

IDAHO DEPARTMENT OF WATER RESOURCES  
Proof Report

6/17/2020

Water Permit 47-7430

**Owner Type**      **Name and Address**  
Current Owner      BRENDA ELLIS  
13427 W SILVERBROOK DR  
BOISE, ID 83713  
(208) 376-0526

Current Owner      KENNETH ELLIS  
, ZZ

**Status:** Lapsed

**Source**

**Tributary**

**Beneficial Use**

**From**

**To**

**Diversion Rate**

**Volume**

**Source and Point(s) of Diversion**

**Place Of Use**

**Conditions of Approval:**

**Comments:**

**Dates and Other Information**

Water District Number: TBD

Mitigation Plan: False

**Combined Use Limits**

N/A

**SubCase:**

N/A

**Water Supply Bank:**

N/A



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS

January 26, 1989

RECEIVED

GOVERNOR

KEITH HIGGINSON

DIRECTOR

JAN 31 1989

Kenneth Ellis  
Rt. 5 Box 5053  
Buhl, ID 83316

Department of Water Resources  
Southern Region Office

RE: Permit to appropriate water no. 47-7430

Dear Mr. Ellis:

Approximately four weeks ago we discussed a request for extension of time regarding the above referenced permit which was denied because only one extension of time could be granted. As I recall, you stated that you were unaware of the denial. You also stated that you wish to contest the denial.

The department will consider a formal petition or request from you. Please be advised, however, that our files are replete with correspondence requesting that you provide information regarding how the litigation affected title to the water. According to our files, you did not respond to the request. The request for extension of time was denied, at least in part, because of your failure to respond to our inquiries.

Please call if you want to discuss this matter further.

Sincerely,

Gary Spackman, Manager  
Water Rights Permits Section

cc: Southern Region

47-7430

RECEIVED

RECEIVED

SEP 29 1987

Department of Water Resources  
Southern Region Office

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

REQUEST FOR EXTENSION OF TIME

To provide additional time in which to submit proof  
of beneficial use for a water right permit

For Office Use Only

\$15 FEE Received by 19

Date 10-1-87

Receipt # 45290

RECEIVED

OCT 01 1987

The Idaho Department of Water Resources will consider this form as a request that the permit holder(s) be granted an additional period of time in which to complete development of a water right under the provisions of Section 42-204, Idaho Code.

Permit No. 47-7430

Name(s) of Permit Holder: Kenneth & Brenda Ellis

Post Office Address: Rt 5 Box 5053

Buhl Idaho Telephone No. 543-4312

Date Proof Is Due: Oct 1, 1987

Describe what work has been completed toward the development of this water right: Diversion  
(This must be filled out! If no work has been completed, show "none".)

Works, Canals, Fish Ponds, were completed, a flood caused by the Twin Falls Canal Co. washed out a large portion of previously done work, we are in the process of Redoing the facility Costing \$ 60,000-

The permit holder(s) has been unable to complete the remainder of the work for the following reasons:

Litigation with Canal Co. / also litigation with the Mortgage holders. We have settled these issues and are now Ready To commence work.

Permit holder(s) request an extension to Oct. 1, 1991.  
(1 yr. minimum)

Kenneth Ellis  
(Signature)\*

FEE: \$15.00

\*IF OTHER THAN PERMIT HOLDER,  
POWER OF ATTORNEY MUST BE SUPPLIED.

ACTION OF THE DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above request for extension of time be DENIED, pursuant to Sec. 42-204, Idaho Code, which states that a permit holder may only be granted one extension of time.

Signed this 25<sup>th</sup> day of January, 19 88.

Director

47-7430

RECEIVED

For Office Use Only

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Date 10-1-87

Receipt # 45290

RECEIVED

JAN 20 1988

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

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RECEIVED

OCT 01 1987

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Director





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

11-Jul-1994 09:23

Mr. Carl Nellis  
Idaho Dept. of Fish & Game  
PO Box 428  
Jerome, ID 83338-0428

RE: Diversion Structure on Rock Creek

Dear Mr. Nellis:

Pursuant to your July 5th letter to Loren Holmes I have researched the water right records for the diversion structure on Rock Creek located in the NWNW S07, T11S, R18E. Our records indicate that the structure was probably developed pursuant to permits 47-07430, 47-07437 & 47-07438 in the name of Robert Meyers. These permits were later assigned to Kenneth & Brenda Ellis, Rt 5 Box 5053, Buhl, ID 83316. After assignment the permits then lapsed since proof of beneficial use was never submitted.

