83.3	84.1	84.8	85.6	86.3	87.1	87.8	88.6	89.3
4.9	90.1	90.8	91.6	92.4	93.1	93.9	94.7	95.5	96.2	97.0
5.0	97.8	98.6	99.4	100.2	100.9	101.7	102.5	103.3	104.1	104.9

*Weir length 10.5 ft
 Rectangular suppressed
 Discharge corrected for velocity of approach
 Zero of weir = 3.07 ft. on staff gage

C. E. Brockway, P.E.
 September 19, 1981

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C. E. Brockway, P.E.
 10/1/81
 MICROFILMED
 JAN 28 1993

RIM VIEW TROUT COMPANY
 WEST WEIR 16 FT. PONDS
 Discharge Rating Table*

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 36-07167
 DEC 18 1981

Department of Water Resources

STAFF GAGE FT	.00	.01	.02	.03	.04	.05	.06	.07	.08	.09
3.5	10.1	10.4	10.8	11.2	11.5	11.9	12.3	12.7	13.1	13.5
3.6	13.9	14.3	14.7	15.1	15.5	15.9	16.3	16.7	17.2	17.6
3.7	18.0	18.5	18.9	19.3	19.8	20.3	20.7	21.2	21.6	22.1
3.8	22.6	23.0	23.5	24.0	24.5	25.0	25.5	26.0	26.5	27.0
3.9	27.5	28.0	28.5	29.0	29.5	30.1	30.6	31.1	31.6	32.2
4.0	32.7	33.3	33.8	34.4	34.9	35.5	36.0	36.6	37.1	37.7
4.1	38.3	38.9	39.4	40.0	40.6	41.2	41.8	42.4	43.0	43.5
4.2	44.2	44.8	45.4	46.0	46.6	47.2	47.8	48.4	49.0	49.7
4.3	50.3	51.0	51.6	52.2	52.9	53.5	54.2	54.8	55.5	56.1
4.4	56.8	57.4	58.1	58.8	59.4	60.1	60.8	61.5	62.1	62.8
4.5	63.5	64.2	64.9	65.6	66.3	67.0	67.7	68.4	69.1	69.8
4.6	70.5	71.2	72.0	72.7	73.4	74.1	74.9	76.6	76.3	77.1
4.7	77.8	78.5	79.3	80.0	80.8	81.5	82.3	83.0	83.8	84.5
4.8	85.3	86.1	86.8	87.6	88.4	89.2	89.9	90.7	91.5	92.3
4.9	93.1	93.9	94.7	95.5	96.3	97.1	97.9	98.7	99.5	100.3
5.0	101.1	101.9	102.7	103.5	104.4	105.2	106.0	106.8	107.7	108.5

*Weir length 10.63 ft.
 Rectangular suppressed
 Discharge corrected for velocity of approach
 Zero of weir = 3.07 ft, on staff gage

