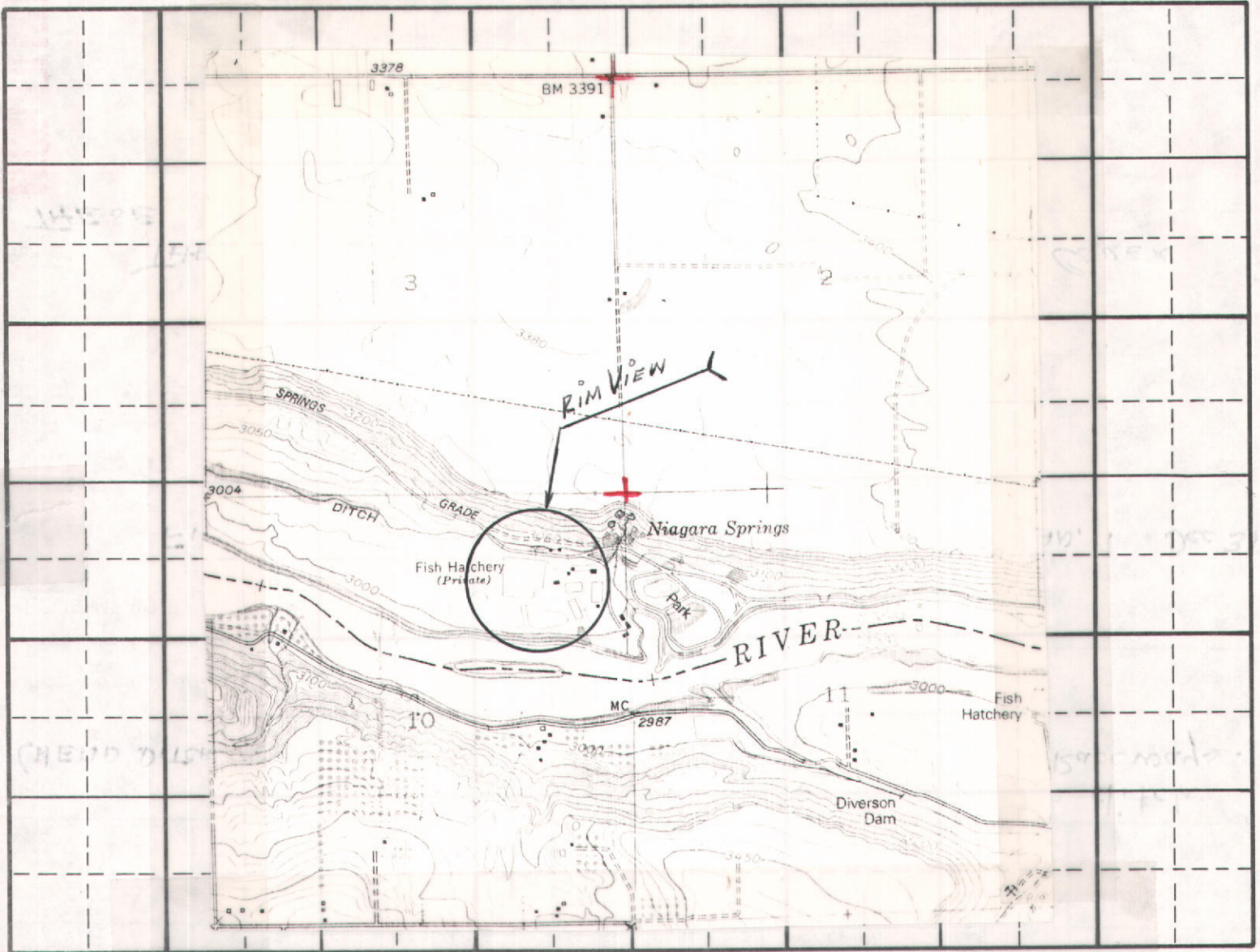


MAP (Attach Aerial Photo)



SCHMATIC 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   | <del>SE¼</del> | Lot 2 | Lot 10 | Lot 9 |     |     |     |     |     |     |     |     |     |     |     |     |        |
|      |      |      | LT 1           |       |        |       |     |     |     |     |     |     |     |     |     |     |     |     |        |
|      |      |      |                |       |        |       |     |     |     |     |     |     |     |     |     |     |     |     |        |
|      |      |      |                |       |        |       |     |     |     |     |     |     |     |     |     |     |     |     |        |

Recommended Amendments:

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

Examiner's Signature: Gary J. Underburg      Date: 12-2-1981  
 Checked by: Terry J. Blau      Date: 12-4-1981  
 Approved by: [Signature]      Date: 3-3-83

36-7167

Rim View

16083

RECEIVED

DEC 18 1987

Department of Water Resources

D459  
(954d)

|     |      |
|-----|------|
| B   | A    |
| 5.2 | 11.8 |

Rim View Hatchery

Idaho Power

RECREATION AREA

MICROFILMED

10'

"NOT TO SCALE"



State of Idaho  
Department of Water Resources

RECEIVED

APR 6 1984

WATER RIGHT LICENSE

Department of Water Resources  
Southern District Office

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<br><u>Propagation</u> | from <u>January 1</u> to <u>December 31</u> at <u>50.0</u> cfs and <u>n/a</u> |                   |               |
|                            | from _____ to _____ at _____ 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 $\frac{1}{4}$ NE $\frac{1}{4}$ )  
Section 10, Twp 9S, Rge 15E in the County of Gooding

Description and location of place of use:

| 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 $\frac{1}{4}$ |        |
| 9S   | 15E   | 10   | GL1<br>X         | GL2<br>X         | GL10<br>X        | GL9<br>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 30<sup>TH</sup> day of  
MARCH, 1984.

Acting for the Director [Signature]

36-7167

1124

State of Idaho  
Department of Water Administration

LICENSE OF WATER RIGHT

License of Water Right No. 33448/36-2680 Priority June 6, 1966 Amount 90.30 cfs

THIS IS TO CERTIFY, that COMMERCIAL STATE BANK ~~the~~ Rim View  
of Boise, Idaho, has complied with the terms and conditions of Permit  
No. 33448/36-2680 issued pursuant to Application for Permit dated June 6, 1966,  
and has submitted proof to the Department of Water Administration on February 8, 1972,  
that he has applied water to a beneficial use; an examination by the Department indicates that the  
works have a capacity of 90.30 cfs, and that the water has in fact been applied to a  
beneficial use; a right to the use of water from Niagara Springs  
tributary of the Snake River, is hereby confirmed in the following amounts:

Amount 90.30 cfs for Fish Propagation from Jan. 1 to Dec. 31 (both dates inclusive)  
Amount \_\_\_\_\_ for \_\_\_\_\_ from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)  
Amount \_\_\_\_\_ for \_\_\_\_\_ from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)

Subject, however, to the condition that no more than 90.30 cfs of water be diverted at  
any one time, said waters to be diverted within the \_\_\_\_\_

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

in the county of Gooding; and that the amount of water so diverted and to which such  
right is entitled and confirmed is for the purposes aforesaid and is limited to the amount which can  
actually be beneficially used and shall not exceed 65,919 acre feet per year ~~or~~ \_\_\_\_\_

~~XXXX feet per year.~~

Description and location of place of use:

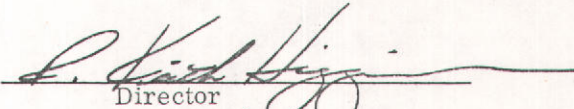
| TWP. | RANGE | SEC. | NE $\frac{1}{4}$ |                  |                  |                  | NW $\frac{1}{4}$ |                  |                  |                  | SW $\frac{1}{4}$ |                  |                  |                  | SE $\frac{1}{4}$ |                  |                  |                  | 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 $\frac{1}{4}$ |        |
| 9 S  | 15 E  | 10   | X                |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |

Total number of acres irrigated \_\_\_\_\_

Use of water under this license is affected by an agreement and stipulation between  
Idaho Power Company and Rim View Trout Company, Inc., dated October 5, 1966.

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 19 day of  
June, 19 73.

  
Director

36 2680

State of Idaho  
Department of Water Administration

LICENSE OF WATER RIGHT

License of Water Right No. 32711/36-2704 Priority Jan. 31, 1966 Amount 132.0 cfs

THIS IS TO CERTIFY, that IDAHO POWER COMPANY  
of Boise, Idaho, has complied with the terms and conditions of Permit  
No. 32711/36-2704 issued pursuant to Application for Permit dated January 31, 1966,  
and has submitted proof to the Department of Water Administration on March 1, 1967,  
that he has applied water to a beneficial use; an examination by the Department indicates that the  
works have a capacity of 132.0 cfs, and that the water has in fact been applied to a  
beneficial use; a right to the use of water from Niagara Springs  
tributary of the Snake River, is hereby confirmed in the following amounts:  
Amount 132.0 cfs for fish propagation from Jan. 1 to Dec. 31 (both dates inclusive)  
Amount 132.0 cfs for fire protection from Jan. 1 to Dec. 31 (both dates inclusive)  
Amount 0.04 cfs for domestic from Jan. 1 to Dec. 31 (both dates inclusive)  
Subject, however, to the condition that no more than 132.0 cfs of water be diverted at  
any one time, said waters to be diverted within the

Lot #1, Sec. 10, Twp. 9 S, Rge. 15 E, B.M.

in the county of Gooding; and that the amount of water so diverted and to which such  
right is entitled and confirmed is for the purposes aforesaid and is limited to the amount which can  
actually be beneficially used and shall not exceed 8.0 acre feet per year or  
4.0 acre feet per acre. for irrigation use; 0.6 af per domestic unit not to  
exceed 1.8 af per year; 48,180 af for fire protection use; and 48,180 af for fish prop-  
agation use \*

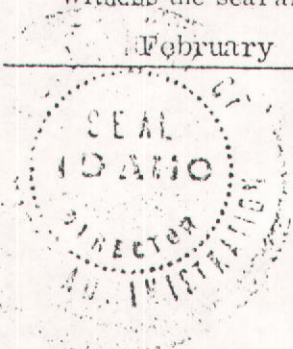
| TWP.                         | RANGE | SEC. | NE 1/4 |        |        |            | NW 1/4 |        |        |        | SW 1/4 |        |        |        | SE 1/4 |        |        |        | TOTALS |
|------------------------------|-------|------|--------|--------|--------|------------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|
|                              |       |      | 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 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 |        |
| 9S                           | 15E   | 10   |        |        |        | 2          |        |        |        |        |        |        |        |        |        |        |        |        | 2      |
|                              |       |      |        |        |        | (Lot<br>9) |        |        |        |        |        |        |        |        |        |        |        |        |        |
| Domestic & Fish Propagation: |       |      |        |        |        |            |        |        |        |        |        |        |        |        |        |        |        |        |        |
| 9S                           | 15E   | 10   | X      |        |        | X          |        |        |        |        |        |        |        |        |        |        |        |        |        |

Total number of acres irrigated 2

\* with the total amount not to exceed 48,180 acre feet per year.  
Use of water under this license is affected by an agreement and stipulation between Idaho  
Power Company and Rim View Trout Company, Inc., dated October 5, 1966.

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 11 day of  
February, 19 72.



*[Signature]*  
Director

36 2704

# 39239

*[Handwritten initials]*

MICROFILMED

RECEIVED

JUN 29 1981

*Dave*

**C. E. BROCKWAY P. E.  
ENGINEERING CONSULTANT**

Department of Water Resources  
**Groundwater, Hydrology,  
and Hydraulic Engineering**

**Route 1, Box 186  
Kimberly, Idaho 83341**

June 25, 1981

M  
D

Mr. Dave Tuthill  
Idaho Department of Water Resources  
450 West State  
Boise, ID 83720

Re: Rim View Trout Company, License 36-2680 and Permit 36-7167

Dear Dave:

In July 1978 I submitted a rating curve for the Rim View Trout Company Main Diversion channel from Niagara Springs to satisfy measuring requirements under the above permits. Subsequent current meter measurements to check the curve show that rapid shifts are occurring due to moss, weeds and interference with the flow patterns by structural ties across the channel. For this reason, it is my opinion that maintenance of the current rated section is not possible. Alteration of the diversion works to accommodate a new measuring device would not be feasible.

All of the diverted water is transported in concrete channels through the headworks and concrete raceways so that seepage losses will be insignificant. Measurement of the total diverted flow is possible at four outflow sites using standard weirs. This would allow both for determination of the total diversion and better management of water distribution within the facility. Weirs will be equipped with permanent staff gages so that discharge can be determined at any time.

I have discussed the proposed locations with Gary Funderburg of the Southern District Office. I am therefore requesting a waiver of the inlet measurement requirement and approval of acceptable outlet measurements.

Sincerely yours,

*C. E. Brockway*  
C. E. Brockway, P.E.

cc: Earl Hardy  
IDWR - Southern District

MICROFILMED

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

STATEHOUSE  
BOISE, IDAHO 83720  
(208) 334-4440  
CERTIFIED MAIL (c>rd)

RIM VIEW TROUT CO.  
1301 VISTA AVE.  
BOISE, ID 83705

138128

APRIL 30, 1981

DEAR PERMIT HOLDER:

ONE OF THE CONDITIONS OF APPROVAL OF YOUR WATER PERMIT NO. 36-7167 WAS THAT EVIDENCE OF THE EXTENT OF DEVELOPMENT MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE JULY 01, 1981. (SEE LAST PAGE OF YOUR APPROVED PERMIT). ENCLOSED IS A POST CARD WHICH MAY BE USED TO SUBMIT THE REQUIRED PROOF OF BENEFICIAL USE.

IF YOU HAVE NOT FULLY COMPLETED YOUR PROJECT, AND YOU HAVE NOT PREVIOUSLY RECEIVED AN EXTENSION OF TIME, YOU MAY REQUEST AN EXTENSION OF TIME PROVIDED THE DELAY IS FOR REASONABLE CAUSE AS INDICATED IN SECTION 42-204, IDAHO CODE, AMENDED. IF YOU HAVE BEEN PREVENTED FROM PROCEEDING BY A GOVERNMENTAL AGENCY OR BY LITIGATION, MORE THAN ONE EXTENSION OF TIME CAN BE GRANTED. A REQUEST FOR EXTENSION OF TIME FORM IS ENCLOSED FOR YOUR CONVENIENCE. PLEASE NOTE THAT A FEE OF \$15.00 MUST BE SUBMITTED WITH THIS FORM.

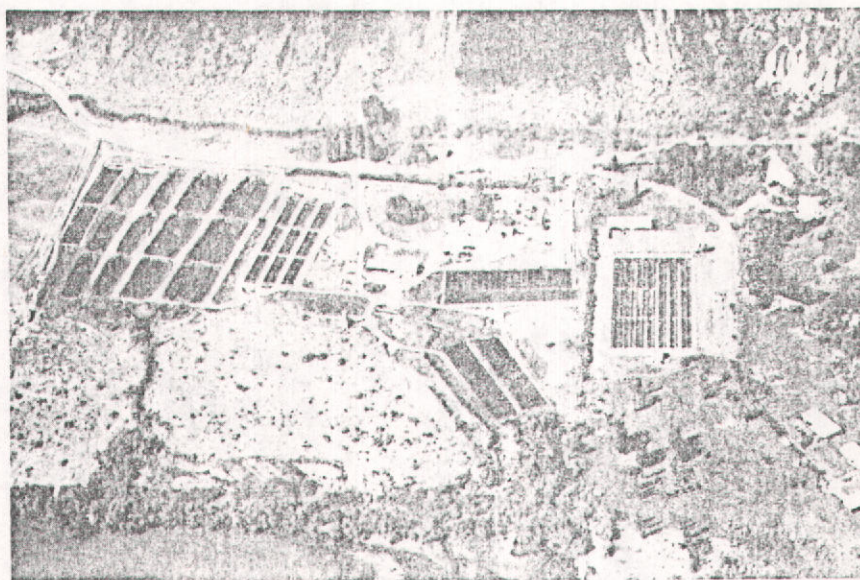
EITHER THE BENEFICIAL USE POST CARD OR A REQUEST FOR AN EXTENSION OF TIME MUST BE RECEIVED BY THIS DEPARTMENT ON OR BEFORE THE ABOVE MENTIONED DATE, OTHERWISE, THE PERMIT WILL LAPSE AND BE OF NO FURTHER FORCE OR EFFECT WITHIN 60 DAYS.

SINCERELY,

RITA FLECK  
SR. SECRETARY

ENCLOSURES

MICROFILMED



## 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 $\mu$ 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

MICROFILMED

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

IN THE MATTER OF CHANGING THE MEASURING  
DEVICE REQUIREMENT FOR PERMIT NO. 36-7167  
in the name of RIM VIEW TROUT CO.