Please also note that a search of the SRBA notices of claims finds no claim has been filed for use of this structure.

At present there does not appear to be a valid water right for diversion from this structure.

In your letter you requested information on what mechanisms are in place for removal of the structure. I know of no mechanism for removal of the structure other than the requirement that if it is to be removed that a stream channel alteration permit must first be obtained.

If you have further questions please feel free to contact our office.

Sincerely,

Allen D. Merritt, P.E.  
Water Rights Supervisor

47-7430



**IDAHO FISH & GAME**

REGION 4

868 East Main Street / Box 428  
Jerome, Idaho 83338-0428

July 5, 1994

RECEIVED

JUL 08 1994

Water Resources  
Southwest Region Office

Mr. Loren Holmes  
Idaho Dept. of Water Resources  
222 Shoshone St. E.  
Twin Falls, Idaho 833301

**RE: Abandon Diversion - Rock Creek**

Dear Loren,

We are attempting to determine whether the diversion located just downstream of the 3400 N. Road (just east of the 3300 E. Road) NW 1/4 of the NW 1/4, Twsp. 11 S., Range 18 E. Sec. 7 on Rock Creek, has been abandoned. The structure has not been maintained for a number of years and in it's present condition is a fish passage barrier.

If this diversion is for a currently valid water right please provide the name of the person responsible for maintenance of the structure. If this diversion is truly abandoned we would like to request information on what mechanisms are in place for removal of the structure.

If we can provide further information or clarification of comments please contact Dave Parrish, Environmental Staff Biologist at this office (208) 324-4359.

Sincerely,

for Carl H. Nellis  
Magic Valley Regional Supervisor

cc: NRPB  
IDFG-Partridge



DEPARTMENT OF THE ARMY

WALLA WALLA DISTRICT, CORPS OF ENGINEERS

BUILDING 602, CITY-COUNTY AIRPORT

WALLA WALLA, WASHINGTON 99362

REPLY TO  
ATTENTION OF:

November 17, 1983

NPWOP-RM

NPW NO: 071-OYC-4-001634

Mr. John Rosholt  
Attorney at Law  
Post Office Box 1906  
Twin Falls, Idaho 83301

Dear Mr. Rosholt:

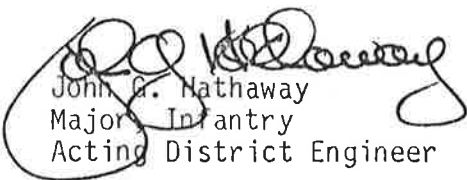
Thank you for your letter of October 20, 1983 concerning the diversion structure in Rock Creek. A Corps of Engineers permit was issued for this structure to Valley Trout Farms, Incorporated, of Buhl, Idaho, on March 30, 1982.

A field investigation of the diversion structure on November 3, 1983 indicates that some debris has accumulated in the structure. However, even if the structure were to become completely plugged with debris, it is our view that it would not cause a flood hazard due to its location in the Rock Creek Canyon. A more likely possibility is that high flows may flank the abutments of the diversion structure and cause it to wash out. If this occurred, a flood hazard should still not result.

It appears that the structure is not being maintained and we appreciate your bringing this to our attention. We have informed the permittee of responsibilities under the Corps permit to adequately maintain the structure.

We appreciate your interest in this matter. If you have further questions you may refer them directly to Dean Hilliard, telephone (509) 525-5500, extension 636.

Sincerely,

  
John G. Hathaway  
Major, Infantry  
Acting District Engineer



NELSON, ROSHOLT, ROBERTSON, TOLMAN & TUCKER  
ATTORNEYS AT LAW  
IDAHO FIRST NATIONAL BANK BUILDING  
P.O. BOX 1906  
TWIN FALLS, IDAHO 83301  
(208) 734-0700

DATE: 11/29/83

TO: Lorin Holmes

DWR

1041 Blue Lakes Blvd N.

TRF

RE:

Rock Creek - Meyers - Valley Trout

The enclosed ltr was received from the Corps concerning the obstruction by debris at the diversion facility in Rock Creek. I'm not excited about the answer if a Flood would happen otherwise. The Pannett Property Above could be flooded.