C. E. Brockway, P.E.
 September 19, 1981

Charles E. Brockway
 10/1/81
 REGISTERED PROFESSIONAL ENGINEER
 STATE OF CALIFORNIA
 C. E. BROCKWAY

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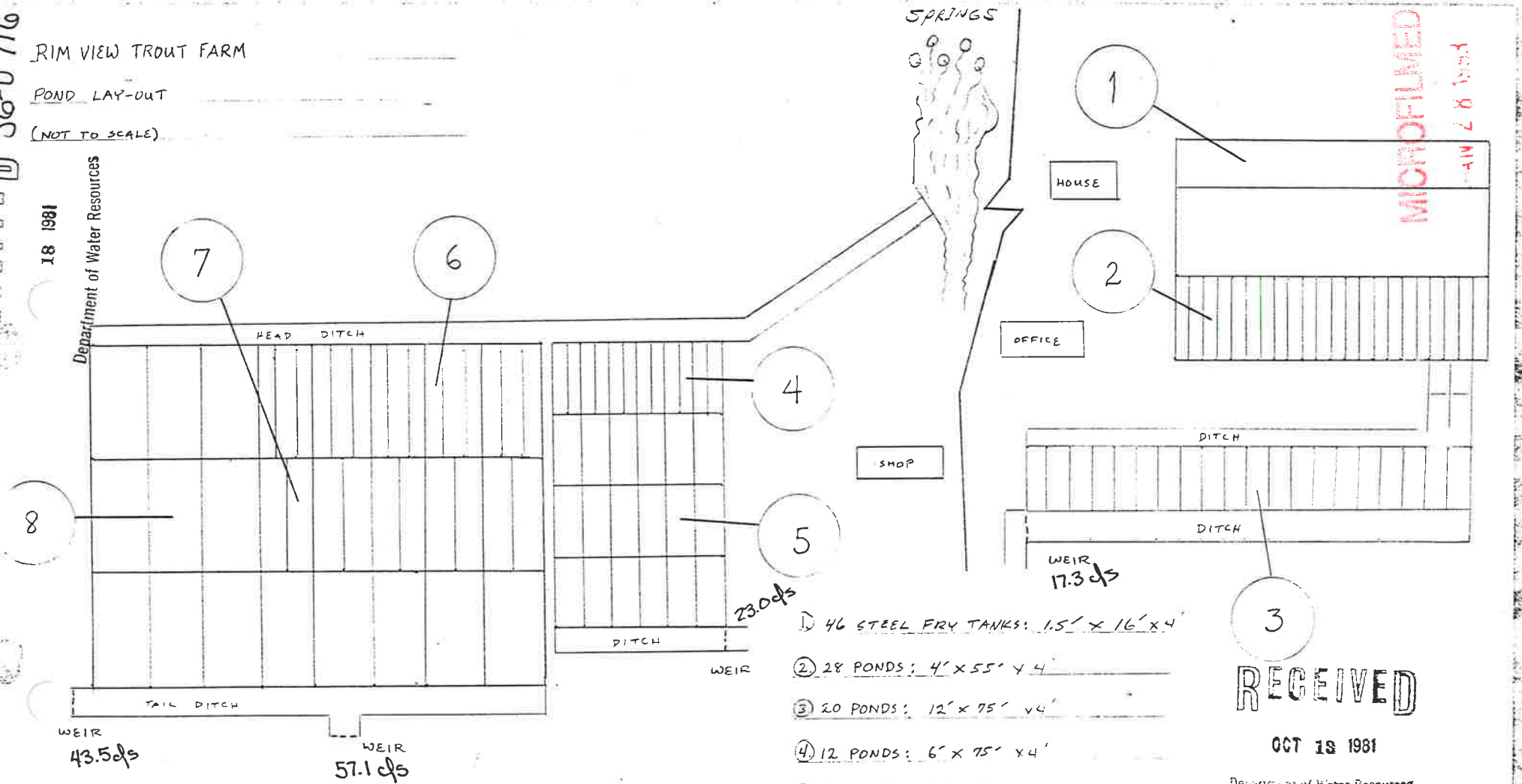
RIM VIEW TROUT FARM

POND LAY-OUT

(NOT TO SCALE)

Department of Water Resources

18 1981



- ① 46 STEEL FRY TANKS: 1.5' x 16' x 4'
- ② 28 PONDS: 4' x 55' x 4'
- ③ 20 PONDS: 12' x 75' x 4'
- ④ 12 PONDS: 6' x 75' x 4'
- ⑤ 18 PONDS: 12' x 100' x 4'
- ⑥ 15 PONDS: 10' x 161' x 4'
- ⑦ 10 PONDS: 16' x 161' x 21'
- ⑧ 14 PONDS: 32' x 161' x 4'