ORDER

WHEREAS, on March 18, 1971, Rim View Trout Co., a corporation applied to the Department of Water Resources for a permit to appropriate 50 cfs of water from Niagra Springs to be diverted within the NE $\frac{1}{4}$ NE $\frac{1}{4}$ , Sec. 10, Twp. 9S, Rge. 15E, B.M., Gooding County, to be used for fish propagation purposes; and,

WHEREAS, on July 6, 1971, the Department approved said application and issued Permit No. 36-7167 with the condition that proof of construction of works and application of water to beneficial use be submitted to the Department on or before July 1, 1976, and that measuring devices of a type approved by the Department be permanently installed and maintained at the point of diversion; and

WHEREAS, on June 15, 1976, the Department extended the time within which to submit proof of beneficial use to July 1, 1981; and,

WHEREAS, on June 30, 1981, the Department received the required proof of beneficial use postcard along with a request that the measuring device requirement be removed from said permit; and,

WHEREAS, it has been determined by the Department that a measuring device is not required at the inlet works at this time for a determination of the quantity of water appropriated under this permit;

IT IS, THEREFORE, HEREBY ORDERED that the measuring device requirement can at this time be satisfied at the outlet works instead of the inlet works, subject to the condition that at some time in the future the Department may require installation of controlling works and a measuring device at the inlet.

Dated this 30<sup>th</sup> day of July, 1981.

  
L. GLEN SAXTON  
Chief, Operations Bureau

MICROFILMED

LGS:jg

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

RECEIVED

APPLICATION FOR EXTENSION OF TIME

MAY 27 1976

Department of Water Resources

State of Idaho )  
County of Gooding )

Permit No. 36-7167

Rim View Trout Company of Box 7503, Boise, ID 83707  
(name) (address)

State of Idaho, being first duly sworn, upon his oath deposes and says:

That he is the holder, or the duly authorized agent of the holder \*, of Permit to Appropriate the Public Waters of the State of Idaho No. 36-7167.

That under the terms and conditions of said permit, work thereunder was required to be completed on or before July 1, 19 76.

That he has heretofore performed the following work described under said permit:  
Headworks constructed, several ponds and raceways built

Costing \$ 20,000.00

That he is unable to complete the remainder of the work within the required time for the following reasons, to-wit: Recent change in controlling interest: before that time financing was restricted. For completion of works the ponds and raceways are to be expanded and a measuring device installed.

Wherefore, he asks that the Department of Water Resources extend the time for the completion of obligations under said permit to July 1, 19 81.

Rim View Trout Co.  
By [Signature]  
(signature) \* (President)

Subscribed and sworn before me this 26 day of May, 19 76.

seal

Eleanor H. Ault  
Notary Public residing at  
Boise, Idaho

My commission expires 2/6/79

OK DRT  
7-1-81

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, R. KEITH HIGGINSON, Director of the Idaho Department of Water Resources, hereby APPROVE the above application for extension of time to July 1, 1981.

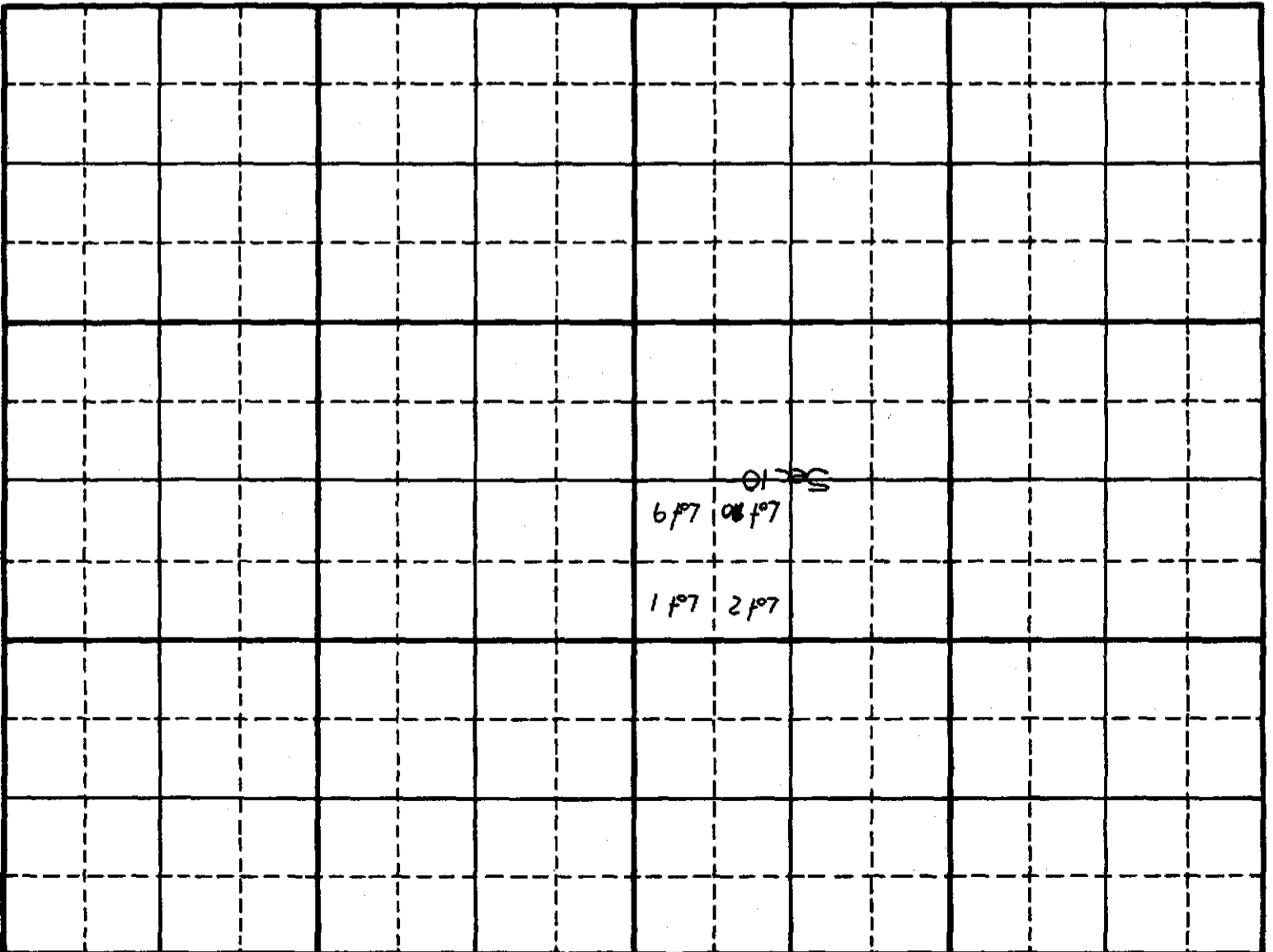
Witness my hand this 15 day of June, 19 76.

[Signature]  
Director

\* IF OTHER THAN HOLDER, Power of Attorney must be supplied. Forms are available through the Department of Water Resources, State Capitol, Boise, Idaho 83720.



Complete the following map by showing land and point of diversion as proposed by this amendment. Show 40-acre subdivisions, townships, ranges and ditches.



Scale: 2 inches equal 1 mile

That no one will be injured by such change, and that such change will be made at permit holders own risk.

Signed at Boone, IA, this 15<sup>th</sup> day of MARCH, 19 78.

Jim New Trout Co.  
By Lewis H. Trout - President  
 (signature)

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

I, **L. GLEN SAXTON**, **Director** of the Department of Water Resources  
 Chief, Operations Bureau

hereby APPROVE the above application for amendment on Permit No. 36-7167.

OK

Witness my hand this 20<sup>th</sup> day of MARCH, 19 78

L. Glen Saxton  
 Director

Chief, Operations Bureau

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 9S. Range 15 E. B.M.
4. Water will be used for the following purposes:  
Amount 50 cfs for fish propogation 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 propogation (non-consumptive)  
Construction additional raceways.



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

35 7267

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

Preliminary check by DMW Fee \$ 100.00

Received by DMW Date 3-18-71 No. 5770

Publication prepared by DMW Date 3-24-71

Published in Gooding County Leader

Publication dates 4-1 & 4-8, 1971

Publication approved DMW 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 DMW

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.

Director

*[Handwritten Signature]*

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 5<sup>TH</sup> day of October, 1966.

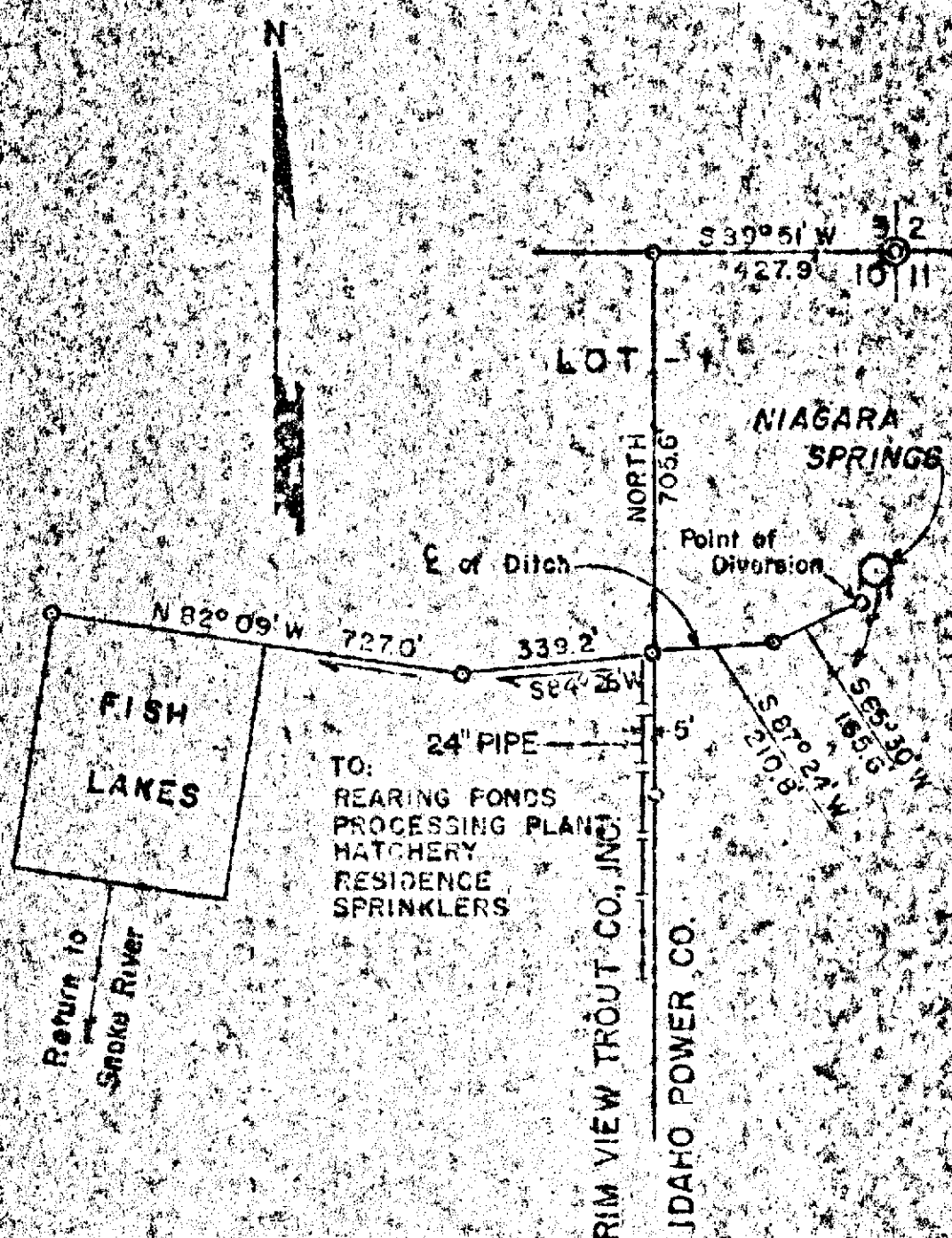
IDAHO POWER COMPANY

By NR Moore  
Vice President

J. Rogers  
Secretary



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*  
 \_\_\_\_\_  
 Surveyor



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

# Affidavit of Publication

State of Idaho, }  
County of Gooding } ss.

Al Hazen, being first duly sworn, deposes and says that he is the printer (publisher) of the Gooding County Leader, a newspaper published every week in Gooding, County of Gooding, State of Idaho; that said newspaper has been continuously and uninterruptedly published for a period of seventy-eight consecutive weeks prior to the first publication of the annexed notice and is a newspaper qualified to publish legal notices as provided by act of the 1919 session of the legislature of the State of Idaho, known as House Bill 145; that the annexed advertisement

was published once each week for 2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication of said advertisement was on the 1 day of April, 1971, and the date of the last publication was on the 8 day of April, 1971.

Subscribed and sworn to before me this 9 day of April, 1971.  
(SEAL)

Andrew C. Belcher  
NOTARY PUBLIC

GOODING COUNTY LEADER  
Gooding, Idaho

## COST OF PUBLICATION

Number of Lines in Notice.....  
Number of Insertions .....  
\_\_\_\_\_ Lines at 14¢  
\_\_\_\_\_ Lines at 10¢  
TOTAL COST.....

**COPY OF NOTICE**  
Title of Notice  
Water Permit  
Title of Notice  
Rim View Trout Co  
Plaintiff Attorney  
Wate Wendell  
Defendant  
Plaintiff  
Bill to  
Water Admin.

### NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Rim View Trout Co., Wendell, Idaho, has on March 18, 1971, submitted Application No. 36-7167 for a permit to appropriate 50.0 cubic feet per second of water from Niagra Springs, tributary to the Snake River by means of ditch within the NE 1/4 NE 1/4 Sec. 10, T. 9S, R. 15E, B.M., Gooding County, to be used from Jan. 1 to Dec. 31 for fish propagation purposes within the NE 1/4 NE 1/4 Sec. 10, T. 9S, R. 15E, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Administration, Statehouse, Boise, Idaho, 83707, on or before April 19, 1971.

(Ide  
7 pt  
7 pt  
7 pt  
3 pt  
3 pt  
6 pt. per line, successive  
insertions.....10c

**R. Keith Higginson**  
Director

4-1-2tc

No 1087

36 7267

\* For informational purposes

RE: 36-2680  
36-2711  
36-2704  
36-4032  
36-4020  
36-7167V

BEFORE THE DEPARTMENT OF WATER RESOURCES  
OF THE  
STATE OF IDAHO

In the Matter of Requiring )  
Measuring Devices on Diversions )  
of Water From Niagara Springs and )  
Niagara Springs Creek )  
\_\_\_\_\_ )

ORDER

The Director of IDWR makes the following Findings of Fact, Conclusions of Law and Order:

FINDINGS OF FACT

1. The public has demonstrated a concern as to the depletion of flows in Niagara Springs and Niagara Springs Creek. The department has been requested by concerned right holders and citizens to determine rates of diversion from the stream, and a petition has been received requesting the department to require measuring devices. Department staff has been unable to obtain accurate measurements of the rates of flow at all diversions.

2. There are six (6) existing diversions from Niagara Springs (the springs) and Niagara Springs Creek (the creek).

3. Not all of the diversions from the springs and creek presently have adequate measuring devices.

4. Diversion rights on the springs and creek consist of licenses and beneficial use claims.

5. The maximum permissible rates of diversion under the licensed rights are known and the uses under the claimed rights are well enough

defined to determine a maximum permissible rate of diversion.

#### CONCLUSIONS OF LAW

1. Section 42-602, Idaho Code, provides in relevant part:

It shall be the duty of the department of water resources to have immediate direction and control of the distribution of water from all of the streams to the canals and ditches diverting therefrom. The department must execute the laws relative to the distribution of water in accordance with rights of prior appropriation.

2. Section 42-701, Idaho Code, provides in relevant part:

The appropriators or users of any public waters of the state of Idaho shall ... construct and maintain, when required by the department, a rating flume or other measuring device at such point as is the most practical in such canal or ditch for the purpose of assisting the watermaster or department in determining the amount of water that may be diverted into said ditch from the stream.

3. The Director of IDWR has the authority and duty to order the installation and maintenance of measuring devices for diversions from Niagara Springs and Niagara Springs Creek. The Director has the authority on his own motion to initiate a proceeding to require measuring devices.

4. There is a need for installation of measuring devices to properly determine the amount of water diverted from Niagara Springs and Niagara Springs Creek, and to insure that water is diverted in accordance with rights of prior appropriation.