I'd appreciate Your Dept's views.

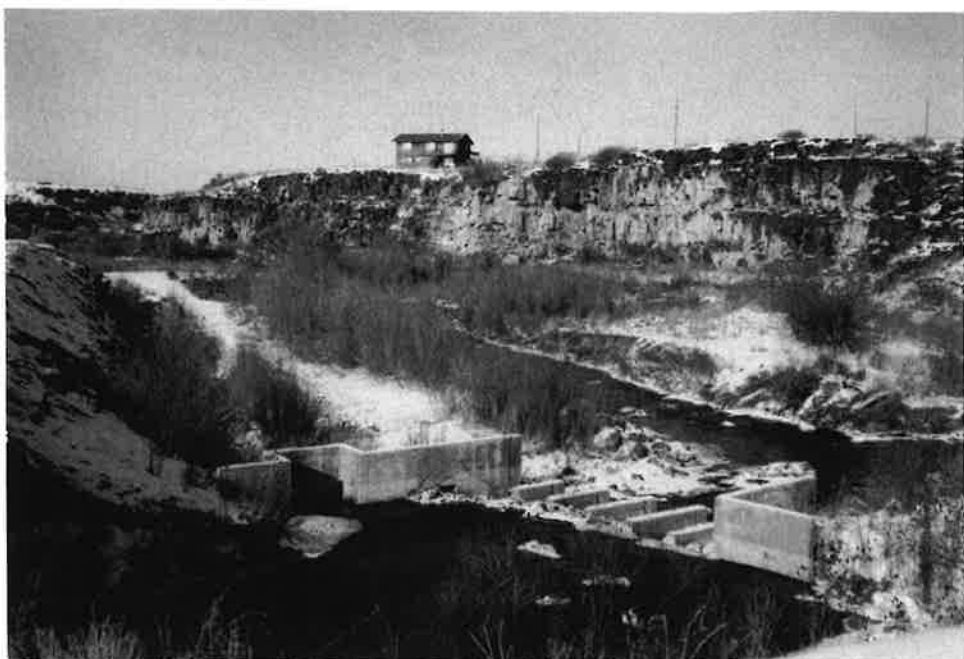
Meyers,

NELSON, ROSHOLT, ROBERTSON, TOLMAN & TUCKER

Tom Rosholt

BY

cc: County Commissioners  
Bill Hollifield  
Warren Travis



NELSON, ROSHOLT, ROBERTSON, TOLMAN & TUCKER  
Chartered

ATTORNEYS AT LAW

P.O. Box 1906  
TWIN FALLS, ID. 83303-1906  
TELEPHONE (208) 734-0700

THOMAS G. NELSON  
JOHN A. ROSHOLT  
J. EVAN ROBERTSON  
STEVE K. TOLMAN  
JAMES C. TUCKER

TIMOTHY M. WALTON

SUN VALLEY-KETCHUM OFFICE  
P.O. BOX 2399  
SUN VALLEY, IDAHO 83353  
TELEPHONE (208) 726-4491

October 20, 1983

Mr. Jim Fellows  
Department of the Army Corps  
of Engineers  
Building 602  
City-County Airport  
Walla Walla, WA 99362

Mr. Lorin Holmes  
Department of Water Resources  
1041 Blue Lakes Blvd., North  
Twin Falls, ID 83301

RE: Diversion Structure - Rock Creek

Gentlemen:

RECEIVED

OCT 21 1983

Department of Water Resources  
Southern District Office

47-7430

47-7437

47-7438

File  
2

The Twin Falls canal Company Board has asked that I write to you concerning that certain diversion structure in Rock Creek located just downstream from the property of Pat Parrot, formerly known as the Meyers Trout Farm. While I have not checked the current ownership records, my understanding was that it had been purchased by Valley Trout or one of their subsidiaries.

The Canal Company advises me that the structure is presently not being cared for and substantial weeds and other trash have accumulated at the diversion. In the event of unusually high run-off, or an emergency release from the canal, a possibility exists that the debris would act as a barrier and create a reservoir perhaps backing water onto the property of Parrot, and above, and when it eventually gave way, causing severe damage downstream.