3

RECEIVED

OCT 18 1981

Department of Water Resources
Southern District Office

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M. Connolly 10-9-81

MICROFILMED

APR 27 1981

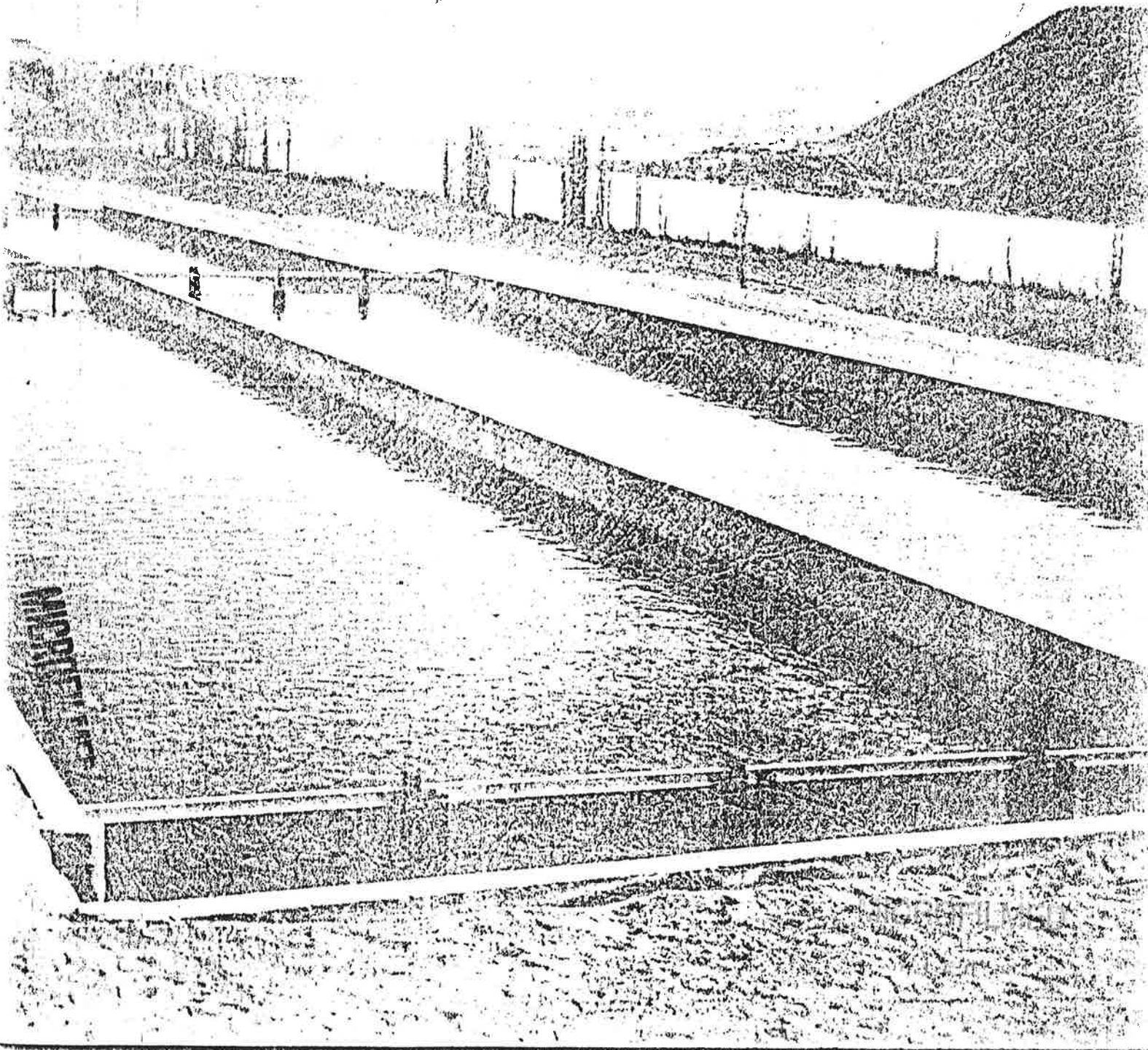
Johnson
36-07167

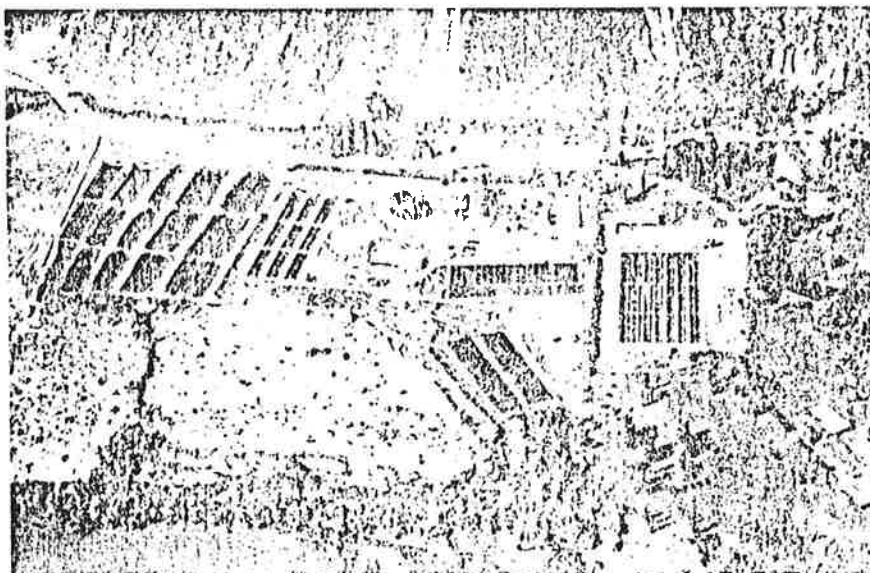
AQUACULTURE IN IDAHO

and Nationwide

March 1975

IDAHO DEPARTMENT OF WATER RESOURCES





RIMVIEW TROUT FARM

Rimview Trout Co., Inc.
 P.O. Box 7503
 Boise, Idaho 83705

Started in 1951

Map Location: P-15

Water Source: Niagra Springs

Water Flow: 130 CFS (Max.)
 95.3 CFS (Min.)