#### ORDER

THEREFORE, THE DIRECTOR ON HIS OWN MOTION PURSUANT TO SECTIONS 42-602 AND 42-701, IDAHO CODE, HEREBY ORDERS THAT:

1. Each holder of a water right for diversion of water from Niagara Springs or Niagara Springs Creek shall install and maintain at

\*  
the point(s) of diversion a measuring device with provision for continuously recording and monitoring the diverted flows in a manner acceptable to IDWR. The Director may waive this requirement upon written request and his determination that the diversion capacity has a significant effect on stream flow.

2. The installation shall also be readily accessible to IDWR personnel.

3. The water right holder shall provide to IDWR a description of the device to be installed and plans for its construction for review and approval prior to the start of construction.

4. All diversion rate data collected shall be submitted to the department within 30 days of collection or as otherwise requested by the Director.

IT IS FURTHER hereby ORDERED that the measuring devices be installed and operable by May 1, 1988.

Dated this 7<sup>th</sup> day of April, 1988.

  
R. KEITH HIGGINSON  
Director

April 6, 1988

138489  
CERTIFIED MAIL

Robert O'Connor, Chairman  
Idaho Power Company  
P. O. Box 70  
Boise, ID 83707

Dear Mr. O'Connor:

RE: MEASURING DEVICE INSTALLATION ORDER - NIAGARA SPRINGS AND  
NIAGARA SPRINGS CREEK

Enclosed is an order which requires the installation and maintenance of a measuring device for each diversion from Niagara Springs and Niagara Springs Creek. Requests for a waiver of this requirement will be considered upon receipt of written request if the capacity of the diversion creates an insufficient effect on stream flows.

Please note the measuring device is to be installed and operable on or before May 1, 1988. The department has information available upon request relative to typical types of measuring devices which are acceptable. Department approval of the device and installation plans is required prior to beginning construction.

You have the right to an administrative hearing and judicial review of this order under the provisions of Sec. 42-1701A, Idaho Code. Any request for hearing must be received by the department in writing within 21 days after receipt of this order.

If you have questions relative to specific location of the measuring device, please feel free to contact our Southern Regional office in Twin Falls (phone 734-3578).

Sincerely,

NORMAN C. YOUNG  
Administrator, Resources Administration Division

c: S. Region  
Robert Stahman  
Steve Goddard  
Rinda Ray Just  
William Ringert

April 6, 1988

138490  
CERTIFIED MAIL

Jerry Conley  
Idaho Dept. of Fish and Game  
600 S. Walnut  
Boise, ID 83707

Dear Mr. Conley:

RE: MEASURING DEVICE INSTALLATION ORDER - NIAGARA SPRINGS AND  
NIAGARA SPRINGS CREEK

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Sincerely,

NORMAN C. YOUNG  
Administrator, Resources Administration Division

c: S. Region  
Robert Stahman  
Steve Goddard  
Rinda Ray Just  
William Ringert

April 6, 1988

138491  
CERTIFIED MAIL

Earl Hardy  
Rim View Trout Co.  
1301 Vista Avenue  
Boise, ID 83705

Dear Mr. Hardy:

RE: MEASURING DEVICE INSTALLATION ORDER - NIAGARA SPRINGS AND  
NIAGARA SPRINGS CREEK

Enclosed is an order which requires the installation and maintenance of a measuring device for each diversion from Niagara Springs and Niagara Springs Creek. Requests for a waiver of this requirement will be considered upon receipt of written request if the capacity of the diversion creates an insufficient effect on stream flows.

Please note the measuring device is to be installed and operable on or before May 1, 1988. The department has information available upon request relative to typical types of measuring devices which are acceptable. Department approval of the device and installation plans is required prior to beginning construction.

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Sincerely,

NORMAN C. YOUNG  
Administrator, Resources Administration Division

c: S. Region  
Robert Stahman  
Steve Goddard  
Rinda Ray Just  
William Ringert

BEFORE THE DEPARTMENT OF WATER RESOURCES  
OF THE  
STATE OF IDAHO

In the Matter of Requiring )  
Measuring Devices on Diversions )  
of Water From Niagara Springs and )  
Niagara Springs Creek )  
\_\_\_\_\_ )

ORDER

The Director of IDWR makes the following Findings of Fact, Conclusions of Law and Order:

FINDINGS OF FACT

1. The public has demonstrated a concern as to the depletion of flows in Niagara Springs and Niagara Springs Creek. The department has been requested by concerned right holders and citizens to determine rates of diversion from the stream, and a petition has been received requesting the department to require measuring devices. Department staff has been unable to obtain accurate measurements of the rates of flow at all diversions.

2. There are six (6) existing diversions from Niagara Springs (the springs) and Niagara Springs Creek (the creek).

3. Not all of the diversions from the springs and creek presently have adequate measuring devices.

4. Diversion rights on the springs and creek consist of licenses and beneficial use claims.

5. The maximum permissible rates of diversion under the licensed rights are known and the uses under the claimed rights are well enough

defined to determine a maximum permissible rate of diversion.

#### CONCLUSIONS OF LAW

1. Section 42-602, Idaho Code, provides in relevant part:

It shall be the duty of the department of water resources to have immediate direction and control of the distribution of water from all of the streams to the canals and ditches diverting therefrom. The department must execute the laws relative to the distribution of water in accordance with rights of prior appropriation.

2. Section 42-701, Idaho Code, provides in relevant part:

The appropriators or users of any public waters of the state of Idaho shall ... construct and maintain, when required by the department, a rating flume or other measuring device at such point as is the most practical in such canal or ditch for the purpose of assisting the watermaster or department in determining the amount of water that may be diverted into said ditch from the stream.

3. The Director of IDWR has the authority and duty to order the installation and maintenance of measuring devices for diversions from Niagara Springs and Niagara Springs Creek. The Director has the authority on his own motion to initiate a proceeding to require measuring devices.

4. There is a need for installation of measuring devices to properly determine the amount of water diverted from Niagara Springs and Niagara Springs Creek, and to insure that water is diverted in accordance with rights of prior appropriation.

#### ORDER

THEREFORE, THE DIRECTOR ON HIS OWN MOTION PURSUANT TO SECTIONS 42-602 AND 42-701, IDAHO CODE, HEREBY ORDERS THAT:

1. Each holder of a water right for diversion of water from Niagara Springs or Niagara Springs Creek shall install and maintain at

the point(s) of diversion a measuring device with provision for continuously recording and monitoring the diverted flows in a manner acceptable to IDWR. The Director may waive this requirement upon written request and his determination that the diversion capacity has a significant effect on stream flow.

2. The installation shall also be readily accessible to IDWR personnel.

3. The water right holder shall provide to IDWR a description of the device to be installed and plans for its construction for review and approval prior to the start of construction.

4. All diversion rate data collected shall be submitted to the department within 30 days of collection or as otherwise requested by the Director.

IT IS FURTHER hereby ORDERED that the measuring devices be installed and operable by May 1, 1988.

Dated this 7<sup>th</sup> day of April, 1988.

  
R. KEITH HIGGINSON  
Director


CERTIFICATE OF MAILING

I HEREBY CERTIFY That on this the 7<sup>th</sup> day of April, 1988, a true and correct copy of the foregoing MEASURING DEVICE INSTALLATION ORDER was mailed, postage prepaid to:

Earl Hardy  
Rim View Trout Co.  
1301 Vista Avenue  
Boise, ID 83705

Jerry Conley  
Idaho Dept. of Fish and Game  
600 S. Walnut  
Boise, ID 83707

Robert O'Connor, Chairman  
Idaho Power Co.  
P. O. Box 70  
Boise, ID 83707

  
ANITA WARNIJES  
Idaho Department of Water Resources

**Ringert, Clark, Harrington, Reid, Christenson & Kaufman**

CHARTERED  
LAWYERS

509 WEST BANNOCK STREET  
P.O. BOX 2773  
BOISE, IDAHO 83701  
TELEPHONE (208) 342-4661

WILLIAM F. RINGERT  
D. BLAIR CLARK  
ANDREW M. HARRINGTON  
JAMES G. REID  
JEFFREY R. CHRISTENSON  
JAMES P. KAUFMAN  
MICHAEL J. GAFFNEY  
LAURA E. BURRI  
LEA C. ADAMS

SAMUEL KAUFMAN (1921-1986)

RECEIVED

APR 01 1988

March 31, 1988

Department of Water Resources

Mr. Stephen V. Goddard  
Deputy Attorney General  
Idaho Department of Fish & Game  
600 South Walnut, P. O. Box 25  
Boise, ID 83707

Ms. Rinda Ray Just  
Deputy Attorney General  
Idaho Department of Parks  
and Recreation  
Statehouse Mail  
Boise, ID 83720

Re: Petition for Installation and Maintenance  
of Measuring Devices on Niagra Springs Creek

Dear Mr. Goddard and Ms. Just:

A copy of your joint Petition for Installation of Measuring Devices, directed to the Idaho Department of Water Resources, was received in my office on March 17, 1988. Since the mailing list did not name Rim View Trout Company, I assume that the mailing was intended to effect service on Rim View Trout Company through me, as its attorney.

I have not been authorized to accept service on behalf of Rim View Trout Company in this matter. If you want me to request such authorization, I will be glad to do so.

Please advise.

Yours very truly,



W. F. Ringert

WFR:am

cc: R. Keith Higginson ✓  
Rim View Trout Company

JIM JONES  
ATTORNEY GENERAL  
STATE OF IDAHO

CLIVE J. STRONG  
Deputy Attorney General  
Chief, Natural Resources Division

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

RINDA RAY JUST  
Deputy Attorney General  
Idaho Department of Parks and Recreation  
STATEHOUSE MAIL  
Boise, ID 83720  
Telephone (208) 334-2154

Attorneys for Petitioners

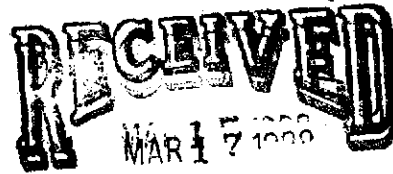
BEFORE THE DEPARTMENT OF WATER RESOURCES  
OF THE  
STATE OF IDAHO

IDAHO DEPARTMENT )  
OF PARKS AND RECREATION )  
AND IDAHO DEPARTMENT )  
OF FISH AND GAME, )  
 )  
Petitioners )

PETITION FOR INSTALLATION  
AND MAINTENCE OF MEASURING  
DEVICES

SOURCE: NIAGRA SPRINGS  
COUNTY: GOODING

Come now the petitioners herein, the Idaho Department of Fish and Game (Fish and Game) and the Idaho Department of Parks and Recreation (Parks) and request that the director of the department of water resources (IDWR) exercise the authority granted the department in Idaho Code §42-701 to require appropriators of water from Niagra Springs and Niagra Springs Creek to locate, install, and maintain such suitable measuring devices and regulating works as are determined by IDWR engineers to be necessary to assure proper distribution of the waters of Niagra Springs.



Department of Water Resources  
Department of Water Resources

Idaho Code §42-701 provides in relevant part:

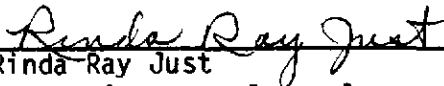
The appropriators or users of any public waters of the state of Idaho shall... construct and maintain, when required by the department, a rating flume or other measuring device at such point as is most practical in such canal or ditch for the purpose of assisting the watermaster or department in determining the amount of water that may be diverted into said ditch from the stream.


This request is based on evidence contained in the record in the case of In The Matter of Application For Permit To Appropriate Water No. 36-7200. Flow records submitted into the record in that proceeding suggest two things: First, that record keeping by some appropriators is non-existent, or sporadic, or when available, unverifiable; and second, that over-appropriation is not uncommon.

The Idaho Department of Parks and Recreation is holder of permit no. 36-7200 for all unappropriated water up to 264 cfs. in Niagra Springs and Niagra Springs Creek from the headwaters of the spring to and including the lowermost Idaho Power Company diversion. Memorandum Decision and Order on Rehearing, p. 24, January 29, 1988. Parks can only receive its permitted water if prior upstream appropriators do not over-appropriate. Since only one of the several upstream appropriators (Idaho Power Company) currently maintains a verifiable measuring device on its diversion, Parks has no way of knowing if it is receiving the water to which it is entitled. Parks will never be able to determine if it is receiving the water to which it is entitled until appropriate measuring devices are placed on the existing diversions in easily accessible locations and until readings are taken on a regular basis. Both the obligation and authority to assure the distribution of waters from Niagra Springs in accordance with rights of prior appropriation rest with the department of water resources. Idaho Code §42-602, 42-701.

Petitioners respectfully request that the director of the department assume the obligations imposed upon him by statute by ordering the location, installation, and maintenance of such suitable measuring devices and regulating works as are determined by IDWR engineers to be necessary to assure proper distribution of the waters of Niagra Springs.

DATED this 14th day of March, 1988.

  
Rinda Ray Just  
Deputy Attorney General  
Idaho Department of  
Parks and Recreation

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

CERTIFICATE OF MAILING

I hereby certify that I served true and correct copies of the following document on the persons listed below by mailing in the U.S. mail, first class, with correct postage affixed thereto on this 16th day of March, 1988.

DOCUMENT SERVED:      PETITION FOR INSTALLATION OF MEASURING DEVICES

PERSONS SERVED:

Robert Stahman  
Idaho Power Co.  
P.O. Box 70  
Boise, Idaho 83707

William F. Ringert  
P.O. Box 2773  
Boise, Idaho 83704

Steve Goddard  
Idaho Dept. of Fish and Game  
P.O. Box 25  
Boise, ID 83707

A. Lynne Krogh-Hampe  
Deputy Attorney General  
Idaho Department of Water  
Resources  
Statehouse Mail  
Boise, ID 83720

*Rinda Ray Just  
Deputy Attorney General*

RECEIVED

APR 06 1988

JIM JONES  
ATTORNEY GENERAL  
STATE OF IDAHO

Department of Water Resources

CLIVE J. STRONG  
Deputy Attorney General  
Chief, Natural Resources Division

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

RINDA RAY JUST  
Deputy Attorney General  
Idaho Department of Parks and Recreation  
STATEHOUSE MAIL  
Boise, ID 83720  
Telephone (208) 334-2154

Attorneys for Petitioners

BEFORE THE DEPARTMENT OF WATER RESOURCES  
OF THE  
STATE OF IDAHO

|                         |   |                            |
|-------------------------|---|----------------------------|
| IDAHO DEPARTMENT        | ) |                            |
| OF PARKS AND RECREATION | ) | PETITION FOR INSTALLATION  |
| AND IDAHO DEPARTMENT    | ) | AND MAINTENCE OF MEASURING |
| OF FISH AND GAME,       | ) | DEVICES                    |
|                         | ) |                            |
| Petitioners             | ) | SOURCE: NIAGRA SPRINGS     |
|                         | ) | COUNTY: GOODING            |

Come now the petitioners herein, the Idaho Department of Fish and Game (Fish and Game) and the Idaho Department of Parks and Recreation (Parks) and request that the director of the department of water resources (IDWR) exercise the authority granted the department in Idaho Code §42-701 to require appropriators of water from Niagra Springs and Niagra Springs Creek to locate, install, and maintain such suitable measuring devices and regulating works as are determined by IDWR engineers to be necessary to assure proper distribution of the waters of Niagra Springs.

Idaho Code §42-701 provides in relevant part:

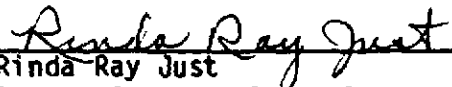
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Petitioners respectfully request that the director of the department assume the obligations imposed upon him by statute by ordering the location, installation, and maintenance of such suitable measuring devices and regulating works as are determined by IDWR engineers to be necessary to assure proper distribution of the waters of Niagra Springs.

DATED this 14th day of March, 1988.

  
Rinda Ray Just  
Deputy Attorney General  
Idaho Department of  
Parks and Recreation

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

CERTIFICATE OF MAILING

I hereby certify that I served true and correct copies of the following document on the persons listed below by mailing in the U.S. mail, first class, with correct postage affixed thereto on this 16th day of March, 1988.

DOCUMENT SERVED:        PETITION FOR INSTALLATION OF MEASURING DEVICES

PERSONS SERVED:

Robert Stahman  
Idaho Power Co.  
P.O. Box 70  
Boise, Idaho 83707

William F. Ringert  
P.O. Box 2773  
Boise, Idaho 83704

Steve Goddard  
Idaho Dept. of Fish and Game  
P.O. Box 25  
Boise, ID 83707

A. Lynne Krogh-Hampe  
Deputy Attorney General  
Idaho Department of Water  
Resources  
Statehouse Mail  
Boise, ID 83720

*Rinda Ray Just  
Deputy Attorney General*


CERTIFICATE OF MAILING

I hereby certify that I served true and correct copies of the following document on the person listed below by mailing in the U.S. mail, first class, with correct postage affixed thereto on this 5th day of April, 1988.