The structure is not the responsibility of the Twin Falls Canal Company. Historically, we understand it was placed pursuant to a water permit issued by the state, but that no 404 permit had been issued by the Corps. We think a dangerous situation exists and would encourage either the breach or removal of the structure since it is not diverting water for any beneficial purpose at this time.

Mr. Jim Fellows  
Mr. Lorin Holmes  
October 20, 1983  
Page 2

The purpose of this letter is to put everyone on notice as to this dangerous condition.

Respectfully submitted,

A handwritten signature in cursive script that reads "John A. Rosholt".

JOHN A. ROSHOLT

cc: Mr. Warren Travis  
Ms. Ann Cover  
Mr. Marvin Hempleman  
Ms. Judy Felton  
Mr. Bill Hollifield

SEP 2 1982

For Office Use Only	
Fee Received	15.00
Date	9-23-82
Receipt #	24722

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCESREQUEST FOR EXTENSION OF TIME  
To provide additional time in which to submit  
proof of beneficial use on a water right permit

SEP 22 1982

Department of Water Resources  
Southern District OfficeKENNETH ELLIS  
(Name)of Buhl

(Address)

State of IDAHO, deposes and says:That he is the holder, or the duly authorized agent of the holder\*, of Permit to Appropriate the Public Water of the State of Idaho No. 47-7430.

That under the terms and conditions of said permit, work thereunder was required to be completed on or before

OCT 1, 19 82.

That he has heretofore performed the following work described under said permit: \_\_\_\_\_

(This must be filled out! If no work has been completed put none.)

PLACED FISH PROPOGATION FACILITIES ON PROPERTY, A  
DIVERSION STRUCTURE AND DISCHARGECosting \$ 85,000.00

That he is unable to complete the remainder of the work within the required time for the following reasons, to-wit:

THE DIVERSION ORIGINALLY IN THE STREAM DID NOT MEET  
APPROVAL OF THE CORPS OF ENGINEERS AND APPLICANT HAS  
JUST RECEIVED A REVISED PLAN FOR A STRUCTURE SUITABLE TO  
BOTH HIMSELF AND THE CORPS. WHICH WILL TAKE LONGER THAN  
OCT 1, 1982 TO CONSTRUCTWherefore, he asks that the Department of Water Resources extend the time for the completion of obligations under said permit to OCT 1, 19 87.  
(1 yr. minimum, 5 yrs. maximum)

NOTE  
AS OF JULY 1, 1980,  
THERE IS A \$15.00  
CHARGE FOR REQUESTS  
FOR EXTENSION OF  
TIME.

Kenneth Ellis  
(Signature)\*  
\*IF OTHER THAN HOLDER, Power of Attorney must be supplied.

## ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above application for extension of time be APPROVED and the time within which to submit the statement of beneficial use is extended to October 1, 1987.Signed this 4<sup>th</sup> day of October, 19 82.

J. Glen Saxton  
Chief, Operations Bureau

47-7430

*Spencer* [RECEIVED]

OK Jim

RECEIVED

State of Idaho

Department of Water Resources

NOV 5 1980

DEC 5 1980

ASSIGNMENT OF PERMIT

Department of Water Resources

I, ROBERT MEYER <sup>Department of Water Resources</sup> <sub>Southern District Office</sub>, hereby assign to KENNETH & BRENDA ELLIS  
of RT. 3, BOX 50, BOHL, IDAHO 83316  
Address

CHECK ONE



All my right, title, and interest in and to Permit No. 47-7430  
to appropriate the public waters of the State of Idaho.



The following described portion of my right, title, and interest in and to Permit  
No. \_\_\_\_\_ to appropriate the public waters of the State of Idaho.

(Describe that portion of the permit being assigned by listing the acreage within  
each 40-acre subdivision, the point of diversion and the amount of water in cubic  
feet per second for direct diversion, or acre feet for storage)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Made this 31st day of OCTOBER, 19 80.

Robert J. Meyers  
Permit Holder

Talia L. Meyers  
Spouse of Permit Holder

State of Idaho )  
County of TWIN FALLS ) ss.