Water Discharge: Snake River

Water Temp.: 56-58°F 14.1°C

Water Chemistry:

Dissolved Oxygen	9.80 ppm	Alkalinity	-171 ppm
pH	-8.05	Conductivity	-1419 μ mhos
Nitrate	-1.09 ppm	Phosphate	0.21 ppm
Hardness (Calcium)	-137 ppm	Hardness (Total)	-222 ppm
Calcium	34 ppm	Sodium	34 ppm
Potassium	7 ppm	Magnesium	26 ppm

Fish Rearing Space: 360,000 cubic feet in 63 ponds

Water Replacement Time: 46.1-62.9 minutes

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JAN 28 1963

36-07167

1/24/69
5 2 2 10

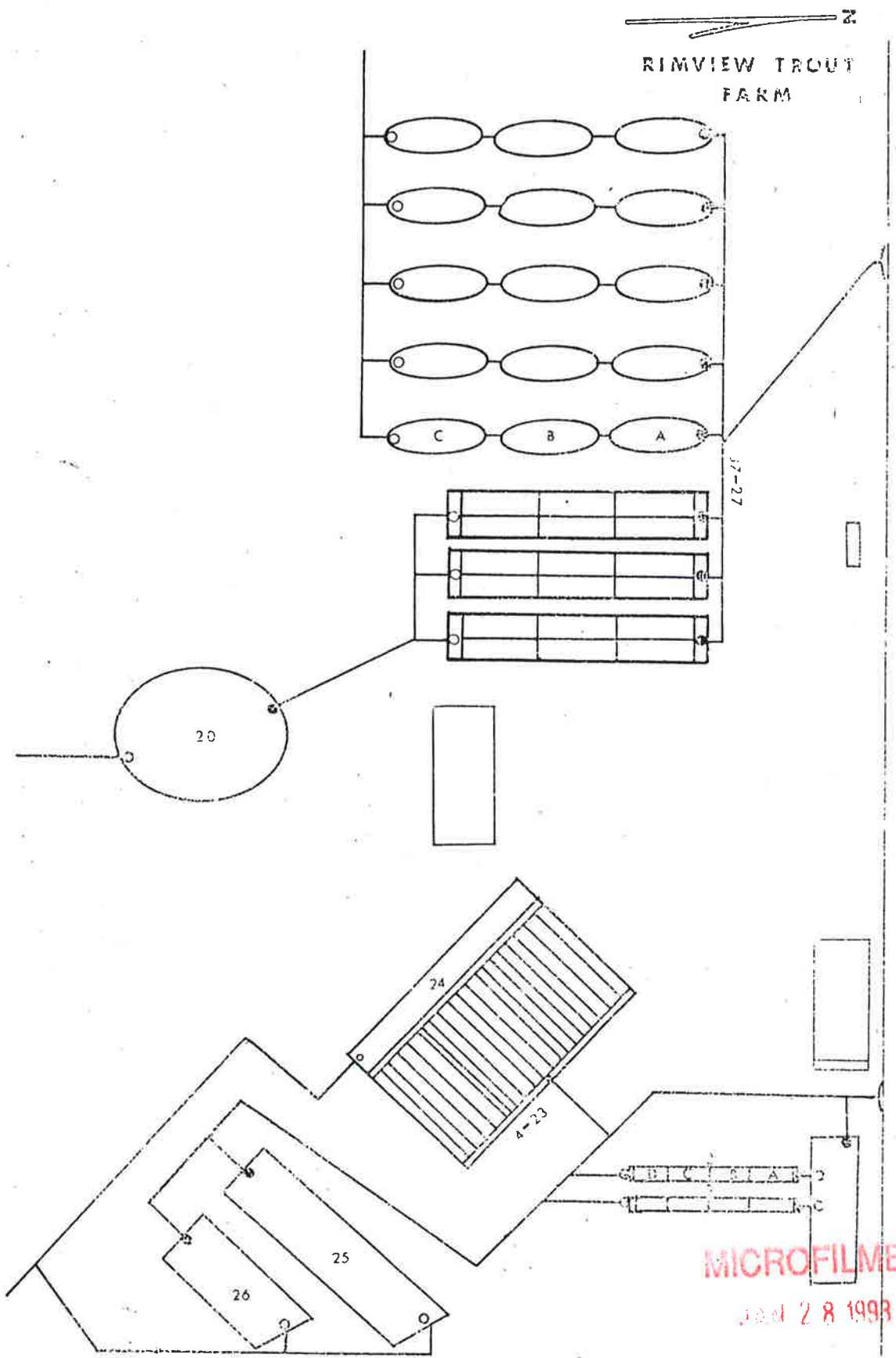


PLAT OF SURVEY
RIM VIEW TROUT CO.
 IN LOTS 1,2,9 & 10, SEC. 10
 T. 9 S., R. 15 E., B.M.
 GOODING CO., IDAHO
MARCH 19, 1969

RIM VIEW TROUT CO.
 IDAHO POWER CO.



Flow Diagram 22



APPROVED

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JAN 28 1993