DOCUMENT SERVED:      PETITION FOR INSTALLATION OF MEASURING DEVICES

PERSON SERVED:

Mr. Earl Hardy, President  
Rim View Trout Co., Inc.  
1301 Vista  
Boise, ID 83705

  
\_\_\_\_\_  
Rinda Ray Just  
Deputy Attorney General  
Idaho Department of Parks and Recreation

April 4, 1984

RE: Permit No. 36-7167

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

Gentlemen:

Enclosed herewith is a copy of the Water Right License issued on the above referenced Permit.

Sincerely,



JIM JOHNSON  
Water Distribution Supervisor

JJ:kw  
Enclosure

**MICROFILMED**

May 31, 1983

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

Dear Mr. Hardy,

Pursuant to our telephone conversation on April 29, 1983, Enclosed are the calculations used to determine the facility volume under right No1 36-7167.

Please review and let us know if they are acceptable. If I can be of any assistance please let me know.

Sincerely

JIM JOHNSON  
Water Distribution Supervisor

JJ: jvv

Enclosure

MICROFILMED



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 ~~30,000~~ 4 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

License # 4167  
 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

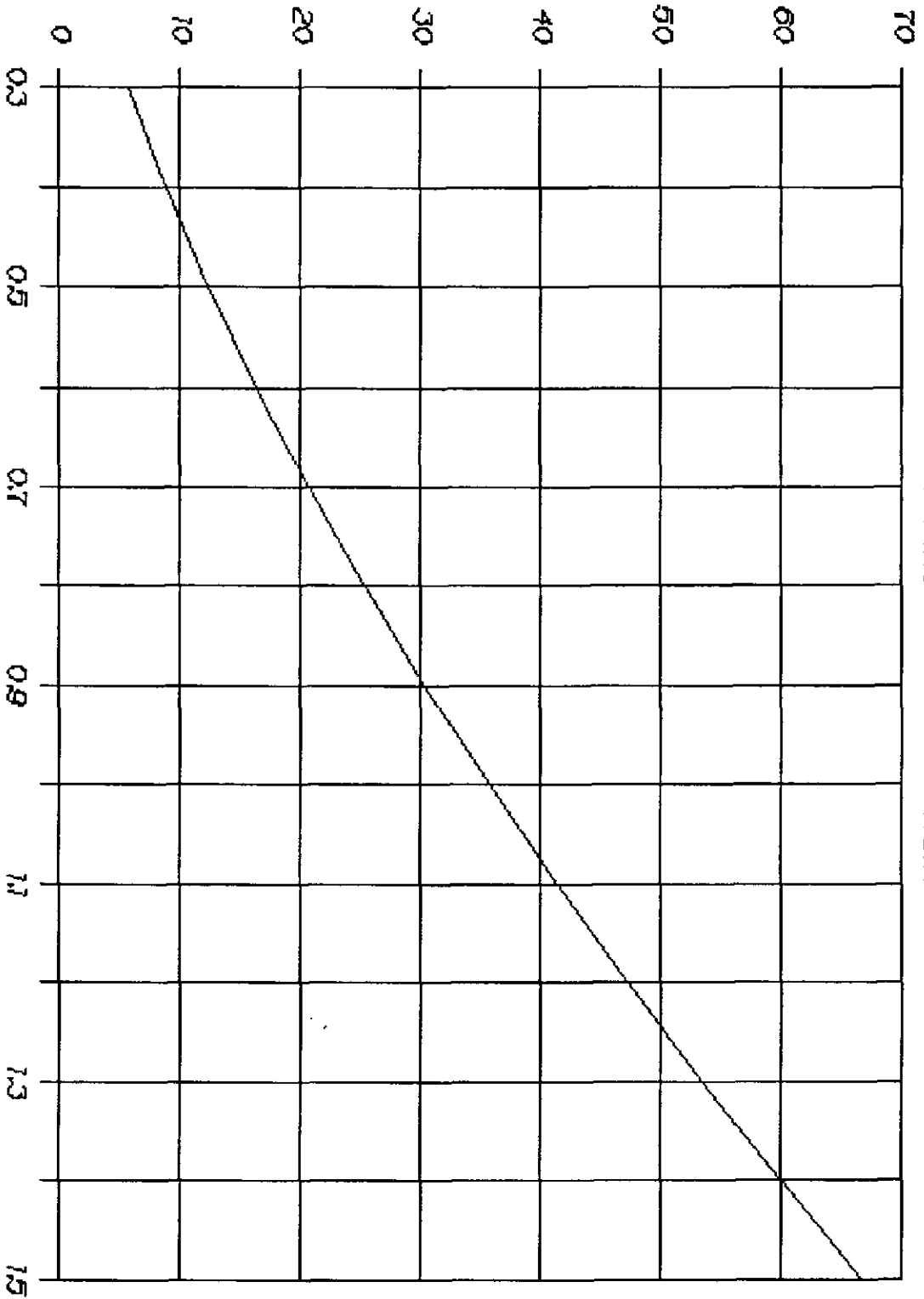
|         |       | D I S C H A R G E C F S |       |       |       |       |       |       |       |       |      |
|---------|-------|-------------------------|-------|-------|-------|-------|-------|-------|-------|-------|------|
| GAGE    |       |                         |       |       |       |       |       |       |       |       |      |
| READING |       | 0                       | 0.01  | 0.02  | 0.03  | 0.04  | 0.05  | 0.06  | 0.07  | 0.08  | 0.09 |
| 0.3     | 5.75  | 6.03                    | 6.33  | 6.63  | 6.93  | 7.24  | 7.55  | 7.87  | 8.19  | 8.52  |      |
| 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 | 15.85 |      |
| 0.6     | 16.25 | 16.66                   | 17.07 | 17.48 | 17.90 | 18.32 | 18.75 | 19.18 | 19.61 | 20.04 |      |
| 0.7     | 20.48 | 20.92                   | 21.36 | 21.81 | 22.26 | 22.71 | 23.17 | 23.62 | 24.09 | 24.55 |      |
| 0.8     | 25.02 | 25.49                   | 25.96 | 26.44 | 26.92 | 27.40 | 27.89 | 28.37 | 28.86 | 29.36 |      |
| 0.9     | 29.85 | 30.35                   | 30.85 | 31.36 | 31.87 | 32.38 | 32.89 | 33.40 | 33.92 | 34.44 |      |
| 1.0     | 34.97 | 35.49                   | 36.02 | 36.55 | 37.08 | 37.62 | 38.16 | 38.70 | 39.24 | 39.79 |      |
| 1.1     | 40.34 | 40.89                   | 41.44 | 42.00 | 42.56 | 43.12 | 43.68 | 44.25 | 44.82 | 45.39 |      |
| 1.2     | 45.96 | 46.54                   | 47.12 | 47.70 | 48.28 | 48.87 | 49.45 | 50.04 | 50.63 | 51.23 |      |
| 1.3     | 51.83 | 52.43                   | 53.03 | 53.63 | 54.24 | 54.84 | 55.46 | 56.07 | 56.68 | 57.30 |      |
| 1.4     | 57.92 | 58.54                   | 59.17 | 59.79 | 60.42 | 61.05 | 61.68 | 62.32 | 62.95 | 63.59 |      |
| 1.5     | 64.23 | 64.88                   | 65.52 | 66.17 | 66.82 | 67.47 | 68.13 | 68.78 | 69.44 | 70.10 |      |
| 1.6     | 70.76 | 71.43                   | 72.10 | 72.76 | 73.43 | 74.11 | 74.78 | 75.46 | 76.14 | 76.82 |      |
| 1.7     | 77.50 | 78.19                   | 78.87 | 79.56 | 80.25 | 80.95 | 81.64 | 82.34 | 83.04 | 83.74 |      |

|         |       | 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 |
| 0.3     | 5.76  | 6.06  | 6.35  | 6.65  | 6.96  | 7.27  | 7.59  | 7.91  | 8.23  | 8.56  |      |
| 0.4     | 8.89  | 9.23  | 9.57  | 9.92  | 10.27 | 10.62 | 10.98 | 11.35 | 11.71 | 12.08 |      |
| 0.5     | 12.46 | 12.84   | 13.22 | 13.61 | 14.00 | 14.39 | 14.79 | 15.19 | 15.60 | 16.01 |      |
| 0.6     | 16.42 | 16.84   | 17.26 | 17.68 | 18.11 | 18.54 | 18.97 | 19.41 | 19.85 | 20.30 |      |
| 0.7     | 20.75 | 21.20   | 21.66 | 22.12 | 22.58 | 23.04 | 23.51 | 23.99 | 24.46 | 24.94 |      |
| 0.8     | 25.42 | 25.91   | 26.40 | 26.89 | 27.39 | 27.89 | 28.39 | 28.89 | 29.40 | 29.91 |      |
| 0.9     | 30.43 | 30.94   | 31.47 | 31.99 | 32.52 | 33.05 | 33.58 | 34.12 | 34.66 | 35.20 |      |
| 1.0     | 35.74 | 36.29   | 36.84 | 37.40 | 37.96 | 38.52 | 39.08 | 39.65 | 40.22 | 40.79 |      |
| 1.1     | 41.36 | 41.94   | 42.52 | 43.11 | 43.69 | 44.28 | 44.88 | 45.47 | 46.07 | 46.67 |      |
| 1.2     | 47.28 | 47.88   | 48.49 | 49.10 | 49.72 | 50.34 | 50.96 | 51.58 | 52.21 | 52.84 |      |
| 1.3     | 53.47 | 54.10   | 54.74 | 55.38 | 56.02 | 56.67 | 57.32 | 57.97 | 58.62 | 59.28 |      |
| 1.4     | 59.94 | 60.60   | 61.26 | 61.93 | 62.60 | 63.27 | 63.95 | 64.62 | 65.30 | 65.99 |      |
| 1.5     | 66.67 | 67.36   | 68.05 | 68.74 | 69.44 | 70.14 | 70.84 | 71.54 | 72.25 | 72.96 |      |
| 1.6     | 73.67 | 74.38   | 75.10 | 75.82 | 76.54 | 77.26 | 77.99 | 78.72 | 79.45 | 80.18 |      |
| 1.7     | 80.92 | 81.66   | 82.40 | 83.14 | 83.89 | 84.64 | 85.39 | 86.14 | 86.90 | 87.66 |      |

DISCHARGE CFS

# RIM VIEW TROUT CENTRAL WEIR

RATING CURVE-70.5FT WEIR



— REVISED 3/29/88

GAGE READING FT  
CE. BROCKWAY P.E.

RIM VIEW TROUT COMPANY REVISED FROM 1/4/88 CONFIGURATION C.E. BROCKWAY  
 7 FOOT RECTANGULAR SUPPRESSED WEIRS-WEST SIDE - Two side-by-side at this site

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 Miller*

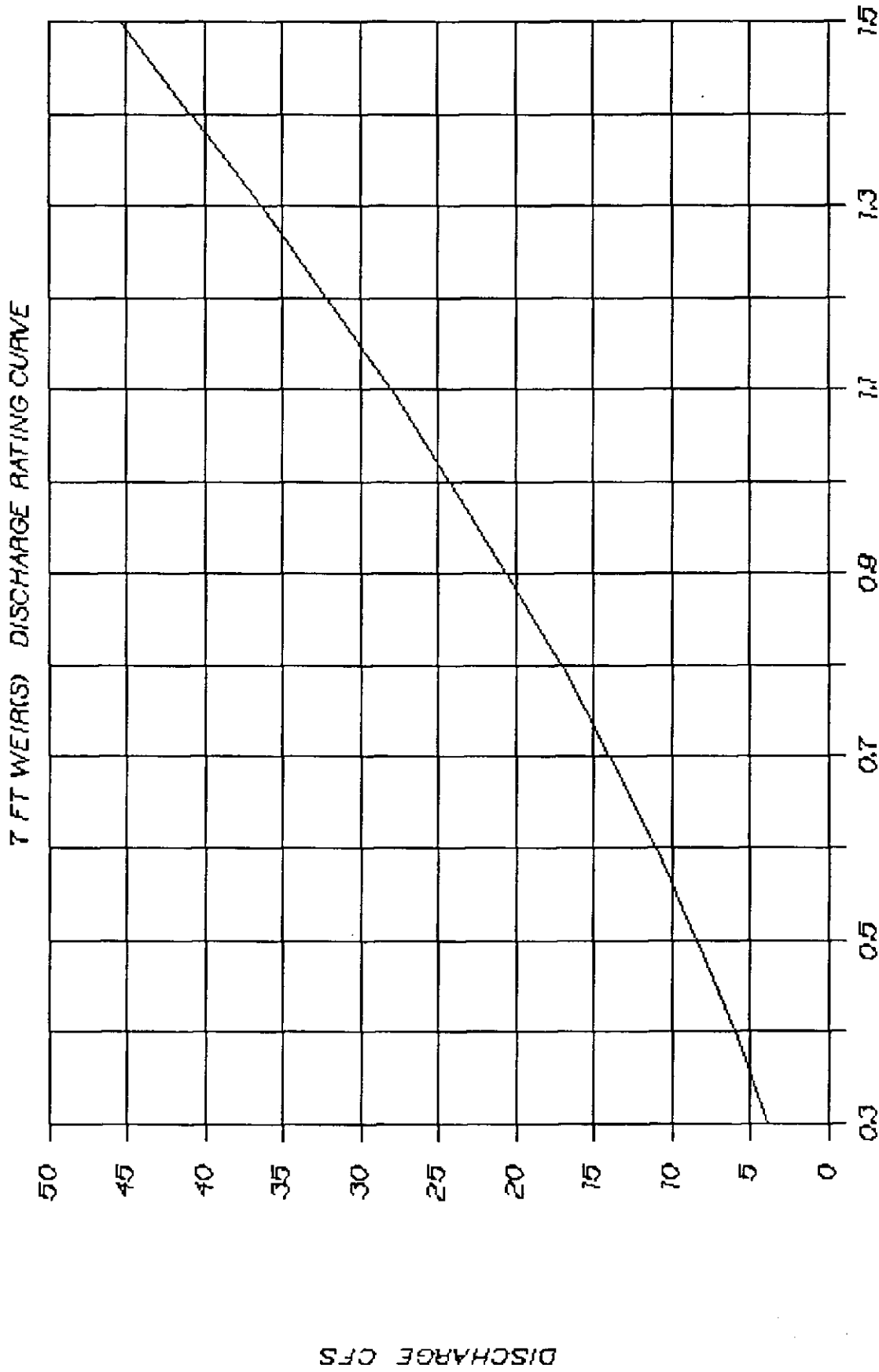
$Q = 3.33 * L * ((H+h)^{1.5} - h^{1.5})$  h = VELOCITY HEAD  
 DISCHARGE IN CFS

|         |       | D I S C H A R G E C F S |       |       |       |       |       |       |       |       |  |
|---------|-------|-------------------------|-------|-------|-------|-------|-------|-------|-------|-------|--|
| GAGE    |       |                         |       |       |       |       |       |       |       |       |  |
| READING | 0     | 0.01                    | 0.02  | 0.03  | 0.04  | 0.05  | 0.06  | 0.07  | 0.08  | 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    |       |   |       |       |       |       |       |       |       |       |  |
| READING | 0     | 0.01  | 0.02  | 0.03  | 0.04  | 0.05  | 0.06  | 0.07  | 0.08  | 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 |  |

56  
 24  
 134

# RIM VIEW TROUT COMPANY - WEST WEIRS



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

— REVISED 3/29/88

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

| STAFF<br>GAGE<br>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

# Overlap Review for 36-7167

License 36-2704 Niagara Springs

Note: this right is for a different fish propagation operation.  
Aerial photo shows that Idaho Power (36-2704) & Rim View Trout (36-2680 & 36-~~2704~~<sup>7167</sup>) are neighbors. No Overlap

License 36-2680 Niagara Springs P/D 9L1 (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

## 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

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

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

State of Idaho  
**DEPARTMENT OF WATER RESOURCES**  
FIELD REPORT

RECEIVED

DEC 13 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:<br>(List Telephone No. used)    |              |          |         |
| <input type="checkbox"/> Appointment scheduled for:<br>(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.  
 $140.9 \text{ C.F.S.} - 90.30 \text{ C.F.S. (Lic 36-2680)} = \overset{50.6}{\underline{\underline{49.70 \text{ C.F.S.}}}}$   
 Size of Ponds  $\div 43560 \frac{\text{ft}^2}{\text{ac}} = \underline{\underline{16.0 \text{ AC.FT.}}}$   
 $1135128 \text{ ft}^3$   
~~26.06 acft~~ 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.

|                             |   |
|-----------------------------|---|
| <b>RECOMMENDED AMOUNTS</b>  | Irrigation requirement = <u>✓</u> AFA/Acre  |
| USE <u>Fish Propagation</u> | Q (cfs) <u>49.70 C.F.S.</u> V (cfs) <u>36,089.4</u> FROM <u>JAN. 1</u> TO <u>Dec 31</u> |
|                             | <u>50.6 cfs ✓</u> <del>26.06</del>  |
|                             | <u>50.0</u> <u>36,089.4</u>   |
|                             | <u>50.0</u> <u>36,089.4</u>   |
|                             | <u>50.6 ✓</u> <del>26.06</del>  |
| 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.