On this 3rd day of November, 19 80, personally  
appeared before me the signer(s) of the above instrument, who duly acknowledged to me  
that he (she) (they) executed the same.

seal

Marjorie L. Bormier  
Notary Public residing at  
Boise, Idaho 83316

My commission expires:  
9/07/83

47-7430

RECEIVED

NOV 8 1977

Department of Water Resources  
Southern District Office

Identification No. \_\_\_\_\_

Application No. 47-7430

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT **APPROVED**

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

1. Name of applicant Robert J Meyers Phone: 733-4952  
post office address 454 Buckingham Drive, Twin Falls 83301
2. Source of water supply Rock Creek which is a tributary of Snake River
3. a. Location of point of diversion is NW  $\frac{1}{4}$  of NW  $\frac{1}{4}$  of Section 7 Township 11S  
Range 18E., B.M. Twin Falls County; additional points of diversion if any: \_\_\_\_\_
- b. If water is not consumed, it will be discharged into \_\_\_\_\_ at a point in NW  $\frac{1}{4}$   
of NW  $\frac{1}{4}$  of Section 7 Township 11S Range 18E., B.M. \_\_\_\_\_
4. Water will be used for the following purposes:  
Amount 30.0 cfs for fish prop. purpose from Jan. 1 to Dec. 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. 30.0 cubic feet per second and/or  
b. \_\_\_\_\_ acre feet per annum.
6. Proposed diverting works:  
a. Description of ditches, flumes, pumps, headgates, etc. headgate, ditches, ponds  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
b. Height of storage dam \_\_\_\_\_ feet, active reservoir capacity \_\_\_\_\_ acre feet; total reservoir  
capacity \_\_\_\_\_ acre feet, materials used in storage dam: \_\_\_\_\_  
Period of year during which storage will occur \_\_\_\_\_ (Mo. Day) to \_\_\_\_\_ (Mo. Day) inclusive.  
c. Proposed well diameter is \_\_\_\_\_ 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: NW  $\frac{1}{4}$  of NW  $\frac{1}{4}$  of Section 7 Township 11S  
Range 18E., B.M. \_\_\_\_\_  
(2) Amount of power to be generated: \_\_\_\_\_ hp under \_\_\_\_\_ feet of head.  
(3) List number of each kind of livestock to be watered \_\_\_\_\_  
\_\_\_\_\_  
(4) Name of municipality to be served \_\_\_\_\_, or number of families to be  
supplied with domestic water \_\_\_\_\_  
(5) If water is to be used for other purposes describe: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