MICROFILMED

Overlap Review attached

Approved By *[Signature]*

Checked By *[Signature]*

Examiner's Signature *[Signature]*

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

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

| TWP.   | RGE. | SEC. | NE 1/4 |     |     | NW 1/4 |     |     | SE 1/4 |     |     | SW 1/4 |     |     | SECT. | TWP. | RGE. | SEC. |
|--------|------|------|--------|-----|-----|--------|-----|-----|--------|-----|-----|--------|-----|-----|-------|------|------|------|
|        |      |      | NE%    | NW% | SW% | SE%    | NE% | NW% | SW%    | SE% | NE% | NW%    | SW% | SE% |       |      |      |      |
| 9S     | 15E  | 10   |        |     |     |        |     |     |        |     |     |        |     |     |       |      |      |      |
| TOTALS |      |      |        |     |     |        |     |     |        |     |     |        |     |     |       |      |      |      |

Place(s) of Use

Point(s) of diversion:

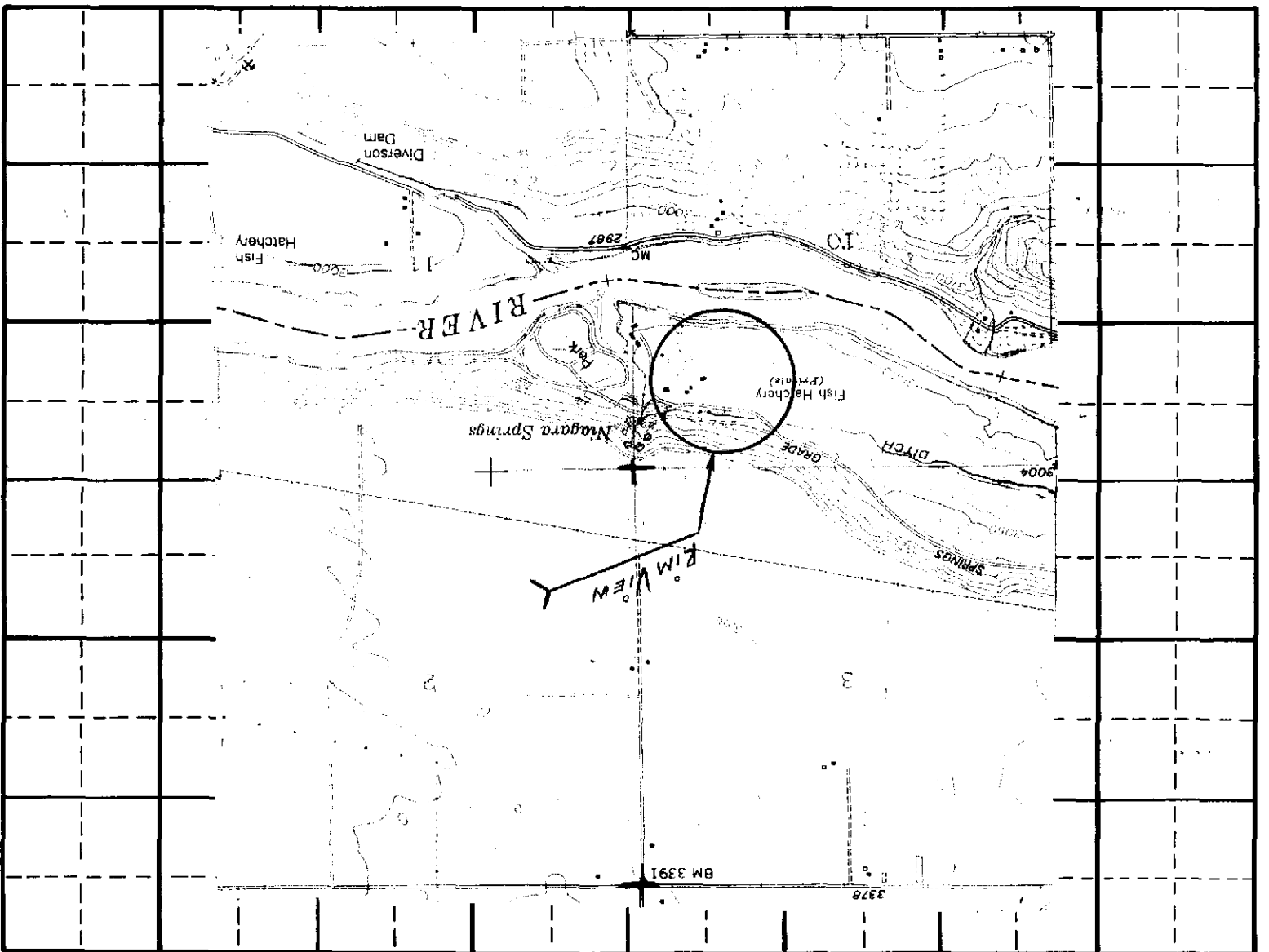
LT 1 (N3E), Sec 10; Township 9 South  
Range 15 East

RECORDED

SEE ATTACHMENT

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

SCHMATIC DIAGRAM OF SYSTEM



MAP (Attach Aerial Photo)

36-7167

Rim View

16083

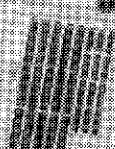
RECEIVED

DEC 18 1961

Department of Water Resources

0459  
9543

B  
S2  
A  
118



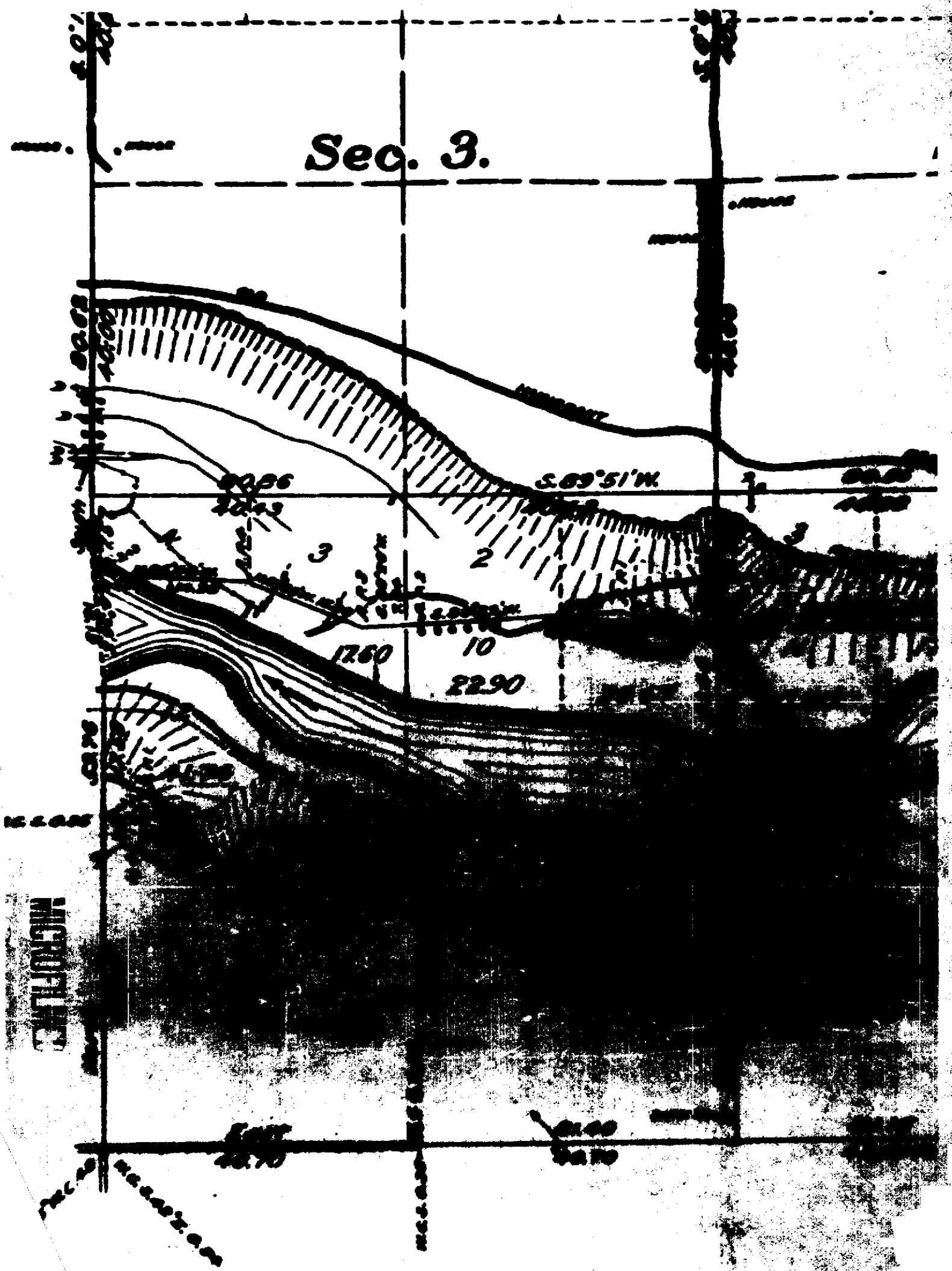
Rim View  
Hatchery

118

Retention  
Area

NOT TO

Sec. 3.



RIM VIEW TROUT FARM

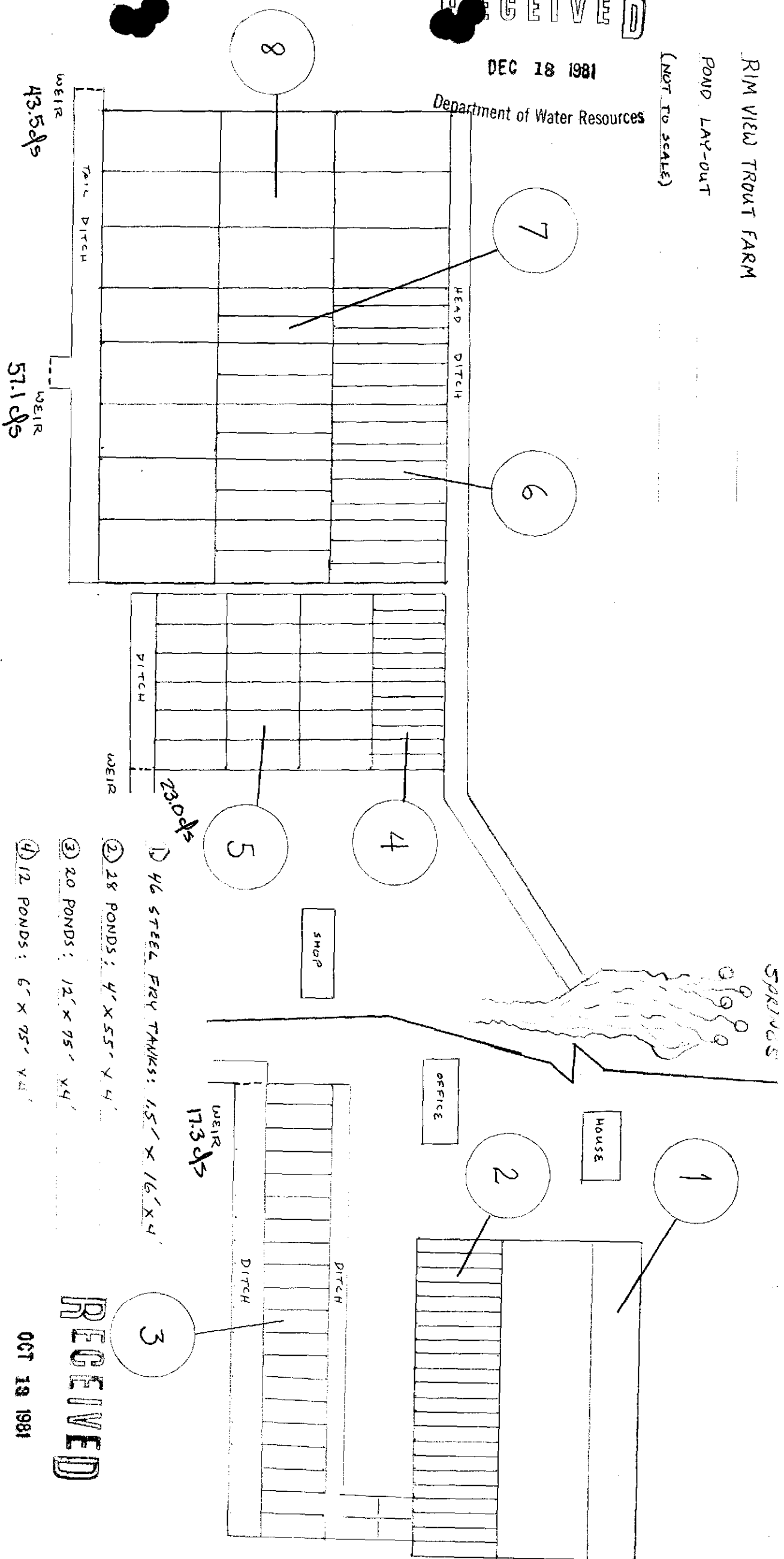
POND LAY-OUT

(NOT TO SCALE)

DEC 18 1981

RECEIVED

Department of Water Resources



- ① 46 STEEL FRAY 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 4'
- ⑧ 14 PONDS: 32' x 161' x 4'

RECEIVED

OCT 19 1981

Department of Water Resources  
Southwest District Office

APPROVED  
[Signature]

M. Combs 10-9-81

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

October 1, 1981

RECEIVED

DEC 16 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

*Chub E Brockway*  
10/1/81

RIM VIEW TROUT COMPANY

EAST POND TAILRACE WEIR

Discharge Rating Table\*

RECEIVED

DEC 18 1981

Department of Water Resources

| STAFF<br>GAGE<br>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

Charles E. Brockway  
 10/11/81

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

RECEIVED

DEC 18 1981

Department of Water Resources

| STAFF<br>GAGE<br>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

MICROFILMED

RIM VIEW TROUT COMPANY  
WEST WEIR 16 FT. PONDS

RECEIVED

DEC 18 1981

Discharge Rating Table\*

Department of Water Resources

| STAFF<br>GAGE<br>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

Professional Engineer Seal for C. E. Brockway, P.E., dated 10/1/81.

RECEIVED

RIM VIEW TROUT COMPANY  
WEIR IN TAILRACE OF 12 FT. PONDS

RECEIVED

Discharge Rating Table\*

DEC 18 1981

Department of Water Resources

| STAFF<br>GAGE<br>FT | .00  | .01  | .02  | .03  | .04  | .05  | .06  | .07  | .08  | .09  |
|---------------------|------|------|------|------|------|------|------|------|------|------|
| 3.5                 | 4.9  | 5.1  | 5.2  | 5.4  | 5.6  | 5.8  | 6.0  | 6.1  | 6.3  | 6.5  |
| 3.6                 | 6.7  | 6.9  | 7.1  | 7.3  | 7.5  | 7.7  | 7.9  | 8.1  | 8.3  | 8.5  |
| 3.7                 | 8.7  | 8.9  | 9.1  | 9.3  | 9.5  | 9.7  | 9.9  | 10.2 | 10.4 | 10.6 |
| 3.8                 | 10.8 | 11.0 | 11.3 | 11.5 | 11.7 | 12.0 | 12.2 | 12.4 | 12.6 | 12.9 |
| 3.9                 | 13.1 | 13.4 | 13.6 | 13.9 | 14.1 | 14.3 | 14.6 | 14.8 | 15.1 | 15.3 |
| 4.0                 | 15.6 | 15.9 | 16.1 | 16.4 | 16.6 | 16.9 | 17.2 | 17.4 | 17.7 | 18.0 |
| 4.1                 | 18.2 | 18.5 | 18.8 | 19.0 | 19.3 | 19.6 | 19.9 | 20.1 | 20.4 | 20.7 |
| 4.2                 | 21.0 | 21.3 | 21.6 | 21.9 | 22.1 | 22.4 | 22.7 | 23.0 | 23.3 | 23.6 |
| 4.3                 | 23.9 | 24.2 | 24.5 | 24.8 | 25.1 | 25.4 | 25.7 | 26.0 | 26.3 | 26.6 |
| 4.4                 | 26.9 | 27.3 | 27.6 | 27.9 | 28.2 | 28.5 | 28.8 | 29.2 | 29.5 | 29.8 |
| 4.5                 | 30.1 | 30.4 | 30.8 | 31.1 | 31.4 | 31.7 | 32.1 | 32.4 | 32.7 | 33.1 |
| 4.6                 | 33.4 | 33.7 | 34.1 | 34.4 | 34.8 | 35.1 | 35.4 | 35.8 | 36.1 | 36.5 |
| 4.7                 | 36.8 | 37.2 | 37.5 | 37.9 | 38.2 | 38.6 | 38.9 | 39.3 | 39.7 | 40.0 |
| 4.8                 | 40.4 | 40.7 | 41.1 | 41.5 | 41.8 | 42.2 | 42.6 | 42.9 | 43.3 | 43.7 |
| 4.9                 | 44.0 | 44.4 | 44.8 | 45.1 | 45.5 | 45.9 | 46.3 | 46.7 | 47.0 | 47.4 |
| 5.0                 | 47.8 | 48.2 | 48.6 | 48.9 | 49.3 | 49.7 | 50.1 | 50.5 | 50.9 | 51.3 |

\*Weir length 4.99 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

A circular professional engineer seal for C. E. Brockway, P.E. The seal contains the text "STATE OF CALIFORNIA" at the top and "PROFESSIONAL ENGINEER" at the bottom. A handwritten signature "C. E. Brockway" and the date "10/1/81" are written over the seal.