47-7430

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

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
11S	18E	7						X											

Total number of acres to be irrigated \_\_\_\_\_

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

9. a. Who owns the property at the point of diversion Applicant

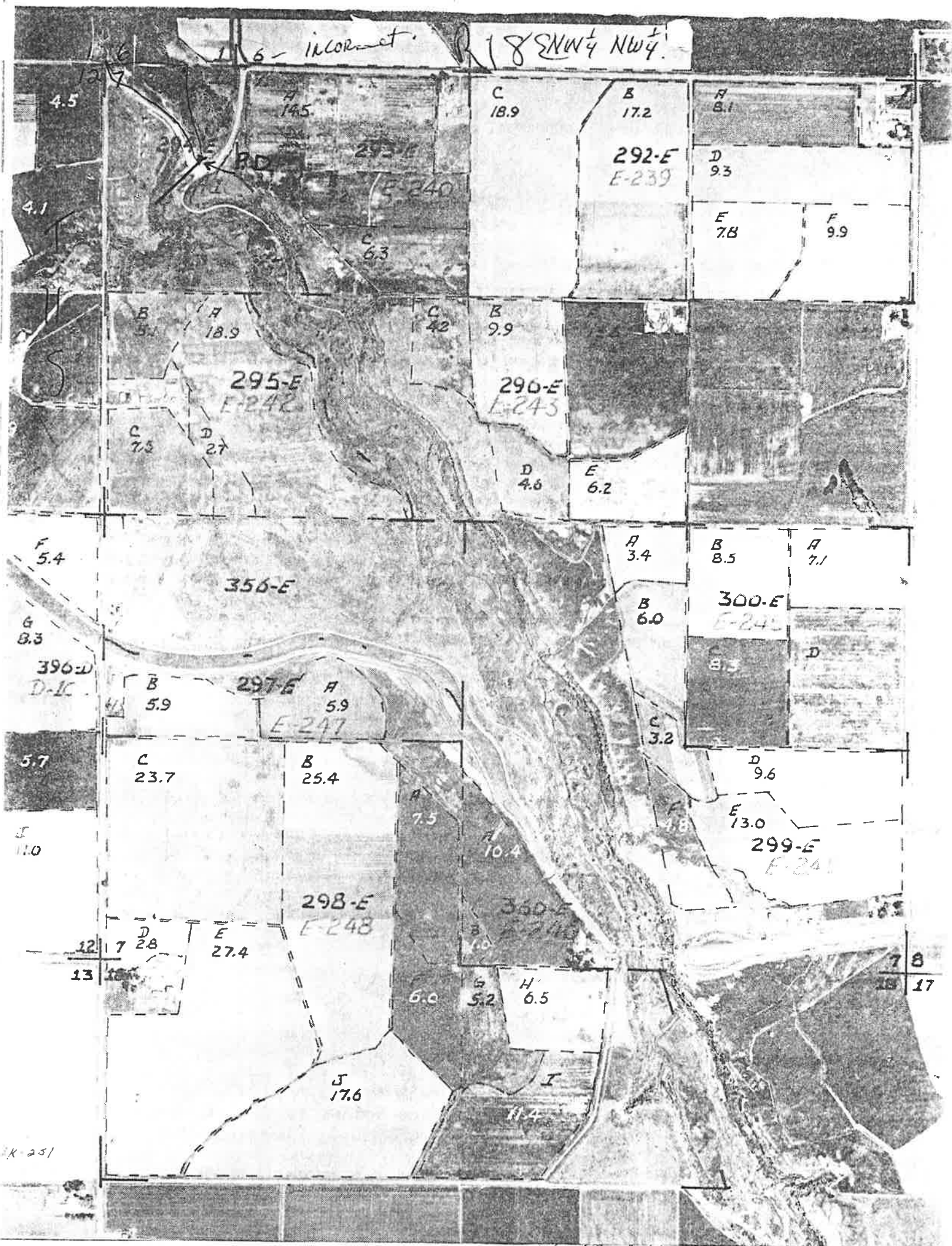
b. Who owns the land to be irrigated or place of use Applicant

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

10. Remarks \_\_\_\_\_



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



Robert J. Meyers  
(Applicant)

Proposed Priority 8/24/77

Received by AS Date 8/24/77 Time 12:30 PM.  
Preliminary check by ADM Fee \$ \$285.00 265<sup>00</sup>  
Receipted by JA Date 8-24-77 # 8725  
Publication prepared by BJ Date 8/31/77  
Published in Times News  
Publication dates 9/8 & 9/15/77  
Publication approved #9 Date 7/28/77  
Priority reduced to \_\_\_\_\_ Reason \_\_\_\_\_

Protests filed by: \_\_\_\_\_

Copies of protests forwarded by \_\_\_\_\_

Hearing held by \_\_\_\_\_ Date \_\_\_\_\_

Recommended for approval denial by W. H. H.

#### ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 47-7430, 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 October 1, 19 82.

c. Other: For licensing purposes a scientific measurement of the diversion rate of the system as it is normally operated shall be provided by either properly installing an approved type of measuring device or by having a professional engineer certify the rate of diversion to the Department prior to submitting proof of beneficial use

2. of water.

Witness my hand this 7 day of November 19 77.

  
Director



REPLY TO  
ATTENTION OF

NPWOP-NR

NPW NO: 071-OYC-4-201634  
Valley Trout Farms Incorporated

DEPARTMENT OF THE ARMY  
WALLA WALLA DISTRICT, CORPS OF ENGINEERS  
BUILDING 602, CITY-COUNTY AIRPORT  
WALLA WALLA, WASHINGTON 99362

RECEIVED

AUG 20 1981

Department of Water Resources  
Eastern District Office  
13 August 1981

PUBLIC NOTICE

FILL FOR DIVERSION  
ROCK CREEK, IDAHO

Application has been made for a Department of the Army Permit under Section 404 of the Clean Water Act. The applicant proposes to maintain and continue use of a concrete diversion structure and to place approximately 50 cubic yards of riprap along the wingwalls. The riprap will extend beyond the wingwalls to prevent erosion in the event the structure is overtopped by high flows. The structure is shown on the attached sketch.

Purpose: The purpose of the activity, as explained by the applicant, is to divert water from Rock Creek to their trout ponds.

Name of Applicant: Valley Trout Farms Incorporated, Route 3, P.O. Box 50, Buhl, Idaho 83316. For additional information, contact Ken Ellis, telephone (208) 543-8244. For information from the Corps of Engineers, contact Jim Fellows or Aletha Werner at (509) 525-5500, extension 682 or 669, FTS telephone 8-442-5682 or 5669, respectively.

Waterway and Location: Rock Creek, Sec. 7, T.11S., R.18E., B.M., Twin Falls County, Idaho.

Plans: Shown on the attached drawing sheet.

Other Authorizations: Other authorization obtained or requested includes, but is not necessarily limited to, an Idaho Department of Water Resources Permit (Exempt).

Certification: This will also serve as public notice of the intent of the Idaho Department of Health and Welfare, Statehouse, Boise, Idaho 83720, to consider certifying that the project of discharge described herein will not violate existing water quality standards and that the permit will not be issued until such certification, as required by Section 401 of the Clean Water Act, has been issued by State of Idaho.

Environmental Impact Statement: Preliminary determinations indicate that the proposed activity would not significantly affect the quality of the human environment; and an Environmental Impact Statement is not considered necessary at this time.

13 August 1981

Historical and Archaeological Values: Current knowledge of the permit area indicates no known scientific, historic, architectural, or archaeological resources would be affected by work or structures that may be authorized by the pending Department of the Army Permit. Initial review shows that the area has been extensively modified by previous work, and potentially eligible National Register properties that may have at one time existed within the permit area have been lost.

No further review under 36 CFR 800 is justified at this time. Should any information concerning cultural resources in the permit area be received during the permit review process, further steps under 36 CFR 800 may be initiated.

Floodplain Management: The proposed activity will be reviewed in accordance with Executive Order 11988, "Floodplain Management," dated 24 May 1977. This review will also include evaluation of the proposed activity for conformance with appropriate State and local floodplain standards, consideration of alternatives in order to avoid, to the extent possible, the long and short term adverse impacts associated with occupying and modifying floodplains.

Endangered Species: Preliminary determinations indicate that the proposed activity should not affect an endangered species or their critical habitat designated as endangered or threatened pursuant to the Endangered Species Act of 1973. Formal consultation with the Department of Interior pursuant to Section 7 of the Act should not be required.

Comments:

a. Interested parties are requested to submit in writing any comments or objections that they may have to the proposed work.

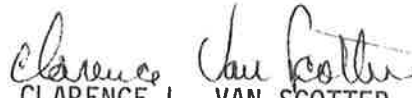
b. The decision whether to issue a permit will be based on an evaluation of the probable impact of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits which reasonably may be expected to accrue from the proposal must be balanced against its reasonable foreseeable detriments. All factors which may be relevant to the proposal will be considered; among those are conservation, economics, aesthetics, general environmental concerns, historic values, fish and wildlife values, flood damage prevention, land use classification, navigation, recreation, water supply, water quality, energy needs, safety, food production, and in general, the needs and welfare of the people. The evaluation of the impact of the activity on the public interest will include application of the guidelines promulgated by the Administrator, EPA, under authority of Section (404)b of the Clean Water Act. Any person may request, in writing, within the comment period specified in this notice that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing.

NPWOP-NR

NPW NO: 071-OYC-4-201634

13 August 1981

c. Replies should be mailed to reach this office not later than 13 September 1981. Lack of response to this public notice within the designated comment period will be interpreted as concurrence with the work or structure described herein.