11/18/81

State of Idaho  
Department of Water Administration

LICENSE OF WATER RIGHT

License of Water Right No. 33448/36-2680 Priority June 6, 1966 Amount 90.30 cfs

THIS IS TO CERTIFY, that COMMERCIAL STATE BANK ~~XXXX~~ Rim View  
of Boise, Idaho, has complied with the terms and conditions of Permit  
No. 33448/36-2680 issued pursuant to Application for Permit dated June 6, 1966,  
and has submitted proof to the Department of Water Administration on February 8, 1972,  
that he has applied water to a beneficial use; an examination by the Department indicates that the  
works have a capacity of 90.30 cfs, and that the water has in fact been applied to a  
beneficial use; a right to the use of water from Niagara Springs  
tributary of the Snake River, is hereby confirmed in the following amounts:

Amount 90.30 cfs for Fish Propagation from Jan. 1 to Dec. 31 (both dates inclusive)  
Amount \_\_\_\_\_ for \_\_\_\_\_ from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)  
Amount \_\_\_\_\_ for \_\_\_\_\_ from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)

Subject, however, to the condition that no more than 90.30 cfs of water be diverted at  
any one time, said waters to be diverted within the \_\_\_\_\_

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

in the county of Gooding; and that the amount of water so diverted and to which such  
right is entitled and confirmed is for the purposes aforesaid and is limited to the amount which can  
actually be beneficially used and shall not exceed 65,919 acre feet per year ~~AK~~

Description and location of place of use:

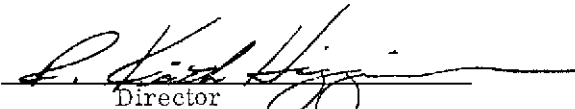
| TWP. | RANGE | SEC. | NE $\frac{1}{4}$ |                  |                  |                  | NW $\frac{1}{4}$ |                  |                  |                  | SW $\frac{1}{4}$ |                  |                  |                  | SE $\frac{1}{4}$ |                  |                  |                  | 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 $\frac{1}{4}$ |        |
| 9 S  | 15 E  | 10   | X                |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |

Total number of acres irrigated \_\_\_\_\_

Use of water under this license is affected by an agreement and stipulation between  
Idaho Power Company and Rim View Trout Company, Inc., dated October 5, 1966.

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 19 day of  
June, 19 73.

  
Director

State of Idaho  
Department of Water Administration

LICENSE OF WATER RIGHT

License of Water Right No. 32711/36-2704 Priority Jan. 31, 1966 Amount 132.0 cfs

THIS IS TO CERTIFY, that IDAHO POWER COMPANY  
of Boise, Idaho, has complied with the terms and conditions of Permit  
No. 32711/36-2704 issued pursuant to Application for Permit dated January 31, 1966  
and has submitted proof to the Department of Water Administration on March 1, 1967  
that he has applied water to a beneficial use; an examination by the Department indicates that the  
works have a capacity of 132.0 cfs, and that the water has in fact been applied to a  
beneficial use; a right to the use of water from Niagara Springs  
tributary of the Snake River, is hereby confirmed in the following amounts:

Amount 132.0 cfs for fish propagation from Jan. 1 to Dec. 31 (both dates inclusive)  
Amount 132.0 cfs for fire protection from Jan. 1 to Dec. 31 (both dates inclusive)  
Amount 0.04 cfs for domestic from Jan. 1 to Dec. 31 (both dates inclusive)  
0.04 cfs irrigation March 15 Nov. 15  
Subject, however, to the condition that no more than 132.0 cfs of water be diverted at  
any one time, said waters to be diverted within NW

Lot #1, Sec. 10, Twp. 9 S, Rge. 15 E, B.M.

in the county of Gooding; and that the amount of water so diverted and to which such  
right is entitled and confirmed is for the purposes aforesaid and is limited to the amount which can  
actually be beneficially used and shall not exceed 8.0 acre feet per year or  
4.0 acre feet per acre. for irrigation use; 0.6 af per domestic unit not to  
exceed 1.8 af per year; 48,180 af for fire protection use; and 48,180 af for fish prop-  
agation use \*

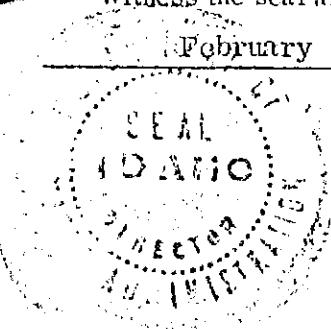
| TWP.                         | RANGE | SEC. | NE 1/4 |        |        |         | NW 1/4 |        |        |        | SW 1/4 |        |        |        | SE 1/4 |        |        |        | TOTALS |
|------------------------------|-------|------|--------|--------|--------|---------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|
|                              |       |      | 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 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 |        |
| 9 S                          | 15 E  | 10   |        |        |        | 2       |        |        |        |        |        |        |        |        |        |        |        |        | 2      |
|                              |       |      |        |        |        | (Lot 9) |        |        |        |        |        |        |        |        |        |        |        |        |        |
| Domestic & Fish Propagation: |       |      |        |        |        |         |        |        |        |        |        |        |        |        |        |        |        |        |        |
| 9 S                          | 15 E  | 10   | X      |        |        | X       |        |        |        |        |        |        |        |        |        |        |        |        |        |

Total number of acres irrigated 2

\* with the total amount not to exceed 48,180 acre feet per year.  
Use of water under this license is affected by an agreement and stipulation between Idaho  
Power Company and Rim View Trout Company, Inc., dated October 5, 1966.

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 11 day of  
February, 19 72.



*[Signature]*  
Director

36 2704

# 39239

*[Handwritten initials]*

August 6, 1981

MD

Re: Permit No. 36-7167

Earl M. Hardy - President  
Rim View Trout Co.  
1301 Vista Ave.  
Boise, ID 83705

Dear Mr. Hardy:

Enclosed is a copy of the Order which changes the measuring device requirement for the above referenced permit per request from C. E. Brockway, P.E.

This Order removes the measuring device condition from the inlet works subject, however, to the condition that at some time in the future the Department may require installation of controlling works and a measuring device at the inlet. A measuring device is still required at the outlet works.

If you have any questions concerning this matter, please contact us.

Sincerely,

DAVID R. TUTHILL, JR., P.E.  
Supervisor, Water Allocations Section

DRT:jg  
Enclosure

cc: C. E. Brockway, P.E.

So Region

July 16, 1981

RECEIVED

JUL 23 1981

Department of Water Resources

MEMO:

TO: Dave Tuthill

FROM: Gary L. Funderburg *GF*

SUBJECT: Waiver of measuring device on outlet of fish facilities under permit 36-7167

I spent most of the morning with Charles Brockway reviewing this outlet and the wier at the outlet. From my observation of inlet, it is almost impossible to rate the section where the water diverts from the Spring to the fish ponds. There are other users above and below applicant's diversion that in the future could be a problem for distribution of these springs.

I feel we should grant the waiver on the conditions if there is any further construction for diverting the water to the facilities, at that time a measuring device will be installed and if there appears to be problems in the future of distribution, applicant will be instructed to construct an inlet measuring device and a locking headgate.

RECEIVED



**STATE OF IDAHO**  
**DEPARTMENT OF WATER RESOURCES**  
SOUTHERN REGION

John V. Evans  
Governor

C. Stephen Allred  
Director

1041 Blue Lakes Blvd. North  
Twin Falls, Idaho 83301  
(208) 734-3578

July 8, 1981

Earl M. Hardy - President  
Rim View Trout Co.  
1301 Vista Ave.  
Boise, Idaho 83705

Re: Permit No. 36-7167

Dear Mr. Hardy:

We acknowledge receipt of the affidavit submitted as proof of beneficial use for the above referenced permit.

Before a license can be issued, a field examination must be made by a representative of this Department. We cannot tell just when this examination will be made, but our examiner will try to contact you at the time he makes the examination so that you may show him the system.

Field examinations must be done while the system is in operation. For this reason we concentrate on irrigation permits during the summer months and do examinations on permits for other uses during the non-irrigating months.

If you have any questions regarding the field examination, please contact our office.

Sincerely,

Gary L. Funderburg  
Senior Water Resource Agent

GLF:marya

MICROFILMED

JUN 29 1981

**C. E. BROCKWAY P. E.  
ENGINEERING CONSULTANT**

Department of Water Resources  
**Groundwater, Hydrology,  
and Hydraulic Engineering**

**Route 1, Box 186  
Kimberly, Idaho 83341**

June 25, 1981

Mr. Dave Tuthill  
Idaho Department of Water Resources  
450 West State  
Boise, ID 83720

Re: Rim View Trout Company, License 36-2680 and Permit 36-7167

Dear Dave:

In July 1978 I submitted a rating curve for the Rim View Trout Company Main Diversion channel from Niagara Springs to satisfy measuring requirements under the above permits. Subsequent current meter measurements to check the curve show that rapid shifts are occurring due to moss, weeds and interference with the flow patterns by structural ties across the channel. For this reason, it is my opinion that maintenance of the current rated section is not possible. Alteration of the diversion works to accommodate a new measuring device would not be feasible.

All of the diverted water is transported in concrete channels through the headworks and concrete raceways so that seepage losses will be insignificant. Measurement of the total diverted flow is possible at four outflow sites using standard weirs. This would allow both for determination of the total diversion and better management of water distribution within the facility. Weirs will be equipped with permanent staff gages so that discharge can be determined at any time.

I have discussed the proposed locations with Gary Funderburg of the Southern District Office. I am therefore requesting a waiver of the inlet measurement requirement and approval of acceptable outlet measurements.

Sincerely yours,

*C. E. Brockway*  
C. E. Brockway, P.E.

cc: Earl Hardy  
IDWR - Southern District

DATE 6/30/81

FROM Dave Tuttle

TO Gary Funderburg

SUBJECT

What is your recommendation on this proposed waiver?

Dave

SIGNATURE

RECEIVED

JUN 29 1981

*Dave*

**C. E. BROCKWAY P. E.  
ENGINEERING CONSULTANT**

Department of Water Resources  
**Groundwater, Hydrology,  
and Hydraulic Engineering**

**Route 1, Box 186  
Kimberly, Idaho 83341**

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Sincerely yours,

*C. E. Brockway*

C. E. Brockway, P.E.

cc: Earl Hardy  
IDWR - Southern District

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



Mr. Dave Tuthill  
Idaho Department of Water Resources  
450 West State  
Boise, ID 83720

# DEPARTMENT OF WATER RESOURCES

The Idaho Department of Water Resources will consider this card as a statement that the permit holder(s) has completed development to the extent shown below of Permit No. 36-7167

Name(s) of Permit Holder: Rim View Trout Co.

Post Office Address: 1301 Vista Ave.,  
Boise, Idaho 83705 Tel. No. 344-7321

Source of Water: Niagara Springs

Extent of Use:

- Domestic \_\_\_\_\_ (number of households)
- Stockwater \_\_\_\_\_ (number and type of stock)
- Irrigation \_\_\_\_\_ (acres)
- Other Fish Propagation (See 4/28/81 from C.E. Brockway P.E. of 6/25/81)

Measuring Device: Required?  Yes  No Installed?  Yes  No *No let...*

Access Port: Required?  Yes  No Installed?  Yes  No

The above information is a true statement of the extent to which the above numbered permit has been developed.

June 29, 1981 Date

Rim View Trout Co.  
By Edna M. Hardy, Pres. Signature of Permit Holder

PLACE  
TEN CENT  
STAMP  
HERE

RECEIVED

JUN 30 1981



IDAHO DEPARTMENT OF WATER RESOURCES  
STATEHOUSE  
BOISE, IDAHO 83720

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

STATEHOUSE  
BOISE, IDAHO 8  
(208) 333-4440  
CERTIFIED MAIL

←  
(cont)

WILMINGTON TRUST CO.,  
1301 VICTORY DR.,  
BOISE, IDAHO 83725

APR 30 1981

APRIL 30, 1981

DEAR PERMIT HOLDERS:

ONE OF THE CONDITIONS OF APPROVAL OF YOUR WATER PERMIT NO. 35-7107 WAS THAT EVIDENCE OF THE EXTENT OF DEVELOPMENT MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE JULY 31, 1981. (SEE LAST PAGE OF YOUR APPROVED PERMIT). ENCLOSED IS A POST CARD WHICH MAY BE USED TO SHOW THE REQUIRED PROOF OF BENEFICIAL USE.

IF YOU HAVE NOT FULLY COMPLETED YOUR PROJECT, AND YOU HAVE NOT PREVIOUSLY RECEIVED AN EXTENSION OF TIME, YOU MAY REQUEST AN EXTENSION OF TIME PROVIDED THE DELAY IS FOR REASONABLE CAUSE AS INDICATED IN SECTION 42-204, IDAHO CODE, AMENDED. IF YOU HAVE BEEN PREVENTED FROM PROCEEDING BY A GOVERNMENTAL AGENCY OR BY LITIGATION, MORE THAN ONE EXTENSION OF TIME CAN BE GRANTED. A REQUEST FOR EXTENSION OF TIME FORM IS ENCLOSED FOR YOUR CONVENIENCE. PLEASE NOTE THAT A FEE OF \$15.00 MUST BE SUBMITTED WITH THIS FORM.

EITHER THE BENEFICIAL USE POST CARD OR A REQUEST FOR AN EXTENSION OF TIME MUST BE RECEIVED BY THIS DEPARTMENT ON OR BEFORE THE ABOVE MENTIONED DATE, OTHERWISE, THE PERMIT WILL LAPSE AND BE OF NO FURTHER FORCE OR EFFECT WITHIN 60 DAYS.

SINCERELY,

ELIA FLECK  
SR. SECRETARY

ENCLOSURES

March 22, 1978

Re: Permit No. 36-7167

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

Gentlemen:

Enclosed is a copy of the approved application for amendment issued on the above referenced permit.

Sincerely,

JAN GROVER  
Supervisor,  
Water Rights

Encl.

June 16, 1976

Re: Permit No. 36-7167

Rim View Trout Co.  
Box 7503  
Boise, ID 83707

Gentlemen:

Enclosed is a copy of the approved application for extension of time in connection with the above referenced permit.

The time within which to submit proof of beneficial use of water has been extended to July 1, 1981.

Sincerely,

D. Darlene Reich  
Water Rights Supervisor

File

JUNE 15, 1976

State of Idaho  
Department of Water Resources

ATTENTION: MR. BOBBY D. HEENER

Replying to your letter of June 1, 1976 regarding the application for extension of time filed by Rimview Trout Co. under Permit No. 36-7167, please be advised that I recently purchased 67% of the capital stock of Rimview Trout Co. and am presently president of the company.

Please change your file to show the new address of the <sup>Company</sup> 1301 VISTA AVE., Boise, Idaho, 83705.

Sincerely,

Carl M. Hardy

RECEIVED

FROM Dave Tuthill

DATE 6-11-1976

TO File No. 36-7767

SUBJECT App. for extension of time

Earl Hardy indicated to me in a telephone conversation on June 8, 1976, that he is President of Rim View Trout Co.

---

SIGNATURE

June 1, 1976

Re: Permit No. 36-7367

Earl Hardy  
Rim View Trout Co.  
Box 7503  
Boise, Idaho 83707

Dear Mr. Hardy:

We received the application for an extension of time that you requested on Rim View Trout Company's Permit No. 36-7167.