CLARENCE L. VAN SCOTTER

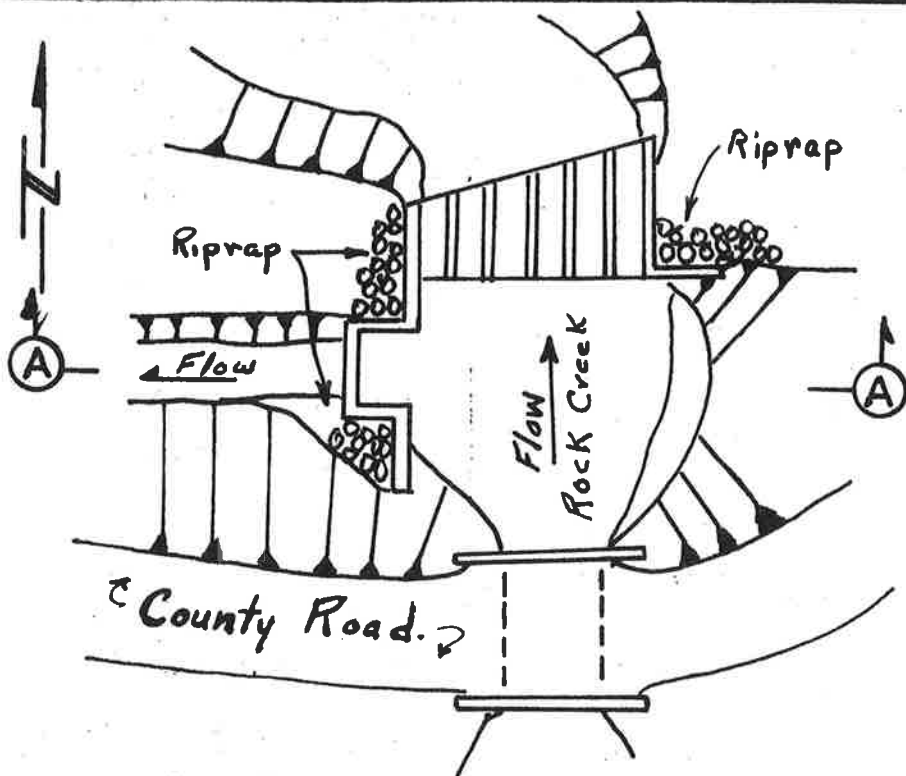
Chief, Navigation and Regulatory  
Functions Branch

DEPARTMENT OF THE ARMY  
U.S. ARMY ENGINEER DISTRICT, WALLA WALLA  
CORPS OF ENGINEERS  
BLDG. 602, CITY-COUNTY AIRPORT  
WALLA WALLA, WASHINGTON 99362

OFFICIAL BUSINESS  
PENALTY FOR PRIVATE USE \$300

POSTAGE AND FEES PAID  
DEPARTMENT OF THE ARMY  
DoD - 314

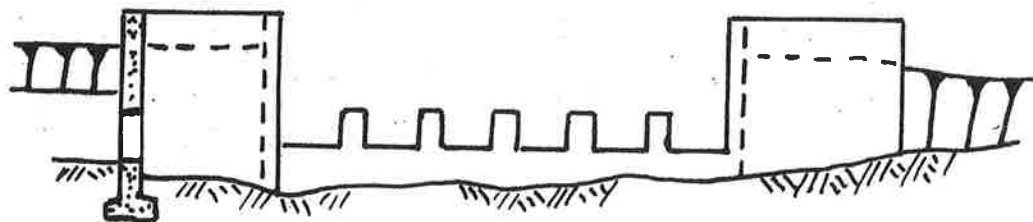
\*MR. BILL RHOADES  
DISTRICT OFFICE  
IDAHO DEPARTMENT OF WATER RESOURCES  
~~1515 LINCOLN ROAD~~ 150 Sharp  
IDAHO FALLS, ID 83401



PLAN VIEW



From



SECTION A-A

Note: No Scale.

1. PURPOSE: Diversion for trout farm.
2. DATUM PLANE:
  - a. HIGH WATER
  - b. LOW WATER
3. NAME AND ADDRESS OF OWNERS Valley Trout Company  
c/o Ken Ellis  
Rt 3 Box 50  
Buhl, Id. 83316
4. COMMERCIAL ☒ /  
NONCOMMERCIAL ☐

IN Rock Creek  
IN/NEAR Sec. 7 T. 11 S., R. 18 E., B. M.  
Twin Falls COUNTY, Idaho

DATE: 7-22-80 SHEET 1 OF 1

071-0YC-4-201634