Please let us know your position with the company so that we might consider this application for extension of time. Presently, our files do not indicate that you are an owner or an officer of the company.

Sincerely,

BOBBY D. FLEENOR  
Chief, Water Rights

BDF:jfr

SECTION 1063. Postage items 1, 2, and 3.  
This form applies to the "RETURN TO" mark on  
postage items.

1. The following settings is requested (check one).

- Show to whom and date delivered..... 197
- Show to whom, date, & address of delivery... 504
- RESTRICTED DELIVERY.  
Show to whom and date delivered..... 514
- RESTRICTED DELIVERY.  
Show to whom, date, and address of delivery 514

2. ARTICLE UNADDRESSED TO:

**MEMPHIS**

3. ARTICLE DESCRIPTION:

| REGISTERED NO. | CERTIFIED NO. | INSURED NO. |
|----------------|---------------|-------------|
| FD             | 138542        |             |

(Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE  Addressee  Authorized agent

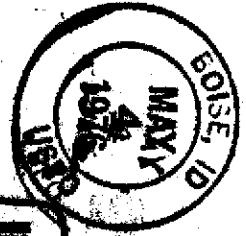
4. DATE OF DELIVERY  
*[Signature]*  
MAY 4 - 1976

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER REASON:



DEPARTMENT OF WATER RESOURCES  
STATEHOUSE  
BOISE, IDAHO 83720



PENALTY FOR PRIVATE  
USE TO AVOID PAYMENT  
OF POSTAGE \$300

UNITED STATES POSTAL SERVICE  
OFFICIAL BUSINESS

**SENDER INSTRUCTIONS**  
Print your name, address, and ZIP Code in the space below.  
• Complete forms 1, 2, and 3 on reverse side.  
• Fasten gummed ends and attach to back of article.



**RETURN  
TO**

April 30, 1976

CERTIFIED MAIL \* 138542

Re: Permit No. 36-7167

Rim View Trout Company  
2903 West Idaho St.  
Boise, Idaho 83702

Gentlemen:

One of the conditions of approval of your water Permit No. 36-7167 (see last page of your approved permit) was that evidence of the extent of development be submitted as proof of application of water to beneficial use to this office on or before JULY 1, 1976. Enclosed is an affidavit form which must be used to submit the required proof of beneficial use.

If you have not fully completed your project, and you have not previously received an extension of time, you may request an extension of time provided the delay is for reasonable cause as indicated in Section 42-204, Idaho Code, amended. If you have been prevented from proceeding by a governmental agency or by litigation, more than one extension of time can be granted.

Either the beneficial use affidavit or a request for an extension of time must be received by this Department on or before the above mentioned date, otherwise the permit will lapse and be of no further force or effect.



R. KEITH HIGGINSON  
Director

RKH:jg  
Enc: Proof affidavit

cc: Rim View Trout Co., Wendell, ID  
Bakes, Ward & Bates, PO Box 2532, Boise, ID



**STATE OF IDAHO**  
**DEPARTMENT OF WATER RESOURCES**

Cecil D. Andrus  
Governor

R. Keith Higginson  
Director

Statehouse  
Boise, Idaho 83720  
(208) 384-2215

December 11, 1975

Rimview Trout Company  
2903 West Idaho Street  
Boise, Idaho 83702

Gentlemen:

Enclosed are copies of Permit No's 36-7167, License No. 36-~~3~~680 and Claim No. 36-4032.

If you need anything further, please contact this office.

Sincerely,

BOBBY D. FLEENOR  
Chief, Water Rights

BDF:JFR

Enclosure

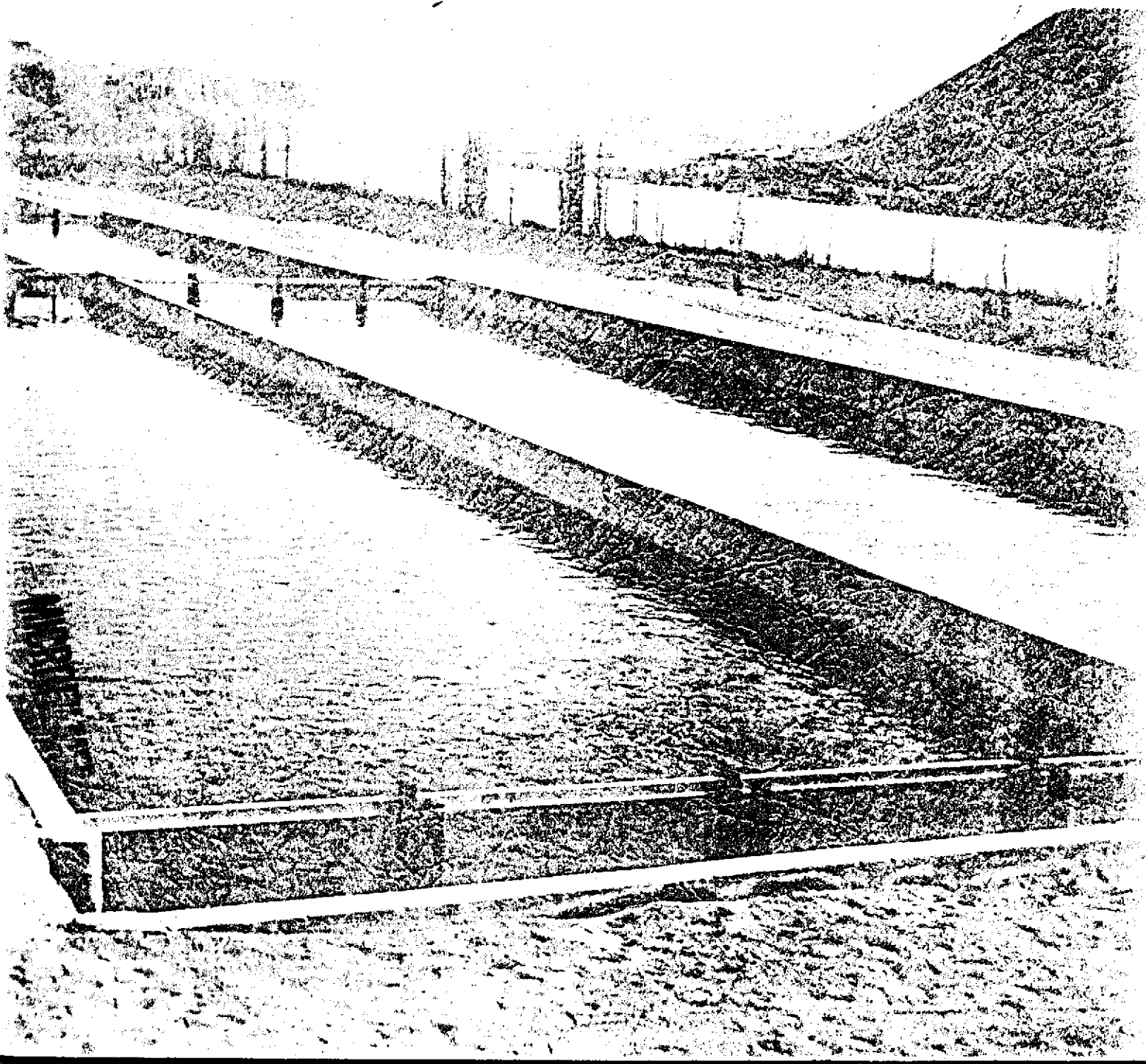
Johnson

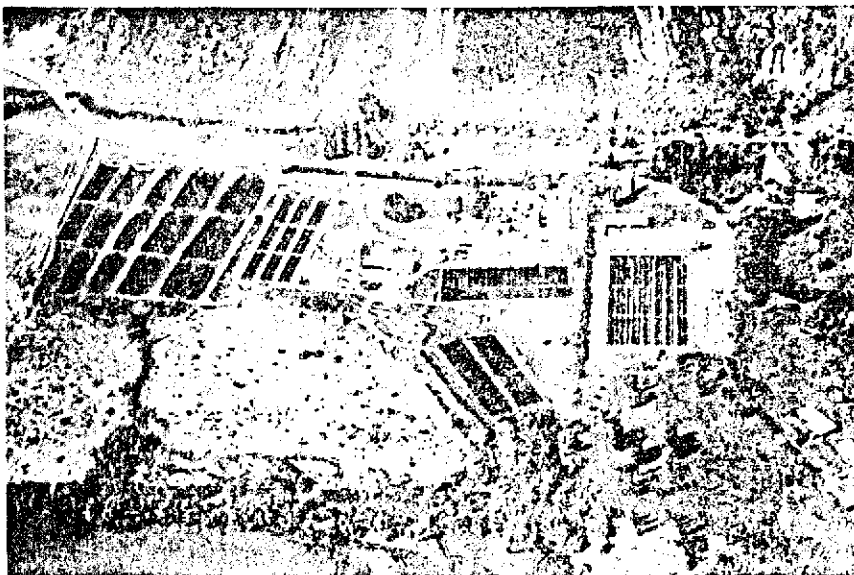
# AQUACULTURE IN IDAHO

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:

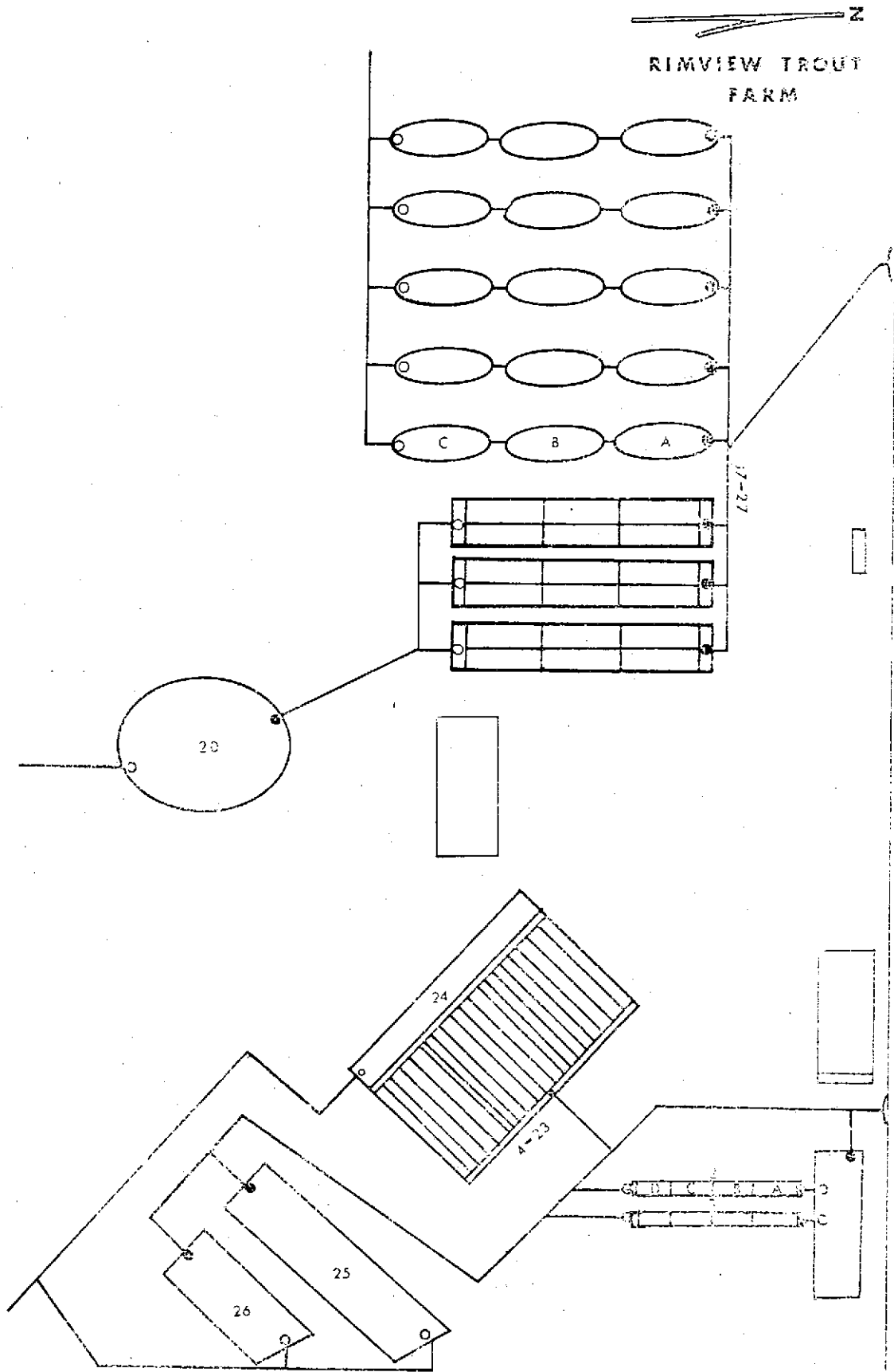
|                    |           |                  |                  |
|--------------------|-----------|------------------|------------------|
| Dissolved Oxygen   | 9.80 ppm  | Alkalinity       | -171 ppm         |
| pH                 | -8.05     | Conductivity     | -1419 $\mu$ mhos |
| Nitrate            | -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

RECEIVED

Flow Diagram 22



August 24, 1971

Re: Application No. 36-7162 - George Lemmon  
" " 36-7197 - Lester Bornt  
Permit No. 36-7167 - Rim View Trout Co., a corporation  
" " 36-2704 - Idaho Power Company

Parry, Robertson, Daly & Larson  
P. O. Box 525  
Twin Falls, Idaho 83301

ATTENTION: C. G. McIntyre

Dear Mr. McIntyre:

Pursuant to your letter of August 5, 1971, the priority date for the above referenced applications and permits are as follows:

36-7197 - July 29, 1971  
36-7162 - March 4, 1971  
36-7167 - March 18, 1971  
36-2704 - January 31, 1966

If you should have any further questions in reference to this matter, please feel free to contact us.

Very truly yours,

Dorian Clay  
Appropriation Examiner

DC/bb

36 7167

**PARRY, ROBERTSON, DALY & LARSON**

LAWYERS

THE IDAHO FIRST NATIONAL BANK BUILDING

P. O. BOX 525

TWIN FALLS, IDAHO 83301

TELEPHONE  
(208) 733-3722

R. P. PARRY  
T. M. ROBERTSON  
JOHN H. DALY (1913-1968)  
BERT LARSON  
C. G. MCINTYRE  
JOHN R. COLEMAN  
THOMAS G. NELSON  
JOHN A. RUSHOLT  
FRED D. DECKER  
ROBERT C. PAINE

August 5, 1971

Mr. Dorian Clay, Appropriation Examiner  
Idaho Department of Water Administration  
Statehouse - Annex 2  
Boise, Idaho 83707

Re: Application No. 367197

Dear Mr. Clay:

Would you please advise me of the filing date your office shows for the above application and also the filing date on any other applications of the waters of Niagara Springs which have not as yet ripened into a water certificate.

Thank you for your assistance.

Sincerely,

  
C. G. MCINTYRE

CGM:cg

36 7167

July 7, 1971

Re: Permit No. 36-7167 - Rim View Trout Company

Rim View Trout Company  
2903 West Idaho Street  
Boise, Idaho

Gentlemen:

Enclosed is a copy of your approved Application for Permit No. 36-7167. We direct your attention to the conditions of approval as listed on the fourth page.

Be sure to note that a special condition requiring you to install and maintain a measuring device at your point of diversion has been placed upon your permit. We are enclosing a letter describing different types of measuring devices accepted by this office.

Very truly yours,

BOBBY D. FLEENOR  
Assistant Director

BDF:kh

Enclosures

cc: Bakes, Ward & Bates  
P.O. Box 2832  
Boise, Idaho

36 7167

LAW OFFICES  
BAKES, WARD & BATES

ROBERT E. BAKES  
JOHN C. WARD  
JAY F. BATES

May 12, 1971

RECEIVED

MAY 18 1971

Department of Water Administration  
612 HAYS STREET  
BOISE, IDAHO 83701  
TELEPHONE: (208) 342-8915

Department of Water Administration  
State House - Annex 2  
Boise, Idaho

ATTENTION: Donald W. McEldowney

RE: Application No. 36-7167

Dear Sir:

Pursuant to your request of March 25, 1971, and our telephone conversation May 6, 1971, the following documents and representations are made.

1. Financial Statement

- (a) Balance sheet as of December 31, 1970, prepared by Charles O. Brady, C.P.A.
- (b) Profit and Loss Statement, year ended December 31, 1970.

The growth of Rim View Trout Co., a corporation, has been steady with present facilities and water use incapable of meeting market demands. Appropriation of additional water pursuant to this application, construction of additional raceways and ponds, and improvements or additions to existing facilities are required to meet these market demands. An expenditure of approximately \$20,000.00 will be made to construct, improve and add the needed facilities. Such expenditure is well within the means of the applicant.

2. A preliminary design and layout of the facilities are attached. The sketch is not to scale and is illustrative only. Diversion point, pipeline and ditch are as described in Permit No. 33448.

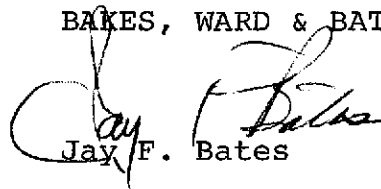
3. An increase in propagation is required to meet present market demands. Trout propagation requires a constant flow of fresh water to produce a demand product of ideal weight, size, color and firmness. The water use is non-consumptive and will service approximately thirty-one additional raceways and rearing ponds. These additional facilities are shown in the red cross-hatched area on the attached exhibit. The other facilities shown on the map are already completed, and the current year's crop of fish will soon be advanced in size requiring the full 100 second feet under application and use. The additional raceways will require the additional 50 second feet.

36 7167

4. Construction of the new raceways commenced on or about March 18, 1971, and completion is scheduled on or before March 17, 1976. All requirements of law shall be met on or before the date for proof of application to beneficial use and are included in the preliminary plans of construction. Maximum operational capacity of existing facilities and proposed additions are projected within five (5) years, and will probably be completed much sooner.

Very truly yours,

BAKES, WARD & BATES



Jay F. Bates

JFB:bh  
Enclosures

RIM VIEW TROUT CO., INC.  
BALANCE SHEET  
DECEMBER 31, 1970

ASSETS

CURRENT ASSETS

|   |    |                   |
|---|----|-------------------|
| Cash in Bank                              | \$ | (2,706.80)        |
| Accounts Receivable - Trade               |    | 3,825.23          |
| Accounts Receivable - Stockholders        |    | 2,997.82          |
| Contract Receivable - Caribou Trout Ranch |    | 6,712.30          |
| Note Receivable - Eugene Nichols          |    | 500.00            |
| Inventory - Trout                         |    | <u>329,964.20</u> |
| Total Current Assets                      | \$ | <u>341,292.75</u> |

INVESTMENTS

|                                       |        |        |
|---------------------------------------|--------|--------|
| Stock - First Rocky Mountain Troutman | 100.00 |        |
| Total Investments                     |        | 100.00 |

FIXED ASSETS

|                         | COST                 | RESERVE             | BOOK VALUE          |
|-------------------------|----------------------|---------------------|---------------------|
| Land                    | \$ 11,902.15         |                     | \$ 11,902.15        |
| Building & Improvements | \$ 149,331.89        | 43,772.17           | 105,559.72          |
| Machinery & Equipment   | 71,058.40            | 43,768.33           | 28,290.07           |
| Autos and Trucks        | 27,281.97            | 25,251.65           | 2,030.32            |
| Organizational Expense  | 741.90               |                     | 741.90              |
|                         | <u>\$ 260,316.31</u> | <u>\$111,792.15</u> | <u>\$148,524.16</u> |

Total Assets \$489,916.91

LIABILITIES AND CAPITAL

CURRENT LIABILITIES

|   |    |                     |
|---|----|---------------------|
| Accounts Payable - Trade                  | \$ | 56,414.70           |
| Accounts Payable - Idaho Best Foods, Inc. |    | (16,965.42)         |
| Accounts Payable - Taks, Inc.             |    | 80,161.54           |
| F I C A Taxes Payable                     |    | 7,413.30            |
| State W/H Taxes Payable                   |    | 772.86              |
| Accrued Interest Payable                  |    | 361.62              |
| Total Current Liabilities                 |    | <u>\$128,158.68</u> |

36 7167

RIM VIEW TROUT COMPANY, INC.  
BALANCE SHEET  
DECEMBER 31, 1970  
PAGE II

**FIXED LIABILITIES**

|  |                 |            |
|--|-----------------|------------|
| Note Payable - Commercial State Bank       | \$129,811.76    |            |
| Loan Payable - Taks, Inc.                  | 46,500.00       |            |
| Contract Payable - International Harvester | <u>9,943.18</u> |            |
| Total Fixed Liabilities                    |                 | 186,254.94 |

**CAPITAL**

|                               |                 |                     |
|-------------------------------|-----------------|---------------------|
| Common Stock Issued           | \$212,758.33    |                     |
| Capital Surplus               | 8,119.26        |                     |
| Paid-in Surplus               | 10,449.98       |                     |
| Retained Earnings 12-31-69    | \$(65,057.39)   |                     |
| Add: Net Income 12-31-70      | <u>9,233.11</u> | <u>(55,824.28)</u>  |
| Total Capital                 |                 | <u>\$175,503.29</u> |
| Total Liabilities and Capital |                 | <u>\$489,916.91</u> |

PREPARED WITHOUT AUDIT  
SEE ATTACHED LETTER

36 7167

CHARLES O. BRADY  
Certified Public Accountant  
BOISE, IDAHO

RIM VIEW TROUT COMPANY, INC.  
 PROFIT AND LOSS STATEMENT  
 YEAR ENDED DECEMBER 31, 1970

**INCOME**

|                      |               |               |
|----------------------|---------------|---------------|
| Trout Sales          | \$ 213,240.60 |               |
| Processing Income    | 50,625.12     |               |
| Miscellaneous Income | 1.49          |               |
|                      |               |               |
| Total Income         |               | \$ 263,867.21 |

**COST OF SALES**

|                                 |            |            |
|---------------------------------|------------|------------|
| Beginning Inventory 1-1-70      | 327,567.80 |            |
| Purchases                       | 93,346.01  |            |
| Labor                           | 66,462.66  |            |
|                                 | 487,376.47 |            |
| Less: Ending Inventory 12-31-70 | 329,964.20 | 157,412.27 |
|                                 |            |            |
| Gross Profit                    |            | 106,454.94 |

**OPERATING EXPENSES**

|                                  |           |           |
|----------------------------------|-----------|-----------|
| Advertising                      | \$ 36.67  |           |
| Auto and Truck Expense           | 2,318.81  |           |
| Depreciation                     | 12,323.86 |           |
| Freight                          | 7,903.02  |           |
| Indirect Labor                   | 5,700.00  |           |
| Insurance                        | 7,106.39  |           |
| Interest                         | 25,384.64 |           |
| Legal and Accounting             | 1,900.00  |           |
| Office Expense                   | 819.50    |           |
| Payroll Taxes                    | 3,705.68  |           |
| Property Taxes                   | 5.13      |           |
| Rent Expense                     | 1,200.00  |           |
| Repair & Maintenance - Building  | 1,010.40  |           |
| Repair & Maintenance - Equipment | 870.11    |           |
| Supplies                         | 19,888.27 |           |
| Taxes and Licenses               | 1,255.16  |           |
| Telephone Expense                | 1,569.62  |           |
| Travel Expense                   | 1,755.71  |           |
| Utilities                        | 2,469.86  |           |
|                                  |           |           |
| Total Operating Expenses         |           | 97,221.83 |

**NET INCOME 12-31-70**

\$ 9,233.11

PREPARED WITHOUT AUDIT  
 SEE ATTACHED LETTER

LAW OFFICES  
BAKES, WARD & BATES

ROBERT E. BAKES  
JOHN C. WARD  
JAY F. BATES  
**RECEIVED**

MAY 7 1971

May 6, 1971

612 HAYS STREET  
P. O. BOX 2832  
BOISE, IDAHO 83701  
TELEPHONE: (208) 342-8915

Department of Water Administration

Department of Water Administration  
State of Idaho  
Statehouse Annex 2  
Boise, Idaho 83707

Attention: Mr. Donald W. McEldowney

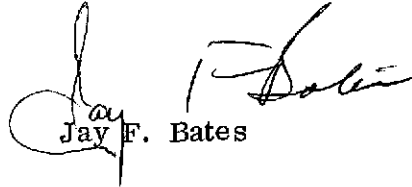
Re: Rim View

Dear Mr. McEldowney:

Reference our telephone conversation this date. As we advised, the information requested should be in our hands to submit by the middle of the week, May 10.

Very truly yours,

BAKES, WARD & BATES

  
Jay F. Bates

JFB:mm

36 7167

**STATE OF IDAHO**

**DEPARTMENT OF WATER ADMINISTRATION**

Statehouse - Annex 2  
Boise, Idaho 83707  
(208) 384-2215



**R. Keith Higginson**  
Director

Water Rights Administration  
Water Resource Investigations  
Dam and Reservoir Safety  
Water Well Drilling  
Flood Plain Management  
Irrigation and  
Flood Control Districts

April 2, 1971

Re: Application for Permit No. 36-7167

Mr. Jay F. Bates  
BAKES, WARD & BATES  
P.O. Box 2832  
Boise, Idaho 83701

Dear Mr. Bates:

Please accept our apology for referencing Crystal Springs rather than Niagra Springs in our letter of March 25, 1971, in connection with the above application for permit.

Very truly yours,

Donald W. McEldowney  
Appropriation Supervisor

DWM:Dr

cc: Rim View Trout Co.

36 7167

LAW OFFICES  
BAKES, WARD & BATES

ROBERT E. BAKES  
JOHN C. WARD  
JAY F. BATES

612 HAYS STREET  
P. O. BOX 2832  
BOISE, IDAHO 83701  
TELEPHONE: (208) 342-8815

March 31, 1971

Donald W. McEldowney  
Appropriation Supervisor  
Department of Water Administration  
State of Idaho  
Statehouse - Annex 2  
Boise, Idaho 83707

Re: Rim View Trout Farm Co.

Dear Sir:

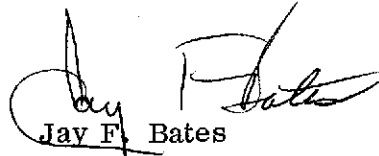
Receipt is acknowledged of your letter of March 25, 1971.

Please be advised that application for the additional 50 cfs is from Niagra Falls rather than Crystal Springs.

Information requested is in the process of being accumulated and supplied with all reasonable dispatch and supplied to your office at the earliest date.

Very truly yours,

BAKES, WARD & BATES

  
Jay F. Bates

JFB:mm

36 7167

November 10, 1971

Mr. Keith Higginson  
Reclamation Engineer  
State Office Building  
Boise, Idaho

RE: Idaho Power Application #36-2704

Dear Mr. Higginson:

The above entitled Idaho Power Application has been pending for license for some time now. One of the problems in that file is that when Idaho Power initially filed their application they failed to cause the notice to be published as required by law, and as a result the Rim View application for 100 second feet of water was filed prior to the time that Idaho Power realized that their first application had not been properly published. Thereafter, proceedings were held in hearings on the Rim View application which resulted in a stipulation being entered into between Idaho Power Company and Rim View Trout Co., the result of which was that Rim View's application would have first priority for the first 40 second feet (actually, this 40 second feet was a long established use right and Rim View does not waive the earlier priority which is established by this use), then Idaho Power's application would be second for 110 feet, and the balance of Rim View's application would be next for 60 second feet.

The stipulation is filed in both files, and before any license is issued to Idaho Power Company establishing a priority for their water license, I think a conference should be held in order to work out the priority dates of both the Idaho Power application and the Rim View application. I am sending two copies of this letter in order that one may be placed in both the Idaho Power application file set out and the Rim View application file.

I would appreciate any comments which you may have on this.

Yours very truly,

BAKES, WARD & BATES

*Robert E. Baker*  
Robert E. Bakes

REB:bh

36 7167

**STATE OF IDAHO**

**DEPARTMENT OF WATER ADMINISTRATION**

Statehouse - Annex 2  
Boise, Idaho 83707  
(208) 384-2215



**R. Keith Higginson**  
Director

Water Rights Administration  
Water Resource Investigations  
Dam and Reservoir Safety  
Water Well Drilling  
Flood Plain Management  
Irrigation and  
Flood Control Districts

March 25, 1971

Re: Application No. 36-7167

Rim View Trout Co.  
2903 West Idaho St.  
Boise, Idaho

Gentlemen:

In order to further consider your application for permit, we will require additional information not included with the above referenced application (50 cfs from Crystal Springs):

1. A financial statement indicating the resources available to complete the project as described in the application.  
(see Section 42-203 of the Idaho Code)
2. A preliminary design of the hatchery facilities, indicating the size of raceways, general layout, the size of pipelines or other diversion works and such other information as will fully describe the method and means of diversion and verify the need for the quantity of water requested.
3. A justification, based upon the preliminary design and the estimated production of the hatchery, for the amount of water requested.
4. An estimated schedule of construction, giving dates for the start of construction, the finish of construction, and the date that full operation of the hatchery is anticipated.

Page 2  
Rim View Trout Co.  
Re: 36-7167  
March 25, 1971

You should be aware that all applications, if approved, will require the installation and maintenance of adequate measuring devices, both at the point of diversion and the point of return of the water to the creek. These devices must be of a type approved by the Department; they can be of any generally recognized standard measuring device type. You should include the installation of these devices in your preliminary plans for construction.

We would appreciate receiving this information on or before April 25, 1971. Thank you for your cooperation in this matter.

Very truly yours,

Donald W. McEldowney  
Appropriation Supervisor

DWM/bb  
Enc: information letter  
cc: BAKES, WARD & BATES

36 7167

March 24, 1971

Re: Application No. 36-7167 -- Rim View Trout Co.  
" " 37-7088 -- Zane G. Harrison  
Claim No. 36-4011 -- Thousand Springs Trout Farms, Inc.

Gooding County Leader  
Box 56  
Gooding, Idaho 83330

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for our review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted assuming the notice is correct. If we have any corrections, we will notify you before the first publication date. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. In order to receive payment, the following certification must appear on the bill:

"I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid."

-----  
(signature of claimant)

Very truly yours,

Donald W. McEldowney  
Appropriation Supervisor

Bill submitted 5-6-71 by dr

DEM:DR  
Enc: Legal notices (3)

36 7167

**NOTICE OF APPLICATION  
FOR WATER PERMIT**

Notice is hereby given that Rim View Trout Co., Wendell, Idaho, has on March 18, 1971, submitted Application No. 36-7167 for a permit to appropriate 50.0 cubic feet per second of water from Niagra Springs, tributary to the Snake River by means of ditch within the NE $\frac{1}{4}$ NE $\frac{1}{4}$  Sec. 10, T. 9S, 15E, B.M., Gooding County, to be used from Jan. 1 to Dec. 31 for fish propagation purposes within the NE $\frac{1}{4}$ NE $\frac{1}{4}$  Sec. 10, T. 9S, R. 15E, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Administration, Statehouse, Boise, Idaho, 83707, on or before April 19, 1971.

R. Keith Higginson  
Director

4-1-2tc

36 7167

O.K.  
4/1/71  
R.K.B.

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Rim View Trout Co., Wandell, Idaho,

has on March 18, 1971, submitted Application No. 36-7167

for a permit to appropriate 50.0 cubic feet per second ~~NEPA-1500-100000000~~  
of water from Niagra Springs, tributary to the Snake River

by means of ditch

within the NEPA-1500-100000000 Sec. 10, T. 9S, R. 15E, B.M., Gooding County,

to be used from Jan. 1 to Dec. 31

for fish propagation purposes

within the NEPA-1500-100000000 Sec. 10, T. 9S, R. 15E, B.M.

~~issued,~~

If ~~used,~~ this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Administration, Statehouse, Boise, Idaho, 83707, on or before April 19, 1971.

R. KEITH HIGGINSON  
Director

Published in the Gooding County Leader, Gooding, Idaho,

on April 1 and April 8, 1971

36 7167

LAW OFFICES  
BAKES, WARD & BATES

ROBERT E. BAKES  
JOHN C. WARD  
JAY F. BATES

612 HAYS STREET  
P. O. BOX 2832  
BOISE, IDAHO 83701  
TELEPHONE: (208) 342-8915

March 19, 1971

Mr. Keith Higginson, Director  
Idaho Department of Water Administration  
Statehouse, Annex #2  
Boise, Idaho 83707

RE: Rim View Trout Co.

Dear Mr. Higginson:

Rim View Trout Co. of Wendell, Gooding County, Idaho, filed an application for a permit for the appropriation of water on March 18, 1971, and was assigned No. 36-7167.

This corporation also has a Boise business address of 2903 West Idaho Street, and we request that all correspondence directed to Rim View Trout Co. be sent to 2903 West Idaho Street, Boise, Idaho, and copies thereof to this office at our address of P. O. Box 2832, Boise, Idaho.

Yours very truly,

BAKES, WARD & BATES

  
Jay F. Bates

JFB:bh

36 7167